

**SANPETE COUNTY COMMISSION MEETING**

**September 3, 2013, 1:00 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 #331765 through #331845. The motion is seconded by Commissioner Cox, and the motion passes.

**SHERIFF BRIAN NIELSON: APPROVAL TO EXPEND THE 2013 EMERGENCY MANAGEMENT PERFORMANCE GRANT (EMPG) IN THE AMOUNT OF \$40,000.00; APPROVAL OF STEP INCREASE FOR CONTROL ROOM OPERATOR TONIA CASTRO; APPROVAL TO MOVE JEFRE MCQUIVEY AND DEREK WALK FROM FULL TIME TO PART TIME; APPROVAL TO HIRE SETH HENDRICKSON AS A PART TIME DEPUTY; APPROVAL TO PURCHASE AMMUNITION; APPROVAL TO HIRE KELLY MOORE AS A CORRECTIONAL DEPUTY; APPROVAL OF A CONTRACT WITH NATHAN MINER UNDER THE HAZARDOUS MATERIAL PLANNING (LEPC) GRANT**

Sheriff Brian Nielson is present. Motion is made by Commissioner Cox to approve the expenditure of the EMPG in the amount of \$40,000.00. The grant funds are used for payroll. The motion is seconded by Commissioner Frischknecht, and the motion passes. Motion is made by Commissioner Cox to approve a step increase to Deputy 1 at \$14.52 per hour for control room operator Tonia Castro, effective September 5, 2013. The motion is seconded by Commissioner Frischknecht, and the motion passes. Motion is made by Commissioner Cox to approve moving officers Jefre McQuivey and Derek Walk from full time to part time employment at the rate of \$13.39 per hour. The motion is seconded by Commissioner Frischknecht, and the motion passes. Motion is made by Commissioner Cox to approve the hiring of Seth Hendrickson as a part time road deputy at \$13.39 per hour. The motion is seconded by Commissioner Frischknecht, and the motion passes. Motion is made by Commissioner Cox to approve the purchase of ammunition at a cost of \$9,356.24. The motion is seconded by Commissioner Frischknecht, and the motion passes. Motion is made by Commissioner Cox to approve hiring Kelly Moore as a Correctional Deputy, and send him to the academy. He will remain at the current pay rate until he graduates from the academy. The motion is seconded by Commissioner Frischknecht, and the motion passes. Motion is made by Commissioner Frischknecht to approve a contract with Nathan Miner under the LEPC grant at a rate of up to \$1,200.00. The motion is seconded by Commissioner Cox, and the motion passes. (After the meeting, Sheriff Nielson asked to have the contract approved for \$1,500.00. Sufficient funding was found in the grant to cover the increase. The Commission gave approval to amend the amount to \$1,500.00.)

**APPROVAL OF INDIGENT INMATE CONTRACT FOR ALEXANDER J. SINGER**

Motion is made by Commissioner Cox to approve the indigent inmate contract for Alexander J. Singer. The motion is seconded by Commissioner Frischknecht, and the motion passes.

**APPROVAL OF EASEMENT AGREEMENT WITH SCHOOL AND INSTITUTIONAL TRUST LANDS ADMINISTRATION (SITLA) SUBJECT TO THE 5600 WEST LAND EXCHANGE PHASE II**

Brody Keisel expresses concerns about the wording on the easement agreement. It states that if changes are to be made, the County would be responsible to pay. Mr. Keisel will review the wording with SITLA, and this will be put on the next agenda.

**DIANE KEELER: APPROVAL TO PURCHASE DESK AND CHAIR MAT FOR CHILDREN'S JUSTICE CENTER**

Motion is made by Commissioner Cox to approve the purchase of a desk and chair mat in the amount of \$1,923.76. The funds will come from the state grant. The motion is seconded by Commissioner Frischknecht, and the motion passes.

**APPROVAL OF AMENDMENT 4 TO THE WOOD HOLLOW FIRE PROJECT, ADDING TA FUNDING**

Motion is made by Commissioner Frischknecht to approve the amendment to the Wood Hollow Fire Project, adding \$25,000.00 for TA funding. The motion is seconded by Commissioner Cox, and the motion passes.

**ASPEN GROVE ASSETS: REQUEST FOR A PUBLIC HEARING FOR A ZONE CHANGE FROM A (AGRICULTURAL) TO PF (PUBLIC FACILITIES) ON S 26317x2. THE PROPERTY IS ADJACENT TO THE TWIN OAKS SUBDIVISION, 2 MILES SOUTHEAST OF MT PLEASANT**

David Asay, Jeffrey Kunz and Scott Olsen are present. Sanpete County approved a conditional use permit for a private cemetery in 2003. It had just 1 burial plot. The property for the cemetery is 3.25 acres, and will hold 3,000 lots. The infrastructure and roads are in place. The Commissioners ask why the zone change is being requested when Mt. Pleasant City has a cemetery near by. Mr. Kunz explains that the zone change is not just for the cemetery. The plan is to eventually include a bishop's storehouse, a chapel, sports facilities, and cemetery. The public facilities would be open to the public. The subdivision has 100 lots, and 13 homes are in place or are started. The cemetery will serve a larger community than the Twin Oaks subdivision. Aspen Grove Assets will prepare a hydrology report, and other information as to how they plan to manage the cemetery. They plan to fence the property, put in a sprinkling system, and then landscape it. After the cemetery is in place, the bishop's storehouse would be next, then the ball fields would be built. A chapel would probably be 10 or more years down the road. This will be placed on the next Commission agenda.

**PHYLLIS GREENMUN: FINAL APPROVAL OF A 1-LOT MINOR SUBDIVISION ON S 27349x2, SOUTHEAST OF SPRING CITY**

Phyllis and Edmund Greenmun are present. The improved road for the subdivision is completed, and the location for the home will not be in a flood plain. Motion is made by Commissioner Cox to approve the Garden Subdivision, a 1-lot minor subdivision on S 27349x2, southeast of Spring City. The motion is seconded by Commissioner Frischknecht, and the motion passes.

**PUBLIC HEARING AND ADOPTION OF SEVERAL PROPOSED AMENDMENTS TO THE SANPETE COUNTY LAND USE ORDINANCE, SECTION 13**

Motion is made by Commissioner Frischknecht to approve the organizational, non substantive amendments to the Sanpete County Land Use Ordinance, section 13. The motion is seconded by Commissioner Cox, and the motion passes.

**WOOD HOLLOW FIRE FLOOD MITIGATION FOR THE FOLLOWING:**

**1) OAKER HILLS SUBDIVISION PHASES 1 AND 2; PLACING CULVERTS AND OTHER FLOOD WAY FACILITIES IN THE COMMON AREAS; 2) THELMA L. MEYERS, LOT 332 OAKER HILLS PHASE 3; PLACING BERMS AND A SMALL DITCH ON S 60812; 3) PLACING BERMS ON THE FOLLOWING: INDIAN RANCH LLC, OWNED BY JASON MAXFIELD, S 54744x; LOT 45 IN INDIAN RIDGE OWNED BY JAY BARLOW, S 54744; ELK RIDGE RANCHES LOT 11 OWNED BY OLGA PINNEY, S 24611**

Garrick Willden and Scott Olsen are present. This is the time and place for a public hearing on proposed Wood Hollow Fire Flood mitigation. The purpose of the hearing is to make the public aware of proposed mitigation that may have an effect on surrounding property.

#1 The proposal for Oaker Hills is to repair approximately 50 culverts in the subdivision, and Rocky Mountain Power has agreed to help fund the project. The largest culvert is about 6 feet. These culverts will take care of the most common 1-2 year events. They will help direct the water into the washes, instead of running in the roads. Boyd Sparrow and Nita Osborne state that Oaker Hills and Indian Ridge had some flooding this past weekend. Mark Hindley, attorney representing Pacific Corp addresses the work that needs to be done. He is asking that sufficient insurance and bonding is taken care of by the contractors, and releases be signed by the property owners.

#2 On the Thelma L Meyers property (lot 332 Oaker Hills phase 3) There was a small ditch that diverted the water north approximately 20 feet. They would like to put that ditch back in place. They would like to place a 200 foot berm to handle more water than it previously handled.

#3 & #4 Clyde Holm and Chuck Cummins state that a berm was removed in this area that now causes more flooding, and takes away their privacy. A culvert needs to be put in, and Indian Ridge Property Owners Association would like one that would handle more than just a 1 or 2 year event. Garrick Willden is proposing a low water crossing with a culvert. The low water crossings don't clog with debris. The ownership of the road is discussed. There is a prescriptive easement on the road for the Indian Ridge subdivision, and the subdivision is in the lawsuit against Pacific Corp. Olga Pinney's property is affected by this road, also.

**APPROVAL TO PAY EFILE CABINET FOR SCANNING SYSTEM**

This was originally approved on August 6, 2013 for approximately \$1,600.00. The Auditor's office and Building Inspector's office have opted to use this scanning system. The price increase is for 3 more users. Motion is made by Commissioner Cox to approve a total payment of \$2,278.32 to EfileCabinet for software and annual maintenance plan. The motion is seconded by Commissioner Frischknecht, and the motion passes.

**APPROVAL OF MINUTES**

Motion is made by Commissioner Cox to approve the minutes from August 20, 2013 with minor corrections. The motion is seconded by Commissioner Frischknecht, and the motion passes.

**EXECUTIVE SESSION**

No executive session was needed.

Motion is made by Commissioner Cox to adjourn until 7:00 P.M. The motion is seconded by Commissioner Frischknecht, and the motion passes.

**SKYLINE MOUNTAIN RESORT SPECIAL SERVICE DISTRICT: REPORT ON WATER PROJECT AND ACCOUNTING**

Dawayne Coombs, Ed Collins, Layne Lundstrom, Roy Fox, and Herb Gilbert (all of the current board members of the Skyline Mountain Resort Special Service District) are present. Ed Collins states that they don't spend more than 1/2 million dollars and are not required to have an annual audit. They do have an accounting statement prepared yearly, and copies are available if requested. This year because of the water project, they will be audited. A spreadsheet is provided that shows expenditures for the water project. The legal expenditure has been more than was anticipated. Engineering during construction may end up under budget. The system is being prepared to accept chlorination equipment, but they may not purchase the equipment at this time. The facilities will be prepared to accept a generator if needed. It is anticipated that they will finish this on schedule and under budget. Another month or so of pipeline work is left to be done. The loan is 25 years at 2 1/2 percent interest. The previous rates for water was \$28.00 per month for metered users. The new fees are \$58.00 for metered and unconnected lots are now \$35.00. Improved lots not hooked to water paid \$10.00 per month, and unimproved lots paid \$4.00. This water system was set up requiring at least 55 new users to meet the required payments. Seventy nine new users have signed up for connections. The Commission are concerned that the SSD is responsible for the loan, yet the SMR appears to be handling the payments. This was done through an agreement that was drafted by their attorney, and SMR's attorney, and was reviewed by the division of drinking water. This was done to make it easier for the members to pay only one bill, and for the SMR to just add this to their already active billing system. Roy Fox states the payments are kept track of on a monthly basis. The accounts are separate from the SMR's accounts. If water assessments aren't paid, eventually a property owner would be subject to a lien. A debt service reserve fund should be set up. SMR has lots that they pay assessments on like all the property owners. The funds come from HOA fees. The cost to maintain the system is calculated in the rates. The SSD does not currently have any active grant funds. The SMR may have received a fire suppression grant. The Commission advise that they review this to be sure that these funds are not co-mingled. B&C road funds are discussed. The Commission make it clear that they did not form the SSD to be able to get funds for B&C roads. The escape route needs to be finalized right away or the funds may be taken back from the Forest Service. Releases are needed from private property owners to complete the escape route. The new water system currently covers the full time area. The upper areas 2 and 3 require filling stations to get the water. They are paying a bit for the water, because they are using the water. The new water system will soon be in place, and should help with fire safety and take care of basic functions. This system provides the pressure to allow the fire hydrants to be used.

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

The meeting is adjourned at 8:11 P.M.

ATTEST: *Sandy Neill*  
Sandy Neill  
Sanpete County Clerk

APPROVED: *Claudia Jarrett*  
Claudia Jarrett  
Commission Chair