

Agenda Item # IV.

Five County Association of Governments

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[DRAFT MINUTES – TO BE APPROVED ON JANUARY 10, 2024]

MINUTES FIVE COUNTY ASSOCIATION OF GOVERNMENTS STEERING COMMITTEE MEETING WEDNESDAY, NOVEMBER 8, 2023, AT 1:30 P.M.

MEETING HELD AT: FESTIVAL HALL; COMBINED ROOMS 5&6; 105 N. 100 E., CEDAR CITY, UTAH
MEETING WAS ALSO AVAILABLE TO THE PUBLIC VIA A ZOOM VIDEO CONFERENCE

MEMBERS IN ATTENDANCE

Commissioner Celeste Meyeres
Commissioner Paul Cozzens
Commissioner Gil Almquist
Commissioner Wade Hollingshead
Commissioner Jerry Taylor
Hurricane City Mayor Nannette Billings
Escalante City Mayor Melanie Torgersen
Cedar City Mayor Garth Green
Milford City Mayor Nolan Davis
Orderville Town Mayor Lyle Goulding
Tyler Fails
Curtis Barney (via Zoom)

REPRESENTING

Kane County Commission
Iron County Commission
Washington County Commission
Beaver County Commission
Garfield County Commission
Washington County Mayors
Garfield County Mayors
Iron County Mayors
Beaver County Mayors
Kane County Mayors
Beaver County School Board
Garfield County School Board

OTHERS IN ATTENDANCE

Bryan Thiriot
Gary Zabriskie

Allison McCoy
Gary Webster
Kyle Wilson
Johnnie Miller
Kevin Jones (via ZOOM video call)

REPRESENTING

Five County AOG Executive Director
Five County AOG Deputy Director/Chief Technology Officer/
Director of Community and Economic Development
Five County AOG Chief Financial Officer
Senator Mike Lee
Senator Mitt Romney
CEO, Utah Counties Indemnity Pool
Hafen|Buckner Certified Public Accounting firm

AGENDA ITEM I. Welcome by the Chair.

At 1:30 p.m., Kane County Commissioner Celeste Meyeres, Steering Committee Chair, after a roll call of members present, confirmed, and acknowledged that there was a quorum present, enabling the meeting to occur. She welcomed everyone to the Steering Committee meeting on Wednesday, November 8, 2023, and stated that the location of the meeting was at Festival Hall in Cedar City. She also acknowledged the participants on ZOOM.

BEAVER

GARFIELD

IRON

KANE

WASHINGTON

AGENDA ITEM II. Pledge of Allegiance.

The Chair requested a volunteer to lead the group in the Pledge. Iron County Commissioner Paul Cozzens volunteered and led the group in the Pledge of Allegiance.

AGENDA ITEM III. Review and Approve Draft Minutes from October 11 , 2023 meeting.

Following the recital of the Pledge of Allegiance, the Chair entertained a motion to approve the draft minutes for the October 11, 2023 Steering Committee meeting.

Escalante City Mayor Melanie Torgersen moved to approve the minutes as written. That motion was seconded by Beaver County School Board member Tyler Falls.

The Chair, after asking for any needed discussion, and seeing there was none, called for a vote.

The vote of the Steering Committee members in person and online was unanimous in the affirmative to approve the minutes as presented.

AGENDA ITEM IV. Annual Board Training – Open Meetings and Ethics, etc.

The Chair moved the meeting onto agenda item four, “Annual Board Training – Open Meetings and Ethics, etc.” She turned the meeting over to Mr. Johnnie Miller, Chief Executive Officer at Utah Counties Indemnity Pool.

Mr. Miller covered the following main areas, but went into much more detail on each of these topics and some others, than what these minutes will reflect: 1. Who is subject to the Open Meetings Act; 2. What is a public Body; 3. What is a meeting?; 4. Explained that body must have Rules of Order and Procedures; 5. Posting requirements; 6. Information on electronic meetings; 7. When meetings are open and when they may be closed and procedures for doing so; 8. Explained when disclosures need to be made for potential conflicts of interest; 9. What penalties are for violations. The training lasted approximately 45 minutes and many questions were asked and additional information was provided to the Board by Mr. Miller.

The Chair thanked Mr. Miller for making the trip to Cedar City to provide this required and important training to the Board.

AGENDA ITEM V. Association’s FY2023 (July 1, 2022 – June 30, 2023) Audit Report Presentation.

The Chair moved onto agenda item number five which is to review the Association’s FY2023 (July 1, 2022 – June 30, 2023) Audit Report. Mr. Kevin Jones, who is with the Hafen|Buckner CPA firm, participating in the meeting via ZOOM video conference call, presented the audited fiscal report for the previous fiscal year. Mr. Jones stated that they have audited the Association’s financial statements of the governmental activities, each major fund, and the aggregate remaining fund information of the Five County Association of Governments (the Association), as of and for the year ended June 30, 2023, and the related notes to the financial statements, which collectively comprise the Association’s basic financial statements as listed in the table of contents. He stated that in their opinion, the financial statements referred to present fairly, in all material respects, the respective

financial position of the governmental activities, the business-type activities, the aggregate discretely presented component units, each major fund, and the aggregate remaining fund information of the Association, as of June 30, 2023, and the respective changes in financial position and, where applicable, cash flows thereof for the year then ended in accordance with accounting principles generally accepted in the United States of America.

He explained that they conducted the audit in accordance with auditing standards generally accepted in the United States of America. He said that their responsibilities under those standards are further described in the Auditor's Responsibilities for the Audit of the Financial Statements section of the Audit report. He reiterated that they are required to be independent of the Association, and to meet their other ethical responsibilities, in accordance with the relevant ethical requirements relating to their audit. He said that they believe that the audit evidence they have obtained is sufficient and appropriate to provide a basis for their audit opinions.

Mr. Jones finished by explaining one State Compliance Finding regarding cash management. He said that they found that the Association did not timely prepare and submit semi-annual Deposit and Investment reports to the Money Management Council. He did state that although the filed reports appear to be mathematically correct, both reports were submitted after the 30-day submission window. He said that the Association is required to submit semi-annual Deposit and Investment reports to the Money Management Council within 30 days of the period's end date, but the deadline was not monitored and adhered to by the Association, therefore the effect was that the Association was not in compliance with State statute. The auditor's recommendation is that the Association should implement policies and procedures to ensure timely filing of the semi-annual Deposit and Investment reports to the Money Management Council. The auditor stated that they received a response from the Association management that they agree with the recommendation and will implement procedures to ensure future compliance with the timeliness of filing the Deposit and Investment reports to the Money Management Council as required.

The Chair thanked Mr. Jones for his presentation of the Association's audited financial report.

AGENDA ITEM VI. Association's FY2023 (July 1, 2022 – June 30, 2023) Audit Report Acceptance.

The Chair asked if there were any further questions on the audited Financial Report and stated that what is on the table is to accept the report.

Washington County School Board member Burke Staheli moved that the Steering Committee of the Five County Association of Governments accept the Association's FY2023 (July 1, 2022 – June 30, 2023) Audit Report as presented. The motion was seconded by Iron County Commissioner Paul Cozzens.

The Chair, after asking for any needed discussion, and seeing there was none, called for a vote.

The vote of the members was unanimous to accept the Association's FY2023 (July 1, 2022 – June 30, 2023) Audit Report as presented.

AGENDA ITEM VII. Congressional Staff Updates.

The Chair recognized Mr. Gary Webster with Senator Mike Lee's office. Mr. Webster explained that he is Senator Lee's southern Utah director. He said that this is the first time he has attended a Five County AOG meeting for a little while. He said he was previously on staff with the congressman in the first district. He said that he didn't recognize any of the faces from years ago, except for Bryan. He said that Senator Lee has been extremely busy and most recently he was on the border and expressed serious concerns, of course, with what is going on there. He said he also has recently issued congratulations to the new Speaker of the House, Representative Mike Johnson, and he is looking forward to working with him. He said that also of serious concern to Senator Lee is the situation regarding our Foreign Intelligence Surveillance Act, or FISA, government overreach, and in fact, surveilling Americans and the illegal spying. He said the Senator has concern there. Mr. Webster said we'll see what happens. He said that this is in committee and will be voted on shortly. He said that the FISA goes through the Judiciary and Intelligence committees. Mr. Webster said that most recently, on October 26th, the Historical Roads Protection Act was filed by the Senator, and that introduced a safeguard for roads in Utah. He said that they have noted 317 miles of roads, including many that have significant historical value in that bill. He read a quote from Senator Lee: *"These roads aren't just pathways, they're a testament to Utah's rich history and the pioneers who shaped our state. It's crucial that we ensure their protection for future generations."* Mr. Webster said that so far 22 counties have filed in court advocating for the protection of these heritage roads, and this act would require that all of the legal wrangling would have to go through the courts before any road closures could take place. He said that their office will track that closely. He said another of Senator Lee's bills, the "Houses Act, bridging the housing gap in the West" was either refiled or reintroduced. He said that what it does is identify federal lands, mostly BLM lands, tracts of federal land up to about 640 acres where those lands could be purchased to alleviate the housing crisis that we see in the west. He said that would be one of the mechanisms that provide opportunities for homebuyers and reduce the demand. He said that they will track that closely. He said that it is also supported by our friends in Wyoming, the two senators there, in addition to NACO. He said that the Senator still continues to be aggressively pursuing passport issues within his office. He said that most of that is taking place up in their Salt Lake office, but they are more than happy to assist with anything dealing with federal issues and said to please give them a call in Salt Lake or call him down at his office in St. George. He said that was all he had and asked if anyone had questions. There were none.

The Chair thanked Mr. Webster and turned the time over to Mr. Kyle Wilson with Senator Mitt Romney's office.

Mr. Wilson said that there were a few significant things that they are working on. He said that one is an ESA prohibition for the sage-grouse and said they are making good headway on that subject. He said that recovery is going well and they finally have data from Utah as opposed to just relying on Wyoming data, which he explained is night and day in terms of ecosystem differences. He said that everyone deserves a pat on the back and congratulations and encouragement, frankly, because he said that working together on these issues is really the only way to move the needle. He said that local, state, and federal cooperation on this particular issue has made a huge difference and he thinks it is going to continue to make a difference going forward. He said that the Senator is likewise pushing back against the BLM's designations of areas of critical environmental concern and a couple of wilderness "study-esque" designations in the Rock Springs Wyoming area. He said this is for no other reason than it sets a dangerous precedent for what we will likely see in Utah. He said,

referring to the GSENM, there is still language in the Interior Appropriations Bill that they are hoping that that language sees the light of day because it would defund the Grand Staircase planning process. He said that the Manti LaSalle is currently going through their forest planning process and the Dixie is next and Fish Lake will be after that. He said that he had a great call with the forest supervisor on the Ashley. He said that on the Ashley, a mediator or facilitator was decided upon and that person was an intermediary between cooperating agencies and the Forest Service and the product of that planning process was much, much, better and they are hoping to see a similar product down here on the as soon as that starts. He said that they are likewise pushing for a third-party moderator, or facilitator, and if the Steering Committee members have the opportunity, when this comes up in discussions, the Senator's office would appreciate support from local elected officials for that endeavor. He said that if they get somebody in between the Forest Service and the cooperating agencies, it works out better for everybody else, because they listen, and that facilitator makes sure that they do something with the data, first of all. He said that during the previous week, 22 Senators, including Senator Lee, issued a warning about a bottleneck on critical mineral permitting. He said that the Senator is not happy with the way that the federal government is permitting on critical mineral mining and exploration. Mr. Wilson said they are happy to help out in the case work that local officials and the public have, whether it's immigration or IRS, and those sorts of things. He made himself available for any questions. Seeing that there were none, the Chair thanked Mr. Wilson for his update.

AGENDA ITEM VIII. State Agency Updates.

The Chair moved onto State Agency Updates. Mr. Bryan Thiriot explained that Mr. David Busk with the Utah Department of Workforce Services was unable to attend that day and asked Mr. Thiriot to give his regrets to the committee.

AGENDA ITEM IX. Universities and Technical Colleges Updates.

Mr. Gary Zabriskie said that Henry Walton gave his regrets that he was unable to participate. Mr. Zabriskie stated that he keeps inviting the representatives from the two technical colleges to come and participate. He also reminded the Steering Committee members in attendance that Henry Walton and Donna Law are actually members of the Steering Committee, but according to the Bylaws they are non-voting members of the Steering Committee. Mr. Zabriskie reiterated that he has invited the technical college presidents, or somebody representing them, to come and give updates, but that has not yet occurred but said it would be nice to get them one of these times, because they are both important in our area.

AGENDA ITEM X. Local Affairs Discussions, if needed.

The Chair recognized Iron County Commissioner Paul Cozzens who said he had something that might be of interest. He said he had a talk with Cedar City Mayor Green about this earlier this week. He said that the Southern Utah Veterans Association approached him some time ago to ask him for help with an issue and Mayor Green might know as much but Commissioner Cozzens said he got ahold of Senator Lee's office and they set up a ZOOM meeting with the Veterans Administration with him and about six members of the VA and they had a good discussion. He said that the VA wanted to team up on land that Cedar City purchased, about five acres, above the liquor store right above Home Depot, kind of on the bench there, by the water tank, for a cemetery, a Southern Utah veterans cemetery. He said that the Southern Utah Veterans Association is looking for property

along the freeway that's visible where they can create a large PTSD center and actually a Vietnam wall like they have in D.C. He said that they have got licensing to do that and they have big plans. He said that whether it happens or not, is not known, but we will all see. He said that they wanted to see the Veterans Administration piggyback and do their cemetery next door. He said that they have already let the Commission know that they have done letters of intent with the contractor. He said that the hill is very rocky on the hill, so they have issues to deal with, but that they were confident, and it sounds like they are still moving forward to try to do something with it. Mayor Green said that he knows they would like to do that but it is a really a awkward place to have a cemetery, but said he guesses they have got it all figured out how to do it. The Chair stated that this was a great update, especially leading into Veterans Day.

AGENDA ITEM XI. Adjourn.

Mr. Bryan Thiriote stated that there will be no Steering Committee meeting in December as the audit was done on time this year and thanked Ms. Allison McCoy and Mr. Gary Zabriskie for all their help. The Chair thanked Mr. Thiriote for providing lunch and for providing the meeting schedule for 2024. The Chair asked if there was any other business to address and seeing there was none, she called the meeting adjourned at 3:05 p.m. and thanked everyone for attending and participating.

These minutes were transcribed, typed, and edited by Mr. Gary Zabriskie, Deputy Director at the Five County Association of Governments.

The minutes, in this draft form, will be presented for approval by the Steering Committee at their January 10, 2024 meeting.