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

AUGUST 20, 2019

Present at the meeting was Commission 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 # 252452 through and including # 252586 was presented for payment.

Requisitions were presented for the following:

REQUISITION	DESCRIPTION	AMOUNT
34-19	Kenmore Fridge Aquatic Center	$ 554.99
35-19	Poweredge 340 Server IT/Sheriff	$4,277.84

There was one disposition for a cabinet from the Aquatic Center #9683

(2)
APPROVAL OF MINUTES OF AUGUST 06, 2019 COMMISSION MEETING.

(3)
APPROVAL TO GIVE MELODY HOFFMAN A 3% WAGE INCREASE FOR SUCCESSFUL COMPLETION OF HER 6 MONTH ORIENTATION PERIOD AS THE OV BRANCH LIBRARIAN. EFFECTIVE 8-26-19.

(4)
APPROVAL TO APPOINT JUSTIN QUEEN AND DEANNA HANSEN TO THE EMERY COUNTY LIBRARY BOARD.

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)
SAFETY MINUTE PRESENTATION BY ADRIANA CHIMARAS.

Adriana talked about proper lifting and asking for help with heavy objects.

(4)
AWARDING OF SAFETY VISA GIFT CARDS.

Full time employees- Richard Bret Mills
Part time employees- Malinda Bell
Safety Sensitive employees- Jeff Weber and Michael Van Wagoner

(5)
PRESENTATION BY AMANDA MCINTOSH REGARDING SUICIDE PREVENTION AND AWARENESS.

Amanda McIntosh is the Suicide Prevention Specialist at SEUDH. She talked about legislation that has allocated funds to Carbon and Emery Counties due to the high incident of suicide in this area. Suicide prevention Month will be in September with a special focus on September 8-14th. She asked for permission to hold a candle light vigil on the courthouse lawn from 7:30 to 9:30 on September 8th in honor of those loved ones who have lost their battle to suicide. They will also have art symbolizing and naming those loved ones lost to suicide that they would like to display on the courthouse lawn during that week. There were 95 people lost to suicide in Carbon, Emery and Grand Counties since 2013. They would like to plant them in the grass on Sunday, September 8th and remove them on the following Sunday.

(6)
RATIFICATION OF COOPERATIVE FOREST ROAD AGREEMENT BETWEEN EMERY COUNTY AND THE USDA, FOREST SERVICE MANTI-LA-SAL NATIONAL FOREST.

This is a five year agreement with the Forest Service for Emery County to maintain forest roads. Signing of the agreement was time sensitive. Commissioner Kent Wilson made a motion to ratify the signing of Cooperative Forest Road Agreement between Emery County and the USDA, Forest Service Manti- La-Sal National Forest. The motion was seconded by Commissioner Gil

Conover. The motion passed.

(7)
RATIFICATION OF MODIFICATION OF GRANT AGREEMENT BETWEEN EMERY COUNTY AND USDA FOREST SERVICE REGARDING TRAIL MOUNTAIN EWP PROJECTS.

This is a modification of a Grant Agreement between Emery County and USDA Forest Service regarding Trail Mountain EWP projects. The modification is to extend the performance period to 5/31/23, and the change in funding increased by $310,318.00. The document was signed previously to meet time constraints. Commissioner Kent Wilson made a motion to ratify the signing of a grant agreement between Emery County and USDA Forest Service regarding Trail Mountain EWP projects. The motion was signed by Commissioner Gil Conover. The motion passed.

(8)
RATIFICATION OF LETTER OF SUPPORT REGARDING ORANGEVILLE LIBRARIES TO BE AVAILABLE AS CO-WORKING SPACE.

A letter of support to the Utah Governor's Office of Economic Development was previously sent supporting a co-working space to be made a available for rent to the general public in the Orangeville Public Library located at 115 South Main Street in Orangeville, Utah and Green River Public Library located at 95 South Long Street in Green River, Utah. Each library has traveling professional and entrepreneurs that utilize the space therefore these locations are ideal for dedicated co-working spaces. A co-working space in the Orangeville and Green River Libraries will provide additional aid to entrepreneurs, freelancers and small businesses by giving a professional space to work and mingle with other businesses and professionals. Commissioner Conover made a motion to ratify the signing of a letter of support regarding Orangeville Library and Green River Library to be available as co-working space. The motion was seconded by Commissioner Kent Wilson. The motion passed.

(9)
ACCEPTANCE OF UTAH HAZARDOUS MATERIALS EMERGENCY PREPAREDNESS (HEMP) 2019 PLANNING GRANT AWARD FROM THE UTAH STATE FIRE MARSHAL'S OFFICE-HAZMAT SECTION.

Motion to accept Utah Hazardous Materials Emergency preparedness (HEMP) 2019 Panning Grant Award from Utah State Fire Marshal's Office-Hazmat Section was made by Commissioner Kent Wilson, seconded by Commissioner Gil Conover, and the motion passed.

(10)
DISCUSS/APPROVE/DENY LETTER OF PERMISSION TO BUILD AN EWP ON

PROPERTY OWNED BY EMERY COUNTY IN MEETINGHOUSE CANYON.

Captain Kyle Ekker explained that in order to proceed with the emergency watershed protection NRCS funded projects in Huntington Canyon, formal permission is needed to construct an earthen embankment on property owned by Emery County in Meetinghouse Canyon. Commissioner Gil Conover made a motion to approve a letter of permission to build an EWP on property owned by Emery County in Meetinghouse Canyon. The motion was seconded by Commissioner Kent Wilson. The motion passed.

(11)
DISCUSS/APPROVE/DENY NRCS-ADS-78 ASSURANCES RELATING TO REAL PROPERTY ACQUISITION FOR THE PROJECT SITES IN MEETINGHOUSE CANYON AS PART OF THE TRAIL MOUNTAIN FIRE EMERGENCY WATERSHED PROTECTION PROJECT.

Commissioner Kent Wilson made a motion to approve NRCS-ADS-78 Assurances relating to real property acquisition for the project sites in Meetinghouse Canyon and part of the Trail Mountain Fire Emergency Watershed protection Project upon receiving paperwork from the BLM. The motion was seconded by Commissioner Gil Conover. The motion passed.

(12)
DISCUSS/APPROVE/DENY NRCS-ADS-78 ASSURANCES RELATING TO REAL PROPERTY ACQUISITION FOR THE PROJECT SITES IN MILL FORK CANYON AS PART OF THE TRAIL MOUNTAIN FIRE EWP PROJECT.

Commissioner Kent Wilson made a motion to approve NRCS-ADS-78 Assurances relating to Real Property Acquisition for the project sites in Mill Fork Canyon as part of the Trail Mountain Fire EWP Project. The motion was seconded by Gil Conover. The motion passed.

(13)
DISCUSS/APPROVE/DENY NRCS-ADS-78 ASSURANCES RELATING TO REAL PROPERTY ACQUISITION FOR THE PROJECT SITES IN RILDA CANYON AS PART OF THE TRAIL MOUNTAIN FIRE EWP PROJECT.

Commissioner Gil Conover made a motion to approve NRCS-ADS-78 Assurances to Real Property Acquisition for the Project sites in Rilda Canyon as part of the Trail Mountain Fire EWP Project. The motion was seconded by Commissioner Kent Wilson. The motion passed.

(14)
DISCUSS/APPROVE/DENY NONFUNDED CHALLENGE COST SHARE AGREEMENT BETWEEN EMERY COUNTY AND THE USDA, FOREST SERVICE MANTI-LASAL

NATIONAL FOREST REGARDING FAMILY FRIENDLY TRAILS PROJECT.

Commissioner Kent Wilson made a motion to table this item. The motion was seconded by Commissioner Gil Conover. The motion passed.

(15)
DISCUSS/APPROVE/DENY MONETARY DONATION TO THE DOMESTIC VIOLENCE COALITION.

Laurel Magnuson representing the Domestic Violence Coalition made a request for a monetary donation to the coalition to hold an annual training /conference to raise awareness and train local sheriff's deputies and to thank the Sheriff's Department for their handling of domestic violence incidents. Commissioner Kent Wilson made a motion to co-sponsor with other donations throughout the communities by matching 50% of what is donated up to a maximum of $800.00. The motion was seconded by Commissioner Gil Conover. The motion passed.

(16)
DISCUSS/APPROVE/DENY QUIT CLAIM DEED BETWEEN EMERY COUNTY AND ELDON PRICE.

County Attorney Mike Olsen felt that a Public Hearing was needed to dispose of the property through the proper channels. Commissioner Gil Conover made a motion to table this matter until after a Public hearing is held. The motion was seconded by Commissioner Kent Wilson. The motion passed.

(17)
DISCUSS/APPROVE/DENY LEASE AGREEMENTS FOR THE EMERY COUNTY SENIOR CITIZEN CENTERS.

Emery County Senior Citizens Director, Robbie Jensen explained that it recently came to their attention that a Chiropractic practice out of Moab has requested to form an agreement with the Green River Senior Center to use the center twice a month on Fridays for his clients in Green River. In making a lease agreement between the Green River Senior Center and the company they found that Pro Rehab has been using the Center for the last twenty years. In trying to locate a lease agreement for Pro Rehab they realized that either one was not created or we do not have a current lease agreement. They have been utilizing the Center every Tuesday and Thursday. The board felt it would be appropriate to create a lease agreement for all of the Sr. Centers, that anyone who wants to lease or rent the Sr. Center for the purpose of business so that everyone would be on the same playing field. They felt that they would be held to the same rental agreement that the public is held to which is $50.00 a day for that facility. They felt that in the case of Pro Rehab, where they have been using the center and the public is now more aware of their presence there weekly, they felt it would be appropriate to grandfather them in a slightly

lower rate. He asked that they approve a lease agreement with the Sr. Centers. The buildings are the property of Emery County. They want to make sure everything is accordance to what Emery County requires. Attorney Mike Olsen addressed the lease agreement document. He felt the lease is good. He felt that each individual sub lease should be approved by the Commission as they come in. Mike wants to look at each sub lease to determine the type of altering to the building will be done if any. The Commissioners will review each sub lease as it comes in. No action was taken at this time.

(18)
DISCUSS/APPROVE/DENY CONSULTING SERVICES AGREEMENT BETWEEN EMERY COUNTY AND UINTA GROUP LLC.

Commissioner Sitterud explained that the San Rafael Research Center is being built at the old Central Warehouse on Coal Haul Road in Orangeville. There is money available out there to help put this together. We have a coal combustion testing machine that is being reassembled at this time. This Uinta Group will be responsible for finding grants and money available to get this research center up and running. Commissioner Sitterud asked for approval of the consulting services agreement between Emery County and Uinta Group, LLC. Commissioner Kent Wilson made a motion to approve a Consulting Services Agreement between Emery County and Uinta Group, LLC. The motion was seconded by Commissioner Gil Conover. The motion passed.

(19)
DISCUSS/APPROVE/DENY CONSULTING SERVICES AGREEMENT BETWEEN EMERY COUNTY AND NATIONAL ENVIRONMENTAL STRATEGIES.

Commissioner Wilson explained that this agreement is for consulting services as a Public Lands Consultant in Washington D.C. and Salt Lake City and working to be sure the Department of Interior interprets our lands bill as we desire.
Commissioner Kent Wilson made a motion to approve a Consulting Services Agreement between Emery County and National Environmental Strategies. The motion was seconded by Gil Conover. The motion passed.

(20)
DISCUSS/APPROVE/DENY ADDENDUM TO AGREEMENT DATED APRIL 29, 2019 BETWEEN EMERY COUNTY AND CLARENCE SMITH.

This is an addendum to the agreement dated April 29, 2019 between Emery County and Clarence Smith. The agreement called for Emery County and Green River City to pay $10,000.00 to Clarence Smith subject to all required taxes and withholdings as invested wage advance. Green River City presented Clarence Smith a check to him directly for $5,000.00 without any tax withholdings. Emery County and the employee want to clarify the contract with respect to EC's payment responsibility under the contract. Emery County shall pay $5,000.00 plus interest at the

State Post Judgement interest rate in the amount of $104.92 for a total of $5,104.92 minus required taxes and withholdings. All other terms and conditions of the Agreement shall remain in effect. Commissioner Gil Conover made a motion to approve an Addendum to Agreement dated April 29, 2019 between Emery County and Clarence Smith. The motion was seconded by Commissioner Kent Wilson. The motion passed.

(21)
DISCUSS/APPROVE/DENY SERVICE AGREEMENT BETWEEN EMERY COUNTY AND ISSAC CALDIERO.

Emery County Events Coordinator, Amanda Leonard requested approval for a service agreement between Emery County and Issac Caldiero. Issac is the first and only champion of American Ninja Warrior. He is also the author of the first guide book for Joe's Valley Bouldering. This is the perfect combination of the whole goal of Bouldering Fest which is to mesh locals with climbers. Every local she has spoke with watches American Ninja Warrior and is excited at the prospect of Issac coming to the Fest. The Fest is going to build a ninja course this year that locals can participate in and try. In the agreement Issac agrees to make a personal appearance on Thursday of the Fest at the ninja course. He will answer questions, sign posters and be there to mingle with the locals. Since winning ANW Issac has been doing motivational speaking to the youth. His plat form is "How to be a Ninja." in real life instead of on the course. Canyon View, San Rafael and Emery High have agreed to welcome him for assemblies while he is here. He will also have a guiding clinic for the local youth in Joe's Valley Canyon that Saturday. Emery High has agreed to make Issac a part of Homecoming week, so Friday will be Ninja Warrior Day. The High School will have their assembly that day and he will host a private one hour Ninja Course event for the High School students as part of their homecoming week. He will also do media interviews to promote Joe's Valley, the county and the event. He will also participate in a fund raiser for Search and Rescue. Amanda requested approval to sign the service agreement Attorney Mike Olsen indicated that he as reviewed the agreement and has edited the document to include the usual indemnity clause. Commissioner Kent Wilson commented that with the opioid and suicide problem that we have in the county this is a great positive thing. To put our youth in front of someone who is successful and can teach our youth useful skills and how to cope is a good thing. Commissioner Kent Wilson made a motion to approve a service agreement between Emery County and Issac Caldiero. The motion was seconded by Commissioner Gil Conover. The motion passed . Attorney Mike Olsen recommended that Amanda have Issac sign the edited agreement with the indemnity clause added to the document. The funds to pay Issac will come through TRT and Events Budget.

(22)
DISCUSS/APPROVE/DENY A RESOLUTION CALLING FOR AN ELECTION FOR NOVEMBER 05, 2019, FOR GENERAL OBLIGATION BONDS NOT TO EXCEED $14,000,000; DECLARING OFFICIAL INTENT WITH RESPECT TO CERTAIN EXPENDITURES; CALLING A PUBLIC HEARING REGARDING THE BONDS; APPROVING THE PUBLICATION OF A NOTICE OF ELECTION, THE BALLOT

PROPOSITION AND OTHER VOTER INFORMATION; AND RELATED MATTERS.

Jacob Sharp provided a history of the General Obligation Bonds issued by CVSSD over the years. There have been six GOBs in the history of CVSSD. CVSSD uses these GOB funds to leverage grants through CIB to complete projects within the cities and towns that are in their district. Green River City and Lawrence are not within their district boundaries. These projects are culinary water projects, secondary water projects, sanitary water projects, drainage projects, city streets, and curb & gutter projects. The GOB are good for ten years. Each year CVSSD will come to the Commission for approval to use a percentage of the funds to complete projects in the county for that year. This is the last year for a bond distribution for the bonds that were voter approved in 2009. CVSSD requested approval for a Resolution calling for an election for November 5, 2019 to issue, not to exceed, $14,000,000.00 for the next ten years. Eric Johnson, Bond Attorney, explained that the Emery County Commission would be calling for this election acting as the governing body for CVSSD. Clerk/Auditor Brenda Tuttle asked for clarification that the District is going to pick the cost of this election. This is not a county election year. This is a municipal election year. Emery County has agreements with the cities that they will cover the cost of what we incur. Eric Johnson explained that State Code the District has to pick up the cost to hold an election. The mayors have all been made aware of the proposed notice of election. Commissioner Kent Wilson made a motion to approve Resolution 8-20-19 calling for an election for November 5, 2019, for General Obligation Bonds not to exceed $14,000,000; declaring official intent with respect to certain expenditures; calling a public hearing regarding the bonds. Approving the publication of a notice of election, the ballot proposition and other voter information; and related matters. The motion was seconded by Commissioner Gil Conover. The motion passed.

(23)
COMMISSION/ELECTED OFFICIALS REPORT.

Sheriff Funk talked about the program that will be held at the High School in connection with Emery TelCom. Collin Karchner will address internet and mental health issues facing our youth today. He will speak to the youth during assemblies at the high school and the evening event will be directed at the parents. Sheriff Funk strongly encouraged everyone to attend.

Commissioner Wilson talked about the struggle within the EMS world in Emery County. Green River struggles to provide service. They have two EMT's that are certified. The Commissioners are trying to find a solution to this and provide a better service to our citizens..

(24
ADJOURN

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

ATTEST:_____ COMMISSIONER:_____