

COMMISSION MINUTES
February 9, 2015

Minutes of the regularly scheduled meeting of the Sevier County Commissioners held this ninth day of February, 2015. 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 and Executive Director Malcolm Nash were also present.

Commission business:

Commissioner Ogden discussed and updated the Commissioners on the legislative meetings he had attended. The main items they are currently discussing include transportation, water issues, and annexations.

Commissioner Mason reported that he had been contacted by Darin Robinson, Jones and DeMille Engineering, who is helping Annabella Town with a drainage project concerning flooding issues and mitigation on the east side of Annabella. They are building a detention basin and developing drainage channels to the river. He is asking the County to partner with them when they apply to CIB. Discussion followed concerning the issues with all of the communities throughout the County, not being able to partner with municipalities on other items they would be willing to, and noting that if they did for one they would have to help with all. The Commission indicated they would be willing to draft a letter of support, but did not feel they could partner in providing funding or helping to fund or maintain the project. No action was taken at this time.

Commission assignments adjusted:

The Commission then reviewed the assignments for 2015 and made some adjustments including moving the Council of Governments Lead to Commissioner Ogden, deleting Rural Public Lands Council from Commissioner Mason, and the Work Force Services Board from Commissioner Ogden. After discussion, Commissioner Topham moved to adopt the assignments as discussed with the changes, second Commissioner Mason, unanimous.

Minutes of January 26th Commission meeting approved:

After review, Commissioner Mason then moved to approve the minutes of the January 26th Commission Meeting, second Commissioner Topham, unanimous.

Claims approved:

Claims for January were reviewed and approved on a motion by Commissioner Topham, second Commissioner Mason, unanimous.

Items declared surplus, disposal authorized:

The Commissioners then reviewed a list of surplus items, including items that were broken and no longer usable as well as items that would be traded for new equipment. There was also a list of weapons that deputies were purchasing. After discussion, Commissioner Mason moved to declare surplus the items as listed and authorize their disposal as indicated on the list, second Commissioner Topham, unanimous.

Resolution 2015-02-01 adopted changing Fairgrounds Advisory Board By-Laws:

Chip Gleave and Paula Martin reported that to change the Fairground Board as had been discussed at the last meeting, that the by-laws needed to be changed, and that the Committee had met together and recommended a change in 3.1 of the By-laws which would remove one at-large position and add a BMX representative. After discussion, Commissioner Mason moved to adopt Resolution 2015-02-01 changing in the Fairgrounds Advisory Board By-laws, second Commissioner Topham, unanimous.

Kent Parsons recognized:

Commissioner Mason then reported that Kent Parsons, who was very instrumental in developing television and getting it to the local area, as well as rural areas in Utah and surrounding western states, had passed away. Mr. Parsons has been a very valuable part of Sevier County, and has helped the Commission throughout the years in matters concerning television and translators, etc. He recommended that the County send flowers for the funeral.

No decision rendered on Independent Contractor Agreement:

Recorder Jayrene Nielsen and Dennis Davis then reviewed the new contract for Dennis Davis for 2015. Human Resources LeighAnn Wheeler expressed concerns of the Workers Compensation section of the agreement, noting that if Mr. Davis does not provide us with proof of workers compensation coverage, that during the annual worker's compensation audit the county will be billed for Mr. Davis' worker's compensation premium. Mr. Davis said he did not feel that he as an individual needed worker's compensation, and did not feel that he needed to provide any documentation. The Commission took the matter under advisement to give them time to discuss the matter with the County Attorney Dale Eyre, Human Resources LeighAnn Wheeler, and Recorder Jayrene Nielsen. No further action was taken.

Indigent Defense Counsel Services Contract taken under advisement:

The Commission then reviewed an agreement for Indigent Defense Council Services. Discussion followed concerning the compensation as outlined in the agreement. The Commission took the matter under advisement to discuss it further with County Attorney Dale Eyre prior to approval. No further action taken at this time.

Region III Interlocal Mutual Aid Agreement approved:

Sheriff Nathan Curtis then reviewed with the Commission the Region III Interlocal Mutual Aid Agreement, which he indicated was a renewal of a previous HAZMAT agreement with the State of Utah, Department of Public Safety. The agreement would authorize him to provide help and receive help through the Utah Interlocal Mutual Aid Agreement for mutual aid and cooperative disaster response and recovery assistance. After discussion, Commissioner Topham moved to approve the agreement, second Commissioner Mason, unanimous.

EMI Health Choice Dental Plan Contract approved:

Human Resource Director LeighAnn Wheeler reviewed an agreement with EMI Health Choice for the dental insurance the County is using this year. She said the insurance was effective as of the first of January. After discussion, Commissioner Mason moved to approve the contract, second Commissioner Topham, unanimous.

Monster Truck Racing League Agreement approved:

Events Coordinator Paula Martin reviewed with the Commissioners the Monster Truck Racing League Agreement for the monster truck show at the Fair. Discussion followed concerning the response we have had in the previous years, the number of people coming to the fair to watch the event, that it was a growing event throughout the State, and that we had garnered approximately \$13,000 in revenue from the event. After discussion, Commissioner Mason moved to approve the Monster Truck Racing League Agreement as recommended for a total fee of \$15,000, second Commissioner Topham, unanimous.

Request for attorney fees denied:

The Commission then reviewed a request from County Attorney Dale Eyre recommending that the County pay attorney fees in the amount of \$3,000 from the restitution fees received from a recent case between the County and John Johnson. Discussion followed that the Commissioners were under the understanding from previous discussions that the County would not be responsible for these attorney fees. County Attorney Dale Eyre was not present to answer questions. After discussion, Commissioner Mason moved to deny the request, second Commissioner Ogden, unanimous.

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