

**GARFIELD COUNTY COMMISSION MEETING  
JULY 13, 2015 AT 10:00 A.M.**

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

Commissioner Pollock called the meeting to order.

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

Commissioner Leland Pollock made a MOTION to approve the minutes of the June 22, 2015. Seconded by Commissioner Dell LeFevre. Motion carried. Voting unanimous.

PUBLIC WORKS BUSINESS

Catastrophic Public Nuisance Determination: Brian Bremner, County Engineer, presented data regarding determination of a catastrophic public nuisance on two areas of federal land, the Panguitch City Water Shed and the area surrounding Mammoth Creek residences. After discussion, Commissioner Pollock made a MOTION that based on the evidence provided, it is determined that the Panguitch City Shed which supplies Panguitch City culinary water and the Mammoth Creek residential area meet the criteria of a Catastrophic Public Nuisance, under 2015 House Bill 408. Seconded by Commissioner LeFevre. Motion carried. Voting unanimous.

Regional National Park Service Meeting: Brian presented maps of proposed roads that will be discussed at the meeting with Director Masicka, Regional Park Service in Denver next week to discuss use of ATV's in the Glen Canyon National Recreation Area.

PLANNING DEPARTMENT BUSINESS

Mammoth Creek Business License: Justin Fischer, Planner, explained the concerns regarding a business that does not conform to the current zoning requirements. Jim Vilani had a previous business license that was approved. Mr. Vilani contacted the clerk's office and changed the name of the license this past year. Adjacent property owners have expressed concern about the business. Mr. Vilani explained that the equipment, specifically a crane, was for personal work, not for business. He also explained that he does not operate the business out of his home, but from his business in Las Vegas. The following residents spoke in favor or in opposition of the Business License. In favor: Vicky Berger, Bill Berger, Paul Thompson, Natalie White, Louis

White, Terry Andrews, Dava Andrews, Larry Hughes, John Kaiser, John Miller, Mary Jane Anserve, Richard West, Mike Brockle. Opposing: Paul Black and Valerie Black. Justin explained that the business license was originally approved as a rental business. Commissioner Pollock made a MOTION to table the issue until the July 27<sup>th</sup> meeting.

#### PUBLIC HEARING - MINOR LOT SUBDIVISION - RUSTIC LODGE PROPERTY

Justin Fischer, Planner, explained that the Rustic Lodge property has new owners that do not plan to operate the property as a commercial venture. The roads will be dedicated to the County and the property divided into four lots. The proposal has been reviewed and approved by the Planning Commission. Justin recommended approving the minor lot subdivision. After discussion, Commissioner LeFevre made a MOTION to approve the minor lot subdivision. Seconded by Commissioner Pollock. Motion carried. Voting unanimous.

#### SCENIC BYWAY 12

John Holland, Coordinator, explained that there is a portion of Highway 12 that is not part of the Federal Highway system. That portion of the road is not eligible for federal funding and the byway designation restrictions do not apply. John explained that the Garfield County Sign Ordinance protects that area of the road in Garfield County. He is working with Wayne County to adopt a Sign Ordinance.

#### GARKANE ENERGY FRANCHISE ORDINANCE 2015-1:

Commissioner LeFevre made a MOTION to adopt Ordinance 2015-1, An Ordinance Granting To Garkane Energy Cooperative, Inc. Its Successors And Assigns, An Electric Light, Heat And Power Franchise. Seconded by Commissioner Pollock. Motion carried. Voting unanimous.

#### BUSINESS LICENSE APPLICATION

An application has been received from Owen's Material and More, LLC, northwest of Panguitch. After review, Commissioner LeFevre made a MOTION to issue a business license to Owen's Material and More. Seconded by Commissioner Pollock. Motion carried. Voting unanimous.

#### NACO ELECTION EXPENSE

After discussion, Commissioner LeFevre made a MOTION to approve funding \$500.00 to the Utah Association of Counties to fund Commissioner Bill Cox's election expense for the National

Association of Counties 2<sup>nd</sup> Vice President. Seconded by Commissioner Pollock. Motion carried. Voting unanimous.

2015 CERTIFIED TAX RATES

Commissioner LeFevre made a MOTION to adopt the 2015 certified tax rates as follows:

FUND	TAX RATE	REVENUE
General Fund	.001044	\$601,866.00
State Assessing & Collecting	.000012	\$6,918.00
County Assessing & Collecting	.000494	\$284,791.00

FAIR GROUND PROPERTY FENCE

After discussion, Commissioner LeFevre made a MOTION to approve funding \$5,000.00 to purchase materials for a new fence between the County Fairgrounds property and John Orton's property north and west of the fairgrounds. John Orton will install the fence. Seconded by Commissioner Pollock. Motion carried. Voting unanimous.

WESTERN FREEDOM RALLY

Commissioner Pollock gave an update on the Western Freedom Rally. Daryl Worley is going to visit the area on July 15<sup>th</sup> and 16<sup>th</sup>. There will be a concert and rally at the Centrum in Cedar City in October. After discussion, Commissioner LeFevre made a MOTION to fund the Western Freedom Rally \$5,000.00. Seconded by Commissioner Pollock. Motion carried. Voting unanimous.

ACCOUNTS PAYABLE

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

The meeting was adjourned at 1:00 pm.

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Commission Chair

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Clerk/Auditor