

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

MARCH 1, 2016

Present at the meeting was Commission Chairman Keith Brady, Commissioner Paul Cowley, Commissioner Ethan Migliori, Attorney Mike 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 # through # was presented for payment.

Requisitions were presented for the following:

<u>REQUISITION</u>	<u>DESCRIPTION</u>	<u>AMOUNT</u>
7-16	Plate Compactor Highway	\$1,900.00
8-16	4 Stroke Rammer Highway	\$3,040.00
9-16	Cat Motor Grader w/trade-in Highway	\$210,881.00
10-16	(2) Cat 962 Wheel Loaders w/trade-in Highway	\$385,000.00
11-16	Microwave Radio Card repair for GR Communications/SO	\$ 750.00

Dispositions were presented for the following:

622-4893, pump (W/M)

37 EOtech scopes and sites to be returned for reimbursement.

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(2)

APPROVAL OF COMMISSION MEETING MINUTES DATED FEBRUARY 16, 2016

(3)

APPROVAL OF OUT-OF-STATE TRAVEL FOR RAY PETERSEN AND KEITH BRADY TO WASHINGTON D.C. FOR PLI.

(4)

NOTIFICATION THAT ADAM GARDNER WAS HIRED AS A PART TIME EQUIPMENT OPERATOR I FOR THE ROAD DEPARTMENT WORKING IN THE GREEN RIVER AREA. WAGE GRADE 16.

This item was pulled from the Consent Agenda.

Motion to approve the Consent Agenda, with exception of #4, was made by Commissioner Ethan Migliori, seconded by Commissioner Paul Cowley, and the motion passed.

DISCUSSION AGENDA

(1)

ITEMS PULLED FROM THE CONSENT AGENDA.

Item # 4 was pulled from the Consent Agenda.

Commission Chairman Keith Brady asked to have Randy Johnson provide an update of legislative activity.

Mr. Johnson reported on the progress of House/Senate Bills in the Utah Legislature that are of interest to rural Utah, especially Emery County.

He reported on HB15- Beekeeping Bill, has a great deal of opposition. It has been held over for a second time to answer questions. HB218 Water Bill, has been pulled from committee by Representative Kay McIff who introduced the bill. There is too much opposition to this bill. SB116 is a similar water bill that is not going anywhere.

HB360-Planning Ordinances bill introduced by Mel Browns. This bill has the potential to create a lot of extra work for rural areas. He is still tracking the Goblin Valley State Park Expansion Bill. HJR8 calls for a constitutional balanced budget. HJR18 calls for a constitutional term

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limit. Constitutional bills require 33 states to pass.

(2)

OPEN REQUEST FOR PROPOSALS FOR EVENT COORDINATOR. CONSIDERATION AND APPROVAL OF FURTHER REVIEW OR ACTION TAKEN.

There was one RFP for an Event Planner turned in to the Clerk/Auditor's Office. Commissioner Paul Cowley asked if there is a board set up to review the proposals? Commissioner Migliori indicated that the Travel Bureau will review the proposals. Commissioner Ethan Migliori made a motion to take the proposal to the Travel Bureau to continue the process of reviewing the proposal and make sure the board is comfortable with approval or re-advertise for more proposals. Commissioner Paul Cowley asked if this is a contract position? Commissioner Brady indicated that the Travel Bureau has allocated \$20,000.00 in their budget for this purpose. The funds are to come from TRT and tourism. Commissioner Cowley asked what are the events that this person will do? Commissioner Brady answered that the hope was for the planner to take some of the pressure off the Rec District to coordinate the Fair. He added that the idea behind an event planner is to have more tourism events for this side of the county that may entice motels and restaurants to locate here. Commissioner Cowley indicated that he would be more comfortable with re-advertising to give the public more of an opportunity to reply to the RFP. Commissioner Brady called for a second to Commissioner Migliori's motion to take the proposal to the Travel Bureau for review and approval or re-advertise. There was no second to the motion. Therefore, the motion died. Commissioner Paul Cowley made a motion to re-advertise for an Event Planner for two more weeks to see if we can get more response from the public for the RFP. Commissioner Ethan Migliori seconded the motion. The motion passed.

(3)

OPEN SEALED BIDS FOR SALE OF COUNTY OWNED PROPERTY. CONSIDERATION AND APPROVAL OF HIGH BID AND ASSOCIATED PAPERWORK TO COMPLETE SALE OF PROPERTY.

Bids were opened for the sale of county owned property in Lawrence. There were two bids submitted. The minimum bid advertised was \$121.00.

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|----|----------------------|----------|
| 1) | Kyle Willis | \$305.00 |
| 2) | Kendahle Brandenburg | \$150.00 |

Motion to accept the high bid from Kyle Willis for \$305.00 and the associated paperwork to complete the sale was made by Commissioner Paul Cowley, seconded by Commissioner Ethan Migliori and the motion passed.

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(4)

LORI ANN LARSEN, EMERY COUNTY HISTORICAL SOCIETY, REQUEST RENTAL FEE WAIVER AT THE MUSEUM OF THE SAN RAFAEL FOR THEIR GENERAL MEMBERSHIP MONTHLY MEETINGS.

Lori Ann Larsen, President of Emery County Historical Society came before the Board of Commissioners to request rental fee waiver at the Museum of the San Rafael for their general membership monthly meetings. She indicated that they hold their meetings on the 4th Thursday of the month during the winter months which is usually about 5 to 6 months out of the year. The warmer months they attend tours in the county for their meetings. She inquired as to why the ECHS had to come to request a fee waiver each year when there was an agreement to allow the historical society to hold their meetings there. She added that the ECHS was instrumental in starting the MOSR. She was reminded that the agreement was a gentleman's agreement and not in writing. Future Commissioners can not be bound by past Commissioners verbal agreements. Commissioner Ethan Migliori made a motion to approve a request for a fee waiver for the Emery County Historical Society's use of the MOSR for their membership monthly meetings. The motion was seconded by Commissioner Paul Cowley. The motion passed.

(5)

DREW LEROY, REQUEST APPROVAL FOR FEE WAIVER AT THE LANDFILL.

Mr. LeRoy was not able to attend the meeting. Commissioner Paul Cowley made a motion take no action on this matter. The motion was seconded by Commissioner Ethan Migliori. The motion passed.

(6)

CONSIDERATION AND APPROVAL OF DONATION FOR EMERY RODEO TEAM.

McCoy Christensen, Vice President of the Emery Rodeo Team came before the Board of Commissioners to request a sponsor donation for the 2016 Rodeo Team. \$250.00 is the diamond sponsorship and the amount that the Commission has donated in the past. Commissioner Ethan Migliori made a motion to approve a \$250.00 diamond sponsorship donation to the Emery Rodeo Team. The motion was seconded by Commissioner Paul Cowley. The motion passed.

(7)

CONSIDERATION AND APPROVAL OF DONATION FOR WESTERN RANGELANDS CONSERVATION ASSOCIATION, INC.

Dusty Huntington, Western Rangelands Conservation Association, Inc. came before the Board of

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Commissioners to request a donation in support of their efforts to fight for protection of rights with regard to grazing rights on BLM range land. He indicated that BLM land has been beat down by radical wild horse and burro grazing while the livestock grazers are slowly being forced off the range. The wild horse population grows by 25% each year or doubles every four years. The horse population is growing with no management. The BLM is doing nothing to mitigate the situation. The Association has filed a lawsuit with the BLM to get the horses within management level. We are not trying to eliminate or eradicate the horses/burros. We want the BLM to follow their own guidelines for management of the horses/burros. In 2014 the Board of Commissioners granted the Association \$1,000.00 to aid in this litigation effort. He stated he is here today to request a donation to continue fighting this battle. Attorney Mike Olsen stated that it has been his experience that the BLM responds to litigation. The service that this group is performing takes litigation to accomplish. He asked if there was anything else Emery County could be doing to help in this effort? Dusty stated, "Support"! Commissioner Paul Cowley made a motion to approve a donation of \$1,000.00 to the Western Rangelands Conservation Association, Inc.. The motion was seconded by Commissioner Ethan Migliori. The motion passed.

(8)

CONSIDERATION AND APPROVAL OF AMENDMENT #2 OF INTERAGENCY COORDINATION AND SUB-RECIPIENT CONTRACT AGREEMENT BETWEEN EMERY COUNTY AND SEUALG.

Commissioner Ethan Migliori made a motion to approve Amendment #2 of Interagency Coordination and Sub-Recipient Contract Agreement between Emery County and SEUALG. The motion was seconded by Commissioner Paul Cowley. The motion passed.

(9)

CONSIDERATION AND APPROVAL TO ACCEPT BUREAU OF LAND MANAGEMENT'S INVITATION OF CONSULTING PARTY STATUS FOR THE MONTICELLO/MOAB FIELD OFFICE DEVELOPMENT OF A CLASS I EXISTING INFORMATION INVENTORY AND THREE CLASS II PROBABILISTIC FIELD SURVEYS FROM THE SAN RAFAEL DESERT AND MOLEN REEF AREAS. APPOINTMENT OF POINT OF CONTACT FOR EMERY COUNTY.

Public Lands Director, Ray Petersen reported that in the February 19, 2016 Commission Meeting this item was on the agenda but needed some clarification. Ray indicated he checked into the status of consulting party and feels comfortable with accepting consulting party status for the Monticello/Moab Office Development of a Class I existing information inventory and three Class II probabilistic field surveys from the San Rafael Desert and Molen Reef areas. This will allow

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Emery County to be part of the planning process. Commissioner Ethan Migliori made a motion to accept BLM's invitation of Consulting Party Status for the Monticello/Moab Field Office development of a Class I existing information inventory and three Class II probabilistic field surveys from the San Rafael Desert and Molen Reef areas, and appoint Ray Petersen as point of contact for Emery County as well as Public Lands Chairman and Commissioner over Public Lands as alternate point of contact for Emery County. The motion was seconded by Commissioner Paul Cowley. The motion passed.

(10)

CONSIDERATION AND APPROVAL OF SECOND AMENDMENT TO LEASE AGREEMENT BETWEEN EMERY COUNTY AND CELLULAR , INC. NETWORK CORPORATION d.b.a. VERIZON WIRELESS TO EXPAND GENERATOR BUILDING TO ACCOMMODATE A LARGER GENERATOR.

Communications Director, Bret Mills has worked out some issues with the amendment to the lease agreement between Emery County and Verizon Wireless to expand the generator building to accommodate a larger generator. Bret will have to be on site during the construction phase of the project. They are ready to move forward with the project. Commissioner Ethan Migliori made a motion to approve of second amendment to lease agreement between Emery County and Cellular Inc. Network Corporation d.b.a Verizon Wirelesss to expand generator building to accommodate a larger generator. The motion was seconded by Commissioner Paul Cowley. The motion passed.

(11)

CONSIDERATION AND APPROVAL OF APPLICATION FOR TRANSPORTATION AND UTILITY SYSTEMS AND FACILITIES ON FEDERAL LAND (BLM ROW UTU-89586) TO INCREASE WIDTH OF ROW ON GILES ROAD TO INSTALL CULVERTS.

Road Supervisor Wayde Nielsen discussed a ROW application to increase the width of the original ROW on Giles Road to install culverts. The new application requests the ROW be granted with a width of 75 feet to properly maintain the road by installing two culverts. Commissioner Paul Cowley made a motion to approve of an application for Transportation and Utility Systems and Facilities on Federal Land (BLM UTU-89586) to increase width of ROW on Giles Road to install culverts. The motion was seconded by Commissioner Ethan Migliori. The motion passed.

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(12)

ELECTED OFFICIALS REPORT

Sheriff Funk reported his concern that there is no public safety component built into the proposed JRI.

Commissioner Migliori reported on attending meetings regarding coal mining and doing everything we can do as a county. The water issues have been curbed. The Farm Bureau has been watching this issue closely.

Commissioner Brady reminded everyone that the comment period is almost over for the EPA on the haze issue. He invited individuals to visit the website and make comments.

Commissioner Cowley reported on attending a Sage Grouse conference.

(13)

ADJOURNMENT

The meeting was adjourned.

ATTEST: _____ COMMISSIONER: _____