

MINUTES OF BOARD OF COUNTY COMMISSIONERS
MILLARD COUNTY THE 4th DAY OF JUNE 2019
AT THE COURTHOUSE, FILLMORE, UTAH

PRESENT: Dean Draper..... Chairperson
Wayne Jackson..... Commissioner

Pat Finlinson..... County Attorney
Marki Rowley..... County Clerk
Jamie Hair..... Deputy Clerk

EXCUSED: Evelyn Warnick..... ..Commissioner

ALSO PRESENT: Matt Ward..... Chronicle Progress
Auditor Gehre, Lynette Madsen, and Karen Jordan..... Auditor’s Office
Sheriff Jacobson..... Sheriff’s Office
Mike Holt..... Fillmore City Mayor
Chad Booth..... County Seat TV
Adam Richins..... County Planner
Britton Lund..... Utah State Library Division
Connie Hansen..... County Recorder
Pat Manis..... County Assessor
Deric Despain..... USU Extension
Tom Lovell..... Citizen

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 Draper to the public and Commission members.

OPENING STATEMENTS

Commissioner Draper excused Commissioner Warnick and 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 21, 2019 COMMISSION MINUTES

The proposed minutes of a regular County Commission meeting held May 21, 2019 were presented for consideration and approval. Following review and consideration of minor corrections, Commissioner Jackson made a motion to approve the minutes of May 21, 2019, as presented.

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

FOLLOW UP ACTION ITEMS FROM MAY 21, 2019

Commissioner Draper said that at the last commission meeting a lease was extended by one year with JerE Brinkerhoff. Attorney Finlinson said that he will prepare the contract.

RATIFY THE APPROVAL OF USE OF THE COUNTY OWNED POOL AND GOLF COURSE AS WELLNESS INCENTIVES

Commissioner Jackson made a motion to ratify the approval for use of the County owned pool and golf course as wellness incentives.

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

RATIFY THE APPROVAL OF A BUSINESS LICENSE FOR LANCE'S HONEY DO HANDY MAN SERVICES, OWNER - LANCE WARD JOHNSON

Commissioner Jackson made a motion to ratify the approval of a business license for Lance's Honey Do Handy Man Services, Owner - Lance Ward Johnson.

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

DISCUSSION REGARDING TWO VACANT POSITIONS IN USU EXTENSION/4H-DERIC DESPAIN

Commissioner Draper said that this was discussed at the last commission meeting and asked Dr. Despain to explain the positions he is requesting.

Dr. Despain said that the first position is just filling the vacancy left by Karen Banks and that the County covers 50% of the costs for that position. He said that he is asking that this position's title be changed to reflect SCF responsibilities, which will be an added benefit to Millard County.

Dr. Despain said that for the second position, he would like to create one full-time position by combining three current part-time positions. He said that this position would serve the east side of Millard County for 4H and the title would be an Assistant 4H Coordinator.

Commissioner Jackson said that the second position's cost is a concern. A brief discussion was had on the costs of wages and benefits for that position. It was decided to bring this position back for consideration at the next commission meeting after costs can be reviewed.

The Commission gave approval to Dr. Despain to move forward with the first position.

DISCUSSION AND POSSIBLE APPROVAL OF A CONTRACT WITH THE UTAH STATE LIBRARY DIVISION FOR BOOKMOBILE SERVICES - BRITTON LUND

Ms. Lund presented a handout for review and discussed recent changes that reduced costs to the County. She said that their circulations are growing every month. Commissioner Jackson said that it appears that the Bookmobile services are being used a lot in the County and thanked Ms. Lund for coming to present.

Commissioner Jackson made a motion to approve the contract with the Utah State Library Division for Bookmobile Services in the amount of \$94,599.00.

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

DISCUSSION AND POSSIBLE APPROVAL OF MILLARD COUNTY WEST RECREATION TAKING OVER THE YOUTH SOCCER PROGRAM - BROOKS JACKSON

Commissioner Jackson said that he was unable to contact Mr. Jackson and is concerned that this hasn't been budgeted for. He said that he would like to address this item for next year's budget.

DISCUSSION AND POSSIBLE APPROVAL OF FUNDING FOR THE COUNTY SEAT T.V. PROGRAM - CHAD BOOTH

Mr. Booth said that he would like to report on County Seat which is in its ninth season. He said that their first producer has returned and he is very good at addressing rural issues.

Commissioner Draper said that the County has been a sponsor of this program which airs on Sundays at 7:30 a.m. and Saturdays at 11:00 p.m. on Channel 4. Mr. Booth said that its not uncommon for their program numbers to reach 84,000 viewers.

Commissioner Draper said that this is a great way for rural issues to reach the legislatures and gave a recent example of an issue discussed in Park City.

Mr. Booth listed several channels that their programs are rebroadcast and said that they try to reach a large amount of viewers. He said that the County has the right to use any videos that were shot in the County and can use those videos in any fashion that it sees fit.

Commissioner Draper said that \$10,000.00 has been budgeted and allotted for the County Seat Program.

Mr. Booth asked the Commission and those in attendance what topics they would like to have on the program. Sheriff Jacobson gave an example of how he used a copy of the program to provide trainings. Commissioner Draper mentioned several issues for program topics like: Law Enforcement and Medical staffing, Ambulance and EMT funding, and the fact that all 29 Counties in the State don't have a senator.

Mr. Booth said that they are starting on a mapping project in conjunction with state parks that

will provide funding to counties if they want to add off highway vehicle trails to Google Street so that they will be a source for people to be able to find and preview different trails and routes. He said that this could be a great tourism tool for counties.

Commissioner Jackson made a motion to approve funding for the County Seat T.V. Program in the amount of \$10,000.00.

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

DISCUSSION AND POSSIBLE APPROVAL OF THE ANNUAL STATE COURT CONTRACT

Clerk Rowley said that no changes were made other than a decrease in funding of approximately \$19.00.

Commissioner Jackson made a motion to approve the Annual State Court Contract in the amount of \$189,265.26.

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

DISCUSSION AND POSSIBLE APPROVAL OF THE ANNUAL SECURITY AND BAILIFF CONTRACT

Sheriff Jacobson said that the contract hasn't changed from previous years.

Commissioner Jackson made a motion to approve the Annual Security and Bailiff Contract in the amount of \$27,825.00.

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

DISCUSSION AND POSSIBLE APPROVAL OF RESOLUTION 19-06-04, A RESOLUTION OF THE MILLARD COUNTY COMMISSION AMENDING SECTION VII, PARAGRAPH D OF THE MILLARD COUNTY POLICIES AND PROCEDURES MANUAL, "REGULAR FULL TIME EMPLOYEES."

Attorney Finlinson gave a brief history of this item and said that it isn't ready to adopt because it may impact other areas, as well such as the accrual of leave time. He said that this agenda item will be brought back to the next commission meeting.

Commissioner Jackson made a motion to table this agenda item.

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

AWARDING OF REQUEST FOR PROPOSALS (RFP) FOR OFFICE/CLINIC SPACE FOR CENTRAL UTAH PUBLIC HEALTH IN DELTA

Attorney Finlinson said that Deputy Attorney Rich Waddingham asked him to disclose that he has a 10% interest in HABB, Inc. and will fill out a disclosure form if the RFP is awarded to them.

Commissioner Draper gave a brief history of the RFPs. He said that Sue Hildebrant reviewed the RFPs and decided that the HABB, LLC proposal is preferred. Commissioner Draper read the list of reasons Ms. Hildebrant preferred HABB, LLC.

Commissioner Jackson made a motion to award the RFP for office/clinic space for Central Utah Public Health in Delta to HABB, LCC for \$1,250.00 a month.

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

DISCUSSION AND POSSIBLE APPROVAL OF CERTIFYING THE 2019/2020 UTAH STATE RETIREMENT SYSTEM RATES

Auditor Gehre presented the annual certification report from Utah Retirement Systems. She explained that there were not overall percentage changes. She said that these rates are required to participate in URS the only discretionary rate is the employee 401k rate.

URS

Fiscal year July 1 ,2019 - June 30, 2020

Public Employees Tier 1 - 18.47%

Public Employees Tier 2 HYBRID and DC - 16.69%

Public Safety Tier 1 - 34.04%

Public Safety Tier 2 HYBRID and DC - 23.83%

Commissioner Jackson made a motion to approve certifying the 2019/2020 Utah State Retirement System Rates.

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

APPROVAL OF THE 2019 TAX SALE

Auditor Gehre presented the report for the final tax sale and said that tax sale ID #002589 has filed an appeal. She said that all of the mail sent to them was returned; however, the owner's son contacted them and filed an appeal. Auditor Gehre suggested approving everything except tax sale ID #0025289.

Commissioner Jackson made a motion to approve the 2019 Tax Sale with the exception of Sale ID #0025289.

Commissioner Draper stepped from the chair and SECONDED the motion. The voting was

unanimous and the motion carried.

PUBLIC INPUT

There was none.

OTHER BUSINESS

Mayor Holt said that Fillmore City would like to ask the Commission to amend the CIB list by removing Fillmore City's sewer project in the amount of \$2,100,000.00 and add a General Plan in the amount of \$30,000.00.

Commissioner Jackson made a motion to approve amending the CIB list by removing Fillmore City's sewer project and replacing it with a General Plan.

Draper stepped from the chair and seconded the motion. The voting was unanimous and the motion carried.

Mr. Richins said that a public hearing and agenda item regarding greenhouse and kennels within AG zones was previously tabled. He said that he has since visited with those who made public comments and said that he would like to bring this item back to the Commission on a future agenda for reconsideration.

Commissioner Draper said that this can be added to a future agenda.

Commissioner Draper said that the funding for the Brush Wellman Highway project needs to be put in place and he needs direction on how to do that. Auditor Gehre said that the budget will need to be opened. It was decided to advertise a public hearing for opening the budget and put this on the next agenda.

A brief discussion was had on what other budgets needed to be opened for the public hearing.

Sheriff Jacobson said that he has budget issues and gave a brief history of leasing options for the Sheriff's Office vehicle fleet and explained the process involved in that. He said that he wants to make sure that any funds from vehicle sales go back to his department. It was decided to open this budget during the next public hearing.

Attorney Finlinson said that a policy regarding SB163 on personal use of county property is supposed to be in place by July 1, 2019. He said that several versions of the policy have been reviewed and he will send copies of the policy to all elected officials.

DISCUSSION AND POSSIBLE APPOINTMENTS TO VARIOUS COUNTY BOARDS

There was none.

POSSIBLE APPROVAL OF APPLICATION(S) FOR SETTLEMENT OR DEFERRAL OF DELINQUENT PROPERTY TAX

There was none.

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

Clerk Rowley said that she registered the County, as per SB 28 & 29, which requires all Local Governmental Entities (LGE's) and Limited Purpose Entities (LPE's) to file information with the Lt. Governor's Office by June 28, 2019. It also requires counties to house a link to this information on their websites by the same date. She said that she has complied with both requirements. It was decided that Auditor Gehre, Clerk Rowley, and Attorney Finlinson will work together to inform the other necessary entities of the registration process.

Commissioner Jackson said that he asked Auditor Gehre to hold some money on the contract for the cement job that needs resealing and that he spoke with the contractor about that.

Commissioner Draper said that he attended a Free Roaming Equids Conference where the purpose was to work out a joint cooperative procedure for government entities, special interest groups, states, and counties regarding free roaming wild horses and burros in the west. He said that Millard County is currently five times over the population of horses that was originally allotted and this is a prevalent issue in the program. Commissioner Draper explained the ecological disaster that would result if changes aren't made and cited a similar circumstance with Mule Deer dying in Southeastern Utah. He said that this has become a very large problem that won't go away on its own.

Commissioner Draper said that he has a meeting with the Cemetery Districts who are re-writing its bylaws in order to bring them into compliance with State Code.

AUDITOR REPORT

Auditor Gehre reported the following:

Check Edits

May 24, 2019 - \$154,633.31

May 31, 2019 - \$92,292.56

Zions Bank Card

May 31, 2019 - \$24,103.18

Payroll Liabilities

May 24, 2019 - \$410,817.32

POSSIBLE BOARD OF EQUALIZATION (BOE) DISCUSSION AND/OR ACTION

Commissioner Jackson made a motion to enter into a BOE.

Commissioner Draper stepped from the chair and **SECONDED** the motion. The voting was unanimous and the motion carried. The BOE began at 11:04 a.m..

Mr. Lovell said that he is concerned about the amount he owes on his Holden Property and

gave a brief history of his ownership of the properties. He said that the 4.9 acres he is addressing is still in ownership of his grandfather's brothers and sisters. Mr. Lovell said that the usage is still the same; however, Mr. Manis wants to take it out of greenbelt and back tax it. He said that he would like to keep it in the greenbelt because the value, owners, and usage is the same.

Mr. Manis gave a brief history of the property and said that as they find these situations, they are making changes to try and comply with State Code.

Attorney Finlinson said that he can look into this but isn't prepared to address this today.

Auditor Gehre said that since prior years are involved, it may be worth it to wait until Treasurer Dearden can address this as well.

Commissioner Jackson made a motion to table this issue.

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

Commissioner Jackson made a motion to close the BOE.

Commissioner Draper stepped from the chair and SECONDED the motion. The voting was unanimous and the motion carried. The BOE closed at 11:31 a.m..

POSSIBLE REVIEW OF COUNTY POLICIES AND CONTRACTS

There was none.

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

There was none.

WHERE UPON THE MEETING ADJOURNED

Commissioner Draper adjourned the meeting at 12:01 p.m..

Attest: _____

Approved: _____