

## **SANPETE COUNTY COMMISSION MEETING**

**July 16, 2019, 2:00 P.M.**

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

Present are: Commission Chair Scott Bartholomew, Commissioners Steve Lund and Edwin Sunderland, County Attorney Kevin Daniels, and County Clerk Sandy Neill.

Meeting is called to order by Commission Chair Scott Bartholomew.

### **OPENING PRAYER OR REMARKS**

Commissioner Sunderland offers an opening prayer.

### **CLAIMS**

Auditor Stacey Lyon is present. Motion is made by Commissioner Sunderland to approve payment of claims #346505 through #346598. The motion is seconded by Commissioner Lund, and the motion passes.

### **WAYNE LARSEN/ SUZAUN RICHARDSON: APPROVAL TO PAY ADDITIONAL FOR GMAIL LICENSING TO ONIX NETWORKING**

Wayne Larsen is present. Motion is made by Commissioner Lund to approve the payment of \$864.00 to Onix Networking for additional Gmail Licensing. The motion is seconded by Commissioner Sunderland, and the motion passes.

### **SANDY NEILL: APPROVAL OF PAYMENT TO KNOWiNK FOR POLL PADS**

Motion is made by Commissioner Sunderland to approve the payment of \$2,630.00 to KNOWiNK for two Poll Pad Packages for the elections. The motion is seconded by Commissioner Lund, and the motion passes.

### **SHERIFF BRIAN NIELSON: APPROVAL TO HIRE AS A FULL TIME CONTROL ROOM OPERATOR MISTIE DUNCAN; APPROVAL TO TERMINATE TEMPORARY TRANSITIONAL AGREEMENT FOR CRO NICOLE NUNLEY; APPROVAL FOR TEMPORARY TRANSITIONAL AGREEMENT FOR CRO MISTIE DUNCAN**

Beverly Thomas is present. Motion is made by Commissioner Lund to approve hiring Mistie Duncan as a full time control room operator at \$15.12 per hour effective July 14, 2019. The motion is seconded by Commissioner Sunderland, and the motion passes. Motion is made by Commissioner Sunderland to approve terminating the temporary transitional agreement for CRO Nicole Nunley. The motion is seconded by Commissioner Lund, and the motion passes. Motion is made by Commissioner Lund to approve the temporary transitional agreement for CRO Mistie Duncan. The motion is seconded by Commissioner Sunderland, and the motion passes.

### **BRONSON STEWART: CENTRAL UTAH TRUTH IN TAXATION PRESENTATION**

Bronson Stewart and Tom Bruton are present. Central Utah Water Conservancy District is preparing for truth in taxation procedures to increase the tax rate. The funding they receive pays for treatment plants, pipelines, power plants, and the purchase of water rights. The requested increase would cost average household in Sanpete County \$2.18 per year. Public hearings are scheduled on August 8 in Roosevelt and August 12 in Orem at 6:00 PM for both.



**WESLEY KJAR/ KJAR BROS FARMS: REQUEST FOR SPEED LIMIT SIGNS BEING PUT ON 600 WEST 100 SOUTH IN MANTI**

Mr. Kjar was unable to be here today. This property may be in Manti City limits. This will be reviewed with Mr. Kjar if he requests to be put back on an agenda.

**APPROVAL OF CONTRACT FOR INDIGENT INMATE DEFENSE COUNSEL SERVICES FOR THE FOLLOWING: TIMOTHY CARTER, CASE #191600131; CHRISTOPHER SIMON CASTILLO, CASE #191600163; MALEK ALJENABI, CASE #191600169; LEONIRE SIGFREDO MARTINEZ, CASE #191600162**

Motion is made by Commissioner Lund to approve the contract for indigent inmate defense counsel services for Timothy Carter in case #191600131. The motion is seconded by Commissioner Sunderland, and the motion passes. Motion is made by Commissioner Lund to approve the contract for indigent inmate defense counsel services for Christopher Simon Castillo in case #191600163. The motion is seconded by Commissioner Sunderland, and the motion passes. Motion is made by Commissioner Sunderland to approve the contract for indigent inmate defense counsel services for Malek Aljenabi in case #191600169. The motion is seconded by Commissioner Lund, and the motion passes. Motion is made by Commissioner Lund to approve the contract for indigent inmate defense counsel services for Leonires Sigfredo Martinez in case #191600162. The motion is seconded by Commissioner Sunderland, and the motion passes.

**APPROVAL TO PAY FOR BOOKMOBILE SERVICES**

Motion is made by Commissioner Sunderland to approve the payment of \$35,818.00 to the Utah State Library for bookmobile services. The motion is seconded by Commissioner Lund, and the motion passes.

**CHRISTIAN WILLARDSSEN & JEREMIAH BLAIN: REQUEST FOR A PUBLIC HEARING FOR A ZONE CHANGE OF APPROXIMATELY 30.36 ACRES PARCEL #'S S5344, S5344X, S5341 AND S5342X FROM RA-1 AND RA-2 TO BUSINESS COMMERCIAL LOCATED NORTH OF EPHRAIM ON THE EAST SIDE OF HIGHWAY 89**

Devan Fowles is present. This property is just north of Tractor Supply on the east side of the Highway 89. Motion is made by Commissioner Lund to set a public hearing for a zone change from RA-1 and RA-2 to Business Commercial on S5344, S5344X, S5341 and S5342X. The motion is seconded by Commissioner Sunderland, and the motion passes.

**BRANDON & ALYSSA ULIBARRI: PUBLIC HEARING FOR A ZONE CHANGE FROM BUSINESS COMMERCIAL TO RA-1 ON 1.3 ACRES. PARCEL #S21057X1 LOCATED NORTHEAST OF FAIRVIEW ON HIGHWAY 31**

Alyssa Ulibarri and Devan Fowles are present. They want to change the zoning so they can build a home without obtaining a conditional use permit. Motion is made by Commissioner Sunderland to approve the zone change from Business Commercial to RA-1 for parcel S21057x1. The motion is seconded by Commissioner Lund, and the motion passes.

**CHRIS AND COLTER DAVIS: APPROVAL OF THE PRELIMINARY PLAN FOR A 2 LOT MAJOR SUBDIVISION ON PARCEL #S11019, LOCATED SOUTH OF THE THATCHER SUBDIVISION IN AXTELL**

Devan Fowles is present. The road and fire hydrants are in place. Water is stubbed to the property. Motion is made by Commissioner Lund to approve the preliminary plan for a two lot major subdivision on S11019. The motion is seconded by Commissioner Sunderland, and the motion passes.



**KJELL AND REBECCA ENGBRETSSEN ARE REQUESTING APPROVAL OF A 1 LOT MINOR SUBDIVISION ON THEIR PROPERTY IN THE A ZONE LOCATED SOUTHWEST OF SPRING CITY. THE PROPERTY IS APPROXIMATELY 6.06 ACRES WITH PARCEL S27327x4**

Devan Fowles and Kjell and Rebecca Engebretsen are present. Discussion is held as to making sure easements are correct, and the Engebretsen's are advised to be careful of the easements that they grant on their property. Road standards are met, and a well right has been obtained. A septic permit has also been obtained. Motion is made by Commissioner Lund to approve the Ragnar Ranch Subdivision. A one lot minor subdivision on S27327x4. The motion is seconded by Commissioner Sunderland, and the motion passes.

**GARY AND LESLIE ARNOLDSON ARE REQUESTING APPROVAL OF A 2 LOT MINOR SUBDIVISION IN THE A-ZONE LOCATED ON ASPEN HILLS ROAD. THE PROPERTY IS APPROXIMATELY 28 ACRES-LOT 1 CONTAINING 5.53 ACRES AND LOT 2 CONTAINING 22.47 ACRES. PARCELS S22502X & S22502X1**

Devan Fowles and Leslie Arnoldson are present. The road is in place, and meets the standard. The road is private, and there is a public easement for the turn around. The well is drilled and has been approved. The septic permits are existing. Motion is made by Commissioner Sunderland to approve the Arnoldson Subdivision, a two lot subdivision. The motion is seconded by Commissioner Lund, and the motion passes.

**ROBIN B. DAVIS: PUBLIC HEARING FOR A PLAT AMENDMENT TO CHANGE THE NATHANAEAL SUBDIVISION FROM A PART-TIME SUBDIVISION TO A FULL-TIME SUBDIVISION BY ASSIGNING ADDITIONAL WATER TO EACH LOT. PROPERTY IS LOCATED IN THE RA-2 ZONE SOUTHEAST OF FAIRVIEW ON PARCEL #'S S61403, S61404, S61405, AND S61406**

Devan Fowles and Robin Davis are present. More water was acquired for the lots so that it can become a full time subdivision. Two wells are in place, and the water rights are in place. Mr. Davis stated that there will be seven homes per well. (Note: the Utah Department of Environmental Quality will determine how many homes can go on each well.) Commissioner Bartholomew states the Commission received complaints about this. The concern is that the water rights are assigned to both wells (the water rights overlap). Mr. Christensen explains that they have not given permission for them to use his cistern. He would like his home separated from the others using his power. Kevin Daniels advises that he has a potential conflict because a firm that he is associated with sent the letter of complaint. Wesley Mangum, the deputy attorney will be asked to join the meeting. This matter is moved to the end of the meeting. Mr. Mangum is present. He advises not to go forward with the approval until the water rights issues are resolved. This matter will be continued. Mr. Davis will work to make the necessary corrections. Motion is made by Commissioner Lund to table this issue until the civil matters have been resolved with respect to the water rights. The motion is seconded by Commissioner Sunderland, and the motion passes.

**ROBERT MCDOWELL: PUBLIC HEARING FOR A PLAT AMENDMENT TO COMBINE HIS LOTS INTO ONE LOT, LOT 2 (S20701x2) HAS 5.10 ACRES AND LOT 3 (S20701x3) HAS 11 ACRES, IN THE HAWK MEADOWS RANCH SUBDIVISION. PROPERTY IS LOCATED IN THE AGRICULTURE ZONE ON THE EAST SIDE OF MILBURN ROAD IN MILBURN**

Devan Fowles is present. One objection was received by James Gillespie, but after a review of the plat, the objection was withdrawn. Motion is made by Commissioner Lund to approve combining the lots in the Hawk Meadows Ranch subdivision into one lot. The motion is seconded by Commissioner Sunderland, and the motion passes.



**DON PERRY: PUBLIC HEARING FOR A ZONE CHANGE OF A FIVE ACRE PARCEL #S25317X1 FROM AGRICULTURAL ZONE TO BUSINESS COMMERCIAL ZONE LOCATED EAST OF MORONI ON HWY 116**

Devan Fowles is present. Mr. Perry has approval from UDOT to place the storage units off the State Road, but not the activity center. This property is just outside of the buffer zone for Moroni. Motion is made by Commissioner Lund to approve a zone change from the Agriculture Zone to Business Commercial on S25317x1. The motion is seconded by Commissioner Sunderland, and the motion passes. Before building permits are issued, the appropriate approval from UDOT will need to be obtained.

**CHAD OLSEN & JEREMIAH BLAIN - PUBLIC HEARING FOR A ZONE CHANGE FROM RA-1 TO BUSINESS COMMERCIAL. LOCATED SOUTH OF EPHRAIM ON HWY 89. PROPERTY IS OWNED BY P&J OLSEN PROPERTIES AND HAS APPROXIMATELY 14.85 ACRES ON PARCEL #S6276**

Devan Fowles is present. Ephraim City and surrounding property owners have given their approval. Motion is made by Commissioner Lund to approve the zone change from RA-1 to Business Commercial on S6276. The motion is seconded by Commissioner Sunderland, and the motion passes.

**DONNA WISE: REQUEST FOR OCCUPANCY PERMIT**

Devan Fowles, Donna Wise and Hal Shelley are present. Mr. Shelley explains that there are 8 vehicles that need to be removed from the property. An agreement was signed between Ms. Wise and the County stating that occupancy would not be granted until the vehicles were removed. Ms. Wise's nephew owns 6 of the vehicles. She has tried to have him remove them, but the nephew hasn't complied. She doesn't have access to the titles, and feels she can't legally remove them. A criminal nuisance complaint may need to be filed to get him to move forward with removing the vehicles. Mr. Fowles will start the process on the complaint.

**DISCUSSION TO SET UP A WORK MEETING WITH THE PLANNING COMMISSION MEMBERS**

Motion is made by Commissioner Lund to table this discussion based on the work meeting held with UDOT earlier today. The motion is seconded by Commissioner Sunderland, and the motion passes.

**APPROVAL OF MINUTES**

This will be placed on the first Commission agenda in August.

**EXECUTIVE SESSION**

No executive session was needed.

Motion is made by Commissioner Lund to adjourn. The motion is seconded by Commissioner Sunderland, and the motion passes.

The meeting is adjourned at 4:05 P.M.

ATTEST:   
Sandy Neill  
Sanpete County Clerk

APPROVED:   
Scott Bartholomew  
Commission Chair