

MINUTES OF BOARD OF COUNTY COMMISSIONERS  
MILLARD COUNTY THE 2<sup>ND</sup> MAY 2005  
AT THE COURTHOUSE, FILLMORE, UTAH

PRESENT: John C. Cooper . . . . . Chairman  
Daron P. Smith. . . . . Commissioner  
Kathy Y. Walker . . . . . Commissioner  
  
LeRay Jackson . . . . . County Attorney  
Norma Brunson . . . . . County Clerk  
Janice Robins. . . . . Deputy County Clerk

OTHERS ATTENDING: Mayor Sam Starley, Sheryl Dekker Assessor/Mayor Jim Talbot,  
Mark Cox, Lauri Mathews, Karen Crook, Mayor Gayle Bunker, Rita Byrd, Diana  
Fuller, Mayor Winston Nielson, Recorder Connie Hansen, Sheriff Ed Phillips,  
Auditor Brandy Grace and Treasurer John Hansen

PURSUANT TO AN AGENDA WHICH HERETOFORE HAD BEEN PROVIDED TO  
each member of the governing body, the local news and located on the front and back doors of the  
County Courthouse as required by law the following proceedings were had.

COORDINATION SESSION

The Commissioners scheduled events for the months of May 2005.

PUBLIC WAS WELCOMED

The meeting began at 10:00 a.m. after a brief welcome by Commissioner Cooper to the  
public and Commission members.

OPENING STATEMENTS

Commissioner Cooper asked if anyone had an opening statement to give? Commission  
Secretary Janice Robins said the invocation. Everyone stood and said the Pledge of  
Allegiance to the Flag.

FOLLOW UP ACTION ITEMS FROM MINUTES OF APRIL 25, 2005

There were none.

APPROVAL OF THE AMENDED MINUTES OF APRIL 25, 2005

Commissioner Smith made a motion to approve the amended minutes of April 25, 2005.

Commissioner Walker SECONDED. The voting was unanimous. The motion carried.

## AUDITORS REPORT

Auditor Brandy Grace gave the Commissioners various invoices to review and approve for payment through the Auditor's Office.

Auditor Grace gave the Commissioners the Check Edit Report of April 29, 2005 to review and sign.

Auditor Grace said Deputy County Attorney Berkley had made a request for a thirty-five dollar (\$35.00) cell phone allowance and then use the other portion of his cell phone for his own personal use. This would eliminate the need for him to carry two cell phones. However; part of the agreement with Cellular One is that the county would maintain a certain number of phones. The Commissioners discussed the pros and cons of the request and then denied the request.

Commissioner Walker said that Delta Chamber of Commerce has asked for some help with an audit of their books due to a change of personnel. The request was discussed and it was determined that Millard County has no responsibility to do an audit of their books.

Auditor Grace said that part of the purchasing policy requirement is that three telephone bids should be obtained, documented and then turned into the Auditor's Office for items to be purchased that costs \$2,500.00 to \$25,000.00. Auditor Grace said this policy is not being followed. She suggested that the Commissioners either enforce the policy or get rid of it. The Commissioners said they would consider making a change.

Auditor Grace said with the new payroll system the way to designate over time calculation has changed to a fourteen-day cycle. Sheriff Ed Phillips said that the new payroll system creates problems for his office when over time is calculated on a fourteen-day cycle. Employees doing shift work may work more hours in one pay period than the next. By moving those employees to a twenty-eight day cycle it would improve the situation.

The Commissioners authorized the Auditor to prepare a policy change that will state that the Public Safety employees, with the exception of the office staff and dispatchers, will be put on a twenty-eight day cycle. The way payroll will still be done the same.

Sheriff Phillips said a second problem was created by the new payroll system. The Auditor's Office had always used the guides that full time employees received benefits for full hours worked. Employees on shift work could be short hours in a pay period and that would reduce the percentage paid on their benefits. Employees in this category should be able to be designated as full time employees and not have their benefits affected.

The third problem created was when extra hours are worked during a week and a sick or a

vacation day was used. The vacation or sick day will be traded for the extra hours worked and the benefit not used. (A special meeting was set up in the afternoon to discuss this topic as it has affected other employees.)

Millard County Treasurer John Hansen brought up a problem that will affect tax collections. Cable and Wireless USA have been in bankruptcy since 2003. The company continues to file additional motions in the case. The current document filed is a Notice of Motion of Trustee that has done away with Millard County's claim for a taxable revenue that year. There are two days left for Millard County to file an appeal. Basically Millard County will get nothing. Treasurer Hansen asked to have the account adjusted off the tax roll and the Commissioners agreed to authorize him to do so.

Treasurer Hansen reported that interest rates are going up. He asked to have authorization to open up an account at Wells Fargo Institutional Brokerage to perhaps invest some of the short term money in it. He would also like to put Auditor Grace on the account as a safeguard along with Sheri Dearden and himself. The Commissioners authorized Treasurer Hansen to go forward with the account and add Auditor Grace as an additional signer.

#### SHERYL DEKKER - MILLARD COUNTY LANDFILL ISSUES AND FEES

Sheryl Dekker presented a fee proposal for the Millard County Landfill to representatives from cities, towns and utility companies around the county. A booklet containing Millard County Landfill Sales by Customer Summary, a graph showing number of loads hauled from 1987 to 2004, Solid Waste Comparisons with Other Entities, Five-Year Projections 2005-2011, Millard County Solid Waste Revenues, Proposed Commercial Business Rates, Residential and Commercial Landfill Fees.

John Hansen, Treasurer said that when the landfill was built. Millard County borrowed \$750,000 to get it planned, designed and in operation. A certain amount was set aside for operational costs and for retirement of the debt. Millard County purchased \$185,000 of Treasury Bills and put them in holding to pay off the loan as time went on. They were invested at 11 3/4 percent interest. The interest alone generated almost enough money to make the loan payment of (\$22,920) each year. The Treasury bills had a call date on them and last February 2005 they were called. This created a problem of having to come up with the payment when due, and a balloon payment due in 2010 and not being able to invest the \$185,000 at that same rate of interest. Treasurer Hansen has opted to invest the money for a short term and not tie it up for a long period of time since it would only get about 3 1/4 percent with the hopes that interest will continue to go up in the near future.

A chart showing the net annual increase total for a one, two, three, four or five dollars increase was discussed. Currently the landfill fee for a residence is \$8.00, a two-dollar increase was suggested and the cottage business fees will be discussed and changes considered. A decision on how much the county will charge for the landfill fee will be made at Commission meeting on May 9, 2005.

## RATIFY THE SIGNING OF THE AGREEMENT WITH UTAH HIGHWAY PATROL FOR EXTRA SPEED CONTROL SHIFTS

Commissioner Smith made a motion to ratify the signing of the agreement with Utah Highway Patrol for extra speed control shifts. Commissioner Walker SECONDED. The voting was unanimous. The motion carried. The shifts will start on May 23, 2005. The contract is on file at the Millard County Clerk's Office.

## REVIEW AND POSSIBLE SIGNING OF A BUSINESS LICENSE FOR RED ROCK SPECIALTY CHEESE COMPANY LLC. OWNER JON NILSON

The Commissioners reviewed the business license application for Red Rock Specialty Cheese Company LLC and found all the signatures in order.

Commissioner Smith made a motion to approve and sign the business license for Red Rock Specialty Cheese Company LLC, Owner Jon Nilson. Commissioner Walker SECONDED. The voting was unanimous. The motion carried. The business license was signed by Commissioner Cooper.

## AWARDING OF THE SURVEY BID

Millard County Recorder Connie Hansen reported that two survey bids had been submitted and opened on April 18, 2005. The Preserve's bid was \$99,724.00 and Edward's Surveying's bid was \$53,775.00. A third bid had come in but was too late for the bid opening. All three bids will be on file at the Millard County Clerk's Office. The third bid remained unopened.

Commissioner Smith made a motion to award the survey bid to Edwards Surveying for \$53,775.00. A contract will be written up and signed between Millard County and Mr. Edwards before the work begins. Commissioner Walker SECONDED. The voting was unanimous. The motion carried.

## DISCUSSIONS FROM EACH COMMISSIONER, COUNTY ATTORNEY, AND ELECTED OFFICIALS, AND SECRETARY

Commissioner Smith attended the road school on Tuesday, April 26, 2005 in St. George, Utah. He presented a proposal to the urban bridge committee. The two bridges in Millard County did not qualify for replacement but because there are excess funds in the bridge funds, the committee voted to fund the project. The total to replace both bridges is 1.1 million dollars.

Commissioner Smith attended Joint Highway Committee meeting. The topic of discussion was that the state would like to transfer jurisdiction of some roads to the counties. The issue of concern is if the state will also transfer the money with the roads.

Commissioner Smith also met with the Mental Health Authority Board in St George, Utah. They discussed insurance, the cuts in Medicaid funds, the funds the state has to help with unfunded clients, possible county participation for mental services to Millard County's unfunded clients.

Commissioner Smith said there are five thousand dollars (\$5,000) in Millard County's budget to handle the county's responsibility.

Sherry Hirst and Eric Reid from Fillmore BLM Field Office presented Millard County Road Department with a plaque for their support and help with the wild horse facility in Delta, Utah.

Commissioner Walker went to the Sunset View Golf Course and reviewed the recreational program with Max Wood. She reported the winter sports programs are coming to an end and the summer sports programs are beginning.

All the Commissioners met with Golf Pro Steve Wathen and toured the newly remodeled clubhouse. Commissioner Cooper congratulated Commissioner Walker and others for the great work that has been done at the golf course.

Commissioner Cooper and Commissioner Smith met with Robert Stephenson and Darren Brunson about some county road department concerns.

#### OTHER BUSINESS

Commissioner Cooper announced that the Days of the Old West Rodeo Queens' tryouts were held on April 28, 2005. There were nine contestants and it was a good competition. The royalty for the 2005 Days of the Old West Rodeo will be: Natalee Nielsen, Klancie Day, and Megan Moody.

Commissioner Cooper received a letter from UDOT on the enhancement funding. They have \$26,781.00 available for projects to enhance safety. They are available on a 25 percent-cost share, and will be given out on a first come first serve basis. Crisanne Black who recently asked for a hike/bike trail project approved will be notified about the funds.

Commissioner Cooper reported that the BLM Ely Field Office will be holding public meetings to receive input on Clark, Lincoln, and White Pine Counties Groundwater Development Impact Statement. The dates for the meetings are May 9, 2005 from 9-5 at the Plaza Hotel in Salt Lake City, Utah and May 11, 2005 at the Millard County Fairgrounds in Delta, Utah.

Commissioner Smith said the county has received a request from Pat Shea to write a letter of support stating the county is in support of the Cosmic Array Observatory Project and AUJAR project proposed to be built in Millard County.

Commissioner Walker said the site selection committee will be here on June 1, 2005 to give presentations.

Commissioner Cooper announced a retirement celebration will be held for James W. Masner in recognition for 26 years of dedicated service to Millard County. An open house will be held on May 5, 2005, 3:00 p.m. to 6:00 p.m. at the Fourth District Court Room in Fillmore, Utah.

The Commissioners extended a big thank you for all the great service he had rendered while

employed by Millard County.

PUBLIC INPUT

Delta City Mayor Gayle Bunker asked for a clarification on how to get CERT supplies for Delta City. He was told to submit the proposal for supplies to Millard County CERT Commander Steve Kimball and Co-commander Paul Fowles.

WHERE UPON THE MEETING ADJOURNED

The meeting adjourned at 12:30 p.m.

- 1:30 P.M. SAFETY COMMITTEE MEETING
- 2:00 P.M. ELECTED OFFICIALS, DEPARTMENT HEADS, COMMISSIONERS  
MET TO DISCUSS PAYROLL ISSUES
- 3:00 P.M. CLOSED MEETING PURSUANT TO UTAH CODE ANNOTATED SECTION 52-  
4-4&5

Commissioner Smith made a motion to go into a Closed Executive Session. Commissioner Walker SECONDED. The voting was unanimous. The motion carried.

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