

COMMISSION MINUTES
February 27, 2012

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

Commissioner Gary Mason and County Attorney Dale Eyre were excused.

Minutes for February 13th meeting approved:

Minutes of the February 13th Commission meeting were reviewed and approved as corrected on a motion by Commissioner Topham, second Commissioner Ogden. Motion passed.

Commission business:

Commissioner Ogden reported he had attended a meeting concerning control of predators in the area, and improving the male deer population. This not only makes it better for the sportsmen, but is also of economic importance for the County, bringing people to the area, etc.

Commissioner Ogden then reported that he will be attending National Association of County (NACo) meetings in Washington DC with Commissioner Topham next week.

Commissioner Topham reviewed a memo from the Auditor on the purchasing policies that have been given to all Department Heads. He also reviewed thank you notes, one from the Jenkins family for flowers for their funeral, and one from Lindsey Hansen for flowers after the birth of her new baby.

Commissioner Topham then updated the Commission on activities at the State Legislature.

Malcolm Nash updated the Commissioners on the Big Rock Candy Mountain project. He also reported that the new telephone lists have been given to the telephone book companies to get the County listed appropriately in their books. He then reviewed the progress of the new procedures at the Landfill.

Memorandum of Understanding approved:

Matt Christensen, County Fire Warden, reviewed with the Commissioners a Memorandum of Understanding with the Utah Division of Forestry Fire and State Lands outlining the procedures for reimbursement for his time and equipment for fires, etc. through the State. After discussion, Commissioner Topham moved to approve the Memorandum of Understanding with the Utah Division of Forestry Fire and State Lands, second Commissioner Ogden. Motion passed.

Independent Contractor agreement signed:

Recorder Jayrene Nielsen reviewed with the Commissioners an independent contractor agreement with Dennis Davis for the work he does in preparing the plats and digital GIS parcel

layer data for the County. After discussion, Commissioner Topham moved to approve the contract as recommended, second Commissioner Ogden. Motion passed.

Fees waived for Sevenmile Gooseberry Road rights-of-way:

The Commissioners then reviewed a list of property owners which would be deeding property to the County for rights-of-way along the Sevenmile Gooseberry Road project. Noting that it was for County purposes, there had been a request that the recording fees be waived. After discussion, Commissioner Topham moved to waive the fees for the property being deeded to the County for the road, second Commissioner Ogden. Motion passed.

Event agreement approved:

Paula Martin met with the Commission concerning a contract with Mac and The Big Cheese for an Ultimate Outdoor Cooking event the County is sponsoring. The Commission noted the performance would be March 22, 2012, at the Fairgrounds at a total cost of \$4,500. After discussion, Commissioner Topham moved to approve the contract for the Ultimate Outdoor Cooking event, second Commissioner Ogden. Motion passed.

Beer licenses approved:

Beer licenses for Steve Grow's Big Rock Candy Mountain Resort and the Richfield Elk's Lodge were reviewed. The Commission noted that they had both been reviewed and approved by Sheriff Curtis. After discussion, Commissioner Topham moved to approve renewal for both beer licenses, second Commissioner Ogden. Motion passed.

Claims approved:

Claims for January were reviewed and approved on a motion by Commissioner Topham, second Commissioner Ogden. Motion passed.

Resolution maintaining open roads through National Forest Land adopted:

Commissioner Topham then reviewed a resolution on maintaining open roads through National Forest land including open access to public lands by the public. The Commission asked that the resolution be transmitted to Senator Rob Bishop, making it available for a meeting on March 12 regarding the Forest Travel Management Plan. The resolution urges legislation that would re-open all of the roads that have recently been closed by the Forest Travel Management Plan, allow dispersed camping in certain areas, and leaving a road open for big game retrieval. After discussion, Commissioner Topham moved to adopt the resolution and forward it to Congressmen Bishop's Office, second Commissioner Ogden. Motion passed.

Public Hearing to consider amending Title 8 of Sevier County Code:

Commissioner Topham then moved to recess the regular Commission meeting and open the meeting for a public hearing to consider Title 8 of Sevier County Code to include a Nuisance Ordinance at 3:00 p.m., second Commissioner Ogden. Motion passed.

Zoning Administrator Larry Hanson reported that the ordinance is an upgrade to the current ordinance in the Sevier County Code which would be a better ordinance and give the

Commissioners more teeth in the enforcement of the nuisance ordinance. He recommended replacing the old Title 8 with this new ordinance.

Commissioner Ogden also told those present that it was a better ordinance, and it did actually give them more ways to enforce the ordinance.

At 3:10 p.m. Commissioner Topham moved to close the public hearing and resume the regular meeting, noting there was no one present at the hearing in protest or spoke in opposition to the ordinance, second Commissioner Ogden. Motion passed. The Commission stated that there would be no action taken today, but the matter would be put on the next agenda for final action.

CIB list approved:

Todd Thorne, Six County Association of Governments, then met with the Commissioners and reviewed the updated list of proposed projects to be presented to the Permanent Community Impact Fund Board (CIB). He reported they had visited all of the communities in Sevier County, as well as meeting with the Commissioners, and had updated the report for the current and future projects. He requested the Commissioners approval to forward that on to the CIB. After discussion, Commissioner Topham moved to approve the list as presented, second Commissioner Ogden. Motion passed.

Deferment of tax sale request granted:

Parm Patrick then met with the Commissioners concerning his property that is scheduled for the tax sale at the end of May. He reported he had some financial difficulties, but had made some recent payments and was in a position that he could make bi-weekly payments through the summer. He reported he could have the taxes caught up before the taxes were due for 2012. Treasurer Cheryl Buchanan reported that he had made approximately 5 payments in the last three or four months, and noted that the property is currently scheduled to be on the tax sale. The Commission discussed with Mr. Patrick the responsibility of payment of taxes; and noted that on the advice of the County Attorney the County is not willing to enter a contract at this time, but could defer the tax sale for one year only. The Commission said that if the taxes are not paid and the property came up for sale again next year, they would not be able to defer the taxes again and the property would remain on the sale. After discussion, Commissioner Ogden moved to defer property serial number 3-5-21 from the 2012 Tax Sale, second Commissioner Topham. Motion passed.

There being no further business to come before the Board, meeting adjourned at 3:25 p.m.