

MINUTES OF BOARD OF COUNTY COMMISSIONERS
MILLARD COUNTY THE 21st DAY OF OCTOBER 2008
AT THE COURTHOUSE, FILLMORE, UTAH

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

Norma Brunson County Clerk
Janice Robins..... Deputy County Clerk

EXCUSED: Richard Waddingham County Attorney

ALSO PRESENT: Ed Zmitravich. Citizen
Bruce Costa. Central Utah Health Department
Anna LaDamus. Central Utah Health Department
Farrel Marx. Central Utah Counseling
Brian Whipple. Central Utah Counseling
Bryant Anderson. Commercial Business Radio, LC
Wade Tolbert Central Utah Public Health Department
John Peck & Frank Bringard Citizens

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:

COORDINATION SESSION

The Commissioners scheduled events for the months of October and November 2008.

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 invited everyone to stand and say the Pledge of Allegiance to the Flag. Janice Robins read a quote and Commissioner Smith said the invocation.

FOLLOW UP ACTION ITEMS FROM MINUTES OF OCTOBER 7, 2008

There were none.

APPROVAL OF SEPTEMBER 30 AND OCTOBER 7, 2008 COMMISSION MINUTES

The proposed minutes of a regular County Commission meeting held September 30, 2008 were presented for consideration and approval. Following review and consideration of minor corrections Commissioner Smith made a motion to approve the minutes of September 30, 2008, as corrected.

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

Commissioner Walker made a motion to approve the corrected minutes of October 7, 2008.

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

CENTRAL UTAH PUBLIC HEALTH DEPARTMENT (“CUPHD”), BRUCE COSTA-GENERAL PUBLIC HEALTH UPDATE AND COUNTY CONTRIBUTIONS

Bruce Costa, CUPHD Health Officer/Department Director said that the average per capita contribution for public health care in the state is - \$11.00, CUPHD’s per capita contribution is \$5.45. He is asking each county to consider increasing its contribution \$.50 to help cover the increasing expenses to the CUPHD. Handouts were provided to the Commissioners and a copy of the handout will be on file in the Clerk’s Office.

Commission Smith made a motion to have Millard County increase its contribution to the CUPHD from \$5.45 to \$6.00 per capita.

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

The Commissioners said the County will help with the painting of the CUPHD offices in Delta that are located in a building owned by Connie Tolbert, but it will not participate in major renovations. The maintenance crew will do the painting because the jail crew is not able to do the painting.

Mr. Costa was complimented and thanked for the TB screening tests done during a recent TB outbreak in Millard County and for all the good work done by CUPHD.

CENTRAL UTAH MENTAL HEALTH DEPARTMENT, BRIAN WHIPPLE AND FARREL MARX-REVIEW INDEPENDENT AUDIT AND DRUG COURT

Brian Whipple and Anna LaDamus discussed the drug court program with the Commissioners and Attorney Waddingham at another meeting. Millard County has budgeted \$11,000 to run its drug court program. Mrs. LaDamus said that under the direction of Judge Jukes, representatives from Juab County, Sanpete County, and Millard County which included Deputy County Attorney Pat Finlinson and Deputy Rick Carter have met and worked out any concerns and problems in an effort to reapply for funding from the state. Public Defender James K. Slavens and the law enforcement from Juab County still need to write letters of support to finish up the

application. The newly hired therapist will now do the urine analysis testing relieving the Deputy County Attorney from that duty. The therapist will have access to Justice Court Judge Hare when there is an infraction or violation so an immediate sanction can be done. Millard County currently has three participants in drug court with a possibility of two more participants. Millard County has seen half a dozen successful graduates from the drug court program during the last few years.

Farrel Marx reviewed the Central Utah Mental Health/Substance Abuse Center Financial Statements of June 30, 2007 with the Commissioners. The audit was done by Kimball & Roberts, Richfield, Utah. (A copy of the audit will be on file in the Clerk's Office.) The 2008 audit will be reviewed during the first part of 2009.

BRYANT ANDERSON RENEWAL OF MAINTENANCE CONTRACT BETWEEN MILLARD COUNTY AND COMMERCIAL BUSINESS RADIO LC

Bryant Anderson reviewed the Millard County Service Contract Cost Summary with the Commissioners. The Department, type of equipment, annual checkup, quantity, repair costs per month and the annual repair costs were listed on the handouts given to each Commissioner. The Commissioners would like Sheriff Dekker to review the proposed contact costs before the contract is approved.

Commissioner Walker made a motion to approve the new Commercial Business Radio, LC radio maintenance contract upon the review and approval of Sheriff Dekker.

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

JOHN PECK-DISCUSSION ON A COMMISSIONERS' DECISION REGARDING A BUSINESS LICENSE FOR DELTA MUFFLER

John Peck and Frank Bringard asked what is needed to be done regarding the proposed business license for Delta Muffler. The Commissioners explained that in order to apply for a zone change they need to get an application from Planner Sheryl Dekker and then get on the Millard County Planning and Zoning agenda. Planning and Zoning holds its meetings the first Wednesday of the month.

ED ZMITRAVICH-REPORT ON MORMON CRICKET/GRASSHOPPER MEETING HELD IN SALT LAKE CITY

Ed Zmitravich gave the Commissioners information regarding the 2008 Mormon Cricket and Grasshopper Survey and Suppression Program from the October 9, 2008 meeting that was held in Salt Lake City, Utah. Mr. Zmitravich said that the cricket situation throughout the state is getting better except in Box Elder County. The main concern now is grasshopper suppression. In order to get a good kill on the grasshoppers, it was suggested that all farmers need to collectively treat the grasshoppers at the same time. State assistance money is available but many people are not aware of its existence. The fire burned areas are prime breeding areas for the grasshoppers and need to be

monitored.

Mr. Zmitravich and Glade Edwards were thanked for all their help and they were asked to continue to help with the Mormon Cricket and grasshopper suppression program. They will be reimbursed for their mileage and meals when attending meetings. They provide a great service by keeping the County abreast of the infestation problems and the current suppression methods. The next meeting is scheduled for February 12, 2009. A copy of the report will be on file in the Clerk's Office.

SET DATE FOR PUBLIC HEARING TO APPOINT TRUSTEES TO MILLARD COUNTY DRAINAGE DISTRICTS NUMBERS 1-4

Commissioner Smith made a motion to set the date of December 16, 2008 at 11:00 a.m. to hold a public hearing to consider nominees and for appointment of Trustees to the Millard County Drainage Districts Number 1-4.

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

RENEWAL OF MEMORANDUM OF AGREEMENT ON BEHALF OF MILLARD COUNTY, A MEMBER OF THE RURAL PUBLIC LANDS COUNTY COUNCIL 2009-INVOICE \$15,000 -ROBERT K. WEIDNER

Commissioner Walker made a motion for Commissioner Cooper to sign the 2009 Memorandum of Agreement on Behalf of Millard County, A Member of the Rural Public Lands County Council.

Commissioner Smith SECONDED the motion. The voting was unanimous and the motion carried. The Auditor was authorized to send Mr. Weidner a check for \$15,000 for his services. Mr. Weidner serves as a lobbyist in Washington, D.C. and has helped Millard County get full funding for PILT funds. His influence has helped Millard County get an additional \$600,000 and the school district an additional \$500,000 for the 2009 PILT funds.

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 October 17, 2008 to review and sign. The Payroll Reports from October 10, 2008 were given to the Commissioners.

Auditor Grace said the IHC Charity Plan from Delta Community Center and Fillmore Community Center for its non-profit status is on file to review in the Auditor's Office. (In 2007 its gift to the community was \$944,992.)

The Millard County Fire District has turned in the 2009 Wildland Fire Budget assessment of \$231,366.00. The invoice will be held for now.

Auditor Grace said that the State Tax Commission has sent down a decision on the appeal made by Paramount Cubing regarding a piece of its equipment that it feels should be classified as agricultural and not processing equipment. The State Tax Commission's decision was that the equipment in question will be classified as processing equipment.

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

Commissioner Walker attended the Millard County Tourism meeting held on October 8, 2008. They discussed whether or not to implement a restaurant tax.

All three Commissioners have been working on the budget and the salary structure plan.

On October 9, Commissioner Smith, several Mayors and the County Building Inspector attended a meeting to discuss the building inspection agreements Millard County has with several cities and towns. Right now Millard County receives 40 percent and the city/town gets 60 percent of the building license fees and the proposal was to reverse the distribution. The Mayors will take the proposal back to their councils. The Mayors asked that it not be put into effect until July 2009. The Mayors who were not in attendance will be notified of the proposal.

Commissioner Smith, Derrell Owens, Sheryl Dekker and Bruce Parker attended the preconstruction meeting with Milford Wind Corridor on October 14, 2008. A building permit was issued to Milford Wind Corridor on October 16, 2008. Lt. Roger Young and Thayne Henrie discussed the impact of starting a project of this magnitude. Bulldog Engineering, a local business, will be a sub-contractor on the project.

Commissioner Cooper attended a meeting in Baker, NV where a report was given regarding the funding allocated from the sale of public land in Clark County toward a \$6 million study of the Southern Nevada Pipeline.

OTHER BUSINESS

The Commissioners did not approve a request for Stan Robison's part time employment at the county road department to continue past the end of this month.

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 12:30 p.m..

Attest: _____

Approved: _____

COMMISSIONERS WORK MEETING WITH MIKEL SHARP TO DISCUSS DENTAL INSURANCE AND SHORT TERM DISABILITY INSURANCE