

**MINUTES**  
**OF THE REGULAR MEETING OF THE**  
**TOOELE COUNTY BOARD OF COMMISSIONERS**  
**HELD APRIL 1, 2014**

Chairman Clegg called the meeting to order at 7:00 p.m. The time, place and agenda of the meeting had been provided to the Tooele Transcript Bulletin and to each member of the governing body by delivering copies of the notice and agenda at least two days before to each of them.

1. **PLEDGE OF ALLEGIANCE** was offered by Mark Nelsen, Chief Deputy Recorder.
2. **ROLL CALL.** The clerk called the roll which showed Commissioners Bruce Cleggs, Chairperson, Jerry Hurst and Shawn Milne present. Also present were Doug Hogan, Attorney and Marilyn Gillette, Clerk.
3. **MINUTES.** Commissioner Milne moved to approve the minutes of the Commission Meeting held February 18, 2014 as corrected. Commissioner Hurst seconded the motion. All concurred. Commissioner Milne moved to approve the minutes of the Commission Meeting held March 4, 2014 as corrected. Commissioner Hurst seconded the motion. All concurred. Commissioner Hurst moved to approve the minutes of the Commission Meeting held February 4, 2014 as corrected. Commissioner Milne seconded the motion. All concurred.
4. **CONSENT AGENDA.** Commissioner Milne moved to approve the consent agenda. Commissioner Hurst seconded the motion. All concurred.

**Tax Adjustments.** A) Questar Service Corp, Serial #01-283-0-0036. Property is in NT status, should not have been taxed. Relief amount \$92.11; B) United States of America, Serial #05-008-0-0002. Property is in NT status, should not have been taxed. Relief amount \$2.85; C) United States of America, Serial #05-008-0-0004. Property is in NT status, should not have been taxed. Relief amount \$1.06; D) United States of America, Serial #05-009-0-0002. Property is in NT status, should not have been taxed. Relief amount for tax year 2000-, \$1.61, 2001 - \$1.88, 2002 - \$1.28, 2003 - \$2.21, 2004 - \$2.21, 2005 - \$2.22, 2010 - \$140.00, 2011 - \$140.00, 2012 - \$140.00; E) Tooele City Corporation, Serial #15-096-0-0006. Property is in EX Status. Relief amount \$227.81; F) Tooele City Corporation, Serial #15-096-0-0007. Property is in EX Status, Relief amount \$227.81; G) Tooele City Corporation, Serial #15-096-0-0009. Property is in EX Status, Relief amount \$227.81; H) Tooele City corporation, Serial #15-096-0-0010. Property is in EX Status. Relief amount \$227.81; I) Tooele City Corporation, Serial #10-029-f-0002. Property is in EX, should not be taxed. Relief amount \$940.16; J) Tooele City Corporation, Serial #02-002-0-0053. Property is in EX, should not be taxed. Relief amount \$1.47; K) U S Magnesium LLC, Serial #14-014-0-0001. Property is in NT Status. Relief amount \$86.47; L) Grantsville Conservation District, Serial #06-028-0-0008. Property is in EX, should not be taxed. Relief amount \$5.24; M) Tooele County, Serial #16-022-0-0101. County property should have not been taxed. Relief amount \$6.47; N) Tooele County, Serial #16-022-0-0102. County property should have not been taxed. Relief amount \$6.47; O) Tooele County, Serial #16-022-0-0113. County property should not have been taxed. Relief amount \$6.47; P) Tooele County, Serial #16-022-0-0114. County property should not have been taxed. Relief amount \$6.47; Q) Tooele County, Serial #16-022-0-0115. County property should not have been taxed. Relief amount \$6.47; R) Nola Pace, Vin #1GNDT13W112191021. This vehicle was sold just after registration. Relief amount (\$10.00); S) Shane L. Anderson, vine #3D3K519D78G193146. Car was sold the day before receiving the registration in the mail. Relief amount (\$110.00); T) Mareya L. Gonzales, Vin #JM3TFB38Y770114484.

Benefits letter had not arrived when registration was due. She does qualify for the Veterans Abatement. Relief amount (\$80.00); U) Redevelopment Agency of Tooele City, Serial #06-017-B-0035. Property is in EX, should not be taxed. Relief amount for tax year 2008 - \$11.17, 2009 - \$9.73, 2010 - \$9.53, 2012 - \$134.92; V) Redevelopment Agency of Tooele City, Serial #06-017-C-0027. Property is in EX, should not be taxed. Relief amount for year 2008 - \$18.20, 2009 - \$18.70, 2010 - \$18.61, 2012 - \$22.08; W) Redevelopment Agency of Tooele City, Serial #06-017-C-0028. Property is in EX, should not be taxed. Relief amount for tax year 2007 - \$7.59, 2008 - \$7.80; Y) Stansbury Service Agency, Serial #15-010-0-000a. Property is in EX, should not be taxed. Relief amount for tax year 2007 - \$6.07, 2008 - \$6.24; Z) Stansbury Service Agency, Serial #15-035-0-000a. Property is in EX, should not be taxed. Relief amount for tax year 2007 - \$6.07, 2008 - \$6.24; aa) Stansbury Service Agency, Serial #15-035-0-000b. Property is in EX, should not be taxed. Relief amount for year 2007 - \$6.07, 2008 - \$6.24; bb) Stansbury Service Agency, Serial #15-035-0-000c. Property is in EX, should not be taxed. Relief amount for year 2007 - \$6.27, 2008 - \$6.24; cc) Stansbury Service Agency, Serial #15-039-0-000a. Property is in EX, should not be taxed. Relief amount for 2007 - \$6.07, 2008 - \$6.24; dd) Stansbury Service Agency, Serial #15-039-0-000b. Property is in EX, should not be taxed. Relief amount for 2007 - \$6.07, 2008-\$6.24; ee) Stansbury Service Agency, Serial #15-063-0-000a. Property is in EX, should not be taxed. Relief amount for 2007 - \$6.07, 2008 - \$6.24; ff) Stansbury Service Agency, Serial #15-063-0-000b. Property is in EX, should not be taxed. Relief amount for year 2007 - \$6.07, 2008 - \$6.24; gg) Stansbury Service Agency, Serial #15-090-0-000a. Property is in OK, should be EX Status. Relief amount for year 2007 - \$5.11, 2008 - \$5.24, 2009 - \$5.48, 2010 - \$5.36, 2011 - \$6.37, 2012 - \$140.00, 2013 - \$140.00; hh) Stansbury Service Agency, Serial 315-090-0-000b. Property is in OK, should be EX Status. Relief amount for year 2007 - \$5.11, 2008 - \$5.24, 2009 - \$5.48, 2010 - \$5.36, 2011 - \$6.37, 2012 - \$140.00, 2013 - \$140.00.

Invoices. A) Warrants issued on January 8, 2014 in the amount of \$312,949.18, direct Deposit #97852 - #98117, Check #6468 - #6470. Transmittal Checks in the amount of \$223,237.19, check #6471 - #6480; B) Warrants issued February 27, 2014 in the amount of \$861,407.53, Check #143734 thru #143867; C) Warrants issued on March 5, 2014 in the amount of \$298,954.02, Direct Deposit #98909 - #99175, Check #6543 - #6545. Transmittal Checks in the amount of \$229,993.46, Check #6546 - #6559; D) Warrants issued on March 6, 2014 in the amount of \$282,384.34, check #143868 thru #143972; E) Warrants issued on March 13, 2014 in the amount of \$488,097.51, check #143973 thru #144098; F) Warrants issued on March 19, 2014 in the amount of \$293,383.16, Direct Deposit #99176 - #99443, Check #6560 - #6567. Transmittal checks in the amount of \$222,512.92, Check #6568 - #6580. Commissioner Milne noted some payroll warrants that still reflected Laura Manchester as a Deputy Auditor. This should be corrected on those warrants dated after January that her title is now Payroll Clerk.

5. AMENDED RESOLUTION 2014-01 - REORGANIZING THE NORTH TOOELLE COUNTY FIRE PROTECTION SERVICE DISTRICT FROM A SPECIAL SERVICE DISTRICT TO A LOCAL DISTRICT KNOWN AS THE NORTH TOOELLE FIRE PROTECTION SERVICE DISTRICT (The Amendment is to change the district's name by removing the word "County"). Attorney Hogan stated the reason for this agenda item is to remove the word "County" from the district's name, making them the North Tooele Fire Protection Service District. Commissioner Hurst moved to approve the Amended Resolution 2014-01. Commissioner Milne seconded the motion. All concurred.

6. ORDINANCE 2014-02 - VACATING THE PUBLIC RIGHT-OF-WAY INTEREST IN SELECTED CLASS D ROADS LOCATED IN RUSH VALLEY. Blaine Gehring, County Planner, stated vacation of these roads was brought before the Planning Commission a couple of years ago. Over the years these roads were created on private property to access public lands. The roads are no longer necessary to access the public lands. The Planning Commission voted unanimously to vacate these roads.

Commissioner Hurst moved to approve Ordinance 2014-02 - Vacating the Public Right-of-Way Interest in Selected Class D Roads Located in Rush Valley. Commissioner Milne seconded the motion. All concurred.

7. AMENDMENT NO. 5 TO LEASE AGREEMENT WITH THE STATE OF UTAH FOR UTAH HIGHWAY PATROL OFFICE SPACE IN WENDOVER - STATE CONTRACT NO. 97-1749. Attorney Hogan stated this is a County owned building that Wendover City leases. The Highway Patrol are good tenants and this is an amendment to the original agreement. Commissioner Hurst moved to approve Amendment No. 5 to Lease Agreement with the State of Utah for Utah Highway Patrol Office Space in Wendover - State Contract No. 97-1749. Commissioner Milne seconded the motion. All concurred.

8. MEMORANDUM OF UNDERSTANDING BETWEEN UTAH STATE UNIVERSITY COOPERATIVE EXTENSION SERVICE, THE BOARD OF COMMISSIONERS OF THE COUNTIES OF JUAB, MILLARD, TOOELE AND UTAH AND THE UTAH STATE DIRECTOR, BUREAU OF LAND MANAGEMENT. Jerry Caldwell, Weeds Department, stated, this is an MOU so the counties can work together legally. Commissioner Milne moved to approve. Commissioner Hurst seconded the motion. All concurred.

9. INTERLOCAL COOPERATION AGREEMENT BETWEEN JUAB, MILLARD, TOOELE AND UTAH COUNTIES FOR NOXIOUS WEED CONTROL AND EDUCATION. Jerry Caldwell, Weed Department, reviewed this agreement with the Commission. Commissioner Milne moved to approve. Commissioner Hurst seconded the motion. All concurred.

10. MEMORANDUM OF UNDERSTANDING BETWEEN U.S. ARMY GARRISON DUGWAY PROVING GROUND (USAG DPG) AND TOOELE COUNTY SHERIFF'S OFFICE FOR SUPPORT REQUIRED FOR CAPTURE AND RECOVERY OF CHEMICAL AGENT OR BIOLOGICAL SELECT AGENTS AND TOXINS (BSAT) AGREEMENT NUMBER: MOU-001. Sheriff Park stated this MOU allows Dugway to come off base to recover any chemical agent or biological select agents and toxins. Commissioner Milne was concerned that Dugway doesn't reimburse the County the cost to the Sheriff's Department for helping with this situation. Sheriff Park stated this is just if they have a missing chemical agent. Commissioner Hurst moved to approve the Memorandum of Understanding Between U.S. Army Garrison Dugway Proving Ground (USAG DPG) and Tooele County Sheriff's Office for Support Required for Capture and Recovery of Chemical Agent or Biological Select Agents and Toxins (BSAT) Agreement Number: MOU-001. Commissioner Milne seconded the motion. All concurred.

11. MEMORANDUM OF AGREEMENT BETWEEN U.S. ARMY GARRISON DUGWAY PROVING GROUND (USAG DPG) AND TOOELE COUNTY SHERIFF'S OFFICE-SPECIAL WEAPONS AND TACTICS SUPPORT FOR FELONIES AND MAJOR DISRUPTIONS ON DUGWAY PROVING GROUND. Sheriff Park stated nothing has changed on this MOU except the Garrison Commanders, so new signatures are required. This would be a call up volunteer SWAT team. He said they have never had this situation, but need the MOU just in case it ever does happen. Commissioner Milne moved to approve. Commissioner Hurst seconded the motion. All concurred.

12. AGENDA ADJUSTED. Commissioner Milne moved to suspend the rules and move to consider items #13 and #14 while the presenter for #12 is getting things ready. Commissioner Hurst seconded the motion. All concurred.

13. CONTRACT REVIEW. A) 92-05-05- Joint Fuel Station- Iapah; B) 93-03-02- Building Inspection Service Between Tooele County and Town of Vernon; C) 95-06-19- Agreement Between Tooele County Sheriff's Office, Tooele County Emergency Management and Tooele City Fire Department; D)

99-07-11 - Communications Agreement Lease-Delle Between Tooele County and State of Utah; K) 06-04-18- Memorandum of Agreement Between 75th Air Base Wing Hill Air Force Base, Utah and Tooele County Sheriffs Office; L) 06-11-04- Access Agreement Between Tooele County and Babe Ruth Baseball League; O) 07-07-09- Operating and Maintenance Agreement Between Tooele County and State of Utah- Operation and Maintenance of Tooele Courts Complex; Q) 09-03-02- Memorandum of Understanding Between Tooele County and Heritage West Credit Union for use of Facilities and Requests for Volunteers in a Public Health Emergency; T) 09-03-07- Stansbury Park Improvement District-Improvement Installation Guarantees Agreement; U) 09-06-14- Clive Repository Agreement Amendment #3 (Replacing Contract 88-43, 88-44, and 03-05-03) Between Tooele County and Energy Solutions, LLC; X) 11-03-04- Fire Protection Mutual Aid Agreement Between Tooele County and Dugway Proving Ground; Y) 12-03-02- Memorandum of Understanding Between Tooele County Emergency Management Department, Tooele County Health Department, Mountain West Medical Center, and Tooele County School District for Use of School Facilities in a Major Emergency or Disaster; AA) 13-02-04- Interlocal Cooperative Agreement Between Tooele County and Tooele County School District- Emergency Siren Placement; AF) 13-03-04- Memorandum of Understanding Between US Army Dugway Proving Ground and Tooele County Health Department Division of Emergency Management;

AG) 13-3-05- Contract for Sale and Purchase of Natural Gas Between Tooele County and Summit Energy, LLC will all be reviewed April, 2015.

E) 00-04-07- Building Inspection Services Between Tooele County and Wendover City; G) 05-05-12- Memorandum of Agreement Between Tooele County Sheriffs Office and U.S. Army Dugway Proving Ground- to Provide Special Reaction Team Support for Felonies and Major Disruptions on U.S. Army Dugway Proving Ground; J) 06-03-12- Property Disposition Services Agreement Between PropertyRoom.com, Inc.; M) 07-02-03- Qwest Total Advantage Agreement Between Tooele County and Qwest Communications Corporation; W) 10-03-09- Base Contract to Retain Jviation, Inc. to Perform Engineering Services at the Wendover Airport; Z) 13-02-03- Utah Department of Transportation Federal Transit Administration, 49 U.S.C. Section 5310- Transportation for Elderly Persons and Persons with Disabilities Interagency Contract Agreement; AB) 13-02-05- Lobbying and Consulting Services Agreement Between Tooele County and James R. Gowans; AC) 13-02-06- Agreement Between Tooele County and Pacific West, LLC- Bank Run Sand from Tooele County Landfill. These contracts all have no further need for review.

F) 04-11-07- Disposal Agreement Between Tooele County and Wasatch Regional Landfill, Inc will be reviewed August, 2014; H) 06-02-11- Managed Pharmacy Benefit Services Agreement Between Tooele County and Advanced PCS Health, LP/National Association of Counties will be reviewed July, 2014; J) 06-03-03- Right-of-Way Grant Between Tooele County and BLM/Josepa will be reviewed April, 2026; N) 07-06-02- Service Agreement- Tooele Hospital Corp, dba Mountain West Work-Occupational Health Services will be reviewed March, 2015; P) 07-11-06- Agreement Between Wendover City and Tooele County for Law Enforcement Services will be reviewed June, 2014; R) 09-03-03- Interlocal Cooperation Agreement Between Tooele County and Box Elder County for Exchange of Road Maintenance will be reviewed December, 2014; S) 09-03-05- Lease Agreement Between Tooele County and Tooele City- Trail System will be reviewed January, 2029; V) 10-03-03- Memorandum of Agreement Between Tooele County and Utah State University Extension to Staff and Operate a Small Business Assistance Sub-Center Located in the Tooele Business Resource Center; will be reviewed October, 2014; AD) 13-03-02- Space Lease and Service Agreement Between Tooele County and UTA and AE) 13-03-03- Questline Access Agreement Between Tooele County and Questar Gas will be reviewed January, 2015.

14.

**BOARD OPENINGS**

A) Tourism Tax Advisory Board - Cultural Attractions - 1 positions - open until May 1, 2014.

15. **BOARD APPOINTMENTS**

A) Lake Point Cemetery and Park District - 2 positions - Commissioner Hurst moved to appoint Mark Gines and Maryanne Gines. Commissioner Milne seconded the motion. All concurred.

16. **(12) SLIDE PRESENTATION BY JEFF COOMBS - AIR QUALITY IN OUR COUNTY.** Jeff Coombs, Tooele County Health Department, gave a slide presentation on Air Quality in Tooele County.

17. **EMERGENCY ITEM ADDED TO AGENDA - MIDVALLEY HIGHWAY.**

Commissioner Milne proposed to add an emergency agenda item - the MidValley Highway and steps that need to be taken in the planning process, specifically regarding Phase 1. Commissioner Hurst seconded the motion. All concurred.

18. **MIDVALLEY HIGHWAY PROJECT.** Recorder Houghton stated he is helping with the MidValley Highway Project contract which will make acquisitions before the June deadline. He proposed a contract with Parsons Brinkerhoff. They would like to get started as soon as Friday with the surveying so the County knows how much property they will need to acquire. Two of the participants are willing to sell their property at fair market value, which will be paid for out of the Corridor Preservation Fund. That fund has about \$.3 million in it at this time. The proposed cost of these properties is \$8,765.00. Commissioner Milne made a motion to move forward with the proposed contract with Parsons Brinkerhoff, not to exceed \$10,000. It will be paid for out of the Corridor Preservation Fund. Commissioner Hurst seconded the motion. All concurred.

19. **PUBLIC CONCERNS.** Tom Poyner thanked the Commissioners for having their meetings at 7 pm. You have a county employee, Wayne Anderton, that was recognized by the Utah Public Employee's Union as the #1 recruiter in the state. The Commissioners congratulated Wayne.

Curtis Beckstrom asked if we have a site for the prison yet? Commissioner Clegg stated the most talked about site is the Timpie Area,

20. **ADJOURN.** Commissioner Hurst moved to adjourn the meeting at 8:08 pm. Commissioner Milne seconded the motion. All concurred.

THE FOREGOING MINUTES ARE HEREBY APPROVED:

BY:   
J. BRUCE CLEGG, CHAIRMAN

ATTEST:

BY:   
MARILYN K. GILLETTE, CLERK

