

MINUTES OF THE PUBLIC MEETING OF THE UTAH COUNTY COMMISSION SEPTEMBER 16, 2013 IN THE COMMISSION CHAMBERS OF THE COUNTY BUILDING AT 147 EAST MAIN, VERNAL, UTAH. MEETING COMMENCED AT 11:02 AM.

PARTICIPANTS: COMMISSION CHAIR MARK RAYMOND AND COMMISSIONERS DARLENE BURNS AND MICHAEL MCKEE.

ATTENDANCE: JC BREWER, MICHAEL WILKINS, ERIC JOHNSON, GEOFF LIESIK, ROBERT BARNHILL, ERIC KLEMENT, DIANE COLTHARP, CHERI MCCURDY, KELLY HARVEY, KELLY HAYS, BRYAN MEIER, ED ZURBUCHEN, JON STEARMER, WENDI LONG, HEATHER HOYT, CRAIG KOFFORD, LOREN ANDERSON, MARY BERNARD, PAUL HACKING, JEFF MERRELL, CHERYL STOCKS, JEREMY RAYMOND, AND TAMMIE LUCERO.

MINUTES RECORDED BY TAI BRUCKNER, DEPUTY CLERK-AUDITOR.

PRAYER: DIANE COLTHARP

PLEDGE: TAMMIE LUCERO

MINUTES OF THE REGULAR COMMISSION MEETING SEPTEMBER 9, 2013 WERE APPROVED AS PRESENTED.

APPROVAL OF WARRANTS: DATED SEPTEMBER 12, 2013 IN THE AMOUNT OF \$1,295,718.26 WERE APPROVED AS PRESENTED.

TAX MATTERS: MICHAEL WILKINS

VERIZON WIRELESS IS REQUESTING A REFUND OF TAXES IN THE AMOUNT OF \$13.37 FOR 2006 TAXES ON SERIAL NUMBER 50:010:1869 AS PER STATE APPEAL #06-0761, 06-0729.

COMMISSIONER BURNS MOVED TO APPROVE THE TAX REFUND AS PRESENTED. COMMISSIONER MCKEE SECONDED. MOTION PASSED UNANIMOUSLY.

BUSINESS LICENSES: ROBERT BARNHILL

DMC CONSTRUCTION OWNED BY DUSTIN MCCORMICK LOCATED AT 2576 WEST 2700 NORTH, VERNAL IN A-1 ZONING. THIS IS AN EXCAVATION BUSINESS WITH A HOME OFFICE. HE WILL BE RENTING THE LARGE EQUIPMENT SO IT WILL NOT BE AT THE HOME. A CUP WOULD BE NEEDED FOR COMMERCIAL EQUIPMENT. APPROVAL RECOMMENDED WITH THE CONDITIONS TO FOLLOW ALL A-1 ZONING AND HOME BUSINESS REGULATIONS.

WEBER CONSTRUCTION AND PROPERTIES, INC OWNED BY WENDY AND WESLEY WEBER AND BARRY PILTCHER, LOCATED AT 3191 SOUTH 500 WEST, VERNAL IN A-1 ZONING. THIS IS FOR HOME CONSTRUCTION AND REMODELING. THE LICENSE IS FOR A HOME OFFICE. ALL LARGE EQUIPMENT WILL BE RENTED AND NOT AT THE HOME. APPROVAL RECOMMENDED WITH THE CONDITIONS TO FOLLOW ALL A-1 ZONING AND HOME BUSINESS REGULATIONS.

COMMISSIONER MCKEE MOVED TO APPROVE THE BUSINESS LICENSES AS PRESENTED WITH THEIR RECOMMENDED CONDITIONS. COMMISSIONER BURNS SECONDED. MOTION PASSED UNANIMOUSLY.

CEMETERY CERTIFICATES: NONE

BID OPENING AND POSSIBLE AWARD: TILT DECK TRAILER

WHEELER MACHINERY OF SALT LAKE CITY SUBMITTED A BID IN THE AMOUNT OF \$22,758.00. HONNEN EQUIPMENT OF SALT LAKE CITY SUBMITTED A BID IN THE AMOUNT OF \$19,206.00. IT IS RECOMMENDED TO REVIEW THE TWO BIDS AND AWARD AT A LATER DATE.

COMMISSIONER BURNS MOVED TO REVIEW THE BIDS TO ENSURE THEY MEET THE SPECIFICATIONS AND AWARD AT THE NEXT COMMISSION MEETING TO BE HELD SEPTEMBER 30TH. COMMISSIONER MCKEE SECONDED. MOTION PASSED UNANIMOUSLY.

BID AWARD: SALT SHED STRUCTURE

AFTER REVIEW IT IS RECOMMENDED TO REJECT ALL BIDS, CHANGE THE SCOPE, AND REBID. IT IS BEING REJECTED BECAUSE THEY DETERMINED IT BEST TO CHANGE THE SCOPE OF THE PROJECT.

COMMISSIONER BURNS MOVED TO REJECT ALL BIDS AND REBID. COMMISSIONER MCKEE SECONDED. MOTION PASSED UNANIMOUSLY.

BID AWARD: AIRPORT SRE BUILDING

KELLY HARVEY PRESENTED THE BID FOR AWARDED. THE ENGINEERS AND FAA HAVE REVIEWED THE BID DOCUMENTS. IT IS RECOMMENDED TO AWARD THE BID TO RIDGELINE DEVELOPMENT FOR \$617,182.00.

COMMISSIONER MCKEE ALSO NOTED RIDGELINE WAS NOT THE LOW BID BUT THE LOW BID DID NOT MEET SEVERAL REQUIREMENTS. IN ORDER FOR FEDERAL REIMBURSEMENT THE BIDS MUST MEET ALL SPECS. THE COUNTY SHOULD RECEIVE A 95% REIMBURSEMENT WITHIN FIVE TO TEN YEARS.

COMMISSIONER MCKEE MOVED TO AWARD THE SRE BUILDING BID TO RIDGELINE DEVELOPMENT. COMMISSIONER BURNS SECONDED. MOTION PASSED UNANIMOUSLY.

CONSIDERATION OF AMENDMENT TO ORDINANCE #04-23-2012 01: FRANCHISE AGREEMENT WITH MOON LAKE ELECTRIC ASSOCIATION, INC.

JON STEARMER PRESENTED THE AMENDMENT FOR CONSIDERATION. MOON LAKE HAS ASKED SECTION 7 TO BE AMENDED CONCERNING THE INFORMATION EXCHANGE CLAUSE. THE CURRENT AGREEMENT STATES 30 DAYS OF NOTICE FOR A REVIEW PERIOD. THEY WOULD LIKE THAT CHANGED TO TEN BUSINESS DAYS FROM THE DATE WRITTEN NOTICE IS RECEIVED.

COMMISSIONER MCKEE MOVED TO APPROVE THE AMENDMENT. COMMISSIONER BURNS SECONDED. MOTION PASSED UNANIMOUSLY.

CONSIDERATION OF APPROVAL OF AMENDMENT NO. 9 FOR CONTRACT WITH GDA ENGINEERING AND THE AIRPORT

KELLY HARVEY LED THE DISCUSSION. THIS IS AN ADDENDUM TO THE FIVE YEAR CONTRACT WITH GDA ENGINEERING. THIS ADDENDUM WILL COVER THE WORK DONE FOR THE SRE BUILDING REQUIRED ENGINEERING. THIS AMENDMENT OF APPROXIMATELY \$49,900.00 IS ALSO ELIGIBLE FOR REIMBURSEMENT.

COMMISSIONER MCKEE MOVED TO APPROVE. COMMISSIONER BURNS SECONDED. MOTION PASSED UNANIMOUSLY.

CONSIDERATION OF AMENDMENT TO ROAD MAINTENANCE AGREEMENT WITH RED LEAF RESOURCES

THE ROAD MAINTENANCE AGREEMENT WITH RED LEAF WAS SIGNED IN 2007. THEY WOULD LIKE TO MAKE IMPROVEMENTS WITHIN THE 66 FOOT RIGHT OF WAY ON THE RESERVOIR CANYON ROAD FOR 2.1 MILES ON SCHOOL TRUST LANDS. THE AGREEMENT REQUIRES A CULTURAL RESOURCES CLEARANCE.

COMMISSIONER MCKEE MOVED TO APPROVE THE ROAD MAINTENANCE AGREEMENT AMENDMENT AS CORRECTED. COMMISSIONER BURNS SECONDED. MOTION PASSED UNANIMOUSLY.

UINTAH TRANSPORTATION SPECIAL SERVICE DISTRICT: UINTAH COUNTY PAINTING PROJECT PRESENTATION

CHERI MCCURDY PRESENTED THE PAINTING PROJECT. CALDWELL, RICHARDS, AND SORENSON OF SALT LAKE HAS MANAGED THE CONSTRUCTION. CRAIG KOFFORD IS THE PROJECT MANAGER. THEY HAVE SEPARATED THE PAINTING PROJECT FROM THE CHIP SEAL PROJECT, WHICH WAS POSTPONED. THE PAINTING IS VERY IMPORTANT AND DONE EVERY YEAR. CRS HAS BEEN INSTRUMENTAL AND HAS HAD SOME WONDERFUL, INNOVATIVE IDEAS.

CRAIG ADDRESSED THE MEETING WITH ADDITIONAL DETAILS. THEY USED 17,900 GALLONS OF PAINT ON 673 MESSAGES AROUND SCHOOLS, CROSSWALKS, THE ROUND ABOUT ETC, AND 226 MILES OF ROAD STRIPING. IT WENT VERY WELL THIS YEAR. THE CONTRACTOR WORKED TWO TO FIVE DAYS A WEEK AND THE INSPECTOR COLLECTED TICKETS AND REVIEWED THE WORK EACH WEEK, UTILIZING A ROLLING PUNCH LIST EACH WEEK. THE CONTRACTOR WAS REQUIRED TO SWEEP EVERY ROAD PAINTED ALLOWING FOR A MORE SUPERIOR PRODUCT. THE CONTRACTOR ALSO ENJOYED DOING THE PROJECT AS THEY DIDN'T HAVE TO FOLLOW BEHIND CHIP SEAL WORK. IT WAS A SUCCESSFUL PROJECT COSTING \$503,920.90.

COMMISSIONER BURNS MOVED TO ACCEPT THE PAINTING PROJECT BACK FROM THE UINTAH TRANSPORTATION SSD AS PRESENTED. COMMISSIONER MCKEE SECONDED. MOTION PASSED UNANIMOUSLY.

AT YOUR LEISURE CONTRACT

TAMMIE LUCERO PRESENTED THE CONTRACT FOR CONSIDERATION. LAST YEAR THE TOTAL FOR AT YOUR LEISURE WAS \$90,000.00 AND \$39,000.00 FOR COUNTY SEAT FOR A TOTAL OF \$129,000.00. THIS YEAR, ECONOMIC DEVELOPMENT WANTED TO DO SOMETHING DIFFERENT. AFTER NEGOTIATING WITH AT YOUR LEISURE A NEW CONTRACT WAS AGREED UPON. THEY ARE WILLING TO DO BOTH FOR \$80,000.00. THE CONTRACT WILL GO FROM SEPTEMBER 1, 2013 TO DECEMBER 31, 2014.

COMMISSIONER MCKEE MOVED TO APPROVE THE AT YOUR LEISURE CONTRACT AS PRESENTED. COMMISSIONER BURNS SECONDED. MOTION PASSED UNANIMOUSLY.

ED ZURBUCHEN ASKED HOW THE COUNTY WAS ABLE TO OBTAIN SUCH A DISCOUNT. COMMISSIONER MCKEE REPLIED TAMMIE DID A GREAT JOB NEGOTIATING AND IT IS A PROGRAM THAT WORKS WELL FOR THE COUNTY. THE COUNTY WILL HAVE THE SAME NUMBER OF SPOTS, TIME, MARKETING, ETC.

AUTHORIZATION TO SIGN UTAH STATE PARKS NON MOTORIZED TRAIL GRANT AGREEMENT FOR KIWANIS PARK TRAILS

HEATHER HOYT LED THE DISCUSSION. KIWANIS PARK WAS GIVEN TO THE COUNTY A FEW YEARS AGO. THIS YEAR, THE COUNTY RECEIVED A MATCHING GRANT FROM THE STATE PARKS AND RECREATION DEPARTMENT. THIS GRANT IS FOR NON MOTORIZED TRAILS. IT IS \$50,000.00 IN GRANT WITH A MATCH OF \$50,000.00. THEY WILL PUT IN ABOUT A MILE OF TRAILS AS WELL AS RESTROOMS AND A PICNIC AREA. EVENTUALLY THERE WILL BE INTERPRETIVE SIGNS AND A KIOSK. IT WILL BE A GREAT AREA FOR FAMILIES. WORK WILL BEGIN IMMEDIATELY AND THEY PLAN TO BE DONE DECEMBER OF 2015. CHERYL STOCKS ASKED WHERE THE PARK IS LOCATED. IT IS AT APPROXIMATELY 1500 NORTH 1700 WEST. IT PARALLELS THE SOUTH SIDE OF ASHLEY CREEK.

COMMISSIONER BURNS MOVED TO APPROVE THE GRANT AGREEMENT AS PRESENTED AND AUTHORIZE SIGNATURES. COMMISSIONER MCKEE SECONDED. MOTION PASSED UNANIMOUSLY.

COMMISSIONER MCKEE MENTIONED OUR BLESS OUR COUNTY IS. WE HAVE WONDERFUL FEATURES. HE USED MCCOY FLATS AS AN EXAMPLE. IT IS REGARDED AS A PREMIER BIKING AREA IN THE STATE.

RECESS FOR MUNICIPAL BUILDING AUTHORITY

COMMISSIONER MCKEE MADE THE MOTION TO RECESS FOR THE MUNICIPAL BUILDING AUTHORITY AND THEN TO RECONVENE BACK IN TO COMMISSION MEETING WHEN MBA BUSINESS IS COMPLETED. COMMISSIONER BURNS SECONDED. MOTION PASSED UNANIMOUSLY.

PUBLIC HEARING TO RECEIVE INPUT FROM THE PUBLIC WITH RESPECT TO THE ISSUANCE OF LEASE REVENUE BONDS, IN ONE OR MORE SERIES (THE "BONDS") AND THE ECONOMIC IMPACT THAT THE ISSUANCE OF THE BONDS WILL HAVE ON THE PRIVATE SECTOR. THE BONDS TO BE ISSUED IN THE AGGREGATE PRINCIPAL AMOUNT OF NOT TO EXCEED \$6,000,000.00 ISSUED FOR THE PURPOSE OF (I) FINANCING, IN PART, THE REMODELING AND EXPANSION OF THE WESTERN PARK FACILITY, AND RELATED IMPROVEMENTS FOR USE BY UINTAH COUNTY; AND (II) PAYING ISSUANCE EXPENSES TO BE INCURRED IN CONNECTION WITH THE ISSUANCE AND SALE OF THE BONDS.

COMMISSIONER BURNS WELCOMED ERIC JOHNSON. THE COUNTY OBTAINED COMMUNITY IMPACT BOARD (CIB) FUNDING IN THE AMOUNT OF \$4,500,000.00 FOR A CONFERENCE CENTER NEAR THE WESTERN PARK. THE ORIGINAL DOCUMENTS SAID IT WAS AN EXPANSION AND REMODEL OF THE WESTERN PARK. THIS ERROR HAS BEEN CORRECTED. THEY NOW READ "THE CONSTRUCTION OF A CONFERENCE CENTER ADJACENT TO AND COMPLIMENTARY WITH THE WESTERN PARK FACILITY, AND RELATED IMPROVEMENTS". IN 2005, THE COUNTY RECEIVED FUNDING FOR HORSE STALLS AND OTHER IMPROVEMENTS AT THE WESTERN PARK, INCLUDING THE PARKING LOT ACROSS THE STREET, NORTH OF WESTERN PARK. THE NEW CONFERENCE CENTER WILL IMPACT SAID PARKING. THEREFORE, THE SECURITY OF THE LOAN FOR THE CONFERENCE CENTER WILL BE ADDED TO THE SECURITY USED FOR THE 2005 LOAN. THEREFORE, THE SECURITY WILL BE THE SAME FOR BOTH LOANS, CALLED CROSS COLLATERAL.

ERIC RESPONDED TO QUESTIONS FROM ED ZURBUCHEN. THE FINANCING FOR THE HORSE STALLS, ABOUT \$90,000.00 IS NOT PART OF THE TOPIC AT ALL. THE SECURITY IS. THE NEWEST LOAN IS FOR 4.5 MILLION. IT HAS TO BE APPROVED MY THE MUNICIPAL BUILDING AUTHORITY OF THE COUNTY AND THEN THAT ACTION IS ADOPTED BY THE COUNTY COMMISSION; THEREFORE, THERE ARE TWO RESOLUTIONS. THE TOTAL VALUE OF THE FACILITIES PLEDGED AS COLLATERAL IS MORE THAN THE AMOUNTS OF THE TWO LOANS COMBINED. THE BOND WILL NOT BE GOING TO THE PUBLIC MARKET SO IT IS NOT RATED BY A BONDING AGENCY. HOWEVER, THE LAST TIME THE COUNTY WAS BONDED, WHEN THE JAIL FACILITY WAS CONSTRUCTED, THE COUNTY RECEIVED AN A+. THIS IS THE HIGHEST RATING A COUNTY WITH OUR POPULATION CAN RECEIVE. THEREFORE, THE COUNTY PURCHASED INSURANCE TO RECEIVE A "AAA" RATING.

COMMISSIONER MCKEE ADDED A RATING IS NOT NEEDED BECAUSE THE LOAN IS AT ZERO PERCENT INTEREST. HE ALSO NOTED THERE IS THREE MILLION DOLLARS IN OTHER FUNDING TO BE USED AS WELL.

COMMISSIONER BURNS THEN CLOSED THE PUBLIC HEARING.

RESOLUTION #09-16-2013 MBA R1: CONSIDERATION OF THE ADOPTION OF A RESOLUTION OF THE MUNICIPAL BUILDING AUTHORITY OF UINTAH COUNTY, UTAH AUTHORIZING AN ANNUALLY RENEWABLE LEASE AGREEMENT, DATED AS OF OCTOBER 1, 2013, BY AND BETWEEN SAID AUTHORITY AND UINTAH COUNTY, UTAH; AUTHORIZING THE ISSUANCE AND SALE OF SAID AUTHORITY OF ITS \$4,500,000.00 TAXABLE LEASE REVENUE BONDS, SERIES 2013 FOR THE CONSTRUCTION OF A CONFERENCE CENTER ADJACENT TO AND COMPLIMENTARY WITH THE WESTERN PARK FACILITY AND RELATED IMPROVEMENTS, AUTHORIZING THE EXECUTION BY THE AUTHORITY OF A MASTER RESOLUTION, AND THE SECURITY DOCUMENTS AND OTHER DOCUMENTS REQUIRED IN CONNECTION THEREWITH; AND RELATED MATTERS.

COMMISSIONER RAYMOND MOVED TO APPROVE RESOLUTION #09-16-2013 MBA R1 AMENDED AS EXPLAINED. COMMISSIONER MCKEE SECONDED. MOTION PASSED UNANIMOUSLY.

ADJOURN MBA – RECONVENE COMMISSION MEETING

RESOLUTION #09-16-2013 R1: CONSIDERATION OF THE ADOPTION OF A RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS OF UINTAH COUNTY, UTAH (THE “COUNTY”) AUTHORIZING AN ANNUALLY RENEWABLE LEASE AGREEMENT, DATES AS OF OCTOBER 1, 2013 BY AND BETWEEN THE COUNTY AND THE MUNICIPAL BUILDING AUTHORITY OF UINTAH COUNTY, UTAH (THE “AUTHORITY”); AUTHORIZING THE AUTHORITY’S \$4,500,000.00 TAXABLE LEASE REVENUE BONDS, SERIES 2013; AUTHORIZING A MASTER RESOLUTION, A GROUND LEASE BY AND BETWEEN THE AUTHORITY AND THE COUNTY, SECURITY DOCUMENTS, AND OTHER DOCUMENTS REQUIRED IN CONNECTION THEREWITH; AUTHORIZING THE CONSTRUCTION OF A CONFERENCE CENTER ADJACENT TO AND COMPLIMENTARY WITH THE WESTERN PARK FACILITY, AND RELATED IMPROVEMENTS; AUTHORIZING ALL OTHER ACTIONS NECESSARY; AND RELATED MATTERS.

COMMISSIONER MCKEE MOVED TO APPROVE RESOLUTION #09-16-2013 R1 AMENDED AS EXPLAINED. COMMISSIONER BURNS SECONDED. MOTION PASSED UNANIMOUSLY.

COMMISSIONER RAYMOND EXPLAINED THIS HAS APPROVED THE FINANCIAL MECHANISMS TO MOVE FORWARD WITH THE PROJECT. THE COUNTY MBA WILL RECEIVED A TOTAL OF NINE MILLION, HALF IN GRANT AND HALF IN A ZERO PERCENT INTEREST LOAN.

RESOLUTION #09-16-2013 R2: 2013 BUDGET INCREASE

MICHAEL WILKINS PRESENTED A BUDGET OPENER. THE CEMETERY FUND WILL INCREASE BY \$100,000.00 COVERED BY REVENUE FROM THE GENERAL FUND. GENERAL FUND TRANSFERS WILL BE INCREASED BY THREE MILLION, COVERED FROM THE GENERAL FUND. THE TRANSIENT ROOM TAX FUND WILL BE INCREASED BY \$1,014,200.00 FROM REVENUE OF THE SAME AMOUNT. THE MUNICIPAL BUILDING AUTHORITY WILL BE INCREASED BY NINE MILLION WITH THE SOURCE OF REVENUE RECENTLY DISCUSSED. THE WESTERN PARK FUNDS BILL INCREASE FIVE MILLION FROM REVENUE OF THE SAME AMOUNT. THE LIBRARY BOARD FUND WILL INCREASE \$20,000.00 FROM REVENUE OF THE SAME AMOUNT.

COMMISSIONER BURNS MOVED TO APPROVE RESOLUTION #09-16-2013 R2. COMMISSIONER MCKEE SECONDED. MOTION PASSED UNANIMOUSLY.

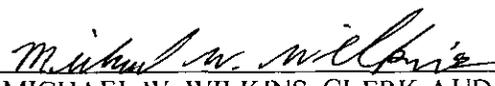
BOARD APPOINTMENTS:

COMMISSIONER MCKEE MOVED TO APPOINT BRYAN MEIER TO THE PUBLIC LANDS COMMITTEE TO FILL A VACANT POSITION EFFECTIVE IMMEDIATELY. COMMISSIONER BURNS SECONDED. MOTION PASSED UNANIMOUSLY.

ADJOURN: MEETING ADJOURNED AT 11:46 AM.



MARK D. RAYMOND, CHAIR



MICHAEL W. WILKINS, CLERK-AUDITOR