

**SANPETE COUNTY COMMISSION MEETING**

**March 19, 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 County Clerk Sandy Neill.

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 #330645 through #330764. The motion is seconded by Commissioner Cox, and the motion passes.

**KEVIN CHRISTENSEN: APPOINTMENT OF TRAVEL COUNCIL MEMBERS**

Kevin Christensen is present. Chris Stover and Wayde Austad who serve on the travel council have moved or are moving. Motion is made by Commissioner Cox to appoint Shon Tripp and Anita Geloff to replace Mr. Stover and Mr. Austad. The motion is seconded by Commissioner Frischknecht, and the motion passes.

**APPROVAL TO REIMBURSE SEARCH AND RESCUE FOR SEARCHES**

Motion is made by Commissioner Frischknecht to approve the reimbursement of \$8,798.15 to Search and Rescue for the Long Valley Avalanche recovery. The motion is seconded by Commissioner Cox, and the motion passes. The funds are reimbursed from the Secure Rural Schools Fund.

**SHERIFF BRIAN NIELSON: APPROVAL OF MODIFICATION TO THE LAW ENFORCEMENT AGREEMENT WITH MANTI-LA SAL NATIONAL FOREST**

Sheriff Brian Nielson and Karlton Moss are present. This modification removes the limit that had been placed on the amount that counties could be reimbursed. The Forest Service proposed the change to the contract. Motion is made by Commissioner Cox to approve the modification to the law enforcement agreement with Manti La Sal National Forest. The motion is seconded by Commissioner Frischknecht, and the motion passes. The Commissioners ask Mr. Moss about the proposed Willowcreek project up Ephraim Canyon road. The comment period is still open, and a decision will not be made until at least Fall of 2014. The Utah Local Government Trust is holding a webinar on youth homes and group homes with no charge for registration. Sheriff Nielson will see if someone can sit in on this meeting. The Sheriff is working on a policy in the jail dealing with performing mental health evaluations so we will be in compliance with the State. This will be in place in the very near future.

**APPOINTMENT OF MARIANNE BARTON TO THE CENTRAL UTAH PUBLIC HEALTH BOARD**

Motion is made by Commissioner Cox to appoint Marianne Barton to serve on the Central Utah Public Health Board to replace Bruce Blackham. The motion is seconded by Commissioner Frischknecht, and the motion passes.

**APPOINTMENT OF MIKE AND AMANDA BENNETT AS FAIRBOARD CO-CHAIRS**

Motion is made by Commissioner Frischknecht to appoint Mike and Amanda Bennett as Fairboard co-chairs. They will co-chair with Wade Anderson this year, and then take over next year. The motion is seconded by Commissioner Cox, and the motion passes.

**SCOTT OLSEN: CONTINUATION OF PUBLIC HEARING FOR APPROVAL TO AMEND THE SANPETE COUNTY LAND USE ORDINANCE ADDING A CHAPTER FOR INDUSTRIAL ZONES**

Scott Olsen is present. The Planning Commission made a revision to the proposed industrial zone section in the land use ordinance. The minimum lot size was reduced to 10 acres, and if the property is located in a buffer zone, modifications can be made to meet city requirements if the municipality will provide services. Motion is made by Commissioner Frischknecht to approve the amendment to the land use ordinance adding a chapter for industrial zones. The motion is seconded by Commissioner Cox, and the motion passes.

**JOHN LAMONT: APPROVAL TO VACATE A 1 LOT SUBDIVISION ON S 27364**

Scott Olsen is present in behalf of John Lamont who is requesting to vacate his 1 lot subdivision. He was unable to finance for a home on a 12 acre parcel of land when only 5 acres is required. Mr. Lamont is in the process of applying for another subdivision with a smaller lot for the home. Motion is made by Commissioner Cox to vacate the subdivision on S 27364. The motion is seconded by Commissioner Frischknecht, and the motion passes.

**PUBLIC HEARING FOR JIM AND ELIZABETH NOORLANDER: APPROVAL OF A LOT LINE ADJUSTMENT ON S 24506X AND S 24507 OF THE FAIRVIEW RANCHOS 1 SUBDIVISION**

Jim Noorlander is present. Two complaints were received on this proposed lot line adjustment. One of the concerns was an easement for a road that has not been used. Mr. Noorlander explains that the road was abandoned 10 years ago by executive order. The County has not been able to locate documentation to this effect. Deputy County Attorney Ross Blackham is now present. He remembers discussion about the road, but does not recollect that a decision was made. The Commission is concerned that an easement still shows on the plat map. This matter is tabled until more research can be done.

**SHAYDON HERMANSEN: APPROVAL OF A 1 LOT MINOR SUBDIVISION ON S 10149X FOR A COMMERCIAL FERTILIZER AND AGRICULTURAL SUPPLY BUSINESS**

Shaydon Hermansen is present. Motion is made by Commissioner Frischknecht to approve the 1 lot minor subdivision on S 10149x for a commercial fertilizer and agricultural supply business. The motion is seconded by Commissioner Cox, and the motion passes.

**JOHN FAIRCHILD WITH DWR: PILT AND WILDLIFE UPDATE**

John Fairchild is present. John Fairchild presents the county with a check for \$12,469.33 for PILT from DWR. The money used to pay the in-lieu of taxes is provided by hunters and anglers in the county and across the state. Mr Fairchild states that the houndsmen have expressed concern that we are over-harvesting cougars on the Manti. There needs to be a balance to protect the deer population, and to allow for the hunting of the cougars. An emergency meeting will be held this Thursday in Salt Lake to address this concern. They would like to improve the Manti meadows property to benefit upland game. They would like to do more releasing of pheasants prior to the

pheasant hunt in areas with suitable habitat. DWR would still like to see work done on a shooting range near Manti. The new Wildlife Recreation Program will foster various ways of increasing hunter recruitment and retention. They will hold fishing clinics, teach archery in the schools, hold hunter education classes with mentored hunts to follow in the Fall. Assisting cities and counties with developing shooting ranges is higher priority. A grant program will be available to partner with DWR to build shooting ranges. They will soon finalize a land exchange with SITLA. Those lands in Kane Valley that were state lands will now be used by DWR to protect wildlife in the future. There was little loss (less than 5%) with the deer population this Winter. Road kill is a concern. Altering speed limits from dusk to dawn is a tough sell. UDOT funded a study, and found that motion sensors along highways that detect when animals are in the right of way and then trigger a flashing light may be helpful to save vehicles, animals and people.

**GARRICK WILLDEN: WOOD HOLLOW FIRE EWP UPDATE AND INVOICE APPROVAL; SANPETE EWP 2012 UPDATE AND INVOICE APPROVALS**

Garrick Willden is present. NRCS is completing their damage survey reports for all the sites in the Wood Hollow fire area. He believes most will be approved. It is almost ready to bid out. He is looking for another contractor to do the work on the David Sorensen property south of Fountain Green. Motion is made by Commissioner Cox to approve the payment of \$335,332.79 to DWR for the seeding, and \$12,746.75 to Jones and DeMille for engineering services. The motion is seconded by Commissioner Frischknecht, and the motion passes.

Several contractors are working on the Sanpete EWP projects. FX Construction is working on finishing the Moroni, Fayette, and Gunnison diversions. FX Construction will start on the Dover Road when these are finished. The Wales site may be added to the list of projects to be done. For the Moroni diversion a radial gate was ordered along with the inbeds to be placed in the concrete. Motion is made by Commissioner Frischknecht to approve the payment of \$1,500.00 for the inbeds, and \$72,392.99 to Jones and DeMille for design and construction engineering which includes the work done by Great Basin Earth Science on the Dover Road and Sevier River. The motion is seconded by Commissioner Cox, and the motion passes.

**JUSTIN SANDERSON: DISCUSSION OF FLOOD AND EROSION MITIGATION PROJECT IN THE OAKER HILLS SUBDIVISION**

Justin Sanderson, Nate Walter with Lei Engineers and Charles Lance with Oaker Hills are present. Mr. Sanderson has a wash that needs to be dug out. After the Wood Hollow fire, the wash filled with silt. The water is now washing his property out. There were 3 bad storms after the fire that caused damage, and have come very close to his cabin. The County is working on an ordinance that directs property owners in the burn area to notify the building inspector before beginning any project that involves moving any dirt. Rocky Mountain will also direct claimants to the building inspector. The building inspector's office will do a site visit to review the proposal. The County is doing a study of the drainages, to see what we should expect for the drainage based on the CFS flow, topography, soil conditions, and vegetation. This study will develop a flood plan for a flood plain for the County. If changes to the channel are proposed, a public hearing will be held in a meeting before the Commission. The property owners downstream will have the opportunity to give input as to how this could affect them. The County understands personal property rights. Sanpete County will not make the decision about whether the work should be done, but may advise

about concerns based on the study. They are concerned about the width and depth of the proposed channel, and that it comes to a pinch point, and could potentially damage property downstream. The plans are reviewed, and Nate Walter explains the details. The ditch is only 3 feet deep and 8 feet wide, not 8 feet deep and 100 feet wide. Garrick Willden suggests that a low water crossing might help with this project, too. If the problem is left untouched, then it is nature that caused the problem downstream. If you alter the channel, and then damage occurs downstream, you could be held liable. There will be no approval or disapproval based on this meeting with the Commission. The purpose of this meeting was to inform the Commission about the details of this project and for the Commission to express their concerns. Mr. Sanderson has addressed the Commissioners' concerns, and is free to start his project if he desires. He is not required to wait until we have an ordinance in place.

**DISCUSSION OF INDIGENT BURIAL POLICY**

This matter is tabled.

**DISCUSSION OF MOUNTAIN TOP COMMUNICATION CONTRACT**

This is tabled to see if we can negotiate the amount of the contract.

**APPROVAL OF MINUTES**

Motion is made by Commissioner Frischknecht to approve the minutes from March 5, 2013 with minor corrections. The motion is seconded by Commissioner Cox, and the motion passes.

**EXECUTIVE SESSION**

No executive session was needed.

**OTHER**

The Commission held a work meeting to discuss pending flood possibilities as a result of the loss of vegetation during the Wood Hollow fire. It was determined that it would be in the best interest of the County to pass an ordinance that deals with excavation in the area. This needs to be done as soon as possible. Motion is made by Commissioner Cox to post a notice of a public hearing to consider and adopt an "Excavation Notice to Mitigate Flood Potential" ordinance. This will be an amendment to the Sanpete County Land Use Ordinance. 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 4:50 P.M.

ATTEST: *Sandy Neill*  
Sandy Neill  
Sanpete County Clerk

APPROVED: *Claudia Jarrett*  
Claudia Jarrett  
Commission Chair