

MINUTES OF BOARD OF COUNTY COMMISSIONERS
MILLARD COUNTY THE 21st DAY OF AUGUST 2012
AT THE COURTHOUSE, FILLMORE, UTAH

PRESENT: James I. Withers..... Chairperson
Daron P. Smith..... Commissioner

Richard Waddingham County Attorney
Norma Brunson County Clerk
Marki Rowley. Deputy County Clerk

EXCUSED: Bart A. Whatcott. Commissioner

ALSO PRESENT: Larry A. Peterson Citizen
Marreen Casper Senator Orrin Hatch’s Office
Connie Hansen County Recorder
Chad Booth County Seat T.V. Program

PURSUANT TO AN AGENDA WHICH HERETOFORE HAD BEEN PROVIDED TO each member of the governing body, posted at the principal office of the Millard County Commission, posted on the Utah Public Notice Website, and provided to the Millard County Chronicle Progress, a newspaper of general circulation within Millard County, Utah, 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 Withers to the public and Commission members.

OPENING STATEMENTS

Commissioner Withers asked if anyone had an opening statement to give. Commissioner Smith read a quote from Abraham Lincoln: “It is better to remain silent and be thought a fool than to speak out and remove all doubt.” Commissioner Smith said the invocation. Everyone stood and said the Pledge of Allegiance to the Flag.

Commissioner Withers excused Commissioner Whatcott from today’s meeting.

APPROVAL OF AUGUST 7, 2012 COMMISSION MINUTES

The proposed minutes of a regular County Commission meeting held August 7, 2012 were presented for consideration and approval. Commissioner Smith made a motion to approve the minutes of August 7, 2012, as presented.

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

AUDITOR'S REPORT

There was none.

POSSIBLE APPROVAL OF HARDSHIP ABATEMENT APPLICATIONS

There was none.

POSSIBLE BOARD OF EQUALIZATION (BOE) DISCUSSION AND OR ACTION

There was none.

TREASURER'S REPORT

There was none.

RATIFY THE MOTION TO PAY THE INVOICE TO UAC IN THE AMOUNT OF \$1,100.00 FOR A STUDY ON HOUSING STATE INMATES DONE BY ZIONS BANK

Commissioner Smith made a motion to ratify paying the invoice to UAC in the amount of \$1,100.00 for a study on housing state inmates done by Zions Bank.

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

DISCUSSION AND POSSIBLE APPOINTMENT OF GREG ROPER TO SERVE ON THE MILLARD COUNTY HOUSING AUTHORITY BOARD

Commissioner Smith made a motion to appoint Greg Roper to serve on the Millard County Housing Authority Board.

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

DISCUSSION REGARDING TRANSFERRING PROPERTY TO THE DESERET HERITAGE ASSOCIATION

Commissioner Withers said that the County has been working on this issue for a while. He explained that the County has a piece of property that is located in Deseret, Utah which is the old county fair facility. The Deseret Heritage Association would like to repair the building that is located on the property or tear it down and build a new building to make a civic center.

Attorney Waddingham said that Millard County conveyed this property to Deseret Recreation

Association in September of 1991 but retained a reversionary interest in the property. The county ordinance says that the County can dispose of any real or personal property or any legal or equitable interest in the property. The county has an equitable interest in this property. If it was not used for the purpose and manner for which it was granted to Deseret Heritage Association, it would revert back to the County.

The ordinance also states that the disposition of the property shall not be for less than full and adequate consideration, however, such consideration may be other than monetary. In addressing the consideration issue, the commission determined that part of the building is now considered a liability issue. Also, the Deseret Heritage Association has been managing this property since 1991.

Attorney Waddingham said that the statute states that a public hearing is only required if the distribution of the real property is in public use or is defined as a significant parcel of real property. The County's ordinance defines a significant parcel of real property as having an estimated value of more than \$25,000.00. The Commission found that the current value of the property is less than \$25,000.00.

Attorney Waddingham said that there is no need for a public hearing. Both Millard County and Deseret Recreational Association will need to give quit claim deeds to Deseret Heritage Association.

Commissioner Smith made a motion to execute a quit claim deed for Millard County's interest in the property preciously known as the old Millard County Fairgrounds in Deseret to the Deseret Heritage Association. The value of the property is less than that which would require a public hearing. The county has discussed this issue a number of times, and based on discussion and approval the county will execute the deed and transfer its interest in the property to Deseret Heritage Association. The chairman has the authority to sign the deed when it is ready.

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

UPDATE FOR SENATOR HATCH'S OFFICE - MARREEN CASPER

Marreen Casper, Senator Hatch's office, reported that Senator Hatch is working on the following:

- An issue regarding the Hill Air Force Base
- Serves on the Finance Committee
- Preserving Social Security
- Government Spending
- Fraud Prevention on Medicaid and Medicare
- Welfare Job Compliance
- The Tax Code
- Senate Bill 3413, the Tax Hike Prevention Act of 2012, which
- is to block the tax increases.
- Balanced Budget Amendment
- Legislation of Strengthening Commitment to Legal Immigration and America Security Act
- Legislation on Cyber Crime
- Re-introducing a bill that will allow retired Military Veterans to go into law enforcement by raising the age requirements.
- Public Land Issues

Commissioner Smith said that Senator Hatch has been very supportive of the Pot Ash project in the County. They are in the process of doing a development plan right now at which time the Environmental Committee would be able to comment again. He asked if Ms. Casper would ask Senator Hatch for his support when it has to go to the Department of Interior or BLM when the final plan is given.

Commissioner Smith also asked that someone from Senator Hatch's office keep an eye on the Snake Valley Water situation.

Commissioner Smith said that he feels that the County needs to sit down with the congressional people and the Forest Service regarding the town of Oak City and ask that the Forest Service allow the County to create a permanent fire break around Oak City to keep it safe from future fires.

Ms. Casper said that the Senator's Office would be glad to be there and offer its support.

PUBLIC INPUT

There was no public comment dealing with commission issues.

OTHER BUSINESS

Recorder Connie Hansen was informed by AGRC that the addressing contract is complete and on top of paying for the surveys they are also going to pay for the addressing and have it sent to the State.

She said that Adam Britt, GIS, did most of the addressing when he did the County's 911 system.

Recorder Hansen said that it is required to have the name of the person in charge listed on the contract. Mr. Britt is willing to be the person named on the contract since he has been working on this. Recorder Hansen said that she will continue to help him with the contracts. She also suggested that the commission form a committee to communicate with Mr. Britt to make sure he knows what it is that he should be doing. The commission suggested to do this during the GIS meetings.

Recorder Hansen informed the commission that the contracts need to be signed as soon as possible.

Attorney Waddingham questioned if the contracts were complete contracts. As he briefly looked over the contracts he had a few more questions and he would like to take some more time to review the contracts.

Commissioner Smith made a motion to enter into an agreement with the State of Utah AGRC for the purpose of receiving grant money of up to \$17,000.00 for collecting addressing data, and to appoint Adam Britt to be the authorized official representing Millard County for the project, pending final review of the contract by County Attorney Richard Waddingham.

Commissioner Withers stepped from the chair and SECONDED the motion. The voting was unanimous and the motion carried. ****need copy****

Recorder Hansen said that she has most of the survey information in for this year and is under budget so far. There are a few corners that need to be checked. If budget allows, she will have those corners looked at, otherwise, she will continue with the next phase of the project. If they go over budget she will include them in the next year.

Thayne Henrie, Road Supervisor, said that he has his crew on ten trucks running under Staker Parsons, to take all of the milling off of the freeway. Staker Parsons called and asked if the Road Department would be able to work over-time if they were willing to pay the over-time wages. The commission said that they would be fine with that as long as Staker Parsons is willing to cover the over-time wages.

Mr. Henrie said that he does not have the funding in his budget to cover the over-time wages so he would need the reimbursement put back into his budget once it is received.

The commission will inform Auditor Grace of the situation.

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

Commissioner Smith attended the Central Utah Counseling Mental Health meeting last Wednesday. The Millard/Juab team hired Tony Smith from Delta, Utah as a new nurse and also hired a counselor from Nephi, Utah.

Commissioner Smith said that Ron Childs, P.A. who is contracted with Millard County Jail to do substance abuse and mental health work with the prisoners, gave a presentation on Bipolar Disorder. He said that Bipolar is misdiagnosed too often. It is said that when a person is Bipolar and is on the down side of the syndrome the antidepressant medicines can cause the person to be more depressed and could increase his/her chances of suicide. He said that there is a fine line with this symptom. The person should often have a mood inhibitor instead of an antidepressant.

Commissioner Smith said that he received a few comments from members of the Snake Valley Water Advisory Committee that were addressed to the Governor. They are requesting to have a meeting with the Governor's office for that committee. He said that it only takes two board members to set up a meeting.

Commissioner Smith tried to set up a meeting with the Governor but he was informed that the Governor was too busy and it was suggested that he correlate with Mike Styler on the Snake Valley Water issues, which he has done and will continue to do.

Commissioner Withers said that he and Commissioner Smith met with the Natural Resources Conservation Service (NRCS) to procure more funds to help Oak City with its flood prevention to try to mitigate any flooding that could happen in the future.

Commissioner Withers met with the Forest Service to discuss a different plan to graze some of the areas in Oak City to try and prevent future forest fires. Daniel Anderson was one of the land owners who wanted to talk about this issue.

Commissioner Withers said that Thayne Herie, Road Department, made a deal with Staker Parsons to take all the milling off of the freeway. They said that the County could have all that material if they would haul it off. The County will be using this material to finish the main street in McCormick and some of the roads in Scipio. The county thought that was a good deal.

PRESENTATION REPORT ON THE COUNTY SEAT PUBLIC AFFAIRS T.V. PROGRAM PAST AND FUTURE AIRINGS - CHAD BOOTH

Mr. Booth gave a summary of the past shows the County Seat has aired. He said that he would like to find out from the counties what the program needs to be doing and what it needs to be covering.

Commissioner Withers said that a lot of the topics that they have been covering have been very timely and has provided good information to the public on some of the issues. A lot of the citizens do not understand how a lot of the things in the county work so it is good that they are putting the information out there.

Mr. Booth said that the viewing response has been very good. Based on the Nielsen ratings and the additional broadcasting over cable networks they are reaching a weekly audience of about 60,000 people. That represents between 2%-3% of the viewing households across the state. He said that they did a survey at the last legislative session to see how many people were watching the program. They found that 78% of the people that were given the survey are watching this program.

Mr. Booth said that the county messages are being delivered at about \$0.01 per exposure, per person.

Mr. Booth said that he has heard from several people that they like the way the program showcases Utah's counties. The audience the program is reaching is paying close attention to the topics, and he knows that the topics become conversation in communities. He also said that he feels that the counties are on the right track with this program.

Mr. Booth said that it has been requested that the program readdress Greenbelt and to go into more detail about tax rates versus property values and how the two work against each other. He has also been asked to discuss in more detail the collection process and how much of the property taxes collected actually go to the county versus the school board, special improvement districts, etc.

Mr. Booth said that they still have one more episode to run regarding wild fires. They have also been asked to talk about the fact that federal land managers are telling the counties when and how they can engage in fire suppression but then they are sending the counties the bill when the fires get out of hand.

Commissioner Smith asked if they could also focus on persons being able to graze their livestock on Forest Service ground. He said that they used to be able to graze which resulted in fewer burns, but now the Forest Service is restrictive on grazing.

Mr. Booth said that they are currently investigating an issue regarding grazing allotments and allocations regarding water rights.

They are planning on doing an episode on elections.

Mr. Booth discussed the option of having a class of students do the pledge of allegiance to open each episode and asked how the commission felt about this. The commissioners thought this was a good idea.

Mr. Booth said that this will help the schools get more involved in the program.

Mr. Booth discussed with the commission the time slots for the program. The show is currently run Sunday mornings at 8:00 a.m.. It was discussed to change the time of airing or add a rerun time at 4:30 p.m.. The rerun time slot would cost more and would require more funding from each participating county.

The commission suggested to keep the current time at 8:00 a.m. and to add a rerun time slot at 4:30 p.m..

Mr. Booth said that a few of the cable providers are broadcasting the show approximately 17 times.

About three months ago they started broadcasting a radio station which is run on A.M. talk stations. The radio broadcast currently only reaches the eastern part of the State. His goal is to have the radio program reach listeners across the entire State.

Mr. Booth said that he firmly feels that this program airs issues dealing with the most important level of government that the people deal with and it will be more important that they understand it as time goes on.

Mr. Booth said that he appreciates the counties who have gotten behind this program and have really backed it. He hears nothing but positive comments from the audience's point of view.

POSSIBLE REVIEW OF COUNTY POLICIES AND CONTRACTS

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 Smith made a motion to adjourn the meeting.

Commissioner Withers stepped from the chair and SECONDED the motion. The voting was unanimous and the meeting adjourned at 11:28 a.m..

Attest: _____

Approved: _____