

MINUTES OF BOARD OF COUNTY COMMISSIONERS  
MILLARD COUNTY THE 1st Day of AUGUST 2005  
AT THE COURTHOUSE, FILLMORE, UTAH

PRESENT: John C. Cooper ..... Chairman  
Daron P. Smith..... Commissioner  
  
LeRay Jackson . . . . . County Attorney  
Janice Robins..... Deputy County Clerk

ALSO PRESENT: Rob Woodliff, Doug Ford, Farrel Marx, Dean Draper, John Hansen,  
Forrest Roper

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 month of August 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? Commissioner Smith read a quote and then said the invocation. Everyone stood and said the Pledge of Allegiance to the Flag.

FOLLOW UP ACTION ITEMS FROM MINUTES OF JULY 11, 2005 AND JULY 18, 2005

There were none.

APPROVAL OF THE AMENDED MINUTES OF JULY 11, 2005 and JULY 18, 2005

Commissioner Smith made a motion to approve the amended minutes of July 11, 2005. Commissioner Cooper stepped from the Chair and SECONDED. The voting was unanimous. The motion carried.

Commissioner Smith made a motion to approve the amended minutes of July 18, 2005.

Commissioner Cooper stepped from the Chair and 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. The Auditor received an invoice from Millard County Soil Conservation District for five hundred dollars (\$500.00) for Millard County's share on the technician's assistant salary.

Auditor Grace gave the Commissioners the Check Edit Report of July 29, 2005 to review and sign. She also gave the Commissioners the Over time reports for pay day of July 22, 2005.

Auditor Grace reported that she has received the Audit and Financial Statement for the Millard County Housing Authority dated December 31, 2004. A copy will be in the Auditor's Office for those wishing to look at it.

Auditor Grace said she had received a letter from Margaret Pugsley from Eugene, Oregon who would like to donate her Millard County property to Millard County. A decision will be made on this offer at next week's commission meeting. If the Commissioners agree to accept the offer, Attorney LeRay Jackson will prepare the deed.

Commissioner Smith reported he had received five hundred dollars (\$500.00) from the State Chapter Sportsmen for Fish and Wildlife for predator control and sent the check to the Auditor's Office.

## POSSIBLE APPROVAL OF A BUSINESS LICENSE FOR BTIU BOARDMAN TECHNICAL INNOVATIONS UNLIMITED

The Commissioners reviewed the business application for BTIU and found everything in order.

Commissioner Smith made a motion to approve the business license for BTIU, Boardman Technical Innovations Unlimited. Commissioner Cooper stepped from the Chair and SECONDED. The voting was unanimous. The motion carried.

## DOUG FORD AND FARREL MARX: INDEPENDENT AUDIT FOR CENTRAL UTAH COUNSELING CENTER

Doug Ford, Six County Central Utah Mental Health said he and Mr. Marx were there to give the Commissioners an update of what was going with mental health and to answer any questions they may have about the CUMH. The Federal Government made some changes in how help can be provided. Primarily they can serve patients on medicaid. They try to staff the program according to population in the county. Commissioner Smith serves on the CUMH Board and was thanked for

his help and support.

Farrel Marx briefly went through the Central Utah Mental Health/Substance Abuse Center Financial Statements dated June 30, 2004 and said the audit was clean.

Commissioner Smith said CUMH does a great job for the citizens of Millard County.

Commissioner Cooper thanked Mr. Ford and Mr. Marx for the good work they do for Millard County and said they are much appreciated.

The Central Utah Mental Health/Substance Abuse Center Financial Statements dated June 30, 2004 will be on file at the Millard County Clerk's Office.

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

Commissioner Kathy Walker and County Clerk Norma Brunson were excused from meeting.

Commissioner Smith reported that he attended the Millard County Road Department training session this morning. He said the crusher has been set up in Fillmore, Utah and in the next few weeks they will soon be working on the Petticoat Lane in Scipio, Utah. They will be hauling material from Fillmore to Scipio. The road department will check with Adam Britt to make sure the center line is staked before the project begins. The Millard County Fair Board wants some rocks brought in for a rock crawling event to be held during the fair. Thayne Henrie would like some more information about what they need set up and if his budget has to absorb the cost or if it will come out of another budget. The road crew is busy with road projects right now and the jail crew is tied up in other areas and it may be difficult to get it done in time.

Commissioner Cooper and Commissioner Smith and County Attorney Jackson each met individually with Dale Whipple upon his request and discussed the recent controversy he created in the Millard County Gazette. Mr. Whipple will be invited to attend Commission Meeting next week to discuss any concerns.

Commissioner Cooper and Commissioner Walker attended the Miss Millard Pageant held on July 30, 2005 at the Palladium in Delta, Utah. A Black Tie Affair provided entertainment for the competition. Christie Peterson was crowned Miss Millard 2005. Her first attendant is Chaunte Watts and second attendant is Jamie Madsen. The Miss Millard Pageant Chairman Sue Paxton and her committee were complimented for a great evening.

Commissioner Cooper extended some congratulations to the Millard County Attorney's Office for having their first drug court graduation on July 20, 2005. Joe Flynn has successfully completed the drug program and should be commended for successfully finishing the program without any infractions. Commissioner Cooper and Commissioner Walker attended the graduation in the 4<sup>th</sup> District Court in Fillmore, Utah. There are currently five other people participating in the drug court program.

Commissioner Cooper reported the county had received a letter from BLM about the fire management planning process. The BLM has a proposed amendment for a fire and fuels

management environmental assessment. They notified the Commissioners about a thirty-day protest period.

Commissioner Walker and Commissioner Smith participated in a mock disaster in the Sutherland/Abraham area on Tuesday, July 26, 2005. County CERT Co-commander Paul Fowles did an excellent job in setting up the mock earth quake exercise, which provided an opportunity to evaluate response time and performance. Communications were tested between the different entities that were involved with the exercise. CERT Personnel, youth volunteers from Sutherland, the Sheriff's Office and National Guard were involved with the mock disaster. A lot of things were learned about what works and what things will be needed during a real disaster. The results will be reported to the next CERT Commanders meeting and reported to the emergency task force meeting.

Commissioner Smith received an invitation the Millard County Commissioners to participate in Water Express Run the Northern Snake Valley Water Association is sponsoring. The water express run will start at the West Desert and end at the Federal Building on August 8, 2005. A letter of concern about the water situation can be written to the Governor or others are sent or carried to the Capitol.

Commissioner Smith said that the Southern Nevada Water Projects are encouraged that the Governor and State are taking a more active role in the water project in the Snake Valley

The RS2477 Strategy Meeting was cancelled this month.

Commissioner Cooper, Commissioner Smith and Commissioner Walker attended the Millard County Comprehensive Land Use Plan meeting on July 19, 2005. A presentation was given by Scott Mork, from Graymont about their involvement and their concerns with public land use issues and WSA's. Randy Johnson presented an overview of what has taken place and discussed in length how summaries were to be written by committee participants. An update was given on the Washington County's plan. Washington County has written the draft copy of legislation.

Other items discussed were the transportation plan of Millard County as it deals with the USDA Forest Service and the plans they are making in regards to roads.

Commissioner Cooper said the county has received a letter from the Utah Association of Counties asking each county to complete a form providing information about the annual utilization of tourism tax that will be submitted to the Legislature's Tourism Task Force by August 10, 2005.

Commissioner Cooper said that the UAC Board of Directors on their June 17, 2005 meeting decided they would create a county government educational program for 7th Grade. They created the program entitled Passport to County, A Step-By-Step Guide for Implementing a County Education Program for 7<sup>th</sup> Graders in Your County. Commissioner Cooper offered to serve as the liaison for the program in Millard County Schools.

Commissioner Cooper reported he had talked to the Millard County Fair Chairperson Connie Christensen about upcoming Millard County Fair on August 17-20, 2005. Everything is ready for

the fair to begin. It should be a good fair. Everyone is encouraged to attend the fair this year.

Commissioner Walker sent in a written report of her activities during the last two weeks.

Commissioner Walker and Kevin Morris, West Millard Maintenance Supervisor, attended a senior board meeting on July 20, 2005 at the ME Bird Center in Delta. The installation of kitchen cabinets and the back splash were discussed with the projected completion date by late August 2005. Other needed renovations were reviewed, and some fund raising options were explored. Board members reported their utility costs had risen to \$915.00 monthly. The Six-County board meeting is scheduled for September 8, 2005 in Delta at 10:00 a.m. and will be held at the ME Bird Center.

Commissioner Walker reports that as of July 22, 2005 the flooding at the Family Medical Center near the County Care Center has been corrected. Sprinkler heads were repositioned and small stones were added to complete the landscaping in the area. The remaining landscaping needs at the Care Center are projected to be completed in early fall by the maintenance crew and the Sheriff's Jail Crew.

On July 23, 2005, Commissioner Walker participated in Hinckley Town's July 24<sup>th</sup> parade with her two grandsons. CERT Trainer Janet Lindquist, drove a deputy's pickup while they dispensed treats from the truck bed.

Commissioner Walker met with golf pro Todd Mullen on July 26, 2005 at the Sunset View Golf Course to review playing conditions. Several golfers from the Wasatch Front played the course over the holiday weekend and were very complimentary about the course. Some of the employees that had been working at the course for the last few months have resigned to pursue other interests or will be leaving the area. Mr. Mullen will be hiring two new employees and has he advertised the position through Workforce Services. Auditor Brandy Grace has been informed of the changes.

On July 27, 2005 Commissioner Walker attended the MEDA meeting in Delta, Utah. The group is exploring the possibility of developing a website/video to promote economic development. Linda Lind from RC&D also gave a presentation.

A Sunset View Golf Committee was held that evening. The Walking Trail Committee were guests and the feasibility of constructing a walking trail around the perimeter of the course was discussed. Joyce Barney, Sunset View Subdivision developer, was also in attendance and expressed her interest in the trail project. The golf committee did not have objections to the trail committee pursuing their project around the course.

On July 29 Commissioner Walker met with Attorney LeRay Jackson to work out details on completing the transaction between former golf pro Steve Wathen and Millard County. Also met with Kevin Morris, maintenance supervisor, to discuss building another exit road from the Millard County Fairgrounds on the east and possibly the south side to allow a safer exit from the facility in the event of an emergency. He will present his recommendations at a later date to the County Commissioners. She met with Todd Mullen, golf pro, to discuss setting a policy at Sunset View

Golf Course requiring pets to be on a lease while at the course. There has been some damage to the course from neighboring homeowners' pets, including holes dug and garbage cans overturned. Mr. Mullen will post signs inside the clubhouse and outside to notify golfers of the new policy.

## OTHER BUSINESS

Lt. Forrest Roper extended an invitation to the Commissioners to attend an update on the Millard County Communications System. The meeting was set up for August 8, 2005 at 2:00 at the Sheriff's Office. They will tour the communication tower site after the presentation.

A business license application for On Sight Photos - Owner Debbie Jensen was presented to the Commissioners who reviewed the business license application. Everything was in order.

Commissioner Smith made a motion to approve the business license for On Sight Photos - Owner Debbie Jensen. Commissioner Cooper stepped from the Chair and SECONDED. The voting was unanimous. The motion carried. The motion will be ratified at next week's Commission Meeting.

Some time ago Rob Woodliff had made a request for some consideration for tax relief on his property taxes for 2003 and 2004. Because the property was in foreclosure, he was asked to provide documentation when the matter had been cleared up. Today he presented the documentation from his mortgage company, CIT Service Center stating that the matter had been cleared up and he turned in a completed application for Property Tax Credit and Notice of Tax Settlement. The Commissioners discussed Mr. Woodliff's request and a motion was called for.

Commissioner Smith made a motion to grant an indigent/ hardship abatement for 50 percent for the 2003 and 2004 taxes for Rob Woodliff on property with serial number 72491 account number 0023193. If the taxes are paid by October 1, 2005, then the penalty and interest will be waived. Commissioner Cooper stepped from the Chair and SECONDED. The voting was unanimous. The motion carried.

Discussion continued that consideration for Mr. Woodliff's 2005 taxes will be the same as 2004, but he must complete the application form in Auditor's Office.

Commissioner Cooper received a request for a waiver for use of the indoor arena as an alternative location for the Old Capital Arts and Living Festival. The Commissioners discussed the request and will discuss it further at next week's Commission meeting before a decision is made for a reduction of any costs and the preparation of the arena is authorized.

A request to have some fees waived for the Bits and Boots Riding Club who has used the indoor arenas because of bad weather was addressed but no decision was made. The deposit would have been \$75.00 for daily use.

Commissioner Cooper said the county had received a draft from the USDA Forest Service on the off road vehicle route designation project.

Commissioner Smith reported that the county had received the Transmittal Letter from

Sunrise Engineering about the Hwy. 99 and Frontage Road Intersection Construction Project Number : STP-LC7(3) requesting a Commissioner sign the document to release \$15,830.54 for work completed. The letter was signed by Commissioner Smith and will be returned to Zane Pentz at Sunrise Engineering. A copy will be on file at the Millard County Clerk's Office.

Commissioner Walker had sent word that Gayle Cluff had volunteered to serve the unexpired term of Kiley Chase who resigned from the Millard County Tourism Board.

Commissioner Smith made a motion to appoint Gayle Cluff to fill the unexpired term of Kiley Chase. Commissioner Cooper stepped from the Chair and SECONDED. The voting was unanimous. The motion carried.

#### PUBLIC INPUT

Dean Draper questioned the increased assessed value of commercial businesses in Millard County. He said one business reported their 2005 taxes increased to \$1300 from \$500 in 2004. He asked what the reason for this is?

Assessor Jim Talbot said he has sent out a letter to the businesses stating that there had not been a reevaluation program for 15 years. He will be setting up a preliminary meeting on August 16th and 17th with the businesses prior to the Board of Equalization to discuss their concerns. The Commissioners will plan to attend the Board of Equalization meetings.

#### POSSIBLE CLOSED MEETING PURSUANT TO UTAH CODE ANNOTATED SECTION 52-4-4&5

There were none.

#### WHERE UPON THE MEETING ADJOURNED

The meeting adjourned at 12:20 A.M.

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