

MINUTES OF BOARD OF COUNTY COMMISSIONERS  
MILLARD COUNTY THE 20<sup>th</sup> DAY OF JULY 2021  
AT THE COURTHOUSE, FILLMORE, UTAH

PRESENT: Dean Draper.....Chairperson  
Bill Wright..... Commissioner  
Evelyn Warnick..... Commissioner

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

ALSO PRESENT: Matt Ward..... Chronicle Progress  
Pat Bennett..... Sheriff's Office  
Bonnie Smith..... County Auditor  
Pat Manis..... County Assessor  
Kalan Taylor..... USU Extension  
Kaylene Kennington and Dennis Alldredge..... 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 said that the 24<sup>th</sup> of July is approaching and read a quote from Erastus Snow, a religious leader, who said, "We all came here of our own free will and choice because they made us." Commissioner Draper said that Utah was founded upon that premise at a time when religious freedoms were being pursued. Commissioner Draper said the invocation. Everyone stood and said the Pledge of Allegiance to the Flag.

APPROVAL OF THE MINUTES OF JULY 6, 2021

The proposed minutes of a regular County Commission meeting held July 6, 2021 were presented for consideration and approval. Commissioner Wright made a motion to approve the

minutes of July 6, 2021, as corrected.

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

#### FOLLOW UP ACTION ITEMS FROM JULY 6, 2021

Commissioner Wright asked who Supervisor Jackson chose to rent the Gunnison Bend Reservoir concessions stand to. Commissioner Warnick said that it was decided to rent the concessions to Betty Hurtado.

#### RATIFY THE APPROVAL OF WAIVING THE FEE FOR USE OF THE RODEO ARENA

Commissioner Warnick made a motion to ratify the approval of waiving the fee for use of the rodeo arena.

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

#### DISCUSSION AND POSSIBLE APPROVAL OF THE 2021-2022 IDC GRANT AWARD AGREEMENT

Attorney Finlinson said that Tate Bennett is no longer an indigent defense attorney and the transition to other attorneys has been seamless. He said that the Auditor's Office received an invoice from Utah County for a much higher amount than expected and it was due to the fact that the County's budget cycle is different. He said that this is essentially the same benefit that the County has had in the past and gave a brief history of the IDC Grant.

Commissioner Draper said that the grant award is approximately \$227,364.0 and the required system spending is approximately \$166,715.00 making the grand total for indigent defense approximately \$394,079.00.

Commissioner Wright made a motion to approve the 2021-2022 IDC Grant Award Agreement.

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

#### DISCUSSION AND POSSIBLE APPROVAL OF AN ANNUAL 4TH OF JULY FLAG DISPLAY ON THE COUNTY COURTHOUSE LAWN AS A MILITARY TRIBUTE - KAYLENE KENNINGTON

Ms. Kennington said that she is requesting to display her military flag tribute on the courthouse lawn every year on the 4<sup>th</sup> of July. She explained how she collects names of local active and retired military servicemen and women and displays a flag and plaque that represents each member. She said the courthouse lawn is the best location for this tribute.

The commissioners thanked Ms. Kennington for her work and asked if the tribute could be

displayed for more than one day. Ms. Kennington said that she will work with the County Maintenance Department to determine if it can be left up for a longer period of time.

Commissioner Warnick asked if this could be placed on the fairgrounds during the future fairs and include servicemen and women from the west side of the County.

Ms. Kennington said that it is possible, but she would need to find a person to help assemble and organize information on those members and collaborate with that person to create one display.

Commissioner Wright made a motion to approve Ms. Kennington's annual 4th of July flag display on the County Courthouse lawn as a military tribute.

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

#### DISCUSSION AND POSSIBLE APPROVAL OF A SURFACE WAIVER FOR THE NOTCH PEAK SOLAR FARM - MARTIN NASCIMENTO OR BRANDON RINEHARDT

Commissioner Draper read a message from Martin Nascimento which described their solar project. The letter states that one portion of the mineral rights on the solar farm property is owned by several land owners who have been difficult to reach and they are requesting a waiver from the County in order to move forward while they continue to reach out to other owners.

Attorney Finlinson said that there is a range of what the County could do, but the information provided in the letter isn't enough.

It was decided not to take action on this item until more information has been received.

#### DISCUSSION AND POSSIBLE APPROVAL OF A CELL PHONE ALLOWANCE FOR ANGI MEINHARDT

Commissioner Draper said that Angi Meinhardt is the Delta Office Manager and the previous manager received \$60.00 per month which is different than what other county employees are receiving. After a brief discussion, the commission agreed on a \$40.00 monthly allowance.

Commissioner Warnick made a motion to approve a cell phone allowance of \$40.00 per month for Angie Meinhardt.

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

#### DISCUSSION AND POSSIBLE APPROVAL OF RESOLUTION 21-07-20, A RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS OF MILLARD COUNTY, UTAH, TRANSFERRING UNENCUMBERED OR UNEXPENDED APPROPRIATION BALANCES WITHIN THE BUDGET FROM ONE DEPARTMENT LINE ITEM TO ANOTHER WITHIN THE SAME FUND

Auditor Smith said that the budget for the dining hall project in capital funds will run short by approximately \$45,000.00. She said that \$500,000.00 was budgeted this year and the total cost

is \$545,000.00. She said that \$45,000.00 was already paid last year into an escrow fund so this is just an attempt to amend the budget within the fund without increasing it by reducing another project within the same capital account. She said that this is just a passthrough and what the County pays out will be reimbursed. She said that instead of increasing the capital fund budget, one idea is to take from another project already in capital funds. She said that one consideration could be the communications tower which has a \$100,000.00 budget. She said that the Sheriff's Office still hasn't received firm figures on this project.

Commissioner Draper said that he preferred to keep the communications tower funds together.

It was decided to advertise and open the budget during the next Commission meeting.

## MONTHLY FINANCIAL REVIEW

Auditor Smith presented the financial reports ending in June 2021.

## PUBLIC INPUT

Dennis Alldredge, Fillmore City, asked about the solar farms and if there anything in place regarding the retirement of equipment which can be hazardous.

Commissioner Draper said that each conditional use permit has conditions included that state the applicants will clean up after the project retires and rehabilitate the land.

Planner Richins said that many will sell the equipment after the land is retired because they have a lot of life left in them, but not as much output.

Attorney Finlinson said that this is a valid concern and after reselling, some get disposed of in poorer countries. He said that this is something that may need to be dealt with more specifically than in a general reclamation bond. Commissioner Wright said that a mitigation fund for the landfill may need to be created to handle this type of waste in the future.

## OTHER BUSINESS

A business license application was presented for C&L Shields, Owner - Casey and Laura Shields, a grounds keeping business. After review of the application and finding all signatures in order, Commissioner Wright made a motion to approve a business license for C&L Shields, Owner - Casey and Lauren Shields.

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

A business license application was presented for Neil Howard Clayton, Owner - Neil Howard Clayton, a hunting guide business. After review of the application and finding all signatures in order, Commissioner Wright made a motion to approve a business license for Neil Howard Clayton, Owner - Neil Howard Clayton.

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

Planner Richins presented a document regarding the pipeline being put in by Kern River Gas and said that this has been approved in a previous meeting and just needs a signature.

Commissioner Draper briefly explained this project and its approval through the Planning and Zoning Commission and the County Commission.

#### 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 Wright said that he would like to address how departments respond to public concerns and suggested that this be discussed at the next department head meeting. Commissioner Warnick said that the next department head meeting is being planned in October.

#### AUDITOR REPORT

Auditor Smith gave the following reports:

##### A/P Registers:

7/9/21 - \$283,674.78

7/16/21 - \$108,334.37

##### Payroll Liabilities:

7/2/21 - \$182,608.76

7/16/21 - \$396,165.30

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

There was none.

#### POSSIBLE REVIEW OF COUNTY POLICIES AND CONTRACTS

Attorney Finlinson said that Commercial Business Radio was awarded the television tower contract last year and it has since expired without a renewal provision in it. He said that he is asking the Commission to authorize a renewal with the same terms.

Commissioner Warnick made a motion to renew the contract with Commercial Business Radio.

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

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 10:58 a.m.

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

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