

MINUTES

STEERING COMMITTEE MEETING

January 8, 2014

St. George, Utah

MEMBERS IN ATTENDANCE

Commissioner Jim Matson, Chair
Mayor Robert Houston, Vice-Chair
Commissioner Mike Dalton
Carolyn White
Commissioner Clare Ramsay
Mayor Jerry Taylor
Commissioner Dale Brinkerhoff
Shane Adams
Commissioner Jim Eardley
Mayor Tracy Dutson
Cal Durfey
Mike Olson for Frank Lojko
Wes Curtis

REPRESENTING

Kane County Commissioner Representative
Kane County Mayor Representative
Beaver County Commissioner Representative
Beaver County Schools Representative
Garfield County Commissioner Representative
Garfield County Mayor Representative
Iron County Commissioner Representative
Iron County Schools Representative
Washington Co. Commissioner Representative
Washington County Mayor Representative
Washington County Schools Representative
Dixie State University
Southern Utah University

OTHERS IN ATTENDANCE

William Swadley
Gary Webster
Bryan Thiriot
Gary Zabriskie
Scott Leavitt
Diane Lamoreaux

Senator Hatch's Office
Congressman Stewart's Office
Five County Association of Governments
Five County Association of Governments
Five County Association of Governments
Five County Association of Governments

MEMBERS NOT IN ATTENDANCE

Mayor Nolan Davis
Ken Platt
Mayor Connie Robinson, Excused
Wendy Allan

Beaver County Mayor Representative
Garfield County Schools Representative
Iron County Mayor Representative
Kane County Schools Representative

Commissioner Clare Ramsay led the group in the pledge of allegiance.

Commissioner Jim Matson, Chair, welcomed everyone in attendance and introductions were provided. Those asking to be excused include: Mayor Connie Robinson, Iron County Mayor Representative. Members new to the board include Commissioner Jim Eardley, Washington County Commissioner Representative; Mayor Robert Houston, Kane County Mayor Representative and Mayor Tracy Dutson, Washington County Mayor Representative.

I. MINUTES NOVEMBER 13, 2013 - REVIEW AND APPROVE

Chairman Matson indicated that a quorum was present for conduct of business and presented minutes of the November 13, 2013 meeting for discussion and consideration of approval.

MOTION WAS MADE BY COMMISSIONER CLARE RAMSAY, SECONDED BY MAYOR JERRY TAYLOR, TO APPROVE MINUTES OF THE NOVEMBER 13, 2013 MEETING AS PRESENTED. MOTION CARRIED.

II. BOARD TRAINING - OPEN MEETING LAW

Mr. Eric Clarke, Washington County Attorney's Office, provided a handout and indicated that every public body is required to receive training every year. He reviewed slides regarding the Open and Public Meeting Act prepared by Jodi Borgeson, Deputy Washington County Attorney. Training included the following items: 1) What is a meeting; 2) Convening a public body; 3) Open versus closed meetings; 4) When a meeting can be closed and procedures for closing a meeting; 5) Electronic meeting requirements; 6) Enforcement; 7) Penalties for not following the Open and Public Meeting Act; and 8) Meeting notification and agenda.

One important item to remember is to notify the public at least 24 hours in advance by providing an agenda, date, time and location for the meeting. It is also important that action is not taken for items that are not included on the agenda. The law does include provisions for conducting an electronic meeting providing that a quorum is present and that a resolution has been passed by the governing body. A meeting can be closed for specific reasons with a 2/3 majority vote of members and it does not have to be a separate agenda item. The board can elect to record closed meetings or may have minutes taken during the meeting. Recordings must be retained for one year after the meeting and can be destroyed after that time. Minutes should cover agenda items, including the person speaking and any formal actions of the body. It was noted that no formal actions can be taken during a closed meeting. Some functions, such as personnel, are considered administrative and do not require compliance with the Open and Public Meeting Law. Minutes of a closed meeting would not be available to the public only by court order. The law also includes provisions for conducting an emergency meeting and the recommendation to take reasonable steps to notify people of the meeting. To conduct an emergency meeting, notification is required to all persons that serve on the board.

III. 2014 ANNUAL MEETING SCHEDULE

Mr. Bryan Thriot provided a spreadsheet containing meeting dates for the Five County Association of Governments Steering Committee, Executive Committee, Five County Human Services Council, Southwest Public Health Department and Southwest Utah Behavioral Health Authority. Over the past month, staff has been working to develop a coordinated meeting schedule that will accommodate all of the meetings being held on one day each month. He explained that because of scheduled road construction in Kane County, the February Steering Committee meeting will be held in St. George at the Five County Association of Governments office beginning at 1:30 p.m. This will accommodate the Human Services Council meeting that will be held from 11:45 a.m. to 1:30 p.m. The April meeting date has changed to Wednesday, April 9, 2014 in order to accommodate Utah Association of Counties meetings in Salt Lake City. Ms. Lamoreaux indicated that she would provide an updated meeting schedule to Steering Committee members via e-mail. The new annual meeting schedule will decrease the number of meetings for each of the abovementioned agencies. The Steering Committee will now meet eight times a year rather than ten times annually.

Commissioner Dale Brinkerhoff reviewed the rationale for coordinating meeting dates and reducing the number of days that commissioners are required to travel for various meetings. This reduces the amount of travel and allows more time for respective commissioners to concentrate on pertinent county business.

IV. EXECUTIVE COMMITTEE REPORT / ACTION

Commissioner Jim Matson reported that the Executive Committee met today prior to the Steering Committee at which time they retained the continued services of Bryan Thiriot as the Executive Director for Five County Association of Governments. Other items of discussion included the Dixie and Fishlake National Forest Motorized Travel Plans and a meeting with the regional forester, Nora Rasure, scheduled for January 16, 2014 in Cedar City. The Bylaws and Articles of Incorporation for the Association of Governments will be presented to the Steering Committee for consideration of amendments in February. It is recommended that the AOG focus their efforts on the following core values: 1) Health and Human Services; 2) Federal and State funding pass through; 3) Transportation; 4) Natural Resources; 5) Finance; and 6) Special projects among one or more of the Steering Committee entities that would include project funding. It is proposed to strengthen the activities of the AOG for mayors and school districts to provide more active involvement.

V. STATE AGENCY UPDATES

A. GOVERNOR'S OFFICE

A representative was not in attendance to provide an update.

B. UTAH DEPARTMENT OF TRANSPORTATION

Representatives of UDOT were actively involved in the opening of another section of the Southern Parkway and unable to attend today's meeting.

C. DEPARTMENT OF WORKFORCE SERVICES

Mr. Stephen Lisonbee asked to be excused due to other commitments.

VI. UNIVERSITIES

A. SOUTHERN UTAH UNIVERSITY UPDATE

Mr. Wes Curtis reported that Scott Wyatt has been hired to serve as the new president at SUU. He previously served as the president of Snow College, and is now in transition to his new role at SUU. Over the next few months, he will be conducting meetings throughout the region to develop a sense of what is expected of SUU. He would be willing to meet with county commissions, city/town councils and other groups to provide an introduction and solicit input. Those interested in meeting with the new president should contact Wes Curtis to schedule a meeting that will accommodate their needs.

B. DIXIE STATE UNIVERSITY

Mr. Mike Olson, representing Frank Lojko, reported that Dixie State University is approximately six months behind SUU in their search for a new president. Dixie State University has chose to focus on at-risk students utilizing other students as mentors for these students. Contact with over 400 at-risk students has been productive, with a 65% retention rate. This approach will continue into Spring Semester as well. DSU broke ground for the clock tower and anticipates construction to be completed within 90 days prior to commencement in May. Enrollment at DSU is approximately 8,300 full time students.

VII. CONGRESSIONAL STAFF UPDATES

Ms. Ellen Schunk, Senator Lee's Office, reported that the Senator is very concerned about the economy. Historically the country should be experiencing a robust recovery at this point. Some contributing factors include policies such as Obamacare and environmental regulations. Senator Lee feels that increased energy production and tax reform should be addressed. He is introducing the Family Friendly Tax Act that would replace today's complex tax system with a new, simple structure. It is a pro-family, pro-growth plan, and would provide an additional \$2,500 per child tax credit. It is Senator Lee's belief that we can make significant progress through smaller reforms that deal with specific issues in manageable ways. We do not think that Congress should be passing massive 2,000 page bills that no one understands.

Commissioner Mark Whitney indicated that counties are anxiously looking for Senator Hatch or Senator Lee to take the lead on PILT funding. This is so crucial to every county budget and the entire western United States. Ms. Schunk responded that Senator Lee and staff have been diligently working on this. Senator Lee's amendment to fully fund PILT was unanimously passed, and this set up the framework that PILT should be totally funded. He was a signer, along with others, on the recent letter regarding PILT funding. At this point, we do not know the funding outcome.

Mr. Bill Swadley, Senator Hatch's Office, reported that Senator Hatch, Senator Lee, and others signed a letter asking the Appropriations Committee leadership to fully support PILT in the upcoming appropriations bill. A letter has been sent to the Bureau of Land Management regarding the Resource Management Plan needing to include a northern transportation route. The Senator and staff are also following the BLM Livestock Grazing Monument Plan Amendment and National Forest Service Planning very closely as well. Please contact their local office to request staff attendance at any type of meeting where their assistance is needed. Commissioner Jim Matson requested that staff attend the Grand Staircase Escalante National Monument Socio-economic meetings. Commissioner Leland Pollock commented that Senator Hatch was able to secure previous PILT funding because he had a lot of power. Someone needs to step up now to secure funding or all of the counties are going to be in big trouble. Mr. Swadley indicated that he would pass this sentiment onto Senator Hatch and staff.

Mr. Gary Webster, Congressman Stewart's Office, reported that Congressman Stewart is now a member of the Appropriations Committee but has yet to receive duties on subcommittees. This is very important in terms of PILT funding from the House. A PILT meeting is scheduled tomorrow at 8:30 a.m. He provided the number to members for those

interested in participating in the discussion. This discussion will address the PILT on the House side. He noted that unemployment insurance is a hot topic of discussion at this time. The United States has the lowest level of participation in the workforce since April 1978 at 63%. The solution is to get people engaged in the labor force and moved off of unemployment insurance. Extending unemployment insurance will not address getting people back into the labor force. He also noted that a lot of bills have been passed by the House that are now sitting on Senator Harry Reid's desk. Congressman Stewart is drafting a letter (similar to Senator Hatch's letter) to the Bureau of Land Management regarding the northern transportation route. Because the Congressman is now on the Appropriations Committee, he will vacate other committee assignments including the Natural Resource, Science Based Technology and Homeland Security committees. It is notable that Congressman Stewart is the only freshman to sit on the Appropriations Committee. It is big for the state of Utah to have Senator Hatch on the Finance Committee and Congressman Stewart on the Appropriations Committee. He encouraged Board members to follow the Congressman's website for updates on various issues.

Commissioner Dale Brinkerhoff stressed the importance of working with the Utah Association of Counties to address PILT issues and also the need to conference with Senator Harry Reid in this regard. It is important to work with the Nevada county associations to put pressure on Senator Reid. It was noted that Bob Weidner is in Washington, D.C. working on the issue as well. There are only a few days left to address this situation. Commissioner Jim Eardley indicated that he would contact Brent Gardner, UAC, to see what is currently being done. Other commissioners explained that it would be impossible to raise taxes enough to offset the impact of the loss of PILT funding. Staff was instructed to draft a letter from the Five County Association of Governments to be sent to Governor Herbert, the Utah Congressional Delegation, Senator Harry Reid, and the Nevada county associations expressing concerns and the importance of PILT funding to counties and the entire western United States. An e-mail of the draft letter should be sent to Board members for review and comment prior to being distributed. Bryan Thiriot was requested to coordinate with the other AOG directors to request similar correspondence in support of PILT funding to counties.

VIII. LOCAL AFFAIRS

A. CORRESPONDENCE

Mr. Bryan Thiriot provided several pieces of correspondence relating to Bureau of Land Management grazing meetings; an invitation from Governor Herbert for Mr. Thiriot to serve on the Transportation and Communities Guidance Committee as part of the "Your Utah, Your Future" project; and the BLM Energy Gateway South Transmission Project in Beaver and Iron counties. Mr. Thiriot also noted that Gary Zabriskie has been asked to serve on the Housing and Community Development Committee as part of the "Your Utah, Your Future" project. This group will address affordable housing and community development needs.

B. OUT-OF-STATE TRAVEL

None.

C. OTHER BUSINESS

Commissioner Jim Matson brought attention to a Trustee sale on property located in the Mesa Hills Subdivision in Kanab. Mr. Gary Zabriskie provided a memorandum explaining the process of foreclosure for these lots and noted that the property will likely revert back to the lender who is the Rural Community Assistance Corporation. The Corporation is a nontraditional lender based out of Sacramento, California. It is also likely that these lots will be held for development of affordable housing at a later date. Mayor Tracy Dutson, who also serves as the executive director for Color Country Community Housing, Inc., indicated that the non-profit organization experienced severe financial issues with approximately \$6.5 million in debt, most of which was associated with land purchases throughout the Five County area. The non-profit organization could not withstand the economic slump and is working with the Rural Community Assistance Corporation (RCAC) to gently close their doors. CCCHI was successful in completing 56 units of senior housing in St. George and all units are fully occupied at this point. Foreclosures are occurring in Kanab, Springdale, and LaVerkin where RCAC will most likely take back the land because they are not in the posture where they need to sell the lots at this time. It is also likely that RCAC could sell some of the lots for the Five County mutual self-help program at some point. The agreement with RCAC will wipe out the CCCHI debt. Commissioner Matson asked staff to forward the Memorandum to Commissioner Clayson.

Mr. Scott Leavitt reported that Five County has hired a construction supervisor, Jerry Aldred, for the Mutual Self-Help program through a negotiated flat contract rate of \$4,000 per month, with no benefits. Construction of five homes in Ivins will begin shortly. Mr. Leavitt requested permission from the Board to hire an additional full-time person to help with this program. Five County has entered into a five year contract with USDA to operate the program. Staff is proposing to cover 70% of the cost for the additional employee from this program and 30% from another funding source. USDA has the option in two years to renew the contract with Five County. At that time, Five County would be responsible to construct 120 homes in the Five County area. Staff will be working to move the program into other counties over time. The proposed salary for the additional employee is \$35,000 annually, plus benefits. Mayor Tracy Dutson indicated that the same position with CCCHI was below that amount. Commissioner Dale Brinkerhoff indicated that this would have to be a separate agenda item for consideration of the Board during the February Steering Committee meeting.

Commissioner Clare Ramsay mentioned that Commissioner Denny Drake would also need to be replaced as the Five County representative on the Permanent Community Impact Board.

Chairman Matson asked that school board and mayor representatives provide an update to the Board.

Mr. Cal Durfey, Washington County School Board, reported that county voters passed a \$185 million bond for school buildings during the November election. As warranted, the bond provides authority to construct new facilities. To keep pace with growth, future building will likely include a new high school, an intermediate

school and five elementary schools. Enrollment in the Washington County School District increased by 650 students this year.

Mayor Jerry Taylor, Escalante City, reported that Garfield County recently established a mayors alliance to coordinate and work on economic development, grazing, tourism and other issues. Escalante City has recently received funding to construct a new medical clinic that will include a pharmacy, x-ray equipment, etc. Funding has been obtained from the Garfield Memorial Hospital, Intermountain Health Care, Escalante City and the Wayne County clinic to move this effort forward.

Mayor Robert Houston, Kanab City, mentioned that the third day on the job proved to be very challenging because the city had to make a payment on the swimming pool that they are unable to use.

Ms. Carolyn White, Beaver County School District, expressed appreciation to the local legislative delegation for their efforts as a rural caucus and reaching out to work with schools to address funding issues and solve problems in a reasonable manner.

Mr. Shane Adams, Iron County School District, commented that additional policies and regulations make it tough on school districts. It is difficult to insure that all regulations are being followed. The Iron County School District is experiencing some growth in students.

Mayor Tracy Dutson, Rockville, extended his appreciation to everyone that assisted the town during the recent rock slide. The support provided by outlying communities, the state of Utah and citizens was amazing. The community is still in the process of recovering and has a full slate of work to be accomplished. He reported that the Washington County Council of Governments selected him to serve as a member on the Steering Committee for the upcoming year.

Commissioner Jim Eardley provided an update from discussion with Utah Association of Counties staff and noted that there is not much action on their part in regards to PILT. He also noted that it is good to once again serve as a member of the Steering Committee.

IX. AREAWIDE CLEARINGHOUSE REVIEWS

No A-95 reviews were received for consideration.

The next meeting is scheduled for Wednesday, February 12, 2014 in St. George at the Five County Association of Governments office at 1:30 p.m.

Being no further business, the meeting adjourned at 2:20 p.m.