

## COMMISSION MINUTES

**April 27, 2015**

Minutes of the regularly scheduled meeting of the Sevier County Commissioners held this twenty-seventh day of April, 2015. Meeting commenced at 1:30 p.m. with Commissioners Gary Mason, Gordon Topham, and Garth 'Tooter' Ogden in the Commission Chambers of the Sevier County Administration Building, 250 North Main, Richfield, Utah. Clerk/Auditor Steven C. Wall and Executive Director Malcolm Nash were also present.

### **Minutes of April 13<sup>th</sup> Commission Meeting approved:**

After review, Commissioner Mason moved to approve the minutes of April 13<sup>th</sup> Commission Meeting, second Commissioner Topham, unanimous.

### **Commission business:**

Commissioner Topham reported he has received additional calls concerning the Monroe Creek Flood Channel. Issues include possible floods, and who is responsible to clean the channel and ensure that if there are floods the water will get through the valley without flooding homes. Discussion followed that the County had partnered with Monroe Canal Company and Monroe City in the past to clean the canals, and that possibly there needs to be more discussion again as there are a few areas that do need some attention.

Commissioner Topham then updated the Commissioners on what has been done concerning speed limits along the Brooklyn Road, and that he will continue that process.

Executive Director Malcolm Nash informed the Commissioners of the ground breaking of a new charter school in the south end of Richfield that will be taking place on May 6<sup>th</sup>.

No action was taken or changes made to the Districts and Boards for the County as currently maintained.

### **Central Utah Counseling Center Audit and update of Residential Treatment project:**

Brian Whipple and Farrel Marx of the Central Utah Counseling Center reviewed with the Commission the independent audit of the June 30, 2014 Financial Statements. Mr. Whipple then updated the Commissioners on the progress of the new residential project that they are developing in Richfield with monies received from CIB. They are meeting with the architect and the City Planning Council to finalize some plans there before putting the project out for bid.

Mr. Whipple then discussed with the Commissioners some monies being provided by the legislature for drug court purposes, noting they are working with the Sheriffs and County Attorneys in the Six County area to coordinate their efforts and to put the money to good use in each of the areas. The Commission thanked them for the information.

### **Refund approved:**

Assessor Amy Garren-Clark then reviewed with the Commissioners a refund in the amount of \$19 to Springer Funeral Home, Inc. for a correction on some personal property. After discussion, Commissioner Mason moved to approve the refund as recommended, second Commissioner Topham, unanimous.

### **Board of Equalization convened:**

Commissioner Topham then moved to recess the regular meeting and convene the Board of Equalization, second Commissioner Mason, unanimous.

Assessor Garren-Clark reviewed with the Commissioners the stipulation order and approval from the State Tax Commission concerning Associated Fresh Markets Inc. reducing the 2014 value from \$3,172,620 to \$3,000,000 for taxing purposes. After discussion, Commissioner Topham moved to set the 2014 Value as stipulated and authorize the refund of \$2,143.35, second Commissioner Mason, unanimous.

Assessor Garren-Clark then reviewed the value of the appeal from Don Munk and the Stipulated value and approval of changing his 2014 value on parcel 1-S53-43 from \$114,660 to \$101,430 resulting in a refund of \$180.70. After discussion, Commissioner Mason moved to approve the adjustment to the value and the refund as stipulated, second Commissioner Topham, unanimous.

The Board of Equalization then reviewed request from Quality for Animal Life for property tax exemption noting that it had received an exemption in prior years, but the tax code reference no longer exists. The Board was also concerned that there was no activity or improvement to the properties, and that the property may not meet the requirement of the code based on the information they have received and reviewed from Quality for Animal Life. The code denotes use of the parcels in question for religious, charitable, or educational purposes, and the State Tax Commission also reviews any significant service to others in determining whether or not a specific use would meet its requirements. After discussion, Commissioner Mason moved to deny the property tax exemption request of the Quality for Animal Life, second Commissioner Topham, unanimous.

The Board then reviewed the appeal of the Richfield Elks Lodge for property tax exemption, noting that the request was received after the deadline, and that it states on the request that the Elk's Lodge has been closed down and no longer functions as an Elk's Lodge, just a vacant building. After review, Commissioner Mason moved to deny the appeal as the exempt charitable use is no longer there, second Commissioner Topham, unanimous.

Commissioner Topham then moved to resume the regular meeting, second Commissioner Mason, unanimous.

**Travel Council recommendations accepted:**

Tourism/Events Director Kevin Arrington then reviewed with the Commission the recommendations from the Travel Council. After review and discussion, Commissioner Mason moved to approve the expenditures as recommended, second Commissioner Tohpam, unanimous.

**Beer license renewed for Sevier Hospitality Services LLC:**

A beer lincense for Sevier Hospitality Services LLC was reviewed and approved on a motion by Commissioner Topham, second Commissioner Mason, unanimous.

**Parcel 5-107-17 near Burrville declared surplus:**

The Commission then reviewed the status of 5-107-17, noting that it is surplus property near Burrville that the County does not need or use, and could be sold to get it back on the tax rolls. After discussion, Commissioner Mason moved to declare the property surplus, reserving mineral rights, and authorize it for sale, second Commissioner Topham, unanimous.

**No action taken on Stepping Up Initiative Resolution:**

The Commission then reviewed a Resolution establishing support for a program to better deal with people now entering our jail with mental illness and substance disorders. They noted that the Resolution had not yet been reviewed by County Attorney Dale Eyre. No further action was taken.

**Policies and Procedure Section 10 updated:**

Human Resource Director LeighAnn Wheeler reviewed dividing Section 10 of the Sevier County Policies and Procedures Manual into two sections: Section 10A: Employee Benefits, and 10B: Employee Leave. Changes to Section 10 are a result of a Utah State Retirement audit and meeting the Affordable Care Act to bring it into compliance. After discussion, Commissioner Topham moved to approve the recommended changes of splitting Section 10 into two sections and making the necessary adjustments to bring those into compliance with the Affordable Care Act and the Utah State Retirement, second Commissioner Mason, unanimous.

**New Hires approved for Weed and Sheriff Departments:**

Ms. Wheeler then reported that there were two new hires for the Weed Department. Dustyn Allen and Jayson Foster were employed on April 10<sup>th</sup> at the rate of \$11 per hour so that they could get work done on spraying the weeds early. She stated that they would be increased to \$11.56 per hour upon receipt of their certifications as required. After discussion, Commissioner Topham moved to approve the new hires as recommended retroactive to April 10<sup>th</sup>, second Commissioner Mason, unanimous.

Ms. Wheeler then reported that there had also been a new Deputy hired, Paul Mecham, to begin May 4, 2015, at Grade 12, Step 1, with an hourly rate of \$15.26 as a Deputy Recruit in the Jail with a probationary period of 1 year and a requirement to pass the POST certification. After discussion, Commissioner Mason moved to approve the hire of Paul Mecham in the Sheriff Department, second Commissioner Topham, unanimous.

**Agreement with Chapman and Cutler LLP for Counsel Services approved:**

The Commission reviewed an agreement with Chapman and Cutler LLP Attorneys and Sevier County for Special Counsel Services for Organization of Interlocal Entity and Preliminary Work on Infrastructure Projects. The agreement had been reviewed by the County Attorney, who wanted some additional language included. The agreement included a fee of \$25,000 for work to be completed by July 1, 2015, with the understanding that if additional services are required the agreement could be extended on a month-to-month basis with an amendment to this agreement. After discussion, Commissioner Topham moved to approve the agreement subject to final approval with the wording changes from County Attorney Dale Eyre and Chapman and Cutler LLP, second Commissioner Ogden. Motion passed.

**Agreement with Paul Casey for entertainment at the Fair approved:**

Events Coordinator Paula Martin then reviewed with the Commissioners an agreement with Paul Casey for entertainment during the Sevier County Fair at a fee of \$2,500. After discussion, Commissioner Mason moved to approve the agreement, second Commissioner Topham, unanimous.

**Broken Heart Rodeo contract approved for one year:**

Commissioner Ogden then reviewed with the Commission a proposed agreement with Broken Heart Rodeo Company for a three year bid on the rodeo for 2015 through 2017 to be held during the County Fair at a cost of \$10,700 per year. It was also noted that there were additional costs for added premium money and announcers as listed in the contract. Commissioner Mason expressed his concern that the agreement was for three years, and that there were different rodeo companies available and recommended using just a one year term. After discussion, Commissioner Mason moved to approve the agreement with Broken Heart Rodeo Company for one year at a fee of \$10,700 to be revisited next year, second Commissioner Topham, unanimous.

There being no further business to come before the Board, meeting adjourned at 3:05 p.m.