

**MINUTES**  
**OF THE REGULAR MEETING OF THE**  
**TOOELE COUNTY BOARD OF COMMISSIONERS**  
**HELD SEPTEMBER 30, 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. **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.

2. **PLEDGE OF ALLEGIANCE.** The Pledge was offered by Kendall Thomas.

3. **MINUTES.** Commissioner Hurst moved to approve the minutes of the Commission Meeting held September 16, 2014, as written. Commissioner Clegg seconded the motion. All concurred.

4. **CONSENT AGENDA.**  
**Invoices, and Volunteers.** Commissioner Hurst stated there are volunteers listed that are no longer volunteering for the County. He asked that the list be sent out to all of the department heads who have volunteers and ask them to edit the list and come back with an updated list. Commissioner Milne made a motion to exclude the items in the warrants that pertain to the County Fair, as well as the action on the list of volunteers requested by Commissioner Hurst. Commissioner Hurst seconded the motion. All concurred.

A) Warrants issued September 11, 2014 in the amount of \$2,858,603.09; B) Warrants issued on September 17, 2014 in the amount of \$325,427.85, Direct Deposit #9172014 – 9172302, Payroll check #6877-6879. Transmittal Checks in the amount of \$256,153.16, Check #6880-6890.

**Tax Adjustments.** A) Samuel C. Layton, Transaction #BY56ZZ. The owner registered the leased vehicle in July and bought out the lease in August. Relief amount (\$110.00); B) Costa Vida, Account #BU-01-1824. A State Audit of this property was completed and adjustments need to be made for 2012, 2013 and 2014. Adjusted amount for tax year 2012 - \$906.06, 2013 - \$1,015.82, 2014 - \$809.76.

Commissioner Clegg introduced Mike Crawford, Wendover City Mayor.

5. **TOURISM TAX ADVISORY BOARD RECOMMENDATION FOR DISTRIBUTION OF FUNDS.** Commissioner Hurst moved to table this item to give the Commissioners the opportunity to review the list in detail. Commissioner Clegg seconded the motion. All concurred.

6. **LAKE POINT FEASIBILITY STUDY PRESENTATION.** Tenille Tingey, Zions Public Finance, reviewed the Lake Point Feasibility project objectives and final presentation with the Commission.

Commissioner Hurst stated there will be two public hearings held in Lake Point for this study presentation. The dates and times have not been set yet. The public will have a

chance to be heard at both of those public hearings.

7. AMENDMENT # 7 TO CONTRACT #101600 - BETWEEN UTAH DEPARTMENT OF HUMAN SERVICES, WHICH INCLUDES THE DIVISION OF SUBSTANCE ABUSE AND MENTAL HEALTH, AND TOOELE COUNTY. John Byrn, Valley Behavioral Health, discussed the Passages Program. This is a pass thru program totaling \$80,000 additional funding. It also extends the contract to September 30, 2015. Commissioner Milne moved to approve. Commissioner Hurst seconded the motion. All concurred.

8. PURCHASE OF GARBAGE CANS FOR SOLID WASTE DEPARTMENT. Robert Warner, Solid Waste Department, discussed this item. He introduced three bids for 300 new garbage cans:

Toter National IPA - \$15,465.00  
Rehrig Pacific Company - \$17,300  
OTTO Environmental Systems - \$16,400

The cans from Toter National IPA can be picked up in Salt Lake City, saving the County almost \$3,000 in freight charges. Commissioner Milne moved to approve the requested cans from Toter for not more than \$15,465. Commissioner Hurst seconded the motion. All concurred.

9. ACCEPTANCE OF SUBDIVISION IMPROVEMENTS. Blaine Gehring, Planner, asked for approval of this escrow certificate through Wells Fargo Bank. This does not include the increase of the escrow fees. Commissioner Milne moved to approve. Commissioner Hurst seconded the motion. All concurred.

10. RATIFY RESOLUTION 2014-11 - PETITIONING CONGRESS TO REIN IN RAMPANT OVER REGULATION OF PUBLIC LANDS BY FEDERAL ADMINISTRATIVE AGENCIES. Commissioner Clegg stated there is a Grass March Cowboy Express taking this resolution to Washington DC. He then read the resolution. All of the counties in Utah are participating in the resolutions that are being carried to Washington. It explains what the rural counties in Utah are having to deal with. Commissioner Hurst moved to Ratify Resolution 2014-11, Petitioning Congress to Rein in Rampant Over Regulation of Public Lands by Federal Administrative Agencies. Commissioner Milne seconded the motion. All concurred.

11. RESOLUTION 2014-12 - REQUESTING THE RECERTIFICATION OF THE TOOELE COUNTY JUSTICE COURT. - Attorney Hogan stated every 4 years the State requires that the Justice Court be recertified. Commissioner Hurst moved to approve Resolution 2914-12, Requesting the Recertification of the Tooele County Justice Court. Commissioner Milne seconded the motion. All concurred.

12. PRESENTATION OF PROPOSED 2015 DEPARTMENTAL BUDGETS. Each Department Head reviewed their 2015 proposed budget.

13. RESOLUTION 2014-13 - ADOPTING THE TENTATIVE BUDGET FOR FISCAL YEAR 2015 AND ESTABLISHING THE TIME AND PLACE OF A PUBLIC HEARING TO CONSIDER ADOPTION OF THE FINAL BUDGET. Auditor Mike Jensen reviewed the tentative budget with the Commission and public. The proposed budget has a 5% tax increase to the general levy. Commissioner Milne moved to approve Resolution 2014-13, Adopting the Tentative Budget for Fiscal Year 2015 and Establishing the Time and Place of a Public Hearing to Consider Adoption of the Final Budget. Commissioner Hurst seconded the motion. All concurred.

14. LEGAL DEFENDER APPELLATE AGREEMENT WITH WAYNE A. FREESTONE. Attorney Hogan reviewed this item. Commissioner Hurst moved to approve the Legal Defender Appellate Agreement with Wayne A. Freestone.

Commissioner Milne seconded the motion. All concurred.

15. **CONTRACT REVIEW.** A) 93-03-06- First Supplemental Interlocal Cooperation Agreement Between Tooele County, Tooele City, Wendover City, Grantsville City, Ophir Town, Rush Valley Town, Stockton Town and Vernon Town for Solid Waste Disposal; B) 98-01-03- Interlocal Cooperation Agreement Between Lake Point Improvement District and Tooele County for Sewer Connection Fee Collection; C) 00-01-11 - Interlocal Agreement Between City of West Wendover and Tooele County Wendover Airport for Fire Protection Services; E) 04-10-03 - Interlocal Agency Agreement to Establish the Tooele Valley Rural Planning Organization; F) 05-10-02 - Tooele County Public Defender Appeals Agreement between David J. Angethoffer, P.C. and Tooele County; G) 05-10-03 - Tooele County Juvenile court Public Defender Appeals Agreement Between Wayne A. Freestone, P.C. and Tooele County; HD) 06-08-12 - Cooperative Agreement Between United States Bureau of Land management, State of Utah, Division of Forestry, Fire and State Lands, State of Utah, Division of Parks and Recreation, Tooele County and U.S. Magnusium; J) 06-09-04 - Lease Agreement Between Tooele County and Salt Lake Community Action Program; J) 06-11-10 - Jail Mental Health Services Agreement Between Tooele County and Valley Mental Health, Inc.; K) 08-11-09 - Tooele County Children's Justice Center Interlocal Agreement Between Tooele County, Tooele County Attorney's Office, Tooele County Sheriff's Office, Tooele City Police Department, Grantsville City Police Department, Division of Child and Family Services and Utah Attorney General's Office; L) 09-09-02 - Amended and Restated Interlocal Cooperation Agreement Between Tooele County, Beaver County, Box Elder County, Cache County, Carbon County, Daggett County, Davis County, Duchesne County, Emery County, Garfield County, Grand County, Iron County, Juab County, Kane County, Millard County, Morgan County, Piute County, Rich County, Salt Lake County, San Juan County, SanPete County, Sevier County, Summit County, Uintah County, Utah County, Wasatch County, Washington County, Wayne County, and Weber County; M) 09-09-06 - Memorandum of Agreement for Rangeland Drill Between Tooele County, Grantsville Conservation District and Shambip Conservation District will be reviewed September, 2015.

D) 03-01-12- Grantsville City, Tooele County, Deseret Peak Water Supply Agreement, has no further need for review.

16. **BOARD OPENINGS.** Rush Valley Water Conservancy District - 1 position - Representing Ophir.

17. **ADD EMERGENCY ITEM - APPROVAL OF ELECTION POLL WORKERS AND POLLING LOCATIONS.** Commissioner Hurst moved to add, as an emergency item, the approval of Election Poll Workers and Polling Locations. Commissioner Milne seconded the motion. All concurred.

18. **APPROVAL OF ELECTION POLL WORKERS AND POLLING LOCATIONS.** Clerk Gillette provided a list of election poll workers and polling locations to the Commission for approval. Commissioner Hurst moved to approve the Election Poll Workers as outlined, as well as the Polling Locations. Commissioner Milne seconded the motion. All concurred.

19. **PUBLIC CONCERNS.** Tom Poyner, Tooele, asked that the budget presentation be easier to read next time. He also complimented Attorney Hogan for watching out for the financial concerns of the county, rather than upgrading his facility two years ago. Commissioner Hurst stated last Thursday, Auditor Jensen was fighting a fire, when he was hurt. He has a concussion so he had to take a little time off. He still did an incredible job on the budget presentation.

Ray Dixon, Tooele, asked if the Tourism Tax Advisory Board advised to go ahead and fund County Explosion again. Commission stated three things have no recommendation

yet. Ray's recommendation would be, with the damages that were done and the money it cost the county to repair, that we take a close look at the contract. In the Commission budget, they are talking about hiring a Financial Director. Why did we do away with that position just to hire another one?

John Beagley Tooele, asked who is this Finance Director? Commissioner Milne stated the job description should be out soon. John agreed with the previous man, why do we need a Finance Director. We elect our Auditor to do this job.

Tom Poyner felt the County needs a Finance Director. There are only three elected officials that have to hold certain certifications, Assessor, Attorney and Sheriff. The rest are elected by the public, not because of their qualifications. Because of the last few years he feels we definitely a Finance Director.

Toby Lee, Budget Committee, recommended hiring a Finance Director. He will not apply for the position.

Kendall Thomas, Stockton, said there's not one penny being saved. We need to hold our elected officials accountable to the people. To say they we're going to save money is absolutely ridiculous. Trust the people to make the right decision.

Jerry Edwards, Grantsville, felt it's going to take more than one person to be able to do what you want done. It's going to take a staff to do this job. He doesn't feel they need a Finance Director.

20. ADJOURNMENT. Commissioner Hurst moved to adjourn at 9:40 p.m.

Commissioner Milne seconded the motion. All concurred.

THE FOREGOING MINUTES ARE HEREBY APPROVED:

BY:   
J. BRUCE CLEGG, CHAIRMAN

ATTEST:

BY:   
MARILYN K. GILLETTE, CLERK

