

**WASHINGTON COUNTY COMMISSION
MEETING MINUTES
JANUARY 8, 2019**

The Regular Meeting of the Board of the Washington County Commission was called to order by Chairman Dean Cox at 4:00 p.m. on January 8, 2019, in the Washington County Commission Chambers, 197 East Tabernacle, St. George, Utah. Those in attendance were Chairman Dean Cox, Commissioner Victor Iverson, Commissioner Gil Almquist, Deputy County Attorney Eric Clarke, Commission Administrator Nicholle Felshaw, and Deputy County Clerk Cheyenne Bentley.

INVOCATION BY: Reverend Greg Wright, Westside Baptist Church

PLEDGE OF ALLEGIANCE LED BY: Jerry Curtis, Retired Navy Veteran,
American Legion Post 100

CONSENT AGENDA:

The Consent Agenda is a means of expediting routine matters, which come before the Commission for approval. The Consent Portion of the agenda is approved by one (1) non-debatable motion. If any Commissioner wishes to remove an item from the Consent Portion of the agenda, then that item becomes the first order of business on the Regular Agenda.

- Consideration of Auditor-Approved Claims for Payment for December 19, 2018 through January 8, 2019
- Consideration of Work Meeting Minutes of December 17, 2018 and Regular Commission Meeting Minutes of December 18, 2018
- Consideration of Administrative Adjustments: Real Property (attached)
- Consideration of Administrative Adjustments: Personal Property (attached)
- Consideration of Application(s) for Property Tax Abatement: Sharon Dewey, A/N 0520059; Howard Bingham, A/N 312101; Larry Bybee, A/N 600349
- Consideration of Approval of Wildland Fire Budget Between Washington County and Utah Division of Forestry, Fire, and State Lands for Calendar Year 2019

MOTION: Motion by Commissioner Iverson to Approve the Consent Agenda as Outlined. Motion seconded by Commissioner Almquist and carried by unanimous vote, with Commissioners Cox, Iverson, and Almquist voting aye.

REGULAR AGENDA ITEMS FOR CONSIDERATION:

**PRESENTATION: LOCAL TECHNICAL ASSISTANCE PROGRAM (LTAP)
ROAD SCHOLAR AWARDS**

Washington County Road Superintendent Dean Wulffenstein explained that seven (7) of the Road Department employees obtained additional training from the Local Technical

Assistance Program (LTAP) and received Road Scholar Awards for completion of the training.

LTAP representative, Michelle Butler presented Jeff Drake, Trent Terry, Gordie Herman, Kurt Staheli, Nick Cottam, Ray Mackleprang, and Russell Norton with their awards for completing the program.

Chairman Cox stated that the County's roads are one of the most expensive assets that the County owns and expressed appreciation to the County's road department for a job well done in maintaining those roads.

PRESENTATION: OPEN AND PUBLIC MEETINGS ACT / DEPUTY COUNTY ATTORNEY NATALIE NELSON

Deputy County Attorney Natalie Nelson conducted an annual training for the Commission regarding the open and public meeting requirements as well as other statutory obligations of the County Commission.

Ms. Nelson explained that the purpose of the Open and Public Meetings Act is for the State, its agencies, and its political subdivisions to take actions openly and conduct their deliberations openly. Meetings are considered the convening of a public body for the purpose of discussing, receiving comments from the public, or acting upon a matter over which the public body has jurisdiction or advisory power.

(See attached presentation)

CONSIDERATION OF PURCHASE REQUESTS: RAE BOYER

Emergency Services, Outserts and Assembly	(\$106,015.05)
Emergency Services, Web EOC	(\$66,665.00)
Tourism Office, 2019 Marketing	(\$1,750,000.00)

Washington County Tourism Director Kevin Lewis explained that the Cactus Marketing Agency is currently working on branding the County for the future. After branding is established, a media plan will be developed to determine the message of the Washington County Tourism Office.

Washington County Tourism Deputy Director Brittany McMichael further explained that the funds for the marketing agency come from the Transient Room Tax. A portion of those funds must be spent on marketing expenses. A Tourism Tax Advisory Board (TAB) is a board consisting of several community members directly related to the tourism business that makes recommendations of how those funds should be spent.

All purchases are budgeted, bonded, or paid for through grant funds.

MOTION: Motion by Commissioner Almquist to Approve the Purchase Requests as Outlined. Motion seconded by Commissioner Iverson and carried by unanimous vote, with Commissioners Cox, Iverson, and Almquist voting aye.

DISCUSSION OF WASHINGTON COUNTY ASSISTANCE IN KEEPING ZION NATIONAL PARK OPEN

Chairman Cox stated that a four (4) way partnership was implemented in order to keep minimal services operating at Zion National Park during the current partial government shutdown. The partnership is with St. George City, Washington County, Zion National Park, and the Zion Forever Project, and each partner funding \$7,327 dollars to keep minimum park services running for a one (1) week period. If the shutdown continues, additional funding may be allocated from the partners involved in order to keep Zion National Park operational.

CONSIDERATION OF RESOLUTION NO. R-2019-2408, A RESOLUTION APPROVING A TORTOISE FENCING AGREEMENT FOR THE RED DESERT SUBDIVISION

Washington County Habitat Conservation Plan (HCP) Director Cameron Rognan explained that there is a portion of land being developed in Ivins that does not have the required tortoise fencing in order to keep tortoises within the Reserve. The HCP and the developer have negotiated an agreement under which the developer will install permanent fencing in compliance with the HCP.

MOTION: Motion by Commissioner Iverson to Adopt Resolution No. R-2019-2408, A Resolution Approving a Tortoise Fencing Agreement for the Red Desert Subdivision. Motion seconded by Commissioner Almquist and carried by unanimous vote, with Commissioners Cox, Iverson, and Almquist voting aye.

CONSIDERATION OF RESOLUTION NO. R-2019-2409, A RESOLUTION SELECTING AN EVENT COORDINATOR FOR THE WASHINGTON COUNTY FAIR

Washington County Commission Administrator Nicholle Felshaw explained that since 1997, Wendy Sandberg has been in charge of the County Fair and expressed appreciation for her services to the County.

A request for proposal was advertised for a new event coordinator of the County Fair. The St. George Area Chamber submitted a proposal for the event coordinator position. County staff reviewed the proposal and it is recommended that the St. George Area Chamber of Commerce be the event coordinator of the Washington County Fair.

MOTION: Motion by Commissioner Almquist to Adopt Resolution No. R-2019-2409, A Resolution Selecting an Event Coordinator for the Washington County Fair. Motion seconded by Commissioner Iverson and carried by unanimous vote, with Commissioners Cox, Iverson, and Almquist voting aye.

CONSIDERATION OF RESOLUTION NO. R-2019-2410, A RESOLUTION APPROVING A LETTER OF AGREEMENT WITH COMMUNITY SOLUTIONS CONSULTING FOR SERVICES DURING THE STATE LEGISLATIVE SESSION

Washington County Court Support Services Director Sharmane Gull explained that the Court Support Services (CSS) Office has been in operation for fifteen (15) months and receives a significant portion of its budget through state funding.

A dedicated representative is needed at the State Capital during the legislative session. It is recommended for Community Solutions Consulting to perform lobbying and consulting services with the Utah State Legislature and the Utah Governor's Office to successfully accomplish all objectives outlined by the Washington County Court Support Services, which is a division of the County Attorney's Office. The cost of this consulting agreement is \$10,000, which will be paid from the CSS budget.

MOTION: Motion by Commissioner Iverson to Adopt Resolution No. R-2019-2410, A Resolution Approving a Letter of Agreement with Community Solutions Consulting for Services During the State Legislative Session. Motion seconded by Commissioner Almquist and carried by unanimous vote, with Commissioners Cox, Iverson, and Almquist voting aye.

CONSIDERATION OF RESOLUTION NO. R-2019-2411, A RESOLUTION APPOINTING GIL ALMQUIST TO THE SPECIALLY FUNDED TRANSPORTATION SPECIAL SERVICE DISTRICT BOARD

Chairman Cox explained that the Specially Funded Transportation Special Service District (SFTSSD) Board was created to recommend funding expenditures specifically for roads. Former Commissioner Zachary Renstrom's term expired, therefore, Chairman Cox recommended that Commissioner Almquist serve on the Board moving forward.

MOTION: Motion by Commissioner Iverson to Adopt Resolution No. R-2019-2411, A Resolution Appointing Gil Almquist to the Specially Funded Transportation Special Service District Board. Motion seconded by Chairman Cox and carried by unanimous vote, with Commissioners Cox, Iverson, and Almquist voting aye.

CONSIDERATION OF RESOLUTION NO. R-2019-2412, A RESOLUTION APPOINTING GIL ALMQUIST TO THE SNOW CANYON JOINT MANAGEMENT COMMITTEE

Chairman Cox explained that the Snow Canyon Joint Committee makes decisions in regards to Snow Canyon State Park. He recommended that Commissioner Almquist be appointed to represent the Commission on that Committee.

MOTION: Motion by Commissioner Iverson to Adopt Resolution No. R-2019-2412, A Resolution Appointing Gil Almquist to the Snow Canyon Joint Management Committee. Motion seconded by Chairman Cox and carried by unanimous vote, with Commissioners Cox, Iverson, and Almquist voting aye.

CONSIDERATION OF RESOLUTION NO. R-2019-2413, A RESOLUTION APPOINTING GIL ALMQUIST TO THE FIVE COUNTY HUMAN SERVICES COUNCIL ADVISORY BOARD

Commissioner Iverson explained that the Five County Human Services Council is comprised of commissioners representing the Five County area, one from each of the counties served by the Council. He recommended that Commissioner Almquist be appointed to represent Washington County on that Board.

MOTION: Motion by Commissioner Iverson to Adopt Resolution No. R-2019-2413, A Resolution Appointing Gil Almquist to the Five County Human Services Council Advisory Board. Motion seconded by Chairman Cox and carried by unanimous vote, with Commissioners Cox, Iverson, and Almquist voting aye.

CONSIDERATION OF RESOLUTION NO. R-2019-2414, A RESOLUTION APPOINTING GIL ALMQUIST TO THE WASHINGTON COUNTY FLOOD CONTROL AUTHORITY BOARD

Chairman Cox explained that a County Commissioner must sit on the Flood Control Authority Board, and former Commissioner Zachary Renstrom previously represented the Commission. He recommended that Commissioner Almquist be appointed to represent Washington County on that Board.

MOTION: Motion by Chairman Cox to Adopt Resolution No. R-2019-2414, A Resolution Appointing Gil Almquist to the Washington County Flood Control Authority Board. Motion seconded by Commissioner Iverson and carried by unanimous vote, with Commissioners Cox, Iverson, and Almquist voting aye.

CONSIDERATION OF RESOLUTION NO. R-2019-2415, A RESOLUTION APPOINTING GIL ALMQUIST TO THE WASHINGTON COUNTY NOXIOUS WEED BOARD

Commissioner Iverson explained that the duties of the Commissioners have been reassigned, necessitating a change in the County Commission appointee to the Noxious Weed Board. He recommended that Commissioner Almquist be appointed to represent Washington County on that Board.

MOTION: Motion by Commissioner Iverson to Adopt Resolution No. R-2019-2415, A Resolution Appointing Gil Almquist to the Washington County Noxious Weed Board. Motion seconded by Chairman Cox and carried by unanimous vote, with Commissioners Cox, Iverson, and Almquist voting aye.

CONSIDERATION OF RESOLUTION NO. R-2019-2416, A RESOLUTION APPOINTING GIL ALMQUIST TO THE SOUTHWEST MOSQUITO ABATEMENT AND CONTROL DISTRICT'S BOARD OF TRUSTEES

Commissioner Iverson explained that the County Commission is responsible to appoint one Commissioner to the Southwest Mosquito Abatement and Control District Board of Trustees. He recommended that Commissioner Almquist be appointed to represent Washington County on that Board.

MOTION: Motion by Commissioner Iverson to Adopt Resolution No. R-2019-2416, A Resolution Appointing Gil Almquist to the Southwest Mosquito Abatement and Control District's Board of Trustees. Motion seconded by Chairman Cox and carried by unanimous vote, with Commissioners Cox, Iverson, and Almquist voting aye.

CONSIDERATION OF RESOLUTION NO. R-2019-2417, A RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS OF WASHINGTON COUNTY, UTAH (THE "COUNTY") DECLARING ITS INTENTION TO DESIGNATE AN ASSESSMENT AREA FOR THE PURPOSE OF LEVYING ASSESSMENTS AGAINST PROPERTIES WITHIN THE ASSESSMENT AREA TO FINANCE THE CONSTRUCTION AND INSTALLATION OF ROAD IMPROVEMENTS; AND TO FIX A TIME AND PLACE FOR PROTESTS AGAINST THE ASSESSMENT AREA AND ITS ASSESSMENTS, AND RELATED MATTERS

Washington County Engineer Todd Edwards explained that several residents in the Harmony Heights subdivision requested that the roads in their subdivision be paved. Due to the high costs of paving, the County could not fund that request. A majority of the residents stated they would be willing to pay for the cost of the paving.

In order for that to happen, a special assessment would need to be imposed on all residents of the Harmony Heights Subdivision. This resolution begins the process of implementing a special assessment for the area.

Mr. Edwards and Deputy County Attorney Eric Clarke explained that the next step will be a public hearing held on March 5, 2019, during the regular Commission meeting to hear from the public on the proposed Assessment Area. Then a protest period will be held for sixty (60) days for any residents opposed to the special assessment to submit written protests. If received protests exceed the statutory limit, the special assessment area cannot move forward.

Mr. Edwards further explained that if approved, the County would finance the road, after which, the Assessment Area would repay the County over a ten (10) year period, with interest.

MOTION: Motion by Commissioner Almquist to Adopt Resolution No. R-2019-2417, A Resolution of the Board of County Commissioners of Washington County, Utah (The "County") Declaring its Intension to Designate an Assessment Area for the Purpose of Levying Assessments Against Properties within the Assessment Area to Finance the Construction and Installation of Road Improvements; and to Fix a Time and Place for Protests Against the Assessment Area and tis Assessments, and Related Matters. Motion seconded by Commissioner Iverson and carried by unanimous vote, with Commissioners Cox, Iverson, and Almquist voting aye.

CONSIDERATION OF RESOLUTION NO. R-2019-2418, A RESOLUTION APPROVING AN EASEMENT AGREEMENT BETWEEN WASHINGTON COUNTY AND THE SCHOOL AND INSTITUTIONAL TRUST LANDS ADMINISTRATION (SITLA) FOR THE CONSTRUCTION AND MAINTENANCE OF THE STORM DRAINAGE SYSTEM NEAR DAMMERON VALLEY

Mr. Edwards explained that the School and Institutional Trust Lands Administration (SITLA) owns real property in the Dammeron Valley area. In order to minimize future flooding, the County desires to construct, operate, inspect, repair, maintain, replace, or expand a storm drainage system under and along the SITLA property.

MOTION: Motion by Commissioner Iverson to Adopt Resolution No. R-2019-2418, A Resolution Approving an Easement Agreement Between Washington County and the School and Institutional Trust Lands Administration (SITLA) for the Construction and Maintenance of the Storm Drainage System near Dammeron Valley. Motion seconded by Commissioner Almquist and carried by unanimous vote, with Commissioners Cox, Iverson, and Almquist voting aye.

CONSIDERATION OF RESOLUTION NO. R-2019-2419, A RESOLUTION APPROVING PUBLIC DEFENDER AGREEMENTS TO PROVIDE PUBLIC JUDICIAL DISTRICT COURT, THE FIFTH JUDICIAL JUVENILE COURT OF WASHINGTON COUNTY, THE WASHINGTON COUNTY JUSTICE COURT, AND APPEALS FROM THESE COURTS FOR THE YEAR 2019

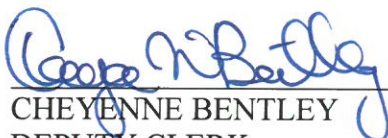
Commissioner Almquist explained that an Indigent Defense Committee has been created in order to assist in the maintenance of the Washington County public defenders. All previous public defenders are willing to continue providing constitutionally and legally required services. He recommended that the contracts of Doug Terry, Ariel Taylor, Edward Flint, Lamar Winward, Larry Meyers, Michael Lastowski, Nathan Reeve, Michael Rawson, Robert Lathan, Robert Winsor, Trent Seegmiller, and Turner Law, PC be renewed for 2019.

MOTION: Motion by Commissioner Almquist to Adopt Resolution No. R-2019-2419, A Resolution Approving Public Defender Agreements to Provide Public Defense Services for Indigent Defendants in the Fifth Judicial District Court, the Fifth Judicial Juvenile Court of Washington County, the Washington County Justice Court, and Appeals from these Courts, Subject to Further Review and Approval of the Appellate Contract for the Year 2019. Motion seconded by Commissioner Iverson and carried by unanimous vote, with Commissioners Cox, Iverson, and Almquist voting aye.

COMMISSIONERS' REPORT

Chairman Cox welcomed Commissioner Almquist and expressed excitement about the opportunity to work together.

Having no other business, the meeting was adjourned at 5:03 p.m.



CHEYENNE BENTLEY
DEPUTY CLERK



DEAN COX
CHAIRMAN