

MINUTES OF BOARD OF COUNTY COMMISSIONERS  
MILLARD COUNTY THE 6th DAY OF SEPTEMBER 2016  
AT THE COURTHOUSE, FILLMORE, UTAH

PRESENT: Alan M. Roper ..... Commissioner  
James I. Withers ..... Commissioner  
  
Pat Finlinson ..... County Attorney  
Marki Rowley ..... County Clerk  
Lesli Shields ..... Deputy County Clerk  
  
Excused: Dean Draper ..... Chairperson  
  
ALSO PRESENT: Mark Watson ..... Chronicle Progress  
Wayne Jackson ..... Military Liaison  
Kevin Bunnell, Curtis Shumway & Paul Washburn ..... UDWR  
Bart Whatcott ..... East Millard Recreation  
Ed Phillips ..... Citizen  
Bonnie Gehre ..... County Auditor  
Sheri Dearden ..... County Treasurer

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 Roper to the public and Commission members.

OPENING STATEMENTS

Commission Roper excused Commissioner Draper and expressed condolences to him and his family.

Commissioner Roper 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 AUGUST 23, 2016, COMMISSION MINUTES

The proposed minutes of a regular County Commission meeting held August 23, 2016, were presented for consideration and approval. Commissioner Withers made a motion to approve the

minutes of August 23, 2016, as presented.

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

#### FOLLOW UP ACTION ITEMS FROM AUGUST 23, 2016

Commissioner Withers stated that the Community Development Area (CDA) project is a Millard County program and hopes the taxpayers of Millard County have confidence with the commissioners in making decisions for the County.

Commissioner Roper stated that the commissioners welcome input from the citizens of the County.

#### INTRODUCTION OF CURTIS SHUMWAY - DWR CONSERVATION OFFICER

Kevin Bunnell, DWR Regional Supervisor, briefly introduced Curtis Shumway, the new DWR Conservation Officer who is replacing Kody Jones.

Mr. Shumway expressed appreciation to those in the County who have made him and his family feel welcome.

The commissioners welcomed Mr. Shumway to Millard County.

#### DISCUSSION AND POSSIBLE APPOINTMENT OF BARRY MONROE TO THE GREAT BASIN NATIONAL HERITAGE BOARD

Commissioner Withers made a motion to appoint Barry Monroe to the Great Basin Area National Heritage Board.

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

#### DISCUSSION AND POSSIBLE APPROVAL REGARDING THE PURCHASE OF A MANUFACTURED HOME IN GARRISON FROM DEPUTY JAMES WHITE, IN THE AMOUNT OF \$20,000.00

Commissioner Roper said that James White has retired as the West Desert Sheriff's Deputy. He has a manufactured home in Garrison that is available for purchase.

Commissioner Withers said that the Road Department spends a lot of time in the West Desert in the winter and feels that it would be advantageous for the County to purchase the manufactured home for County employee use. He said that it could also be used for accommodations for law enforcement in the area.

Commissioner Roper said that the manufactured home is worth much more than \$20,000.00 and there is enough money in the Capital budget to purchase it. He said that the County is leasing the land that the home sits on from the BLM.

Commissioner Withers made a motion to approve the purchase of a manufactured home in

Garrison from Deputy James White, in the amount of \$20,000.00, to be taken out of Capital.

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

Later, Ed Phillips said that he thought the property was leased as Desert Land entry, which means that after improvements and continual use it would eventually become Millard County property. He stated that it may be a good idea to look into the water rights for the well on that property. He indicated that there are three additional RV hookups on the property.

Attorney Finlinson said that he thinks that the property is now County property, but he will look further into it. He said that he will have Deputy Attorney Richard Waddingham look further into the water rights and usage for this property.

#### DISCUSSION AND POSSIBLE APPROVAL OF RESOLUTION 16-09-06, A RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS OF MILLARD COUNTY, UTAH, TRANSFERRING UNENCUMBERED OR UNEXPECTED APPROPRIATION BALANCES FROM ONE DEPARTMENT IN A FUND TO ANOTHER DEPARTMENT WITHIN THE SAME FUND

Auditor Gehre stated that all transfers will be within Fund 10.

Commissioner Withers made a motion to approve Resolution 16-09-06, a resolution of the Board of County Commissioners of Millard County, Utah, transferring unencumbered or unexpected appropriation balances from one department in a fund to another department within the same fund.

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

Auditor Gehre said that a total of \$55,900.00 will be transferred; \$1,900.00 to the Special Prosecution Budget; \$2,500.00 to the Unemployment Budget; \$42,500.00 to the County Fair Budget; \$7,000.00 to the Miss Millard Budget; \$2,000.00 to the Rodeo Budget. She said that this money will be transferred from the Revenue line item.

Attorney Finlinson said that he anticipates the Special Prosecution money to be reimbursed by the State.

#### REVIEW AND POSSIBLE APPROVAL OF HARDSHIP ABATEMENTS

Auditor Gehre said that she received a hardship abatement application for Michael Christensen, account #82199; estimated tax is \$345.47. She presented the application and letter of explanation to the commissioners to review.

Commissioner Withers made a motion to approve the hardship abatement for Michael Christensen, account #82199, abating 40% of the tax.

Commissioner Roper stepped from the chair and SECONDED the motion. The voting was

unanimous and the motion carried.

Auditor Gehre said that she received a hardship abatement for Sheri L. Hackworth, account #0137456; estimated tax is \$467.58. She presented the application and letter of explanation to the commissioners to review.

Commissioner Withers made a motion to deny the hardship abatement for Sheri L. Hackworth, account #0137456, based on her income being above poverty guidelines. He said that Ms. Hackworth is welcome to come in and talk to the Commission further.

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

Auditor Gehre said that she received a hardship abatement for Reid Smith, account #80615; estimated tax is \$522.59. She presented the application and letter of explanation to the commissioners to review.

Commissioner Withers made a motion to approve the hardship abatement for Reid Smith, account #80615, abating 40% of the tax.

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

#### REVIEW OF THE AUGUST FINANCIAL REPORT - TREASURER DEARDEN

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

#### PUBLIC INPUT

Bart Whatcott, East Millard Recreation, asked how to proceed on the past due accounts at the Equestrian Park.

Attorney Finlinson said that those accounts have been turned over to his office for collections and advised Mr. Whatcott to discontinue sending letters, as they are considered in collections litigation.

Commissioner Roper asked for a report of the past due accounts.

Commissioner Roper and Mr. Whatcott briefly discussed the grass at the Regional Soccer Field.

Mr. Whatcott will contact the jail crew and ask them to install the bleachers at the soccer field.

Wayne Jackson, Military Liaison, reported on a conference for Homeland Security and Law & Order that he attended in Cincinnati, Ohio.

Mr. Jackson said that the American Legion will be at the Arts Festival September 9 through September 10, 2016, at 11:00 a.m. and 7:00 p.m., handing out Vietnam books, pins and coins. He

said they would also like to hand out County pins like they did last year and asked who he should contact to ask for those.

Commissioner Roper advised Mr. Jackson to contact Deb Haveron, Tourism, to see if she knows anything about the County pins.

## OTHER BUSINESS

Clerk Rowley reminded the commissioners that someone from the legislative body must submit an argument in favor of the proposed transportation sales tax increase being placed on the ballot. She presented a letter to the commissioners for signature.

Attorney Finlinson clarified that the person signing the letter is in favor of the legislation, not just in favor of putting it on the ballot.

Clerk Rowley said that she received a letter from the Fillmore Elementary School (FES) Star Tutoring Program asking if any County employees would be willing to volunteer two hours a week helping kids with reading. She said that other companies have allowed its employees to do this without using personal leave and asked if the County would allow its employees to volunteer without using personal leave as well.

The commissioners agreed that while they are happy to have the County employees volunteer, it would need to be on their own time.

Commissioner Withers said that he attended the Catastrophic Fire meeting last week. He said that they are in the process of getting it organized to clear out the area southeast of Fillmore this fall.

Commissioner Roper said that he received the work estimate on the electrical service for the Records Building from Flowell Electric and Fillmore City, in the amount of \$9,434.22, which has already been budgeted.

Commissioner Roper said that he received a letter from the American Lands Council asking if the County would be participating this year. This will be on the agenda for the next Commission meeting for discussion and possible approval.

Commissioner Roper said that he has some information on the water rights that were purchased by the gravel pits. He presented the information to Attorney Finlinson and asked for Deputy Attorney Waddingham to look further into it to see if anything further needs to be filed to protect those rights.

Commissioner Roper said that Utah Counties Indemnity Pool (UCIP), will be September 21 through 22, 2016, in Uintah County, Utah.

Commissioner Roper said that a \$12,000.00 grant application for intergenerational poverty was submitted. He said that the next meeting will be held October 4, 2016.

Commissioner Roper briefly updated the Commission regarding the Sewage Pond Road in the Fillmore Industrial Park. He said that Brandon Winget, County Road Department Supervisor, will have the road crew start work on building the shoulders up. Next spring, they will possibly move forward on the road. He said shavings off the State Highway may be used.

Commissioner Roper reminded the Commission that Paul Terry Trucking is planning on putting in a truck car wash and other businesses are developing the area; the road is in terrible condition and needs fixed.

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

There was none.

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 Roper adjourned the meeting at 10:59 a.m..

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

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