

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

APRIL 7, 2015

Present at the meeting was Commission Chairman Ethan Migliori, Commissioner Keith Brady, Commissioner Paul Cowley, Attorney Michael Olsen, 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 # 232599 through and including #233569 were presented for payment.

Requisitions were presented for the following:

<u>REQUISITION</u>	<u>DESCRIPTION</u>	<u>AMOUNT</u>
18-15	(2) 2015 Chevy Tahoes Sheriff	\$68,634.40
19-15	(1) 2016 Ford Explorer (1) 2015 F-150 Truck Sheriff	\$54,688.16
20-15	(1) 2014 Dodge Ram 1500 (1) 2014 Dodge Charger (1) 2014 Dodge Ram 1500 Sheriff	\$72,968.00
21-15	Husquarna M-ZT52 Mower Aquatic Center	\$5999.99

One disposition was presented for a file cabinet #6270 from the Commission office being transferred to the Housing Authority office.

(2)

APPROVAL OF OUT-OF-STATE TRAVEL FOR BRET MILLS TO RENO, NV FOR 2015
NATIONAL TRANSLATOR ASSOCIATION ANNUAL MEETING AND CONVENTION.

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(3)
APPROVAL TO START THE RECRUITMENT PROCESS FOR SEASONAL WEED & MOSQUITO TECHNICIANS.

(4)
APPROVAL TO HIRE RYAN JENSEN AS A PATROL DEPUTY II IN GREEN RIVER, WAGE GRADE 17 @ \$17.89.

(5)
APPROVAL OF COMMISSION MEETING MINUTES DATED MARCH 17, 2015.

Commissioner Keith Brady requested to remove Requisition 21-15 from the Requisition List to allow time to follow-up with Mr. Hiatt at the Aquatic Center and to approve the remainder of the Consent Agenda. The motion was seconded by Commissioner Paul Cowley. The motion passed.

DISCUSSION AGENDA

(1)
ITEMS PULLED FROM THE CONSENT AGENDA.

Requisition 21-15 was pulled from the Consent Agenda. There was no discussion.

(2)
OPEN BIDS FOR SPRING CLEAN-UP AND FALL LEAF REMOVAL FOR EMERY COUNTY LIBRARIES AND ROAD DEPARTMENT. CONSIDERATION AND APPROVAL OF BID AWARD AND ASSOCIATED PAPERWORK.

Bids were opened and read aloud as follow:

- | | |
|----------------------|---------------|
| 1) Ward Landscaping | \$817.00/Week |
| 2) Kevin Gilbert | \$275.00/Week |
| 3) Randall Stilson | \$243.00/Week |
| 4) Tennant Lawn Care | \$222.00/Week |

Commissioner Keith Brady made a motion to authorize Commission Chairman Ethan Migliori to compare the bids and then award the bid and execute a contract with the apparent low bidder Tennant Lawn Care. The motion was seconded by Commissioner Paul Cowley. The motion passed.

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(3)

OPEN REQUEST FOR PROPOSALS FOR FIRE EXTINGUISHERS ANNUAL INSPECTION AND CERTIFICATION. CONSIDERATION AND APPROVAL TO AUTHORIZE CHAIRMAN TO ENTER INTO CONTRACT WITH VENDOR AFTER RFP REVIEW.

There were proposals from three companies. Proposals came in from Tri-County Fire, Clark's Home Fire Safety, and Forsyth Fire, LLC. After the proposals were read aloud, Commissioner Keith Brady made a motion to allow time for the Commission Chairman and Attorney to compare the quotes and authorize the Commission Chair to award the bid and enter into a contract with the lowest bidder. The motion was seconded by Commissioner Paul Cowley.

(4)

B. PAUL WEDDLE, USSOCOM J7, FMD DISCUSSION AND REQUEST FOR EMERY COUNTY LETTER OF SUPPORT FOR SCHEDULED TRAINING EXERCISE.

Paul Weddle USSOCOM J7 out of Saratoga Springs 7th Special Forces Group came before the Board of Commissioners to discuss training exercises scheduled for July 15 through August 5, 2015 in Emery County. This will be a strictly non-kinetic event with only three men. They will carry a weapon, but no live ammo or blowing things up. It will be "unconventional warfare" to test the area to see if it would support an insurgency. Local law enforcement coordination will be used as necessary through the exercise. Emery County area is a very small portion of a larger exercise taking place simultaneously in other states. Mr. Weddle requested an Emery County Letter of Support to allow the men to be in the county for the training session. Commissioner Paul Cowley made a motion to approve a Letter of Support for scheduled training exercises as discussed. The motion was seconded by Commissioner Keith Brady. The motion passed.

(5)

REQUEST DONATION FOR EMERY COUNTY COMMUNITY THEATRE.

A representative from the Emery County Community Theatre was not in attendance. This item was tabled.

(6)

REQUEST FOR DONATION FOR EMERY HIGH SWIM TEAM.

Levi Jensen, Kelvin Childs and Mady Allinson representatives from the Emery High Swim Team came before the Board of Commissioners to request a donation to the swim team. Spokesperson, Levi Jensen explained that the swim team took 1st place the 2A Swim Team Championship. They are requesting a donation to help purchase championship rings for the 34 team members. He stated that they do not charge to attend the swim meets, nor do they have the advantage of selling concessions to help raise funds for the team. The team is reaching out to the communities to raise funds to pay for the championship rings. He added that there are several

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members who would not have the means to pay for a ring themselves. Commissioner Migliori disclosed that his son is on the swim team. He suggested that the team members help coach the young county recreation teams to give back to the communities. Commissioner Migliori recommended a donation of \$500.00. Commissioner Cowley commented that he applauds the swim team for their win, but other Emery High and Green River High teams have done well this year also. We applaud all who have done well this year. A donation to give a personal trophy to each participant on the team has not been done for others in the past. He stated he does not support the concept on a donation for an individual trophy. He asked the cost of the ring. Levi indicated that the ring is \$240.00 per ring. The school district gave the swim team \$50.00 per member toward the cost of the ring. He again stated that they do not have the benefit of charging to attend the swim meet or providing concessions to raise the remainder of the funds. They are having a raffle for a homemade quilt and a gun to raise some funds. They will know tomorrow how much they have raised. Clerk/Auditor Brenda Tuttle stated that the Commission has only ever given a \$250.00 donation. Commissioner Brady liked the idea of the swim team giving back to the community by helping to coach the county rec swim teams in exchange for a donation. Patsy Stoddard commented that the High School Rodeo Team was not asked to give back to the community in exchange for a donation. It was brought out that the high school rodeo team is not a part of high school athletics. Commissioner Keith Brady made a motion to make a donation of \$250.00 to the Emery High Swim Team in exchange for help with the county rec swim teams. Commissioner Migliori stepped down to second the motion. Commissioner Cowley voted nay. The motion passed two to one.

(7)

APPLICANTS FOR BOARD APPOINTMENT TO EMERY WATER CONSERVANCY DISTRICT CAN ADDRESS THE COMMISSION. DISCUSSION AND APPROVAL OF (3) POSITIONS TO EMERY WATER CONSERVANCY DISTRICT.

Commissioner Migliori indicated that they received 4 applications for appointment to three positions that have ended. Roger Barton, Craig Johansen, and Sherrel Ward have all applied for re-appointment. Danny Whiteleather is a new applicant. He added that the three applicants are key members of the board and recommended re-appointment. Commissioner Paul Cowley made a motion to appoint Roger Barton, Craig Johansen, and Sherrel Ward to the Emery Water Conservancy District. The motion was seconded by Commissioner Keith Brady. The motion passed.

(8)

APPROVAL OF TALMA PEACOCK TO THE MUSEUM OF THE SAN RAFAEL BOARD OF DIRECTORS.

Commissioner Paul Cowley made a motion to appoint Talma Peacock to the Museum of the San Rafael Board of Directors. The motion was seconded by Commissioner Keith Brady. The

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motion passed.

(9)

CONSIDERATION AND APPROVAL OF PERMANENT COMMUNITY IMPACT FUND (CIB) LOCAL CAPITAL IMPROVEMENT SHORT TERM AND LONG TERM LIST FOR EMERY COUNTY.

Commissioner Paul Cowley made a motion to approve the Permanent Community Impact Fund (CIB) Local Capital Improvement Short Term and Long Term List for Emery County. The motion was seconded by Commissioner Keith Brady. The motion passed.

(10)

CONSIDERATION AND APPROVAL OF AMENDMENT OF SOLICITATION/MODIFICATION OF CONTRACT BETWEEN EMERY COUNTY AND BLM FOR WEED CONTROL ON BLM LANDS IN EMERY COUNTY.

Commissioner Migliori indicated that this is the third year of a four year contract with BLM for weed control on BLM lands in Emery County. This contract is for \$10,000.00. Commissioner Keith Brady made a motion to approve of Amendment of Solicitation/Modification of Contract between BLM and Emery County for weed control on BLM lands in Emery County. The motion was seconded by Commissioner Paul Cowley. The motion passed.

(11)

CONSIDERATION AND APPROVAL OF USL MEMORANDUM OF AGREEMENT BETWEEN EMERY COUNTY LIBRARY AND DEPARTMENT OF HERITAGE AND ARTS, UTAH STATE LIBRARY DIVISION.

Library Director, Carole Larsen indicated that this document is for funds from the Federal Government to help offset the cost of phone and internet service for the libraries. The amount is \$7,083.00. Commissioner Paul Cowley made a motion to approve of USL Memorandum of Agreement between Emery County Library and Department of Heritage and Arts, Utah State Library Division. The motion was seconded by Commissioner Keith Brady. The motion passed.

(12)

DISCUSSION AND RATIFICATION OF OUT-OF-STATE TRAVEL TO CALIFORNIA FOR KEITH BRADY.

Commissioner Brady reported that he traveled to California with representatives from Carbon County, Sevier County, Sanpete County and Juab County to meet with businesses and look over the land for business opportunities regarding exporting coal internationally. He has already traveled so approval needs to be ratified. Commissioner Paul Cowley made a motion to ratify

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approval for out-of-state travel for Keith Brady to travel to California. The motion was seconded by Commissioner Keith Brady. The motion passed.

(13)

DISCUSSION OF AMENDMENT TO CONTRACT AND APPROVAL OF CONTRACT FOR SERVICES TO STAFF TRAVEL SHOW BOOTH IN QUARTZSITE, AZ FOR MARK AND TERRY WILLIAMS.

Commissioner Keith Brady discussed a contract with Mark Williams and Terry Williams to staff travel show booth in Quartzsite, AZ. The contract was approved through the Travel Board. The contract was for Mark and Terry Williams to set up, man and take down the booth for the 9 days of the travel show in Quartzsite, AZ. It takes a day and a half to get there. They thought it would be best to have an agreement for them to man the booth. It usually takes five people to do this job. It is a long show, far away and seems to be a good show for our county's tourism efforts. Normally this type of agreement would go through Commission Meeting before the job is executed, which was January 17 through 25th, but this time it didn't. He has talked with Tina about this process. This contract now needs to be ratified because Mark and Terry did the job on good faith. Attorney Mike Olsen had some questions regarding the time that Mark and Terry were there to man the booth. Apparently Mark and Terry were not there for the first day and a half of the show so Commissioner Brady had to take materials down to Quartzsite before the show started at a cost of \$1,006.00 for mileage reimbursement. The contracted amount for Mark and Terry Williams was \$3,000.00 for the 9 days. They were there for 7 ½ days. Steve Barton asked don't Mark and Terry Williams live in Quartzsite during the winter months anyway? After discussion on this matter it was determined that a fair amount would be \$2,550. Commissioner Keith Brady made a motion to amend the contracted amount to \$2,550.00 and then approve the contract with Mark and Terry Williams to staff the travel show in Quartzsite, AZ. The motion was seconded by Commissioner Paul Cowley. The motion passed.

(14)

CONSIDERATION AND APPROVAL OF FY 2015 EMERGENCY MANAGEMENT PERFORMANCE GRANT.

Commissioner Keith Brady made a motion to approve of FY 2015 Emergency Management Performance Grant in the amount of \$30,000.00. The motion was seconded by Commissioner Paul Cowley. The motion passed.

(15)

REPORT FROM ENGINEER AND PROJECT MANAGER ON DEBRIS BASIN PROJECT.
CONSIDERATION AND APPROVAL OF FINAL CHANGE ORDER ON THE PROJECT.

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Project Manager, Howard Tuttle reported on the Debris Basin Project and presented a final change order on the project. He added that they held a media day that was attended by several agencies, state personnel, Nielson Construction and Huntington's Mayor Hilary Gordon. They visited each site. It is now time to close out the project. There is a final change order #7 in the amount of \$73,139.45 to Nielson Construction that will close out the project. The original contract price was \$1,108,102.50. The contract price including this new change order is now \$3,088,473.57. The completion date was March 25, 2015. Commissioner Cowley commented that the Seely Fire could have been prevented and he is curious to find out all the cost associated with the Seely Fire Incident. Commissioner Paul Cowley made a motion to approve Change Order #7 for the Huntington Canyon North Debris Basin Project 2013. The motion was seconded by Commissioner Keith Brady. The motion passed.

(16)

RATIFY TAX DEFERRAL AGREEMENT FOR DONA RALPHS-ROBERTS.

Treasurer, Steven Barton discussed a Tax Deferral Agreement for Dona Ralphs-Roberts. He reminded the Commissioners that he is working toward the May Tax Sale.. The Commissioners granted him the authority to resolve the defaulted tax issues by negotiating Tax Deferral Agreements to those property owners who desire to resolve the issue before the sale. The deferral will allow her until no later than November 30th to bring the taxes current which is when the current years taxes are due. Mrs. Roberts owns property in Huntington with \$3,000.00 due in taxes and in Ferron with \$4,000.00 due in taxes. A written agreement has been signed. Mrs. Roberts will have until November 30th to bring the taxes current. At that time, if the taxes are not paid, you(the Commissioners) will have the option of holding a special tax sale or let it ride until the May Tax Sale in 2016. Commissioner Keith Brady made a motion to ratify a Tax Deferral Agreement with Dona Ralphs-Roberts. The motion was seconded by Commissioner Paul Cowley. The motion passed.

(17)

COMMISSION/ELECTED OFFICIALS REPORT.

Commissioner Migliori

Commissioner Migliori reported on damage to the Buckhorn Kiosk Silhouettes. These silhouettes will be move to a different location in Green River. He reported on spending 2 days with BLM looking at areas south of Green River, east of Goblin Valley looking at roads and trails. He reported on HB323 which allocated funds for the general plan with ties to grazing. South Eastern Utah Energy Producers Association are looking into how mine closures will affect this area. He suggested that they look at how it will affect other associated fields and how it affect the economy.

Commissioner Keith Brady

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Commissioner Brady reported on efforts to get natural gas in to those areas in the county where natural gas is not available. He recently met with the bouldering group out of Boulder, CO. They are happy with what is going on here. The group helps mitigate the damage done to trails and boulders and ensure that erosion is minimized. He reported on his recent trip to California with people from Sevier, Sanpete, Juab and Carbon Counties. Mines are being bought up by large corporations that are looking into possible loading facilities at a port they have leased in California. This possible venture could be excellent for the economy.

Commissioner Cowley

Commissioner Cowley reported on activity during his recent trip to Washington, D.C. with Ray Petersen and Randy Johnson regarding Emery County’s land use bill. They were welcomed by the people that they visited with. Senator Bishop’s bill will be coming out soon. Hopefully this will be in our favor. Last week he attended a four county catastrophic fire meeting where they discussed the amount of money spent on the Seely Fire. Those in attendance felt that the fire could have been prevented. They talked about ways to prevent that from happening again.

He talked about a proposal for fencing along road in Goblin Valley. A grazers runs his cattle in this area. It is getting difficult to avoid the cows on this very busy road along Temple Wash to Goblin Valley. During the Easter holiday every available camping area was filled to capacity. the Land Council is working to identify impacted areas. The Children’s Justice Center recently held a successful fund raiser to help with the facility and the service that they supply.

Patsy Stoddard asked where the Commission is with respect to the Economic Development position? Commissioner Migliori answered that they are starting to conduct interviews.

(18)

ADJOURNMENT

The meeting was adjourned.

ATTEST: _____ COMMISSIONER: _____