

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

FEBRUARY 11, 2014

Present at the meeting was Commission Chairman Jeff Horrocks, Commissioner JR Nelson, Commissioner Ethan Migliori, 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 # 229021 through and including #229134 for payment.

Requisitions were presented for the following:

<u>REQUISITION</u>	<u>DESCRIPTION</u>	<u>AMOUNT</u>
3-14	(3) Chainsaws Weed/Mosquito	\$1,949.85
4-14	Ultrasonic Cleaning System Sheriff	651.27
5-14	Upgrade Stealth Sheriff	\$1,590.00
6-14	(3) 2014 Dodge 1500 SSV Crew Cab 4x4 Sheriff	\$96,605.82

Dispositions were presented for a large number of items. A list of these assets can be found as an attachment to these minutes.

(2)

APPROVAL OF TRAVIS TUTTLE'S APPOINTMENT TO THE EMERY COUNTY
RECREATION SPECIAL SERVICE DISTRICT REPRESENTING ORANGEVILLE CITY.

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(3)

APPROVAL OF DANNY VANWAGONER'S APPOINTMENT TO THE EMERY COUNTY RECREATION SPECIAL SERVICE DISTRICT REPRESENTING CASTLE DALE CITY.

(4)

APPROVAL OF APPOINTMENTS TO CASTLE VALLEY SPECIAL SERVICE DISTRICT AS FOLLOWS: GARY PRICE REPRESENTING CLAWSON TOWN, TRENT JACKSON REPRESENTING FERRON CITY, MICHAEL TAYLOR REPRESENTING CLEVELAND TOWN, AND ROGER SWENSON REPRESENTING ORANGEVILLE CITY.

(5)

NOTIFICATION THAT TIFFANI BAKER HAS BEEN HIRED AS A PART TIME MUSEUM EMPLOYEE WORKING 17 HOURS PER WEEK. NO BENEFITS. WAGE GRADE 6.

(6)

APPROVAL OF VOLUNTEERS FOR THE LIBRARY 2014 AS FOLLOWS: MEAGAN OUZTS, KIRK JENSEN, DAVE THOMAS, ELEAH THOMAS, JENNIFER THOMAS, NOAH THOMAS, MADDISON THOMAS, AND GLEN VANDINHAZEL.

(7)

APPROVAL OF COMMISSION MEETING MINUTES DATED JANUARY 28, 2014

Commissioner JR Nelson made a motion to approve the Consent Agenda and to move Item #3 to the Discussion Agenda. The motion was seconded by Commissioner Ethan Migliori. The motion passed.

DISCUSSION AGENDA

(1)

ITEMS PULLED FROM CONSENT AGENDA

Commissioner Ethan Migliori indicated that there has been a change in the appointment to the Recreation Board and asked to table this for now. Therefore, Commissioner Migliori made a motion to table item #3. The motion was seconded by Commissioner JR Nelson. The motion passed.

(2)

EMPLOYEE OF THE MONTH.

Commissioner Ethan Migliori presented the Emery County Employee of the Month to Flora

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Motte. Flora has been working for Emery County for 39 years. Flora was hired on January 1 1975 as Assistant Librarian at the Cleveland Library where she worked for 29 years. When she was hired she worked 2 hours one day a week for \$1.25 per hour. During the winter, they were paid 50 cents to build a fire in the old library building. She was part of moving the library twice finally to the building Cleveland has today. In January 2004 she had the opportunity to become head librarian in Huntington where she has excelled making the Library a friendly and inviting place. Flora is very talented and always has exceptional bulletin boards and displays. She is very friendly and works well with the staff and the public. Flora was presented with a plaque and Emery County Bucks.

Commissioner Ethan Migliori made a motion to move from the regular meeting and into a public hearing for the purpose of receiving comment from the public regarding proposed issuance of General Obligation Bonds by Castle Valley Special Service District and to return to the regular meeting at the conclusion of the public hearing. The motion was seconded by Commissioner JR Nelson. The motion passed.

(3)

PUBLIC HEARING- TO RECEIVE PUBLIC COMMENTS ON THE PROPOSED ISSUANCE OF GENERAL OBLIGATION BONDS BY CASTLE VALLEY SPECIAL SERVICE DISTRICT, EMERY COUNTY, UTAH IN THE AGGREGATE PRINCIPAL AMOUNT OF NOT TO EXCEED \$1,348,000. THE BONDS TO BEAR INTEREST AT THE RATE OR RATES NOT TO EXCEED 1.5% PER ANNUM, TO MATURE IN NOT MORE THAN 7 YEARS FROM THEIR DATE OR DATES, AND TO BE SOLD AT A PRICE NOT LESS THAN 99% OF THE TOTAL PRINCIPAL AMOUNT THEREOF AND THE ECONOMIC IMPACT THAT THE IMPROVEMENTS PROPOSED TO BE FINANCED WITH THE BONDS WILL HAVE ON THE PRIVATE SECTOR.

Castle Valley Special Service District Manager, Jacob Sharp addressed the Commissioners and public in attendance. This public hearing is regarding general obligation bonds that they intend to issue this year. They are typical bonds for their consolidated projects to do things throughout the county. This process was started last year when they communicated with mayors and councils in the towns in the county to acquire list of improvements to be done in their towns. This list is submitted to CIB for funding approval. They were approved for 1.348 million dollar bond. In addition to that they were granted a \$700,000.00 grant at 1.5% interest. In the funding meeting they received the final approval for the funding. This public hearing is the final step to closing on the bond next month. They have several projects such as curb and gutter, drainage improvements as well as improving and upgrading culinary water and sewer lines in several cities. Commissioner Nelson indicated that he sits on the CVSSD and is amazed at how much work they do. The improvements are very noticeable.

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Phil Fauver asked what the bond will cost the tax payers?

Jacob indicated that each year they acquire a series of bonds. Through help of Zions Bank Public Finance and their bond attorney they are able to structure the bonds to keep their debt service payment level. As far as the tax that you will see from their level it remains the same through 2016. After that time it projects to drop off. It gives us room to add future projects. They have a stable budget that remains about the same from year to year. The goal is to keep it level. We know what the payment will be through 2016.

The public hearing came to an end. The Commissioners returned to the regular meeting

(4)

CONSIDERATION AND APPROVAL OF RESOLUTION AUTHORIZING CASTLE VALLEY SPECIAL SERVICE DISTRICT GENERAL OBLIGATION BONDS, SERIES 2014 AND OTHER NECESSARY PAPERWORK.

Commissioner Ethan Migliori made a motion to approve Resolution 2-11-14A authorizing Castle Valley Special Service District General Obligation Bonds, Series 2014 and authorize Commission Chairman Jeff Horrocks to sign the necessary paperwork associated with the issuance of said bonds. The motion was seconded by Commissioner JR Nelson. The motion passed.

Commissioner JR Nelson made a motion to leave the regular Commission Meeting and move into a public hearing to receive public comment regarding the mental health and substance abuse treatment needs of Emery County and the conclusion of the public hearing to return to the regular meeting. The motion was seconded by Commissioner Ethan Migliori. The motion passed.

(5)

PUBLIC HEARING- FOUR CORNER COMMUNITY BEHAVIORAL HEALTH, INC. WILL BE RECEIVING PUBLIC COMMENT FROM CITIZENS OF EMERY COUNTY REGARDING THE MENTAL HEALTH AND SUBSTANCE ABUSE TREATMENT NEEDS OF EMERY COUNTY. INPUT FROM CITIZENS, CLIENTS, AND FAMILIES WILL BE USED IN PLANNING SERVICES AND IN DECISION MAKING DURING THE NEXT FISCAL YEAR.

Karen Dollan and Jennifer Thomas addressed the Commissioners and public in attendance. Ms. Dollan indicated that state law and medicaid require that the Emery County Commission as the controlling government for the county hold a public hearing to receive public comment from citizens on Emery County regarding the mental health and substance abuse treatment needs of the county. The comments received will be used in planning services and in decision making during

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the next fiscal year.

Steve Barton asked what services Four Corners provides to the citizens of Emery County?

Ms. Dollan provided a breakdown of services provided by Four Corners Behavioral Health. The services include, outpatient clinics with therapist, job placement, substance abuse treatment, medication management, a clubhouse for the mentally ill and Drug Court with random testing. Housing is provided in Carbon and Grand counties. They transport patients to and from Emery County to facilities in Carbon County that are not provided locally. They recently received funding to provide services in the schools to mitigate early treatment. Employers are provided random testing which helps employers feel good about hiring someone because they are monitored so closely. They employ about 88 people in the tri-county area. The funding that the county provides to Four Corners is used to leverage the additional needed funding from a state and federal level to provide these services. They provide a 24 hours a day crisis service and coordinate with the Sheriff's Department on a daily basis.

Upon the end of comments from the public the Commission returned to the regular meeting.

Commissioner JR Nelson made a motion to approve continuing services with Four Corner Behavioral Health. The motion was seconded by Commissioner Ethan Migliori. The motion passed.

(6)

DISCUSSION REGARDING SPECIAL FUNDING/GRANT ISSUES INVOLVING MENTAL HEALTH AND POSSIBLE APPROVAL OF LETTER OF OPPOSITION.

Commissioner JR Nelson made a motion to table this matter for now. The motion was seconded by Commissioner Ethan Migliori. The motion passed.

(7)

APPROVAL OF EMERY COUNTY SPECIAL SERVICE DISTRICT #1 BYLAWS.

Attorney David Blackwell indicated that there was no content change to the by-laws other than the dates reviewed and updated. Commissioner Ethan Migliori made a motion to approve of Emery County Special Service District #1 By-Laws. The motion was seconded by Commissioner JR Nelson. The motion passed.

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(8)

CONSIDERATION AND APPROVAL OF PROJECT APPLICATION AND GRANT AGREEMENT BETWEEN UDOT AERONAUTICAL OPERATIONS DIVISION AND EMERY COUNTY FOR STATE AID FOR PAVEMENT PRESERVATION 2014 AT THE HUNTINGTON AIRPORT.

Commissioner Horrocks indicated that the project application and grant agreement between UDOT Aeronautical Operations Division and Emery County for state aid for pavement preservation at the Huntington Airport is for chip sealing and coating the tarmac. The cost of the project is \$80,000.00. The grant will provide \$72,000.00 and the county will come up with a match of \$8,000.00. Commissioner JR Nelson made a motion to approve of Project Application and Grant Agreement between UDOT Aeronautical Operations Division and Emery County for State Aid for Pavement Preservation 2014 at the Huntington Airport. The motion was seconded by Commissioner Ethan Migliori. The motion passed.

(9)

CONSIDERATION AND APPROVAL OF INTERLOCAL AGREEMENT BETWEEN EMERY COUNTY AND ECSSD#1 FOR HUNTINGTON AIRPORT PAVEMENT PRESERVATION.

Commissioner JR Nelson made a motion to approve of an interlocal agreement between Emery County and ECSSD#1 for Huntington Airport Pavement Preservation. The motion was seconded by Commissioner Ethan Migliori. The motion passed.

(10)

RATIFICATION OF AGREEMENT BETWEEN REEDER SUBDIVISION ASSOCIATION AND EMERY COUNTY FOR SNOW REMOVAL OF COUNTY ROAD 507.

Commissioner Horrocks explained that County Road 507 has been maintained by Reeder Subdivision Association for a few years. The Commission and the Association agreed that there needs to be a written agreement between them for the plowing of the road leading into Reeder Subdivision. Emery County has a surplus pickup truck with a mounted snowplow that title of will be transferred to the Reeder Subdivision Association. An agreement was written up and signed. Ratification is now needed for the signing of this agreement. Commissioner JR Nelson made a motion to ratify the signing of an Agreement between Reeder Subdivision Association and Emery County for snow removal of County Road 507. The motion was seconded by Commissioner Ethan Migliori. The motion passed.

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(11)

APPROVAL OF APPOINTMENT OF WILLIAM COYNE, TED CURTIS, RAYMOND QUINN, AND BRUCE WILSON TO NORTH EMERY WATER USERS SPECIAL SERVICE DISTRICT.

Commissioner Ethan Migliori made a motion to appoint William Coyne, Ted Curtis, Raymond Quinn, and Bruce Wilson to North Emery Water Users Special Service District. The motion was seconded by Commissioner JR Nelson. The motion passed.

(12)

CONSIDERATION AND APPROVAL OF CHANGE ORDER #1 FOR HUNTINGTON CANYON NORTH DEBRIS BASIN PROJECT 2013.

Howard Tuttle, J&T Engineering explained change order #1 for Huntington Canyon North Debris Basin Project 2013. Emery County is in the process of placing two control structures in Huntington Creek. The north basin is nearly complete and is basically designed to catch all the trash, logs and debris that comes down stream and plugs up the infrastructure downstream. The south basin is still lacking the permitting from the Army Corp of Engineers. All the other permits are in hand, but they lack the ACOE permit. They are not sure when they will get it. To help speed things up, they proposed making a change order to the north basin, where they have a contractor in place, to acquire the rock rip-rap that is required for the south basin. They want to have that on hand so that when they get the permit they will have that behind them. When the south basin is contracted and put into motion then they will pull the funds from the south basin and put it back into the north basin. The change order is for \$672, 829.50 for the grouted rock rip-rap for the south basin. They are facing time constraints. They need to have this in place before the monsoons come in July, August, September. The change order will get us moving on the south basin and get it moving. Commissioner JR Nelson made a motion to approve change order #1 for Huntington Canyon North Debris Basin Project 2013. The motion was seconded by Commissioner Ethan Migliori. The motion passed.

(13)

CONSIDERATION AND APPROVAL OF U.S. GOVERNMENT LEASE FOR REAL PROPERTY ON HORN MOUNTAIN FOR NOAA EQUIPMENT.

Bret Mills had some changes to the lease agreement with the U.S. Government for real property on Horn Mountain for NOAA Equipment. These changes were sent in and we have not heard back from the U.S. Government. Commissioner JR Nelson made a motion to approve the lease with the recommended changes upon County Attorney David Blackwell's satisfaction and authorize Commission Chairman Jeff Horrocks to sign the lease. The motion was seconded by Commissioner Ethan Migliori. The motion passed.

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(14)

CONSIDERATION AND APPROVAL OF A CELL PHONE STIPEND FOR GARY PRICE,
WEED/MOSQUITO DEPARTMENT.

Commissioner Ethan Migliori made a motion to approve of a cell phone stipend for Gary Price, Weed/Mosquito Department. The motion was seconded by Commissioner JR Nelson. The motion passed.

(15)

APPROVAL OF APPOINTMENT OF CARL A. JACOBSON TO FILL AN UNEXPIRED
TERM ON THE PLANNING COMMISSION.

Commissioner Horrocks indicated that they received one application to fill an unexpired term on the Planning Commission. They will need to recruit for alternates. Commissioner Ethan Migliori made a motion to appoint Carl A. Jacobsen to fill an unexpired term on the Planning Commission. The motion was seconded by Commissioner JR Nelson. The motion passed.

(16)

CONSIDERATION AND APPROVAL OF EEO PLAN UPDATE. SUBMITTED HERE IS
THE ANNUAL UPDATE OF THE COUNTY'S EEO PLAN FOR COMMISSION REVIEW.

Personnel Director, Mary Huntington indicated that the Equal Employment Opportunity Plan (EEO Plan) has to be updated and approved annually. There were no changes to the plan. Commissioner JR Nelson made a motion to approve of EEO Plan update. The motion was seconded by Commissioner Ethan Migliori. The motion passed.

(17)

CONSIDERATION AND APPROVAL OF RESOLUTION AMENDING SECTION 9.5.a.d. OF
THE PERSONNEL POLICY OF EMERY COUNTY, UTAH.

Personnel Director, Mary Huntington explained that the resolution amends section 9.5 a.d., clarifying the accrual of annual leave for long-time employees. Commissioner JR Nelson made a motion to approve Resolution 2-11-14B amending the personnel policy as proposed. The motion was seconded by Commissioner Ethan Migliori. The motion passed.

(18)

COMMISSION/ELECTED OFFICIALS REPORTS.

Commissioner Migliori

Commissioner Migliori reported on attending a BEAR meeting with Economic Development

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Director Mike McCandless. The focus of the meeting was ways to help strengthen local business. They meet every week to discuss opportunities and matching resources to help with businesses. They have had some successes this year and are excited about some changes within the organization. Commissioner Migliori attended a Trails Committee Meeting where they discussed the final details for a hiking/horseback trail map. This has been a challenge in Huntington Canyon because of the floods. They have also been documenting trails on the desert. If you know of anyone who is an avid hiker have them get in touch with Mike McCandless, Ray Petersen, Tina Carter or Ethan Migliori. By documenting these trails we can keep these opportunities for citizens high and improve opportunities for local residents and businesses. The Travel Bureau has been traveling to travel shows to promote Emery County and bring outsiders into the communities. He talked about money in three different ways. We have money that circles inside of our community, which is good but does not grow the pot. We have money that is exported, such as when a person buys a car from outside of the community, that money goes somewhere else and never comes back to our community. Then we have money that comes in from outside the community that helps build our pot of money. We appreciate the Travel Bureau's efforts to build our pot of money for the county. Museum of the San Rafael is still working on a mammoth display. COG meeting with the mayors was a follow-up discussion for the landfill tipping fees. They received some good ideas. Recreation Board has had some changes in members from the cities. Hopefully we can get new perspectives from these new board members to enhance recreation opportunities in Emery County.

Commissioner Nelson

Commissioner Nelson reported on attending a grazers meeting with Western Range Land Conservation Group concerned with the numbers of wild horses and burros on our public lands. The meeting was in Beaver County where 7 of the thirty or so people in attendance were from Emery County. So it is a big issues with the grazers and a number of our citizens.

Commissioner Horrocks

Commissioner Horrocks reported on Public Lands Council meeting where they discussed the work going on with Congressman Ron Bishop and the Public Lands Bill. We hope to get something on the floor in Washington soon. Public Lands Director, Ray Petersen, Commissioner Nelson and Randy Johnson, Emery County's Lobbyist in Washington will be traveling to Washington, D.C. to make sure that the bill keeps moving. Commissioner Horrocks reported on continued efforts with the commissioners from seven eastern counties and their economic development directors to move forward towards an MOU that they can operate from. They are hoping for an economic development engine for all seven counties (Daggett, Uintah, Carbon, Duchesne, Grand, Emery, and San Juan, working together toward gaining a stronger voice for rural counties in the legislature and with regards to the economic future of our counties. He

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reported on a Fire District meeting where they discussed purchasing new brush trucks. They are looking for a loan or hopefully a grant to put with the \$300,000.00 match to purchase the trucks. The request is on the CIB short term list.

Commissioner JR Nelson made a motion to leave the regular meeting and move into a closed session and at the close of the session to return to the regular meeting. The motion was seconded by Commissioner Ethan Migliori. The motion passed.

(19)

CLOSED/EXECUTIVE SESSION TO DISCUSS STRATEGY SESSION TO DISCUSS THE PURCHASE, EXCHANGE, OR LEASE OF REAL PROPERTY.

Present at the closed session was Commissioner Jeff Horrocks, Commissioner Ethan Migliori, Commissioner JR Nelson, Attorney David Blackwell, Clerk/Auditor Brenda Tuttle, Ross Huntington, Emery County Care and Rehabilitation Board Member, Commission Executive Director Leslie Bolinder and Deputy Clerk/Auditor Carol Cox.

(20)

CONSIDERATION AND APPROVAL OF LETTER NOTIFYING TRADITIONS HEALTH CARE, INC. OF TERMINATION OF CONTRACT AND APPROVAL TO SOLICIT RFP'S FOR EMERY COUNTY CARE AND REHABILITATION CENTER.

Upon returning to the regular meeting Commissioner Ethan Migliori talked about discussions with the Emery County Care and Rehabilitation Center Board to make some changes to the Care Center to make it more profitable. To assist in this effort Commissioner Ethan Migliori made the following motions:

Commissioner Ethan Migliori made a motion to authorize the Clerk/Auditor's office to work with Ross Huntington, Chairman of the Emery County Care and Rehabilitation Center Board to address the issue of the payables and to assist in the paying of those payables. The motion was seconded by Commissioner JR Nelson and the motion passed.

Commissioner Ethan Migliori made a motion to support the wishes of the Emery County Care Center Board by issuing a letter of termination to Traditions Health Care giving them 60 day written notice. The motion was seconded by Commissioner JR Nelson. The motion passed.

Commissioner Ethan Migliori made a motion to support the wishes of the Care Center Board by issuing a RFP out to entities currently in the industry to give proposals of offering that will allow a better financial opportunity for the Care Center to become what we would like it to be.

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The motion was seconded by Commissioner JR Nelson. The motion passed.

Phil Fauver asked what additional opportunities and services could be provided at the Care Center?

Commissioner Ethan Migliori indicated that the industry has changed and there are other opportunities such as assisted living that could be pursued.

Commissioner Nelson pointed that there is about an acre of property there that is not being utilized.

(21)

ADJOURNMENT.

The meeting was adjourned.

ATTEST: _____ COMMISSIONER: _____