

MINUTES

STEERING COMMITTEE MEETING

April 20, 2011

Parowan, Utah

MEMBERS IN ATTENDANCE

Commissioner Chad Johnson, Chair
Craig Wright for Mayor Mark Yardley
Carolyn White
Commissioner Clare Ramsay
Mayor Jerry Taylor
Ken Platt
Commissioner Dale Brinkerhoff
Mayor Connie Robinson
Commissioner Douglas Heaton
Mayor Nina Laycook
LuAnne Forrest
Brian Cottam
Michael Thompson for Frank Lojko

REPRESENTING

Beaver County Commissioner Representative
Beaver County Mayor Representative
Beaver County Schools Representative
Garfield County Commissioner Representative
Garfield County Mayor Representative
Garfield County Schools Representative
Iron County Commissioner Representative
Iron County Mayor Representative
Kane County Commissioner Representative
Kane County Mayor Representative
Washington Co. Schools Representative
Southern Utah University
Dixie State College of Utah

OTHERS IN ATTENDANCE

Evan Vickers
Marreen Casper
Ellen Schunk
Victor Iverson
Mike Empey
Jan Thompson
Ken Sizemore
Curt Hutchings
Diane Lamoreaux

Utah House of Representatives
Senator Hatch's Office
Senator Lee's Office
Senator Lee's Office
Congressman Matheson's Office
Department of Workforce Services
Five County Association of Governments
Five County Association of Governments
Five County Association of Governments

MEMBERS NOT IN ATTENDANCE

Alan Adams, Excused
Wendy Allan
Commissioner Denny Drake, Excused
Mayor Tom Hirschi

Iron County Schools Representative
Kane County Schools Representative
Washington Co. Commissioner Representative
Washington Co. Mayor Representative

I. MINUTES MARCH 9, 2011 - REVIEW & APPROVE

Commissioner Chad Johnson, Chair, welcomed those in attendance and noted that a quorum was present for conduct of business. Those asking to be excused include Alan Adams, Iron County Schools Representative; and Commissioner Denny Drake, Washington County Commissioner Representative. He announced that Commissioner Drake's father passed away. Sympathy cards were circulated for Senator Stowell and Commissioner Drake. Chairman Johnson presented minutes of the March 9, 2011 meeting for Board discussion and consideration.

MOTION WAS MADE BY COMMISSIONER CLARE RAMSAY, SECONDED BY MAYOR JERRY TAYLOR, TO APPROVE MINUTES OF THE MARCH 9, 2011 MEETING AS PRESENTED. MOTION CARRIED.

II. EXECUTIVE COMMITTEE ACTION

Mr. Sizemore reviewed Executive Committee actions requiring Board ratification as follows: **1) Fringe Benefit Package--** The package remains intact for the most part with health insurance provided by Select Health with an increased deductible amount of \$1,000 per person; **2) Sick Leave Conversion--** The sick leave conversion policy has been in place for approximately 10 years. At retirement, an employee could convert a portion of their sick leave to paid cash or health insurance. Over a six year period of time, this benefit will be eliminated. New employees hired after July 1st will not be eligible for this conversion. For the next two years the benefit will remain intact, with yearly decreases of 25% for years three through six to zero out the conversion after year six; **3) Merit Increases--** A grade and step merit system has traditionally been utilized at the Association of Governments. However, merit increases will be frozen for the upcoming year beginning July 1, 2011; **4) Cost-of-Living Adjustment--** There was no request for a cost-of-living adjustment in the upcoming year; **5) County Participation--** Match participation for counties will remain at \$15,000 for the upcoming fiscal year. When an increase to this amount is considered, discussion will include a funding methodology including participation of cities and towns; and **6) Indirect Cost Allocation Plan--** This plan provides a means to bill each contract for administrative costs. The rate for this year is 11.1%, which is a significant reduction from 12.5% that was charged last year.

MOTION WAS MADE BY COMMISSIONER DALE BRINKERHOFF, SECONDED BY MS. CAROLYN WHITE, TO RATIFY EXECUTIVE COMMITTEE ACTIONS AS OUTLINED ABOVE. MOTION CARRIED UNANIMOUSLY.

III. LEGISLATIVE REPORT

Representative Evan Vickers announced that services for Senator Stowell will be held Friday in Parowan. A scholarship fund has been established at Southern Utah University and the family encourages contributions into this fund which can be made at any Wells Fargo Bank. The process for selecting the Senator's replacement will not begin until next week.

Representative Vickers reported that a number of bills were passed during the past legislative session, some of which were very controversial. Approximately 45 resolutions were considered by the House of Representatives and about 25 by the Senate. Some good things were accomplished but those were overshadowed by issues at the end of the session. A mission-based funding proposal for higher education was passed. The agenda for various institutions differs from research, growth, etc. This funding formula will make a difference where the money goes and how it is being spent. A number of other education bills passed during the session including a grading of public schools bill that will provide letter grades A through F. SB 65 will allow private vendors to tap into the state school system and provides money that follows the student to that private vendor. Concern was expressed that this would benefit someone's business, and private entities were exempted out of this bill. This kept on-line school in place. Funding for public education did not take a hit this year. There was a lot of talk about funding growth in public education, but funding was actually shifted from other areas to fund growth. Those school districts that are not

experiencing growth will actually lose money. Higher education was cut 1.6% in the budget, as was the case for most agencies. No funds were used from the rainy day fund this year. One contentious issue was increasing the sales tax on food but it failed because it was portrayed as a tax increase. A number of approaches were discussed to deal with immigration issues on a state level. This became necessary because the federal government will not enforce their own laws. Bills passed by the legislature provide enforcement, provision for participation in a guest worker program and utilization of the e-verify system. Passage of legislation is mainly a movement that tries to force the federal government into addressing the issue. Other legislation sponsored by John Dougal provides a pilot program working with a district in Mexico to provide a visa program for individuals to enter the state of Utah using a special work visa. This program targets those individuals with technical skills.

Finally, there was a lot of controversy over HB 477 to change the Government Records Access and Management Act (GRAMA). GRAMA was initially enacted in 1992 in the state of Utah. This legislation was brought out of rules and the standing committee on the 45th day of the legislative session and was passed by both the House and Senate with no public input. Some fishing expeditions by the news media cost the state of Utah a lot of money and this was an attempt to address this issue. However, legislation was handled very poorly with no opportunity for public input. A working committee has been appointed to examine modification of GRAMA to address issues.

Board members asked about the process to fill Senator Stowell's seat in the Senate. Representative Vickers explained that this appointment will be made within 30 days from the time of vacancy. The call for applications will likely occur on Monday with 14 days to respond. State delegates will meet, most likely in Cedar City, to consider applications. The person appointed to this position will have to run for election in 2012 to fill the remainder of Senator Stowell's term and again in 2014 as per current state law. In addition, the redistricting process will occur prior to the 2014 election and this will likely impact the geographic area served in this district. He encouraged members to attend redistricting hearings to provide input into the process. Utah will also get the 4th Congressional seat which will be a factor in the redistricting process.

Mr. Sizemore asked about a special session to address a veto override of bills. Representative Vickers indicated that those bills include elimination of the four-day work week for state employees, an education bill and two other bills, one of which would set aside a portion of sales tax for transportation. It appears that the special session will be held on May 6, 2011.

IV. COMMUNITY DEVELOPMENT BLOCK GRANT (CDBG) PROGRAM

A. 2ND PUBLIC HEARING

Commissioner Chad Johnson entertained a motion to enter into the public hearing.

MOTION WAS MADE BY COMMISSIONER DALE BRINKERHOFF, SECONDED BY MR. KEN PLATT, TO ENTER INTO THE CDBG PUBLIC HEARING. MOTION CARRIED.

Ms. Diane Lamoreaux explained that the CDBG public hearing is being held to allow citizens and Board members the opportunity to provide input concerning the project

that was awarded under the FY 2011 CDBG program. Anticipated funding allocated to the state of Utah from the U.S. Department of Housing and Urban Development is unknown at this time. State staff has provided some very preliminary estimates that put funding at around \$483,000 for regional allocation. This amount of funding will not entirely cover the amount of pre-approved funding which was previously allocated to projects and will likely require adjustments in amounts that will be available to grantees. CDBG program funding was cut 16% in the recently approved 2011 federal budget. Funding is allocated by the state of Utah with a \$300,000 base and the remainder allocated through a formula that uses the region's latest population data. Two larger counties in northern Utah have received entitlement status and will be pulling out of the Utah Small Cities CDBG Program. St. George City receives a direct allocation from HUD as an entitlement community.

Five County AOG was pre-approved to receive \$150,000 to provide program administration, planning, program delivery and technical assistance throughout the region. Previous work plans have included the following elements: 1) Direct planning assistance to income eligible communities; 2) Updating the region's Consolidated Plan; 3) Rating and ranking of projects; 4) Housing program delivery; 5) Revolving Loan Fund program delivery and technical assistance; and 6) Workforce housing assistance.

Community and Economic Development staff have developed draft work plans for FY 2011 which include outcomes, measurements, activities and budget amounts. Elements in these work plans include: Updating the Region's Consolidated Plan; General program administration and rating and ranking; Direct planning assistance for moderate income housing plan updates for Cedar, Enoch, Parowan, Kanab, Panguitch and Ivins. Staff efforts will focus on workforce housing newsletters, ombudsman activities and educational information and presentations. Staff will also continue to develop, coordinate and catalog GIS data at the Association. Funding for each of the work plan elements is broken down as follows: **1) Consolidated Plan--** \$15,000; **2) CDBG Program Administration--** \$40,000; **3) Rating and Ranking--** \$5,000; **4) Housing Program Delivery--** \$10,000; **5) Revolving Loan Fund Program Delivery--** \$15,000; **6) Economic Development Technical Assistance--** \$15,000; and **7) Direct Planning Assistance--** \$50,000.

Ms. Lamoreaux asked if anyone in the audience or Board members had comments, concerns or suggestions of items that should be included in the work plans. No questions, comments or suggestions were provided. She indicated that staff would proceed with the work plans as outlined for FY 2011.

Chairman Johnson entertained a motion to close the public hearing.

MOTION WAS MADE BY MS. CAROLYN WHITE, SECONDED BY MR. KEN PLATT, TO CLOSE THE PUBLIC HEARING. MOTION CARRIED.

Mr. Sizemore indicated that if the preliminary funding amounts provided by state staff hold, none of the new applications submitted in December 2010 will receive funding.

V. COMMUNITY SERVICES BLOCK GRANT (CSBG) APPLICATION PROCESS

Mr. Sizemore explained that information is not available for presentation and this agenda item will be tabled until next meeting.

VI. EMERGENCY FOOD AND SHELTER ALLOCATIONS

This item will also be tabled until next month.

VII. MOBILITY MANAGEMENT FUNDING DISCUSSION

Mr. Sizemore referred to page 11 of the packet containing a summary of mobility management efforts to address more efficient use of transportation assets to meet the needs of low and moderate income families. Various agencies have the capability of transporting people to different locations and sometimes these transportation services are duplicated. A good example is school busses that run specific routes. Mobility management has been instituted throughout the state of Utah to better utilize resources. Mobility management was previously discussed by this Board in 2008, but it was determined that it was not the right time to implement this program because of economic reasons. Staff has determined that trying to integrate senior citizen vans into fleet management will not work in the current environment. The Metropolitan Planning Organization (MPO) did take on mobility management in their service area. Curt Hutchings explained that efforts accomplished by the MPO can easily be transferred to a region-based program. Besides questions on integration of senior citizen vans into the fleet, insurance was a major concern in previous discussions. The MPO formed an insurance work group to specifically address this issue. Through the current mobility management efforts, it was discovered that the Washington County School District and TURN Community Services were transporting clients utilizing the same routes each day. These agencies are currently in the process of determining how to cost share running the routes from St. George to Leeds and Veyo. It is possible that through partnering each agency could cut costs in half. This would free up funds for gas and other transportation operational costs. Staff is looking at a van pool program offered through the Utah Transit Authority (UTA). It may be possible to institute this program in some of the rural counties to provide transportation to job sites such as the hog farms, First Wind, geothermal plants, etc. The van pool program would allow lease of vehicles provided that a certain number of people ride the vans. UTA leases vans at a good rate under this program. Staff is still gathering information in regard to this program to determine if this would work in the Five County area. It was noted that purchase of senior citizen vans and other capital costs are contingent upon planning and coordination. Staff is requesting authorization of the Board to make application for mobility management funds. The funding cycle would begin in October 2011.

MOTION WAS MADE BY COMMISSIONER CLARE RAMSAY, SECONDED BY MR. KEN PLATT, AUTHORIZING STAFF TO SUBMIT AN APPLICATION FOR MOBILITY MANAGEMENT FUNDS AS PRESENTED. MOTION CARRIED.

VIII. RESOURCE CONSERVATION & DEVELOPMENT COUNCIL (RC&D) DISCUSSION

Mr. Sizemore reported that funding for the Resource Conservation and Development Council (RC&D) has been eliminated from the federal budget. This is a 501c3 organization formed to provide coordination with local communities. Funding to the RC&D was provided

through the Natural Resource Conservation Service (NRCS). Staff is asking this Board for direction in communicating with this agency and where things should proceed from this point. Kevin Williams, Coordinator of RC&D, has been shifted to another position with NRCS. Mr. Sizemore indicated that he has served on the RC&D council in an ex officio capacity and sees value in keeping the 501c3 intact. A lot of very valuable things have been accomplished by this organization, specifically allowing corridor management plans to occur and work on prairie dog issues in Iron County. A number of community projects have made a difference for small communities. In addition this council has coordinated the weed management program. It has been proposed that the RC&D councils established in Five and Six counties could perhaps merge into one council possibly coordinated through the SUU Regional Services office. This would require discussion between the two councils to make this possible. Both councils have active non-profit boards that would complement coordination throughout the area. It makes sense for the SUU Regional Council to provide staff support. Commissioner Jim Matson, Chair of the RC&D Council, has asked for Board dialogue. In moving forward, it is important to select a location to house records, hold meetings, etc. Brian Cottam commented that this type of effort would fit into the Regional Council concept but would be contingent upon SUU hiring a new director and shifting current staff responsibilities. Commissioner Doug Heaton mentioned that there will be a need to look at these type of programs differently in the future. As with all federally funded projects, local government will be required to determine if programs can be sustained with the loss of federal funds and supported with local funds.

IX. DEPARTMENT OF WORKFORCE SERVICES UPDATE

Ms. Jan Thompson, DWS, reported that last month she expressed concern with the Workforce Investment Act funding possibly being rescinded, but this did not occur. This is because Utah's population may have increased enough that cuts will not be significant. Community partner meetings have been held to continue to connect DWS with partners. Customers utilizing "My Case" will have the ability beginning in October to allow third party access to their files. As previously discussed, this is an online self-directed system for customers to obtain information. This will be initiated by the customer to provide a tool to other agencies that provide services. This new system allows DWS to maintain fewer employees while expanding the number of clients served. DWS will lose some staff this year due to budget cuts but no offices in small communities will be closed. Senior staff was proactive in staffing reductions through the utilization of more efficient means to provide services. She also reported that a contract with the Southern Utah Business Resource Center to conduct a survey with businesses in the area is beginning to provide some referrals.

X. SOUTHERN UTAH UNIVERSITY REGIONAL SERVICES UPDATE

Mr. Brian Cottam reported that Regional Services staff is also very excited about the recently conducted survey and hopes that this will assist in creating jobs in the area. SUU is also excited about the recent funding changes for higher education which were provided by the legislature. This allows SUU to not constantly be chasing increased enrollment numbers and enables the institution to concentrate on quality education for students. Spring enrollment experienced a 1.2% increase. He provided a brochure highlighting services offered through their office which are aimed at connecting individuals to SUU.

XI. DIXIE STATE COLLEGE UPDATE

Mr. Michael Thompson, Dixie State College, reported that enrollment growth at Dixie State has been magnificent with a 20% increase. The college instituted an International Student Program two years ago aimed to encourage growth. At that time there were only 12 international students registered at the institution. International student enrollment has grown over the past two years with a number of these students coming from China. The program is not just recruitment of students but also includes study abroad to train and develop individuals in the health care industry. Dixie State College is in great transition moving from a state college to university status. Construction of the Jeffery R. Holland Centennial Commons Building is moving forward.

XII. CONGRESSIONAL STAFF UPDATES

Marreen Casper, Senator Hatch's Office, reported that Senator Hatch joined with Representative Dave Champ in correspondence to the Secretary of Health and Human Services in regard to things she is doing with Medicare Advantage. The letter indicates that she has abused her demonstration authority for political purposes. The letter has requested information from her to guarantee that transparency and accountability occur with that agency. Senator Hatch and other senators are also trying to push all agencies toward transparency as budgets are being cut. The Senator is still working on the grey wolf issue through a fiscal year act that will remove the listing for Idaho, Montana, northeast Utah, and portions of Oregon and Washington. This will allow those states to manage the grey wolf populations. This is intended in assisting to overrule the lawsuit filed against de-listing the species. Senator Hatch and 27 colleagues in the senate sent a letter to President Obama asking him to change his administration's rulings on energy policies that are increasing the price of gas, killing jobs and increasing the nation's reliance on foreign oil. His actions do not match things included in his speech to the nation regarding energy policies. The Senator was recognized by the National Taxpayers Union as one of 79 other Senators and/or Representatives to receive the award of the nation's top taxpayer friends. Approximately 264 senators and representatives were given "big spender" awards. Senator Hatch is co-sponsoring legislation known as the three D's: Domestic Jobs, Domestic Energy and Deficit Reduction Act of 2011. This legislation would overturn the Obama Administration's restrictions against domestic oil and gas production, reverse its bans on key off-shore federal leases off the Atlantic and Pacific coasts, and open the Arctic National Wildlife Refuge (ANWR) in Alaska to oil production. It would also open oil shale and tar sands in Utah. Even with these changes, it would take 8-10 years before the resources could be used. SJ Resolution 10 combines various balanced budget amendments together into one bill which is sponsored by all 47 Republican Senators. This has never happened in the history of all balanced budget amendments that have been introduced. However, it will take 20 Democratic Senators to pass the balanced budget amendment. It is anticipated that the House of Representatives will easily have enough votes to pass a balanced budget amendment. The Senator has also joined with Senator McCain in legislation that would end federal support of Fannie May and Freddie Mac. It provides several taxpayer protection measures while these agencies are being closed out. Senator Hatch has also introduced legislation that would require the U.S. Census Bureau to count every American, including church missionaries and others who live abroad during the Census. Senator Hatch voted against the Continuing Resolution for the 2011 Budget because he felt that the proposed budget cuts did not go far enough.

Ellen Schunk, Senator Lee's Office, reported that Senator Lee also voted against the Continuing Resolution for the 2011 budget because the plan did not go far enough and contained no structural spending restraint. With regard to the debt ceiling, he stands firm on the path of a balanced budget amendment before voting on any attempt to increase the national debt. He also voted against funding for planned parenthood and Obama care. Senator Lee joined Senators Paul and Graham in sponsoring legislation to reform the nations social security program. This is a major step required to make the program solvent for the next 75 years. He joined with Senator Paul to challenge President Obama's authority to conduct military actions in Lybia without Congressional approval. He is also not supportive of the United States engaging any ground troops in Lybia.

Victor Iverson, Senator Lee's Office, reported that there is a lot of concern with EPA regulations and its impact on agriculture. In visiting with dairy operators, proposed EPA regulations would not allow many of them to remain in business. A recent tour of the Circle Four farms in Beaver County was very informative and their concerns were reinstated at that time. He informed Board members that meetings have been held with the Utah Division of Wildlife Resources and U.S. Fish and Wildlife Services in regard to prairie dog issues. It is difficult for these agencies to work out any issues with prairie dogs because of pending lawsuits and litigation. There are many activist groups that are purposely paralyzing these processes. In touring the Uintah Basin area, BLM officials have stated that on the ground impacts of leasing reform is adding another year to the process. County officials have indicated that it will add more than a year to a process that requires a tremendous amount of time.

Mike Empey, Congressman Matheson's Office, reported that he attended a tour of the proposed uranium mine operations on the Arizona Strip. The tour demonstrated some of the environmentally responsible ways that the company can tap into the very small surface area to mine uranium. The Congressman has been inundated with opponents because of concerns that proposed mining operations on the rim of the Grand Canyon would pollute watersheds all the way to the Gulf of California. Congressman Matheson has introduced what is called the Transparency in Regulatory Analysis of Impacts to the Nation Act. This legislation requires an interagency committee to analyze the commutative impacts of significant rules issued by the Environmental Protection Agency. This is in an effort to better understand how these rule-making policies impact America's global economic competitiveness, electricity, fuel prices, employment, etc. The Continuing Resolution recently passed through Congress defunded the Wild Lands policy at least for the remainder of this fiscal year. The record of decision has finally been signed for the Tropic to Hatch powerline which will finally allow this project to move forward. He announced that the Iron County Coordinating Council will be meeting on May 25th to discuss prairie dogs. The meeting is scheduled at 2:00 p.m. at the Heritage Center in Cedar City.

XIII. LOCAL AFFAIRS

A. CORRESPONDENCE

Mr. Sizemore referenced information included in the packet on pages 12 through 18 containing responses to correspondence addressed to Secretary of the Interior Ken Salazar, Congressman Matheson, and Michael Jewell, U.S. Army Corps of Engineers. Information is also provided announcing the 2010 Schedule of Prescribed Burns in southwestern Utah and matching Trails Assistance Grant applications.

B. OUT-OF-STATE TRAVEL

Mr. Sizemore presented two out-of-state travel requests as follows: **1) Carol Hollowell**-- To attend the National Senior Corps Training Conference in New Orleans June 5-8. Attendance at this conference is a mandatory requirement of the Federal Senior Corps grants; and **2) Jane Lewis**-- To attend the Community Action Partnership (CAP) Law Conference scheduled for June in Minneapolis. Funding is being provided by the Community Action Partnership of Utah and from the CSBG budget. Staff recommends approval of both travel requests.

MOTION WAS MADE BY COMMISSIONER DOUGLAS HEATON, SECONDED BY MAYOR NINA LAYCOOK, APPROVING OUT-OF-STATE TRAVEL REQUESTS FOR CAROL HOLLOWELL AND JANE LEWIS AS PER STAFF RECOMMENDATION. MOTION CARRIED.

C. PERMANENT COMMUNITY IMPACT FUND BOARD (PCIFB) APPLICATIONS

No applications for review.

D. PLANNING ASSISTANCE

None.

E. OTHER BUSINESS

Mr. Sizemore reported that his counterpart, Bill Howell, is retiring from Southeast AOG at the end of this month. He has been with Southeast AOG for 37 years and has authored various public lands sovereignty publications. During the Executive Director's meeting in Salt Lake City earlier this week, Senator Mike Lee very graciously spent two hours with AOG directors to discuss various issues of interest. His message is that Utah does things differently and he is very supportive of regional concepts and utilizing AOG's to address issues. Mike McCandless has been named as the new director for the Southeast AOG. He has most recently held the position of Economic Development Director of Emery County.

XIV. AREAWIDE CLEARINGHOUSE REVIEWS

Commissioner Johnson referenced two A-95 reviews included in the packet and one late arrival for Board consideration. All reviews have supportive staff recommendations.

MOTION WAS MADE BY MR. KEN PLATT, SECONDED BY MAYOR JERRY TAYLOR TO APPROVE A-95 REVIEWS AS PER SUPPORTIVE STAFF RECOMMENDATIONS. MOTION CARRIED.

Next meeting is scheduled for Wednesday, May 11, 2011 in Panguitch at the City Library.

Meeting adjourned at 3:10 p.m.