

## COMMISSION MINUTES

June 22, 2015

Minutes of the regularly scheduled meeting of the Sevier County Commissioners held this twenty-second day of June, 2015. Meeting commenced at 1:30 p.m. with Commissioners Gary Mason, 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 Director Malcolm Nash were also present.

### **Commission business:**

Commissioner Ogden reported on a natural caused fire in the Old Woman area in Salina Canyon that they will continue to manage and use for a prescribed burn, as it is not burning fast and is in an area that needs to be burned.

He also updated the Commissioners on a Sage Grouse meeting that he had attended where several of them were asking the Commissioners to request the BLM and Forest Service for an extension on the comment period as it was a very short period. He reported that they had also discussed the new sales tax for transportation purposes passed by the legislature last spring that many of the Counties are looking at putting on the ballot this year. The Commissioners are still working with the communities in the area to get their input and recommendations on the tax.

Commissioner Topham reported that the Utah Association of Counties had called an emergency Board Meeting to discuss the request for help for Commissioner Lyman in San Juan County in a lawsuit he is involved in with the federal government on trespassing in a wilderness road-less area. Commissioner Topham noted that in this particular case, the Commissioner had discussed the planned route with the BLM prior to the event and the BLM did not feel there would be a problem. Unfortunately, while his group stayed in the area that was discussed, there were others who broke away from the group and went into areas they should not have been in. Commissioner Topham said that although a legal protest had been planned, there were some who were carried away and did not follow the prescribed plan. Concerns had been expressed about using tax payer's money to fund attorney fees in possible criminal cases. No action was taken.

Executive Director Malcolm Nash then informed the Commissioners that Bowery Resources, who owns the SUFCO Mine, had filed papers with the Securities Exchange Commission to go public and offer their stocks on the market versus staying a private company. Discussion followed that this would be a good move as there would be more transparency with the Company versus being held privately.

Commissioner Topham then reported that he had attended a tour of a tomato growing operation near the natural gas power plant in Mona, where they take the steam from the plant, as well as carbon dioxide, to speed up the growth of the tomatoes. He said that could be considered in our area if the power plant is ever built.

### **Minutes of the June 8<sup>th</sup> Commission Meeting approved:**

Minutes of the June 8<sup>th</sup> Commission meeting were reviewed and approved on a motion by Commissioner Topham, second Commissioner Mason, unanimous.

### **Agreement with Intermountain Public Land Consultants approved:**

Executive Director Malcolm Nash then reviewed with the Commissioners a consulting agreement between Sevier County and Intermountain Public Land Consultants, Cornell Christensen. The agreement would be to help the County as needed for a one year period with public land issues at a fee of \$10,560.

After discussion, Commissioner Mason moved to approve the agreement with Intermountain Public Land Consultants, second Commissioner Topham, unanimous.

**Personal property refunds approved:**

Assessor Amy Garren-Clark then reviewed with the Commissioners refunds on personal property accounts. She reported that most of them are self-reporting, reporting that there were errors in what had been reported, and the errors had been corrected. The Commission reviewed the following refund requests: Udy Construction in the amount of \$27.32, Stonehenge in the amount of \$69.07, Thalman Orthodontics in the amount of \$45.28, Tri County Plumbing & Heating in the amount of \$99.66, Tara Reid in the amount of \$80, Lincare in the amount of \$126.56, Delange Landen in the amount of \$33.07, Mark Oldroyd in the amount of \$50, and Universal Drilling and Supply Company in the amount of \$57.95. After discussion, Commissioner Topham moved to approve the refunds as recommended, second Commissioner Mason, unanimous.

**Programmatic Agreement with Surface Transportation Board and others approved:**

Commissioner Topham then reviewed with the Commission a programmatic agreement among the Surface Transportation Board, the BLM, the Army Corps of Engineers, Utah State Preservation Officers, State Trust Lands, and the Six County Association of Governments. He noted that the agreement would be for the railroad project, that does identify certain areas where there may or may not be cultural resources along the proposed route; and if there are it defines the resources to find them and mitigate any concerns. Each of the entities and counties in the Six County area will be looking at and agreeing to this agreement. After discussion, Commissioner Topham moved to approve Sevier County's concurrence with the agreement, second Commissioner Mason, unanimous.

**Olsen Subdivision and River at Venice Subdivision, both minor subdivisions, approved:**

Zoning Administrator Larry Hanson and Ryan Savage of Savage Surveying met with the Commissioners concerning two minor subdivisions. One is for Jason and Brandi Olsen for the Olsen Subdivision located just west of Sigurd near their cemetery for a one lot subdivision, and the other is for Eagle Ventures Incorporated for the River at Venice Subdivision located in the Venice area for a two lot subdivision. Mr. Hanson reported that each of them have met the requirements given them by the Planning Commission, and that approval was recommended by the Planning Commission. After discussion, Commissioner Topham moved to approve the subdivisions as recommended, second Commissioner Mason, unanimous.

**Letters drafted listing issues with the Sage Grouse plan of the BLM:**

The Commission then reviewed a letter addressed to Ms. Jenna Whitlock, Acting State Director for the Utah State Office of the BLM, discussing their issues and concerns of the greater Sage Grouse cooperating agency draft of their environmental study. These were issues that the Commissioners were aware of and would cause concern for the County. They also discussed drafting a second letter protesting the closing of the comment period and asking that it be extended because there was not enough time to provide for adequate comments. After discussion, Commissioner Topham moved to approve both letters, second Commissioner Mason, unanimous.

**Travel Council Recommendations accepted:**

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

**Resolution 2015-06-02 fixing 2015 tax rates adopted:**

Clerk/Auditor Steven Wall then reviewed with the Commissioners the proposed tax rates for the 2015 year to generate the dollars that had been budgeted for taxes in this annual year. He reported that the total

of the proposed tax rates match the certified tax rates. Therefore, there would be no truth in taxation required this year for the 2015 budget. He also indicated that the multi-county assessing and collecting levy would be added to this amount that is set by the State when they get all of the information they need to do that. After further discussion, Commissioner Topham moved to adopt Resolution 2015-06-02 the final tax rates and set the County proposed rate at .003052 total for all funds including the county assessing and collecting levy, second Commissioner Mason, unanimous.

**2016 Security and Bailiff Contract with State Courts approved:**

Sheriff Nathan Curtis then reviewed with the Commissioners the renewal for the Security and Bailiff Contracts with the State Courts for their fiscal year 2016 in the amount of \$81,326, which he indicated has more court days and times, and he will be looking at requesting an increase next year. After discussion, Commissioner Mason moved to approve the agreement with the State Courts, second Commissioner Topham, unanimous.

**Research Subaward Agreement with Westat Inc. for Safety and Seatbelt Enforcement approved:**

Sheriff Curtis then discussed with the Commissioners a Research Subaward Agreement between Westat, Inc. and the Sevier County Sheriff's Department to implement a leadership framework as well as traffic safety and seatbelt enforcement, looking at ways to increase more seat belt use and safety as a beta program in Sevier County. He said they are running the program in two Counties, here and in North Carolina, and there will be a nationwide program developed from the research after the results are seen in both counties. The contract will last approximately a year and a half, with funding in the amount of up to \$50,000. After discussion, Commissioner Topham moved to approve the agreement, second Commissioner Mason, unanimous.

**Indigent burial request approved:**

The Commission then reviewed a request from Springer Turner Funeral Home for an indigent burial of Emma Sue Zarlington Lloyd, noting that the County Attorney is still in the process of doing his investigation to verify the indigent status. After discussion, Commissioner Mason moved to approve the request at a rate of \$1,200 subject to final verification and approval of the County Attorney, second Commissioner Topham, unanimous.

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