MINUTES
OF THE REGULAR MEETING OF THE
TOOELE COUNTY BOARD OF COMMISSIONERS
HELD APRIL 7, 2015

Chairman Bitner 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 Sheriff Paul Wimmer.

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

3. **MINUTES.** Commissioner Bateman moved to approve the minutes of the Commission Meeting held March 17, 2015 as presented. Commissioner Milne seconded the motion. All concurred.

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

   Invoices. A) Warrants issued March 12, 2015 in the amount of $459,162.54. Check #1500584 thru #150174; B) Warrants issued March 19, 2015 in the amount of $764,656.52. Check #0150175 thru #0150287; C) Warrants issued March 26, 2015 in the amount of $387,292.66. Check #150288 thru #150391.

   Tax Adjustments/Deferrals. A) Matthew Wilber, Parcel #09-018-0-0008. Total amount owing $8,010.89. Mr. Wilber will pay $100 per month until his work picks up and then he will pay more; B) Levi B. Griffin, Parcel #09-019-0-0050. Levi is a 50% vet and should have received an abatement. Relief amount $1,962.89.

   Ratifications. A) Legal Defender Appellate Agreement with Jacob L. Linares; B) Agreements with Karpel Solutions for Prosecutor Case Management System and Hosting.

   Contract Review. A) Contract #92-05-05 - Joint Fuel Station - Ibapah; B) Contract #93-03-02 - Interlocal Cooperation Agreement between the Town of Vernon and Tooele County for Building Inspection Services; C) Contract #95-06-19 - Agreement Between Tooele County Sheriff's Office, Tooele County Emergency Management and Tooele City Fire Department; D) #99-07-11 - Communications Agreement between the State of Utah and Tooele County Emergency Management; E) Contract #06-04-18 - MOA Between Hill Air Force Base and Tooele County Sheriff's Department for surveillance checks at Wendover Peak; F) Contract #06-11-04 - Access Agreement - Tooele County and Tooele County Babe Ruth Baseball League; G) Contract #07-07-09 - Operating and Maintenance Agreement - State of Utah and Tooele County Courts Complex; H) Contract #09-03-02 - MOU Between Tooele County and Heritage West Credit Union for use of facilities and requests for Volunteers in a Public Health Emergency; I) Contract #09-03-07 - Stansbury Park Improvement District - Improvement Installation Guarantees; J) Contract #09-06-14 - Clive Repository Agreement Amendment Number Three - Tooele County and Energy Solutions, LLC; K) Contract #10-05-03 - US Training Council CTC Training Site Agreement - American Heart Association & Utah Region Affiliate - Sheriff's Office; L) Contract #11-03-04 - Fire Protection Mutual Aid Agreement Between Tooele County and Dugway Proving Ground; M) Contract

#11-04-02 - Master Electric Service and Facilities Improvements Agreement between Rocky Mountain Power and Tooele County Corp.; N) Contract #11-05-05 - MOU between Tooele County Recorder and Ingeo Systems, Inc.; O) Contract #11-07-03 - Lease Agreement between Kennecott Utah Copper, LLC, and Tooele County will all be reviewed April, 2016.

5. **SECOND PUBLIC HEARING FOR THE CDBG GRANT.** LaNiece Davenport, Wasatch Front Regional Council, discussed this with the Commission. Commissioner Bitner moved to open the public hearing. Commissioner Bateman seconded the motion. Those in attendance were: Curtis G. Beckstrom, Paul Wimmer, Raymond Dixon, LaNiece Davenport, Shirley Beagley, John Beagley, Toby Lee, Randall Jones, Kristy Lawson, Tim Coon, Brandon Bender, Mike Jensen, Jessica Jensen, Brian McFadden, Lynn Butterfield, Jerrin Hollien, Hal Hudson, Bracken Hudson, Brandy Millsap, Merritt Millsap, Carolyn Showell, George E. Showell, Jim Harrell, Renee Williams, Wendy Shubert, Diane Burgener, Maryann Tillery, Jack Tillery, Shelly Dahl, Brad Dahl, Pamela Webster, Paula Claymire, Annette Macfarlane. There were no public comments. Commissioner Milne moved to close the public hearing. Commissioner Bateman seconded the motion. All concurred.

6. **UPDATE ON THE UDOT SR-036 (MAIN STREET) PROJECT.** Jessica Rice, UDOT Project Manager, discussed the objectives and plans for the UDOT SR-36 Main Street Project. Carlye Sommers-Locherner, Project Public Information Officer, reviewed the project schedule and discussed where updates will be available to the public.

7. **CHIP SEAL PROJECT EMULSION BIDS.** Rod Thompson, Road Department, presented bids for the Chip Seal Project Emulsion.

Emulsion Bids per ton	LMCRS-2	CSS-1H s:1 Dil
Peak Asphalt	$343	$250
Calumet	$359	$249
Ergon	$314	$239

Commissioner Milne moved to approve the bid from Ergon at the prices noted. Commissioner Bateman seconded the motion. All concurred.

8. **DECISION ON CUP 2014-09 - APPEAL OF CONDITIONAL USE PERMIT FOR BREEDING KENNEL FACILITY AT 1711 E. BRINLEE COURT IN ERDA.** Blaine Gehring, Planner, reviewed this item and item #9 with the Commissioners. He also reviewed the CUP recommendations from the staff. Commissioner Milne moved to approve the staff recommendations, as provided. Commissioner Bateman seconded the motion. All concurred.

9. **DECISION ON CUP 2014-07 - APPEAL OF CONDITIONAL USE PERMIT FOR KENNEL AND TRAINING FACILITY AT 1382 E. ERDA WAY**. Blaine Gehring, Planner, stated the same staff recommendations pertain to this CUP, as well as two additional recommendations. Attorney Broadhead stated the reason for the additional recommendations is that one kennel is for breeding and the other is for training. Commissioner Milne stated that nothing precludes the neighbors from enforcing the CC&R's of the neighborhood. Commissioner Bateman made a motion to approve the staff recommendations with the two additional recommendations. Commissioner Milne seconded the motion. All concurred.

10. **SETTLEMENT AGREEMENT WITH RJS GENERAL CONTRACTING LLC FOR IMPROVEMENTS TO DESERET PEAK.** Attorney Broadhead stated this is the last piece for the parking lot adjacent to the DPC, in conjunction with the Country

Explosion event. Staker Parsons, who was a subcontractor, had previously been paid. This is a settlement for the general contractor who will then pay the rest of the subcontractors. The total amount of the bill is $54,823.86, however, a settlement has been made for $45,000. Commissioner Bateman made a motion to approve the Settlement Agreement with RJS General Contracting, LLC., for Improvements to Deseret Peak. Commissioner Milne seconded the motion. All concurred.

11. **TOURISM TAX ADVISORY BOARD GRANT RECOMMENDATIONS.** John Cluff, Chairman, reviewed the history and requirements for the grants, where the funds come from and what projects they can and have been used for. This year they received 31 grant applications totaling $1,053,904. Their budget was for $400,000. They approved 21 grant applications for a total of $400,500. The Commissioners thanked John and the members of his board for their hard work. John read through the list of grant recipients. Commissioner Bitner suggested they table the approval until they have time to look over the list. John explained that some of the groups are waiting for the money to plan their events. Commissioner Bitner withdrew his motion to table. Commissioner Bateman moved to approve the awards as presented. Commissioner Bitner seconded the motion. Commissioners Bateman and Bitner voted yes. Commissioner Milne recused himself since he serves on this board. The recommendation was made to have the closing date for applications earlier in the year so the entities have time to plan their activities.

12. **BOARD OPENINGS.**
    (A) Lake Point Cemetery and Park District - 3 Positions - Open until filled.
    (B) Council of Aging - 1 Position - Open until April 30, 2015.
    (C) Planning Commission - 1 Alternate Position - Open until April 30, 2015.

13. **BOARD APPOINTMENTS.**
    A) Rush Valley Water Conservancy District. Commissioner Bateman moved to appoint Kyle Russell (term runs thru December 31, 2016) and Darrell Johnson (term runs thru December 31, 2019. Commissioner Milne seconded the motion. All concurred.

14. **PUBLIC CONCERNS.** Lynn Butterfield, speaking on behalf of the Country Lane Ranchettes Home Association, expressed their disappointment with the Commissioner's decision on kennels in this area. They have filed a lawsuit in civil court.

Shirley Beagley, Tooele City, wants to know if there is a way to have the parking right behind the building available for citizens conducting business in the County building. Commissioner Bitner stated that area has been set aside for the disabled and for County vehicles. The parking in the rear of the building is available for citizens.

Commissioner Bateman asked if time could be set aside for a presentation. He has tried to contact the organization to reschedule but has not had his phone calls returned. Paula Claymore and Annette Maxwell, Restoring Ancestral Winds, Inc., presented a proclamation concerning Domestic Violence Awareness by the Tribal Coalition. They want to work with the agencies in the County who do not have tribes. Annette asked that the Commissioners look at the proclamation and at some point in time sign it and have it entered into their minutes.

Randall Jones, Stansbury Park, has a problem with the policy that the Tourism Board has not allowed park improvements to utilize the tax dollars. He gave examples of events they have in Stansbury Parks that bring people from around the mountain to Tooele County. These events bring not only tourism but better recreation for the people in Tooele County.

Brian McFadden, Erda, wanted to bring to the Commission's attention a business that has moved into his neighborhood for troubled youth. Ages range from 12 - 20. It is troubling that it has been allowed in their residential community. They have talked with the County planning staff about the situation with "Live for Life Cyprus". He is concerned about the young children in the neighborhood.

ADJOURN. Commissioner Bateman made a motion to adjourn at 8:22 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

COUNTY OF TOOELE
COUNTY CLERK/AUDITOR
STATE OF UTAH