

COMMISSION MINUTES

June 24, 2024

Minutes of the regularly scheduled meeting of the Sevier County Commissioners held this twenty-fourth day of June 2024. Meeting commenced at 1:30 p.m. with Commissioners Scott Johnson, Greg Jensen, and Ralph Brown in the Commission Chambers of the Sevier County Administration Building, 250 North Main, Richfield, Utah. Executive Director Malcolm Nash, County Attorney Casey Jewkes, Clerk/Auditor Steven C. Wall, and Deputy Clerk/Auditor Barbara Crowther were also present.

Commission Business:

Commissioner Jensen spoke about the Rail Project of the 7 County Coalition Board, noting the 10th circuit court in Washington DC had put a halt to the project, and this morning it was noted that the Supreme Court will look at the case and could possibly overturn that decision.

Commissioner Brown talked about the proposed Brooklyn Special Service District, noting the matter is on the agenda today. He also said that the Fair books are out, noting there will be additional gates and panels installed at the Fairgrounds.

Commissioner Johnson noted that the Eyes to the Sky Balloon Festival was well attended, the streets were full, and there were a lot of activities and vendors there. He said they were unable to launch the balloons any of the days. He wanted to thank the Festival Committee and Salina City for the work they had done in putting the Balloon Festival on every year. He said that Fox 13 News was there on Friday morning speaking with Amy Myers about things happening in the County. He also noted the Fraud Risk Report for Sevier County was out, and included in the paperwork today. He said he would be signing that report today. Clerk/Auditor Steven Wall said that this report will complete the annual independent audit information.

Minutes of Commission Meeting and Worksessions approved:

Minutes of the June 10th Commission Meeting, June 10th and 17th Worksessions, and the Public Hearing held on June 18th were reviewed and approved on a motion by Commissioner Jensen, second Commissioner Brown, unanimous.

Single Event Liquor Permit for Bar 86 LLC approved:

The Commission then reviewed a request for a single event liquor permit for Bar 86 LLC. Discussion followed that the Sheriff had given his approval. After discussion, Commissioner Brown moved to ratify the signing of the single event liquor permit for Bar 86 LLC for the Department of Alcoholic Beverages, second Commissioner Jensen, unanimous.

No action taken on Greenbelt Appeal:

The Commission then considered a late greenbelt appeal on parcels 4-205-12 and 4-206-37. Commissioner Brown suggested that they take no action today as needed additional information is needed.

Refunds for overpayments on Personal Property approved:

Jessica Nielson, Assessor's Office, said there were several businesses that turned in their personal property statements with mathematical errors. She recommended refunding the businesses for the overpayments, noting that the total refund amount would be approximately \$1,007. After discussion, Commissioner Jensen moved to approve the refunds for personal property as recommended, Commissioner Brown, seconded, unanimous.

At 1:42, Commissioner Jensen moved to close the regular meeting for a public hearing, second Commissioner Brown.

Public Hearing to consider Opening the 2024 Budget:

Commissioner Johnson opened a public hearing to consider opening the current budget to make adjustments and consider requests to provide funds in excess of those provided for in the 2024 budget. Clerk/Auditor Wall explained the reason for the budget to create a new department as the County will be taking over the Senior Nutrition program, and the budget will need to be increased to fund the new department. He also said that there was an additional \$3,600 for the Economic Development Department.

Kylee Boyter, Richfield Reaper, asked about the number of new employees (12) for the County, and the amount of funding for the program. Mr. Wall said it would be approximately \$408,000 for the program. The Commission noted that there would still be some funding coming from R6 to fund the program. Ms. Boyter asked why there would be a change in who administers the program. Commissioner Johnson said that R6 was trying to move those programs 'closer to the County' and that the County will be able to provide the same program. Commissioner Jensen said that R6 was the last Association of Governments that was still administering the Senior Nutrition Program in the entire state.

The regular meeting then resumed at 1:50 p.m.

After discussion, Commissioner Jensen moved to approve opening the 2024 budget with the recommended increase of \$411,600, second Commissioner Brown, unanimous.

Final Tax Rates for 2024 adopted:

The Commission then reviewed the recommended final tax rates for 2024. Clerk/Auditor Wall reviewed how the rates were calculated, the State's Certified Tax Rate System, and noted that the rates will generate the same amount of dollars from last year. Mr. Wall said that the rates did increase a little because of the lower values, and recommended approval of the recommended tax rates. He said that if the rate is approved, the County will then complete the process and send out Disclosure Notices to all landowners. He clarified that these rates would be for 2024 year. After discussion, Commissioner Brown moved to adopt a Resolution Adopting the final tax rates for 2024, second Commissioner Jensen, unanimous.

Indigent Defense Commission Agreements signed:

The Commission then met with JoHanna Williams regarding funding from the Indigent Defense Commission. She reviewed the Award Agreement for the funding, and a Memorandum

Agreement for Title 4 funding, noting that these funds are for increasing parental defense, supplemented by the Indigent Defense Agreement. She explained that there is a gap in funding for child welfare cases, and she is asking the County to enter into an agreement to request reimbursement for child welfare cases and enhance criminal defense. Attorney Jewkes said it was a standard contract that is entered into with the State. Commissioner Johnson thanked her for bringing this to their attention. Commissioner Jensen noted that this is not money that we have been getting in the past, but this will provide for reimbursement of 50% of the costs. After discussion, Commissioner Jensen moved to approve both the Grant Agreement and the Title 4 Funding Agreement for the Indigent Defense Commission, second Commissioner Brown, unanimous.

Ms. Williams then reviewed the Agreement for the 2025 fiscal year, Attachment A. She noted that the Indigent Defense Commission approved slight increases for the providers, but did not provide funds for the increases. She listed the location of the providers, noting that several of them are from outside the County. After discussion, Commissioner Brown moved to approve the Indigent Defense budget as outlined in Attachment A, second Commissioner Jensen, unanimous. The Commission thanked her for the information, and the work she is doing.

Utah Department of Agriculture Grant Agreement signed:

The Commission then considered a Grant Agreement with the Utah Dept of Agriculture and Food for Weed Abatement. The Commission noted that this is the paperwork for the grant funding. After discussion, Commissioner Jensen moved to approve the Grant Agreement and authorize the Clerk/Auditor to sign the agreement, second Commissioner Brown, unanimous.

Items declared surplus, authorized for sale:

The Commission then considered a list of personal property items that departments have requested be declared surplus. After discussion, Commissioner Jensen moved to declare the items on the list surplus and authorize disposal as indicated, second Commissioner Brown, unanimous.

Resolution Proposing Establishment of Brooklyn Special Service District approved:

Parker Vercimak, Jones & DeMille, then met with the Commission to review the boundaries for the proposed Brooklyn Special Service District to provide water and utility services to the Elsinore Addition and surrounding areas. Mr. Vercimak said that this project will not necessarily increase the availability of the water, but it will provide a clean source of water. He said that additional water may be available in the future, but the other services (garbage) will be available immediately. He then reviewed the timeline of the project, including the public hearing and protest periods. Discussion followed concerning the number of lots in the Elsinore Addition, the number of meters at this time, that once the Special Service District is created they will be able to negotiate with Elsinore Town for additional water, and that short of purchasing additional water they are unable to grow more than what is currently available. The Commission noted that this is a long-term project. After discussion, Commissioner Brown moved to approve Resolution 2024-6-17A Proposing the Establishment of the Brooklyn Special Service District to provide water and garbage utility services, Calling a Public Hearing, and providing notice thereof, second Commissioner Jensen, unanimous.

Ensign Engineering Additional Services Agreement approved:

Recorder Jason Monroe met with the Commission concerning an addendum to the Ensign Engineering Monument Restoration Project. He said this is an ongoing project, that they received a little less funding from the State this year as more counties are applying for the funds, and he reviewed the area they would be working in. After discussion, Commissioner Jensen moved to approve the Additional Services Agreement with Ensign Engineering, second Commissioner Brown, unanimous.

Change to County Fee Schedule approved:

Mr. Monroe then reviewed a bill passed by the Legislature with the intent that Counties redact personal information on documents upon request. He is requesting a \$5 fee be added to the County fee schedule for that service. After discussion, Commissioner Brown moved to approve the fee schedule adjustment, second Commissioner Jensen, unanimous.

South Valley Ranch Estates Phase 1 approved:

The Commission then considered an application for the South Valley Ranch Estates Phase 1, a major subdivision. Building Department Administrative Assistant Mistee Robbins noted that a road agreement had already been signed for the subdivision, and that the Planning Commission had recommended approval of the subdivision in their recent meeting. After discussion, Commissioner Brown moved to approve the South Valley Ranch Estates Phase 1, a major subdivision, second Commissioner Jensen, unanimous.

Tier 2 Retirement Contribution increase to be paid by Sevier County:

The Commission then reviewed a Resolution authorizing Sevier County to pick up the additional retirement contribution for public safety employees. HR Director Craig Blake said this is allowed by the legislature and noted that the required contribution rate for Utah Retirement Systems is above the required amount from the County. After discussion, Commissioner Jensen moved to approve the Resolution Authorizing a Quarterly Stipend for Public Employees in the Tier 2 Hybrid Contributory Retirement System Plan, second Commissioner Brown. Roll call vote: Commissioner Brown voting aye, Commissioner Johnson voting aye, and Commissioner Jensen voting aye.

Mr. Blake then discussed the Tier 2 non-Public Safety employees, noting their contribution amount is now above what the employer is required to pay. He asked the Commission to allow a quarterly stipend to offset that retirement cost for the non-Public Safety Tier 2 employees as well. After discussion, Commissioner Brown moved to approve a stipend for the non-Public Safety Tier 2 employees as well, Commissioner Jensen second, unanimous.

Travel Council Recommendations approved:

Tourism Director Amy Myers met with the Commission to review the recommendations of the Travel Council from their recent meeting. She reviewed the events and their recommendations, and noted that she is working with the recently hired ad agency this week on getting familiar with and promoting the area. She said that she is working on getting a grant to cover some of the

cost for the agency. After review and discussion, Commissioner Brown moved to approve the Travel Council recommendations, second Commissioner Jensen, unanimous.

Memorandum of Understanding with Utah Department of Public Safety approved:

Children's Justice Center Director Karen Ashby met with the Commission requesting approval of a Memorandum of Understanding for funding for mental health resources for first responders. Ms. Ashby explained that this replaces funds that are no longer available to the County. She reviewed the program and noted that they have expanded those who qualify to include forensic interviewers, etc. She said the State will require quarterly reports showing use of the funds, and noted that the amount is approximately \$21,000. After discussion, Commissioner Jensen moved to approve the Memorandum of Understanding with the Utah Department of Public Safety, second Commissioner Brown, unanimous.

There being no further business to come before the board, meeting adjourned at 2:36 p.m.