

MINUTES OF BOARD OF COUNTY COMMISSIONERS
MILLARD COUNTY THE 6th DAY OF MAY 2008
AT THE COURTHOUSE, FILLMORE, UTAH

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

Richard Waddingham County Attorney
Norma Brunson County Clerk
Janice Robins Deputy County Clerk

ALSO PRESENT: John and Marilou Health Citizens
Brandy Grace Millard County Auditor
Connie Hansen Millard County Recorder
Dale Robinson Sunrise Engineering Company

PURSUANT TO AN AGENDA WHICH HERETOFORE HAD BEEN PROVIDED TO each member of the governing body, the local news media and posted in three public places or on the Millard County website, as required by law, the following proceedings were had:

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 gave a thought and then Commissioner Cooper said the invocation. Everyone stood and said the Pledge of Allegiance to the Flag.

FOLLOW UP ACTION ITEMS FROM MINUTES OF APRIL 29, 2008

There were none.

APPROVAL OF APRIL 29, 2008 COMMISSION MINUTES

The proposed minutes of a regular County Commission meeting held April 29, 2008, were presented for consideration and approval. Following review and consideration of minor corrections Commissioner Walker made a motion to approve the minutes of April 29, 2008, as corrected.

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

Commissioner Walker made a motion to approve the minutes of the Special Commission meeting held at the County Office in Delta on April 22, 2008.

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

Commissioner Walker made a motion to approve the minutes of the Special Commission meeting held at the County Office in Delta on April 7, 2008.

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

AUDITORS REPORT

Auditor Grace gave Commissioner Smith the Check Edit Report of May 5, 2008 for the Commissioners to review and sign.

Commissioner Smith said Auditor Grace had received a \$75,000.00 long term care refund check from IHC. She had talked with IHC Auditor Chris Thompson who said more money would be coming later. Millard County and IHC will do a final accounting in six months.

DISCUSSION AND ACTION-REQUEST HELP FOR UNIVERSITY OF UTAH ("U of U") SCHOLARSHIPS FOR ALCOHOLISM AND OTHER DRUG DEPENDENCIES SUMMER SCHOOL-GEORGIA HARE

Georgia Hare came before the Commissioners to request \$1,070.00 to cover the cost of four U of U Alcoholism and Other Drug Dependencies Summer School scholarships. The University will pay the other half of the scholarships. The school will be held on June 15-20, 2008.

Commissioner Smith made a motion to approve the \$1,070.00 for scholarships to the U of U Alcoholism and Other Drug Dependencies Summer School.

Commissioner Walker SECONDED the motion. The voting was unanimous and the motion carried. Mrs. Hare was asked to report the names of the scholarship recipients to the Clerk's Office.

DISCUSSION AND POSSIBLE ACTION TO MODIFY OR TERMINATE THE CONTRACT FOR BUILDING INSPECTION SERVICES BETWEEN MILLARD COUNTY AND HOLDEN TOWN

This item was tabled. Attorney Waddingham said he talked to Holden Town's attorney and determined that the contract with Holden Town for building inspection services will need to be terminated or amended to indemnify and hold Millard County harmless if the same person hired to do part time work for the County will be the same person performing building inspections for Holden Town. In the meantime, applications for Holden Town building inspection services will need to be screened very carefully.

TERMINATION OF THE MORATORIUM ON THE TEMPORARY LAND USE ORDINANCE

REGULATIONS

Commissioner Smith said that during the moratorium, the County completed the process of amending the general plan, the matrix, certain zoning ordinances, creating a new zone, a new map and an energy corridor.

Commissioner Smith made a motion to enact Ordinance No. 08-05-06, An Ordinance of Millard County, Utah Repealing Ordinance No. 07-11-20, "Temporary Land Use Regulations of Millard County, Utah 2007-1 and Repealing Ordinance No. 08-04-07 an Ordinance Amending Ordinance No. 07-11-20".

Commissioner Walker SECONDED the motion. Deputy Clerk Janice Robins called for a roll call vote. Commissioner Smith voted YES. Commissioner Walker voted YES. Commissioner Cooper voted YES. The motion carried. The County can now make a final decision on applications from utility companies.

OPENING OF SURVEY BIDS FOR PUTTING IN SECTION CORNERS-RECORDER CONNIE HANSEN

Attorney Waddingham opened bids for surveying corners from the following bidders:

EDWARDS
\$24,850.00

ROUND VALLEY SURVEYS
\$49,160.00

SUNRISE ENGINEERING
\$83,289.00

A committee consisting of Recorder Connie Hansen, Adam Britt, GIS Department, Richard Beckstrand, IT Administrator, and Commissioner Smith will evaluate the bids and afterwards award the bid. Attorney Waddingham said that because of the disparity of the bid amounts, the bids should be evaluated carefully.

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

Commissioner Smith reported the information he received at the Natural Behavior and Substance Abuse Conference in Boston, on April 30-May 4, 2008. Discussions included the relationship between the authority board and the CEO or manager of the company who provides services. Guidelines for Medicare and Medicaid reimbursement, the Democratic presidential candidates and the political environment were discussed. He reported that it was a good conference and he was glad to be a part of it.

Commissioner Smith reported that the county road department and the BLM have installed the cattle guards in the Milford Flat fire area. A financial assistance agreement between Millard County and the BLM has been signed stating that Millard County will provide the labor on the installation of the cattle guards and the BLM will provide the material. A copy of the agreement was given to the Clerk for filing.

Commissioner Cooper attended the Fillmore City Council meeting where the Sand Rock Ridge Road was discussed. The road has not yet been incorporated into Fillmore City and is considered a County road. All but 10.42 feet of the road is in private ownership. Fillmore City has agreed to contact all the property owners along the road to get permission to widen the road and it plans to eventually take over the road up to the corrals. In the meantime, Millard County will continue to spray MagChloride, gravel the road and provide the speed signs. It is Fillmore City's responsibility to fix the manholes and the damage to the road that occurred during the sewer project. The County road department is planning to spray the road soon and if the city has not repaired around the manholes, it will be billed for the cost of repairs.

Attorney Waddingham said an assessment and an order will be needed in the process for road abandonment. Commissioner Smith said that consideration needs to be given on the Cedar Mountain Road too. Fillmore City will need to get a dedication from the property owners along the roads.

On Wednesday, April 30, 2008, Commissioner Cooper, Dean Draper and Mark Ward took a tour of the grazing test site at Squidike Springs checking on the cattle, water and grass. The permittees were allowed to graze the area 15 days early this year, but because of the drought, the vegetation had not grown very much. Thirty million dollars were spent on the re-seeding project, but very little seed has germinated. It is hopeful more seed will germinate.

During the tour of the area, they discovered that the Anasazi Indian writings have been looted and vandalized. The damage was reported to Sheriff Dekker who will investigate the incident and hopefully bring the people to justice.

Commissioner Cooper and Mark Ward, UAC, attended the Great Basin Water Network meeting in Baker, Nevada on May 3, 2008. With the help of Attorney Simeon Burkowits, who represents most of the private owners in the Snake Valley, they were able to set up a meeting in Salt Lake City, Utah on May 20 at 8:30 a.m. with Mark Ward, Simeon Burkowits, Dean Baker, Cecil Garland, Jerold Anderson, Rupert Steele, Chairman of the Goshute tribe and Salt Lake County Mayor Caroon. A Commissioner from Tooele, Millard and Juab Counties and Larry Ellertson from Utah County were invited. Because May 20 is the date of the regular Commission meeting, Commissioner Cooper will attend the meeting in Salt Lake and Commissioner Smith and Commissioner Walker will attend Commission meeting with Commissioner Walker acting as the Chairperson.

OTHER BUSINESS

The Official Millard County Major Utilities Corridor Map was signed by Commissioner Cooper and attested to by Clerk Norma Brunson. A copy of the map will be given to the Clerk's

Office and Planner Sheryl Dekker.

Commissioner Smith reported that the Wellness Committee has been awarded three certificates for the programs it has implemented for the County employees.

County Attorney Richard Waddingham set up a meeting with the Commissioners and Pete and Sue Madsen on Tuesday, May 13 at 10:00 a.m. in Delta, Utah

Commissioner Smith made a motion to appoint Thayne Henrie to act as the program officer dealing with cattle guards put in by Millard County with the BLM.

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

PUBLIC INPUT

There was none.

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

There was none.

WHERE UPON THE MEETING ADJOURNED

Commissioner Walker made a motion to adjourn the meeting.

Commissioner Smith SECONDED the motion. The voting was unanimous and the meeting adjourned at 11:22 a.m..

Attest: _____

Approved: _____