

## **SANPETE COUNTY COMMISSION MEETING**

**March 6, 2012, 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, 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 Frischknecht to approve payment of claims #327972 through #328053. The motion is seconded by Commissioner Cox, and the motion passes.

### **DISCUSSION AND APPROVAL OF ADDITIONAL PROJECTS TO THE CAPITAL IMPROVEMENT LIST AS FOLLOWS: FUNDING FOR A STUDY OF THE SEVIER RIVER CHANNEL; FAYETTE/SANPETE COUNTY BOUNDARY SURVEY AND DEED RECORDATION; EPHRAIM/MANTI AIRPORT**

Commissioner Jarrett is proposing to add a few more items to the CIB list. Motion is made by Commissioner Frischknecht to add the funding for a study of the Sevier River channel to the CIB list. The motion is seconded by Commissioner Cox, and the motion passes. Commissioner Cox will find out how much money this will take. Motion is made by Commissioner Frischknecht to add funding for a Fayette/Sanpete County boundary survey to the CIB list. The motion is seconded by Commissioner Cox, and the motion passes. Motion is made by Commissioner Cox to add the Ephraim/Manti airport project to the list under Ephraim City. The motion is seconded by Commissioner Frischknecht, and the motion passes.

### **JOSH MCKELL WITH UTAH LOCAL GOVERNMENTS TRUST: DISCUSSION OF PROPERTY AND CASUALTY INSURANCE AND REQUEST FOR PERMISSION TO SUBMIT A BID TO THE COUNTY**

Josh McKell and Ryan Hatch are present. Utah Local Government trust insures around 500 members. They provide earthquake and flood insurance with a \$1,000.00 deductible. (A typical deductible is 10-20% of the value of the dwelling.) There is a 120 day notice required before changing insurance companies. ULGT trust has a board that consists of elected officials who are elected to the board. They also have a trust advisory committee that consists of non elected officials. Motion is made by Commissioner Frischknecht to request a bid from ULGT for property and casualty insurance. The motion is seconded by Commissioner Cox, and the motion passes.

### **APPROVAL OF CONTRACT WITH NATIONAL RESOURCES CONSERVATION SERVICE (NRCS) FOR EMERGENCY WATERSHED PROTECTION (EWP) PROGRAM PROJECT**

Garrick Willden is present. Motion is made by Commissioner Cox to approve the contract with NRCS for EWP program project. The motion is seconded by Commissioner Frischknecht, and the motion passes. A conference call will be held on March 14 on the Sevier River flooding.

### **SHERIFF BRIAN NIELSON: APPROVAL TO HIRE BRETT C HANSEN AS A PART TIME DEPUTY**

Sheriff Brian Nielson is present. Brett Hansen works for the Ephraim police department. Motion is made by Commissioner Cox to approve hiring Brett C Hansen at \$12.87 as a part-time deputy effective immediately. The motion is seconded by Commissioner Frischknecht, and the motion passes.

**APPROVAL OF 2012 FIRE CONTRACTS**

The contract for each city is based on a formula, and the money is divided based on that formula. Motion is made by Commissioner Cox to approve the 2012 Fire Contracts. The motion is seconded by Commissioner Frischknecht, and the motion passes.

**CONSIDERATION AND APPOINTMENT OF INDIAN RIDGE WATER CONSERVANCY DISTRICT BOARD MEMBERS**

Motion is made by Commissioner Cox to appoint Indian Ridge Water Conservancy District Board Members as follows: Dave Taylor to the 3 year term, Glen Foulke to the 2 year term, and Ann Atkin to one of the 1 year terms. The motion is seconded by Commissioner Frischknecht, and the motion passes. Only 3 applications were received for 4 available positions.

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

Hiltje Todd is present. She is a widow and is attending school so that she can get a better job. She hopes to be finished with school and have a job this time next year. There is a \$400.00 administrative fee that has already been accrued. This fee must be paid before the home can be removed from the tax sale. She is proposing to pay \$150.00 per month for the first year, which will pay the 2012 taxes. Then at the first of next year, she would pay \$350.00 per month to pay off all the back taxes. Motion is made by Commissioner Cox to remove S 26341 from the tax sale as long as the following conditions are met: Pay the \$400.00 administrative fee this week, make payments of \$150.00 per month this year, and then \$350.00 per month in 2013, and have all taxes current at the end of 2013. If the payments are made as scheduled, this will not be placed on the tax sale next year. The motion is seconded by Commissioner Frischknecht, and the motion passes.

**APPROVAL OF AGREEMENT WITH JAY AND JANET BARLOW REMOVING PROPERTIES FROM MAY TAX SALE**

Motion is made by Commissioner Cox to remove the 171 lots owned by the Barlows from the tax sale, and waive the penalty and interest on those lots. \$5,000.00 was paid at the last Commission meeting, and payments of \$500.00 will be made each month. Extra payments will need to be made so that all taxes are paid in full December 31, 2013. The taxes and penalties will be added back to any lots not paid in full by 12/31/2013, and they will be placed on the tax sale. The Barlows will designate for each payment which lots are to be paid in full. The motion is seconded by Commissioner Frischknecht, and the motion passes.

**APPROVAL OF GOVERNOR'S OFFICE OF ECONOMIC DEVELOPMENT RURAL DEVELOPMENT GRANT**

Kevin Christensen is present. This grant provides \$7,400.00 to assist in the establishment of Sanpete County Main Street Facade Renovation Project. Motion is made by Commissioner Frischknecht to approve the contract with the State of Utah, Governor's Office of Economic Development. The motion is seconded by Commissioner Cox, and the motion passes.

**DW CROSBY AND DALE KEMP: DISCUSSION AND APPROVAL OF AN AGREEMENT TO ALLOW DW CROSBY AND DALE KEMP TO REIMBURSE SANPETE COUNTY THE COSTS INCURRED DUE TO THE LATE PAYMENTS OF TAXES, FEES AND INTEREST ON THEIR PROPERTY IN INDIAN RIDGE SUBDIVISION (RATHER THAN PAYING THE FULL ADMIN FEE)**

DW Crosby and Dale Kemp are present. Mr. Crosby purchased 387 lots in 1989 from Zions Bank. Mr. Crosby currently has a contract of sale with Dale Kemp for several of those lots. Mr. Crosby gathered the money from family members to pay the back taxes and penalties on the remaining lots. There are 742 lots in the subdivision. Some of the lots are not build-able. Mr. Crosby asks if these lots can be combined or reconfigured to make each lot a build-able parcel. The Commissioners explain that they could work with Scott Olsen and the Planning Commission to see about making changes to lots in the subdivision. Dale Kemp states he bought 300 or so lots in 2005. Many of the lots had delinquent taxes owed. Title work was done that was incorrect, and titles could not be cleared. Several law suits were filed by the seller. Mr. Kemp ordered a title policy in January of this year. It was estimated that the title policy would take 3 weeks to complete. It's taken 7 or 8 weeks. Mr. Kemp asked the treasurer to give them more time to pay off the taxes. Mr. Kemp told the treasurer he'd have the taxes paid by the end of February. Mr. Kemp is asking to pay the taxes on the 120 lots that are on the tax sale. Commissioner Jarrett understands that they all received a letter giving them until Feb 15<sup>th</sup>, and it explained that a \$400.00 administrative fee would be added after that date. The County has a practice of not waiving that fee. Mr. Crosby responds that he is proposing to pay the costs already incurred, not the full administrative fees. Mr. Kemp states that the \$400.00 fee is egregious on a plot of land. Commissioner Frischknecht agrees with Commissioner Jarrett that the administrative fees need to be paid in full. Commissioner Cox states that the taxes still haven't been paid, and we are well past the deadline. He is willing to remove the penalties and interest on the lots, but not the administrative fee. The Commission will entertain removing every lot from the tax sale if the \$400.00 administrative is paid before the Commission meeting to be held on March 20, 2012, waive the penalty and interest on those lots, and set up a payment schedule to have the back taxes and current taxes paid in full. This matter will be back on the agenda on March 20<sup>th</sup> at 2:45 PM. The Commission ask Mr. Crosby and Mr. Kemp to bring a proposed payment schedule to pay the back taxes.

**APPROVAL OF MINUTES**

Motion is made by Commissioner Cox to approve the minutes from February 21, 2012 with minor corrections. The motion is seconded by Commissioner Frischknecht, and the motion passes.

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

The meeting is adjourned at 3:37 P.M.

ATTEST: *Sandy Neill*  
Sandy Neill  
Sanpete County Clerk

APPROVED: *Claudia Jarrett*  
Claudia Jarrett  
Commission Chair