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

DECEMBER 18, 2018

Present at the meeting was Commission Chairman Lynn Sitterud, Commissioner Kent Wilson, 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 #250283 through and including #250381 was presented for payment. There were no Requisitions or Dispositions.

(2)
APPROVAL OF NOVEMBER 20, 2018 COMMISSION MEETING MINUTES

(3)
APPROVAL OF DECEMBER 07, 2018 SPECIAL COMMISSION MEETING MINUTES.

(4)
APPROVAL TO RE-APPOINT TRAVIS BACON TO THE EMERY COUNTY TRAVEL BOARD.

(5)
APPROVAL TO RE-APPOINT KOLTON WORLD TO THE EMERY COUNTY TRAVEL BOARD.

(6)
APPROVAL TO APPOINT ELLEN FINN AND BILLIE MAXFIELD TO THE MUSEUM OF THE SAN RAFAEL BOARD.

(7)
APPROVAL TO ADOPT WORKERS COMPENSATION PREMIUM WITH UTAH LOCAL GOVERNMENTS TRUST. 2018 $88,340 AND 2019 $87,233.54 A DECREASE OF $1,104.46.

(8)
NOTIFICATION: SELECTED KASSIDEE JENSEN AS A VARIABLE PART TIME

EMPLOYEE WHO MAY WORK 20 HOURS PER WEEK BUT LESS THAN 30 HOURS PER WEEK WITH PRORATED RETIREMENT AND NOT OTHER BENEFITS. EFFECTIVE 11-27-18 WAGE GRADE 14.

(9)
NOTIFICATION: SELECTED MELISSA KEMPLE AS A PART-TIME ASSISTANT LIBRARIAN IN EMERY. EFFECTIVE 11-18-18.

(10)
NOTIFICATION: SELECTED ASHLEY MORGAN AS A PART TIME LIFEGUARD. EFFECTIVE 12-14-18. WAGE GRADE 3.

(11)
NOTIFICATION; SELECTED SCOTTEE BROWER AS A HEAD LIFEGUARD. EFFECTIVE 12-14-18. WAGE GRADE 5.

(12)
APPROVAL OF KAELEE HOOLEY, ANGELLENA MIGLIORI, EMELYN OLIVERSON, AND JOSIE GILBERT TO RECEIVE A 3% WAGE INCREASE FOR SUCCESSFUL COMPLETION OF THEIR 6 MONTH ORIENTATION PERIOD. EFFECTIVE 12-30-18.

(13)
APPROVAL TO HIRE SHELLE COLOGIE AS A 3/4 TIME DEPUTY TREASURER. AFTER THE FIRST OF THE NEW YEAR. WAGE GRADE 13.

(14)
APPROVAL TO GIVE MCKLANE ALLRED AND JORGEN ALLRED A 3% WAGE INCREASE FOR SUCCESSFUL COMPLETION OF THEIR 6 MONTH ORIENTATION PERIOD AS A DISPATCHER. EFFECTIVE 12-30-18.

(15)
APPROVAL TO PROMOTE JORGEN ALLRED TO CORRECTION OFFICE I. MOVE FROM GRADE 14 TO GRADE 15. EFFECTIVE 12-30-18

(16)
APPROVAL TO GIVE CHARLENE JENSEN A 35 WAGE INCREASE FOR SUCCESSFUL COMPLETION OF HER 6 MONTH ORIENTATION PERIOD AS A DEPUTY TREASURER. EFFECTIVE 12-30-18.

(17)
APPROVAL TO PROMOTE MOLLY BARNES TO DISPATCH II. GRADE 15. EFFECTIVE 12-30-18

(18)
APPROVAL TO GIVE THOMAS BEHLING A 3% WAGE INCREASE FOR SUCCESSFUL

COMPLETION OF HIS 6 MONTH ORIENTATION PERIOD AS A WEED & MOSQUITO TECHNICIAN. EFFECTIVE 12-30-18.

(19)
APPROVAL TO GIVE JAIME ANDERSON A 3% WAGE INCREASE FOR SUCCESSFUL COMPLETION OF HER 6 MONTH ORIENTATION PERIOD AS A JUSTICE COURT CLERK. EFFECTIVE 12-30-18.

Motion to approve the Consent Agenda, with the exception of #17, was made by Commissioner Kent Wilson, seconded by Commissioner Paul Cowley, and the motion passed.

DISCUSSION AGENDA

(1)
ITEMS PULLED FROM THE CONSENT AGENDA.

#17 was pulled from the Consent Agenda. It was not approved.

6:00 P.M. PUBLIC HEARING TO RECEIVE PUBLIC INPUT CONCERNING OPENING AND AMENDING OF THE FY 2018 BUDGETS FOR THE EMERY COUNTY GENERAL FUND, SPECIAL REVENUE FUNDS, CAPITAL PROJECTS FUNDS, LOCAL BUILDING AUTHORITY AND CASTLE VALLEY SPECIAL SERVICE DISTRICT . THE PUBLIC HEARING WILL ALSO RECEIVE PUBLIC COMMENT REGARDING THE PROPOSED FY 2019 BUDGETS FOR THE EMERY COUNTY GENERAL FUND, SPECIAL REVENUE FUNDS, CAPITAL PROJECTS FUND, LOCAL BUILDING AUTHORITY AND CASTLE VALLEY SPECIAL SERVICE DISTRICT. EMERY COUNTY'S PROPOSED 2019 BUDGET INCLUDES A 3% CONST OF LIVING INCREASE FOR COUNTY EMPLOYEES AND ELECTED OFFICIALS.

Commissioner Paul Cowley made a motion to leave the regular meeting and enter a public hearing as posted and at the conclusion of the public hearing to return to the regular meeting. The motion was seconded by Commissioner Kent Wilson. The motion passed.

Commissioner Wilson explained that county revenue was up for this year by $350,000. The county was able to save money on insurance premiums.

Jacob Sharp, CVSSD reviewed their three budgets, General Fund, Capital Project Fund, and Debt Service Fund.

There were no questions or comments regarding the Amended Budgets.

Commissioner Wilson discussed the FY 2019 Budget for Emery County General Fund, Special Revenue Funds, Capital Projects Funds, and Local Building Authority. He explained that the FY 2019 budget reflects a 3% wage increase in the pay scale for county employees and elected officials.

Jacob Sharp reviewed the FY2019 budgets for CVSSD. Their budget reflects a flat $.52 COL increase, a roughly 2% increase for employees. Their Capital Projects Fund will reach the end of their voter approved bond and will be looking at proposing another bond to the voters during the election cycle in 2019 to carry them through capital projects in the county for another 10 year period.

The public hearing was closed and the Commissioners returned to the regular meeting.

(2)
DISCUSS/APPROVE/DENY AMENDED 2018 BUDGET FOR EMERY COUNTY.

Upon returning to the regular Commission Meeting, Commissioner Kent Wilson made a motion to approve Resolution 12-18-18C amending the 2018 budget for Emery County General Fund, Special Revenue Funds, Capital Projects Funds, and Local Building Authority. The motion was seconded by Commissioner Paul Cowley. The motion passed.

(3)
DISCUSS/APPROVE/DENY AMENDED 2018 BUDGET FOR CASTLE VALLEY SPECIAL SERVICE DISTRICT.

Commissioner Kent Wilson made a motion to approve Resolution 12-18-18D amending the 2018 budgets for Castle Valley Special Service District. The motion was seconded by Commissioner Paul Cowley. The motion passed.

(4)
DISCUSS/APPROVE/DENY FY2019 EMERY COUNTY BUDGET.

Commissioner Kent Wilson made a motion to approve Resolution 12-18-18E adopting the FY2019 budget for Emery county General Fund, Special Revenue Funds, Capital Projects Funds, and Local Building Authority. The motion was seconded by Commissioner Paul Cowley. The motion passed.

(5)
DISCUSS/APPROVE/DENY FY2019 CASTLE VALLEY SPECIAL SERVICE DISTRICT BUDGET.

Commissioner Paul Cowley made a motion to approve Resolution 12-18-18F adopting the FY2019 budgets for Castle Valley Special Service District. The motion was seconded by Commissioner Kent Wilson. The motion passed.

(6)
PRESENTATION BY EXTENSION OFFICE TO INTRODUCE ROWE ZWAHLEN, THE NEW USU EXTENSION AGENT.

Christine Jensen, USU Extension informed the Commissioners that Rowe Zwahlen has been hired as the USU Extension Agent. Mr. Zwahlen was not able to attend the meeting to day, but will be introduced to the Commissioners in the January meeting. Christine introduced Kammi Swasey and explained that Kammi is a Ten Year 4H graduate. Kammi has served many positions and participated in many areas of 4H and earned many awards. Kammi was presented with her Ten Year 4H Award.

(7)
PRESENTATION BY MARK CHAMBERLAIN REGARDING YOUTH CONSERVATION CORPS FUNDING REQUEST.

Mark Chamberlain presented a video presentation of the Youth Conservation Corps. Their goal is to encourage students to go into higher education by exploring careers and gaining work experience. The students are encouraged to explore careers in environmental science careers. They work with students to prepare them to progress into the work force. Many times they are able to help students who are in a critical position, by helping them figure out a career choice. He explained that they are continually losing funding. He requested funding to help keep the program going. The Commissioners indicated that they would look at the request in a future meeting.

(8)
RATIFICATION OF THE JAG GRANT APPLICATION.

The grant from 2016 had left over funds in the amount of $3,150.00. The application will move the funds for use for purchase of equipment. The application date specific. It was signed to meet a deadline. Commissioner Paul Cowley made a motion to ratify the signing of the JAG Grant Application. The motion was seconded by Commissioner Kent Wilson. The motion passed.

(9)
RATIFICATION OF SIGNATURE AUTHORITY TO ROBERT JENSEN, EMERY COUNTY AGING DIRECTOR OF SEUALG, FOR THE UDOT PUBLIC TRANSIT TEAM GRANT

AWARD AND MANAGEMENT PROCESS.

Robert Jensen as Emery Aging Director of Southeastern Utah Association Of Local Governments needed to be assigned the use of personal identification number to be able to log in for online submission of UDOT Federal Transit Administration grant applications. In order to meet time constraint the signature authority document was signed and forwarded. Commissioner Paul Cowley made a motion to ratify the signing authority to Robert Jensen, Emery County Aging Director for UDOT Public Transit Team Grant Award and management process. The motion was seconded by Commissioner Kent Wilson. The motion passed.

(10)
RATIFICATION OF STANDARD AGREEMENT BETWEEN EMERY COUNTY AND JOHANSEN AND TUTTLE ENGINEERING REGARDING THE TRAIL MOUNTAIN FIRE EWP PROJECT, 2019.

A signature was needed to keep the project moving forward. The agreement was date specific so it was signed and forwarded. Commissioner Kent Wilson made a motion to ratify the signing of Standard Agreement between Emery County and Johansen and Tuttle Engineering regarding the Trail Mountain Fire EWP project, 2019. The motion was seconded by Commissioner Paul Cowley. The motion passed.

(11)
DISCUSS/APPROVE/DENY 2019 MEETING SCHEDULE

The 2019 Commission Meeting Schedule was presented for approval:

January 8, 2019	3:00 p.m.
January 22, 2019	3:00 p.m.
February 5, 2019	3:00 p.m.
February 19, 2019	3:00 p.m.
March 5, 2019	3:00 p.m.
March 19, 2019	3:00 p.m.
April 2, 2019	3:00 p.m.
April 16, 2019	3:00 p.m.
May 7, 2019	3:00 p.m.
May 21, 2019	3:00 p.m.
June 4, 2019	3:00 p.m.
June 18, 2019	3:00 p.m.
July 2, 2019	3:00 p.m.
July 16, 2019	3:00 p.m.

August 6, 2019	3:00 p.m.
August 20, 2019	3:00 p.m.
September 3, 2019	3:00 p.m.
September 17, 2019	3:00 p.m.
October 1, 2019	3:00 p.m.
October 15, 2019	3:00 p.m.
November 19, 2019	3:00 p.m.
December 17, 2019	5:00 p.m.

Commissioner Kent Wilson made a motion to approve the 2019 Commission Meeting Schedule. The motion was seconded by Commissioner Paul Cowley. The motion passed.

(12)
DISCUSS/APPROVE/DENY 2019 HOLIDAY SCHEDULE

The 2019 Holiday Schedule was presented for approval:

New Year's Day	Tuesday	01-01-19
Human Rights Day	Monday	01-21-19
President's Day	Monday	02-18-19
Memorial Day	Monday	05-27-19
Independence Day	Thursday	07-04-19
Pioneer Day	Wednesday	07-24-19
Labor Day	Monday	09-02-19
Veterans Day	Monday	11-11-19
Thanksgiving Day	Thursday	11-28-19
Thanksgiving Day	Friday	11-29-19
Christmas Eve	Tuesday	12-24-19
Christmas Day	Wednesday	12-25-19
New's Years Eve	Tuesday	12-31-19

Commissioner Paul Cowley made a motion to approve the 2019 Holiday Schedule. The motion was seconded by Commissioner Kent Wilson. The motion passed.

(13)
DISCUSS/APPROVE/DENY COOPERATIVE AGREEMENT BETWEEN THE UTAH DIVISION OF FORESTRY, FIRE AND STATE LANDS AND EMERY COUNTY.

Commissioner Paul Cowley made a motion to approve a Cooperative Agreement between the Utah Division of Forestry, Fire and State Lands and Emery County. The motion was seconded by Commissioner Kent Wilson. The motion passed.

(14)
DISCUSS/APPROVE/DENY RESOLUTION RESCINDING EMERY COUNTY RESOLUTION NO. 12-20-16B.

Commissioner Kent Wilson explained that two maybe three years ago Emery County passed a Resolution (Res. #12-20-16B) authorizing the distribution of Mineral Lease funds to five special districts. Emery County Commissioners wish to rescind Resolution #12-20-16B and create a new resolution. Commissioner Kent Wilson made a motion to rescind Emery County Resolution #12-20-16B. The motion was seconded by Commissioner Paul Cowley. The motion passed.

(15)
DISCUSS/APPROVE/DENY RESOLUTION AMENDING EMERY COUNTY RESOLUTION NOS. 12-20-16A, 4-6-99A AND 4-10-08B.

Commissioner Kent Wilson discussed the Emery County Commissioner's desire to amend Resolution #12-20-16A, #4-6-99, and #4-10-08B. Commissioner Wilson explained that in 2015 Mineral Lease payments crashed. The county went from receiving 3 or 4 million to receiving $650,000.00. At that point the county changed the equation. Everybody is operating at a minimum. To keep the agencies going they reduced the amounts distributed to the districts. They proposed removing LBA from the distribution. They proposed to change the formula for the distribution to Special Service District to 47%, CVSSD to 16%, ECRSSD to 16%, ECFPSSD to 16%, NEWUSSD to 5%. He proposed a cap for CVSSD and ECRSSD of $225,000.00 and NEWUSSD of $75,000.00. The mineral lease money not distributed as a result of the caps, will then be pooled and distributed among the districts according to a percentage to be determined at time to best accommodate the various needs of the districts. Jacob Sharp expressed concern that only three of the five districts are capped. Brad Giles commented that he understands what the Commission is trying to do, but he would like to see a cap for all the districts. He also asked that a committee be formed to be responsible for the surplus and distributed according to emergencies. Commissioner Kent Wilson made a motion to pass Resolution 12-18-18B amending Emery County Resolution 12-20-16A, 4-6-99A and 4-10-08B. The motion was seconded by Commissioner Paul Cowley. The motion passed.

(16)
DISCUSS/APPROVE/DENY SIGNING AXON ENTERPRISES QUOTE FOR 2018 PRICING ON EQUIPMENT TO BE PURCHASED BY EMERY COUNTY SHERIFF'S OFFICE.

Sheriff Funk indicated that this is the Sheriff's Department Laser program. The cost of the program is going up in 2019. By signing with Axon Enterprises their quote for the program will be locked in and they will not pay the higher cost. This program is much cheaper than purchasing the lasers outright. Commissioner Kent Wilson made a motion to sign with Axon Enterprises to lock in the quote for 2018 pricing on equipment to be purchased by Emery County Sheriff's Office. The motion was seconded by Commissioner Paul Cowley. The motion passed.

(17)
DISCUSS/APPROVE/DENY CHANGE ORDER #12 ON THE MILLSITE DAM REHABILITATION PROJECT.

Merrial Johansen explained that Change Order #12 addresses issues related to components of Millsite Dam Rehabilitation. The change order is no cost to Emery County. Commissioner Paul Cowley made a motion to approve Change Oder # 12 for the Millsite Dam Rehabilitation. The motion was seconded by Commissioner Kent Wilson. The motion passed.

(18)
DISCUSS/APPROVE/DENY COOPERATIVE AGREEMENT BETWEEN EMERY COUNTY AND UDOT REGARDING THE GOBLIN VALLEY/MILLSITE STATE PARKS CHIP SEAL PROJECT.

Merrial Johansen explained that Emery County submitted a grant application to the Joint Highay Committee for improvement of B system access roads to Goblin Valley State Park and Millsite State Park. The project will cost $1,127,000.00. $1,000,000.00 is allowed to be reimbursed at 50% (up to $500,000.00) payable to the local agency as the work is completed. The project will be run through SSD#1. They would like to bid the project out this spring. Commissioner Paul Cowley made a motion to approve a Cooperative Agreement between Emery County and UDOT regarding the Goblin Valley/Millsite State Parks chip seal project. The motion was seconded by Commissioner Kent Wilson. The motion passed.

(19)
DISCUSS/APPROVE/DENY INTERLOCAL AGREEMENT BETWEEN EMERY COUNTY AND SPECIAL SERVICE DISTRICT#1 REGARDING GOBLIN VALLEY/MILLSITE PROJECT.

Commissioner Paul Cowley made a motion to approve an Interlocal Agreement between Emery County and Special Service District #1 regarding Goblin Valley/Millsite State Parks. The

motion was seconded by Commissioner Kent Wilson. The motion passed.

(20)
DISCUSS/APPROVE/DENY MOU BETWEEN EMERY COUNTY AND EMERY COUNTY SPECIAL SERVICE DISTRICT #1 REGARDING MANAGING AIRPORT CRACK AND SEAL PROJECT.

Commissioner Kent Wilson made a motion to approve an MOU between Emery County and Emery County Special Service District #1 to manage the Huntington Airport crack and seal project. The motion was seconded by Commissioner Paul Cowley. The motion passed.

(21)
DISCUSS/APPROVE/DENY UTAH DEPARTMENT OF HEALTH CONTRACT AMENDMENT REGARDING EMERY COUNTY CARE AND REHAB CENTER.

Commissioner Sitterud explained that this is a contract the Commission renews each year that allows the ECCR Center to receive Upper Limit Payments from the Federal Government. Without these funds the care center would not be able to function. Commissioner Paul Cowley made a motion to approve Utah Department of Health Contract Amendment regarding Emery County Care and Rehab Center. The motion was seconded by Commissioner Kent Wilson. The motion passed.

(22)
DISCUSS/APPROVE/DENY ADDENDUM TO AGREEMENT ESTABLISHING THE SOUTHEASTERN UTAH ASSOCIATION OF GOVERNMENT.

Commissioner Wilson explained that Emery, Carbon, Grand and San Juan belong to the Southeastern Utah Association of Governments. It was created fifty years ago this month. The current interlocal agreement expires and we need to renew it for another fifty years. Commissioner Kent Wilson made a motion to approve an addendum to agreement establishing the Southeastern Utah Association of Government. The motion was seconded by Commissioner Paul Cowley. The motion passed.

(23)
DISCUSS/APPROVE/DENY ADDENDUM TO THE EMERY COUNTY AGING DIRECTOR BUDGET.

Commissioner Wilson explained that the Aging Director has been working part time for Emery County without a benefit package. Emery County, Carbon County and AOG has been working together on an agreement to have the Aging Director administer the Aging program for Carbon and Emery Counties. This increases Emery County's cost by about 23,000.00 a year. Emery

County will get a long term, committed director with a masters degree in Geriatrics. Partnering with Carbon County saves money for both counties. Commissioner Kent Wilson made a motion to approve an addendum to the Emery County Aging Director Budget. The motion was seconded by Commissioner Paul Cowley. The motion passed.

(24)
DISCUSS/APPROVE/DENY SIGNING QT PETROLEUM ON DEMAND M4000 FUEL TERMINAL PURCHASE AGREEMENT FOR HUNTINGTON AIRPORT.

Commissioner Sitterud explained that this a new, self-serve fuel terminal for the Huntington Airport. There have been many on-going problems with the current fuel system. This new terminal should mitigate the problems that pilots have been experiencing at the airport. Commissioner Paul Cowley made a motion to approve signing QT Petroleum On Demand M4000 Fuel Terminal Purchase Agreement for the Huntington Airport. The motion was seconded by Commissioner Kent Wilson. The motion passed.

(25)
DISCUSS/APPROVE/DENY SIGNING SUBSCRIPTION SERVICE AGREEMENT BETWEEN QT POD, LLC AND EMERY COUNTY FOR SUBSCRIPTION SERVICES M4000.

Commissioner Paul Cowley made a motion to approve signing Subscription Service Agreement between QT POD, LLC and Emery County for Subscription Services M4000. The motion was seconded by Commissioner Kent Wilson. The motion passed.

(26)
DISCUSS/APPROVE/DENY MOU BETWEEN EMERY COUNTY AND THE BLM FOR NOXIOUS WEED CONTROL.

Commissioner Sitterud explained that the MOU is the standard, annual agreement between Emery County and BLM for noxious weed control on BLM property. It is the same MOU as the previous year. Commissioner Paul Cowley made a motion to approve an MOU between Emery County and BLM for noxious weed control. The motion was seconded by Commissioner Kent Wilson. The motion passed.

(27)
DISCUSS/APPROVE/DENY CONTRACT BETWEEN EMERY COUNTY AND THE EMERY COUNTY CHAMBER OF COMMERCE REGARDING 2019 BEAR GRANT.

Ethan Migliori explained that the Governor's Office of Economic Development allows counties to put in two applications for BEAR funds. Emery County made application for $30,000.00 through two entities, Emery County Economic Development and Emery County ($60,000.00).

There is no match required. With Jordan Leonard changing employment it was questioned whether the County could still go after the funds. The Emery County Chamber of Commerce proposed to take the place of the Economic Development since Jordan is no longer Economic Development Director. These funds are proposed to be used for the Commercial to Cottage program. This program will help businesses grow locally. They will provide training components and skill sets to help businesses transition in growth. A key factor to their plan is to create a living document for existing infrastructure in Emery County. The document will include the advantages of living and working in Emery County. Julie Johansen commented it is important to include the strong technology advantages we have in Emery County. Jordan Leonard added that he is on the Board of the Chamber of Commerce and as such will oversee the management of the program making sure it is run correctly. Commissioner Wilson thanked Ethan and the Chamber of Commerce and Jordan Leonard in his new capacity with Rural Online Initiative for stepping up to assist in providing the means by which Emery County will be able to get the funds to continue the BEAR program. If run correctly it will be a yearly program and advantage to Emery County's Economic Development. There is no risk for Emery County. If approved Emery County will be a pass through agent for the BEAR Grant. Commissioner Kent Wilson made a motion to approve a contract between Emery County and the Emery County Chamber of Commerce regarding 2019 BEAR Grant. The motion was seconded by Commissioner Paul Cowley. The motion passed.

(28)
RANDY JOHNSON-GOVERNMENT MATTERS, LLC REPORT.

The document is finished. It all depends on how President Trump handles the shutdown whether it gets passed or not.

(29)
COMMISSION/ELECTED OFFICIALS REPORTS.

Sheriff Funk touched on the tragedy in the county this passed week with the loss of a student. He knows the citizens of Emery County will do as they usually do and reach out to the family in proving the love and support they need at this time.

Attorney Mike Olsen, Commissioner Kent Wilson and Commissioner Sitterud thanked Commissioner Cowley for his dedication to the County in his capacity as Commissioner and a friend. They wished him the best in his retirement.

Commissioner Cowley thanked the citizens of Emery County for the opportunity to serve the county. He commented on the County's Lands bill. He thanked all those people who have worked on the various boards to help move this bill forward.

(30)

ADJOURN

Commissioner Paul Cowley made a motion to adjourn the meeting. The motion was seconded by Commissioner Kent Wilson. The motion passed.

ATTEST:_____ COMMISSIONER:_____