

MINUTES OF BOARD OF COUNTY COMMISSIONERS  
MILLARD COUNTY THE 21st DAY OF JUNE 2016  
AT THE COURTHOUSE, FILLMORE, UTAH

PRESENT: Dean Draper . . . . . Chairperson  
Alan M. Roper . . . . . Commissioner  
James I. Withers . . . . . Commissioner  
  
Pat Finlinson . . . . . County Attorney  
Marki Rowley . . . . . County Clerk  
Lesli Shields . . . . . Deputy County Clerk

ALSO PRESENT: Dana Jordan . . . . . Chronicle Progress  
Josh Case, Maddie Case and Bryan Case . . . . . Energy Capital Group  
Amity Burnham . . . . . EDF Renewable  
Britton Lund . . . . . Utah State Library Bookmobile  
Kent Jorgensen . . . . . Millard County Bookmobile  
David Smedley and Kevin Bunnell . . . . . Utah DWR  
Susan Stefanoff, Amy Wright and Carol Malone . . . . . DUP  
Brian Monroe . . . . . Forest Service District Ranger  
Scott Barney . . . . . MEDA Coordinator  
Landon Rowley . . . . . County Fire Warden  
Matthew Kesler, Randy Brunson and Tony Fuller . . . . . Citizens  
Bonnie Gehre . . . . . Chief Deputy County Auditor  
Sheri Dearden . . . . . County Treasurer  
Pat Manis . . . . . County Assessor  
Connie Hansen . . . . . County Recorder  
Robert Dekker . . . . . County Sheriff  
Lisa Crosland, choir members and parents . . . . . Half Notes Performing Choir  
Mani Grewal . . . . . Scipio Motel  
Deric Despain . . . . . USU Extension

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 Draper to the public

and Commission members.

## OPENING STATEMENTS

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

## APPROVAL OF JUNE 7, 2016, COMMISSION MINUTES

The proposed minutes of a regular County Commission meeting held June 7, 2016, were presented for consideration and approval. Following review and consideration of minor corrections, Commissioner Roper made a motion to approve the minutes of June 7, 2016, as corrected.

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

## FOLLOW UP ACTION ITEMS FROM JUNE 7, 2016

Commissioner Roper asked for a follow up regarding the invoices that the County received from Beaver County for lobbying at the Legislative session.

Commissioner Draper reported that he did not contact Beaver County, but the decision has been made to not pay the invoices.

Commissioner Draper asked for clarification regarding if Garrison is the only precinct in Millard County that is voting by-mail for the Primary Election.

Clerk Rowley confirmed that Garrison is the only vote by-mail precinct for the Primary Election. She said that all of the other precincts will vote at their normal polling places except for Flowell, which will be voting at the County Clerk's Office on Election Day.

Commissioner Withers reported that he talked with Brandon Winget, County Road Supervisor, regarding water needs at the gravel pits being purchased from Tony Fuller. He said that Mr. Winget told him that if it is economical to purchase the water rights, it should be considered.

Attorney Finlinson said that he has some input regarding this, but he will address it during the scheduled agenda item.

Commissioner Roper asked if Mr. Winget thought that two acre feet of water is enough at the gravel pits.

Commissioner Withers said that most of the wash is done on the lime chips; however, he is unsure how clean the aggregate is on the gravel pits that are being purchased from Mr. Fuller.

Commissioner Withers said that one acre foot is approximately 356,000 gallons of water.

## RATIFY THE APPROVAL OF A BUSINESS LICENSE FOR ELIASON MEMORIAL, OWNER - BRETT ELIASON

Commissioner Roper made a motion to ratify the approval of a business license for Eliason

Memorial, Owner - Brett Eliason.

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

#### DISCUSSION AND POSSIBLE APPROVAL OF A BUSINESS LICENSE FOR SUTHERLAND CHILDCARE, OWNER - KENNIA RIVERA

A business license application was presented for Sutherland Childcare, Owner - Kennia Rivera, a child care services business. After review of the application and finding all signatures in order, Commissioner Withers made a motion to approve a business license for Sutherland Childcare, Owner - Kennia Rivera.

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

#### DISCUSSION AND POSSIBLE APPROVAL OF A CREDIT CARD FOR KLINT PENNEY, EAST MILLARD MAINTENANCE; TERRY CUMMINGS, EAST MILLARD POOL SUPERVISOR; BART WHATCOTT, EAST MILLARD RECREATION; NATHAN PORTER, WEST MILLARD RECREATION

Commissioner Roper made a motion to approve a credit card for Klint Penney, Terry Cummings, Bart Whatcott and Nathan Porter.

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

#### DISCUSSION AND POSSIBLE APPROVAL OF A CONTRACT WITH THE UTAH STATE LIBRARY DIVISION FOR BOOKMOBILE SERVICES - BRITTON LUND

Britton Lund, Utah State Library Bookmobile, introduced Kent Jorgensen, the new Millard County Bookmobile driver. She then presented and went over the statistics for Millard County's Bookmobile, including the circulation by stop, the patrons by stop and the circulation of each patron. She stated that there is growth in every area.

Mr. Jorgensen shared some of his experiences as the Bookmobile driver over the past year, as well as the stops he makes.

Commissioner Roper expressed his appreciation to Ms. Lund and Mr. Jorgensen for the update and said that he is happy to see that the Bookmobile is increasing in use.

Commissioner Withers made a motion to approve a contract with the Utah State Library Division for Bookmobile Services in the amount of \$106,700.00.

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

#### DISCUSSION AND POSSIBLE APPROVAL REGARDING SPACE AT THE EXISTING DELTA CITY FIRE DEPARTMENT BUILDING - DAUGHTERS OF UTAH PIONEERS (DUP), SUSAN

## STEFANOFF

Commissioner Draper said that he researched the parcel in question and the bays of the existing Delta City Fire Department Building are deeded to Delta City; the brick building and canopy are deeded to the Millard County Fire District.

Attorney Finlinson stated that the Millard County Fire District is an independent taxing entity and this subject matter will need to be dealt with at a Millard County Fire District meeting.

Susan Stefanoff reported that the McCullough log cabin on Main Street in Delta has been granted museum status by the State of Utah; it was the first post office in the area with the first mail coming through January 18, 1908.

Ms. Stefanoff said that where the cabin is placed right now, it is incurring water damage and it needs to be in a dry place to be preserved and restored. She reported that she met with Delta City regarding the water issues and was told that it was impossible to move the sprinklers that are causing the water damage.

Ms. Stefanoff presented the commissioners with a map highlighting the space in question at the existing Delta City Fire Department Building where the DUP would like to move the cabin and also have use for DUP meetings and seminars. She said that Delta City Mayor Bunker seemed to be in favor of this proposal.

Commissioner Draper said that Bruce Curtis, Millard County Fire District Chairman, questioned how the DUP would handle the utilities on this space.

Amy Wright, DUP President, said that they have some money saved from fund-raising that can be used for utilities.

Ms. Stefanoff added, now that the cabin has been granted museum status, grants can also be requested.

Commissioner Draper recommended Ms. Stefanoff contact Mr. Curtis to get on the agenda for the next Fire District meeting July 20, 2016.

Ms. Stefanoff thanked the Commission for its time.

## DISCUSSION REGARDING MILLING ON A FOREST SERVICE ROAD - BRIAN MONROE, U.S. FOREST SERVICE (USFS)

Brian Monroe, USFS District Ranger, presented the Commission with a map and handout. He said that Ensign Ranches wants to mill the road indicated on the map and the USFS is supporting this effort.

Mr. Monroe requested a letter from the Commission for Ensign Ranches to submit with the application to the Resource Advisory Committee (RAC), to support them in applying for funding.

Commissioner Withers made a motion to approve a letter of support from the Commission to the RAC for Ensign Ranches.

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

## DISCUSSION AND POSSIBLE APPROVAL REGARDING A CONTRACT WITH THE DEPARTMENT OF CORRECTIONS - SHERIFF DEKKER

Sheriff Dekker said that this is the annual contract from the Department of Corrections for housing State inmates at the County Jail.

Attorney Finlinson said that he has reviewed the contract. He said that the Commission must give approval, however, Sheriff Dekker is the signing party on the contract.

Commissioner Withers made a motion to approve a contract with the Department of Corrections for housing State inmates at the County jail facility.

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

\*need copy

#### HALF NOTES PERFORMING CHOIR TO SING TWO PATRIOTIC SONGS

The Half Notes Performing Choir entertained the Commission by singing two songs.

#### INTRODUCTION OF DAVID SMEDLEY, UTAH DIVISION OF WILDLIFE RESOURCES (DWR) BIOLOGIST

Kevin Bunnell, DWR Regional Supervisor, introduced David Smedley, DWR Biologist, who is replacing Riley Peck.

Mr. Bunnell and Mr. Smedley briefly discussed the sheep herds that were transplanted to Millard County.

Commissioner Roper asked for Mr. Smedley to be involved in the educational process with the schools and with the public.

Mr. Bunnell reported that Kody Jones, DWR Conservation Officer, has accepted another job in Uintah County and will be transferring at the end of July. He said that at some point in the next six to ten months, a new officer will be hired and introduced. He briefly explained the process for hiring conservation officers.

The commissioners expressed his appreciation to the DWR for all they do in the County.

#### DISCUSSION AND POSSIBLE APPROVAL REGARDING DELINQUENT PROPERTY TAXES AT THE SCIPIO MOTEL - MANI GREWAL

Mr. Grewal, expressed his appreciation to the Commission for meeting with him today. Mr. Grewal briefly discussed the history of the Scipio Motel since he purchased it.

Treasurer Dearden stated that Mr. Grewal owns three parcels in Scipio, the Scipio Motel and two lots east of the motel. She said that the property tax has not been paid for the years 2012, 2013, 2014 or 2015, and if 2016 is not paid it would then go to tax sale. The total amount owed, in past due taxes, is \$45,483.20.

Mr. Grewal stated that a group leased the parcels from him and promised to pay the taxes. He asked the Commission for its consideration to give him time to get caught up on the past due taxes and asked for the penalties and interest to be waived, in the amount of \$6,290.40. He indicated that he could pay \$10,000.00 to \$15,000.00 down and pay \$5,000.00 every quarter until it is caught

up.

Mr. Grewal said that the property was assessed at \$872,000.00, but the fair market value does not perform at that level.

Commissioner Draper said that when Mr. Grewal receives the letter from the County Auditor indicating the estimated property taxes, he can challenge the assessed value.

The commissioners discussed if the penalties and interest can be waived for commercial parcels.

Treasurer Dearden indicated that the commissioners waived the penalties and interest for Mr. Grewal in 2012 for the same parcels, in the amount of \$4,762.00.

Commissioner Draper asked for Mr. Grewal to bring the contracts with the group that leased the parcels from him to a future Commission meeting. He said they can discuss this further at that meeting.

Commissioner Roper stated that the bottom line, as per State law, is that the property owner is responsible for paying the property taxes.

#### BID OPENING FOR THE ELECTRICAL WORK AT THE WEED DEPARTMENT BUILDING

Chief Deputy Auditor Gehre opened the following bid:

- Two Chew Electric, LLC: \$21,657.00

Commissioner Withers made a motion to accept the bid, as presented, and review the specifications of the bid, before making a decision.

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

#### BID OPENING FOR THE CONSTRUCTION OF OFFICE SPACE WITHIN THE WEED DEPARTMENT BUILDING

Chief Deputy Auditor Gehre opened the following bid:

- Pahvant Builders: \$26,900.00

Commissioner Withers made a motion to accept the bid, as presented, and review the specifications of the bid, before making a decision.

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

#### AWARD OF BID FOR THE RECORDS BUILDING

Commissioner Roper recused himself from this discussion due to a possible conflict of interest.

Commissioner Withers made a motion to award the contract for the Records Building to Natural Impressions, due to the bid being approximately \$10,000.00 lower than the bid from Randle Brunson.

Commissioner Draper stepped from the chair and SECONDED the motion. The motion was passed by a majority vote.

#### DISCUSSION AND POSSIBLE APPROVAL OF A BID FOR A FENCE AT THE HORSE TRACK AT THE INDOOR ARENA - BART WHATCOTT

Commissioner Roper made a motion to table this agenda item.

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

#### DISCUSSION AND POSSIBLE APPROVAL REGARDING PAYMENT TO SUNRISE ENGINEERING FOR SURVEY WORK ON THE BOUNDARIES OF THE RED DOME GRAVEL PITS NEAR FLOWELL

Commissioner Withers said that Mr. Winget needed a boundary survey completed at the Red Dome Gravel Pit west of Flowell. He said that the property is surrounded by BLM land and a survey was needed so the Road Department does not encroach on BLM property. He said that the survey work was under \$5,000.00, and therefore did not need to go through the bid process.

Commissioner Withers made a motion to approve payment to Sunrise Engineering for survey work on the boundaries of the Red Dome Gravel Pits near Flowell, in the amount of \$4,500.00. This will be paid out of the Road Department Budget.

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

#### DISCUSSION AND POSSIBLE APPROVAL REGARDING AN AGREEMENT WITH MARK WARD FOR THE COST OF LITIGATION FOR THE WATER ISSUES ON THE WEST DESERT

Commissioner Draper said that he received notification of a pre-hearing conference that will be held in Carson City, Nevada, September 14, 2016, regarding the Southern Nevada Authority remand applications to the State of Nevada Engineer.

Commissioner Draper said that he attended a presentation of the findings of hydrologic studies presented by the USGS at the Great Basin National Park last week; Mr. Ward was also in attendance in preparation of the hearings in September and October.

Commissioner Draper reminded the Commission that this agreement with Mr. Ward is split between Juab County and Millard County for ongoing litigation counsel. He said that he still has not heard back from Beaver County, Tooele County, Salt Lake County or Utah County if they are going to be a part of this process. He said that he will follow up with those counties.

Commissioner Roper made a motion to approve an agreement with Mr. Ward for the cost of litigation for the water issues on the West Desert, in the amount of \$12,500.00, plus reimbursement for hotel, food and gas, paid out of the Public Lands Budget.

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

Commissioner Roper said that this should be submitted to the Constitutional Defense Counsel.

Deric Despain, USU Extension, asked for clarification as to why this is a County issue instead of a State issue.

Commissioner Roper said that while the State is concerned, the County has to be proactive in this effort.

Commissioner Draper briefly explained the water issues the County faces.

Attorney Finlinson clarified that while the State is concerned, it is a low priority to the State whereas it is high priority for the County.

#### DISCUSSION AND POSSIBLE APPROVAL OF A CONTRACT WITH LARSON ACCOUNTING FOR THE INDEPENDENT AUDIT

Chief Deputy Auditor Gehre said that this is a three year contract with a base amount plus an additional \$500.00 per year.

Commissioner Withers made a motion to approve a contract with Larson Accounting for the Independent Audit, in the amount of \$24,300.00 for 2017; \$24,800.00 for 2018; \$25,300.00 for 2019.

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

#### DISCUSSION AND POSSIBLE APPROVAL OF A CONTRACT BETWEEN MILLARD COUNTY AND TONY FULLER FOR THE PURCHASE OF 18.9 ACRES OF GRAVEL PITS PROPERTY, IN THE AMOUNT OF \$37,800.00; AND 4.15 ACRE FEET OF WATER RIGHTS, IN THE AMOUNT OF \$20,750.00

Attorney Finlinson said that there is an invalid reservation of mineral rights on this property; the language used in the reservation is broad; sand and gravel are not considered minerals; the reservation was not reserved by someone who had an interest in the property.

Mr. Fuller briefly discussed the importance of using the 2 acre feet of water that the County already owns. He said that the water there is not being used at all right now and the County will be required to forfeit it for non-use if it is not used and proved up on.

Mr. Fuller said that if the County purchases the 4.15 acre feet of water rights today, it would be able to be used for both the current gravel pits and the 18.9 acres of gravel pits that are being purchased today. He said that he has a permit for an additional well to be drilled, if needed.

Commissioner Roper stated that the water contract should wait until next year when it can be added to the budget.

Commissioner Draper stated that he thinks it is important to purchase the water rights today and there is money in the capital that can be used for this purchase.

Mr. Fuller stated that the water rights will be needed in the future for the gravel pits restoration plan.

Commissioner Withers made a motion to approve a contract between Millard County and



Tony Fuller for the purchase of 18.9 acres of gravel pits property, in the amount of \$37,800.00; and 4.15 acre feet of water rights, in the amount of \$20,750.00.

Commissioner Draper stepped from the chair and SECONDED the motion. The motion was passed by a majority vote.

Later, Attorney Finlinson stated that he will write up a contract to be signed by both parties.

Commissioner Roper said that he will contact First American Title Company to have the deed written up.

#### DISCUSSION AND POSSIBLE APPROVAL REGARDING THE LEASE OUT EXTENSION OF AN AGREEMENT FOR 400 W CENTER STREET, FILLMORE, UTAH, BETWEEN MILLARD COUNTY AND THE LDS CHURCH REAL ESTATE SERVICES DIVISION

Commissioner Roper said that the contract does not indicate that any water is associated with it.

Commissioner Roper made a motion to approve the lease out extension of an agreement for 400 W. Center Street, Fillmore, Utah, between Millard County and the LDS Church Real Estate Services Division. The contract is a ten year contract in the amount of \$10.00 per year.

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

#### OTHER BUSINESS

Scott Barney, MEDA Coordinator, briefly discussed a conflict he was made aware of between Millard County and SITLA. He said that he was not given many details, but SITLA will be contacting the Sheriff's Office regarding this issue.

#### DISCUSSION AND POSSIBLE APPOINTMENT OF AN INTERIM AUDITOR

Commissioner Draper said that there were three candidates for consideration for the Interim Auditor; Bonnie Gehre, Lynette Madsen and Daron Smith. He said that he was contacted by the Republican Party last night that Ms. Gehre was officially voted in as the Interim Auditor and will be on the Republican Party ballot for the General Election.

Commissioner Withers made a motion to appoint Bonnie Gehre as the Interim Auditor.

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

Clerk Rowley swore in Chief Deputy Gehre as the Interim Auditor.

The commission expressed congratulations to Auditor Gehre.

#### DISCUSSION AND POSSIBLE APPROVAL OF RESOLUTION 16-06-21, A RESOLUTION OF THE MILLARD COUNTY COMMISSION AUTHORIZING THE FILING OF CROSS-APPEALS

## FOR 2016 CENTRALLY ASSESSED PROPERTIES

Attorney Finlinson briefly explained the resolution and listed the following owners with centrally assessed property in Millard County that have filed an appeal with the Utah State Tax Commission contesting their 2016 assessment: AT&T Mobility LLC; Cellco Partnership dba Verizon Wireless; T-Mobile US Inc.; Sprint Corporation; AT&T Communications; PacifiCorp; Intermountain Power Agency; Level 3 Communications; Citizens Telecommunications Company of Utah; Graymont Western US Inc..

Commissioner Withers made a motion to approve Resolution 16-06-21, a resolution of the Millard County Commission giving notice to the public regarding Centrally Assessed Property Appeals.

Commissioner Roper SECONDED the motion. Clerk Rowley called for a roll call vote. Commissioner Roper voted YES. Commissioner Withers voted YES. Commissioner Draper voted YES. The voting was unanimous and the motion carried.

## DISCUSSION AND POSSIBLE APPROVAL OF RESOLUTION 16-06-21A, A RESOLUTION OF THE MILLARD COUNTY COMMISSION AMENDING THE COUNTY PURCHASING CARD POLICY TO REFLECT NEW CARD ISSUER/PROVIDER

This agenda item was struck.

## DISCUSSION AND POSSIBLE APPROVAL FOR OUT OF STATE TRAVEL TO ATTEND THE REGIONAL EDA CONFERENCE IN DENVER, CO, JULY 31 THROUGH AUGUST 3, 2016 - SCOTT BARNEY, MEDA COORDINATOR

Mr. Barney explained that at this conference he would learn about federal funding programs for infrastructure. He said that the conference itself is approximately \$300.00, plus hotel, food and travel.

Commissioner Roper made a motion to approve Mr. Barney to travel to Colorado to attend the Regional EDA Conference July 31 through August 3, 2016.

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

## PUBLIC INPUT

There was none.

## OTHER BUSINESS CONTINUED

Attorney Finlinson said that an appeal has been filed by an indigent criminal defendant on a felony case. He reminded the commissioners that as per the new indigent contract, someone other than the trial attorney must be assigned as the appeals attorney. He said that Nathan Phelps does

appeals work for other rural counties in Utah and indicated that he can take the case for \$4,000.00.

Commissioner Withers made a motion to approve \$4,000.00 to Nathan Phelps, for indigent appeals work, to come out of the extraordinary expenses portion of the indigent defense contract.

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

Commissioner Roper said that he received a thank you card from the County Courthouse Scholarship Recipient Emmalee Rhinehart.

Commissioner Withers said that he has received two bids for plumbing at the Weed Board Building; however, this project is over budget and the Weed Board will need to decide what they need done within budget before proceeding. He said that he will hold the two bids until that decision has been made.

Commissioner Withers said that he received an email from Utah Association of Counties (UAC), regarding a meeting June 30, 2016, at 10:00 a.m., to discuss the Class B Roads allocations. He stressed the importance of this situation in Millard County and said that all three commissioners should attend.

Commissioner Draper said that he received an invitation from Congressman Chris Stewart to meet regarding RS2477 road issues. He said that June 30, 2016, at 3:30 p.m. was one of the dates available. He will respond to Congressman Stewart to set up the meeting.

Commissioner Roper said that the ATV Jamboree kickoff is tonight at 5:00 p.m..

Mr. Barney briefly reported on the Governor's Office of Economic Development (GOED) Familiarization Tour.

Commissioner Withers expressed appreciation to Commissioner Roper and his family for the hospitality they showed to GOED.

Commissioner Roper reported on the SITLA tour June 16 through 17, 2016.

Commissioner Roper said that he attended an EDCU meeting this week. He said that he invited one of the presenters, Lee Peacock, President of Utah Petroleum, to come to Millard County and look at Magnum.

Commissioner Roper said that he also attended a celebration honoring twelve people who received their citizenship in the County.

Commissioner Draper briefly discussed an issue with a section of land being purchased in Bethel.

Commissioner Draper briefly discussed water issues on the West Desert.

Commissioner Draper reported that he took Mr. Ward on a tour of Snake Valley and Spring Valley.

Attorney Finlinson said that a complaint was filed by the ACLU, represented by Holland and Hart, against the State of Utah and Sean Reyes regarding indigent defense. He said that he feels good about the steps that Millard County has taken to get ahead of this issue.

#### CONVENE AS MILLARD COUNTY REDEVELOPMENT AGENCY (RDA)

Commissioner Roper made a motion to convene as an RDA.

Commissioner Withers SECONDED the motion. The voting was unanimous and the motion carried. The RDA meeting began at 12:57 p.m.

Mr. Barney said that maps were not attached when the original resolutions were passed; these resolutions are simply adding a map to define the areas.

Attorney Finlinson briefly explained the process of creating the Community Development Area (CDA).

#### DISCUSSION AND POSSIBLE APPROVAL OF RESOLUTION 16-06-21B, A RESOLUTION OF THE MILLARD COUNTY RDA AMENDING RESOLUTION 16-03-15B, TO ADD A MAP TO IDENTIFY THE AREAS OF THE COMMUNITY DEVELOPMENT AREA (CDA) FOR JUWI SOLAR, INC., PROJECT III

Commissioner Withers made a motion to approve Resolution 16-06-21B, a resolution of the Millard County RDA amending the Community Development Draft Project Area Plan adopted by Resolution 16-03-15B of the Millard County RDA by the addition of a map identifying the development area of Juwi Solar, Inc., Project III.

Commissioner Roper SECONDED the motion. Deputy Clerk Shields called for a roll call vote. Commissioner Withers voted YES. Commissioner Roper voted YES. Commissioner Draper voted YES. The voting was unanimous and the motion carried.

#### DISCUSSION AND POSSIBLE APPROVAL OF RESOLUTION 16-06-21C, A RESOLUTION OF THE MILLARD COUNTY RDA AMENDING RESOLUTION 16-03-15C, TO ADD A MAP TO IDENTIFY THE AREAS OF THE CDA FOR ECG Utah Solar I, LLC

Commissioner Roper made a motion to approve Resolution 16-06-21C, a resolution of the Millard County RDA amending the Community Development Draft Project Area Plan adopted by Resolution 16-03-15C of the Millard County RDA by the addition of a map identifying the development area of ECG Utah Solar I, LLC.

Commissioner Withers SECONDED the motion. Deputy Clerk Shields called for a roll call vote. Commissioner Roper voted YES. Commissioner Withers voted YES. Commissioner Draper voted YES. The voting was unanimous and the motion carried.

Commissioner Withers made a motion to close the RDA meeting.

Commissioner Roper SECONDED the motion. The voting was unanimous and the motion carried. The RDA meeting ended at 1:07 p.m..

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

Attorney Finlinson reminded the elected officials in the room to have their property logs and lists updated for insurance coverage.

Attorney Finlinson briefly discussed a possible liability claim which will be paid out of the Risk Management Fund.

#### OTHER BUSINESS CONTINUED

Landon Rowley, County Fire Warden, updated the Commission on proposed fuels projects south of Fillmore. He reported that he applied for catastrophic fire money that was denied because funding was cut 100% this year. He said that next year the County should be one of the top contenders for that money.

Mr. Rowley said that Ron Torgerson, Area Manager, applied for the Hancock Grant with the USFS, which was approved in the amount of \$100,000.00. He briefly explained the fuels project details and presented the commissioners with a map.

Commissioner Roper expressed his appreciation to Mr. Rowley for his efforts.

Mr. Rowley said that he will be getting Community Wildfire Protection Plans (CWPP), updated for communities along the Pahvant mountain benches and will be at the next Commission meeting to receive approval for use of Title III money.

Mr. Rowley briefly discussed the differences between the Millard County Fire District, the Juab County Fire District and the State Fire Plan. He stated that the maps of the County are currently being worked on and updated.

#### REVIEW AND POSSIBLE APPROVAL OF THE 2016 TAX RATES

Auditor Gehre stated that the certified tax rate for general operations for 2016 is .003310 and the certified tax rate for assessing and collecting is .000375. She said that the certified tax rate for general operations in 2015 was .003286 and the certified tax rate for assessing and collecting was .000373. She said that the tax rate must be set by tomorrow.

Commissioner Roper stated that he thinks the tax rate should be lowered.

Commissioner Withers said that he is concerned with the unknown centrally assessed property appeals and does not feel comfortable lowering the tax rate until that is known.

Treasurer Dearden agreed that because of the unknown, she would recommend not lowering the tax rate. She said that Salt Lake County has given their notice to UAC that it will no longer retain Tom Peters for centrally assessed litigation, which means that Millard County may see a significant increase in billing.

Attorney Finlinson stated that Salt Lake County has its own counsel to rely upon for this and has offered their services to Millard County and other counties in the State in regards to centrally

assessed appeals.

The Commission further discussed the pros and cons of lowering the tax rate.

Commissioner Withers made a motion to approve the certified tax rate for general operations for 2016 of .003310 and the certified tax rate for assessing and collecting of .000375.

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

#### OTHER BUSINESS CONTINUED

Treasurer Dearden updated the commissioners regarding centrally assessed appeals.

#### 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 Draper adjourned the meeting at 1:59 p.m..

Attest: \_\_\_\_\_

Approved: \_\_\_\_\_