

SANPETE COUNTY COMMISSION MEETING

January 22, 2013, 2:00 P.M.

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

Present are: Commission Chair Claudia Jarrett, Commissioners Jon Cox and Steve Frischknecht, County Attorney Brody Keisel, and Deputy Clerk Gayelene Henrikson. County Clerk Sandy Neill is excused.

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 #330298 through #330369. The motion is seconded by Commissioner Cox, and the motion passes.

APPROVAL TO PAY JONES & DEMILLE FOR PROFESSIONAL SERVICES FOR THE WOOD HOLLOW EWP ;DISCUSSION AND APPROVAL OF BILLINGS FOR THE WOOD HOLLOW FIRE EWP PROJECT; DISCUSSION AND APPROVAL OF BILLINGS FOR SANPETE EWP 2012 PROJECTS DISCUSSION AND APPROVAL OF THE PURCHASE OF A RADIAL GATE FOR THE MORONI DIVERSION PROJECT

Garrick Willden is present. More time is needed to complete the culvert project south of Fountain Green and to complete the placement of rip-rap downstream to repair the areas damaged by erosion on the Big Hollow Road. Motion is made by Commissioner Frischknecht to authorize the signature of the chair on the agreement to extend the expiration date. The motion is seconded by Commissioner Cox, and the motion passes. Mr. Willden presented the Agreement of Understanding defining the roles between the County and DWR which explains that DWR provided the seeding and the chaining for the 25% match instead of having the project go out for bid. Motion is made by Commissioner Cox to approve payment of \$4,480.00 to reimburse Ron Whitely for berm work done around the shed on his property. The motion is seconded by Commissioner Frischknecht, and the motion passes. Motion is made by Commissioner Frischknecht to approve payment of \$34,390.85 to Jones & DeMille Engineering for their professional services on the Wood Hollow EWP Projects. The motion is seconded by Commissioner Cox, and the motion passes. Motion is made by Commissioner Frischknecht to approve payment of \$9,617.00 to HighTerra LLC for surveying work done for the chaining. The motion is seconded by Commissioner Cox, and the motion passes. Motion is made by Commissioner Frischknecht to approve payment of up to \$1.2 million for the seeding and chaining. The motion is seconded by Commissioner Cox, and the motion passes.

Mr. Willden reviews the Sanpete EWP Project. Erosion control measures were done in various locations within and near Ephraim, Manti, Gunnison, and Moroni Cities. A gate needs to be ordered now for the Moroni Diversion Project because of the length of time it takes to make the gate. The County will purchase the gate with the funds going through NRCS. Commissioner Frischknecht signed a quote to get the paperwork going. No money comes from the County, it's all through the paperwork. Moroni Irrigation Company has signed the agreement and will pay for their 25% match.

Motion is made by Commissioner Frischknecht to approve a change order for schedule 1 for an extension to February 15, 2013 and to fund the loader usage at \$165.00 per hour to remove snow due to the delays in getting the necessary permits. Commissioner Cox seconded the motion, and the motion passed.

Christensen Brothers Rock Products are doing work in Manti and Ephraim. They added a flood control gate on River Lane Road, west of Ephraim to keep water from going over the road. They installed a culvert and gate to push the water back into the canal. The change order price for the gate and concrete wall to set it in place is \$8,995.99. Ephraim City has flood control gates on the east end of town. They can channel the water two ways: water can go through town or use the Goble Field ditch on the east side above town. They are adding flood control gates to adjust the water they send down through town. Ephraim City is donating material to help with the match, so the cost is taken out of the contract, and will be added as match. They installed a concrete wall and between the interim of starting the project and being onsite, Ephraim City installed a power box in the canal embankment. They are building up the embankment by the power box with concrete blocks. Motion is made by Commissioner Frischknecht to approve a change order moving the completion date to March 8, 2013, and adding the \$1,200.00 cost of concrete blocks. The motion is seconded by Commissioner Cox, the motion passed.

The third and final phase is in place to clean up the Sanpitch River around Gunnison and add rip-rap. There are islands of tamarack that cause the water to spread out. Motion is made by Commissioner Cox to approve the extension of the substantial completion date to March 8, 2013. Motion is seconded by Commissioner Frischknecht, and the motion passes.

Motion is made by Commissioner Cox to approve a partial payment to Terry Larsen Excavating for the mining of the rip-rap at the cost of \$25,687.41. The motion is seconded by Commissioner Frischknecht, and the motion passes. Motion is made by Commissioner Frischknecht to approve a partial payment to Christensen Brothers Rock Products for the River Lane bank shaping at a cost of \$4,900.00. The motion is seconded by Commissioner Cox, motion passes.

Motion is made by Commissioner Frischknecht to approve the signature of the chair on the assurances relating to real property acquisition form which the property owner signs to allow access to private property. There are a few outstanding letters in Ephraim. If the owners don't sign, the work will not be done on those properties. The motion is seconded by Commissioner Cox, and the motion passes.

Motion is made by Commissioner Cox to approve the signature of Commissioner Jarrett on the Inspection Staffing Plan and Quality Assurance Plan which is a written plan indicating what Jones & DeMille will do as far as construction observation, testing, and quality assurance to make sure the project is done right. The motion is seconded by Commissioner Frischknecht, and the motion passes.

Motion is made by Commissioner Frischknecht to approve the signature of Commissioner Jarrett on the plan sheet of records for NRCS showing the work that has been completed or will be completed on the properties south of Fountain Green on the Big Hollow Wash Flood Mitigation. This is a separate agreement they signed agreeing to the work that is done on the properties. Randy Lloyd's property still needs to be completed. The motion is seconded by Commissioner Cox, and the motion passes.

The bid opening for the next phase of the EWP project including the Moroni diversion structure, minor improvements on the Fayette Irrigation Diversion Structure, and low water crossings on the Dover Road will be held on January 24, 2013.

JUDGE COX: APPROVAL OF WAGE INCREASE FOR TAMARA WHEELER

Judge Cox is present. Motion is made by Commissioner Frischknecht to approve a wage increase to \$8.73 an hour effective in the first pay period in February, 2013 for Tamara Wheeler. The motion is seconded by Commissioner Cox, and the motion passes.

SHERIFF NIELSON: APPROVAL TO EXPEND DUI ENFORCEMENT GRANT; APPROVAL TO PURCHASE A COPY MACHINE; REQUEST FOR CELL PHONE STIPEND FOR SHEILA BRINGHURST, DISPATCH SUPERVISOR; APPROVAL TO UNIFY PART-TIME WAGES IN THE SHERIFF'S OFFICE

Sheriff Nielson is present. Motion is made by Commissioner Cox to approve expenditure of \$5,000.00 from the DUI Enforcement Grant. The motion is seconded by Commissioner Frischknecht, and the motion passes. Sheriff Nielson is requesting to purchase a new copy machine for the Sheriff's Office. The current one has a service plan that they use quite frequently. It is the only one in the building and he realizes that there is a hold on major purchases but asked for an exception. The Commissioners understand the need, but the request is denied at this time.

Sheila Bringhurst, Dispatch Supervisor is present requesting a cell phone stipend. Discussion ensues about cell phone stipends within the departments of the County. Some of the cell phone numbers are not local Manti numbers, so a fee is charged when calling them. The Commissioners would like to encourage all the cell phone users to have local phone numbers, and be with the same provider to keep down minutes and long distance fees. Ms. Bringhurst's request is tabled, and the Commissioners are requesting copies of the past three months of her cell phone statements. Commissioner Cox will speak with the Sheriff and Commissioner Frischknecht will speak with Tracy Christensen in the Building Department to get further information on the usage of cell phones in their Departments.

Sheriff Nielson is requesting to unify part-time dispatch and jail employees wages. Some of the long term part-time employees make less than new hires. The Commissioners ask how this restructuring will affect the budget. Ilene Roth and Sheriff Nielson confirmed the budget would be able to cover this request. Motion is made by Commissioner Cox to approve adjusting the beginning rate for non certified part-time staff to \$11.70 per hour, and certified part-time staff to \$13.39 per hour effective January 20, 2013. The motion is seconded by Commissioner Frischknecht, and the motion passes.

APPROVAL OF MEMORANDUM OF AGREEMENT WITH ROBERT K WEIDNER, AND APPROVAL TO PAY ANNUAL DUES

Motion is made by Commissioner Frischknecht to approve the Memorandum of Agreement with Robert K. Weidner for his services with the Rural Public Lands County Council and to approve the payment of \$7,500.00 for the annual dues. The motion is seconded by Commissioner Cox, and the motion passes.

APPROVAL TO REAPPOINT THREE OF THE BOARD MEMBERS ON THE FEDERAL MINERAL LEASE SPECIAL SERVICE DISTRICT BOARD

Motion is made by Commissioner Frischknecht to reappoint David Bailey, Loni Hammond, and Boyd Beck to serve 4 year terms on the Federal Mineral Lease SSD board, beginning on January 1, 2012 and expiring on December 31, 2015. Their term actually ended on December 31, 2011 so they have already served one year of their new term. The motion is seconded by Commissioner Cox, and the motion passes.

APPROVAL TO POST OPENING FOR A BOARD MEMBER ON THE SANPETE COUNTY SPECIAL SERVICE DISTRICT #1 (ROADS)

Bruce Bown has served on the SSD #1 board since 1988 and is stepping down. Motion is made by Commissioner Cox to approve posting an opening for a 4 year term board member on the Sanpete County SSD #1 (Roads). The motion is seconded by Commissioner Frischknecht, and the motion passes.

APPROVAL TO POST AN OPENING FOR A BOARD MEMBER ON THE SKYLINE MOUNTAIN RESORT SPECIAL SERVICE BOARD

Mont Pugmire resigned from the Skyline Mountain Resort SSD board in December. Motion is made by Commissioner Cox to approve posting an opening for a 4 year term board member on the Skyline Mountain Resort SSD. The motion is seconded by Commissioner Frischknecht, and the motion passes.

REED MARTINEAU: APPROVAL OF TAX ADJUSTMENT ON S 20835X1 FOR 2012 TAXES

This matter had been resolved and is stricken.

MATT PALMER AND SHANNON CROMWELL: APPROVAL OF COOPERATIVE AGREEMENT; HIGHLIGHTS OF 2012 EXTENSION SERVICES AND PROGRAM ACCOMPLISHMENTS

Matt Palmer and Shannon Cromwell are present. Motion is made by Commissioner Frischknecht to approve the yearly cooperative agreement for Utah State University Extension Educational Work for 2013. The motion is seconded by Commissioner Cox, and the motion passes. Mr. Palmer requests to purchase a copier. The Commissioners asked him to hold off on large purchases until later in the year to make sure there is funding. The Extension office receives funding from the County. Through their efforts at locating other funding, they tripled their budget in 2012. They implemented monthly 4-H activities and projects for children called "4-H After School". In October, six schools joined the program with 115 children participating. Ms. Cromwell is working to increase the program to weekly activities. She is looking for grant money to pay for site coordinators in outlining areas. Schools will be asked to contribute 10% or \$3000. Mr. Palmer reviews the work done with Bryce Jackson and Scott Rasmussen on weed control. Treatment for Russian Knapweed was done in the Spring and Fall. A grant was obtained to fund two part-time nutrition assistants. The adult base participants in 2011 was 83, and in 2012 it was 353. The youth base participants were 780 in 2011, and increased to 3,035 in 2012. Ms. Cromwell recently was appointed to the Central Utah Food Bank board. Every Spring Mr. Palmer holds an agricultural workshop. This year the workshop focused on crops, soil, fertilizers and pesticide. The participants came away with a 3 year pesticide license. An 8-week horticulture class is held every Spring that includes a garden tour. Mr. Palmer does a garden TV show on channel 10. With Snow College located in the County, Sanpete has the right population for a grant to fund the Healthy Relations program which caters to the 18-30 year old people. It is a partnership between Department of Workforce Services and Utah's healthy marriage initiative. Ms. Cromwell will work with the Home and Family Department this Spring semester and hold healthy relationship classes as well as using KMTI table talk, Gunnison Gazette, and the Pyramid to deliver the research based information. The 4-H youth council made gift baskets for military families and food baskets for needy families in our County. A teen retreat was held for all teens Sanpete. The teens planned and implemented the program and taught classes focusing on team building, leadership and healthy lifestyle choices. They plan to have more retreats as part of the after school program in April and will have one in each of the six schools. USU Extension received a grant to host an Ag Diversification Conference on February 20-22, 2013 on the Snow College campus.

MIKE SEIDEL: REQUEST FOR ELECTRONIC FILE OF TAX ROLL

Mike Seidel appeared by phone. Wayne Larsen, Sanpete County IT Administrator is also present. Mr. Seidel is requesting parcel data or tax roll information from the County to receive the addresses and mailing addresses of property owners. He will use the information to contact property owners who are near his proposed project, and will not resell the data. The County charges a flat fee of \$375.00 for this service which must be prepaid. Motion is made by Commissioner Cox to approve providing the parcel data for a fee of \$375.00, paid in advance. The motion is seconded by Commissioner Frischknecht, and the motion passes. Wayne Larsen will invoice and receive the payment, then send the data via email.

SCOTT OLSEN: DISCUSSION OF WATER REQUIREMENTS IN SUBDIVISIONS

Zoning Administrator Scott Olsen is present. Mr. Olsen has been approached about water rights by the owners of 2 subdivisions. These subdivisions were approved at least five years ago. Some of the lots haven't sold and wells haven't been drilled. The state is now considering taking away the water rights because the proofing (certification from a certified engineer that the water is being used as allocated) of the water isn't current. Extensions could be applied for after the first 5 years, because the water rights haven't been used yet. There are two different kinds of water rights. Appropriated - An irrigation company has surface water and they transfer it for underground use. If the water doesn't get proofed up timely and don't receive an extension, the water goes back to the original water company owner. Certificate - Water that is on wells, they transfer the water to the subdivision. They keep ownership, but it goes back to the original location if it's not used timely and is taken away. If an extension is not applied for, it could take another three month process to acquire the water rights and bring it back to the subdivision in order to get a building permit. The County requires water before a person can subdivide and then proof of water when they apply for a building permit. In subdivisions with more than one or two lots the water number is recorded on subdivision plat. This doesn't guarantee the water will still be there if the water is not proofed up. The State notifies the party, not the County when water rights lapse. The County requires that they prove that they have current allocated water when it's time to build.

KEN BENCH: APPROVAL OF 3 YEAR STEP INCREASE FOR KEITH LARSEN

Ken Bench is present. Keith Larsen is working on his certification and licensing. Motion is made by Commissioner Frischknecht to approve a 3-year step increase to \$17.11 per hour for Keith Larsen. Retro to January 1, 2013. The motion is seconded by Commissioner Cox, and the motion passes. Later in the meeting the Auditor explained the complications with back paying employees. The monies have already been allocated into insurance, taxes and retirement. Motion is made by Commissioner Cox to amend the motion, and move the effective date for the pay increase for Keith Larsen to January 20, 2013. The motion is seconded by Commissioner Frischknecht, and the motion passes.

APPROVAL TO ADOPT A RESOLUTION DECLARING SANPETE COUNTY'S COMPLETE ADDRESSING PROCESS

Commissioner Jarrett reads the resolution for the record. Motion is made by Commissioner Cox to approve and adopt resolution No. 01-22-2013 declaring Sanpete County's complete addressing process and the creation of a master address list for the County. The motion is seconded by Commissioner Frischknecht, and the motion passes. The resolution is attached to these minutes.

DISCUSSION AND REQUEST FOR PUBLIC HEARING ON PROPOSED SPOTLIGHTING ORDINANCE

Matthew Briggs with DWR and Sheriff Brian Nielson are present. The Commission received a request from a Sanpete County resident to adopt an ordinance for spotlighting. Sevier County has an ordinance in place. DWR pays a \$50.00 bounty on coyotes in order to save the deer population through an appropriation from the State legislature. An ethics course must be taken on the internet. The hunter provides the X Y coordinates showing where they took the animal, the date it was harvested, and bring in the ears and lower jaw. About 3500 coyotes have been taken statewide so far, and the grant provides funding for about 10,000 coyotes (\$500,000.00). The original idea was to remove the coyotes from the fawning and calving areas of the big game animals. The law allows hunting in the daytime, but not at night. The coyotes have become educated and don't come out until nighttime. The DWR and Sheriff Office controls the spotlighting that is happening now. Discussion is held as to what should be in the ordinance, how many permits they are anticipating issuing and charging a fee. Mr. Briggs would like to see this ordinance allow hunters to park, hike on the hill, hike in fields and riverbanks and hunt with handheld spotlight, with landowner permission. They would be able to hunt on all public lands in the county and private lands if they have obtained a written permission from the landowner. All participating hunters should have a permit. They will contact the Sheriff's Office and make them aware of the hunt, so they know the area that is being hunted in case of a complaint. Sevier and San Juan County ordinances have been reviewed. Sevier has a limit on the shooting caliber range. Sevier charges \$20; San Juan doesn't charge. State statute requires extra monies above administrative cost be remitted to Wildlife. Commissioner Frischknecht had a concern about headlights disturbing people on their property. He thinks there is more positive than negative with this ordinance. DWR will go along with the ordinance if the County wants it. If the hunter abides by the law of the ordinance, the Sheriff's Office shouldn't be affected. It would be the ones not keeping the law that would burden the Sheriff's Office. This matter is tabled. The Commissioners would like to get opinions from the Farm Bureau, ranchers, farmers, and other county sheriff offices to see what burdens this ordinance could create.

APPROVAL OF MINUTES

Motion is made by Commissioner Cox to approve the minutes from January 8, 2013 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 property acquisition. The motion is seconded by Commissioner Cox, and the motion passes.

EXECUTIVE SESSION

Motion is made by Commissioner Frischknecht to come out of executive session. Motion is seconded by Commissioner Cox, 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 5:53 P.M.

ATTEST: *Sandy Neill*
Sandy Neill
Sanpete County Clerk

APPROVED: *Claudia Jarrett*
Claudia Jarrett
Commission Chair

Resolution No. 01 22 2013

A RESOLUTION DECLARING SANPETE COUNTY'S COMPLETE ADDRESSING PROCESS

WHEREAS, the Department of Technology Service, Automated Geographic Reference Center (AGRC) and Sanpete County entered into an agreement for the County to establish a standard County wide process to create and maintain a Master Address List (MAL);

WHEREAS, Sanpete County will receive a grant to assist in creating and maintaining the MAL;

**BE IT HEREBY RESOLVED BY
THE BOARD OF SANPETE COUNTY COMMISSIONERS:**

Sanpete County's process for addressing will be as follows:

1. An address will be given to each parcel of land by the City, the County Building Inspection Department, IT Department or County Clerk's Office. This address will include:
 - a. House number
 - b. Prefix Direction
 - c. Street Name
 - d. Street Type or Direction
 - e. Unit Number (if applicable)
2. This information will be added by the IT Department or the County Clerk's Office to the MAL along with the following:
 - a. Address System (Grid) Name
 - b. X Coordinate
 - c. Y Coordinate
 - d. Date (Added, or most Recent Modification)
 - e. Parcel ID (If available)
3. The MAL will be made available on the County's website in PDF format. The list will be updated in a timely matter as changes are made.

APPROVED BY THE SANPETE COUNTY BOARD OF COMMISSIONERS on the 22nd day of January, 2013.


Chair, Sanpete County Board of Commissioners

Attest:


Sanpete County Clerk / Deputy



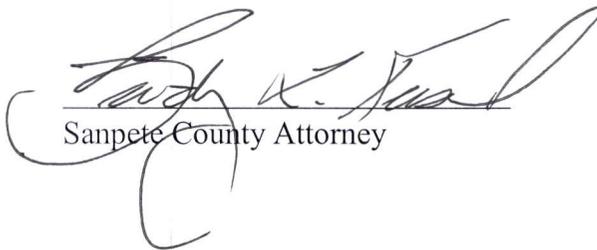
Voting History:

Commissioner Jarrett - y

Commissioner Cox - y

Commissioner Frischknecht - y

Approved as to Form:


Sanpete County Attorney