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

NOVEMBER 19, 2019

Present at the meeting was 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 #253346 through and including #253487 was presented for payment.

Requisition were presented for the following:

REQUISITION	DESCRIPTION	AMOUNT
45-19	Justrite Spill Containment sump-base model Weed/Mosquito	$519.00
46-19	Headache Racks/Mounting Kits (5) Road Department	$5,754.00
47-19	Transfer tank, L-shape, 110 Gal Road Department	$1,860.50
48-19	(2) Desktop Computers for Power Phone Sheriff	$1,710.34
49-19	Furnace-Removal of old/installation of new Library	$2,800.00
50-19	(2) Panasonic Toughbook Computers Sheriff	$4,530.26
51-19	(10) Outdoor Umbrellas Aquatic Center	$1,619.00

52-19	Microwave replacements-Star Point to Cedar Sheriff/Communications	$10,326.28
53-19	(10) Mobile Radios/cables/mounts/connectors Road Department	$ 6,803.00
54-19	90 Gallon Flammable Storage Cabinet Road Department	$1,218.95
55-19	90 Gallon Flammable Storage Cabinet Landfill	$1,218.95

Dispositions were presented for a folded padded chair and a 4 drawer file cabinet (3527).

(2)
APPROVAL OF MINUTES OF OCTOBER 15, 2019 COMMISSION MEETING.

(3)
APPROVAL OF OUT-OF-STATE TRAVEL FOR COMMISSIONER KENT WILSON TO ATTEND THE WESTERN GOVERNORS' ASSOCIATION REIMAGINING THE RURAL WEST WORKSHOP IN NEW MEXICO.

(4)
APPROVAL OF OUT-OF-STATE TRAVEL FOR COMMISSIONER GIL CONOVER TO ATTEND THE COLORADO WATER USERS CONFERENCE IN LAS VEGAS, NEVADA.

(5)
APPROVAL TO APPOINT WAYNE PAHL AND STEVEN JEFFERY TO THE TRAILS COMMITTEE.

(6)
APPROVAL TO APPOINT LARRY JOHANSEN TO THE TRAILS COMMITTEE.

(7)
APPROVAL TO APPOINT ROBYN NELSON TO THE TRAVEL/TOURISM BOARD.

(8)

NOTIFICATION SELECTED JOE FIELDER AS THE PART TIME MAINTENANCE WORKER FOR THE LIBRARIES AND SAN RAFAEL MUSEUM. NOT ELIGIBLE FOR BENEFITS. WAGE GRADE 13.

(9)
NOTIFICATION SELECTED BROCK WINN AS A PART TIME EQUIPMENT OPERATOR I. NOT ELIGIBLE FOR BENEFITS. WAGE GRADE 16.

(10)
APPROVAL TO HIRE KYLER FARLEY AND LANE GARDNER AS FULL TIME, WITH FULL BENEFITS, DISPATCHER I. WAGE GRADE 14.

(11)
APPROVAL OF TIFFANI BAKER TO SERVE ON THE RAC COMMITTEE WITH THE FOREST SERVICE AND IMLA GRANT REVIEWER FOR THE STATE OF UTAH.

(12)
APPROVAL TO GIVE DALLON COLOGIE A 3% WAGE INCREASE FOR SUCCESSFUL COMPLETION OF HIS 6 MONTH ORIENTATION PERIOD AS A PATROL DEPUTY I. EFFECTIVE 11-25-19.

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)
SAFETY MINUTE PRESENTATION BY WEED & MOSQUITO SUPERVISOR, CORY WORWOOD.

Cory’s subject was Hypothermia and safety in cold weather.

(4)

AWARDING OF THE SAFETY INCENTIVE VISA GIFT CARDS.

Full time employees: Tammy Tucker
Part-time employees: Melissa Kemple
Safety Sensitive employees: Clarence Smith and Kurt Price

(5)
RATIFICATION OF EMERY COUNTY SHERIFF'S OFFICE APPLICATION FOR THE STATE FY 2020 STATE ASSET FORFEITURE GRANT (SAFG)-BLOCK GRANT.

Commissioner Gil Conover made a motion to ratify the signing of an application for State FY 2020 State Asset Forfeiture Grant (SAFG)- C-Block Grant. The motion was seconded by Commissioner Kent Wilson. The motion passed.

(6)
RATIFICATION OF EMERY COUNTY SHERIFF'S OFFICE GRANT APPLICATION FOR THE FEDERAL FY 2018 JUSTICE ASSISTANCE GRANT (JAG) BLOCK GRANT.

Commissioner Kent Wilson made a motion to ratify the signing of Emery County Sheriff's Office grant application for the Federal FY 2018 Justice Assistance Grant (JAG) Block Grant. The motion was seconded by Commissioner Gil Conover. The motion passed.

(7)
RATIFICATION OF THE ACCEPTANCE OF AWARD OF THE UTAH STATE FIRE MARSHAL'S OFFICE-HAZMAT SECTION, US DEPARTMENT OF TRANSPORTATION-PIPELINE AND HAZARDOUS MATERIALS SAFETY ADMINISTRATION GRANT (HMEP 2019)

Commissioner Gil Conover made a motion to ratify the signing of the Acceptance of Ward of the Utah State Fire Marshal's Office-Hazmat Section, US Department of Transportation-Pipeline and hazardous Materials Safety Administration Grant (HMEP 2019). The motion was seconded by Commissioner Kent Wilson. The motion passed.

(8)
OPEN, REVIEW AND POSSIBLE AWARD OF PROPOSALS FOR AN AGENCY SPECIALIZING IN REAL ESTATE AND SENIOR HOUSING AND CARE.

Tabled. No bids were received.

(8b)

OPEN BIDS FOR TRAIL MOUNTAIN EMERGENCY WATERSHED PROTECTION PROJECT, MEETINGHOUSE CANYON.

Bids were opened an read aloud as follow:

1) Nelco Construction	$2,331,677.50
2) Perco Rock	$1,898,862.00
3) TSJ Construction	$2,090,974.25
4) Nielson Construction	$1,968,178.50

The bids were given to J&T for review and recommendation. No action.

(9)
OPEN, REVIEW AND POSSIBLE AWARD OF PROPOSALS FOR THE LEASE, MANAGEMENT OR POSSIBLE PURCHASE OF THE EMERY COUNTY CARE AND REHABILITATION CENTER.

Tabled. No bids were received.

(10)
DISCUSS/APPROVE/DENY INDIGENT CREMATION APPLICATION SUBMITTED BY MITCHELL FUNERAL HOME.

Commissioner Kent Wilson made a motion to strike this item from the agenda as it was not necessary. The motion was seconded by Commissioner Gil Conover. The motion passed. It was determined that there is a policy already in place that will satisfy this request.

(11)
DISCUSS/APPROVE/DENY COMMISSION ADJUSTMENT FOR PARCEL #01-0136-0012 AND 01-113A-0034.

Clerk/Auditor Brenda Tuttle requested a Commission Adjustment for Parcel #01-0136-0012 and #01-113A-0034. Both of these are veteran abatements. The paperwork was not handed in on time. The amounts requested are $1,096.33 for parcel #01-0136-0012 and $750.90 for parcel#01-113A-0034. Brenda recommended approval for adjustments on these two parcels. Commissioner Gil Conover made a motion to approve Commission Adjustments for parcel #01-0136-0012 and #01-113A-0034 as requested. The motion was seconded by Commissioner Kent Wilson. The motion passed.

(12)

DISCUSS/APPROVE/DENY CORRECTING THE TAX AMOUNTS OF PARCEL #01-151A-0012

Assessor, Kris Bell requested a commission adjustment on parcel #01-151A-0012, this was missed during BOE. The amount before amending the tax is $490.46 and after adjustment $285.27. Commissioner Kent Wilson made a motion to approve a commission adjustment on parcel #01-151A-0012 as requested. The motion was seconded by Commissioner Gil Conover. The motion passed.

(13)
DISCUSS/APPROVE/DENY COMMISSION ADJUSTMENTS FOR BACK TAXES ON STATE ASSESSED PARCELS 9-300-420 AND 9-300-386.

Treasurer, Josie Stilson requested a commission adjustment for back taxes on State Assessed parcels #9-300-420 and 9-300-386. She explained that she has been working with the State Tax Commission on these properties. #420 is Boundstone Products Inc. Boundstone was a mining operation on BLM land. They have moved out and removed all the equipment so there is nothing left to get taxes from. They have not paid taxes since 2012. The amount of taxes is $5,961.12. #386 is Waldon Energy Ventures. These are abandoned wells that have had no taxes or value since 2016. Josie explained that they have not paid any taxes on this parcel since 2010. The amount of taxes is $1,515.76. These parcels have come up every year for five years back taxes but there is nothing from which to get taxes. Josie recommended removing the taxes and move forward. Commissioner Gil Conover made a motion to approve a commission adjustment for removing taxes on State Assessed parcels #09-300-420 and #9-300-386 as requested. The motion was seconded by Commissioner Kent Wilson. The motion passed.

(14)
DISCUSS/APPROVE/DENY LOW INCOME TAX ABATEMENT REQUEST FOR CAROL PETERSEN.

This request was made on behalf of Carol Petersen. She did not hand in a Low Income Abatement to the Clerk/Auditor's office by the deadline of September 1st. After the deadline the request has to go before the Board of Commissioners. Carol was asked to provide a letter from her requesting consideration of a low income abatement with her application. An application was filled out but did not include the letter. Commissioner Gil Conover made a motion to table this for further review. The motion was seconded by Commissioner Kent Wilson. The motion passed.

(15)
DISCUSS/APPROVE/DENY ISSUING AN RFP FOR A PHOTOGRAPHER AND A SOCIAL MEDIA CONSULTANT FOR THE TOURISM DEPARTMENT.

Motion to table as requested by Adrianna Chimaras was made by Commissioner Gil Conover, seconded by Commissioner Kent Wilson, and the motion passed.

(16)
DISCUSS/APPROVE/DENY THE NEW THE SWELL UTAH TRAILS GRANT APPLICATION, POLICIES AND PROCEDURES.

Adrianna Chimaras, Emery County Travel Bureau explained that the Travel Council has set aside $50,000.00 a year for any individual or group that wants to apply for this trails grant. The idea is to award at least four grants a year for $12,500.00 each. This is to help advance the Travel Bureau's initiative of expanding trails in the area. This will help the Travel Bureau be more sustainable about our tourism before we invite people here, we want to have marked trails. This will be used for construction of trails, trail heads, wayfinding signs, trail facilities, etc. this lines up with what the Utah Office of Outdoor Recreation does for their grants. They could also apply for State or Federal grants along side this grant by using this grant as leverage for these other grants. The grant application which will be reviewed and approved through the Emery County Trails Committee, based on criteria provided in the grant application, and will allow up to $12,500.00 to communities, groups, or individuals. The Trails Committee has two communities, Orangeville City and Castle Dale City who have requested a grant to help with the construction of walking trails. They hope to have trails connecting with communities. Commissioner Gil Conover made a motion to approve the Swell Utah Trails Grant Application, polices and procedures. The motion was seconded by Commissioner Kent Wilson. The motion passed.

(17)
DISCUSS/APPROVE/DENY EMERY COUNTY LEPC'S APPLICATION FOR THE UTAH HAZARDOUS MATERIAL EMERGENCY PREPAREDNESS (HMEP) 2020 PLANNING GRANT.

Commissioner Kent Wilson made a motion to approve Emery County LEPC's application for the Utah Hazardous Material Emergency Preparedness (HMEP) 2020 Planning Grant. The motion was seconded by Commissioner Gil Conover. The motion passed. This has already been awarded. ($3,200.00 for 2020)

(18)
DISCUSS/APPROVE/DENY AGREEMENT FOR JOINT MENTAL HEALTH SERVICES AND JOINT SUBSTANCE ABUSE SERVICES.

Karen Dolan, Four Corners and Michelle Huff, Castle Dale office of Four Corners came before the Board of Commissioners to request approval for agreements for Joint Mental health Service and Joint Substance Abuse Services. Karen explained that the agreement will run for 10 years from January to January. There were changes in the formula which reduces the cost for the county by $10,000.00. They do not anticipate any changes to services. Four Corners serves Carbon, Emery and Grand Counties. Sheriff Funk requested meeting with the Sheriff's of Carbon, Emery and Grand at least two times a year with a preference for meetings four times a year. There were two agreements for consideration. Commissioner Kent Wilson made a motion to approve an interlocal agreement between Carbon, Emery and Grand Counties and Four Corners for Joint mental Health Services. The motion was seconded by Commissioner Gil Conover. The motion passed. Commissioner Kent Wilson made a motion to approve and Interlocal agreement between Caron, Emery and Grand Counties and Four Corners for Joint Substance Abuse Services. The motion was seconded by Commissioner Gil Conover. The motion passed.

(19)
DISCUSS/APPROVE/DENY PROPOSED AMENDMENTS TO THE BYLAWS FOR THE EMERY COUNTY TRAILS COMMITTEE.

Adrianna Chimaras reviewed the amendments to the by-laws for the Emery County Trails Committee. The amendment would expands the board members from five to eight to increase diversity. The board members would be 4 year terms with no limit to how many terms they may serve. Commissioner Kent Wilson made a motion to approve the proposed amendments to the by-laws for the Emery County Trails Committee. The motion was seconded by Commissioner Gil Conover. The motion passed.

(20)
DISCUSS/APPROVE/DENY PROPOSED AMENDMENTS TO THE BYLAWS FOR THE EMERY COUNTY TRAVEL BOARD.

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

(21)

DISCUSS/APPROVE/DENY CHANGE ORDER FROM WALL CONTRACTORS REGARDING THE GREEN RIVER WASH PAD.

Commissioner Gil Conover made a motion to approve a Change Order from Wall Contractors regarding the Green River Wash Pad. The motion was seconded by Commissioner Kent Wilson. The motion passed.

(22)
DISCUSS/APPROVE/DENY TO ADOPT THE 2020 WORKERS COMPENSATION PREMIUM IN THE AMOUNT OF $84,963.00 WITH UTAH LOCAL GOVERNMENTS TRUST.

Personnel Director Mary Huntington requested approval to adopt the 2020 Worker's Compensation premium in the amount of $84,963.00 with Utah Local Governments Trust. This amount reflects a decrease from last year. To date Emery County employees have had 353 consecutive days 'loss time free'. Commissioner Kent Wilson made a motion to adopt the 2020 Workers Compensation Premium in the amount of $84,963.00 with Utah Local Governments Trust. The motion was seconded by Commissioner Gil Conover. The motion passed.

(23)
DISCUSS/APPROVE/DENY LETTER REGARDING CEASING MINERAL LEASE DISTRIBUTION EFFECTIVE AUGUST 2019 AND REFRAIN FROM DISBURSEMENT OF FUTURE MINERAL LEASE MONIES UNTIL COMMISSIONERS ISSUE FORMAL REQUEST TO CONTINUE THE DISBURSEMENT PROCESS.

Commissioner Wilson explained that Carbon County claims that Emery County received $260,000.00 in mineral lease funds that was intended for them. It is Emery County's intent to pay this debt off as quickly as possible. Ceasing Mineral Lease Distribution will not put the county in crisis mode. The County can continue distribution thereafter. Commissioner Gil Conover made a motion to approve a letter regarding ceasing mineral lease distribution effective August 2019 and refrain from disbursement of future mineral lease monies until Commissioners issue formal request to continue the disbursement process. The motion was seconded by Commissioner Kent Wilson. The motion passed.

(24)
DISCUSS/APPROVE/DENY HIRING SCOTT RYAN AS A NON-EMT GARAGE LEAD FOR GREEN RIVER AT A RATE OF $400.00 PER MONTH.

Commissioner Wilson explained that EMS has five garage leads. The EMS by-laws require them to have an EMS Certificate. Commissioner Wilson suggested paying Mr. Ryan $400.00 a month as garage lead for Green River. Scott Ryan has been acting in this position since September. Mr. Ryan is a veteran and the VA will pay for him to get his certificate. Once he

receives his certificate then he will move up to $500.00 a month. There has been a shortage of EMTs in Green River and Mr. Ryan has been instrumental in recruiting four EMTs for Green River EMS. Commissioner Kent Wilson made a motion to approve hiring Scott Ryan as a non-EMT Garage Lead for Green River at a rate of $400.00 per month starting on October 1, 2019 and going forward. The motion was seconded by Commissioner Gil Conover. The motion passed.

(25)
COMMISSIONER/ELECTED OFFICIALS REPORT.

Sheriff Funk reported on Search and Rescue. They received a $9,000.00 donation from Farm Bureau/Tyler Jeffs and $8,000.00 donation from the Emery County Travel Bureau to purchase a snowmobile which the State matched with another snowmobile. A recent ATV accident in Cleveland has their attention and thoughts with the family of the deceased.

Attorney Mike Olsen indicated that his office is busy with an upcoming murder case.

Commissioner Sitterud reported on the San Rafael Energy Research Center. A visitor will be at the facility tomorrow looking at the facility for a possible coal gasification plant.

(26)
ADJOURN

Motion to adjourn the meeting was made by Commissioner Gil Conover, seconded by Commissioner Kent Wilson, and the motion passed.

ATTEST:_____ COMMISSIONER:_____