

MINUTES OF BOARD OF COUNTY COMMISSIONERS
MILLARD COUNTY THE 24th DAY of OCTOBER 2005
AT THE COURTHOUSE, FILLMORE, UTAH

PRESENT: John C. Cooper Chairman
Daron P. Smith..... Commissioner
Kathy Y. Walker. Commissioner

Norma Brunson County Clerk

ALSO PRESENT: David Christensen, Mayor Sam Starley, Chief Deputy County Attorney Brent Berkley, Mayor Gayle Bunker, Sheriff Phillips and Sherry Shephard

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 October and November 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 said the invocation. Everyone stood and said the Pledge of Allegiance to the Flag.

FOLLOW UP ACTION ITEMS FROM MINUTES OF OCTOBER 17, 2005

There were none.

APPROVAL OF THE AMENDED MINUTES OF OCTOBER 17, 2005

There were no minutes to approve.

AUDITORS REPORT

Auditor Brandy Grace gave the Commissioners various invoices to review and approve for payment through the Auditor's Office. Two requests from Delta City for CERT funds. One invoice

in the amount of \$241.92 and one invoice for \$93.33. The Commissioners approved payment of the invoice out of the CERT funds.

Also turned in was an invoice from the National Association of Counties in the amount of \$380.00 for 2006 membership dues.

Auditor Grace reported the 2006 Workers Compensation Insurance premium in the amount of \$92,652.00 has arrived. She said the premium has increased this year.

Auditor Grace said that several employees have asked if the Commissioners would consider allowing employees to take the Friday after Thanksgiving Day off and close the Millard County Offices. The employees taking the day off will use a vacation day and the employees wishing to work may do so. A notice will be put in the newspaper advertising the closure of the offices for the two days.

Auditor Grace said that Virginia Josse at the senior center was wondering if they would receive some of the funds from the van that was sold at the surplus sale. The request was denied because Commissioners feel that surplus vehicles are used for meal delivery and that none of the other offices are receiving credit for their surplus items.

Auditor Grace had several requests for Commissioners consideration on property taxes. One request was from Claudine Franklin who filed as a widow. This case is a little unusual situation because when the death certificate came in, she did not show as the widow. She explained that she and her husband had divorced and he had remarried and that they were in the process of getting back together when he passed away. A disability abatement for 40 percent had been processed for her and she told that the most she would receive was an additional 10 percent on the indigent abatement.

Commissioner Walker made a motion to deny the request for an additional 10 percent off her property taxes as she was not the widow of the deceased.

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

Carolyn Joan Ekins had applied for a Blind abatement which was processed and they were credited \$133.32 towards the tax of \$329.88. She said while she was living in Washington County she was given both the blind abatement and an indigent abatement.

Commissioner Smith made a motion that the blind abatement only will be awarded.

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

Judy Melville had already paid her 2005 property taxes on F 467 and then her son came in and applied for an abatement. Her 2004 income exceeded the amount to qualify for the 2005 abatement. He explained that the annuities cashed were to pay for her husband's funeral expenses in 2004. That is why this matter was brought before the Commissioners for consideration.

Commissioner Smith made a motion to approve a 25 percent abatement for Judy Melville on property tax F 467 based on her adjusted income. The difference between the reduction and the payment received on her taxes will be refunded.

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

On Thursday, October 20, 2005 Auditor Grace attended a meeting with UCIP to discuss 2006 insurance. They do not have insurance rates yet, but they do have the insurance options. They should have the insurance rates by Friday, October 28, 2005. There is some concern that they will be ready in time for contract time.

Auditor Grace gave the Commissioners the Check Edit Report of October 21, 2005 and the Payroll Overtime Report of October 14, 2005 to review and sign.

SHERRY SHEPARD-REPORT ON THE NATIONAL ATV JAMBOREE

Sherry Shepard gave out a copy of the Jamboree Finances for 2005

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|-------------------------------------|-------------|
| Budget from Millard County for 2005 | \$21,250.00 |
| Revenue from the Jamboree | \$36,223.30 |
| Expenditures | \$28,465.77 |
| Taxes and Refunds | \$2,974.43 |
| Profit | \$4,783.10 |

She said that people find out about the Jamboree from various ways:

- 33 percent from the internet
- 28 percent referred by a friend or relative
- 26 percent returning participants
- 13 percent other source (flyers, Expo, television, magazines)

For the year 2006 the ATV Jamboree would like

- Their own website
- Have a small booth at the Expo just for Jamboree
- A Budget for 2006 of \$33,000.00

She asked if a sound system would be available on this side of the county for events or if this is just a rumor. She was told it was a rumor.

Sherry Shephard was congratulated on the great ATV Jamboree this year.

ADOPTION OF THE 2006 MILLARD COUNTY TENTATIVE BUDGET

Auditor Brandy Grace said that the 2006 Millard County Tentative Budget is ready for adoption. For general information only - the general budget is \$14,159,160, the road budget is \$3,946,585 and the capital projects \$1,124,300 plus the other funds. The Commissioners and others will be reviewing and fine tuning the budget between now and the final budget hearing on December 5, 2005 at 1:30.

Commissioner Walker made a motion to adopt the 2006 Millard County Tentative Budget. Commissioner Smith SECONDED. The voting was unanimous. The motion carried.

The Commissioners agreed to a 3 percent COLA.

POSSIBLE APPROVAL FOR PAYMENT OF THE 2006 RURAL PUBLIC LANDS COUNTY COUNCIL ANNUAL DUES FOR WORK DONE BY ROBERT K. WEIDNER ON BEHALF OF MILLARD COUNTY IN WASHINGTON D.C.

After discussing the contract with Robert K. Weidner for work done on behalf of Millard County in Washington D.C., a motion was made.

Commissioner Smith made a motion to approve Millard County to pay \$15,000.00 less \$500.00 to Robert K. Weidner who serves as Millard County's lobbyist in Washington, D.C..

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

A decision has not been made whether or not Millard County will fund the Western Counties Alliance in 2006.

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

County Attorney LeRay Jackson and Commission Secretary Janice Robins were excused from the meeting today.

Commissioner Smith reported that he talked with Scott Munson and others from UDOT to discuss the transfer of roads. They talked about the roads from Meadow to Kanosh and then to the freeway. They both agreed that either the State or the County should have jurisdiction over both of these roads. The State agreed to consider taking over both of these roads if Millard County will consider taking over the jurisdiction of the IPP Road. Money would be an issue with the trade. No agreement has been made to date.

Commissioner Smith enjoyed his vacation in Hawaii and attended the 50th Jubilee of BYU Hawaii, Peal Harbor and other sights.

On October 18, 2005 Commissioner Walker, MEDA Chairman Cloyd Day, Economic Development Direct Gary Church participated in a conference call with people from the State Economy Office and discussed the proposed expansion at Brush Wellman. They were asking what incentives are available to them to build this expansion. Another location in Ohio is being considered also. A detailed project description will be sent to Millard County for review.

Commissioner Cooper reported that a letter from the Utah Soil Conservation Commission announcing that nominations for committee members are underway. Presently serving on the committee is Randy Coats, Howard Bassett, Lee Monroe and Craig Poulsen from USU Extension. Those up for election are Howard Bassett, Jim Nichols, Tim Tuttle and Vernon Monroe. The letter

was given to Commissioner Smith.

Commissioner Cooper attended the State of Utah Public Lands Policy Advisory Meeting in Salt Lake City, Utah on Tuesday, October 18, 2005. They discussed the current effort the State is giving to the counties over the roads on public lands. The counties were encouraged to number and record their roads in the Records Office.

OTHER BUSINESS

Millard County Clerk Norma Brunson asked the Commissioners for a decision on the transfer of her accumulated sick leave to another person. The Commissioners gave their approval for this to be done as long as there is approval from the employee's departments supervisor.

PUBLIC INPUT

Fillmore City Mayor Sam Starley, Delta City Mayor Gayle Bunker, Sheriff Ed Phillips and David Christensen were in attendance to discuss the law enforcement contract for Fillmore and Delta. Mayor Starley led the discussion followed by Mayor Bunker. They expressed concern with the lack of funds in their budgets and they cannot afford an increase in the law enforcement budget. Mayor Starley would like to continue on with the cities paying 60 percent of the contract again.

Sheriff Ed Phillips explained how the law enforcement program works throughout the county and especially in Delta and Fillmore.

Commissioner Smith made a motion to discount the law enforcement contract 25 percent. Commissioner Walker SECONDED with discussion. Commissioner Walker would like to see a 30 percent reduction with a two year contract that could be negotiated. Commissioner Cooper agreed with the 30 percent reduction. Commissioner Walker voted NO. Commissioner Cooper voted NO. Commissioner Smith voted YES. The motion failed to pass.

Commissioner Walker made a motion to give a 30 percent discount to the cities for law enforcement for a two year period.

Commissioner Cooper stepped from the chair and SECONDED. Commissioner Walker voted YES. Commissioner Cooper voted YES. Commissioner Smith voted NO. The motion carried. A COLA of 3 percent will be on the full amount of the contract.

Meetings will be set up in January 2006 to discuss the law enforcement contract with each city individually, and with the Sheriff Phillips, and the Commissioners.

David Christensen as a citizen of Fillmore City complimented the Sheriff's Office for the service they give.

Fillmore City Mayor Starley reminded the Commissioners that there will be a public hearing on Thursday, November 1, 2005 for consideration of a revision to the Fillmore City annexation Expansion Map. The annexation amendment includes a ½ mile area at the southwest Fillmore City boundary around the Light Industrial zoned property (Plat M & E) where the Fillmore City Airport

is located.

Commissioner Smith said a letter to the Boundary Commission telling that Delta City is considering an annexation expansion.

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 11:35 p.m..

Attest: _____ Approved: _____