

**GARFIELD COUNTY COMMISSION MEETING
JUNE 8, 2015 AT 10:00 A.M.**

Present: Commissioner Dell LeFevre, Commissioner Leland Pollock, Commissioner David Tebbs and Clerk Camille Moore.

Commissioner Pollock called the meeting to order.

Commissioner David Tebbs made a MOTION to adopt the agenda. Seconded by Commissioner Dell LeFevre. Motion carried. Voting unanimous.

Commissioner David Tebbs made a MOTION to approve the minutes of the May 26, 2015. Seconded by Commissioner Dell LeFevre. Motion carried. Voting unanimous.

BOARD REPORTS

Commissioner Tebbs reported on the Catastrophic Fire Meeting and the programs that were presented there for private businesses and communities to help mitigate fire hazards. He reported on the Department of Health Training Exercise. He suggested a review and update of the Pandemic Plan. The Dave's Hollow Fire caused one to two days of heavy smoke. Commissioner Tebbs opposed the controlled burn on behalf of the Commission. He discussed the possibility of providing monitoring of air quality during controlled burns. Commissioner Pollock discussed HB 408, changes to the public nuisance law that may effect the controlled burn issues.

SHERIFF'S OFFICE BUSINESS

AFFIDAVIT REGARDING CLOSED MEETING

STATE OF UTAH)
 :SS
COUNTY OF GARFIELD)

The undersigned, as presiding officer of the Board of County Commissioners of Garfield County, State of Utah, after being duly sworn, hereby states, swears and affirms as follows:

1. That on the 8th day of June, 2015 during a regular meeting of the Board of

Commissioners of Garfield County, State of Utah, the board, upon the affirmative vote of two-thirds or more of the member present at the meeting for which notice was given pursuant to Section 52-4-6, voted to close the meeting to discuss the character, professional competence, or physical or mental health of an individual under Subsection 52-4-5 (1)(a)(I), Utah Code Annotated.

2. That a quorum was present.

3. That I do hereby affirm that the sole purpose for closing the meeting was to discuss the character, professional competence, or physical or mental health of an individual.

DATED this 8th day of June, 2015.

Commission Chair

SUBSCRIBED and SWORN to before me this day of , 2015.

NOTARY PUBLIC

TAX ROLL ADJUSTMENT

Les Barker, Recorder and Gina Peterson, Treasurer explained a centrally assessed delinquent tax that we have not been able to collect. The tax is owed by Cedar Mountain Materials, ID #12-9999-0003. After discussion, Commissioner Tebbs made a MOTION to remove the delinquent tax from the tax roll. Seconded by Commissioner LeFevre. Motion carried. Voting unanimous.

PUBLIC WORKS BUSINESS

Surplus Bid Opening: After discussion, Commissioner LeFevre made a MOTION to accept the high bid on the cattleguards from Bob Williams for \$1,149.00 and on the weed sprayer from Rob Veater for \$75.00. Seconded by Commissioner Tebbs. Motion carried. Voting unanimous.

Prairie Dog Habitat Grant: Brian Bremner, County Engineer, reported on the \$200,000.00 grant to purchase prairie dog habitat. Brian asked for approval to sign the grant documents. After

discussion, Commissioner Tebbs made a MOTION to approve the grant contract and give Brian authorization to sign the grant documents. Seconded by Commissioner LeFevre. Motion carried. Voting unanimous.

Sage Grouse Plan: Brian presented a letter thanking our congressional delegation for past actions protecting federal lands and requesting additional action regarding the Sage Grouse Management Plan.

PLANNING BUSINESS

Justin Fischer, County Planner, reported on the Rural Fast Track Program. There are three businesses in the County that are in the application process.

PUBLIC LAND TRANSFER RESOLUTION

After review and discussion, Commissioner LeFevre made a MOTION to adopt Resolution 2015-1. Seconded by Commissioner Tebbs. Motion carried. Voting unanimous.

RESOLUTION 2015-1

A RESOLUTION SUPPORTING THE TRANSFER OF PUBLIC LANDS TO WILLING STATES AND AFFIRMING COUNTY'S RIGHTS OF ASSOCIATION

WHEREAS, since it is an appropriate and common lawful practice for counties to dedicate funds and leverage resources by uniting with other counties or organizations to protect and promote the interests of the county and its citizens; and

WHEREAS, many counties containing federally controlled public lands are profoundly impacted by declining access, decreasing environmental health, and depressed economic productivity on a high percentage of federally managed public lands within their jurisdiction; and

WHEREAS, many counties and their citizens have devoted many years of countless hours in an effort to work with federal land management agencies to improve conditions on federally managed public lands but have seen little to no progress; and

WHEREAS, the federal government has proven itself unresponsive, unaccountable, unwilling, or unable to make the necessary corrections to improve access, health, and productivity on the public lands; and

WHEREAS, the U.S. Constitution in Article IV, Section 3, Clause 2 delegates to Congress "the power to dispose of" (i.e. sell, transfer or grant) territorial lands and other property — NOT to keep them forever; and

WHEREAS, history, past practice with the majority of public lands in states east of the Rocky Mountains, and the statehood enabling acts affirm the federal government was only to hold public lands in trust until the lands were turned over to their respective states; and

WHEREAS, a recent, credible law review article and an economic study lend support to the legal arguments and economic feasibility favoring the transfer of public lands to the states; and

WHEREAS the United States has transferred large tracts of public lands to individual States on numerous occasions in the past and today states continue to profitably manage millions of acres of these public lands; and

WHEREAS, our state will manage the public lands currently under federal control (1) more responsibly, (2) with greater accountability to the people, and (3) with greater willingness to work with affected counties—thus ensuring continued public access, reduced invasive wildlife and wildfire threats, environmental protections, and compatible livelihoods; and

WHEREAS, the National Association of Counties supports the transfer of public lands to willing states; and

WHEREAS, the American Lands Council (“ALC”) was created by and is governed by county commissioners; and

WHEREAS, the ALC files all required public financial disclosures; and

WHEREAS, the ALC is the leading organization in the country in unifying counties, educating elected officials, and advocating for state and national legislation that seeking the transfer of federally managed public lands to willing states; and

WHEREAS, counties that choose to join ALC do so in an open and public meetings by the power of their authority and in accordance with all federal, state, and local laws; and

WHEREAS, the ALC Board of Directors hired leading expert Ken Ivory to serve as President of ALC; and

NOW, THEREFORE, BE IT RESOLVED, by the legislative body of Garfield County that:

We hereby affirm our right and responsibility to be involved in all matters impacting public health, safety, and welfare; and the right to leverage our efforts with others when such associations are joined in an open, transparent, and lawful manner; and

FURTHERMORE BE IT RESOLVED that we support the State of Utah and other willing states in their efforts to regain control of their federally managed public lands; and

FURTHERMORE BE IT RESOLVED that we support the American Lands Council and its steadfast efforts to effect better public access, better environmental health, and better economic productivity through lawfully pursuing state control of federally managed public lands.

Leland F. Pollock, Commission Chair

ATTEST:

Camille A. Moore, Auditor/Clerk

BUSINESS LICENSE APPLICATION

An application has been received from Bobbi Pinz Salon, Escalante. After review, Commissioner LeFevre made a MOTION to issue a Business License to Bobbi Pinz Salon. Seconded by Commissioner Tebbs. Motion carried. Voting unanimous.

GARFIELD COUNTY SCHOOL DISTRICT DECLINING ENROLLMENT

Commissioner Pollock explained the school district had contacted the County Commission earlier to discuss declining enrollment and school stability and requested the County's assistance. Superintendent Ben Dalton and Patty Murphy, Business Administrator, made a presentation regarding the significant decrease in enrollment since 1990.

Commissioner Pollock explained that 93% of the county is federal land and federal management policies have impacted enrollment. Commissioner Tebbs stated that the resolution is to bring attention to the problem, but not cause panic. Commissioner LeFevre stated that the County needs help to prevent further decline.

Commissioner Pollock stated that the Commission is considering adoption a State of Emergency Resolution. That resolution will be considered in the June 22nd Commission Meeting. There will be Community Meetings in Tropic and Escalante next week.

Art Cooper, Gayle Pollock, Mayor Jerry Taylor made comments on the resolution.

ACCOUNTS PAYABLE

The accounts payable list was reviewed, approved and signed by the Commission.

The meeting was adjourned at 3:00 pm.

Commission Chair

Clerk/Auditor