

MINUTES OF BOARD OF COUNTY COMMISSIONERS
MILLARD COUNTY THE 14th DAY OF AUGUST 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
Scott Barney MEDA Coordinator
Aaron Gibson & Brent Dewsnup Rocky Mountain Power
Don West America’s Clean Energy
Adam Richins County Planner/Building Inspector
Ted Recuperero Citizen
David Smedley UDWR Biologist
Brandon Winget County Road Supervisor
Casey Fowles Golf Pro
Lynette Madsen Deputy County Auditor
Pat Manis County Assessor
Sheri Dearden County Treasurer

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 Withers said the invocation. Everyone stood and said the Pledge of Allegiance to the Flag.

APPROVAL OF AUGUST 1, 2017, COMMISSION MINUTES

The proposed minutes of a regular County Commission meeting held August 1, 2017, were presented for consideration and approval. Following review and consideration of minor corrections, Commissioner Jackson made a motion to approve the minutes of August 1, 2017, as corrected.

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

FOLLOW UP ACTION ITEMS FROM AUGUST 1, 2017

There was none.

UPDATE REGARDING BIG HORN SHEEP ON THE MINERAL MOUNTAINS - DAVE SMEDLEY, DWR BIOLOGIST

Mr. Smedley said that the DWR is planning to put a herd of Desert Big Horn Sheep on the Mineral Mountains. He said that most of the Mineral Mountains are in Beaver County, but the very North end, plus part of the habitat, is located in Millard County. He said that the DWR met with the cattle and livestock grazers and received input from them. He said the release will likely be next year, but could be as early as this fall. There will be a population of approximately 175 animals.

Commissioner Withers said that the residents have enjoyed seeing the herd of Big Horn Sheep in Oak City. He asked how the herd in Oak City is doing.

Mr. Smedley said that the first survey from the air on that herd will be in November. He said that the herd has been growing and have not moved very far from where they were released; most are within a few miles of the release area.

Mr. Smedley said that the Big Horn Sheep like steep terrain and will likely not be in the same area as the livestock. He said that other herds around the State stay pretty close to where they are released until its population gets bigger. He said that the DWR is working closely with the BLM in Fillmore and Cedar City.

DISCUSSION AND POSSIBLE APPROVAL REGARDING RAISING THE CREDIT CARD LIMIT FOR KAREN BANKS - 4-H EDUCATOR

Commissioner Jackson said that because Ms. Banks has had to continually get reimbursed for out-of-pocket purchases, raising the limit on her credit card to \$1,500.00, will help avoid this.

Commissioner Draper made a motion to approve raising the credit card limit for Karen Banks - 4-H Educator, in the amount of \$1,500.00.

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

DISCUSSION AND POSSIBLE APPROVAL REGARDING KEEPING COUNTY INSURANCE ON THE OLD PAHVANT SENIOR CENTER VAN

Commissioner Jackson said that the Pahvant Senior Center has asked to keep its old van in order to transport small groups on certain outings, which would require keeping the County insurance on it.

Attorney Finlinson said that there would be no cost to keep the van on the insurance plan, as it is part of the overall UCIP premium. He said that he would just need the VIN number of the van to make sure it is still on the schedule.

Commissioner Jackson made a motion to approve keeping the County insurance on the old Pahvant Senior Center van.

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

DISCUSSION AND POSSIBLE APPROVAL OF PURCHASING LAND, LOCATED BY THE ROAD DEPARTMENT, FOR SAND AND GRAVEL USE - BRANDON WINGET, ROAD SUPERVISOR

Mr. Winget presented a map showing 40 acres of land in Flowell that the County Road Department is looking to purchase for sand and gravel use. He said that this land is sandwiched between two County parcels that are already used for sand and gravel pits. He said that the seller is asking for \$2,000.00 per acre. He briefly discussed the depth of the pits in that area.

Commissioner Draper said that this would likely need to come out of the Capital Budget.

Commissioner Jackson said that it would be a benefit to the County to purchase this land.

Commissioner Withers suggested talking to Treasurer Dearden regarding revenue, then negotiate with the seller and possibly make an offer.

Mr. Winget said that there is also property in Kanosh that the County Road Department is interested in. He said that gravel is getting harder to find, as it is either too dirty, rocky or sandy. He said that both the Kanosh pit and the Flowell pit are up to UDOT specifications.

Commissioner Draper made a motion to approve purchasing 40 acres in Flowell, located by the County Road Department, for sand and gravel use; contingent on funds being available, as per Treasurer Dearden.

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

REVIEW OF BID REVISIONS FOR THE SUNSET VIEW GOLF COURSE CLUBHOUSE CONSTRUCTION - CASEY FOWLES, GOLF PRO

Attorney Finlinson said that in February, request for bids were announced for this project; bids received were opened April 4, 2017. He said that all 5 bids were consistent, but all were far in excess of the budget. Rather than rejecting the bids and starting the process over, it was decided to talk to the architect and revise the plans. He said that revisions were made to the plans and Mr. Fowles contacted each bidder to give them the opportunity to submit revised bids.

Mr. Fowles said that he contacted all 5 original bidders, 3 of which returned revised bids.

Mr. Fowles opened the following revised bids:

- Randall Cloward Builders: \$650,000.00
- 3CR Builders, LLC: \$590,750.00
- Mike Barney Construction, Inc.: \$569,800.00

Mr. Fowles said that each of the bidders are willing to revise further to save money as needed.

Commissioner Draper said that \$450,000.00, was budgeted for this project.

Mr. Fowles briefly discussed some areas that could be reduced to give an additional \$50,000.00 to \$70,000.00 in savings.

Commissioner Draper said that he thinks that the clubhouse should be used to promote economic growth by being a multi-purpose venue for other businesses to use.

Mr. Fowles said that the layout and design of the clubhouse is multi-purpose, the golf shop portion of the building is a minor part of the clubhouse.

Commissioner Draper expressed his concerns with the high bids and said that he is not in favor of expanding the budget any higher. He asked for more specific information before moving forward.

Mr. Fowles said that the current building climate and the cost of materials has risen high. He said that builders are very busy and not very hungry for work. He said that the building is not excessive, it is just a standard rectangular building.

Commissioner Withers suggested that the revised bids be accepted, then meet with the County Building Inspector to see where cuts can be made to get the cost down to \$450,000.00. He explained that originally, the commissioners were told that the cost of building would be approximately \$120.00 per square foot, so when the bids came in at \$300.00 per square foot, it was a surprise to everyone.

Commissioner Jackson made a motion to accept the revised bids, as presented, and review the specifications of the bids, before making a decision.

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

REVIEW AND POSSIBLE APPROVAL OF HARDSHIP ABATEMENTS - AUDITOR GEHRE

Deputy Auditor Madsen said that the hardship abatement application intended for this meeting was not completed.

Commissioner Draper made a motion to table this agenda item.

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

PUBLIC INPUT

Aaron Gibson, Rocky Mountain Power, said that he is retiring and introduced his

replacement, Brent Dewsnup. He said that Rocky Mountain Power is interested in keeping all its customers happy and being involved in the communities.

Mr. Dewsnup said that he is excited to be the new point of contact in Millard County.

Scott Barney, MEDA Coordinator, said that September 5, 2017, is the Rural 25,000 Jobs Launch from 4:30 p.m. to 6:30 p.m., at the Delta Community Center. He said that all State agencies will be there at 4:00 p.m., and would like to invite elected officials to meet with them before the event. He is working with the Department of Workforce Services to invite local businesses to the launch.

Mr. Barney said that the AOG meetings have been moved to August 30, 2017, in Richfield, Utah. He noted that Dean Haymore of the Reno/Tahoe Industrial Park, will be presenting in the afternoon.

OTHER BUSINESS

Attorney Finlinson said that he would like to schedule a work meeting/training for GRAMA, Open Meetings and the Purchasing Policy, for all elected officials and department heads, after the September 5, 2017, Commission meeting, at 1:30 p.m..

Attorney Finlinson said that the Oak City Town Council contacted him regarding designating the Canyon Road as an OHV road. He said that this would be done by resolution to amend the transportation map. He said that the road has been used as an OHV road, but it does not have the designation.

Commissioner Jackson said that the Pahvant Senior Center opened back up today. He said that certain items still need to be finished, so the contractor will not receive the check until that is complete.

Commissioner Jackson said that Fillmore City has waived the bill for 850,000 gallons of water at the Pahvant Senior Center, that has been discussed previously.

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

Commissioner Draper said that he attended a meeting with the University of Utah regarding the Cosmic Ray Project. He said that he reviewed their expansion plans and toured their facilities. He briefly explained a communication error between John Mathews and the commissioners from the last Commission meeting. He stated that Black Rock Mesa is a prime place in the County for geothermal development. He said that there is not development there immediately, but he discussed issues with the University of Utah, if it were to be developed.

Commissioner Draper said that he attended a meeting with the Utah State Air Quality Board. He said that gas water heaters are said to be a contributor to pollution. He said that as of 2018, all

replaced or new gas water heaters in the State will have more strict requirements that will not contaminate the air; there will be nothing retroactive.

Commissioner Draper said that he attended a demonstration of voting machines by five vendors, at the State Capitol Building. He said that two of the voting machines were acceptable to Millard County, one of which would be more beneficial for vote by mail. He said that he would like to give his input on the demonstration.

Clerk Rowley said that she received a survey and will forward it to Commissioner Draper.

Commissioner Jackson said that the boiler that has to be replaced downstairs at the Main Street Courthouse will cost \$4,300.00.

Commissioner Jackson expressed appreciation to Betty Jo Western on a great job done with the Millard County Fair.

Commissioner Draper said that the Millard County School District held a Truth & Taxation meeting August 10, 2017, at 6:00 p.m.. He said that the purpose of the meeting was to raise the Millard County School District certified tax rate to the maximum limit. He said that all three commissioners attended the meeting because of concerns with increasing the taxes, the commissioners all opposed the tax increase. He said that there will be an increase to property taxes this year, but the increase is due to the County School District raising the taxes. He said that the school board voted in favor of the tax increase 3-2, therefore, it was not unanimous.

REVIEW OF THE JULY FINANCIAL REPORT - TREASURER DEARDEN

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

Treasurer Dearden said that the hearing that was scheduled for tomorrow has been cancelled. She said that Tom Peters is available for a conference call, if needed.

The commissioners agreed that a conference call is not necessary at this time.

POSSIBLE REVIEW OF COUNTY POLICIES AND CONTRACTS

There was none.

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

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

Commissioner Jackson **SECONDED** the motion. All three commissioners voted unanimously and the motion carried. Present in the closed session were Commissioner Withers, Commissioner Draper, Commissioner Jackson, Attorney Finlinson and Sheriff Dekker.

After the closed executive session the regular meeting reconvened at 11:07 a.m..

Commissioner Jackson addressed an issue with a new permanent part-time position in the East Millard Maintenance Department.

Attorney Finlinson said that this would need to be an item on the next agenda as a resolution.

WHERE UPON THE MEETING ADJOURNED

Commissioner Withers adjourned the meeting at 11:09 a.m..

Attest: _____

Approved: _____