

## **SANPETE COUNTY COMMISSION MEETING**

**June 20<sup>th</sup>, 2023, 2:00 PM**

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

Present are: Commission Chair Scott Bartholomew, Commissioners Reed D. Hatch, and Scott Collard. County Attorney Kevin Daniels and County Clerk Linda Christiansen.

Meeting is called to order by Commission Chair Scott Bartholomew.

### **OPENING PRAYER OR REMARKS AND PLEDGE OF ALLEGIANCE**

Prayer is offered by Commissioner Collard. Pledge of allegiance is recited by all.

### **SWEARING IN OF SANPETE COUNTY DEPUTY SHERIFF: DEVIN ADDIS, LISLE FARNUM, MATTHEW GATES, CASSANDRA KRIDELBAUGH, AND DRAKKAR SHUMWAY.**

Sheriff Jared Buchanan administers the oath to swear in the following Sanpete County Deputy Sheriff officers: Lisle Farnum, Drakkar Shumway and Cassandra Kridelbaugh,. Deputies Devin Addis and Matthew Gates were unable to attend the meeting and will be sworn in at a later date. Officer Farnum will be a road deputy, Officer Shumway will be in corrections, and Cassandra Kridelbaugh is the mental health therapist.

### **SHERIFF BUCHANAN: APPROVAL TO PURCHASE COMPUTER PROGRAM FROM CORRECTIONS SOFTWARE SOLUTIONS; APPROVAL TO PAY THE ORIGINAL GARAGE FOR VEHICLE REPAIR; APPROVAL TO SIGN STATE OF UTAH BAILIFF AND PERIMETER SECURITY CONTRACT FOR 7-1-23 TO 6-30-2024; APPROVAL TO PAY B & H PHOTO FOR DIGITAL CAMERA.**

Sheriff Jared Buchanan and Jeff Greenwell are present. Jeff Greenwell explains that the current program is too complicated of a system and the customer service has not been helpful. Other counties have made the switch from Auto Mon to Corrections Software Solutions. The current program only allows one user and is not user friendly. The new proposed company will include 5 users; one of the user accounts will give all deputies the capability to access the system. Probation fee collections are over \$2,000.00 a month which will more than cover the cost. Auto Mon has already been paid and will not give a refund; they will cancel it in November. In the meantime, data will be manually input from Auto Mon to the Corrections Software Solutions program by an intern. The first 6 months is \$1500.00 for setup and \$3120.00 (\$520 a month). Motion is made by Commissioner Hatch to approve the payment of \$4,620.00 to Corrections Software Solutions for computer software out of probation budget. The motion is seconded by Commissioner Collard, and the motion passes. Roll call vote by voice: Commissioner Collard aye, Commissioner Hatch yes and Commissioner Bartholomew yes. Sheriff Buchanan explains that the vehicle repair happened a long time ago when Deputy Pace backed into a barrier. Stacey Lyon states the invoice was not received until April of 2023 but the insurance claim was paid in December 2022. Motion is made by Commissioner Hatch to approve the payment of \$2,751.00 to The Original Garage for vehicle repairs on an insurance claim. The motion is seconded by Commissioner Collard, and the motion passes. Sheriff Buchanan presents the contract to be signed regarding bailiff services. The hours allotted have been increased, as well as, the hourly wage for the grant in the amount of \$53,100.00. If a jury trial requires excessive hours the County needs to ask for additional funds. Motion is made by Commissioner Collard to approve the amount of

\$53,100 for the State of Utah Bailiff and Perimeter Security Contract for 7/1/23 to 6/30/2024. The motion is seconded by Commissioner Hatch, and the motion passes. The task force is a fiscal year budgeted department. The task force has assessed their inventory and addressed the board on what items are needed. The cameras used by the task force are over ten years old and need to be upgraded. The cameras proposed are on the lower end for cost and will be able to use the lenses from the old cameras. Motion is made by Commissioner Collard to approve the payment of \$4,487.80 to B & H for two digital cameras out of the task force budget. The motion is seconded by Commissioner Hatch, and the motion passes.

**STACEY LYON: CLAIMS; APPROVAL OF FINANCES; APPROVAL TO PAY THE DATA CENTER FOR POSTAGE TO MAIL THE 2023 DISCLOSURE NOTICES; APPROVAL AND SIGNATURE ON 2023 - 2024 INDIGENT DEFENSE GRANT AGREEMENT.**

Stacey Lyon is present. No questions or concerns of the claims are stated by the Commissioners. Motion is made by Commissioner Hatch to approve claims #356016 to #356127. The motion is seconded by Commissioner Collard, and the motion passes. Motion is made by Commissioner Hatch to approve the finances. The motion is seconded by Commissioner Collard, and the motion passes. Ms. Lyon presents an invoice for the estimated postage costs to mail the 2023 Disclosure notices based on last year and payment must be received before they can be sent. If the County overpays for the postage a credit will be issued; under pay for postage more money will be required. Motion is made by Commissioner Collard to approve the payment of \$8,915.00 to The Data Center for postage to mail the 2023 Disclosure Notices. The motion is seconded by Commissioner Hatch, and the motion passes. Ms. Lyon explains the last agenda item she is presenting is for a grant that has been implemented for a few years and is a good benefit for the County. Motion is made by Commissioner Hatch to approve and sign the 2023 - 2024 Indigent Defense Grant Agreement in the amount of \$304,904.00. The motion is seconded by Commissioner Collard, and the motion passes.

**APPROVAL OF MTCC SECURITY INFRASTRUCTURE UPGRADE QUOTE.**

Commissioner Bartholomew explains the quote given will be to upgrade the data lines and cameras for security upgrades to the courthouse; part of the cost will be covered by a Homeland security grant. Motion is made by Commissioner Hatch to approve the MTCC Security Infrastructure Upgrade quote in the amount of \$18,562.00 to install security cameras in the Courthouse out of the Courthouse repair budget with majority of cost covered with grants. The motion is seconded by Commissioner Collard, and the motion passes.

**TIM COX REPRESENTING MANTI TELEPHONE: APPLICATION FOR RIGHT OF WAY EXCAVATION LICENSE BETWEEN MANTI AND EPHRAIM.**

Tom Seely was unable to attend the meeting but has given his approval of the Right of Way excavation license for MTCC. Commissioner Hatch expresses concern of MTCC not cleaning up the jobs when completed. Motion is made by Commissioner Hatch to approve the Right of Way Excavation license between Manti and Ephraim for Manti Telephone but the county expects the road to be in good (original) condition when done on Keller Lane. The motion is seconded by Commissioner Collard, and the motion passes.

**TERRY R BROTHERSON EXCAVATING: APPLICATION FOR RIGHT OF WAY EXCAVATION LICENSE OUTSIDE OF MORONI.**

Tom Seely was unable to attend the meeting but has given his approval of the Right of Way excavation license for Terry R Brotherson. Company Bond is included with the application. Motion is made by Commissioner Collard to approve the Right of Way excavation license at the "T Road" outside of Moroni for Terry R Brotherson Excavating. The motion is seconded by Commissioner Hatch, and the motion passes.

**FRED JOHNSON REPRESENTING UTAH FORESTRY FIRE AND STATE LANDS: SIGN THE COOPERATIVE AGREEMENT AND THE WARDEN AGREEMENT BETWEEN SANPETE COUNTY AND UTAH FORESTRY FIRE AND STATE LANDS.**

Fred Johnson is present. Fred Johnson first explains that the Cooperative agreement forms the basis of the relationship with the County and the State which is essentially an umbrella agreement with tiers under it. The agreement addresses Wildland Fire and when the State will assist with a major fire. The agreement that is currently in place expired several years ago. The new agreement Mr. Johnson is presenting today is the same as the current and will be a temporary extension until December 2024. The Warden agreement did change in the wording from split cost of Warden 50/50 to the County paying a portion of the cost with no clear definition of an amount. The budget is set and won't change. Mr. Johnson will send final copy via email. Motion is made by Commissioner Collard to sign the Cooperative Agreement as an extension. Motion is seconded by Commissioner Hatch, and the motion passes. Motion is made by Commissioner Collard to approve the and the Warden Agreement between Sanpete County and Utah Forestry Fire and State Lands. Motion is seconded by Commissioner Hatch, and the motion passes.

**THOMAS PETERSON: APPROVAL TO APPLY FOR THE UCS GRANT TO ACQUIRE 800 MHZ RADIOS.**

Thomas Peterson is present. Thomas Peterson explains that Sanpete County is slowly migrating into the 800 MHZ radio system and UCA has a grant available. The 800 MHZ system will allow his department to communicate with Utah and Sevier County. Sanpete County has added radios on the system as well. Mr. Peterson is requesting approval to purchase three (3) handheld at \$700 a piece and a mobile radio for \$850.00 if approved for the grant. The radios don't necessarily help with Wildland because they still use VHF in order to communicate with aircraft. Due to the movement of technology they need the capability of the 800 MHZ radio system for the future. Motion is made by Commissioner Hatch to apply for the UCA grant to acquire 800 MHZ radios; in the amount of \$2,950.00, The motion is seconded by Commissioner Collard, and the motion passes.

(The agenda item was incorrectly listed as UCS; rather than UCA- Grant signature was the only approval needed. Exact amounts will come before the commission once grant is acquired)

**LUANN GREENWELL: APPROVAL TO PAY INVOICES FOR IMPROVEMENTS TO FUTURE CHILDREN'S JUSTICE CENTER.**

LuAnn Greenwell is present. LuAnn Greenwell explains that the new Children's Justice Center will have two interview recording rooms which will need new recording equipment. The equipment currently being used is not adequate. She received three bids; one local (in the State of Utah) and two out of state, Arizona and Colorado. The bid from the Utah owned company is

\$7,000 less than one of the bids as well. Ms. Greenwell explains that she already has money available from a State grant to pay for it and the funds are not available after June 30<sup>th</sup>. Motion is made by Commissioner Collard to approve the payment of \$18,320.40 to Stone Security for recording devices for the Children's Justice Center out of the CJC Budget. The motion is seconded by Commissioner Hatch, and the motion passes. Ms. Greenwell gives status update on the remodel of the CJC project. The furniture from the current CJC will be moved into a storage unit until the remodel is complete which will save some money. The new building is ready for the remodel to officially start; Kevin Daniels needs to finalize the terms of the contract with Mikkelsen Construction.

**DISCUSSION AND POTENTIAL APPROVAL TO REPLACE TRACY CHRISTENSEN AS THE COUNTY BUILDING OFFICIAL DUE TO HIS RETIREMENT.**

The Commissioners discussed a wage proposal earlier today with Scott Olsen to replace Tracy Christensen as the Building Official. Mr. Olsen accepted the job title of Building Official, which is a salaried position and it will give him a \$3.00 an hour raise. The yearly increase to Mr. Olsen's current wage will be \$6,240.00. Motion is made by Commissioner Hatch to replace Tracy Christensen with Scott Olsen at a \$3.00 an hour increase from his current wage which totals \$67,511.20 a year; effective July 1<sup>st</sup>, 2023. The motion is seconded by Commissioner Collard, and the motion passes.

**PUBLIC HEARING FOR PETITION TO VACATE THE HAMILTON MINOR SUBDIVISION, WHICH IS SOUTHEAST OF SPRING CITY. THIS PARCEL IS LOCATED IN THE AGRICULTURE-ZONE.**

**PARCEL # S-27300X1**

Steven Jenson, Zoning Administrator is present. Mr. Jenson explains the action to vacate will then allow the Hamilton's to sell 2.5 acres (previously lot 1 in the amended subdivision) to Mike Black. Allowing Mr. Black to then subdivide his property into a minor subdivision. Motion is made by Commissioner Hatch to approve vacating Hamilton Minor Subdivision on parcel # 27300x1. The motion is seconded by Commissioner Collard, and the motion passes.

**JEFF & WENDIE FLITTON REPRESENTING ROCKING F RANCH LC, HAVE APPLIED FOR A 3 LOT MINOR SUBDIVISION (SILVER CREEK HEIGHTS) EAST OF WALES LOCATED IN THE A-ZONE. THE SUBDIVISION WOULD CONTAIN 3 LOTS OF 10.00 ACRES, 10.00 ACRES, AND 11.68 ACRES.**

**PARCEL # S-25806**

Steven Jenson, Zoning Administrator is present. Mr. Jenson explains that the agenda item had been approved last November based on the understanding the water had been approved. The day of County Commission approval it was discovered that the State had not approved the water. Luckily the discovery happened before recording; the owners were notified that the approvals could not stand due to insufficient submittal to the County. The rest of the application was approved previously and is in good standing. Now that the water approval has been verified; approval has been recommended by the Planning and Zoning Board. Motion is made by Commissioner Collard to approve Rocking F Ranch LC, have applied for a 3 lot minor subdivision (Silver Creek Heights) East of Wales located in the A-Zone. The subdivision would contain 3 lots of 10.00 acres, 10.00 acres, and 11.68 acres. Parcel # S-25806. The motion is seconded by Commissioner Hatch, and the motion passes.

**RYAN AND CHAURI HENDRICKSON HAVE APPLIED FOR A 1 LOT MINOR SUBDIVISION (HENDRICKSON ACRES) WEST OF CENTERFIELD LOCATED IN THE RA-2 ZONE. THE SUBDIVISION WOULD CONTAIN 1 LOT OF 5.16 ACRES. PARCEL # S-10279X, S-10281X**

Steven Jenson, Zoning Administrator presents item. Commissioner Bartholomew mentions that this property will not qualify for green belt due to the acreage. The acreage requirement for a parcel of land to qualify for green belt it must be a minimum of 5.5 acres. Steven Jenson recommends for approval. Motion is made by Commissioner Hatch to approve the 1 lot minor subdivision (Hendrickson Acres) Parcel # S-10279X, S-10281X. The motion is seconded by Commissioner Collard, and the motion passes.

**JUSTIN & JOSEE JOHANSEN HAVE APPLIED FOR A 1 LOT MAJOR SUBDIVISION (JUSTIN JOHANSEN SUBDIVISION PLAT "A") WEST OF SPRING CITY LOCATED IN THE AGRICULTURE ZONE. THE SUBDIVISION WOULD CONTAIN 1 LOT OF 5.00 ACRES. PARCEL # S-26781X6**

Steven Jenson, Zoning Administrator presents agenda item. The reason this subdivision is classified as a major subdivision is because it was part of an original parcel that includes a minor subdivision. This particular design was originally a 3 lot minor which involved another property owner, Ashley Webb and he did not provide the documentation necessary to include the other 2 lots for approval. It is south west of the cemetery. The Johansen's have agreed to put the road in and have met all requirements necessary for approval. Motion is made by Commissioner Hatch to approve a 1 lot major subdivision (Justin Johansen Subdivision Plat "A") Parcel # S-26781X6. The motion is seconded by Commissioner Collard, and the motion passes.

**DISCUSSION AND POTENTIAL APPROVAL OF RECOMMENDATIONS FROM PLANNING AND ZONING COMMISSION FOR SANPETE COUNTY LAND USE ORDINANCE 14.76.120 ACCESSORY DWELLING UNITS.**

Commissioner Bartholomew has not seen any changes after the Commission sent the ADU requirements back to the Planning and Zoning Board. Steven Jenson, Zoning Administrator reports to the Commission on the submitted requirements of the Board. The water requirement was not changed as per the Commissioners concern. The acre radius was changed to the structure must meet setback requirements of the building lot. No ADU allowed in Sensitive Lands, WUI or Dry Subdivisions. The only exception made would be for a legal, permitted building that did not meet the minimum size requirement. Commissioner Bartholomew still has concern for two large houses built on one lot, as well as, not requiring more water. Commissioner Bartholomew explains the requirements of the State Water Rights Division. For a home, the State requires essentially 0.50 acre, 0.50 acre for outside watering, landscaping, lawn and an additional 0.50 acre for livestock. With that being said, the County is already under the requirement based on the majority of home owners in the County will have all of it (lawn, landscaping and animals) The State is considering making a change to municipal water right requirements but not in the unincorporated areas. Commissioner Hatch suggests a requirement of allowing proof of pressurized irrigation water in exchange for the proposed additional domestic water requirement. Much discussion ensues regarding the watershed, well drilling and water requirements statewide. Tyler Faddis, county resident makes a comment regarding water usage of a well. Commissioner Bartholomew states every well is required by law to be metered. Public comment by Kepa Zubeldia is heard by the Commission. Mr. Zubeldia has a property located in the WUI zone and is concerned about the

restriction of ADU's in that zone. Mr. Zubeldia states he paid \$40,000 for one acre foot of water. Thomas Peterson the Fire Warden is present for the discussion and explains any structure constructed after 2007 must meet WUI Code. Linda Christiansen explains concerns of placing an ADU on small lots that have a difficult time meeting the defensible space requirements. Mr. Zubeldia has much discussion with the Commissioners regarding his specific issues. Mr. Zubeldia will have to subdivide and build on the additional lot in order to have an additional home. Commissioner Bartholomew would like to further this discussion in a work meeting at on July 5th at 2 pm. Motion is made by Commissioner Hatch to move out of the discussion; motion is seconded by Commissioner Collard, and the motion passes.

**DISCUSSION REGARDING IMPROVEMENTS TO THE CHRISTIANBURG ROAD EXTENDING FROM HIGHWAY 89 TO SR 137. IMPROVEMENTS INCLUDE ACQUIRING ADDITIONAL PRIVATE PROPERTY (PORTION OF PARCEL S-10018) FOR PLACEMENT OF NEW BRIDGE, ACQUISITION OF RIGHT OF WAY FOR NEW PROPOSED ROADWAY ALIGNMENT, AND DISPOSAL OF SANPETE COUNTY PROPERTY (PARCEL S-10020X1) IN EXCHANGE FOR RIGHT OF WAY.**

Tyler Faddis is present in place of Garrick Willden. Mr. Faddis explains that the Special Service District (SSD1) is in the process of purchasing some property from a land owner (Glovers) in the Highway 89 / Christianburg Road area. Application was made for funds from UDOT and funds were granted by the highway committee to reconstruct the road. With the projected road work it is also beneficial work on the bridge. The bridge is narrow, it can not handle a large load capacity and it approaches Highway 89 at a weird angle. The property purchase of the SSD is in the works and is contingent upon the Quit-Claim being signed and recorded. The next step is taking the necessary steps to exchange properties. It is agreed upon to hold a public hearing in the next County Commission meeting and send a notice of the hearing to each adjacent property owner. Utilities will remain in the County Right-of-Way.

**DISCUSSION AND POTENTIAL APPROVAL OF SANPETE COUNTY BOOKMOBILE CONTRACT.**

Commissioner Bartholomew addresses Stacey Lyon for her thoughts due to her support of the Bookmobile. Ms. Lyon leaves the final decision to the Commission. Ms. Lyon states that she does believe in the Bookmobile but she also understands the concern of the Commissioners. Concerns addressed to the State Library Division such as, lack of information when requested and data provided in presentation regarding usage, included Juab, but did not clarify until recently. The other big concern is the huge financial impact of senior meals and where the priority lies between the two. Ms. Lyon also believes the communities need to be made aware before the final decision is made. There may be a chance that some of the cities may contribute more for the smaller towns that do not have a library. Stacey Lyon will contact the cities and notify them that they need to make arrangements going forward. Discussion ensues on how to address the tax rate that is already established for this year. The contract money will come off of the current tax rate and it is restricted. Commissioner Hatch suggests finish the year, put on notice that this is the last contracted year and taxes will be switched. Motion is made by Commissioner Hatch to approve the payment of \$73,785.00 for Bookmobile Services for the Fiscal year 2023-2024 and notify that this will be the last year. The motion is seconded by Commissioner Collard, and the motion passes.

**DISCUSSION, POTENTIAL APPROVAL AND SIGNING OF SSD3 RESOLUTION; DISCUSSION AND POTENTIAL APPROVAL OF SSD3 BOARD MEMBER VACANCY APPLICATION.**

Kevin Daniels reports that the County has a Resolution that was voted on but he is working with Ms. Skinner on making sure everything is incorporated and SSD3 does not currently have counsel. Kevin Daniels has agreed to do any remaining work from his involvement; such as fixing the by-laws, for no additional fee. The SSD still needs another attorney to counsel and finish the Resolution. Without counsel representing the District it is not moving forward and the Board needs to be involved with selection. A problem stated by Mr. Daniels is that the collection of paperwork was scatter shot and a former county employee had a hard time keeping documents in one place. Ms. Skinner agrees the County is good to move forward. Discussion ensues regarding the Audit requirements and whether it is necessary in order to move forward and comply. Kevin Daniels explains the Resolution that was previously voted on is incomplete due to the stipulation of which Resolution qualifies as the original in order for verbiage to be transferred correctly. The other issue is on approval of a Board Member application. Does it need to be an actual form application or can an email be accepted? Kevin Daniels will review the application and verify requirements. Other concerns are regarding payment of Board Members. Stacey Lyon states that a copy of the Resolution needs to be submitted to the Independent Auditors in order for the County Audit to be complete or else the County funds can be frozen as well. Mr. Daniels states the Resolution that was voted on can be used for that purpose. Ms. Christiansen forwarded the copy of the Resolution she received from Mr. Daniels in the meeting of adoption to Ms. Lyon. The copy is not signed but Mr. Daniels does not see an issue. If so, the approved minutes can accompany the Resolution for documentation. The agenda item of discussion, potential approval and signing of SSD3 Resolution has been tabled. The agenda item of discussion and potential approval of SSD3 Board member vacancy application has been tabled.

**APPROVAL TO PAY INVOICE TO SMITH HARTVIGSEN PLLC FOR SANPETE COUNTY'S PORTION OF THE OAKLAND PORT DEPOSITIONS.**

Kevin Daniels and Commissioner Bartholomew verify that this invoice does need to be paid for Sanpete County's portion of costs due to a lawsuit. Motion is made by Commissioner Hatch to approve the payment of \$3,853.64 to Smith Hartvigsen PLLC for Sanpete County's portion of the Oakland Port Depositions out of the Economic Development budget. The motion is seconded by Commissioner Collard, and the motion passes.

**COMMENTS FROM COUNTY ON BLM LAND USE RULING.**

Commissioner Bartholomew explains there is a deadline coming up regarding the agenda item but he did not have a chance to work on the document. The visit from Commissioner Buttars from the State last Commission meeting also addressed this issue. Commissioner Bartholomew will work on putting the necessary document together.

**LINDA CHRISTIANSEN: APPROVAL OF CLERK'S OFFICE DRYWALL REPAIRS AND PAINT BID. APPROVAL OF CLERK'S OFFICE COUNTER TOP BID. REPORT ON ELECTION DATE CHANGES ACROSS THE STATE.**

Linda Christiansen presents the agenda items. Linda Christiansen explains progress of Clerk's office remodel job in order to bring the office into compliance for election security. Cabinet install will take place this week. Ms. Christiansen is requesting approval for paint bids in order to be

complete before cabinet install. Ms. Christiansen would like to get approval for the counter top install but is still waiting for a laminate bid. The granite companies need the cabinet to be installed in order to template the counter top design for an exact estimate. Ms. Christiansen is concerned about time lines for each sub contractor job to be completed without complicating the office function. Motion is made by Commissioner Collard to approve the payment of \$2,880.00 to Rodriguez Painting for Clerk's office Drywall repair and paint. The motion is seconded by Commissioner Hatch, and the motion passes. Ms. Christiansen gives update on the 2023 Municipal Election date changes due to the recent announcement of Chris Stewart resignation from the House. Chris Stewart is not a representative of Sanpete County so his resignation will not affect the County's election but the dates were changed Statewide. The Primary election is September 5<sup>th</sup> and the General election is November 21<sup>st</sup>.

-Kevin Daniels will finish the SSD3 Resolution and finish the Board Vacancy application to get that position filled. Kevin Daniels will work on the Children's Justice Center contract. The CUWCD has hired new counsel and he is working with Kevin to get the five million as well as the withdrawal from the district finalized.-

#### **APPROVAL OF MINUTES**

Motion is made by Commissioner Hatch to approve the minutes from May 16<sup>th</sup>, 2023 with minor corrections. The motion is seconded by Commissioner Collard, and the motion passes.

#### **CLOSED SESSION**

No closed session was needed.

Motion is made by Commissioner Hatch to adjourn. The motion is seconded by Commissioner Collard, and the motion passes.

The meeting is adjourned at 4:55 P.M.

ATTEST:



Linda Christiansen  
Sanpete County Clerk

APPROVED:



Scott Bartholomew  
Commission Chair