

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

DECEMBER 15, 2015

Present at the meeting was Commission Chairman Ethan Migliori, Commissioner Paul Cowley, Commissioner Keith Brady, Attorney Mike Olsen, Deputy Clerk/Auditor Carol Cox, elected officials and citizens.

CONSENT AGENDA

(1)

APPROVAL OF CHECK EDIT LIST AND DISPOSITIONS.

The Warrant Check Edit List #238773 through and including #238998 was presented for payment.

(2)

APPROVAL OF COMMISSION MEETING MINUTES DATED NOVEMBER 17, 2015.

(3)

APPROVAL OF 3% WAGE INCREASE FOR TARRYN PARKINS, NATE GILBERT, DARYL GUYMON, PAYTN JEFFS, LACI HULSE, JADREE HUNTINGTON, ERIN OLIVERSON, AND MORGAN NICHOLSON (WHO ALL WORK AT THE AQUATIC CENTER) FOR SUCCESSFUL COMPLETION OF THE 6 MONTH ORIENTATION PERIOD.

(4)

APPROVAL OF 3% WAGE INCREASE FOR JORDAN LEONARD FOR SUCCESSFUL COMPLETION OF THE 6 MONTH ORIENTATION PERIOD.

Motion to approve the Consent Agenda was made by Commissioner Paul Cowley, seconded by Commissioner Keith Brady. The motion passed.

DISCUSSION AGENDA

(1)

ITEMS PULLED FROM CONSENT AGENDA

Nothing

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The Discussion Agenda order was suspended to move #25 after #2.

(2)

MINER'S MEMORIAL COMMITTEE, DISCUSSION OF THE MINER'S MEMORIAL IN CASTLE DALE.

Dennis Ardohain and Lori Ann Larsen came before the Board of Commissioners to provide an update on progress of Miner's Memorial planned for Castle Dale. Mr. Ardohain asked the Commissioners to decide on a stone color and lighting preference. Benches are planned and are available for donation for \$1,500.00 a bench. The funds are being run through the Community Development Corporation, a non-profit organization. There will be plaques reflecting the names of coal miners and coal mines in Emery County. Emery County will be doing the ground work and has set aside funds for donation to the project. Citizens, businesses and or corporations who donate to the project will receive a tax advantage. He asked for a decision on the stone color and lighting within the next two weeks as the stone comes from China and will take a while to get here. Much of the time dedicated to this project is donated. Kelly and Tennile Larsen have donated time and work on the plaques and monument. Gary Prazen and Danny donate their services.

(3)

CONSIDERATION AND APPROVAL TO ADOPT WORKERS COMPENSATION PREMIUM FOR 2016 WITH UTAH LOCAL GOVERNMENTS TRUST.

Mary Huntington that the Workers Compensation Premium for 2016 is down by \$8,000.00. The total premium is \$66, 744 for 2016. Commissioner Paul Cowley made a motion to adopt Workers Compensation Premium for 2016 with Utah Local Governments Trust. The motion was seconded by Commissioner Keith Brady. The motion passed.

(4)

CONSIDERATION AND APPROVAL OF COMMISSION TAX ADJUSTMENT FOR PJ JONES STORAGE LLC PARCEL NUMBER 01-0236A-0022.

Assessor Kris Bell recommended approval for a Commission Tax Adjustment for PJ Jones Storage LLC, Parcel #01-0236A-0022. She explained that a BOE adjustment was done on this parcel, however the land change was missed. The previous tax amount was \$563.86. The new tax amount is \$310.95. This is a tax dollar difference of -\$252.91. Commissioner Keith Brady made a motion to approve of a Commission adjustment for PJ Jones Storage, LLC, parcel #01-0236A-0022. The motion was seconded by Commissioner Paul Cowley. The motion passed.

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(5)

CONSIDERATION AND APPROVAL OF HOLIDAY SCHEDULE FOR FY 2016.

Commissioner Keith Brady asked that the Commissioners consider scratching Columbus Day as an employee holiday and have a full day on Christmas Eve and New Year's Eve rather than the 2 half days.

Commissioner Keith Brady made a motion to scratch Columbus Day as a holiday day for county employees and make Christmas Eve and New Year's Eve full day holidays rather than two half days. The motion was seconded by Commissioner Paul Cowley. The motion passed. This schedule reflects that change.

New Year's Day	Friday	01-01-16
Human Rights Day	Monday	01-18-16
President's Day	Monday	02-15-16
Memorial Day	Monday	05-30-16
Independence Day	Monday	07-04-16
Pioneer Day	Monday	07-25-16
Labor Day	Monday	09-05-16
Veterans Day	Friday	11-11-16
Thanksgiving Day	Thursday	11-24-16
Thanksgiving Day	Friday	11-25-16
Christmas Eve	Friday	12-23-16
Christmas Day	Monday	12-26-16
New Year's Eve	Friday	12-30-16

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(6)

CONSIDERATION AND APPROVAL OF EMERY COUNTY BOARD OF COMMISSION
AND LOCAL BUILDING AUTHORITY OF EMERY COUNTY OFFICIAL MEETING
SCHEDULE FOR FY 2016.

2016 Commission Meeting Schedule

January 5, 2016	3:00 p.m.
January 19, 2016	3:00 p.m.
February 2, 2016	3:00 p.m.
February 16, 2016	3:00 p.m.
March 1, 2016	3:00 p.m.
March 15, 2016	3:00 p.m.
April 5, 2016	3:00 p.m.
April 19, 2016	3:00 p.m.
May 3, 2016	3:00 p.m.
May 17, 2016	3:00 p.m.
June 7, 2016	3:00 p.m.
June 21, 2016	3:00 p.m.
July 5, 2016	3:00 p.m.
July 19, 2016	3:00 p.m.
August 2, 2016	3:00 p.m.
August 23, 2016	3:00 p.m.
* held at the County Sheriff/County Complex at 45 East Farrer St., Green River, UT	
September 6, 2016	3:00 p.m.
September 20, 2016	3:00 p.m.
October 4, 2016	3:00 p.m.
October 18, 2016	3:00 p.m.
November 1, 2016	3:00 p.m.
November 15, 2016	3:00 p.m.
December 20, 2016	5:00 p.m.

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2016 LBA Schedule

January 5, 2016	2:30 p.m.
February 2, 2016	2:30 p.m.
March 1, 2016	2:30 p.m.
April 5, 2016	2:30 p.m.
May 3, 2016	2:30 p.m.
June 7, 2016	2:30 p.m.
July 5, 2016	2:30 p.m.
August 2, 2016	2:30 p.m.
September 6, 2016	2:30 p.m.
October 4, 2016	2:30 p.m.
November 1, 2016	2:30 p.m.

Commissioner Keith Brady made a motion to approve the Commission Meeting Schedule and LBA Meeting Schedule for 2016. The motion was seconded by Commissioner Paul Cowley. The motion passed.

(7)

CONSIDERATION AND APPROVAL TO ADVERTISE FOR VACANT/EXPIRED POSITIONS ON VARIOUS COUNTY BOARDS.

Commissioner Migliori indicated that there are several boards with vacant or expired positions that need to be filled. He asked for approval to advertise to fill these positions. Commissioner Paul Cowley made a motion to approve to advertise for vacant/expired positions on various county boards. The motion was seconded by Commissioner Keith Brady. The motion passed.

The following are the opportunities available to serve on county boards:

Planning Commission: 4 vacancies, 4 year term limits. Meetings held monthly.

Board of Adjustments for Planning/Zoning: 8 vacancies, 4 year term limits.

Emery County care and Rehabilitation Board: 3 vacancies (1) by a Green River appointee.

council on Aging/Nutrition: 1 vacancy, 3 year term limit.

North Emery Water Users Special Service District: 3 positions, 4 year term limit.

Emery County Library Board of Trustees: 2 positions, 4 year term limit for 2 consecutive yrs.

Public Lands Council: 1 position by a Green River representative, 4 year term limit.

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(8)

CONSIDERATION AND APPROVAL OF MINI-GRANT APPLICATION FROM UTAH STATE LIBRARY FOR A TEEN READING PROGRAM.

Emery County Library asked for approval of a 2016 Teen Literature Mini-Grant Application from Utah State Library. The grant is in the amount of \$500.00. The program's anticipated date is from March 1 to April 30, 2016. Commissioner Keith Brady made a motion to approve of the mini-grant application with Utah State Library for a teen reading program. The motion was seconded by Commissioner Paul Cowley. The motion passed.

(9)

CONSIDERATION AND APPROVAL OF LAWN CARE CONTRACT AGREEMENT AMENDMENT FY 2016.

Commissioner Migliori discussed the lawn care contract agreement amendment FY 2016. The Commission felt that they were satisfied with the service that Mr. Tennant provided this year and recommended a contract amendment FY 2016 for \$430.00 per week for the period of March 27th through October 16, 2016. Commissioner Keith Brady made a motion to approve of Lawn Care Contract Agreement Amendment 2016. The motion was seconded by Commissioner Paul Cowley. The motion passed.

(10)

CONSIDERATION AND APPROVAL OF LETTER OF ENGAGEMENT WITH GOVERNMENT MATTERS LLC FOR FY 2016.

Commissioner Paul Cowley made a motion to approve of Letter of Engagement with Government Matters, LLC FY 2016. The motion was seconded by Commissioner Keith Brady. The motion passed. The Commissioners asked Mr. Johnson if he would come to Commission Meeting from time to time to report on activity at the legislature regarding issues of interest to Emery County. Mr. Johnson indicated he would.

(11)

CONSIDERATION AND APPROVAL OF AMENDMENT NO. 2 TO SPECIAL USE LEASE AGREEMENT 1622 BETWEEN EMERY COUNTY AND SCHOOL AND INSTITUTIONAL TRUST LANDS ADMINISTRATION FOR INDUSTRIAL PARK NEAR GREEN RIVER.

Commissioner Migliori explained that the lease is for the land east of Green River known as the Industrial Park. Blue Castle Holdings is located on this property. The lease expires any day now. They have been working with them to renew the lease and pass the fee along to Blue Castle as an incentive to keep them moving along in their permitting process. Commissioner Keith Brady made a motion to approve Amendment #2 to Special use Lease Agreement 1622 between Emery

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County and School and Institutional Trust Lands Administration for Industrial Park near Green River. The motion was seconded by Commissioner Paul Cowley. The motion passed.

(12)

DISCUSSION AND APPROVAL OF HUNTINGTON AIRPORT MANAGEMENT CONTRACT.

Commissioner Cowley asked to table this matter to allow time to get with Attorney Mike Olsen and Leon Defriez, current Huntington Airport Manager to review the contract.

(13)

CONSIDERATION AND APPROVAL OF AMENDMENT NO. 1 TO CONTRACT NO.141916 FOR HUNTINGTON AIRPORT HANGER LEASE TO STATE OF UTAH, DIVISION OF FACILITIES CONSTRUCTION AND MANAGEMENT.

Commissioner Cowley explained that this is a lease from the USDA for a hanger for a helicopter at Huntington Airport. The Commissioners discussed how the hanger rental fee will be managed. Commissioner Cowley indicated that he will discuss how to handle the adjustment with Leon Defriez. Commissioner Paul Cowley made a motion to approve of Amendment #1 to Contract No. 141916 for Huntington Airport Hanger Lease to State of Utah, Division of Facilities Construction and Management. The motion was seconded by Commissioner Keith Brady. The motion passed.

(14)

CONSIDERATION AND APPROVAL AUTHORIZING SIX COUNTY INFRASTRUCTURE COALITION TO OBTAIN A COPY OF THE HUNTINGTON AIRPORT LAYOUT PLAN FROM UTAH DIVISION OF AERONAUTICS.

Table

(15)

CONSIDERATION AND APPROVAL OF RESOLUTION AMENDING MINERAL LEASE REVENUE (MMS) AND STATE MINERAL DEVELOPMENT REVENUES (SITLA) RESOLUTION 4-6-99A AND 4-01-08B

Resolution 12-15-15A establishes a liability account within Emery County Special Service District #1 for the purpose of receiving and disbursing mineral lease funds to various service districts in Emery County. The Emery County Commission has deemed it appropriate to adjust

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the disbursements from the liability account to accommodate the needs of the various special service districts now existing in Emery County. Emery County Resolution # 4-01-08B allows Emery County Commission to disburse a portion of State mineral development revenues to the Special Service District in Emery County pursuant to HB 134; and Section 4 of Emery County Resolution 07-17-07 authorizes the Emery County Commission to amend the funding percentage as needed. Emery County Commission recommended paragraph 2 of Resolution # 4-6-99A is amended to the following:

Funds from the liability account shall be disbursed as follows upon receipt:

Emery County Special Service District #1	55%
Castle Valley Special Service District	18%
Emery County Recreation Special Service District	12%
Emery County Fire Protection Special Service District	12%
North Emery Water Users' Special Service District	3%
Local Building Authority of Emery County	0%

Commissioner Keith Brady made a motion to approve Resolution 12-15-15A Amending Mineral Lease Revenue (MMS) and State Mineral Development revenues (SITLA) Resolutions 4-6-99A and 4-01-08B. The motion was seconded by Commissioner Paul Cowley. The motion passed.

(16)

DISCUSSION AND APPROVAL OF RIGHT-OF-WAY FOR MOTORIZED TRAIL AT END OF DES BEE DOVE ROAD.

Attorney Mike Olsen and Commissioner Ethan Migliori discussed a ROW for motorized trail at end of Des Bee Dove Road. Mr. Olsen indicated that this was initiated by the OHV Club. The cattlemen are in support of it. He indicated that there are some liability issues. Julie Johansen commented that this is a horrible trail and liability should be a concern. Mr. Olsen requested to table this matter to allow time to fill in some blanks and address the liability issue.

Tabled

Commissioner Keith Brady made a motion to leave the regular meeting and enter into a public hearing to receive public comment concerning opening and amending the 2015 budgets for Emery County General Fund, Special Revenue Funds, Capital Projects Funds, Local Building Authority and Castle Valley Special Service District. Also, to receive public comment concerning the proposed FY 2016 budgets for the Emery County General Fund, Special Revenue Funds, Capital Projects Funds, Local Building Authority and Castle Valley Special Service District. At the conclusion of the public hearing the Commissioners will return to the regular meeting. The motion was seconded by Commissioner Paul Cowley. The motion passed.

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(17)

6:00 PM.- PUBLIC HEARING- TO RECEIVE PUBLIC COMMENT CONCERNING OPENING AND AMENDING OF THE FY 2015 BUDGETS FOR THE EMERY COUNTY GENERAL FUND, SPECIAL REVENUE FUNDS, CAPITAL PROJECTS, LOCAL BUILDING AUTHORITY, AND CASTLE VALLEY SPECIAL SERVICE DISTRICT.

Clerk/Auditor Brenda Tuttle reviewed the amended 2015 budget for Emery County General Fund, Special Revenue Funds, Capital Projects, and Local Building Authority. The amended budget reflects actual revenues and expenditures for 2015.

Castle Valley Special Service District Manager, Jacob Sharp reviewed the amended 2015 budget for their General Fund, Capital Project Fund, and Debt Service Fund.

(18)

6:00 PM - PUBLIC HEARING- TO RECEIVE PUBLIC COMMENT REGARDING THE PROPOSED FY 2016 BUDGETS FOR THE EMERY COUNTY GENERAL FUND, SPECIAL REVENUE FUNDS, CAPITAL PROJECTS FUND, LOCAL BUILDING AUTHORITY, AND CASTLE VALLEY SPECIAL SERVICE DISTRICT.

Clerk/Auditor Brenda Tuttle reviewed the FY 2016 budget for Emery County General Fund, Special Revenue Funds, Capital Projects Fund, and Local Building Authority. The Commissioners have met with each department to review their budget requests for 2016 and have now set the budgets for 2016.

Castle Valley Special Service District Manager, Jacob Sharp reviewed the FY 2016 budget for the General Fund, Capital Project Fund, and Debt Service Fund. The budgets have been set and recommended by the Castle Valley Special Service District Board of Directors.

The Public Hearing came to an end and the Commissioners returned to the regular meeting schedule.

(19)

CONSIDERATION AND APPROVAL OF RESOLUTION AMENDING THE FY 2015 BUDGETS FOR THE EMERY COUNTY GENERAL FUND, SPECIAL REVENUE FUNDS, CAPITAL PROJECTS FUNDS, LOCAL BUILDING AUTHORITY, AND CASTLE VALLEY SPECIAL SERVICE DISTRICT.

Commissioner Keith Brady made a motion to approve Resolution 12-15-15B amending the FY2015 Budget for Emery County General Fund, Special Revenue Funds, Capital Projects

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resolution. Commissioner Ethan Migliori stepped down to second the motion. The motion passed with two in favor. Commissioner Keith Brady did not vote.

The new tippage fees are as follow:

All loads crossing the scale 1,000 lbs. and under	No charge
All loads crossing scale 1,001 lbs. and over	\$10.00/ton
Contaminated soil	\$15,00/ton
City/Town roll-offs	No charge

Effective Date: March 1, 2016

(22)

CONSIDERATION AND APPROVAL OF STANDARD AGREEMENT/CONTRACT WHERE EMERY COUNTY WOULD PAY A PORTION OF EMT TRAINING FEES AND PROVIDE A METHOD OF REIMBURSEMENT.

Tabled

(23)

CONSIDERATION AND APPROVAL OF AMENDING RESOLUTION NO. 7/1/92B DESIGNATING AND APPOINTING MEMBERSHIP OF THE ADMINISTRATIVE CONTROL BOARD OF THE EMERY COUNTY FIRE PROTECTION SPECIAL SERVICE DISTRICT.

Tabled.

(24)

CONSIDERATION AND APPROVAL OF LETTER OF SUPPORT FOR GOBLIN VALLEY STATE PARK'S APPLICATION FOR INTERNATIONAL DARK SKY DESIGNATION GOLD TIER NOMINATION PACKAGE.

Commissioner Paul Cowley has discussed this matter with Public Lands Director, Ray Petersen. Ray is in favor of this designation citing that it could be a plus for the county. Commissioner Cowley expressed concern that the information could be used by the environmental groups to their favor. There are only 5 to 7 areas in the world with this particular designation. Goblin Valley has special circumstances with the park being so far from a city. The Commission felt that the application will be made with or without the County's letter of support. Commissioner

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Keith Brady made a motion to approve a letter of support for Goblin Valley State Park's application for International Dark Sky Designation Gold Tier Nomination Package. The motion was seconded by Commissioner Paul Cowley. The motion passed.

(25)

DISCUSSION AND POSSIBLE APPROVAL OF SPILLMAN TECHNOLOGIES, INC.
QUOTE AND PURCHASE ADDENDUM FOR SOFTWARE FOR SHERIFF'S
DEPARTMENT.

Sheriff Greg Funk discussed the need to switch from Fatpot to Spillman Technologies, Inc. He explained that Fatpot got bought out and is moving in a different direction. So the department is back to Spillman for their data base. The cost for the software is \$125, 620.00. He is still in negotiations with them for the yearly maintenance fee. He plans on using Emergency Management funds paying \$40,000 per year for four years. They will be merging the three data bases currently used by the Sheriff's Department. There are options available for retrieving data. Fatpot will continue until their contract is up and installation would be in August of 2016 for Spillman. Attorney Mike Olsen has reviewed the addendum and Jeff Guymon has reviewed it also. Commissioner Keith Brady made a motion to approve of Spillman technologies, Inc. and purchase addendum for software for Sheriff's Department. The motion was seconded by Commissioner Paul Cowley. The motion passed.

(26)

DISCUSSION AND POSSIBLE APPROVAL FOR TINA CARTER TO ACCEPT AN
INVITATION TO BECOME A MEMBER ON THE UTAH OFFICE OF TOURISM TRAVEL
TRADE/INTERNATIONAL MEDIA ADVISORY COMMITTEE.

Tina Carter explained that this is an open invitation from Utah Office of Tourism Travel Trade/ International Media Advisory Committee. The group meets every other month in SLC. It should not interrupt her duties for the county. There is no per diem because she can go up and back in a day. She estimated it will cost her budget approximately \$600.00 for the year in gas and wages. Tina and the Commissioners felt that there could be benefits to the county to having exposure to the information she would receive while serving on this committee. Commissioner Keith Brady made a motion to approve for Tina Carter to accept an invitation to become a member on the Utah Office of Tourism Travel trade/international Media Advisory Committee. The motion was seconded by Commissioner Paul Cowley. The motion passed.

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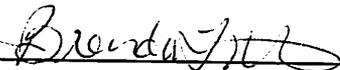
(27)
COMMISSION/ELECTED OFFICIALS REPORT.

There were no reports.

(28)
ADJOURNMENT

The meeting was adjourned.

ATTEST:



COMMISSIONER:

