

MINUTES OF BOARD OF COUNTY COMMISSIONERS
MILLARD COUNTY THE 18th DAY OF OCTOBER 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: Sheri Dearden County Treasurer
Bonnie Gehre County Auditor
Ed Phillips Citizen
Mark Watson Chronicle Progress
Wayne Jackson Military Liaison
Bart Whatcott East Millard Recreation
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. Commissioner Withers said the invocation. Everyone stood and said the Pledge of Allegiance to the Flag.

APPROVAL OF OCTOBER 4, 2016, COMMISSION MINUTES

The proposed minutes of a regular County Commission meeting held October 4, 2016, were presented for consideration and approval. Following review and consideration of minor corrections, Commissioner Roper made a motion to approve the minutes of October 4, 2016, as corrected.

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

FOLLOW UP ACTION ITEMS FROM OCTOBER 4, 2016

Commissioner Roper asked if a letter of appreciation was sent to Walt Howard, who retired from the County Road Department.

Commissioner Withers said that he will make sure the letter is sent this week.

Commissioner Roper said that a counter offer of 23.6% was made to PEHP, as discussed at the last meeting. He said that PEHP declined the counter offer, but the commissioners are negotiating options.

Commissioner Draper said that the business license for Smart Solar, Owner - Daniel Lake, that was tabled at the last commission meeting was found to be solely a rooftop solar installation business based in Sherwood Shores. He said that the business application was approved and will be ratified today.

RATIFY THE APPROVAL OF AWARDING THE BID FOR THE RESOURCE MANAGEMENT PLAN (RMP) TO BEEHIVE ENTERPRISES/BRIAN BREMNER

Commissioner Withers made a motion to ratify the approval of awarding the bid for the RMP to Beehive Enterprises/Brian Bremner.

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

RATIFY THE APPROVAL OF A BUSINESS LICENSE FOR SMART SOLAR, OWNER - DANIEL LAKE

Commissioner Withers made a motion to ratify the approval of a business license for Smart Solar, Owner - Daniel Lake.

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

DISCUSSION AND POSSIBLE APPOINTMENT OF BRIANA LEMON SMITH AS THE MISS MILLARD PAGEANT BOARD DIRECTOR

Commissioner Roper said that Katie Lemon was recently appointed as the Miss Millard Pageant Board Director, but found that she is unable to be the director at this time. Ms. Lemon suggested Briana Lemon Smith be appointed as her replacement.

Commissioner Roper made a motion to appoint Briana Lemon Smith as the Miss Millard Pageant Board Director.

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

DISCUSSION AND POSSIBLE APPROVAL OF PROPERTY TAX AGREEMENTS, SETTLEMENTS OR DEFERRALS - TREASURER DEARDEN

Treasurer Dearden presented a request for deferral of property tax from Fillmore City for Parcel #F-481-1, in the amount of \$179.32.

Commissioner Roper made a motion to approve abating the property tax from Fillmore City for Parcel #F-481-1, in the amount of \$179.32.

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

Treasurer Dearden stated that tax notices should be mailed out by the end of the week.

DISCUSSION AND POSSIBLE APPROVAL REGARDING PARTICIPATION IN THE AMERICAN LANDS COUNCIL

Commissioner Draper reminded the Commission that in prior discussions it was noted that previous participation in the American Lands Council was in the amount of \$5,000.00.

Commissioner Roper said that he has talked to several other counties who are all participating in the American Lands Council at \$2,000.00.

Commissioner Roper made a motion to participate with American Lands Council in the amount of \$2,000.00.

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

DISCUSSION AND POSSIBLE APPROVAL REGARDING A REPRESENTATIVE FOR CBDG GRANT TRAINING IN RICHFIELD, UTAH, OCTOBER 25 OR OCTOBER 26, 2016

Commissioner Roper stated that it is important for a County representative to be at this training. He said that he will ask Scott Barney to attend one of the trainings, but if he is unable to attend, Commissioner Roper would be able to attend the October 26, 2016, meeting.

DISCUSSION AND POSSIBLE APPROVAL REGARDING A CONTRACT FOR THE ARCHITECTURE AT THE SUNSET VIEW GOLF COURSE CLUBHOUSE

Commissioner Withers briefly discussed the changes made to the plans for the Sunset View Golf Course Clubhouse.

Attorney Finlinson said that he reviewed the contract, which is lacking statutorily required language and asked that it be added.

Commissioner Draper briefly read the contract details, including:

- Architectural: \$19,300.00
- Structural Engineer: \$2,800.00
- Mechanical Engineer: \$3,800.00
- Electrical Engineer: \$1,950.00

Commissioner Withers said that he would like clarification regarding the demolition of the existing facility that is mentioned in the contract.

Commissioner Withers said that the total cost of the project is approximately \$443,000.00; however, only \$350,000.00 was budgeted for the 2016 Budget.

Commissioner Withers made a motion to approve the contract for architecture at the Sunset View Golf Course Clubhouse, pending a conversation with the architect regarding costs involved with demolition and adding the statutorily required language to the contract.

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

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

Attorney Finlinson reminded the commissioners that they were asked to meet with their various departments and get a list of positions that are considered permanent part-time to Auditor Gehre. He said that at this time, Auditor Gehre does not have this list.

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

REVIEW AND POSSIBLE ADOPTION OF ORDINANCE 16-10-18 "SUBDIVISION ORDINANCE" DATED MAY 4, 2016, INCLUDING CERTIFICATES OF APPROVAL AND OTHER DOCUMENTS

Attorney Finlinson said that Deputy Attorney Richard Waddingham has found enough changes to the General Land Use Ordinance that it must go back to Planning & Zoning for re-approval.

Commissioner Withers made a motion to table this agenda item.

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

OTHER BUSINESS

Commissioner Draper said that he received a letter from the State regarding the Indigent Capital Defense Trust Fund for 2017. He said that payment must be remitted to the State by January 15, 2017, in the amount of \$11,449.00.

Commissioner Withers made a motion to approve payment in the amount of \$11,449.00 for

Millard County's share of the Indigent Capital Defense Trust Fund for 2017.

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

Commissioner Draper said that at the end of the year, there will be a vacancy in each of the four Drainage Districts:

- Drainage District 1: Dallas Anderson
- Drainage District 2: Jolene Peterson
- Drainage District 3: Jared Bryan
- Drainage District 4: Dean Anderson

The commissioners discussed re-appointing those board members whose terms expire.

Commissioner Roper said that there is a meeting scheduled with the UAC Centrally Assessed Committee to discuss HB165 October 27, 2016.

Commissioner Roper said that the Millard County Business of the Year will be recognized on December 7, 2016, and any input is appreciated.

Commissioner Roper said that the Tax Commission hearings will be November 7 through November 10, 2016 and November 14, 2016, in Salt Lake City.

Commissioner Roper said that Sheryl Dekker, County Planner, will be retiring December 31, 2016, and an ad will need to be advertised for a replacement.

Commissioner Withers said that Daryl Owens, County Building Inspector, will be retiring April 16, 2017.

The commissioners briefly discussed combining these two positions into one.

Commissioner Roper reminded the Commission that Terri Cummings, East Millard Pool Supervisor, will be retiring January 15, 2016.

Commissioner Roper said that the Governor's Rural Partnership meeting will be held November 28, 2016, in Nephi.

Commissioner Roper said that a meeting with the BLM has been rescheduled for November 17, 2016.

Commissioner Roper reported on the Six County AOG legislative meeting October 6, 2016.

PUBLIC INPUT

Deric Despain, USU Extension, reported that the applications for the Weed Supervisor position have been turned over to the Weed Board for decision.

OTHER BUSINESS CONTINUED

Commissioner Roper said that the UAC Annual Convention will be held November 15 through November 18, 2016, in St. George.

Clerk Rowley reminded the commissioners that the last day of registration is October 31, 2016.

Commissioner Draper said that training for newly elected officials will be held November 15, 2016, in St. George, Utah.

Commissioner Draper reported on a notice in the newspaper regarding a petition for a zone change for Smithfield Hawk Production, which allows for public comment.

Commissioner Draper said that the commissioners have been invited to attend the 4-H Awards Dinner October 26, 2016, at 6:30 p.m., at the County Fair Building in Delta.

Commissioner Withers reported that an invoice in the amount of \$16,000.00 was submitted for payment to Bob Weidner; a lobbyist in Washington D.C., who works on certain issues of interest to the County.

Treasurer Dearden said the County is required to appoint a representative for the UAC Centrally Assessed Committee.

Commissioner Roper made a motion to appoint Commissioner Draper as the representative for the UAC Centrally Assessed Committee.

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

Attorney Finlinson briefly reported on an issue regarding the deposed Director of the Central Utah Board of Health.

Attorney Finlinson said that the Material Safety Data Sets (MSDS), issue that has been discussed at previous commission meetings has not been resolved. He recommended assigning a coordinator in the County to be trained on MSDS and to bring the County into compliance.

Commissioner Withers suggested Steve Jensen, County Road Department, be assigned this task since he works on both sides of the County.

Commissioner Withers will contact Brandon Winget, County Road Department Supervisor to discuss this.

Clerk Rowley reported that the election ballots have been mailed and several have already been voted and returned.

Clerk Rowley reminded the commissioners that the annual convention gift will need to be submitted by October 31, 2016.

Commissioner Draper and Commission Withers will take care of this.

Commissioner Draper reported briefly on a tour he and Duane Carling took of Joy, Utah, in

anticipation of the Lincoln Highway Tour by the State of Utah.

Commissioner Roper said that he spoke to Fillmore City and found that the moratorium on solar units has been lifted. He said that he will talk to Juwi Solar to begin its demonstration solar project at the Indoor Arena.

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 10:58 a.m..

Attest: _____

Approved: _____