

MINUTES OF BOARD OF COUNTY COMMISSIONERS
MILLARD COUNTY THE 17th DAY OF NOVEMBER 2020
AT THE COURTHOUSE, FILLMORE, UTAH

- PRESENT: Evelyn Warnick. Chairperson
Wayne Jackson. Commissioner

Pat Finlinson. County Attorney
Marki Rowley. County Clerk
- EXCUSED: Dean Draper.Commissioner
Jamie Hair Deputy Clerk
- ALSO PRESENT: Brandon Winget. Road Supervisor
Richard Jacobson, Chad Imlay, Cathi Kooyman,
and Lindsay Mithcell. Sheriff’s Office
Douglas Anderson. Juab County Sheriff’s Office
Michael Morgan. Nephi City Police
Courtney Stephenson, Tonya Morrison, and Eva Timothy. 4H
Sheri Dearden. County Treasurer
Adam Richins. County Planner
Bonnie Smith. County Auditor
Roberty Heym. 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 Warnick to the public and Commission members.

OPENING STATEMENTS

Commissioner Warnick excused Commissioner Draper and said that he would be joining the meeting a little later. She asked if anyone had an opening statement to give. Commissioner Jackson said that there were some fantastic flag displays across the County for Veteran’s Day. He said that the local Veterans really appreciate the support from the citizens. Attorney Finlinson said the invocation. Everyone stood and said the Pledge of Allegiance to the Flag.

FOLLOW UP ACTION ITEMS FROM NOVEMBER 10, 2020

There were none.

RATIFY THE APPROVAL OF THE REVISED JANITORIAL CONTRACT WITH TAMMY BARTHOLOMEW

Commissioner Jackson made a motion to ratify the revised janitorial contract with Tammy Bartholomew.

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

RATIFY THE APPROVAL OF AN AGREEMENT WITH THE BUREAU OF LAND MANAGEMENT TO BECOME A COOPERATING AGENCY IN REGARDS TO THE PINE VALLEY WATER PROJECT

Commissioner Jackson made a motion to ratify the agreement with the Bureau of Land Management to become a cooperating agency in regards to the Pine Valley Water Project.

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

STRIKE FORCE PRESENTATION

Sheriff Jacobson explained the structure of the Strike Force and went over the work reports of the team from 2019 and 2020 including the number of cases and the number of employee hours that were needed in order to address these cases. He said that they are lacking in manpower resources. Sheriff Jacobson said that the drug crimes are a complicated issue and went through the relations between drugs and crimes.

Chief Morgan, Nephi City and Sheriff Doug Anderson, Juab County, went through a brief history of the Strike Force and the amount of crimes that they have dealt with. Chief Morgan said that they need help to fight these problems and they need more manpower in order to do that.

SHERIFF RECOGNITION

Sheriff Jacobson said that he would like to recognize Dispatcher Cathi Kooyman whose professional handling of a vehicle pursuit on November 2, 2020 was extremely commendable. Sheriff Jacobson thanked Ms. Kooyman and presented her with a letter of commendation. Dispatcher Supervisor Chad Imlay, said that Ms. Kooyman is a true professional and that this was one of the best handling of a pursuit that he has ever seen.

DISCUSSION AND POSSIBLE APPROVAL OF RESOLUTION 20-11-17, A RESOLUTION OF THE BOARD OF MILLARD COUNTY COMMISSIONERS AMENDING RESOLUTION 13-01-22 (ADOPTING THE MILLARD COUNTY STEP AND GRADE SCALE) BY (1)

CHANGING THE POSITION TITLE IN THE DELTA OFFICE DEPARTMENT FROM “OFFICE MANAGER/LANDFILL MANAGER” TO “OFFICE MANAGER” AND CHANGING THE STEP AND GRADE ASSIGNMENT FOR SAID POSITION, (2) CHANGING THE POSITION TITLE OF LEGAL SECRETARY II IN THE MILLARD COUNTY ATTORNEY'S OFFICE TO LEGAL ASSISTANT; AND (3) ELIMINATING THE POSITION OF LEGAL SECRETARY I

Attorney Finlinson said that he would like to amend the request regarding the positions in his office. He said that Legal Secretary I and Legal Secretary II are the progressive titles within the office where an individual would start as a Legal Secretary I and then be promoted to Legal Secretary II at a later date. He said that these positions are fine to stay, but what he really needs is a Paralegal position who is someone with legal knowledge and skills beyond administrative office staff. He said that he would like to add a Legal Assistant position at a grade 9 that would then be trained and promoted to Paralegal at a grade 12 once they had the necessary certifications.

Commissioner Jackson said that he supports changing the name of the Delta Office Manager position and moving it to a grade 13. Commissioner Draper said that the combination of duties and responsibilities comes in equal to the other Office Manager positions in the County.

Commissioner Draper made a motion to approve Resolution 20-11-17, a resolution of the Board of County Commissioners of Millard County, Utah, amending resolution 13-01-22 (adopting the millard county step and grade scale) by (1) changing the position title in the delta office department from “Office Manager/landfill Manager” to “Office Manager” and changing the step and grade assignment for said position, (2) adding the positions of “Legal Assistant” to the Attorney’s Office and assigning the appropriate step and grade.

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

DISCUSSION AND POSSIBLE APPROVAL OF ROAD DEPARTMENT BUILDING BIDS

Planner Richins said that the bid from Red Peaks Roofing has been determined as insufficient because they didn’t include installing the trusses in their bid. He said that the other bids have been clarified and are sufficient.

Planner Richins said that the bid from Advanced Steele Building Systems included the roof assembly and installation of trusses. He said that their bid is \$333,822.52.

Commissioner Draper said that modifying the building’s roof design would give the County an inadequate building and wouldn’t be advantageous. Commissioner Warnick said that there was approximately a \$100,000.00 difference between going with the current design and modifying it.

Planner Richins said that there is approximately \$100,000.00 in savings in the current approach by procuring the trusses directly.

Commissioner Draper briefly went over the history of the bids and said that Advanced Steele Building Systems would provide the best value to the County.

Commissioner Warnick asked if the budget would need to be opened. Commissioner Draper said that line items within the Road Department are the only things needed to move at this point which doesn't require a public hearing.

Auditor Smith said that she has not had a chance to perform an auditor review on this. Commissioner Draper said that the motion will be contingent upon her findings.

Commissioner Draper made a motion to award the bid for roof installation to Advanced Steele Building Systems and make appropriate adjustments within the Road Department along with using the \$160,000.00 previously appropriated from the Landfill Department contingent upon an auditor's review.

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

DISCUSSION AND POSSIBLE APPROVAL OF CARES ACT GRANT APPLICATIONS

Commissioner Warnick said that several more applications have been received within the last two days. She said that she met with the Deputy Attorney Harris and Auditor Smith for several hours and determined that a lot of the applications require more documentation. She said that they will keep the deadline open until Friday, November 20, 2020 at 5:00 p.m. and they will make contact with those businesses to request appropriate documentation.

Commissioner Warnick presented an application for Do More Publishing who is requesting \$8,072.13. She briefly went over the documentation and how the funds will be used. Commissioner Draper recused himself from this application.

Commissioner Jackson made a motion to approve a CARES Act Grant Application for Do More Publishing in the amount of \$8,072.13.

Commissioner Warnick stepped from the chair and SECONDED the motion. The motion passed by majority vote.

Commissioner Warnick presented an application for Red Rabbit Grill who is requesting \$10,000.00. She briefly went over the documentation and how the funds will be used.

Commissioner Jackson made a motion to approve a CARES Act Grant Application for Red Rabbit Grill in the amount of 10,000.00.

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

Commissioner Warnick presented an application for DDS Family Dentistry who is requesting \$10,000.00. She briefly went over the documentation and how the funds will be used.

Commissioner Jackson made a motion to approve a CARES Act Grant Application for DDS Family Dentistry in the amount of \$10,000.00.

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

carried.

Commissioner Warnick presented an application for Delta Family Dentistry who is requesting \$10,000.00. She briefly went over the documentation and how the funds will be used.

Commissioner Jackson made a motion to approve a CARES Act Grant Application for Delta Family Dentistry in the amount of \$10,000.00.

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

Commissioner Warnick presented an application for Main Street Gym who is requesting \$8,636.94 for cleaning supplies and \$11,466.00 for flooring. She briefly went over the documentation and a discussion was had on the reasons for the flooring.

Commissioner Jackson made a motion to approve a CARES Act Grant Application for Main Street Gym in the amount of \$20,102.90.

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

Commissioner Warnick said that they have applications but are waiting for more documentation from the following:

- Sharda LLC Days Inn
- Trav'z Tire and Repair LLC
- Sparkle Beauty Boutique
- Silver Line Auto
- Kim's Trading Post
- Duckworth Dairy
- A New Dig
- Freeman Machine
- Synergy Tumbling and Dance
- Styler-Daniels P.C.
- Paradise Management
- Diamond D
- El Jaliscience Taco Shop
- I Got Muddy
- Plaza Lanes
- On Point Brows
- Great Basin Hemp
- Nickle Mortuary
- Hollingshead Electric
- EBay Home Business
- KDALS LLC

A brief discussion was had on deadlines and Attorney Finlinson said that this can be viewed

as an executive function and he supports the next agenda item. Deputy Attorney Harris said that she agrees with Attorney Finlinson that this can be done as an executive function.

Auditor Smith said that it is important to meet these deadlines so the funds don't have to be returned.

Commissioner Jackson said that Six Counties is requesting \$241,000.00 for delivery vehicles and kitchen appliances for their Meal Delivery Program.

Commissioner Warnick asked Auditor Smith for the current status of the funds.

Auditor Smith gave the following numbers regarding the current status Cares Act Funds:

- \$305,443.80 total pending grant applications
- \$137,934.92 awarded applications. Doesn't include the ones awarded today
- \$847,625.64 County requests both pending and awarded.

Auditor Smith said based on those figures, the County is looking at returning a little over \$80,000.00.

DISCUSSION AND POSSIBLE APPROVAL OF ASSIGNING ONE COMMISSIONER ADMINISTRATIVE AUTHORITY OVER CARES ACT GRANT APPLICATIONS

Commissioners Draper and Jackson agreed to give Commissioner Warnick administrative authority over the Cares Act Grant Applications.

Commissioner Jackson made a motion to assign Commissioner Warnick administrative authority over Cares Act Grant Applications.

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

DISCUSSION AND POSSIBLE APPROVAL OF APPLICATION # Z-2020-003 FOR A PLAT SUBDIVISION DIVIDING A 28.63 ACRE PARCEL INTO EIGHT (8) PARCELS APPROXIMATELY 2.87 ACRES TO 4.90 ACRES IN SIZE. DALLAS BUCKNER, GO CIVIL ENG., APPLICANT

Planner Richins gave a brief history of the project and the plat. He said that improvements to the Plat Map have been approved by the Road Department. Planner Richins said that the application is ready and needs Commission approval.

Commissioner Draper made a motion to approve Application # Z-2020-003 for a Plat Subdivision dividing a 28.63 acre parcel into eight (8) parcels approximately 2.87 acres to 4.90 acres in size. Dallas Buckner, Go Civil Eng., applicant.

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

DISCUSSION AND POSSIBLE APPROVAL OF RESOLUTION 20-11-17A, A RESOLUTION OF THE BOARD OF MILLARD COUNTY COMMISSIONERS ADOPTING A POLICY RESTRICTING THE DELEGATION OF CERTAIN EXECUTIVE FUNCTIONS BY THE MILLARD COUNTY COMMISSION TO OFFICERS AND EMPLOYEES OF MILLARD COUNTY

Attorney Finlinson said that this item and the next agenda item both merit a good robust conversation and he hasn't received feedback from a lot of people. He said that he will send these out again and asked that these be put on the next agenda item.

It was decided to move this to the next agenda.

DISCUSSION AND POSSIBLE ADOPTION OF ORDINANCE 20-11-17, AN ORDINANCE AMENDING AND RESTATING THE MILLARD COUNTY PROCUREMENT CODE, ADOPTED BY ORDINANCE 19-03-19

It was decided to move this item to the next agenda.

4-H TEEN COUNCIL THANK YOU

Tonya Morrison and Courtney Stephenson went over the current number of 4H members and presented a prerecorded video of the members sharing what they enjoy most about 4H. They said that they appreciate the Commission for their support.

DISCUSSION AND POSSIBLE APPROVAL OF AMBULANCE ABATEMENTS- LINDSAY MITCHELL

Ms. Mitchell presented an ambulance abatement for Bailey Capel and went over her finances.

Commissioner Jackson made a motion to abate 100% of Ms. Capel's ambulance bill.

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

Ms. Mitchell presented an ambulance abatement for Jason Despain and went over his finances.

Commissioner Draper made a motion to deny the request and to set up a 6 month payment plan with Mr. Despain for his ambulance bill.

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

Ms. Mitchell presented an ambulance abatement for Rebeca Villanueva and went over her finances.

Commissioner Draper made a motion to abate 75% of Ms. Villanueva's ambulance bill. Commissioner Jackson SECONDED the motion. The voting was unanimous and the motion carried.

MONTHLY FINANCIAL REVIEW

Treasurer Dearden presented the financial statements ending in October 2020.

PUBLIC INPUT

Robert Heym said that he is about to go under contract on a property that is along a County road. He briefly described the location of the road and said that it is currently maintained by the County. He said that he would like to designate an address for that road and request access so that he could start the building process.

Attorney Finlinson said that he is familiar with this road and the person that owns the property that the road comes across has so far been unwilling to designate it a public road. He said that he will look into this and contact Mr. Heym.

OTHER BUSINESS

Sheriff Jacobson presented two payroll change notices for ambulance drivers.

Commissioner Jackson said that he is working on the dirt project by the racetrack and wants to get it started by the end of the year. He said that the total cost will be under \$5,000.00. Commissioners Warnick and Draper agreed to move forward.

Commissioner Draper asked where the budget process was at. Auditor Smith said that she is making minor adjustments and it will be published by 5:00 p.m. on Friday, November 20, 2020. Commissioner Draper suggested that the increased amounts for two lieutenants be put into the Sheriff's Office budget. He said that a resolution will be needed in order to approve these, but he would like the numbers included in the budget.

DISCUSSION AND POSSIBLE APPOINTMENTS TO VARIOUS COUNTY BOARDS

There were none.

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

There were none.

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

Commissioner Draper said that he was late to the Commission meeting because he was involved in a committee who is discussing the bill that would put governance on CAFOs in the State. He said that it is changing and he will continue to provide updates.

AUDITOR REPORT

Auditor Smith presented a check edit in the amount of \$151,548.33.

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

There were 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.

CANVASS OF THE NOVEMBER 3, 2020 GENERAL ELECTION

WHERE UPON THE MEETING ADJOURNED

Commissioner Warnick adjourned the meeting at 12:19 p.m..

Attest: _____

Approved: _____