

COMMISSION MINUTES
January 23, 2012

Minutes of the regularly scheduled meeting of the Sevier County Commissioners held this twenty-third day of January, 2012. Meeting commenced at 1:30 p.m. with Commissioners Gordon Topham, Gary Mason, and Garth 'Tooter' Ogden in the Commission Chambers of the Sevier County Administration Building, 250 North Main, Richfield, Utah. Clerk/Auditor Steven C. Wall, County Attorney Dale Eyre and Executive Administrator Malcolm Nash were also present.

Commission business:

Commissioner Topham and GIS Director Cynthia Nielsen explained to the Commissioners the work she is currently doing on the D roads on the RS2477 project. The BLM is considering donating roads in question that are less than ½ mile or a mile to the County. Ms. Nielsen reviewed a map with the Commissioners indicating some of the roads they are discussing.

Commissioner Topham then reported he had been in discussion with ET Technology concerning their late fees, and was waiting to hear back from them with additional information.

Commissioner Topham then reviewed with the Commissioners the HAZMAT training that is being held throughout this year, noting that more notice will be given closer to the dates they will be presented.

Commissioner Mason reported that a representative from Staker Parsons suggested that the County consider doing crack sealing at the Fairgrounds parking lot as quickly as possible to maintain the parking lots. Discussion followed concerning the damage that could be done if water does get under the parking lot. The chip sealing does not necessarily need to be done for a couple of years, but it should be crack sealed. The approximate cost is \$3,900 depending on the amount of sealing needed. The Commission felt that they should go ahead with the project.

County Attorney Dale Eyre reported that some property where Rocky Mountain Power was planning to put one of their transmission lines is not owned by the County, but by the federal government. Attorney Eyre reviewed the title on the property, noting that the County received the property on a tax sale and it should belong to the federal government, and recommended that the County quit claim the property back to the federal government.

Commissioner Ogden then reminded the Commissioners on the RAP training that would be taking place January 24th. He also reported that John Johnson is working on updating the Mosquito Abatement Plan with drafts available for review shortly for their input.

Minutes of the January 9th Commission meeting approved:

Commissioner Topham then moved to approve the minutes of the January 9th Commission meeting, second Commissioner Mason, unanimous.

No action taken on business license request:

The Commissioners then reviewed a business license from Ted Slaymaker for a tattoo piercing shop just northeast of Richfield named Emergence Ink. Discussion followed concerning surrounding business there and the exact location of the business. Commissioner Mason moved to table the business license until more research could be done on it, second Commissioner Topham, unanimous.

Resolution 2012-1-1 dissolving South Sevier Special Service District approved:

The Commission then reviewed a resolution dissolving the South Sevier Special Service District, which was created for a proposed wastewater and sewage system that is no longer being planned. It was reported that the Commission had previously dissolved the special district, but there had not been a resolution or anything in writing to send to the State Tax Commission so they could take it off their nomenclature. After discussion, Commissioner Topham moved to adopt resolution 2012-1-1 dissolving the South Sevier Special Service District, second Commissioner Mason, unanimous.

Public Hearing set for proposed nuisance ordinance:

Zoning Director Larry Hanson reported that he has a nuisance ordinance prepared. He said it has been through the Planning Commission and they recommended its approval by the County Commission, and asked that the Commission set a hearing date for the public. After discussion, Commissioner Mason moved to set the hearing date on February 27th during their regular Commission meeting, second Commissioner Topham, unanimous.

2012 Contract with County Seat approved:

The Commission reviewed the contract with the County Seat for the year 2012. The program provides information on Counties and their operation. After discussion, Commissioner Topham moved to approve the agreement, second Commissioner Mason, unanimous.

Pay adjustments approved for EMT Certified officer:

Sheriff Nathan Curtis reported he had an officer who became EMT certified last fall that thought he had turned in the paperwork to the Human Resource Office in October to receive the EMT Certified pay for officers of \$25 per month. He asked the Commissioners if he could pay the officer retroactively starting in October. After discussion, Commission Mason moved to approve the EMT Certification pay for the officer at \$25 per month beginning in October of 2011, second Commissioner Topham.

Sheriff Curtis also noted there were some other officers receiving the EMT Certified pay that were no longer certified, and that he had stopped the payment to those officers.

Cooperative law enforcement agreement with Forest Service approved:

Sheriff Curtis then reviewed with the Commissioners the Cooperative Law Enforcement Operating plan between the Sevier County Sheriff's Office and the Forest Service for Fish Lake National Forest with revenues of approximately \$55,974, which would be for the previous year carry-over and the current fiscal year for the annual amount of \$27,987. He said the plan provided patrol activities throughout the Forest Service as well as in the Fish Lake Recreation

area. After discussion, Commissioner Topham moved to approve the Cooperative Agreement between the Forest Service and the County, second Commissioner Mason, unanimous.

Resolution 2012-1-2 amending bylaws for Fairgrounds Advisory Board approved:

Don Sudweeks, Chairman of the Fairgrounds Advisory Board, reviewed with the Commissioners resolution 2012-1-2 amending the bylaws for the Sevier County Fairgrounds Advisory Board. He reviewed with the Commissioners some of the discussion that the Board had had, and reminded them that the Board is strictly an advisory Board, that they would make recommendations to the Commissioners, but the Commissioners would actually decide what would be done at the Fairgrounds. After discussion, Commissioner Mason moved to adopt Resolution 2012-1-2 as recommended and thank the Board for the work they had done, second Commissioner Topham, unanimous.

Public Comments:

Chairman Ogden then opened the meeting for comments from the public. Elaine Bonavita stated that as a follow-up from the last meeting she attended, she wanted to thank Commissioner Topham for the letter he had sent her, but it did not contain the information that she was looking for; specifically, a response on her letter to Clark Burgess, Department of Agriculture, and the Attorney General's Office regarding an alleged violation by the County Mosquito Abatement Program manager not following correct procedures. Ms. Bonavita also expressed concern that at this time there is no indication anywhere as to what dates the County will spray for mosquitoes this next year, and she again expressed concern that the Mosquito Abatement Department is not following code. The Commissioners reported that the information for spraying would be on the website as soon as it was established, but it had not yet been established. She then asked the Commissioners to replace John Johnson as the Mosquito Abatement Director as she feels he is not following the codes properly.

Noel Bailey and Leon Stewart then discussed with the Commissioners the funding mechanisms that are currently in place for Snow College in Richfield. They are concerned that there is not enough funding from the legislature, and through the school programs, both High School and Higher Education, that the Commissioners be supportive of working with the legislature in getting more funding for Snow College.

Proposed election precinct changes approved:

County Clerk/Auditor Steven Wall and Deputy Clerk/Auditor Barbara Crowther then reviewed precinct maps with the Commissioners for redistricting. They reviewed the change made by the legislature on the south end of the County in the State House of Representatives district 73 showing that it only took a portion of the Joseph precinct southwest of Joseph Town, and leaving the remaining area in district 70, which created a need for three sub-precincts in Joseph. They then proposed changes throughout the County as required by annexations to the cities and towns, as well as minor changes that would straighten out the lines on the precincts using the new methods that we can use with GIS, but would not move registrants to new precincts. They then discussed the proposed changes in the Salina and Richfield areas trying to equalize the number of voters in each precinct, noting that the State's computer program is not working as designed at this time and is not giving exact numbers of voters per precincts. They asked that the maps be

approved as presented with some possible minor adjustments once the number of voters per precinct can be finalized to equalize the precincts before the December 31st deadline for redistricting. Discussion followed concerning whether or not the changes would affect the current school board members, and that the County Republican Party Chairman had reviewed the proposed changes prior to this time and did not have any additional recommendations. After review and discussion, Commissioner Topham moved to approve the changes as recommended and authorized the Clerk to make some minor adjustments if needed once the State's program was fixed to equalize the numbers, second Commissioner Mason, unanimous.

There being no further business to come before the Board, meeting adjourned at 3:15 p.m.