

COMMISSION MINUTES

August 22, 2016

Minutes of the regularly scheduled meeting of the Sevier County Commissioners held this twenty-second day of August, 2016. 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 was also present.

Executive Director Malcolm Nash was excused.

Commission business:

Commissioner Ogden updated the Commission on the Sand Ledge Fire, reporting that it has currently burned approximately 2,200 acres, and that it was very active, volatile, and moving in different directions. He said the majority of the fire had been on the west side of Highway 24, with a few small fires on the east side. The fire has been on private land, state land, and BLM land.

Commissioner Topham reported he had received a letter from Monroe City reporting some additional land that they are in the process of annexing into the City limits. He also reported that the Interfaith Council had met with the Executive Committee of the Intergenerational Poverty Committee, and they are discussing how they can work together.

Minutes of August 8th Commission Meeting approved:

Commissioner Ogden then moved to approve the minutes of August 8th Commission meeting, second Commissioner Mason, unanimous.

Memorandum of Understanding with Forest Service, Manti-La Sal region signed:

The Commissioners then reviewed a Memorandum of Understanding between Sevier County and the Forest Service in the Manti-La Sal National Forest region. The Memorandum of Understanding will allow Sevier County to participate in the revision of the Land and Resource Management Plan for the region. There is a small portion of the County that is in the Manti-La Sal region. After discussion, it was noted that County Attorney Dale Eyre had not as yet reviewed the agreement. Commissioner Mason moved to approve the Memorandum of Understanding with the Forest Service contingent upon final review and approval of the County Attorney, second Commissioner Ogden, unanimous.

Interlocal Agreement with Kane County for Celebration of Freedom and Lifestyles approved:

Commissioner Topham then updated the Commissioners on the Celebration of Freedom and Lifestyles, and reported that the attorney for Kane County was requiring an Interlocal Agreement prior to their participation in the event. After discussion and review, Commissioner Ogden moved to approve the Interlocal Agreement with Kane County upon the final review and approval of County Attorney Dale Eyre, second Commissioner Mason, unanimous. Commissioner Topham then reviewed the events planned for the Celebration, and efforts to sell additional tickets to the events.

Rural Community Consultants to develop County Resource Management Plan:

Kary Monroe, representing Rural Community Consultants, reviewed an agreement to develop a County Resource Management Plan with the Commission, indicating the different costs of the different parts of the plan. The total cost was approximately \$58,000. He also noted they would be working with Six County Association of Governments to get the data they are putting together, as well as establishing more, and that the information gathered for this plan could also be used for the General Plan. After discussion, Commissioner Mason moved to approve the Agreement with the Rural Community Consultants subject to the final approval of the County Attorney, second Commissioner Ogden, unanimous.

Public Hearing to consider adopting 2015 International Building Codes:

Commissioner Ogden then moved to recess the regular meeting, and open a public hearing as advertised at 2:00 p.m. to consider adopting the 2015 International Building Code, the 2015 International Residential Code, the 2015 International Plumbing Code, the 2015 International Mechanical Code, the 2015 International Fuel Gas Code, the 2015 National Electrical Code, the 2015 International Energy Conservation Code, and the 2012 International Fire Code. Building Inspector/Zoning Administrator Jason Mackelprang reported that the County has followed the International Building Codes, but they do need to be renewed every three to five years as their codes are updated. There were no other comments from the public.

At 2:05 p.m. regular Commission meeting was then resumed.

Ordinances 2016-8-1 through 2016-8-8 adopted:

After review and discussion, Commissioner Ogden moved to adopt the International Building Codes, Ordinances 2016-8-1 through 2016-8-8 as requested, second Commissioner Mason, unanimous.

Appeal of greenbelt rollback taxes denied:

Ralph and Katherine Brown, Central Valley, then stated they had purchased several parcels of property several years ago, and had been granted greenbelt status for those properties. Mr. Brown stated that there has been no change in use of those properties, and felt they should still be on greenbelt. However, he had received notice from the Assessor that they had been taken off of greenbelt, and that he owed 5 years of rollback taxes on those properties in the amount of more than \$15,000. He told the Commissioners he had subdivided, taking properties off of greenbelt, but had paid their rollback taxes; but this property had remained the same for the last several years with fruit trees and two goats. He asked why the classification had changed when everything is still the same, and why he has to proof up at this time when nothing has changed. Assessor Amy Garren-Clark reported that her office is doing a greenbelt paper audit countywide, and will be inspecting greenbelt properties in certain districts throughout the County each year. She said they will be sending letters to property owners requesting that they provide proof that the parcels on greenbelt are being used for agricultural purposes. She noted that several parcels had not been used for agricultural purposes, and they are being billed for rollback taxes. She said Mr. Brown's parcels are some of those that no longer meet the greenbelt requirements on the 38 acres in question. Mr. Brown asked if it was ethical to all of a sudden audit and send notice out that the rollback taxes are due within 30 days, and said that there should be some type of warning allowing time to come into compliance before taking property out of greenbelt and demanding payment. The Commission discussed that it is State law that the County is following, and that the Assessor is only following that law and the Commissioners are unable to change the law, but have to follow the State law as well. The Commission noted there is nothing they can do at this time to change either the audit or the determination of value. Assessor Garren-Clark then noted that these particular parcels are classified as the Graze 4 level, which is the lowest grazing possible, which requires a certain number of animals to graze that area annually to meet the requirements. If he wanted to use the fruit trees classification, they would need to produce approximately 6,000 pounds of fruit per acre. Under the law, the parcels will be taken out of greenbelt this year, and he will have to provide proof of agricultural use for two years to put the property back into greenbelt classification. Mr. Brown then reported he had signed up for greenbelt in 2003 in good faith thinking it was approved at that time, and if he had not changed any use it should stay that way. Further discussion followed concerning the State Law. After further discussion, Commissioner Mason moved to deny the appeal of the rollback taxes, second Commissioner Ogden, unanimous.

Commission approves personnel changes:

Human Resources Director LeighAnn Wheeler reported that during the early retirement/termination, there had been two full-time positions that had terminated from the EMS Department, and that they are now hiring one position back to fill those two spots. She recommended hiring Trent Adams for the full-time squad leader to start August 8th at \$15.26 per hour, Grade 12, Step 1. Mr. Adams is currently paramedic qualified, and once the pay grade for paramedics is determined his pay will be raised to reflect that. After discussion, Commissioner Ogden moved to ratify and approve the hire of Trent Adams as recommended, second Commissioner Mason, unanimous.

Tourism Director Kevin Arrington then joined Ms. Wheeler and introduced Robin Hessey, who they reported has been hired as a part-time, temporary position to help Mr. Arrington during the Fair Week and Jamoboree Week to help with the special activities requiring additional help, so it would be very minimal. Mr. Arrington reported that Ms. Hessey had been excellent help during the County Fair, and he is looking forward to her assistance during the Jamboree. Ms. Wheeler recommended Grade 7 Step 1, at \$11.57 per hour, beginning July 25th to help get ready for the Fair. After discussion, Commissioner Mason moved to ratify the position for Robin Hessey as recommended, second Commissioner Ogden, unanimous.

Special Use Application Permit with Forest Service and BLM approved:

Mr. Arrington then reviewed with the Commission the Special Use Application Permit for Recreation Events for the Jamboree between Sevier County and the US Forest Service and Bureau of Land Management. After review and discussion, Commissioner Mason moved to approve the permit, second Commissioner Ogden, unanimous.

Emergency Action Plans accepted from Sevier Valley Canal Company and Piute Canal Company:

Commissioner Topham then presented the Emergency Action Plans that had been given to him from the Sevier Valley Canal Company and the Piute Reservoir and Irrigation Canal Company, noting that Utah Law requires the canal companies establish an emergency action plan that would identify their structures, their routes, their canals, etc. and the access needed. He reported that this doesn't commit the County to anything, there is nothing required of the County, other than providing the information to the Emergency Services in case of a catastrophe, fire, flooding, etc.; and also for use by the Planning Commission and Zoning Administrator in future development along the canal corridors. After discussion, Commissioner Mason moved to accept the emergency plans, and asked that they be put on file with the different departments that would have use of them, second Commissioner Ogden, unanimous.

There being no further business to come before the Board, meeting adjourned at 3:55 p.m.