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

APRIL 21, 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 #254696 through and including #254829 was presented for payment.

Requisitions were presented for the following:

REQUISITION	DESCRIPTION	AMOUNT
31-20	Bullet-Proof Vest Sheriff- Kyler Farley	$822.50
32-20	Vari Electric Standing Desk 60x30 Library-Desiree Malley	$795.00
33-20	Panasonic Toughbook Sheriff- Command Post	$2,254.04
34-20	Ford Expedition 4DR 4x4 XL (2) Dodge Durango Pursuit AWD(1) Sheriff - Patrol Vehicles	$113,765.77
35-20	Elite Dog Kennel 10x10 complete Sheriff-K9 Deputy Mack	$532.79
36-20	Furnace (remove and install) Library-Emery (Emergency)	$2,800.00
37-20	Cargo Storage Container Unit (2) Travel Bureau-Trail Cat & Events storage	$5,700.00

(2)
APPROVAL OF THE APRIL7, 2020 COMMISSION MEETING MINUTES

(3)
APPROVAL TO HIRE LEVI OLSEN AND BROCK WINTER AS SEASONAL LAWN CARE LABORERS WORKING 29 HOURS PER WEEK. WAGE $14.00 PER HOUR.

(4)
APPROVAL TO GIVE JOE FIELDER A WAGE INCREASE FOR SUCCESSFUL COMPLETION OF HIS SIX MONTH ORIENTATION PERIOD ALONG WITH THE 3% COLA GIVEN THE FIRST OF THIS YEAR. GRADE 13. EFFECTIVE 5-4-20.

(5)
APPROVAL TO PROMOTE JOE FIELDER TO A VARIABLE PART TIME EMPLOYEE WORKING 20 TO 29 HOURS PER WEEK WITH PRORATED RETIREMENT AS A SUPERVISOR OVER THE SEASONAL LAWN CARE MAINTENANCE/LABORERS. MOVE FROM GRADE 13 TO GRADE 14. EFFECTIVE 5-4-20

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)
AWARDING OF SAFETY VISA GIFT CARDS.

Safety Award winners: Full Time Employee: Laura Hurst
Part Time Employee: Estelle Grange
Safety Sensitive Employees: Brett Mills and Molly Barnes

(4)
PRESENTATION BY BRADY BRADFORD, DIRECTOR OF SEUHD, REGARDING EMERY COUNTY COVID-19 UPDATE.

Brady Bradford,Director of SEUHD provided a COVID-19 update for Emery County. They have identified 9 individuals in our area who have tested positive for COVID-19 two of which were visitors. Four have been identified to be from Emery County, one of who was not a resident of the county when they were diagnosed. Three have been diagnosed while they were in Emery County. They had an additional two from Carbon County last week. All of these cases so far did not have serious symptoms so they were not hospitalized. They have not been able to

identify the exact source of transmission. They have modified their order on the 15th of April with the intent to allow certain businesses to reopen, provided they put into place some social distancing practices that may include the wearing of masks while they are providing service, higher levels of sanitation, etc. They expect to have a review of all of the plans by the end of the day for those businesses that expect to get going again. This refers to hair salons, nail salons, body art salons, tanning salons and the like. They feel very good about the preparations that the hospitals and clinics are in where they are at right now compared to a month ago. We have had time to learn lessons. Their testing capacity is significantly enhanced from where it was, so they are encouraging people to get tested if they have any one of the symptoms. They want to do that in an organized way so that our hospitals and clinics are not overwhelmed. They do not want people to just show up and demand to be tested. The percent positive is still at 1%. With the number of people infected in the State and the seven positives in the three county area, we are trending below the State of Utah. Moving forward, they feel with the enhanced capacity of our healthcare system, enhanced testing and ability to identify cases and their close contacts, they feel that they are prepared to continue to repeal or modify what they have put into place to make it a little friendlier to do business, with the understanding that every business will still need to be very conscientious of what they are doing. They continue to advise people over 60 and those with compromised immune systems to avoid going out if possible.

Commissioner Wilson asked about mass gatherings? He asked for some guidance for the next thirty to sixty days with regard to the Emery County Fair and concert, Little Bear Campground, little league games, etc. Mr. Bradford explained that they anticipate opening up camping availability fairly soon. They will ask that campgrounds evaluate their layout and keep spots at about ten to fifteen feet apart. This is not formalized yet. With regard to recreation leagues, he has no guidance at this time. Sports gatherings would be hard to implement social distancing just because of the nature of sports with the overall guidance of ten people in a gathering in place. Looking out further, they have not made any specific move to close events like city celebrations. Types of events where a wide range of susceptible people are gathered and you cannot control distancing would likely be canceled. Swimming pool protocol, they are reviewing what Tri-County/ Uintah Basin is doing with their exercise and fitness guidelines with regard to swimming pools. SEUHD is not ready to open up for recreational swimming, but opening up for lap swimming and group fitness swimming where they can maintain distance between participants they anticipate implementing for both of those uses. Restaurant guidance is driven by State order. Based on conversations that they have daily with the State, he anticipates a shift on how we will do that. Restaurants will have a change in what is expected of them on May 1st. They will let them know at least a week ahead of time so they can make preparations in staff and order of business to meet those needs. Commissioner Wilson expressed his desire to instill in the public that Emery County is quite safe and encourage opening things back up in a safe manner. Mr. Bradford cautioned to not think it is not here at all and to not ignore everything that we have learned in the past few weeks. We still want businesses to implement the 6 foot rule. Individuals may be asked to wear a face covering depending upon their interaction with the public. However, we have a great advantage in Emery County in that we have basically grown up social distancing. It is the natural part of how we live in rural Utah. This provides us with an inherent level of protection. It is not perfect, but it is a contributing factor to where we are right now. This whole effort has been intended to flatten the curve, not eliminate the curve. We know that disease transmission will continue. We just want and expect

the rate to continue at the rate we have seen so far. It has been very manageable. We want to be aware of our high risk groups and cognizant of our own behaviors. We have a lot more knowledge than we did a few weeks ago. We have the ability to handle what comes. Emery County is in a good spot right now.

(5)

RATIFICATION OF APPLICATION FOR ASSISTANCE SF-424 REGARDING THE TRAIL MOUNTAIN FIRE EWP, HUNTINGTON CREEK.

Captain Kyle Ekker explained that this is an increase of $1.9 million in funding from NRCS for the Trail Mountain Fire EWP, Huntington Creek. This was driven by the cost of the design to protect our springs and infrastructure. This application was due prior to this meeting. Commissioner Kent Wilson made a motion to ratify the signing of an application for assistance SF-424 regarding the Trail Mountain Fire EWP, Huntington Creek. The motion was seconded by Commissioner Gil Conover. The motion passed.

(6)

RATIFICATION OF THE 2020 CHILDREN AND TEEN BOOK ENHANCEMENT MINI-GRANT CONTRACTS BETWEEN THE UTAH STATE LIBRARY AND THE CASTLE DALE LIBRARY, CLEVELAND LIBRARY, HUNTINGTON LIBRARY AND ORANGEVILLE LIBRARY.

Commissioner Gil Conover explained that four libraries in Emery County have been awarded mini-grants in the amount of $3,000.00 each for book enhancement. A signed contract was due by April 15, so ratification is needed. Commissioner Gil Conover made a motion to ratify approval of the 2020 children and Teen Enhancement Mini-Grant Contracts between the Utah State Library and the Castle Dale Library, Cleveland Library, Huntington Library, and Orangeville Library. The motion was seconded by Commissioner Kent Wilson. The motion passed.

(7)

RATIFICATION OF THE EXTENSION OF RESOLUTION 3-17-20 RESOLUTION DECLARING STATE OF LOCAL EMERGENCY DUE TO INFECTIOUS DISEASE COVID-19 NOVEL CORONAVIRUS.

Commissioner Gil Conover made a motion to ratify extending Resolution 3-17-20 Declaring a State of Local Emergency due to infectious disease COVID-19 Novel Coronavirus for another thirty days. The motion was seconded by Commissioner Kent Wilson. The motion passed.
(This will be discussed and extended every thirty days until the threat is over and the governing body feels it is safe to come out of the declaration.)

(8)

RATIFICATION OF THE FUND WIFI EXPANSION TO SUPPORT COVID-19 EFFORTS MINI-GRANT.

Commissioner Gil Conover explained that the Library Department is adding WiFi access for Orangeville Library and Green River Library. The grant application needed to be turned in prior to this meeting, so ratification is needed. The funding for this project has been approved. Commissioner Gil Conover made a motion to ratify approval of funding WiFi Expansion to support COVID-19 efforts Mini-Grant. The motion was seconded by Commissioner Kent Wilson. The motion passed.

(9)
DISCUSS/APPROVE/DENY INTERLOCAL AGREEMENT BETWEEN EMERY COUNTY COMMUNITY REINVESTMENT AGENCY AND EMERY COUNTY REGARDING THE CASTLE SOLAR PROJECT.

Stuart Clayson, UAC explained that this is the overlying document that allows for the transfer of new growth to the agency that then will go in with the other taxing entities to allow for a post performance incentive to be provided to the developer. Castle Solar has asked for a 40% tax incentive (about $1.6 million). Commissioner Wilson talked about the stipulations that Chris Guymon, as adjourning property owner, has asked for. He has asked for an 8 foot fence (approximately $110,000) around his property and cattle guards on the north and south side of his property lines. Commissioner Wilson suggested having Castle Solar purchase the cattle guards ($3,000 to $5,000) and have the EC Road Department install them. Christine, Castle Solar wanted to have Chris Guymon sign a document that indicated that this will be the last of his requests. Chris indicated that he has no other requests and would be willing to sign a document to that effect. Commissioner Wilson indicated that once the 40% tax incentive has been approved that will be the end of the requests. Commissioner Wilson made a motion to enter into an Interlocal Agreement between Emery County Community Reinvestment Agency and Emery County regarding Castle Solar and offering them a 40% incentive off of their property taxes over a 20 year period as described in the budget. The motion was seconded by Commissioner Gil Conover. The motion passed. The Emery County School District will go through this same process in their board meeting. Emery Water Conservancy District will do the same. Once all the Interlocal Agreements are approved and signed they will go to the Community Reinvestment Agency Board for official adoption.

(10)
DISCUSS/APPROVE/DENY ORDINANCE ESTABLISHING THE CASTLE SOLAR PROJECT COMMUNITY REINVESTMENT PROJECT AREA PLAN AND PROJECT AREA BUDGET.

Stuart explained that this a procedural action, an Ordinance establishing the Castle Solar Project Community Reinvestment Project Area Plan and Project Area Budget. A Public Hearing was held where the plan/budget was introduced and discussed with the public. Once approved the Ordinance will be recorded by the Emery County Recorder. Commissioner Kent Wilson made a motion to approve an Ordinance establishing the Castle Solar Project Community Reinvestment Project Area Plan and Project Area Budget. The motion was seconded by Commissioner Gil Conover. The motion passed. (Ordinance 4-21-2020)

(11)

DISCUSS/APPROVE/DENY AWARDING PUBLIC LANDS SOLUTION THE RFP FOR A RECREATION AUDIT.

Adriana Chimaras explained that this year the Travel Bureau has a desire to focus on putting together a good plan for tourism in the way that the County wants it to be. This falls in line with the Trails Committee's desire to plan and find ways to get good trails for recreation in the county. Through Ray Petersen, during a summit that they attended, Adriana met Ashley, PLS. PLS helps with mapping existing recreation, exploring the aspects for the best biking trails, hiking trails, etc. This will help the Travel Bureau achieve what they have been working towards at a much faster rate. She will connect the bureau with available grant funding, any connection for trail building. The project total is about $20,000.00. They have been talking to the Coal Strike Team to flash down the first $10,000.00. The Travel Bureau would be paying $5,000.00. The time frame is approximately 6 months. They hope that near the end of the year to have a good plan to implement in the spring of next year. Ashley indicated that there is a lot that can be done without having a public hearing. They will work with Attorney Mike Olsen and get the document drafted. Commissioner Wilson made a motion to approve awarding Public Lands Solution the RFP for a Recreation Audit. The motion was seconded by Commissioner Gil Conover. The motion passed.

(12)
DISCUSS/APPROVE/DENY HOLDING THE 2020 EMERY COUNTY FAIR.

Commissioner Kent Wilson explained that one of his assigned duties as Emery County Commissioner is to oversee the Emery County Fair and Concert. In talking with the Health Department he feels it is in the best interest of the County to cancel this year's Fair and Concert. The County typically spends $80 to $90,000.00 on this event. Spending that much money on an event that may not be well attended would not be in the best interest of the taxpayers. He indicated that the County may look at doing something locally in the fall. County Attorney Mike Olsen indicated that he supports this decision as well as Sheriff Funk. Commissioner Kent Wilson made a motion to cancel the 2020 Emery County Fair. The motion was seconded by Commissioner Gil Conover. The motion passed.

(13)
DISCUSS/APPROVE/DENY THE CONCERT DURING THE 2020 EMERY COUNTY FAIR.

Commissioner Gil Conover made a motion to cancel the concert during the 2020 Emery County Fair. The motion was seconded by Commissioner Kent Wilson. The motion passed.

(14)
DISCUSS/APPROVE/DENY DEFERRAL AGREEMENT FOR THE PAYMENT OF REAL PROPERTY TAXES THAT ARE FIVE (5) YEARS PAST DUE ON PARCELS 1-151-41 AND 1-151-42 FOR VIJAY AHIR, FOR AND IN BEHALF OF KODAL LLC.

Motion to table was made by Commissioner Gil Conover, seconded by Commissioner Kent

Wilson, and the motion passed.

(15)
DISCUSS/APPROVE/DENY RIGHT-OF-WAY GRANT FORM 2800 (UT-93862).

Public Lands Director, Ray Petersen explained that this is a Communication site on Cedar Mountain. The R-O-W with BLM expired and needs to be renewed. Commissioner Kent Wilson made a motion to approve ROW Grant Form 2800 (UT-93862) with BLM. the motion was seconded by Commissioner Gil Conover. The motion passed.

(16)
DISCUSS/APPROVE/DENY BYLAWS FOR THE EMERY COUNTY ECONOMIC DEVELOPMENT BOARD (CED BOARD).

Commissioner Wilson explained that through the last legislation they restructured how they will disburse monies to counties for economic development. They have made available $200,000.00 to each rural county to use at their discretion whether it be grants, revolving loans, any way to support business in their communities. Part of that stipulation is that we have to create a local Economic Development Board made of five or six individuals. A County Commissioner would be on the board and the rest would be county residents. Their job would be to make an application for the $200,000.00 per year and prioritize how the funds will be invested in local businesses. With the help of Stuart Clayson and UAC they have come up with a set of By-Laws to use to create the Emery County Economic Development Board (CED Board). Attorney Mike Olsen has given his approval for the By-Laws.
Commissioner Kent Wilson made a motion to accept the by-laws for the Economic Development Board (CED Board). The motion was seconded by Commissioner Gil Conover. The motion passed.

(17)
COMMISSION/ELECTED OFFICIALS REPORTS.

Attorney Mike Olsen talked about how busy everyone has been since the pandemic began. He commended the Sheriff for the way the Sheriff's Department has responded to the pandemic. The Health Department has been a big help. He thanked everyone for moving forward and keeping everyone safe.

Commissioner Wilson talked about starting to open things back up. Emery County has been fortunate in that we have three to four cases and none of them had to be hospitilized. As we start to open things back up we do in an orderly fashion. From a tourism point of view he will suggest to the board that everything through the first of August we cancel for mass gatherings. Anything in September and beyond we continue with plans. If we need to cancel in sixty to ninety days we can do that. We still need to be cautious with our Nursing Home and Senior Citizens programs. We have the lowest numbers in the State of Utah. Utah's loss is a lot less than the rest of the country. He thanked everyone for trying to follow the Governor's guidelines to stay safe.

Commissioner Conover thanked our County employees and citizens of Emery County for their diligence in staying safe.

(18)
ADJOURN.

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

ATTEST:_____
COMMISSIONER:_____