

MINUTES OF BOARD OF COUNTY COMMISSIONERS
MILLARD COUNTY THE 9th DAY OF JUNE 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: Scott Patton Delta Egg Farm
Deb Haveron Millard County
Todd Anderson & Jody Tasker Delta City
Wayne Jackson Military Liaison
Mark A. Huntsman, Mike King & AJ Smith SEI
Bart Whatcott & Terri Cummings East Millard County Recreation
Derrell Owens County Building Inspector
Connie Hansen County Recorder
Brandy Grace County Auditor
Sheri Dearden County Treasurer
Jeff Reddoor State of Utah
Eugene Larsen Fillmore City Mayor
Kevin Morris West Millard County Maintenance
Klint Penney East Millard County Maintenance
Kevin Orton Fillmore City
Casey & Laura Shields Hinckley Lion's Club
Hannah Jones & Doug Radunich Millard County Chronicle Progress
Abe Johnson, Sherilyn Rasmussen, Corissa Shumway, Andrea Stephenson,
Cheryl Flynn, Lorna Adams, Katie & Jake Stephenson, Glayde Edwards, Nels &
Mary Anderson Citizens

Note: Not all agenda items were followed in order

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 MAY 19, 2015, COMMISSION MINUTES

The proposed minutes of a regular County Commission meeting held May 19, 2015, were presented for consideration and approval. Following review and consideration of minor corrections, Commissioner Roper made a motion to approve the minutes of May 19, 2015, as corrected.

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

FOLLOW UP ACTION ITEMS FROM MAY 19, 2015

Commissioner Roper asked who the recipients were for the County Courthouse Scholarship.

- Millard High School: Amy Emmett
- Delta High School: Jordan McDonald
- Eskdale High School: Taryn Childs

Attorney Finlinson said he needs to know what the final numbers and details are going to be for the contract with Natural Impressions, for the remodeling of the Main Street Courthouse.

Commissioner Roper said that it was decided to order all carpet for the building and remodel the main floor. Once that is complete, it can be decided if the budget needs to be opened or if they need to find money somewhere else in the budget to finish remodeling the rest of the building. The contract amount will be \$80,000 to stay within the budget.

RATIFY THE APPROVAL OF A CELL PHONE ALLOWANCE INCREASE FOR ADAM BRITT, GIS

Commissioner Draper made a motion to ratify the approval of a cell phone allowance increase for Adam Britt, GIS, to \$120.00 per month.

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

DISCUSSION AND POSSIBLE APPROVAL OF RESOLUTION 15-06-09, A RESOLUTION AMENDING RESOLUTION 09-12-21A TO INCREASE THE INDIGENT BURIAL CHARGE FROM \$1,400.00 TO \$1,560.00

Commissioner Roper made a motion to approve Resolution 15-06-09, a resolution amending

Resolution 09-12-21A to increase the indigent burial charge from \$1,400.00 to \$1,560.00.

Commissioner Draper SECONDED the motion. 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 APPROVAL OF RESOLUTION 15-06-09A, A RESOLUTION ADOPTING THE MILLARD COUNTY CLERK'S OFFICE POLICY ISSUING MARRIAGE LICENSES AND PERFORMING WEDDING CEREMONIES

Attorney Finlinson said there is language in the policy that references other county officials that are able to perform marriages, not just the Clerk's Office.

Commissioner Draper asked which county officials are able to perform marriages. Attorney Finlinson said the commissioners, Judicial officials and the County Clerk are able to perform marriages. There is now a broader provision that allows a designee to perform marriages as well to address the broadening of applications to include same sex marriages.

Attorney Finlinson said the policy reads that if you are performing marriages, you have to be willing to perform all marriages. As a county official you can not refuse to perform a same sex marriage if you are willing to perform an opposite sex marriage.

Clerk Rowley said a contract can be made with a designee to perform a single marriage or multiple marriages.

Attorney Finlinson stated that Clerk Rowley and Deputy Clerk Shields are the two designees for the Clerk's Office.

Judge Haveron said she was told she could perform marriages for only friends and family.

Clerk Rowley said that the discrimination laws state that you have to be willing to perform all marriages or no marriages; and warned to be cautious if they only want to perform marriages for family members.

Commissioner Roper asked for this agenda item to be tabled so he can read through 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 APPROVAL OF RESOLUTION 15-06-09B, A RESOLUTION CREATING A NEW PART-TIME POSITION IN THE RECORDER'S OFFICE

Recorder Hansen stated that the Recorder's Office is currently hiring for a part-time position.

Attorney Finlinson stated that there is an already allocated full-time position which will remain in place, this is a newly allocated part-time position. The money budgeted for the full-time position will be used for the new part-time position.

Commissioner Draper made a motion to approve Resolution 15-06-09B, a resolution creating a new part-time position in the Recorder's Office.

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

DISCUSSION AND POSSIBLE APPROVAL OF THE ROAD PROJECT AGREEMENT WITH USDA, FOREST SERVICE AND FISHLAKE NATIONAL FOREST

Commissioner Withers said this is a standard agreement that renews annually.

Commissioner Roper made a motion to approve the Road Project Agreement with USDA, Forest Service and Fishlake National Forest.

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

DISCUSSION AND POSSIBLE RENEWAL OF THE INSPECTIONS PLAN SERVICES CONTRACT WITH SUNRISE ENGINEERING - MARK HUNTSMAN/LORI TUTTLE

Mark Huntsman; Senior Vice President, Mike King; Contract Specialist, and AJ Smith; Building Inspector/Plan Reviewer, were present from Sunrise Engineering. Mr. Huntsman stated that Sunrise Engineering provides on-call services to Millard County to fill in for Derrell Owens, Millard County Building Inspector, as needed. He stated that the contract in place expired June 30, 2012.

Mr. Huntsman said that there is a General Engineering Services Agreement that includes building and safety services, that was signed December 23, 2013. He is proposing a work release that falls under that General Engineering Services Agreement that will include time, materials and reimbursable miles. The scope of work is to provide on-call building code inspection services and on-call plan review services. The contract will also show defined time expectations and will also create an environment of negotiation.

Mr. Huntsman said that mileage reimbursement will only include mileage in Millard County. Sunrise Engineering has one building inspector on each side of the County. He stated that the expired contract from 2012 included a flat \$60 per inspection which is not feasible anymore.

Mr. Owens asked Mr. Huntsman which hourly rate would be charged. Mr. Huntsman said it would be billed at the building inspector level 2 rate. He also stated that Sunrise Engineering will honor the previous agreement until this new agreement is in place.

Attorney Finlinson asked for this agenda item to be tabled so he can review the contract.

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 THE COOPERATIVE FOREST ROAD AGREEMENT WITH USDA, FOREST SERVICE AND FISHLAKE NATIONAL FOREST

Commissioner Roper made a motion to approve the Cooperative Forest Road Agreement

with USDA, Forest Service and Fishlake National Forest.

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

DISCUSSION AND POSSIBLE APPROVAL OF AN INTER-LOCAL AGREEMENT WITH DELTA CITY FOR JUSTICE COURT SERVICES

Todd Anderson, Delta City Attorney, said that he met with the County's Auditor, Treasurer, Attorney, Sheriff and Justice Court Judge. He said that they discussed that the court clerk would accept all payments, do a daily reconciliation and then turn it over to Delta City, to do the backdoor accounting.

Mr. Anderson said that there would be a little bit of additional work for the County's Auditor and Treasurer to double check Delta City's work and reconciliations quarterly. He said to the best of his knowledge all the department heads are in agreement. The County and the City will share a 50/50 split of the revenue.

Commissioner Withers said that as he remembered it, the County would provide a Court clerk, a judge and the facility, but did not want to handle any of the money. He said that he fears that reconciling the money each day would be a pretty big job for the County.

Mr. Anderson explained that it would only be adding a minimal amount of additional work to the Justice Court Clerk.

Treasurer Dearden wanted clarification on whether the County employee could accept money and give up the responsibility of reconciliation.

Attorney Finlinson said that Treasurer Dearden is concerned that there may be a legal issue with a county employee collecting money that will be turned over to Delta City for final reconciliation. He said that as long as it is dealt with in the Inter-local agreement there is no legal concern or violation. He did warn that there is an element of added risk in doing that.

Mr. Anderson explained that there is a 90-day negotiation period, for making any changes or ending the contract.

Auditor Grace explained that if a county employee was collecting the money she wanted to be able to follow the money through the entire process of depositing and reconciliation for audit coverage. She said that she feels an obligation to the County employee to ensure that there are controls in place for when that money goes to Delta City.

Judge Deb Haveron questioned if the deposit would follow the County's deposit policy. Auditor Grace said that Delta City would get the reports and would oversee the records. Mr. Anderson said that Delta City would make sure to give the County all the reports they would need. He also said that Delta City will comply with whatever control process the County sets in place.

Commissioner Withers questioned if this agreement would be in the best interest of the County.

Treasurer Dearden said that her thought has always been to have the County do all of the money or none of the money.

Commissioner Draper asked if Delta City was planning on finding a new clerk and judge. Mr. Anderson explained that they would like to have the agreement with the County be an ongoing agreement.

Commissioner Draper asked if the reconciliation would be done daily and if so, how would

they handle the Friday deposits since the Delta City Office is closed on Fridays. Mr. Anderson asked that the Friday deposit be held in a secure place with the County until Monday.

Auditor Grace suggested that the City pick up the deposit daily, count it and sign off on it before leaving the building.

Commissioner Draper discussed the statutory requirement of having the court open five days a week. Mr. Anderson said that they have had an exception in the past and feels that since they are shifting operation of the courts to the County they would remain in compliance.

Commissioner Roper said that if this is something that can work he suggests that the County give it a try.

Auditor Grace, Treasurer Hansen and Mr. Anderson discussed the financial end of the agreement. Delta City will cover the cost for security and interpreters and the County will receive 50% of all revenue including revenue from fines on existing cases. Auditor Grace asked Mr. Anderson to consider that there may be costs in addition to court security and a deputy.

Mr. Anderson explained that the County can terminate at any time. Otherwise, the contract will automatically renew each year. He also said that if the County wants to make any changes to the agreement they will make it work.

Judge Haveron said that it is both her and the Sheriff's preference to have in custody hearings heard in Fillmore.

Mr. Anderson asked that the agreement be approved today and brought back as a resolution at the next commission meeting.

Commissioner Roper made a motion to approve an Inter-Local Agreement with Delta City for Justice Court Services, based on the one year contract that was submitted with a 50/50 split and a 90 day termination clause for either party.

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

DISCUSSION REGARDING HIRING A PART-TIME IT COMPUTER SPECIALIST

Commissioner Roper made a motion to table this agenda item.

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

DISCUSSION REGARDING POSSIBLE EMERGENCY FUNDING FOR OAK CITY IRRIGATION

Commissioner Roper made a motion to table this agenda item.

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

HALF NOTES PERFORMING CHOIR TO SING A PATRIOTIC SONG

The Half Notes Performing Choir entertained the commission by singing two songs.

Commissioner Roper invited the choir to perform at the Millard County Fair August 4

through August 6, 2015.

DISCUSSION AND POSSIBLE APPROVAL OF AN AGREEMENT WITH FILLMORE CITY FOR A SPLASH PAD

Klint Penney, East Millard Maintenance, presented a sketch of the potential layout of the splash pad. Fillmore City Mayor Eugene Larsen said that the plan handed out by Mr. Penney is the latest plan which includes upgrading an existing door to bring it into ADA compliance. He said that the City will be putting a fence around the entire splash pad.

Commissioner Roper said that he first heard that some of the council members were not in favor of this, but he has found that they have since changed their minds and are now in support. Mayor Larsen said that he took a poll last Friday and all five council members are in support of the plan, if it can be worked out with the County.

Commissioner Withers said that he has heard a lot of concern about the \$0.50 charge. He has also heard positive things and that the fee is not a big deal. He said that he does not have an issue either way and he is good with whatever works for Fillmore City. He thinks that the pool is a great facility and the splash pad would be a good thing for the community.

Mayor Larsen said that other splash pads in Utah charge a fee in some way or another. He said that the \$0.50 charge came primarily from the pool staff to offset some of the toiletries. He said that he was told that if the splash pad brings in more pool attendance they may cut back the fee, but that would be up to the County.

Commissioner Draper asked for clarification on the new plans. Mr. Penney said that the ADA compliant door would be located in the breeze way. He also explained the process of making the door ADA compliant and that doing so would be the less expensive solution to the problem.

Commissioner Draper wanted it known that he is not opposed to Fillmore City having a splash pad. He said however, he is opposed to having any County money spent on it and the County collecting any money to have people participate in it. He feels that it is not the County's project.

Commissioner Draper also expressed concerns with having the splash pad located on the North side of the building and asked if the City ever considered putting it in on the South side to avoid winter mishaps.

Mayor Larsen explained that the City does not own the property on the South side of the pool. He said the splash pad would only be open four months out of the year and the City will take care of all maintenance for the splash pad. He said that he wants to help the pool, not burden the County.

Commissioner Draper asked Attorney Finlinson if there would be a problem caused by the County collecting a fee for use of the splash pad. Attorney Finlinson explained that it would not add anymore risk than what is already there.

Mr. Penney said that he feels that it is a better alternative to cut the door on the East side instead of the North side. Bart Whatcott, East Millard Recreation, explained that the door will remain open during operation hours. The pool will extend its hours of operation to 8:00 p.m. and would accommodate for rentals after hours.

Commissioner Roper said that he was against the splash pad being attached to the pool in the beginning, but after several meetings and getting a glimpse of what they are trying to do, he is now in favor of it. He is still a little concerned that everyone will enter and exit through the pool showers,

but he has been told that it will work and he feels that it will help the pool.

Commissioner Roper said that he is surprised that the City would put in such a nice facility and tie it in with the County.

Jeff Reddoor expressed his opinions on the \$0.50 fee that would be charged and said that these are recreational areas that are bringing in youth which he feels should be free to the public.

Mayor Larsen said that Fillmore City would be willing to reimburse for toiletries that are used if the County chose not to charge the fee.

Mr. Whatcott said that if they find that more patrons are coming to the pool they would be willing to do away with the \$0.50 charge. He also said that if one parent pays for the use of the pool, one child could use the splash pad free of charge. He also said that the fee would only be charged once a day per paying customer. They would be able to leave and come back all day long.

Abe Johnson questioned if there would be any outside access to the splash pad. Mr. Whatcott said that all access would be made through the pool, except for a gate for maintenance.

Mayor Larsen explained that the law regarding splash pads states that if the water is recyclable then the pad needs to be within 150 feet of restrooms and showers.

Attorney Finlinson said that he will work on a more formal agreement that indemnifies the County for any claims or liability. This will be brought back for approval at the next commission meeting.

Terry Cummings, East Millard Recreation, said that she feels that the splash pad is giving the pool an opportunity to build up its pool attendance. She also said that if it does not work the County can always divorce the agreement.

Commissioner Roper asked how the splash pad would be affected if the County were to decide to divorce the agreement. Mayor Larsen said that if that were to happen the City would probably have to close the splash pad because of the cost of adding restrooms with showers.

Clerk Rowley asked why the splash pad could not be opened on Sundays. Mayor Larsen said that if it was opened on Sundays it would increase the pool hours which would require lifeguards, therefore increasing the cost of having to pay the lifeguards.

Mr. Penney asked for clarification on who would purchase the ADA compliant door that will be put in at the pool. Commissioner Withers said that the original discussion was that the County would take care of the cost and installation of the door.

Commissioner Roper made a motion to enter into an agreement with Fillmore City for a Splash Pad with the addition of a clause that indemnifies the County and gives an option for each party to cancel the contract.

Commissioner Draper SECONDED the motion subject to the proper language being included in the agreement. The voting was unanimous and the motion carried.

DISCUSSION AND POSSIBLE APPROVAL OF CERTIFYING THE 2015/2016 UTAH STATE RETIREMENT SYSTEM RATES

Auditor Grace presented and discussed the 2015/2016 Utah Retirement System Rates with the commissioners. She explained that the 2015 Local Government non-contributory and Public Safety non-contributory rates for Tier 1 Employees remain the same as the 2014/2015 rates. Local Government non-contributory rates will remain at 18.74%, effective July 1, 2015. Public Safety

non-contributory rate will remain at 34.04%.

She said that Tier 2 employees have a choice to go with the defined benefit plan at 14.91% which is down from last year's rate of 14.94%, or the defined contribution at 6.69% which has come down from last year's rate of 6.72%.

Auditor Grace explained that the Commission needs to certify the rates. They cannot change them, but they do have authority over the regular public employees 401K contribution rate. She said that the County currently pays 14.85% for the 401K rate for regular public employees. If they were to keep the difference between the regular and public safety rate it would increase to 15.57%.

Auditor Grace said that legislation passed to allow a governmental body to adopt public safety retirement for dispatchers, by resolution. She said that this does not have to be done before July 1, 2015, but she is sure the Sheriff would like to discuss it with the Commission.

Sheriff Dekker commented that if possible he would like to have it done and effective before July 1, 2015.

Auditor Grace explained that it would not cost the County any additional money to do this for the dispatchers, because the County is paying contribution into the retirement and the 401K. If they were to move to the public safety rate it would eliminate the 401K and the combined rate would be put into the retirement rate. The benefit for the employees, if this is done, would be fewer years of service to retire. The 401K that the dispatchers have earned would be theirs to keep.

Commissioner Roper made a motion to certify the 2015/2016 Utah State Retirement System Contribution Rates.

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

Commissioner Draper asked what the numbers would amount to if the County were to approve the increase for 401K rate.

Auditor Grace said that she did not have the amount with her, but she budgets for an increase each year therefore, there is money available in the benefit account to cover the increase.

Commissioner Roper made a motion to table the 401K contribution rate for regular public employees until it could be determined how much the increase would cost the County.

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

Sheriff Dekker asked to have a resolution ready for approval by the next commission meeting for the county dispatchers Public Safety Retirement System.

Commissioner Draper made a motion to move forward on creating a resolution for county dispatchers to be moved to the Public Safety Retirement System.

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

DISCUSSION AND POSSIBLE APPROVAL OF A CONTRACT WITH THE UTAH STATE LIBRARY DIVISION FOR BOOKMOBILE SERVICES FOR JULY 2015/JUNE 2016

Auditor Grace presented the commissioners with a contract from the Utah State Library Division for Bookmobile Services for July 2015/June 2016. She stated that the annual amount is \$107,409.00, which is billed semi-annually.

Commissioner Roper asked if the Bookmobile driver, Jennifer Tolbert, could report to the commissioners and give an update at the next commission meeting. Commissioner Withers will contact Ms. Tolbert to set that up.

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 APPROVAL OF THE 2015 FINAL TAX SALE

Auditor Grace presented the 2015 Final Tax Report, which identifies the properties that were sold and who purchased them. If they were not purchased they would become property of the County. These deeds will be recorded and sent to the purchaser.

Commissioner Draper made a motion to approve the 2015 final tax sale.

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

REVIEW OF THE MAY FINANCIAL REPORTS

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

DISCUSSION OF POSSIBLE MORATORIUM ON POULTRY OPERATIONS

Commissioner Withers said there have been several discussions with individuals in the County regarding concerns with the Avionic Influenza outbreak in the Midwest. He said the commissioners met with and discussed the outbreak with the State Veterinarian, the Commissioner of Agriculture and several other experts.

Attorney Finlinson said that if a moratorium is decided, legally it would require an ordinance and would be a six month moratorium. Some exceptions can be made in that ordinance.

Scott Patton, Delta Egg Farm General Manager, stated that he would like a moratorium to give the United States Department of Agriculture (USDA) time to research and determine what a safe distance between poultry businesses is. His opinion is that there should not be any other poultry businesses allowed to build for at least six months until this determination could be made. He said the USDA is also researching to determine why this virus is spreading so quickly.

Mr. Patton said there are 20 states that have detected some form of the virus in the last nine months. He said that none of the facilities that have had to close their doors due to this virus have been able to reopen their businesses. He stated that he believes this virus is airborne.

Commissioner Draper said that the State Veterinarian and the other experts that the commissioners met with said the virus is not transmissible through the air more than a few feet, but that birds can carry it.

Mr. Patton stated that his business already provides most of the employees with shoes that stay on the site and they are now going to provide clothing to help decrease cross-contamination. They are also going to install a truck wash, construct buildings for his employees to change their clothes and increase their bio-security.

Commissioner Roper said he spoke with the commissioners in Sanpete County who indicated that they do not have a moratorium there and they do not seem too concerned.

Mr. Patton said there is a difference between layers and turkeys. When it is the same species it is not as critical, but facilities with different species close by is not smart.

Nels Anderson is concerned about a possible moratorium. He has attended several meetings and has done extensive research about this. He has a letter from the State Veterinarian stating that the virus is not airborne for more than a few feet.

Mr. Anderson is looking to start a diverse poultry operation. The birds will all be on the same property, but will not intermingle.

Commissioner Withers asked Mr. Anderson what the moratorium would do to his business if it were to be approved. Mr. Anderson said it would affect his business. He would have to discard the birds he already has scheduled to arrive and he would be out a considerable amount of money.

Mr. Anderson stated that the Delta Egg Farm has purchased property surrounding its facility to make a buffer zone and his property is outside of that buffer zone. He said if the Delta Egg Farm was worried about other poultry businesses building close by its facility, why did they not purchase additional property to make a larger buffer zone.

Commissioner Withers said the commissioners will continue researching this and will keep Mr. Patton and Mr. Anderson in the loop.

DISCUSSION REGARDING SPRAYING CHEMICALS ON THE CROPS IN MILLARD COUNTY - STEVE TERRELL & GLAYDE EDWARDS

Glayde Edwards stated that he is not here to discuss spraying chemicals on the crops in Millard County. He is here to discuss a problem with Steve Terrell and the access to his property that is landlocked.

Attorney Finlinson stated that this is not a legislative or executive issue. The judicial court has allowed Mr. Terrell access to his property as per a court order.

Mr. Edwards said that the road the court has ordered Mr. Terrell to use for access is too steep and rough for decent access.

Commissioner Withers said that the Sheriff's Office and the County Attorney's Office is doing everything they can to resolve this issue and that this is not something the commissioners can make a decision on.

Attorney Finlinson said he would prepare a letter for Mr. Terrell explaining where the access to his property lies.

DISCUSSION REGARDING A PRE-DISASTER MITIGATION PLAN - CHELSEA BAKITIS, SIX COUNTY

Ms. Bakitis was unable to be to attend commission meeting today therefore, this agenda item was be struck from the agenda.

DISCUSSION AND POSSIBLE APPROVAL OF A CONTRACT WITH THE UTAH DEPARTMENT OF AGRICULTURE

Sheriff Dekker said this is a standard renewal contract between the Department of Agriculture Animal Industry Division and Millard County for brand inspections.

Commissioner Roper made a motion to approve a contract for the Utah Department of Agriculture in the amount of \$31,500.00.

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

PUBLIC INPUT

Brandon Bartholomew, Natural Impressions, said he has made adjustments to the Main Street Courthouse remodeling contract to reflect the \$80,000 budgeted. There will be new carpet and radiators for the whole building and the main floor will be remodeled.

Casey and Laura Shields, Hinckley Lion's Club, presented Attorney Finlinson with the insurance certificate for the demolition derby. Attorney Finlinson asked them for a written safety plan.

Mr. Shields explained some of the changes they are doing this year for added safety for the Hinckley Lion's Club Demolition Derby:

- Changing the size of the dirt berms, maintaining the berms between heats and watering between heats to keep the speed down and to keep rollovers to a minimum.
- There will be 50 to 60 feet between the berms and the fence.
- There will be six concrete berms that will be set back 20 feet from the dirt berms, which the officials will stand on.
- Firefighters will be the first on the scene for a rollover.

Kevin Morris, West Millard Maintenance, said that cutting the length of the dirt berms down will be a tremendous help. He said it needs to be discussed how they are going to get the dirt to get the berms to the adequate size.

Mr. Shields explained that there will be enough dirt in the arena for what they are going to do and no dirt will need to be imported.

Attorney Finlinson said that regarding the insurance certificate, there needs to be an endorsement added for special events and activities to have full coverage. He also asked about the roster and who would be signing it at the demolition derby. Mrs. Shields said the roster will be signed by anybody that has purchased a pit pass and all derby officials. Attorney Finlinson asked her to add Millard County to its indemnity. He stated that Deputy Attorney Waddingham is working on re-doing the booking agreement.

Commissioner Withers asked Mr. Shields to prepare a document stating the changes that are being made to have a written record of it.

Commissioner Roper asked Mr. Shields how the fund-raising has been going for the derby. Mr. Shields said that the community businesses have been very supportive and they are meeting with the Tourism Board tomorrow.

Mrs. Shields stated that she feels the Hinckley Lion's Club is dying, there is not enough manpower to take care of everything. She said that she feels the Hinckley Lion's Club will probably not be sponsoring the demolition derby anymore after this year unless someone else steps up.

Mr. Morris asked the commissioners about the manpower and equipment that is needed for the derby. Mr. Shields said they will need a water truck, a tractor implement and a loader to fix the berms.

Mr. Morris said he had a cutting event cancel and go to the Blackhawk Arena in Salina because of the incentives that Sevier County Tourism is able to use with the Tourism Recreation, Cultural and Convention Facilities Tax (TRCC) money to help promote events.

Over the last 12 years, almost \$948,000 has been brought into Millard County for the cutting events. There is a Tourism meeting tomorrow where the TRCC money will be discussed to see if Millard County can use it as an incentive to keep the events coming here. There are three more cutting events that are still scheduled in Delta, but if the County does nothing, he is afraid more events could cancel and the County will start losing money.

Commissioner Withers said to see what the Tourism Board says tomorrow night. He agrees that an incentive needs to be done, or these events are going to possibly go out of Millard County.

OTHER BUSINESS

Auditor Grace received a letter regarding the Invasive Species Mitigation (ISM) Grant from the Department of Agriculture Plan Industry and Conservation Division indicating an increase from \$15,000.00 to \$25,000.00 and extending the term to December 31, 2015. She is unsure what this is and said that she does not recall seeing anything from them in the past so she will look into this further.

Auditor Grace reminded the commissioners that they need to put in their credentials for voting at National Associations of Counties (NACo) as soon as possible.

Commissioner Draper said he was contacted by Utah Association of Counties (UAC) regarding the Resource Management Plan (RMP). This will need to be discussed at a future commission meeting. The commissioners have been invited to meet with Redge Johnson from the Public Lands Policy Coordination Office Wednesday, June 10, 2015, to discuss the RMP.

Auditor Grace said the UAC Executive Committee is entertaining the idea of allowing Mark Ward to contact the counties to develop the RMP.

Commissioner Draper said he received an email from Peggy Ehora with Dominion Power, the purchaser of Juwi's Pahvant Phase I. She will be in Utah from June 22 through June 24, 2015, and would like to tour the facility and also meet with the commissioners, Fillmore City Mayor, Delta City Mayor and School Board Officials.

Commissioner Draper will set up a meeting with her on June 23, 2015, at 10:00 a.m..

Commissioner Draper said the barbeque at Millard Care & Rehabilitation went well; hundreds of people showed up and the weather was perfect for the event.

Commissioner Draper said he was contacted about the inequity of the division of the equipment for the Hinckley and Deseret Cemeteries.

Commissioner Withers will contact Mike Anderson, Chairman of the Hinckley Deseret Cemetery District Board and will report his findings at a future commission meeting.

Commissioner Draper will be attending a wellness meeting June 11, 2015, in Salt Lake City, Utah.

Commissioner Roper will be attending an Economic Development Corporation of Utah (EDCU) meeting June 10, 2015.

Commissioner Roper said the Days of the Old West Rodeo is June 11 through June 13, 2015. The commissioners were asked to decide if they wanted to ride in the grand entry, the parade, or both.

It was decided the commissioners will ride in the grand entry each night.

Commissioner Roper said there is a meeting on June 19, 2015, with Dr. Ken White, Vice President of Extension/4-H, at 12:00 p.m..

Commissioner Roper said he spoke to Fillmore City and Flowell Electric about the invoice the County received from Fillmore City for charges from Flowell Electric, that was discussed at a previous commission meeting. Fillmore City said this was a pass through bill and Flowell Electric said that it is their policy to charge for meeting with them. It needs to be decided if the County is going to pay that invoice or protest it.

Commissioner Roper said that Magnum has rescheduled the Industry Trip to tour its Texas and Alabama facilities to August 24 through August 27, 2015. The trip was originally scheduled for June 1 through June 3, 2015, but it got cancelled.

Commissioner Roper said that the Road Department fixed the road heading to the rifle range and he will personally thank Brandon Winget, Road Department Supervisor, for the changes.

Commissioner Roper asked if there was any contact from the cities in the County regarding the possibility of raising the sales tax by .25%.

Reports indicate that Hinckley, Scipio and Leamington are against it.

Commissioner Roper thinks Oak City is for it, but he will verify that with the mayor. He will also contact the mayors on the East side of the County.

Commissioner Withers will contact the Delta City Mayor and Commissioner Draper will contact the Lynndyl Mayor.

Commissioner Roper said at the Six County Association of Government (AOG) meeting it sounds like most counties are going to go for it this year.

Clerk Rowley stated that a special election would be required to put it to a vote this year and the laws of a general election would have to be followed.

Commissioner Withers reported that he went to the Scipio Town Council meeting. They discussed concerns about the transfer station and the debris that shows up there. He said that he asked Mr. Winget to take a loader and clean up some of the debris. He has a meeting scheduled with Sheryl Dekker, County Planner, and Phil Lovell, County Landfill, to see what the County's options are.

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

There was none.

POSSIBLE REVIEW OF COUNTY POLICIES AND CONTRACTS

There was none.

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

Commissioner Roper made a motion to go into a closed executive session for the purpose of discussing pending and/or threatened litigation.

Commissioner Draper SECONDED the motion. All three commissioners voted unanimously and the motion carried. Present in the closed session were Commissioner Withers, Commissioner Roper, Commissioner Draper, Attorney Finlinson, Auditor Grace, Clerk Rowley, and Deputy Clerk Shields.

After the closed executive session the regular meeting reconvened at 2:00 p.m..

OTHER BUSINESS CONTINUED

Commissioner Roper said that Scott Barney, Economic Development Coordinator has asked to have an administrative meeting with the commissioners on Friday June 12, 2015, at 6:00 p.m..

WHERE UPON THE MEETING ADJOURNED

Commissioner Roper made a motion to adjourn the meeting.

Commissioner Draper SECONDED the motion. The voting was unanimous and the meeting adjourned at 2:05 p.m..

Attest: _____

Approved: _____