

MINUTES
OF THE REGULAR MEETING OF THE
TOOELE COUNTY BOARD OF COMMISSIONERS
HELD NOVEMBER 18, 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. **PLEDGE OF ALLEGIANCE.** The Pledge of Allegiance was offered by Blaine Gehring, County Planner.

2. **ROLL CALL.** The Clerk called the roll which showed Commissioners Bruce Clegg, Chairperson, Jerry Hurst and Shawn Milne present. Also present were Scott Broadhead, Deputy County Attorney and Marilyn Gillette, Clerk. Doug Hogan, Attorney was excused.

3. **MINUTES.** Commissioner Hurst moved to approve the minutes of the Commission Meeting held October 21, 2014 as presented. Commissioner Milne seconded the motion. All concurred.

4. **CONSENT AGENDA** - Commissioner Milne moved to approve the Consent Agenda. Commissioner Hurst seconded the motion. All concurred.

Invoices. A) Warrants issued on October 15, 2014 in the amount of \$316,764.34, Direct Deposit #10151401 - #1015169, Payroll Check #6922-#6924. Transmittal checks in the amount of \$251,921.58, Check #6925 - #6936; B) Warrants issued October 16, 2014 in the amount of \$402,428.11. Check #147692 thru #147787; C) Warrants issued October 23, 2014 in the amount of \$482,985.53. Check #14778 thru #147873; D) Warrants issued October 30, 2014 in the amount of \$450,296.34. Check #147874 thru #148018.

Tax Adjustments. A) Sean Siegal, Serial #14-087-0-0805. Two vehicles were renewed after tax notices were printed. These vehicles should receive a Veteran's Abatement. Relief amount \$260.00; B) Timothy Kuchak, Serial #14-006-0-0187. The owner did not own this property as of January 1, 2014. He does not qualify for Veteran's abatement on this property for the current year. Relief amount (\$495.00); C) Thomas Phillips, Serial #13-055-0-0007. Two vehicles were renewed after tax notices were printed. These vehicles should receive a Veteran's Abatement. Relief amount \$65.00; D) Towerco, Account #BL-11-0059. Levy only applied to part of the value. Adjustment \$1,465.49; E) Wendy Lessig, Account #BL-10-0048. Adjustment to value. Adjustment: (\$19.47); F) Wendy Lessig, Account #BL-10-0041. Adjustment to value. Adjustment: (\$19.47); G) Roger McCreery, Transaction #B70ME. The owner qualifies for the military exemption. A copy of his Leave and Earnings Statement was provided to the DMV. Relief amount (\$95.00); H) Jennie L. DeVore, Transaction #C549PA. The owner registered this vehicle and sold it a few days later. Relief amount (\$10.00); I) Kenneth A. Copeland, Transaction #C318PT. The owner registered the vehicle and then traded it in to a dealership on a new vehicle. Relief amount (\$150.00).

5. **SPECIAL RECOGNITION** - There were no special recognitions.

6. **TOURISM GRANT RESOLUTION ADOPTION - 2ND ROUND 2014.** - John Cluff Tourism Tax Advisory Board Chair, reviewed the purpose of the TTAB and what the criteria is for awarding grants. He reviewed the grants that were awarded in the first round,

and the board's recommendations for this second round.

Organization	Request	Recommendation	Comments
Wendover Airfield	\$7,500	\$7,500	Previously Approved
Josepa Historical Assn.	\$25,000	\$5,000	Matching Grant
Pioneer Museum	\$57,210	\$10,000	Matching Grant
Tooele Rendezvous	\$2,000	\$2,000	Previously Approved
Grantsville Business	\$3,500	\$0	Previously Disapproved
Tooele County Fair	\$41,000	\$10,000	
TC Parks & Rec.	\$60,000	\$60,000	
Beanstock Food Bank	\$4,500	\$0	
Benson Mill Arts Found.	\$3,000	\$3,000	Previously Approved
TC Historical Society	\$1,825	\$0	
Chamber of Commerce	\$45,000	Hold	Awaiting detailed proposal
Daughters of Utah Pioneers	\$9,200	\$5,000	
Grantsville Rodeo Team	\$5,000	\$1,000	Deseret Peak Rental
Miller Motorsports Park	\$100,000	\$50,000	See Note #1
Country Explosion	\$460,000		See Note #2

Note No. 1: On the first round of requests this year we recommended \$50,000 to Miller Motorsports Park because of the great asset they are to tourism in Tooele County. We discussed recommending \$50,000 each year, along with a request to promote Tooele County in their events and advertising. They are very cooperative and are willing to support any of our requests. We were surprised to see them apply for another \$50,000 this year, instead of waiting for the 2015 grants. Some of the board recommended an award of \$50,000 while others recommended no award, but a letter explaining our policy to support them annually with \$50,000. The majority of the board members recommended \$50,000 so that is the number on the table above.

Note No. 2: As you would suspect this was a hotly discussed topic. We entertained four members of the company to meet with us for about an hour, to discuss our concerns and questions. As a result of that meeting and an additional lengthy time, we could not come to a consensus. Most of the board recommended a significantly reduced grant for them but some of the members were very adamant about not supporting the company at all with Tourism Tax funds. The general public of the community is very opposed to providing any funds to this organization. Because of the significant controversy in our board and the general feeling of the county residents, we are leaving this item up to you. This is not the way we want to perform our responsibility of recommendations to you, but on this item it is the best we can do.

This is the County's money and the Commission's job to decide where the grant money goes. The TTAB are simply a recommending board.

Commissioner Milne moved to take the recommendations of the TTAB for the Josepa Historical Association, Pioneer Museum, Tooele County Fair, Tooele County Parks & Recreation, Beanstock Food Bank, Tooele County Historical Society, the Daughters of the Utah Pioneers, and Grantsville Rodeo Team, and approve with additional recommendations. Commissioner Clegg seconded the motion. All concurred. As to the Country Explosion and Miller Motorsports Park, he moved to table those until a later

date. Commissioner Clegg seconded the motion. All concurred.

7. **RESOLUTION 2014-16 - RATIFICATION - PROCLAIMING OCTOBER 31, 2014 AS GRANT GERBER DAY.** Commissioner Clegg read this resolution to the audience. It was voted on and approved by the County Commission on the 30th day of October, 2014. Commissioner Hurst reiterated that Grant Gerber was a great man and a great leader who had a great love for the land. Commissioner Hurst moved to ratify Resolution 2014-16, Proclaiming October 31, 2014 as Grant Gerber Day. Commissioner Milne seconded the motion. All concurred.

8. **RESOLUTION 2014-17 - REORGANIZING THE TOOELE COUNTY EMERGENCY MEDICAL SERVICES COUNCIL.** Bucky Whitehouse, Emergency Services, discussed the history of the Emergency Medical Services Council and the technical changes this new resolution makes. Commissioner Clegg asked if it will be a totally new board. Bucky stated it will not. Commissioner Hurst moved to approve Resolution 2014-17, reorganizing the Tooele County Emergency Medical Services Council. Commissioner Milne seconded the motion. All concurred.

9. **MEMORANDUM OF UNDERSTANDING BETWEEN STATE OF UTAH, DEPARTMENT OF PUBLIC SAFETY, DIVISION OF EMERGENCY MANAGEMENT AND TOOELE COUNTY EMERGENCY MANAGEMENT FOR USE OF FACILITIES AS AN ALTERNATE RECOVERY LOCATION.** Bucky Whitehouse, Emergency Services, the state is interested in using the Tooele County EOC in the case that the State EOC is compromised in some way. Commissioner Milne moved to approve. Commissioner Hurst seconded the motion. All concurred.

10. **ORDINANCE 2014-18 - AMENDING SECTION 24-5-3, POLITICAL OR CAMPAIGN SIGNS, OF THE TOOELE COUNTY LAND USE ORDINANCE.** Blaine Gehring, Planner, this was discussed in the Commission meeting last month. At that time it was sent back to the Planning Commission for consideration of the Commission's recommendations on size and height of the signs. The Planning Commission agreed with the Commission's recommendations. Commissioner Milne moved to approve Ordinance 2014-18. Commissioner Hurst seconded the motion. All concurred.

11. **ORDINANCE 2014-19 - AMENDING THE OFFICIAL ZONING MAP OF TOOELE COUNTY; REZONING APPROXIMATELY 5.5 ACRES OF LAND IN ERDA, NORTH OF BATES CANYON ROAD AND EAST OF SR-36, FROM A-20 TO RR-5.** Blaine Gehring, Planner, rezone request by Randy Palmer. The Planning Commission unanimously recommended approval. Commissioner Hurst moved to approve Ordinance 2014-19. Commissioner Milne seconded the motion. All concurred.

12. **SETTLEMENT AGREEMENT WITH STAKER PARSONS FOR WORK PERFORMED AT DESERT PEAK COMPLEX.** Attorney Broadhead explained this agreement and the work that was performed. Country Explosion had agreed to pay for these improvements, but have not done so. Since the improvements were made to County property, the County is paying the bill. The County is still going after Country Explosion for reimbursement. The total bill was \$103,441.32. Commissioner Hurst approved the Settlement Agreement with Staker Parsons for work performed at the Desert Peak Complex. Commissioner Clegg seconded the motion. All concurred.

13. **RENEWAL OF DISPOSAL AGREEMENT WITH WASATCH REGIONAL LANDFILL, INC. (CONTRACT #04-11-07) FOR AN ADDITIONAL TEN-YEAR TERM.** Commissioner Milne discussed this agreement. It is to the County's advantage to renew this agreement for an additional ten year term, due to the fact that dumping fee's have greatly increased. Commissioner Milne moved to approve. Commissioner Hurst seconded the motion. All concurred.

14. **CONTRACT REVIEW.** A)95-01-05- Garbage pickup- Road Department Between Tooele County And Ace Disposal; B)95-01-06- Garbage Pickup- Grantsville Senior Center Between Tooele County And Ace Disposal; C)95-01-07- Garbage Pickup- Tooele

Senior Center Between Tooele County Ace Disposal; D)95-01-08- Garbage Pickup- Tooele County Building Between Tooele County And Ace Disposal; E)03-08-02- Electronic Recording Of Documents Between Tooele County And Simplifile; FY06-10-03- Memorandum Of Understanding Between U.S. Army Dugway Proving Ground And Tooele County Emergency Management; G)07-10-05- Fatpot Mapview, Mobile And Records Management System "RMS" License Agreement Between Tooele County And Fatpot Technologies; HY08-02-04- Cooperative Agreement Design Engineering Reimbursement- Mid Valley Highway- Tooele County And Utah Department Of Transportation; J)09-12-09- Cooperative Agreement 08-8512 Modification #1 Design Engineering Reimbursement- Midvalley Highway Between Tooele County And UDOT; K)10-11-09- Interlocal Cooperation Agreement (Morrison Trail Road- Public Trail Head) Between Tooele County And Grantsville City; L)10-12-04- Agreement By And Between Tooele County And Connex Information Systems, Inc. Relating To The Provision Of Computer Services For The Tooele County Jail; M)11-04-05- Route Deviation Services Agreement Between Tooele County Aging And Utah Transit Authority; O)11-12-04- Memorandum Of Understanding Between Utah Department Of Public Safety, Division Of Emergency Management And Tooele County- Use Of Desert Peak Complex; P)11-12-05- Memorandum Of Understanding Between Utah Department Of Public Safety, Division Of Emergency Management And Tooele County- Use Of Wendover Airport; Q)11-12-10- Custodial Agreement Loan And Use Of Federal Excell Personal Property Between Tooele County And Utah Division Of Forestry, Fire And State Lands; R)12-11-01- Space Lease And Service Agreement- Space On Existing Communications Facility Between Tooele County And Pacific Corp.; S)12-11-03- Cooperative Corridor Agreement - Facilitate Traffic Flow Along SR-36 - Between Tooele County And Utah Department Of Transportation; U)12-11-09- Letter Of Understanding Between Utah Communications Agency Network (UCAN) And Tooele County For The Purpose Of Nelson Peak Space Location, T-1 Connectivity, Generator Maintenance And Helicopter Trip Coordination, will all be reviewed November, 2015.

15. D) 09-05-03- Public Defender Conflicts Agreement Between Tooele County And Candice Ragsdale-Pollock; N) 11-12-01- Agreement Between Allegiant Air, LLC And Wendover Airport; T)12-11-04- Memorandum Of Agreement Between Wasatch Front Regional Council And Tooele County For Tooele County Mobility Management Services, have no further need for review.

15. BOARD APPOINTMENTS

A) Rush Valley Water Conservancy District - Commissioner Milne moved to appoint Gary Ross, representing Ophir. Commissioner Hurst seconded the motion. All concurred.

B) Trails Committee- Commissioner Milne moved to reappoint Tim Smith, Paul Dart and Kip Porter to another term. Also, to appoint Jerry Hurst to a first term. Commissioner Clegg seconded the motion. Commissioner Milne and Clegg voted yes. Commissioner Hurst abstained.

C) Lake Point Cemetery And Park District- 4 Positions - no applicants.

D) Housing Authority- 1 Position - no applicants.

E) Tooele County Planning Commission- Commissioner Milne moved to appoint Anita Dalrymple. Commissioner Hurst seconded the motion. All concurred.

F) Tooele County Board Of Health- Applicants for this position must be approved by the Board of Health before they are presented to the Commission.

16. BOARD OPENINGS

A) Tourism Tax Advisory Board- 1 Position Representing Hotels And 1 Representing Restaurants- Open Until December 1, 2014

17. PUBLIC CONCERNS

Mike Garrard - Bargain Buggies - had two concerns. First, he asked why the County is even considering doing business with Country Explosion again. They won't pay their bills. We are having to cover their bill for gravel. Second - talk of getting rid of our DMV. They don't have enough help as it is. If the state needs to pay more money for this to keep it open, they need to pony up.

Commissioner Hurst felt the County should not be subsidizing a State program. He doesn't want anyone having to drive to Salt Lake to do their business. He is adamant about that.

Jack Bell, Performance Auto, first wanted to speak for the citizens of the community.

The ladies in the office are very helpful. If they are short one document, they would have to make 2-3 trips to SLC. He has a neighbor who has 5 vehicles, which means 5 different trips to SLC.

Representative Doug Sagers, asked who they have talked to at the DMV, to discuss the shortfall. What was their response to the request for additional funds. He is surprised that he hasn't been asked to help the County. Why has it come to the point that they are not doing it anymore.

Commissioner Milne stated the County loses \$30,000 per year, which doesn't include the department administrator's time as management. Brad Simpson from the State provided the department leadership with a spreadsheet showing what their staffing should be, which would be higher than what we have. Acknowledging those preferred staffing levels we would be over \$100,000 of what we have. Where the state is the primarily financial beneficiary, most counties don't volunteer their own program or make it more rigorous. If this office goes back to the State, the County will get an annual bill.

Lynette Halterman, DMV employee, has also done some research. The County is receiving \$92,000 from the State, if they give that back they will be paying \$130,000 to the State. She wondered why the Commission is willing to give up a service to the community, but we are willing to pay money to Country Explosion?

Commissioner Milne stated the numbers he was quoted were closer to \$100,000. Representative Sagers asked that they hold off on a decision until he does some investigation on the subject. He also asked about the Mid Valley Highway, what is happening on this. Commissioner Milne reviewed what is happening. Representative Sagers asked if a design has been completed. Commissioner Hurst stated it has from 138-180 which they'd like to get completed in next 5 years. The goal is to get the entire project done in 20 years. The price tag on this first phase is \$110 to \$150 million. Representative Sagers wants to make sure if State funds are available, that Tooele County is ready with a plan to get some of those funds.

Commissioner Milne thanked Representative Sagers who has been a great ally, a stalwart advocate for the legislature. He has been there for Tooele County.

Chris Connelly, DMV employee, stated this is the 2nd time in 3 years we have discussed getting rid of the DMV. If you turn this over to the State, citizens will not get the same service they are getting today. The County will end up paying the State

Raymond Dixon, Tooele City, stated, on Friday's you may have to wait 20-25 min. In West Valley the minimum time is 1 hour the max is 2:40. If he goes to SLC to register his vehicles, he's going to do his business in SLC, not in Tooele County. He is also opposed to funding Country Explosion. That money would fund a great county fair, two concerts, etc.

Jeff McNeill, unincorporated Tooele County, we should keep the DMV in Tooele County, they will spend their money in Tooele County. His concern is over the Staker Parsons agreement. How did we get ourselves into the situation of having someone, who doesn't own the property, make improvements and not get paid. This situation violates the

County's purchasing policy.

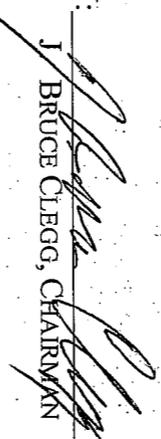
Susan Kroff, former employee, worked for the DMV for 14 years. By closing the DMV you will be doing a disservice to this community. You owe it to these employees that have served TC, to keep the DMV.

Danny Marz, Erda, agree's 100% with what the public has said tonight. They have 5 vehicles so they come to the DMV five times a year. It feel's like Mayberry, he doesn't want to go to SLC. Just thinking about taking it out of the county is ridiculous. On Country Explosion, he's talked to local businesses that have not been paid by this company, to the tune of \$88,000. Why would we invite them to come back and do this type of work here?

18. ADJOURNMENT. Commissioner Hurst moved to adjourn the meeting at 8:23 p.m. Commissioner Clegg seconded the motion. All concurred.

THE FOREGOING MINUTES ARE HEREBY APPROVED:

BY:


J BRUCE CLEGG, CHAIRMAN

ATTEST:

BY:


MARILYN K. GILLETTE, CLERK

