

WASHINGTON COUNTY COMMISSION
MEETING MINUTES
JUNE 18, 2013

The Regular Meeting of the Board of the Washington County Commission was called to order by Chairman James J. Eardley at 4:00 p.m. on June 18, 2013, in the Commission Chambers, Washington County Administration Building, St. George, Utah. Those in attendance were Chairman James J. Eardley, Commissioner Alan D. Gardner, Commissioner Dennis Drake, Administrator Dean Cox, Deputy County Attorney Eric Clarke, and Deputy County Clerk Christine S. Hall.

Commissioner Gardner led the Pledge of Allegiance.

AGENDA

CONSENT AGENDA:

The Consent Agenda is a means of expediting routine matters which come before the Commission for approval. The Consent Portion of the agenda is approved by one (1) non-debatable motion. If any Commissioner wishes to remove an item from the Consent Portion of the agenda, then that item becomes the first order of business on the Regular Agenda.

- Consideration of Auditor-Approved Claims for Payment for June 5, 2013, through June 18, 2013
- Consideration of Regular Commission Meeting Minutes of May 21, 2013
- Consideration of Administrative Adjustments: Real Property (attached)
- Consideration of Administrative Adjustments: Personal Property (attached)
- Consideration of Applications for Settlement or Deferral of Property Taxes (3)
Gary & Katherine Mayette, S/N SG-FORR-102; MCG Southern, LLC, S/N W-PTAX-23; Jeffrey Owen Collett, S/N H-3-1-26-211 and H-FAL-1-A
- Consideration of Applications for Property Tax Abatement (2)
Karen Garcia, S/N W-HOW-1-6; Natalie Therriault, S/N H58-8-7

MOTION: Motion by Commissioner Gardner to Approve the Consent Agenda, as presented. Motion seconded by Commissioner Drake and carried by unanimous vote, with Commissioners Eardley, Gardner, and Drake voting aye.

REGULAR AGENDA ITEMS FOR CONSIDERATION:

**EMERGENCY SERVICES REPORT: SHERIFF CORY PULSIPHER /
PRESENTATION OF UTAH SHERIFF'S ASSOCIATION SCHOLARSHIP
RECIPIENTS: BRENDA EHLERT, BRINKLI STALEY, REBECCA WELSH**

Washington County Sheriff Cory Pulsipher reported that the Utah Sheriff's Association does fund-raising every year through the honorary membership, and part of that funding goes towards scholarships. This year, Washington County received three (3) scholarships in the amount of one thousand dollars (\$1,000) each. Deputy Brenda Ehlert received a scholarship, along with her daughter, Brinkli Staley, and Rebecca Welch, an Explorer.

As to the Search and Rescue activity since his last report, the Sheriff said there have been eight (8) incidents from May 21st through June 17th, including missing swimmers at San Hollow Reservoir, stranded hikers at Red Mountain, a drowning at Minersville Reservoir, stranded individuals at West Mountain, lost hikers at Pine Valley Mountain, a lost elderly male in St. George, another drowning at Otter Creek in Paiute County, and missing hikers on Kolob Mountain.

PURCHASE REQUESTS: TREVOR COOMBS

- Council on Aging, St. George, Awning \$22,647.00
- St. George Library, microfilm scanner \$12,642.00
- Building Maintenance, Sewage grinder at Purgatory \$14,284.00

All purchases are budgeted, bonded, or paid for through grant funds.

MOTION: Motion by Commissioner Drake to Approve the Purchase Requests. Motion seconded by Commissioner Gardner and carried by unanimous vote, with Commissioners Eardley, Gardner, and Drake voting aye.

CONSIDERATION OF APPROVAL OF 2013 CERTIFIED PROPERTY TAX RATES / KIM M. HAFEN

Washington County Clerk-Auditor Kim M. Hafen said that the certified property tax rate is the same as it has been in recent years. The revenue will be a bit higher for 2013 than for 2012 due to the refinancing of some bonds. The property valuations are up across the County, and the tax rate has fallen slightly.

MOTION: Motion by Commissioner Gardner to Approve the 2013 Certified Property Tax Rates as presented. Motion seconded by Commissioner Drake and carried by unanimous vote, with Commissioners Eardley, Gardner, and Drake voting aye.

PRESENTATION: REPORT ON 2013 WASHINGTON COUNTY PROPERTY TAX SALE / KIM M. HAFEN

Mr. Hafen presented the list of the results of the 2013 property tax sale (attached). Of the original seven hundred and six (706) parcels, thirty-four (34) ended up in jeopardy of being sold, of which five (5) returned to County ownership and the rest were sold. No personal homes were in jeopardy of being sold. Mr. Hafen was commended for his diligence in working with homeowners to ensure their property would not be sold.

MOTION: Motion by Commissioner Drake to Ratify the Washington County Property Tax Sale for 2013, as presented. Motion seconded by Commissioner Gardner and carried by unanimous vote, with Commissioners Eardley, Gardner, and Drake voting aye.

ACKNOWLEDGMENT OF RECEIPT OF 2012 DIVIDEND CHECK REPRESENTING 5% OF WORKERS COMPENSATION PREMIUM (\$7,795.09) FROM WORKERS COMPENSATION FUND

Chairman Eardley acknowledged receipt of a dividend check from the Workers Compensation Fund in the sum of seven thousand seven hundred and ninety-five dollars and nine cents (\$7,795.09). The County Safety Committee meets regularly to discuss accidents and recommend policy changes so that employees are more alert to workplace hazards.

CONSIDERATION OF ORDINANCE NO. 2013-1030-O, AN ORDINANCE AMENDING THE COUNTY PROPERTY TAX EXEMPTIONS ORDINANCE, TITLE 8, CHAPTER 2, OF THE WASHINGTON COUNTY CODE

MOTION: Motion by Commissioner Drake to Table Ordinance No. 2013-1030-O, An Ordinance Amending The County Property Tax Exemptions Ordinance, Title 8, Chapter 2, Of The Washington County Code. Motion seconded by Commissioner Gardner and carried by unanimous vote, with Commissioners Eardley, Gardner, and Drake voting aye.

CONSIDERATION OF RESOLUTION NO. R-2013-1735, A RESOLUTION TO APPROVE AN AGREEMENT BETWEEN THE STATE OF UTAH DEPARTMENT OF NATURAL RESOURCES, ENDANGERED SPECIES MITIGATION FUND RECOVERY PROGRAMS OFFICE AND WASHINGTON COUNTY FOR \$100,000 IN FUNDING FOR THE WASHINGTON COUNTY HCP DESERT TORTOISE HABITAT ACQUISITION PROPOSAL

Washington County Habitat Conservation Plan (HCP) Manager Robert Sandberg explained that the HCP made application to the U. S. Fish & Wildlife Service for a grant to assist in acquiring private property that are still in-holdings within the Tortoise Reserve. As part of the agreement, the HCP had to match those funds, so it simultaneously applied

to the State of Utah Endangered Species Management Fund to assist with that match. The State has approved that request and will provide one hundred thousand dollars (\$100,000) to the County to match the grant from the Fish & Wildlife Service if and when that is approved.

MOTION: Motion by Commissioner Drake to Adopt Resolution No. R-2013-1735, A Resolution To Approve An Agreement Between The State Of Utah Department Of Natural Resources, Endangered Species Mitigation Fund Recovery Programs Office And Washington County For \$100,000 In Funding For The Washington County HCP Desert Tortoise Habitat Acquisition Proposal. Motion seconded by Commissioner Gardner and carried by unanimous vote, with Commissioners Eardley, Gardner, and Drake voting aye.

CONSIDERATION OF RESOLUTION NO. R-2013-1737, A RESOLUTION APPROVING AN AGREEMENT BETWEEN WELLS FARGO SILVER REEF MONUMENT, INC., AND WASHINGTON COUNTY REGARDING THE TRANSFER OF HISTORICAL ARTIFACT OWNERSHIP

Deputy County Attorney Eric Clarke said that originally he had anticipated doing a resolution approving this agreement but decided that the transaction could be handled simply as a bill of sale. He asked that the agreement be adopted as a bill of sale rather than a resolution.

County Administrator Dean Cox said that Washington County became the owner of the Wells Fargo Silver Reef Museum and the adjacent property in 1985, and entered into a lease agreement with Wells Fargo Silver Reef Monument, Inc., to operate the museum. Since that time, items were donated and grants were requested, and the collection of the museum grew considerably. The bill of sale will clarify that the County owns the collection.

MOTION: Motion by Commissioner Gardner to Approve a Bill of Sale in the Amount of Nine Thousand Dollars (\$9,000) Between Wells Fargo Silver Reef Monument, Inc., And Washington County Regarding the Transfer Of Historical Artifact Ownership. Motion seconded by Commissioner Drake and carried by unanimous vote, with Commissioners Eardley, Gardner, and Drake voting aye.

CONSIDERATION OF RESOLUTION NO. R-2013-1736, A RESOLUTION APPROVING THE EXECUTION OF A LEASE AGREEMENT BETWEEN WASHINGTON COUNTY AND THE SILVER REEF FOUNDATION, INC., REGARDING THE WELLS FARGO SILVER REEF PROPERTY

Mr. Clarke said that a new group has come forward to take over the operation of the museum, and this resolution approves a lease agreement with that new group. He requested that the Commission adopt Resolution No. R-2013-1736 contingent upon the completion of paperwork and financial transactions related to the agreement.

MOTION: Motion by Commissioner Gardner to Adopt Resolution No. R-2013-1736, A Resolution Approving The Execution Of A Lease Agreement Between Washington County And The Silver Reef Foundation, Inc., Regarding The Wells Fargo Silver Reef Property, Contingent Upon the Satisfactory Completion of the Financial Transactions Referred to Above. Motion seconded by Commissioner Drake and carried by unanimous vote, with Commissioners Eardley, Gardner, and Drake voting aye.

COMMISSIONERS' REPORT

PUBLIC WORKS OR ROAD BUSINESS

Washington County Public Works Director Ron Whitehead reported on several items:

- Word has been received from the Color Country Fire Agency that it will be implementing fire restrictions beginning June 19, 2013. Mr. Whitehead read the list of restrictions, which has been posted throughout the County, including on the County website.
- The Road Department will be chip sealing approximately six (6) miles of Old Highway 91 on June 25-26. He advised the public that there will be travel delays in that area.
- Some of the portable message board signs that are posted on various roadways between Central and Pine Valley, giving directions and important warnings to the public have been recently vandalized. Tires, rims, and hubs have been completely removed from those trailers, in some cases, which is totally unacceptable. Replacement of those items needlessly uses taxpayer dollars, and he asked that the public come forward with any knowledge of those acts.

Mr. Whitehead asked the Commission to ratify the agreement between Washington County and C. E. Brooks & Associates, a firm that has been retained to assist in the County's appeal of a recent BLM denial of its request for a right-of-way for the Washington Parkway.

MOTION: Motion by Commissioner Gardner to Approve the Agreement between Washington County and C. E. Brooks & Associates for Representation in the Appeal of the BLM Denial of a County Right-of-Way Request for the Washington Parkway. Motion seconded by

Commissioner Drake and carried by unanimous vote, with Commissioners Eardley, Gardner, and Drake voting aye.

Mr. Whitehead also asked for Commission approval of purchase requests for two (2) 2013 F-150 Ford 4x4 trucks for the Building Department and a John Deere Loader for the Road Department. The John Deere Loader will be used for one (1) year and then sold back to Honnen Equipment for approximately what the County paid for it. This money has been budgeted in the Public Works Department.

MOTION: Motion by Commissioner Drake to Approve the Purchase of Two (2) Ford 2013 F-150 Trucks in the amount of Fifty-One Thousand and Eighty Dollars (\$51,080.00) and One (1) John Deere Loader for the Road Department in the amount of One Hundred and Forty-Two Thousand, One Hundred and One Dollars (\$142,101.00). Motion seconded by Commissioner Gardner and carried by unanimous vote, with Commissioners Eardley, Gardner, and Drake voting aye.

COUNTY DEVELOPMENT AND PLANNING BUSINESS/

Review of Actions Taken by the Planning Commission on June 11, 2013:

Conditional Use Permit Extension: Request permission for a Special Event for the 25 Hours in Frog Hollow Bike Race; Gro Promotions, Cimarron Chacon, applicants.

Conditional Use Permit: Request for a construction staging area in Central in association with the Questar Compressor Station project near Dammeron Valley, located at approximately 100 East Center Street in Central; Zone is A-20. Questar Gas Company and Robert Gray, owner.

Public Hearing and Amended Plat Approval: Request to amend Pine Valley Meadow View Subdivision, an 8-lot subdivision on 3.247 acres; Tim and Joyce Cory, applicants.

Request A Closed Session

None.

There being nothing further to come before the Commission, the meeting was adjourned at 4:41 p.m.

CHRISTINE S. HALL
DEPUTY CLERK

JAMES J. EARDLEY
CHAIRMAN