

COMMISSION MINUTES
November 14, 2016

Minutes of the regularly scheduled meeting of the Sevier County Commissioners held this fourteenth day of November, 2016. Meeting commenced at 1:30 p.m. with Commissioners Gary Mason, Garth ‘Tooter’ Ogden, and Gordon Topham, in the Commission Chambers of the Sevier County Administration Building, 250 North Main, Richfield, Utah. Clerk/Auditor Steven C. Wall and Executive Administrator Malcolm Nash were also present.

Commission business:

Commissioner Ogden gave an update on the EWP project, stating that they are moving forward and getting the information put together for the work that will be done this coming year.

Executive Director Malcolm Nash reported he had received a letter from the Governor’s Office of Economic Development concerning our request to establish an Enterprise Zone in the unincorporated areas of the County, and the letter stated it had been approved. This will allow eligible businesses that are expanding or locating in that zone to be eligible for tax credits.

Commissioner Topham then mentioned that the Commissioners need to be aware of the Committees and Boards that they are currently serving on, and with the new Commissioner coming at the first of the year, thinking about what Boards he could serve on.

Minutes of October 24th approved:

Minutes of the October 24th Commission meeting were then reviewed and approved as written on a motion by Commissioner Ogden, second Commissioner Mason, unanimous.

Claims approved:

Claims were reviewed and approved by Commissioner Mason, second Commissioner Ogden, unanimous.

Cooperative Law Enforcement agreement approved:

The Commission then reviewed the Cooperative Law Enforcement Annual Agreement between the Forest Service and Sevier County to provide law enforcement in the Fish Lake and surrounding areas. After review and discussion, noting this was an annual renewal of a contract currently in place, Commissioner Mason moved to approve the Cooperative Law Enforcement Agreement with the Forest Service, second Commissioner Ogden, unanimous.

Ratification of removal of Public Health Officer:

Commissioner Topham then reported the results of the investigation that has been ongoing of the Public Health Officer at the Central Utah Public Health Department. He said that the Board and Committee is recommending that the Public Health Officer be dismissed, but all of the Counties involved in the district need to have the opportunity to agree or disagree with the recommendation because the Health Department covers more than one County. Commissioner Topham said he had given the information from the investigation to the other Commissioners for review. After discussion and having reviewed the investigative report, the independent panel report, Mr. Costa’s defense response, and finding good cause, Commissioner Mason moved to terminate and remove Bruce Costa as the Health Officer of the Central Utah Public Health Department and to rescind and withdraw Sevier County’s ratification of Bruce Costa as the Local Health Officer which shall be in writing by letter from the Sevier County Commission, second Commissioner Ogden, unanimous.

Travel Council recommendations approved:

Tourism Director Kevin Arrington then reviewed the Travel Council recommendations. After discussion, Commissioner Ogden moved to approve the recommendations, second Commissioner Mason, unanimous.

Update on Resource Management Plan:

Mr. Arrington then gave the Commissioners an update on the progress of the Resource Management Plan (RMP), stating they have received most of the reports back from the experts that are helping give input into the plan, and those have been forwarded to the Company that is helping write the plan. The Commissioners thanked him for his work and assistance in writing the plan.

Indigent burial approved:

The Commissioners then reviewed a request from the Springer Turner Funeral Home for help with an indigent cremation for Michelle Lorena Phillips. The Commission noted that the request is for more than what our policy allows. After discussion, Commissioner Ogden moved to approve payment of \$1,100 for the cremation subject to final approval by the County Attorney Dale Eyre regarding her indigency, second Commissioner Mason, unanimous.

Resolutions 2016-11-1 and 2016-11-2 approved:

Eric Johnson, the Attorney assisting the County to organize special service districts, discussed with the Commission the process of establishing special service districts, and some of the things that need to be done to organize districts. Commissioner Ogden expressed concern where the documents stated that the special districts could have taxing authority, and wanted to note that the County would be using mineral lease monies to fund them. Mr. Johnson reported that that is part of the code that the special districts do have taxing authority, but that we can put in the organizing documents that it be put to a vote by the public before a tax could be imposed on the people. Mr. Johnson noted that a public hearing needed to be set, and what would be needed prior to establishing the special districts and their by-laws, etc. He said the Resolutions that the Commission was considering stated that the Commission is thinking of establishing Special Service District #3 to provide, operate, and maintain correctional and rehabilitative facilities, and Special Service District #4 to provide fire protection and suppression services including emergency medical services, ambulance services, search and rescue services, Firewise Community programs, and the development of community wildfire protection plans. The public hearing was set for January 9, 2017, at 2:00 p.m. After discussion, Commissioner Mason moved to adopt Resolutions 2016-11-1 and 2016-11-2 to call for a public hearing for establishment of Special Service District #3 and Special Service District #4, second Commissioner Ogden, unanimous.

Section 10B added to Policy and Procedures Manual:

The Commissioners then discussed the proposed Section 10B – Employee Leave of the Sevier County Policies and Procedures Manual. This section would combine of the employee leaves into Paid Time Off (PTO). The Commission noted that the changes had been presented to Employees and Department Heads. After discussion, Commissioner Ogden moved to approve Section 10B and authorize it to be added to the Sevier County Policies and Procedures Manual, effective January 1, 2017, second Commissioner Mason, unanimous.

There being no further business to come before the Board, meeting adjourned at 2:45 p.m.