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

APRIL 16, 2019

Present at the meeting was Commissioner Chairman Lynn Sitterud, Commissioner Kent Wilson, Commissioner Gil Conover, 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 # 251278 through and including #251408 was presented for approval.

Requisitions were presented for the following:

REQUISITION	DESCRIPTION	AMOUNT
18-19	(3) Patrol Vehicle Set-Up Sheriff	$25,384.74
21-19	4RE Standard DVR Camera System for Patrol Vehicles-Sheriff	$ 4,950.00

Dispositions were presented for the following:

9046, copier, 8146, copier, 8396, copier, 7289, typewriter, 7894, shredder, 9259, printer, 9258, printer, 9123, printer, 9122, printer, 9257, printer9723, radio, 6432, cabinet, 1445, television

(2)
APPROVAL OF MINUTES OF APRIL 02, 2019 COMMISSION MEETING.

(3)
NOTIFICATION SELECTION OF EARL NELSON AS A PART TIME EQUIPMENT OPERATOR I WORKING 19 3/4 HOURS PER WEEK. NOT ELIGIBLE FOR BENEFITS, WAGE GRADE 16. EFFECTIVE 4-1-19.

(4)
NOTIFICATION SELECTION OF LAURA PEACOCK AS A PART TIME MUSEUM SPECIALIST WORKING 19 3/4 HOURS PER WEEK. NOT ELIGIBLE FOR BENEFITS. WAGE GRADE 6. EFFECTIVE 4-5-19.

(5)
APPROVAL OF GARRETT CONOVER AS A PART TIME RESERVE PATROL DEPUTY. NOT ELIGIBLE FOR BENEFITS. WAGE $14.00 PH.

(6)
APPROVAL OF ADDISON WEIHING AS A VOLUNTEER FOR THE GREEN RIVER LIBRARY.

(7)
APPROVAL OF GAGE JENSEN TO HIRED AS A SEASONAL LIFEGUARD WORKING 29 HOURS PER WEEK. NOT ELIGIBLE FOR BENEFITS. WAGE GRADE 3.

(8)
APPROVAL OF JORGEN ALLRED TO RECEIVE A 3% WAGE INCREASE FOR SUCCESSFUL COMPLETION OF HIS 6 MONTH ORIENTATION PERIOD AS A CORRECTION OFFICER AND A 3% COLA. EFFECTIVE 4-22-19

(9)
APPROVAL OF CORY CLOWARD TO RECEIVE A 3% WAGE INCREASE FOR SUCCESSFUL COMPLETION OF HIS 6 MOTH ORIENTATION PERIOD AS AN EQUIPMENT OPERATOR II AND 3% COLA. EFFECTIVE 4-22-19.

(10)
APPROVAL OF CODY MORRIS TO RECEIVE A 3% WAGE INCREASE FOR SUCCESSFUL COMPLETION OF HIS 6 MONTH ORIENTATION PERIOD AS AN EQUIPMENT OPERATOR I AND 3% COLA. EFFECTIVE 4-22-19.

Motion to approve the consent Agenda was made by Commissioner Gil Conover, seconded by Commissioner Kent Wilson, and the motion passed.

DISCUSSION AGENDA

(1)

ITEMS PULLED FROM THE CONSENT AGENDA.

(2)
PUBLIC COMMENT (3 MINUTE TIME LIMIT).

(3)
AWARDING OF MONTHLY SAFETY VISA GIFT CARDS.

Estelle Guymon- Part-Time Employee
Brenda Lemon- Full-Time Employee
Robert Riley and Kevin Wall- Safety Sensitive Employees

(4)
PRESENTATION OF THE SWELL COUNTRY FEST ARTIST FOR 2019.

Shannon Hiatt announced that The Swell Country Fest entertainment is Granger Smith and Earl Dibbles, Jr. A flash ticket sales will begin Wednesday morning. Purchase tickets at the Aquatic Center or SmithTix. After May 10th the ticket price will go up. The fist radio commercial will air at 10:00 A.M. Wednesday, April 17th on Z104 with Dave & Deb. Shannon explained that the gates will open at 5:00 P.M., with a $500.00 cash give-away by a concert sponsor. At 6:00 P.M. there will be a huge water balloon fight. They have invited 5 out of town food vendors as well as local vendors to be on site. Shannon expressed gratitude to Emery TelCom as the major sponsor/supporter for the concert and for providing support and access to their advertising department. This will grant us a broad market for advertising. EC Sheriff and Search and Rescue has volunteered to help with parking and crowd control.

(5)
DISCUSS/APPROVE/DENY CONTRACT WITH DYER HIGHWAY/MILL STREET ENTERTAINMENT CONTRACT

Shannon Hiatt announced that Dyer Highway/Mill Street Entertainment will be the opening act for the Swell Country Fest. Dyer Highway is four siblings who are an amazing band. A contract with Dyer Street in the amount of $2,500.00 was presented for approval. Commissioner Kent Wilson made a motion to approve a contract with Dyer Highway/Mill Street Entertainment for The Swell Country Fest. The motion was seconded by Commissioner Gil Conover. The motion passed.

(6)
RATIFICATION OF RESPONSE LETTER REGARDING U.S. EPA AND U.S. ARMY CORPS OF ENGINEERS REVISED DEFINITION OF “WATERS OF THE UNITED

STATES".

Ray Petersen explained that the National Association of Counties requested that counties submit letters in support of a rule change by the U.S. EPA and U.S. Army Corps of Engineers definition of "Waters of the United States". In 2015, the former administration made this rule, "WOTUS" that has been problematic for a lot of entities. The current administration is trying to , with this proposed rule, eliminate some the problems. The letter has specific recommendations being, differentiate between tributary, streams and ditches. We have a lot of ditches that the County currently maintains. The current rule brings these into the jurisdiction of the EPA and ACE. Also we asked that they clarify the term 'intermittent'. We asked them to develop a national map that has all the streams that comes under their jurisdiction under that rule. Commissioner Sitterud indicated that the letter needed to be sent before today. He requested ratification of the signing of the letter. Commissioner Kent Wilson made a motion to ratify the signing of a letter regarding U.S. EPA and U.S. Army Corps of Engineers definition of "Waters of the United States". The motion was seconded by Commissioner Gil Conover. The motion passed.

(7)
DISCUSS/APPROVE/DENY AMENDMENT OF THE BLM/EMERY COUNTY SHERIFF'S OFFICE LAW ENFORCEMENT SERVICES AGREEMENT.

Sheriff Funk explained that they currently have an agreement with the BLM for law enforcement on the desert. They have been operating on the $15,000.00 to $20,000 per year that the BLM reimburses the county. The contract that they wanted to put in place was for $45,000 to cover a drowning or anything severe on the river that requires a lot of manpower and could be a strain on the county financially. The BLM originally agreed to that amount, however their accountants are having issues tracking the leftover money. Sheriff Funk met with BLM, they assured him that if the county does end up going over the $15,000 they will open their budget to reimburse the County at that point. Patrolling the desert will remain the same. He indicated that the SO call volume has picked up over the last few weeks. Mike Olsen has looked over the contract and has no problems with the document. Commissioner Gil Conover made a motion to approve an Amendment of the BLM/Emery County Sheriff's Office Law Enforcement Services Agreement. The motion was passed by Commissioner Kent Wilson. The motion passed.

(8)
DISCUSS/APPROVE/DENY CONTRACT BETWEEN EMERY COUNTY AND PAUL DRAPER FOR THE 2019 EMERY COUNTY FAIR.

Commissioner Kent Wilson indicated that Paul Draper is a Mentalist. He will have one show on Saturday of the Emery County Fair 2019. The contract amount is $1,500.00. Attorney Mike Olsen expressed a desire to strike the clause regarding 'protection on stage' Commissioner Kent Wilson made a motion to approve the contract with Paul Draper provided the clause regarding protection on stage be struck from the contract. The motion was seconded by Commissioner Gil Conover. The motion passed.

(9)
DISCUSS/APPROVE/DENY CONTRACT BETWEEN EMERY COUNTY AND JOHN MOYER FOR THE 2019 EMERY COUNTY FAIR.

Commissioner Kent Wilson explained that Johns Moyer is a Hypnotist. He will have one show on Friday of the Emery County Fair 2019. The contract amount is $1,750.00. Attorney Mike Olsen had the same concerns regarding protection. The wording needs to be clear as to what we are protecting them from. He asked that the liability clause be struck from the contract. Commissioner Kent Wilson made a motion to approve the contract with John Moyer provided the clause regarding protection on stage be struck from the contract. The motion was seconded by Commissioner Gil Conover. The motion passed.

(10)
DISCUSS/APPROVE/DENY CONTRACT BETWEEN EMERY COUNTY AND DAN PAULUS FOR THE 2019 EMERY COUNTY FAIR.

Commissioner Kent Wilson explained that Dan Paulus is a Magician. He will have one show on Friday of the Emery County Fair 2019. The contract amount is $. Attorney Mike Olsen had the same concern with the language of the contract regarding protection on stage. He asked that the clause be struck from the contract. Commissioner Kent Wilson made a motion to approve a contract with Dan Paulus for the Emery County Fair 2019 provided the clause regarding protection on stage be struck from the contract. The motion was seconded by Commissioner Gil Conover. The motion passed.

(11)
DISCUSS/APPROVE/DENY USE AGREEMENT FROM BOUNCIN' BIN RENTALS FOR LASER TAG AT THE 2019 EMERY COUNTY FAIR.

Commissioner Kent Wilson explained that this agreement is for rental of the laser equipment and an attendant to run the game. The laser tag will be on Friday of the Emery County Fair 2019 from Noon until 6:00 P.M. The contract amount is $1,066.85. Attorney Mike Olsen reviewed the document and found it acceptable. Commissioner Gil Conover made a motion to approve a Use Agreement from Bouncin' Bin Rentals for laser tag at the 2019 Emery County Fair. The motion was seconded by Commissioner Kent Wilson. The motion passed.

(12)
DISCUSS/APPROVE/DENY RENTAL AGREEMENT BETWEEN EMERY COUNTY AND ULTIMATE INFLATABLES FOR THE 2019 EMERY COUNTY FAIR.

Commissioner Kent Wilson explained that the rental agreement with Ultimate Inflatables is for inflatable games and slides for the kids. The agreement amount is $2,600.00 The inflatables will be available for 6 hours. Commissioner Kent Wilson made a motion to approve a rental agreement with Ultimate Inflatables for the 2019 Emery County Fair. The motion was seconded by Commissioner Gil Conover. The motion passed.

(13)
DISCUSS/APPROVE/DENY 2019 PROPERTY TAX EXEMPTION LIST FOR CHARITABLE, RELIGIOUS AND NON-PROFIT.

The 2019 Property Tax Exemption List for charitable, religious and non-profit was presented for approval. Commissioner Kent Wilson made a motion to approve the 2019 Property Tax Exemption List. The motion was seconded by Commissioner Gil Conover. The motion passed. A copy of the list is included on page 8 of these minutes.

(14)
DISCUSS/APPROVE/DENY TRANSFER OF MONEY INTO THE SPECIAL DEPARTMENT SUPPLIES FUND.

Sheriff Funk explained that in his eight years as sheriff the department has not changed the color of their uniforms. They have a variety of uniforms and different colors. He wants to go the traditional tan sheriff color and have everyone with the same color. He indicated he would like to utilize funding to purchase shirts, pants, boots, badges and etc for all the deputies. He indicated that if his department goes over budget this year, then he proposed opening the budget and utilize some of the funds that Captain Ekker brought into the county through the NRCS/Millsite Project, approximately $50,000. The current uniforms have black pants or shirts, which the deputies that patrol at night, especially on I-70, complain about. Sheriff Funk proposed moving money from another line item in his budget into the Special Department Supplies Fund to make the uniform purchase. Commissioner Sitterud indicated that he is not sure about using the money from NRCS, but he is not opposed to purchasing the uniforms now and opening the budget later in the year if we need to. Commissioner Gil Conover made a motion to approve transfer of money into the Special Department Supplies Fund. The motion was seconded by Commissioner Kent Wilson. The motion passed.

(15)
COMMISSION/ELECTED OFFICIALS REPORT

Sheriff Funk expressed his concern that people drive and play safely on the desert this Easter

Weekend. He estimates that there may be up to 30,000 people on the desert. This weekend will be a big impact on the San Rafael Area. He stressed water safety around rivers and streams with the water running swift and high this spring. Deputies will be out in various areas on the desert. He reported that this is one of the occasions where we get reimbursed from the BLM for law enforcement on the desert.

Commissioner Wilson asked other elected officials for feedback regarding any beneficial information they received from attending recent UAC meetings.

(16)
ADJOURN

ATTEST:_____ COMMISSIONER:_____

2019 PROPERTY TAX EXEMPTION

American Legion Post 42 #1-130-18	Castle Dale Independent Baptist Church #01-002C-0013	Daughters of Utah Pioneers-Hunt #1-196-22	Daughters of Utah Pioneers-Orange #1-253-18

Daughters of Utah Pioneers-Elmo
#1-72-16

Daughters of Utah Pioneers-CD
#1-15-20

Alpine Community Church
#01-179-1

Ferron Cattleman's Association
#5-87-27

First Baptist Church of Emery County
#1-126-45

Four Corners Mental Health
#1-13-46

Green River Bible Church
#1-151G-36
#1-151F-18&19

LDS Church
various #'s

Sovereign Grace Fellowship
#1-177A-20

Orangeville City/ Housekeepers
#1-239-52

Rural Utah Child Development
#1-180-20

Roman Catholic Church
#3-50-16
#1-151H-25

Stuart B. Wilson Orient Lodge
#1-151G-54

Rocky Mountain West Baptist Mission
#5-94-6
#5-93-7
#5-94-3
#5-94-5

United Mine Workers Of America
#4-16-14

Utah Museum of Natural History/ University Of Utah
#5-56-2
#3-130-3
#3-130-1
#3-127-1

Friends of Green River-PACT
#1-162-7

Epicenter
#1-154A-22