

MINUTES OF THE PUBLIC MEETING OF THE UTAH COUNTY COMMISSION DECEMBER 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 COMMISSIONER DARLENE BURNS. COMMISSIONER MICHAEL MCKEE, EXCUSED.

ATTENDANCE: JC BREWER, JEFF STEELE, CHERYL STOCKS, ED ZURBUCHEN, BARBARA SIMPER, MICHAEL WILKINS, WENDI LONG, JEFF MERRELL, NATE MUELLER, BRYAN MEIER, AND LOREN ANDERSON.

MINUTES RECORDED BY TAI BRUCKNER, DEPUTY CLERK-AUDITOR.

PRAYER: MICHAEL WILKINS

PLEDGE OF ALLEGIANCE: JEFF MERRELL

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

APPROVAL OF WARRANTS DATED DECEMBER 12, 2013 IN THE AMOUNT OF \$5,179,803.17 WERE APPROVED AS PRESENTED.

TAX MATTERS: BARBARA SIMPER

THE COUNTY ASSESSOR'S OFFICE IS REQUESTING AN ABATEMENT OF 2013 TAXES IN THE AMOUNT OF \$4,878.86 FOR SERIAL NUMBER 02:014:0001. THE PROPERTY OWNERS HAS PROVIDED NEW INFORMATION THAT SUPPORTS THE ADJUSTMENT OF VALUE ON THE ESCAPED PROPERTY. ADDITIONALLY, THE ASSESSOR'S OFFICE IS REQUESTING AN ADDITION OF ESCAPED PROPERTY TAXES FOR THE SAME PROPERTY IN THE AMOUNT OF \$3,443.71 AS THE CABIN WAS BUILT WITHOUT A BUILDING PERMIT.

COMMISSIONER BURNS MOVED TO APPROVE THE ABATEMENT AND THE ESCAPED TAXES ON SERIAL NUMBER 02:014:0001 AS PRESENTED. COMMISSIONER RAYMOND SECONDED. MOTION PASSED.

TAX MATTERS:

MICHAEL WILKINS PRESENTED A REQUEST FOR REFUND OF \$200.00 FOR CHRISTOPHER COLBURN. HE IS A DISABLED VETERAN AND QUALIFIES FOR A COUNTY FEE EXEMPTION WHEN REGISTERING VEHICLES. HE HAD FORGOTTEN AND REGISTERED TWO VEHICLES.

COMMISSIONER BURNS MOVED TO APPROVE THE REFUND AS PRESENTED. COMMISSIONER RAYMOND SECONDED. MOTION PASSED.

MICHAEL WILKINS ALSO REQUESTED AN ADDITION OF ESCAPED PROPERTY TAX FOR THREE RIVERS GATHERING ON SERIAL NUMBER 50:011:3463 FOR TAX YEARS 2009-2013 IN THE AMOUNT OF \$390,698.29 AS PER AN ORDER FROM THE STATE TAX COMMISSION.

COMMISSIONER BURNS MOVED TO APPROVE THE ADDITION OF ESCAPED TAX AS PRESENTED. COMMISSIONER RAYMOND SECONDED. MOTION PASSED.

CEMETERY CERTIFICATES: NONE

BID AWARD: WEED SHOP MAINTENANCE BUILDING

MICHAEL WILKINS PRESENTED THE RECOMMENDATION BY FACILITIES TO AWARD THE BID TO JODY SMITH CONSTRUCTION AS THE LOW BIDDER AT \$112,302.00. THIS INCLUDES THE CONCRETE, THE BUILDING, THE LABOR, EVERYTHING. SOME OF THE RECEIVED BIDS DID NOT INCLUDE EVERYTHING NEEDED TO CONSTRUCT THE BUILDING SO THEY WERE DEEMED UNRESPONSIVE.

COMMISSIONER BURNS MOVED TO AWARD THE BID TO JODY SMITH FOR \$112,302.00. COMMISSIONER RAYMOND SECONDED. MOTION PASSED.

ORDINANCE #12-16-2013 O1: ANNUAL COMMISSION MEETING SCHEDULE

THIS IS TO BE ADOPTED ANNUALLY. THE MEETINGS WILL CONTINUE TO BE HELD MONDAY MORNINGS AT 11 AM EXCEPT HOLIDAYS.

COMMISSIONER BURNS MOVED TO ADOPT ORDINANCE #12-16-2013 O1. COMMISSIONER RAYMOND SECONDED. MOTION PASSED.

RESOLUTION #12-16-2013 R1: 2014 BUDGET ADOPTION

MICHAEL WILKINS PRESENTED THIS RESOLUTION. THE BUDGET PROPOSED AT THE PUBLIC HEARING NOVEMBER 18TH HAS NOT BEEN CHANGED. THE BUDGET INCLUDES EMPLOYEE RAISES. THERE ARE COPIES AVAILABLE FOR ANYONE WHO WOULD LIKE ONE.

COMMISSIONER BURNS MOVED TO ADOPT RESOLUTION #12-16-2013 R1. COMMISSIONER RAYMOND SECONDED. MOTION PASSED.

RESOLUTION #12-16-2013 R2: UCIP (UTAH COUNTIES INSURANCE POOL) INTERLOCAL COOPERATION AGREEMENT (SIXTH AMENDMENT)

MICHAEL WILKINS ALSO PRESENTED THIS AGREEMENT FOR APPROVAL. IT HAS BEEN REVIEWED BY THE ATTORNEY'S. IT WAS PRESENTED TO UCIP MEMBERSHIP DECEMBER 5TH AND APPROVED. IT HAS TO BE APPROVED BY EACH MEMBER COUNTY AS WELL.

COMMISSIONER BURNS MOVED TO ADOPT RESOLUTION #12-16-2013 R2. COMMISSIONER RAYMOND SECONDED. MOTION PASSED.

BUSINESS LICENSES: MATT CAZIER

VERNAL SPORTS CENTER, KNOWN AS BEERS HARLEY DAVIDSON ON WEST HIGHWAY 40 WOULD LIKE TO ADD THE SELLING OF FIREARMS TO THEIR BUSINESS LICENSE. THEY ARE STILL WAITING ON THE FEDERAL LICENSE ALLOWING THEM TO DEAL IN FIREARMS. APPROVAL RECOMMENDED WITH THE CONDITION THEY RECEIVE THE PROPER PERMITS FROM THE FEDERAL GOVERNMENT.

JEFF MERRELL ADDED THIS LICENSING REQUIRES BACKGROUND CHECKS AND APPROVAL OF A TRACKING SYSTEM FOR THE FIREARMS AND ATF (ALCOHOL, TOBACCO, AND FIREARM) TRAINING. THIS PROCESS COULD TAKE UP TO SIX MONTHS. THEIR CURRENT ZONING ALLOWS THE SALE OF FIREARMS.

COMMISSIONER BURNS MOVED TO APPROVE THE BUSINESS LICENSE ADDITION SUBJECT TO OBTAINING THE PROPER FEDERAL LICENSING. COMMISSIONER RAYMOND SECONDED. MOTION PASSED.

THIS WILL NOT HAVE AN EFFECT ON THEIR CURRENT BUSINESS LICENSE FOR THE ATV'S.

ROOFING WORLD HAS MOVED AND IS NOW ACROSS THE STREET FROM SAM'S AUTO BODY AND NEAR WINGERS. THEY ARE PREPARING FOR THEIR OPENING. THERE WERE A FEW ISSUES TO TAKE CARE OF AT THE FINAL INSPECTION. THEY ARE BACK ON THE SCHEDULE AND SHOULD BE INSPECTED AGAIN THIS WEEK. THERE IS A BOND IN PLACE FOR THE REMAINING LANDSCAPING. APPROVAL RECOMMENDED WITH THE CONDITIONS TO FOLLOW THE CONDITIONAL USE PERMIT, THE C-1 ZONING REQUIREMENTS, AND UPON OBTAINING THE FINAL CERTIFICATE OF OCCUPANCY.

COMMISSIONER BURNS MOVED TO APPROVE THE BUSINESS LICENSE FOR ROOFING WORLD WITH THE CONDITIONS AS RECOMMENDED. COMMISSIONER RAYMOND SECONDED. MOTION PASSED.

MICHAEL WILKINS SUGGESTED ROOFING WORLD BE CONTACTED TO ENSURE THEY NOW KNOW THEY ARE TO COLLECT TAX RATES FOR UINTAH COUNTY NOT VERNAL CITY. THE COUNTY RATE IS .035 LESS THAN VERNAL CITY. COMMISSIONER RAYMOND ALSO SUGGESTED THEY CONTACT THE TREASURER'S OFFICE TO ENSURE THEIR MAILING ADDRESS IS CORRECT.

CONSIDERATION OF AGREEMENT FOR STATE AID BETWEEN AIRPORT AND UDOT

LOREN ANDERSON PRESENTED THIS GRANT AGREEMENT. THE AIRPORT APPLIED FOR FUNDS FROM THE STATE AS PART OF THE PAVEMENT PRESERVATION PROJECT. THE PROJECT WILL COST \$155,000.00 AND THE STATE HAS AGREED TO PAY 90%, \$139,500.00, WITH THE CONDITION TO FOLLOW ALL STATE AND FEDERAL LAWS REGARDING AIRPORTS.

COMMISSIONER BURNS MOVED TO ACCEPT THE STATE AID AGREEMENT AS PRESENTED. COMMISSIONER RAYMOND SECONDED. MOTION PASSED.

CONSIDERATION OF SNOW GROOMING AGREEMENT BETWEEN THE FOREST SERVICE AND THE COUNTY

LOREN ANDERSON ALSO PRESENTED THIS AGREEMENT. IT IS THE SAME AS PREVIOUS YEARS BUT WILL INCLUDE DAGGETT COUNTY. THE ATTORNEY'S OFFICE ASKED THE FOREST SERVICE TO MAKE A FEW CHANGES. WE WOULD LIKE THE DUTIES SEPARATED OUT BETWEEN THE TWO COUNTIES TO BE MORE CLEAR. ADDITIONALLY, THE AGREEMENT SAID THE TRAILS WOULD BE GROOMED WEEKLY, HOWEVER, THE COUNTY ASKED THEM TO CHANGE THIS TO BI-MONTHLY AND AS NEEDED. THE FOREST SERVICE HAS NOT YET RESPONDED TO THE CHANGE REQUESTS. THE AGREEMENT DOES SHOW THE PAYMENT OF \$1,500.00 TO THE COUNTY.

COMMISSIONER BURNS MOVED TO APPROVE THE AGREEMENT WITH THE FOREST SERVICE AS PRESENTED AND AUTHORIZE SIGNATURES IF THE FOREST SERVICE IS WILLING TO ACCEPT OUR CHANGES. COMMISSIONER RAYMOND SECONDED. MOTION PASSED.

CONSIDERATION OF SNOWMOBILE TRAIL GROOMING AGREEMENT MODIFICATION #1 BETWEEN THE UTAH STATE PARKS AND RECREATION AND THE COUNTY

LOREN ANDERSON PRESENTED THIS AGREEMENT AS WELL. THE STATE AGREES TO PAY \$500.00 FOR THE OPERATION OF THE SNOW CAT FOR GROOMING THE TRAILS. THE SNOW CAT ACTUALLY BELONGS TO THE STATE PARKS AND RECREATION DEPARTMENT.

COMMISSIONER BURNS NOTED THE FOREST SERVICE AGREEMENT IS 27 PAGES WHILE THIS MODIFICATION IS ONLY ONE PAGE.

COMMISSIONER BURNS MOVED TO APPROVE THE TRAIL GROOMING AGREEMENT MODIFICATION #1 WITH THE STATE PARKS AND AUTHORIZE SIGNATURES. COMMISSIONER RAYMOND SECONDED. MOTION PASSED.

DISCUSSION AND CONSIDERATION OF CREATING A TEMPORARY WINTER RECREATION AREA, SPECIFICALLY AN ICE SKATING AREA, IN THE RETENTION POND THAT IS IN THE COUNTY COURTYARD BEHIND THE LIBRARY

THE RETENTION POND IN QUESTION IS BEHIND THE SCOUTING OFFICE ON THE EAST SIDE OF THE LIBRARY. THE COUNTY FACILITIES DEPARTMENT WOULD LIKE TO PUT AN ICE SKATING RINK IN THIS POND. RULES WILL NEED TO BE ESTABLISHED IN ORDER TO LIMIT THE COUNTY'S LIABILITY. OUR INSURANCE HAD RECOMMENDATIONS THAT WOULD HELP LIMIT THE LIABILITY AS WELL. THEY WILL HAVE TO PUT IN A "USE AT YOUR OWN RISK" SIGN. THIS WOULD BE A TEMPORARY AREA TO BE USED FOR FUN BY THE PUBLIC THOUGH IT WILL NOT BE ADA COMPLIANT. THE FACILITIES DEPARTMENT IS LOOKING INTO THE LIGHTING OF THE AREA TO SEE IF IT IS TOO DARK AT NIGHT. THERE ARE NO FUNDS AVAILABLE FOR THIS PROJECT.

COMMISSIONER BURNS ASKED IF THIS DISCUSSION ALSO REQUIRED A MOTION AND IT DOES NOT.

ED ZURBUCHEN ASKED IF THE ICE WOULD BE SMOOTHED OUT AND IF THOSE WITHOUT SKATES WOULD BE ABLE TO GET SOME. THE ICE WILL NOT BE SMOOTHED AND THE WESTERN PARK WILL NOT PROVIDE SKATES. THIS IS AN OLD FASHIONED FROZEN POND IDEA FOR PEOPLE TO USE FOR FUN.

COMMUNITY DEVELOPMENT: PUBLIC MEETING

ROAD ACCEPTANCE: MOUNTAIN PRIME – ROADS IN THE LUCKY ACRES SUBDIVISION, THE EXTENSION OF 1400 SOUTH AND STUBBED ROADS AND THE ROADS IN THE ASHLEY HEIGHTS SUBDIVISION PLAT C, LOCATED AT ABOUT 3900 SOUTH 500 WEST.

THE DEVELOPER, MOUNTAIN PRIME, IS REQUESTING THE NEW ROADS WITHIN THESE TWO DEVELOPMENTS BE REVIEWED FOR ACCEPTANCE OR THAT THIS WINTER CAN BE COUNTED AS PART OF THEIR TWO YEAR WARRANTY PERIOD. THE ROADS HAVE BEEN REVIEWED AND THERE IS A SMALL CHECKLIST OF THINGS FOR THEM TO COMPLETE. TYPICALLY, ONCE ACCEPTED, THE COUNTY HOLDS MONEY FOR TWO WINTER SEASONS TO ENSURE THE ROADS CAN MEET THE DEMAND. LUCKY ACRES IS MORE DEVELOPED THAN ASHLEY HEIGHTS, THERE ARE STREET SIGNS IN LUCKY ACRES. EACH HAS CURB AND GUTTER.

COMMISSIONER BURNS ASKED IF THE SNOW PLOWS HAVE ANY ISSUES WITH ANY OF THE ROAD ANGLES. THEY SHOULD BE FINE. IN RESPONSE TO HER OTHER QUESTION, THE COUNTY NORMALLY JUST ACCEPTS THE ROADS BUT THE CURB AND GUTTER IS WITHIN THE COUNTY RIGHT OF WAY. IF THE COMMISSIONERS WOULD LIKE THE PROPERTY OWNERS TO BE RESPONSIBLE FOR CURB AND GUTTER IT SHOULD BE ADDED TO THE ORDINANCE.

COMMISSIONER RAYMOND ASKED FOR BRYAN'S RECOMMENDATION. THE ASPHALT SURFACES ARE FINISHED FOR BOTH SUBDIVISIONS. SOME OF THE UNCOMPLETED ISSUES ARE THE SIGNAGE, WHICH CAN'T BE DONE IN THE WINTER. HE SUGGESTED NOT ACCEPTING THE ROADS BUT ALLOWING THIS WINTER SEASON TO BE COUNTED AS PART OF THE WARRANTY.

COMMISSIONER BURNS MOVED TO ALLOW THIS WINTER SEASON TO COUNT TOWARD THE WARRANTY PERIOD AND CONSIDER ACCEPTANCE ONCE THE PUNCH LIST IS COMPLETED. COMMISSIONER RAYMOND SECONDED.

ED ZURBUCHEN ASKED IF THE ENGINEERING IS DONE REGARDING DRAINAGE. THE LUCKY ACRES SUBDIVISION HAS HAD THE DRAINAGE ENGINEERING DONE ON THE SUBDIVISION AS A WHOLE AND THEY INSTALL THE DIFFERENT SYSTEMS NEEDED AS THEY DEVELOP. ASHLEY HEIGHTS DESIGNS THE DRAINAGE IN EACH PHASE AS IT IS DEVELOPED.

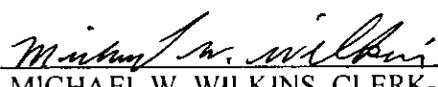
COMMISSIONER RAYMOND CALLED FOR A VOTE. MOTION PASSED.

BOARD APPOINTMENTS: NONE

ADJOURN: MEETING ADJOURNED AT 11:42 AM.



MARK D. RAYMOND, CHAIR



MICHAEL W. WILKINS, CLERK-AUDITOR