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

MAY 16, 2023

Present at the meeting was Commission Chairman Lynn Sitterud, Commissioner Keven Jensen, Commissioner Jordan Leonard, Attorney Mike Olsen, 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 #263026 through and including #263114 was presented for payment.

Requisitions were presented for the following:

| REQUISITION | DESCRIPTION | AMOUNT |
|---|---|---|
| 31-23 | (20) VEH Chargers for handheld radios<br>IT | $10,493. |
| 32-23 | (27) Bulletproof vests<br>Sheriff | $34,830. |

No Dispositions

(2)
APPROVAL OF THE MAY 02,2023 COMMISSION MEETING MINUTES

(3)
APPROVAL TO HIRE ALEXA BULLERI AS A SEASONAL LIFEGUARD WORKING 29 HOURS PER WEEK, WITH NO BENEFITS. WAGE GRADE 3.

(4)
APPROVAL TO REHIRE ERIK NIELSEN AS SEASONAL RUSSIAN OLIVE TECHNICIAN WORKING 29 HOURS PER WEEK, NO BENEFITS. WAGE $16.30 PH.

(5)
APPROVAL TO REHIRE SETH BAANTJER AS SEASONAL RUSSIAN OLIVE TECHNICIAN WORKING 29 HOURS PER WEEK, NO BENEFITS. WAGE $14.30 PH.

(6)
APPROVAL OF CELL PHONE STIPEND FOR JUDGE CARPENTER.

(7)
APPROVAL OF BUSINESS LICENSE FOR ANDERSON WALLACE FOOD SUPPLY, LLC.

(8)
APPROVAL OF BUSINESS LICENSE FOR PETERSON'S NATURAL BEESWAX PRODUCTS.

Motion to approve the Consent Agenda with a correction on item #8 to correct the parcel # to 01-0120-0017 was made by Commissioner Keven Jensen, seconded by Commissioner Jordan Leonard, and the motion passed.

DISCUSSION AGENDA

(1)
ITEMS PULLED FROM THE CONSENT AGENDA.

(2)
SAFETY MINUTE PRESENTATION BY COMMISSIONER JORDAN LEONARD.

Commissioner Leonard provided tips for those employees who work in an office at a computer. Stay hydrated, maintain proper posture, take breaks, and consider using blue light glasses to minimize the glare from the computer.

(3)
AWARDING OF SAFETY VISA GIFT CARDS

4.52 years with no loss time accidents!

Full-time employee: Selina Hardman
Part-time employee: Dezeray Hernandez
Safety Sensitive: Jeremy Lake and Josh Johnson
EMTs: Kacie Hadden and Scott Ryan

(4)
PRESENTATION AND DISCUSSION REGARDING REQUEST TO CLOSE COUNTY ROAD 504 ORANGEVILLE CEMETERY ROAD

Jared Anderson, Angie Anderson, Libby Wadley, Eric Staley and Craig Johansen expressed concerns with Road #504 Orangeville Cemetery Road. Jared cited safety concerns as the road is used by individuals coming off of Coal Haul Road for a short cut. Over the past few years there have been numerous accidents on the road from people going too fast and ending up in the ditch. Libby told of one accident that ended up in her yard where her child was playing.Eric expressed issues regarding access to his farm. He indicated that his kids were nearly hit while riding a 4x4 near their farm. Mayor Robertson indicated that the group of concerned citizens have approached the city with their concerns. He suggested they bring the issue to the County Commissioners as this is a county road. Craig Johansen gave a brief history of the road which exists because of an easement to access the canal for Cottonwood Canal & Irrigation Company. The group of citizens suggested that it could be gated and only the property owners and the canal company could access and maybe deter others from using the road. There are other access roads from the Coal Haul Road that could be used. Attorney Mike Olsen indicated that he was not aware of the endangerment with respect to children living and playing in the yard near the access road. He advised the Commissioners to follow the process for closing a road and be sure of all the property access before making any decisions.

(5)
PRESENTATION BY ROBBIE JENSEN, AGING DIRECTOR, REGARDING AN UPDATE ON THE EMERY COUNTY SENIOR CITIZEN CENTERS AND FUTURE PROJECTS.

Robbie Jensen informed the Commissioners on upcoming projects for EC Senior Citizen Centers and future projects.

(6)
DISCUSS/APPROVE/DENY MONETARY DONATION TO CHASE HUGGARD TO ATTEND THE GOVERNOR'S HONORS ACADEMY.

Commissioner Jordan Leonard made a motion to table. The motion was seconded by Commissioner Keven Jensen. The motion passed.
AYE: Jordan Leonard
Keven Jensen
Lynn Sitterud
NAY: none

(7)
DISCUSS/APPROVE/DENY THE COUNTY'S MEDICAL, DENTAL,AND VISION INSURANCE RENEWAL FOR PLAN YEAR JULY 1, 2023 TO JUNE 30, 2024, PRESENTED BY JEFF KELSEY.

Jeff Kelsey reported that there are no changes on any of the plans. PEHP will continue to process claims. All medical services are experiencing increases across the board. He was able to get a renewal rate of 6.9. Commissioner Jordan Leonard made a motion to approve the County's medical, dental, and vision insurance renewal for plan year July 1, 2023 to June 30, 2024. The motion was seconded by Commissioner Keven Jensen. The motion passed.
AYE: Jordan Leonard
Keven Jensen
Lynn Sitterud
NAY: none.

(8)
DISCUSS/APPROVE/DENY EMERY COUNTY SHERIFF'S OFFICE GRANT APPLICATION FOR THE FY2024 STATE TASK FORCE GRANT IN THE AMOUNT OF $70,000.00

Sheriff Huntington indicated that the Grant application comes due at the end of May. It is the operating funding for the Drug Task Force. Commissioner Keven Jensen made a motion to approve Emery County Sheriff's Office Grant Application for the FY2024 State Drug Task Force Grant. The motion was seconded by Commissioner Jordan Leonard. The motion passed.
AYE: Keven Jensen
Jordan Leonard
Lynn Sitterud
NAY: none

(9)
DISCUSS/APPROVE/DENY BUSINESS IMPROVEMENT GRANTS FOR RECREATION UNDERGROUND, AMERICA'S BEST VALUE INN, MAIN STREET MARKET AND HIGH DESERT COATINGS..

Patsy Stoddard requested approval for the next cycle of Business Improvement Grants.
America's Best Value Inn requested $20,000
Recreation Underground requested $10,000
High Desert Coatings requested $4,000
Main Street Market requested $5,036
The next cycle of grants will be June 1st. If any funds are left over after that cycle they will add an additional cycle until all the funds are used.
Commissioner Jordan Leonard made a motion to approve the Business Improvement Grants for Recreation Underground, America's Best Value Inn, Main Street Market and High Desert Coatings as requested. The motion was seconded by Commissioner Keven Jensen. The motion passed.

AYE: Jordan Leonard
Keven Jensen
Lynn Sitterud
NAY: none

(10)
DISCUSS/APPROVE/DENY MOU BETWEEN EMERY COUNTY AND CASTLE DALE CITY FOR THE 2023 EMERY COUNTY FAIR.

Commissioner Jordan Leonard talked about an MOU with Castle Dale City during the week of the Emery County Fair. City workers will help with set-up, cleaning, providing products for the restrooms, power and other needs. Commissioner Jordan Leonard made a motion to approve of an MOU between Emery County and Castle Dale City for the 2023 Emery County Fair. The motion was seconded by Commissioner Keven Jensen. The motion passed.
AYE: Jordan Leonard
Keven Jensen
Lynn Sitterud
NAY: none

(11)
DISCUSS/APPROVE/DENY FRAUD RISK ASSESSMENT REQUIRED BY THE STATE AUDITOR.

Clerk/Auditor Brenda Tuttle indicated that the Fraud Risk Assessment is required by state and must be approved by the County Governing Body. Commissioner Keven Jensen made a motion to accept the Fraud Risk Assessment. The motion was seconded by Commissioner Jordan Leonard. The motion passed.
AYE: Keven Jensen
Jordan Leonard
Lynn Sitteurd
NAY: none

(12)
DISCUSS/APPROVE/DENY PROCEEDING OF THE 2023 TAX SALE.

Clerk/Auditor Brenda Tuttle reported that at the 2023 May Tax Sale there was one parcel for bid. Gary Anderson was the successful bidder at $5,300.00. She indicated that the proceedings of the sale need the Commissioners approval to create a deed and send it to the new owner. Commissioner Jordan Leonard made a motion to approve the proceedings of the 2023 Tax Sale. The motion was seconded by Commissioner Keven Jensen. The motion passed.
AYE: Jordan Leonard
Keven Jensen
Lynn Sitterud
NAY: none

(13)
DISCUSS/APPROVE/DENY 2023-2024 ISM RUSSIAN OLIVE GRANT AGREEMENT.

Weed & Mosquito Supervisor Cory Worwood reported that the Emery County Weed & Mosquito Department has been awarded $60,000 from the state to remove Russian Olive Trees. The grant period is July 1, 2023 through June 30, 2024. He recommended approval of the agreement. Commissioner Keven Jensen made a motion to approve 2023-2024 ISM Russian Olive Grant Agreement. The motion was seconded by Commissioner Jordan Leonard. The motion passed.
AYE: Keven Jensen
Jordan Leonard
Lynn Sitterud
NAY: none

(14)
DISCUSS/APPROVE/DENY AWARDING 2023 SWELL TRAILS GRANT TO THE BACKCOUNTRY HORSEMEN AND EPICENTER.

The 2023 Swell Trails Grant program began in 2021. There are two projects for consideration for 2023. Backcountry Horsemen requested $1,500 for Tie Rails and Epicenter requested $15,00 for a pavilion at Trail Breaker Park. Commissioner Keven Jensen made a motion to approve awarding 2023 Swell Trails Grant to the Backcountry Horsemen and Epicenter as requested. The motion was seconded by Commissioner Jordan Leonard. The motion passed.
AYE: Keven Jensen
Jordan Leonard
Lynn Sitterud
NAY: none

(15)
DISCUSS/APPROVE/DENY TRANSFER OF FUNDS FROM SPECIAL COUNCIL BACK TO EMERY COUNTY SHERIFF'S OFFICE.

During budget time $150,000 was moved from the Sheriff's Department to the Special Council for the purpose of hiring an investigator to assist the Attorney. At the time the Attorney felt it was good to have under the direction of the Attorney's Office. Sheriff's Deputies were pulled off other duties to do investigative work. At this point in time the Sheriff and the Attorney feel like things have been going well with the responsibilities thus far. Attorney Mike Olsen indicated that the process has been working well thus the reason the funds have not been used so far. Plans are in place to increase responsibilities where needed depending on the intensity of the case. Commissioner Keven Jensen made a motion to approve the transfer of funds from the Special Council Fund back to Emery County Sheriff's Office. The motion was seconded by Commissioner Jordan Leonard. The motion passed.
AYE: Keven Jensen

Jordan Leonard
Lynn Sitterud
NAY: none

(16)
DISCUSS/APPROVE/DENY COMMISSION REQUEST FOR THE UTAH ATTORNEY GENERAL TO ADVISE EMERY COUNTY ELECTED OFFICIALS OF THEIR ELECTED DUTIES.

Commissioner Keven Jensen requested approval to have the Utah Attorney General advise the Emery County Elected Officials of their elected duties. A lively discussion ensued on the subject. Commissioner Keven Jensen made a motion to request the Utah Attorney General to advise Emery County elected officials of their elected duties. Commission Jordan Leonard seconded the motion with a comment that we need a mediator and at some point we need to get on the same page for the betterment of the County. The motion passed by two AYE Votes and one NAY vote from Commissioner Lynn Sitterud.
AYE: Keven Jensen
Jordan Leonard
NAY: Lynn Sitterud

(17)
DISCUSSION REGARDING THE PAST, PRESENT AND FUTURE OF THE SAN RAFAEL SPECIAL SERVICE DISTRICT

Commissioner Keven Jensen began discussion on what's going on at the Research Center. He expressed his concern that the administration of the Research Center should go through an entity larger than the County. He stated he felt that the funds from the legislature needed to go to an entity that could really see it thrive. The SRERCSSD would have to be dissolved to accomplish this. Julie Johansen stated that she has been following activity at the Research Center from the beginning and feels that it is a state of the art facility. She expressed appreciation to Commissioner Sitterud for his commitment to keep the economy moving forward with the possible loss of the power plants in the future. It was her hope that they would offer scholarships to students in the future. The Research Center is currently working with Universities to have classes at the facility.

Commissioner Sitterud talked about the decision by the Prior Commissioners to jump in and do this even if it doubled their load. He stated he felt it was good to bring new technology to the power plants, bring jobs and related businesses into Emery County. He added on the Cumbustion side of the Center the research that they are doing could help other future power plants. The way things sit now they are working tirelessly to find the best scenario to continue with the future of the Center. Utah State University has expressed interest, the State of Utah under the direction of the Department of Energy has expressed an interest, 7 County Coalition, or sell to a private entity. Attorney Mike Olsen stated the facility would generate a lot of money

for the county. Commissioner Jordan Leonard expressed concern that politics can change quickly and felt it was not good to be in the hands of politicians and solid management through local politics will be a challenge. Attorney Mike Olsen indicated that he felt that this is a big opportunity for Emery County. Discussion continued on this matter.

(18)
COMMISSION/ELECTED OFFICIALS REPORTS.

(19)
ADJOURN

Commissioner Keven Jensen made a motion to adjourn the meeting. The motion was seconded by Commissioner Jordan Leonard. The motion passed.

ATTEST:_____ COMMISSIONER:_____