

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

JUNE 25, 2013

Present at the meeting was Commission Chairman Jeff Horrocks, Commissioner JR Nelson, Commissioner Ethan Migliori, Attorney David Blackwell, Deputy Clerk/Auditor Carol Cox, other elected officials and citizens.

CONSENT AGENDA

(1)

APPROVAL OF CHECK EDIT LIST, REQUISITIONS AND DISPOSITIONS.

The Warrant Check Edit List # 225415 through and including # 225545 was presented for approval.

Requisitions were presented for the following:

<u>REQUISITION</u>	<u>DESCRIPTION</u>	<u>AMOUNT</u>
50-13	Ipad 4 Commission	\$ 682.79
51-13	Power drivers, training kit, needles Ambulance	\$7,755.00

One disposition was presented from the EC Aquatic Center for a chaise lounge (broken).

(2)

APPROVAL OF PERSONNEL ITEMS:

a. Notification of hiring of Adam Brinkworth as a 90 day temporary employee in the IT Department.

(3)

APPROVAL OF COMMISSION MEETING MINUTES DATED JUNE 11, 2013.

MINUTES OF THE BOARD OF EMERY COUNTY COMMISSIONERS  
JUNE 25, 2013

Motion to approve the Consent Agenda was made by Commissioner JR Nelson, seconded by Commissioner Ethan Migliori and the motion passed.

DISCUSSION AGENDA

Commissioner Ethan Migliori made a motion to suspend the discussion agenda and move #14 Citizen Concerns to the first of the agenda. The motion was seconded by Commissioner JR Nelson. The motion passed.

(14)

CITIZEN CONCERNS

Dixie Thompson came to thank the Commissioners and the County Road Department for cleaning up the walking trail on Bott Lane. She stated it was nice to cross the bridge without having to dodge tree limbs.

(1)

ITEMS PULLED FROM CONSENT AGENDA

Nothing.

(2)

PRESENTATION OF EMERY COUNTY EMPLOYEE OF THE MONTH.

Commissioner Ethan Migliori presented the Emery County Employee of the month to Kimball Larsen. Kimball has been employed by Emery County since 2006. He has three part time jobs- all for Emery County. He takes care of the lawns at the courthouse, museum and when the county planted the grass at the Aquatic Park he took over the care of that lawn too. He is the facility manager at the Museum of the San Rafael. He sets up tables and takes them down after each event with a smile on his face. He is the janitor, along with his wife, at the Public Safety Complex. At seventy plus years he says he is retired and still finds time to play golf. Kimball was presented with a certificate of appreciation and Emery County Business Chamber Bucks to spend at any business in Emery County.

MINUTES OF THE BOARD OF EMERY COUNTY COMMISSIONERS  
JUNE 25, 2013

(3)

NEAL PEACOCK, MAYOR OF CASTLE DALE CITY, DISCUSSION OF CASTLE DALE CITY'S BUDGET.

Castle Dale City Mayor, Neal Peacock came before the Board of Commissioners to discuss budget constraints for 2014. He explained that sales tax revenue is down by \$60,000.00 as well as telecommunication tax is down by \$8,000.00. In spite of the revenue loss they were able to balance their budget for 2014. However, he continued, the yearly payment to the county for the swimming pool would be a strain on their 2014 budget, possibly leading to laying workers off. When the pool was built Castle Dale City committed to give the County \$10,000.00 each year to offset the cost of maintenance on the pool. He added that the city made the payment this year. Castle Dale City operates on a fiscal year from June 30, 2013 -June 30, 2014 which means they are now operating on the 2014 budget. He indicated that he felt that there were three factors leading to the decline of revenue for Castle Dale City. People have become used to paying high gas prices and now drive to Price and up north to make purchases. The opening of Costco in Spanish Fork has affected local merchants. Internet sales has cut into local sales as well. Mr. Peacock indicated that he doesn't see things improving for a while and can't commit future budgets to the continued \$10,000.00 donation to the County for the pool. Mr. Peacock apologized and stated that he is aware that this decision puts a burden of the County. Castle Dale City will continue to contribute to county through the use of city employees for functions and events held in Castle Dale City. Commissioner Migliori indicated that the Business Chamber has been tracking annual sales tax revenues for a while now and Price City has been experiencing a slow down in revenue also. Mr. Peacock thanked the Commissioners for their time.

(4)

KAREN DOLAN, EXECUTIVE DIRECTOR OF FOUR CORNERS COMMUNITY BEHAVIORAL HEALTH, INC. PRESENTATION OF THE ANNUAL AREA PLAN FOR FY2014. CONSIDERATION AND APPROVAL OF THE ANNUAL AREA PLAN FOR FY2014.

Karen Dolan, Executive Director of Four Corners Community Behavioral Health, Inc. came before the Board of Commissioners to present their Annual Area Plan for FY2014. Ms. Dolan explained that having this plan in place helps obtain block funding needed to operate programs. The plan is standard operating procedures. Commissioner Horrocks raised a question regarding the cost for drug testing and tracking and paying for supplies. Ms. Dolan indicated that there has not been a change in the amount paid for drug testing/tracking. Commissioner JR Nelson made a motion to approve of the Annual Area Plan for FY2014 as presented. The motion was seconded by Commissioner Ethan Migliori. The motion passed.

MINUTES OF THE BOARD OF EMERY COUNTY COMMISSIONERS  
JUNE 25, 2013

(5)

KAREN ROYALL, DISCUSSION OF CONCERNS AT THE AQUATIC CENTER.

Karen Royall came before the Board of Commissioners to address some concerns she has regarding the Aquatic Center. She indicated that several mothers have complained to her about not being able to bring in their own bottled drinks. They have to purchase drinks at the pool which is costly. She was concerned that changes are made in swim times without advertising the changes. She expressed concern that the pool was over staffed with lifeguards. Commissioner Migliori indicated that the concerns would be addressed with the Aquatic Center's management and that when she has concerns that she should get support from the community in writing and the concerns will be addressed. The Commissioners will make an informed decision based on community involvement and concerns. Commissioner Nelson indicated that there has never been an issue regarding the pool that has not been taken to the pool administration.

(6)

OPEN SEALED BIDS FOR JANITORIAL AND YARD CARE SERVICE AT THE GREEN RIVER SHERIFF'S OFFICE AND AMBULANCE GARAGE. CONSIDERATION AND APPROVAL OF BID AWARD AND ASSOCIATED PAPERWORK.

There were no sealed bids submitted for janitorial and yard care services at the Green River Sheriff's Office and Ambulance Garage. The Commissioners expressed their desire to have this service remain a contracted service. This item will be moved to another meeting.

(7)

CONSIDERATION AND APPROVAL OF AMENDED BYLAWS OF THE EMERY COUNTY SPECIAL SERVICE DISTRICT #1.

Commissioner Ethan Migliori made a motion to approve the amended bylaws of the Emery County Special Service District #1. The motion was seconded by Commissioner JR Nelson. The motion passed.

MINUTES OF THE BOARD OF EMERY COUNTY COMMISSIONERS  
JUNE 25, 2013

(8)

CONSIDERATION AND APPROVAL OF CERTIFIED TAX RATES FOR EMERY COUNTY  
AND CASTLE VALLEY SPECIAL SERVICE DISTRICT.

Clerk/Auditor Brenda Tuttle presented the Certified Tax Rates for Emery County for approval.

<u>Purpose of Tax Rate</u>	<u>Proposed Tax Rate</u>	<u>Budgeted Revenue</u>
General Operations	0.003496	\$6,893,800.00
Interest/sinking fund/bond	0.000127	250,000.00
Library	0.000404	796,652.00
Recreation	0.000063	124,230.00
Judgement	0.000162	319,310.00
State Assessing/Collecting	0.000158	311,562.00
Local Assessing/Collecting	0.000300	591,573.00
Total Tax Rate	0.004710	\$9,287,127.00

Commissioner JR Nelson made a motion to approve the Certified Tax Rates for Emery County as presented. The motion was seconded by Commissioner Ethan Migliori. The motion passed.

Jacob Sharp, Castle Valley Special Service District presented the Certified Tax Rates for Castle Valley Special Service District for approval.

<u>Purpose of Tax Rate</u>	<u>Proposed Tax Rate</u>	<u>Budgeted Revenue</u>
General Operations	0.000998	\$1,509,162.00
Interest/sinking fund/bond	0.001186	1,793,375.00
Judgement	0.000087	131,442.00
Total Tax Rate	0.002271	\$3,433,979.00

Commissioner JR Nelson made a motion to approve the Certified Tax Rates for Castle Valley Special Service District as presented. The motion was seconded by Commissioner Ethan

MINUTES OF THE BOARD OF EMERY COUNTY COMMISSIONERS  
JUNE 25, 2013

Migliori. The motion passed.

(9)

CONSIDERATION AND APPROVAL OF RETIREMENT CONTRIBUTION RATES FOR JULY 2013-JUNE 2014.

Clerk/Auditor Brenda Tuttle presented the Retirement Contribution Rates for July 2013- June 2014 for approval.

	<u>Current Rate</u>	<u>New Rate</u>	<u>Increase/ (Decrease)</u>
Tier I Contributory	18.03%	19.28%	1.25%
Tier I Non Contributory	18.03%	19.28%	1.25%
Tier I Public Safety	30.45%	32.14%	1.69%
Tier 2 DB Hybrid Local	16.92%	15.58%	(1.34%)
Tier 2 DB Hybrid Public Saf	17.36%	21.94%	4.58%
Tier 2 DC Only Local	14.33%	15.58%	1.25%
Tier 2 DC Only Public Saf	17.36%	21.94%	4.58%

Commissioner Ethan Migliori made a motion to approve the Retirement Contribution Rates for July 2013- June 2014 as presented. The motion was seconded by Commissioner JR Nelson. The motion passed.

(10)

CONSIDERATION AND APPROVAL OF CARPET CLEANING CONTRACT.

There were no bids received. However, the Commission received a proposal from a local carpet cleaner Kirk Perkins dba: Fresh n Clean. Mr. Perkins indicated that his commercial cleaning rate is 20 cents per square foot. Attorney David Blackwell indicated that he has a business license and his insurance checks out. Commissioner JR Nelson made a motion to contract with Fresh n Clean for a two year contract to clean the courthouse carpet as needed. The motion was seconded by Commissioner Ethan Migliori. The motion passed. Mr. Blackwell will prepare a letter of confirmation to sent to Mr. Perkins.

MINUTES OF THE BOARD OF EMERY COUNTY COMMISSIONERS  
JUNE 25, 2013

(11)

APPROVAL OF LETTER OF SUPPORT OF THE HUNTINGTON CREEK DEBRIS BASIN PROJECT.

BLM has requested a letter of support for the Huntington Creek Debris Basin Project. Commissioner Horrocks indicated that Emery County is in full support of the project. Captain Ekker, Emergency Management supervisor for Emery County reviewed the project and indicated that they are continuing to work hard to procure additional funding for the project. Commissioner Horrocks asked that Captain Ekker keep Brenda Tuttle in the loop as much of the funding requires up front funding that is reimbursed to the county. Commissioner JR Nelson made a motion to approve a letter fo support for the Huntington Creek Debris Basin Project to be submitted to the BLM. The motion was seconded by Commissioner Ethan Migliori. The motion passed.

(12)

CONSIDERATION AND APPROVAL OF GRANT AGREEMENT BETWEEN THE STATE OF UTAH, DEPARTMENT OF NATURAL RESOURCES, DIVISION OF WILDLIFE RESOURCES AND EMERY COUNTY FOR THE HUNTINGTON CREEK RECOVERY PROJECT (#2792)

Justin Hart, Aquatic Program Manager for Division of Natural Resources explained that the money that the state legislature gave to Emery County in response to the Seely Fire will be placed in the Watershed Restoration Initiative database and program. The WRI holds a lot of different funding sources. This is a way that the funds can be transferred from the legislature to Emery County. There is some simplified project components that need to be entered. As of this time this is just a shell document. There's still some information that DNR needs to complete this project proposal which is what is referenced to in the grant agreement. This money is going to be used for the construction of the debris basins. The grant agreement leaves some leeway that can be used for engineering and or on the ground construction. So this document is a simple legal document that will help facilitate the transfer of the funds. The dollar value on the grant is \$650,000.00. They have gone through the same process with Huntington City for \$150,000.00. Commissioner Ethan Migliori made a motion to approve the grant agreement between the State of Utah, Department of Natural Resources , Division of Wildlife Resources and Emery County for the Huntington Creek Recovery Project. (#2792). The motion was seconded by Commissioner JR Nelson. The motion passed.

MINUTES OF THE BOARD OF EMERY COUNTY COMMISSIONERS  
JUNE 25, 2013

(13)

SETTING OF PUBLIC HEARING TO RECEIVE PUBLIC COMMENTS ON HUNTINGTON CREEK DEBRIS BASIN PROJECT.

Commissioner JR Nelson made a motion to set a public hearing to receive comments on the Huntington Creek Debris Basin Project for July 9, 2013 at 10:00 am. The motion was seconded by Commissioner Ethan Migliori. The motion passed.

(14)

CITIZEN CONCERNS.

Moved to the beginning of the meeting.

(15)

COMMISSION/ELECTED OFFICIAL REPORTS.

*Commissioner Nelson*

Commissioner Nelson reported on attending a meeting in Price with DOGM. They discussed Sage Grouse and mine closures on the San Rafael/BLM. He reported that unemployment in Emery County is at 7% and the county is down by 1,000 people. At UAC they discussed FCC changes and that the government supports with funds to help offset any changes that they require. They talked about Medicaid's expansion of services to include mental health issues. They also talked about vote by mail and how the current voting machines are outdated and the fact that no one is making new ones.

*Commissioner Migliori*

Commissioner Migliori reported that the Miss Emery Scholarship Pageant is 7 pm Saturday, June 29, 2013 at the high school. He asked everyone to support the young women who compete in this event. He reported on his recent trip to Washington, D.C. with Mike McCandless where they met with several legislators regarding the County's Land Bill and Congressman Rob Bishop's land bill. They also visited legislators regarding Federal Lease payments that affect the special service districts in Emery County. The Museum of the San Rafael will be celebrating its 20<sup>th</sup> year this year. They have been successful in finding the Bailey Basket and are working on the paperwork with the state to get that artifact on loan for the celebration.

MINUTES OF THE BOARD OF EMERY COUNTY COMMISSIONERS  
JUNE 25, 2013

*Commissioner Horrocks*

Commissioner Horrocks reported on a meeting with all the players on the Huntington Creek Debris Basin Project. They talked about upper basin work to mitigate any further damage to the creek. The Forest Service hopes to begin that work soon.

(16)

ADJOURNMENT

The Meeting was adjourned.

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