

MINUTES OF BOARD OF COUNTY COMMISSIONERS  
MILLARD COUNTY THE 6th DAY OF NOVEMBER 2017  
AT THE COURTHOUSE, FILLMORE, UTAH

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

Pat Finlinson . . . . . County Attorney  
Marki Rowley . . . . . County Clerk  
Lesli Shields . . . . . Deputy County Clerk

ALSO PRESENT: Sheri Dearden . . . . . County Treasurer  
Bonnie Gehre . . . . . County Auditor  
Barbara Clark . . . . . Chronicle Progress  
Scott Barney . . . . . MEDA Coordinator  
Adam Richins . . . . . County Planner/Building Inspector  
Keith Nielson . . . . . 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 Withers to the public and Commission members.

OPENING STATEMENTS

Commissioner Withers asked if anyone had an opening statement to give. Commissioner Jackson expressed appreciation to all veterans of Millard County for their service. Attorney Finlinson said the invocation. Everyone stood and said the Pledge of Allegiance to the Flag.

APPROVAL OF OCTOBER 17, 2017, COMMISSION MINUTES

The proposed minutes of a regular County Commission meeting held October 17, 2017, were presented for consideration and approval. Following review, Commissioner Draper made a motion to approve the minutes of October 17, 2017, as presented.

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

#### FOLLOW UP ACTION ITEMS FROM OCTOBER 17, 2017

Commissioner Jackson said that the County will be renting the National Guard Armory building until the lease is signed. He said that East Millard Recreation has a phone there and they are currently setting it up for Junior Jazz. He said that the County is not allowed to charge for use of the building until the lease is complete.

#### DISCUSSION CONCERNING MSDS CONTRACT

Commissioner Withers said that a bill was received for the MSDS contract, which was paid. He said that going forward, Steven Jensen, County Road Department, is responsible for MSDS. He said that Mr. Jensen has expressed a few concerns with getting the required information online.

Attorney Finlinson said that he has talked to Mr. Jensen, and he seems to be pleased with the software product. He said that additional training for employees in contact with chemicals will be needed at some point. Mr. Jensen is working with the IT Department to get the required information on the website.

#### DISCUSSION AND POSSIBLE APPROVAL OF A BUSINESS LICENSE FOR YOU'VE BEEN FRAMED, OWNER - KAREN SHURTZ

A business license application was presented for You've Been Framed, Owner - Karen Shurtz, a custom framing and matting business. After review of the application and finding all signatures in order, Commissioner Jackson made a motion to approve a business license for You've Been Framed, Owner - Karen Shurtz.

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

#### DISCUSSION AND POSSIBLE APPOINTMENT OF RON DRAPER TO REPLACE DENYS KOYLE AS A MEMBER ON THE GREAT BASIN HERITAGE AREA PARTNERSHIP BOARD (GBHAP)

Commissioner Jackson made a motion to appoint Ron Draper to replace Denys Koyle on the GBHAP Board.

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

#### DISCUSSION AND POSSIBLE APPROVAL FOR OUT OF STATE TRAVEL TO ATTEND MEETINGS IN DENVER, CO, NOVEMBER 13-14, 2017 - SCOTT BARNEY, MEDA COORDINATOR

Mr. Barney said that if the hydrogen grant is awarded to the County at the Hydrogen Fuel Cell Conference in California tomorrow, the first meeting is scheduled for November 13-14, 2017, in Denver, Colorado. If the County is not awarded the grant, he will not be attending this meeting.

Commissioner Draper made a motion to approve out of State travel for Mr. Barney to attend meetings in Denver, CO, November 13-14, 2017, subject to grant approval.

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

#### DISCUSSION AND POSSIBLE APPROVAL OF RESOLUTION 17-11-06, A RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS OF MILLARD COUNTY, UTAH, APPOINTING A TRUSTEE TO THE BOARD OF MILLARD COUNTY DRAINAGE DISTRICT 2

Commissioner Jackson made a motion to approve Resolution 17-11-06, a resolution of the Board of County Commissioners of Millard County, Utah, appointing Todd Holt as a trustee to the Board of Millard County Drainage District 2.

Commissioner Draper SECONDED the motion. Clerk Rowley called for a roll call vote. Commissioner Jackson voted YES. Commissioner Draper voted YES. Commissioner Withers voted YES. The voting was unanimous and the motion carried.

#### PUBLIC INPUT

There was none.

#### OTHER BUSINESS

Attorney Finlinson said that a department can move money within their budget as needed. He said that a question has arisen regarding moving money within the Capital Budget, since the capital is not an easily identifiable department. He said that West Millard Recreation needs to move money from one capital account to another capital account, which is an account that the commissioners have authority over. He recommended that a resolution be approved to move this money when the 2017 budget is opened, which will need to take place soon anyway.

Auditor Gehre clarified that the West Millard Pool wants to move money to the County Fair Budget, for BMX. She said that Kevin Morris, West Millard Maintenance Supervisor, may have an issue if the money is not moved soon.

Commissioner Draper said that a commitment was made with a contractor on site, to pay as the work is completed rather than when it is totally complete. He asked if action could be taken today, to be ratified at the next meeting.

Attorney Finlinson said that the commissioners can move money within the Capital Budget. The statute is not clear on this issue and there are a few ways to look at this issue. He advised that public notice and a resolution be approved when the budget is opened. He then asked the Auditor and Treasurer for their input.

Treasurer Dearden said that to show transparency with the budget, since the budget would

be changing from the original budget, it should require a public hearing to notify the public of the change.

Auditor Gehre agreed that a public hearing should be required.

Attorney Finlinson said that if a public hearing and resolution are done, then it would satisfy the most stringent of requirements.

Commissioner Withers said that this item will be discussed further after a few other items are addressed.

Later, it was decided to follow the more stringent requirements and have a public hearing, which will take place November 21, 2017.

## REVIEW OF THE OCTOBER FINANCIAL REPORT - TREASURER DEARDEN

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

## OTHER BUSINESS CONTINUED

Auditor Gehre presented a hardship abatement for Janet Cooper, Parcel #F-198.

Commissioner Jackson made a motion to abate the remaining balance of \$325.17 of the property taxes for Janet Cooper, Parcel #F-198.

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

Auditor Gehre presented a hardship abatement for Reed Smith, Parcel #F-194-4.

Commissioner Draper made a motion to abate 100% of the property taxes for Reed Smith, Parcel #F-194-4.

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

Commissioner Draper said that the Planning Commission has two items that will require formal consideration in December. He said that historically, the Planning Commission has a Christmas dinner that same night. He asked if there were any other conflicts on that day.

Mr. Barney said that the Six County Awards Banquet is the same night.

Commissioner Draper said that another night may need to be scheduled.

Commissioner Draper said that the commissioners will be attending the Utah Association of Counties (UAC) Conference November 15 through 17, 2017, in St. George. He said that the BLM has also invited the commissioner to a Scoping Meeting for the Cosmic Telescope Array November 15, 2017, in Delta at 4:00 p.m., and November 16, 2017, in Juab County. He said that the Telescope Array intends to expand its deployment by nearly four times the current size.

Commissioner Withers said that he has received push back from the public regarding this issue.

Commissioner Draper said that the Scoping Meeting is one of most important things in this

process as it is intended to receive public input.

It was decided that either Commissioner Draper or Commissioner Withers will attend the Scoping Meeting.

Commissioner Jackson said that the bid received for the East Millard Racetrack is too high and he would like to reject that bid and re-bid it next year.

Attorney Finlinson said that this item would need to be noticed on an agenda. This will be on the next scheduled agenda.

Commissioner Jackson said that a part-time permanent East Millard Maintenance position needs to be advertised.

Commissioner Withers said that he thought that this item was on hold to see if funding would be there for 2018. He asked if Klint Penney, East Millard Maintenance Supervisor, could wait until after the budget cycle.

Commissioner Jackson said that Mr. Penney is shorthanded right now and is in a hurry to get someone hired.

Commissioner Jackson said that a new Miss Millard Director is needed and should be advertised. The current director will continue to serve until a new director has been placed.

Attorney Finlinson said that he will have two retirements in his office by January and he only intends to replace one of those positions. He said that George Ann Probert retired in June and Cindy Iverson will be retiring in January or February. He said that Ms. Probert's position is currently being advertised and will close this week. He said that by the 2019 budget cycle, the State will force new software to be implemented. He said that he is not adding any additional funds to the 2018 budget, but there will be additional funds needed in 2019 for the new software.

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

Commissioner Draper recognized Attorney Finlinson for all that he has accomplished with his health concerns this year.

Commissioner Draper said that he attended a meeting with Six County AOG regarding the congressional reports. He said that one item that was brought up was Secure Rural Schools (SRS) funding, which has gone through the House but not the Senate. He said that Senator Hatch is working on this issue. He said that counties with U.S. Forests depend on SRS funding for its budget. If those counties do not receive this money, they are looking at taking money away from the Payments in Lieu of Taxes (PILT), which could greatly reduce income the County receives from the BLM. He said that the proposed bill asks for SRS to be funded through 2020.

Commissioner Jackson said that the commissioners have been invited to the Veterans Dinner at the Legion Building in Fillmore, November 11, 2017, at 5:30 p.m..

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 Withers adjourned the meeting at 10:50 a.m..

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

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