

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

MAY 21, 2024

Present at the meeting was Commission Chairman Keven Jensen, Commissioner Lynn Sitterud, Commissioner Jordan Leonard, Attorney Mike Olsen, (via Zoom), Sheriff Tyson Huntington, Deputy Clerk/Auditor Carol Cox, elected officials and citizens.

DISCUSSION AGENDA

(1)

APPROVAL OF CHECK EDIT LIST, REQUISITIONS, AND DISPOSITION

The Warrant Check Edit List # 26566 through and including #265887 was presented for payment.

There was one Requisition:

REQUISITION	DESCRIPTION	AMOUNT
16-24	Remodel of Clerk/Auditor & Treasurers Offices-	\$38,820.00

(2)

APPROVAL OF MAY 7, 2024, COMMISSION MEETING MINUTES

(3)

NOTIFICATION-SELECTED ASHLEY MORGAN AS A PART TIME HEAD LIFEGUARD WORKING 193/4 HOURS PER WEEK. WAGE GRADE 5 @ \$10.21 PH.

(4)

APPROVAL RO JADIN ATWOOD A 3% WAGE INCREASE FOR SUCCESSFUL COMPLETION OF HIS 6 MONTH ORIENTATION PERIOD AND THE 3% COLA GIVEN THE FIRST OF THE YEAR. EFFECTIVE 5-27-24.

(5)

APPROVAL TO HIRE SUSI DALTON AS A ¾ TIME DEPUTY TREASURER WITH PRORATED VACATION, SICK, HOLIDAY AND RETIREMENT BENEFITS. WAGE GRADE 13.

(6)

APPROVAL TO AMEND THE APPROVED 2024 HOLIDAY SCHEDULE AND CHANGE THE DAY JUNETEENTH IS RECOGNIZED FROM WEDNESDAY, JUNE 19TH TO MONDAY, JUNE 17TH TO COMPLY WITH POLICY.

(7)

APPROVAL OF TIM LARSEN'S CONFLICT OF INTEREST FORM.

(8)

APPROVAL TO PROMOTE BRENTAN GORDON TO DEPUTY I, HE HAS RECEIVED HIS CORRECTION OFFICER CERTIFICATE, MOVE FROM GRADE 14 TO GRADE 16, EFFECTIVE MAY 27, 2024.

(9)

APPROVAL TO PROMOTE PURTIY MASON TO A SEASONAL HEAD LIFEGUARD. MOVE FROM GRADE 3 TO GRADE 5, EFFECTIVE MAY 27, 2024.

Motion to approve the Consent Agenda was made by Commissioner Lynn Sitterud, seconded by Commissioner Jordan Leonard, and the motion passed.

DISCUSSION AGENDA

(1)

ITEMS PULLED FROM THE CONSENT AGENDA.

(2)

SAFETY MINUTE PRESENTATION- AQUATIC CENTER, KAYLEE VANWAGONER

Kaylee talked about pool safety.

(3)

AWARDING OF SAFETY VISA GIFT CARDS. (256 DAYS)

Full time employee: Natalie Humphrey

Part-time employee: Suzanne Anderson

Safety Sensitive employees: Kurt Stevens and Kyler Farley

(4)

DISCUSS/APPROVE/DENY EMERY COUNTY SHERIFF'S OFFICE/EMERGENCY MANAGEMENT PROJECT PLANNING TEMPLATES FOR THE FY2024 STATE HOMELAND SECURITY PROGRAM (SHSP) GRANT.

Jeremy Lake discussed the Emery County Sheriff's Office Emergency Management Project for the FY2024 State Homeland Security Program Grant (SHSP). The grant is split with Carbon

County. They have met to discuss how the funds will be spent. Some of it is already allocated for specific things such as citizen safety. Emery County's portion is \$123,034.84. There is no match for the grant. Commissioner Lynn Sitterud made a motion to approve Emergency Management Project Planning Templates for the FY2024 State Homeland Security Program (SHSP). The motion was seconded by Commissioner Jordan Leonard. The motion passed.

(5)

DISCUSS/APPROVE/DENY EMERY COUNTY'S LEPC'S APPLICATION FOR THE UTAH HAZARDOUS MATERIAL EMERGENCY PREPAREDNESS (HEMP) 2024 PLANNING GRANT.

Commissioner Jordan Leonard made a motion to approve Emery County's LEPC application for the Utah Hazardous Material Emergency Preparedness (HEMP) 2024 Planning Grant. The motion was seconded by Commissioner Lynn Sitterud. The motion passed.

(6)

DISCUSS/APPROVE/DENY EMERGENCY SUPPORT FUNCTION #10-HAZARDOUS MATERIALS, WHICH IS PART OF THE EMERY COUNTY EMERGENCY OPERATIONS PLAN.

Commissioner Lynn Sitterud made a motion to approve Emergency Support Function #10-Hazardous Materials as part of the Emery County Emergency Operations Plan. The motion was seconded by Commissioner Jordan Leonard. The motion passed.

(7)

DISCUSS/APPROVE/DENY EMERY COUNTY SHERIFF'S OFFICE APPLICATION FOR THE FY 2024 EMERGENCY MANAGEMENT PERFORMANCE GRANT (EMPG) DISTRIBUTED BY THE UTAH DEPARTMENT OF PUBLIC SAFETY'S DIVISION OF EMERGENCY MANAGEMENT.

Commissioner Lynn Sitterud made a motion to approve Emery County Sheriff's Office application for the 2024 Emergency Management Performance Grant (EMPG) distributed by the Utah Department of Public Safety's Division of Emergency Management. The motion was seconded by Commissioner Jordan Leonard. The motion passed.

(8)

DISCUSS/APPROVE/DENY EMERY COUNTY SHERIFF'S OFFICE STATE TASK FORCE GRANT APPLICATION.

Commissioner Jordan Leonard made a motion to approve Emery County Sheriff's Office State Task Force Grant Application. The motion was seconded by Commissioner Lynn Sitterud. The motion passed.

(9)

PRESENTATION BY TRUDY LUND FOR FOLLOW UP DISCUSSION REGARDING PROPERTY/ZONING.

Trudy Lund of Emery Town presented information regarding zoning issues with businesses adjacent to her in Emery Town.

(10)

PRESENTATION BY UTAH FORESTRY FIRE AND STATE LANDS REGARDING FUELS SPECIALIST UPDATE ON PROJECTS IN EMERY COUNTY AND A SPRING UPDATE BY THE COUNTY FIRE WARDEN, JEREMY JORGENSEN.

County Fire Warden Jeremy Jorgensen provided information regarding fuels reduction projects in the county. He also provided an update of spring activity related to Utah Forestry, Fire and State Lands.

(11)

RATIFICATION OF APPROVAL OF A RESOLUTION APPROVING THE RELEASE OF ROAD CONSTRUCTION AND MAINTENANCE EASEMENT.

Commissioner Lynn Sitterud made a motion to ratify approval of Resolution 5-21-24A authorizing the release of Road Construction and Maintenance Easement. The motion was seconded by Commissioner Jordan Leonard. The motion passed.

(12)

RATIFICATION OF APPROVAL OF TAX DEFERRAL AGREEMENTS FOR KELLY GRAHAM, FOR AND ON BEHALF OF KONI Q. LISTON ON PARCEL 1-187-24 AND FOR AND ON BEHALF OF CONSTANCE Q LISTON ON PARCEL 1-187-25 FOR THE PAYMENT OF REAL PROPERTY TAXES THAT ARE FIVE (5) YEARS PAST DUE.

Emery County Treasurer Josie Stilson requested approval of Tax Deferral agreements for Kelly Graham for and on behalf of Koni Q. Liston on Parcel 1-187-24 and for and on behalf of Constance Q. Liston on Parcel 1-187-25 for payment of real property taxes that are five (5) years past due. He will have until November to pay the balance. Commissioner Lynn Sitterud made a motion to approve of Tax Deferral Agreements for Kelly Graham as requested. The motion was seconded by Commissioner Jordan Leonard. The motion passed.

(13)

DISCUSS/APPROVE/DENY REPLACING THE HUNTINGTON ENTRANCE SIGN DUE TO DAMAGE, AND TO UPDATE TO THE LIFE ENERGIZED BRAND.

Travel Director AnnDee Mead requested approval to replace the Huntington Entrance Sign and update the sign to the Life Energized Brand. She indicated that she has been working with Huntington City on this project. The cost of the project is \$3,696.00. Commissioner Jordan Leonard made a motion to approve replacing the Huntington Entrance sign and updating it to the Life Energized Brand. The motion was seconded by Commissioner Lynn Sitterud. The motion passed.

(14)

DISCUSS/APPROVE/DENY 2024 TAX SALE PROCEEDINGS.

Clerk/Auditor Brenda Tuttle explained that the May Tax Sale was held on May 15th. 1 property sold to Roberto Reyes for \$26,500.00. She requested approval to proceed with producing a Tax Deed for Mr. Reyes. Commissioner Lynn Sitterud made a motion to accept the proceeding of the 2024 May Tax Sale. The motion was seconded by Commissioner Jordan Leonard. The motion passed.

(15)

DISCUSS/APPROVE/DENY CONTRACT BETWEEN EMERY COUNTY AND ARROWHEAD CONSTRUCTION FOR REMODELING PROJECT IN THE CLERK/AUDITOR AND TREASURER'S OFFICES TO INCREASE SECURITY.

A request for bids was issued for a remodel project in the Clerk/Auditor and Treasurer's offices. The remodel is to increase security for the two offices. The State will partially fund the Clerk/Auditor's office remodel since it is the Office of Elections. Time was of the essence due the Primary Election in June so bids were not brought before the Commission for approval, However, the bids were considered due to lowest bid and available time to get the work done. Arrowhead Construction had the lowest bid and was able to get the work done asap. Commissioner Kevin Jensen would like to have had an opportunity to review the bids beforehand. Commissioner Jordan Leonard made a motion to approve a contract between Emery County and Arrowhead Construction for remodeling projects in the Clerk/Auditor's Office and the Treasurer's Office. The motion was seconded by Commissioner Lynn Sitterud. Commissioner Keven Jensen voted nay. The motion passed

(16)

DISCUSS/APPROVE/DENY THE SKYLINE CWMA AGREEMENT FOR THE EMERY COUNTY WEED & MOSQUITO DEPARTMENT.

Cory Worwood, Weed and Mosquito Supervisor requested approval for Skyline CWMA Agreement for the Emery County Weed & Mosquito Department. As Emery County Weed &

Mosquito is a cooperative member of this organization we agree to cooperate between the parties to provide time, effort, and materials to treat infestation areas within the Skyline CWMA to achieve healthy and productive natural and agricultural ecosystems in accordance with the financial plan outlined in the agreement. The agreement would be in effect until 2029.

Commissioner Jordan Leonard made a motion to approve an agreement with Skyline CWMA for the Emery County Weed & Mosquito Department. The motion was seconded by Commissioner Lynn Sitterud. The motion passed.

(17)

DISCUSS/APPROVE/DENY THE ISM RUSSIAN OLIVE GRANT AGREEMENT FOR 2024-2025.

Cory Worwood requested approval for the ISM Russian Olive Grant Agreement for 2024-2025. They agree to treat Russian Olive on the west tributary of the San Rafael River. The Grant is for \$50,000. For 2024-2025. Commissioner Lynn Sitterud made a motion to approve the ISM Russian Olive Grant Agreement for 2025-2025. The motion was seconded by Commissioner Jordan Leonard. The motion passed.

(18)

DISCUSS/APPROVE DENY ADVERTISING AN RFP FOR HVAC WORK REQUIRED AT THE COUNTY ADMINISTRATIVE BUILDING.

Facility Maintenance Supervisor Kyle Scow requested approval to advertise an RFP for HVAC work required at the County Administrative Building. Commissioner Lynn Sitterud made a motion to approve advertising an RFP for HVAC work required at the County Administrative Building. The motion was seconded by Commissioner Jordan Leonard. The motion passed.

(19)

DISCUSS/APPROVE/DENY FUNDING REQUEST BY THE BRIDGE PROGRAM.

Dr. Engar with CastleView Hospital requested funding for the Bridge Program which helps fund those individuals struggling with opioid abuse pay for the use of the ER as they work through the process of recovery. Bridge representatives made a presentation in a previous Commission Meeting and requested a portion of the Opioid Settlement funds coming into the County for the next twenty years. The program requires \$61,481 a year to run the program. Emery County has already allocated funds to Four Corners. The Opioid funds will dwindle as the years progress. Commissioner Leonard suggested funding for three years (3) and then revisit the request based on the funds available. Commissioner Jordan Leonard made a motion to fund the \$6,481.00 for three (3) years. The motion was seconded by Commissioner Lynn Sitterud. The motion passed.

(20)

DISCUSS/APPROVE/DENY AWARDING MAGNUSON LUMBER'S APPLICATION TO THE BUSINESS IMPROVEMENT GRANT PROGRAM

Patsy Stoddard requested approval for Magnuson Lumber's application for \$4,850.00 which will take the program to the end of its funding cycle for 2024. She informed the Commissioners that 23 businesses have been helped in 2024. The Business Improvement Grant Program is currently pursuing grants for funding possibilities to keep the program going. Commissioner Jordan Leonard made a motion to approve Magnuson Lumber's application to the Business Improvement Grant Program. The motion was seconded by Lynn Sitterud. The motion passed.

(21)

DISCUSS/APPROVE/DENY RESOLUTION AUTHORIZING EMERY COUNTY PICK UP OF PUBLIC SAFETY EMPLOYEE RETIREMENT CONTRIBUTIONS.

Mary Huntington requested approval for Resolution 5-21-24A a resolution to formally pick up a portion of the employee contributions required to be paid under Subsection 49-23-301 (2) © and as enacted in S.B. 56 Public Safety Tier II Retirement Enhancements (2020 General Session) and modified by S.B. 140, Utah Retirement System Amendments (2024 General Session), for all county employees participating in the Public Safety Tier II Contributory Retirement System. Commissioner Lynn Sitterud made a motion to approve Resolution 5-21-24A. The motion was seconded by Commissioner Jordan Leonard. The motion passed.

(22)

DISCUSS/APPROVE/DENY RESOLUTION AUTHORIZING A ONE TIME STIPEND FOR PUBLIC EMPLOYEES IN THE TIER 2 HYBRID CONTRIBUTORY RETIREMENT SYSTEM.

Mary Huntington requested approval for Resolution 5-21-24B a resolution authorizing a one time stipend for public employees in the tier II Hybrid Contributory Retirement System. The County employs employees who are eligible for and participate as members in the New Public Tier II Hybrid Contributory Retirement System. These employees shall pay the amount of the certified contribution rate that exceeds the 10% of the compensation paid by the participating employer. The County desires to offset the 70% of compensation employees in the New Public Tier II Hybrid Contributory Retirement System shall pay after tax by giving them a one time stipend of \$500.00. This would be for current employees in the new system prior to 7-1-24. This will be on paycheck issued on 7-12-24. Commissioner Lynn Sitterud made a motion to approve Resolution 5-21-24B. The motion was seconded by Commissioner Jordan Leonard. The motion passed.

(23)

DISCUSS/APPROVE/DENY PROFESSIONAL DEVELOPMENT MICRO-GRANT FOR THE UTAH STATE HISTORICAL RECORDS ADVISORY BOARD GRANT APPLICATION.

Suzanne Anderson, Emery County Archives requested approval for Professional Development Micro-Grant for the Utah State Historical Records Advisory Board Grant Application. The amount is \$500.00 which she would use to pay the fees for formal training courses offered by the State Archives that would benefit the Archives Department. Commissioner Lynn Sitterud made a motion to approve a Professional Development Micro-Grant for the USHR Advisory Board Grant application. The motion was seconded by Commissioner Jordan Leonard. The motion passed.

(24)

DISCUSS/APPROVE/DENY THE REORGANIZATION OF THE SRSSD TO INCLUDE ALL EMERY COUNTY CITIES.

Commissioner Keven Jensen discussed the possibility of reorganizing the SRSSD to include all the Emery County Cities. In a meeting with contractor Andrew Fry from the SRSSD Mr. Fry indicated that he was asked by the Federal Department of Energy to apply for Energywerks' application to hire someone to do a study on transitioning to green energy. A bipartisan infrastructure bill has set aside billions of dollars to help fossil fuels burden areas with transitioning. They are looking at seven locations and our area is one of the seven.. The idea behind this is if we could get some of this money we could potentially build a nuclear power plant potentially in Green River. He would like to look at changing the boundaries of the SRSSD to include the cities and towns of Emery County and have the mayors be on the board. As far as the Research Center is concerned he would still like to see it go to the state. We will know if we are in the running for this idea within a year. Mr. Fry has indicated that this is an opportunity for Emery County to choose its destiny with the war on coal,fossil fuels and climate change push. So far this has been received favorably by the mayors.

Commissioner Lynn Sitterud made a motion to table item # 23 and 24 until we have had an opportunity to discuss this with the legal council.

Commissioner Sitterud indicated that the cities and towns are already in SSD. Commissioner Jensen stated that the specific purpose of SRSSD is renewable energy systems. The other districts have their specific services and uses.

Commissioner Sitterud indicated that since Commissioner Jensen came into office the SSRSSD as he has voiced his opinion that it is illegal and needs to be dissolved.

Commissioner Leonard voiced the opinion that if we are going to keep the District the mayors should be involved. He agreed that we need to visit with our legal council.

Commissioner Sitterud felt that this could be a good item for discussion at the next COG Meeting.

(25)

DISCUSS/APPROVE/DENY WHAT THE COUNTY'S DESIRES ARE FOR ENERGYWERKS FUNDING.

(26)

COMMISSION/ELECTED OFFICIALS REPORT.

Sheriff Huntington discussed an incident that happened at a track meet a few days ago. It is an ongoing investigation so he cannot discuss it much. A few days after the incident he began to be criticized for not providing the booking photo of the proposed perpetrator. He stated he is restricted by state law from doing that. He is bound for the care and protection of the perpetrator after the arrest is made..

Commissioner Leonard talked about High School graduation. Reminded students to stay safe.

Larry Ellertson talked about concern for what BLM is doing.

(27)

ADJOURNMENT

Motion to adjourn the meeting was made by Commissioner Lynn Sitterud, seconded by Commissioner Jordan Leonard, and the motion passed.

ATTEST: _____ COMMISSIONER: _____