

**MINUTES**  
***OF THE REGULAR MEETING OF THE***  
***TOOELE COUNTY BOARD OF COMMISSIONERS***  
***HELD JUNE 19, 2018***

Chairman Bitner called the meeting to order at 7:00 P.M. The time, place and agenda of the meeting had been provided to the Tooele Transcript Bulletin and to each member of the governing body by posting the notice and agenda at least two days before on the Tooele County website and emailing them a link.

1. **PLEDGE OF ALLEGIANCE.** The Pledge of Allegiance was led by Wayne Anderton.
2. **ROLL CALL.** The Clerk called the roll which showed Commissioners Wade Bitner, Chairperson, Myron Bateman and Shawn Milne present. Also present were Scott Broadhead, Attorney and Marilyn Gillette, Clerk/Auditor.
3. **MINUTES.** Commissioner Milne moved to approve the minutes of the Commission Meeting held May 15, 2018 as corrected. Commissioner Bateman seconded the motion. All concurred.
4. **CONSENT AGENDA.** Commissioner Milne moved to approve the Consent Agenda as presented. Commissioner Bateman seconded the motion. All concurred.

Invoices. A) Warrants issued on May 9, 2018, direct Deposit Amount: \$385,618.41, direct Deposit Check #:050918001 - #050918338; Check Amount: \$3,009.02, payroll Check #:8607 - #8609. Transmittal Checks, Check Amount \$306,173.03, Transmittal Voucher #:050920180 - #050920183, Transmittal Check #:8610 - #8616; B) Warrants issued May 23, 2018, Direct Deposit Amount: \$394,279.16, direct Deposit Check #:052318001 - #052318332, Check Amount: \$784.28, Payroll Check #:8617 - #8619. Transmittal Checks, Check Amount: \$308,389.82, Transmittal Voucher #:052320180 - #052320182, Transmittal Check #:8620 - #8627; C) Warrants issued on July 6, 2018, Direct Deposit Amount: \$394,067.04, Direct Deposit Check #:060618001 - #060618344, Check Amount: \$3,413.35, payroll Check #:8628 - #8658. Transmittal Checks, Check Amount: \$309,263.91, Transmittal Voucher #:060620180 - #060620183, Transmittal Check #8655 - #8665.

Tax Adjustments. A) Leslie J. Maxfield, Serial #18-015-0-0121. Veteran Abatement 100%, Relief amount (\$167.95); B) Pacificorp, Parcel #98-000-0-1086. State assessed parcel, value was not added in 2017. Adjustment \$1,489.00; C) Pacificorp, Parcel #98-000-0-1087. State assessed parcel, value was not added in 2017. Adjustment \$25,735.00; D) Jolene winder, Transaction #X760GF. We paid the taxes on April 29, 2018, when the card came in the mail, however, the taxes were not due until May 31<sup>st</sup>. We transferred the car to our

daughter's name on May 8, 2018. At that time, she was required to pay the taxes again. We are requesting a refund of the taxes paid on April 29, 2018. Relief amount (\$10.00); E) Sabrina B. Fryer, Transaction #W996TT. Car was hit by an uninsured driver on April 30, 2018. Relief amount (\$50.00).

Ratifications. A) Contract for Noxious Weed Treatment on BLM Lands; B) Cooperative Agreement Between Tooele County & Utah Department of Natural Resources, Division of Wildlife Resources for Completion of the Onaqui Complex Fire 2017; C) Notice of Award - Village Boulevard Pavement Rehabilitation Project-Phase 1 - Kilgore Contracting; D) Public Entity Resolution; E) Utah State Biological Program ISM Project Grant.

Contract Review. A) #06-02-13 - Wendover Airport Reciprocal Agreement with North Tooele County Fire District; B) #06-12-05 - MOU Between Tooele County, State of Utah and Department of Technology Services; C) #07-06-02 - Service Agreement with Mountain West Medical Center; D) #00-02-07 - Utah Museum of Fire Services History & Firefighter Memorial Foundation; E) #00-02-08 - Allow CDL Tests at Deseret Peak Complex - Tom Speakman; F) # 12-09-01 - Agreement between TC and Ranch 77-Ken Hansen; G) #16-04-01 - MOU TAD EOC and Tooele County EOC; H) #89-03-05 - Road Maintenance Agreement - Rush Valley; I) #97-07-02 - Interlocal Cooperation Agree - Impact Fee Collection Services; J) #98-02-04 - MOU between Tooele County, Castle Rock Land & Livestock & Div of Forestry, Fire & State Lands; K) #17-06-01 - Lease Agreement - Verizon Wireless; L) #13-09-01 - Cooperative Forest Rod Agreement between Tooele County and the USDA, Forest Service Intermountain Region Uinta-Wasatch-Cache National Forest will be reviewed June, 2019.

M) #06-12-13 - Development of Land by and between the Redevelopment Agency of Tooele County for the North Raleigh Economic Area; N) #14-03-01 - Interlocal Agree (Deseret Peak Area Water & Sewer Services) between Tooele County, Grantsville City & DPSSD; O) #88-40 - Aptus and Tooele County; P) #88-42 - Impact Mitigation Agreement USPCI at Grassy Mountain, have no further need for review.

5. **PRESENTATION OF TAP AWARD – UTAH LOCAL GOVERNMENTS TRUST.**

Clerk/Auditor Gillette asked that this be postponed to the next meeting. Commissioner Milne moved to postpone to the next meeting. Commissioner Bateman Seconded the motion. All concurred.

6. **RESOLUTION 2018-03 – DECLARING THE EXISTENCE OF A DROUGHT EMERGENCY IN TOOELE COUNTY, UTAH, PURSUANT TO UTAH CODE ANNOTATED SECTION 17-8-7.**

Bucky Whitehouse, EOC Director, discussed the drought conditions in the county. Portions of the county are in a moderate drought condition, while the busier section of the county is in a severe drought condition. Passing this declaration will expedite the reaction time. Thirteen of the 29 counties in Utah have passed this resolution. Commissioner Bateman made a motion to approve. Commissioner Milne seconded the motion. All concurred.

7. **PUBLIC HEARING ON MID-YEAR BUDGET ADJUSTMENTS.** Commissioner Bateman moved to open the public hearing. Commissioner Milne seconded the motion. All concurred. Those in attendance were: Raymond Dixon, Misti Williams, Todd Stewart, Wayne Anderton, Mitch Hall, Matt Sibal, Jonathan Garrard, Justin Bake. Tenille Tingey, Deputy Clerk/Auditor, gave a presentation on the proposed Mid-Year Budget Adjustments. There were no public comments. Commissioner Bateman moved to close the public hearing. Commissioner Milne seconded the motion. All concurred.

8. **RESOLUTION 2018-04 – AMENDING (INCREASING) THE 2018 TOOELE COUNTY GENERAL FUND BUDGET FROM \$29,534,043 TO \$31,178,593.** Commissioner Milne moved to approve. Commissioner Bateman seconded the motion. All concurred.

Commissioner Bateman had a couple of maps displayed to show the plans for some county roads. He discussed plans for Pole Canyon Road, Village Boulevard, also another road along the mountains from Pine Canyon to Lake Point called Oquirrh Mountain Road.

Commissioner Bitner added that the 201 extension being placed on UDOT's plan is estimated at \$200M. Getting it into the state transportation plan is significant. This will provide for future transportation.

Commissioner Milne – it takes time to make these things happen, but they are in the works.

9. **RESOLUTION 2018-05 – ADOPTING THE FINAL 2018 TAX RATE AND BUDGETED PROPERTY TAX REVENUE AMOUNT FOR THE COUNTY ASSESSING AND COLLECTING LEVY.** Tenille Tingey, Deputy Clerk/Auditor, this rate is set at 0.000430 and will generate \$1,799,592. That is the basic rate. There is no increase to this levy, just the continued budgeted revenue amount with new growth and other components. Commissioner Milne moved to approve. Commissioner Bateman seconded the motion. All concurred.

10. **RESOLUTION 2018-06 – ADOPTING THE FINAL 2018 TAX RATE AND BUDGETED PROPERTY TAX REVENUE AMOUNT FOR THE GENERAL COUNTY OPERATIONS LEVY AND THE COUNTY HEALTH LEVY.** Tenille Tingey, Deputy Clerk/Auditor, the rate for the General Operations is 0.001502, generating \$5,956,668, which includes the 5% increase proposed last year. The Health levy is flat, 0.000189, which will generate \$749,320. If the Commission did not include the 5% proposed increase, rates would go down. Commissioner Milne asked what the inflation rate has been for the past year. It was 2.2%. Commissioner Bateman felt keeping the rate the same as last year would keep up with inflation. Commissioner Milne felt they should adjust for inflation. Commissioner Bateman proposed cutting the proposed 5% to 2.5%. Commissioner Milne moved to approve 2.2% to keep up with inflation. This would set the tax rate at 0.001644 generating \$6,519,193. Commissioner Bateman seconded the motion. All concurred.

11. **RESOLUTION 2017-07 – ADOPTING THE FINAL 2018 TAX RATE AND BUDGETED PROPERTY TAX REVENUE AMOUNTS FOR THE MUNICIPAL TYPE SERVICES LEVY.** Tenille Tingey, Deputy Clerk/Auditor, the proposed rate is 0.001172 which will generate \$2,168,504. This will be a drop-in rate due to last year's rate correction. Commissioner Milne made a motion to keep up with inflation (2.2%) with the same level of service. This will make the rate 0.001143 with revenue of \$2,114,522. Commissioner Bateman seconded the motion. All concurred.
12. **ORDINANCE 2018-07 – ENACTING CHAPTER 31, PLANNED COMMUNITY ZONE (P-C) OF THE TOOELE COUNTY LAND USE ORDINANCE (CREATING A PLANNED COMMUNITY ZONING DESIGNATION TO ALLOW AND PLAN FOR LARGE-SCALE DEVELOPMENT).** Jeff Miller, Community Development, discussed the concepts listed in the ordinance concerning future growth in Tooele County. The Planning Commission recommended approval of this ordinance. Jeff then discussed the new Planned Community zone. Commissioner Milne moved to approve, subject to the changes recommended by staff. Commissioner Bateman seconded the motion. All concurred.
13. **ORDINANCE 2018-08 – RENAMING AND AMENDING CHAPTER 7, COUNTY OPTION SALES AND USE TAX FOR HIGHWAYS AND PUBLIC TRANSIT, OF TITLE 2, TAXATION, OF THE TOOELE COUNTY CODE.** Matt Silver, Utah Transportation Authority, discussed imposing the 2<sup>nd</sup> and 3<sup>rd</sup> quarter option sales tax the Commission is considering approving. These are quarters of a penny. This is critical to the communities and a way to provide for the transportation needs of the state. Commissioner Milne asked what the money has been used for. 1) Prop #1 – in Tooele County, focused on improving bus stop amenities to make the customer experience better; 2) partnered with Tooele City to provide first and last mile connections; 3) made service improvements on the flex route service; 4) started an on demand, dial a ride service. The 2<sup>nd</sup> Qtr. sales tax is required to be dedicated to public transit. The County can do anything that relates to service or capital projects. It could increase the service from Tooele to Salt Lake, or within the Tooele Valley. 3<sup>rd</sup> qtr. is more flexible, it can be used for any type of transportation, transit, roads, etc. Commissioner Milne moved to approve this ordinance with the idea that it goes to a referendum for the 3<sup>rd</sup> qtr. sales tax. The motion failed for lack of a second. Commissioner Bateman moved to approve the ordinance that allows the 3<sup>rd</sup> qtr. to be enacted. Commissioner Bitner seconded the motion. Commissioners Bateman and Bitner voted yes. Commissioner Milne voted no. The motion carried. Commissioner Bateman felt it is very important to move forward with the proposed roads and this money is needed to take care of those roads.
14. **APPROVAL OF TOOELE COUNTY BUSINESS LICENSE ORDINANCE CHANGES.** Commissioner Milne moved to table this item to the next meeting. Commissioner Bateman seconded the motion. All concurred.

15. **AGREEMENT WITH VALLEY DESIGN & CONSTRUCTION, INC. FOR NEW TOOELE COUNTY CHILDREN'S JUSTICE CENTER BUILDING.** Commissioner Milne moved to approve. Commissioner Bateman seconded the motion. All concurred.
16. **AGREEMENT WITH VALLEY BEHAVIORAL HEALTH FOR CHILDREN'S JUSTICE CENTER MENTAL HEALTH TREATMENT.** Attorney Broadhead discussed the grant funding, which comes through VOCA grant. These are the terms for Valley to perform these services. Commissioner Bateman moved to approve the one year contract. Commissioner Milne seconded the motion. All concurred.
17. **BOARD OPENINGS,** The County board openings are listed on the county website.
18. **BOARD APPOINTMENTS.** Commissioner Milne moved to table the board appointments. Commissioner Bateman seconded the motion. All concurred.
19. **PUBLIC CONCERNS.** Jonathan Garrard, Lake Point, sent an email concerning Ordinance 2018-07 between the 1<sup>st</sup> and 2<sup>nd</sup> Planning Commission meetings. He never received a response from anyone but Commissioner Milne.

Spencer Crabtree, Stansbury Park, concerning the Planned Community zone, part of the reason the public input was so low, it was presented as an ordinance change. The Planning Commission was confused about whether they were voting on the three options or the ordinance. The transmission pipeline says the major utilities have to be identified. It doesn't say what will happen from that point. Transportation plan, wondered when that will be coming forward. Would like to see a deadline.

Brenda Spearman, thank you for approving the contract for the CJC. Her concern is using transportation funds and tax money for Village Boulevard East and Pole Canyon Road. There are huge pot holes on Pole Canyon Road and Village Boulevard East would only be used by gravel companies. She felt taxpayer money should not be used for these roads, gravel pit companies should pay for them.

Alex Picket, Stansbury Park, the petroleum industry recommendation for a pipeline is a 50 feet set back. There is information on line that keeps track of the incidents that occur with pipelines. Hopes the pipeline is not treated as a regular utility

Todd Stewart, Grantsville, asked for clarification on the transportation tax. Is it a quarter of a cent on all sales in the county? Commissioner Milne clarified the third one will be for the whole county. The 2<sup>nd</sup> quarter is within the service area, only this valley where the transit serves. This does not get added to a quarter for Grantsville. Commissioner Bateman, if we don't enact these other two quarter percent's, the state will enact them in 2 years and the county will lose the opportunity to decide where the money goes. Todd asked about the mid-year adjustments, any revenue that comes in should be accounted for in the regular budget. Doesn't seem as planned as it could have been. Commissioner Bateman, we don't want to expend the money before we have it, so we wait until we have the revenue before we can plan for it.

20. **ADJOURNMENT.** Commissioner Milne moved to adjourn the meeting at 9:00 p.m. Commissioner Bateman seconded the motion. All concurred.