

MINUTES OF BOARD OF COUNTY COMMISSIONERS
MILLARD COUNTY THE 15th DAY OF NOVEMBER 2016
AT THE COURTHOUSE, FILLMORE, UTAH

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

Pat Finlinson County Attorney
Lesli Shields Deputy County Clerk

EXCUSED: Marki Rowley County Clerk

ALSO PRESENT: Mark Watson Chronicle Progress
Tate Bennett County Public Defender
Lynette Madsen Deputy County Auditor
Sheri Dearden County Treasurer
Bryant Anderson Commercial Business Radio, LC
Joyce Barney Sunset View Subdivision
Lindsay Mitchell County Sheriff's Office
Abe Johnson, Doug Jolley and Bill Goddard Art Festival
Casey Fowles County Golf Pro

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 read a statement from the Federalist Papers. Commissioner Roper said the invocation. Everyone stood and said the Pledge of Allegiance to the Flag.

APPROVAL OF NOVEMBER 1, 2016 COMMISSION MINUTES

The proposed minutes of a regular County Commission meeting held November 1, 2016,

were presented for consideration and approval. Following review, Commissioner Withers made a motion to approve the minutes of November 1, 2016, as presented.

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

FOLLOW UP ACTION ITEMS FROM NOVEMBER 1, 2016

Attorney Finlinson said that the letter regarding the termination of the contract of the Public Health Director is complete, it just needs to be put on letterhead and signed.

REVIEW OF THE PUBLIC DEFENDER CONTRACT - TATE BENNETT

Mr. Bennett reported briefly on his caseload for the last year. He stated that it has been a particularly busy year in District Court. He said that this has not created any problems or concerns and everything has been handled well within the contract. He said that the funds that were set aside for witnesses/investigators has not been used by him.

Attorney Finlinson said that those funds were used twice for indigent appeals for transcripts for appellate counsel.

The commissioners expressed appreciation to Mr. Bennett for his hard work in the County.

Attorney Finlinson clarified that while the caseload this year is not a record year in the total number of District Court filings, this year has had a high number of sex crimes, violent crimes and high dollar property crimes, rather than the usual drug crimes.

Mr. Bennett stated that he does not think the high caseload will continue next year.

DISCUSSION AND POSSIBLE APPROVAL OF A BUSINESS LICENSE FOR WESTERN ELECTRIC ALLIANCE, OWNER - TRAVIS K. MURPHY

A business license application was presented for Western Electric Alliance, Owner - Travis K. Murphy, an electrical engineering and consulting business. After review of the application and finding all signatures in order, Commissioner Withers made a motion to approve a business license for Western Electric Alliance, Owner - Travis K. Murphy.

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

DISCUSSION AND POSSIBLE APPROVAL REGARDING SIGNING THE APPROVED INTERGENERATIONAL POVERTY GRANT

Commissioner Roper presented the Intergenerational Poverty Grant in the amount of \$15,000.00. He said that he has received an invoice for partial payment from the Intergenerational Poverty Plan Facilitator, Paul Mero, in the amount of \$4,000.00. He stated that this is a one time fee and will be reimbursed through the grant the County receives.

Commissioner Roper said that he spoke to Auditor Gehre regarding this invoice; she indicated that it could be paid out of a separate fund until the grant money is received.

Commissioner Draper stated that the facilitator should wait for payment until the grant is received.

Commissioner Roper made a motion to pay the invoice to the Intergenerational Poverty Plan Facilitator, Paul Mero, in the amount of \$4,000.00.

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

Commissioner Withers made a motion to approve signing the Intergenerational Poverty Grant.

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

Commissioner Roper stated that he thinks that it is important for a commissioner to be the chairman of the Intergenerational Poverty Plan. He said that there are two co-chairman; Ron Draper and Greg Chappell.

Later, it was found that the grant is only reimbursed through submitting invoices rather than receiving the grant money in full.

DISCUSSION AND POSSIBLE APPROVAL OF A PROPOSED CONTRACT RENEWAL BETWEEN MILLARD COUNTY AND COMMERCIAL BUSINESS RADIO, LLC - BRYANT ANDERSON

Mr. Anderson, Commercial Business Radio, LLC, presented a proposed cost summary for the 2017 year, in the amount of \$27,462.00. He said that last year's contract was in the amount of \$28,542.00.

The commissioners expressed their appreciation to Mr. Anderson.

Commissioner Roper made a motion to approve the contract renewal between Millard County and Commercial Business Radio, LLC, in the amount of \$27,462.00

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

DISCUSSION AND POSSIBLE APPROVAL REGARDING A CONTRACT WITH DIRTBUSTERS FOR THE PURCHASE OF MAG CHLORIDE

Commissioner Withers stated that this contract should have been approved earlier this year.

Commissioner Withers made a motion to approve a contract with Dustbusters for the purchase of Mag Chloride.

Commissioner Roper SECONDED the motion. Commissioner Draper OPPOSED the motion. The voting was passed by a majority vote.

Commissioner Draper briefly discussed a product that does the same thing as Mag Chloride, without the salt.

DISCUSSION AND POSSIBLE APPROVAL OF AN AMBULANCE ABATEMENT - LINDSAY MITCHELL

Ms. Mitchell presented an ambulance abatement application from Lucia Smith.

Commissioner Withers made a motion to abate 100% of Ms. Smith's ambulance bill, based on poverty guidelines.

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

Ms. Mitchell presented an ambulance abatement application from Todd Spahr.

Commissioner Roper made a motion to abate 50% of Mr. Spahr's ambulance bill, based on poverty guidelines.

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

Ms. Mitchell presented an ambulance abatement application from Lacey Lister.

Commissioner Withers made a motion to abate 40% of Ms. Lister's ambulance bill, based on poverty guidelines.

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

DISCUSSION AND POSSIBLE APPROVAL REGARDING APPROVAL OF ARCHITECTURAL PLANS FOR THE SUNSET VIEW GOLF COURSE CLUBHOUSE

Mr. Fowles presented the architectural plans for the Sunset View Golf Course Clubhouse. He said that the architect reworked some of the drawings based on input from the Golf Committee and the commissioners. He said that the only additional suggestion the Golf Committee gave was for the front entrance to be more inviting.

Mr. Fowles indicated that the architect needs approval of the plans so that the engineering work can be started. He said that aesthetics can be worked on contiguously with the engineering.

The commissioners briefly discussed several aspects of the architectural plans that they wanted changed.

Commissioner Withers made a motion to approve the architectural plans so the engineering work can be started.

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

Commissioner Withers reported that a mobile office was purchased for the County Road Department and the Sunset View Golf Course to share, in the amount of \$7,700.00.

Mr. Fowles said that it should be delivered on Friday, then temporary power would need to be hooked up.

The commissioners reminded Mr. Fowles that any items that will not be used for the new clubhouse will need to go to surplus sale through the County Auditor's Office.

DISCUSSION AND POSSIBLE APPROVAL OF AMENDED SUNSET VIEW ESTATES SUBDIVISION, PLAT B - JOYCE BARNEY FOR SDSC ENTERPRISES, LLC

Ms. Barney explained that this is lot line adjustment to amend the Sunset View Estates Subdivision, Plat B; giving certain property back to Millard County. She stated that the lot line adjustment is by hole ten, which is near Russ Henrie's house.

Commissioner Withers made a motion to approve the amended Sunset View Estates Subdivision, Plat B, and authorize the recording of said plat.

Commissioner Roper 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 said that she received notice from the Property Tax Division regarding Materion Natural Resources; in their initial assessment, they allocated 6 million dollars in value to Millard County that should have gone to Juab County. They will be making that adjustment back to Juab County, which is approximately \$67,000.00 in taxes.

Treasurer Dearden stated that there is a status conference call on the First Wind appeals December 12, 2016, at 1:15 p.m..

REVIEW OF THE OCTOBER FINANCIAL REPORT - TREASURER DEARDEN

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

DISCUSSION REGARDING THE OLD CAPITOL ARTS FESTIVAL

Abe Johnson expressed appreciation to the Commission for its support of the Old Capitol Arts Festival.

Mr. Johnson briefly discussed the finances for the Old Capitol Arts Festival with the commissioners.

Commissioner Roper stated that normally Tourism provides \$5,000.00 and then another \$5,000.00 is funded out of the General Fund. He said that because of the restaurant tax, the full \$10,000.00 may be able to come out of the Tourism budget.

The commissioners asked Mr. Johnson to submit an invoice so that the \$5,000.00 can be

issued to the Old Capitol Arts Festival Committee for the 2016 Old Capitol Arts Festival.

Commissioner expressed appreciation to the Old Capitol Arts Festival Committee for all they do for the County.

PUBLIC INPUT

There was none.

OTHER BUSINESS

The Commission briefly discussed the meetings scheduled for the Utah Association of Counties, (UAC), Convention November 16 through November 18, 2016.

Commissioner Roper said that the Governor's Rural Partnership Board meeting has been re-scheduled for November 28, 2016, in Salt Lake City.

Commissioner Roper said that the commissioners are scheduled to meet with Auditor Gehre November 22 through 23, 2016, at 8:00 a.m., to go over the budget.

Commissioner Roper said that he attended the ASAP Planning meeting and each community received 15-20 surveys.

Commissioner Roper said that the Intergenerational Poverty Group met with its facilitator, Paul Mero, for the first time.

Commissioner Roper reported that the transportation tax passed on the 2016 General Election ballot.

Attorney Finlinson said that he and Treasurer Dearden are working on the next step in the process.

Commissioner Roper congratulated the Delta Rabbits Football Team for taking second at the State Championship.

Commissioner Draper said that he has received a request for a cell phone allowance for Deputy Dale Josse, in the amount of \$60.00.

Commissioner Roper made a motion to approve a cell phone allowance for Deputy Dale Josse, in the amount of \$60.00.

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

Commissioner Draper said that he has received communication from the County Fire Warden regarding approval of a contract for the Wildfire Program. He said that there is an increase for salary, training and vehicle mileage, and a reduction in supplies. Fred Johnson and Landon Rowley

will come to discuss this contract at budget time.

Commissioner Draper briefly discussed a consideration of a zone change from AG20 to AG Industrial, (AGI), to enable the possible creation of a hog farm similar to the ones in Milford. He said that there will be a public hearing for comment on the December 6, 2016, Commission meeting. He said that he has received several phone calls regarding this consideration.

The commissioners discussed visiting the site November 29 or November 30, 2016.

Commissioner Draper said that Rocky Mountain Power sent an email to the commissioners regarding rooftop solar customers and asked Commissioner Withers and Commissioner Roper to read it.

Commissioner Draper said that he has received an invoice from Mark Ward regarding work performed on September 14, 2016, in Carson City, Nevada, in the amount of \$101.60. Commissioner Draper will contact Juab County to split the cost.

The commissioners will be heading to the Clerk's Office for the 2016 General Election Canvass directly after the meeting today.

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 52-4-204 & 205

There was none.

WHERE UPON THE MEETING ADJOURNED

Commissioner Draper adjourned the meeting at 11:44 a.m..

Attest: _____

Approved: _____