

COMMISSION MINUTES

February 12, 2018

Minutes of the regularly scheduled meeting of the Sevier County Commissioners held this twelfth day of February, 2018. 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, Attorney Dale Eyre, and Executive Administrator Malcolm Nash were also present.

Commission business:

Commissioner Ogden reported on the meetings he had attended at the Utah Legislature, including committee meetings discussing changes to County governments, councils, etc., talking about the Federal Government moving their offices to different areas being served, and House Bill 143 of Representative Noel realigning the apportionment of OHV fees paid to the State and getting more to the Counties that are affected with OHV trails to provide maintenance and help with search and rescue.

Commissioner May said the legislative sessions he had attended involved the legislators trying to exempt Utah from the Antiquities Act. The resolution that Representative Albrecht is sponsoring to send to the federal government on exempting Utah.

Commissioner Brown reported on the meetings he had with Snow College, noting that some of their programs are filling up, including CDL Training, and discussed the future growth of the college.

Minutes of January 22nd Commission Meeting approved:

Minutes of the January 22nd Commission meeting were then reviewed and approved on a motion by Commissioner May, second Commissioner Brown, unanimous.

Claims approved:

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

Clean-Up Nuisance Abatements to move forward:

Charles Billingsley and Zoning Administrator Jason Mackelprang then discussed with the Commissioners nuisance violations that Mr. Billingsley had sent out to four different property owners, noting that the violations have not been remedied, and asked for authorization to abate the violations which would grant him the ability to remedy the situation and then add the fees and costs to the property tax notices. The parcels in question include: 3-192C-29, 3-192D-56, 3-192D-57, 3-192F-41, 3-192F-42, 3-192E-13, 3-192E-14. After discussion, Commissioner Brown moved to authorize the abatement of the violations to allow the parcels to be cleaned up and the expenses added to the property tax notices, second Commissioner May, unanimous.

Public Hearing to open 2018 budget:

At 1:55, Commissioner Brown moved to recess the regular Commission Meeting and open the meeting for a public hearing as advertised to open the current budget, second Commissioner May, unanimous. Those present included Commissioner Brown, Commissioner May, Commissioner Ogden, Clerk/Auditor Steven Wall, Executive Director Malcolm Nash, County Attorney Dale Eyre, a few employees, and some residents of the County.

Chairman Ogden then reported that the Public Hearing was to increase the current General Fund Budget to allow for \$64,000 from a VOCA Grant for the Children's Justice Center, \$27,000 to complete the General Plan Project, and \$450,000 for USDA Federal Grant for Flat Canyon Basin Phase I to develop a

watershed plan and environmental assessment for the Richfield West Sevier Watershed area from Flat Canyon north. There were no comments from those present.

Hearing no comments from the public, the Commission resumed the regular meeting at 2:00 p.m.

The Commission then discussed the increase in the budget for the items specified. After discussion, Commissioner May moved to approve the increase in the General Fund Budget in the amount of \$541,000 as recommended, second Commissioner Brown, unanimous.

Business licenses approved:

The Commission then reviewed business license requests for Buchanan Development, Inspire Cabinetry LLC, and Kristina Okerlund Photography. After discussion, Commissioner Brown moved to approve the business licenses for Inspire Cabinetry LLC and Kristina Okerlund Photography at a yearly fee of \$25 and the business license for Buchanan Development at a yearly fee of \$50, second Commissioner May, unanimous.

Beer license renewal approved:

The Commission then reviewed a beer license renewal request for the Big Rock Candy Mountain Convenience Store. After discussion, Commissioner May moved to approve the beer license renewal, second Commissioner Brown, unanimous.

Bids opened:

Bids were then opened for a 2012 Ford Escape and a 1996 Ford truck as advertised. One bid was received for the 2012 Ford Escape in the amount of \$5,100 from Malcolm Nash, which was higher than the minimum bid that was advertised. No bids were received for the truck. After discussion, Commissioner May moved to accept the bid from Malcolm Nash for \$5,100 on the Ford Escape and authorized the Clerk/Auditor to complete the appropriate documents to transfer the title upon receipt of the funds, second Commissioner Brown, unanimous.

Flat Canyon Basin Phase I Agreement approved:

The Commission then reviewed an agreement between the US Department of Agriculture, Natural Resources Conservation Service, and Sevier County for a grant for \$450,000 for an environmental assessment study for flood mitigation and development of a new watershed work plan and concept design expenses. It was noted that Commissioner Ogden had previously signed the contract due to time constraints in getting the contract back to the NRCS. After discussion, Commissioner May moved to ratify the agreement, second Commissioner Brown, unanimous.

Agreement with UDOT and Special Service District #1 approved:

The Commission then reviewed an agreement with the Utah Department of Transportation for work to be done north of Salina for turn lanes on the Willow Creek Road, noting that UDOT will be doing a project along that road, and will include an upgrade to access of the Willow Creek Road to the Highway 89 while they are doing their project. Special Service District #1 has agreed to fund the project on behalf of the County. The agreement is with the County because it is a County Road they are improving; however, the project has been reviewed and approved for funding by Special Service District #1 so there will be no County funds involved. After discussion, Commissioner Brown moved to approve the agreement with UDOT on the project, and also to approve an agreement with the Special Service District #1 for funding of the project, second Commissioner May, unanimous.

Rotomill sale agreement approved:

Road Supervisor Bob Watts then met with the Commission to review an agreement with Staker Parsons to purchase a supply of rotomill material that Sevier County owns that has been stored on Staker Parsons property pursuant to a previous agreement that Sevier County was going to use. The County has not had a use for the rotomill, and Staker Parsons would like to purchase the material for use in one of their projects. After discussion, Commissioner May moved to approve the agreement with Staker Parsons to purchase the rotomill material, second Commissioner Brown, unanimous.

Refunds of pre-paid property taxes approved:

Deputy Treasurer Lindsey Hansen then discussed with Commission two written requests for refunds of property taxes that had been pre-paid for the 2018 year in November of 2017. Due to the proposed IRS tax law changes at the time, these individuals had received advice from their accountants to pre-pay their taxes in 2017. However, subsequent to that the IRS ruled that the pre-payment of taxes would not be allowed as write-offs for the 2017 year; so Richard White and Claude Hold had requested a refund of those prepaid taxes at this time. After discussion, Commissioner May moved to approved a refund of the pre-payment noting that it was an issue brought up because of the proposed changes in the tax laws, second Commissioner Brown, unanimous.

There being no further business to come before the Board, meeting adjourned at 2:25 p.m.