

MINUTES OF BOARD OF COUNTY COMMISSIONERS
MILLARD COUNTY THE 17th DAY OF OCTOBER 2017
AT THE COURTHOUSE, FILLMORE, UTAH

PRESENT: James I. Withers Chairperson
Dean Draper Commissioner
Wayne Jackson Commissioner

Pat Finlinson County Attorney
Lesli Shields Deputy County Clerk

EXCUSED: Marki Rowley County Clerk

ALSO PRESENT: Ian Adams & Mitch Myers Citizens
Barbara Clark Chronicle Progress
Travis Kyhl & JaLyne Ogden Six County AOG
Bryant Anderson Commercial Business Radio, LC
Richard Jacobson County Sheriff's Office
Lynette Madsen County Deputy Auditor
Bonnie Gehre County Auditor
Connie Hansen County Recorder
Adam Richins County Planner/Building Inspector
Abe Johnson, Bill Goddard & Doug Jolley Old Capitol Arts Festival
Carl J. Aldrich Territorial Statehouse State Park
Deric Despain USU Extension
Klint Penney East Millard Maintenance Supervisor
Sheri Dearden County Treasurer
Don West Ace
Tracy Whatcott Utah National Guard
Mark Johnson GBS
Blake Hamilton Durham, Jones & Pinnegar

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 Withers to the public and Commission members.

OPENING STATEMENTS

Commissioner Withers asked if anyone had an opening statement to give. Commissioner Draper said the invocation. Everyone stood and said the Pledge of Allegiance to the Flag.

APPROVAL OF OCTOBER 10, 2017, COMMISSION MINUTES

The proposed minutes of a regular County Commission meeting held October 10, 2017, were presented for consideration and approval. Following review and consideration of minor corrections, Commissioner Jackson made a motion to approve the minutes of October 10, 2017, as corrected.

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

FOLLOW UP ACTION ITEMS FROM OCTOBER 10, 2017

Commissioner Draper noted that the first Commission meeting in November will be held on Monday, November 6, 2017.

DISCUSSION AND POSSIBLE ADOPTION OF MILLARD COUNTY'S 2018 TENTATIVE BUDGET

Auditor Gehre said that the tentative budget must be adopted on or before November 1, 2017, by statute. She said that the Millard County 2018 tentative budget is \$23,873,890.00. She said that future meetings will need to be scheduled to work on the budget.

Auditor Gehre said that the tentative budget will be available for inspection at the Auditor's Office, the County Satellite Offices in Delta and will be run in the Chronicle Progress and posted on the County's website. She said that the 2018 Budget Hearing will be held December 5, 2017, at 7:00 p.m..

Commissioner Draper made a motion to adopt the Millard County 2018 Tentative Budget.

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

DISCUSSION AND POSSIBLE APPROVAL OF THE 2018 EMPLOYEE BENEFITS

Mark Johnson, GBS, presented several handouts to the Commission and explained each document. He gave a brief historical view of the premiums paid, claims and expenses over the last 2.5 years.

Mr. Johnson said that he was asked to evaluate the insurance market and get quotes from various carriers to make sure the County was getting a good deal with the current carrier. He briefly discussed the comparison of benefits for Millard County and the medical summary of the three carriers who returned quotes: PEHP, University of Utah Health Plans and Cigna. He then discussed which hospitals in Utah accept certain insurance carriers.

Commissioner Draper made a motion to approve the 2018 employee benefits and renew the contract with PEHP.

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

Commissioner Draper said that he spent several hours reviewing the insurance documents and he believes PEHP to be the best move for the County to avoid disruption.

DISCUSSION AND POSSIBLE APPROVAL OF CHANGING DATES OF THE COUNTY ALLOCATIONS WITH THE SIX COUNTY ASSOCIATION OF GOVERNMENTS (SCAOG) - TRAVIS KYHL

Mr. Kyhl, presented a handout regarding changing dates of the county allocations with SCAOG. He said that the SCAOG fiscal year is July 1-June 30. He said that this makes things difficult as most everyone else is on a Jan 1-Dec 31 fiscal year. He briefly explained that the proposed date changes will be from February & September to February & June, in order to line up with the SCAOG fiscal year.

Commissioner Withers said that the full amount is budgeted and it would not be an issue to change the dates.

Commissioner Jackson made a motion to approve changing the dates of the county allocations with SCAOG.

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

DISCUSSION CONCERNING A HOMELESS SHELTER - MITCH MYERS

Mr. Myers expressed appreciation to the commissioners for allowing him to be here today. He presented a handout to the Commission, which he then read. He said that the County needs to take care of the needy. He said that he is willing to do anything that he can to help.

Commissioner Withers asked Mr. Myers to give a brief idea of what he wants to do.

Mr. Myers said that he wants the poor and needy to be taken care of.

Commissioner Withers said that Attorney Finlinson will look into the legal aspects regarding this and get a meeting together with the city.

REPORT ON THE OLD CAPITAL ARTS & LIVING HISTORY FESTIVAL AND STORYTELLING - ABE JOHNSON

Mr. Johnson presented a handout regarding the 2017 Old Capitol Arts & Living History Festival. He expressed his appreciation to the County for all their help and support. He said that attendance was good this year and the senior citizen groups are increasing every year. He said that next year he would like to have live animals, especially in the Living History area of the festival. He gave a brief synopsis of the festival this year.

Mr. Johnson said that there were 3,558 volunteer hours in 2017. The revenue this year was \$36,022.00 and expenses were \$34,077.33. The additional \$1,944.67 will help fund miscellaneous expenses next year.

Carl Aldrich reminded the commissioners that if the volunteers were all paid, this would easily be a \$150,000.00 festival.

Doug Jolley said that he spoke to several of the people that attended the festival and briefly related some of those conversations.

Bill Goddard said that the County chose to pay invoices this year rather than paying a lump sum. He said that he initially had concerns with doing it this way, but it worked out well.

Commissioner Withers said that Millard County is a great place to live and he expressed his appreciation to all of the volunteers in the County.

Mr. Johnson then presented the proposed 2018 budget with revenue and expenses in the amount of \$37,000.00, with a requested donation of \$12,500.00 from the County. He said that they would like to increase advertising next year.

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

Attorney Finlinson said that this contract renewal has identical language from last year, with a modest increase of approximately \$200.00 per month.

Mr. Anderson presented a handout regarding the cost summary by department. He said that some equipment had to be replaced this year, plus equipment has been added from last year.

Commissioner Withers expressed appreciation to Mr. Anderson, he provides a great service to the County.

Commissioner Draper made a motion to approve the contract renewal with Commercial Business Radio, LC, in the amount of \$29,086.00.

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

DISCUSSION AND POSSIBLE APPROVAL OF OUT OF STATE TRAVEL TO ATTEND THE HYDROGEN FUEL CELL CONFERENCE & SEMINAR, NOVEMBER 7-10, 2017, IN LONG BEACH, CA - SCOTT BARNEY, MEDA COORDINATOR

Commissioner Draper said that Mr. Barney is not here today, but he has been told that a grant of approximately \$100,000.00 will be awarded at this conference, which would require a \$10,000.00 match from the County. He said that Mr. Barney's attendance at the conference will be covered under his 2017 budget and the match would be out of his 2018 budget.

Commissioner Jackson made a motion to approve out of state travel for Mr. Barney to attend the Hydrogen Fuel Cell Conference & Seminar, November 7-10, 2017, in Long Beach, CA.

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

DISCUSSION AND POSSIBLE APPROVAL OF THE 2018 PREDATOR CONTROL CONTRACT

Attorney Finlinson said that this contract renewal has identical language as last year.

Commissioner Draper said that this is a standard contract that the County has with the State and the contract amount has not changed from last year.

Commissioner Jackson made a motion to approve the 2018 Predator Control Contract, in the amount of \$4,500.00.

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

DISCUSSION AND POSSIBLE APPROVAL OF A ONE YEAR LEASE WITH THE NATIONAL GUARD FOR THE ARMORY BUILDING LOCATED IN FILLMORE

Commissioner Jackson said that he met with Colonel Smith and the lease is not ready yet, but they want to do a Memorandum of Understanding (MOU) until the lease is ready. He said that the lease will be in the amount of \$1.00 per month for a year. He said that Fillmore City has to come up with a value for the land that they are trading for the building. He said that Mayor Larsen has given the okay for the County to do the lease with the National Guard. He said that the MOU should be here this week.

Attorney Finlinson suggested for this agenda item to be moved to the next agenda. He said that he will need to review the MOU.

DISCUSSION AND RATIFICATION OF HIRING SUE HILDERBRAND AS THE SIX COUNTY PUBLIC HEALTH DIRECTOR

Commissioner Withers said that the Central Utah Public Health Department hired Sue Hilderbrand as the Public Health Director. He said she will be a great asset to the Six County area. Each County in the Six County area has been asked to ratify this new hire.

Commissioner Draper made a motion to ratify hiring Ms. Hilderbrand as the Central Utah Public Health Department Public Health Director.

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

DISCUSSION AND POSSIBLE APPOINTMENT OF TRACY WHATCOTT AS THE MILLARD COUNTY MILITARY LIAISON

Commissioner Jackson suggested Tracy Whatcott be appointed as the Millard County Military Liaison. Mr. Whatcott has agreed to the appointment, if approved.

Commissioner Jackson made a motion to appoint Mr. Whatcott as the Millard County Military Liaison.

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

Commissioner Withers expressed appreciation to Mr. Whatcott for his service.

DISCUSSION AND POSSIBLE APPOINTMENT OF MEMBERS TO SERVE ON THE MILLARD COUNTY WATER CONSERVANCY BOARD

Commissioner Draper said that this is a 9 member board and every member except one has served on the board since its inception. He said that all board members would like to be replaced. He said that he has found a few volunteers and additional names will be added as he finds more volunteers.

Commissioner Draper said that Unit #1 will be Ferrell Hatch; Unit #2 will be Peter Greathouse; Unit #3 will be Dan Myers; Unit #6 will be Morgan Christensen. These appointment terms will be until December 31, 2019.

Commissioner Draper made a motion to appoint Ferrell Hatch, Peter Greathouse, Dan Myers and Morgan Christensen to serve on the Water Conservancy Board.

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

DISCUSSION AND POSSIBLE APPOINTMENT OF A NEW TOURISM BOARD CHAIRMAN

Commissioner Draper said that the Tourism Board Chairman has other commitments and has left the board. He expressed appreciation to her for her service. He said that Jane Ann Draper has agreed to serve as the new chairman. He stated that Ms. Draper is not a relative of his.

Commissioner Draper made a motion to appoint Jane Ann Draper as the new Tourism Board Chairman.

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

BID OPENING FOR THE CEMENT AND CONSTRUCTION AT THE EQUESTRIAN CENTER IN FILLMORE

Deputy Auditor Madsen opened the following bids:

- Natural Impressions: \$67,443.29

Commissioner Jackson made a motion to receive the bid, as presented, and review the specifications of the bids, before making a decision.

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

DISCUSSION AND POSSIBLE APPROVAL OF PURCHASING REAL PROPERTY FOR THE

COUNTY ROAD DEPARTMENT

Commissioner Withers said that the real property being discussed is a 40 acre parcel to be used for sand and gravel pits for the County Road Department. He said that he thinks it would be advantageous to counter-offer less than the original offer, which was \$2,000.00 per acre, for a total of \$80,000.00. Attorney Finlinson will prepare the required documents.

Commissioner Jackson discussed offering \$1,500.00 per acre.

Commissioner Draper said that he was thinking closer to \$1,750.00 to \$1,800.00 per acre.

Commissioner Withers agreed that he would be more comfortable with \$1,800.00 per acre.

Commissioner Draper made a motion to counter-offer \$1,800.00 per acre to the seller.

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

DISCUSSION AND POSSIBLE APPROVAL OF STARTING THE PROCESS OF A NO OBLIGATION INDUSTRIAL REVENUE BOND

Commissioner Draper said that Don West met with himself and Mr. Barney regarding a new proposed project that would require 15 million dollars for him to proceed. He said that Mr. West is lining up investors for the project, but the No Obligation Industrial Revenue Bond requires a government agency be involved.

Mr. West said that the County would not have any financial obligation to the bond, but it would have a significant impact on the County. He briefly described the project, which deals with IPP. He said that it would initially address the waste dumped on the ground and preserve the coal plant.

Attorney Finlinson said that this is not a general obligation bond, but it does obligate revenue from the industrial park.

Commissioner Withers asked if there would be any administration fees required by the County.

Mr. West said that he has never done this type of a bond before, but any costs to the County would be reimbursed.

Attorney Finlinson requested time to research and educate himself on the bond and the process.

Mr. West requested authorization to move forward, there would be further approval after the public hearings anyway, but it would allow him to move on to the next step in the process.

Attorney Finlinson advised not authorizing moving forward until he has had time to research further.

Commissioner Withers agrees that additional research is needed.

Mr. West added that this is a taxable bond, which is unusual.

Commissioner Draper said that approval today would be to start the process, not to generate the bond. He said that this is a very unusual process.

Attorney Finlinson advised again to not make any formal or official approval until the process is researched further.

Mr. West said that he does not have time restraints, but the power companies that he is

working with does.

Commissioner Jackson made a motion to table this agenda item.

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

PUBLIC INPUT

There was none.

OTHER BUSINESS

Richard Jacobson, County Sheriff's Office, requested a signature for two employees that are due for regularly scheduled pay increases.

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

Attorney Finlinson said that the Extraordinary Expense line item in the Indigent Defense Budget will likely need to be increased because of appeals. He said that there is a possibility of a reimbursement with a grant he is pursuing.

Commissioner Jackson said that a business will need to be submitted as soon as possible for the County Recognition Award.

Commissioner Jackson said that there were three bids submitted for a van for Extension, which was already in the budget.

Commissioner Withers said that he can meet Dr. Despain at Droubay tomorrow at 10:00 a.m., to sign the paperwork on the van.

Commissioner Jackson said that he is no longer able to pull up the water report from Six County, the document is too large.

Attorney Finlinson said that Richard Beckstrand may be able to help download it.

Commissioner Draper said that all of the computers that are used by the commissioners are old and need to be replaced. If they are replaced, it would need to be added to the budget.

POSSIBLE REVIEW OF COUNTY POLICIES AND CONTRACTS

There was none.

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

Commissioner Draper made a motion to go into a closed executive session for the purpose

of discussing pending litigation.

Commissioner Jackson **SECONDED** the motion. All three commissioners voted unanimously and the motion carried. Present in the closed session were Commissioner Withers, Commissioner Draper, Commissioner Jackson and Blake Hamilton.

After the closed executive session, the regular meeting reconvened at 12:04 p.m..

WHERE UPON THE MEETING ADJOURNED

Commissioner Withers adjourned the meeting at 12:04 p.m..

Attest: _____

Approved: _____