

MINUTES OF BOARD OF COUNTY COMMISSIONERS
MILLARD COUNTY THE 5th DAY OF MAY 2015
AT THE COURTHOUSE, FILLMORE, UTAH

PRESENT: James I. Withers Chairperson
Alan M. Roper Commissioner
Dean Draper Commissioner

Pat Finlinson County Attorney
Marki Rowley County Clerk
Lesli Shields Deputy County Clerk

ALSO PRESENT: Hannah Jones Millard Chronicle Progress
Don Watts Rocky Mountain Power
David & Afton Callahan Citizens
Wayne Jackson Military Liaison
Pat Manis County Assessor
Sheri Dearden County Treasurer
Brandy Grace County Auditor
Connie Hansen County Recorder

PURSUANT TO AN AGENDA WHICH HERETOFORE HAD BEEN PROVIDED TO each member of the governing body, posted at the principal office of the Millard County Commission, posted on the Utah Public Notice Website, and provided to the Millard County Chronicle Progress, a newspaper of general circulation within Millard County, Utah, as required by law, the following proceedings were had:

PUBLIC WAS WELCOMED

The meeting began at 10:00 a.m. after a brief welcome by Commissioner Withers to the public and Commission members.

OPENING STATEMENTS

Commissioner Withers asked if anyone had an opening statement to give. Commissioner Draper said the invocation. Everyone stood and said the Pledge of Allegiance to the Flag.

APPROVAL OF APRIL 28, 2015 COMMISSION MINUTES

The proposed minutes of a regular County Commission meeting held April 28, 2015 were presented for consideration and approval. Following review and consideration of minor corrections, Commissioner Roper made a motion to approve the minutes of April 28, 2015, as corrected.

Commissioner Draper SECONDED the motion. The voting was unanimous and the motion

carried.

FOLLOW UP ACTION ITEMS FROM APRIL 28, 2015

Commissioner Roper stated that the County has not received a bill for the indigent burial for Shad Hall that was approved at the last commission meeting. He spoke with Nickle Mortuary who indicated that they already sent a bill, but would send another bill along with the death certificate to the Auditor's Office.

REVIEW OF THE APRIL FINANCIAL REPORT - TREASURER DEARDEN

Treasurer Dearden presented the financial reports for the month of April.

AWARD OF CONTRACT FOR THE INSTALLATION OF A SPRINKLER SYSTEM AT THE EAST MILLARD SOCCER FIELD

Commissioner Roper said after reviewing the specifications of the two bids presented at the last commission meeting it was determined that Central Utah Landscaping's bid covered everything that the County requested.

Commissioner Roper made a motion to award the contract for the installation of a sprinkler system, at the East Millard Soccer Field, to Central Utah Landscaping with a bid amount of \$31,900.00, for parts and labor.

Commissioner Draper SECONDED the motion. The voting was unanimous and the motion carried.

DISCUSSION AND POSSIBLE ADOPTION OF ORDINANCE 15-05-05, AN ORDINANCE APPROVING A FRANCHISE AGREEMENT WITH ROCKY MOUNTAIN POWER

Commissioner Draper made a motion to adopt Ordinance 15-05-05, an ordinance granting an electric utility franchise and general utility easement to Rocky Mountain Power.

Commissioner Roper SECONDED the motion. County Clerk Rowley called for a roll call vote. Commissioner Draper voted YES. Commissioner Roper voted YES. Commissioner Withers voted YES. The voting was unanimous and the motion carried.

DISCUSSION AND POSSIBLE ADOPTION OF ORDINANCE 15-05-05A, AN ORDINANCE AMENDING THE MILLARD COUNTY PROCUREMENT POLICY

Attorney Finlinson asked to table this agenda item.

Commissioner Draper made a motion to table this agenda item.

Commissioner Roper SECONDED the motion. The voting was unanimous and the motion carried.

DISCUSSION AND POSSIBLE APPROVAL OF RESOLUTION 15-05-05, A RESOLUTION CREATING A NEW PART-TIME POSITION IN THE RECORDER'S OFFICE

Recorder Hansen explained that she wants to create a new part-time position in the Recorder's Office. The new employee will work 24-28 hours per week. She said that she budgeted for a full-time employee so there is enough money in the budget, but she has not advertised for the position yet.

Attorney Finlinson asked Recorder Hansen if she wanted to replace the full-time position that is already allocated, or if she is wanting to add an additional allocation. Recorder Hansen said she would like to add an additional allocation. They then discussed the step and grade scale for this position.

Commissioner Withers recommended to table this agenda item until they had the correct step and grade scale to go with the resolution.

Commissioner Roper made a motion to table this agenda item.

Commissioner Draper SECONDED the motion. The voting was unanimous and the motion carried.

DISCUSSION AND POSSIBLE ABATEMENT OF PENALTIES AND INTEREST ON PERSONAL PROPERTY TAXES FOR DAVID CALLAHAN

David Callahan explained that he has had health problems since last September. He knew that he was behind on his property taxes, but didn't know he was five years behind until last week.

Commissioner Roper clarified that there are two parcels; one that is going up for tax sale and the other that is past due. Mr. Callahan is going to pay all taxes owed today, but he is asking the commission to waive penalties and interest on both parcels.

Commissioner Roper excused himself from this discussion and any voting since he personally knew Mr. Callahan.

Commissioner Draper made a motion to waive interest and penalties on Parcel No. F566 in the amount of \$117.62 and Parcel No. F565-1 in the amount of \$456.60.

Commissioner Withers stepped from the chair and SECONDED the motion. The voting was passed by a majority vote.

Later, Treasurer Dearden reported that Mr. Callahan paid the balance owed on both parcels in full.

DISCUSSION REGARDING A STORAGE BUILDING FOR THE WEED BOARD'S EQUIPMENT

Commissioner Withers said that Sheriff Dekker asked that this agenda item be tabled, but due to the need for this to get resolved Commissioner Withers wanted to discuss it. He said that for two years the County has budgeted for a building to store the Weed Department's equipment and

vehicles in. He said that they have looked at several locations; including behind the Sheriff's Office, but nothing has ever been decided.

Commissioner Withers said that Sheriff Dekker told him he was not comfortable with the building being placed behind the Sheriff's Office.

Commissioner Withers said that the president of the Weed Board suggested to build the storage building by the Road Department in Delta. Brandon Winget, Road Supervisor, said that there is enough space by the Road Department for the building and said his Department would be willing to help with the footings, if needed.

Commissioner Withers said this building is needed to store \$150,000.00-\$160,000.00 worth of equipment and to protect it from the weather. He said there is already money budgeted for this and the Weed Department will stay within that budget.

Commissioner Roper said that he thinks the perfect solution would be to have the Weed Department store its equipment in the posse building, but if the Weed Board agrees with it being by the Road Department then that is where it should be.

Attorney Finlinson said this does not require a resolution or an ordinance, but an acclamation vote that it is the agreement of the county commissioners to build it in that specific location is a good idea.

Commissioner Roper made a motion to construct a storage building for the Weed Department's equipment in the location suggested by the Weed Board President.

Commissioner Draper SECONDED the motion. The voting was unanimous and the motion carried.

PUBLIC INPUT

Wayne Jackson, Military Liaison, gave the commissioners some information from the Six Counties Volunteer Connection. He said there is a management training May 7 - May 8, in Richfield, Utah.

Mr. Jackson said that the Six Counties Volunteer Connection is not doing the Silver Bowl Award anymore; it will now be done through the counties. He gave the commissioners the application for the award, which are due July 6, 2015.

The commissioners asked Mr. Jackson if he had any recommendations for who to nominate for the award and/or who to send to the management training. The commissioners will also think of who to recommend.

Mr. Jackson said that the State Convention for American Legion is going well.

OTHER BUSINESS

Auditor Grace presented an annual renewal invoice for Association of Council from the Nevada State Bar, in the amount of \$500.00. Commissioner Withers explained that the County agreed to pay for UAC Attorney Mark Ward's licensing fee, for his representation of the County in the State of Nevada, for water litigation and anything else that may be needed in the future. This has already been budgeted.

Commissioner Roper made a motion to approve the invoice for \$500.00 to the Nevada State Bar on behalf of UAC Attorney Mark Ward for his licensing fee.

Commissioner Draper SECONDED the motion. The voting was unanimous and the motion carried.

Auditor Grace presented a credit card request for Scott Barney, Economic Development Director, in the amount of \$3,000.00.

Commissioner Roper made a motion to approve a credit card in the amount of \$3,000.00 for Scott Barney.

Commissioner Draper SECONDED the motion. The voting was unanimous and the motion carried.

Commissioner Roper asked Treasurer Dearden about the property taxes for John Corbett that was discussed at the last commission meeting. Treasurer Dearden clarified that there were no abatements given to Mr. Corbett; just an extension to pay his property taxes in full by September.

DISCUSSIONS FROM EACH COMMISSIONER, COUNTY ATTORNEY, ELECTED OFFICIAL AND SECRETARY

Commissioner Draper said the commissioners attended the UAC conference in Provo last week. The discussions centered around the transfer of public lands. The State is looking for detailed information from each county to correlate and make a full State plan which they will go over again in approximately one year from now,. The commissioners will introduce the process to the Planning and Zoning Commission tomorrow night.

Commissioner Draper stated that there was also a discussion regarding the mandatory primary offense seatbelt law which will go into effect May 1, 2015. The first time someone is pulled over they would get a warning; the second time they would be required to pay a \$45.00 fine or take a 30 minute online course; the third time they would have to pay the fine.

Commissioner Roper said that he and Delta City Mayor Gayle Bunker discussed the possibility of the County taking over the Delta Court.

Attorney Finlinson said there needs to be clarification on what they want. He said he has heard several different things from several different people and suggested there be a consensus.

Attorney Finlinson advised to have this discussion on the next commission meeting and have Mayor Bunker, Todd Anderson and Deb Haveron come to discuss this. The commissioners agreed.

POSSIBLE REVIEW OF COUNTY POLICIES AND CONTRACTS

There was none.

POSSIBLE CLOSED MEETING PURSUANT TO UTAH CODE ANNOTATED SECTIONS 52-4-204 & 205

There was none.

WHERE UPON THE MEETING ADJOURNED

Commissioner Draper made a motion to adjourn the meeting.

Commissioner Roper SECONDED the motion. The voting was unanimous and the meeting adjourned at 10:51 a.m..

Attest: _____

Approved: _____