

## **SANPETE COUNTY COMMISSION MEETING**

**February 21, 2012, 2:00 P.M.**

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

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

Meeting is called to order by Commission Chair Claudia Jarrett.

### **CLAIMS**

Auditor Ilene Roth is present. Motion is made by Commissioner Cox to approve payment of claims #327875 through #327971. The motion is seconded by Commissioner Frischknecht, and the motion passes.

### **WAYNE LARSON AND SANDY NEILL: APPROVAL TO TRANSFER CHAD ROBERTS TO THE I.T. DEPARTMENT; APPROVAL TO MOVE GAYELENE HENRIKSON FROM PART-TIME TO FULL-TIME EMPLOYMENT IN THE CLERK'S OFFICE**

Wayne Larson reports to the Commission that his full-time employee Debra Boyd resigned. Her last day will be February 24, 2012. The work load in the I.T. department has changed over the last few years. Mr. Larson would like to move Chad Roberts from the clerk's office to his department. Some of the election responsibilities will go with Mr. Roberts to the I.T. department. Motion is made by Commissioner Cox to approve the transfer of Chad Roberts to the I.T. department effective February 19, 2012 with his salary to remain the same. The motion is seconded by Commissioner Frischknecht, and the motion passes. Sandy Neill explains to the Commission that Gayelene Henrikson has worked in the clerk's office for over three and a half years as a permanent part-time employee. Motion is made by Commissioner Cox to approve moving Gayelene Henrikson to full-time employment in the clerk's office at the rate of \$14.10 per hour, effective February 19, 2012. The motion is seconded by Commissioner Frischknecht, and the motion passes.

### **JEFF ANDERSON: APPROVAL TO PURCHASE BLINDS**

Jeff Anderson is present. Some of the blinds in the courthouse are in bad shape. Bids were received from 4 parties. Motion is made by Commissioner Frischknecht to approve the bid from Jensen's Department Store in the amount of \$1,421.50 for blinds for the recorders office, attorneys office and clerks office. The motion is seconded by Commissioner Cox, and the motion passes.

### **APPROVAL OF LETTER IN SUPPORT OF ELKO COUNTY**

Motion is made by Commissioner Cox to approve a letter in support of a resolution made by Elko County asking Congress to require the United States Forest Service to abandon all Travel Management Plans that are opposed by affected counties and implement a new planning process that includes counties as partners. The motion is seconded by Commissioner Frischknecht, and the motion passes.

**SHERIFF BRIAN NIELSON: APPROVAL TO EXPEND HIGHWAY SAFETY GRANT FOR YOUTH ALCOHOL ENFORCEMENT**

Motion is made by Commissioner Frischknecht to approve the expenditure of the Highway Safety Grant for Youth Alcohol Enforcement in the amount of \$12,500.00. The motion is seconded by Commissioner Cox, and the motion passes.

**PUBLIC HEARING, CONSIDERATION AND POTENTIAL APPOINTMENT OF TWO BOARD MEMBERS TO THE SANPETE COUNTY SPECIAL SERVICE DISTRICT #1 (THE "ROAD DISTRICT")**

Four applications were received and are reviewed. Douglas Squire is disqualified because he does not reside in the unincorporated area of the county. Branch Cox applied when he thought there weren't enough applicants, and is willing to serve. Motion is made by Commissioner Cox to re-appoint Ben Black and Bruce Bown to serve 4 more years. The motion is seconded by Commissioner Frischknecht, and the motion passes.

**PUBLIC HEARING TO CONSIDER AND ADOPT A PROPOSED SANPETE COUNTY TRANSPORTATION ROAD MAP INCLUSIVE OF CLASS A AND CLASS B ROADS WITHIN SANPETE COUNTY**

The Commission explains that the County is working towards making a transportation plan that includes all the public roads in Sanpete County. Class A roads are The State and Federal Highways. Class B roads are roads that are already maintained by the County. The Class B roads are maintained with funds from the state. We have approximately 500 miles of B roads. Class D roads will be the next map to be approved. The state asked the County to identify D roads that are on public lands. Fred Folkner asks if the roads up the canyon are included in these maps. Ephraim Canyon is maintained by the County up to the County line. The back road from Manti to Ephraim is a Class B road. Planning and Zoning have approved the maps. Motion is made by Commissioner Cox to adopt the Sanpete County transportation road maps for Class A and Class B roads within Sanpete County. The motion is seconded by Commissioner Frischknecht, and the motion passes.

**ERIC PETERSON: REQUEST PAYMENT SCHEDULE AND REMOVE S 40071 FROM THE MAY TAX SALE**

This matter is stricken. The taxes have been paid in full.

**PUBLIC HEARING TO CONSIDER AND ADOPT A PROPOSAL TO AMEND THE 2001 SANPETE COUNTY LAND ORDINANCE BY ADDING TO THE ORDINANCE'S APPENDIX A COPY OF SANPETE COUNTY ORDINANCE NO. 09-19-06A ALONG WITH A BRIEF DESCRIPTION OF HOW THE ORDINANCE IS APPLIED**

The Commission explains that the County adopted Ordinance 09-19-06A also know as the Wildfire Urban Interface (WUI) Ordinance in 2006. It makes sense to add this ordinance to the appendix of the land use ordinance, so that those who will be building will be aware of the requirements. Motion is made by Commission Frischknecht to approve adding the WUI ordinance to the appendix of the Sanpete County Land Ordinance along with a brief description of how the ordinance is applied. The motion is seconded by Commissioner Cox, and the motion passes.

**HILTJE TODD: REQUEST PAYMENT SCHEDULE AND REMOVE S 26341 FROM THE MAY TAX SALE**

No one appeared for this matter.

**FRED FOLKNER IN BEHALF OF ROBERTA RICHARDSON: REQUEST PAYMENT SCHEDULE AND REMOVE S 679 FROM THE MAY TAX SALE**

Fred Folkner is present. He is here in behalf of his sister, Roberta Richardson. She was injured 12-13 years ago, and the home was purchased with the proceeds from the insurance. They thought the tax payments were made by the mortgage company, but they weren't. Mr. Folkner is asking for a payment schedule of \$150.00 per month. Motion is made by Commissioner Cox to remove S 679 from the May tax sale, and authorize a payment schedule as follows: at least \$150.00 per month for the next 2 years to clear up the back taxes, 2012 taxes need to be paid in November when due. If the payments are made as scheduled, the taxes and penalties will be removed. If not, this will be back on the tax sale next year, and the penalty and interest will need to be paid. The motion is seconded by Commissioner Frischknecht, and the motion passes.

**LINDA MARTIN: REQUEST PAYMENT SCHEDULE AND REMOVE S 16484x1 FROM THE MAY TAX SALE**

Linda Martin is present. This home was her mother's, who is now deceased. The family was waiting for a better market to sell the house. Motion is made by Commissioner Cox to remove S 16484x1 from the May tax sale, and to authorize a payment schedule of \$150.00 per month beginning in March 2012, and then a lump sum needs to be paid so that all back taxes are paid in full by November 30, 2012. The current taxes also need to be paid at that time. The motion is seconded by Commissioner Frischknecht, and the motion passes.

**ROBERT CHILDS: REQUEST FOR PROPERTY TAX ADJUSTMENT AND TO REMOVE S 11091 AND S 10201x FROM THE MAY TAX SALE (POSSIBLE DISCUSSION OF OTHER PROPERTIES)**

Robert Childs is present. He is requesting a redemption of the penalties and interest already paid on the other parcels. An agreement was made last year to waive part of the penalties and interest if the taxes were paid in full by the end of last year. They were not paid in full at the end of the year, so the penalties were added back in before the payment was accepted. Earl Clark appears by phone. Discussion is held about the dates that payments were made. Commissioner Jarrett argues that the previous agreement was not met, and there should be no refund of interest and penalties paid. A payment schedule could be set up, and 11091 and 10201x could then be removed from the May tax sale. Motion is made by Commissioner Cox to give a credit of \$1274.42 for the penalty and interest already paid. The motion fails for lack of a second. Motion is made by Commissioner Frischknecht to give a credit of \$637.21 for the interest and penalty that were already paid. The motion is seconded by Commissioner Cox, and the motion passes.

**JAY AND JANET BARLOW: PROPOSAL TO REMOVE PROPERTIES FROM THE MAY TAX SALE**

Janet Barlow is present. She reviews minutes from 2010 where 2 parcels were removed from the tax sale without a payment schedule. Those parcels were sold later, and the taxes on those parcels was paid in full. A total of \$13,739.00 was paid last year towards taxes. The Barlows drafted a payment plan, and it is presented it to the Commission for review. The plan asks for a waiver of the fees and penalties on the lots. A payment plan would be set up to have the taxes on a list of secure lots paid in full by December 31, 2013. The lots not on the secured list, would go to the tax sale. The Commission encourage the Barlows to review the plan, and get back with them by Wednesday if more lots will be added to the secure list. Motion is made by Commissioner Cox remove the property from the tax sale with the final plan to be put on the record in the next commission meeting. The motion is seconded by Commissioner Frischknecht, and the motion passes.

**EMERY POLELONEMA WITH THE AOG: APPROVAL OF CIB LIST**

Emery Polelonema is present. The CIB list is reviewed. A few items are removed from the list that have already been funded. Motion is made by Commissioner Cox to approve the amended CIB list. The motion is seconded by Commissioner Frischknecht, and the motion passes.

**DISCUSSION OF THE 2012 SANPETE EMERGENCY WATERSHED PROTECTION PROJECTS**

Garrick Willden is present. He reviews the emergency priority projects that have been identified for Gunnison, Manti, Ephraim, Sanpete County, Fayette Irrigation, Mayfield Irrigation, Moroni Irrigation, and Bryce Roberts flume replacement due to flooding. The total project's probable construction cost is \$3,429,700.00. A twenty five percent (\$858,090.00) cash or match is required. (Rock fill could be used towards the 25% match.) The remaining \$2,571,000.00 would be a grant from the NRCS (Natural Resource Conservation Service). A meeting will be held with the NRCS on February 29<sup>th</sup> to review the paperwork, and they would like to visit as many sites as possible.

**BRICE ROBERTS: STATUS OF SEVIER RIVER FLOODING ISSUE**

Brice Roberts, Lee Malmgren, Dick Bona, Bob Cordner, and Clint Boswell are present. The Army Corps of Engineers doesn't allow fill on wetlands. The County is looking at dredging 1-2 miles from the Dover Road south. There has been flooding in this are for 20 years. Dick Bona states a lawsuit was dropped 2 years ago with the promise that the County would take care of things. He is asking that the road be breached, and culverts be put in. Brice Roberts is losing rent money because the property isn't usable. Over 150 acres are under water now. The Commissioners explain that they must follow a certain process before action can be taken. The insurance company's attorney has let us know we can't do anything until they talk to their expert, and then sign off on it. The expert from the University of Utah is not returning calls. Commissioner Cox will try again to contact them. Mr. Bona will call on Monday to see if contact has been made.

**TOM PETERSON: AWARD COMMUNITY WILDFIRE PROTECTION PLAN (CWPP) BIDS**

Tom Peterson and Sean Edwards are present. The second round of bids have been reviewed and rated. Motion is made by Commission Cox to award according to a combination of the rating and lowest bids subject to proof of insurance. The motion is seconded by Commissioner Frischknecht, and the motion passes. Craig Rasmussen was awarded 4 contracts, LS Forest Management was awarded 3 contracts, Gardner Forest Service was awarded 1 contract, and the Birchcreek/Mount Pleasant will be written in house. They are currently \$44,000.00 under budget.

**PATRICIA RAMONE: REVIEW OF ARRANGEMENTS TO REMOVE S 27225 FROM THE MAY TAX SALE**

No one appeared for this matter.

**AINEO TAUKEI' AHO: REVIEW OF ARRANGEMENTS TO REMOVE S 1334 FROM THE MAY TAX SALE**

Fred Taukei'Aho is present. Arrangements made last year are reviewed. Two years of taxes were paid last Friday. They are still working to pay off the back taxes by the end of the year. Mr. Taukei'Aho states they were being taxed for 2 businesses (the Bright Spot and Fred's Sports Grill) for several years before they caught the errors. He is taking care of the mistake. Motion is made by Commissioner Frischknecht to remove S 1334 from the tax sale. Everything must be paid in full by November 30, 2012. If not, this will not be protected from future tax sales. The motion is seconded by Commissioner Cox, and the motion passes.

**WILDOR RIVERA: REVIEW OF ARRANGEMENTS TO REMOVE S 61033 FROM THE MAY TAX SALE**

Mr. Rivera is not present. He recently made a payment, and is now caught up on his past agreement. This property will not be placed on the tax sale.

**RICHARD GUEVARA: REVIEW OF ARRANGEMENTS TO REMOVE S 22456SH310 FROM THE MAY TAX SALE**

Richard Guevara is present. He responded to the Commission when Wildor Rivera's name was called. Mr. Rivera's tax info was reviewed, and Mr. Guevara was told he was caught up and would not be placed on the tax sale this year. After the meeting it was discovered that the wrong tax information was reviewed. Mr Guevara was also placed on a payment schedule last year. He is not quite up to schedule, but is close. This matter will not be placed on the tax sale this year.

**APPROVAL OF MINUTES**

Motion is made by Commissioner Cox to approve the minutes from February 7, 2012 with minor corrections. The motion is seconded by Commissioner Frischknecht, and the motion passes.

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

**EXECUTIVE SESSION**

Motion is made by Commissioner Cox to go out of executive session. The motion is seconded by Commissioner Frischknecht, and the motion passes. The following action was taken as a result of the executive session. Motion is made by Commissioner Cox to allow the county attorney to sign a settlement in the DG&T litigation. The motion is seconded by Commissioner Frischknecht, and the motion passes.

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

The meeting is adjourned at 5:51 P.M.

ATTEST: *Sandy Neill*  
Sandy Neill  
Sanpete County Clerk

APPROVED: *Claudia Jarrett*  
Claudia Jarrett  
Commission Chair

# Sanpete County A Roads



**Legend**

**Sanpete Roads**

**CLASS**

- A
- B

