

**SANPETE COUNTY COMMISSION MEETING**

**July 7, 2015, 1:00 PM**

Sanpete County Courthouse, 160 North Main, Room 101, Manti, Utah

Present are: Commission Chair Claudia Jarrett, Commissioners Steve Frischknecht and Scott Bartholomew, County Attorney Brody Keisel, and Deputy County Clerk Selma Jorgensen.

Meeting is called to order by Commission Chair Claudia Jarrett.

Motion is made by Commissioner Frischknecht to go into executive session to discuss the character, professional competence, or physical or mental health of an individual. The motion is seconded by Commissioner Bartholomew, and the motion passes.

**EXECUTIVE SESSION TO DISCUSS PERSONNEL**

Motion is made by Commissioner Bartholomew to go out of executive session. The motion is seconded by Commissioner Frischknecht, and the motion passes. No action was necessary due to this executive session.

**CLAIMS**

Auditor Ilene Roth is present. Motion is made by Commissioner Frischknecht to approve payment of claims #336401 through #336518. The motion is seconded by Commissioner Bartholomew, and the motion passes.

**PUBLIC HEARING: ADDITION TO THE SANPETE COUNTY LAND USE ORDINANCE RELATIVE TO THE WILDLAND URBAN INTERFACE CODE (WUI) AND RELATED AMENDMENTS**

Tracy Christensen and Scott Olsen are present. Mr. Christensen stated that they would like to amend the code to make it a little more “user friendly”. Mr. Christensen presented the recommended amendments as attached to these minutes. Motion is made by Commissioner Bartholomew to approve the recommended amendments to the Wildland Urban Interface Code. The motion is seconded by Commissioner Frischknecht, and the motion passes.

**APPROVAL OF A WAGE INCREASE FOR CLAYTON DESPAIN**

Glen Bair recently retired. Clayton Despain will be taking his place as the Shop Supervisor/Mechanic. Motion is made by Commissioner Frischknecht to raise Clayton Despain’s wage from \$19.30 to \$20.80 with no other wage adjustments except for cost of living increases. The motion is seconded by Commissioner Bartholomew, and the motion passes.

**APPROVAL OF RIGHT OF WAY EXCAVATION LICENSE FOR QUESTAR GAS TO INSTALL A TIE-IN NEW GAS MAIN AT 1000 N 200 W NEAR MANTI**

Mr. Keller explained earlier that he approves this installation. Motion is made by Commissioner Bartholomew to approve the right of way excavation license for installation of a new tie-in gas main at 1000 N 200 W near Manti. The motion is seconded by Commissioner Frischknecht, and the motion passes.

**APPROVAL OF RIGHT OF WAY EXCAVATION LICENSE FOR QUESTAR GAS TO INSTALL A NEW GAS MAIN FOR THE REINFORCEMENT OF GAS SUPPLY FOR MANTI CITY AND SOUTH WEST FARMS, INC. ON 650 SOUTH 600 WEST TO 1500 WEST AND 500 WEST 700 SOUTH TO LOWRY HILL ROAD**

Mr. Keller explained earlier that he has problems with this request based on potential damage to existing road. He suggests that this request be denied. Motion is made by Commissioner Bartholomew to deny the request for a right of way excavation license for Questar Gas to install a new gas main for the reinforcement of gas supply for Manti City and South West Farms, Inc. The motion is seconded by Commissioner Frischknecht, and the motion passes.

**JOE DOW PERMISSION TO SPEAK TO COMMISSIONERS**

Joe Dow addressed the Commissioners without being on the agenda. He has read on the internet about Jade Helm 15, military exercises being conducted in our area and Sevier County plus other adjoining counties. Mr. Dow asked for the Commissioners' opinions about what they are doing. Commissioner Frischknecht and Commissioner Bartholomew both stated that they feel comfortable with them training in our area, stating that they need to have this type of training, and do not think that they intend to do any harm. They have not received any information that any harm has been done during previous exercises. They also know that the Sheriff's Office has been made aware and is on top of what this group is doing. Governor Herbert has been made aware of it and has no problem with them being in the state. Mr. Dow stated that he and others will be meeting with Sheriff Nielson in the morning.

**APPROVAL OF A CREDIT CARD FOR JUSTICE COURT**

Judge Jack Cox is present. Judge Cox stated that their office has certain items that need to be mailed on Fridays when the County Offices are closed. They need the ability to purchase stamps and supplies on Fridays, as needed. They would keep the card locked up in the safe and will balance the account each month. Judge Cox would like a Zions Mastercard. Motion is made by Commissioner Frischknecht to approve a credit card with a limit of \$1,000 for the Sanpete County Justice Court. The motion is seconded by Commissioner Bartholomew, and the motion passes.

**MARTY DUITZ: AUTHORIZATION TO PURCHASE A GENERATOR FOR THE INDIANOLA FIRE STATION**

Mr. Duitz stated that they would like to purchase a 2008 Multi Quip model Whisper Quiet 25 KVW generator. He explained that this generator is like the one that was used in the Wood Hollow Fire, and it was a great generator. It has 215 hours of use. The station is wired for it already and it will be placed on a concrete slab, with a heavy metal pipe placed under it so that it sits up off the ground. They will put a fence around it as well. The only fear is having the diesel fuel stolen. They will exercise it once a month for about 15 minutes each time. They would like to hire an electrician to get it installed. Commissioner Bartholomew asked about leaving it on the trailer so that it could be portable. Mr. Duitz stated that because they fear that someone may steal it if it's left on the trailer they plan to remove the axle. Mr. Duitz also stated that they also plan to put a metal roof over the top to keep it safe from weather. Motion is made by Commissioner Bartholomew to approve the purchase of this generator for the total sum of \$11,000 for the Indianola Fire Station out of their reserve fund. The motion is seconded by Commissioner Frischknecht, and the motion passes.

**APPROVAL TO PAY UTAH STATE LIBRARY FOR BOOKMOBILE SERVICES**

Motion is made by Commissioner Frischknecht to approve the payment of \$41,712.50 to the Utah State Library for Bookmobile services. The motion is seconded by Commissioner Bartholomew, and the motion passes.

**CHILDREN'S JUSTICE CENTER: APPROVAL TO PAY SNOWBIRD RESORT FOR SYMPOSIUM LODGING**

Motion is made by Commissioner Bartholomew to pay \$5,859 to the Snowbird Resort for Symposium Lodging for the Children's Justice Center. The motion is seconded by Commissioner Frischknecht, and the motion passes.

**CONSIDERATION AND ADOPTION OF THE CHILDREN'S JUSTICE CENTER CONTRACT**

Mr. Keisel explained that this is the annual contract to help in prosecution of crimes against children. Motion is made by Commissioner Bartholomew to adopt the annual contract of the Children's Justice Center. The motion is seconded by Commissioner Frischknecht, and the motion passes.

**APPROVAL OF CHANGES TO THE SANPETE COUNTY PERSONNEL HANDBOOK**

Mr. Keisel stated that he visited each office and asked if anyone had any problems or concerns and the only changes were offered by Ilene Roth. Motion is made by Commissioner Frischknecht to approve changes to the Sanpete County Personnel Handbook. The motion is seconded by Commissioner Bartholomew, and the motion passes.

**APPROVAL OF A RESOLUTION SUPPORTING THE TRANSFER OF PUBLIC LANDS TO WILLING STATES AND AFFIRMING COUNTY'S RIGHTS OF ASSOCIATION**

Commissioner Jarrett explained the resolution, and that she is in favor of approving this resolution. Motion is made by Commissioner Frischknecht to approve the Resolution Supporting the Transfer of Public Lands to Willing States and Affirming County's Rights of Association. The motion is seconded by Commissioner Bartholomew, and the motion passes. The resolution is attached to these minutes.

**ROY MOORE: CONSIDERATION AND EXECUTION OF AN OIL AND GAS LEASE WITH WHITING OIL AND GAS CORPORATION**

Roy Moore is present. Mr. Moore presented a lease agreement. This document lists parcels, small little strips, in the County that they would like to lease at \$50 per acre. Another proposal will be presented at a later date. Commissioner Jarrett stated a concern about some of these properties that may be up for sale. Motion is made by Commissioner Frischknecht to approve the lease agreement. The motion is seconded by Commissioner Bartholomew, and the motion passes.

**APPROVAL OF PAYMENT REQUEST FROM JONES AND DEMILLE FOR PRECONSTRUCTION ENGINEERING ON THE SEVIER RIVER BRIDGE WEST OF CENTERFIELD**

Motion is made by Commissioner Frischknecht to authorize UDOT to make the payment of \$12,028.18 to Jones and DeMille for consultant services on the Sevier River Bridge Project. The motion is seconded by Commissioner Bartholomew, and the motion passes. Garrick Willden reported that in UDOT's design review they have asked us to add an additional element to the seismic study and a more comprehensive wetland study of the project site. These items were not in their original scope of work. The increase in cost will be about \$6,000. Because the project is well under the estimated project budget the additional expenses can be included without any additional contribution from the County.

**CURTIS LUDVIGSON: DISCUSSION OF PROPOSED DRINKING WATER CHANGES**

John Chartier, Nathan Celine and Curtis Ludvigson are present. Mr. Ludvigson presented documents and explained the proposal. Mr. Chartier showed a slide presentation of the Proposed Rules for Non-Public Water Systems, stating that "it is the purpose of these rules to regulate non-public water systems within the Central Utah Public Health Department's jurisdiction to: promote the public health, safety and welfare; prevent damage to property; prevent the spread of disease; prevent the creation of nuisances; and prevent water pollution".

**APPROVAL OF MINUTES**

Motion is made by Commissioner Bartholomew to approve the minutes from June 16, 2015 with minor corrections. The motion is seconded by Commissioner Steve Frischknecht, and the motion passes.

Motion is made by Commissioner Bartholomew to go into executive session to discuss pending or reasonably imminent litigation, The motion is seconded by Commissioner Frischknecht, and the motion passes.

**EXECUTIVE SESSION**

Motion is made by Commissioner Bartholomew to go out of executive session. The motion is seconded by Commissioner Frischknecht, and the motion passes. No action was necessary due to this executive session

Motion is made by Commissioner Bartholomew to adjourn. The motion is seconded by Commissioner Frischknecht, and the motion passes.

The meeting is adjourned at 4:00 P.M.

ATTEST: *Sandy Neill*  
Sandy Neill  
Sanpete County Clerk

APPROVED: *Claudia Jarrett*  
Claudia Jarrett  
Commission Chair



Pt 2 Approved  
5/13/15

CC Approved for Public Hearing  
5/19/15

April 15, 2015

Sanpete County Building Official Tracy Christensen is applying for an addition to the Land Use Ordinance Title 14 to add a new section to Chapter 14.76 GENERAL MINIMUM DEVELOPMENT STANDARDS

**ADD: 14.76.365 Wildland Urban Interface Code (WUI) and Amendments**  
(with new table of contents chapter, section and all references)

A. 2006 Utah Wildland Urban Interface code adoption (See Appendix; xxv)

(add from appendix item B. below)

B. Application Information:

WUI is any lot or subdivision in the Wildland Urban Interface Zone

All lots and subdivisions in the WUI zone must comply with the 2006 Utah Wildland Urban Interface Code.

Fees: A fee of \$1000.00 will be charged for new permits issued. \$500.00 of that fee is to be refunded to the property owner with the issuance of an occupancy certification within specified time frame.

C. Amendments to the 2006 Wildland Urban Interface code:

1. Section 404 Water Supply

Section 404.5 Adequate Water Supply (Amended)

New subdivisions with 2 or more lots shall have a water supply equal to 2000 gallon per lot.

Such supply shall be located within 1000' of the structures and so located at an easily accessible, level site adjacent to the roadway.

2. Section 502 Fire Hazard Severity < Deleted >

3. Section 503 Ignition Resistant Construction

Section 503.1 General (Amended)

All Buildings and structures hereafter constructed, modified or relocated into or within Wildland Urban interface area shall meet the construction requirements for Class 1 ?  
Ignition Resistant Construction per section 504.

Exceptions:

a. Addition to dwelling built prior to January 1, 2008, less than 500 square feet when defensible space requirements are met.

b. Properties may be exempted from the requirements after a site evaluation by the County Fire Warden.

4. Section 603 Defensible Space  
Section 603.2 Fuel Modification (Amended)

Defensible space shall include:

- a. No structure shall be placed closer than 30' to property boundaries.
- b. Zone I extending 30' beyond exterior wall or appendage, allowable vegetation to include; short grasses, bushes and shrubs, and low combustible trees, such as Aspen, Maple, and Willow separated 10'.
- c. Zone II extending 30'-50', trees allowed with 10' separation at crowns, all ladder fuels/ branches trimmed up 6', all dead and down vegetation and woody materials removed.
- d. Structures built on descending slopes exceeding 20 degrees, Zones II must be increased at 1 foot per degree.

## RESOLUTION NO. 07-07-2015

### A RESOLUTION SUPPORTING THE TRANSFER OF PUBLIC LANDS TO WILLING STATES AND AFFIRMING COUNTY'S RIGHTS OF ASSOCIATION

WHEREAS, an interest group opposed to the transfer of public lands to state ownership continues its character assassination attempts against those leading the public land transfer movement; and

WHEREAS, Sanpete County remains fully supportive of Utah's efforts to acquire ownership of the majority of public lands within its borders; and

WHEREAS, since it is an appropriate and common lawful practice for counties to dedicate funds and leverage resources by uniting with other counties or organizations to protect and promote the interests of the county and its citizens; and

WHEREAS, many counties containing federally controlled public lands are profoundly impacted by declining access, decreasing environmental health, and depressed economic productivity on a high percentage of federally managed public lands within their jurisdiction; and

WHEREAS, many counties and their citizens have devoted many years of countless hours in an effort to work with federal land management agencies to improve conditions on federally managed public lands but have seen little to no progress; and

WHEREAS, the federal government has proven itself unresponsive, unaccountable, unwilling, or unable to make the necessary corrections to improve access, health, and productivity on the public lands; and

WHEREAS, the U.S. Constitution in Article IV, Section 3, Clause 2 delegates to Congress "the power to dispose of" (i.e. sell, transfer or grant) territorial lands and other property — NOT to keep them forever; and

WHEREAS, history, past practice with the majority of public lands in states east of the Rocky Mountains, and the statehood enabling acts affirm the federal government was only to hold public lands in trust until the lands were turned over to their respective states; and

WHEREAS, a recent, credible law review article and an economic study lend support to the legal arguments and economic feasibility favoring the transfer of public lands to the states; and

WHEREAS the United States has transferred large tracts of public lands to individual States on numerous occasions in the past and today states continue to profitably manage millions of acres of these public lands; and

WHEREAS, our state will manage the public lands currently under federal control (1) more responsibly, (2) with greater accountability to the people, and (3) with greater willingness to

work with affected counties—thus ensuring continued public access, reduced invasive wildlife and wildfire threats, environmental protections, and compatible livelihoods; and

WHEREAS, the National Association of Counties supports the transfer of public lands to willing states; and

WHEREAS, the American Lands Council (“ALC”) was created by and is governed by county commissioners; and

WHEREAS, the ALC files all required public financial disclosures; and

WHEREAS, the ALC is the leading organization in the country in unifying counties, educating elected officials, and advocating for state and national legislation that seeking the transfer of federally managed public lands to willing states; and

WHEREAS, counties that choose to join ALC do so in an open and public meetings by the power of their authority and in accordance with all federal, state, and local laws; and

WHEREAS, the ALC Board of Directors hired leading expert Ken Ivory to serve as President of ALC; and

NOW, THEREFORE, BE IT RESOLVED, by the legislative body of Sanpete County that:

We hereby affirm our right and responsibility to be involved in all matters impacting public health, safety, and welfare; and the right to leverage our efforts with others when such associations are joined in an open, transparent, and lawful manner; and

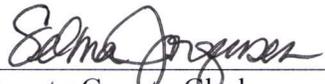
FURTHERMORE BE IT RESOLVED that we support the State of Utah and other willing states in their efforts to regain control of their federally managed public lands; and

FURTHERMORE BE IT RESOLVED that we support the American Lands Council and its steadfast efforts to effect better public access, better environmental health, and better economic productivity through lawfully pursuing state control of federally managed public lands.

SANPETE COUNTY

  
Commission Chair  
Claudia Jarrett

ATTEST:

  
Deputy County Clerk  
Selma Jorgensen



Commissioner Jarrett voted yea [] nay []

Commissioner Frischknecht voted yea [] nay []

Commissioner Bartholomew voted yea [] nay []

Approved as to Form:

  
Brody Keisel, County Attorney