

MINUTES OF BOARD OF COUNTY COMMISSIONERS  
MILLARD COUNTY THE 20th DAY OF SEPTEMBER 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: Mark Watson . . . . . Chronicle Progress  
Ed Phillips . . . . . Citizen  
Bonnie Gehre . . . . . County Auditor  
Sheri Dearden . . . . . County Treasurer  
Connie Hansen . . . . . County Recorder  
Kyle & Whitney Swallow . . . . . Citizens  
Klint Penney . . . . . East Millard Maintenance  
Sheryl Dekker . . . . . County Planner  
Abe Johnson & Doug Jolley . . . . . Old Capitol Art Festival  
Carl Aldrich & Carl Camp . . . . . Territorial Statehouse  
Deric Despain & Deanne Hare . . . . . 4-H/USU Extension  
Terri Cummings . . . . . East Millard Pool

\*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 Draper stated that the commissioners are doing their best to enable economic growth in the County and planning for the County's future in regards to the Community Development Area (CDA). This

is a tool to be used if it is in the best interest of the County's taxpayers. Commissioner Roper said the invocation. Everyone stood and said the Pledge of Allegiance to the Flag.

#### APPROVAL OF SEPTEMBER 6, 2016, COMMISSION MINUTES

The proposed minutes of a regular County Commission meeting held September 6, 2016, were presented for consideration and approval. Following review and consideration of minor corrections, Commissioner Withers made a motion to approve the minutes of September 6, 2016, as corrected.

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

#### FOLLOW UP ACTION ITEMS FROM SEPTEMBER 6, 2016

Commissioner Roper stated that the County recently purchased a manufactured home from Jim White. There was question as to who owns the land that the home sits on. He said that he spoke with Mr. White, and he informed him that he believes that the land is owned by the County.

The commissioners briefly discussed the property.

Commissioner Withers said that the County Road Department has been using the manufactured home while working on the roads in the area.

#### DISCUSSION AND POSSIBLE APPOINTMENT OF CLERK ROWLEY TO SERVE AS THE INTERGENERATIONAL POVERTY SECRETARY

Commissioner Roper said that since Millard County is the fiscal agent for Intergenerational Poverty, he thought the secretary should be appointed from the County. He asked Clerk Rowley who agreed to be the Intergenerational Poverty Secretary.

Commissioner Withers made a motion to appoint Clerk Rowley to serve as the Intergenerational Poverty Secretary.

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

#### DISCUSSION AND POSSIBLE APPROVAL REGARDING PARTICIPATION IN THE AMERICAN LANDS COUNCIL

Commissioner Draper said that the County has funded \$5,000.00 per year, in previous years.

Commissioner Roper said that the County budgeted \$5,000.00 this year, however, the County can fund whatever it wants.

Commissioner Withers stated that it is important to be involved with the American Lands Council and feels comfortable with funding \$5,000.00 again this year.

The commissioners decided to talk with other commissioners around the State to see what they are doing before making a decision. This agenda item will be discussed at a future Commission

meeting.

Commissioner Withers made a motion to table this agenda item

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

#### DISCUSSION REGARDING NEEDING PLAYGROUND EQUIPMENT IN FLOWELL - WHITNEY SWALLOW

Whitney Swallow briefly discussed the need for playground equipment in Flowell. She said that there are approximately 70 children in Flowell and she expressed that those kids deserve to have somewhere close to home to play.

Ms. Swallow briefly discussed the location that has been chosen and the type of equipment that has been selected to this point. She stated that she has received some monetary donations and donation of time.

Ms. Swallow stated that the LDS Church is willing to lease the land; however it will not assume liability.

Attorney Finlinson stated that if the County were to provide money and assume liability, the playground would become a County facility on leased property.

The commissioners discussed playgrounds in other towns in the County, including Garrison, which is another unincorporated town.

Ms. Swallow said that she is hoping that the County would fund \$25,000.00 for the playground equipment and assume liability. She estimated that the completion date would be the summer of 2017.

Kyle Swallow asked for a commitment of involvement from the County so the project can move forward. He said that there are two businesses willing to donate money and equipment, the LDS Church is willing to update landscaping and several Flowell residents have agreed to complete installation of the playground equipment.

Commissioner Draper said that this will need to be discussed further before any commitment is made.

Commissioner Roper expressed his appreciation to Mr. and Ms. Swallow for coming today.

#### BID OPENING FOR THE MILLARD COUNTY RESOURCE MANAGEMENT PLAN (RMP) REQUEST FOR PROPOSAL (RFP)

Clerk Rowley opened the following bids:

- Todd Macfarlane: \$24,500.00
- Beehive Enterprises, Inc / Brian Brimner: \$25,000.00
- Epic Engineering: \$25,000.00

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

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

carried.

#### DISCUSSION REGARDING POSSIBLE STEP & GRADE SCALE CHANGES FOR PERMANENT PART TIME EMPLOYEES

Auditor Gehre presented a report to the Commission regarding possible step and grade scale changes for permanent part time employees. She said that she would like to see these employees receive equal pay as their full time counterparts.

Auditor Gehre said that she needs direction from the Commission as to who to include in these changes so that she can get a better proposal together.

The commissioners briefly discussed which employees would be considered permanent part time.

Commissioner Withers said that the commissioners will talk to all department heads and ask them to submit the names of those that would be considered a permanent part time employee.

Commissioner Draper said that he has asked Kaela Jackson, Human Resources, to look into what it would take to make this change.

#### REPORT ON THE OLD CAPITOL ARTS FESTIVAL - ABE JOHNSON

Abe Johnson briefly reported on the Old Capitol Arts Festival. He expressed his appreciation to the commissioners for its support each year. He also expressed appreciation to the Sheriff's Office, the County crew and the Old Capitol Arts Festival Committee for all its help at the festival this year.

Mr. Johnson said that the funding that the County gives the arts festival is sufficient for now, but that the amount may need to be increased due to decreasing grant monies. He said that he hopes the festival will stay at the same quality as this year.

#### REVIEW AND POSSIBLE APPROVAL ON APPLICATION #Z-2016-029 FOR A PLAT SUBDIVISION FOR PROPERTY LOCATED AT APPROXIMATELY 8500 N SR 125, DELTA GRID, FOR THE PURPOSE OF DIVIDING PARCEL #2503-1. IT IS PROPOSED THAT THE 53.48 ACRE PARCEL BE DIVIDED CREATING TWO (2) PARCELS - ONE PARCEL HAVING 4.362 ACRES AND THE OTHER PARCEL HAVING THE REMAINING 49.1 ACRES. WADE L. NIELSON - OWNER, JASON R. & ERIKA ASHBY - PETITIONERS

Ms. Dekker excused Jason and Erika Ashby, as they could not attend today. She gave a brief history on the application.

Commissioner Roper made a motion to approve application #Z-2016-029 for a plat subdivision for property located at approximately 8500 N SR 125, Delta Grid, for the purpose of dividing Parcel #2503-1. It is proposed that the 53.48 acre parcel be divided creating two (2) parcels - one parcel having 4.362 acres and the other parcel having the remaining 49.2 acres. Wade L. Nielson - Owner, Jason R. & Erika Ashby - Petitioners.

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

## REVIEW AND POSSIBLE ADOPTION OF ORDINANCE 16-09-20 "SUBDIVISION ORDINANCE" DATED MAY 4, 2016, INCLUDING CERTIFICATES OF APPROVAL AND OTHER DOCUMENTS

Ms. Dekker and the Commission briefly discussed the changes to be made to the subdivision ordinance.

The commissioners discussed cluster subdivisions and all agreed to remove them from the ordinance.

The commissioners briefly discussed the section regarding a land use hearing officer and requested for Attorney Finlinson to update that section.

Attorney Finlinson said that he would have Deputy Attorney Richard Waddingham look into this issue and prepare the language for that section.

Ms. Dekker said that Todd Macfarlane submitted proposed language for those property owners who do not have property that fronts a maintained county road.

Attorney Finlinson said that he would have Deputy Attorney Waddingham look into this language as well.

This agenda item will be discussed at a future Commission meeting.

### PUBLIC INPUT

There was none.

### OTHER BUSINESS

Commissioner Roper said that the Six County Association of Governments (AOG), scheduled their Annual Legislative General Board Meeting in Millard County, October 5, 2016, beginning at 9:00 a.m.. He said that Senator Ralph Okerlund, Representative Merrill Nielson and all State and Federal Legislators have been invited to attend.

Commissioner Roper said that he and Commissioner Draper will be attending the annual Utah Statewide Association of County Commissions and Councils, (USACCC), September 21 through 23, 2016, in Vernal, Utah.

Commissioner Roper said that the Intergenerational Poverty Chair is Greg Chappell and the Co-Chair is Ron Draper. He said that candidates for the Intergenerational Poverty Facilitator will be interviewed on Monday, September 26, 2016. He said that the committee applied for a \$12,000.00 grant and is waiting for approval.

Commissioner Roper said that he and Commissioner Draper met recently with the BLM and the Forest Service in Juab County to talk about grazing. He said that there were not many grazers there. He said it may not have been advertised very well.

Dr. Despain, USU Extension, offered to help advertise for future meetings, if needed.

Commissioner Draper said that the BLM mentioned a possibility of having an evening meeting for grazers in Millard County.

Commissioner Withers said that interviews for the County Road Department Mechanic will be September 26, 2016, at 1:00 p.m.. He said that there are three applicants to be interviewed.

Commissioner Withers said that there will be a meeting at the Sunset View Golf Course tonight to go over the architects plans for the new clubhouse.

Commissioner Roper asked for a letter of appreciation to be sent to Walt Howard, County Road Department, who retired recently.

Dr. Despain briefly introduced his new 4-H Coordinator, Deanne Hare, who will be replacing Jamie Hair.

Dr. Despain reported on the 4-H and animal exhibits that were entered at the Utah State Fair.

Commissioner Withers reported that Terry Scottorn will be retiring soon and a new Weed Supervisor will be hired when that happens.

Commissioner Draper said that there will be a Board of Equalization (BOE) meeting September 26, 2016, at 9:00 a.m., and an administrative meeting right after.

Commissioner Draper said that he will contact Magnum to reschedule a meeting that had been cancelled due to time conflicts.

Commissioner Draper said that there will be two public meetings regarding the ballot initiative. The first meeting will be held September 27, 2016, at the Commission Chambers in Fillmore, the other will be held September 28, 2016, at the County Satellite Offices in Delta; both meetings will be held at 6:30 p.m..

Commissioner Draper said that he spoke to John Higgins, Landfill Supervisor, regarding his budget. He said that the Landfill Budget will need to be opened and a resolution approved to reconcile it.

Commissioner Draper expressed his appreciation to Commissioner Withers and Commissioner Roper for handling things for him while he was absent recently.

Attorney Finlinson briefly discussed an issue regarding certain individuals moving cattle near Highway 50 and a disputed County road.

Attorney Finlinson stated that the County Attorney's Office Budget may need to be adjusted due to changing forensic demands and mental health hearings.

Commissioner Draper made a statement regarding decisions that may have to be made during the budget cycle this year.

Commissioner Roper stated that he feels optimistic about the economic growth of the

County.

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 Draper adjourned the meeting at 11:52 a.m..

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

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