

WASHINGTON COUNTY COMMISSION MEETING
MINUTES
SEPTEMBER 16, 2008

The Regular Meeting of the Board of the Washington County Commission was called to order by Chairman James J. Eardley at 4:00 p.m. on September 16, 2008, in the Commission Chambers, Washington County Administration Building, St. George, Utah. Those in attendance were Commission Chairman James J. Eardley, Commissioner Alan D. Gardner, Commissioner Dennis Drake, Deputy County Attorney David L. Patterson, Administrator to the Commission John C. Willie, and Deputy County Clerk Christine Hall.

The Spectrum was not represented at the meeting.

Commissioner Gardner led the Pledge of Allegiance.

AGENDA

CONSENT AGENDA:

The Consent Agenda is a means of expediting routine matters which come before the Commission for approval. The Consent Portion of the agenda is approved by one (1) non-debatable motion. If any Commissioner wishes to remove an item from the Consent Portion of the agenda, then that item becomes the first order of business on the regular agenda.

- Consideration of List of Auditor Approved Claims for Payment for September 3, 2008 through September 16, 2008
- Consideration of Approval of Truth in Taxation Public Hearing Special Minutes of August 19, 2008
- Consideration of Applications for Blind and Veterans' Exemptions for 2008
- Consideration of Administrative Adjustments: Real and Personal Property
- Consideration of Application(s) for Property Tax Abatement (7):
Robert & Kay Bruggeman, Serial Number T-CHCK-1B-34; Natalie Gunn-Therriault & Ernest Therriault, Serial Number H-58-B-1; Leon Jones, Serial Number SG-SUR-3B-417; Mollie Kirk, Serial Number SG-BEM-47; Rose Thompson, Serial Number SG-1187; Mark Weaver, Serial Number T-59-A-1-A; Chaunce & Betty Mae Wightman, Serial Number SG-RHT-1
- Acknowledgment of Publishing: Notice of Adoption of Ordinance No. 2008-964-O on September 6, 2008

ACTIONS OF THE WASHINGTON COUNTY PLANNING COMMISSION MEETING/ 9/09/08

CONDITIONAL USE PERMIT. Request permission for exceptions to height limitations and installation of a 2nd 196 foot steel lattice tower at the BLM

Blackridge site, within the OSC zone, off I-15 at Exit 36. Verizon Wireless, applicant.

Communication towers are conditionally approved within the OSC-20 zone. The applicant has submitted the site location plan and photos of a tower located near this site that will be duplicated. The Planning Commission addressed exceptions to the height limitations, approving conditionally the extra 96' feet needed for the 196' tower. The application meets the requirement for co-location (County Code 10-21-2:B.), and accessory equipment shelters will be reviewed by the Building Department. This application also meets the requirement for a "lattice type" tower, and there was no need to create a "fall" zone (County Code 10-21-4). This property is located a great distance from private property or developed areas, with the leased area being 75' x 75' and the tower being centrally located.

MOTION: Motion by Commissioner Gardner to approve the Consent Agenda, as presented. Motion seconded by Commissioner Drake and carried by unanimous vote, with Commissioners Eardley, Gardner, and Drake voting aye.

REGULAR AGENDA ITEMS FOR CONSIDERATION:

EMERGENCY SERVICES REPORT / DEAN COX

Washington County Emergency Services Director Dean Cox reported that today a Local Emergency Planning Committee (LEPC) meeting was held, with Commissioner Gardner in attendance. Mr. Cox was re-elected Chair of this important committee, which comprises each community and many other agencies, such as Dixie State College, Intermountain Health Care, etc. The purpose of the committee is to increase the preparedness of Washington County for emergency situations. This group coordinates and prioritizes grant needs and requirements, demonstrating the interoperability required to procure state and federal grants. One of the group's goals is to improve planning, and a revolutionary new emergency response plan will be introduced to the Commission in the near future.

For example, during flood events, the Washington County Assessor's Office would be selected to provide rapid and accurate evaluations and appraisals of homes that were lost and/or damaged. Similarly, the Road Department would be utilized to provide emergency rock hauling and road shoring to protect access to some of the outlying communities, and the Council on Aging would assume the delivery of meals. Therefore, each emergency event would be broken down into emergency support functions, to which different departments and agencies would respond according to the nature of the need.

There was no Search and Rescue activity this month.

PURCHASE REQUEST(S) / MARK BLANCH

Assessor, Four (4) Vehicles..... \$95,156.00

All County purchases are budgeted, bonded, or paid for through grant funds.

MOTION: Motion by Commissioner Drake to table this request pending further review. Motioned seconded by Commissioner Gardner and carried by unanimous vote, with Commissioners Eardley, Gardner and Drake voting aye.

ACKNOWLEDGMENT OF YEARS OF SERVICE AWARDS TO PERSONNEL FROM THE SHERIFF'S OFFICE

Earlier today, personnel from the Washington County Sheriff's Office were recognized for their years of service, as follows:

Edwin Keil	(10)	Gary Powell	(5)
Jared Redfearn	(10)	Frederick Keil	(10)
Clarence Redford	(10)	Leisha Larson	(10)
Mary Reep	(15)	Lee Llewellyn	(10)
Justin Seegmiller	(10)	Brett Lyman	(10)
Jennifer Shoemaker	(10)	Peter Merrill	(5)
Alissa Snow	(5)	Cynthia Moody	(5)
Brenda Staley	(5)	Michael Nelson	(10)
Situli Tafili	(10)	Nathan New	(5)
Marianne Ural	(5)	Jack Nyman, Jr.	(10)
Linda Young	(50)		

Chairman Eardley commended all employees for their years of service to the County.

ENERGY PRESENTATION / CURT WINTERFELD

Commissioner Gardner explained that an Energy Task Force was formed some time ago to respond to increased energy costs. The Task Force includes the County, most of the cities and municipalities, and several energy providers in the area. **(THIS IS THE FIFTH (5TH) AND LAST IN THE SERIES OF ENERGY PRESENTATIONS BEING HELD DURING COUNTY COMMISSION MEETINGS FOR THE INFORMATION AND BENEFIT OF INTERESTED PERSONS.)**

Mr. Winterfeld identified himself as the Vice President of Deseret Power, a generation transmission utility that serves Dixie Escalante and several other entities. Mr. Winterfeld narrated a PowerPoint presentation concerning the many legislative proposals currently under consideration that relate to energy.

A copy of the PowerPoint slide show is available for review in the office of the Washington County Commission and should soon be available on the County website.

CONSIDERATION OF APPLICATION FOR BEER LICENSE/RED MOUNTAIN GRILL, LOCATED IN DAMMERON VALLEY/ JOHN DUTSON, OWNER

MOTION: Motion by Commissioner Gardner to Approve Application for Beer License for Red Mountain Grill, located in Dammeron Valley, John Dutson, Owner, as presented. Motion seconded by Commissioner Drake and carried by unanimous vote, with Commissioners Eardley, Gardner, and Drake voting aye.

CONSIDERATION OF REQUEST FOR EXTENSION OF SIX (6) MONTHS FOR COMPLETION OF SPRING CREEK PINES PHASE III, LOCATED IN PINE VALLEY, SKYLER LAWRENCE / MK COX DEVELOPMENT, APPLICANT

MOTION: Motion by Commissioner Drake to Approve Request For Extension Of Six (6) Months For Completion Of Spring Creek Pines Phase III, Located In Pine Valley, Skyler Lawrence / MK Cox Development, Applicant, as presented. Motion seconded by Commissioner Gardner and carried by unanimous vote, with Commissioners Eardley, Gardner, and Drake voting aye.

CONSIDERATION OF RELEASE OF WARRANTY BOND FOR CANYON TRAILS SUBDIVISION, PHASE 2

MOTION: Motion by Commissioner Drake to Release Warranty Bond for Canyon Trails Subdivision, Phase 2, as presented. Motion seconded by Commissioner Gardner and carried by unanimous vote, with Commissioners Eardley, Gardner, and Drake voting aye.

RECESS REGULAR COMMISSION MEETING

CALL TO ORDER A MEETING OF THE BOARD OF TRUSTEES OF THE MUNICIPAL BUILDING AUTHORITY OF WASHINGTON COUNTY

PUBLIC HEARING / TO RECEIVE INPUT FROM THE PUBLIC WITH RESPECT TO THE ISSUANCE OF THE BONDS AND ANY POTENTIAL ECONOMIC IMPACT THAT THE PROJECT, THE CONSTRUCTION OF A FIRE HOUSE UNDER THE SOUTHWESTERN SPECIAL SERVICE DISTRICT IN DIAMOND VALLEY, FINANCED IN WHOLE OR IN PART WITH THE PROCEEDS OF THE BONDS, MAY HAVE ON THE PRIVATE SECTOR

Chairman Eardley opened the Public Hearing to receive public input concerning the bond for construction of a fire house in Diamond Valley. Having no one come forward, he closed the hearing.

CLOSE MUNICIPAL BUILDING AUTHORITY BOARD OF TRUSTEES MEETING

CALL REGULAR COMMISSION MEETING BACK TO ORDER

CONSIDERATION OF ORDINANCE NO. 2008-965-O, AN ORDINANCE AMENDING AND SUPERSEDING TITLE 2-2-6 OF THE WASHINGTON COUNTY CODE (ACCIDENT REVIEW BOARD – DEPARTMENT HEAD RESPONSIBILITY)

The Accident Review Board traditionally has met quarterly or on an as-needed basis. The purpose of this Ordinance is to bring County Code into compliance with State law. The function of the Accident Review Board will remain the same and will meet at least quarterly, or more frequently as needed.

MOTION: Motion by Commissioner Drake to Approve Ordinance No. 2008-965-O, An Ordinance Amending And Superseding Title 2-2-6 Of The Washington County Code (Accident Review Board – Department Head Responsibility), as presented. Motion seconded by Commissioner Gardner and carried by unanimous vote, with Commissioners Eardley, Gardner, and Drake voting aye.

CONSIDERATION OF RESOLUTION NO. R-2008-1260, A RESOLUTION AMENDING THE FEES FOR THE WASHINGTON COUNTY GEOGRAPHICAL INFORMATION SYSTEMS (GIS) DEPARTMENT

MOTION: Motion by Commissioner Gardner To Adopt Resolution No. R-2008-1260, A Resolution Amending The Fees For The Washington County Geographical Information Systems (GIS) Department, as presented. Motion seconded by Commissioner Drake and carried by unanimous vote, with Commissioners Eardley, Gardner and Drake voting aye.

CONSIDERATION OF RESOLUTION NO. R-2008-1261, A RESOLUTION CONCERNING ALCOHOL ABUSE IN OUR COMMUNITY

MOTION: Motion by Commissioner Drake to Adopt Resolution No. R-2008-1261, a Resolution Concerning Alcohol Abuse in Our Community, as presented. Motion seconded by Commissioner Gardner and carried

by unanimous vote, with Commissioners Eardley, Gardner and Drake voting aye.

The cities have all passed similar resolutions.

CONSIDERATION OF RESOLUTION NO. R-2008-1262, A RESOLUTION RE-APPOINTING MIKE JENSEN AS AN AT-LARGE MEMBER TO THE HURRICANE VALLEY FIRE SPECIAL SERVICE DISTRICT ADMINISTRATIVE CONTROL BOARD

MOTION: Motion by Commissioner Gardner To Adopt Resolution No. R-2008-1262, a Resolution Re-Appointing Mike Jensen as At-Large Member to the Hurricane Valley Fire Special Service District Administrative Control Board, as presented. Motion seconded by Commissioner Drake and carried by unanimous vote, with Commissioners Eardley, Gardner and Drake voting aye.

CONSIDERATION OF RESOLUTION NO. R-2008-1263, A RESOLUTION APPROVING "DON'T WASTE DIXIE" AS AN ANTI-LITTER CAMPAIGN IN WASHINGTON COUNTY, UTAH / NEIL SCHWENDIMAN

Neil Schwendiman, District Manager for Washington County Solid Waste District, said that September 22nd through the 27th is officially Don't Waste Dixie Week. Monday is the kick-off event, to announce both Don't Waste Dixie and the new recycling program. Tuesday is the City/County clean-up day on Highway 18. Wednesday is Education Day, in which representatives will visit schools in the area to announce a recycling contest. Thursday is Rechargeable Battery Day, and on Friday the Bureau of Land Management and Forest Service will sponsor a brown-bag lunch to promote the clean use of recreational areas and public lands. Saturday is E-Waste Recycle Day, during which residents can bring any electric-powered waste (computers, televisions) to the Sun Bowl to be recycled.

MOTION: Motion by Commissioner Gardner to Adopt Resolution No. R-2008-1263, a Resolution Approving "Don't Waste Dixie" As An Anti-Litter Campaign in Washington County, Utah, as presented. Motion seconded by Commissioner Drake and carried by unanimous vote, with Commissioners Eardley, Gardner and Drake voting aye.

CONSIDERATION OF RESOLUTION NO. R-2008-1264, A RESOLUTION APPROVING AN AGREEMENT BETWEEN RICK HERTER AND WASHINGTON COUNTY TO PAINT TWO (2) MURALS FOR THE WASHINGTON COUNTY LIBRARY IN WASHINGTON CITY

This contract provides for a total cost of fifty thousand dollars (\$50,000.00), fifteen thousand dollars (\$15,000.00) of which will be paid by Washington County and the balance of thirty-five thousand dollars (\$35,000.00) to be paid by the City of Washington.

MOTION: Motion by Commissioner Gardner to Adopt Resolution No. R-2008-1264, A Resolution Approving An Agreement Between Rick Herter And Washington County To Paint Two (2) Murals For The Washington County Library In Washington City, as presented. Motion seconded by Commissioner Drake and carried by unanimous vote, with Commissioners Eardley, Gardner and Drake voting aye.

CONSIDERATION OF RESOLUTION NO. R-2008-1265, A RESOLUTION APPROVING AN AGREEMENT BETWEEN THE STATE OF UTAH, DIVISION OF SUBSTANCE ABUSE AND MENTAL HEALTH, AND WASHINGTON COUNTY, WHEREBY WASHINGTON COUNTY WILL PROVIDE DRUG COURT SERVICES FOR THE JUDICIAL SUPERVISION OF PARTICIPANTS WITH SUBSTANCE ABUSE ISSUES

Chairman Eardley said this program has been quite successful through the years in reducing recidivism rates among inmates.

MOTION: Motion by Commissioner Drake to Adopt Resolution No. R-2008-1265, A Resolution Approving An Agreement Between The State Of Utah, Division Of Substance Abuse And Mental Health, And Washington County, Whereby Washington County Will Provide Drug Court Services For The Judicial Supervision Of Participants With Substance Abuse Issues, as presented. Motion seconded by Commissioner Gardner and carried by unanimous vote, with Commissioners Eardley, Gardner and Drake voting aye.

CONSIDERATION OF RESOLUTION NO. R-2008-1266, A RESOLUTION AMENDING THE BOUNDARY OF THE ASH CREEK SPECIAL SERVICE DISTRICT

This effort has been ongoing for several months to create two (2) areas in the County, the western side and the eastern side, for wastewater treatment regulation. The Ash Creek Special Service District will take the eastern side of the County with the exception of the Kolob area, including New Harmony.

MOTION: Motion by Commissioner Gardner to Adopt Resolution No. R-2008-1266, A Resolution Amending The Boundary Of The Ash Creek Special Service District, as presented. Motion seconded by Commissioner Drake and carried by unanimous vote, with Commissioners Eardley, Gardner and Drake voting aye.

**CONSIDERATION OF APPROVAL OF E-VERIFY PROGRAM TO REDUCE
IDENTITY THEFT AND ILLEGAL HIRING / WASHINGTON COUNTY
BUSINESS PATRIOTS**

Commissioner Drake said that the County appreciates the hard work of the Task Force that has been working on illegal immigration issues for almost two (2) years. This is a new volunteer effort to encourage local businesses to attempt to reduce identity theft and illegal hiring by verifying the employment eligibility of new hires and the validity of their Social Security Numbers. The County Commission will be emailing and mailing letters and forms to businesses in the area to be signed and returned to the County. Those names will be added to certificates which will be presented during commission meetings.

MOTION: Motion By Commissioner Drake To Approve E-Verify Program To Reduce Identity Theft And Illegal Hiring / Washington County Business Patriots, as presented. Motion seconded by Commissioner Gardner and carried by unanimous vote, with Commissioners Eardley, Gardner and Drake voting aye.

PUBLIC WORKS OR ROAD BUSINESS

No items were presented today.

COUNTY DEVELOPMENT AND PLANNING BUSINESS

No items were presented today.

Request an Executive Session

None.

There being nothing further to come before the Commission, the meeting was adjourned at 5:35 p.m.

CHRISTINE HALL
DEPUTY CLERK

JAMES J. EARDLEY
CHAIRMAN