

MINUTES OF THE VERNAL CITY COUNCIL REGULAR MEETING HELD
JANUARY 6, 2010 at 7:00 p.m. in the Vernal City Council room, 447 East Main, Vernal,
Utah 84078.

PRESENT: Councilmembers Ted Munford, Cal Dee Reynolds, Bert Clark, Sonja Norton and JoAnn Cowan and Mayor Gary Showalter.

WELCOME: Mayor Showalter welcomed everyone to the first Council meeting of the second decade of the 21st Century - January 6, 2010.

INVOCATION OR UPLIFTING THOUGHT: The invocation was given by Councilmember Ted Munford.

PLEDGE OF ALLEGIANCE: The Pledge of Allegiance was led by Mayor Gary Showalter.

APPROVAL OF CITY COUNCIL MINUTES OF DECEMBER 16, 2009: Councilmember Bert Clark asked that the wording “larger size” be added to the sewer pipeline project, and “policy” to the local bidder preference. Councilmember Clark then moved to approve the minutes of December 16, 2009 with those corrections. Councilmember Cal Dee Reynolds seconded the motion. The motion passed with a unanimous vote with Clark, Reynolds, Norton, Munford and Cowan voting in favor.

APPROVAL OF CITY COUNCIL MINUTES OF JANUARY 4, 2010: Councilmember JoAnn Cowan moved to approve the minutes of January 4, 2010 as written. Councilmember Sonja Norton seconded the motion. The motion passed with Councilmembers Cowan, Reynolds, Munford, Norton and Clark voting in favor for a unanimous vote.

ENTERPRISE ZONE UPDATE: Tammie Lucero explained that the State approved the enterprise zone application submitted for the entire County. She stated that a booklet has been prepared with all the information needed to use the enterprise zone designation. Also, she noted that she met with all the CPA firms in the area to bring them up to date on the enterprise zone and how it can help local businesses. The zone is only allowed in rural areas, and the main purpose is to encourage businesses to grow or locate in an enterprise zone to qualify for special tax credits from the State and federal government. Councilmember JoAnn Cowan stated that at one time the schools also qualified for a federal tax credit under this designation. Tammie Lucero stated that yes the schools may still qualify based on current economic factors. Councilmember Cowan asked Tammie to notify the Uintah School District so they can use the zone designation on grant applications. Councilmember Clark asked if the enterprise zone also applied to the Ute Tribe. Tammie Lucero stated that it did. The Council thanked Tammie for her work in getting the enterprise zone updated.

TRI-COUNTY HEALTH SERVICES UPDATE: Darrin Brown, representing Tri-County Health, explained to the Council that the Health Department is the agency that enforces environmental health regulations. He gave the Council a list of environmental issues that the Health Department deals with. Councilmember Munford asked what a liquid scavenger is. Darrin Brown explained that this refers to the collection of liquid sewage, and those types of businesses must have a permit from the Health Department. Mayor Showalter stated that businesses have to pay a recycler to pick up used oil and asked what individuals can do to dispose of their used oil. Darrin Brown stated they do have

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a list of providers that the consumer can contact to get rid of their used oil. Councilmember Cal Dee Reynolds stated that there is a place at the landfill to empty your oil container. Councilmember Norton stated that the septic tank regulations have changed a lot the last few years. Darrin Brown stated that they will change even more this next year making it more expensive for an advanced system. Councilmember Norton stated that she is also seeing problems with homes that have had illegal drugs used in them and are being deemed unsafe. Darrin Brown stated there has not been a lot of contaminated homes in the area, but it is increasing. If the home was used as a drug lab, then it must be decontaminated, but there are not any regulations for any other drug use. Mayor Showalter thanked Mr. Brown for the update.

ROCKY MOUNTAIN POWER PRESENTATION : Rich Buelte, operations manager for Rocky Mountain Power, stated that their work load has decreased considerably. In 2008 there was a four month wait for crews to tackle capital projects, and now the wait is only around three weeks. There was also a major power outage that affected the community and took a lot of time to repair. Councilmember Norton asked what caused the outage. Rich Buelte stated that a truck hit a pole that had the main feeder line on it. A new system is being installed at the Vernal substation to allow them to monitor the system more closely, and plans are in place to upgrade that system. Also, Mr. Buelte stated that with the slowdown, the crew has been able to address maintenance issues such as replacing street lighting. Mr. Buelte gave the Council a number to call for service. Mayor Showalter thanked him for his report.

REQUEST FOR AMENDMENT TO THE VERNAL CITY PERSONNEL POLICIES - PAYMENT TO WITNESSES - RESOLUTION NO. 2010- 01: Ken Bassett explained that in March of 2008 the Council changed the policy which previously required employees serving as witnesses to remit the witness fee back to the City. The changed policy eliminated that section. However, one section dealing with the police officers who are attending court did not get changed. Resolution No. 2010-01 changes that section to be consistent with the intent of the Council. Councilmember JoAnn Cowan moved to approve Resolution No. 2010-01. Councilmember Sonja Norton seconded the motion. The motion passed with the following unanimous roll call vote:

- Councilmember Munford.. aye;
- Councilmember Cowan. aye;
- Councilmember Reynolds. aye;
- Councilmember Norton. aye;
- Councilmember Clark. aye.

RIGHT-OF-WAY CONTRACT WITH NAPLES CITY FOR STORM DRAIN IMPROVEMENTS: Mayor Showalter explained that this issue is still under discussion and needs to be tabled.

DISCLOSURE OF BUSINESS INTEREST - MAYOR SHOWALTER: Councilmember Clark explained that a business disclosure is normally completed after each election if any of the elected officials own a business. Ken Bassett agreed and noted that Mayor Showalter is presenting his disclosure form. Mayor Showalter stated that he has disclosed two of the car dealerships which he

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owns, however he does have another business, the Classic and Muscle Car Dealership, that should also be disclosed.

CONVENE INTO CLOSED SESSION: Councilmember Cowan moved to convene into closed session to discuss the character, professional competence, or physical or mental health of an individual and to hold a strategy session to discuss pending or imminent litigation. Councilmember Clark seconded the motion. The motion passed with the following roll call vote:

- Councilmember Clark. aye;
- Councilmember Norton. aye;
- Councilmember Reynolds. aye;
- Councilmember Cowan aye;
- Councilmember Munford.. . . . aye.

RECONVENE INTO OPEN SESSION: Mayor Showalter declared the meeting back into open session.

AWARD OF BID FOR 500 SOUTH STORM DRAIN AND SEWER PROJECT: Ken Bassett explained that additional information was received on this project with the low bidder, Silver Spurs Construction, submitting a bid in the amount of \$2,875,922.50. Councilmember Cal Dee Reynolds moved to award the contract for the 500 South storm drain and sewer upgrade project to Silver Spurs Construction based on the threat of a law suit and other things that go with it. Councilmember Bert Clark seconded the motion. The motion passed with the following unanimous roll call vote:

- Councilmember Clark. aye;
- Councilmember Norton. aye;
- Councilmember Reynolds. aye;
- Councilmember Cowan aye;
- Councilmember Munford.. . . . aye.

ADMINISTRATIVE REPORTS:

Local Officials Day:

Ken Bassett informed the Council that the local officials day at the State Legislature is scheduled for January 26th in Salt Lake City. This session gives the Youth City Council a chance to watch the legislative process and listen to guest speakers. Councilmember Cowan stated that this year the speaker will be Rudy Giuliani.

ADJOURN: There being no further business, Councilmember JoAnn Cowan moved to adjourn. Councilmember Sonja Norton seconded the motion. The motion passed with a unanimous vote and the meeting was declared adjourned.

Mayor Gary Showalter

ATTEST:

(S E A L)

Roxanne Behunin, Deputy Recorder