

**MINUTES OF THE  
POLITICAL SUBDIVISIONS INTERIM COMMITTEE**  
Wednesday, May 21, 2008 – 2:00 p.m. – W020 House Building

**Members Present:**

Sen. Dennis E. Stowell, Senate Chair  
Rep. Fred R Hunsaker, House Chair  
Sen. Fred J. Fife  
Sen. Michael G. Waddoups  
Rep. Sheryl L. Allen  
Rep. Tim M. Cosgrove  
Rep. Bradley M. Daw  
Rep. Gage Froerer  
Rep. Kerry W. Gibson  
Rep. Richard A. Greenwood  
Rep. Christopher N. Herrod  
Rep. Christine A. Johnson  
Rep. Jennifer M. Seelig  
Rep. R. Curt Webb  
Rep. Carl Wimmer

**Members Absent:**

Sen. Sheldon Killpack  
Rep. Brad King

**Staff Present:**

Mr. Art Hunsaker, Policy Analyst  
Mr. Robert H. Rees, Associate General Counsel  
Ms. Wendy L. Bangerter, Legislative Secretary

**Note:** A list of others present, a copy of related materials, and an audio recording of the meeting can be found at [www.le.utah.gov](http://www.le.utah.gov).

**1. Committee Business**

Chair Hunsaker called the meeting to order at 2:15 p.m.

**MOTION:** Rep. Gibson moved to approve the minutes of the April 16, 2008 meeting. The motion passed unanimously. Rep. Johnson and Rep. Seelig were absent for the vote.

Chair Hunsaker asked Rep. Froerer to chair the meeting as he needed to move to the witness table for the next agenda item.

**2. Assessment Areas**

Rep. Hunsaker explained the need for assessment bonds and introduced 2009 General Session draft legislation, "Assessment Area Amendments." A copy of the bill was previously distributed to the committee members. He explained changes the bill would make.

Mr. Blaine Carlton, Bond Counsel with Ballard Spahr Andrews & Ingersoll, addressed questions from the Committee.

Mr. LeGrand Bitter, UASD, and Mr. Adam Trupp, Utah Association of Counties (UAC), both spoke in support of the legislation.

Ms. Jodi Hoffman, Utah League of Cities and Towns, was not in attendance but sent an email stating that, in her opinion, the bill adds clarity to the law for special assessment areas and provides additional protection for municipalities that is not currently in the law.

Final action on the draft legislation was postponed to a future meeting.

### **3. Funding for Local Health Departments**

Rep. Stephen Clark explained that, mainly because of some widespread viruses and diseases that have depleted funds, many of the local health departments are running out of resources. He asked that the Legislature consider funding solid, ongoing programs, as well as putting some resources away for future disasters and pandemics.

Dr. David Blodgett, Utah Association of Local Health Departments, distributed "The Plight of Local Public Health Funding." He gave a slide presentation that explained the core activities of health departments. He reviewed those health areas where funds are lacking. He presented some options for funding that could help health departments to meet the mandates that have been given to them. He requested time to firm up one of the options and then return again to the Committee for direction.

Mr. Lloyd Berentzen, Director, Bear River Health Department, assisted Dr. Blodgett in clarifying points to the committee members.

Mr. Lewis Garrett, Director, Davis County Health Department, explained how he works his budget to adjust money between needs. He specifically explained his need for school nurses.

Mr. Allen Korhonen, Deputy Director of Operations, State Department of Health, stated they are partners with the local health departments. He spoke in support of the Local Health Departments Association's requests.

Rep. Wimmer requested specific information regarding what efforts have been made to avoid raising taxes. He also asked for data showing if there has been an increase in health problems from restaurants since the inspection schedule has had to be reduced. He commented that, if counties are hesitant to raise taxes to solve this problem, he has concern for the Legislature considering raising taxes. This should be an issue for the counties to solve.

Rep. Seelig asked for information regarding best practices and Rep. Gibson expressed concern for setting up any guaranteed funding resources for any agency.

Mr. Ron Mortenson, Citizens Coalition for Tax Fairness, criticized each of the suggested options to increase funding for health departments.

Mr. Adam Trupp, UAC, stated that this issue has been discussed within UAC. He feels confident there are solutions and that interaction between state and county health department that can help define a direction.

Mr. Rick Sprodd, Executive Director, Utah Department of Environmental Quality (DEQ), spoke in support of the local health departments' attempts to increase funds. He stated that DEQ does support the health departments with some funding and that there is accountability for those funds. He noted the

energy boom in Uintah County and the need for that local health department to be prepared for the scale of activity that it will provide.

Mr. Mont Evans, Utah Restaurant Association, gave assurance of the safety of eating in restaurants.

**MOTION:** Sen. Stowell moved that the local and state health departments meet to look at the state health budget to make sure resources are being used effectively, and to work out a solution to bring back to the committee for action. The motion passed unanimously.

#### 4. County Surveyors

Mr. Rees distributed two handouts, "County Surveyor Statute" and "Office of County Surveyor in America" and introduced two issues for discussion: 1) whether county surveyors should be elected or appointed, and 2) whether county surveyors should be licensed. Using a map, he reviewed the practice in other states and their statutes regarding the office of county surveyor. He reviewed Utah's statute and noted its inconsistency.

Sen. Greg Bell explained that meetings have been held with the county surveyors, himself, and Sen. VanTassell. He expressed concern with the idea that county surveyors feel they need to be an independent elected office so they are not beholden to other office holders. He explained that Utah statute mandates there be a county surveyor office, which costs the taxpayers. He proposed that to save the taxpayers' money the county surveyor not be elected but be appointed by the county executive. He noted that each county is different in that some need a full-time surveyor, some need one part time, and others contract out the work. He noted that only eight counties in Utah actually have an independent, elected licensed county surveyor.

Committee discussion followed.

Mr. Reid Demman, Salt Lake County Surveyor, discussed the benefits he feels are derived from the office and feels that the election of the office is fundamental to the voters' rights. He stated he has statements from Utah Land Surveyors who are not in support of this proposal.

Mr. Lee Gardner, Salt Lake County Assessor, stated that the responsibilities of the elected office go beyond the boundaries of the unincorporated county. He expressed concern that the checks and balances would be removed. He spoke in favor of an independently elected office.

Mr. Gary Atom, Salt Lake County Recorder, stated that the county offices operate under the state statute not the ordinance, and that allows for checks and balances. This form of government is a protection of the peoples' rights.

Mr. Adam Trupp, Utah Association of Counties (UAC), spoke in opposition to Sen. Bell's proposal.

Mr. Richard Maughn, Davis County Recorder and President of the Utah Association of County Recorders, stated that land is the biggest personal investment made by citizens. He discussed the impact on county records if this bill is adopted and how the records could become inaccurate.

Mr. Ernest Rowley, Weber County Recorder and Surveyor, distributed his comments on paper.

Mr. Mont Evans, Utah Council of Land Surveyors, explained that the Council is comprised of some county surveyors, but mostly surveyors from the private industry. He stated the Council's position that independent, elected surveyors protect property rights.

Sen. Bell reemphasized his position that there is a need for a surveyor, but he does not feel that office needs to be directly elected.

Mr. Vaughn Butler, former Salt Lake County Surveyor, spoke in favor of an elected office for the county surveyor.

Committee members voiced their feelings regarding this issue.

**MOTION:** Rep. Wimmer moved that this issue be brought again, at the discretion of the chairs, to the Committee for further study and discussion. The motion passed with Sen. Fife voting in opposition.

## **5. Other Items/Adjourn**

**MOTION:** Rep. Daw moved to adjourn the meeting. The motion passed unanimously.

Chair Hunsaker adjourned the meeting at 5:10 p.m.