

MINUTES OF BOARD OF COUNTY COMMISSIONERS
MILLARD COUNTY THE 4th DAY OF OCTOBER, 2022
AT THE COURTHOUSE, FILLMORE, UTAH

- PRESENT: Evelyn Warnick. Chairperson
Dean Draper. Commissioner
- Pat Finlinson. County Attorney
Marki Rowley. County Clerk
Kayla Freeman. Deputy County Clerk
- EXCUSED: Bill Wright. Commissioner
- ALSO PRESENT: Bonnie Smith County Auditor
Sierra Dickens County Recorder
Sheri Dearden. County Treasurer
Brenden Turner East County Recreation Director
Kevin Morris County Tourism Director
Brandon Winget County Road Supervisor
Casey Fowles. County Golf Course Director
Shane Brunson and Robert Clark County Sheriff’s Office
Dennis Alldredge Fillmore City
Jason Dodds Natural Resources Conservation Service(NRCS)
Matt Ward Chronicle Progress
Trevor Johnson, Johny Munoz, and Matt Kolste. 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 Warnick to the public and Commission members.

OPENING STATEMENTS

Commissioner Warnick excused Commissioner Wright from the meeting and then asked if anyone had an opening statement to give. Commissioner Warnick said the invocation. Everyone stood and said the Pledge of Allegiance to the Flag.

APPROVAL OF SEPTEMBER 27, 2022 COMMISSION MINUTES

The proposed minutes of a regular County Commission meeting held September 27, 2022 were presented for consideration and approval. Commissioner Draper gave a statement concerning the importance of keeping an accurate, written record of all Commission meetings. Following review and consideration of minor corrections, Commissioner Draper made a motion to approve the minutes of September 27, 2022 as corrected.

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

FOLLOW UP ACTION ITEMS FROM SEPTEMBER 27, 2022

There were none.

DISCUSSION AND POSSIBLE APPROVAL OF A BUSINESS LICENSE FOR B'S CAJUN STOP, OWNER KATHERINE BURGESS

This item was struck from the agenda, due to missing signatures.

DISCUSSION AND POSSIBLE APPROVAL OF 2023 PEHP RENEWAL RATES FOR MEDICAL AND DENTAL

Auditor Smith presented the PEHP renewal rates for medical and dental coverage. Commissioner Draper expressed his desire to keep the present out-of-pocket figures.

Commissioner Draper made a motion to approve the 2023 PEHP renewal rates for overall medical renewal at 5.9 percent and overall dental renewal at -0.3 percent.

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

DISCUSSION AND POSSIBLE APPROVAL OF A MEMORANDUM OF UNDERSTANDING (MOU) WITH SIX COUNTY ASSOCIATION OF GOVERNMENTS (SCAOG) REGARDING THE CENTRAL UTAH AGRI-PARK PROJECT

Commissioner Draper gave a brief summary of the discussion held concerning the MOU brought to the commissioners during the September 27, 2022 Commission Meeting and the effects this could have on the County. He said that this project would be a great benefit to the County.

Attorney Finlinson stated that this is an agreement to agree to further discussions as the project progresses.

Commissioner Draper made a motion to approve the MOU with SCAOG regarding the Central Utah Agri-Park Project.

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

unanimous and the motion carried.

DISCUSSION AND POSSIBLE APPROVAL OF RESOLUTION 22-10-04, A RESOLUTION OF THE BOARD OF MILLARD COUNTY COMMISSION ADOPTING THE MILLARD COUNTY EQUESTRIAN POLICY FOR FAIRGROUNDS, ARENA FACILITIES AND EQUIPMENT

Commissioner Warnick explained that this was discussed during the September 27, 2022 Commission meeting and that slight changes were made to the resolution to reflect that discussion.

Commissioner Draper made a motion to approve Resolution 22-10-04, a resolution of the Board of County Commissioners of Millard County, Utah, adopting the Millard County Equestrian Policy for fairgrounds, arena facilities, and equipment.

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

DISCUSSION AND POSSIBLE APPROVAL OF RESOLUTION 22-10-04A, A RESOLUTION OF THE MILLARD COUNTY COMMISSION AMENDING RESOLUTION 13-01-22 (ADOPTING THE MILLARD COUNTY STEP AND GRADE SCALE) BY CREATING NEW PART-TIME POSITION IN THE MILLARD COUNTY TOURISM DEPARTMENT OF EVENT PLANNER

Commissioner Warnick explained that this was discussed during the September 27, 2022 Commission meeting while the budget was open. She stated that the Commission needed to decide where this position would fall within in the County step and grade pay scale. She suggested that it should start at the part-time tourism director grade. Auditor Smith said that that position starts at step a 18A.

Commissioner Draper questioned whether a job description had been created. Commissioner Warnick stated that they are in the process of creating one.

It was decided that the Commission would not approve Resolution 22-10-04A until a job description is present.

DISCUSSION AND POSSIBLE APPROVAL OF CREATING AN IMPACT COMMITTEE

Attorney Finlinson said that he is in the process of researching this and stated that it would be better to bring the issue forward as a resolution during the next Commission meeting.

DISCUSSION AND POSSIBLE ACTION CONCERNING HALFWAY HILL FIRE FUNDING

Jason Dodds,with NRCS, explained that there are two ways to gain funds. One is an Emergency Watershed Protection (EWP) that would protect life and man-made property and is a

short/mid term solution. He said that the other option is a PL556 Watershed Protection Project, which requires a project sponsor that is a local organization with the power of eminent domain and the ability to levy taxes. Mr. Dodds explained the four step process for the application and approval of a PL556, which would provide flood protection and prevention and agricultural water management.

Commissioner Draper stated that it was his understanding that Fillmore City would like to manage the PL556 and the County would manage the EWP. Mr. Dodds said that the County put in the application for the EWP. He also said that there can be a sponsor and co-sponsor on the applications.

Attorney Finlinson stated that it is appropriate for the County to get involved in any way it can.

Commissioner Draper stated that the County would be in a better position to sponsor the EWP. He also questioned whether the catch basins would be permanent or if there is a reclamation issue. Mr. Dodds stated that according to PL556 procedure, while the sponsor is required to manage maintenance, they may use MOU's to handle that. He also stated that further discussions take place regarding whether basins are needed.

Mr. Dodds said that it would be a good idea for the County to co-sponsor the PL556. Fillmore City Council Member Dennis Alldredge confirmed that Fillmore City will sponsor the PL556 and welcomed any help the County is willing to put forth.

Commissioner Draper asked if there are any Federal conflicts with these processes. Mr. Dodds responded that there is not and that the Forest Service is very eager to support these projects.

Commissioner Draper explained that as soon as the Halfway Hill Fire started the County was very concerned about how it would affect the watershed and that the Lieutenant Governor rushed down to see what could be done to manage the situation.

Commissioner Draper made a motion to approve the County sponsorship of the EWP application and co-sponsorship of the PL556 application.

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

RATIFICATION OF THE PROPOSED STIPULATION/SETTLEMENT WITH CENTURYLINK/LUMEN TECHNOLOGIES FOR PROPERTY TAX APPEALS AT THE UTAH STATE TAX COMMISSION FROM 2018 THROUGH 2022.

Commissioner Draper made a motion to ratify the approval of the stipulation/settlement with Centurylink/Lumen Technologies from property tax appeals at the Utah State Tax Commission from 2018 through 2022.

Commissioner Warnick stepped from the chair and **SECONDED** the motion. The voting

was unanimous and the motion carried.

PUBLIC INPUT

There was none.

OTHER BUSINESS

East County Recreation Director Turner stated that he was approached by Great Lake Cheese concerning a conference room at the Armory that they use monthly. They proposed that they would completely refurbish and update the conference room if they could be allowed to use it whenever they want.

Attorney Finlinson stated that he needs the proposal in writing from Great Lake Cheese and where this is a Fillmore City owned building it requires Fillmore City's approval.

Commissioner Draper stated that Great Lake Cheese has shown a great deal of interest in improving the County, as well as its business.

Attorney Finlinson stated that he received an email from ARES concerning the County project. He stated that the County needed to respond to it today as this issue will require a public meeting. Treasurer Dearden explained the contents of the email and the concerns that require the County's response. Attorney Finlinson also explained his concerns with tARES's lack of explanation to the questions that were presented by the County during the September 27, 2022 Commission meeting.

Commissioner Draper questioned why time is of the essence. Attorney Finlinson explained that the time-line for the bond closing is approaching.

Attorney Finlinson stated that he will be contacting ARES about the many errors on their application, but asked if the Commission was satisfied with their explanations.

Commissioner Warnick stated that if ARES makes the corrections, she would be fine.

Treasurer Dearden stated that the Private Activity Board meets quarterly with the next meeting being next week and ARES will need to fix the filings before then.

Attorney Finlinson stated that if they do not, then it would be out of the County's hands and the County would not be able to give their support.

Commissioners Draper and Warnick both stated that if ARES is able to cleanup the application, they may grant County approval during the next Commission meeting.

Attorney Finlinson will send a response today to their email with the County's concerns.

Commissioner Draper stated that he is happy to announce a great boost to the County economy. He stated that Senator Ron Wyden, from Oregon, as part of the original Covid-19 relief bill in 2021, sponsored a \$1,500,000,000.00 grant to be dispersed in two \$750,000,000.00 issuances under the Local Assistance and Tribal Consistency Fund (LATCF).

Commissioner Draper stated that he had received a letter concerning this grant saying that thanks to the information provided by Commissioner Draper, Millard County will receive the highest payment in the State of Utah besides San Juan County. He summarized it, stating that the County should get \$3,949,200.0 each allotment; one will apply to the 2022 budget and the other to the 2023

budget. One restriction was that the funds must go into the General Fund and cannot be used for lobbying.

Treasurer Dearden further expressed her gratitude and explained further on how the funds could be used in the County.

Commissioner Draper made some suggestions on how the funds could be utilized in the General Fund this year. One suggestion was to cover vehicles that are used in the County, by moving to leasing a fleet. He also suggested that the landfill needs a new piece of equipment that could be purchased outright with a repayment plan put in place. Another suggestion was to fund incentives and signing bonuses for applicants joining the Sheriff's Office as deputies. The final suggestion was funding large equipment IT updates.

Auditor Smith confirmed that the 2022 budget would need to be opened. .

Commissioner Warnick stated that the November 15, 2022 Commission meeting date needed to be changed. It was proposed that the November 15, 2022 Commission meeting be moved to November 22, 2022. Approval will be ratified during the next Commission meeting.

DISCUSSION AND POSSIBLE APPOINTMENTS TO VARIOUS COUNTY BOARDS

There were none.

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

Treasurer Dearden presented an application from Delta City; parcel D-984, account 0056326. She stated that \$313.95 can be abated based on ownership by Delta City, which qualifies for a property tax exemption under code §59-2-1101.

Commissioner Draper made a motion to approve the abatement of \$313.95 for from Delta City; parcel D-984, account 0056326.

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

DISCUSSION BY EACH COMMISSIONER, COUNTY ATTORNEY, ELECTED OFFICIAL AND SECRETARY

Treasurer Dearden publically thanked those who helped with this year's roll out of property taxes. She stated that the process went smoothly.

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

There were none.

POSSIBLE REVIEW OF COUNTY POLICIES AND CONTRACTS

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

There were none.

WHERE UPON THE MEETING ADJOURNED

Commissioner Warnick adjourned the meeting at 11:21a.m..

Attest: _____

Approved: _____