

MINUTES OF BOARD OF COUNTY COMMISSIONERS
MILLARD COUNTY THE 13th DAY OF NOVEMBER 2006
AT THE COURTHOUSE, FILLMORE, UTAH

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

LeRay Jackson County Attorney
Norma Brunson County Clerk
Janice Robins..... Deputy County Clerk

ALSO PRESENT:

Colton Tingey, Nick Sorensen, Kip Cooper, and Kade Bartholomew, Boy Scout Troop #209
Dean Draper, Chronicle Progress Reporter,
Ben Hunter, Millard Eagle FFA Chapter Advisor
Robert D. Anderson, Millard County Jr. Livestock Show Director
Webb Whatcott, Wendell Thompson, Jeff Bundy, Jacob Alldredge, Cade Hunter, Lee Babb,
Chris Glascock, Weston White, R.J. Jenny, T. J. Robbins, Royce Christensen, Wade Eldredge,
Kyle Tuttle, Brady Robins, Kord Staples, Daniel Freeman, Scott Whitaker, Millard Eagle FFA
Chapter Members
Craig Poulson, USU Extension County Director

EXCUSED: Commissioner Walker, Attorney LeRay Jackson and Clerk Norma Brunson

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 November 2006.

PUBLIC WAS WELCOMED

Commissioner Smith made a motion to have Commissioner Cooper act as chairman in the absence of Commissioner Walker.

Commissioner Cooper stepped from the chair and SECONDED the motion. The voting was unanimous and the motion carried.

Commissioner Cooper welcomed Boy Scout Troop #209 and the rest of the Commission.

OPENING STATEMENTS

Commissioner Cooper asked if anyone had an opening statement to give? Kip Cooper volunteered to offer an opening prayer. Nick Sorensen lead the group in the Pledge of Allegiance to the Flag.

FOLLOW UP ACTION ITEMS FROM MINUTES OF NOVEMBER 6, 2006

There were none.

APPROVAL OF THE AMENDED MINUTES OF NOVEMBER 6, 2006

Commissioner Smith made a motion to approve the amended minutes of November 6, 2006.

Commissioner Cooper stepped from the chair and SECONDED the motion. The voting was unanimous and the motion carried.

AUDITORS REPORT

Auditor Brandy Grace gave the Commissioners various invoices to review and approve for payment through the Auditor's Office. Two predator control vouchers were turned in for payment.

Auditor Grace gave the Commissioners the Check Edit Report of November 9, 2006 and the payroll reports from November 13, 2006 to review and sign.

Auditor Grace said an email had come in from Jesse Brown offering \$12,000 for the 80 acre and the 40 acre parcels that he had previously bid on. The new bid would be \$100 @ acre. The properties had been advertised on the county's website for some time.

After discussing the offer Commissioner Smith made a motion to accept Jesse Brown's offer to purchase the 80 acre piece serial number HD 3467 and for the 40 acre piece for ½ of DO 3205 for a total price of \$12,000.

Commissioner Cooper stepped from the chair and SECONDED the motion. The voting was unanimous and the motion carried.

Auditor Grace said last week an indigent abatement application had been turned in from Myron and Joy Johnson. After the Commissioners reviewed the application, the Johnsons were asked to turn in their entire income tax return which they have now done. The Commissioners reviewed the new information. Based on income alone, they don't qualify for an abatement but with their medical expenses considered, which are in excess of \$1,000 per month, they could qualify for a hardship abatement.

Commission Smith made a motion to grant a medical hardship abatement for Myron and Joy Johnson. Their property taxes on serial number 6450 will be reduced 50 percent from \$565.26 to \$282.63.

Commissioner Cooper stepped from the chair and SECONDED the motion. The voting was unanimous and the motion carried.

A second hardship application was turned in from Celeste Lisonbee on her home in Scipio. She does meet the low income requirements.

Commissioner Smith made a motion to grant a low income abatement to Celeste Lisonbee for 50 percent of the property taxes with account number 0137886, reducing the taxes from \$216.19 to \$118.10.

Commissioner Cooper stepped from the chair and SECONDED the motion. The voting was unanimous and the motion carried.

Auditor Grace said that the county had received a notice from the State Tax Commission for non reporting of 2005 W2 forms at the Sunset View Golf Course. The notice should go to Steve Watham who was the golf pro at that time and hiring his own people. The county has no forwarding address for Mr. Watham. Auditor Grace said it is good to remember in cases like this not to have an agent represent the county, because it makes it the county's responsibility.

ROBERT ANDERSON-REQUEST FOR FUNDS FOR MILLARD COUNTY JR. LIVESTOCK SHOW

Robert Anderson, Millard County Jr. Livestock Show director, said that the stock show is in need of 100 small animal panels and ten walk-through bow gates, and 10 ten foot panels. The show is still using the original panels and many of them are in need being replaced. The budget money they receive each year is used for the operation of the stock show. Mr. Anderson said that after speaking with Commissioner Walker at the stock show about the needed panels, he had talked to the FFA advisors at Millard and Delta High Schools. Ben Hunter the FFA advisor at Millard High School and his FFA members are interested in building the panels and gates. Mr. Hunter presented some projected costs of commercial panels and gates vs the cost of panels and gates built by the FFA. The projected savings of the FFA members building the equipment is \$1,730. Mr. Hunter said that this would be an outstanding educational experience for his students. The members have experience in welding panels and gates. The stock show had 212 exhibitors and 329 animals this year. The stock show and the dairy shows continue to grow.

The Commissioners will review the request and Ben Hunter will adjust the numbers to also reflect cost of the 10 ten foot panel costs.

ADDITION TO THE MILLARD COUNTY POLICY AND PROCEDURES MANUAL RE: POST RETIRING EMPLOYEES

This item was tabled.

APPROVAL TO CORRECT AN ERROR IN THE DRINKING WATER SOURCE ORDINANCE

Commissioner Smith made a motion to make a correction in the Drinking Water Source Ordinance. The word *potential* will be added to 5-5-6 A. Zone One: The location of any "*potential* pollution source", as defined in section 5-5-3 of this chapter.

Commissioner Cooper stepped from the chair and SECONDED the motion. The voting was

unanimous and the motion passed.

POSSIBLE APPROVAL OF THE 2007 UTAH STATE CONTRACT FOR BOOKMOBILE SERVICES

Commissioner Smith made a motion to sign the 2007 Utah State Contract for Bookmobile Services. The assessment for the year will be \$117,669 from January 1, 2007-December 31, 2007.

Commissioner Cooper stepped from the chair and SECONDED the motion. The voting was unanimous. The motion carried.

Commissioner Smith made a motion to set the date of December 18, at 11:00 for a public hearing to appoint trustees for Millard County Drainage Districts Numbers 1-4.

Commissioner Cooper stepped from the chair and SECONDED the motion. The voting was unanimous and the motion carried.

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

Commissioner Smith reported that Auditor Grace, Treasurer Hansen, Assessor Talbot, and Commissioner Cooper attended a meeting with IPA on Wednesday November 8 in Salt Lake City to discuss the proposed settlement. That afternoon they met with Brent Eyre, consultant, at the UAC office to review the figures the county had been given for the IPA's values. A lot of the county's questions were answered. They appreciated meeting with Reed Searle, IPP and Steve Young, tax attorney and the chief accountant.

Commissioner Walker, Sheryl Dekker, Dean Draper, Boyd Clayton, State Engineer's office met with the citizens in Garrison to discuss more data on the water rights and water application in the west desert.

Dean Draper said that Boyd Clayton is an engineer with Department of Water Rights and said the water rights that they had established in the State of Utah being defined is 49,000 acre feet and for Nevada being defined is 28,000 acre feet that was either approved or perfected rights. They are still conducting studies to determine the amount of water rights. There could possibly be 20,000 acre feet to be divided between the two states. Water used prior to 1903 has no filing with the state but is still considered valid right. The Colorado River Agreement has been challenged in court and a new agreement will probably be challenged also.

Commissioner Cooper attended the community outreach program meeting of the BLM in Fillmore. He committed two days next month of the Commissioners time to help with the BLM's process. A gentlemen from Montezuma, Colorado gave a interesting presentation on relations between the BLM and the community.

All the Commissioners met with interagency fire personnel last Monday afternoon. Howard Allred was chosen Fire Marshall of the Year and Scott Corry was chosen fire Cooperator of the Year. The Commissioners offered congratulations to these two Millard County fire personnel for the great job they did this year. Commissioner Cooper said that 92 percent of the acreage

burned in the 2006 fires happened in Millard County. Over 60 percent of the fires in the last twenty years have been in Millard or Juab County. The head office is staged out of Richfield and the Commissioners and others think that there is a need to consider staging from this locality. The airports are being renovated and will have the ability to dispense jet fuel out of both airports in Millard County. Appreciation was expressed for the support on this issue that was given Millard County by Brad Shaffer from Senator Bennett's office, Senator Hatch, Congressman Cannon and our lobbyist Robert Weidner. Hopefully Millard County will get more consideration for support personnel and vehicles.

Commissioner Smith thanked the Millard County Clerk's Office for the great job they did in executing the 2006 General Election. He also thanked the citizens who voted and those who ran for offices during this important process. Both Commissioner Smith and Commissioner Cooper expressed appreciation to everyone who was involved in the election process.

OTHER BUSINESS

Craig Poulsen, USU Extension County Director announced that a part time 4-H staff assistant for the east side of the county was interviewed and he would like to proposed Shayla Densie be hired for this position and her starting salary will be \$8.50.

Commissioner Smith made a motion to accept Craig Poulsen, USU Extension County Director's recommendation to fill the part time position on east side to Shayla Densie.

Commissioner Cooper stepped from the chair and SECONDED the motion. The voting was unanimous and the motion carried.

Commissioner Cooper told Mr. Poulsen that he had talked to Chuck Gay about Jim Stevens salary for the upcoming year. Millard County does not have a SCS 4-H person in the county and they think that Mr. Stevens position should be funded. Mr. Gay said that funds cannot be transferred from one position to another position. This will leave the county \$5,000 short on Mr. Stevens salary. USU will sign a contract to June 30, 2007, after that they will take a look and see if funded can be found.

Mr. Poulsen said that the full amount of Mr. Steven's salary is put into the extension budget and then USU has reimbursed half that amount in the past. The full amount is being budgeted for in 2007, but Millard County will now be responsible for three fourths of Mr. Stevens salary.

Commissioner Cooper announced that all the elected officials and Commissioners will be attending UAC convention November 15-17 in St George.

PUBLIC INPUT

Dean Draper asked the Commissioners about the proposed agreement with IPA. The Commissioners said that the agreement that Millard County has had with IPP as to their evaluation ends in 2006. The agreement states that a similar agreement will be negotiated for the next three years. IPP has done a re-evaluation of their plant extending the life out to fifty years. They have came up with a new value and depreciation rate. The depreciation rate will drop from 3.4 to 1.6

percent on any replacement or additional structure and equipment. The agreement has been signed by IPP and Millard County is waiting for some input from the Millard School District and the other counties that are involved before signing the agreement. Mr. Draper asked if they were working on some impact for Scipio Town with all the coals trucks going through town night and day.

Mr. Draper asked what the process was going to be on the audit of the election machines. Deputy Clerk Janice Robins said that an audit, on one voting machine that was randomly chosen by the state, will be done today at the Clerk's Office. The tape in the canister from the designated machine will be hand counted and the results compared to the electronic count from election night. Mr. Draper was invited to come out and watch.

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

There were none.

WHERE UPON THE MEETING ADJOURNED

Commissioner Smith made a motion to adjourn the meeting.

Commissioner Cooper stepped from the chair and SECONDED the motion. The meeting adjourned at 11:30 a.m..

Attest: _____

Approved: _____