

COMMISSION MEETING MINUTES

MARCH 5, 2024

MINUTES OF THE BOARD OF EMERY COUNTY COMMISSIONERS
HELD IN THE EMERY COUNTY COURTHOUSE

MARCH 5, 2024

Present at the meeting was Commission Chairman Keven Jensen, Commissioner Jordan Leonard, Attorney Mike Olsen (via Zoom), Deputy Clerk/Auditor Carol Cox, elected officials and citizens. Commissioner Lynn Sitterud was absent. Commissioner Keven Jensen will step down throughout the meeting to execute motions as needed.

CONSENT AGENDA

(1)

APPROVAL OF CHECK EDIT LIST, REQUISITIONS, AND DISPOSITIONS.

The Warrant Check Edit List # 265258 through and including #265324 was presented for payment.

Requisitions were presented as follow:

<u>REQUISITION</u>	<u>DESCRIPTION</u>	<u>AMOUNT</u>
10-24	Lawn Mower for Aquatic Park Lawn Building Maintenance	\$4,899.99

There were no dispositions

(2)

APPROVAL OF FEBRUARY 20, 2024 COMMISSION MEETING MINUTES

(3)

NOTIFICATION SELECTED ABBY WILLSON AS A PART TIME HEAD LIFEGUARD WORKING 19.75 HOURS PER WEEK. WAGE GRADE 5

(4)

APPROVAL TO GIVE SHELA BAANTJER A 3% WAGE INCREASE FOR SUCCESSFUL COMPLETION OF HER 6-MONTH ORIENTATION PERIOD AS AN ASSISTANT LIBRARIAN FOR THE FERRON LIBRARY AND THE 3% COLA GIVEN THE FIRST OF THE YEAR, EFFECTIVE 3-18-24

(5)

APPROVAL TO GIVE TIM LARSEN A 3% WAGE INCREASE FOR SUCCESSFUL COMPLETION OF HIS 6-MONTH ORIENTATION PERIOD AS A DISPATCHER AND THE 3% COLA GIVEN THE FIRST OF THE YEAR, EFFECTIVE 3-18-24.

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(6)

APPROVAL TO GIVE CHELSIE DYE A 3% WAGE INCREASE FOR SUCCESSFUL COMPLETION OF HER 6-MONTH ORIENTATION PERIOD AS A DISPATCHER AND THE 3% COLA GIVEN THE FIRST OF THE YEAR, EFFECTIVE 3-18-24.

(7)

APPROVAL OF A \$45.00 MONTHLY CELL PHONE STIPEND FOR LANE TAYLOR.

(8)

APPROVAL OF CLINTON OLSEN TO MAINTAIN THE HOURLY WAGE INCREASE HE RECEIVED WHEN PERFORMING ADDITIONAL DUTIES AS EMS COORDINATOR, PER DEPARTMENT HEAD, JEFF GUYMON'S REQUEST. NO CHANGE TO THE BUDGET.

Commissioner Jordan Leonard made a motion to approve the Consent Agenda. The motion was seconded by Commissioner Keven Jensen. The motion passed.

AYE: Jordan Leonard

Keven Jensen

NAY: none

ABSENT: Lynn Sitterud

DISCUSSION AGENDA

(1)

ITEMS PULLED FROM THE CONSENT AGENDA.

(2)

PRESENTATION FROM THE REGIONAL SUPERVISOR CHRIS WOOD FOR THE APPROVAL OF RECEIVING MONEY FROM THE UTAH DIVISION OF WILDLIFE RESOURCES (UDWR) FOR (PILT) PAYMENT IN LIEU OF TAXES IN THE AMOUNT OF \$2,610.71 FOR WILDLIFE MANAGEMENT AREAS.

Wildlife Resources Regional Supervisor Chris Wood provided a brief review of Wildlife Resources in Emery County. He praised the Public Lands Council for dedication to open communication with state agencies. He added that Emery County is the only county in the state that has a functioning Public Lands Council that meets on a regular basis. He appreciates the information he receives at the meetings. Chris presented a check to the Commissioners in the amount of \$2,610.71 Payment in Lieu of Taxes for the 8,000 acres of Wildlife Management areas in Emery County.

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(3)

DISCUSS/APPROVE/DENY MONETARY DONATION TO THE 2024 SOUTHEASTERN UTAH JR. LIVESTOCK SHOW.

Alex Worwood along with a few participants in the Stock Show made a request for a donation to the 2024 Southeastern Utah Jr. Livestock Show. The request was for \$5,000. Commissioner Leonard asked for justification of the additional \$1,500 from the past year's donations. The Stock Show has over thirty participants and draws in at least 1000 people to the County. The funds are used to purchase the prizes and host a BBQ. Commissioner Jordan Leonard made a motion to approve a \$5,000 donation to the 2024 Southeastern Utah Jr. Livestock Show. The motion was seconded by Commissioner Keven Jensen. The motion passed.

AYE: Jordan Leonard

Keven Jensen

NAY: none

ABSENT: Lynn Sitterud

(4)

RECOGNIZE MONTY CHRISTIANSEN FOR BEING EMERY HIGH'S WRESTLING STATE CHAMPION.

Commissioner Jordan Leonard introduced Emery High's Wrestling State Champion Monty Christiansen. This is Monty's 2nd year as State Champion.

(5)

RATIFICATION OF THE MOU BETWEEN EMERY COUNTY AND THE EC BUSINESS CHAMBER FOR THE BUSINESS IMPROVEMENT GRANT.

Patsy Stoddard requested approval for an MOU between Emery County and the EC Business Chamber for the Business Improvement Grant. She indicated that the grant period started on March 1, 2024 and they have 8 applications that the board will be reviewing to see if they qualify. Funds for the matching grants are provided in cooperation from County ARPA funds and County funds in the amount of \$110,000. Commissioner Leonard commented that he currently sits on the board that reviews the grant applications. He indicated that these matching grants are a great opportunity for local businesses to expand and improve their businesses. The MOU with the EC Business Chamber establishes the terms and scope of services that the EC Business Chamber will perform on behalf of Emery County in managing a matching grant program for small businesses and communities within the County with the use of the funds. Commissioner Jordan Leonard made a motion to approve an MOU between Emery County and EC Business Chamber for the Business Improvement Grant. The motion was seconded by Commissioner Keven Jensen. The motion passed.

AYE: Jordan Leonard

Keven Jensen

NAY: None

ABSENT: Lynn Sitterud

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(6)

RATIFICATION OF CERTIFICATION PURSUANT TO UTAH CODE SUBSECTION 26-18-21 (4) (d) FOR THE UPPER LIMIT PAYMENT PROGRAM AT SAN RAFAEL HEALTH AND REHABILITATION.

Commissioner Jordan Leonard made a motion to ratify the signing of Certification for the San Rafael Health and Rehabilitation for the Upper Payment Limit. The motion was seconded by Commissioner Keven Jensen. The motion passed.

AYE: Jordan Leonard

Keven Jensen

NAY: none

ABSENT: Lynn Sitterud

(7)

CLARIFICATION OF THE AMOUNT OF OPIOID FUNDING.

Commissioner Keven Jensen explained that in the last Commission Meeting Four Corners came before the Commission to request funds to assist in their plan to use their portion of opioid funding. The estimation of funds that have been received was not correct. The amount that we thought we had needed to be corrected. We do not have near the amount that we thought. Whatever opioid funds we do have come in we will allocate appropriately,

(8)

DISCUSS/APPROVE/DENY AN RFP FOR THE HUNTINGTON AIRPORT GROUNDSKEEPER.

The contract with the Huntington Airport Groundskeeper has expired. It was requested to advertise an RFP for the Huntington Airport Groundskeeper. Commissioner Jordan Leonard made a motion to advertise an RFP for the Huntington Airport Groundskeeper. The motion was seconded by Commissioner Keven Jensen. The motion passed.

AYE: Jordan Leonard

Keven Jensen

NAY: None

ABSENT: Lynn Sitterud

(9)

DISCUSS/APPROVE/DENY CABINS NEAR CLEVELAND RESERVOIR.

Don Oldham representing owner Kelly Walker discussed cabins near the Cleveland Reservoir. He presented a proposed plan for building five (5) cabins on the shoreline of the Cleveland Reservoir. The plans include improving access to the shore, gravel parking lot, boat launch, vault toilet, trash bin. The plan includes walk-in access for shoreline fishing. The owner is in discussions with the Forest Service for maintenance of the improvements. This is privately owned property, not Forest Service property. Items of discussion included prescriptive rights,

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ROW access, Public Waters Access Act, He indicated that they will meet all Planning & Zoning requirements. He explained that there has been previous discussion on this topic. EC Commissioners asked Attorney Mike Olsen for counsel on this matter, to which Attorney Mike Olsen indicated that this proposal is different from what was originally proposed.

Remarks were heard from Darren Wollsey, Jim Fauver, Danny Van Wagoner, and Lacey Hardman. Commissioner Jordan Leonard made a motion to table. The motion was seconded by Commissioner Keven Jensen.

AYE: Jordan Leonard

Keven Jensen

NAY: none

ABSENT: Lynn Sitterud

(10)

DISCUSS/APPROVE/DENY HUB'S CONTRACT TO WORK WITH THE EMERY TOURISM TEAM TO UPDATE EXISTING COLLATERAL, BRINGING FORWARD THE NEW BRAND AND MESSAGING.

AnDee Mead explained that the Emery County Travel Bureau has reviewed the bids for the marking and rebranding of Emery County Tourism. The Travel Bureau recommended awarding the bid to HUB citing the quality of their work as the major reason for choosing them. One of the bids was from Emery Telcom. Jared Anderson from EmeryTelcom requested the opportunity to win their business down the road. Attorney Mike Olsen had some issues with the contract and wished to work through the contract before it was signed. Commissioner Jordan Leonard made a motion to approve awarding the bid for marketing and rebranding to HUB upon approval of Attorney Mike Olsen as he addresses his issues with the contract. The motion was seconded by Commissioner Keven Jensen. The motion passed.

AYE: Jordan Leonard

Keven Jensen

NAY: None

ABSENT: Lynn Sitterud

(11)

DISCUSS/APPROVE/DENY YESCO BILLBOARD CONTRACT AMENDMENTS AND ADDITIONAL EXPENSES.

AnnDee Mead explained that last year they entered into a contract with YESCO for a billboard displayed in Green River. The billboard ended up being displayed on the wrong side of the billboard. They have been working with YESCO to get the issue resolved. The monthly premium is \$175.00 a month and an additional \$440.00 in production. She requested approval for an amendment to the YESCO billboard contract for additional \$440.00 in production cost. Commissioner Jordan Leonard made a motion to approve amendment to the YESCO billboard contract and additional expenses. The motion was seconded by Commissioner Keven Jensen. The motion passed.

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AYE: Jordan Leonard

Keven Jensen

NAY: none

ABSENT: Lynn Sitterud

(12)

DISCUSS/APPROVE/DENY ENTERING INTO AND INTER-LOCAL AGREEMENT BETWEEN EMERY COUNTY AND SEVIER COUNTY TO MAINTAIN REMOTE ROADS LOCATED NEAR THEIR COMMON BOUNDARIES

Commissioner Jordan Leonard made a motion to approve entering into an Inter-Local Agreement between Emery County and Sevier County to maintain remote roads located near their common boundaries. The motion was seconded by Commissioner Keven Jensen. The motion passed.

AYE: Jordan Leonard

Keven Jensen

NAY: NONE

ABSENT: Lynn Sitterud

(13)

DISCUSS/APPROVE/DENY PETITION TO VACATE PORTION OF CLASS D ROAD, MOLEN SEEP LAND LLC, AND CASTLE VALLEY RANCHES LLC.

Commissioner Jordan Leonard made a motion to accept the petition to vacate portions of Class D Road Seep Land LLC and Castle Valley Ranches LLC and to cause a public hearing to be held to receive public comment on such. The motion was seconded by Commissioner Keven Jensen. The motion passed.

AYE: Jordan Leonard

Keven Jensen

NAY: none

ABSENT: Lynn Sitterud

(14)

DISCUSS/APPROVE/DENY ADOPTION OF THE EMERY COUNTY EMERGENCY OPERATIONS PLAN-BASIC PLAN.

Jeremy Lake-Emery County Sheriff's Office explained that the County is required by the State to adopt an Emergency Operation-Basic Plan. The plan is the same place other than the changes in contact information. Commissioner Jordan Leonard made a motion to adopt the Emery County Emergency Plan-Basic Plan. The motion was seconded by Commissioner Keven Jensen. The motion passed.

AYE: Jordan Leonard

Keven Jensen

NAY: none

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ABSENT: Lynn Sitterud

(15)

DISCUSS/APPROVE/DENY EMERY COUNTY RECREATION SSD IS REQUESTING A PORTION OF EC ARPA FUNDS IN THE AMOUNT OF \$148,831.00 IS THE LOWEST QUALIFYING BID FOR THE NEW GYMNASIUM FLOOR FOR THE EMERY COUNTY RECREATION BUILDING

Recreation Board Chairman Joel Dorsch explained that the gymnasium concrete floor is heaving and needs to be replaced. They propose to remove the old flooring and replace the floor with sport court flooring that has pad underlay for safety. The court will be a multi use court for basketball, volleyball and pickleball. There will need to be precautions taken for vendor booths and seating during special events to protect the floor. The Board requests that ARPA funds in the amount of \$148,831.00 be used to purchase the flooring. Commissioner Jordan Leonard made a motion to approve using ARPA funds in the amount of \$148,831.00 for the Emery County Recreation Building gymnasium flooring. The motion was seconded by Commissioner Keven Jensen. The motion passed.

AYE: Jordan Leonard

Keven Jensen

NAY: none

ABSENT: Lynn Sitterud

(16)

DISCUSS/APPROVE/DENY MOVING FORWARD WITH THE EMERY WATER CONSERVANCY DISTRICT IN THE MORRIS BEND PROJECT.

Emery Water Conservancy District Manager Jay Humphrey reviewed a proposed Morris Bend Project. EWCD is the local special service district that has the responsibility for water development within the district boundaries. EWCD has proposed a water development project, Morris Bend Project to further develop Emery County's watershed infrastructures. When a water development project is proposed, the Emery County Commission and the Emery Water Conservancy District Board would be in agreement that the project is for the good and benefit of Emery County. It is the opinion of EWCD that this proposed Morris Bend Project would greatly benefit the people living in the Muddy Creek area, as well as the people of Emery County in general. In moving forward with this project, an MOU would be written between Emery County and EWCD to manage the expenditures of the project. The proposed process would be that the monies Emery County has for water development be transferred to EWCD whereby a restricted account would be set up for water development and water infrastructure. Additionally, rules would be developed to govern these monies and expenditures. EWCD would administer the proposed project and report back to the District Board and the Emery County Commissioners regarding the progress and eventually the completion of the project. There has to be a feasibility study done to evaluate the feasibility of constructing a storage reservoir at the proposed project site. The EWCD Board approved a request engineering firms to do a feasibility study on the proposed Morris Bend Project site. The engineering company RB & G

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Engineering, LLC is the only firm who responded to the request. Their estimate to do the feasibility study is quoted to be \$137,630.12. The only way we can make this work is for a joint effort from EWCD, Muddy Creek Irrigation Company and Emery County to pay for the feasibility study. If everyone agrees we would have a feasibility study done to determine the quality of the proposed site. This would be approximately \$46,000 for each participant. Emery County would use ARPA funds. Patsy asked where the funds will come from to build the reservoir.

Commissioner Jensen indicated that Emery Town and Muddy Creek could qualify for funding through grants. But, we don't know how much \$ we will need until we do the feasibility study.

Commissioner Jordan Leonard made a motion to approve moving forward with the EWCD to do a feasibility study on the Morris Bend Project. The motion was seconded by Commissioner Keven Jensen. The motion passed.

AYE: Jordan Leonard

Keven Jensen

NAY: none

ABSENT: Lynn Sitterud

(17)

DISCUSS/APPROVE/DENY USING UP TO 20,000.00 OF THE RURAL COUNTY FUNDS TO HIRE A GRANT WRITER TO PROMOTE REGIONAL ECONOMIC GROWTH.

Commissioner Jordan Leonard made a motion to approve using \$20,000 of the 2023 Rural County Funds that Emery County receives to hire a grant writer to promote regional economic growth. The motion was seconded by Commissioner Keven Jensen. The motion passed.

AYE: Jordan Leonard

Keven Jensen

NAY: none

ABSENT: Lynn Sitterud

(18)

DISCUSSION ON HIRING AN ECONOMIC DEVELOPMENT DIRECTOR.

Commissioner Jordan Leonard discussed the possibility of hiring an Economic Development Director for Emery County to potentially bring businesses into the County and help diversify our economy. This could be funded by a Rural Economic Development Grant.

Discussion only.

(19)

DISCUSS/APPROVE/DENY RESOLUTION INVITING THE UTAH INLAND PORT AUTHORITY BOARD TO NEGOTIATE PROJECT AREAS WITHIN EMERY COUNTY.

The Emery County Commission is actively seeking regional economic development opportunities. The County desires the Utah Port Inland Authority Board to work with the Emery County Board of Commissioner to negotiate and consider potential Inland Port Authority Projects within Emery County in order to help fund the development of a regional economic

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development opportunity. The creation of an Inland Port Project fits the County's economic development vision by encouraging the retention and expansion of existing companies and the recruitment of new companies to create employment opportunities for residents of the County and surrounding areas. The Board of Emery County Commissioners will work together with the Inland Port Authority to determine appropriate Project locations within Emery County the County will require that all approved project areas have an individual, project specific resolution, containing land descriptions and maps as attached exhibits and approved by majority of vote of the Board of Emery County Commissioners. The Board of Emery County Commissioners believe that the general public will benefit from creation of these project areas by creating employment opportunities and will help improve public infrastructure and economic diversity in the area. The Board of Emery County Commissioners invite the Utah Inland Port Authority Board to negotiate project areas within Emery County. Commissioner Jordan Leonard made a motion to approve Resolution 3-5-24, a resolution inviting the Utah Inland Port Authority Board to negotiate Project project areas within Emery County. The motion was seconded by Commissioner Keven Jensen. The motion passed.

AYE: Jordan Leonard
Keven Jensen

NAY: none

ABSENT: Lynn Sitterud

(20)

COMMISSION/ELECTED OFFICIALS REPORTS

(21)

ADJOURN

Commissioner Jordan Leonard made a motion to adjourn the meeting. The motion was seconded by commissioner Keven Jensen. The motion passed.

AYE: Jordan Leonard
Keven Jensen

NAY: none

ABSENT: Lynn Sitterud

ATTEST: _____ COMMISSIONER: _____