

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

MARCH 7, 2023

Present at the meeting was Commission Chairman Lynn Sitterud, Commissioner Keven Jensen, Commissioner Jordan Leonard, Attorney Mike Olsen, Sheriff Tyson Huntington, 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 # 262594 through and including #262681 was presented for payment.

Requisitions were presented for the following:

<u>REQUISITION</u>	<u>DESCRIPTION</u>	<u>AMOUNT</u>
16-23	Welder Engine Driven Trailblazer 325 Road Department	\$10,653.78
17-23	(3) Lightweight Level IIIA Breacher Blankets Sheriff Department	\$6,597.00

There were no dispositions.

(2)
APPROVAL OF THE FEBRUARY 21, 2023 COMMISSION MEETING MINUTES.

(3)
APPROVAL TO GIVE CODY WILSTEAD A 3% WAGE INCREASE FOR SUCCESSFUL COMPLETION OF HIS 6 MONTH ORIENTATION PERIOD AND THE 5% COLA GIVEN THE FIRST OF THE YEAR. EFFECTIVE 3-20-23.

(4)
APPROVAL TO GIVE SYDNEY CARTER AND TYLER FRANDBSEN A 3% WAGE INCREASE FOR SUCCESSFUL COMPLETION OF THEIR 6 MONTH ORIENTATION PERIOD AS A HEAD LIFEGUARD AND THE 5% COLA GIVEN THE FIRST OF THE YEAR. EFFECTIVE 3-20-23

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(5)

APPROVAL TO GIVE KIMRA PHILLIPS A 3% WAGE INCREASE FOR SUCCESSFUL COMPLETION OF HER 6 MONTH ORIENTATION PERIOD AS A CUSTODIAN AT THE EMERY LIBRARY AND THE 5% COLA GIVEN THE FIRST OF THE YEAR. EFFECTIVE 3-20-23.

(6)

APPROVAL TO GIVE KENDRA BELL A 3% WAGE INCREASE FOR SUCCESSFUL COMPLETION OF HER 6 MONTH ORIENTATION PERIOD AS THE ASSISTANT LIBRARIAN IN ELMO LIBRARY AND THE 5% COLA GIVEN THE FIRST OF THE YEAR. EFFECTIVE 3-20-23.

(7)

APPROVAL OF CONFLICT OF INTEREST FORM FROM COBY HUNT.

(8)

APPROVAL TO RECLASSIFY TIFFANY BAKER TO A ¾ TIME EMPLOYEE WORKING 29 HOURS PER WEEK WITH PRORATED VACATION, SICK, HOLIDAY, AND RETIREMENT. NO WAGE CHANGE. EFFECTIVE 3-20-23

Motion to approve the Consent Agenda was made by Commissioner Keven Jensen, seconded by Commissioner Jordan Leonard, and the motion passed.

AYE: Keven Jensen
Jordan Leonard
Lynn Sitterud

NAY: none

DISCUSSION AGENDA

(1)

ITEMS PULLED FROM THE CONSENT AGENDA

(2)

OPEN/REVIEW BIDS ON THE MILLSITE COUNTY ROAD RIPRAP AND FISH HABITAT PROJECT.

Two bids were received/opened/reviewed for the Millsite County Road Riprap and Fish Habitat Project.

1. TSJ Construction bid \$1,299,645.85
2. Nielsen Construction bid \$2,164,000.00

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Commissioner Keven Jensen made a motion to award the bid to the lowest bidder upon review and approval from Attorney Mike Olsen. The motion was seconded by Commissioner Jordan Leonard. The motion passed.

AYE: Keven Jensen
Jordan Leonard
Lynn Sitterud

NAY: none

(3)

CONCERNS REGARDING THE PROCESS OF CONTACTING ELECTED OFFICIALS
PRESENTED BY ALLEN PAUL RIDDLE.

Allen Paul Riddle came before the Board of Commissioners to address his concern for lack of ability to contact Emery County Attorney Michael Olsen after numerous attempts to contact him. His desire is to discuss the theft of campaign signs during the 2022 General Election in Carbon County. Mr. Riddle resides in Carbon County but owns two homes in Emery County. The local Carbon County Attorney was not permitted to look into the local officials of Carbon County so the case was sent to Emery County for investigation. He said he contacted the Emery County Attorney's office several times and got no response. Attorney Mike Olsen indicated that he is not permitted to comment on an ongoing investigation. He suggested that he call his office and make an appointment.

(4)

DISCUSS/APPROVE/DENY DEFERRAL ON PARCEL #01-0178A-0012 FOR DERK JONES.

Treasurer, Josie Stilson requested approval for a deferral agreement for Derk Jones. She indicated that Mr. Jones contacted her office and requested a deferral for his shop next to his house. He paid \$900.00 on the back taxes. The balance due is \$700.00. He will also need to pay 2023 taxes. The deferral would allow Mr. Jones to pay the taxes by November 30, 2023. Commissioner Jordan Leonard made a motion to approve a deferral agreement with Derk Jones on parcel #01-0178A-0012. The motion was seconded by Commissioner Keven Jensen. The motion passed.

AYE: Jordan Leonard
Keven Jensen
Lynn Sitterud

NAY: none

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(5)

DISCUSS/APPROVE/DENY TAX DEFERRAL ON PARCEL #01-0154-0031 FOR RACHEL CRESTO.

Treasurer, Josie Stilson requested approval for a deferral agreement for Rachel Cresto. Ms. Cresto has a plan of paying \$150.00 per month. The deferred amount is \$1,060.00 on her home in Green River City. Commissioner Keven Jensen made a motion to approve a tax deferral agreement for Rachel Cresto. The motion was seconded by Commissioner Jordan Leonard. The motion passed.

AYE: Keven Jensen
Jordan Leonard
Lynn Sitterud

NAY: none

(6)

DISCUSS/APPROVE/DENY MASTER LEASE AGREEMENT BETWEEN EMERY COUNTY AND UNIFIED FLEETS SERVICES, LLC.

Attorney Mike Olsen indicated that the lease agreement is similar to the lease agreement from last year. He suggested approval pending his review and approval of the agreement document. Commissioner Jordan Leonard made a motion to approve the Master Lease agreement between Emery County and Unified Fleets Services, LLC pending approval of Attorney Mike Olsen. The motion was seconded by Commissioner Keven Jensen. The motion passed.

AYE: Jordan Leonard
Keven Jensen
Lynn Sitterud

NAY: none.

(7)

DISCUSS/APPROVE/DENY INDIGENT CREMATION APPLICATION FOR HILDA SUE MALONE.

Commissioner Lynn Sitterud explained that a family member for Hilda Sue Malone went through the County's Indigent application process. Historically Emery County will grant \$1,000.00 for cremation. The mortuary has agreed to accept the \$1,000.00. Commissioner Keven Jensen made a motion to grant an Indigent Cremation in the amount of \$1,000.00 to the mortuary for the cremation of Hilda Sue Malone. The motion was seconded by Commissioner Jordan Leonard. The motion passed.

AYE: Keven Jensen
Jordan Leonard
Lynn Sitterud

NAY: none

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(8)

DISCUSS/APPROVE/DENY ROLLING OVER UNEXPENDED 2022 MAIN STREET GRANT FUNDS TO THE 2023 MAIN STREET GRAND FUND BUDGET.

Patsy Stoddard explained that 2 of last year's grants recipients came in under budget. One recipient closed out. This left \$10, 923.81 in their budget. She requested that the balance be rolled over to the 2023 grant fund budget. Brenda Tuttle explained that the budget wasn't budgeted to roll over to 2023. The request must be approved by the Commission.

Commissioner Keven Jensen made a motion to approve rolling over unexpended 2022 Main Street Grant Funds to the 2023 Main Street Grant Fund Budget. The motion was seconded by Commissioner Jordan Leonard. The motion passed.

AYE: Keven Jensen
Jordan Leonard
Lynn Sitterud

NAY: none

(9)

DISCUSS/APPROVE/DENY TRAVEL BUREAU CONTRIBUTING \$55,000 OF TRT FUNDS TO THE 2023 MAIN STREET GRANT PROGRAM.

Director Shannon Hiatt requested approval to contribute \$55,000 of TRT funds to the 2023 Main Street grant Program. He indicated that the Travel Bureau Board approves of the contribution. Commissioner Jordan Leonard asked if the businesses are excited about the grant program or are they getting saturated. Patsy indicated that they are still excited about the program. They have six applications thus far. The application process for Phase One of the funding process ends in April. Commissioner Jordan Leonard made a motion to approve the Travel Bureau contributing \$55,000 of TRT Funds to the 2023 Main Street Grant Program. The motion was seconded by Commissioner Keven Jensen. The motion passed.

AYE: Jordan Leonard
Keven Jensen
Lynn Sitterud

NAY: none

(10)

DISCUSS/APPROVE/DENY CONTRIBUTING \$55,000 OF ARPA FUNDS TO THE 2023 MAIN STREET GRANT PROGRAM.

Commissioner Keven Jensen made a motion to approve contributing \$55,000 of ARPA Funds to the 2023 Main Street Grant Program. The motion was seconded by Commissioner Jordan Leonard. The motion passed.

AYE: Keven Jensen
Jordan Leonard

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Lynn Sitterud

NAY: none

(11)

DISCUSS/APPROVE/DENY MOU BETWEEN EMERY COUNTY, EMERY COUNTY BUSINESS CHAMBER, EMERY COUNTY ECONOMIC DEVELOPMENT (CED) BOARD AND THE EMERY COUNTY TRAVEL BUREAU REGARDING THE 2023 MAIN STREET GRANT PROGRAM.

The past MOU budgeted \$5,000 for the Chamber to administer the Main Street Grant Program. Mike Olsen asked how much the Chamber billed against the \$5,000 last year? Patsy indicated that they billed \$2,500. They still have projects open to bill against in 2023. Mike Olsen suggested that the MOU include \$1,000 and have the Chamber bill against that amount. The Chamber can come back to the Commissioners and amend the MOU requesting additional funds at that time. Mike requested approval of the MOU with changes to the document. Commissioner Jordan Leonard made a motion to approve an MOU between Emery County, Emery County Business Chamber, Emery County Economic Development (CED) Board and the Emery County Travel Bureau regarding the 2023 Main Street Grant Program with changes in the document made by Attorney Mike Olsen. The motion was seconded by Commissioner Keven Jensen. The motion passed.

AYE: Jordan Leonard

Keven Jensen

Lynn Sitterud

NAY: none

(12)

DISCUSS/APPROVE/DENY APPROVAL OF THE NEW NATIONAL OPIOID SETTLEMENT PARTICIPATION PACKAGE FOR SETTLEMENTS WITH TEVA, ALLERGAN, CVS, WALGREENS AND WALMART.

Attorney Mike Olsen explained that this mainly involves approving allowing the State to negotiate with these issues. Attorney Mike Olsen as well as the attorneys for the State recommend participation. Commissioner Jordan Leonard made a motion to approve of the New National Opioid Settlement Participation Package for settlements with TEVA, Allergan, CVS, Walgreens and Walmart. The motion was seconded by Commissioner Keven Jensen. The motion passed.

AYE: Jordan Leonard

Keven Jensen

Lynn Sitterud

NAY: none

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(13)

DISCUSS/APPROVE/DENY NOMINATING JUDGE JON CARPENTER, J.D. FOR THE POSITION OF EMERY COUNTY JUSTICE COURT JUDGE.

Commissioner Sitterud indicated that they had three very good candidates for Justice Court Judge. It has taken 7 plus months to get to this point. One candidate withdrew. Judge Carpenter has been doing this since Judge Stream retired. Commissioner Leonard explained that the hiring committee consisted of experienced attorneys and judges. Commissioner Jordan Leonard made a motion to nominate Judge Jon Carpenter, J.D. for the position of Emery County Justice Court Judge. The motion was seconded by Commissioner Keven Jensen. The motion passed.

AYE: Jordan Leonard

Keven Jensen

Lynn Sitterud

NAY: none

(14)

DISCUSS/APPROVE/DENY GRANTING PERMISSION FOR EMERY COUNTY TO SIGN UP WITH DOMINION ENERGY FOR CONVERSION FROM PROPANE TO NATURAL GAS ON ALL EMERY COUNTY OWNED BUILDINGS IN GREEN RIVER.

Commissioner Keven Jensen made a motion to grant permission for Emery County to sign up with Dominion Energy for conversion from propane to natural gas on all Emery County owned buildings in Green River. The motion was seconded by Commissioner Jordan Leonard. The motion passed.

AYE: Keven Jensen

Jordan Leonard

Lynn Sitterud

Nay: none

(15)

COMMISSION/ELECTED OFFICIALS REPORTS.

None

(16)

ADJOURN

Motion to adjourn the meeting as made by Commissioner Keven Jensen, seconded by Commissioner Jordan Leonard, the motion passed,

AYE: Jordan Leonard

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Keven Jensen

Lynn Sitterud

NAY: none

ATTEST: _____ COMMISSIONER _____