

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

JUNE 2, 2020

Due to restrictions in place during the COVID-19 Pandemic this meeting was held electronically.

Attending 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 # through and including # was presented for payment.

Requisitions were presented for the following:

REQUISITION	DESCRIPTION	AMOUNT
44-20	(5) Patrol Vehicle Set-Up Systems Sheriff	\$25,975.00
45-20	Patrol Vehicle Set-Up System Sheriff	6,190.16
46-20 Sheriff	Patrol Vehicle Set-Up System	11,440.30
47-20	Patrol Vehicle Set-Up System Sheriff	10,131.26

Dispositions were presented for #1809, 2012 Asphalt Roller, 9434, Printer

(2)
APPROVAL OF THE MAY 19, 2020 COMMISSION MEETING MINUTES.

(3)
APPROVAL TO RE-APPOINT GARY WILSON TO THE CAREER SERVICE COUNCIL BOARD TO SERVE ANOTHER FOUR (4) YEAR TERM.

(4)

APPROVAL TO GIVE LANE GARDNER THE 3% COLA INCREASE (WHICH WAS GIVEN THE FIRST OF THE YEAR) FOR SUCCESSFUL COMPLETION OF HIS FIRST 6 MONTH ORIENTATION PERIOD FROM BEING HIRED FULL TIME. EFFECTIVE 6-14-2020

(5)

APPROVAL TO GIVE KYLER FARLEY A 3% WAGE INCREASE FOR SUCCESSFUL COMPLETION OF HIS 6 MONTH ORIENTATION PERIOD AS DISPATCH I, WILL ALSO RECEIVE A 3% COLA INCREASE. EFFECTIVE 6-14-2020

Motion to approve the Consent Agenda was made by Commissioner Kent Wilson, seconded by Commissioner Gil Conover, and the motion passed.

DISCUSSION AGENDA

(1)

ITEMS PULLED FROM THE CONSENT AGENDA

(2)

PUBLIC COMMENT (3 MINUTE TIME LIMIT).

(2A)

OPEN BIDS: A Request for Bids was advertised for the Ferron & Huntington Creek Stabilization 2020 project. Bids were received at the Clerk/Auditor's Office by noon today for opening in today's Commission Meeting. However, it was not placed on the agenda for today's meeting. Bids were opened and read aloud, then given to J & T Engineering for review and award. Awarding of the bid will be ratified in the next Commission Meeting. Bids were as follow: 1) Nielsen Construction: \$222,000.00. 2) TSJ Construction: \$169,493.60 3) Allied Underground Tech: \$333,483.20 4) Perco Rock: \$124,212.00.

(3)

RATIFICATION OF LETTER OF SUPPORT FOR INSIGHT TERMINAL SOLUTION, LLC ("ITS") PORT OF OAKLAND PROJECT.

A letter of support was drafted and forwarded to John J. Siegel, Executive Chairman of Insight Terminal Solutions, regarding ("ITS") Port of Oakland Project.

Emery County has been a supportive partner in the Oakland Bulk and Oversized Terminal ("OBOT") project since the County was approached in 2013. The State of Utah is a landlocked state as to export by ocean carrier. However, it is a state rich in valuable bulk commodities including ; potash, iron ore, waxy crude oil, soda ash and the cleanest thermal coal in the fifty United States. For the last seven years, along with other partners Carbon, Sanpete and Sevier Counties, focus has been placed on the opportunity to secure throughput rights in the Oakland Terminal to allow Utah companies deep-water access to the international commodities markets at the best possible transportation cost. The letter goes on to state that Emery County understands the difficulty unsuccessfully developing such a terminal amid the hostile political headwinds existing in the Bay Area and other areas. EC has remained steadfast through these

seven years, as you approach the conclusion of your efforts to navigate those headwinds with the city of Oakland and other stakeholders. Emery county has been working aggressively on this partnership to make the Oakland Bulk terminal a reality for the mineral producing counties in our State. As you know, in 2013 the Community Impact Board (the “CIB”) voted to set aside \$53,000,000 of their funds to grant to the four coal-producing counties, Carbon, Sanpete, Sevier and Emery. The counties have been working together to form an inter-local entity to act as the principal partner with ITS in the OBOT project. Upon our request, the Utah State Senate has sponsored and the full legislature passed two specific sets of legislation in 2016 and 2018, to change the monies that were set-aside at the CIB level into State sales tax funds, to specifically earmark these funds into a special Infrastructure Account to be specifically used for this OBOT project and to clearly authorize the use of such funds outside the borders of the State of Utah. The funds are ready to be spent on the project. Emery County understands that there has been legislation between your landlord and the City of Oakland and we are encouraged by the progress you have reported as a result of “ITS” efforts to resolve outstanding issues that would allow the litigation to be dismissed and the project to proceed. EC is also aware of the impact that the COVID-19 virus has had on your progress and your ability to successfully submit a Plan of Reorganization and to emerge from the Chapter 11 Bankruptcy which such delays required you to seek. Emery County is, and continues to be in full support of the project and the \$53,000,000 stands ready in cash, as authorized by the Legislature, to contribute to any aspect of the project funding. EC is prepared to submit to the CIB, our application to draw down the \$53 million, but also do so in a manner that would allow us to advance a portion of those funds sufficient for ITS to emerge from bankruptcy, on the sole condition that the Court accepts ITS’ Plan of Reorganization. Please let us know how we may additionally help with this critical project. Chairman, Emery County Commission, Lynn Sitterud. Commissioner Gil Conover made a motion to ratify the signing and forwarding a Letter of Support for Insight Terminal Solution, LLC “ITS” Port of Oakland Project. The motion was seconded by Commissioner Kent Wilson. The motion passed.

(4)
RATIFICATION OF NRCS AMENDMENT #0005 ON THE TRAIL MOUNTAIN FIRE EWP.

This is an extension of time for the NRCS Grant Agreement #0005 on the Trail Mountain Fire EWP. The Amendment needed to be signed before the date of the meeting. Commissioner Kent Wilson made a motion to ratify the signing of NRCS Amendment #0005 on the Trail Mountain Fire EWP. The motion was seconded by Commissioner Gil Conover. The motion passed.

(5)
DISCUSS/APPROVE/DENY BUSINESS LICENSE FOR HOODOO HOTDOGS.

An application for Hoodoo Hotdogs has been reviewed and approved by the Planning/Zoning Board. Hoodoo Hotdogs is a food truck that will offer concessions at Goblin Valley Park. Commissioner Kent Wilson made a motion to approve a business license for Hoodoo Hotdogs. The motion was seconded by Commissioner Gil Conover. The motion passed.

(6)

DISCUSS/APPROVE/ DENY EV CHARGERS BEING PLACED AT THE MUSEUM OF THE SAN RAFAEL.

Travel Director Adriana Chimaras and Castle Dale City Mayor Danny Van Wagoner requested approval to place EV Chargers at the Museum of the San Rafael. Rocky Mountain Power will absorb the cost to install the chargers. There will be no cost to Castle Dale City or Emery County. After five years, ownership will roll over to the City/County. Commissioner Gil Conover made a motion to approve EV Chargers being placed at the Museum of the San Rafael. The motion was seconded by Commissioner Kent Wilson. The motion passed.

(7)

DISCUSS/APPROVE/DENY MOU REGARDING PUBLIC SAFETY COMMUNICATIONS.

Sheriff Greg Funk recommended approval of an MOU regarding Public Safety Communications. Commissioner Kent Wilson made a motion to approve an MOU regarding Public Safety Communications. The motion was seconded by Commissioner Gil Conover. The motion passed.

(8)

DISCUSS/APPROVE/DENY ADOPTING A RESOLUTION TO ESTABLISH THE EMERY EMERGENCY MEDICAL SPECIAL SERVICE DISTRICT.

Commissioner Wilson commented that the process of creating a Special Service District for EMS to allow the use of mineral lease money for EMS equipment has gone through the comment period. The Emery County Commission desires to move forward and incorporate each city into the SSD. Attorney Mike Olsen indicated that the process is moving along very well. Commissioner Kent Wilson made a motion to adopt Resolution 6-02-2020A a resolution to establish the Emery Emergency Medical Special Service District. The motion was seconded by Commissioner Gil Conover. The motion passed.

(9)

DISCUSS/APPROVE/DENY JAIL SERVICE AGREEMENT BETWEEN EMERY COUNTY SHERIFF'S OFFICE AND T.W. VENDING dba TURNKEY CORRECTIONS.

Sheriff Greg Funk indicated that Turnkey Corrections provides all of the services that they currently contract with individually for a better price. Commissioner Gil Conover made a motion to approve a Jail Service Agreement between Emery County sheriff's Office and T. W. Vending dba Turnkey Corrections. The motion was seconded by Commissioner Kent Wilson. The motion passed.

(10)

DISCUSS/APPROVE/DENY JAIL SERVICE AGREEMENT FASTCASE AMENDMENT BETWEEN EMERY COUNTY SHERIFF'S OFFICE AND T.W. VENDING INC. dba TURNKEY CORRECTIONS.

Sheriff Greg Funk recommended signing the service agreement Fast Case Amendment. Commissioner Kent Wilson made a motion to approve a service agreement Fast Case Amendment between Emery County Sheriff's Office and T.W. Vending Inc. dba Turnkey Corrections. The motion was seconded by Commissioner Gil Conover. The motion passed.

(11)
DISCUSS/APPROVE/DENY FACILITY TELEPHONE TELECOMMUNICATIONS AGREEMENT BETWEEN EMERY COUNTY SHERIFF'S OFFICE AND TKC TELECOM LLC.

Commissioner Gil Conover made a motion to approve a Facility Telephone Telecommunications Agreement between Emery County Sheriff's Office and TKC Telecom, LLC. The motion was seconded by Commissioner Kent Wilson. The motion passed.

(12)
DISCUSS/APPROVE/DENY ALLOWING INDIVIDUALS WHO DO NOT RESIDE WITHIN EMERY COUNTY TO BE AN EMT IN GREEN RIVER.

Commissioner Kent Wilson indicated that there is an individual, an EMT, who lives in Moab and works 6 days on and 6 days off. The individual wants to move a trailer to Green River and be available for EMT service in Emery County working out of Green River City. Commissioner Wilson wanted direction on how to accomplish this. It was discussed that this could be addressed when the by-laws are being formulated for the new EMSSSD. Attorney Mike Olsen indicated that could be a solution to a problem. There was no motion on this item. It was for discussion.

(13)
DISCUSS/APPROVE/DENY ADOPTING A RESOLUTION AUTHORIZING THE FILING OF CROSS-APPEALS FOR 2020 CENTRALLY ASSESSED PROPERTIES REGARDING PACIFICORP INC.

Attorney Mike Olsen requested approval for a Resolution authorizing the filing of Cross-Appeals for 2020 Centrally Assessed properties regarding PacifiCorp Inc. Mr. Olsen indicated that a resolution will be needed for each Centrally Assessed property that files an appeal. Commissioner Kent Wilson made a motion to adopt a Resolution authorizing the filing of Cross-Appeals for 2020 Centrally Assessed properties regarding PacifiCorp Inc. The motion was seconded by Commissioner Gil Conover. The motion passed.

(14)
DISCUSS/APPROVE/DENY AMENDED CIB LIST FOR FY 2020.

Green River City requested to add Canal Commons Offsite Infrastructure to the Permanent Community Impact Fund (CIB) Local Capital Improvement List year 2020 for Emery County. Commissioner Kent Wilson made a motion to approve the Amended CIB List for 2020. The motion was seconded by Commissioner Gil Conover. The motion passed.

(15)

DISCUSS/APPROVE/DENY FOUR CORNERS COMMUNITY BEHAVIORAL HEALTH FY21 AREA PLAN.

Karen Dolan and Melissa Huntington presented the Four Corners Community Behavioral Health FY21 Area Plan. Ms. Dolan explained that every year FCCBH must present their plan for services and an outline for ways to service the county's needs. The board of Trustees have vetted the plan and recommend signing. Commissioner Wilson asked if there were any changes from last year's plan? Melissa explained that the changes were with the MCOT teams. They recommend that two people always respond on site. They want to keep law enforcement available for other emergencies. They are actively getting multiple people trained for this. They have received \$500,000.00 to split to 5 rural counties, Carbon, Emery, Grand, San Juan. Commissioner Kent Wilson made a motion to approve Four Corners Community Behavioral Health FY21 Area Plan. The motion was seconded by Commissioner Gil Conover. The motion passed.

(16)

DISCUSS/APPROVE/DENY RESULTS OF THE 2020 TAX SALE.

There were four pieces of property. All sold for more than the taxes owed. The surplus, after taxes and penalties that go to the county, will be forwarded to the original property owners. Commissioner Gil Conover made a motion to accept the results of the 2020 May Tax Sale. the motion was seconded by Commissioner Kent Wilson. The motion passed.

(17)

DISCUSS/APPROVE/DENY TAX ADJUSTMENT ON PARCEL #1-151F-25 AND PARCEL #1-151F-26 TO REMEDY INCORRECT TAXABLE VALUES.

This is property in Green River that county Treasurer Josie Stilson removed from the tax sale. It includes a motel that had all the value on one parcel. Value would be moved from one parcel to the other moving the value to \$2,254.47. Commissioner Kent Wilson made a motion to approve a tax adjustment on parcel #1-161F-25 and parcel #1-151F-26 to remedy incorrect taxable values and to proceed with a tax sale once the adjustment is made. The motion was seconded by Commissioner Gil Conover. The motion passed.

(18)

DISCUSS/APPROVE/DENY PUBLIC LANDS SOLUTIONS CONTRACT.

Adriana Chimaras explained that Public Lands Solutions was previously approved to conduct a

recreation audit for Emery County. The Public Lands Solutions Contract outlines the payment arrangements and timeline for work performed. Commissioner Kent Wilson made a motion to approve a contract with Public Lands Solution as long as it passes the scrutiny of the County Attorney and any changes that may need to be made. The motion was seconded by Commissioner Gil Conover. The motion passed. This project is being done without any funding from Emery County.

(19)

DISCUSS/APPROVE/DENY CONTRACT FOR A SOCIAL MEDIA CONSULTANT, KATIE BOUE.

The Travel Bureau sent out an RFP for a Social Media Consultant. The Travel Council is looking for someone who could present a strategic plan and create a guideline for what an online platform such as Instagram, Pinterest, Tik Tok, etc. should look like as well as educate the public on where they should and should not go and how to behave outside. The successful bidder would have 3 to 6 months to come up with a plan. This project has funding from different sources. The project is \$28,000.00 with \$14,000.00 coming from the State of Utah, \$10,000.00 from the Coal Strike Team and \$4,000.00 from Emery County Travel Bureau using TRT funds. They went through an extensive interview process. Training is an important component of this contract. They must be available to train staff for at least 3 to 6 months to be able to take over after she is done. Commissioner Wilson asked for an explanation of why the Travel Bureau chose this particular vendor for this project. Adriana explained that most of the decision involved numbers meaning the number of followers she was able to generate. Katie Boue has a lot of experience within the national outdoor industry as well as brands like REI. They felt that Katie had a stronger understanding of how to get high numbers fast. Danny Van Wagoner commented that he did a great amount of investigation on social media. He indicated that they were looking for the greatest bang for the buck. They felt that Katie could do that. Commissioner Wilson indicated that he did some investigation on Katie and some of the articles that she has written. He indicated that he has confidence that she can do the work that we desire. Commissioner Kent Wilson made a motion to approve a contract for Social Media Consultant, Katie Boue upon approval of the County approval. Attorney Mike Olsen commented that when EC puts out a RFP and two or more companies answer the RFP and we do not take the lowest bid we need to go on record with the reason for not taking the lowest bid. Danny indicated that what Katie is able to offer to us does not compare to what the other company offered. The next bidder could not compete on a national or international level. The motion was seconded by Commissioner Gil Conover. The motion passed.

(20)

COMMISSION/ELECTED OFFICIALS REPORTS.

Sheriff Greg Funk reported that Emery County Deputies and Search and Rescue individuals volunteered to help out at Salt Lake County on Saturday night. These individuals volunteered off-duty. Citizens of Emery County care about our officers and have shown their support.

Commissioner Conover talked about a letter that the Commissioners received from Mayor Mendenhall thanking Emery County and the Emery County Sheriff's Department for sending

deputies to help the SLC Police department. Commissioner Sitterud read the letter out loud.

(21)

ADJOURN

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

ATTEST: _____ COMMISSIONER: _____