

MINUTES OF BOARD OF COUNTY COMMISSIONERS
MILLARD COUNTY THE 12th Day of DECEMBER 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

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 January 2006.

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 gave a thought by Eleanor Roosevelt. Commissioner Cooper sang Silent Night in Navaho and then said the invocation. Everyone stood and said the Pledge of Allegiance to the Flag.

FOLLOW UP ACTION ITEMS FROM MINUTES OF DECEMBER 5, 2005

There were none.

APPROVAL OF THE AMENDED MINUTES OF DECEMBER 5, 2005

Commissioner Walker made a motion to approve the amended minutes of December 5, 2005. Commissioner Smith 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 December and 6 & 9, 2005 to review and sign. Auditor Grace reported she had done a hand written check to send with the Tyler Technologies contract at the request of Richard Beckstrand.

Auditor Grace gave each Commissioner a copy of the Payroll Report dated December 9, 2005.

Auditor Brandy Grace received an invoice from Utah Counties Association for 2006 dues in the amount of \$14,631.00. The Commissioners authorized Auditor Grace to make the payment after the first of the year.

Auditor Grace reported that she had contacted Larson and Peterson and Company at the request of the Commissioners to get a proposal for auditing services for 2005-2009. They had sent her their proposal figures which were handed to the Commissioners to review. The matter will be put on the agenda for discussion at next week's Commission meeting.

Commissioner Smith gave the Auditor the invoice for Mental Health and Substance Abuse match that was coded and then signed by Commissioner Cooper.

Commissioner Smith turned in some predator control vouchers to Auditor Grace for payment.

POSSIBLE ADOPTION OF ORDINANCE NO. 05-12-12, A ORDINANCE OF MILLARD COUNTY, UTAH, CREATING AND ESTABLISHING THE REDEVELOPMENT AGENCY OF MILLARD COUNTY AND DESIGNATING THE COUNTY COMMISSION TO BE THE GOVERNING BODY OF THE REDEVELOPMENT AGENCY OF MILLARD COUNTY, PURSUANT TO THE REDEVELOPMENT AGENCIES ACT (UTAH CODE ANNOTATED 17B-4-101,ET.SEQ.) AND GRANTING THE SAID AGENCY AUTHORITY AS PROVIDED BY STATE LAW AND PROVIDING FOR AN EFFECTIVE DATE

Commissioner Walker made a motion to adopt and sign Ordinance No. 05-12-12, an Ordinance of Millard County, Utah, Creating and Establishing the Redevelopment Agency of Millard County and Designating the County Commission to be the Governing Body of the Redevelopment Agency of Millard County, Pursuant to the Redevelopment Agencies Act (Utah Code Annotated 17B-4-101,ET.SEQ.) And Granting the said Agency Authority as Provided by State Law and Providing for an Effective Date.

Commissioner Smith SECONDED. Millard County Clerk Norma Brunson called for a roll call vote. Commissioner Walker. YES. Commissioner Smith. YES. Commissioner Cooper. YES. The voting was unanimous. The motion carried.

All three copies of the ordinance were signed by Commissioner Cooper and will be on file in the Millard County Clerk's Office. A certified copy of the document will be sent to Lt. Governor

Gary R. Herbert.

MILLARD COUNTY CLERK NORMA BRUNSON-SET DATES FOR COMMISSION MEETINGS FOR 2006

The Commission discussed the proposed dates for next year's meeting schedule. Several changes were suggested.. The Commissioners will not be available for meeting on March 6, 2006 and will meet on October 9th (Columbus Day) and won't meet on October 23. This change was suggested in order to correlate with the school district.

Commissioner Smith made a motion to accept the amended commission meeting date schedule.

Commissioner Walker SECONDED. The voting was unanimous. The motion carried. (A decision was made later in the meeting to see if the dates were changed if it would interfere with the court schedule or in other areas. A decision will be made at next week's meeting to allow time for publication of the Commission schedule.)

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

Commissioner Smith reported the Millard County Planning and Zoning meeting was cancelled because of the lack of the number board members present. The meeting was postponed until January 4, 2006.

Commissioner Smith said he had been contacted by a citizen who wanted to know what the spot lighting laws were in Millard County. The discussion brought out the following facts. Basically all spot lighting is illegal. Agricultural predator control is not included in these restrictions. The state allows a permit to spot light foxes, skunks and racoons, however, the spot light cannot be attached to the vehicle.

Chief Deputy County Attorney Brent Berkley said Millard County had appealed the county spot lighting ordinance because it contradicted itself. He offered to speak with the citizen to further explain the nature of spot lighting in Millard County.

On Wednesday, December 7, 2005 Commissioner Smith met with the Department of Agriculture mostly on a personal nature. He was able to talk to them on the cricket and grasshopper problems in Millard County.

Commissioner Smith talked to CERT Co-captain Paul Fowles and Captain Steve Kimball about several communities going over a couple of hundred dollars on their county CERT funds. They asked if the money could be off set by money that was set aside for some areas that do not have a CERT team yet. The Commissioners thought this would work to shuffle some of the funds around until everyone was organized. Concern was expressed by the captains that some radios purchased went to all Fillmore City council members instead of to all their CERT teams.

Commissioner Smith reported that at the Millard County Weed meeting on Thursday, December 8, 2005 plans for the upcoming year were reviewed. He didn't get notification in time to attend the meeting.

Commissioner Walker received the 2006 Service contract Budget for the Millard County Bookmobile Service. The total estimated costs for 2006 is \$140,949. The Bookmobile travels to Eureka two times per month, and Juab County will pay 8.2% of the total costs or \$11,533. Millard County's cost is \$129,416, which is 91.8% of the total contracted price.

Commissioner Walker attended the DACC Board meeting. Outgoing president, Brandon Smith, conducted the swearing in of new board members and elections. Rebecca Cahoon was elected as Chamber President.

Commissioner Walker attended a Christmas party hosted by Millard County Care Center. Most of the care center employees and their spouses were in attendance.

Commissioner Walker attended the MEDA meeting held in Fillmore on December 8, 2005. The meeting focused on plans for the conference "Growing a Business in Millard County." The conference will be held Saturday, January 14, 2005 in Fillmore's historical block, which includes the Legion Hall, Courthouse, City Building, Library and POD. Randy Horiuchi will be the opening session speaker and is also one of the sponsors. Several other speakers have also been lined up, and the conference is the first of its kind in the county. The MEDA board and USU Extension have been working hand-in hand on the project.

Commissioner Walker attended the Deseret/Hinckley Cemetery meeting on December 8, 2005. The meeting was well-attended by Hinckley and Deseret residents. Chairman Mike Anderson reviewed the District's tentative budget and the yearly revenue shortfall. A tax rate increase and the final budget for 2006 of \$28,711.90 were approved. Another public hearing to set the tax rate amount will be held in June. The board will review applications for sexton positions for Deseret and Hinckley Cemeteries before the end of the year, if possible.

Commissioner Cooper attended the Six County AOG meeting in Loa, Utah where Fillmore City Mayor Sam Starley was honored for his participation on the board. He will be leaving the board in January 2006. Sanpete County Commissioner Bruce Blackham was chosen to serve as chairman of the board for 2006.

Attorney LeRay Jackson reported Millard County had received the money (over \$26,000) from the sale of the Duchesne County property. The check was turned into the Auditor's Office.

OTHER BUSINESS

Commissioner Cooper expressed condolences to Millard County Sheriff Ed Phillips for the loss of his brother.

Attorney LeRay Jackson said that he had received word that the IHC had signed the lease with Millard County and was sending it to the county. Attorney Jackson said that the bill to IHC will be paid when the lease is received by the county.

Commissioner Walker said the Millard County Landfill Delta area had gone under an inspection from the Utah Department of Environmental Quality Division of Solid and Hazardous Waste on December 6, 2005. The Landfill records were in good condition, training was documented and filed, other records looked good. The operational controls were good, the signs and information were good, landfill management was good, the daily cover and intermediate cover were good. The new inspector's name is Matt Sullivan. Commissioner Walker complimented Sheryl Dekker and Phil Lovell for the good job they are doing with the landfill.

Millard County Clerk Norma Brunson said that changing the day off from October 9 (Columbus Day) to October 23 as proposed earlier would affect her office because of set court dates. Over time would need to be paid employees if the changes are made. (The decision will be made next week.)

PUBLIC INPUT

There were none.

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 11:00 p.m..

Attest: _____ Approved: _____