

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

APRIL 7, 2020

Due to restrictions in place during the COVID-19 Pandemic this meeting was conducted electronically. Present 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 # through and including # was presented for payment.

Requisitions were presented for the following:

REQUISITION	DESCRIPTION	AMOUNT
24-20	Globe 20 quart industrial mixer Sheriff/Jail	\$ 2,643.20
25-20	Gatekeeper all-hazards emergency facility HVAC unit for emergency facility Sheriff/EMP	\$35,433.16
26-20	Ultra Kimono Bite Suit/w Police Pkg Sheriff/ K9 unit	\$1,599.99
27-20	(1) Range w/2 convection ovens and 1 Range w/6 burners for jail kitchen Sheriff/Jail	\$15,877.23
28-20	Kubota Excavator Road maintenance	\$101,822.83
29-20	AED Heartsine SAM 450P P Road Dept. Safety	\$2,549.25
30-20	AED Heartsine SAM 450P P Landfill/Safety	\$849.75

2

Commission Meeting Minutes  
April 7, 2020

One disposition for #6403 1996 Crack Sealer #3023  
One Transfer for #6672 1998 Dodge Truck from Highway to Travel Bureau/Trails

(2)

APPROVAL OF THE MARCH 17, 2020 COMMISSION MEETING MINUTES

(3)

APPROVAL TO APPOINT SHALA HUNSAKER TO THE EMERY COUNTY RECREATION BOARD REPRESENTING FERRON CITY.

(4)

APPROVAL OF CELL PHONE STIPEND FOR SAMANTHA JOHNSON.

(5)

APPROVAL TO PROMOTE LANE GARDNER TO CORRECTION OFFICER I. MOVE FROM GRADE 14 TO GRADE 15. EFFECTIVE 4/19/2020

(6)

APPROVAL TO START THE RECRUITMENT PROCESS FOR SEASONAL LAWN CARE EMPLOYEE(S).

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).

Motion to leave the regular meeting and enter into a Public Hearing to receive input from the public with respect to the issuance of the Castle Valley Special Service District Bonds as noticed, and at the conclusion of a Public Hearing to return to the regular meeting agenda, was made by Commissioner Kent Wilson, seconded by Commissioner Gil Conover and the motion passed.

(3)

PUBLIC HEARING: TO RECEIVE INPUT FROM THE PUBLIC WITH RESPECT TO THE ISSUANCE OF THE CASTLE VALLEY SPECIAL SERVICE DISTRICT BONDS, IN ON OR MORE SERIES, IN THE AGGREGATE PRINCIPAL AMOUNT NOT TO EXCEED \$1,200,000 FOR THE PURPOSE OF PAYING ALL OR PART OF THE COST OF ACQUIRING OR IMPROVING, THROUGH PURCHASE OR CONSTRUCTION OR BOTH, FACILITIES FOR THE COLLECTION AND TREATMENT OF SEWAGE; FACILITIES USED IN CONNECTION WITH THE ACQUISITION, TREATMENT, STORAGE, TRANSPORTATION, AND SUPPLY OF WATER FOR DOMESTIC, INDUSTRIAL SECONDARY AND OTHER PURPOSES; DRAINAGE AND STORM SEWER FACILITIES, INCLUDING CURBS AND GUTTERS; AND TRANSPORTATION FACILITIES CONSISTING OF ROADS, SIDEWALKS AND RELATED BRIDGES AND VIADUCTS; TOGETHER WITH ALL NECESSARY LAND, RIGHTS-OF-WAY, EQUIPMENT AND FURNISHING THEREFOR, AND INCLUDING SUCH LEGAL, ENGINEERING, AND FISCAL AGENT EXPENSES REASONABLY INCURRED IN CONNECTION WITH THE ACQUISITION OF SUCH FACILITIES IN AND FOR THE DISTRICT, AND RELATED MATTERS.

CVSSD Manager, Jacob Sharp explained that in November, a General Obligation Bond in the amount of \$14,000,000 question went before the voters of Emery County and was passed. Last month the Commissioners held a Public Hearing and passed a parameters resolution for the first in a series of bonds that will take place over the next ten years to utilize the funds. The District was able to secure an additional \$772,000 grant from CIB to do culinary water projects, drainage projects, street improvement projects, and curb and gutter projects throughout the county. There are projects in each of the eight cities and towns in the county that they have jurisdiction over. They work closely with the mayors and councils of each of these cities and towns to determine the project list.

(4)

DISCUSS/APPROVE/DENY A FINAL BOND RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS OF EMERY COUNTY, UTAH ACTING AS THE GOVERNING BODY OF THE CASTLE VALLEY SPECIAL SERVICE DISTRICT, EMERY COUNTY, UTAH (THE ISSUER) AUTHORIZING THE ISSUER'S \$1,000,000 GENERAL OBLIGATION BONDS, SERIES 2020 (THE "SERIES 2020 BONDS") IMPROVING, THROUGH PURCHASE OR CONSTRUCTION OR BOTH, FACILITIES FOR THE COLLECTION AND TREATMENT OF SEWAGE; FACILITIES USED IN CONNECTION WITH THE ACQUISITION, TREATMENT, STORAGE, TRANSPORTATION, AND SUPPLY OF WATER FOR DOMESTIC, INDUSTRIAL SECONDARY AND OTHER PURPOSES; DRAINAGE AND STORM SEWER FACILITIES, INCLUDING CURBS AND GUTTERS; AND TRANSPORTATION FACILITIES CONSISTING OF ROADS, SIDEWALKS AND RELATED BRIDGES AND VIADUCTS; TOGETHER WITH ALL NECESSARY LAND, RIGHT-OF-WAY, EQUIPMENT AND FURNISHINGS THEREFOR, AND INCLUDING

SUCH LEGAL, ENGINEERING, AND FISCAL AGENT EXPENSES REASONABLY INCURRED IN CONNECTION WITH THE ACQUISITION OF SUCH FACILITIES IN AND FOR THE ISSUER; AND RELATED MATTERS.

Upon returning to the regular meeting, Commissioner Kent Wilson made a motion to approve Resolution 4-7-2020A, a final bond resolution of the Board of Emery County Commissioners of Emery County, Utah acting as the governing body of the Castle Valley Special Service District, Emery County, Utah, authorizing the issuer's \$1,000,000 General Obligation Bonds Series 2020. The motion was seconded by Commissioner Gil Conover. The motion passed unanimously.

(5)  
RATIFICATION OF THE RESOLUTION FOR THE TEMPORARY STAND ALONE FEDERAL POLICY ON COVID-19 RELATED LEAVE.

Commissioner Gil Conover made a motion to ratify approval of Resolution 4-7-20B for Temporary Stand Alone Federal Policy on COVID-19 related leave. The motion was seconded by Commissioner Kent Wilson. The motion passed.

(6)  
DISCUSS/APPROVE/DENY BUSINESS LICENSE FOR KEVIN MARTINEZ, SOLUTION WALL SYSTEM, LLC.

Jeff Guymon indicated that this has not gone through the Planning and Zoning Board, but did not anticipate any problem with approval. Commissioner Kent Wilson made a motion to approve a business license for Kevin Martinez, Solution Wall System, LLC contingent upon approval of the P/Z Board. The motion was seconded by Commissioner Gil Conover. The motion passed.

(7)  
DISCUSS/APPROVE/DENY AMENDED FY 2021 PRIORITIZED CIB LIST.

Commissioner Wilson explained that the Prioritized CIB list was recently approved by the Commission. Since that time, Ferron City has made a request to be placed on the list for a Transportation Plan in the amount of \$40,000.00. Commissioner Kent Wilson made a motion to allow Ferron City to be added the FY 2021 Prioritized CIB List. The motion was seconded by Commissioner Gil Conover. The motion passed.

(8)  
DISCUSS/APPROVE/DENY THE OLD SPANISH TRAIL ROAD SIGN PLAN.

Rob Sweeten, Old Spanish Trail, Co-Administrator, BLM talked about the Old Spanish Trail Road Sign Plan. He indicated that he has met with Adriana and established a sign plan as he has presented to the Commissioners in an earlier Commission Meeting. They have identified the sites in the county that the signs will be placed. He indicated that State Parks may have the ability to fund the signs. We just need a form signed to the State Parks to accept the sites and the signs. Rob indicated that the County's responsibility would be to place the signs by whatever means you may have. Commissioner Wilson indicated that he discussed this project with Adriana and she has indicated that she is in support of the project. They have not discussed it with the Tourism Board. Commissioner Kent Wilson made a motion to support the plan pending the outcome and support of the Tourism Board. The motion was seconded by Commissioner Gil Conover. The motion passed.

(9)

DISCUSS/APPROVE/DENY CHANGE ORDER #1 ON THE TRAIL MOUNTAIN EWP, RILDA CANYON PROJECT.

Captain Ekker indicated that the Change Order is to extend the work days due to the weather. Commissioner Gil Conover made a motion to approve Change Order #1 on the Trail Mountain EWR, Rilda Canyon Project. The motion was seconded by Commissioner Kent Wilson. The motion passed.

(10)

DISCUSS/APPROVE/DENY EMERY COUNTY "D" ROAD SITLA EASEMENT PROJECT ON AOG CAPITAL IMPROVEMENT LIST.

Public Lands Director, Ray Petersen, explained that this is a follow-up project through SITLA. We would acquire easements for "D" roads across SITLA parcels working through AOG. Commissioner Kent Wilson made a motion to approve the Emery County "D" Road SILA Easement Project of AOG Capital Improvement List. The motion was seconded by Commissioner Gil Conover. The motion passed.

(11)

DISCUSS/APPROVE/DENY SIGNING AMENDED MEMORANDUM OF AGREEMENT AND PROFESSIONAL SERVICES AGREEMENT WITH THE UTAH PROSECUTION COUNCIL TO ALLOW EMERY COUNTY TO BE PLACED ON THE WAITING LIST FOR THE NEW UTAH STATE E-PROSECUTOR SYSTEM.

Jeff Guymon indicated that this amended MOA and professional Services Agreement places Emery County on the waiting list for the new Utah State E-Prosecutor system. Commissioner Kent Wilson made a motion to approve signing an amended Memorandum of Agreement and Professional Services Agreement with the Utah Prosecution Council to allow Emery County to be placed on the waiting list for the new Utah State E-Prosecutor System. The motion was

6

Commission Meeting Minutes  
April 7, 2020

seconded by Commissioner Gil Conover. The motion passed.

(12)

DISCUSS/APPROVE/DENY AMENDMENT TO CONTRACT BETWEEN EMERY COUNTY AND THE STATE OF UTAH DEPARTMENT OF AGRICULTURE PLAN INDUSTRY.

The amendment is to add an additional \$40,000.00 to the funding contract for Weed/Mosquito for Russian Olive Eradication. Commissioner Gil Conover made a motion to approve an Amendment to the Contract between Emery County and the State of Utah Department of Agriculture Plan Industry. The motion was seconded by Commissioner Kent Wilson. The motion passed.

(13)

DISCUSS/APPROVE/DENY CANCELLING ALL EXISTING LAWN CARE CONTRACTS AND USING EMERY COUNTY SEASONAL EMPLOYEES TO PERFORM THESE DUTIES.

As the contracts for lawn care are all expiring, rather than renewing these contracts, the Commissioners would like to use seasonal employees to perform lawn care for a year to see how mowing our own lawns would compare to having a contractor perform the work. Commissioner Gil Conover made a motion to cancel all existing lawn care contracts and use Emery County seasonal employees to perform these duties. The motion was seconded by Commissioner Kent Wilson. The motion passed.

(14)

DISCUSS/APPROVE/DENY THE NON FUNDED CHALLENGE COST SHARE AGREEMENT BETWEEN EMERY COUNTY AND THE USDA FOREST SERVICE, MANTI LASAL NATIONAL FOREST.

PL Director, Ray Petersen indicated that is an agreement between the Forest Service and the County for maintenance of the Aarapeen Motorized Trail System on the Manti LaSal. It mirrors the agreement we have with the BLM for trail maintenance. Ray recommended approval. It will entail use of the county trail maintenance equipment, and trail maintenance crew and volunteers. Commissioner Kent Wilson made a motion to approve the non funded Challenge Cost Share Agreement between Emery County and the USDA Forest Service, Manti LaSal National Forest. The motion was seconded by Commissioner Gil Conover. The motion passed.

(15)

Commission Reports

Commissioner Wilson thanked everyone for their efforts to take the Governor's Orders to heart.

Commission Meeting Minutes  
April 7, 2020

He thanked the County offices for continuing to execute their duties and minimize the risk to the employees. We have a lot of people coming from out of state to our desert that could possibly overwhelm our system and put our first responders at risk. They are not being responsible. He expressed his gratitude to everyone. He stated, It's humbling to see everyone's sacrifice.

Commissioner Conover echoed Commissioner Wilson's comments and added that it will all come to an end soon and we will be able to move forward soon.

Commissioner Sitterud echoed the comments made and thanked our first responders for all that they are doing. The County is still running smoothly under the circumstances. He thanked all the elected officials and department heads for all they are doing.

Captain Kyle Ekker, as the Emergency Manager reported that they are working closely with the State to keep the supplies coming in for our first responders and our citizens. He added he appreciates the support from everyone.

Commissioner Sitterud added that the desert is seeing an influx of people from out of state and out of the Carbon/ Emery Area even though they have been asked not to come here and to stay in their own cities and counties. He added that this will be a different and not so enjoyable Easter than our Carbon/Emery residents are used to seeing. He asked our residents to be patient.

(16)

ADJOURN

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

ATTEST: \_\_\_\_\_ COMMISSIONER: \_\_\_\_\_