

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

JANUARY 14, 2014

Present at the meeting was Commission Chairman Jeff Horrocks, Commissioner Ethan Migliori, Commissioner JR Nelson, Attorney David Blackwell, 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 # 228652 through and including #228775 was presented for payment.

Dispositions were presented for #5821, desk/table and #9689 microwave, #8414, computer, #7914,7918, 7912 computers.

(2)
APPROVAL OF BUSINESS LICENSE FOR LORA SWEETS, ROBERT GABBITAS OWNER.

(3)
PERSONNEL ITEMS:

A. Approval to increase Karen Jacobson's hours from 19 3/4 hours per week to 29 hours per week with pro-rated benefits, excluding medical.

B. Approval to increase Chris Hansen, Marian Mangum, Natalie Humphrey, and Janet Damron's hours from 32 hours per week to 40 hours per week with full benefits.

C. Approval of a 3% merit increase for Leslie Bolinder.

D. Approval to hire Sterling Miller as a full time Equipment Operator/Driver II with full benefits at a Grade 17.

E. Notification that Abby Jensen has been hired as a part time employee, with no benefits, working no more that 19 3/4 hours per week in Economic Development.

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F. Notification that Krista Wright, Levi Jensen, and Kelven Childs have been hired as part time lifeguards, with no benefits, working no more than 19 3/4 hours per week at the Aquatic Center, Effective 1-6-14.

G. Approval of Dawnette Tuttle as a volunteer at the Museum of the San Rafael.

(4)

APPROVAL OF COMMISSION MEETING MINUTES DATED DECEMBER 17, 2013.

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

DISCUSSION AGENDA

(1)

ITEMS PULLED FROM CONSENT AGENDA.

None.

(2)

APPOINTMENT OF CHAIRMAN FOR 2014.

Commissioner JR Nelson made a motion to retain Commissioner Jeff Horrocks as Commission Chairman for 2014. The motion was seconded by Commissioner Ethan Migliori. The motion passed.

(3)

PRESENTATION OF SERVICE AWARDS.

Commission Chairman Jeff Horrocks presented service awards as follow:

A 5 year award was presented to Tammy Tucker, Janet Damron, Merrill Duncan, Kathy Perkins, Tamera Lacock, James Gordon, C..Shannon Hiatt, Mari Peacock, Jay Fausett, Melodie Hoffman,

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Thad Morris, Kenneth Eley, Jr. and Shonna Peterson.

A ten year award was presented to Steven J. Barton, Chris L. Hansen, Nicole Deabenderfer, Becky Jewkes, and Janalee Luke.

A fifteen year award was presented to Shelly N. Gilpin.

A twenty year award was presented to Deborah Williams, Wayde S. Nielsen, and Gerry K. Hatch.

A twenty-five year award was presented to Gayle E. Jensen, Leslie D. Reece, and Robert E. Blackburn.

A thirty year award was presented to Mitch B. Vetere, and Steven Stream.

(4)

EVELYN HUNTSMAN, REQUEST OF FEE WAIVER TO USE THE MUSEUM OF THE SAN RAFAEL FOR EMERY COUNTY HISTORICAL SOCIETY MEETINGS. APPROVAL OF REQUEST.

Evelyn Huntsman and Susanne Anderson came before the Board of Commissioners to request a fee waiver to use the Museum of the San Rafael for Emery County Historical Society meetings. A fee waiver request was granted last year and at that time the Society was informed that they need to make the request again each year. Commissioner JR Nelson commented that the Historical Society covers a wide range of very interesting topics which are a tribute to the citizens of Emery County. Commissioner JR Nelson made a motion to approve the fee waiver request for the Emery County Historical Society to use the Museum of the San Rafael to hold their meetings. The motion was seconded by Commissioner Ethan Migliori. The motion passed.

(5)

DISCUSSION AND APPROVAL OF COMMISSION RESPONSIBILITIES.

Commissioner JR Nelson indicated that he liked the idea of retaining the Commission Responsibilities for 2014. Commissioner Ethan Migliori indicated that he was content with retaining his responsibilities. Therefore, Commissioner JR Nelson made a motion to retain the Commission Responsibilities as they were in 2013. The motion was seconded by Commissioner Ethan Migliori. The motion passed.

2014

COMMISSIONER RESPONSIBILITIES

Jeff Horrocks
Chairman

Animal Control
Airport
AOG
CCP
Clerk/Auditor
County Facilities
DWR/RAC
ECBC
ECSSD#1
Economic Development*
Fire District
Housing Authority
LBA
NEWU District
Planning/Zoning/Bldg.
Personnel
Public Lands
Sheriff/Homeland Security
Travel Bureau
TV/Communications
Weed/Mosquito

JR Nelson

Aquatic Center*
Attorney
BLM/RAC
Conservancy Districts
CVSSD
ECBC
EMC Foundation
Economic Development
Fire District
GR Medical Center
Library
LBA*
Public Lands*
Public/Mental Health
Road Department/Landfill
Senior Citizens
SITLA
Treasurer
Water Conservancy
Wildland Fire

Ethan Migliori

Ambulance/EMT's
Assessor
Aquatic Center
COG
Care Center
ECBC*
Economic Development
Extension/USU
Historical Preservation
Justice Court
IT/GIS
LBA
Local Emergency Planning
Lawrence Cemetery
Museum
Public Lands
Recreation Dist./Fair
Recorder/Archives
State Parks
Travel Bureau
USFS

*contact commissioner

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(6)

CONSIDERATION AND APPROVAL OF BLM ROW APPLICATION FOR APPROXIMATELY .31 MILES OF ROAD BY MILLSITE RESTROOM TO BE INCLUDED IN THE COUNTY B ROAD SYSTEM.

Public Lands Manager Ray Petersen explained that the ROW application is for establishment of a "B" System Road in the vicinity of Millsite Reservoir. There has been access to a toilet/restroom frequented by visitors to the reservoir however, not a designated road. The road will be open to the public year round. The ROW and construction of the road are in conjunction with Price BLM Field Office mitigation plan for sensitive species at this site. By creating this county road, redundant, undesirable routes can be eliminated, minimizing disturbance in the area. There will be volunteers working along with the Road Department to enhance the resources in this area. Because of the endangered cactus in this area if we do not do some mitigation to avoid its disturbance the Division of Wildlife Resources could come in and shut this area down and eliminate all access there. This is a good decision. It can be easily maintained as a "B" Road System road and as a part of that system will receive "B" Road System funding to help maintain the road. As soon as the ground thaws Wayne Nielsen, Road Supervisor will have a grader out there to create a template for the road and eventually road base. Commissioner Ethan Migliori made a motion to approve of BLM ROW application for approximately .31 miles of road by Millsite Restroom to included in the county "B" Road System. The motion was seconded by Commissioner JR Nelson. The motion passed.

(7)

DISCUSSION AND APPROVAL OF REQUEST FOR ELECTRICAL SERVICE AT 5427 W. STATE ROAD 31 IN CONJUNCTION WITH LOWER DEBRIS BASIN CONSTRUCTION.

Jonathon Johansen, J & T Project Manager indicated that they are moving forward with the design for the lower debris basin construction. They are working with the BLM to get the Geotech access for the report. They have been working with the power company to bring in power to a possible radio gate at the diversion of this lower structure. It is their hope to work out a solution for about 150 away to keep the cost low. We are working with them to keep the cost down because of the benefit to the power company. Commissioner JR Nelson made a motion to approve a request for electrical service at 5427 W. State Road 31 in conjunction with lower debris basin construction. The motion was seconded by Commissioner Ethan Migliori. The motion passed.

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(8)

DISCUSSION AND APPROVAL TO ADVERTISE FOR A MID-TERM VACANCY ON PLANNING COMMISSION.

Commissioner Horrocks explained that Laura Rasmussen has moved and therefore has vacated her position on the Emery County Planning & Zoning Commission Board. The by-laws of the Planning & Zoning Commission Board has 9 members and the ability to appoint two alternates on the board. Commissioner recommended appointing two alternates as well as filling the vacancy to the board due to the serious responsibilities needed for this board. Commissioner Ethan Migliori made a motion to advertise to fill a vacancy on the Planning Commission Board as well as two alternate positions. The motion was seconded by Commissioner JR Nelson. The motion passed.

(9)

CONSIDERATION AND APPROVAL OF RESOLUTION APPROVING AND AUTHORIZING THE EXECUTION OF A SIXTH AMENDED INTERLOCAL COOPERATION AGREEMENT WITH OTHER MEMBERS OF UTAH COUNTIES INDEMNITY POOL, RELATING TO THE ESTABLISHMENT, FUNDING, AND OPERATION OF UTAH COUNTIES INDEMNITY POOL.

Emery County Attorney, David Blackwell sits on the UCIP Board. Mr. Blackwell indicated that UCIP was created by 7 counties 21 years ago. UCIP is run by the counties and is for the counties. Anytime they have a change within the pool the Commission needs to approve by Resolution an amended interlocal cooperation agreement with other members of UCIP relating to the establishment, funding and operation of UCIP. Mr. Blackwell indicated that in this amendment they have extended the deadline to 180 days to opt out of the pool. With the exit of a couple of other counties they found that they had to re-adjust rates and budgets. Commissioner JR Nelson made a motion to approve Resolution 1-14-14 approving and authorizing the execution of a sixth amended interlocal cooperation agreement with other members of Utah Counties Indemnity Pool, relating to the establishment, funding and operation of Utah Counties Indemnity Pool. The motion was seconded by Commissioner Ethan Migliori. The motion passed.

(10)

CONSIDERATION AND APPROVAL OF EMERY COUNTY LIBRARY EMERGENCY CLOSURE POLICY.

Commissioner Nelson indicated that this formalizes a policy identifying when a library can be closed. There have instances where furnaces went out in the middle of the winter, restrooms are out of service, power outages. This will establish a policy for emergency closure of Emery County Libraries. Commissioner JR Nelson made a motion to approve of Emery County Library Emergency Closure Policy. The motion was seconded by Commissioner Ethan Migliori. The motion passed.

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(11)

CONSIDERATION AND APPROVAL OF EQUITABLE SHARING AGREEMENT AND CERTIFICATION BETWEEN ECSO AND DOJ.

Sheriff Funk indicated that this is the agreement to share any funds received from seized property. These funds have stipulations as far as they can only be used for specific purposes. Commissioner Ethan Migliori made a motion to approve of Equitable Sharing Agreement and Certification between ECSO and DOJ. The motion was seconded by Commissioner JR Nelson. The motion passed.

(12)

COMMISSION/ELECTED OFFICIALS REPORTS.

Commissioner Nelson

Commissioner Nelson reported on a concern for Zebra Mussels coming into our area. They can really be damaging to our water systems. They have had meetings with all water agencies in our area. There is study being conducted by USU on the San Rafael River Basin. They are doing a presentation today and invite people who are involved with water to see that. They will do a more formal presentation at a later date.

Emery Water Conservancy District has signed a one year contract extension with Bureau of Reclamation. The BOR has had some real heartburn over water ownership on Joe's Valley Dam

He reported on Fire District meeting. At the beginning of each new year the cities are to re-appoint a member to the Fire District Board.

Four Corners Behavior Health is moving forward with a resident program called Aspen Cove. This will give them an opportunity to house residents of Carbon, Emery and Grand Counties who need help and spend less money than in an institution.

Commissioner Migliori

Commissioner Migliori reported on Recreation Board. They have most of the youth sports groups in the county housed under the Rec Board and they are going very well. They learned a lot of things from last year that they will work to improve for this year. He expressed his appreciation for the Rec Board and all that they do. The complex is moving forward. They will break ground in a few months and hope to be done by October so as to not affect adult sports more than 1 year.

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He has spent a lot of time involved with creating legislation for transmission lines through the area. We have a small corridor for transmission lines or other public related utilities work bill, whether it be oil and gas , etc. to come through the Cedar Mountain corridor. We have concern that if a large power company wants to put in power lines through there all they have to do is meet conditional use permits. As a county we want to make sure that if they do that we get some benefit as a county because if they put it through all we get is Centrally Assessed Taxes off of it which is worth next to nothing for us. They appeal the taxes and usually win. We are trying to give the counties a little more teeth to say look if you are going to put something through here we want to have some economic impact from it. We also want to approach it from the state side so that we don't have power companies putting lines through Utah on the way to California without Utah being able to access some of that power for our own growth. We are still one of the fastest growing states in the nation. We will continue to work on that.

January 31, is Rural Day on the Hill. If anyone would like to go and support that it is our opportunity to meet with our legislators. It is our day to show our voice in rural Utah.

January 15 is Emery County Business Chamber Luncheon at noon at the Museum of the San Rafael. The chamber will provide an economic update and their goals for this year.

Commissioner Horrocks

Commissioner Horrocks talked about the recent audit of the county courts/jail system. They found a few things that need to be addressed to make the system safer for the judges and juries. He indicated that the Commission and the Sheriff's Department will be looking into the amount that the State gives to the county for perimeter security for the courts which is required by the state. Commissioner Horrocks talked about the ongoing meetings with seven counties regarding economic engines that drive the economy of the region.

He had a list of volunteers needed by the Emery County Travel Council to help attend the many travel shows throughout the next two weeks. He asked if they could be approved and ratified in the next meeting. Commissioner Ethan Migliori made a motion to approve the volunteers for the Emery County Travel Council for attending travel shows. The motion was seconded by Commissioner JR Nelson. The motion passed.

Commissioner Horrocks asked Commissioner Migliori to comment on the roll that the College of Eastern Utah/Utah State University is taking for economic impact in Carbon and Emery County. Commissioner Migliori talked about the growth of the college and the business expansion and retention program for the traditional and non-traditional student. He indicated that the program will be a welcomed resource to the area.

Commissioner Horrocks reported that the Blue Castle Nuclear Power Plant decision from the state was in their favor. They are running through the appeal process. Conductive Composites is moving forward with the construction of a facility in the Cleveland area.

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Under concerned citizens, Ray Petersen expressed concern as a board member of Joe's Valley Culinary Water Association as the governing board of Reeder Subdivision. The board has had internal discussions with the Commission and Road Department to address the snow removal situation up there. Historically the county and the subdivision have partnered to keep the snow removed from the subdivision and along the county road. He urged the Commission to continue to pursue the situation. There is some urgency to the situation. There were several property owners from the subdivision in attendance in support of this matter. Commissioner Horrocks indicated that the Commission is working with the county attorney on this issue and thanked the citizens for their support and concern.

(13)

ADJOURNMENT

ATTEST: _____ COMMISSIONER: _____