

MINUTES OF BOARD OF COUNTY COMMISSIONERS
MILLARD COUNTY THE 5th DAY OF JULY 2016
AT THE COURTHOUSE, FILLMORE, UTAH

PRESENT: Dean Draper Chairperson
Alan M. Roper Commissioner
James I. Withers Commissioner

Richard Waddingham Deputy County Attorney
Marki Rowley County Clerk
Lesli Shields Deputy County Clerk

Excused: Pat Finlinson County Attorney

ALSO PRESENT: Scott Barney MEDA Coordinator
Dana Jordan Chronicle Progress
Amity Burnham EDF Renewable
Josh Case & Mikey Case Energy Capital Group (ECG)
Robert Chew Two Chew Electric
Wayne Jackson Military Liaison
Jon Haderlie Larson & Company
Deric Despain USU Extension
Sheri Dearden County Treasurer
Bonnie Gehre County Auditor
Mariah Rasmussen, Pyper Mathews and Kate Jackson Miss Millard Royalty
Kaela Jackson Citizen

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. Commissioner

Withers expressed his appreciation to the volunteers of Millard County. Commissioner Draper said the invocation. Everyone stood and said the Pledge of Allegiance to the Flag.

APPROVAL OF JUNE 21, 2016, COMMISSION MINUTES

The proposed minutes of a regular County Commission meeting held June 21, 2016, were presented for consideration and approval. Following review and consideration of minor corrections, Commissioner Withers made a motion to approve the minutes of June 21, 2016, as corrected.

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

FOLLOW UP ACTION ITEMS FROM JUNE 21, 2016

Commissioner Roper said that he found the bill from the LDS Church for pressurized water irrigation at the ball fields that was discussed at the previous Commission meeting. He said that the invoice was received May 28, 2014, in the amount of \$7,877.00. He said that Klint Penney, East Millard Maintenance, told him that the County does not use pressurized irrigation water at the ball fields. He said that the bill was never paid and nothing further has been sent from the LDS Church regarding the bill; therefore, he recommended leaving it as is.

APPOINTMENT OF INTERIM SUCCESSORS

Clerk Rowley presented the interim successors lists that she has received to date.

The following offices submitted interim successors:

- Auditor's Office
- Assessor's Office
- Treasurer's Office
- Recorder's Office
- Delta Satellite Office
- Sheriff's Office
- Clerk's Office
- East Millard Recreation

Clerk Rowley will submit copies of all interim successors to the Sheriff's Office and to the State.

Commissioner Withers made a motion to accept the interim successors as presented.

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

DISCUSSION AND POSSIBLE APPROVAL OF A BUSINESS LICENSE FOR CARA BOYDEN CONSULTING LLC, OWNER - CARA BOYDEN

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 OF RESOLUTION 16-07-05A, A RESOLUTION OF THE MILLARD COUNTY COMMISSION AMENDING THE COUNTY PURCHASING POLICY TO REFLECT NEW CARD ISSUER/PROVIDER

Commissioner Roper made a motion to table this agenda item.

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

OTHER BUSINESS

Scott Barney, MEDA Coordinator, requested consideration in changing the August Commission meeting dates.

The commissioners and Mr. Barney briefly discussed the reasons for changing the meeting dates in August.

Later, Commissioner Roper reported that Six County Association of Governments (AOG) has its Legislative Day Tour on August 16, 2016, in Sevier County, and it may be beneficial to move that Commission meeting so the commissioners can attend.

Later, the Commission decided to change the August 16, 2016, meeting to Tuesday, August 23, 2016.

Clerk Rowley will make the necessary postings to change the meeting date.

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 10:18 a.m..

Mr. Barney said that after consulting with the various entities who have an interest in creating a Community Development Area (CDA), it was decided to include all entities into one larger plan. He said that all participants are willing to move forward on a group draft plan. He said that each entity would be treated individually and negotiations would still have to be made with each taxing entity.

Mr. Barney indicated that a contract was in the works with Jason Burningham, who will be representing the County for the creation of the CDA and draft plan.

Mr. Barney briefly discussed the project draft plan. He said the advantage to doing the group draft plan is the leeway it would give the County to use the potential tax increment. Mr. Barney said that the next steps of the process are the public comment phase and discovery phase.

Commissioner Withers asked for clarification regarding the Drainage District taxing entity and the Commission briefly discussed the issue.

Deputy Attorney Waddingham stated that this project is still in the preliminary stage; the decision today is to simply expand the boundaries of the map.

DISCUSSION AND POSSIBLE APPROVAL OF RESOLUTION 16-07-05, 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

Commissioner Roper made a motion to approve Resolution 16-07-05, 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. This approval is contingent upon satisfying any concerns with the Drainage District.

Commissioner Withers 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.

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 10:35 a.m..

DISCUSSION AND POSSIBLE APPROVAL OF CERTIFYING THE 2016/2017 UTAH STATE RETIREMENT SYSTEM RATES

Auditor Gehre presented and discussed the 2016/2017 Utah State Retirement System Rates with the commissioners. She said that the rates have remained the same as 2015/2016. She said that the Commission only has authority over the regular public employees 401k contribution rate.

Commissioner Withers made a motion to certify the 2016/2017 Utah State Retirement System contribution rates.

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

PRESENTATION OF THE 2015 INDEPENDENT AUDIT

Jon Haderlie, Larson Certified Public Accountants, presented the 2015 Independent Audit. He reviewed and explained the Independent Auditor's Report, the Government Auditing Standards Report and the State Compliance Report. He said that it is his opinion that the County is in compliance with respect to the State Requirements.

Mr. Haderlie briefly explained the new requirement this year regarding reporting URS pension liability. He also explained the new requirements with reporting investments in the financial statements.

Mr. Haderlie discussed the management letter where findings or issues important enough to present are reported. There were no significant findings or issues in this audit to report.

Mr. Haderlie expressed his appreciation to Auditor Gehre and Treasurer Dearden for their

cooperation throughout the audit.

AWARD OF BID FOR THE ELECTRICAL WORK AT THE WEED DEPARTMENT BUILDING

Commissioner Withers made a motion to table this agenda item as the bid came in over budget.

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

AWARD OF BID FOR THE CONSTRUCTION OF OFFICE WORK AT THE WEED DEPARTMENT BUILDING

Commissioner Withers made a motion to table this agenda item as the bid came in over budget.

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

REPORT ON THE MISS UTAH PAGEANT - MISS MILLARD, MARIAH RASMUSSEN

Mariah Rasmussen, Miss Millard, reported on the Miss Utah Pageant that she participated in June 13 through 18, 2016. She briefly discussed her year as Miss Millard and expressed her appreciation to the Commission for its support and for the scholarships provided to her.

Pyper Mathews, Miss Millard Outstanding Teen, briefly discussed her platform, No More Mean Girls, and reported that over 2,000 pledges were made from all over Utah. She said that she feels like her platform made a difference in the County and the State. She expressed her appreciation to the Commission for its support.

Kate Jackson, Little Miss Millard, said that it has been a lot of fun going to the Miss Utah Pageant and performing at parades and the County Fair. She expressed her appreciation to the Commission for its support.

The commissioners expressed its appreciation to the Miss Millard Royalty and stated that they have represented Millard County well.

Ms. Rasmussen stated that the 2016 Miss Millard Pageant will be held July 16, 2016, in Delta.

REVIEW OF THE JUNE FINANCIAL REPORT - TREASURER DEARDEN

The commissioners reviewed the financial reports for the month of June.

PUBLIC INPUT

Wayne Jackson, Military Liaison, reported that Fillmore City will be deeding 50 acres to the Utah National Guard. He said it is just a waiting game to see if the Utah National Guard will accept the proposal to build at the airport.

Mr. Jackson briefly discussed the kiosks in Fillmore and in Delta.

OTHER BUSINESS CONTINUED

Clerk Rowley discussed the need to go by-mail for the 2016 General Election. She said that 20 out of the 29 Counties in the State are by-mail and that the State is headed that way. She said that it will eventually save the County money to change to by-mail. The voter turnout has increased in the Counties that have already gone by-mail.

Commissioner Roper agreed that going by-mail may be the best thing for the County.

Commissioner Withers said that most of the people that he has talked to are in favor of going by-mail.

Clerk Rowley said that everyone will be sent a ballot in the mail, however, if they choose to, they can return that ballot to one of the two vote centers and vote at the vote center on Election Day.

Clerk Rowley briefly explained the voter registration process and the steps that are in place to avoid fraud.

Clerk Rowley explained that the law changed in 2015, giving the County Clerk the authority to choose how to conduct the election.

Commissioner Withers asked for this to be put on the next agenda to be discussed further.

Commissioner Roper said that the transportation/gas tax will also need to be addressed and a decision made as to if it will go on the ballot for the General Election.

Commissioner Draper discussed a meeting that the commissioners attended regarding the gas/transportation tax. He said that what he understood is that if the tax is implemented, Millard County would not see any benefits from it. He said that if it is put on the ballot, there would be information provided to the voter regarding the pros and cons of implementing the tax.

Commissioner Roper said that it is not an advantage to Millard County at this point because Utah and Salt Lake County are not on board. However, he thinks that it should be placed to the voters to decide. He said that the town mayors were all in favor of putting it on the ballot this year.

Commissioner Withers agreed that this should be put on the ballot. He asked for this to be put on the next agenda for further discussion.

Commissioner Draper said that he received a letter from the Nevada State Engineer confirming Millard County and Juab County's involvement in the West Desert water litigation. He said that the pre-hearing conference will be held September 14, 2016, in Carson City, Nevada. All who participate will contribute to the cost of the transcript.

Commissioner Draper said that he received a letter from Congressman Chris Stewart regarding a meeting to discuss America's role in the world. That meeting will be held in Salt Lake City July 29, 2016, from 8:30 a.m. to 2:00 p.m.

Commissioner Draper said that he received a letter from Lamar Smith regarding the Resource Management Plan (RMP). Mr. Smith is looking for those knowledgeable with range management in the U.S. Forest Service and BLM. He said that he will contact Brian Monroe and Joelle McCarthy regarding this.

Commissioner Roper will get some additional names to Commissioner Draper.

Commissioner Draper said that the Extension Service has a meeting to prepare for the Veterinary Feed Directive in Richfield, August 3, 2016, from 6:00 p.m. to 8:00 p.m.. He briefly explained the Veterinary Feed Directive.

Commissioner Draper said that he received an invitation from the Delta Hospital to talk to IHC July 9, 2016.

Commissioner Roper said that he received a similar invitation from the Fillmore Hospital for today.

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

Commissioner Roper reported briefly on the success of the 2016 ATV Jamboree.

Commissioner Roper reported that the commissioners met with Dave Ure, State of Utah School and Institutional Trust Lands Administration (SITLA).

Commissioner Roper reported that the commissioners met with Congressman Stewart.

Commissioner Roper said that he has received some information regarding inter-generational poverty, including some grant opportunities.

Commissioner Roper said that he received an invitation from the Utah County Children's Justice Center Board to attend a meeting July 8, 2016, at 1:00 p.m..

Commissioner Draper reported briefly regarding several meetings that the commissioners attended June 30, 2016. He said that they met with Utah Association of Counties (UAC), regarding the gas/transportation tax; with SITLA to discuss issues with groundwater on the West Desert; with Congressman Stewart regarding information with the Department of Defense fly zones over western Millard County.

Commissioner Draper briefly discussed the BLM's wild horse gather in the Conger Mountain.

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 11:46 a.m..

CANVASS OF JUNE 28, 2016, PRIMARY ELECTION

The commissioners canvassed the 2016 Primary Election at the Clerk's Office.

Attest: _____

Approved: _____