

COMMISSION MINUTES
August 27, 2012

Minutes of the regularly scheduled meeting of the Sevier County Commissioners held this twenty-seventh day of August, 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. Deputy Clerk/Auditor Barbara Crowther, County Attorney Dale Eyre, and Malcolm Nash were also present.

Commission business:

The Commission reviewed upcoming events on their schedules including the ATV Jamboree, and the activities associated with it that would require the presence of the Commissioners, and the project planning meeting on the river projects that is coming up later in the week. Commissioner Topham noted an upcoming meeting regarding oil and gas production, and said that someone should represent the County there.

Malcolm Nash then reviewed with the Commission the plans of IHC, noting that they will be bonding for some expansion projects in Utah County, but they will include Sevier County in that bonding activity because some of the funds will be expended on the renovations taking place at the IHC Hospital in Richfield. Mr. Nash reported that the Clerk/Auditor had the information on the project, and had assured him that the County has participated on these types of projects in the past. He then reminded the Commission of a conference call to discuss the proposal and outline their plans taking place in a few days.

Commissioner Topham then noted the number of riders currently signed up for the ATV Jamboree, and said that the figure was higher than last year at this time.

Public Comments:

Commissioner Ogden then opened the meeting for comments from the public. Elaine Bonavita, Salina, said she had purchased property near the Oklahoma Texas border, and was leaving the area. She said she was just saying farewell, and thanking everyone for their help in the many projects she has been involved in. She then described her new home noting that it was a new cottage on approximately 1 acre of land. She again thanked the people who had helped her in her various projects, and introduced a letter from the Governor responding to her inquiries of the Sevier County Mosquito Abatement Program indicating that there were no violations that could be pursued. She also referred to an article in the Richfield Reaper December 15, 2011, edition which reported that there were no violations in our mosquito abatement program. Ms. Bonavita then asked whether or not there were violations, and what those violations were. She submitted a copy of the letter from the Governor with the sentence about three violations underlined.

Commissioner Topham responded that the violations were not pesticide violations, but records violations. Mosquito Abatement Director John Johnson reviewed the violations.

Ella Johnson then expressed her concern about the 'No Spray' request form from the Mosquito Abatement Department. She said she has been trying to get a license for an organic farm, which takes quite a bit of time, and ANY spray will ruin all of that and make them start the process

over again. Ms. Johnson then said that she would like to see the request for the organic farm license taken off of the form, noting that although they don't yet have a license, they have been working on getting that designation for years. Ms. Johnson also noted that specific health reasons for not being sprayed are private, and under HIPPA do not have to be stated.

Commissioner Topham said that the request for specific health information has been removed from the form, but the Commission still would like to request the organic farm information.

Minutes of August 13th approved:

Minutes of the August 13, 2012, Commission meeting were reviewed and approved on a motion by Commissioner Topham, second Commissioner Mason, unanimous.

Economic Development Council appointed:

The Commission then reviewed an updated list of the Economic Development Council. Malcolm Nash said that the Economic Development Council has been re-organized. The members are as follows: Kinley Peterson, Joe Betar, and Hayven Dunn for 1 year terms; Kimball Poulsen, Peggy Roundy, and Karen Worley for 2 year terms; Keith Kimball and Gary Mason for 3 year terms. Mr. Nash said that the group has met once, and they are all excited about serving on the Council. After discussion, Commissioner Topham moved to approve the appointments requested, second Commissioner Mason, unanimous.

Business license approved:

A business license for Paula Warner for Advanced Bodywork & Massage was then reviewed. The Commission noted that the license had been approved by the Zoning Administrator. After discussion, Commissioner Mason moved to approve the business license at a fee of \$25 per year, second Commissioner Topham, unanimous.

Additional information requested on Predator Control Contract:

The Commission then reviewed the Predator Control Renewal Contract with the State of Utah in the amount of \$2,000. County Attorney Eyre said that the contract was very clear, but noted that there has been a change in policy in how the funds are managed. Discussion followed concerning the changes, why the funds would go through the Woolgrowers Assoc., and that there will be additional requirements for the hunters to be able to collect the funds. Commissioner Mason moved to approve the contract with the State of Utah for the Predator Control Contract. Further discussion then followed concerning the current predator control program, and who will be responsible for the funds, with concern expressed that we are turning the program over to the Woolgrowers Association with the possibility of killing fewer animals. Commissioner Mason then withdrew his motion and asked that they get more clarification on the contract. No further action was taken at this time.

Richfield Fire Contract reviewed:

Mike Langston, Richfield City, met with the Commissioners regarding a renewal of the City's fire contract. Discussion followed concerning the new Fire Station building that the City is constructing, that the agreement is simply renewing their agreement as they do every 5 years, and that the service boundaries for the entire County are being reviewed but the changes will not

affect the Richfield City area. County Attorney Dale Eyre said he was concerned about who should be the department head to review the contract, and that in paragraph 2 on page 2 it states “which payment shall be without limitation as to the gross amount” which does not account for gaining approval from the County prior to expending the funds. County Attorney Eyre said that he would like to see an audit system built into the contract requiring Commission approval on the gross amount. Commissioner Mason said he was concerned with paragraph 5 on page 3 listing the standby assistance to be given to other departments as it should be noted that assistance will be given in the Cities and surrounding areas. The Commission asked County Attorney Eyre to get a new agreement ready for review by the Commission at their next leadership meeting, and to the City for their review. The Commission asked that the matter be placed on the agenda for the next meeting. No further action was taken at this time.

Refunds approved:

Assessor Amy Garren-Clark met with the Commission concerning personal property refunds that had been requested. She recommended refunds to Carson Brady in the amount of \$50 for a vehicle they had registered after they had sold it, and to Directv Inc. in the amount of \$310.85 for an overpayment. After discussion, Commissioner Mason motioned to accept the Assessors recommendation and authorize the refunds as requested, second Commissioner Topham, unanimous.

There being no further business to come before the Board, meeting adjourned at 2:50 p.m.