

COMMISSION MINUTES

August 14, 2017

Minutes of the regularly scheduled meeting of the Sevier County Commissioners held this fourteenth day of August, 2017. Meeting commenced at 1:30 p.m. with Commissioners Garth 'Tooter' Ogden, Kenneth May and Ralph Brown 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 reported that it had been a successful fair and thanked those that had been involved. Commissioner Brown also expressed his gratitude and thanks for all of the county employees and volunteers who had helped with the fair. Commissioner May expressed his appreciation as well.

Minutes of July 25th approved:

Minutes of the July 25th Commission Meeting were then reviewed and approved on a motion by Commissioner May, second Commissioner Brown, unanimous.

Claims for July approved:

Claims for the month of July were then reviewed and approved on a motion by Commissioner Brown, second Commissioner May, unanimous.

Sevier County Reinvestment Agency convened:

Commissioner May then moved to suspend regular Commission meeting and convene the Sevier County Reinvestment Agency at 1:40 p.m., second Commissioner Brown, unanimous.

Garth 'Tooter' Ogden, Kenneth May, and Ralph Brown, acting as the Sevier County Reinvestment Agency, opened a public hearing to take comments on the draft project area plan and project area budget for the proposed Sigurd Solar Community Reinvestment Project area. Executive Director Malcolm Nash explained what the reinvestment agency does, and the process of how the tax increment financing works including how the revenues are generated. Mr. Nash reported that Sigurd Solar had requested the County's help funding/financing their project through the tax increment financing as an incentive to help with their development costs.

Genette Williams then asked if the incentive monies going to the Reinvestment Agency would include the money on the land, or just the personal property on the proposed solar panels. Mr. Nash explained that this year would set the base value of the land, and then any increase in the value of the property in that area, including personal property, would be used for the calculation of the tax increment.

Mike Snow then stated that he was told a month ago that there was no plan in place, and they did not know what they are doing. Now he is finding out that they did have had this request from the solar agency for over a year, and he is wondering why the Commissioners are not being fully transparent and why they have not been letting the public know all the way through what is being proposed. He then stated that according to their documentation now, there is approximately \$9 million in incentives going back towards this company. He expressed his concerns and opinion that any money taken through the tax increment process to help with the infrastructure as stated in the law, but he did not feel that they should be able to take money and give it back to a private company to help the company, especially after the Commission has raised taxes. He is concerned that they are now talking about giving money back to a private entity. He said he felt the number should be a lot lower, maybe \$1 million to \$1.5 million for infrastructure with the rest flowing through to the taxing entities to provide some relief for the taxpayers. Mr. Nash responded that up until about one month ago they did not have the total plan, or the budget in

place. He said that last year they did have requests, but now they are looking more at the dollars and at a plan.

In the plan, it states that providing the incentive to bring the company will provide economic development. Genette Williams asked what the economic development would be. Mr. Nash responded that the economic development would be up front during the construction process, but there would not be a continuing economic development as there would only be one employee to maintain the panels.

A question was asked about the dollar amount that would be received, and Mr. Nash indicated it would be approximately \$9 million to the agency with approximately \$5.5 million to the taxing entities.

Mike Orton said he felt that the process is good, and that the taxing entities would get some benefit out of this, as well as the solar company. Mr. Nash then stated that it is up to the agency, who is basically the Commissioners as the Reinvestment Agency Board, to decide how that money would be spent.

Mr. Orton asked if the boundaries are set, and, if there is expansion, how would it be handled. Mr. Nash explained that if there were an expansion, there would need to be an additional plan and budget developed for a new project.

Dave Anderson asked if it does happen, what will the money be used for? It was discussed that if the money was paid, it would be up to the developer what it would be used for; but, hopefully, it would be used for roads, fencing, flooding issues, etc., and anything else he deemed necessary.

The Commission asked Zoning Administrator Jason Mackelprang if this had been through the Planning Commission. Mr. Mackelprang reported that it had been, and the Planning Commission recommended approval of the project by the County Commission.

Mr. Snow then expressed his concerns and disagreement, stating he is okay with the project and the area, but giving back \$9.9 million is maybe too much, especially after the tax increases and hiring freezes that the County has imposed over the last couple of years. Mr. Snow stated that the roads and fencing are okay, but he is against paying for any other part of the project including incentives to help purchase the panels.

Commissioner Brown stated he felt that 30% is better than 0%. At this point he disagrees with doing anything other than infrastructure, but he feels it could also help bring other businesses and entities to the area.

Mr. Orton then asked about why the incentives and the higher costs of solar power. Mr. Nash responded saying that some companies are willing to pay the additional money because they want to show they are using renewable energy, and looking for renewable energy sources.

Michael Snow then asked how the School District felt about the project and giving up the tax dollars. The Commission said that was something he would have to ask the school district, as they were unable to answer for the school district.

Mr. Brown said that he is also opposed to 70%, but he will study the issues before a decision is made as to where they go or what will happen at this time.

Commissioner Ogden then closed the public hearing.

Discussion followed that they would take no additional action at this time, but take the comments they had heard, and review the matter further.

Commissioner Brown then moved to close the public hearing and resume the regular meeting, second Commissioner May, unanimous.

No additional action was taken at this time on the Resolutions concerning the Sigurd Solar Community Reinvestment project area and budget.

Bid accepted for surplus property:

Bids were then opened for the surplus property 1-S4A-38 in the Salina area that had been advertised. Bids were received from Aaron Gardner in the amount of \$3,375, and Robinsons Transport in the amount of \$3,500. After review and discussion, Commissioner May moved to accept the high bid from Robinson Transport and authorize transfer of the property to Robinson Transport, second Commissioner Brown, unanimous.

New Hire approved for Landfill:

Landfill Supervisor Kelly Conder then reported that he had worked with Human Resources Director LeighAnn Wheeler, and they had been through the hiring process. He recommended hiring Anthony Lamprecht starting August 8, 2017, at a rate of \$14.44 per hour, Grade 11, Step 1. He said that this is a replacement of an employee who is no longer here. After discussion, Commissioner Brown moved to approve the new hire as recommended, second Commissioner May, unanimous.

Items surplus, authorized for disposal:

The Commission then reviewed a list of items that are no longer being used by the USU Extension Office, Recorder, and Economic Development. The list included office furniture, and a 2002 Buick Century vehicle. After discussion, Commissioner May moved to declare surplus the items on the list, and authorize the sale or disposal of the items, second Commissioner Brown, unanimous.

Children's Justice Center contract approved:

The Commission then reviewed amendment #4 to Contract 160223 with the State of Utah for the Children's Justice Center. The amendment would extend the agreement for an additional year from July 1, 2017 to June 30, 2018, adding approximately \$88,800 to the agreement to bring the new contract total to \$277,612. After discussion, Commissioner May moved to approve Amendment #4 as recommended, second Commissioner Brown, unanimous.

Mormon Peak Easement approved:

GIS Director Cynthia Nielsen and Road Superintendent Bob Watts discussed with the Commissioners Easement Number 1408 with SITLA, which is a re-alignment of the Mormon Peak Road (Amendment #2). The new alignment was improved for safety, easier access, etc. After discussion, Commissioner Brown moved to approve the easement as recommended, second Commissioner May, unanimous.

Communications Center Cooperative Agreement approved:

Sheriff Nathan Curtis then reviewed with the Commissioners the renewal contract for the Communications Center Cooperative Agreement. Discussion followed concerning the increases that are being paid by the State, as well as by the other entities using the facility. He said this would be a renewal from July 1, 2017 through June 30, 2018. He did indicate that a good portion of the increase this year for the County can be paid out of the funds left in the 911 budget. After discussion, Commissioner Brown moved to approve the Communications Center Cooperative Agreement Budget for FY2017-2018 as recommended, second Commissioner May, unanimous.

Travel Council recommendations approved:

Tourism Director Chad McWilliams then met with the Commission to review the Travel Council recommendations. The Commission first thanked him for the great job he did at the County Fair, and the work that was done there overseeing the event. They reviewed some of the activities, and indicated they would have some time now to look what was done, and possibly make changes to improve things for next year.

Mr. McWilliams then reviewed with the Commission the recommendations of the Travel Council from their last meeting, noting that the items from the Sevier Valley Gun Club had been canceled and he recommended that item be deleted. After discussion, Commissioner May moved to approve the recommendations with the exception of the Gun Club as recommended, second Commissioner Brown, unanimous.

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