

MINUTES
OF THE REGULAR MEETING OF THE
TOOLEE COUNTY BOARD OF COMMISSIONERS
HELD FEBRUARY 3, 2015

Chairman Biter called the meeting to order at 7:00 p.m. The time, place and agenda of the meeting had been provided to the Toolee 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 Jeff Coombs, Health Department Director

2. **ROLL CALL.** The Clerk called the roll which showed Commissioners Wade Biter, Chairperson, Shawn Milne and Myron Bateman present. Also present were Scott Broadhead, Attorney and Marilyn Gillette, Clerk./Auditor.

3. **MINUTES.** Commissioner Milne moved to approve the minutes of the Commission Meeting held January 20, 2015 as presented. Commissioner Bateman seconded the motion. All concurred.

4. **CONSENT AGENDA.** Commissioner Bateman moved to approve the Consent Agenda as presented. Commissioner Milne seconded the motion. All concurred.

Tax Adjustments A) Lewis, Ana Carolina, Parcel #10-041-0-0038. Should have received an abatement (refund). Relief amount \$748.47; B) Steadman's Recreation, Transaction #JH2TE181XFK400850. This was submitted as title only. They received registration/stickers. Relief amount (\$25.00); C) Steadman's Recreation, Transaction #4XASSEE576FA624859. This was submitted as title only. They received registration/stickers. Relief amount (\$45.00); D) Brent Beard, Transaction #1N43B31F7PC806968. The motor blew on this vehicle just after registering. Relief amount (\$10.00); E) Winifred Shafer, Transaction #JA3AJ26E22U059304. Just after registering it broke down - will not be repaired engine blew. Relief amount (\$10.00); F) Olympus America Inc. Account #BU-01-1759. This equipment was reported as disposed on the 2013 declaration. The lease ended on 4/21/12 and the assets became the property of the lessee. Adjustment for tax year 2013 - (\$488.65), 2012 - (\$5.81); G) Don E. Wahlen, Parcel #08-026-0-0006. The subject had an incorrect basement size and basement finish. After a conversation with the owner and a site visit, a correction and a refund is warranted. Relief amount \$-357.37; H) Stansbury Village Shopping Center, Parcel #17-008-0-0003. During the 2014 Board of Equalization, a hearing officer adjusted the value accordingly. Relief amount \$-2908.51; J)Toolee County School District, Parcel #01-109-0-00098. This parcel was not marked exempt after it was purchased by the Toolee County School District in 2014. The property taxes up to the date of sale 9/16/2014 were paid at closing by the previous owners. All other taxes should not have been levied. Please waive all taxes remaining and any interest and penalties on the 651.09 due. Relief amount \$-184.07; J) Detroit Diesel Realty Utah, Inc. Parcel #15-006-0-001. During the 2014 Board of Equalization, a hearing officer adjusted the value accordingly. Relief amount \$-76,634.55; K) Fred Kilpack, Parcel #01-055-0-0048. An error was made on the acreage from a recorded segregation in 2013 that resulted in an overvaluation for tax year 2014. Relief amount \$-280.93; L) Questar Gas Company, Serial #16-001-0-0124. This property was moved from County Assessed (16-001-0-0124) to Centrally assessed (98-000-0-0015) beginning in 2013; The County Assessed parcel was not marked to reflect the change and has been doubled assessed for 2013 and 2014 years. Questar had not paid the county taxes for 2013 or 2014 year, however, they had paid the Centrally assessed taxes for 2013 and 2014. The County

taxes for 16-001-0-0124 need to show balance of zero. No refund is necessary. Relief amount \$1,414.00.

Invoices. A) Warrants issued on January 7, 2015 in the amount of \$344,194.55. Direct Deposit #01072015 - #12082021, Payroll Check #7172 - #7187. Transmittal Checks in the amount of \$288,455.09, check #7188 - #7199; B) Warrants issued January 15, 2015 in the amount of \$899,531.85; Check #149107 thru #149235; C) Warrants issued on January 21, 2015 in the amount of \$334,920.66, Direct Deposit #121201501 - #12120177. Payroll Check #7201 - #7217. Transmittal checks in the amount of \$288,455.09, Check #7208, 7218 - 7228; D) Warrants issued January 22, 2015 in the amount of \$396,784.49, check #149236 thru #149352.

5. AGREEMENT FOR SUBDIVISION IMPROVEMENTS WITH SADDLEBACK SR-36 I.C. FOR THE SADDLEBACK SR-36 PLANNED UNIT DEVELOPMENT PHASE 33 SUBDIVISION Blaine Gehring, Planner, reviewed this item. Commissioner Bateman moved to approve. Commissioner Milne seconded the motion. All concurred.

6. ORDINANCE 2015-04 - AMENDING SECTION 4-5-1, PLANNING COMMISSION ESTABLISHED TERMS, OF THE FOELLE COUNTY CODE, AUTHORIZING THE APPOINTMENT OF ALTERNATE MEMBERS. Blaine Gehring, Planner, explained the need for appointing alternate members for the Planning Commission. In some meetings business can't be taken care of because there are not enough Planning Commission members present. This would help alleviate the problem. Commissioner Bateman moved to approve Ordinance 2015-04. Commissioner Milne seconded the motion. All concurred.

7. APPEAL OF A CONDITIONAL USE PERMIT (CUP) AT 1328 E. ERDA WAY. Blaine Gehring, Planner, reviewed the conditional use process, as well as the history of this CUP. Lynn Butterfield, Erda resident who filed the appeal, felt they would be destroying the property values of the homes in this residential neighborhood. Another kennel in the area was approved for 3 dogs, this kennel was approved for 12 dogs. They are not compatible with the livestock in the area.

Commissioner Milne made a motion to table this item for further consideration. Commissioner Bateman seconded the motion. All concurred.

8. APPROVAL TO PURCHASE A USED DOZER. Rod Thompson, Road Supervisor, presented bids for a used bulldozer.

Vender		Guaranteed Buy Back	Purchase Price
Wheeler Machinery	3 years @ 1000 hours a year	\$85,000	\$119,490.00
Honnen Equipment	2 years @ 1000 hours a year	\$85,000	\$127,301.59
Komatsu Equipment	No comparable	offered	

The track on the dozer from Wheeler Machinery machine was worn so they the county a rebate of \$2,000, making the purchase price \$117,490. Commissioner Bateman moved to approve the Wheeler Machinery Bid for \$117,490. Commissioner Milne seconded the motion. All concurred.

9. LEGAL DEFENDER AGREEMENTS. Scott Broadhead, Attorney, stated, with the hiring of two new attorneys in the County Attorney's office, that leaves two open Public Defender positions. The following names were presented.

Derrick K. Larson - District Court & Drug Court, Justice Court
Jacob L. Linares - District Court, Justice Court, Juvenile Court
Richard J. Tanner - District Court, Justice Court

Commissioner Milne moved to approve. Commissioner Bateman seconded the motion.
All concurred.

10. **CONTRACT REVIEW.** A) 06-02-13- Reciprocal Agreement between North Tooele County Fire District and Wendover Airport Fire Department; B) 06-12-05- Memorandum of Understanding between Tooele County and State of Utah, Department of Technology Services; C) 06-12-13- Agreement for Development of Land - North Rowley Economic Area - Between Redevelopment Agency of Tooele County and ATI Titanium LLC, a Delaware Limited Liability Company ((Developer); D) 07-09-14- Participating Agreement Between the Utah Division of Forestry, Fire and State Lands and Tooele County; E) 09-01-04- Service Agreement Between Dr. Joe Roundy, Tooele Veterinary Clinic and Tooele County, will be reviewed February, 2016.

F) 14-02-05- Agreement Between Tooele County and Mr. Bult's Inc. for hauling services at Bauer Landfill will be reviewed August, 2016.

G) 14-02-06- Agreement Between the Tooele County/Wendover Airport and Crosswinds Wildlife Mitigation, LLC, for a Wildlife Hazard Management Plan for Tooele County/ Wendover Airport. has no further need for review.

11. **BOARD OPENINGS.** A) Lake Point Cemetery and Park District - 3 Positions - Open until filled.

12. **BOARD APPOINTMENTS.** A) Tooele County Board of Health - representing minorities - 1 position. Commissioner Bateman made a motion to approve the Board of Health's decision to appoint Colleen Johnson to the Tooele County Board of Health representing minorities. Commissioner Milne seconded the motion. All concurred.

13. **PUBLIC CONCERNS.** Toin Poyner, Tooele City resident, asked questions about the voting by the Planning Commission on the CUP for the dog kennel. He felt, with the additional of the altertrates, it should be changed to a 4 person minimum for approval.

14. **ADJOURNMENT.** Commissioner Bateman moved to adjourn the meeting at 7:29 p.m. Commissioner Milne seconded the motion. All concurred.

THE FOREGOING MINUTES ARE HEREBY APPROVED:

BY: Wade B. Bitner
WADE B. BITNER, CHAIRMAN

ATTEST:

BY: Marilyn K. Gillette
MARILYN K. GILLETTE, CLERK/AUDITOR

