

COMMISSION MINUTES

July 9, 2018

Minutes of the regularly scheduled meeting of the Sevier County Commissioners held this ninth day of July, 2018. Meeting commenced at 1:30 p.m. with Commissioners Garth 'Tooter' Ogden, Ken 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 gave an update on the Willow Creek Fire and indicated it was 100% contained, and they are just mopping up some of the hot spots and finishing up. The Commission thanked all those that worked on the fire.

Commissioner May gave an update on a health summit he had attended.

Commissioner Brown reported that it was interesting to sit in on the fire meetings and see how wildfires are handled and managed. He then gave an update on the Governmental Poverty Coalition, including the surrounding Counties of Beaver and Piute.

Commissioner Brown also reported that he is working with law enforcement concerning underage alcohol mitigation.

Minutes of June 25th Commission meeting approved:

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

Payment approval report approved for June:

The Payment Approval Report for the month of June was then reviewed and approved on a motion by Commissioner Brown, second Commissioner May, unanimous.

Public Hearing to consider changes to Sevier County Code Title 14 Zoning Ordinance Fees:

Commissioner May then moved to recess the regular Commission Meeting for a scheduled public hearing, second Commissioner Brown, unanimous.

At 1:37 p.m. the Commission opened Public Hearing to consider changes to the Sevier County Code, Zoning Ordinance Title 14 Appendix C. Commissioner May reported that the fees have been in place for approximately 25 years, and the Planning Commission recommended an increase to all of the fees. Commissioner Ogden reported that it does take additional time and expenses now than it has previously. Building Inspector/Zoning Administrator Jason Mackelprang reported he had compared fees with surrounding counties and even with the increase, we are still lower than most of the surrounding counties. He said the fees are set to cover our costs.

There being no further comments from the public, the Public Hearing was closed at 1:45 p.m. and regular meeting resumed.

Ordinance 2018-7-1 adopted changing Zoning Fee Schedule:

After discussion, Commissioner Brown moved to adopt Ordinance 2018-7-1 to amend the Sevier County Code Title 14, Appendix C, second Commissioner May, unanimous.

No action taken on proposed fee changes for Road Department and APAA:

The Commission then reviewed proposed changes to the Sevier County Fee schedule on the APAA fee from \$250 to \$350, as well as increases in the Road Departments for Encroachment Permits and Inspection Fees. Discussion followed concerning the proposed Inspection fee of \$60 and requested additional information concerning when that fee would apply. After discussion, Commissioner May moved to continue any action to the Sevier County Fee Schedule until the next Commission meeting, second Commissioner Brown, unanimous.

Public Hearing to consider new Agriculture Protection Area:

At 1:55 p.m., Commissioner May moved to recess the regular Commission Meeting and hold a Public Hearing concerning the creation of a new Agriculture Protection Area, second Commissioner Brown, unanimous.

Commissioner May then moved to open a Public Hearing to hear comments on the proposed APA designation, second Commissioner Brown, unanimous.

Mark and Nancy Jensen requested approval for an Agriculture Protection Area on property they own of approximately 40 acres south of Richfield, noting that the property had been in the family for the last 150 years. Mr. Jensen noted that there are many homes being built in the area, and he is asking for protection to be able to continue farming. Building Inspector/Zoning Administrator Jason Mackelprang reported that the APA had been reviewed and gone through the process of the Planning Commission, and they recommended its approval.

Commissioner Ogden also stated that he had been involved in farming and understood that residential building was encroaching on the farming areas.

There being no further comments made, the Public Hearing was closed at 2:00 p.m., and regular Commission meeting resumed.

APA for Mark and Nancy Jensen approved:

After discussion, Commissioner Ogden moved to approve the A & D Jensen APA as recommended, second Commissioner May, unanimous.

Chad Outzen Minor Subdivision approved:

Building Inspector/Zoning Administrator Jason Mackelprang reviewed with the Commission a request from Chad Outzen for a one-lot subdivision which would include 5.25 acres. The property is north of Monroe, in the A5 area. Mr. Mackelprang noted that the Planning Commission had reviewed the information and recommended approval. The Commission noted it would be on the Austin Water System for culinary water. After discussion, Commissioner Brown moved to approve the Chad Outzen Minor Subdivision as recommended, second Commissioner May, unanimous.

Refunds for overpayments approved:

Assessor Amy Garren-Chark then recommended a refund of \$24.41 to Twelve Timbers because of an overpayment of an amount that was due at the time, and a refund of \$33.76 to Bridle to Bridal Designs for an overpayment. After discussion, Commissioner May moved to approve the refunds as recommended, second Commissioner Brown, unanimous.

Canvass of 2018 Republican Primary Election:

At 2:10 p.m., Commissioner May moved to recess the Commission Meeting to allow for the Canvass of the Primary Election, second Commissioner Brown, unanimous.

The Board met as the Board of Canvassers to canvass the Sevier County Primary Election. Clerk/Auditor Steven Wall and Deputy Clerk/Auditor Barbara Crowther reviewed with the Commission the process, the election results, the use of new equipment, etc. Discussion followed concerning the number of registered voters, the groups of voters allowed to vote in the Primary Election, and the number of Provisional Voters. After review and discussion, Commissioner May moved to approve the Canvass of the 2018 Republican Primary Election held June 26, 2018, second Commissioner Brown, unanimous.

Regular Commission Meeting resumed at 2:15 p.m.

Refund Settlement/Stipulation with AT&T Mobility and AT&T Communications approved:

The Commission then discussed the proposed settlement for AT&T Mobility and AT&T Communications that has been worked through the Attorneys on the Centrally Assessed Litigation Committees. The recommended proposed settlement would adjust the taxes for AT&T Mobility in 2016 by \$4,816, and a refund of \$3,073 for 2017 for a total of approximately \$7,889. The Attorneys are looking for agreement from the Counties to agree to the proposed stipulation/settlement with AT&T. After discussion, Commissioner May moved to approve the proposed stipulation/settlement with a total refund of \$7,889 with the exact amount determined during final approval with the State Tax Commission, second Commissioner Brown, unanimous.

County Policies updated:

Human Resources Director LeighAnn Wheeler then reviewed with the Commissioners Section 16A Computer and Technology Use, and 16B Social Media Policy, noting that these changes separate the policies out but make them more understandable. Ms. Wheeler said that the policies have been reviewed by a Committee, the County Commissioners, and Department Heads. After discussion, Commissioner May moved to adopt Revised Policies 16A and 16B for the Sevier County Policies, second Commissioner Brown, unanimous.

1990 Chevrolet Pickup declared surplus:

The Commission then reviewed a request to surplus a 1990 Chevrolet Pickup which has been in the Weed Department and is no longer in use. It was noted that the parking brake cable is broken. After discussion, Commissioner Brown moved to declare surplus the 1990 Chevrolet surplus, and authorize it to be sold as is, second Commissioner May, unanimous.

Review of 2017 Independent Audit:

Gabe Miller and Rick Roberts, Kimball and Roberts CPA Firm, reviewed the independent audit of the 2017 financial statements of Sevier County. After discussion, Commissioner May moved to approve the audit report and thank the Auditors for the work they have done, second Commissioner Brown, unanimous.

There being no further business to come before the Board, meeting adjourned at 3:05 p.m.