

**GARFIELD COUNTY COMMISSION MEETING  
JANUARY 12, 2015 AT 10:00 A.M.**

Present: Commissioner Del LeFevre , Commissioner Leland Pollock, Commissioner David Tebbs, Attorney Barry Huntington and Clerk Camille Moore.

Commissioner Pollock called the meeting to order.

Clerk Camille Moore administered the Oath of Office to the newly elected officials. David Tebbs, Commissioner; Leland Pollock, Commissioner; Joe Thompson, Assessor; Barry Huntington, Attorney; Camille Moore, Auditor and Clerk; Les Barker, Recorder and Surveyor; James D. Perkins, Sheriff; Gina Peterson, Treasurer.

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

Commissioner Dell LeFevre made a MOTION to approve the minutes of the December 15, 2014. Seconded by Commissioner Leland Pollock. Motion carried. Voting unanimous.

BOARD REPORTS, ASSIGNMENTS AND APPOINTMENTS

Commissioner LeFevre made a MOTION that Commissioner Pollock be elected Chair. Seconded by Commissioner Tebbs. Motion carried. Voting unanimous.

COUNTY BOARD APPOINTMENTS  
(Effective January 1, 2015)

COMMISSIONER LEFEVRE:

Travel Council	Weed Board
CCC	State Travel Council
Five County AOG	B.L.M. RAC
Search and Rescue	Forest Service RAC
Highway 12 Committee	
NACO Agriculture Steering Committee	

COMMISSIONER POLLOCK:

Hospital Board	Ambulance Boar
Countywide Fire Board	Highway 89 Committee
LEPC	SUPAC
UAC Public Land Council	2477 Client Committee
Constitutional Defense Council	
NACO Public Land Steering Committee	

COMMISSIONER TEBBS:

Airport  
Library Board  
District Health  
Human Services  
Southwest Health

Aging  
Television  
Planning and Zoning  
Board of Adjustments

GARFIELD COUNTY TRAVEL COUNCIL:

Twelve Members/Two Year Terms

Eric Houston	12/31/15
Carlton Johnson	12/31/15
Tracy Armstrong	12/31/16
Jerry Taylor	12/31/16
Lance Syrett	12/31/15
Lori Talbot	12/31/16
Dana Waggoner	12/31/15
John Holland	12/31/16
Ethel Rich	12/31/15
Lisa Varga	12/31/16
Cary Deccio	12/31/15
Randy Yard	12/31/16

PANGUITCH LAKE FIRE PROTECTION SPECIAL DISTRICT

Randy Morris	4 years	12/31/2018
Donald Marshall	4 years	12/31/2015
Clair Veater	4 years	12/31/2015
Joe Worthen	4 years	12/31/2016
Evan Excell	4 years	12/31/2018

MAMMOTH CREEK SPECIAL SERVICE DISTRICT FOR FIRE PROTECTION

Four Year Terms/5 Members

Larry Hughes	4 years	12/31/17
Burdell Henrie	4 years	12/31/17
Dale Askew	4 years	12/31/18
Glen Barker	4 years	12/31/16
Bill Cartwright	4 years	12/31/16

TICABOO UTILITY IMPROVEMENT DISTRICT

4 Year Terms/5 Members

Justin Fischer	4 year	12/31/2017
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Jim Bell	4 year	12/31/2016
William (Chip) Shortreed	4 year	12/31/2016
Rick Brinkerhoff	4 year	12/31/2017
Tom Hill	4 year	12/31/2016

LIBRARY BOARD:  
Four Year Terms

David Tebbs	Commission	
Trudi Owens	Panguitch City Council	
Sandy Johnson	Henrieville	12/31/2017
Trish Thompson	Cannonville	12/31/2017
Kent Osborn	Panguitch	12/31/2015
Barbara Talbot	Panguitch	12/31/2018
Vicki Crawford	Escalante	12/31/2015

Kathy Talbot	Librarian, Panguitch
Tyrissa Howell	
Ray Christian	Librarian, Escalante
Lyle Talbot	Bookmobile Librarian
Kathy Peterson	Bookmobile Clerk/Secretary

PLANNING & ZONING COMMITTEE:  
Seven Members/Three Year Terms

David Tebbs	Commission	
Les Barker	Building Dept	
Lowell Mecham (Chair)	Tropic	12/31/16
Art Cooper	Panguitch City	12/31/15
Maloy Dodds	County	12/31/18
Judy Drain	Boulder	12/31/16
	Escalante	

ALTERNATES

Gina Peterson  
Kade Fullmer  
Elaine Baldwin

BOARD OF ADJUSTMENT:  
Five Members/Five Year Terms

Del LeFevre	Commission	
Bruce Fullmer	Panguitch	
Art Cooper	Planning Committee	
Arnold Alvey	Escalante	12/31/16

Maloy Dodds	Panguitch	12/31/19
ALTERNATES:		
Clare Ramsay	Commission	
Kade Fullmer	Panguitch	
Brian Bremner	Panguitch	
Lowell Mecham	Tropic	
Randy Catmull	Boulder	

#### GARFIELD COUNTY HOSPITAL BOARD

(Appointed for 4 year term)

Leland Pollock	Commission	
Dr. Todd Mooney	Panguitch	12/31/16
Art Cooper	Panguitch	12/31/17
John Houston	Panguitch	12/31/16
Ron Harris	Bryce Valley	12/31/15
Deon Alvey	Escalante	12/31/18
Earl Slack	Tropic	12/31/16
Brent Griffin	Escalante	12/31/18
	Circleville	12/31/18
Lori Talbot	Panguitch City	12/31/16
Ron Hatch	Panguitch	12/31/16

#### CEMETERY DISTRICTS

##### ANTIMONY:

Raymond Henrie	4 years	12/31/17
Kenneth King	6 years	12/31/17
Phil Allen	2 years`	12/31/15
Kasey King	4 years	12/31/16

##### CANNONVILLE:

Monte Twitchell	6 years	12/31/16
Anita Fletcher	4 years	12/31/18
John Morreale	4 years	12/31/17 (Georgetown)
Quinn Willis	4 years	12/31/17

##### ESCALANTE:

Eugene Quilter	6 years	12/31/15
Jay Brooks	4 years	12/31/15
Marvin Porter	4 years	12/31/16

HATCH:

Merrill Burows	6 years	12/31/18
Russell Torgerson	4 years	12/31/18
Ben Neilson	2 years	12/31/16

HENRIEVILLE:

Frank Moore	6 years	12/31/18
Scott Neilson	4 years	12/31/18
Ralph Chynoweth	2 years	12/31/16

PANGUITCH:

David Owens	6 years	12/31/16
Pat Oetting	4 years	12/31/16
Shirley Chidester	4 years	12/31/16
Lola Henrie	4 years	12/31/16
Mike Tebbs (Spry)	6 years	12/31/20

TROPIC:

Lowell Mecham	6 years	12/31/18
Rick Bybee	4 years	12/31/15
Lonnie Pollock	2 years	12/31/16

AGING PERSONNEL

There was discussion regarding replacing the director of the Panguitch Senior Center. Dora Galvan would like to stay at the center until July 1<sup>st</sup>. After discussion, the Commission gave Donna Chynoweth, Aging Director, authorization to offer the position to Connie Orton, effective July 1<sup>st</sup>. Donna will ask Connie and Jeannie Henrie to be back-up cooks.

PUBLIC WORKS BUSINESS

Three Forest Grazing Letter: Brian Bremner, County Engineer, presented a letter opposing the Three Forest Grazing EIS process. After discussion, Commissioner Tebbs made a MOTION to approve the letter. Seconded by Commissioner LeFevre. Motion carried. Voting unanimous.

## AGGRESSIVE CANINE/WOLF ORDINANCE

After review and discussion, Commissioner LeFevre made a MOTION to adopt the Ordinance 2015-1 and instructed Clerk Moore to advertise for 30 days. Seconded by Commissioner Tebbs. Motion carried. Voting unanimous.

### Garfield County Aggressive Canine/Wolf Ordinance

WHEREAS, in recent years there has been a proliferation of individuals, corporations, and governmental agencies that have advanced the breeding and distribution of aggressive Canines/Wolves; and

WHEREAS, aggressive Canines/Wolves are, by nature, difficult to control; and

WHEREAS, aggressive Canines/Wolves may inflict damage to persons and property; and

WHEREAS, numerous County residents and tourists visit various localities within the County; and

WHEREAS, the County Commission has the responsibility to protect the health, safety and/or welfare of the County's residents and visitors; and

WHEREAS, the County Commission is authorized by the Utah Code, Annotated to take actions to mitigate the risk to the health, safety, and/or welfare of the people of the County;

WHEREAS, a northern gray wolf was killed on December 28, 2014 in a neighboring county;

The Garfield County Commission does therefore adopt the Garfield County Aggressive Canine/Wolf Ordinance and incorporates it into its Master Plan.

#### Section 1. Definitions:

##### Aggressive Canine

Any Canine that has at least 1/256th but not more than 1/16th Wolf blood by pedigree.

##### Aggressive Behavior

Includes but is not limited to killing, fighting, biting, attacking, chasing, destruction of property or animals, or any other activity which would cause a reasonable and/or prudent individual to experience fear.

##### Posted

In Residential, Commercial, Forest Recreation, Agricultural, and Industrial zones "posted" shall mean installation of signs legible from 100 feet stating "Beware of Dog" or other similarly worded message. Signs shall be posted on physical barriers to the animal and to which the public has access.

In Wildlife and Multiple Use zones "posted" shall mean installation of signs legible from 300 feet stating "Beware of Dog" or other similarly worded message. Signs shall be placed along the boundary of the aggressive canine/wolf designated habitat at intervals not exceeding 300 feet and to which the public has access.

#### Responsible Party

"Responsible Party" means the owner of the animal, the owner of private property who knowingly allows the aggressive canine/wolf be located on said property, the public land manager/official who authorizes the release or presence of any aggressive canine/wolf, and any governmental staff, employee, volunteer, and/or agent that participates in the release of said animal on public lands.

#### Under the Control Of

"Under the Control of" means inside a structure, building, fence, cage, or secured to a fixed anchor which prevents the animal from access to property utilized by the public. The animal must be subject to physical constraints prohibiting its presence in areas available to the public.

"Under the Control of" in areas available to the public means a) within a cage or vehicle which prevents the animal from contact with the public or b) muzzled, on a leash secured by a responsible party and under the physical control of the responsible party.

"Under the Control of" means the animal is in a location which prevents the aggressive canine/wolf from contact with individuals and/or private property. Sighting of an uncontrolled aggressive canine/ wolf and/or damage to property by an aggressive canine/wolf constitutes failure to be "Under the Control Of" the Responsible Party. Presence of the animal outside the designated restrictions also constitutes failure to be "Under the Control of" the Responsible Party.

"Wolf" Wolf means any animal having more than 1/16th Wolf blood by pedigree.

#### Section 2. Requirements

The Responsible Party/Parties shall have properties used by any aggressive canine/wolf Posted as defined above.

The Responsible Party/Parties shall be liable for all activities associated with the behavior of the aggressive canine/wolf. The aggressive canine/wolf shall be under the control of the responsible party at all times. Failure to keep the aggressive canine/wolf under control of the responsible party shall be punishable as described below. The aggressive canine/wolf shall not enter Garfield County until posting and any required jurisdictional agreement has been completed.

An Aggressive Canine/Wolf that is not under private ownership shall only be present on public lands for which a land manager has sole and exclusive jurisdiction and responsibility as defined by established law. For public lands that have concurrent, partial or proprietary jurisdiction, written permission from all levels of government shall be obtained prior to the presence of any Aggressive Canine/Wolf that is not under private ownership.

Failure to comply with the requirements listed above is a criminal offense as follows:

Each sign failed to be posted is a Class C Misdemeanor subject to a maximum penalty of 90 days in jail and \$750 Fine.

Failure to have the animal under the control of the responsible party is a Class B Misdemeanor subject to a maximum penalty of 6 months in jail and \$1,000 Fine.

Bringing an aggressive canine/wolf onto public areas in violation of this ordinance is a Class B Misdemeanor subject to a maximum penalty of 6 months in jail and \$1,000 Fine.

PASSED, APPROVED, AND ADOPTED on his 12<sup>th</sup> day of January, 2015 by the Garfield County Commission.

SIGNATURE AND VOTE:

ATTEST:

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Leland F. Pollock, Chair - Aye

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Camille A. Moore, Auditor/Clerk

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H. Dell LeFevre, Commissioner - Aye

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David B. Tebbs, Commissioner - Aye

### HOSPITAL BUDGET AND MANAGEMENT CONTRACT

Alberto Vasquez, Hospital Administrator, reviewed the management agreement details and verified that those requirements are being met. After review, the Commission gave Commissioner Pollock authorization to sign the report. The Financial Assistance Policy was reviewed. Alberto presented an Amendment and Extension of the Management Agreement with IHC Health Services, the management fee and information systems fee includes an increase of approximately 5%..

The proposed 2015 budget was reviewed. The total budget of \$11,584,456.00 includes a 4% fee increase and \$1,930,500.00 contribution from Rural Health Care Tax funds. The 2015 Capital Requests amount is \$592,499.00, the amount approved is \$49,500.00. The Commission approved the budget.

The minutes of the November 10, 2014 meeting with the Doctors regarding the number of licensed beds at the hospital in the future. After review, Commissioner Pollock signed the minutes.

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AIRPORT CONSULTANT AGREEMENT

Two proposals were received: Armstrong Consultants and Airport Development Group, Inc. After review, Commissioner LeFevre made a MOTION to accept the proposal from Armstrong Consultants and enter a contract for the next five years. Seconded by Commissioner.

RENT OF COUNTY FACILITY

Nancy Guyman is a music teacher for the school district and asked if there was any space available in a county facility to teach private lessons.

PIUTE COUNTY BUILDING INSPECTION

Commissioner Bushman, Piute County, has contacted Commissioner Pollock requesting assistance with Building Inspection. After discussion, the Commission directed Jared Woolsey, Building Inspector to contact Commissioner Bushman for details regarding the request.

ACCOUNTS PAYABLE

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

The meeting was adjourned at 3:00 pm.

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Commission Chair

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Clerk/Auditor