

**GARFIELD COUNTY COMMISSION MEETING  
DECEMBER 17, 2018 AT 10:00 A.M.**

Present: Commissioner Leland Pollock, Commissioner Jerry Taylor, Commissioner David Tebbs, County Clerk Camille Moore, and Attorney Barry Huntington.

Commissioner Leland Pollock called the meeting to order.

Commissioner Taylor made a MOTION to adopt the agenda. Seconded by Commissioner Pollock. MOTION carried. Voting unanimous.

Commissioner Taylor made a MOTION to approve the minutes of the November 26, 2018 meeting. Seconded by Commissioner Pollock. MOTION carried. Voting unanimous.

Commissioner Taylor made a MOTION to go to Executive Session discuss pending litigation. Present: Commissioner Leland Pollock, Commissioner David Tebbs, Commissioner Jerry Taylor, Attorney Barry Huntington, County Clerk Camille Moore, Sheriff Danny Perkins, Kaden Figgins. Seconded by Commissioner Pollock. MOTION carried. Voting: Tebbs - Aye, Taylor - Aye, Pollock - Aye.

**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 17th day of December, 2018, 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 pending litigation.

2. That a quorum was present.

3. That I do hereby affirm that the sole purpose for closing the meeting was to discuss pending litigation.

DATED this 17th day of December, 2018.

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Commission Chair

SUBSCRIBED and SWORN to before me this    day of                   , 2018.

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NOTARY PUBLIC

Commissioner Tebbs made a MOTION to return to general session. Seconded by Commissioner Taylor. Motion carried. Voting: Tebbs - Aye, Taylor - Aye, Pollock - Aye.

Commissioner Taylor made a MOTION to enter Public Hearing. Seconded by Commissioner Tebbs. Motion carried. Voting unanimous.

**PUBLIC HEARING - PLANNED UNIT DEVELOPMENT, ZONE CHANGE, SUBDIVISION - JOHN JACOBS**

Present: Kaden Figgins, Planner, Sheriff Perkins, John Jacobs, Bob Hartman, Alex Steckel, Jean Bramble, Louise Eutropius, Ron Torgerson, Marti Rich, Ethel Rich, Scout Holm, Denise Olson, Julie Brugger, Rod Syrett, Kevin Heaton, Peg Smith.

Commissioner Taylor made a MOTION to return to General Session. Seconded by Commissioner Tebbs. Motion carried. Voting: Pollock - Aye, Taylor - Aye, Tebbs - Aye.

Kaden Figgins, County Planner, explained the proposed projects and the recommendation of the Planning Commission to approve them contingent on water rights.

John Jacobs explained the zone change from commercial to residential to allow the planned unit development and the minor lot subdivision. Mr. Jacobs stated the water transfer is in progress, but is not complete.

Rod Syrett stated that the state division of water rights is conducting a study of the water rights on the plateau. He stated that he opposes approval of the project until the water study is complete.

Denise Olsen, asked that the information for the projects be more accessible to the public.

Marty Rich stated that in drought condition the existing wells dry up. He is concerned about the viability of existing businesses if more wells are drilled. He opposes the approval of the proposed project.

Bob Hartman asked if the residences would be permanent or transient.

Mr Jacobs stated that the owner can make them either.

Commissioner Tebbs made a MOTION to return to general session. Seconded by Commissioner Taylor. Motion carried. Voting unanimous.

Commissioner Taylor stated his concern that the Planning and Zoning Committee approves projects without proof of adequate water supply.

Commissioner Taylor made a MOTION to reject the project and have process start over with the planning and zoning committee. Seconded by Commissioner Pollock. Motion passed. Voting: Pollock - Aye, Taylor - Aye, Tebbs - Abstained.

#### STATE TRUST LANDS

Ron Torgerson, Utah State Trust Lands, presented a proposed commercial lease on state trust property adjacent to the Bryce Canyon Airport. Commissioner Pollock expressed his concerns regarding impact on the water at the airport and the operations of the airport. Ron stated that proposal is for a long term lease not to exceed 50 years, and they are taking the airport operations in consideration before a decision is made.

## **BOARD REPORTS**

Commissioner Tebbs participated in hiring committee for the County Planner and Economic Development Director. The board was Commissioner Tebbs, Les Barker, Recorder, Brian Bremner, County Engineer, Mayor Melanie Torgerson, Escalante, and Mayor Waylon Brinkerhoff. He reported on the Planning Commission meeting last week.

Commissioner Taylor reported his work on the 20-year stewardship plan on forest service lands. He attended a local grazing meeting. There is a new bill for Secure Rural School funding which will include a trust fund for future payments. He attended a meeting regarding the congressional staff briefing scheduled for August.

Commissioner Pollock reported on the Watershed Initiative and the proposal to do projects on forest service lands. The Farm Bill extended the good neighbor authority to include counties as well as states. He plans to attend a meeting with the state coordinator of NRCS, Utah Department of Natural Resources Director, and Utah Commissioner of Agriculture.

## **PUBLIC WORKS BUSINESS**

Highway 12 Passing Lane and Landslide repair and Bike Lanes: Brian Bremner, County Engineer, reported on a report from UDOT on the project. The funds for the project had been approved and it should go out to bid summer 2019. Commissioner Tebbs made a MOTION to enter into a cooperating agency status with the Park Service and the UDOT. Seconded by Commissioner Taylor. Motion carried. Voting unanimous.

Panguitch City NRCS Project: Commissioner Pollock had contacted Senator Okerland about sponsoring a bill to fund the match for the Panguitch City NRCS Project to protect the springs. Brian will continue to work with the City to determine the scope of the project.

Commissioner Taylor made a MOTION to enter Public Hearing. Seconded by Commissioner Tebbs. Motion carried. Voting: Pollock - Aye, Taylor - Aye, Tebbs - Aye.

## **PUBLIC HEARING - 2018 BUDGET OPENING**

Present: Bob Hartman, Alex Steckel, Jean Bramble, Louise Eutropues, Denise Olson, Julie Brugger, Kevin Heaton, Peg Smith

Commissioner Taylor made a MOTION to return to General Session. Seconded by Commissioner Tebbs. Motion carried. Voting: Pollock - Aye, Taylor - Aye, Tebbs - Aye.

After discussion, Commissioner Tebbs made a MOTION to adopt the 2018 Budget Opening Seconded by Commissioner Taylor. Motion carried. Voting unanimous.

### **PUBLIC HEARING - 2019 BUDGET**

After discussion, Commissioner Tebbs made a MOTION to adopt the proposed 2019 Budget. Seconded by Commissioner Taylor. Motion carried. Voting unanimous.

### **PERSONNEL**

Commissioner Taylor made a MOTION to hire Kaden Figgins as the County Planner and Economic Development Director. Seconded by Commissioner Tebbs. Motion carried. Voting unanimous.

### **BUSINESS LICENSE ORDINANCE AMENDMENT**

After discussion, the Commission approved moving forward with the proposed amendment to the business license ordinance. It will be advertised and a public hearing will be scheduled for January 14th.

### **TRAVEL COUNCIL APPOINTMENTS**

After discussion, Commissioner Taylor made a MOTION to appoint Lance Syrett as the Travel Council Chair and Garrett Cottam and the Vice-Chair. Seconded by Commissioner Tebbs. Motion carried. Voting unanimous.

**SOUTHWEST REGIONAL RESPONSE TEAM MEMBERS**

After discussion, Commissioner Tebbs made a MOTION to adopt Resolution 2018-6 .  
Seconded by Commissioner Taylor. Motion carried. Voting unanimous.

**RESOLUTION NUMBER 2018-6**

**A RESOLUTION APPOINTING EXECUTIVE COMMITTEE MEMBERS TO THE  
SOUTHWEST REGIONAL RESPONSE AND COORDINATION TEAM**

NOW THEREFORE, it is hereby resolved by the Garfield County Commissioners of Garfield County, Utah, as follows:

1. Denise Dastrup is hereby appointed to fill a term of office as a member of the Executive Committee of the Southwest Regional Response Team, which will expire on December 31, 2022.
2. Lloyd Brinkerhoff is hereby appointed to fill a term of office as a member of the Executive Committee of the Southwest Regional Response Team, which will expire on December 31, 2022.

RESOLVED, ADOPTED AND ORDERED this 17th day of December, 2018.

BOARD OF COUNTY COMMISSIONERS  
GARFIELD COUNTY, UTAH

\_\_\_\_\_  
Leland F. Pollock  
Chairman

ATTEST:

By: \_\_\_\_\_  
Camille A. Moore  
Garfield County Clerk-Auditor

**2019 COMMISSION MEETING DATES AND COUNTY HOLIDAYS**

Commissioner Taylor made a MOTION to approve the Commission Meeting Dates and County Holidays for 2019.

**CAPITAL IMPROVEMENT LIST**

The Commission does not have projects to include on the CIB Priority List.

**ACCOUNTS PAYABLE**

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

The meeting was adjourned at 4:00 p.m.

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Commission Chair

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Clerk/Auditor