

## **COMMISSION MINUTES**

**May 14, 2012**

Minutes of the regularly scheduled meeting of the Sevier County Commissioners held this fourteenth day of May, 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, Executive Administrator Malcolm Nash, and County Attorney Dale Eyre were also present.

### **Commission business:**

Commissioner Ogden reviewed letters he had received with the Commissioners from the Utah Division of Oil, Gas, and Mining noting they have an open house in the near future. He then read a letter from Richfield City thanking the Commission for abating the roll-back taxes on the property involved with the Airport Expansion Project.

Commissioner Ogden then reported that the Commissioner's Art Show was very successful this year, noting that there was a lot of talent shown there. He stated that there is a lot of talent throughout the County, and a lot of participation at the Art Show both with artists and spectators.

Commissioner Ogden reported that there will be a controlled burn on the Monroe Mountain area during the next week or so while there is still snow on top of the mountain to assist in controlling the burn in the lower areas.

Commissioner Topham then reported he had attended the Miss Sevier pageant Saturday night, noting that Alexandria Wall had been crowned the queen, and there had been a lot of talent there. He was also impressed with the talent at the Art Show that had been displayed and shared with the community there.

### **Minutes of the April 23<sup>rd</sup> Commission meeting approved:**

Commissioner Topham then moved to approve the minutes of the April 23<sup>rd</sup> Commission Meeting, second Commissioner Mason, unanimous.

### **Public Comments:**

Commissioner Ogden then opened the meeting for comments from the public. Elaine Bonavita, Salina, told the Commissioners she is following-up with her concerns about the no-spray zone. She asked the Commissioners to consider using Mosquito Barrier to spray mosquitoes throughout the County, stating that it only needed to be used once a month instead of weekly as we are currently doing with the Kontrol 4-4, or that they could at least use the Mosquito Barrier in the no-spray zones in lieu of the Kontrol 4-4. Ms. Bonavita then expressed her belief of health problems associated with the Kontrol 4-4 chemical for spraying.

Walt LeFevre, Monroe, expressed his feelings concerning this mosquito issue. He asked Ms. Bonavita what formal training and education she had concerning chemicals, and expressed his thought that she is wasting a lot of time, effort, and expense of county employees pushing a

chemical that is not even FDA approved. He said that the County is doing well, and should continue with their mosquito program and quit wasting time and energy.

Doug Nowell, Joseph Town Councilman, reported that Joseph Town does support the County's mosquito program the way it has been running, and hopes the County will continue the program. He then said that Elaine Bonavita, as a community consultant, does not represent Joseph Town, and her petition to change the mosquito program has been denied. He then said as a taxpayer, he feels that Ms. Bonavita has cost the County a lot of money and he is sick and tired of it, stating that we should just move on with the mosquito spraying as it is currently done. He felt that John Johnson has done a good job as the mosquito director.

Conrad Miller, Salina City Mayor, told the Commissioners that Ms. Bonavita does not represent Salina City, and Salina City supports the County with its current mosquito abatement program. He then asked Ms. Bonavita if she was working today for her paper, stating that if she is she does not have a business license from Salina City for that.

Dale Albrecht, Annabella Town Mayor, stated he agrees with the others that the County program should continue as it is, that we should not make any changes as it is working, and there are times he wishes they would spray more often. He said as an individual taxpayer, he feels there is too much money being spent and time wasted on the mosquito issue, and that we should just move on the way it is and keep the program working. He also supports John Johnson and the Commissioners in the current program. He then noted that just because two people don't want to get sprayed, several others that do want to get sprayed cannot, and that is not right.

Ed Oldroyd, Monroe City Councilman, stated they have gone on record before and wish to state again that they do support the current Mosquito Abatement Program.

Scott Gurney, Aurora Town Mayor, expressed his thanks to the Commission and to the County for the work they are doing, especially with the mosquito spraying, and supports the current program the way it is. He said that John Johnson is doing a good job in Aurora Town in spraying for the mosquitoes.

David Nielsen, Central Valley Councilman, stated that Central Valley does support the current program, and he along with several others are worried about West Nile Virus coming in this area noting we have done well to keep it out and would like to see the program continue.

Chad Houchin, Mayor of Sigurd Town, said there was a big mosquito problem in Sigurd because of the location of the reservoir, waterways, etc. and he supports John in the work that he is doing.

Nancy Kennedy, Aurora, is concerned about those others that live in an area where the County has been asked not to spray. She stated that her daughter lives near one of those individuals, and she does not feel it is fair because they do not receive the spray and she cannot let her children out to play because the mosquitoes are so bad.

The Commissioners thanked everyone for their comments.

**Mosquito Abatement Plan approved:**

Commissioner Mason then explained that the County is looking at a proposed Mosquito Abatement Plan that is not an ordinance, but would be policy and direction for the mosquito abatement program.

Commissioner Topham then reported that the County has not had a written plan, and that he and the others have spent a lot of time in going through our current policies and practices to codify that into a plan. He also reported he had looked at the Mosquito Barrier product, and finds very little or no track record on it as it is fairly new, and has not been approved by the FDA as of yet. He expressed his concerns as well as the pros and cons of both chemicals, stating that he has read both good and bad things about Mosquito Barrier and Kontrol 4-4. However, the Kontrol 4-4 is widely used, has been approved, and we are spraying at a level much lower than the approved amount that could be sprayed. He said that we need to do the job as well as look out for the citizens. Commissioner Topham also explained that the County does a lot more than adult spraying with the Kontrol 4-4, thanking those towns that were there for their help with the larvacide program that starts in the spring and early summer. He said that with the help of the towns we are able to kill the larvae before the mosquitoes become adults. Commissioner Topham then noted that surrounding states such as Colorado do not have a no spray zone, and spray everywhere. He said that the County would, if needed due to a West Nile Virus threat or other health safety concern, spray anywhere in the County.

Commissioner Mason then responded to the request to spray those people who opt out of the current program with a different chemical, noting that it would not be feasible to use two different sprays, change sprayers, etc. in two different areas because of the expense and management of the two sprays. He then expressed his concerns for those individuals (neighbors) who did want to be sprayed but were in the 300 foot barrier of those who have asked to be in the no-spray zone. He said that those individuals can spray on their own at any time, and if they want to get some spray they can purchase it anywhere and do not need a license to spray their own yards and around their own homes. He then said that they would respect the no-spray zone requests with a 300 foot barrier at this time unless there is a health threat. Commissioner Ogden then thanked the cities again for their support of the mosquito program throughout the years, and helping purchase larvacide and working with our director. He said this has gone on long enough, noting that after the request for several investigations, those investigations have been completed and show that the County has been following proper procedure. After discussion, Commissioner Mason moved to approve the Mosquito Abatement Plan as presented, second Commissioner Topham, unanimous.

**Business license approved:**

A business license for Jeanette Hales for @Home Realty Network was reviewed and approved at a fee of \$25 per year on a motion by Commissioner Mason, second Commissioner Topham, unanimous.

**Cynthia Nielsen, GIS, designated in charge of addresses:**

Commissioner Topham then discussed that there had been some issues with our addressing, different addresses coming from different places (gas company, power company, GIS, etc.), and that through discussion it had been recommended that the County assign one individual or department to establish the addresses so they would be same address for 911, public safety, power, gas, and utilities so there would not be the confusion. Discussion followed concerning the GIS Department, that they can pinpoint locations and addresses, and should probably be the ones in charge of addressing. After further discussion, Commissioner Topham moved to designate Cynthia Nielsen, GIS Dept, as the individual responsible for assignment of addresses countywide, second Commissioner Mason, unanimous.

**Travel Council recommendations approved:**

Kevin Arrington, Special Events Director, then reviewed with the Commission the recommendations from the Travel Council from their last meeting. After discussion, Commissioner Topham moved to approve the expenditure as recommended by the Travel Council, second Commissioner Mason, unanimous.

Commissioner Ogden then reported that Georgette Harvey had cancelled her appointment with the Commission, and she had rescheduled for the next meeting.

**Spotlight Ordinance 2012-5-1 adopted:**

The Commissioners then discussed the ordinance allowing hunting by spotlight for predator and nuisance animals. Commissioner Topham reported that he had looked through the ordinance after hearing the concerns expressed at the last meeting, and feels that those concerns such as trespassing on private property and poaching are not allowed but are covered in the ordinance. He noted that occasionally the rules will be broken, but felt that they did the best they could with the ordinance. Commissioner Mason stated he feels the ordinance will help control the predators, and help bring back some of the game herds and pheasants, etc. as well as improve the crops in the area not only for livestock but for individuals as well. After discussion, Commissioner Topham moved to adopt ordinance 2012-5-1 enacting a law allowing hunting by spotlight for predator and nuisance animals, second Commissioner Mason, unanimous.

**Public Hearing for and adoption of new Fee Ordinance 2012-5-2:**

Commissioner Topham then moved to recess the regular meeting at 2:50 p.m. to allow for a public hearing on the County Fee Ordinance, second Commissioner Mason, unanimous.

The Commissioners reported that the current fee ordinance contains both procedures for setting fees, and the fee schedule, and is very hard to change fees as needed. Therefore, the new ordinance will set up procedure for establishing the fees for the services performed or provided by the County, and will have a separate fee schedule that can be changed as needed by the Commissioners without going through the cumbersome ordinance changes. Discussion followed concerning separating the fees out of the ordinance. At 2:55 p.m. Commissioner Topham moved to close the public hearing and reconvene the regular meeting, second Commissioner Mason, unanimous.

After discussion, Commissioner Mason moved to adopt Ordinance 2012-5-2 establishing a procedure for setting fees for services performed or provided by Sevier County, second Commissioner Topham, unanimous.

The Commissioners then discussed the fee schedule. It was noted that the fee schedule is the current schedule, what changes needed to be made in the Recorder's section adjusting the survey filing fee from \$10 to \$20, and in the Fairgrounds section adjusting the track fees to \$20 per month for those horses not being boarded at the Fairgrounds and \$10 per month for those renting stalls at the Fairgrounds. After discussion, Commissioner Topham moved to approve the fee schedule with those changes, second Commissioner Mason, unanimous.

**Central Utah Counseling Center audit reviewed:**

Brian Whipple, Farrel Marx, and Chad Williams of Central Utah Counseling Center reviewed with the Commissioners the recently completed financial audit of their program over the past fiscal year. Mr. Marx reviewed the revenues, expenses, changes with the medicare program, and federal funding, etc. and how that may affect their programs in the future. They did express how important it was, as well as their appreciation, of the monies that come from the County for the Medicaid process because that money is what is leveraged to get Medicaid money through the State and Federal governments, noting that without the help of the Counties they would not be able to do as much as they are doing to help the people. Brian Whipple then reviewed with the Commissioners the possibility, if needed, that they can help with the inmates in the Jail in providing services to them. He said if the Commissioners and Sheriff would like the help, to please contact them. The Commissioners thanked them for the information.

**Commission denies tax deferral request:**

Howard Hatch then met with the Commissioners requesting a tax deferral on property serial# 2-J9-23, which is currently on the tax sale at the end of May. Mr. Hatch asked the Commissioners for a deferral of taxes for one year allowing him some time to pay the taxes that are due and not lose the property. He reported that his renters had been behind, that they need to get the rent caught up, and that when they do he would be able to pay the taxes. Mr. Hatch noted that he has several other properties, and with the market down he has not been able to sell any properties, which would also give him the cash flow to pay the taxes. He reported he also has properties in a few other counties that are on tax sales where he has requested a deferral and they have allowed him that, and he is requesting that Sevier County do the same. The Commissioners expressed their concerns that he has several other properties that are delinquent that are not on the tax sale this year, but will come up in the next year or two, and are concerned that he is getting behind on all of his properties. They noted that if they allowed this deferral, that a precedence may be set. Mr. Hatch reported that if the market does come back and he sells some properties, or gets the renters all caught up, that he would be able to pay the taxes on all of the properties. The Commissioners then expressed that from the information submitted by Mr. Hatch, that he does have several properties and felt that he had the means to pay the taxes if he wanted to. No action was taken at this time.

**Weed Department Supervisor hired:**

Personnel Director LeighAnn Wheeler reported that they had interviewed for the Weed Department Supervisor position and recommended hiring David P. Sorenson in that position as he has experience with the County spraying the weeds, is aware of the program, and also has some ideas to improve the program. Discussion followed concerning the possibility of starting earlier in the spring than has previously been done, and working longer into the fall season to help eradicate more of the weeds. Ms. Wheeler stated it would be a grade 14 position with a salary range of \$14 -\$20 and recommended the wage of \$15 per hour. After discussion, Commissioner Topham moved to approve the hire of David Sorenson as the Weed Department Supervisor at \$15 per hour, second Commissioner Mason, unanimous.

**Bid accepted for Title 3 equipment:**

County Fire Warden Matt Christensen reviewed quotes he had received for a truck and bed to be used for the fire control suppression under the Title 3 program, and the CWPP project. The bids were for a Dodge 3500 crew cab for \$37,070, and a Ford F350 Series for \$35,268, plus the bed from Innovative Trailer Construction for \$5,030 to be added to either one. Mr. Christensen said he had reviewed the specification, looked at the trucks, and felt that either one of the trucks would work. After discussion, Commissioner Mason moved to authorize the purchase of Ford F350 Series for \$35,268 from Jorgensen Ford plus the bed from Innovative Trailers for \$5,030 under the Title 3 program, second Commissioner Topham, unanimous.

Matt Christensen then gave the Commissioners an update on the CWPP project.

**Bid for tree removal accepted:**

Commissioner Topham then reviewed some property in Monroe owned by the County with the trees that are posing a safety problem. He had contacted several tree service companies, and received two bids. One from Seven Trees of Spanish Fork for \$3,200, and one from Superior Tree Service of Kingston for \$2,800. He recommended the low bid of \$2,800, and also that he would ensure that they would have proper insurance, etc. to remove the trees. After discussion, Commissioner Topham moved to accept the bid from Superior Tree Service to remove the trees at a fee of \$2,800, second Commissioner Mason, unanimous.

**Contracts for Fair entertainment approved:**

Paula Martin then reviewed the contracts for Timothy Riggs for a magic show at a fee of \$2,100, and Kirk Garrett for Dueling Pianos Anywhere at a fee of \$1,000. After discussion, Commissioner Topham moved to approve the contracts as recommended, second Commissioner Mason, unanimous.

There being no further business to come before the Board, meeting adjourned at 3:55 p.m.