

MINUTES OF BOARD OF COUNTY COMMISSIONERS  
MILLARD COUNTY THE 2<sup>nd</sup> DAY OF JULY, 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: Kristine Camp..... Interim County Treasurer  
Bonnie Smith..... County Auditor  
Jacob Nielson..... County HR Director  
Richard Jacobson, Patrick Bennett, and Jerid Bennett..... Sheriff’s Office  
Cody Powell and Jon Haderlie . . . . . Larsen and Co.  
Brooks Jackson and Brendan Turner..... County Recreation  
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 Lyman to the public and Commission members.

OPENING STATEMENTS

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

APPROVAL OF JUNE 18, 2024 COMMISSION MINUTES

The proposed minutes of a regular County Commission meeting held June 18, 2024 were presented for consideration and approval. Following review and consideration of minor corrections, Commissioner Wright made a motion to approve the minutes of June 18, 2024, as corrected.

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

carried.

#### FOLLOW UP ACTION ITEMS FROM JUNE 18, 2024

There was none.

#### INTERIM SUCCESSORS

Commissioner Johnson presented the interim successors for the following offices:

- Sheriff
- Planning and Zoning
- Treasurer

#### DISCUSSION AND POSSIBLE APPROVAL OF A CELL PHONE ALLOWANCE FOR JAMIE WALTON

Auditor Smith explained that Jamie Walton is the new hire in the Auditor's Office and that it is necessary to use her personal cell phone for work duties. She requested a cell phone allowance in the amount of \$40.00.

Commissioner Wright made a motion to approve the cell phone allowance in the amount of \$40.00 for Jamie Walton.

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

#### PRESENTATION OF THE 2023 INDEPENDENT AUDIT

Jon Haderlie, Larsen and Co. Auditor, explained the process of performing an independent audit for a county, a county's disclosure responsibilities, and then presented the report for the Millard County independent audit, along with a recommendation that one person needs to be assigned to specifically oversee federal grant funds. Following his report, he said that there are no major problems and that the County is in good standing. He commended the County for following through with their recommendation from last year concerning rating the roads. He also praised Auditor Smith for the splendid work that she does.

#### MONTHLY FINANCIAL REVIEW

Auditor Smith and Interim Treasurer Camp presented the monthly financial review for May 2024.

#### DISCUSSION AND POSSIBLE APPROVAL FOR THE INDIGENT BURIAL OF JAMES DALE LINDSEY III

Auditor Smith explained that James Dale Lindsey III qualifies for an indigent burial.

Commissioner Johnson made a motion to approve the indigent burial for James Dale Lindsey III.

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

DISCUSSION AND POSSIBLE ADOPTION OF RESOLUTION 24-07-02, A RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS OF MILLARD COUNTY UTAH AUTHORIZING THE EXTENSION OF VEHICLE LEASES AND THE COMMITMENT OF FUTURE BUDGET FUNDS

Attorney Finlinson explained that this Resolution will authorize HR Director Nielson to execute leases on behalf of the County.

Auditor Smith explained that her office received an invoice from Unified Fleet for Strike Force vehicles, but as the Strike Force is no longer under County supervision, she suggested sending the invoice and a check to Nephi City for them to manage rather than Unified Fleet.

Commissioner Johnson made a motion to approve Resolution 24-07-02, a resolution of the Board of County Commissioners of Millard County, Utah, authorizing the extension of vehicle leases and the commitment of future budget funds.

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.

DISCUSSION AND POSSIBLE APPROVAL OF RESOLUTION 24-07-02A, 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 CHANGING THE GRADE DESIGNATION FOR THE PART-TIME DEPUTY AUDITOR II POSITION

Auditor Smith explained that this position is currently being filled by Amy Brinkerhoff..

Commission Johnson asked if this is a permanent position.

HR Director Nielson explained that it is only a temporary position.

Commissioner Wright made a motion to approve Resolution 24-07-02A, a resolution of the Board of County Commissioners of Millard County, Utah, amending Resolution 13-01-22 by changing the grade designation for part-time Deputy Auditor II position.

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.

The part-time Deputy Auditor II position was approved at the same full-time grade 10 as a full-time Deputy Auditor II, because it is the same job description and duties.

#### DISCUSSION AND POSSIBLE APPROVAL OF EAST MILLARD SWIMMING POOL OFFICE CONSTRUCTION PROJECT

Attorney Finlinson reminded the Commission of the policy requiring formal approval by the Commission prior to any construction or renovation project. Attorney Finlinson also reminded the Commission that the intermediate bidding procedures must be followed when a project is anticipated to exceed \$15,000.00. He recommended following the process outlined in the Millard County Procurement Code.

Commissioner Johnson gave a brief explanation on this construction project and what the finished addition will be used for.

Auditor Smith explained that the \$14,000.00 which was budgeted for a new pool cover is now being put towards this new project, but that amount will not cover a project of this scale; therefore, an opening of the budget and bids will be needed.

Attorney Finlinson explained the official procurement code for a project of this scale and what is needed. He said that it is better to be safe and on the side of caution.

Commissioner Lyman asked if the current pool cover is sufficient.

Supervisor Turner explained that by not having the cover stored outside, it will extend the life of the cover and if it needs to be outside while construction is ongoing, they can cover it with a tarp. After construction is complete it will be permanently stored in doors.

Commissioner Johnson made a motion to approve the East Millard Swimming Pool Office construction project.

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

#### PUBLIC INPUT

There was none.

#### OTHER BUSINESS

Commissioner Wright said that he was contacted by a citizen from Garrison concerning a county well where one of the pumps has gone out. He suggested that the pump and the motor be replaced.

Attorney Finlinson said that the County may not have any water rights out there, as there is an ongoing case that includes that well, but that it has been going on for a long time.

Commissioner Wright suggested that as the case is not going anywhere any time soon,

that it would be prudent to go ahead and make the replacements.

Commissioner Lyman said that she also had a citizen approach her about buying the house located on that same County land as the well.

Auditor Smith said that she has also be contacted about that house, asking if the County has any plans in selling the house.

Sheriff Jacobson explained that the house is deputy housing but that it is not in use as the deputy stationed in that area has his own house, but that the County house should be used so that it stays in good repair.

HR Director Nielson explained that the Road Department has a job opening for that area and that there is an applicant who may be interested in living in the house.

Auditor Smith said that funds to repair the well pumps could be found in special projects.

Commissioner Johnson made a motion to fix the well as needed.

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

Sherif Jacobson reported to the Commission that they traded in a computer polygraph for the updated version.

Auditor Smith explained that she needs approval for the negotiated trade in.

Commissioner Wright made a motion to approve the negotiated trade in.

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

HR Director Nielson reported that the Justice Court salary was audited by the State Administrative Office of the Courts, who recommended a higher pay rate. He explained that a discussion will be added to the next commission meeting agenda, as well as a discussion concerning a full assessment of all County employee compensations, which will require a public hearing.

Brooks Jackson explained that he had met with Commissioner Johnson concerning the Gunnison Bend Reservoir. He said that they specifically looked at the parking problem to find practical solutions. He explained that an easy possibility is to use mobile pay software. He explained the pros of how it would work, but also the cons, which would include how to enforce it.

Interim Treasurer Camp explained that the collection of fees for the County is a statutory responsibility of the treasurer. She said that the County has an electronic system for collecting fees and that she needs to be involved with any discussion that concerns this issue.

Attorney Finlinson said that Gunnison Bend Reservoir is governed by ordinances and failure to pay fees would need to be added. He also said that the ordinances should be updated anyway.

Supervisor Jackson explained that this is just the preliminary discussion and that moving forward he will be sure to include Interim Treasurer Camp in discussions concerning collecting

fees. He said that before charging for parking happens, cleaning up the area needs to be a focus.

Attorney Finlinson said that the Commissioners need to make sure that the County follows proper fiscal procedures and recommends that they collaborate with Auditor Smith and Interim Treasurer Camp on this issue.

Commissioner Lyman said that she received a call from Cove Fort concerning weed control. She said that she talked to the County Weed Board and learned that the land surrounding Cove Fort is not County property but belongs to the BLM and private owners. She said that the BLM does spray but it doesn't help if the private owner has not sprayed, because seeds can be spread over large distances by the wind.

Attorney Finlinson explained that the Weed Board can send a letter to the private individual with instructions to abate the nuisance, and if they don't, the Board has power to take care of issue at the owner's expense. He said that he will assign the matter to Attorney Peterson to work with the Weed Board on how to proceed.

#### 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.

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

Clerk Rowley reminded the Commissioners that the post-election audit is today at 3:00 p.m. and that the Canvas is next week.

#### 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 Attorney Finlinson, Jerid Bennett, Pat Bennett, and Sheriff Jacobson.

After the closed executive session, the regular meeting reconvened at 11:40 a.m.

WHERE UPON THE MEETING ADJOURNED

Commissioner Wright made a motion to adjourn the meeting.

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

The meeting adjourned at 11:58 a.m.

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

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