

MINUTES
OF THE REGULAR MEETING OF THE
TOOELE COUNTY BOARD OF COMMISSIONERS
HELD OCTOBER 1, 2019

Chairman Tripp called the meeting to order at 7:00 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 Justin Bake.
2. **ROLL CALL.** Present at the meeting were Commissioners Tom Tripp, Chairperson, Shawn Milne and Kendall Thomas. Also present were Scott Broadhead, Attorney and Marilyn Gillette, Clerk. Alison McCoy, Auditor and Paul Wimmer, Sheriff.
3. **PUBLIC CONCERNS.** None.
4. **MINUTES.**
 - A) Commissioner Milne moved to approve the minutes of the Commission Meeting held September 3, 2019 as amended. Commissioner Thomas seconded the motion. All concurred.
 - B) Commissioner Milne moved to approve the minutes of the Commission Meeting held September 13, 2019 as presented. Commissioner Thomas seconded the motion. All concurred.
5. **CONSENT AGENDA.** Commissioner Tripp reviewed the consent agenda items. Commissioner Milne moved to approve the consent agenda except for C4 – Danville Contract. Commissioner Thomas seconded the motion. All concurred.

A) INVOICES.

- I) Check register for September 17, 2019 thru September 19, 2019
- II) Check register for September 28, 2019 thru August 29, 2019
- III) Check register for September 3, 2019 thru September 5, 2019
- IV) Check register for September 9, 2019 thru September 12, 2019
- V) Warrants issued September 11, 2019, Direct Deposit Amount \$450,930.19, Direct Deposit Check #091119001 - #091119357; Check amount \$3,836.75, Payroll Check #9065 - #9068. Transmittal Checks, Transmittal Amount \$332,117.56, Transmittal Voucher #091120190 - #09120192, Transmittal Check #9069 - #9076
- VI) Warrants issued August 28, 2019, Direct Deposit Amount \$437,335.27, Direct Deposit Check #0082819001 - #082819364, Check amount \$3,155.69, Payroll Check #9054 - #9057. Transmittal checks, Transmittal Amount \$331,772.27, Transmittal Voucher #082820190 - #082820191, (#090320196, #090320192 - #090320195 Void), Transmittal Check #9058 - #9064.

B) TAX ADJUSTMENTS.

Parcel #	Reason for Correction	Adjusted Amount
01-310-0-0011	Account Correction	\$2,718.87
18-011-0-000A	This property was quit-claimed to Tooele County, remove all penalty and interest and levy.	(\$535.13)
9C9FJ	Owner registered and then trailer was destroyed, squashed at county landfill because it contained black mold.	(\$20.00)

7F2HN	Owner registered vehicle and the transmission went out after 5 days of ownership.	(\$10.00)
V165GC	Owner registered vehicle and then traded truck in on a new truck a few days later	(\$80.00)
V253TU	Owner registered vehicle and then traded vehicle in.	(\$150.00)

C) **RATIFICATIONS.**

- I. Grant Amendment Agreement DHS And Tooele County
- II. Utah Department of Health Contract for Grant Funds Ems
- III. Road Construction Agreement - Saddleback Partners and UPRR
- IV. Danville Contract – not approved.
- V. Dispatch Service Agreement - Tooele County and Wendover City 2019

D) **CONTRACT REVIEW**

- I. #00-08-05 Addend #1 – MOU for NOAA Weather Radio Transmitter – No Further Need for Review
- II. #03-04-02 - Cooperative Fire Protection – Tooele County and Goshute Indian Reservation;
- III. #04-11-07 - Disposal Agreement - Wasatch Regional Landfill;
- IV. #15-08-13 – MOU Between Tooele County School District and Tooele County for School Resource Officer;
- V. #16-08-04 Contract Between Spillman and Tooele County;
- VI. #16-08-05 - License and Service Agreement Between Tyler Technologies and Tooele County;
- VII. #91-10-06 Joint Fuel Station Agreement will all be reviewed October 2020.
- VIII. #92-11-14 - Interlocal Agreement for Solid Waste Disposal;
- IX. #93-06-04 - Interlocal Agreement for Solid Waste Disposal – Vernon;
- X. #93-07-09 - Interlocal Agreement - Ophir Waste Collection have no further need for review.

6. **BUDGET TRANSFER REQUESTS.** Auditor McCoy reviewed the budget transfer requests. Commissioner Milne moved to approve. Commissioner Thomas seconded the motion. All concurred.

- A) Sheriff Budget Transfer Request
- B) Health Opioid Grant Transfer
- C) Wendover WIC Transfer
- D) State Government Relations Transfer

7. **PUBLIC HEARING.** Auditor McCoy reviewed the budget increase requests. Commissioner Milne moved to open the public hearing. Commissioner Thomas seconded the motion. All concurred. Those in attendance were: Blair Ashton, Wayne Anderton, Jonathan Garrard, Rhondalyn Garrard, Ryan Willden, Jesse Lassley, Justin Bake, Julie Gillman, David Vice, Scott Degelbeck. There were no public comments. Commissioner Thomas made a motion to close the public hearing. Commissioner Milne seconded the motion. All concurred.

- A) WIC Grant Hearing Document - Health Department
- B) EOC Grants Hearing Document
- C) Legal Fees Hearing Document

- D) Roads Department Rr Crossing Hearing Document
- E) Youth Services Center Hearing Document
- F) Aging Vehicle Hearing Document
- G) FIRST READING - RESOLUTION 2019-15 - AMENDING (INCREASING) THE 2019 TOOELE COUNTY BUDGET - GENERAL FUND BY \$400,000; HUMAN SERVICES FUND BY \$25,000; PUBLIC HEALTH FUND BY \$3,788; HUMAN SERVICES AGING FUND BY \$32,100; AND CAPITAL PROJECTS FUND BY \$16,800. Since this is a first reading, this will be on the next Commission Meeting agenda.
8. Contracts
- A) GRANT AGREEMENT - WENDOVER AIRPORT AND FAA FOR APRON CONSTRUCTION. Commissioner Milne moved to Approve the Grant Agreement for the Wendover Airport. Commissioner Thomas seconded the motion. All concurred.
- B) COOPERATIVE AGREEMENT – TOOELE COUNTY AND DNR/DWR LOWER HICKMAN CANYON PJ REMOVAL PHASE 2. Commissioner Thomas made a motion to enter into the Cooperative Agreement with the DNR. Commissioner Milne seconded the motion. All concurred.
9. RESOLUTIONS
- A) FOURTH READING - RESOLUTION 2019-10 - ENACTING SECTION 34, ELECTRONIC RECORDS RETENTION, OF THE PERSONNEL POLICIES AND PROCEDURES MANUAL.
- B) ADOPTION - RESOLUTION 2019-10 - ENACTING SECTION 34, ELECTRONIC RECORDS RETENTION, OF THE PERSONNEL POLICIES AND PROCEDURES MANUAL. Commissioner Thomas made a motion to approve Resolution 2019-10 for Electronic Records Retention. Commissioner Milne seconded the motion. All concurred.
- C) SECOND READING - RESOLUTION 2019-11 - AMENDING (INCREASING) THE 2019 TOOELE COUNTY BUDGET - GENERAL FUND FROM \$58,181,091 TO \$58,196,196 AND WENDOVER AIRPORT FUND FROM \$7,551,528 TO \$8,455,439
- D) ADOPTION - RESOLUTION 2019-11 - AMENDING (INCREASING) THE 2019 TOOELE COUNTY BUDGET - GENERAL FUND FROM \$58,181,091 TO \$58,196,196 AND WENDOVER AIRPORT FUND FROM \$7,551,528 TO \$8,455,439. Commissioner Thomas made a motion to approve Resolution 2019-11 Amending (Increasing)2019 Tooele County Budget – General Fund and the Wendover Airport Budget. Commissioner Milne seconded the motion. All concurred.
- E) SECOND READING - RESOLUTION 2019-12 - AMENDING SUBSECTION 17.B, RECEIPT OF GIFTS, OF SECTION 17, ETHICS, OF THE PERSONNEL POLICIES AND PROCEDURES MANUAL.
- F) ADOPTION - RESOLUTION 2019-12 - AMENDING SUBSECTION 17.B, RECEIPT OF GIFTS, OF SECTION 17, ETHICS, OF THE PERSONNEL POLICIES AND PROCEDURES MANUAL. Commissioner Milne moved to approve Resolution 2019-12. Commissioner Thomas seconded the motion. All concurred.
- G) SECOND READING - RESOLUTION 2019-13 - AUTHORIZING FUNDING FOR A PROPOSED UDOT TRAFFIC STUDY.
- H) ADOPTION - RESOLUTION 2019-13 - AUTHORIZING FUNDING FOR A PROPOSED UDOT TRAFFIC STUDY. Commissioner Milne moved to approve. Commissioner Thomas seconded the motion. All concurred.

- D) FIRST READING - RESOLUTION 2019-14 - AUTHORIZING THE FILING OF CROSS-APPEALS FOR 2019 CENTRALLY ASSESSED PROPERTIES. Auditor McCoy discussed this with the Commission. As this is the first reading, it will be continued to the next Commission Meeting.
10. FIRST READING - PROPOSED SETTLEMENT OF GRANTSVILLE CITY V. TOOELE COUNTY, ET AL., CASE NUMBER 170300595 – TRIPP DISCUSSED THE EFFORTS THAT HAVE GONE INTO SETTILING THIS AGREEMENT. THOMAS – BOTH PARTIES HAD TO GIVE A LITTLE BIT, NO-ONE GETS EVERYTHING THEY WANT.
- A) GRANTSVILLE SETTLEMENT AGREEMENT. With this being the first reading, this item will be on the next Commission Meeting Agenda.
11. ORDINANCES.
- A) THIRD READING - ORDINANCE 2019-18 - AMENDING THE OFFICIAL ZONING MAP OF TOOELE COUNTY; REZONING APPROXIMATELY 2.78 ACRES OF LAND, LOCATED IN STANSBURY PARK, FROM C-N TO C-S. Commissioner Thomas made a motion to approve Ordinance 2019-18 Amending the Official Zoning Map of Tooele County. The motion died for lack of a second. Commissioner Milne made a motion to table this for one more meeting. He met with the developer and discussed some of the lingering issues. He and the developer discussed the topic of two different right-of-way dedications for Pole Canyon Road. One temporary and one to serve the long-term interests of the region. Neither has been ironed out yet. The developer, Jesse Lassley, stated that he is performing a traffic study in this area. He wants to make sure they are doing the right thing for the property owners. He would like to separate these issues on merit. The Planning Commission has approved this development. He has developers who are eager to build on this property. He would like to move forward and not hold it up over the road dedication which will not be done in a short period of time. It may be 3 months away. Commissioner Milne noted that his concern has more to do with the lingering issue over the more temporary right-of-way issue still not being fully resolved. Commissioner Thomas felt it is not ethical to leverage the situation on Pole Canyon before approval. Commissioner Tripp felt ethics is a hard word to use in this context. Commissioner Thomas stated that is exactly what he meant. Commissioner Milne was hoping for movement on the two-track road, which is solely Mr. Lassley's development. Mr. Lassley discussed the difference in the two roads the Commission wants on his property.
- Commissioner Thomas asked to get back to the agenda item. Commissioner Tripp asked for a motion. Commissioner Milne moved to table this item. The motion died for lack of a second. Commissioner Thomas made a motion to approve Ordinance 2019-18, amending the Official Zoning Map. Commissioner Tripp seconded the motion. Commissioners Thomas and Tripp voted yes. Commissioner Milne voted no.
- C) FOURTH READING - ORDINANCE 2019-19 - AMENDING CHAPTER 11, COUNTY RECORDS ACCESS AND MANAGEMENT, OF TITLE 1, GENERAL PROVISIONS, OF THE TOOELE COUNTY CODE
- D) ADOPTION - ORDINANCE 2019-19 - AMENDING CHAPTER 11, COUNTY RECORDS ACCESS AND MANAGEMENT, OF TITLE 1, GENERAL PROVISIONS, OF THE TOOELE COUNTY CODE. Commissioner Milne moved to approve. Commissioner Thomas seconded the motion. All concurred.
- E) FIRST READING - ORDINANCE 2019-20 - AMENDING CHAPTER 11, RECREATIONAL USES AND RECREATIONAL COACH PARKS, OF THE

TOOELE COUNTY LAND USE ORDINANCE. Jeff Miller, Planning Staff, discussed this with the Commission. The Planning Commission recommended approval. As this is the first reading, it will be on the next Commission agenda.

12. APPROVAL OF AMENDMENT TO PASTURES AT SADDLEBACK SUBDIVISION PHASE 5 (AMD-SUB 2019-02). Jeff Miller, Planning Staff, reviewed this with the Commission.

A) RECOMMENDATION FROM THE TOOELE COUNTY PLANNING COMMISSION TO APPROVE AN AMENDMENT TO THE PASTURES AT SADDLEBACK SUBDIVISION PHASE 5. Commissioner Milne moved to approve. Commissioner Thomas seconded the motion. All concurred.

13. PROPOSAL OF COUNCIL DISTRICT MAP OPTIONS. Commissioner Tripp discussed this with the Commission. The plans have been narrowed down to option #2 and #5. This is the 2nd discussion concerning the district maps and will be on the next Commission Agenda.

A) PUBLIC COMMENTS. There were no public comments.

14. BOARDS AND COMMITTEES.

A) BOARDS OPENINGS – Listed.

B) BOARD APPOINTMENTS. Commissioner Thomas moved to appoint Renee Loveless to replace Linda McBeth on the Council on Aging. Commissioner Milne seconded the motion. All concurred.

Commissioner Thomas moved to appoint Ryan Willden to replace Joel Liddell as Historian on the Trails Committee. Commissioner Milne asked staff about different perspectives about the position. The position that is open is the historian. He asked why they would replace a historian with someone who is involved with motorized sports. There are already two people on the board who are involved with motorized sports. Commissioner Thomas stated that Ryan was the only one who applied. He felt Ryan will bring a uniqueness to the Trails Committee. Commissioner Tripp seconded the motion. Commissioners Thomas and Tripp voted yes. Commissioner Milne voted no, noting he would prefer to get more historical context from staff and/or the committee prior to voting.. The motion carried.

15. COMMISSION UPDATE. None.

16. PUBLIC CONCERNS. David Vice, Tooele, asked if the increase to the Wendover Airport budget by \$1 million came from a grant. Commissioner Milne stated that it was.

Darold Anderson - a couple of months ago a Commissioner reached out to his brother in law who is disabled about serving on the Trails Committee. When he inquired about applying, he was told there wasn't an opening. Commissioner Thomas will discuss this with the committee. Commissioner Milne felt they should have someone who represents specific things on the committee, to include disability access. Darold also asked about the Chris Robinson RV Park. The ordinance says if you fall into certain categories, then one can stay in the park longer than specified. He felt everyone should be treated the same.

Jonathan Garrard discussed Ordinance 2019-20. He asked that the Commission look at the minimum distance required by this ordinance. He was at the meeting when the Commissioners discussed the Pastures of Saddleback Phase 5. Apparently, the issue tonight was brought about by this problem. If they had followed the suggestion of the County, it would have been a 1-foot difference. He also asked about the Council District map options. He felt it was rather abrupt that maps were not made easily available online and hoped the Commission would give the public an opportunity for public comment.

17. ADJOURNMENT. Commissioner Milne moved to adjourn the meeting at 8:27 pm. Commissioner Thomas seconded the motion. All concurred.

THE FOREGOING MINUTES ARE HEREBY APPROVED:

ATTEST:

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

BY: Tom Tripp
TOM TRIPP, CHAIRMAN

