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

MAY 17, 2016

Present at the meeting is 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 # 240360 through and including # 240499 was presented for payment.

There were no requisitions.

There was 1 disposition for a copier 580-6032 from the Library Department.

(2)
APPROVAL OF COMMISSION MEETING MINUTES DATED MAY 3, 2016

(3)
APPROVAL OF BUSINESS LICENSE FOR ABOVE PAR OWNED BY VINCENT KELLY.

(4)
APPROVAL OF JAMES NIELSEN AND DENNIS WORWOOD TO BE VOLUNTEERS FOR THE WEED & MOSQUITO DEPARTMENT.

(5)
APPROVAL TO HIRE EMILY HUNTINGTON AS A PART TIME, WORKING NO MORE THAN 18 HRS. PER WEEK, MUSEUM SALES CLERK. GRADE 6.

(6)
APPROVAL TO HIRE SHANNON OTT AS A FULL TIME JUSTICE COURT CLERK. GRADE 12.

DISCUSSION AGENDA

(1)
ITEMS PULLED FOR THE CONSENT AGENDA

Nothing

(2)
PAUL WEDDLE, MILITARY TRAINING ACTIVITY SCHEDULE IN EMERY COUNTY NEAR GREEN RIVER.

Paul Weddle, Visual Awareness and Tactical Consultant Inc. (VATC), Sub-Contractor to ICE, Inc. came before the Board of Commissioners to request a letter of support for military training activity in Emery County. He explained that they will be in White Sands area of Green River during July from 24th to 29th. The exercises will be a strictly non-kinetic event with Special Forces soldiers carrying weapons, but no live ammo. All weapons are propane powered with no projectiles. They will be operating Osprey aircraft which are loud. The area they will be using is about two football field lengths and about three miles from town. Green River City, BLM SITLA and Grand County have all been advised of the event and have given a letter of support for the event. They will have their own medical support. VIP's will be OK but no spectators will be allowed. The Board of Emery County Commissioners agreed to a letter of support for this event.

(3)
CHUCK SEMBORSKI, INTERWEST MINING, UPDATE AND REPORT ON PLAN/PROCEDURE FOR THE CLOSURE OF DEER CREEK MINE.

Chuck Semborski, Interwest Mining provided an update and report on plans and procedures for the closure of Deer Creek Mine. He stated that PacifiCorp has been involved in the coal mining business since 1972. The closing of Deer Creek Mine marks the end of coal mining for PacifiCorp. In 2014 Deer Creek Mine was idled and in April 2015 the mine was sealed up. Mr. Semborski provided a presentation on their plans and procedures for closure of the mine.
He reviewed the problems that they have had with discharge water. They are taking measures to avoid non-compliant discharge of water from the mine. He discussed a proposed pipeline project to deal with the discharge water. He also expressed his disappointment that they have to complete an environmental analysis (EA) before they can proceed with the project.

(4)
DISCUSSION AND DECISION, IF IN THE BEST INTEREST OF

EMERY COUNTY, TO PROCEED WITH REQUEST TO SELL PARCEL #01-112B-0052 LOCATED WITHIN FERRON CITY.

Jeff Guymon reviewed the parcel in question with the Commissioners. The adjacent land owner has asked if the county would be willing to sell this parcel of land located within Ferron City.
The parcel is zoned as residential. Commissioner Brady stated that he didn't see a need to hold on to the property. There were several questions that still needed to be answered. Commissioner Ethan Migliori made a motion to get more information and bring it back to Commission Meeting at a future date. The motion was seconded by Commissioner Paul Cowley. The motion passed.

(5)
CONSIDERATION AND APPROVAL OF CONTRACT BETWEEN EMERY COUNTY AND STATE OF UTAH FOR BAILIFF AND PERIMETER SECURITY FOR SEVENTH DISTRICT & JUVENILE COURTS.

Attorney Mike Olsen recommended approval of the contract. Commissioner Ethan Migliori made a motion to approve a contract between Emery County and State of Utah for Bailiff and Perimeter for Seventh District & Juvenile Courts. The motion was seconded by Commissioner Paul Cowley. The motion passed.

(6)
CONSIDERATION AND APPROVAL OF BUILDING MAINTENANCE AGREEMENT BETWEEN CASTLE DALE LIBRARY AND CAMILLE THOMAS FOR JANITORIAL SERVICES.

Commissioner Ethan Migliori made a motion to approve of Building Maintenance Agreement between Castle Dale Library and Camille Thomas for janitorial services. The motion was seconded by Commissioner Paul Cowley. The motion passed.

(7)
CONSIDERATION AND APPROVAL OF CONTRACT BETWEEN EMERY COUNTY AND WCC ENTERPRISES, INC. TO BOOK BUBBLE TOWER FOR THE EMERY COUNTY FAIR.

Julie Jones, Emery County Fair Director discussed the contract between Emery County and WCC Enterprises, Inc. To book a bubble tower for the Emery County Fair. Julie indicated that the original price was $4,500.00. She was able to get the price reduced to $3,000.00 for Friday and Saturday of the fair. Julie indicated that she has gone to several different carnival companies but was told our fair was too small and they would not come here. Commissioner Cowley expressed his disapproval of spending $3,000.00 on a bubble machine.
Clerk/Auditor Brenda Tuttle commented that there is a Fair Board who makes these arrangements for the fair and been given a budget. The Commissioners need to give the board the latitude to make some of these decisions. Julie commented that Carbon County has a much larger budget than Emery County and in the past has had nothing to show for the money they spent on their fair. Emery County's Fair is much better with more to show for the money spent in entertainment. This bubble machine will be fun for everyone. Yes it is pricy but there is just not much out there for small fairs as far as entertainment that

would be free to the citizens. They discussed the elephants from the last two years. It was a huge hit by the public but also a big expense for the fair. It also was expensive for the citizens. The cost to ride the elephant was more than some families could afford. This year we have the Aussie exhibit with kangaroos, etc. This is replacing the reptile exhibit from last year. The Fair Board is excited for this to come to Emery County Fair. Commissioner Ethan Migliori made a motion to approve of contract between Emery County and WCC Enterprises, Inc. to book Bubble Tower for the Emery County Fair. Commissioner Paul Cowley voted nay on the motion. Commissioner Keith Brady stepped down to second the motion. The motion passed with one in opposition.

(8)
CONSIDERATION AND APPROVAL OF CASH PRIZE MONEY FOR CUPCAKE WARS AND LIP-SYNCING COMPETITIONS AT THE EMERY COUNTY FAIR.

Commissioner Brady indicated that this issue has been worked out and discussion is not necessary.

(9)
CONSIDERATION AND APPROVAL OF RADIO ADVERTISING PROPOSAL WITH AJB BROADCASTING FOR EMERY COUNTY FAIR.

Amanda Holley-Paiz. Marketing Director for AJB Broadcasting indicated that AJB Broadcasting submitted a proposal for Fair advertising to the Fair Board two months ago. She expressed concern that there are only a few weeks left for advertising. AJB has revised their proposal and adjusted the cost to $1,000.00 for 72 ads. Jule Jones added that Amanda will also be the MC for the fear factor challenge during the fair. Commissioner Ethan Migliori made a motion to approve of radio advertising proposal with AJB Broadcasting for the Emery County Fair. The motion was seconded by Commissioner Paul Cowley. The motion passed.

(10)
CONSIDERATION AND APPROVAL OF ELECTION POLL WORKERS FOR 2016.

Commissioner Ethan Migliori made a motion to approve election poll workers for 2016. The motion was seconded by Commissioner Paul Cowley. The motion passed.

(11)
DISCUSSION AND APPROVAL OF EMERY COUNTY'S OFFICIAL COMMENTS IN OPPOSITION OF BLM 2.0.

Ray Petersen, Public Lands Director drafted an official comment on the proposed revisions to the BLM resource management and land use planning system. Several concerns were addressed and Emery County requested these concerns be included as part of the administration record. Commissioner Paul Cowley made a motion to approve Emery County's official comments in opposition of BLM 2.0. The motion was seconded by Commissioner Ethan Migliori. The motion passed.

(12)

CONSIDERATION AND APPROVAL OF INTERLOCAL AGREEMENT BETWEEN EMERY COUNTY, BLM, UDFCM AND JARED JOHNSON FOR THE FENCE ALONG GOBLIN VALLEY ROAD.

The interlocal agreement between Emery County, BLM, UDFCM and Jared Johnson addresses the issue of liability. Emery County should assume liability should the cattle guards not be maintained responsibly. The agreement clarifies who will maintain the fence. Commissioner Paul Cowley made a motion to approve an interlocal agreement between Emery County, BLM, UDFCM and Jared Johnson for the fence along Goblin Valley Road. The motion was seconded by Commissioner Ethan Migliori. The motion passed.

(13)
CONSIDERATION AND APPROVAL OF RIGHT-OF-WAY GRANT SERIAL NUMBER UTU-91515 BETWEEN EMERY COUNTY AND BLM FOR A FENCE ALONG COUNTY ROAD #1012 KNOWN AS GOBLIN VALLEY ROAD.

Commissioner Paul Cowley made a motion to approve of Right-of-Way Grant serial number UTU-91515 between Emery County and BLM for fence along Emery County Road #1012 known as Goblin Valley Road. The motion was seconded by Commissioner Ethan Migliori. The motion passed.

(14)
CONSIDERATION AND APPROVAL ALLOWING IT/GIS PERSONNEL TO TAKE COUNTY-OWNED VEHICLES HOME OVERNIGHT.

Jeff Guymon, IT/GIS Supervisor requested approval to take the county owned vehicle home when he is working on the north end of the county. The new county policy states that the department needs approval to take the vehicle home. Since he lives in Huntington it would be more economical to stay in Huntington and not have to drive back to Castle Dale to exchange with his personal vehicle. Often times he is after five when returning from maintenance to the towns or meetings in Salt Lake and time wise and money wise it makes sense to wait until the next day to return the vehicle. During elections when he and his staff has to be out to the towns early and late it would make sense to wait until they have to return to the courthouse to return election machines. Commissioner Ethan Migliori made a motion to approve allowing IT/GIS personnel to take county-owned vehicles home overnight at Jeff Guymon's discretion. The motion was seconded by Commissioner Paul Cowley. The motion passed.

(15)
CONSIDERATION AND APPROVAL OF MASTER LEASE AGREEMENT BETWEEN EMERY COUNTY AND JOHN DEERE FINANCIAL TO LEASE EQUIPMENT PER STATE BID.

Commissioner Paul Cowley made a motion to approve signing a Master Lease Agreement between Emery County and John Deere Financial to lease equipment per state bid. The motion was seconded by Commissioner Ethan Migliori. The motion passed.

(16)

CONSIDERATION AND APPROVAL OF LETTER OF INTENT TO LEASE A TRACTOR FROM JOHN DEERE FINANCIAL PER STATE BID.

Commissioner Ethan Migliori made a motion to approve a letter of intent to lease a tractor from John Deere Financial per state bid. The motion was seconded by Commissioner Paul Cowley. The motion passed.

(17)
CONSIDERATION AND APPROVAL OF TAX DEFERRAL AGREEMENTS FOR ATHEL WAYNE AND SHARON MITCHEIL PARCEL NO. 01-156B-0032 AND 01-156B-0033.

Treasurer Seven Barton requested tax deferral agreements for Athel Wayne and Sharon Mitcheil parcel #01-156B-0032 and 01-156B-0033. He explained that this is a residence in Green River. She has made a sincere effort to clear up the back taxes. Mr. Barton recommended an extension to pay the taxes for Athel Wayne/Sharon Mitcheil. Commissioner Ethan Migliori made a motion to approve of Tax Deferral Agreement for Athel Wayne/Sharon Mitcheil parcel # 01-156A-
0032/#01-156B-0033. The motion was seconded by Commissioner Paul Cowley. The motion passed.

(18)
CONSIDERATION AND APPROVAL OF TAX DEFERRAL AGREEMENT FOR RANDY AND MELODYE SINCLAIR FOR PARCEL NO. 01-070A-0003.

Mr. Barton recommended approval of a tax deferral agreement for Randy and Melodye Sinclair, parcel #01-070A-0003. He explained that this is also a residence in Elmo and they have made a sincere effort to clear up the past taxes. Commissioner Ethan Migliori made a motion to approve a tax deferral agreement for Randy and Melodye Sinclair for parcel #01-070A-0003. The motion was seconded by Commissioner Paul Cowley. The motion passed.

(19)
COMMISSION/ELECTED OFFICIAL REPORT.

Commissioner Cowley

Commissioner Cowley talked about the coal industry forum to be held in SLC.
He reported that Kobe Faimalo completed the Eagle Scout project to install benches at the Lawrence Cemetery.

Commissioner Brady

Commissioner Brady reported on the partial assessment report given by Roger Brooks at a recent Travel Council Board meeting and citizens who attended. He stated that he is looking forward to what advice and suggestions Mr. Brooks has in the written report for Emery County. ETV recorded the meeting and you can find it on their website. The final report will soon be available.

Commissioner Migliori

Commissioner Migliori reported on Family Museum Day at the San Rafael Museum. There was a good public turn out. He reported on attending a Rocky Mountain Power meeting where they introduced their new CEO. He found the meeting to be very informative with regards to the future of energy and challenges for moving forward with alternative energy sources.

(20)
ADJOURNMENT

The meeting was adjourned.

ATTEST:_____
COMMISSIONER:_____