

MINUTES OF BOARD OF COUNTY COMMISSIONERS
MILLARD COUNTY THE 2nd DAY OF JULY 2019
AT THE COURTHOUSE, FILLMORE, UTAH

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

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

ALSO PRESENT: Richard Jacobson..... County Sheriff
Rob Clark, Dale Josse, Mike Turner, Pat Bennett, and Ben McDonald. . . Sheriff’s Office
Bonnie Gehre. County Auditor
Sheri Dearden..... County Treasurer
Adam Richins..... County Planner
John Hatterly. Larson and Company, PC
Matt Ward. Chronicle Progress
Kary Monroe, Ruth Josse, Relda Turner, Eva Turner. 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 Draper to the public and Commission members.

OPENING STATEMENTS

Commissioner Draper asked if anyone had an opening statement to give. Commissioner Draper read a quote from John Locke which states, “Freedom of men under government is to have a standing rule to live by. Common to everyone in that society and made by the legislative power elected in it.” Commissioner Draper said the invocation. Everyone stood and said the Pledge of Allegiance to the Flag.

APPROVAL OF JUNE 18, 2019 COMMISSION MINUTES

The proposed minutes of a regular County Commission meeting held June 18, 2019 were presented for consideration and approval. Following review and consideration of minor corrections, Commissioner Jackson made a motion to approve the minutes of June 18, 2019, as corrected.

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

FOLLOW UP ACTION ITEMS FROM JUNE 18, 2019

Commissioner Draper said that several discussions have been had regarding the demolition derby advertisements, which was brought up at the last Commission meeting. He said that existing banners in the arena were sold as venue advertisements which stay up year round.

Commissioner Draper said that the County will erect three new telephone poles where event sponsor banners will be advertized. He said that these poles will stay up until permanent steel posts can be installed sometime in the future.

Commissioner Draper said that the entity putting on the demolition derby was told that the County Commission cannot commit the Sheriff's Office to run security on events.

Sheriff Jacobson said that they are not committing the Sheriff's Posse for the event, however, they will increase the patrol staff because of the increased activity in the community as they do for every event that draws in large crowds.

RATIFY THE ACCEPTANCE OF THE SETTLEMENT OFFER FROM AT&T FOR CENTRALLY ASSESSED PROPERTY

Commissioner Draper defined centrally assessed entities and said that the County has reached a settlement with AT&T. He sad that the County will pay a refund to AT&T in the amount of \$10,000.00. Commissioner Draper said that it would cost a lot more to pursue the matter further.

Commissioner Jackson made a motion to ratify the acceptance of the settlement offer from AT&T for centrally assessed property.

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

DISCLOSURE STATEMENTS

Disclosure statements were presented for Commissioner Evelyn Warnick and Deputy Attorney Richard Waddingham.

RECOGNITION BY MILLARD COUNTY SHERIFF

Sheriff Jacobson said that he would like to present three Letters of Commendation to his staff for their work involved in the investigation of the home invasion robbery. He said that this was a major investigation involving many individuals and he would like to publicly recognize these few staff members as major moving parts in all the great work that was done.

Sheriff Jacobson presented the Letters of Commendation to the three individuals listed below and shared the following information about their efforts in this case:

1-Detective Pat Bennett joined the Investigations Division shortly after the case began and eventually became lead investigator. His tenacity and abilities manifested quickly that he was up to the task. He was able to glue the complexity of the case together to provide the convictions.

2-Sergeant Dale Josse, then Detective, held an early involvement and played a key role in gaining the actual arrests of the two suspects. He logged many miles and hours chasing leads and setting up sting operations.

3-Detective Sergeant Mike Turner was there through all the twists and turns of case developments and reassignment of detective positions. He maintained an oversight of the case and provided guidance, encouragement, and resource to the project. His many years of law enforcement experience proved valuable.

Sheriff Jacobson said that he appreciates these specific efforts and dedication that brought a disturbing case to justice and thanked the gentlemen and their families who supported them throughout the investigation.

DISCUSSION AND POSSIBLE SELECTION OF AN ENGINEER FOR THE BRUSH WELLMAN HIGHWAY RENOVATIONS

Commissioner Draper said that the Utah Department of Transportation (UDOT) has recommended three firms to do the design work on the Brush Wellman Highway. He said that this doesn't have to go through the bid or an RFP process because it involves grant money.

Commissioner Draper said that he and Planner Richins both researched these companies and decided that Jones and Demille would best suit the County's needs.

Attorney Finlinson said that this money is a grant and the County's procurement code states that any projects that use grant money comply with the grant guidelines rather than the procurement code.

Kary Monroe, Jones and Demille, said that UDOT puts engineers who meet the requirements into a pool that they can select from.

Commissioner Warnick made a motion to select Jones and Demile as the engineer for the Brush Wellman Highway renovations.

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

RESOLUTION 19-07-02 A RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS OF MILLARD COUNTY, UTAH ESTABLISHING A POLICY FOR EMPLOYEE'S PRIVATE USE OF PUBLIC PROPERTY

Attorney Finlinson said that he made this resolution as simple as possible and read the recitals and the operative language of the policy in the resolution.

Commissioner Warnick made a motion to approve Resolution 19-07-02, a resolution of the Board of County Commissioners of Millard County, Utah, establishing a policy for employee's private use of public property.

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

PRESENTATION OF THE 2018 INDEPENDENT AUDIT

John Hatterly, Larson & Company PC, presented the 2018 Independent Audit Report and went over their findings with the Commission. He said that there were no internal control or state compliance findings, however, he wanted to share that all government entities need to update their purchasing and personnel policies regarding gifts.

ORDINANCE 19-07-02 AN ORDINANCE OF THE MILLARD COUNTY COMMISSION ESTABLISHING THE MILLARD COUNTY PUBLIC LAND CORNER PRESERVATION FUND

Attorney Finlinson said that Millard County doesn't have an elected surveyor so surveys are performed by the Recorder's Office. He said that some funds have been made available in order to preserve and replace corner monuments in the County. Attorney Finlinson said that some markers are in the wrong place, in terrible condition, or have been removed entirely. He said that in order to receive the funds, an account needs to be put in the Recorder's budget. Attorney Finlinson said that the budget will need to be opened for this but not until the County actually receives the money.

Commissioner Jackson made a motion to approve Ordinance 19-07-02, an Ordinance of the Board of County Commissioners of Millard County, Utah, establishing the Millard County Public Land Corner Preservation Fund.

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

INTERIM SUCCESSORS

Interim Successors were presented for the Sheriff's Office, Clerk's Office, Attorney's Office, Auditor's Office, and Treasurer's Office.

PUBLIC INPUT

There was none.

OTHER BUSINESS

Commissioner Warnick said that the Intergenerational Poverty (IGP) Committee applied for a grant and were awarded \$55,000.00 for the upcoming year. She said that they want to hire two part-time facilitator positions and pay one administrator with the grant money. She said that they are looking into other grants as well but need Commission approval to pursue posting the two part-time positions. A discussion was had on who will handle the grant money and when it will be received.

Auditor Gehre and Commissioner Warnick said that they will be attending a meeting on July 11, 2019 to learn more about this grant. It was decided to bring this discussion back after more information has been gathered.

Commissioner Warnick made a motion to post two part-time IGP Facilitator positions. Commissioner Jackson SECONDED the motion. The voting was unanimous and the motion carried.

Sheriff Jacobson said that he has received an updated MOU from the Utah Division of Emergency Management in regards to State Staging Areas.

Sheriff Jacobson said that UnaRae Taylor is retiring and her job position will be posted soon. He said that he may make some changes to the structure and job position.

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

Attorney Finlinson said that the shooting incident last week changed the dynamics of our community and is very unfortunate. He said that all of the gentleman with the Sheriff's Office who were recognized earlier in the meeting have been working tirelessly. Attorney Finlinson said that this investigation is being pursued aggressively.

Commissioner Draper stated the dates, times, and locations of the public hearings regarding confined animal feeding operations. He said that there has been a lot of rumors and misinformation put out into the community. Commissioner Draper said that the Commission has been preparing for the public hearings and have not taken any action. He said that everyone is welcome to come and express their point of view.

AUDITOR REPORT

Auditor Gehre said that she met with GBS and said that the County had a very good first quarter compared to the first quarter in 2018.

Auditor Gehre presented the following reports:

Check Edits:

June 21, 2019 - \$133,760.28

June 28, 2019 - \$168,548.78

Payroll Liabilities:

June 21, 2019 - \$418,448.73

Expense Report for Bank Card Visas:

June 28, 2019 - \$18,201.16

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

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

There was none.

WHERE UPON THE MEETING ADJOURNED

Commissioner Draper adjourned the meeting at 11:22 a.m..

Attest: _____

Approved: _____