

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

JULY 22, 2014

Present at the meeting was Commission Chairman Jeff Horrocks, Commissioner Ethan Migliori, Commissioner JR Nelson, Attorney David Blackwell, Deputy Clerk/Auditor Carol Cox, elected officials and citizens.

CONSENT AGENDA

(1)

APPROVAL OF CHECK EDIT LIST, REQUISITIONS, AND DISPOSITIONS.

The Warrant check Edit List # 231538 through and including #231683 were presented for payment.

Requisitions were presented for the following:

<u>REQUISITION</u>	<u>DESCRIPTION</u>	<u>AMOUNT</u>
43-14	Suitmate/exchange Aquatic Center	\$ 725.00
44-14	Air conditioner/Castle Dale Library Library	1,695.00
45-14	Renewal Services Sheriff/DTF	1,200.00
46-14	Drum Management System Highway	1,009.47
47-14	Parts spray washer Highway	4,325.00
48-14	Trailblazer 325 EFI Welder Highway	5,300.00

There were no dispositions.

(2)

APPROVAL OF OUT OF STATE TRAVEL FOR DENNIS WORWOOD TO ATTEND PROFESSIONAL IMPROVEMENT CONFERENCE FOR THE NATIONAL ASSOCIATION OF COUNTY AGRICULTURAL AGENTS IN MOBILE, AL.

(3)

APPROVAL OF OUT OF STATE TRAVEL FOR KYLE EKKER, JEROD CURTIS, JOHN BARNETT, AND GARRETT CONOVER TO ATTEND CNOA ANNUAL CONFERENCE IN ANAHEIM, CA.

(4)

APPROVAL OF OUT OF STATE TRAVEL FOR GARRETT CONOVER, JEROD CURTIS, AND JEFF THOMAS AT ATTEND UNOA ANNUAL CONFERENCE IN MESQUITE, NV.

(5)

APPROVAL OF A 3% WAGE INCREASE FOR LEVI JENSEN, KELVIN CHILDS, KRISTA WRIGHT, AND SCOTTEE BOWER AFTER SUCCESSFUL COMPLETION OF THEIR 6 MONTH ORIENTATION PERIOD. EFFECTIVE 8-4-14.

(6)

APPROVAL OF A 3% WAGE INCREASE FOR ABBY JENSEN AFTER SUCCESSFUL COMPLETION OF HER 6 MONTH ORIENTATION PERIOD. EFFECTIVE 8-4-14.

(7)

APPROVAL OF 3% WAGE INCREASE FOR STERLING MILLER FOR SUCCESSFUL COMPLETION OF HIS 6 MONTH ORIENTATION PERIOD AND PROMOTE HIM TO AN EQUIPMENT OPERATOR/DRIVER II GRADE 17 FOR TWO PLUS YEARS OF EXPERIENCE AS AN OPERATOR. EFFECTIVE 8-4-14.

(8)

APPROVAL OF THE FOLLOWING VOLUNTEERS FOR THE DESERTVIEW PRO RODEO 2014: KLAYTON LAWS, DERRI JEWKES, JAMES HUGGARD, BRET JEFFS, GAYLE LAFRANTZ, LINDSEY OMAN, HEATHER ATWOOD, JACKIE ARRINGTON, SHELBY LAWS, GARY ARRINGTON, JULIE JONES, WILL PAYNE, MISTY CHRISTIANSEN, AND

KIRK CHRISTIANSEN.

(9)

APPROVAL OF THE FOLLOWING VOLUNTEERS FOR THE EMERY COUNTY FAIR 2014: JULIE JONES, PATSY STODDARD, CASSIE THATCHER, HEATHER ATWOOD, JACKIE ARRINGTON, GARY ARRINGTON, DEVIN LEROY, ANDREA LEROY, ROXANNE JENSEN, LAROLE LARSEN, AND SYDNI EKKER.

(10)

APPROVAL OF COMMISSION MEETING MINUTES DATED JULY 8, 2014.

Commissioner Ethan Migliori made a motion to approved the Consent Agenda. The motion was seconded by Commissioner JR Nelson. The motion passed.

DISCUSSION AGENDA

(1)

ITEMS PULLED FROM CONSENT AGENDA.

Nothing

(2)

ERIC JOHNSON, DISCUSSION AND CONSIDERATION OF APPROVAL TO RESOLUTION AND INTERLOCAL AGREEMENT CREATING THE SEVEN COUNTY INFRASTRUCTURE COALITION.

Eric Johnson, Attorney for the Seven County Infrastructure Coalition came before the Board of Commissioners to answer questions regarding the resolution and interlocal agreement to create the Seven County Infrastructure Coalition. He talked about the difference between an interlocal entity versus a special service district. Questions were as follow:

Commissioner Nelson: Commissioner Nelson asked what is the financial cost to the county?

Mr. Johnson: None. Projects have to be self sustaining. Only projects that will pay for themselves will be considered. There is no commitment from any county to provide any financial support for any project.

Commissioner Nelson: What is the liability to the county?

Mr. Johnson: The interlocal entity is a separate and independent public body. Emery County

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will not be liable for what this body does.

Commissioner Horrocks: Once a project is completed does it become taxable?

Mr. Johnson: I do not have enough details to give a definitive answer. The entity can own assets that may or may not be exempt from taxation.

Mike: A possible railroad project or pipeline project would have to have substantial funding to make it happen. If privately owned it would be taxable.

Mr. Blackwell: Does the 7 County Coalition have access to Right-Of-Ways?

Mike: They would use existing Right-Of-Ways. They would still have to go to the county to be granted any Right-Of-Way. There will be no shortcutting of any processes. Private entities would still have to grant Right-Of-Way.

Senator David Hinkins: This all started with Uintah, Carbon, Emery and Grand County looking for a way to improve economic development and assist in transporting and transmission lines.

Bill Dellos: Does this change emergency services from one county to another?

Mr. Johnson: He stated he was not aware of anything that would change.

Mayor Pat Brady: He indicated that he has attended a few of the meetings and felt this was a good thing to help projects get off and going.

Jeff Guymon: Who is the funding source? Where do the funds come from? Someone needs to provide collateral for bonding.

Mr. Johnson: On a project by project basis that will vary. There may be state funds, federal funds that they may qualify for with very favorable terms. There may be private involvement. The idea of acting as a 7 county group carries more clout.

Jeff Guymon: Why does government have to be involved? Why can't the oil companies combine support to get a project done?

Senator Hinkins: If we give support as a community and say that we want these jobs. It makes it more appealing to the private companies.

Jeff Guymon: I'm not against bringing in more jobs, just the method for getting the jobs here.

Mr. Johnson: An example of public/private involvement is in Carbon County when working on 9 Mile Canyon. Private oil companies matched money with the grants that the county acquired to do the project.

Jeff Guymon: Are these documents available for the public to view?

Jeff Guymon: Is there an example of another body that has done this?

Mr. Johnson: The Intermountain Power Project in Delta involved 26 communities and California communities.

Paul Cowley: What is the negative about this?

Mr. Johnson: There isn't any one particular project that has advanced far enough that we can speak to the details of that project will be structured. Studies will need to be done to make determinations as to what projects will be pursued. You have got to create the entity to attract the grant to do the study to flush out the project and then work out the details of the project.

Paul Cowley: When a project is proposed and completed does the county receive money back as a result of that project? If so how is that money split?

Mr. Johnson: That will depend on the project and how it impacts that county. The interlocal

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agreement indicates that 70% goes to the project, 20% for all 7 counties and 10% to the coalition for the next project.

Mike McCandless: One of the guiding reasons for all of this is oil and gas production and the cost of getting product to market. We are competing with the oil and gas producers investing in other states. We are trying to find ways to reduce the cost of developing infrastructure. We want them to invest in Utah and keep dollars in Utah vs doing business in other states.

Commissioner Migliori: That becomes compounded when we have a potential refinery in Green River. If oil companies pull out of the area that could be devastating to the refinery that could potentially bring in jobs and income for Emery County. It became critical to find ways to support them. We can't always do it monetarily, but we can do it politically.

Patsy Stoddard: How many of the 7 counties are on board?

Mr. Johnson: 5 of the 7 counties have signed off on the resolution and interlocal agreement. Grand and Emery are not in yet.

Wayde Nielsen: Does this bind all 7 counties to every project?

Mr. Johnson: There will be a subsequent document for each project. They are creating the entity to go out and do studies to advance projects and obtain funding to do the project.

Sheriff Funk: This means the 7 county group will be competing with other entities for CIB funds.

Mr. Johnson: 4 of the 7 counties have representatives on the CIB board.

Commissioner Nelson: Mineral lease funds that come into the county could be increased.

Paul Cowley: It is not that Emery County is dragging their feet it is just that Emery County has concerns and wants answers.

Mayor Brady: If it turns out to be a bad thing is there a termination clause so we can withdraw from the group?

Mr. Johnson: There is an exit clause.

Jeff Guymon: Who determines who wins and who loses? Who determines what part the private sector plays?

Mr. Johnson: The public/private situation has to be open to the public process. Those who back the project the best win. There has to be a contract when working with the public property.

Paul Cowley: Does the group have its own governing board?

Mr. Johnson: The governing board is made up of 1 elected official from each participating county.

Paul Cowley: Who goes to the state to pursue CIB funding?

Mr. Johnson: Staff members.

Commissioner Horrocks: This all started with Economic Directors saying what can we do to help each other.

Paul Cowley: Has this come to the attention of the powers that be at a state level?

Mike McCandless: Yes. We have met with several legislators as well as other counties who are looking at doing something similar to help their situation.

Jeff Guymon: He suggested putting the document on the County's website for the public to view.

Paul Cowley: What is the reason for the urgency in passing this resolution and interlocal agreement?

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Mike McCandless: Because we are reaching trimester funding period for CIB.

The questions and comments ended.

Commissioner Ethan Migliori made a motion to approve a Resolution and Interlocal Agreement creating the Seven County Infrastructure Coalition. The motion was seconded by Commissioner JR Nelson. The motion passed.

(3)

APPROVE APPOINTMENT OF JOSHUA ROWLEY AS A MEMBER OF THE EMERY COUNTY TRAVEL BUREAU.

Commissioner Ethan Migliori made a motion to approve appointment of Joshua Rowley as a member of the Emery county Travel Bureau. The motion was seconded by Commissioner JR Nelson. The motion passed.

(4)

APPROVE APPOINTMENT OF JAMES NIELSEN AS A MEMBER OF THE WEED/MOSQUITO BOARD.

Commissioner JR Nelson made a motion to appoint James Nielsen as a member of the Weed/Mosquito Board. The motion was seconded by Commissioner Ethan Migliori. The motion passed.

(5)

CONSIDERATION AND APPROVAL OF CONTRACT BETWEEN EMERY COUNTY AND STATE OF UTAH FOR A \$100,000.00 GRANT TO CONTINUE THE RUSSIAN OLIVE ERADICATION PROJECT.

Commissioner JR Nelson made a motion to approve of a contract between Emery County and State of Utah for a \$100,000.00 grant to continue the Russian Olive Eradication Project. The motion was seconded by Commissioner Ethan Migliori. The motion passed. Commissioner Horrocks explained that the grant will be matched by NRCS. Emery County will match with in-kind work on the project.

(6)

FOLLOW-UP DISCUSSION OF FLOODING IN SOUTHEAST CASTLE

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DALE/COTTONWOOD CREEK REQUESTED BY CITIZENS LIVING IN THE AREA.

Commissioner Ethan Migliori made a motion to table this matter. The motion was seconded by Commissioner JR Nelson. The motion passed.

(7)

CONSIDERATION AND APPROVAL OF RIGHT-OF-WAY EASEMENT FOR THE SOUTH HUNTINGTON CANYON DEBRIS BASIN BETWEEN ANDALEX RESOURCES, INC. AND PACIFICORP DBA ROCKY MOUNTAIN POWER.

Commissioner Ethan Migliori made a motion to approve of right-of-way easement for the south Huntington Canyon Debris Basin between Andalex Resources, Inc. and Pacificorp dba Rocky Mountain Power upon receipt of funding. The motion was seconded by Commissioner JR Nelson. The motion passed.

(8)

CONSIDERATION AND APPROVAL OF CELL PHONE STIPEND FOR CORY WORWOOD.

Commissioner JR Nelson made a motion to approve of a cell phone stipend for Cory Worwood. The motion was seconded by Commissioner Ethan Migliori. The motion passed.

(9)

COMMISSION/ELECTED OFFICIALS REPORTS.

Commissioner Nelson

Commissioner Nelson reported that they have began dredging Millsite Reservoir. He reported receiving a letter from the Governor's office regarding show of support for the Public Lands Initiative. He applauded all the volunteers approved today for the rodeo and fair. He expressed a need to revisit the tippage fees at the Landfill and enforcing the ordinance that is in place. He talked about reinstating the flood tax to generate funds to help with flooding problems in Huntington Canyon and Castle Dale as well as other places in the county.

Commissioner Migliori

Commissioner Migliori reported on the recent stock show in Ferron. Again there was record

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participation. He complimented USU Extension Service and the stock show committee. The Desertview Rodeo begins this weekend and the Emery County Fair will begin next week. Watch for the Fair Guide to be in the Progress this week. He gave a report of activity during his recent trip to Washington, DC. He had good discussions with key legislators regarding Goblin Valley Expansion.

Commissioner Horrocks did not have a report at this time.

(10)

ADJOURNMENT

The meeting was adjourned.

ATTEST: _____ COMMISSIONER: _____