

## SANPETE COUNTY COMMISSION MEETING

May 3, 2011, 1:00 P.M.

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

Present are: Commission Chair Claudia Jarrett, Commissioners Spencer Cox and Steve Frischknecht, and County Clerk Sandy Neill. County Attorney Brody Keisel is excused. Present from the media is Jay Clayton.

Meeting is called to order by Commission Chair Claudia Jarrett.

### CLAIMS

Auditor Ilene Roth is present. Motion is made by Commissioner Frischknecht to approve payment of claims #325905 through #325965. The motion is seconded by Commissioner Cox, and the motion passes.

### DISCUSSION AND APPROVAL OF LETTER ON PROTECTING UTAH FROM REDROCK WILDERNESS

Motion is made by Commissioner Cox to approve signing and sending a letter to members of Congress and our Senator on protecting Utah from Redrock Wilderness, asking them not to co-sponsor the Redrock Wilderness bill. The motion is seconded by Commissioner Frischknecht, and the motion passes.

### DISCUSSION AND APPROVAL OF A LETTER TO DWR REGARDING FERRON RESERVOIR TREATMENT

There is a significant fear that if we don't provide some habitat and regeneration of the Colorado River Cutthroat, they will come up on the endangered species list. DWR would like to treat Ferron, killing all the fish, then restock with the Colorado Cutthroat and other fish. A letter has been prepared that addresses recommendations made by the County Access Committee. The first is to standardize catch limits to conform to the "state-wide general regulations" for all fish species in the Ferron drainage with the exception of Colorado River cutthroat in Duck Fork Reservoir where only artificial flies and lures will be allowed and Colorado River cutthroat trout shall be immediately released. The second recommendation is to remove spring stream closure signs and manage streams and tributaries under the "state-wide general regulations" for fishing. The third recommendation is that after the treatment of Ferron Reservoir, restore Ferron to a family friendly fishing reservoir by stocking sterile rainbow, Colorado River cutthroat trout and other species as approved by DWR. Motion is made by Commissioner Frischknecht to approve signing and sending the letter to DWR regarding Ferron Reservoir treatment. The motion is seconded by Commissioner Cox, and the motion passes.

### DISCUSSION AND APPROVAL OF A LETTER TO THE ADMINISTRATIVE OFFICE OF THE COURTS REGARDING A NEW COURT FACILITY FOR SANPETE COUNTY

The Commission discuss whether now is the time to request that the state put a new court facility on their list of buildings to build for Sanpete County. They agree that there are safety issues in this building. Discussion is held about the possibility of selling this facility to the courts, and building a new county building. Motion is made by Commissioner Cox to approve signing and sending a letter to the AOC regarding the state building a new court facility or possibly purchasing our current facility in Sanpete County. The motion is seconded by Commissioner Frischknecht, and the motion passes.

### JOLENE BLACKBURN WITH CENTRAL UTAH COUNSELING CENTER: REQUEST FOR UNIVERSITY OF UTAH SCHOOL OF ALCOHOLISM AND DRUG ABUSE SCHOLARSHIPS

Jolene Blackburn is present. The U of U gives the counties scholarships for one half of the fees for up to 8 attendees to attend the U of U School on Alcoholism and other Drug Dependencies. Ms. Blackburn is requesting a donation for the remainder of the fees. Motion is made by Commissioner Frischknecht to approve scholarships in the amount of \$2,240.00 for 8 attendees to attend the U of U School of Alcoholism and Drug Dependencies, with the funds to come from the Commissioners discretionary fund. The motion is seconded by Commissioner Cox, and the motion passes.

**ALTA TERRA RANCH: APPROVAL OF RIGHT OF WAY AGREEMENT FOR WATER LINES NORTH WEST OF FAIRVIEW**

Motion is made by Commissioner Cox to approve the right of way agreement for Alta Terra Ranch to install water lines north west of Fairview. The motion is seconded by Commissioner Frischknecht, and the motion passes.

**NEAL EVANS PUBLIC HEARING: APPROVAL OF A LOT LINE CHANGE ON LOTS 20 AND 21 IN THE HOLLOWES LEGACY MOUNTAIN SUBDIVISION**

Scott Olsen, and Mr and Mrs Neal Evans are present. The proposed lot line change only changes interior lines, and each lot will still contain sufficient acreage. Motion is made by Commissioner Cox to approve the lot line change on lots 20 and 21 in the Hollowes Legacy Mountain Subdivision. The motion is seconded by Commissioner Frischknecht, and the motion passes.

**ZONING ADMINISTRATOR SCOTT OLSEN: REQUEST PUBLIC HEARING FOR ADOPTING THE GENERAL PLAN, LAND USE MATRIX, AND DEFINITIONS**

Scott Olsen is present. Motion is made by Commissioner Cox to set a date for a public hearing for adopting the General Plan, Land Use Matrix, and definitions. The motion is seconded by Commissioner Frischknecht, and the motion passes. Discussion is held as to private landfills. The state requirements are quite tough, and the land use matrix does not address private landfills in the County.

**SHERIFF BRIAN NIELSON: APPROVAL TO HIRE JEFF KEARNEY AS A PART-TIME PATROL DEPUTY; APPROVAL OF CREDIT CARDS FOR DEPUTY DONALDSON AND DEPUTY ZEEMAN**

Sheriff Brian Nielson is present. Motion is made by Commissioner Cox to approve the hiring of Jeff Kearney as a part-time patrol deputy at the rate of \$12.87 per hour, effective today. The motion is seconded by Commissioner Frischknecht, and the motion passes. Motion is made by Commissioner Cox to approve credit cards with limits of \$1,000.00 each for Deputy Donaldson and Deputy Zeeman. The motion is seconded by Commissioner Frischknecht, and the motion passes.

**NANNETTE CRITCHLEY: APPROVAL OF PAYMENT SCHEDULE, AND REQUEST TO REMOVE S 35324 FROM THE MAY TAX SALE**

Nannette Critchley called yesterday and asked that this be removed from the agenda. She states they will pay the back taxes and fees before the May Tax Sale.

**CONSIDERATION OF APPROVAL OF CONTRACTS FOR INDIGENT DEFENSE COUNSEL SERVICES FOR LEVI DWANE ANDERSON, JAIME PEREZ, AND BRANDON LEE MORRIS**

Motion is made by Commissioner Cox to approve the indigent defense counsel services contracts for Levi Dwane Anderson, Jaime Perez, and Brandon Lee Morris. The motion is seconded by Commissioner Frischknecht, and the motion passes.

**THOMAS PETERSON: APPROVAL TO HIRE SEASONAL HELP; OPEN BID PROCESS FOR THE COMMUNITY WILDLIFE PLAN; APPROVAL TO PURCHASE EQUIPMENT**

Thomas Peterson is present. The Community Wildlife Protection Plan is ready to go out for bid. Good applications were received for the GIS seasonal help position. A committee will be formed to select the person to be hired. Motion is made by Commissioner Frischknecht to approve up to \$2,600.00 for 2 GPS units and a laptop, with the funds to come from the Title 3 money. The motion is seconded by Commissioner Cox, and the motion passes.

**CARLON SCOTT REPRESENTING EMPIRE DEVELOPMENT: APPROVAL OF PAYMENT SCHEDULE AND REMOVAL OF 3 PARCELS FROM THE MAY TAX SALE (628X, 630, AND 629X)**

Carlton Scott and Assessor Ken Bench are present. Mr. Scott states they are in the process of putting together capital so that they can fix the motel, so that it can be occupied again, to help cover their costs. He will pay the administrative fee by the 19<sup>th</sup> of May. They are liquidating assets, and need to wait to sell in season. His intention is to have the funds for the back taxes within a year. Ken Bench states he viewed the property, and adjusted the value down, because at the present time, it is not usable as a motel. Motion is made by Commissioner Cox to approve removing 628x, 630, and 629x from the tax sale subject to the payment of the administrative fee by May 19, 2011. The back taxes and penalties will need to be caught up by April, 2012. The motion is seconded by Commissioner Frischknecht, and the motion passes.

**APPROVAL OF A LEASE CONTRACT WITH SNOW COLLEGE TO HOUSE THE CHILDREN'S JUSTICE CENTER**

The lease contract is reviewed. UCIP has made some recommendations for changes to the contract. Motion is made by Commissioner Cox to approve the agreement subject to adding the changes recommended from UCIP, and Snow College's agreement to the changes. The motion is seconded by Commissioner Frischknecht, and the motion passes.

**APPROVAL OF MINUTES**

Motion is made by Commissioner Frischknecht to approve the minutes from April 19, 2011 with minor corrections. The motion is seconded by Commissioner Cox, and the motion passes.

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

**EXECUTIVE SESSION**

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

**OTHER**

Victor Iverson is present from Senator Mike Lee's office. He asks what information he can bring back to Senator Lee about the Narrows project. The major cost of the Narrows project involves moving part of Highway 31. Sanpete County does not have any water storage. Water storage is crucial in our arid state. The release would be 5,400 acre feet of water, the capacity of the dam is 17,000 acre feet. All of the communities at the northern end of the county are on water ration. We need this water as we move forward for more than just agriculture. The state has ruled in Sanpete County's favor many times over the years on the Narrows project. We should receive the environmental statement soon—within the next couple of months. We expect that the money will come from the state water resources, and we believe a loan request will be made through the Bureau of Reclamation through the federal government. This is the only unfunded small dam on the books that hasn't yet received a budget from the federal government. We will be requesting that congress supply the appropriation. Mr. Iverson will schedule a time for Senator Lee to visit the site. This is a critical project for our county, and has been for over 70 years.

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

The meeting is adjourned at 3:25 P.M.

ATTEST: *Sandy Neill*  
Sandy Neill  
Sanpete County Clerk

APPROVED: *Claudia Jarrett*  
Claudia Jarrett  
Commission Chair \_\_\_\_\_