

COMMISSION MINUTES
January 14, 2013

Minutes of the regularly scheduled meeting of the Sevier County Commissioners held this fourteenth day of January, 2013. 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 Malcolm Nash were also present.

Commission Business:

Commissioner Ogden reported that Joseph Town is proposing to build a new water tank, and they are also looking at the possibility of doing hydro power. He then reported that Elsinore Town is looking at proposed annexation just to the north of Elsinore. He also noted that the snow pack for the Sevier River drainage area is currently at approximately 108%, so we have had good snow fall in the mountain range area.

Commissioner Ogden then gave an update on the EWP project and how that is continuing to move along.

Commissioner Topham reported that statewide they are working on the RS2477 road issues, and are in the process of getting more depositions from the older people who are aware of the roads while they still can.

Malcolm Nash then updated the Commission on discussion and legislation on public lands, and the economic summit that he had attended. He then reported that he had received the final reimbursement for the trailhead project at Big Rock Candy Mountain, and gave the Commission an update on that project noting that it is nearing completion.

Chairman for 2013 elected:

Commissioner Topham then moved to appoint Commissioner Mason as Chairman for the 2013 calendar year, second Commissioner Ogden, unanimous.

Minutes of December 17th meeting approved:

Commissioner Topham then moved to approve the minutes of the December 17th Commission meeting, second Commissioner Ogden, unanimous.

Surplus list approved, items to be sold/destroyed:

The Commissioners then reviewed a list of items that had recommended to be surplus, with most of the items from the Sheriff's Department and others from the Assessor and Clerk/Auditor departments. Discussion followed concerning the requested action to be able to dispose of the items, that some of the items were no longer useable and needed to be destroyed, and that perhaps some of the Sheriff Department items could be sold or used by other entities. After discussion, Commissioner Topham moved to declare surplus the items as requested, and authorized disposal of the items by either destruction if they were unusable or sale if still useable, second Commissioner Ogden, unanimous.

Claims approved:

Claims for the month of December were reviewed and approved on a motion by Commissioner Ogden, second Commissioner Topham, unanimous.

Public Comments:

Chairman Mason then opened the meeting for comments from the public. There were no comments from the public.

Commission assignments decided:

The Commissioners then reviewed the Commission Assignments for the 2013 calendar year, noting that the Chairmanship would move to Commissioner Mason, as well as a few changes in assignments as follows:

Commissioner Topham

Mental Health/Public Health

GIS

AOG Executive Board

AOG Human Services and Aging

AOG Natural Resources Committee

AOG Economic Development Council

Sevier Valley Substance Abuse Coalition

Tourism and Travel Council/Jamboree

UAC Representative

NACo Representative

Sevier Valley Event Center Board

Austin Special Service District

Six County Regional Housing Authority Board

Children's Justice Center Advisory Board

Commissioner Mason

Chairman

Economic Development

Public Safety/EMS

RecTV & Communications

Roads, Bridges

Administration Building & Grounds

Human Resources

Blackhawk Arena Board

Building Department

Rural Public Lands County Council

Hospital Board

Council of Governments Lead

Commissioner Ogden
Fairgrounds & Fair/Events
Work Force Services Board
Bookmobile
Landfill
Mosquito Abatement
Planning & Zoning
Commissioner's Art Show
Weed Control
Water Projects
Information Technology
Fire
Accident Review Board

After discussion, Commissioner Topham moved to approve the assignments as recommended, second Commissioner Ogden, unanimous.

Mayor Representative for Six County AOG Board appointed:

Commissioner Topham noted that the Mayor representative to the Six County Board was up for appointment. He stated that the previous appointee did not wish to serve again. After discussion, Commissioner Topham moved to appoint Mayor Conrad Miller to the Six County AOG Board as the mayor representative from the Sevier County area, second Commissioner Ogden, unanimous.

Appointments made to Districts/Boards:

The Commission then reviewed the current districts and board, and it was noted that most of those currently serving on those boards desire to remain serving on those boards. Commissioner Topham reported that there had been some advertisement and discussion of allowing individuals wanting to serve on the County Boards, advertising for them to respond through our internet page, and there had been no responses. After discussion, Commissioner Topham moved to re-appoint John Byers and Gary Mason to Special Service District #1 for four year terms, to re-appoint Gary Mason to Special Service District #2 for a four year term, to re-appoint Russell Anderson to the Board of Adjustments for a four year term, and to reappoint Mike Miles, Evelyn Nielsen, and John Worley to the Planning and Zoning Board for three year terms, to appoint LeighAnn Wheeler to the Accident Review Board, to appoint Kinley Peterson, Joe Betar, and Hayven Dunn for a one year term to the Economic Development Board, to appoint Peggy Roundy, Kimball Poulsen, Karen Worley for two year terms to the Economic Development Board, and to appoint Keith Kimball, Gary Mason, and Matthew Creamer for three year terms to the Economic Development Board, second Commissioner Ogden, unanimous. The Commission noted that the Fairground Committee would be reviewed at a later meeting.

Business License approved for WJ Ag Repair:

After review and discussion, Commissioner Topham moved to approve the business license for Weslie Ogden for WJ Ag Repair at a fee of \$50 per year, second Commissioner Ogden, unanimous.

Beer license renewals approved:

The Commission then reviewed and approved renewal of beer licenses for the Richfield Elk's Lodge, Pheasant Run, Lakeside Lodge, Fish Lake Lodge, and Top Stop Convenience Store after noting that the Sheriff had given his recommendation on a motion by Commissioner Ogden, second Commissioner Topham, unanimous.

Personal Property refunds approved:

Assessor Amy Garren-Clark met with the Commissioners with recommendations for personal property refunds to Impact Fitness for \$41.04 and to Universal Drilling and Supply of \$20.94. These are both due to State Audits on personal property. After discussion, Commissioner Ogden moved to approve the refunds as recommended, second Commissioner Topham, unanimous.

Personnel Policies adopted as recommended:

LeighAnn Wheeler, Human Resource Director, discussed with the Commissioners Section 9, Compensation. She said they had been reviewed by the Committee and discussed with Department Heads, and these were part of the re-doing of the merit system in getting all of the policies in-line. After discussion, Commissioner Topham moved to accept the section on compensation with the changes discussed, second Commissioner Ogden, unanimous.

Ms. Wheeler then reviewed Section 10, Employee Benefits, with the Commission, which had also been reviewed and worked through the Committee, Department Heads, etc. After review and discussion, Commissioner Ogden moved to adopt Section 10 with the changes as requested, second Commissioner Topham, unanimous.

Sealife Encounters contract approved:

Paula Martin met with the Commissioners to review a contract with Sealife Encounters of America for a sea life exhibit at the Fair during August at a cost of approximately \$5,500. After review and discussion, Commissioner Topham moved to approve the agreement and authorize its execution for a total amount of \$5,500, second Commissioner Ogden, unanimous.

Personnel change approved in Sheriff's Department:

Sheriff Curtis reviewed with the Commissioners the employment of Danny Nowers. He reported his employment had been under a State program under which the County pays minimum wage with the State paying some Social Security benefits as well. He reported that Mr. Nowers would no longer be working with the County, and is requesting to hire John Ling under the same program working through the State. Discussion followed concerning the need for a background check, and that Sheriff Curtis would review the salary and benefits that he would be receiving (minimum wage at less than 20 hours per week) to fit that program. After discussion, Commissioner Topham moved to approve the hire of John Ling as recommended under the State program, second Commissioner Ogden, unanimous.

Release of Leasehold Rights approved:

The Commissioners then reviewed a Release of Leasehold Rights for the Master Lease between Sevier County and Municipal Building Authority for the Criminal Justice Facility dated March

15, 2005, noting that the Bonds have been paid off using that building as collateral and are now Sales Tax Revenue Bonds under the County's name which would release that property from any encumbrances. After discussion, Commissioner Topham moved to approve the Release of the Leasehold Rights, second Commissioner Ogden, unanimous.

Court Building of Criminal Justice Facility declared surplus, sold to State:

The Commissioners then discussed the possibility of selling the Court Building portion of the Criminal Justice Facility under the agreement of the current lease they owe with the right to purchase. They are willing to exercise that right and desire to purchase the property under that agreement. After review and discussion of the contract to sell the property, Commissioner Topham moved to agree to the contract subject to ensuring that all of the utilities are separated and on their own meters, and verification of the correct legal description, second Commissioner Ogden, unanimous.

The Commission then noted that in order to sell the property to the Courts, it would need to be declared surplus. After discussion, Commissioner Ogden moved to declare the Court portion of the Criminal Justice Facility as surplus property and authorize the sale of the property to the state per the original lease agreement, second Commissioner Topham, unanimous.

Additional roadway vacations for Airport Expansion may be needed:

County Attorney Dale Eyre discussed with the Commissioners a public hearing that had recently been held concerning the vacation of some roadways by the County near the airport due to the airport upgrade and moving the runway. County Attorney Eyre noted the possibility that we may have to hold additional hearings because there is more roadway being given up by the County. After discussion, County Attorney Eyre said he would review the matter further with Road Superintendent Mark Rickenbach and GIS Administrator Cynthia Neilsen.

Time and Date set for Closed Session:

At the request of County Attorney Dale Eyre, Commissioner Topham moved to set the time and date for a closed session to discuss pending litigation for January 14, 2013, at 3:30 p.m., second Commissioner Ogden. Commissioner Topham, Commissioner Mason, and Commissioner Ogden all voted in favor of closing the meeting. Those present included: Commissioner Mason, Commissioner Topham, Commissioner Ogden, Clerk/Auditor Steven C. Wall, County Attorney Dale Eyre, Human Resource Director LeighAnn Wheeler, and Sheriff Nate Curtis.

Regular meeting resumed at 3:48 p.m.

There being no further business to come before the Board, meeting adjourned at 3:49 p.m.