

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

APRIL 19, 2016

Present at the meeting was Chairman Keith Brady, Commissioner Ethan Migliori, Commissioner Paul Cowley, 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 #240069 through and including #240914 was presented for payment.

Requisition were presented for the following:

<u>REQUISITION</u>	<u>DESCRIPTION</u>	<u>AMOUNT</u>
13-16	(8) Canon Image Runner Copiers Library	\$23,584.00
14-16	(6) 2017 Ford Explorers Sheriff	\$173,820.00
15-16	Transmodulator SO/Television	\$ 5,000.00
16-16	FM Translator SO/Television	\$1,526.20

There were no dispositions.

(2)  
APPROVAL OF COMMISSION MEETING MINUTES DATED APRIL 5, 2016.

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(3)

RATIFY THE HIRING OF MELANY WEAVER AS A PARALEGAL/OFFICE MANAGER IN THE ATTORNEY'S OFFICE. GRADE 21.

(4)

APPROVAL TO PROMOTE CHERYL COX TO SR. JUSTICE COURT CLERK. GRADE 16.

(5)

APPROVAL OF SUZANNE ANDERSON AS A VOLUNTEER IN ARCHIVES.

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

#### DISCUSSION AGENDA

(1)

ITEMS PULLED FROM THE CONSENT AGENDA

Nothing

(2)

JULIE JONES, FAIR DIRECTOR, REQUEST APPROVAL OF WAIVER OF INSURANCE REQUIREMENTS FOR FAIR VENDORS. DISCUSSION AND APPROVAL OF EVENT INSURANCE TO COVER FAIR VENDORS.

The Commissioners discussed the vendor application which requires general liability insurance with limits not less than \$1,000,000.00 per occurrence. He stated that if someone is going to sue then they are going to sue. He indicated that the Rec District is currently looking into event insurance. He wondered if they should table this matter until Julie Jones can be here. Mike Olsen asked who is requesting the waiver? It was determined that the Rec Board is the one requesting the waiver. Mike Olsen indicated that the Board and the board member themselves, personally could be sued. Commissioner Migliori questioned as to whether that could happen. His concern was, as a county are we doing everything we can to mitigate the liability. Also at the same time currently a local vendor, selling snow cones would be required to have a \$1 million dollar policy. What we as a Commission is going to hear is " why do you hate the businesses in the county? Why are you prohibiting local businesses to the Fair?". Because for them that type of insurance is just not feasible. We are trying to find that right balance so as to not prohibit those local businesses from being part of our own county event. But at the same time make sure that as much liability falls back to the business. We have to find some way to make a distinction as to what level of insurance is required. There needs to be some type of

determination or categorization as to the type of insurance is required.

Julie Jones indicated that as a Rec Department they have spoken to Tyler Jeffs and Carbon Emery Insurance who have told them that could buy an event policy as long as they have signage that states that Emery County is not responsible. Commissioner Brady asked if this type of policy only cover the Rec District or the vendors as well? Julie stated that it covers the event, those people who are under contract as vendors. Commissioner Brady indicated that there are some things that need to be flushed out with regards to the vendor application. Julie Jones indicated that the vendors have already said if they have to have this insurance policy in place then they want their money back. Commissioner Ethan Migliori made a motion to table this matter for now to allow time to look further into the issue. The motion was seconded by Commissioner Paul Cowley. The motion passed.

(3)

CONSIDERATION AND APPROVAL OF CONTRACT WITH JOHNNY V & TROUBLE TRAIN FOR ENTERTAINMENT AT THE EMERY COUNTY FAIR.

Julie Jones explained that Johnny V & Trouble Train has ties to Emery County. They have agreed to \$2,500.00 for their fee which is very reasonable. They will perform on Friday & Saturday. San Rafael Bed & Breakfast has waived their fee. Commissioner Ethan Migliori made a motion to approve of contract with Johnny V. & Trouble Train for entertainment at the Emery County Fair. The motion was seconded by Commissioner Paul Cowley. The motion passed.

(4)

CONSIDERATION AND APPROVAL OF CONTRACT WITH MILL STREET ENTERTAINMENT FOR ENTERTAINMENT AT THE EMERY COUNTY FAIR.

Julie Jones explained that the contract with Mill Street Entertainment is for a high energy band 'No Limits'. Their usual charge is \$4,000.00 for a performance. Charlie Jenkins has started his own agency and because of his love the Emery County fans has negotiated the cost to \$2,750.00 for Saturday night's performance. Commissioner Ethan Migliori made a motion to approve of contract with Mill Street Entertainment for entertainment at the Emery County Fair. The motion was seconded by Commissioner Paul Cowley. The motion passed.

(5)

DISCUSSION AND APPROVAL OF ADVERTISING BIDS FOR EMERY COUNTY FAIR FROM CASTLE COUNTRY RADIO, ETV10, EMERY COUNTY PROGRESS, AND KUSA.

Julie Jones discussed advertising for the Emery County Fair. She had bids from Castle Country Radio, ETV10, and Emery County Progress for advertising the days leading up to the Emery County Fair. Julie indicated \$3,500.00 has been budgeted for advertising. The bid from CCR

which is KARB and KRPX, was broken down into the number of ads per day for 2 weeks. 195 ads running two weeks would be \$1,382.00. 312 ads would be \$2,116.00. 585 ads would be \$3,246.00. Emery County Progress's bid is \$1,500.00. The Commissioners talked about the value in each type of advertising. Commissioner Migliori suggested approving the low end on CCR for \$1,382, Emery County Progress's bid of \$1,500.00 and negotiate with ETV10 to get it down around the same price level. Commissioner Ethan Migliori made a motion to approve CCR's bid of \$1,382 and Emery County Progress's bid of \$1,500.00 and negotiate with ETV10 and bring that bid back to Commission for approval. The motion was seconded by Commissioner Paul Cowley. The motion passed.

(6)

CONSIDERATION AND APPROVAL OF MEMORANDUM OF UNDERSTANDING BETWEEN EMERY COUNTY EMERGENCY MEDICAL SERVICES AND THE UNITED STATES DEPARTMENT OF ENERGY FOR PROVIDING EMERGENCY MEDICAL SERVICES TO DOE, ITS CONTRACTOR PERSONNEL OR ITS GUESTS AT THE URANIUM MILL TAILINGS REMEDIAL ACTION PROJECT SITE.

This MOU was tabled in the last Commission Meeting. Jim Gordon has indicated that the EMT's in Green River are good to go on this MOU. Commissioner Ethan Migliori made a motion to approve of MOU between Emery County Emergency Medical Services and the United States Department of Energy for providing emergency medical services to DOE, its contractor personnel or its guests at the Uranium Mill Tailings Remedial Project Site. The motion was seconded by Commissioner Paul Cowley. The motion passed.

(7)

DISCUSSION OF RECOMMENDATION FROM TRAVEL BUREAU ON EVENT PLANNER. CONSIDERATION AND APPROVAL OF CONTRACT FOR EVENT COORDINATOR.

The RFP for an Event Planner was opened in the last Commission Meeting. The RFP's were reviewed by the Travel Bureau for a recommendation. The Travel Bureau recommended Holly Jorgensen for the Event Planner. The Travel Bureau is working with the Attorney's office to put together a contract. They are still waiting for a response from Holly for what she requires in the contract. There was no action taken on this matter.

(8)

DISCUSSION AND APPROVAL OF COOPERATIVE MANAGEMENT AGREEMENT BETWEEN EMERY COUNTY, US DEPARTMENT OF INTERIOR, AND STATE OF UTAH FOR PREPARATION OF ENVIRONMENTAL ASSESSMENT FOR THE SAN RAFAEL SWELL SPECIAL RECREATION MANAGEMENT AREA AND TEMPLE MOUNTAIN RECREATION MANAGEMENT ZONE.

Public Lands Director Ray Petersen explained that this is preliminary to start the process to hire a contractor or work through the EA process. Ahmed Mohsen from the BLM was in Commission Meeting on April 5<sup>th</sup> to discuss the process with the County Commissioners. The MOU agreement outlines how the agencies will work through the planning process. Attorney Mike Olsen had no objections to the document. Commissioner Paul Cowley made a motion to approve an MOU agreement between Emery County, US Department of Interior, and State of Utah for preparation of Environmental Assessment for the San Rafael Swell Special Recreation Management Area and Temple Mountain Recreation Management Zone. The motion was seconded by Commissioner Ethan Migliori. The motion passed.

(9)

CONSIDERATION AND APPROVAL OF MEMORANDUM OF UNDERSTANDING BETWEEN THE DEPARTMENT OF THE INTERIOR (BLM PRICE AND RICHFIELD FIELD OFFICES) AND EMERY COUNTY AS A COOPERATING AGENCY FOR PREPARING A RESOURCE MANAGEMENT PLAN AMENDMENT AND ENVIRONMENTAL ASSESSMENT FOR THE DEVELOPMENT OF THE SAN RAFAEL DESERT MASTER LEASING PLAN (MLP).

Ray Petersen explained that the MOU between the DOT and Emery County is for an environmental assessment for the development of the San Rafael Desert Master Leasing Plan (MLP). This is in the extreme southeast part of the county on Highway 24 east to county boundary. (East of the highway and west of the river). No other area in the county has been identified as potential for this plan. Commissioner Paul Cowley made a motion to approve of MOU between Department of Interior (BLM Price and Richfield Field Offices) and Emery County as a cooperating agency for preparing a resource management plan amendment and environmental assessment for the development of the San Rafael Desert Master Leasing Plan (MLP). The motion was seconded by Commissioner Ethan Migliori. The motion passed.

(10)

DISCUSSION OF RECOMMENDATION FROM EMERY COUNTY CARE AND REHABILITATION CENTER BOARD OF DIRECTORS FOR THE COUNTY TO EXPLORE THE POSSIBILITY OF SELLING THE FACILITY. APPROVAL OF ACTION TAKEN.

Commissioner Migliori indicated that the Emery County Rehabilitation Center Board of Directors are still interested in pursuing the possibility of selling the facility. They have one more Upper Limit Payment. This is just to inform the Commissioners of the continuing efforts of the Board of Directors. Anytime the BOD changes they inform the Commission of that continued effort. No action was taken.

(11)

CONSIDERATION AND APPROVAL OF INTERLOCAL AGREEMENT BETWEEN

EMERY COUNTY AND STATE OF UTAH THROUGH DEPARTMENT OF ADULT PROBATION AND PAROLE FOR EMERY COUNTY DRUG TASK FORCE.

Sheriff Funk indicated that this is the normal Interlocal Agreement between Emery County and State of Utah through Department of Adult Probation and Parole for Emery County Drug Task Force. The agreement identifies how the Drug Court program functions. The funds are administered through a grant and goes through 2036. Attorney Mike Olsen indicated that he has no objection to the agreement and the program seems to be operating well. Commissioner Ethan Migliori made a motion to approve of Interlocal Agreement between Emery County and State of Utah through Department of Adult Probation and Parole for Emery County Drug Task Force. The motion was seconded by Commissioner Paul Cowley. The motion passed.

(12)

CONSIDERATION AND APPROVAL OF LEVEL 3 CONDITIONAL USE PERMIT FOR BRONCO MINING.

Jeff Guymon, Planning and Zoning discussed a Level III Conditional Use Permit for Bronco Mining. Kit Pappas Environmental Engineer from Bronco Mining was present to answer an questions. Jeff explained that the Emery County Planning and Zoning Board has reviewed and set for the regulations regarding the Conditional Use Permit. Bronco Mining as acquired all the required permits. They have a 3.5\$ million dollar bond in place. They will be opening a new portal in the same general location as the previous portal. Commissioner Paul Cowley made a motion to approve of Level III Conditional Use Permit for Bronco Mining. The motion was seconded by Commissioner Ethan Migliori. The motion passed.

(13)

CONSIDERATION AND APPROVAL OF FY2016 EMERGENCY MANAGEMENT PERFORMANCE GRANT APPLICATION.

The FY2016 Emergency Management Performance Grant Application is for providing funds to local emergency management organizations to assist with development, enhancement, and sustainment of emergency management programs. The program continues into 2017 and 2018. Grant match is associated with the salary of Captain Kyle Ekker and Jan Luke who administer the program. Commissioner Paul Cowley made a motion to approve of FY2016 Emergency Management Performance Grant Application. The motion was seconded by Commissioner Paul Cowley. The motion passed.

(14)

DISCUSSION AND APPROVAL OF CONTRACT WITH ROGER BROOKS

INTERNATIONAL FOR CONSULTING WORK IN REGARD TO TOURISM.

The Board of Commissioners discussed a contract with Roger Brooks International for consulting work in regard to tourism. We have an MOU with Department of Tourism to pay half the cost with a pledge to contract with RBI. Commissioner Migliori talked about the MOU with DOT and Emery County's obligation to contract with RBI as part of the arrangement. DOT will reimburse Emery County half the cost as soon as we invoice them. The first year (which was last 2015) was fully funded by DOT. The second year (2016) is half the cost. Commissioner Ethan Migliori made a motion to approve a contract with Roger Brooks International for consulting work in regard to tourism. The motion was seconded by Commissioner Paul Cowley. The motion passed.

(15)

CONSIDERATION AND APPROVAL OF DISTRIBUTION OF SERVICE AGREEMENT WITH CERTIFIED FOLDER SERVICE, INC.

Tina Carter, Travel Bureau explained that this is a service for distributing Emery County Travel brochures along the I-70 corridor. This service will be in the Grand Junction area at a cost of \$962.00 for the year. Commissioner Ethan Migliori made a motion to approve of distribution service agreement with Certified Folder Service, Inc. The motion was seconded by Commissioner Paul Cowley. The motion passed.

(16)

COMMISSION/ELECTED OFFICIALS REPORT

*Commissioner Migliori*

Commissioner Migliori reported that the Millsite Dam Renovation Project has been put on hold. At Farm Bureau meeting he received a legislative update. Fish and Game RAC used money to help pay for the transplant of 130 deer to the county from the poached deer incident.

At Economic Development they receive applications on a regular basis from businesses that are expanding.

At Planning and Zoning meeting Ray and Jeff explained what prospects go through on business applications. He indicated that he is impressed with the their board. As the board makes recommendations you can be assured the P/Z Board has done their homework. Mac Huntington does a great job as chairman. He is invested in the position.

He attended Utah Economic Summit where they focused on the efforts of technology in businesses and the missed opportunities on not using technology. Great information was shared.

*Commissioner Cowley*

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Commissioner Cowley reported on the ground breaking ceremony for the Miner's Memorial. Work will begin soon. Landfill has posted their hours of operation. He reminded everyone that close at 5:15 . They cannot leave until they have covered the fill. They have two personnel on site. So if you come in late with debris or garbage then they can't leave until it is covered.

*Commissioner Keith Brady*

Commissioner Brady reported on the \$50,000.00 Fast Track Grant from Utah State Economic Development. You have to employ someone to qualify. At UAC Conference they discussed Public Lands and Centrally Assessed Property Taxes, PILT funds. The discount card is now available for Green River area. The Castle Dale area card will be ready soon. If you would like to participate contact Tina Carter.

(17)

ADJOURNMENT

The meeting was adjourned.

ATTEST: \_\_\_\_\_ COMMISSIONER: \_\_\_\_\_