

SANPETE COUNTY COMMISSION MEETING

August 20, 2019, 2:00 P.M.

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

Present are: Commission Chair Scott Bartholomew, Commissioners Steven J. 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

A prayer is offered by Wayne Larsen.

CLAIMS

Auditor Stacey Lyon is present. Motion is made by Commissioner Lund to approve payment of claims #346711 through #346804. The motion is seconded by Commissioner Sunderland, and the motion passes.

KEVIN CHRISTENSEN: APPROVAL TO PARTNER WITH UTAH STATE PARKS TO PAY FOR 360° TRAIL MAPPING FOR THE SANPITCH OHV TRAIL

Kevin Christensen is present. Motion is made by Commissioner Sunderland to approve the payment of \$3500 to Chad Booth for 360° trail mapping for the Sanpitch OHV Trail. The motion is seconded by Commissioner Lund, and the motion passes. The State of Utah will reimburse us for this payment to the contractor.

SHERIFF BRIAN NIELSON: APPROVAL TO OPEN PATROL DEPUTY RECRUITMENT; APPROVAL TO HIRE FULL TIME JAIL DEPUTY ROBERT HILL; APPROVAL FOR A 6 MONTH STEP INCREASE FOR CRO JAMES NIELSEN; APPROVAL OF A STEP 2 INCREASE FOR PATROL DEPUTY TREVOR LARSEN; APPROVAL TO EXPEND STATE TASK FORCE GRANT IN THE AMOUNT OF \$70,000; APPROVAL TO EXPEND DEPARTMENT OF HEALTH EMS PER CAPITA GRANT IN THE AMOUNT OF \$2707; APPROVAL TO EXPEND FOREST SERVICE CONTRACT AND PAY CURTIS BLUE LINE FOR PEPPER GUNS; APPROVAL TO PAY PREMIER VEHICLE FOR EQUIPMENT REMOVAL AND INSTALLATION IN LEASE VEHICLES

Sheriff Nielson is present. They have gone through their roster for recruitment, and need to open a new one. Motion is made by Commissioner Lund to approve opening a patrol deputy recruitment. The motion is seconded by Commissioner Sunderland, and the motion passes. Motion is made by Commissioner Sunderland to ratify the approval to hiring Robert Hill as a full time Jail Deputy at the rate of \$15.12 per hour while in the academy effective September 1, 2019. The motion is seconded by Commissioner Lund, and the motion passes. Motion is made by Commissioner Sunderland to approve a six month step increase to \$15.84 for CRO James Nielsen effective August 25, 2019. The motion is seconded by Commissioner Lund, and the motion passes. Motion is made by Commissioner Lund to approve a step two increase to \$20.47 per hour for Patrol Deputy Trevor Larsen effective August 11, 2109. The motion is seconded by Commissioner Sunderland, and the motion passes. Motion is made by Commissioner Lund to approve expending the CCJJ State Task Force Grant in the amount of \$70,000. The motion is seconded by Commissioner Sunderland, and the motion passes. Motion is made by Commissioner

Sunderland to approve expending the Department of Health EMS Per Capita Grant in the amount of \$2707 for training for safety dispatchers. The motion is seconded by Commissioner Lund, and the motion passes. Motion is made by Commissioner Lund to approve the expenditure of the Forest Service contract and to pay Curtis Blue Line \$2500 for Pepper Guns. The motion is seconded by Commissioner Sunderland, and the motion passes. Motion is made by Commissioner Sunderland to approve paying Premier Vehicle for equipment removal and installation in lease vehicles for the Sheriff's Office in the amount of \$5,119.02. The motion is seconded by Commissioner Lund, and the motion passes.

RATIFY APPROVAL TO PAY SCANNING REVOLUTION FOR CLOUD SERVICES

Motion is made by Commissioner Sunderland to ratify the approval given earlier to pay scanning revolution \$2700.00 for services from July 20, 2019 to July 20,2020. The motion is seconded by Commissioner Lund, and the motion passes.

Motion is made by Commissioner Sunderland to go into executive session to discuss pending litigation. The motion is seconded by Commissioner Lund, and the motion passes. Roll call vote is taken: Commissioner Bartholomew votes aye, Commissioner Lund votes aye, and Commissioner Sunderland votes aye. The vote is unanimous.

EXECUTIVE SESSION

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

BRANDON AND ALYSSA ULIBARRI: FINAL APPROVAL OF THE ULIBARRI SUBDIVISION, A ONE LOT MINOR SUBDIVISION ON PARCEL S 21057, LOCATED NORTHEAST OF FAIRVIEW ON 1.36 ACRES

Brandon and Alyssa Ulibarri are present. Water and power are to be provided by Fairview City. The road was widened, and has been approved. Motion is made by Commissioner Lund to approve the Ulibarri Subdivision on parcel S 21057 on 1.36 acres. The motion is seconded by Commissioner Sunderland, and the motion passes.

BRADLEY A. AULT: REQUEST A PUBLIC HEARING FOR A PLAT AMENDMENT FOR A LOT LINE ADJUSTMENT ON PARCEL # S 32667 AND S 32665 IN THE TWIN OAKS SUBDIVISION, LOCATED SOUTHEAST OF MT PLEASANT

Motion is made by Commissioner Lund to approve the request for a public hearing for a lot line adjustment on parcels S 32667 and S 32665 in the Twin Oaks Subdivision. The motion is seconded by Commissioner Sunderland, and the motion passes.

JOSHUA KENT AND ASHLEY GARDINER: FINAL APPROVAL OF THE GARDINER SUBDIVISION, A ONE LOT MINOR SUBDIVISION IN MILBURN ON PARCEL S 20733x2 ON 7.5 ACRES

Joshua Kent and Ashley Gardiner are present. Fairview City will supply the power. Septic has been perk tested. Water rights were purchased for this lot. Motion is made by Commissioner Lund to approve the Gardiner Subdivision on parcel S 20733x2, on 7.5 acres. The motion is seconded by Commissioner Sunderland, and the motion passes.

CHRIS AND COLTER DAVIS: FINAL APPROVAL OF DAVIS ESTATES, A TWO LOT MAJOR SUBDIVISION ON PARCEL S 11019 IN AXTELL ON 9.51 ACRES

Chris Davis is present. Rocky Mountain is providing the power and Axtell SSD the water. Lot line agreement with the neighbor, dealing with the fenceline is shown. Ms. Davis is advised to formalize the agreement. Motion is made by Commissioner Sunderland to approve the Davis Estates Subdivision on parcel S 11019 in Axtell, on 9.51 acres. The motion is seconded by Commissioner Lund, and the motion passes.

DIANE STRINGER: FINAL APPROVAL OF THE WILDE OAK ACRES SUBDIVISION, A ONE LOT MINOR SUBDIVISION ON PARCEL S 22193X1 LOCATED NORTH OF MT PLEASANT ON 6.1 ACRES

Diane Stringer is present. They added property to the subdivision to make it 6.4 acres. They have a well in place. Septic tank is in place. Power is in place and is provided from Mt Pleasant City. The right of way road is a County road. Motion is made by Commissioner Lund to approve the Wilde Oak Acres Subdivision on parcel S 22193x1, on 6.4 acres. The motion is seconded by Commissioner Sunderland, and the motion passes.

BEHRAD TABATABAEI: FINAL APPROVAL OF THE SAFRON RIDGE SUBDIVISION, A FOUR LOT MINOR SUBDIVISION ON PARCEL S 21027 LOCATED NORTH OF FAIRVIEW ON 12.08 ACRES

Behrad Tabatabaei is present. City water, power and gas are in place. Perk test has been done on the septic. Motion is made by Commissioner Sunderland to approve the Safron Ridge Subdivision on S 21027 on 12.08 acres. The motion is seconded by Commissioner Lund, and the motion passes.

BEHRAD TABATABAEI: FINAL APPROVAL OF THE SUMAC MEADOWS SUBDIVISION, A FOUR LOT MINOR SUBDIVISION ON PARCEL S 21026 LOCATED NORTH OF FAIRVIEW ON 14.5 ACRES

Behrad Tabatabaei is present. City water, power and gas are in place. Motion is made by Commissioner Lund to approve the Sumac Meadows Subdivision located on S 21026 on 14.5 acres. The motion is seconded by Commissioner Sunderland, and the motion passes.

DISCUSSION AND RESOLUTION TO ALLOW COUNTY EMPLOYEES WHO ARE EMERGENCY SERVICE VOLUNTEERS TO NOT BE REQUIRED TO TAKE PAID TIME OFF WHILE IN THE LINE OF SERVICE

The Commission feel that this is a necessary service, and they don't want to harm the employees when they volunteer. All the Commissioners are in favor. Sheriff Nielson has some concerns about differences in wildland and structure and paid or unpaid service. This will be addressed as the resolution and policy are prepared.

SHAUNA WATTS AND AARON WOOD: PRESENTATION FROM SANPETE VALLEY HOSPITAL ON THE HOSPITAL'S TAX EXEMPT STATUS

Shauna Watts and Aaron Wood are present. Ten of eleven trustees are non paid volunteers. They report their finances to the state each year. Medicare and Medicaid discounts are given and other benefits to the community totaling over \$8,000,000. Commissioner Lund explains that Sanpete County is very lucky to have two hospitals located in the County. Sanpete Valley Hospital has a five star rating.

CHRISTIAN WILLARDSEN AND JEREMIAH BLAIN: PUBLIC HEARING FOR THE FINAL APPROVAL OF A ZONE CHANGE FROM RA-1 AND RA-2 TO BC ON PARCELS S 5344, S 5344X, S 5341, AND S 5342X LOCATED NORTH OF EPHRAIM ON THE EAST SIDE OF HIGHWAY 89 NORTH OF TRACTOR SUPPLY

No one is present for this matter. Motion is made by Commissioner Lund to table this matter. The motion is seconded by Commissioner Sunderland, and the motion passes.

CONTINUED PUBLIC HEARING FOR THE FINAL APPROVAL OF A PLAT AMENDMENT TO VACATE APPROXIMATELY .5 ACRES OF THE MOUNTAIN DELL SCOUT RANCH ON S 26937

Dwight Inouye and Gary Black are present. Mr. Black built a garage that was over his property line, and onto the Mountain Dell Scout Ranch property. Mr. Inouye states that the original survey was off. In order to remedy that, the Boy Scouts of America were willing to take .5 acres off of their ranch to add to Mr. Black's property. Recorder Reed Hatch states the survey was not off. The due north south in both subdivisions come together. Discussion is held as to whether the Mountain Dell Scout Ranch is a Planned Unit Development or a subdivision. Scott Olsen states when the Scout Ranch was created it was a PUD like development. This discussion has been going on for two years. The Pine Creek association would like Mr. Black to meet with them to decide how this should be handled as far as their subdivision is concerned. Commissioner Bartholomew would like to continue this until after Pine Creek's meeting with Mr. Black. The .5 acres of property would need to be removed from Mountain Dell Scout Ranch, added to Mr. Black's Pine Creek lot, which will amend the subdivision. This would fix the setback problem and overlap. More discussion is held about the survey that used the historical line but should've been the section line. This matter will be continued to September 3, 2019. (Mr. Black called later and asked that it be moved to September 17, 2019.)

JUSTEN MELLOR: REQUEST FOR A MASS GATHERING PERMIT FOR UNITED WE MARCH TO BE HELD IN AND NEAR GUNNISON

No one is present for this matter. This is tabled.

TOM WAYMAN: DISCUSSION ABOUT CENTRAL UTAH WATER CONSERVANCY DISTRICT FEES

Tom Wayman is present. He states he retired 22 years ago. He received his tax information and noticed that the CUWCD fees are included in his tax notice. He called the CUWCD and was told that Central Utah would never reach down here where we live. Sanpete has the option of getting out. Commissioner Sunderland sits on their board, and explains that over \$6 million has benefitted our county from the CUWCD. This is a lot more than we have contributed. We need to get the point of diversion changed to get the water in our valley, or we may want to opt out.

LORRIE GILES: DISCUSSION OF 6 MILE CANYON ROAD CONDITIONS

Lorrie Giles and other are present. Michelle Brown states issues brought up earlier were not taken care of or that became bigger issues. Pat Halladay states they are in the middle of public grounds and Palisade State Parks. Safety has become a big issue. They have a one mile road. The speed limit was set at 20 mph, and people are going faster still. Two signs were put in place. The first sign is 1/4 mile up the road, and people are already going faster when they get to the sign. Mike Forbush provides information showing that over the last five years the revenue at the park has more than doubled. The park agreed to educate the visitors as to the speed limit and respect for the property owners up 6 Mile Canyon. This either hasn't happened or the people aren't understanding it. They would like dust control on this one mile section of road. It is suggested by the Commission that one way to slow them down is to let the road go to pot. The property owners wouldn't mind that at this point. The Commission will contact the park again about educating the people that use the park. There are a total of 6 speed limit signs on the road (some put up by the property owners). Sheriff Nielson agrees that there is a problem on the 6 Mile Road. The officers can enforce the laws and give citations if needed. There are several blind corners on the road. There have been a lot of accidents due to the speed. Dave West states they've moved their driveway because of the speeding ATVs and the dust they created. The drivers never see the signs with all the dust they create and follow. The County has limited resources. Commission Lund will talk to the Palisade employees. Commissioner Sunderland will check to see if the Road SSD will be able to put dust suppressants on the road. An application has been filled out, and will be given to the SSD#1 to consider. A sign should be put up on the cattle guard where people will see them. Kevin Christensen states that flashers could be added to the signs.

VERN FISHER: REQUEST FOR MODIFICATIONS TO THE POWER PLANT ROAD IN MT PLEASANT

Vern and Renee Fisher, Darryl Oldroyd and Dave Oxman from Mt Pleasant City are present. Vern Fisher explains that his granddaughter was killed in an accident on Power Plant road a few months ago. He states there is no warning of the blind hill, and not enough speed limit signs. There have been at least 17 roll over accidents over the years in this area. He would like to see something good come of this accident by making the road more safe. He understands that there were other things that contributed to the accident. Coming to the Commission today is the first step in making improvements. The Commission express their sympathy. The Commission commit to reach out to UDOT and the Highway Patrol and review the evidence and facts to make recommendations on improvements to the road. Mr. Fisher states that the accident reports state that the hill may have been a contributing factor to the accident. Kevin Daniels state this is on the Commissioner's priority list to follow up in a timely manner.

APPROVAL OF CONTRACT FOR INDIGENT INMATE DEFENSE COUNSEL SERVICES FOR ANTONIO JOSE CARRILLO-CHACON IN CASE #191600198

Motion is made by Commissioner Lund to approve the indigent inmate defense counsel services for Antonio Jose Carrillo-Chacon in case #191600198. The motion is seconded by Commissioner Sunderland, and the motion passes.

NOT ON AGENDA

Jose Alcala missed his appointment at the last Commission meeting. He questions the decision of the County to not maintain the road at appx 800 North 500 West near Manti. It is a Class D road. Mr. Alcala would like to do some work on the road. He is advised to check with the property owner where the road goes through to see if he will allow Mr. Alcala to improve the road.

APPROVAL OF MINUTES

Motion is made by Commissioner Sunderland to approve the minutes from August 6, 2019 with minor corrections. The motion is seconded by Commissioner Lund, and the motion passes.

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

The meeting is adjourned at 4:54 P.M.

ATTEST: *Sandy Neill*
Sandy Neill
Sanpete County Clerk

APPROVED: *Scott Bartholomew*
Scott Bartholomew
Commission Chair