

**COMMISSION MINUTES**  
**September 22, 2014**

Minutes of the regularly scheduled meeting of the Sevier County Commissioners held this twenty-second day of September, 2014. Meeting commenced at 1:30 p.m. with Commissioners Gary Mason, Gordon Topham, and Garth 'Tooter' Ogden in the Commission Chambers of the Sevier County Administration Building, 250 North Main, Richfield, Utah. Clerk/Auditor Steven C. Wall and Executive Director Malcolm Nash were also present.

**Public Hearing to consider changing the zone in the Elsinore Addition from A5 to RA:**

The Commission then opened a public hearing to hear comments on the proposed zone change in the Elsinore Addition from A5 to RA.

Mary Lou Gill asked why they are looking at changing the zoning to a residential zone with all of the restrictions, especially not allowing animals where some of the residents already own animals.

The Commission responded that some animals will be allowed to a certain extent, but not as many.

Howard Hatch indicated his concerns that a lot of people won't be benefited. There are several that raise chickens to sell the eggs, and they may be curtailed from doing this. He also indicated that the property rights of individuals should give them a wide latitude in what they can do with their property and not be so restricted. The more restrictions there are mean that the people will be less likely to be happy. He also questioned if there was a way the County could help Elsinore Town in providing more water storage, which would allow them the opportunity to allow more water hookups in the area.

The Commission then asked Zoning Administrator Hanson to explain some of the differences in the RA and A5 zones. Mr. Hanson explained that with the A5 the zoning requires 5 acres which none of them have in that area at this time, versus the RA zone which will allow for the smaller lots and better fits the properties that are in that area now. He did remind them that some animals will be allowed to be there, such as home-based businesses with the chickens. The concern they have is with the small lots, the RA does not allow for industrial or commercial sites, or businesses outside the home, and with lots that size they are concerned with any businesses moving into the area. He indicated that any businesses that are currently legal will be grandfathered in, but there will be some concern and the need to address businesses that are there illegally.

Dorothy Linfor indicated she had planned on a future home-based business of small birds, which she was told she would still be able to do as the small birds as she would still meet the criteria. She said she expected some restrictions, but would still be able to raise them. She also said that since the beginning of the clean-up projects, that some of the lots are worse than they were before. She specifically indicated that she has empty trailers next door to her home that have not been cleaned up, and actually more garbage has been placed around them or on their lots.

The Commissioners indicated they would try to do some follow up and try to determine what has been happening in that area, noting that there had been a change in one of the ecclesiastical leaders in that area, and they are not sure if things are being followed through on, but they would check into that.

Jared Peterson, representing Ralph France, and Ralph France then discussed with the Commission his business which has been in operation for over 40 years that includes trucking and machine repair as well as agricultural farming. Mr. France said he had at one time checked on the zoning for that area, and had been told that his business was legally operating at that time. His hope is that he will be able to continue using the land as he has been doing in prior years with his trucking business, as well as the equipment repair shop. At one time he said he inquired about a business license, and was told that he did not need one because he was also operating a business in Richfield City, and has a license there. The Commissioners suggested he work with Zoning Administrator Larry Hanson on his specific issues.

Linda Yokomori indicated that she was aware that half of the lots were not getting cleaned up. The Commissioners reminded everyone that they would again check with the ecclesiastical leaders to see what was happening.

The Commission closed the public hearing at 2:00 p.m. The Commissioners thanked everyone for coming and offering their comments.

**Commission business:**

Regular meeting then commenced. Commissioner Ogden reported that White's Sanitation had taken a load of metal from the Elsinore Addition clean-up to be recycled, and that the check would come to Sevier County to help re-imburse the cost of providing the dumpsters for the clean-up. He then reported that fire departments from Monroe, Richfield, and Elsinore would be burning the piles of wood later this week that were gathered during the clean-up, and that there had been demolition permits authorized for three of the mobile homes that are vacant. He also reported that they were planning on keeping the dumpsters in the Elsinore Addition for a while to allow for additional clean-up to be done.

Commissioner Topham said he had received a thank you letter from the Central Utah Food Sharing program for the money they had donated. He then reported on his trip to Washington DC with other representatives from the Western States to speak with the Senators and Representatives about the PILT and SRS monies. He said they are all in favor of budgeting the funds, but they are finding a method of funding those monies.

**Minutes of September 8<sup>th</sup> Commission Meeting approved:**

Commissioner Ogden then moved to approve the minutes of the September 8<sup>th</sup> Commission Meeting, second Commissioner Mason, unanimous.

**Travel Council recommendations approved:**

Tourism Director Kevin Arrington reviewed with the Commissioners the recommendations from the Travel Council. After discussion, Commissioner Mason moved to accept the recommendations, second Commissioner Ogden, unanimous.

**Jr. Fairboard scholarships awarded, County booth wins Grand Prize at State Fair:**

Events Coordinator Paula Martin presented Lacey Savage as a winner of the Sevier Junior Fairboard \$500 Scholarship, and noted that Cameo Fountain was also a winner of the \$500 scholarship. She indicated that these ladies had helped during the Fair, and were eligible for the scholarship money. She said that there were five who had helped, and these were the two eligible assistants. The Commission thanked them for their help and support during the Fair.

Ms. Martin also reported that she had received the Grand Prize for the County Booth at the State Fair. She said there were 18 booths there this year, and she received a ribbon and \$200 in prize money. The Commissioners thanked her for the work she is doing for the County Fair and the State Fair.

**Consolidated Dispatch Services Agreement approved:**

Kathy Quarnberg, Director of the Consolidated Dispatch Services Center, reviewed with the Commissioners the Cooperative Agreement for July 2014 through June 2015. She indicated there was an increase of approximately \$4,100 to the entities with an increase to the State of approximately \$10,000 to provide the services. The total County share of the costs would be approximately \$102,400, with an additional \$135,100 from the 911 Funds. After discussion, Commissioner Mason moved to accept the recommendation from the Sheriff and approve the agreement, second Commissioner Ogden, unanimous.

**Bend in the Road Subdivision, Phase III approved with conditions:**

Rex Friant, Surveyor, and Zoning Administrator Larry Hanson reviewed with the Commission the Bend in the Road Subdivision, Phase III for one building lot and dedicated open land. Mr. Friant indicated that the water change required by the Planning Commission was in the process with the final comment day being tomorrow. Zoning Administrator Larry Hanson reported that the Planning Commission is recommending approval of the subdivision upon final approval of the water change from the State. After discussion, Commissioner Ogden moved to approve the Bend in the Road Subdivision, Phase III conditional upon the receipt of the final approval of the water change from the Division of Water Rights, second Commissioner Mason, unanimous.

**Predator Damage Control Agreement for 2015 approved:**

The Commission then discussed the Agreement for Predator Damage Control for the fiscal year 2015 from the Department of Agriculture and Food, noting that County has been involved in the program for several years. It would be an additional \$2,000 from the State with a County match of \$2,000. After discussion, Commissioner Mason moved to approve the contract with the State of Utah, Department of Agriculture with a \$2,000 match from the County for the Predator Damage Control Agreement, second Commissioner Ogden, unanimous.

**Board of Equalization convened:**

At 2:30 p.m. Commissioner Mason then moved to convene the Board of Equalization, second Commissioner Ogden, unanimous.

Assessor Amy Garren-Clark then reviewed with the Commission the results of the recommendations from the Hearing Officer, as well as Assessor recommended adjustments due to her review of the properties with the owners. After review and discussion, Commissioner Mason moved to accept the recommendations of the Hearing Officer and the Assessor on the market value adjustments, second Commissioner Ogden, unanimous.

Assessor Garren-Clark then reported there was one more appeal to be heard. She said the Hearing Office had been involved with the commercial property as an appraiser prior to our meeting, and therefore, he was unable to hear that appeal. She had arranged to have a telephone conference with the owner as part of this Board of Equalization meeting. Ms. Garren-Clark indicated that because it is commercial, and may have information not for the public, she recommended it be a closed session. After discussion, Commissioner Ogden moved to enter a closed session at 2:40 p.m. to hear the commercial appeal, second Commissioner Mason. All voted unanimously, aye. Those present in the closed session included: Commissioner Gary Mason, Commissioner Gordon Topham, Commissioner Garth 'Tooter' Ogden, Clerk/Auditor Steven C. Wall, Economic Development Director Malcolm Nash, Assessor Amy Garren-Clark, as well as Russell Cline and Wesley Stine via telephone regarding parcel 1-47-10.

The closed session ended at 2:58 p.m. and the regular meeting resumed. Commissioner Mason moved, due to the information received and discussed with the owners, that the market value on property 1-47-10 be reduced to \$900,639, second Commissioner Ogden, unanimous.

There being no further business to come before the Board, meeting adjourned at 3:00 p.m.