

**WASHINGTON COUNTY COMMISSION MEETING**  
**MINUTES**  
**FEBRUARY 19, 2008**

The Regular Meeting of the Board of the Washington County Commission was called to order by Chairman James J. Eardley at 4:00 p.m. on February 19, 2008, in the Commission Chambers, Washington County Administration Building, St. George, Utah. Those in attendance were Commission Chairman James J. Eardley, Commissioner Alan D. Gardner, Commissioner Dennis Drake, Deputy County Attorney David L. Patterson, Administrator to the Commission John C. Willie, and Deputy County Clerk Kaye Reese.

*The Spectrum* was not represented at the meeting.

Commissioner Gardner led the Pledge of Allegiance.

**AGENDA**

**CONSENT AGENDA:**

The Consent Agenda is a means of expediting routine matters which come before the Commission for approval. The Consent Portion of the agenda is approved by one (1) non-debatable motion. If any Commissioner wishes to remove an item from the Consent Portion of the agenda, then that item becomes the first order of business on the regular agenda.

- Consideration of List of Auditor Approved Claims for Payment for February 5, 2008, through February 19, 2008
- Consideration of Administrative Adjustments: Real Property (attached)
- Consideration of Application for Settlement or Deferral of Property Taxes: Tom Leeds, Serial Number W-105-A-2
- Acknowledgment of Publishing: Notice of Adoption of Ordinance No. 2008-952-O and 2008-953-O on Saturday, January 19, 2008
- Acknowledgment of receipt of grant funds from the State of Utah for Collection and Delivery of Corner Coordinates and/or Construction of Digital Parcel database/ \$16,000

**ACTIONS OF THE WASHINGTON COUNTY PLANNING COMMISSION MEETING/ 2/12/08**

**CONDITIONAL USE PERMIT.** Request permission to operate a gravel crusher within the OST-20 Zone, Section 16, T42S, R14W, SLB&M, generally located 1/4 mile east of the Washington County Landfill. Dee Atkins, landowner/Western Rock Products, applicant. (Tabled January 22, 2008). *Planning Commission voted 4 to 0.*

**CONDITIONAL USE PERMIT.** Request permission for a bike tour along County routes from Virgin to Rockville, beginning in the Bloomington area and running to Zions National Park and back to St. George, as a part of the Zion (Century) Country Early Spring Ride, Saturday, February 23, 2008. Bob Kinney/Bike 2 Bike, applicant. *Planning Commission voted 4 to 0.*

**CONDITIONAL USE PERMIT.** Request permission for a staging area for pipe storage yard to be used on the UNEV Pipeline, containing 13.300 acres, the Fenton Bowler property in Veyo. Ann Jones, agent/UNEV Pipeline LLC, applicant. *Planning Commission voted 4 to 0.*

**MOTION:** Motion by Commissioner Gardner to approve the Consent Agenda, as presented. Motion seconded by Commissioner Drake and carried by unanimous vote, with Commissioners Eardley, Gardner, and Drake voting aye.

**REGULAR AGENDA ITEMS FOR CONSIDERATION:**

**EMERGENCY SERVICES STATUS REPORT / DEAN COX**

Emergency Services Director Dean Cox reported that the main event in the recent month was the Garner rescue, which ended when the missing couple was eventually found in Beaver County by an Iron County road worker after an extensive search effort. Mr. Cox stressed once again how important it is for hikers to be aware of weather and geographical conditions in the area they choose to explore. Utah's mountains are covered with snow and ice and are very hazardous during winter months. Tragically, an Iron County search and rescue volunteer died during the Garner search.

**PURCHASE REQUEST(S) / MARK BLANCH**

Habitat Conservation Plan (HCP):	
Fencing, Green Springs North .....	\$21,640.08
Fencing, Green Springs South .....	21,207.20
Library, automated database annual maintenance contract .....	16,578.84

*All County purchases have been previously budgeted, bonded, or paid for through grant funds.*

**MOTION:** Motion by Commissioner Drake to approve the above Purchase Requests, as presented. Motion seconded by Commissioner Gardner and carried by unanimous vote, with Commissioners Eardley, Gardner, and Drake voting aye.

**REGULAR AGENDA**

**CONSIDERATION OF APPROVAL OF A QUIT CLAIM DEED FROM WASHINGTON COUNTY TO HURRICANE CITY TO PROVIDE FOR MAINTENANCE OF THE CITY STREET AT THE HURRICANE SENIOR CENTER / JOHN WILLIE**

Administrator to the Commission John Willie explained that 100 North runs along the north side of the Hurricane Senior Center in the middle of town. Negotiations have been ongoing with Hurricane City to upgrade this street, which will be an asset to both the City and to the Senior Center. The upgrade would include widening the street about eight (8) feet on either side.

**MOTION:** Motion by Commissioner Drake to approve the Quit Claim Deed from the Municipal Building Authority of Washington County to Hurricane City to provide for maintenance of the city street at the Hurricane Senior Center, as presented. Motion seconded by Commissioner Gardner and carried by unanimous vote, with Commissioners Eardley, Gardner, and Drake voting aye.

**CONSIDERATION OF APPROVAL OF POWERLINE EASEMENT FROM WASHINGTON COUNTY TO HURRICANE CITY ALONG 5300 WEST**

**MOTION:** Motion by Commissioner Gardner to Approve Powerline Easement from Washington County to Hurricane City along 5300 West subject to final review and approval by the Washington County Attorney's Office. Motion seconded by Commissioner Drake and carried by unanimous vote, with Commissioners Eardley, Gardner, and Drake voting aye.

**CONSIDERATION OF APPROVAL OF QUIT CLAIM DEED FROM WASHINGTON COUNTY TO HURRICANE CITY FOR PARCEL LOCATED AT THE CORNER OF FIRST SOUTH AND MAIN STREET IN HURRICANE**

**MOTION:** Motion by Commissioner Gardner to approve Quit Claim Deed from Washington County to Hurricane City for Parcel located at the corner of First South and Main Street in Hurricane, as presented. Motion seconded by Commissioner Drake and carried by unanimous vote, with Commissioners Eardley, Gardner, and Drake voting aye.

**CONSIDERATION OF ADOPTION OF ORDINANCE NO. 2008-954-O, AN ORDINANCE CHANGING THE ZONE OF A PARCEL OF PROPERTY FROM A-20 (AGRICULTURAL 20 ACRES) TO RA-1 (RESIDENTIAL AGRICULTURAL 1 ACRE) GENERALLY LOCATED IN THE LEEDS AREA ADJACENT TO THE NORTH END OF SILVER VALLEY ESTATES**

Washington County Planner Deon Goheen said that the RA-1 zone is compatible with the adjacent zone of Silver Valley Estates and complies with the General Plan. There have been no complaints by neighbors.

**MOTION: Motion by Commissioner Drake to Adopt Ordinance No. 2008-954-O, An Ordinance Changing The Zone Of A Parcel Of Property From A-20 (Agricultural 20 Acres) To RA-1 (Residential Agricultural 1 Acre) Generally Located In The Leeds Area Adjacent To The North End Of Silver Valley Estates, as presented. Motion seconded by Commissioner Gardner and carried by unanimous vote, with Commissioners Eardley, Gardner, and Drake voting aye.**

**CONSIDERATION OF FINAL PLAT APPROVAL FOR BRENT HOGAN SUBDIVISION, 1 LOT, CONTAINING 1 ACRE, GENERALLY LOCATED NORTHEASTERLY OF SILVER VALLEY ESTATES SUBDIVISION, NEAR LEEDS, BRENT HOGAN, APPLICANT**

Ms. Goheen said that all information submitted on the platting met the requirements of the ordinance for final approval. Approval was given by Angel Springs Water Company for water and by the Southwest Utah Public Health Department for a septic permit. There will be no curb, gutter, or sidewalk requirement.

**MOTION: Motion by Commissioner Gardner for Final Plat Approval For Brent Hogan Subdivision, 1 Lot, Containing 1 Acre, Generally Located Northeasterly Of Silver Valley Estates Subdivision, Near Leeds, Brent Hogan, Applicant, as presented. Motion seconded by Commissioner Drake and carried by unanimous vote, with Commissioners Eardley, Gardner, and Drake voting aye.**

**CONSIDERATION OF ADOPTION OF ORDINANCE NO. 2008-955-O, AN ORDINANCE AMENDING AND SUPERSEDING CHAPTER 18 OF TITLE 10 OF THE WASHINGTON COUNTY CODE REGARDING CONDITIONAL USES**

Deputy Washington County Attorney David Patterson said that the County Code requires specifically defined criteria for conditional uses so that there is more uniformity and less subjectivity.

**MOTION: Motion by Commissioner Gardner to Adopt Ordinance No. 2008-955-O, An Ordinance Amending And Superseding Chapter 18 Of Title 10 Of The Washington County Code Regarding Conditional Uses, as presented. Motion seconded by Commissioner Drake and carried by unanimous vote, with Commissioners Eardley, Gardner, and Drake voting aye.**

**CONSIDERATION OF ADOPTION OF ORDINANCE NO. 2008-956-O, AN ORDINANCE AMENDING AND SUPERSEDING TITLE 12 OF THE WASHINGTON COUNTY CODE, THE WASHINGTON COUNTY FLOOD PLAIN ORDINANCE**

Mr. Patterson said that the Federal Emergency Management Association (FEMA) sent to Washington County a draft form of this ordinance, from which the County Attorney's Office, specifically Rachelle Ehlert, created Ordinance No. 2008-956-O, with input from the Public Works Department. FEMA has accepted Washington County's amendments. The ordinance changes the way the County deals with flood plain issues insofar as building requirements are concerned.

**MOTION: Motion by Commissioner Drake to Adopt Ordinance No. 2008-956-O, An Ordinance Amending And Superseding Title 12 Of The Washington County Code, The Washington County Flood Plain Ordinance, as presented. Motion seconded by Commissioner Gardner and carried by unanimous vote, with Commissioners Eardley, Gardner, and Drake voting aye.**

**UNTABLE / CONSIDERATION OF ADOPTION OF RESOLUTION NO. R-2008-1210, A RESOLUTION APPROVING THE ADOPTION AND EXECUTION OF AN AGREEMENT BETWEEN DUANE AND JULIE WALKER, D.B.A. "D & J SIGNS", FOR JANITORIAL SERVICES FOR THE NEW HARMONY VALLEY LIBRARY**

Chairman Eardley said that this item will remain tabled.

**CONSIDERATION OF ADOPTION OF RESOLUTION NO. R-2008-1214, A RESOLUTION APPROVING THE ADOPTION AND EXECUTION OF A GRANT AGREEMENT BETWEEN WASHINGTON COUNTY AND THE NATURE CONSERVANCY GRANTING FUNDS FOR MANAGEMENT EXPENSES OF THE WHITE DOME NATURE PRESERVE**

The funding for this agreement, a one-time extension, has been generated through the Habitat Conservation Plan (HCP).

**MOTION: Motion by Commissioner Gardner to Adopt Resolution No. R-2008-1214, A Resolution Approving The Adoption And Execution Of A Grant Agreement Between Washington County And The Nature Conservancy Granting Funds For Management Expenses Of The White Dome Nature Preserve, as presented. Motion seconded by Commissioner Drake and carried by unanimous vote, with Commissioners Eardley, Gardner, and Drake voting aye.**

**CONSIDERATION OF ADOPTION OF RESOLUTION NO. R-2008-1215, A RESOLUTION APPROVING THE ADOPTION AND EXECUTION OF AN AGREEMENT BETWEEN ASSURED SHRED, INCORPORATED AND WASHINGTON COUNTY TO PERFORM SHREDDING SERVICES**

**MOTION:** Motion by Commissioner Drake to Adopt Resolution No. R-2008-1215, A Resolution Approving The Adoption And Execution Of An Agreement Between Assured Shred, Incorporated And Washington County To Perform Shredding Services, as presented. Motion seconded by Commissioner Gardner and carried by unanimous vote, with Commissioners Eardley, Gardner, and Drake voting aye.

**CONSIDERATION OF ADOPTION OF RESOLUTION NO. R-2008-1216, A RESOLUTION (A) TO FINANCE THE COST OF CERTAIN INFRASTRUCTURE IMPROVEMENTS CONSISTING OF THE CONSTRUCTION OF STREET IMPROVEMENTS, STORM DRAINAGE AND IRRIGATION IMPROVEMENTS, AND ALL OTHER MISCELLANEOUS WORK NECESSARY TO COMPLETE THE IMPROVEMENTS IN A PROPER AND WORKMANLIKE MANNER; (B) TO DEFRAY THE COST AND EXPENSES OF IMPROVEMENTS BY ASSESSMENTS TO BE LEVIED AGAINST THE PROPERTIES BENEFITED BY SUCH IMPROVEMENTS; AND (C) TO PROVIDE NOTICE OF INTENTION TO DESIGNATE A PROPOSED ASSESSMENT AREA; TO AUTHORIZE SUCH IMPROVEMENTS; AND TO FIX A TIME AND PLACE FOR PROTESTS AGAINST SUCH IMPROVEMENTS OR THE DESIGNATION OF THE PROPOSED ASSESSMENT AREA; AND RELATED MATTERS.**

**MOTION:** Motion by Commissioner Drake to Table Resolution No. R-2008-1216, A Resolution (A) To Finance The Cost Of Certain Infrastructure Improvements Consisting Of The Construction Of Street Improvements, Storm Drainage And Irrigation Improvements, And All Other Miscellaneous Work Necessary To Complete The Improvements In A Proper And Workmanlike Manner; (B) To Defray The Cost And Expenses Of Improvements By Assessments To Be Levied Against The Properties Benefited By Such Improvements; And (C) To Provide Notice Of Intention To Designate A Proposed Assessment Area; To Authorize Such Improvements; And To Fix A Time And Place For Protests Against Such Improvements Or The Designation Of The Proposed Assessment Area; And Related Matters. Motion seconded by Commissioner Gardner and carried by unanimous vote, with Commissioners Eardley, Gardner, and Drake voting aye.

**PUBLIC WORKS AND ROAD BUSINESS**

Public Works Director Ron Whitehead said that the Road Department is working on cleaning up the roads around the County, which are very muddy. It is difficult to plow dirt roads until they dry up somewhat.

**COUNTY DEVELOPMENT AND PLANNING BUSINESS**

No items were presented today.

**Request an Executive Session**

None.

There being nothing further to come before the Commission, the meeting was adjourned at 4:35 p.m.

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KAYE REESE  
DEPUTY CLERK

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JAMES J. EARDLEY  
CHAIRMAN