

MINUTES OF BOARD OF COUNTY COMMISSIONERS
MILLARD COUNTY THE 2nd DAY OF APRIL, 2024
AT THE COURTHOUSE, FILLMORE, UTAH

PRESENT: Vicki Lyman..... Chairperson
Bill Wright..... Commissioner
Trevor Johnson..... Commissioner

Pat Finlinson. County Attorney
Marki Rowley. County Clerk
Kayla Freeman..... Deputy County Clerk

ALSO PRESENT: Bonnie Smith and Vicki Bennett..... County Auditor’s Office
Kristine Camp Interim County Treasurer
Jacob Nielson..... County HR Director
Jerid Bennett, Rob Clark, and Lindsay Mitchell,.. County Sheriff’s Office
Adam Richins County Planner
Richard Beckstrand County IT Director
Brendan Turner. County Recreation
Dennis Alldredge and Dent Kirkland.. Citizens
Jess Peterson. Six County Association of Government (SCAOG)

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 Lyman to the public and Commission members.

OPENING STATEMENTS

Commissioner Wright said the invocation. Everyone stood and said the Pledge of Allegiance to the Flag.

APPROVAL OF MARCH 19, 2024, COMMISSION MINUTES

The proposed minutes of a regular County Commission meeting held March 19, 2024, were

presented for consideration and approval. Following review, Commissioner Johnson made a motion to approve the minutes of March 19, 2024, as presented.

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

FOLLOW UP ACTION ITEMS FROM MARCH 19, 2024

Attorney Finlinson reported that it is a State requirement to have an Agricultural Protection Advisory Board and therefore it cannot be dissolved.

DISCUSSION AND POSSIBLE APPROVAL OF IGP WAIVERS

Commissioner Wright presented eight IGP waivers for approval. He said that three are for t-ball and would use County funds in the total amount of \$120.00 and that five are for 4-H activities and use 4-H County grants in the total amount of \$200.00.

Commissioner Johnson made a motion to approve the IGP waivers as presented.

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

DISCUSSION AND POSSIBLE APPROVAL OF A BUSINESS LICENSE FOR LAPIN FARMS MASONRY LLC - OWNER, STEVEN JENSON

A business license application was presented for Lapin Farms Masonry LLC - Owner, Steven Jenson; a masonry construction business. After reviewing the application and finding all signatures in order, Commissioner Johnson made a motion to approve a business license for Lapin Farms Masonry LLC - Owner, Steven Jenson.

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

DISCUSSION AND POSSIBLE APPROVAL OF THE APPOINTMENT OF KEVIN MORRIS TO THE GREAT BASIN HERITAGE AREA BOARD

Commissioner Wright made a motion to appoint Kevin Morris to replace Nicole Henrie on the Great Basin Heritage Area Board, based on the recommendation from the Board.

Commissioner Johnson SECONDED the motion. The voting was unanimous, and the motion carried.

DISCUSSION AND POSSIBLE APPROVAL OF CELL PHONE ALLOWANCE FOR DAVID FOWLES

Planner Richins explained that Mr. Fowles qualifies for a cell phone allowance due to his job responsibilities and recommended the amount be set to \$80.00.

Commissioner Wright made a motion to approve the cell phone allowance in the amount of \$80.00 for David Fowles.

Commissioner Johnson SECONDED the motion. The voting was unanimous, and the motion carried.

DISCUSSION AND POSSIBLE APPROVAL OF SURPLUS PROPERTY DISPOSITION AND TRANSFERS

Auditor Smith presented the list of surplus property that the Auditor's Office has put together from the different County Departments. She explained that the list would be circulated within the County first and then whatever was left would be sold on publicsurplus.com. See Attachment A.

Commissioner Lyman recommended that Auditor Smith remove the mobile home from the list as they are still in discussions about whether the County will be using it.

Commissioner Wright made a motion to approve the list of surplus property disposition and transfers as discussed.

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

DISCUSSION AND POSSIBLE APPROVAL OF THE MILLARD COUNTY COMMUNITY IMPACT BOARD (CIB) PROJECTS

Jess Peterson, from SCAOG, presented the CIB projects for the year and explained that it does not guarantee funds, just a requirement if they want to pursue funds. He also explained that after next week SCAOG will be renamed to Regional 6.

Commissioner Johnson made a motion to approve the CIB projects, along with the priorities as currently assigned.

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

DISCUSSION AND POSSIBLE APPROVAL OF PROFESSIONAL SERVICES CONTRACT WITH RYAN LANG

Attorney Finlinson explained that Mr. Lang has previously worked for the County as a full-time employee and will now work for the County as a 1099 contractor.

Director Beckstrand explained that health issues are the reason behind this restructuring.

Attorney Finlinson explained that they do need to decide on a maximum hourly limit per year.

Auditor Smith recommended one hundred thousand dollars per year.

Attorney Finlinson also explained that any contractor needs to provide insurance. He said that the County already has insurance that could cover the risks, but the Commission would need to waive that requirement.

Commissioner Wright agreed with waiving the insurance requirement.

Commissioner Johnson made a motion to approve the professional services contract with Ryan Lang and to waive the insurance requirement.

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

DISCUSSION AND POSSIBLE APPROVAL OF MULTI-YEAR LEASES OF VEHICLES FOR THE SHERIFF'S OFFICE AND WEST CENTRAL STRIKE FORCE

HR Director Nielson explained that this is the best move financially for the County and Attorney Finlinson explained that because this affects future funds it requires Commission approval.

Commissioner Wright made a motion to approve the multi-year leases of vehicles for the Sheriff's Office and West Central Strike Force.

Commissioner Johnson SECONDED the motion. The voting was unanimous, and the motion carried.

DISCUSSION AND POSSIBLE APPROVAL OF RESOLUTION 24-04-02, A RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS OF MILLARD COUNTY, UTAH, INCREASING THE ADMINISTRATIVE TAX SALE FEE FROM \$350.00 TO \$400.00

Auditor Smith explained that the costs have risen, and the administrative fees need to reflect that.

Commissioner Wright made a motion to approve Resolution 24-04-02, a resolution of the Board of County Commissioners of Millard County, Utah, increasing the administrative tax sale fee from \$350.00 to \$400.00.

Commissioner Johnson SECONDED the motion. Clerk Rowley called for a roll call vote. Commissioner Johnson voted YES. Commissioner Wright voted YES. Commissioner Lyman voted YES. The voting was unanimous, and the motion carried.

DISCUSSION AND POSSIBLE APPROVAL OF RESOLUTION 24-04-02A, A RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS OF MILLARD COUNTY, UTAH TRANSFERRING UNENCUMBERED OR UNEXPENDED APPROPRIATION IN THE 2024 BUDGET FROM THE EAST RECREATION DEPARTMENT TO THE EAST SWIMMING POOL OF \$1,000 FOR CONCESSIONS

Auditor Smith explained that it is simply a transfer of funds within the same department fund and does not require a public hearing.

Commissioner Johnson made a motion to approve Resolution 24-04-02A, a resolution of the Board of County Commissioners of Millard County, Utah, transferring unencumbered or unexpended appropriation in the 2024 budget from the East Recreation Department to the East Swimming Pool in the amount of \$1,000 for concessions.

Commissioner Wright SECONDED the motion. Clerk Rowley called for a roll call vote. Commissioner Johnson voted YES. Commissioner Wright voted YES. Commissioner Lyman voted YES. The voting was unanimous and the motion carried.

PUBLIC INPUT

There was none.

OTHER BUSINESS

Attorney Finlinson presented an agreement with Delta City for magnesium chloride. He explained that he has new numbers to add to the agreement and that he will add the contract to the next commission meeting agenda for discussion and possible approval.

Commissioner Wright explained that there is a compactor at the landfill that needs to be replaced soon, but an estimated delivery date for a new one is four years. He recommends that they put in the order for a new one, so that they can be put on a waiting list. He explained that they can cancel the order at any time.

Commissioner Johnson asked if a used compactor would be sufficient rather than a new one.

Commissioner Wright agreed that a used compactor would be sufficient if one could be found, but it would also be wise to be put on the waiting list while they look for one.

Attorney Finlinson said that buying a used piece of equipment is easier to prove that it requires a sole source provider than a new machine as it is harder to find comparables.

Commissioner Lyman explained that a used chip spreader has been found for sale, but that she is still waiting on a specifications document for it.

DISCUSSION AND POSSIBLE APPOINTMENTS TO VARIOUS COUNTY BOARDS

Commissioner Wright explained that three positions have been advertised for the Millard County Rehabilitation Board and that they will be appointed at April 16th Commission Meeting.

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

There was none.

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

Clerk Rowley said that she submitted a reimbursement request to the State for costs associated with the 2024 Democratic Presidential Primary Election. She explained that the amount she submitted does not include the cost of labor.

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

Commissioner Wright made a motion to go into a closed executive session for the purpose of discussing pending and/or threatened litigation.

Commissioner Johnson SECONDED the motion. All three commissioners voted unanimously, and the motion carried. Present in the closed session were HR Director Nielson and Auditor Smith.

After the closed executive session, the regular meeting reconvened at 11:30 a.m.

WHERE UPON THE MEETING ADJOURNED

Commissioner Johnson made a motion to close the meeting.

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

The meeting closed at 11:30 a.m.

Attest: _____

Approved: _____

