

MINUTES OF BOARD OF COUNTY COMMISSIONERS
MILLARD COUNTY THE 6th DAY OF DECEMBER 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: Wayne Jackson Commissioner-Elect
Richard Beckstrand County IT Supervisor
Deric Despain USU Extension
Bonnie Gehre County Auditor
Sheri Dearden County Treasurer
Wayne Jackson Commissioner-Elect
Scott Barney MEDA
Mark Watson Chronicle Progress
John Higgins Landfill Supervisor
Russ Cowley & Travis Kyhl ... Six County Association of Governments (AOG)
Richard Jacobson County Sheriff's Office
Ron Torgerson & Fred Johnson Utah Forestry, Fire & State Land
Sheri Wysong 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 Roper to the public and Commission members.

OPENING STATEMENTS

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 NOVEMBER 15, 2016, COMMISSION MINUTES

The proposed minutes of a regular County Commission meeting held November 15, 2016, were presented for consideration and approval. Following review and consideration of minor corrections, Commissioner Withers made a motion to approve the minutes of November 15, 2016, as corrected.

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

FOLLOW UP ACTION ITEMS FROM NOVEMBER 15, 2016

Clerk Rowley clarified that the Intergenerational Poverty Grant is only reimbursable through submitting invoices up to the approved grant amount, rather than receiving the grant money in full.

RATIFY THE APPROVAL OF A CELL PHONE ALLOWANCE FOR DALE JOSSE, SHERIFF'S OFFICE

Commissioner Withers made a motion to ratify the approval of a cell phone allowance for Dale Josse, Sheriff's Office, in the amount of \$60.00.

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

Richard Jacobson, County Sheriff's Office Chief Deputy, presented an additional cell phone allowance for Jacob Rowley, in the amount of \$40.00.

Commissioner Withers made a motion to approve a cell phone allowance for Jacob Rowley, Sheriff's Office, in the amount of \$40.00.

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

DISCUSSION AND POSSIBLE APPROVAL OF A CELL PHONE ALLOWANCE FOR JEFF GEHRE, SHERIFF'S OFFICE

Commissioner Withers made a motion to approve a cell phone allowance for Jeff Gehre, Sheriff's Office, in the amount of \$60.00.

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

DISCUSSION AND POSSIBLE APPROVAL OF 2017 COMMISSION DATES

Clerk Rowley presented the proposed commission dates for 2017.

Commissioner Withers made a motion to approve the 2017 Commission Dates as follows:

| | | |
|-----------|----|----|
| January | 3 | 17 |
| February | 7 | 21 |
| March | 7 | 21 |
| April | 4 | 18 |
| May | 2 | 16 |
| June | 6 | 20 |
| July | 11 | 18 |
| August | 1 | 15 |
| September | 5 | 19 |
| October | 3 | 17 |
| November | 7 | 21 |
| December | 5 | 19 |

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

DISCUSSION AND POSSIBLE APPROVAL OF THE RATIFICATION OF THE APPOINTMENT OF NATE SELIN AS ACTING PUBLIC HEALTH OFFICER, CENTRAL UTAH PUBLIC HEALTH DEPARTMENT

Commissioner Withers made a motion to approve the ratification of the appointment of Nate Selin as Acting Public Health Officer, Central Utah Public Health Department.

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

DISCUSSION AND POSSIBLE APPROVAL OF AN AGREEMENT WITH MOUNTAIN LAND COLLECTIONS, INC., FOR UNPAID LANDFILL BILLS

The commissioners briefly discussed the percentage rates that Mountain Land Collections, Inc., collects as commission.

Commissioner Withers made a motion to approve an agreement with Mountain Land Collections, Inc., for unpaid Landfill bills.

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

DISCUSSION REGARDING SCAOG-CIB PROCESS - RUSS COWLEY & TRAVIS KYHL

Mr. Cowley, Executive Director, Six County Association of Governments (AOG), and Mr. Kyhl, Planning Six County AOG, presented a handout to the Commission.

Mr. Cowley expressed appreciation to the County for its support.

Commissioner Roper asked for Six County to bill the County in a timely manner in the future. The County received a bill for a portion of the 2015 semi-annual fee and all of the 2016 fee, which brought the 2016 budget out of balance.

Commissioner expressed appreciation to Six County for its support.

Mr. Kyhl briefly discussed each document and explained the new Community Impact Board (CIB) policies and procedures. He said that he and Mr. Cowley will meet with each community in Six County in January and February.

Mr. Cowley invited the commissioners and Scott Barney, MEDA, to join them when they meet with the communities in Millard County.

Commissioner Roper stated that the Paradise Inn and Resort was chosen as the Millard County Business of the Year for 2016.

DISCUSSION AND POSSIBLE APPROVAL OF RESOLUTION 16-12-06, 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 briefly explained the transfers that will take place, with a maximum of \$125,000.00.

Commissioner Withers made a motion to approve Resolution 16-12-06, 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, with a maximum of \$125,000.00.

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.

DISCUSSION AND POSSIBLE APPROVAL OF RESOLUTION 16-12-06A, A RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS OF MILLARD COUNTY, UTAH, AMENDING THE STEP & GRADE POLICY BY THE ADDITION OF A POSITION IN THE SHERIFF'S OFFICE - EMERGENCY MEDICAL SERVICES DIRECTOR

The commissioners briefly discussed the step and grade scale for the new position. It was decided to discuss this over the next two weeks and make a decision at the next commission meeting.

Chief Deputy Jacobson stated that this employee has many years of experience and has been fulfilling these obligations for some time already.

Commissioner Withers made a motion to table this agenda.

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

DISCUSSION REGARDING FIRE POLICY - FORESTRY FIRE & STATE LANDS, RON TORGERSON & FRED JOHNSON

Mr. Torgerson and Mr. Johnson presented several handouts to the Commission.

Mr. Johnson said that the Forestry, Fire & State Lands have been mandated to create a new fire policy, which will redefine its relationship with the County. He said that the new policy is an approach on reducing fire intensity & frequency, which falls under three categories: mitigation, preparedness and prevention.

Mr. Johnson briefly discussed the County Fire Warden Agreement and the changes to the County Fire Warden Budget.

Mr. Johnson explained the numbers on the participation commitment; there is a ten year fire average of \$181,857.00. He said that the amount will start at \$65,000.00 this year, then it will go up each year until it reaches the average. He said that each year this number will change because the ten year fire average will change.

Mr. Johnson briefly discussed the new Cooperative Agreement, including responsibility of costs between the County and the State. He said that there is motivation to stop fire in initial attack because it will keep the ten year fire average down. He said that there is also a requirement to create a Community Wildfire Prevention Plan.

Mr. Torgerson explained that if the County spends more than \$65,000.00, the over expenditures can be carried over.

This agenda item will be on the next commission agenda for action.

POSSIBLE BOARD OF EQUALIZATION (BOE) DISCUSSION AND/OR ACTION

Commissioner Withers made a motion to convene as a BOE.

Commissioner Roper stepped from the chair and SECONDED the motion. The voting was unanimous and the motion carried. The BOE began at 11:08 a.m..

Treasurer Dearden read a letter prepared by Assessor Manis regarding certain parcels sold by Missouri Flat to Pahvant Ensign Ranches, L.C.. She said that the appellant, Pahvant Ensign Ranches, L.C., has asked for eight parcels to be reassessed as grazing instead of irrigated land. Assessor Manis inspected these parcels and found that four of these parcels have been classified incorrectly for several years and the other four have very obviously not been irrigated for several years.

Treasurer Dearden stated that if there is a factual error, a protest is allowed until March 31. She said that Assessor Manis has concluded that there was an error in the FAA and the appellants request should be granted.

Commissioner Withers made a motion to grant the appeal as stated and change the classification from irrigated land to grazing land.

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

Commissioner Withers made a motion to close the BOE.

Commissioner Roper stepped from the chair and SECONDED the motion. The voting was unanimous and the motion carried. The BOE ended at 11:11 a.m..

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

Treasurer Dearden presented two abatement requests for mid-year purchases from exempt entities. She said that this is an adjustment of tax for the time that the properties were under private ownership.

Commissioner Withers made a motion to abate Parcel# 6751, in the amount of \$23.20 to Utah Division of Wildlife Resources.

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

Commissioner Withers made a motion to abate Parcel #M-1511-1, in the amount of \$112.65 to Meadow Town.

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

REVIEW OF THE NOVEMBER FINANCIAL REPORT - TREASURER DEARDEN

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

PUBLIC INPUT

Deric Despain, USU Extension, presented and explained a new USU Personnel Policy change regarding holiday hours for USU employees.

Richard Beckstrand, IT Director, requested a cell phone allowance and credit card for his new hire, Ryan Lang. This will be on the next commission agenda for action.

Chief Deputy Jacobson requested a credit card for Lieutenant Gehre. This will also be on the next commission agenda for action.

OTHER BUSINESS

Attorney Finlinson said that Treasurer Dearden has found that in order to implement the sales tax that passed in the General Election, it will require an ordinance. He stated that he will prepare the ordinance for the next agenda meeting.

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

Commissioner Roper said that he feels it is important for a commissioner to be on the Intergenerational Poverty Board. He said that he and Commissioner Draper thought that Commissioner-Elect Jackson should be the commissioner on that board, and Commissioner Withers agreed.

Commissioner-Elect Jackson agreed to be on the Intergenerational Poverty Board.

Commissioner Withers said that there has also been a volunteer who has asked to be on the committee.

The commissioners discussed several meetings for the next week.

POSSIBLE REVIEW OF COUNTY POLICIES AND CONTRACTS

There was none.

POSSIBLE CLOSED MEETING PURSUANT TO UTAH CODE ANNOTATED SECTION 52-4-4&5

Commissioner Withers made a motion to go into a closed executive session for the purpose of discussing litigation.

Commissioner Roper stepped from the chair and **SECONDED** the motion. The voting was unanimous and the motion carried. Present in the closed session were Commissioner Roper, Commissioner Withers and Attorney Finlinson.

After the closed executive session the regular meeting reconvened at 11:42 a.m..

WHERE UPON THE MEETING ADJOURNED

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

Attest: _____

Approved: _____