

The **Beaver City Council** met in a **work session** at **4:00 p.m.** in the Beaver City Center located at 30 West 300 North on Tuesday, **April 10, 2018**. The following members of the Council were present: Mayor Pro Temp Connie Fails, Council Members Tyler Schena, Alison Webb, and Hal Murdock. Mayor Matt Robinson, Council Member Robin Bradshaw and City Manager Jason Brown joined the meeting at 4:35 p.m. Also present was City Recorder Anona Yardley. City Attorney Justin Wayment entered the meeting at 5:00 p.m. Mayor Pro-Temp Fails opened the meeting at 4:00 p.m.

### **CHILDREN’S JUSTICE CENTER OPEN HOUSE VISIT**

The council visited the Children’s Justice Center for the Open House. The CJC is a wonderful addition to law enforcement and child protection in our community. Officer Laura Davis was available at the open house. She does most of the interviews with children at the center. There have been some wonderful additions to the center that help make children’s and family’s experiences there a little less traumatic.

### **DINNER BREAK**

The Council took a dinner break at 4:30.

### **RODEO GROUNDS COMMITTEE**

Council Member Bradshaw excused himself for a conflict of interest stating that his daughter was on the rodeo grounds committee. Wiley Hughes addressed the Council about the recommendations of the committee. **1. Safety – Bleachers.** During a 4-H event, a child fell off the back of the bleachers. This was the first notification Beaver City had of this accident. They asked that the City provide some kind of closure on the back of the bleachers. There were approximately 1200 people each night at the 2017 July 24<sup>th</sup> rodeo. **Crow’s Nest.** The crows nest needs some braces to keep it from moving. The floor was redone last year. The roof needs to be replaced also. **Electricity Availability.** The crew that ran the rodeo were running extension cords from everywhere to be able to use their technology. L&H Electric would be willing to volunteer time and resources to help upgrade the power in the arena. **2. A Jr. Rodeo** will be held over the 24<sup>th</sup> of July weekend. The warm up arena needs to be expanded and moved to the West approximately 24 feet. The panels for this expansion were purchased last year. **3.** The committee will be painting a few places and the men’s and women’s restrooms need dividers between the toilets. There is \$4,200 in the budget. **4.** For the **barrel race** on the second barrel there needs to be more-light in that area. The committee asked if the city could help adjust that area’s lights. The mayor asked that the committee prioritize their needs and work with Manager Brown to accomplish the priorities. Beaver City needs to make some swinging gates like those at the county fairgrounds. They also have some left-over restroom stalls at the fairgrounds. Mayor Robinson thanked the committee for their suggestions and help in maintaining the grounds. Council Member Bradshaw returned to the meeting.

### **UAMPS DISCUSSION ABOUT CARBON FREE POWER PROJECT – UAMPS**

#### **Personnel**

Doug Hunter, UAMPS General Manager, and Les Williams, Beaver City’s UAMPS Representative were introduced to the Council. Mr. Hunter gave an overview of the projects UAMPS offers and addressed the Carbon Free Power Project. He discussed the estimated costs with this project. At present the highest cost of purchasing power in this project would be \$.065 per kwh. The DOE really wants this project to succeed in the United States. The DOE is paying 50% of all the costs of this project. There are negotiations at present to have the DOE pay 80% of the costs. NuScale is paying 25% of the cost and UAMPS is paying 25% of construction costs. There are a few unknown costs that will be determined as the project proceeds. The site for the plant

is 820 sq. miles in Idaho close to Idaho Falls. These reactors do not need water, electricity, or people in an emergency. There are very few moving parts. There are natural processes of heat, conduction, and gravity that produces the energy. There are no pumps and all the water for the cooling process is contained inside the building. There will be no large reactors. The site will look like a “Wal-Mart” building. The core site is 75 acres. There is not a large amount of uranium in the tailings. All the reactors will be built in a factory off site. The Nuclear Regulatory Commission designs are finished which was phase one. Phase two is the licensing phase where UAMPS will obtain a license to operate the reactors by 2020. This phase could take up to two years. A seismic study will be done and water will be purchased in the area. The lease will be negotiated with the DOE in this year. There will be several off ramps to this project for UAMPS and its members. The first will be a year from now. If someone that is in the project drops out, someone will need to fill that spot or UAMPS will have to cancel the project. The projected cost estimate looks like it could be \$.057 per Kwh because there are two large companies that are interested in the project. There will be monetary caps on all phases of the project. If the cap is exceeded, any investor has the opportunity to leave the project. All costs are included in the estimates of the project. If NuScale’s estimate of \$.065/ Kwh is exceeded, UAMPS can pull out of the project and they will be reimbursed all the money they invested in the project. UAMPS will have to pay back the construction loan starting 2026 on a 40-year payback. There are other renewable energy projects that are being proposed to UAMPS for the future. The Mayor thanked Mr. Hunter for taking the time to explain in greater detail this project.

The **Beaver City Council** met in a **regular session** at **6:12 p.m.** in the Beaver City Center located at 30 West 300 North on Tuesday, **April 10, 2018**. The following members of the Council were present: Mayor Matt Robinson, Council Members Connie Fails, Tyler Schena, Alison Webb, Hal Murdock, and Robin Bradshaw. Also present were City Manager Jason Brown, City Attorney Justin Wayment, and City Recorder Anona Yardley. Council Member Webb was excused at 6:50 as a voting delegate for the Caucus tonight. She returned at 7:25 p.m.

The opening was conducted by Council Member Bradshaw.

#### **CITY COUNCIL MINUTES APPROVED**

Minutes of the previous **regular council meeting** were presented. Council Member Fails moved and Council Member Webb seconded to approve the minutes of **March 27, 2018** as presented.

All voted in favor. None opposed.

#### **BILLS APPROVAL**

Bills were presented and reviewed by the City Council. Council Member Bradshaw moved and Council Member Murdock seconded to approve the proposed bills for **March 29 & April 10, 2018**. All voted in favor. None opposed.

#### **CONFLICT OF INTEREST STATEMENT**

Council Members were asked if there were any conflicts of interest with the current agenda. Mayor Robinson stated that he is employed by Smithfield Foods and has no financial interest in the agenda item and Council Member Webb’s husband works for Smithfield Foods with no money interest. Attorney Wayment instructed the council about why this statement is important. Council Member Bradshaw declared a conflict because he was informed that he had one, and was not aware of any monetary interest with the intensive livestock operations.

#### **APPROVAL OF CFPP POWER SALES AGREEMENT – Doug Hunter & Les Williams**

Mayor Robinson asked the Council Members if they had any further questions for Mr. Hunter. Council Members asked about specifics of the project. The reactors will be refueled every 20 years. There are 4 acres on the 75 acres where the reactors are stored in concrete casks. There is room for at least 100 years of storage on the site. The product testing has been done by NuScale. Council Member Schena moved and Council Member Murdock seconded to accept the CFPP and approve the agreement pending the City Attorney Wayment's approval and to authorize Mayor Robinson to sign Resolution 4-10-2018. Council Members Murdock, Schena, Fails, Webb, and Bradshaw voted yea by voice vote. The voting was unanimous. The Council thanked Mr. Hunter and Mr. Williams for their time and visit. Attorney Wayment will review the resolution and the agreement.

### **AIRPORT AUTOMATED WEATHER OPERATION SYSTEM PROJECT – Award of Construction Bid**

The construction estimate was \$143,000. JVIation analyzed the bids for accuracy. There were a few items that were not adhered to or clearly identified by Kinross Electric, the apparent low bidder, boxes that were not checked and the bid was prepared with the addendum in mind. JVIation recommended that these digressions be waived and award the bid to Kinross Electric. The AWOS is required by the FAA in order for planes to land at our airport. Council Member Schena moved and Council Member Fails seconded to award the construction bid to Kinross Electric with a low bid of \$75,640.12 for the project. All voted in favor. None opposed. The project is being funded by FAA, UDOT and Beaver City.

### **COMMITTEE ASSIGNMENTS**

Mayor Robinson showed the Council the assignments that he has for the Council Members. Council Member Murdock will be over Public Relations, Golf Course, COG, the Fort Cameron Facility, and billboards. Mayor Robinson asked for Council Member input or questions. Mayor Robinson will email the list to all Council Members. If there are any questions or concerns, Council Members can discuss them with the Mayor.

### **HONORARY CITIZEN DISCUSSION**

Council Member Bradshaw read a biography of Clark Smith emphasizing his military and civic service. Council Member Fails recommended the Kirk Jones Family for their lifetime contribution to the arts and to Beaver residents. The recognition for Clark Smith will be held as soon as possible. Council Member Fails will help with this event. The recognition for the Kirk Jones family is pending on the health of the individuals in the family.

### **COUNCIL CHAMBER TECHNOLOGY**

Mayor Robinson would like to have the large TV monitor on the wall in back of the Council. All the County Commissioners have a monitor in front of them allowing them to see what is on the screen for the public. Mayor Robinson was against that because of the size of the monitors. He didn't want them to block the view of the audience. He expressed his desire to be able to use the tablets that the Council Members already have and purchase a licensed software to allow this to happen. He would also like to have two smaller TV screens on the sides of the Council Chambers for the public to view. Manager Brown will look into these changes.

### **CEMETERY COMMITTEE DISCUSSION – Council Member Fails**

Council Member Fails expressed her desire to organize a cemetery committee in order to discuss improvements in the cemetery. It would include the sexton, Council Member Fails, and three members of the community. This committee would outline some of the needed improvements in the cemetery and find ways to accomplish the improvements. Council Member Fails will bring committee member names to Council Meeting for ratification

## **BEAVER CITY GENERAL PLAN AND FUTURE GROWTH**

Manager Brown explained the Tiers of growth outlined in the Beaver City General Plan. Tier one is the existing City Boundary. Tier two is the 10-year projected growth and Tier Three is the 15-year projected growth. Tier four area of influence is also shown. Beaver City's land mass (acreage) has increased almost seven times in 65 years from 710 acres to 4,245 acres. The map Manager Brown showed included private land, State Lands, and Federal Lands (BLM) within the area of influence. Mayor Robinson would like to have a revision of the General Plan in the very near future. He requested that the Planning & Zoning Board make this a high priority. There are some barriers for growth on the west side of the freeway because of the lack of a sewer system. The major direction of growth will be determined by the availability of water. The roads in the west fields have potential for growth. Most potential growth would be to the north and northeast of the existing city boundaries.

## **UTAH DIVISION OF FORESTRY**

The cooperative agreement between the Utah Division of Forestry, Fire and State Lands and Beaver City was discussed in the March 27, 2018 Council Meeting. Fire Marshall Humphreys asked that Beaver City sign the agreement as soon as possible. Attorney Wayment expressed his concerns with signing the contract because Beaver City has no Memorandum of Understanding with the Beaver County Fire District for services. This document is being prepared by the Beaver County Attorney's Office. With this in mind, Council Member Bradshaw moved and Council Member Murdock seconded to accept the Cooperative Agreement between Beaver City and the Utah Division of Forestry, Fire and State Lands and to authorize Mayor Robinson to sign the agreement. All voted in favor. None opposed.

## **CONSENT ITEMS:**

### **Elks Foundation Pool and Golf Passes and ATV Jamboree Golf Passes**

After Attorney Wayment cautioned the Council on giving donations to individual organizations and helping the Council understand how to be better stewards of public funds, Council Member Webb moved and Council Member Schena seconded to approve the issuance of swimming pool and golf course passes to the Elks Foundation and the ATV Jamboree in order to promote the City's pool and golf course. All voted in favor. None opposed.

## **LEGAL COUNSEL – Justin Wayment**

**Business License Laws** – Because of the changes in business license laws at the state level, the Beaver City Business License Code needs to be revised to be in compliance. The state law addresses licensure for home businesses. If the home business does not impact the roads, traffic, or safety in the neighborhood, the city can't charge a fee for a business license. The City can issue a business license but is not allowed to charge for the license. Attorney Wayment will rewrite the Beaver City code.

**Kent's Lake Lawsuit** – The final briefs for this suit have been filed. The water attorneys will have a meeting to discuss this situation. This lawsuit has gone back to the Utah Supreme Court and they will decide on this case when it is scheduled on their docket. There will be no more briefs filed by either side. This lawsuit will set water precedence for the State of Utah.

## **CLOSED SESSION**

The Council will close a portion of their meeting to discuss the purchase, exchange, or lease of real property and pending litigation. Council Member Schena moved and Council Member Murdock seconded to move into closed session for the above-mentioned reasons. Council Members Bradshaw, Webb, Fails, Murdock, and Schena voted yea by voice vote. Motion carried by a unanimous vote. The Council moved into closed session at 7:30 p.m. They moved out of

closed session at 9:05 p.m.

### **DISCUSSION REGARDING PREVIOUS MOTION ADDRESSING INTENSIVE LIVESTOCK OPERATIONS**

Council Member Schena moved and Council Member Murdock seconded to rescind the March 27, 2018 motion of sending a letter recommending a four-mile buffer zone from the Beaver City limits for intensive hog operations; that Council Members attend the Beaver County Planning & Zoning field trip to the west side of Beaver County and Manager Brown visit with Administrator Blackner about the letter that was requested from Beaver City by the Beaver County Planning & Zoning Board. Council Member Bradshaw made a point of clarification to amend the motion to include that following the review of the Beaver County Planning & Zoning Board agenda and Manager Brown's visit with Mr. Blackner, if the Beaver County Planning & Zoning Board ask for a letter from Beaver City, Beaver City Council can schedule a special meeting to determine how Beaver City will respond to their request. Council Member Schena amended his motion to include Council Member Bradshaw's recommendation. Mayor Robinson called for any further discussion. There was no more discussion. All voted in favor of the motion. None opposed. Manager Brown will visit with Kyle Blackner to get specifics on the field trip time and place of departure.

### **ADMINISTRATIVE/COMMITTEE REPORTS**

#### **Manager Brown:**

**Power Plant #3 Project** – Intake structure before and after pictures were shown. The new generator is sitting in Los Angeles in customs and should be here in a couple of weeks.

#### **Council Member Bradshaw:**

**Water** – The Pressurized Irrigation Water is in the system. There were many leaks that needed to be fixed as the system pressurized. The Beaver River has about 54 SF in the river which is almost a full "A" water right, but will surely decrease as summer approaches.

#### **Council Member Webb:**

**Pioneer Park Playground** – The two handicapped swings are broken and are in the process of being repaired and replaced. One of the handicapped swings could be replaced with a baby swing.

**Flying J Road** – The road or parking lot west of the Flying J has many pot holes. If it is a road, it fills up with semi-trailers every night.

**Beautification** – The I-15 under pass by Richard Gale's Farm has graffiti and needs to be painted over. This would be a great service project for an organization.

**Opera House Eccles Grant** – Applying for this grant needs matching funds in order to qualify.

#### **Council Member Fails:**

**Beautification** – Main Street needs some changes before summer. The trash can liners need to be replaced. The benches need to be replaced or repainted. The flowers are scheduled to be planted. There will be 30 hanging baskets and 15 patio pots with the cost of \$2,800. This amount is included in the budget.

**Children's Justice Center** – the open house was wonderful. Beaver County is so fortunate to have such a facility.

**Library** – The Scavenger Door Hunt was a very fun project.

**Council Food** – Council Member Fails and Webb will help Recorder Yardley decide what to bring to council for food.

#### **Council Member Schena:**

**Donation for Recreation. Department** – Will have a meeting with Recreation Director Parker Fails tomorrow to discuss donations that have come into the recreation department.

**Armed intruders training** – Captain Black and Officer Schena attended training on how to respond to armed intruders. They are considering taking this training to larger businesses that have large concentrations of people in one place. They will also be taking it to the schools.

**Council Member Murdock**

The items that he had to report had already been covered during the meeting.

**Mayor Robinson:**

**Community** – The Dairy Farmers of America new chalet ground breaking will be held tomorrow at 2:00 p.m. by the other chalet.

**Hospital Audit** – After discussion with the hospital administration at hospital board meeting today, it is reasonable to think that a draft audit should be in hand by end of this week. Beaver City's funds from the State of Utah and Beaver County have been frozen until the audit is finalized and submitted to the State Auditor's Office.

Council Member Schena moved and Council Member Murdock seconded to adjourn the meeting. All voted in favor. None opposed. The Council Meeting was adjourned at 10:02 p.m. The next scheduled Council meeting will be held Tuesday, April 24, 2018 at 5:00 p.m.

**APPROVED:** \_\_\_\_\_

**MATTHEW ROBINSON  
MAYOR**

**ATTEST:** \_\_\_\_\_

**ANONA S. YARDLEY  
CITY RECORDER**