

COMMISSION MINUTES
February 26, 2018

Minutes of the regularly scheduled meeting of the Sevier County Commissioners held this twenty-sixth 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 May reported on activities at the Blackhawk Arena this last weekend with the BMX races there, noting that it was well attended. They had good activities, as well as good attendance.

Commissioner Brown reported there will be a rodeo at the Blackhawk Arena this next weekend and updated the Commissioners on the meeting he had with Snow College and investors looking at the possibility of providing student housing for the Snow College Richfield campus. He also reported that the CDL course at the college is full.

Commissioner Ogden gave a legislative update that the Commissioners had been working with the legislators on, including the bill currently being considered which would keep the five current dispatch locations instead of reducing them to three. So they will maintain their center here as a dispatch center and they are also looking at constructing a new facility here.

Minutes of February 12th meeting approved:

Minutes of the February 12th meeting were then reviewed and approved as amended on a motion by Commissioner Brown, second Commissioner May, unanimous.

Sigurd Town Projected added to CIB list:

The Commission then discussed a request from Sigurd Town to add a chip seal overcoat project for the town roads to the CIB Capital Improvement List. It was noted that this did not include the main highway, which is a State Road, that goes through Sigurd Town, as well as part of the Main Street that is being re-done and improved by the Special Service District, but it would include the additional roads. After discussion, Commissioner May moved to approve the request from Sigurd Town to add this project to the Capital Improvement List and forward it to the CIB so they could act on the request from Sigurd Town, second Commissioner Brown, unanimous.

New hires approved:

Human Resources Director LeighAnn Wheeler then reported to the Commissioners that after the resignation of the previous Mosquito Director, Mark Stewart, they had advertised for the position. She is recommending Branton Nielsen be hired as the supervisor to replace Mr. Stewart effective January 1st at \$18.74 per hour. After discussion, Commissioner Brown moved to ratify the appointment of Branton Nielsen as Mosquito Supervisor as recommended, second Commissioner May, unanimous.

Ms. Wheeler then discussed the replacement of the part-time temporary position left vacant after Robin Hessey resigned. The position is temporary on-call to help with special events throughout the year, such as the Fair and the ATV Jamboree. Ms. Wheeler said they had gone through the process and is recommending Jessamyn Deaton at Grade 8 at a rate of \$12.55 per hour. After discussion, Commissioner May moved to ratify the hire as recommended, second Commissioner Brown, unanimous.

National Benefit Services contract amended:

Ms. Wheeler then discussed with the Commission that because the County is going to strictly a high-deductible plan, that we could no longer offer the flexible spending plan. The Cafeteria plan 125 cannot be used with the high deductible plan. Where no one is on a traditional plan, it was noted that we needed to change our plan with National Benefit Services to remove the flexible spending cafeteria 125 plan and have a POP plan, which would be a premium only plan if the County ever asked the employees to pay part of the premium, they would be able to do that with pre-tax dollars. The agreement had been reviewed by County Attorney Dale Eyre. After discussion, Commissioner Brown moved to approve the agreement with National Benefit Services removing the flexible spending 125 plan, and leaving the POP plan, second Commissioner May, unanimous.

County to assist in abatement of nuisance:

Zoning Administrator/Building Inspector Jason Mackelprang and Charles Billingsley then discussed with the Commission the request to abate the nuisance violations on property 4-320-7 owned by Tom A Cropper. Mr. Billingsley explained that he had begun working on the property in 2017 trying to work with the owner and sending notice of violation. The owner indicated he is doing a recycling business, but he does not have a permit for the recycling, business license, etc. He has continued to add to the amount of rubbish, and Mr. Billingsley has tried to work with the owner. A second notice was sent to the owner in November, and still nothing has been done. Mr. Billingsley is requesting authorization to abate the nuisance violation. Mr. Cropper reported that he had been ill, and had vehicle problems, and that the community does want the recycling project to move forward. He said he has been trying, but has been unable to clean it up because of the cost of garbage disposal, etc. He was asking if the County could help by getting him a lower rate for the disposal service. He has been recycling glass, aluminum, and plastic, but is not planning to do paper as it is not feasible for him to do. Zoning Administrator Mackelprang stated that if he is to continue in the recycle business, that he needs to go through the process and apply to the Planning Commission for a Conditional Use Permit as it is a non-qualifying business to have in that area. In the meantime, he should not collect any additional material so he can get into compliance. Mr. Billingsley recommended having the County work with Mr. Cropper and place the dumpster there so he would have a way to clean up the garbage. Discussion followed concerning whatever was done would still be the responsibility of Mr. Cropper to pay for, or would be added to his taxes, and that it is still his responsibility to get the property cleaned up. Mr. Mackelprang reported that his department receives multiple complaints weekly from refuse blowing in the wind, etc., and that the property needs to be cleaned up and brought into compliance. Mr. Mackelprang said that time was of the essence. Commissioner Brown said that the County is in favor of recycling, but it may not be possible or suitable in the area that Mr. Cropper is in unless he does it in a different manner. Mr. Nash said that recycling is a great concept, but there needs to be a lot of volume to make it worthwhile and become a business that would generate income. After discussion, Commissioner Brown moved to authorize Mr. Billingsley to assist in the abatement of the property by putting a large dumpster there that Mr. Cropper could use to clean up his rubbish and work with Mr. Billingsley to get the area cleaned up, and also work with the Planning Commission to come into compliance to put a business there.

Greenbelt abatement request tabled:

Tim Wallace met with the Commission requesting an abatement of the greenbelt taxes he had received on two parcels that he owns. Mr. Wallace feels that there was a misunderstanding, and that the applications fell through the cracks. He said the property has always been under irrigation and should qualify under the greenbelt exemption because he didn't get all of the notices. He said he had discussed the issues with the Assessor back in February of 2017 and thought everything would be okay. Assessor Garren-Clark stated she had tried to work with him through the year, giving him plenty of notifications and opportunities to get the applications filled out and completed so that he would not have to pay the greenbelt taxes. Amy reported that there was a lady that came into her office today with the same

situation who had paid her fees because she knew that she was responsible for the greenbelt taxes because she did not file her application in a timely manner. Ms. Garren-Clarke said she had talked with Mr. Wallace in 2017 and gave him the option of filing the application for the one property and getting the other property cleaned up and filed later, or get the parcel title cleaned up and file both greenbelt applications together and save the filing fee of \$10, which he chose to do. She said she then notified him in October, November and December with no response, so the back taxes were added to the property. She said she has followed the State Law process, and felt that the taxes should be paid as they are owed, as Mr. Wallace did not respond. Commissioner Brown noted that the property has qualified for greenbelt all along, but there has been a misunderstanding between the two parties, and that an abatement of the taxes should be considered. After further discussion, the Commissioners noted that there may have been some misunderstanding on whether or not he had received the notices, and that there has not been an application filed. County Attorney Dale Eyre stated that the courts have a way of deciding these types of issues and recommended that a policy be developed to cover these types of matters and whether or not they should be acted upon before a decision was made. Commissioner May moved to take no action at this time, suspend the addition of further penalties and interest, but to continue this discussion after review with legal counsel so that the Commissioners understand their legal rights and how to decide the issue, second Commissioner Brown, unanimous.

Travel Council Recommendations approved:

Special Events Director Chad McWilliams then reviewed with the Commissioners the Travel Council recommendations from their last meeting. After review, Commissioner May moved to approve the expenditures as recommended, second Commissioner May, unanimous.

There being no further business to come before the Board, meeting adjourned at 2:50 p.m.