

MINUTES
OF THE REGULAR MEETING OF THE
TOOELE COUNTY BOARD OF COMMISSIONERS
HELD MARCH 19, 2019

Chairman Tripp called the meeting to order at 7:03 p.m. The time, place and agenda of the meeting had been provided to the Tooele Transcript Bulletin and to each member of the governing body by posting the notice and agenda at least two days before on the Tooele County website and emailing them a link.

1. **PLEDGE OF ALLEGIANCE.** The Pledge of Allegiance was led by Jeff Miller, County Planner..
2. **ROLL CALL.** Present at the meeting were Commissioners Tom Tripp, Chairperson, Shawn Milne and Kendall Thomas. Also present were Gary Searle, Deputy Attorney and Marilyn Gillette, Clerk. Scott Broadhead, Attorney, was excused.
3. **PUBLIC CONCERNS.** Jeff McNeill, Tooe County, discussed the 2nd reading of Ordinance 2019-02 on the County’s purchasing policy. He likes the changes that have been made, but still has some concerns. In 1-8-2(4), if the rules aren’t followed a county employee may be held personally responsible for the payment but it wouldn’t be criminal. He has found a number of places in this ordinance where this is stated but there aren’t any “teeth” in it.

He asked that the bid results be put on the Clerk’s website page. Also 1-8-3(2) allows the County Commission to waive the requirements. Is it just in a public meeting where they can waive the requirements or in a private meeting?

Darold Anderson, Erda, raised a concern related to the Rabbit Lane barricades that have been put up. His brother in law is paralyzed and uses his hand cycle on Rabbit Lane. The barricades prevent him from using Rabbit Lane. He asked that the Commission investigate this.
4. **MINUTES.** Commissioner Milne moved to approve the minutes of the Commission Meeting held February 19, 2019 as amended. Commissioner Thomas seconded the motion. All concurred.

5. **CONSENT AGENDA.**

A) Invoices A) Check Register February 25, 2019 through February 28, 2019; B) Check Register March 4, 2019 through March 7, 2019; C) Check Register February 11, 2019 through February 14, 2019; D) Check Register March 11, 2019 through March 14, 2019; E) Warrants issued on February 27, 2019, Direct Deposit Amount: \$394,630.92, Direct Deposit Check: #022719001/#022719312, Check Amount: \$7,364.81, Payroll Check #8867 - #8873. Transmittal Checks, Check Amount :\$313,943.95, Transmittal Voucher #022720190 - #022720192, Transmittal Check #8874 - #8877; F) Warrants issued on February 13, 2019, direct Deposit Amount: \$416,156.37, Direct Deposit Check #021319001/#021319310, Check amount \$3,248.20, Payroll Check #8856 - #8861. Transmittal Checks, Check Amount \$330,220.05, Transmittal Voucher #021320190 - #021320193, Transmittal check 38862 - #8866.

B) **Tax Adjustments.**

Owners Name	Serial #/Parcel/ Transaction #	Reason for Correction	Relief Amount	Adj. Year
Szudia Bragg	W826YR	<i>Paid registration then sold vehicle</i>	\$(50.00)	2019
Shaun Anderson	M770L	<i>Paid registration but did not get abatement</i>	\$(110.00)	2019

Scott Cornwall	K691L		Paid registration then totaled it	\$(10.00)	2019
Charles DelRosso	F325DL		Paid registration then sold vehicle	\$(10.00)	2019
Rebecca Nelson	Z955C		Paid registration Monday not realizing that husband was working on a deal to trade in on a truck. Wednesday, we traded it in.	\$(110.00)	2018
Xtra Airways	98-000-0-0852 s000701		Remove levy and P and I due to a bankruptcy that was taken out	\$(38,697.85)	2011
Xtra Airways	98-000-0-0852 s000701		Same as above	\$(440.83)	2016
Xtra Airways			Same as above	\$(1,733.53)	2012
Shirrell Watkins Donna Addams	01-148-0-0028		Escaped property missed assessment - Correction: No value for 2018. Parcel created for 2019 year	\$0.00	2018
Ray E. Smart JT	08-001-0-0022		Detail review area 2018. Large error on SF. Recalculated and corrected market value on residence	\$129.43	2018
Michael F Warner, JT	01-105-0-0109		Adjustment Correction	\$0.00	2018
Teen Challenge of the Rocky Mountains Inc.	08-044-A-0001		Adjustment Correction	\$(422.84)	2018
Henninger Betsy B LLC	01-105-0-0111		This parcel's parent parcel was split during 2018. the parent parcel received a tax notice for 2018, as it should have. However, the child parcels also received tax notices for 2018, which is not correct. This Commission adjustment is being completed to correct that mistake.	\$(1,522.88)	2018
McGlamery Robert S Co-Trustee	01-105-0-0110		Same as above	\$0.00	2019
Jeffery Nile Thacker	14-009-0-0523		Veteran 20%	\$(886.98)	2018
Jose R. Rodriguez	11-049-0-4122		Veteran 60%	\$(1,399.54)	2017
Anthony L. Sinnette	15-021-0-0310		Veteran 60%	\$(2,2279.43)	2018
Keith L. Davis	08-002-0-0004		Veteran 30%	\$(1,219.78)	2018
Christine N. Jones	05-019-0-0033		Veteran 40%	\$(1,233.11)	2018
Nancy Long	01-291-0-0027		Remove Lien and P and I. this is an inactive parcel	\$(6.41)	2014
Unknown	03-022-0-0011		Remove Lien and P and I. this is an inactive parcel	\$(388.45)	2002
Richard Morgan	16-084-0-0004		Remove Rollback and P & I. this is an inactive parcel and is already paid in old system.	\$(637.79)	2014
Cecelia Russell	09-027-0-0045		Remove Lien and P and I should be a zero balance.	\$(6.79)	2011
Andy Lewis Constructions	01-077-0-0051		Remove Levy and P & I. This is an inactive parcel	\$(10.00)	2013
Andy Lewis Constructions	01-077-0-0050		Remove Levy and P & I. This is an inactive parcel	\$(10.00)	2013
Nancy Long	01-299-0-0011		Remove Lien and P & I. this is an inactive parcel	\$(34.49)	2014
Tooele County	02-026-0-0019		Remove Lien and P and I, belongs to Tooele County	\$(57.62)	2017
Tooele County	98-000-0-0218		Remove Lien and P and I, belongs to Tooele County	\$(1.43)	2018
Tooele County	02-027-0-0010		Remove Lien and P and I, belongs to Tooele County	\$(1,884.55)	2018
Lazy Heart Livestock	01-068-0-0054		Remove Lien and P&I. this is an inactive parcel	\$(63.56)	2012
Lazy Heart Livestock	01-068-0-0054		Same as above	\$(65.27)	2013
Toole County	13-055-0-0031		Remove Lien & P & I, belongs to Tooele County	\$(8.70)	2012
Tooele County	13-055-0-0031		Same as above	\$(7.14)	2013

Tooele County	13-055-0-0031	Same as above	\$(7.00)	2014
Tooele County	13-055-0-0031	Same as above	\$(6.88)	2015
Tooele County	13-055-0-0031	Same as above	\$(6.84)	2016
Tooele County	13-055-0-0031	Same as above	\$(6.58)	2017
Tooele County	02-046-0-0029	Remove Lien & P & I, belongs to Tooele County	\$(7.14)	2013
Tooele County	02-046-0-0029	Same as above	\$(7.00)	2014
Tooele County	02-046-0-0029	Same as above	\$(6.88)	2015
Tooele County	02-046-0-0029	Same as above	\$(6.84)	2016
Tooele County	02-046-0-0029	Same as above	\$(6.58)	2017
Tooele County	05-060-0-0039	Remove Lien & P & I, belongs to Tooele County	\$(6.47)	2013
Tooele County	05-060-0-0039	Same as above	\$(6.81)	2014
Tooele County	13-055-0-0029	Remove Lien & P & I, belongs to Tooele County	\$(8.70)	2012
Tooele County	13-055-0-0029	Same as above	\$(7.14)	2013
Tooele County	13-055-0-0029	Same as above	\$(7.00)	2014
Tooele County	13-055-0-0029	Same as above	\$(6.88)	2015
Tooele County	13-055-0-0029	Same as above	\$(6.84)	2016

C) Ratifications. None.

D) Budget Transfer Requests. A) budget amounts transposed in 2019 budget

From	Account	Amount	To	Account
Description			Description	
Insurance	10-4150-510-000	\$95,000	Donations	10-4150-541-000
Donations	10-4150-540-000	\$345,000	Insurance	10-4150-510-000

B) Correct original budget upload – passthrough from UDOT on work done by county. Was put on the wrong account.

From	Account	Amount	To	Account
Description			Description	
Trnsf to other fund	40-4710-840-000	\$200,000	Village Blvd East	40-4676-720-000

C) Taking money from Elections Professional Services and transferring it to Election Equipment.

From	Account	Amount	To	Account
Description			Description	
Elections/Prof. Svs.	10-4170-310	\$17,770.00	Elections/Equipment	10-4170-740

Commissioner Thomas made a motion to approve the consent calendar. Commissioner Milne seconded the motion. All concurred.

6. DIVISION OF WILDLIFE RESOURCES, PRESENTATION OF COUNTY PILT CHECK - JASON VERNON. Jason presented the State PILT check for \$336.97. He also provided a letter from the director expressing appreciation for working together with the County in this endeavor.

7. 2ND READING - ORDINANCE 2019-10 – AMENDING SECTION 7-10, SUBSTANTIAL ACTION REQUIRED, OF CHAPTER 7, CONDITIONAL USES, OF THE TOOELE COUNTY LAND USE ORDINANCE. Gary Searle, Deputy County Attorney, gave a summary of this ordinance.

8. ADOPTION OF ORDINANCE 2019-01 – AMENDING SECTION 7-10, SUBSTANTIAL ACTION REQUIRED, OF CHAPTER 7, CONDITIONAL USES, OF THE TOOELE COUNTY LAND USE ORDINANCE. There was no discussion. Commissioner Milne moved to approve. Commissioner Thomas seconded the motion. All concurred.

9. 2ND READING – ORDINANCE 2019-02- AMENDING CHAPTER 8, COUNTY PURCHASING POLICY AND PROCEDURES, OF TITLE 1, GENERAL

10. **PROVISIONS, OF THE TOOELE COUNTY CODE.** Gary Searle, Deputy County Attorney gave a summary of this ordinance.
- ADOPTION OF ORDINANCE 2019-02 – AMENDING CHAPTER 8, COUNTY PURCHASING POLICY AND PROCEDURES, OF TITLE 1, GENERAL PROVISIONS, OF THE TOOELE COUNTY CODE.** There was no public discussion. Commissioner Thomas moved to approve this ordinance. Commissioner Milne seconded the motion with the clarification that there are times that an emergency occurs, and an emergency meeting must be called to act quickly on the situation. All concurred.
11. **PUBLIC DEFENDER AGREEMENTS.** A) Jacob L. Linares – District Court & Drug Court; B) Bradley J. Schofield of Smart Schofield Shorter, P.C. - District Court; C) Justin Hosman of Hosman Adams, PLLC - Juvenile Court Conflicts; D) Justin Hosman of Hosman Adams, PLLC – District Court Conflicts Alternate; E) A. Chelsea Koch – District Court Conflicts Alternate.
- Gary Searle, Deputy County Attorney, stated this is just a shuffle of public defenders due to some of the public defenders under contract have left the employ of the County. There is no change in the budget. Commissioner Milne moved to approve. Commissioner Thomas seconded the motion. All concurred.
12. **PUBLIC HEARING ON THE PROPOSED 2019 BUDGET ADJUSTMENTS.** No public hearing is required since the net effect on the budget is zero. There were no comments. Commissioner Tripp made a motion to table this item to the next Commission meeting. Commissioner Thomas seconded the motion. All concurred.
13. **FIRST READING – ORDINANCE 2019-03 – AMENDING THE TOOELE COUNTY RESOURCE MANAGEMENT PLAN ON THE TOOELE COUNTY GENERAL PLAN TO INCLUDE THE MANAGEMENT OF INVENTORIED ROADLESS AREAS (IRAS).** Jeff Miller, Community Development, discussed this with the Commission. Commissioner Milne moved to table this item to the next meeting. Commissioner Thomas seconded the motion. All concurred.
14. **FIRST READING – ORDINANCE 2019-04 – AMENDING THE OFFICIAL ZONING MAP OF TOOELE COUNTY; REZONING APPROXIMATELY 32.75 ACRES OF LAND, LOCATED AT 4856 NORTH SR-36 IN ERDA, FROM RR-5 TO RR-1.** Jeff Miller, Community Development, discussed this with the Commission. The neighbors adjacent to this property informed staff that if this rezone goes through they may be interested in rezoning their property as well to prevent islands being created. The Tooele County Planning Commission recommended approval for the proposed rezone request. Commissioner Milne moved to table this item to the next agenda. Commissioner Thomas seconded the motion. All concurred.
15. **FIRST READING – ORDINANCE 2019-05 – AMENDING THE OFFICIAL ZONING MAP OF TOOELE COUNTY; REZONING APPROXIMATELY 35.11 ACRES OF LAND, LOCATED AT THE SOUTHEAST CORNER OF ERDA WAY AND SR-36 IN ERDA, FROM RR-5 TO C-G.** Jeff Miller, Community Development, discussed this with the Commission. This property has “split zoning”, the parcel has two different zoning definitions. There were comments made by local residents concerning light pollution from the medical facility. The Tooele County Planning Commission recommended approval of the zoning request. Commissioner Milne moved to table this item to the next agenda. Commissioner Thomas seconded the motion. All concurred.
16. **FIRST READING – ORDINANCE 2019-06 – AMENDING THE OFFICIAL ZONING MAP OF TOOELE COUNTY; REZONING APPROXIMATELY 6.65 ACRES OF LAND, LOCATED NORTH OF GRANTSVILLE, FROM A-20 TO RR-1.** Jeff Miller, Community Development, discussed this with the Commission. Future plans for this area are not well defined in the 2016 General Plan. There were comments by local residents concerning water availability, as well as lot size. Commissioner Thomas moved to table this item to the next agenda. Commissioner Milne seconded the

motion. All concurred. Tooele County Planning Commission made a recommendation for approval.

17. **AGREEMENT FOR MUTUAL AID FIRE EMERGENCY SERVICES WITH UTAH TEST AND TRAINING RANGE.** Bucky Whitehouse, EOC, explained this agreement to the Commission. Commissioner Milne made a motion to approve. Commissioner Thomas seconded the motion. All concurred.
18. **PUBLIC NOTICE OF RFP FOR ENVIRONMENTAL ASSESSMENT FOR SKULL VALLEY WATERSHED.** Bucky Whitehouse, EOC, discussed this with the Commission. The County is acting as a sponsoring agent for a \$270,000 grant for the Goshute reservation.
19. **RESOLUTION OF PARTICIPATION WITH TOOELE CITY FOR 1000 NORTH COMMUNITY REINVESTMENT AREA.** Commissioner Milne explained this for the public and the Commission. This area is government owned, so no property tax is currently paid. With this buildup the project participation request to the county is a portion of tax increment 75% max for 20 years. (Total county portion annually would be \$43,000.) There is an expectation to collect property tax on the development of \$14,000 as well as \$400,000 in new sales tax per year.

Mayor Debbie Winn discussed the issue. This is rebating developers' money/taxes invested in public infrastructure, over time. This land was sold two weeks ago to a developer. They are asking the county to give up \$43,000 per year for 20 years, max. The County should receive approximately \$14,000 in property tax and \$402,000 in sales tax, annually, assuming full buildup. Commissioner Milne moved to approve this resolution. Commissioner Thomas seconded the motion. All concurred.

20. **RESOLUTION OF PARTICIPATION WITH TOOELE CITY FOR BROADWAY COMMUNITY REINVESTMENT AREA.** Commission Milne discussed this with the public and the Commission. There will be 48 low to moderate apartments and 29 single family units. No property or sales tax is being generated at the present time. After the buildup, \$48,000 would be generated in property tax. 100% for 1-5 years and 50% for 6-10, total cap not to exceed \$360,000 or ten years.

Mayor Debbie Winn discussed this issue. The developer is securing tax exempt bonds. They have to cover their debt service. They will renovate the hotel and apartments/town homes. The unique thing is that this company will give the audited books to show whether they make money or not. For the government entities to pay this money to the developer to cover their debt service, the books must show they did not make money. If they do make money, the government entities will not pay this money.

Commissioner Milne made a motion to approve. Commissioner Thomas seconded the motion. All concurred.

21. **FIRST ROUND – TOURISM TAX ADVISORY BOARD GRANT RECOMMENDATIONS.** Carrie Cushman, Tourism Tax Advisory Board Chair, stated there are 29 applicants thus far this year for over \$600,000. They have reviewed the first 15 applications:

All money awards are recommended to be phrased “up to” applicants are encouraged to seek out and use local vendors; post-performance reporting should include visitor logs w/ zip codes (or similar) when applicable; include examples of artwork/advertising in post-performance reports, showing where marketing channels promoted to out-of-county audience; indicate how acknowledging funding provided, in part, by Tooele County tourism taxes and incorporates “so much, so close” messaging in accordance with branding guidelines.

**Bit & Spur Riding Club (74th Annual Rodeo) - \$14k - Post-performance reimbursement (PPR) towards facility rental; out of county advertising (OOCA). Encourage use of in-county vendors.*

- *Falkner-Coleman Riding Clinic - \$2,650 - PPR for facility rental; AV rental; catering - condition of using an in-county vendor.
- *Breez'n Barrels - \$2,500 - PPR for facility rental of all five dates listed in application.
- *Columbia Sheep Breeders Assn - \$4,900 - PPR of facility rental; banquet - w/ condition of using in county business; OOCA ads/magazine - must include copies/links (incl readership/distribution) as part of follow-up.
- *Down & Dirty Barrel Racing - \$1,400 - PPR of facility rental
- *Intermountain Porche Club - \$7k - PPR facility rental (\$5k); and OOCA advertising/mktg (up to \$2k)
- *Ivie Acres Farm & Petting Zoo - \$0 - Request expected to be incorporated in annual expenses of the County Fair.
- *Life's Worth Living - Walk to Wendover - \$1k - PPR for County/Wendover City facility rental; OOCA
- *Master Gardeners' Assn - \$1k - PPR of OOCA
- *Royal Creek Ranches - \$10k - OOCA (held over from last year; recommending using roll-over savings)
- *Salt Flats Endurance Runs - \$5k - PPR OOCA and promotional trailer
- *Sons of Utah Pioneers - Pioneer Museum - \$4,439 - PPR towards operating overhead
- *Studio Ranch - \$4k - PPR OOCA
- *TEF/Ophir Historical District - \$7,800 - PPR towards bell tower restoration; jail refurbishing. Conditional on 1:1 matching funds from other external source(s). In lieu of brochure request, utilizing annual TB Publishing magazine to advertise/mkt the historical aspects as a featured story.
- *Tooele Arts Festival - \$5k - PPR OOCA. Conditions of seeking/prioritization local vendors and tracking attendance (both quantity and origination).

Commissioner Thomas moved to approve. Commissioner Tripp seconded the motion. All concurred.

22. **BOARD APPOINTMENTS.** Commissioner Thomas moved to appoint Michelle Ross to the Council of Aging and Tiffany Lancaster to the Housing Authority representing realtors. Commissioner Milne seconded these appointments. All concurred.

23. **COMMISSION UPDATE.**

Commissioner Tripp – Attended the National Association of Counties in Washington to decide if the meetings had value. There were some good sessions. The MidValley highway is moving forward, the bigger dirt moving will be in August. Robert Warner, the Department Head of Solid Waste is retiring, HR is working on viable candidates. Exit 99 rebuild will continue once compaction is completed, as well as the MidValley Highway. The Mosquito Abatement is building a new building. They have saved money for 18 years and now have enough to build a better facility.

Commissioner Thomas – didn't participate in NACO, been working Valley Behavior Health, the state and the school district to establish a Juvenile Reception Center. This is like the resource center that will work with kids from Jr. high to high school age. If a child is having a meltdown at home or school, they would be brought to the reception center. Right now, they take them to SLC and it takes an officer out of service at least for 3 hours. The state will provide the funding for this project. Working with transitional housing, property the county owns, how can we better utilize these for people who are at risk. An assessment of the senior center has been completed. In the basement of the senior center there is a pool hall. Unfortunately, people can't get in and out of the area, so they are doing an assessment on how they can better serve these people. Safety, the

county is working on reducing our cost for insurance. Real strong continued focus on improving safety.

Commissioner Milne – attended the state legislative session, working with UAC and mentioned that Sheriff Wimmer is president of the Sheriff's Association and that Jerry Houghton is president of the Recorders Association. Worked with the other commissioners on bills considered at the legislature. Utah Defense Alliance Board meeting, Professional Development for Trust Leadership Conference, Deseret UAS, Senator Lee's staff, Wasatch Front Regional Council, Indigent Defense Commission, Economic Development, Sewer infrastructure, Tourism Tax Advisory Board, Inland Port Authority, Romney Group, road developments, Ophir Canyon closed roads. Played host at the race track to one of the major political parties. Many mentioned what a wonderful place Tooele County is.

24. **PUBLIC CONCERNS.** Jeff McNeill asked the Commissioners to keep in mind as they look at these rezones, when he moved here he expected the area to stay the same. Affordable housing, sometimes government entities do things that we talk about affordable and cause to be unaffordable. Nearly 10% of the cost of the homes in Tooele City is for fees. As we do the tax breaks to welcome new developers, sometimes we forget the local small developers. Shopping local also counts for hiring local contractors for work within the county. High density hospitals may have a negative effect on the area. Property rights are important but so are the feelings of the local residents.

25. **ADJOURN.** Commissioner Milne moved to adjourn the meeting at 8:54 p.m. Commissioner Thomas seconded the motion. All concurred.

THE FOREGOING MINUTES ARE HEREBY APPROVED:

ATTEST:

BY: Marilyn K. Gillette
MARILYN K. GILLETTE, CLERK

BY: [Signature]
TOM TRIPP, CHAIRMAN

