

COMMISSION MINUTES

January 13, 2020

Minutes of the regularly scheduled meeting of the Sevier County Commissioners held this thirteenth day of January, 2020. Meeting commenced at 1:30 p.m. with Commissioners Scott Johnson, Garth 'Tooter' Ogden, and Ralph Brown in the Commission Chambers of the Sevier County Administration Building, 250 North Main, Richfield, Utah. Clerk/Auditor Steven C. Wall, Executive Director Malcolm Nash, and County Attorney Casey Jewkes were also present.

Commission business:

Commissioner Brown reported he had returned from a meeting at the State Capitol dealing with affordable housing throughout the State. He gave an update on the information he had received.

Commissioner Johnson reported he had attended a meeting with the Balloon Festival Organizing Committee, and the Committee had expressed appreciation for the participation of the County in the Balloon Festival Event.

Commissioner Ogden updated the Commissioners on a meeting he had with the Utah Grazer's Association and other government agencies (i.e. Forest Service, BLM, etc.), a working group of the Utah Grazers. He reported they are working together better than they have in the past, and they are doing things to help the grazers.

Appointments made to various Districts and Boards:

The Commission then reviewed the current status of the Districts and Boards and reported Commissioner Johnson reported that Gary Leaming and Tyler Moore have both agreed to serve another term on the Planning Commissioner. Malcolm Nash reported that on the Economic Development Board Matt Creamer and Joe Betar had stepped down, and requested that Rick Larsen, Mark Alger, and Clayton Hutchingon be re-appointed. Mr. Nash then requested that Lisa Cleaveland, Jenna Draper, and Jody Gayle be appointed to serve on the Economic Development Board. They also noted that there was a vacancy on the Board of Adjustments. Mr. Nash reported he had a recommendation but wanted to speak with the individual prior to the appointments. After discussion, Commissioner Johnson moved to appoint and re-appoint the individuals as had been discussed, second Commissioner Brown, unanimous.

Minutes of December 16th Commission meeting approved:

Minutes of the December 16th Commission Meeting were then reviewed and approved on a motion by Commissioner Johnson, second Commissioner Brown, unanimous.

Payment Approval Report for December approved:

The Commission then reviewed the payment approval report from December. After review and discussion, Commissioner Brown moved to approve the payment approval report, second Commissioner Johnson, unanimous.

Late fees abated for parcel 2-J4-15:

Deputy Treasurer Lindsey Hansen then reported that Angela Jones had paid her property taxes in a timely manner on parcel 2-J4-15. However, due to the way she had signed her check with a line through the routing numbers on the bottom of the check, the bank returned her check which resulted in a late fee. They have corrected the problem and are asking that the late fee and returned check fee be abated because she had paid in timely manner. After discussion, Commissioner Brown moved to abate the fees and penalty as recommended, second Commissioner Johnson, unanimous.

Cooperative Law Enforcement Agreement for Fishlake approved:

The Commission then reviewed a Cooperative Law Enforcement Agreement for law enforcement services in the Fishlake National Forest in the following areas: Gooseberry/Sevenmile, Fishlake, Fremont River, UM/Water Flat, Monroe Mountain Road, Big Lake, Mill Creek, and Shingle Mill in Clear Creek. The Commission noted that this is an annual agreement. Commissioner Ogden also noted that Sheriff Curtis had come to him with the agreement noting that it needed to be signed by year end. After discussion, Commissioner Johnson moved to ratify the Cooperative Law Enforcement Agreement for law enforcement services in the Fishlake National Forest, second Commissioner Brown, unanimous.

Beer license renewals approved:

Beer License renewals for Wind River Petroleum/Top Stop, Lakeside Resort, and Fishlake Resort were reviewed, and the Commission noted that Sheriff Curtis had already given his approval. After discussion, Commissioner Brown moved to approve the beer license renewals for Wind River Petroleum/Top Stop, Lakeside Resort, and Fishlake Resort, second Commissioner Johnson, unanimous.

Fee changes adopted:

Clerk/Auditor Steven Wall then reviewed with the Commissioners recommended fee changes to the Clerk/Auditor section. He noted there has been an increase in the number of people coming into the office for free notarial services, and it was taking a lot of time. He recommended adding the fee of \$5 per notarial signature, and also cleaning up fees by removing fees for Code Books and certain ordinances as they are now available online. After review, Commissioner Johnson moved to adopt the new notarial fee and make the changes as recommended, second Commissioner Brown, unanimous.

Rollback fee from corrected deed on parcel 4-16-3 abated:

Assessor Amy Garren-Clark then met with the Commission concerning a rollback fee that had been assessed to parcel 4-16-3, noting that there was an error in the Recorder's Office several years ago in which the property should have been deeded to the State of Utah from the Church of Jesus Christ of Latter Day Saints, and that a rollback tax was incurred in correcting the deed issue. Assessor Garren-Clark recommended that the fee be abated, along with a \$15.44 taxes and penalty on that property as it should have been exempt. After discussion and noting that the deed had been corrected, Commissioner Johnson moved to abate the tax, penalties, and rollback taxes charged against parcel 4-16-3 as it was a County error, second Commissioner Brown, unanimous.

Part-time custodian hired for Sheriff's Office:

Human Resources Director LeighAnn Wheeler reported that they had completed the hiring process for a part-time custodian at the Sheriff's Office. She recommended re-hiring Mike Hyde as a part-time custodian at grade 6, hourly wage of \$12.01 per hour at 20 hours or less per week with a start date of January 2, 2020. After discussion, Commissioner Brown moved to approve the re-hire of Mike Hyde as recommended, second Commissioner Johnson, unanimous.

Hospital Indemnity Coverage for County employees approved:

Ms. Wheeler then reviewed with the Commissioners the application for group insurance of American Heritage Life Insurance Company for hospital indemnity coverage which was offered to the employees during open enrollment. She said that the agreement was late because they were waiting to see if enough employees would sign up for the program. She said that it is no cost to the County, it is strictly voluntary to the employees, and the costs are covered by the employees electing the coverage. After discussion, Commissioner Brown moved to approve the application to American Heritage Life Insurance Company for hospital indemnity coverage, second Commissioner Johnson, unanimous.

Appointment for County Representative on UAC Board approved:

The Commission then discussed the request from the Utah Association of Counties to appoint an officer from Sevier County to serve on the UAC Board for the 2020 year. Under the new by-laws, each county gets to send a representative to serve on the Board. After discussion, Commissioner Johnson moved to appoint Ralph Brown as the representative for Sevier County to serve on the UAC Board for Sevier County, second Commissioner Ogden. Motion passed with Commissioner Brown abstaining from the vote.

Items declared surplus, authorized for sale:

The Commission then reviewed a list of surplus items. Some that were broken and could be disposed of, and a few that could be saved for a future sale. After review and discussion, Commissioner Johnson moved to approve the items surplus as requested and authorize them for disposal or sale, second Commissioner Brown, unanimous.

Nuisance abatement on parcels 3-192C-15 and 3-192C-16 approved:

Zoning Administrator/Building Inspector Jason Mackelprang and Enforcement Officer Charles Billingsley then reviewed with the Commission the nuisance abatement on parcels 3-192C-15 and 3-192C-16. Mr. Billingsley gave the history of his discussion with the owners of the property, including his discussions with Ralph Pederson Sr, who has passed away, and discussions with Ralph Pederson Jr. He noted that the situation was not improving and with Mr. Pederson Jr now in jail, the extended family is unable to clean up the property. Mr. Billingsley indicated that there are a couple of mobile homes on the property, but only one is livable, and that even though Mr. Pederson's girlfriend indicated she is living there, he has not seen any signs that anyone is living there. He is asking the Commissioners to approve the abatement of the nuisance on the property, as well as impounding the non-working automobiles. Mr. Billingsley had informed Mr. Pederson Jr of the actions that would be taken if he did not clean up the property himself. After discussion and noting that this has been a problem on those parcels for years, Commissioner Brown moved to authorize the nuisance abatement on parcels 3-192C-15 and 3-192C-16 as requested, second Commissioner Johnson, unanimous.

Predator Control agreement with State of Utah approved:

The Commission then reviewed the amendment to the agreement with the State of Utah concerning predator control. The County has participated in the Predator Control Plan with the Department of Agriculture for several years. Commissioner Ogden reported he had spoken with Kerry Gibson, Director of the Department of Agriculture, and said that the program is continually improving and felt that we should remain a part of the program. The Contract was for a total of \$2,400 with the State reimbursing the County approximately \$1,200 for a total cost to the County of \$1,200. After discussion, Commissioner Brown moved to approve the Predator Control Contract with the State of Utah Department of Agriculture, second Commissioner Johnson, unanimous.

Memorandums of Understanding with Division of Forestry, Fire and State Lands approved:

The Commission then reviewed Memorandums of Understanding between the Division of Forestry, Fire and State Lands and Sevier County, Sevier County Sheriff and Sevier County EMS. County Fire Warden Brion Terry indicated that these agreements are renewals of previous agreements to provide a working relationship between the State of Utah and Sevier County on fires and the services provided. Mr. Terry also discussed the agreements with all of the fire departments, and the possibility of the County signing on to those agreements with the Cities to ensure that everyone can work together. After discussion, Commissioner Johnson moved to approve the three MOU's with the State, second Commissioner Brown, unanimous.

Amendment to Shadow Mountain Estates Subdivision approved:

Rod Torgerson, representing the owners of the Shadow Mountain Estates Subdivision, noted that they had approached the Planning Commission about amending Lots 14 and 15 of the subdivision plan, and changing the boundary line from a diagonal line to a horizontal line to square the properties up and provide equal frontage to each of the parcels. He said there would be no change to the outside boundary of the subdivision, just to the boundary between the two parcels. Mr. Torgerson has discussed this with all of the property owners, who all agreed to the changes, as well as a recommendation of approval from the Planning Commission. After discussion, Commissioner Brown moved to approve the requested amendment of the lot boundary line in the Shadow Mountain Estates Subdivision as recommended, second Commissioner Johnson, unanimous.

There being no further business to come before the Board, meeting adjourned at 2:40 p.m.