

MINUTES OF BOARD OF COUNTY COMMISSIONERS  
MILLARD COUNTY THE 11th DAY OF JULY 2017  
AT THE COURTHOUSE, FILLMORE, UTAH

PRESENT: James I. Withers . . . . . Chairperson  
Dean Draper . . . . . Commissioner  
Wayne Jackson . . . . . Commissioner

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

ALSO PRESENT: Janelle Brandt . . . . . Chronicle Progress  
Adam Richins . . . . . County Planner/Building Inspector  
Jon Haderlie . . . . . Larson Certified Public Accountants  
Bonnie Gehre . . . . . County Auditor  
Sheri Dearden . . . . . County Treasurer  
Ted Recupero & Peter VanderMeide . . . . . Citizens

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. Attorney Finlinson expressed his appreciation to everyone for their well wishes and prayers during the last several weeks. He gave a brief update on his condition. Commissioner Draper said the invocation. Everyone stood and said the Pledge of Allegiance to the Flag.

APPROVAL OF JUNE 20, 2017, COMMISSION MINUTES

The proposed minutes of a regular County Commission meeting held June 20, 2017, were presented for consideration and approval. Following review, Commissioner Draper made a motion to approve the minutes of June 20, 2017, as presented.

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

carried.

#### FOLLOW UP ACTION ITEMS FROM JUNE 20, 2017

Commissioner Draper said that the certified tax rate was approved at the last meeting, with a slight increase from the year before. He said that the County Assessor must assess different sections of the County each year; Millard County is split into five sectors. He said that the sector that was assessed this year could have an increase in value, which means that there could be an increase in the taxes assessed.

#### PRESENTATION OF THE 2016 INDEPENDENT AUDIT

Jon Haderlie, Larson Certified Public Accountants, presented the 2016 Independent Audit. He reviewed and explained the Independent Auditor's Report, the Government Auditing Standards Report and the State Compliance Report. He said that it is his opinion that the County is in compliance with respect to the State requirements.

Mr. Haderlie briefly discussed the financial highlights, including assets, General Fund and the Capital Projects Fund.

Commissioner Draper said that the County has received a lot of communications from the State Auditor regarding special service districts. He said that figures that have stayed the same for years seem to be questioned over and over. He asked if this was common in the State.

Mr. Haderlie said that there have been issues with special service districts and that may be why the audits are being pushed. He recommended that board members of the districts take the State Auditor's annual training, although it is only required when they are re-appointed. These board members should be financially accountable.

Commissioner Draper said that one district has to file a quarterly report, which can be a hassle and quite costly.

Mr. Haderlie discussed the management letter, where findings or issues important enough to present are reported. There were no significant findings or issues in this audit to report. He expressed appreciation to Auditor Gehre and Treasurer Dearden for their hard work and cooperation.

Commissioner Withers expressed appreciation to Mr. Haderlie, Auditor Gehre and Treasurer Dearden for their hard work.

#### APPOINTMENT OF INTERIM SUCCESSORS

Clerk Rowley presented the interim successors lists that she has received to date.

The following offices submitted interim successors:

- Assessor's Office
- Attorney's Office
- Auditor's Office
- Clerk's Office
- Recorder's Office
- Sheriff's Office

- Treasurer's Office
- West Millard Maintenance
- Road Department
- West Millard Recreation
- Delta Satellite Office
- Golf Course
- East Millard Maintenance
- Planner/Building Inspector
- East Millard Recreation

Clerk Rowley will submit copies of all interim successors to the Sheriff's Office and to the State.

Commissioner Draper made a motion to appoint the interim successors as presented.

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

**RATIFY THE APPROVAL REGARDING PAYMENT FOR LOBBYIST SERVICES - ROBERT WEIDNER, RURAL PUBLIC LANDS COUNTY COUNCIL (RPLCC)**

Commissioner Draper made a motion to ratify the approval regarding payment for lobbyist services to Robert Weidner, RPLCC, in the amount of \$16,000.00.

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

**DISCUSSION AND POSSIBLE APPROVAL OF A BUSINESS LICENSE FOR UTAH VALLEY RETRIEVERS, OWNER - TY BACKER**

A business license application was presented for Utah Valley Retrievers, Owner - Ty Backer, a retriever training business. After review of the application and finding all signatures in order, Commissioner Jackson made a motion to approve a business license for Utah Valley Retrievers, Owner - Ty Backer.

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

**DISCUSSION AND POSSIBLE APPROVAL OF A CREDIT CARD FOR KAELA JACKSON, DEPUTY COUNTY ATTORNEY**

Commissioner Jackson made a motion to approve a credit card for Kaela Jackson, Deputy County Attorney, in the amount of \$1,500.00.

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

DISCUSSION AND POSSIBLE APPROVAL REGARDING A MEMORANDUM OF UNDERSTANDING (MOU), FOR PURCHASING MEALS ON WHEELS VEHICLES - SCOTT CHRISTENSEN, SIX COUNTY ASSOCIATION OF GOVERNMENTS (AOG)

Commissioner Draper said that Deputy Attorney Richard Waddingham did not find the MOU suitable and would like to modify it, then run it by Six County before presenting it for approval.

Commissioner Jackson said that Mr. Christensen has the two vans sitting in their parking lot, waiting for the MOU to be signed.

Attorney Finlinson said that this item will be on the next agenda.

Commissioner Draper made a motion to table this agenda item.

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

DISCUSSION REGARDING THE EAST MILLARD SWIMMING POOL - JACCI JOHNSON

This item was stricken from the agenda.

REVIEW OF THE JUNE FINANCIAL REPORT - TREASURER DEARDEN

The commissioners reviewed the financial reports for the month of June.

Treasurer Dearden said that the evidentiary hearing for IPA will be held, if needed, August 15, 2017, at 8:30 a.m., in Salt Lake City.

Treasurer Dearden said that a status conference call for Milford Wind will be August 16, 2017, at 9:15 a.m.. She said that Millard County has signed its portion of the settlement.

Treasurer Dearden said that she received the first quarter billing from Mr. Peters for Centrally Assessed Litigation, in the amount of \$42,904.67. This is a combined bill for three separate accounts.

PUBLIC INPUT

There was none.

OTHER BUSINESS

Commissioner Jackson said that a new part-time Landfill position will need to be created as soon as possible; John Higgins, Landfill Supervisor, has two employees out with injuries right now.

Attorney Finlinson said that this item will be on the next agenda.

Commissioner Jackson said that he went on the mountain with the Governor, Legislature and Fire Districts to learn about forest fires and prescribed burns. He said that he was told by a Forest

Ranger that a few land owners in Fillmore have denied access through their land for cutting a fire break. He will contact those owners to try to get permission to cross their land.

Commissioner Jackson said that the Miss Millard Director has changed to Natalie Stefanoff.

Commissioner Jackson said that there is an old Topaz building on the corner by the racetrack that they would like to move. He has called Jane Beckwith, Topaz Museum, to see if she is interested in the building.

Attorney Finlinson said that this would require legislative action as an agenda item.

Commissioner Draper said that he received a letter from Travis Kyhl, Six County, regarding a commitment to participate in the Six County Region Multi-Jurisdictional Hazard Mitigation Process. If the County commits to participate, FEMA would mitigate disasters that qualify under their parameters.

Attorney Finlinson advised that Adam Richins, County Planner/Building Inspector, review this document.

Commissioner Draper said that he has contacted the State regarding a possible issue with the water quality in Cove Fort. He said that Peter VanderMeide has provided a list of citizens in Cove Fort who have water. Mr. Richins is aware of this issue. The Division of Water Quality intends to meet this week to find out if there is a pollutant in the water affecting the quality.

Mr. VanderMeide expressed appreciation to Commissioner Draper, Mr. Richins and USU Extension for their help with this situation. He said that Alan Peacock first noticed there may be a problem with the water quality when a few of his animals died. He said that his own water has been smelling and tasting funny. He said that all water owners have given permission to have their water tested.

Attorney Finlinson said that two new criminal appeals have been filed with the Court of Appeals and have been found indigent. This will require appointment of indigent appellate counsel. He said that this expense will come out of the Extraordinary Expense line on the Public Defender Budget, which may have to be opened. He said that he has the contracts to be signed after the meeting today.

Auditor Gehre said that Roger New has asked to purchase a small parcel owned by the County that is adjacent to his property. She presented the commissioners with the map.

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

Attorney Finlinson briefly discussed his anticipation of his involvement in the next few months. He said that in September, his doctors will decide if he needs to be put on the heart transplant list. He will be working mostly from home, but will be working in the office as much as he can. His deputies are able to fill in whenever needed.

Commissioner Jackson said that the checks for the repairs at the Senior Citizen building were received, but he needs a contract drawn up.

Attorney Finlinson advised Commissioner Jackson to talk to Deputy Attorney Waddingham regarding this contract.

Commissioner Draper said that the Topaz Museum had its official grand opening on Saturday, July 8, 2017. He said that approximately 400 people from San Francisco attended the grand opening. He said that 30-40 people who were born at the Topaz Camp were in attendance. Representative Merrill Nielson and two Consul Generals from Japan were also in attendance.

Commissioner Draper said that he and Commissioner Withers took a ride to a fire South of Leamington yesterday. He said that the fire was caused by lightning and was entirely on private property. He said that this will be a delegated fire under the new State Fire program. The fire has been contained and there were no other fires last night.

Commissioner Jackson said that he has had a discussion with Ms. Beckwith regarding two pieces of land associated with Topaz.

Attorney Finlinson said that this has been an ongoing issue and he will discuss this again with Ms. Beckwith.

#### POSSIBLE REVIEW OF COUNTY POLICIES AND CONTRACTS

There was none.

#### POSSIBLE CLOSED MEETING PURSUANT TO UTAH CODE ANNOTATED SECTION 52-4-4&5

There was none.

#### WHERE UPON THE MEETING ADJOURNED

Commissioner Withers adjourned the meeting at 11:05 a.m..

Attest: \_\_\_\_\_

Approved: \_\_\_\_\_