

**MINUTES
OF THE REGULAR MEETING OF THE
TOOELE COUNTY BOARD OF COMMISSIONERS
HELD MAY 6, 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.** The Pledge of Allegiance was offered by Gordon Beals.
2. **ROLL CALL.** The Clerk called the roll which showed Commissioners Bruce Clegg, Chairperson, Jerry Hurst and Shawn Milne present. Also present were Doug Hogan, Attorney and Marilyn Gillette, Clerk.
3. **MINUTES.** Commissioner Hurst moved to approve the minutes of the Commission meeting held April 16, 2014 as corrected. Commissioner Milne seconded the motion. All concurred.
4. **CONSENT AGENDA.** Commissioner Milne moved to approve the consent agenda as presented. Commissioner Hurst seconded the motion. All concurred.

Tax Adjustments: A) Federal Express Corp, Serial #98-000-0-0838. Change was added by State Tax Commission after tax year. Adjustment: \$14.74; B) Federal Express Corp, Serial #98-000-0-0837. Change was added by State Tax Commission after tax year. Adjustment \$37.09; C) Federal Express Corp, Serial #98-000-0-0830. Change was added by State Tax Commission after tax year. Adjustment \$29.63; D) Cingular Wireless, Serial #98-000-0-0442. Change was added by State Tax Commission after tax year. Adjustment \$8.37; E) Wild Oak Properties LLC, Serial #16-072-0-000A. Change was added by State Tax Commission after tax year. Adjustment \$4.82.

Invoices. A) Warrants issued on March 27, 2014 in the amount of \$614,710.52, Check #144210 thru #144331; B) Warrants issued on April 10, 2014 in the amount of \$112,543.50, Check #144410 thru #144530; C) Warrants issued on April 16, 2014 in the amount of \$290,224.61. Direct Deposit #99712 - #99979, Check #6598 - #6604. Transmittal Checks in the amount of \$225,627.41, Check #6616 - #6626; D) Warrants issued on April 17, 2014 in the amount of \$452,721.08 - Check #144531 - #144661; E) Warrants issued on April 24, 2014 in the amount of \$511,914.69, Check #144629 thru #144770.
5. **SPECIAL RECOGNITION BY COMMISSIONER HURST.** Commissioner Hurst made a presentation to Dan Tuttle. He doesn't live in Tooele County but he has championed many things for Tooele County. As an executive of US Magnesium, he spearheaded getting sponsorship money to open the swimming pool, got US Magnesium to contribute to the Wild Horse and Heritage Days, and helped with getting funds for ear tags for the cows out by Rowley Road. He also puts on team penning for the legislators on a Saturday during the legislative session, which also raises funds for the Boys and Girls Club. He has agreed to serve on the Great Salt Lake Advisory board representing Tooele County and has been involved in the Stansbury Island interpretive area. He is interested in helping kids. For all he does for Tooele County, he was presented with a certificate of recognition.
6. **SETTLEMENT AND RELEASE AGREEMENT WITH INTERWEST PAPER.**

INC. (County will return the sort-line equipment from the landfill to Interwest Paper to be resold by Interwest Paper; mutual release of claims between the County and Interwest Paper). Robert Warner, Tooele County Solid Waste, gave an introduction on this item. The Budget Advisory Committee had made a recommendation to see if the County could get out of the contract with Interwest Paper for the recycling sort-line equipment. The cost of the sort line was \$770,000, the monthly average amount of money they recoup from the recyclable is \$3,000, with a lease payment of \$14,660 per month. Commissioner Milne moved to approve. Understanding the disproportionate expense verses the benefit, the county will continue with curbside pick up by Allied Waste. Commissioner Hurst seconded the motion. All concurred.

7. AMENDMENT #4 TO STATE OF UTAH CONTRACT #102637 BETWEEN THE ADMINISTRATIVE OFFICE OF THE COURTS AND THE TOOELE COUNTY SHERIFF. Commissioner Milne indicated that the Sheriff has asked that this item be postponed. He, therefore, moved to postpone this item. Commissioner Hurst seconded the motion. All concurred.

8. RATIFY PERPETUAL CONSERVATION EASEMENT-PERRY DEVELOPMENT, LLC AND TOOELE COUNTY. Blain Gehring, Planner, reviewed the history of this agreement. Commissioner Hurst moved to approve the agreement. Commissioner Clegg seconded the motion. All concurred.

9. STATEWIDE MEMORANDUM OF AGREEMENT FOR THE SPECIAL NEEDS REGISTRY. Bucky Whitehouse, Emergency Management, discussed this with the Commission. This updates the original agreement from 2007 to 2014, updating the staff changes. Commissioner Hurst moved to approve the Statewide Memorandum of Agreement for the Special Needs Registry. Commissioner Milne seconded the motion. All concurred.

10. MOVE UP CONTRACT REVIEW WHILE THEY ARE GETTING THINGS READY FOR ITEM #10. Commissioner Milne moved to go to Item #18, contract Review, while they are getting the projector ready for Item #10.

11. CONTRACT REVIEW. A) 02-05-08 - Lease Agreement Between Tooele County and Grantsville Soil Conservation District. Attorney Hogan asked if the Commissioners wanted to execute the termination of the contract clause, since they will be using 200 acres this summer for the County Explosion. They won't effect the winter grazing, but to be able to use the grazing portion for this part of the year, he felt it would be wise to execute the clause terminating the contract. Commissioner Milne moved to give the Grantsville Soil Conservation District a 90 day advanced notice of termination of the 200 acres of the Grantsville PUD. Commissioner Hurst seconded the motion. All concurred.

12. APPROVAL OF THE WAINANI O LINDA AMENDED SUBDIVISION PRESENTED PLAN, WILLIAM KELLIPAKAUA, APPLICANT. Blaine Gehring, Planner, stated there has been an encroachment on one of the lots that was vacated and amended, following a post construction addition to the home. The applicant has asked that two of the lots, #501 and #502, of the subdivision be vacated. The Planning Commission has recommended approval. Commissioner Milne moved to approve the amendment as provided. Commissioner Hurst seconded the motion. All concurred.

13. PRESENTATION OF LAKE POINT INCORPORATION STUDY REQUEST. Clerk Gillette stated that thru the cooperation of the Records Office, GIS and Assessor, she has determined that the petition meets the qualifications to be certified. She presented it to the Commission for them to move forward with the RFP.

14. APPROVAL OF POLL WORKERS FOR JUNE 24TH PRIMARY ELECTION. Clerk Gillette presented a list of poll workers from the past two general elections for Commission approval. Commissioner Milne questioned some of the names on the list, one who had moved and another duplicate. Those will be taken care of. Commissioner Milne moved to approve the Poll Workers for June 24th Primary Election, with

corrections. Commission Hurst seconded the motion. All concurred.

15. **APPROVAL OF POLL LOCATIONS AND VOTE BY MAIL PRECINCTS.** Clerk Gillette asked for approval of the polling locations, as well as the By Mail Precincts. Commissioner Hurst moved to approve the poll locations as outlined. Commissioner Milne seconded the motion. All concurred.

16. **OPERATION AGREEMENT WITH TROY JOHANSEN FOR DESERET PEAK BASEBALL AND SOFTBALL FIELDS.** Isaac Astill, Facilities Manager, stated they put out an RFP for management of these fields at the Desert Peak Complex. They received one bid from Troy Johansen. Isaac reviewed the proposed contract with Mr. Johansen. Commissioner Hurst stated the only concern Mr. Johansen had was having a long range plan. This contract is renewable for 4 years. Commissioner Hurst moved to approve the Operation Agreement with Troy Johansen for Desert Peak Baseball and Softball Fields. Commissioner Milne had a couple of questions, which were addressed and will be corrected/clarified. He seconded the motion. All concurred.

17. **GRANTSVILLE FLOOD CONTROL AGREEMENT - ENGINEERING STUDY.** Commissioner Hurst stated they met with Grantsville City and Aqua Engineering to come up with a feasibility study to control the floods in the west side of Grantsville. The study will cost \$18,750 of which Grantsville will pay half and Tooele County will pay the other half. Commissioner Hurst moved to approve the Grantsville Flood Control Agreement Engineering Study. Commissioner Clegg seconded the motion. Commissioners Hurst and Clegg voted yes. Commissioner Milne voted no. The motion carried. Commissioner Milne asked to be able to clarify why he voted no. He feels this would be a good study. Since the proposed Municipal Service Tax meetings, he feels as though this is solely for the benefit of people who live in an incorporated boundary. He doesn't feel it's right to have all of the county citizens pay to fix something for a developer who knew he was building in a flood wash. Commissioner Hurst stated that the county is responsible for flood control, county wide.

18. **RATIFY SETTLEMENT CANYON IRRIGATION COMPANY PIPELINE.** Commissioner Clegg gave a history of the Settlement Canyon Irrigation Company Pipeline. Rather than put the pipeline in the bar pit of the road on the side of the canyon. Tooele County has granted easements to put the pipeline into the barpit at the bottom of the canyon. They are ratifying this agreement because it needed to be signed before they went to the Planning Commission for their conditional use permit. Commissioner Hurst moved to approve. Commissioner Milne seconded the motion. All concurred.

19. **APPOINT COMMISSIONER TO THE TOURISM BOARD.** Commissioner Clegg moved to appoint Commissioner Milne to the Tourism Board. Commissioner Hurst seconded the motion. All concurred.

20. **BOARD OPENING.**
A) Cultural Attraction on the Tourism Board - 1 position
B) Senior Council on Aging - 1 position - Open until May 27, 2014.

21. **PUBLIC CONCERNS.** Commissioner Hurst did some research on sage grouse that was discussed in the last meeting. They used to raise pheasants and chukars when he was teaching school. Tom Poyner asked if that could be done with sage grouse. It cannot be done because they will not survive well in captivity. If they were raised in captivity and turned loose they would not survive well.

Shirley Beagley stated there used to be a time during spring cleaning when residents could dump green waste for free at the landfill. There was also a time when there was help to clean these things up. Wayne Anderton stated the city used to have a program like that. Grantsville has that program once a year. Robert Warner, Landfill, stated that they charge for green waste now. Commissioner Milne stated that he would be willing to look at something like this. Shirley asked if there is anywhere to recycle anything other than paper. Robert stated that presently Stansbury Park has a couple of containers for

cardboard, plastic and paper. The County just lost the containers at the food bank. She asked if they find a new location would he advertise it so everyone knows. Isaac suggested putting it in the parking lot behind the County building.

22. ADJOURNMENT. Commissioner Milne moved to adjourn the meeting at 7:56 p.m. Commissioner Hurst seconded the motion. All concurred.

THE FOREGOING MINUTES ARE HEREBY APPROVED:

BY: 
J BRUCE CLEGG, CHAIRMAN

ATTEST:

BY: 
MARILYN K. GILLETTE, CLERK

