

MINUTES OF BOARD OF COUNTY COMMISSIONERS
MILLARD COUNTY THE 9th DAY OF JANUARY 2018
AT THE COURTHOUSE, FILLMORE, UTAH

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

Kaela Jackson..... County Attorney
Marki Rowley..... County Clerk

EXCUSED: Pat Finlinson..... County Attorney

ALSO PRESENT: Travis Kyhl Russ Cowley..... Six County AOG
Janell Brandt & Kris Ewert..... Citizen
Frank Paxton..... Kanosh Town Mayor
Danny Wardle..... Mountain View Mushroom
Brian Stephenson..... Holden Town Council
David Lewis..... Fillmore KOA Campground
Matt & Patti Haupt..... 5 Buck Pizza
Lynette Madsen..... County Auditor's Office
Barb Clark & Shellie Dutson..... Chronicle Progress
Arlene & Randy Bartholomew..... Duanes Food Town
Scott Barney..... Economic Development Coordinator
Eldon Rowley..... West Millard Mosquito Abatement District
Casey Fowles..... Sunset View Golf Course
Jeff Gehre & Richard Jacobson..... County Sheriff's Office
Alan Roper..... Roper Lumber
Dean Stephenson..... Millard School District
Tony Dearden..... Dearden Motor
Dent Kirkland & John Niles..... Delta City
Amber Kelsey & Jack Davies..... Fillmore Country Floral
Teresa Alldredge, Ian Adams, Kevin Orton, Mike Holt & Jeff Mitchell... Fillmore City
Andy Nickle..... Delta Garbage Service
Kevin Morris, William Lister & Rick Bublitz..... West Millard Recreation
Adam Richins..... County Planner/Building Inspector
Sheri Dearden..... County Treasurer

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 his appreciation to both Commissioner Withers and Commissioner Draper for helping him get through his first year as a county commissioner. He said that it was a great year.

Commissioner Draper read a scripture from the Pearl of Great Price (Abraham 4:18) "And Gods watched those things which they had ordered until they obeyed". He said that he feels that the LDS scripture fits well with an experience involving the Commission and the Landfill Department. He said that with the Landfill they have not obeyed, but they will work on it today.

Commissioner Withers said the invocation. Everyone stood and said the Pledge of Allegiance to the Flag.

APPROVAL OF DECEMBER 19, 2017 COMMISSION MINUTES

The proposed minutes of a regular County Commission meeting held December 19, 2017 were presented for consideration and approval. Following review and consideration of minor corrections, Commissioner Jackson made a motion to approve the minutes of December 19, 2017, as corrected.

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

FOLLOW UP ACTION ITEMS FROM DECEMBER 19, 2017

Commissioner Draper wanted to remind everyone that the first meeting held in March will be held the second week (March 13, 2018) instead of the first week (March 6, 2018), due to the Commission having to be in Washington D.C. for meetings.

Commissioner Draper said that the County budgeted \$13,000.00 for the 2018 County Seat T.V. contract.

Commissioner Draper said that at the Snake Valley Water hearing the protest was on pumping water out of Spring Valley in Nevada, which is located one valley west of Snake Valley on the boarder of Nevada and Utah. He said that conclusive studies have shown that if water were to be pumped out of Spring Valley, it would cause the water to flow backward from Snake Valley into Spring Valley and would make the problems with the aquifer in Snake Valley worse. He said

that the court recording fees for that protest were discussed and approved in the amount of \$1,453.17.

APPOINTMENT OF A NEW COMMISSION CHAIRPERSON AND CHAIRPERSON PRO TEMPORE

Commissioner Withers explained that the chair position is usually rotated between the three commissioners and in following that tradition Commissioner Jackson would be the chairperson and Commissioner Draper would be the chairperson pro tempore.

Commissioner Draper made a motion to appoint Commissioner Jackson as the new commission chairperson.

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

Commissioner Jackson made a motion to appoint Commissioner Draper as the new chairperson pro tempore.

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

Commissioner Withers will continue as the commission chair through the rest of this meeting and Commissioner Jackson will take the chair at the next commission meeting.

ASSIGNMENT OF COMMISSION DUTIES FOR 2018

Commissioner Withers presented the proposed duties and department assignments for each commissioner.

The only change made was that Commissioner Draper will take over the Six County Public Health Board since Commissioner Withers has served over that board for the past seven years. *See attachment.*

DISCLOSURE STATEMENTS

Disclosure statements were submitted for the following employees:

Debra A. Arnold
Sheri Dearden
Lindsay Mitchell
Johnathan Travis Keel
Margene Stevens

RATIFY THE OPENING OF THE GOLF COURSE CLUBHOUSE BIDS

Commissioner Jackson made a motion to ratify the opening of the golf course clubhouse bid, opened on December 19, 2017.

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

RATIFY THE APPROVAL OF ADDING A LEGAL GUARDIANSHIP CLAUSE TO THE COUNTY'S HEALTH BENEFIT

Commissioner Draper made a motion to ratify the approval of adding a legal guardianship clause to the County's health benefit.

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

RATIFY THE APPROVAL OF A ONE TIME 3% BONUS FOR ALL FULL-TIME COUNTY EMPLOYEES AND A ONE TIME \$100.00 BONUS FOR PERMANENT PART-TIME EMPLOYEES

Commissioner Withers explained that due to efficiencies in the County it was decided to offer a one time payment to the county employees since there were sufficient funds available to do so. He said that the county employees do a great job and the County felt that the one time payment was warranted.

Commissioner Jackson made a motion to ratify the approval of a one time 3% bonus for all full-time county employees and a one time \$100.00 bonus for permanent part-time employees.

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

DISCUSSION AND POSSIBLE APPROVAL OF A BUSINESS LICENSE FOR LONGVIEW CONSTRUCTION & DEVELOPMENT INC., OWNER - DAVE H. BUNDY

A business license application was presented for Longview Construction & Development Inc., Owner - Dave H. Bundy. Commissioner Draper said that a note on this business license application indicated that this business would require a conditional use permit (CUP), which has not yet been applied for.

Adam Richins, County Planner, explained that a CUP would only be required if Mr. Bundy stores his equipment on site and chooses to stay and operate long term.

Attorney Jackson said that the license may be approved contingent on Mr. Bundy obtaining a CUP, if he does more than what the license allows.

After review and discussion of the application and finding all signatures in order, Commissioner Jackson made a motion to approve a business license for Longview Construction & Development Inc., Owner - Dave H. Bundy, with the contingency that Mr. Bundy obtain a CUP if he does more than what the business license allows.

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

DISCUSSION AND POSSIBLE APPOINTMENT OF MEMBERS TO SERVE ON THE MILLARD COUNTY PLANNING COMMISSION

Commissioner Draper said that it is the Planning Commission's responsibility is to review applications for different uses of land within Millard County and make recommendation to the Board of Millard County Commission in favor of and/or opposed to those applications. He said that this is all based on State and County code. He said that if the Millard County code does not specifically cover an item, it would automatically revert to the State Code.

Commissioner Draper said that the Planning Commission Board is made up of 7 members and 3 of those members terms expired December 31, 2017. He said that Tom Nielson from Oak City has agreed to serve an additional 3 year term.

Commissioner Draper said that notice of the vacancies were run in the Chronicle Progress. He said that both Matt Kesler and Demar Iverson have expressed interest in the vacancies and he was surprised with the depth of knowledge that Mr. Iverson had of the County.

Commissioner Draper said that county code addresses membership and filling the available seats. He said that it does not obligate the board to extend an invitation to the public; although, it is a great practice to follow.

Mr. Richins said that the board ran into an issue this past week of not having a sufficient number of members to be able to take action on applications.

Commissioner Draper made a motion to reappoint Tom Nielson and appoint Matt Kesler and Demar Iverson to serve as members on the Millard County Planning Commission.

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

Commissioner Withers thanked those who are willing to serve as volunteers in our community. He said that it is good to have volunteers from different areas to give the County a better picture of what is going on. He said that the Board consists of members who reside in Lynndyl, Oak City, Delta, Fillmore, Pahvant and Eskdale.

UPDATE CIB LIST - TRAVIS KYHL

Russ Cowley, Six County Association of Government (SCAOG) Executive Director, thanked the Commission for its support given to SCAOG. He expressed his appreciation to Commissioner Jackson for his service as the new SCAOG Chair and to the newly elected Fillmore City Mayor Michael Holt.

Mr. Cowley said that SCAOG is working on schedules for meeting with the cities.

Travis Kyhl, SCAOG Regional Planner, presented the CIB list for review. He said that the information handed out has not changed much from last year. He said that things went well this year and there have not been very many amendments. He said that the process for the CIB list approval

would be first to visit with communities and work with them over the next few months, then in March the County must prioritize the projects on that list and then submit the new list for approval before April 1, 2018.

Mr. Kyhl said that he created an online list for submission this year instead of having each entity handwrite their projects. He said that there will be no project carry-overs from the list year to year. He said that of the ten projects on last year's list, there have only been two that have applied to CIB this year. He said that he will follow up with the others to see why they haven't applied again this year. He said that Holden Town and Delta City have both moved forward with their projects on the list and both have been successful in getting the money for their projects.

Mr. Khyl said that the County still has the jail remodel on the list and if they are not ready to pursue that project this year, they would need to be sure to get it on next year's list.

Mr. Cowley invited the commissioners and Scott Barney, Millard County Economic Development Coordinator, to attend the visits with the communities in Millard County. He said that he will forward the schedule to the Commission once it is complete.

DISCUSSION AND POSSIBLE APPROVAL OF A NEW BUILDING FOR THE WEST MILLARD MOSQUITO ABATEMENT DISTRICT (WMMAD) - ELDON ROWLEY

Mr. Rowley said that the WMMAD would like to construct a new storage building, just west of the current WMMAD building. He said that the facilities are located on Millard County property, therefore, would need Commission approval. He said that he discussed this last year with Brandon Winget, Millard County Road Supervisor who indicated that he felt that there was plenty of room to place a building in that area.

Commissioner Draper questioned if there would be any complications constructing that building closer to the river. Mr Rowley said that there would not be any complications by doing that.

Mr. Rowley said that the WMMAD has available funds to construct a new building. He said that they have been saving for years in anticipation of this.

Commissioner Draper made a motion to approve the construction of the new building.

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

DISCUSSION AND POSSIBLE APPROVAL OF THE GOLF COURSE CLUBHOUSE BIDS

Commissioner Withers said that there was only one bid received, which was opened on December 19, 2017 and ratified this morning. Mr. Richins has reviewed the plan and has indicated that this bid meets the goals of the County.

Commissioner Withers said that the bid was in the amount of \$339,138.00. He said that the County budgeted \$450,000.00. He said that they are accepting the bid as proposed and written in the amount of \$339,138.00.

Commissioner Draper said that Mr. Richins has a combined responsibility as the County Planner and County Inspector. He said that he has extensive experience in this field and has been a big help in making this decision.

Commissioner Draper made a motion to award the contract for the golf course clubhouse to Mike Barney Construction in the amount of \$339,138.00.

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

DISCUSSION AND POSSIBLE APPROVAL OF THE STATE FORESTRY WILDLAND FIRE BUDGET

Commissioner Draper said that the State Forestry Wildland Fire budget was discussed at the December 19, 2017 commission meeting. He said that he has had time to do the research on this and explained that if there is a fire on Federal land including USDA Forest property, BLM property and/or State Lands, the County is not responsible for suppression costs of that fire. However, if a fire is on any portion of private land, the County would be responsible for carrying a proportionate part of that cost.

Commissioner Draper said that the County is responsible for half of the fire warden's salary, which will be paid by the County Fire District. He said that he questioned if the County or the Fire District was responsible for fire suppression, which has not yet been answered.

Commissioner Draper made a motion to approve the 2018 State Forestry Wild Land Fire Budget.

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

DISCUSSION AND POSSIBLE APPROVAL OF MILLARD COUNTY'S EMERGENCY OPERATION PLAN

Commissioner Withers said that this document was given to the Commission a few weeks ago to review.

Commissioner JACKSON made a motion to approve the Millard County's Emergency Operation Plan.

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

DISCUSSION AND POSSIBLE APPROVAL OF A CONTRACT WITH THE STATE OF UTAH HIGHWAY PATROL (UHP) FOR OFFICE SPACE AT THE SHERIFF'S OFFICE

Attorney Jackson said that she did not have a contract to present today and did not believe that Attorney Finlinson has had time to review one.

Commissioner Draper made a motion to table this agenda item until a contract is received. Commissioner Jackson SECONDED the motion. The voting was unanimous and the motion carried.

Later, this agenda item was brought back for approval. The UHP contract was presented and

Attorney Finlinson had time to review it.

Captain Richard Jacobson said that the only change to this contract was a decrease in the office space needed, due to the UHP's main office being moved to Nephi, Utah.

Commissioner Jackson made a motion to approve a contract with the UHP for office space at the Sheriff's Office.

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

Commissioner Draper questioned if the number of troopers were altered due to the move of the headquarter location. Captain Jacobson said that there were no changes in the number of troopers available to Millard County.

DISCUSSION AND POSSIBLE APPROVAL OF RESOLUTION 18-01-09, A RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS OF MILLARD COUNTY, UTAH, AMENDING RESOLUTION 13-01-22 (ADOPTING MILLARD COUNTY'S STEP & GRADE POLICY) BY CHANGING GRADE ASSIGNMENTS FOR POSITIONS WITHIN THE MILLARD COUNTY SHERIFF'S OFFICE

Commissioner Jackson made a motion to table this agenda item.

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

DISCUSSION AND POSSIBLE ADOPTION OF ORDINANCE 18-01-09, AN ORDINANCE OF THE MILLARD COUNTY COMMISSION AMENDING THE ZONING MAP OF MILLARD COUNTY TO RECLASSIFY CERTAIN PROPERTY FROM AGRICULTURE/AGRICULTURE 20 (AG/AG 20) TO AGRICULTURE INDUSTRIAL (AI)

Mr. Richins explained that the zone change for J&J Swine went through the public hearing process and was approved at the December 19, 2017 Commission Meeting. This ordinance was prepared for the recording of that change.

Commissioner Draper made a motion to adopt Ordinance 18-01-09, an ordinance of the Millard County Commission amending the zoning map of Millard County to reclassify certain property from AG/AG 20 to AI.

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

Commissioner Draper made a motion to recess the meeting.

Commissioner Jackson SECONDED the motion. The voting was unanimous and the meeting recessed at 10:47 a.m..

Commissioner Jackson made a motion to reconvene the meeting.

Commissioner Draper SECONDED the motion. The voting was unanimous and the meeting reconvened at 11:04 a.m..

LANDFILL USE FEE SCHEDULE DISCUSSION ONLY

Commissioner Withers gave a brief history of why the County is in the situation it is with the landfill. He said that it has been quite a few years since the County raised its landfill fees. The equipment depreciated years ago and it has come to the point that patching the equipment is no longer working and better equipment is needed. He said that the County has not yet come to an agreement on how to handle that.

Commissioner Withers said that a new fee has been assessed by the State of Utah that the County now has to implement. He said that the State does not provide funds for the County landfill. He said that there are proposals out there, but no decision has been made.

Commissioner Withers said that the County is doing its homework to see what is fair and equitable for all county residents and businesses in anticipation of the fee.

Commissioner Jackson said that a meeting was held in Delta where they discussed how to make this fair across the board. He said that they came up with a few ideas that may be implemented after they have a chance to review the paperwork that was only received today. He feels that the paperwork received will help with the numbers.

Mr. Higgins said that the financial end of keeping up with the equipment has placed the landfill budget so far behind that it has come to the point of needing to increase fees.

Commissioner Draper said that the County took action and adopted an ordinance in December. However, the ordinance does not take effect until, among other things, it has been published in the legal section of the local paper, which has not yet been done.

Commissioner Draper said that the Commission is aware of citizens concern with being double charged for landfill use according to the new fee schedule. He assured everyone that is not the intent and will not happen.

Commissioner Draper reiterated that there will be no double charging for landfill use. He said that the landfill has the ability to waive fees for clean up days. If a person has paid landfill fees through a billing statement and wants to haul trash and debris to the landfill, they will not be charged again. However, there will be changes made to commercial hauling of trash and that is where they are desiring public input. He said that the proposed fee schedule was not well crafted, therefore, the County is trying to refine it in hopes to alleviate further concern. He said that at the beginning of this meeting he talked about how in the creation the Gods watched it until it obeyed and that is what the Commission will be doing in this process.

Shellie Dutson, Chronicle Progress, questioned what the State will be charging the County. Commissioner Jackson said that it would be in the amount of around \$50,000.00, but it has not gone through the legislature yet. It will more than likely be implemented the end of this year or the first of next year. Commissioner Withers explained that the law took effect in 2017; however, the State has not yet decided on a fee schedule and the County is trying to anticipate that fee.

There were several people in attendance who expressed concerns of a double charge to the county residents, if the proposal moves forward as published in the Chronicle Progress. The commissioners reassured the citizens that there will be no double charge to any citizens. They are trying to fix the misconception of a double charge and make the fee increase fair to all citizens and business owners across the board.

Kris Ewert questioned if the citizens would be able to have input once the fee schedule is passed. Commissioner Withers assured her that the Commission will absolutely take more public input at that time.

Jeff Mitchell, Fillmore City Council, questioned if this will be a new budget item, or if it would only be assessed until the deficiencies are made up. Commissioner Withers said that it will be a new budget item, but he thinks that if they set up a process to raise the fees a small amount they will be able to accomplish a lot. He gave an example of being able to replace the equipment over the next ten years by prioritizing the equipment based on usage.

Mr. Mitchell questioned if the County has borrowed from its closure reserve fund. Mr. Higgins said that they have only opened the budget in the past to try and keep up with the expenses.

Treasurer Dearden explained that the County is mandated by law to have funds for closure and post closure, which cannot be touched. She said that there is a separate depreciation reserve which is where the money was transferred from to cover the equipment costs. However, that reserve is now pretty much depleted, so there is no reserve budget moving forward.

Commissioner Withers explained that they pay \$50,000.00 each year to the State of Utah for the closure of the landfill.

Mr. Mitchell expressed concern with the companies who haul off the garbage being charged per yard of debris; therefore, having to increase rates causing a double charge to citizens. Commissioner Withers said that the per yard charge was meant for business, not the carriers. If the cities have a mandated fee that they charge the citizens, that would be up to the cities to address.

Commissioner Withers explained that they are trying to accomplish what is needed without affecting those who are low income and have low garbage consumption. Their intent is to make it fair across the board for everyone. He said that this service will go away if there are no funds to support it. He said that most counties have already done away with the transfer stations due to the increased expense.

Mr. Mitchell expressed concern with the impact the proposed increase would have on the city clean up each spring. He asked the Commission to keep that in mind as they move forward. Commissioner Jackson said that there should be no charge for the burnable items, but they are still working on the construction debris.

Tony Dearden, Dearden Motor, said that he was a county commissioner when the landfill was first established. He said that similar discussions took place back then. He gave a synopsis of the establishment of the landfill. He said that the residents of Fillmore had mandatory garbage pickup and everyone was charged a landfill fee which covered any source of delivery to the landfill.

He said that this brings into question the double billing. He said that we are very fortunate to have the dump sites available and implored the commission to keep those dump sites open for as long as possible. Commissioner Jackson said that the County is working towards keeping the drop points open, but the State will be closing them in the near future.

Danny Wardle, Mountain View Mushroom, said that Mountain View Mushroom suggests coming up with some kind of recycling program and encourage each citizen and business to reduce the amount of trash they dump. He addressed concerns with spreading the costs over the board, based on the volume of trash being dumped. He questioned how the County would address this issue if a business reduces its loads in the future.

Mr. Wardle suggested to have the larger companies report how much trash they dump, which may result in commercial businesses being double charged. He said that he does not see that double billing would occur to the residents.

Commissioner Jackson said that they have looked at options of putting a maximum tonnage per year on commercial businesses.

Commissioner Withers said that the fee schedule currently in place already charges commercial businesses a per yard fee for use of the landfill when they have their trash picked up by a carrier, on top of the billing for landfill. He said that the challenge is finding a new fee to accomplish what is needed.

Jack Davies, Fillmore Country Floral, said that he cannot afford to pay a fee for the dumpster, landfill and carrier. He said that in his opinion, some of the responsibility should be extended to the customers. He said that you have to remember not to squeeze the businesses so hard that they can no longer stay in business. He said that businesses already constantly get solicited for donations. He said that the bottom line is that the businesses have to be able to function with whatever is leftover, which is not always enough to stay in business.

Matt Haupt, Five Buck Pizza, asked if the County thought of looking at purchasing scales to help base fees off of weight. He said that other counties use the scale method.

Commissioner Withers said that they have discussed that option as well. He said that a set of scales would cost the County around \$150,000.00 and that cost and having to hire an additional employee to work at that scale concerns him. He said that the County does not really want to add another employee.

Mr. Haupt said that everyone in attendance today are here to try to understand how much they will be billed. He said that if there are tiers, he feels that the bulk costs will be charged to businesses. He said that they all understand that costs do increase, but they question what will happen in the future. He again suggested that the County use scales, which he feels would help businesses know what tier they fall under and know what they will be paying.

Commissioner Jackson said that they are still working on creating the tiers for the businesses. Commissioner Withers said that once that is done, it will be published in the paper for more public input.

Commissioner Withers said that the Commission understands the concerns expressed today.

He said that he loves local businesses and does not want to see any of them go out of business. He said that they will need to take some time to work through this to come up with something that is fair. He said that they will work at it until they get to that point and will also look at other counties who have done recycling to see how they do it, so that the County may consider that option as well.

David, Lewis, Fillmore KOA Campground, said that his customers always ask where recycling bids are located.

Commissioner Jackson said that they anticipate having something for the public to review within a month or so.

Commissioner Withers clarified the funding question asked at the first of this discussion. He said that there is \$772,000.00 in the closure fund for the Delta landfill, \$123,000.00 in the closure fund for the Fillmore landfill and the depreciation reserve fund is down from \$225,000.00 to \$109,000.00, which means that approximately \$110,000.00 has been spent bridging the equipment issues over the past year.

Mr. Wardle questioned what the increased budget amount would be for next year. Commissioner Jackson said that they are hoping for \$200,000.00, which will bring the landfill budget back in line with where it needs to be.

Commissioner Withers said that one of the challenges is the cost of the scrapers. Mr. Haupt suggested leasing programs rather than purchasing, which would be more cost effective. Commissioner Withers said that they will certainly rethink leasing versus purchasing.

Mr. Mitchell suggested to use the fee schedule currently in use, but raise it a percentage across the board to accommodate the increase needed. Commissioner Withers said that they will consider that option as well.

Commissioner Draper said that he had mentioned during a meeting in Delta that the ordinance adopted December 19, 2017 would be revoked; however, counsel has advised that it not be revoked, but be fixed instead. He said that the ordinance was never published and therefore is not in effect until that is done. He said that when it is implemented, the municipalities that collect fees would need advance notice to adjust their billing cycle. He said that advance notice time will be built into the ordinance. Commissioner Withers said that the private carriers will also need to have advance notice.

Commissioner Withers expressed appreciation to those in attendance for their comments. He said that there will be another meeting to hear public input when the next publication is released.

PUBLIC INPUT

There was none.

DISCUSSION AND POSSIBLE APPROVAL OF THE COUNTY TAKING OVER THE HINCKLEY LIONS CLUB DEMOLITION DERBY

Commissioner Withers said that he was approached by the Hinckley Lions Club regarding the County assuming responsibility of the derby. He said that they have not been successful in getting much help with the operation of the derby that they sponsor on the Fourth of July in Delta, Utah.

Commissioner Withers said that he wondered if it was a realistic goal to somehow have the County take over the operation of the derby and offer a small amount of funds to the Lions Club so they can continue to operate and provide the services that they do for the county residents. He said that the Hinckley Lions Club thought that there might be some value in the County taking it over.

Mr. Morris suggested that if the County were to assume the derby it should take full control. He did not think a partnership would work. He said that part of that would be that the Recreation Department does not want to take it over, but would be willing to do the maintenance and such to make sure that it does not go away. He suggested to have a meeting with the Hinckley Lions Club to see what could be done to keep the derby going and to discuss some proposals.

Commissioner Withers questioned if there is enough revenue to recoup funds and give some back to the Lions Club. Mr. Morris said that he does not think that the County would be able to profit from the event. He said that the event seating and the prize payout would need to be increased if the County wanted an event that will compete with Nephi, Utah's event. He said that it will take a lot of promoting and a lot of work to get this up and going.

Mr. Lister explained that in the bigger areas, people are putting thousands of dollars into a derby car and only want to go to the bigger derbys who have a bigger payout. He said that these people will not come to the smaller areas, due to the payout amount not being enough to cover expenses of the cars that they build. He said that they only participate in the events where the payout is much bigger and worth their time and effort.

Mr. Lister said that if they want to fill the stands they would need to go up to the next level to bring those guys down. Mr. Morris said that the County would have to promote the event a lot better, which will also cost the county a lot more money to be able to justify the event maintaining itself. They need to look at if it is worth it. He said that they would need to also consider doubling or tripling the prize money.

Commissioner Withers suggested to reach out to the individuals who are interested in taking it over and then go back to the Hinckley Lions Club with what is discussed. He said that he will reach out to the Hinckley Lions Club and asked Mr. Morris to get with the people who may be interested in taking it over and go from there.

DISCUSSION AND POSSIBLE APPROVAL OF MAKING A MILLARD COUNTY RACEWAY EMPLOYEE A CONTRACT EMPLOYEE - KEVIN MORRIS

Mr. Morris presented a proposal for the Commissioners to review. He said that back in September when the race season ended the two individuals who were helping with the race track decided not to help next year. He said that an ad seeking replacements was published in the Chronicle Progress, as well as on public racing sites and facebook. He said that two individuals

expressed interest; one of which changed his mind. He said that the individual still interested is from Delta, Colorado and has a lot of experience in this type of work. He then went over the proposal which lists what is needed for this position. He said that this individual would like to be an independent contractor and Attorney Jackson said that she did not see any issues with doing this.

Mr. Morris said that they went over a list of what would satisfy the needs of both the County and the independent contractor. He said that they would continue to pay \$1,000.00 a weekend and thought that a year contract would be a good start. He said that this individual would be the promoter and would receive 40% of all sponsorship packages for the first year then that percentage would drop down to 20% from there forward, but he would not get a percentage of the already established sponsorship packages. He said that this is in line with what other counties do and would not cost the County anymore money since there is already funding budgeted.

Mr. Morris said that this individual has indicated that if this works out he would like to take over the whole process, which would relieve a lot of stress on the County.

Attorney Jackson said that whatever is desired by the County would be included in the contract language and individual contractors are required to carry their own insurance.

Treasurer Dearden suggested that they use the County's already established online payment system with Instant Payments, since she knows that it is a secure site. She and Mr. Morris will work on setting that up.

Commissioner Jackson made a motion to approve making a Millard County raceway employee an independent contractor.

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

Commissioner Jackson made a motion to recess for lunch.

Commissioner Draper SECONDED the motion. The voting was unanimous and the motion carried. The meeting recessed at 12:40 p.m..

NOON LUNCH BREAK

Commissioner Jackson made a motion to reconvene the meeting.

Commissioner Draper SECONDED the motion. The voting was unanimous and the motion carried. The meeting reconvened at 1:21 p.m..

OTHER BUSINESS

Mr. Richins presented an application from Nicholas and Andrea Huff for an after the fact plat subdivision, application #Z-2017-034, for property located at approximately 5300 West, 200 South, in Fillmore, Utah for the purpose of creating a single 20.01 acre building lot.

Mr. Richins said that this subdivision was established about 20 years ago. He said that the application request does not need to be publicly noticed, but needs commission approval. He said that the Planning and Zoning Commission has forwarded a favorable recommendation.

Commissioner Draper made a motion to approve an after the fact plat subdivision,

application #Z-2017-034 for Nicholas and Andrea Huff.

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

Mr. Richins presented an application from Derrick and Taylor Petersen for a plat subdivision, application #Z-2017-035, for property located at approximately 605 North 500 West in Delta, Utah for the purpose of dividing parcel # DO-4070. It is proposed that the 40 acre parcel be divided creating two parcels; one parcel having 1.983 acres and the remaining parcel having approximately 38.0 acres.

Mr. Richins said that the family wanted to sell the house, but keep the farm so they would like to subdivide the property. He said that the application meets the minimum requirements and the Planning and Zoning Commission has forwarded a favorable recommendation.

Commissioner Jackson made a motion to approve a plat subdivision, application #Z-2017-035 for Derek and Taylor Peterson.

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

Commissioner Jackson said that he received an invitation from SCAOG for the Sheriff's Office and any other local Hispanic leaders/representatives to meet with SCAOG and the Mexican Consulate February 7, 2018 in Richfield, Utah.

Commissioner Draper said that they have a consulate in each state who interacts with the Mexican citizens who are in that state on work visas.

Commissioner Jackson presented an option for the County to purchase challenge coins, which are often referred to as handshake coins. He said that these coins are used to challenge legislatures to help with challenges in the State. He said that they are also used for reward programs. He said that he suggested these coins to the County two years ago to use for the Veteran's Program at the Arts Festival. He said that if you purchase 300 coins the price is \$5.50 per coin and if you purchase 500 coins the price is \$5.25 per coin. He said that he thinks that 300 coins would be sufficient. This will be discussed further at a future commission meeting.

DISCUSSION BY EACH COMMISSIONER, COUNTY ATTORNEY, ELECTED OFFICIAL AND SECRETARY

Clerk Rowley said that the State has asked for \$4.5 million in their budget to help fund the election equipment purchases made by counties this year. They are also asking legislature for an additional \$13,500,000.00 over the next ten years to help fund the ongoing costs of licensing, software, training, etc., as well as election equipment purchases for the counties who do not purchase this year. If this is approved it would help the counties a lot.

She said that the counties have been asked to draft a letter in support of the \$13,500,000.00 funding to send to each county's legislators.

POSSIBLE BOARD OF EQUALIZATION (BOE) DISCUSSION AND OR ACTION

There was none.

POSSIBLE REVIEW OF COUNTY POLICIES AND CONTRACTS

There was none.

REVIEW OF FINANCIAL REPORTS - TREASURER DEARDEN

Treasurer Dearden presented the financial reports for the month of December. She said that both the Auditor and Treasurer are in balance. She then went over the check run and other reports she presented.

She said that they are holding the year end distributions for the Mosquito Abatement District and the Fire Service District. She said that she sent letters to both districts offering help.

POSSIBLE CLOSED MEETING PURSUANT TO UTAH CODE ANNOTATED SECTION 52-4-204 & 205

Commissioner Draper made a motion to go into a closed executive session for the purpose of discussing pending and/or threatened litigation.

Commissioner Jackson SECONDED the motion. All three commissioners voted unanimously and the motion carried. Present in the closed session were: Treasurer Dearden, Assessor Manis, Attorney Jackson, Tom Peters and???.

After the closed executive session the regular meeting reconvened at 3:08 p.m..

WHERE UPON THE MEETING ADJOURNED

Commissioner Withers adjourned the meeting at 3:09 p.m..

Attest: _____

Approved: _____