

Beaver County Commission Meeting
Beaver, UT 84713
February 1, 2022

The Board of County Commissioners met on February 1, 2022, at 10:00 a.m. for its regular Commission Meeting. Attending were: Commissioner Mark Whitney, Chairman; Commissioner, Tammy Pearson; Commissioner, Wade Hollingshead; Ginger McMullin, Clerk/Auditor; Robert Pyles, Administrative Services Coordinator; Stephanie Laws, Commission Secretary and Von Christiansen, County Attorney.

Prayer was offered by Comm. Hollingshead, Commissioner.

Pledge of Allegiance was led by Michelle Evans, Tourism Director.

Review and Approve County Bills. Motion to approve County Bills was made by Comm. Pearson, seconded by Comm. Hollingshead, and the vote was made unanimous.

Previous minutes were presented by Ginger McMullin, Clerk/Auditor. With minor adjustments and edits, motion to authorize minutes was made by Comm. Hollingshead, seconded by Comm. Pearson, the vote was unanimous.

Ratify Signing of County Fair Carnival Agreement. Motion to ratify the Carnival Contract for the 2022 Beaver County Fair was made by Comm. Hollingshead, seconded by Comm. Pearson, and the vote was made unanimous.

Business Center. Ms. Laws discussed the rates at the Business Center for office space rental. Ms. Laws discussed the square footage of the Business Center rooms for rent. It was decided to continue to allow start-up businesses to occupy the spaces at the Business Center at a discounted rate. It was also decided to allow some tenants to continue occupancy with a six month lease condition, at an incremental increase with a set occupancy length, which will include an upfront lease requirement.

Minersville Flood Basin. Commission briefly discussed participating in a Minersville Flood Basin project near Minersville, where flood has filled the basin with debris and covered the discharge outlet over the years. This could be a partnership for cost sharing with the NRC. This project will be discussed further at a later date.

Consider Signing Service Agreement with VistaWorks. Present was Michelle Evans, Tourism Director. Ms. Evans discussed the renewal contract with VistaWorks for tourism marketing in Beaver County. Motion to authorize signature on the VistaWorks was made by Comm. Hollingshead, seconded by Comm. Pearson, and the vote was made unanimous.

Travel Council Board Members. Present was Michelle Evans, Tourism Director. Ms. Evans discussed with the Commission the interested applicants willing to serve on the Travel Council Board, which are Tim Joseph and Wayne Wiseman. It was recommended that Tim Joseph will serve as board member on the Travel Council. Motion to accept Tim Joseph as recommended to serve on the Travel Council was made by Comm. Hollingshead, seconded by Comm. Pearson, and the vote was made unanimous.

Comm. Pearson discussed the funding request from the Outdoor Recreation Division for the High Desert Trail. It was discussed that it will go through the OHV restricted funds appropriations committee.

Ratify Indigent Defense Contract. Motion to ratify Commissioner Whitney's signing of the Indigent Defense Contract for a capital case in Beaver County was made by Comm. Pearson, seconded by Comm. Hollingshead, and the vote was made unanimous.

Ratify Opioid Settlement Agreement. This will be earmarking \$18,000 for counseling and treatment for the next 18 years, as a settlement. Motion to ratify the Opioid Settlement Agreement signed by Comm. Whitney, was made by Comm. Pearson, seconded by Comm. Hollingshead, and the vote was made unanimous.

Consider Adopting Ordinance 2022-01; An Ordinance Outlining Conditions for CUP's. Present was Kyle Blackner, County Building Authority. Mr. Blackner discussed the deficiency of the conditions on the ordinance regarding the conditional use permits. Motion to adopt Ordinance 2022-01; An Ordinance Outlining Conditions for CUP's was made by Comm. Pearson, seconded by Comm. Hollingshead, and the vote was made unanimous. Roll call vote Comm. Pearson "aye", Comm. Whitney "aye", Comm. Hollingshead "aye".

Consider Signing Ordinance 2022-02; An Ordinance Amending Section 9-7-2 Permitted Uses. Present was Kyle Blackner, County Building Authority. Mr. Blackner was present to discuss amending the current ordinance regarding permitted uses of accessory garages. Motion to adopt Ordinance 2022-02; An Ordinance Amending 9-7-2 Permitted Uses was made by Comm. Hollingshead, seconded by Comm. Pearson, and the vote was made unanimous. Roll call vote Comm. Pearson "aye", Comm. Whitney "aye", Comm. Hollingshead "aye".

Break for Lunch

Public Hearing on CAFO Ordinance. Present were Kyle Blackner, County Building Authority; Keven Whicker, Natural Resource Specialist/County GIS. Mr. Blackner shared the reason for the Ordinance in regard to CAFO's, due to SB130 Legislation. Motion to enter into Public Hearing for the discussion of the CAFO Ordinance, was made by Comm. Hollingshead, seconded by Comm. Pearson, and the vote was made unanimous. Present for public comment were Margaret Wellman, Casey Ross, Lisa Hendrickson Ross, Jackie Whittlesey, Mark Whittlesey, Sheri Graham, Bryan Graham and Derald Joseph. Mr. Derald Joseph addressed the Commission requesting the elimination of the red zone on the map in the Sulphurdale area. Ms. Sheri Graham addressed the Commission regarding the waste produced from Smithfield, as well as eliminating the red zone in Sulphurdale and Cove Fort areas. Mr. Bryan Graham requested clarification of the red zone in the Cove Fort area and how water shed was addressed? Comm. Whitney asked Mr. Graham if he sat on the Planning & Zoning Board, he agreed, yes he does, and he agreed he was involved in the planning of the ordinance. Mr. Casey Ross addressed with concerns about the Sulphurdale area as a red zone on the map and the aquifer. Ms. Margaret Wellman addressed the Commission regarding the impact of SB130 to the Ordinance. Mr. Kyle Blackner addressed the parameters of SB130. Comm. Hollingshead inquired about the public inquiry of the map zones during the planning process. Ms. Lisa Hendrickson addressed the Commission with her concerns regarding the Sulphurdale area, specifically the concentrated animal operations. Mr. Blackner

addressed her concerns and explained the federal standards. Mr. Whicker addressed the Commission with a hydrology map prepared by himself and Mr. Mike Taylor's input regarding the underground water and the recharge areas. Mr. Christiansen addressed some of the gallery's comments and concerns, and referenced the ordinance and how they have been addressed in the ordinance. No further comment was heard. Comm. Whitney declared the public hearing closed.

Consider Signing GIS Plat Map Creation Agreement. Present was Keven Whicker, GIS. Mr. Whicker addressed the proposed GIS Plat Map contracted work. Motion to authorize contract work to Sandy White for the GIS Plat Map creation was made by Comm. Pearson, seconded by Comm. Hollingshead, and the vote was made unanimous.

Weed Spray. Motion to authorize Dusty Wiseman for the \$60/mi for 59 miles of the weed spraying for the right of ways was made by Comm. Hollingshead, seconded by Comm. Pearson and the vote was made unanimous.

Consider Signing Ordinance 2021-09; An Ordinance Designating CAFO Locations. Motion to adopt Ordinance 2021-09; An Ordinance Designating CAFO Locations was made by Comm. Pearson, seconded by Comm. Hollingshead, and the vote was made unanimous. Roll call vote Comm. Pearson "aye", Comm. Whitney "aye", Comm. Hollingshead "aye".

Commission Updates. Comm. Hollingshead reported on the Crusher in the Tushar, will be held July 9th. Comm. Hollingshead also reported on the Tourism on the Hill held at the Capital. Comm. Pearson stated she will now sit on the Public Lands Council board for Utah. The Commission will meet with the UDOT at the capital for reclassifications on some County Roads.

Declare Surplus. Ms. Laws discussed a salt spreader; chip spreader, belly dump and asphalt roller. Motion to declare the listed heavy equipment items as surplus was made by Comm. Hollingshead, seconded by Comm. Pearson, and the vote was made unanimous.

Meeting adjourned.