

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

JUNE 2, 2015

Present at the meeting was Commission Chairman Ethan Migliori, Commissioner Paul Cowley, Commissioner Keith Brady, 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 #236250 through and including #236350 were presented for payment.

Requisitions were presented for the following:

| <u>REQUISITION</u> | <u>DESCRIPTION</u> | <u>AMOUNT</u> |
|--------------------|--|---------------|
| 29-15 | (2) 4RE In-Car Camera Systems Sheriff | \$9,646.00 |

There were no Dispositions.

(2)
RATIFY JAMES NIELSEN AS A VOLUNTEER FOR WEED AND MOSQUITO DEPARTMENT.

(3)
APPROVAL OF THE FOLLOWING VOLUNTEERS FOR THE 2015 RODEO. KLAYTON LAWS, SHELBY LAWS, JAMES HUGGARD, MERRILL DUNCAN, BRETT JEFFS, GAYLE FAFRENTZ, WILL PAYNE, MISTIE CHRISTIANSEN, GARY ARRINGTON, JACKIE ARRINGTON, ZEKE ATWOOD, BEN LINDLEY, JESSICA LINDLEY, LORI DENNISON, BOB DENNISON, LOR MCARTHUR, ARTHUR MCARTHUR, KENZIE GUYMON, JOEL HATCH, JULIE JONES, DERK JONES, TROY WINTER, CRESTA WINTER, JORDAN LEONARD, AMANDA LEONARD, JERRY PRICE, TRINITY PRICE, SCOTT LABRUM, MINDY LABRUM, AND GLENN JENSEN.

(4)

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APPROVAL TO HIRE LISE JEWKES AS A SEASONAL PART TIME MUSEUM CLERK WORKING UP TO 19 3/4 HOURS PER WEEK AT \$8.00 PER HOUR WITH NO BENEFITS.

(5)

APPROVAL OF THE FOLLOWING VOLUNTEERS FOR THE EMERY LIBRARY: JARED WITHERS, CASSIDY LARSEN, RANDY LAKE, AND GLEN VANTUSSENBROOK.

(6)

APPROVAL TO HIRE CLAIRE MALDONADO AS THE JUSTICE COURT CLERK/DMV TECH IN GREEN RIVER WORKING 29 HOURS PER WEEK WITH PRORATED BENEFITS. WAGE GRADE 11.

(7)

APPROVAL OF MINUTES OF THE MAY TAX SALE DATED MAY 28, 2015

(8)

APPROVAL OF COMMISSION MEETING MINUTES DATED MAY 19, 2015

Commissioner Paul Cowley made a motion to remove item # 3 from the Consent Agenda and approve the remainder of the Consent Agenda. The motion was seconded by Commissioner Keith Brady. The motion passed.

DISCUSSION AGENDA

(1)

ITEMS PULLED FROM CONSENT AGENDA

Item #3 from the Consent agenda was pulled after determining that the Rodeo volunteers needed to be approved through the Recreation SSD Board.

(2)

BID OPENING- OPEN BIDS FOR CONSTRUCTION OF CLEVELAND LIBRARY PARKING LOT PROJECT 2015. CONSIDERATION AND APPROVAL OF BID AWARD AND AUTHORIZATION FOR CHAIRMAN TO SIGN CONTRACT AGREEMENTS AND OTHER NECESSARY PAPERWORK TO EXPEDITE THE PROJECT.

Two bids were received for the construction of the Cleveland Library Parking Lot Project 2015. 1 bid was received after the deadline of 12:00 pm on Tuesday, June 2, 2015 so therefore it was not opened. The one bid received on time from Nielson Construction was opened and read aloud. Nielson Construction's bid was in the amount of \$44,155.35. Commissioner Keith Brady made a motion to accept the bid from Nielson Construction upon approval from Johansen

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& Tuttle, project engineers and authorize Commission Chairman Ethan Migliori to sign agreements and other necessary paperwork to expedite the project. The motion was seconded by Commissioner Paul Cowley. The motion passed.

(3)

CONSIDERATION AND APPROVAL OF AMBULANCE WRITE-OFF FOR SANDRA BEHLING.

The Board of Commissioners discussed an ambulance write-off application/request from Sandra Behling. Mrs. Behling has requested to have the bill written-off. She has made a few payments on the account. There is nothing on the application that indicates that she can not make payments. Commissioner Paul Cowley made a motion to deny Sandra Behling's ambulance bill write-off request and have her continue with the JCI Billing process. The motion was seconded by Commissioner Keith Brady. The motion passed.

(4)

CONSIDERATION AND APPROVAL OF AMBULANCE WRITE-OFF FOR LORENA MAGEE.

The Board of Commissioners discussed an ambulance write-off application/request from Lorena Magee. Ms. Magee has not made any payments and the application was not complete. Commissioner Paul Cowley made a motion to deny Lorena Magee's ambulance bill write-off request and have her continue with the JCI Billing process. The motion was seconded by Commissioner Keith Brady. The motion passed.

(5)

CONSIDERATION AND APPROVAL OF AMENDMENT #1 TO AGREEMENT BETWEEN EMERY COUNTY AND JOHANSEN 7 TUTTLE ENGINEERING ON THE HUNTINGTON STATE PARK TRAIL SYSTEM PHASE 1-2014 FOR DESIGN AND CONSTRUCTION ENGINEERING.

Commissioner Keith Brady made a motion to table this item to allow time to review the document with Tina Carter, Ray Petersen and Johansen & Tuttle Engineering. The motion was seconded by Commissioner Paul Cowley. The motion passed.

(6)

CONSIDERATION AND APPROVAL OF AMENDMENT #1 TO AGREEMENT BETWEEN

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EMERY COUNTY AND JOHANSEN & TUTTLE ENGINEERING OF THE HUNTINGTON CREEK SOUTH DEBRIS BASIN PROJECT FOR ADDITIONAL WORK.

Jonathon Johansen, Johansen & Tuttle Engineering explained Amendment #1 to agreement between Emery County and Johansen & Tuttle Engineering. Additional work was added to the project. Lights, hand rails & gate structure, ramps, stairways, activators, and final 'as-built' project drawings were added to the project at an additional cost of \$6,067.44. The final project cost is \$228,067.44. Commissioner Keith Brady made a motion to approve Amendment #1 to agreement between Emery County and Johansen & Tuttle Engineering for the Huntington Creek South Debris Basin Project. The motion was seconded by Commissioner Paul Cowley. The motion passed.

(7)

CONSIDERATION AND APPROVAL OF RESOLUTION THAT EMERY COUNTY IS NOT SEEKING TO IMPOSE A TAX UNDER SECTION 59-12-701, ET. SEQ. U.C.A ENTITLED COUNTY OPTION FUNDING FOR BOTANICAL, CULTURAL, RECREATIONAL AND ZOOLOGICAL ORGANIZATIONS OF FACILITIES.

Commissioner Keith Brady explained that the RAP/ZAP tax is a .1% local sales and use tax that could be imposed by cities or counties to fund cultural, recreational, and zoological facilities and botanical, cultural and zoological organizations in the city/county. In order for cities to be able to submit an opinion question to its residents regarding the tax, the Emery County Commission must provide a written resolution authorizing a city to proceed with the opinion question. Green River City is seeking to submit the opinion question to the City's residents in accordance with Section 59-12-1402, U.C.A. Therefore, A written resolution passed by the Commission stating that Emery County is not seeking to impose a tax under Section 59-12-701, et seq.,U.C.A., entitled County Option Funding for Botanical, Cultural, Recreational and Zoological Organizations or Facilities is needed for Green River City to proceed. Commissioner Migliori recommended authorizing him to work with Attorney Michael Olsen to draft a resolution. Commissioner Keith Brady made a motion to approve Resolution 6-2-15 stating that Emery County is not seeking to impose a tux under Section 59-12-701 et. Seq. U.C.A. entitled county option funding for Botanical, Cultural, Recreational and Zoological Organizations of facilities and authorize Attorney Michael Olsen and Commissioner Migliori to draft said Resolution, after which Commission chairman Ethan Migliori may sign the Resolution. The motion was seconded by Commissioner Paul Cowley. The motion passed.

(8)

CONSIDERATION AND APPROVAL OF PROCEDURE OF MAINTENANCE AND USAGE OF THE ROKON TRAIL MACHINE.

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Commissioner Keith Brady explained that he has recently received information from the county's liability insurance that will be helpful in protecting the county. He asked to table this item to allow time to review the information and put on the next agenda. Commissioner Keith Brady made a motion to table approval of procedure of maintenance and usage of the Rokon Trail Machine. The motion was seconded by Commissioner Paul Cowley. The motion passed.

(9)

CONSIDERATION AND APPROVAL OF MODIFICATION #2 BETWEEN STATE OF UTAH AND EMERY COUNTY FOR HUNTINGTON STATE PARK TRAIL SYSTEM PHASE 11.

Commissioner Migliori asked to table approval of Modification #2 between State of Utah and Emery County for Huntington State Park Trail System to allow time for clarity on language in the document. Commissioner Keith Brady made a motion to table approval of Modification #2 between State of Utah and Emery County for Huntington State Park Trail system. The motion was seconded by Commissioner Paul Cowley. The motion passed.

(10)

CONSIDERATION AND APPROVAL OF STATE TASK FORCE GRANT (STFG)

Sheriff Greg Funk explained that the State Task Force Grant(STFG) is in the amount of \$51,009.40 and will be used for training, equipment and drug buys. Commissioner Paul Cowley made a motion to approve of State Task Force Grant (STFG). The motion was seconded by Commissioner Keith Brady. The motion passed.

(11)

CONSIDERATION AND APPROVAL OF 2015 MAY TAX SALE PROCEEDINGS.

Clerk/Auditor Brenda Tuttle reviewed the proceedings of the May Tax Sale held on May 28, 2015. We started with 22 properties. All but one parcel was either redeemed prior to the sale or are under contract with the county to pay before November 2015. She reported that Parcel #01-0151G-0047 was sold to Carl A. Jacobson for \$5,000.00. The back taxes and fees paid to the county was \$2,759.82. The excess will be sent to the State Treasurer's Office as unclaimed property. She indicated that it was determined that the fees that are charged are not enough to cover the cost of title searches, mailings and advertising. May Tax Sale procedures need to be addressed before next year. Commissioner Keith Brady made a motion to approve of the 2015 May Tax Sale Proceedings. The motion was seconded by Commissioner Paul Cowley. The motion passed.

(12)

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COMMISSION/ELECTED OFFICIALS REPORT.

Commissioner Brady

Commissioner Brady reported on meeting with the contractor on the Aquatic Center Parking Lot Project. A punch list was given to the contractor to complete before payment is advanced on the project. He reported on a SITLA tour and board meeting that he and Commissioner Cowley attended last week. He felt it went very well. It was good for them to see the parcels of land that they control. The grazers and their allotments was a topic of concern in the board meeting.

Commissioner Cowley

Commissioner Cowley reported on attending the SITLA board member tour. They were impressed with the area that they toured including the point of Cedar Mountain, the Wedge the Draw and then on to Green River. Commissioner Brady gave a informational presentation of Blue Castle Holdings. The group was very impressed with the scenery and it was interesting to hear the comments. Next week there will be a site viewing on the fencing project along the north side of the road to Goblin Valley. Some grazers have had cattle killed along this route and will be relieved when the fence is done.

Commissioner Migliori

Commissioner Migliori reported that next week will be opening of the Goblin Valley Trail Bike System. Steven Barton added that he has been on the trail and the MECCA group helped work on the system. The Emery County Care and Rehabilitation Center asked Commissioner Migliori to convey the boards many thanks for the county's aide with the Upper Limit Payments. The census is up at the facility and the board is pleased with how things are improving. The State of Utah Resource Committee recently provided counties with \$50,000.00 for Resource Management Plans. The AOG proposed to leverage those funds through the CIB to procure additional funds. That application has been put on hold due to a question as to whether the CIB can use these funds for that type of project because of the source of the funds. There is a new app on the county website that will assist with GPS on trails. It is a PDF overlay of the county that helps you know your location.

(13)

ADJOURNMENT

The meeting was adjourned.

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ATTEST _____ COMMISSIONER: _____