

COMMISSION MINUTES
February 25, 2019

Minutes of the regularly scheduled meeting of the Sevier County Commissioners held this twenty-fifth day of February, 2019. Meeting commenced at 1:30 p.m. with Commissioners Garth ‘Tooter’ Ogden, Scott Johnson, and Ralph Brown in the Commission Chambers of the Sevier County Administration Building, 250 North Main, Richfield, Utah. Clerk/Auditor Steven C. Wall, County Attorney Dale Eyre, and Executive Administrator Malcolm Nash were also present.

Commission business:

Commissioner Brown reported on meetings he attended with the Public Health Board. Where they discussed items in the Legislature that will affect them, and the possibility of dispensing medical marijuana.

Commissioner Ogden reported on some of the things he had discussed as he visited the Legislature this last week. He reported that a previous Sevier County Commissioner who is a State Senator now, Ralph Okerlund, had received an award for his work with rural areas in the State. Commissioner Ogden said there seems to be a continuing divide that is getting larger between rural and urban Caucasus, and we need to continue to keep the legislators aware of rural needs.

Minutes of February 11th Commission Meeting approved:

Minutes of the February 11th Commission meeting were then reviewed and approved on a motion by Commissioner Johnson, second Commissioner Brown, unanimous.

Payment In Lieu received from Division of Wildlife Resources:

Kevin Bunnell, Seth Decker, Sam Beckston, and others met with the Commissioners to present a check for \$1,410.05 for the in lieu tax payment for the land that the Division of Wildlife Resources owns in Sevier County. They discussed with the Commission some of the things they have been involved in and some of their recent activities, including the Perch Contest event at Fishlake last week. They thanked the County Road Department for putting salt on the roads and parking areas to help with the contest. They also updated the Commissioners on the renovations they are working on and planning to do in the Fishlake area in improving the marinas, fishing piers, and board walk. The Commission thanked them for the information.

Contract for District Court and Child Welfare Conflict Cases approved:

County Attorney Dale Eyre then reviewed with the Commissioners an additional contract for District Court and Child Welfare Conflict Cases, which will be paid out of the public defender grant money at a fee of \$25,000 per year. After discussion, Commissioner Brown moved to approve the agreement as recommended with Micheal Labrum Jr. for District Court and Child Welfare Conflict cases, second Commissioner Johnson, unanimous.

Public Hearing convened to consider amending Sevier County Code Title 2 Chapter 2.08:

At 2:00 pm., Commissioner Brown moved to recess the regular meeting in order to hold a public hearing as advertised, second Commissioner Johnson, unanimous.

At 2:00 p.m., Commissioner Ogden opened a public hearing to consider an Ordinance amending Title 2 Chapter 2.08 of the Sevier County Code, and asked County Attorney Dale Eyre to provide some additional information about the proposed ordinance change. County Attorney Eyre reported that several years ago, County entities had to purchase bonds for the elected officials, and that had become increasingly difficult. He said that several years ago those bonds had been included in the County’s liability insurance with coverage amounts tied to them and specific bonds had not been used. Presently

there are some of the residents throughout the State that are questioning whether or not there is coverage for elected officials for theft and crime insurance. The amendment is to set the amount of coverage needed for elected officials, except for the Treasurer which is set in the State Money Management Act. The ordinance has been reviewed with UCIP, it does provide the County coverage, and they are recommending that the County set a specific amount for each one. The officials are all currently covered in the insurance that we do have, the ordinance would remove the separate bond requirement and set specific coverage amounts for public officials as required for theft or crime insurance. Commissioner Ogden then asked for any other comments, and hearing none closed the public hearing at 2:05 p.m.

The regular meeting then resumed.

Ordinance 2019-2-1 adopted:

After discussion, Commissioner Johnson moved to adopt Ordinance 2019-2-1 setting bond amounts for respective offices of the County, second Commissioner Brown, unanimous.

Elk Meadows Subdivision approved:

Ryan Savage, representing Floyd Rigby, reviewed with the Commission a proposed three lot subdivision, the Elk Meadows Subdivision, in the Glenwood area. He said they had received a recommendation for approval from the Planning Commission. They noted that they had met the condition of gaining approval from the Road Department for access, and giving Right of Way for the Road to the County. After discussion, Commissioner Brown moved to approve the Elk Meadows Subdivision as requested with the adjustments that had been made for the road right-of-way and access, second Commissioner Johnson, unanimous.

Bell Family Subdivision approved:

The Commission then reviewed information for the Bell Family Subdivision for three lots near the Koosharem Reservoir. They noted that a bonus lot was given because of the acreage in the area, and reported that access to those properties would be off of the Daniels Canyon Road. The Planning Commission also recommended approval of this subdivision. After discussion, Commissioner Johnson recommended approval of the Bell Family Subdivision as recommended, second Commissioner Brown, unanimous.

Conditional Use Permit approved for Fresh Express USA DBA Super Soil USA:

The Commission then reviewed a request for a Conditional Use Permit for Fresh Express USA, DBA Super Soil USA, for Kirk Harris which would provide them the opportunity to screen out gravel, and also mix the soil with the compost they have. The Planning Commission is recommending the Conditional Use Permit be approved with the conditions set by the Planning Commission. After discussion, Commissioner Brown moved to approve the Conditional Use Permit as recommended, second Commissioner Johnson, unanimous.

2019 SelectHealth Medical Contract approved:

LeighAnn Wheeler, Human Resources, then met with the Commission concerning the 2019 Medical Contract with Select Health that had been chosen in the fall to provide health insurance for the County employees for 2019. After discussion, Commissioner Brown moved to approve the agreements with Select Health to provide insurance to County employees, second Commissioner Johnson, unanimous.

Confidential and Non-Disclosure Agreement approved:

Ms. Wheeler then reviewed with the Commissioners the Confidential and Non-Disclosure Agreement between Sevier County and SelectHealth allowing SelectHealth to provide information on our claims to a

third-party to allow the County to gather and study utilization reports. After discussion, Commissioner Johnson moved to adopt the Non-Disclosure Agreement, second Commissioner Brown, unanimous.

Business license for Ashley Burgum for Oaklee Mae, Inc. approved:

The Commission then reviewed a business license for Ashley Burgum for Oaklee Mae, Inc. for jewelry manufacturing. It was noted that the Zoning Administrator had signed the application. After discussion, Commissioner Brown moved to approve the business license and set the fee at \$25 per year, second Commissioner Johnson, unanimous.

Items declared surplus:

The Commission then reviewed a list of items departments were requesting be surplus. After discussion, Commissioner Johnson moved to declare the items on the list surplus and authorize their disposition as indicated, second Commissioner Brown, unanimous.

Request for Proposals for landfill rate study approved and issued:

Executive Administrator Malcolm Nash then reviewed with the Commissioners a Request for Proposals for a rate study and financial recommendations for the Sevier County Landfill. He said that the document had been reviewed by the Department Head as well as the County Commission, and it would allow an auditor to review and study the fees at the Landfill to ensure what was needed to keep in financially stable. He noted that fees have not been increased at the landfill in approximately 20 years. After review and discussion, Commissioner Brown moved to approve the Request for Proposals and authorize the process to begin, second Commissioner Johnson, unanimous.

There being no further business to come before the Board, meeting adjourned at 2:30 p.m.