

MINUTES OF BOARD OF COUNTY COMMISSIONERS
MILLARD COUNTY THE 15th DAY OF OCTOBER 2013
AT THE COURTHOUSE, FILLMORE, UTAH

PRESENT: Daron P. Smith..... Chairperson
James I. Withers..... Commissioner
Alan M. Roper..... Commissioner

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

ALSO PRESENT: Robert Dekker..... County Sheriff
Forrest Roper..... Sheriff's Office
Dean Draper..... Chronicle Progress
Trent Wilde..... USU Extension
Chris Carling, Tony Anderson, RB Probert,
Brett Bunker & Randy Fowles..... Weed Board
Stephen Jensen & Brandon Winget..... Road Department
Connie Hansen..... County Recorder
Bryant Anderson..... Commercial Business Radio, LC
Douglas Jolley..... Old Capital Arts & Living History Festival
Carl Camp..... Territorial Statehouse

Note: Not all agenda items were followed in order.

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 Smith to the public and Commission members.

OPENING STATEMENTS

Commissioner Smith asked if anyone had an opening statement to give. Commissioner Withers said the invocation. Everyone stood and said the Pledge of Allegiance to the Flag.

APPROVAL OF OCTOBER 1, 2013 COMMISSION MINUTES

The proposed minutes of a regular County Commission meeting held October 1, 2013 were presented for consideration and approval. Following review and consideration of minor corrections, Commissioner Roper made a motion to approve the minutes of October 1, 2013, as corrected.

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

FOLLOW UP ACTION ITEMS FROM OCTOBER 1, 2013

Commissioner Roper said that the commissioners met with Fillmore City regarding the motion sign which was requested by the East Millard Recreation Department. It was decided to place the sign on the corner of 100 South and Main Street. They now have to contact the property owner to get approval before placing the sign at that location.

Commissioner Withers said that the Road Department ordered the culvert for Oak City. It is expected to be delivered in about five to six weeks.

Commissioner Roper said that Maddie Deloach, Miss Millard Outstanding Teen, made it to the final ten at the Miss Utah Outstanding Teen Pageant. Miss Deloach did a very good job.

Commissioner Roper said that the County hired Carling & Company to haul a few loads of gravel to Tony Fuller, as part of the purchase agreement of the gravel pit. It was agreed to provide Mr. Fuller a few loads of gravel and the County would have Carling & Company deliver it.

DISCUSSION AND POSSIBLE APPROVAL OF A BUSINESS LICENSE FOR DEOGUN MANUFACTURING, LLC

A business license application was presented for Deogun Manufacturing, LLC, a refined coal company. After review of the application and finding all the signatures in order, Commissioner Withers made a motion to approve a business license for Deogun Manufacturing, LLC, manager - Richie Spatz.

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

DISCUSSION AND POSSIBLE APPROVAL OF HOLDING A SPECIAL COMMISSION MEETING ON OCTOBER 29, 2013 TO ADOPT MILLARD COUNTY'S 2014 TENTATIVE BUDGET

Attorney Waddingham said that an order would need to be signed in addition to the motion to approve a special meeting.

He also said that the state statute only allows the items listed on the order be discussed during the special meeting.

Commissioner Roper made a motion to approve holding a special commission meeting on

October 29, 2013 to adopt Millard County's 2014 Tentative Budget.

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

DISCUSSION AND POSSIBLE APPROVAL OF RELEASING THE BOND BETWEEN MILLARD COUNTY AND ADF HOLDINGS - ANTHONY FULLER AND DON FULLER

Commissioner Smith said that as part of the Fullers' conditional use permit with the County they were required to have a bond for their gravel pit for reclamation of the property. Since Millard County has now purchased the gravel pit from the Fullers the cash bond and whatever interest may have accumulated will be released to the ADF Holdings - Anthony Fuller and Don Fuller.

Treasurer Hansen explained the process of releasing the bond and any accumulated interest. He said that the County has already released a portion of the bond amount leaving a balance of \$8,000.00 plus interest in the amount of \$149.95 remaining on the bond. The total amount of the bond that will be released to the Fullers would be \$8149.95.

Commissioner Smith said that the County did not use the bond and he recommends that the bond be released to the Fullers in the amount of \$8,149.95 which includes interest.

Commissioner Roper made a motion to release the bond to ADF Holdings, LLC - Anthony Fuller and Don Fuller and the amount of the accrued interest and any further responsibility under the bond for the property.

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

DISCUSSION AND POSSIBLE APPROVAL OF A FOREST SERVICE CONTRACT - SHERIFF DEKKER

Sheriff Dekker explained that this is an annual cooperative law enforcement operating and financial plan. It is a standard contract which is the same as it has been in the past. He said that the Forest Service program's funding was cut by 14% so in turn they had to cut the funding to the County by 10%. This cut was the only change made to the contract from last year.

Commissioner Withers made a motion to approve the contract between the Forest Service and Millard County.

Commissioner Roper SECONDED the motion. The voting was unanimous and the motion carried. **Need Copy**

DISCUSSION AND POSSIBLE APPROVAL OF A NEW 911 SYSTEM - SHERIFF DEKKER

Sheriff Dekker said that they need to purchase a new 911 system. He said that Captain Forrest Roper takes care of this program for the Sheriff's Office.

Captain Roper said that the system is at the end of its life. The life span of the equipment is only five years and the County's current 911 system is at seven years. They can no longer get parts

or supplies for the current system.

Captain Roper said that the new system will only have a five year life span as well and is supposed to be capable of accepting text 911 and streaming video.

He said that for a number of years the County went through Frontier Communications for the 911 system, but about seven years ago, while in the process of replacing the system, the County could not get a quote from Frontier, so the County ended up going through Century Link. He said that they have been extremely happy with Century Link. He said when and if there is ever a problem and Century Link cannot fix it remotely they have been very good to have someone respond within an hour or an hour and a half.

Captain Roper said that the cost of the new 911 system will be reimbursed by the 911 Grant Committee. He explained that the \$0.08 on each phone bill goes to the Grant Committee. The \$0.61 on the phone bill theoretically goes to the County to help fund the 911 system.

Captain Roper said that this year Frontier presented a proposal, and when compared to Century Link the equipment was very similar. He said that the Sheriff's Office really has liked working with Century Link and has a good working relationship with them. They have chosen to stick with Century Link for the renewal equipment.

The proposal from Century Link is almost \$15,000.00 more than Frontier's proposal, but they feel that going with Century Link is the best value, which has been proven over the last seven years of doing business with them.

Sheriff Dekker said that by going through Century Link it will save on training costs because the new 911 system function is similar to the old 911 system.

Captain Roper said that the new 911 system with Century Link is on the same system as other counties and would allow the County to transfer all of the 911 callers to a different County if there was ever a reason to evacuate the dispatch center.

Sheriff Dekker said that they would need the approval this year so that they can continue on with the process. Captain Roper said that he submitted the grant request for reimbursement which will be heard by the Grant Committee on November 15th or 17th.

Captain Roper said that the proposal from Century Link is for \$225,274.61 and includes all of the equipment, installation, shipping, training and the first year's maintenance.

Commissioner Smith said that the amount of the grant would need to be budgeted in next year's Capital line item budget for communication.

Captain Roper said that the 911 Committee is paying the maintenance cost for the life of the equipment for fourth and fifth class counties.

Commissioner Roper made a motion to accept the bid from Century Link and approve a new 911 System.

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

OPENING OF THE ENGINEERING AND SITE PLAN BIDS FOR THE RECORDS AND STORAGE BUILDING

Commissioner Roper said that he received two bids via email. One was from Sunrise Engineering and the other from GSBC.

Commissioner Roper said that he wrote a letter to the following businesses: Wall Engineering, Sunrise Engineering, Jones & DeMille and GSBC out of Salt Lake City.

He said that he never received a response from Wall Engineering and Jones & DeMille said that they were not interested in bidding on the project. The following proposals were received from GSBC and Sunrise Engineering:

GSBC:

- \$18,830 Architecture
- \$6,750 Structural
- \$6,500.00 Mechanical
- \$4,100.00 Electrical
- \$36,180 Total plus \$2,500 for Site Evaluation.

Sunrise Engineering:

- \$14,300.00 Architecture
- \$3,000.00 Prepared Plans
- \$500.00 Advertisement
- 17,800.00 Total which includes everything.

After discussion it was decided that Sheriff Dekker and Recorder Hansen will look over the proposals to make sure both meet the requirements.

Commissioner Roper made a motion to get together and review the bids and to award the bid to Sunrise Engineering pending review that everything looks good.

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

Later, Commissioner Smith called and reported that in accordance to the Millard County Purchasing Policy, Article III, E the commissioners approved the bid received by Sunrise Engineering.

DISCUSSION AND POSSIBLE APPROVAL OF A CELL PHONE ALLOWANCE FOR KAELA JACKSON, DEPUTY COUNTY ATTORNEY

Attorney Waddingham said that he recommends that Attorney Jackson receive a cell phone allowance of \$80.00.

Commissioner Roper made a motion to approve a cell phone allowance for Kaela Jackson in the amount of \$80.00.

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

PUBLIC INPUT

There was none.

OTHER BUSINESS

Auditor Grace wanted to clarify that the 911 grant would actually be run through the enterprise fund instead of the capital fund since it has a revenue account.

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

Commissioner Roper said that the Fillmore Senior Citizen Center has requested to take out part of the lawn around the south side of its building to make room for additional parking.

He went and looked at what they are wanting to do and he does not think it will be a problem. They would like to have this project done by this fall.

Commissioner Roper said that the Central Utah Public Health block building process is going well. He will be meeting with Fillmore City's Planning and Zoning on October 22, 2013. Hopefully they will be able to apply for a simple subdivision split for the lot. He visited with Reverend Beckwith who indicated that he is ready to sign the documents. Commissioner Roper will work with the Title Company to get it ready to go.

Commissioner Roper said that Fillmore City is not sure if it wants to do a conditional use permit, an administrative change or a zone change. As soon as it is decided what is required, the County will send it out for bid.

Commissioner Roper thanked the Road Department for placing the flashing lights on the stop signs located at the crossroads by Flowell Electric. He said that the Flowell residents are also thankful.

Commissioner Roper attended the Six County AOG meeting which was held at the Navajo Nation. He drove to Navajo Nation Wednesday night after some morning meetings. Emery Polelonema gave him a tour of his home dwelling. Gari Lafferty also attended the tour.

Commissioner Roper said that it was a real eye opener. He has never seen poverty at that level before and people who seem as happy as these residents were. He said that it was a real educational trip.

Commissioner Roper attended a Tourism Meeting. They are currently working on the budget for the coming year. They are also working on finishing up the new tourism magazine, Discovering Millard County.

Commissioner Smith received a letter from Utah County indicating that they will reimburse the \$7,000.00 Millard County paid for the USGS Study based on the interlocal agreement entered with Millard County.

Commissioner Smith said that the Deseret Heritage Association are still working on its project.

Sheriff Dekker presented payroll increases for the commissioners signature. Sheriff Dekker and Auditor Grace discussed the policy regarding hours for dispatch employees.

DISCUSSION AND POSSIBLE APPROVAL OF PLACING A BUILDING ON AN EXISTING PIECE OF PROPERTY FOR THE WEED DEPARTMENT - TERRY SCOTTORN

Terry Scottorn and members of the Weed Board discussed with the commissioners the possibility of constructing a building on an existing piece of County property. Mr. Scottorn said that the Weed Department has acquired several pieces of equipment that needs to be stored to avoid weather damage, as well as chemicals that need to be stored in a temperature controlled facility. The commissioners suggested other buildings, locations and options for storage.

After more discussion it was decided that the commissioners will look into the options and will get back to Mr. Scottorn.

DISCUSSION AND POSSIBLE APPROVAL OF THE WEED DEPARTMENT MAINTAINING THE ROAD DEPARTMENT NOXIOUS WEEDS - TERRY SCOTTORN

Mr. Scottorn discussed with the commissioners the option of the Weed Department taking over maintaining the Road Department noxious weeds. They discussed the financial costs associated, as well as the extra equipment that would also need to be stored. Mr. Scottorn explained that if this were to take place the Weed Department would need to hire an additional seasonal laborer. He feels that four employees including himself would cover the extra ground during the summer.

DISCUSSION AND POSSIBLE APPROVAL OF A PROPOSED CONTRACT RENEWAL BETWEEN MILLARD COUNTY AND COMMERCIAL BUSINESS RADIO, LLC - BRYANT ANDERSON

Bryant Anderson, Commercial Business Radio, LC, explained changes made to the contract. The new contract amount is \$28,830.00 which is \$1,988.00 less than last year's contract.

Commissioner Smith said that he appreciates Mr. Anderson for staying on top of and evaluating the needs of the radios and maintaining the licensing since the regulations are always changing.

Commissioner Withers made a motion to approve the contract renewal with Commercial Business Radio, LLC in the amount of \$28,830.00.

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

REPORT ON EAST MILLARD ARTS FESTIVAL - ABE JOHNSON, DOUG JOLLEY AND CARL CAMP

Doug Jolley presented a summary for the Arts and Living Festival (Festival) and said that he and Abe Johnson are co-chair of the Festival. This year was the 17th year for the Festival. He said

that Carl Camp has been a key component due to the Territorial State House.

He gave a brief history of the Festival and reported on the following:

- Improvements have been made each year.
- The number of participants and spectators have increased each year.
- The Festival Committee appreciates financial support for publicity from County Tourism.
- The mission of the Festival is to celebrate and promote the arts and living history. Living history is what helps set this Festival apart from other festivals.
- There are about 20 volunteers on the committee, plus volunteers from the Sheriff's Posse, Latinos in Action and more.
- The Festival has helped to increase the Territorial State House numbers.
- This year the living history hosted at least 15 living history demonstrations, experiences and exhibits. It also had 42 artist and artisan booths.
- The judged art show will be moving to a new location next year.
- They will be expanding the 4th grade education activities next year.
- There are a number of events at the Festival including children's activities, live entertainment, special exhibits, quilt exhibits, food court, old photo display, gun show, hospitality, silent auction, and other booths including the Sheriff's Office, BLM, Forest Service, Wildlife, Family History and Information.
- The goal of the Festival is to improve the quality and organization each year. Next year they want to have the Shoshone Tribe participate, as well as more art experiences and to try and obtain more dependable and adequate funding.
- The operation budget of the Festival comes from income sources such as grants, municipal and County support, corporate and local businesses, private donations, the silent auction and more.
- A few of the expenses include entertainment, living history, judged art show, publicity and miscellaneous items. These expenses alone add up to around \$20,200.00.
- Moving forward, they would like to have a grant writer to help with getting grants, as well as try to get some permanent funding sources.

Commissioner Roper thanked Mr. Jolley and Mr. Camp for all that they have done. He said that he will meet with the Committee and see what the County Commission can do to help.

POSSIBLE REVIEW OF COUNTY POLICIES AND CONTRACTS

There was none.

POSSIBLE CLOSED MEETING PURSUANT TO UTAH CODE ANNOTATED SECTION 52-4-204 & 205

There was none.

WORK SESSION WITH UTAH COUNTIES INDEMNITY POOL

The Commission met with Utah Counties Indemnity Pool.

WHERE UPON THE MEETING ADJOURNED

Commissioner Withers made a motion to adjourn the meeting.

Commissioner Roper SECONDED the motion. The voting was unanimous and the meeting adjourned at 12:16 p.m..

Attest: _____

Approved: _____