

MINUTES OF BOARD OF COUNTY COMMISSIONERS
MILLARD COUNTY THE 21st DAY OF AUGUST 2018
AT THE COURTHOUSE, FILLMORE, UTAH

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

Pat Finlinson. County Attorney
Marki Rowley. County Clerk
Jamie Hair Deputy Clerk

ALSO PRESENT: Shellie Dutson. Chronicle Progress
Brent Dewsnup..... Rocky Mountain Power
Scott Barney Millard County Economic Development Association (MEDA)
Sheri Dearden..... County Treasurer
Adam Richins..... County Planner
Bonnie Gehre..... County Auditor
Mike Holt..... Fillmore City
Evelyn Warnick. Citizen

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 Jackson to the public and Commission members.

OPENING STATEMENTS

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

APPROVAL OF August 7, 2018 COMMISSION MINUTES

The proposed minutes of a regular County Commission meeting held August 7, 2018 were presented for consideration and approval. Following review and consideration of minor corrections, Commissioner Withers made a motion to approve the minutes of August 7, 2018, as corrected.

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

FOLLOW UP ACTION ITEMS FROM August 7, 2018

Commissioner Draper said that he checked the water rights at the Garrison property owned by the County discussed at the last commission meeting. He said that there is .5 cubic square feet on the well. A discussion was had on the flow rate and use of the water right. Attorney Finlinson said that the house and water right is an asset that the County should keep and maintain.

Attorney Finlinson said that the Children's Justice Center (CJC) is creating a board of directors and they have asked that he, one commissioner, and one member of law enforcement serve on it. He said that the first meeting will be held in October.

Commissioner Draper volunteered to serve on the CJC board. Attorney Finlinson said a formal appointment will be made in the future.

RATIFY THE APPROVAL OF A CREDIT CARD FOR THE COURT BAILIFF, DEREK CURTIS

Commissioner Draper made a motion to ratify the approval for a credit card in the amount of \$1,500.00 for the Court Bailiff, Derek Curtis.

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

DISCUSSION AND POSSIBLE APPROVAL OF A BUSINESS LICENSE FOR BLADES LIKE NEW, OWNER - ROBERTO M. AIELLO

A business license application was presented for Blades Like New, Owner - Roberto M. Aiello, a business that sharpens knives, lawn tools, saw blades, & scissors. After review of the application and finding all signatures in order, Commissioner Draper made a motion to approve a business license for Blades Like New, Owner - Roberto M. Aiello.

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

APPROVAL OF THE NEW EAST MILLARD RECREATION DIRECTOR

Attorney Finlinson said that a policy was passed that stated unelected department heads are not appointments; therefore, don't need formal approval through Commission.

Commissioner Jackson said that there was an excellent turnout of applicants and that Brendon Turner has accepted the position of the East Millard Recreation Supervisor.

UPDATE ON ROCKY MOUNTAIN POWER'S ENGAGEMENT WITH THE COUNTY FOR ELECTRICAL SERVICES - BRENT DEWSNUP

Brent Dewsnap, Rocky Mountain Power Community Engagement Manager, said that it is a privilege to provide electrical service to the County. He said that he is the County's resource contact if the County is need of anything.

Mr. Dewsnap went over some of the community sponsorships and projects that Rocky Mountain has done in Millard County and said that there are grants and awards available for community projects.

Mr. Dewsnap also explained the Blue Sky and Subscriber Solar Programs. He said that the Blue Sky Program is for those individuals who want to support renewable energy.

Commissioner Draper inquired about the cost of the subscriber program. Mr. Dewsnap said that the Subscriber Solar Program costs more than traditional service at this point and that he can get all of the pricing and costs to the commissioners.

Commissioner Draper asked if Mr. Dewsnap had any information on PacificCorp turning Rocky Mountain Power into a separate entity. Mr. Dewsnap said that he did not, but will try to find out.

DISCUSSION AND POSSIBLE APPOINTMENTS/RE-APPOINTMENTS OF MEMBERS TO SERVE ON THE SPECIAL SERVICE DISTRICT #8 BOARD

Commissioner Withers said that there are three individuals who need to be reappointed to the Special Service District #8. Clerk Rowley said that the individuals are Brent Tolbert, Don Gavin and Randy Coats.

Commissioner Withers made a motion to reappoint Brent Tolbert, Don Gavin, and Randy Coats to the Special Service District #8 Board.

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

DISCUSSION AND POSSIBLE APPROVAL OF AN APPOINTMENT TO THE MILLARD COUNTY TOURISM BOARD

Commissioner Draper said that Rick Winters resigned and that Gail Cluff has agreed to replace him on the board.

Commissioner Draper made a motion to appoint Gail Cluff to the Millard County Tourism Board.

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

Commissioner Draper made a motion to reappoint Scott Litchfield and Bruce Curtis to the Millard County Tourism Board.

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

DISCUSSION REGARDING EXPIRED TERMS ON COUNTY APPOINTED BOARDS

Clerk Rowley said that there are a lot of expired board members. A discussion was had on the expired positions and it was agreed to put any appointments or reappointments on the next agenda.

Scott Barney, MEDA, said that the MEDA bylaws allow for two consecutive three year terms.

TREASURER'S FINANCIAL REVIEW

Treasurer Dearden presented the financial reports for the period ending July 31, 2018. She said that the reports were thoroughly reviewed on August 13, 2018 and that they show the Treasurer's and Auditor's Office are in balance. Treasurer Dearden referred to page 3 and said that the check in the amount of \$113.68 was voided.

Commissioner Draper asked for clarification on why the Fire District showed a negative balance. Treasurer Dearden said that the negative balance reflects the total amount paid out to the Fire District.

Commissioner Draper made a motion to approve the financial reports.

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

REVIEW AND RATIFY FILING OF ADDITIONAL CROSS-APPEALS OF CENTRALLY ASSESSED PROPERTIES (PER RESOLUTION NO. 18-06-19A)

Attorney Finlinson said that this agenda item authorizes further cross appeals which hadn't all been filed at the time the resolution was passed.

Treasurer Dearden read the list of centrally assessed taxpayers that have filed an appeal with the Utah State Tax Commission:

- AT&T, Inc.
- CenturyLink
- Citizens Telecommunications
- Enel Cove Fort, LLC
- Graymont Western US, Inc.
- Intermountain Power
- Materion Natural Resources
- Pacifcorp
- Union Pacific RailRoad

Treasurer Dearden said that all of these entities have filed appeals in previous years except Citizens Telecommunications and Union Pacific RailRoad. She said that the Centrally Assessed

Committee will be meeting Friday to review the filings and to decide whether or not to actually pursue the cross appeals.

Commissioner Withers made a motion to ratify the filing of additional cross-appeals of centrally assessed properties as read (per Resolution No. 18-06-19A)

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

DISCUSSION AND POSSIBLE APPROVAL OF RESCHEDULING THE COMMISSION MEETING SCHEDULED FOR SEPTEMBER 4, 2018

Commissioner Draper made a motion to reschedule the September 4, 2018 Commission Meeting to Tuesday, September 11, 2018.

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

PUBLIC INPUT

There was none.

OTHER BUSINESS

Attorney Finlinson said that Auditor Gehre has found some funds that can be used for the special prosecution case and that a public hearing to open the budget will be scheduled within the next commission meeting.

Commissioner Withers said that the funding for the fencing project located on Highway 257 south of the lyme plant has been put together. He said that the State is willing to contribute funds if the County can match 50%. Commissioner Withers said that the 50% will be met by the County's monetary portion of \$80,000.00, and in kind work from the Road Department, Bureau of Land Management (BLM), and the allotment owner. Commissioner Withers said that this project includes 2 crossings, fencing for 14 miles on both sides of the road, and an improvement to the water system. He said that he will get a formal proposal sent to the State and keep the Commission updated.

Commissioner Draper said that Great Basin National Heritage Area Board was awarded a tourism grant from the State in the amount \$49,500.00. He said that the grant can be used in Millard County and White Pine County.

Commissioner Draper said that the Tourism Board would like to use a portion of the grant to hire a part-time employee for public relations and promotions. He said that the Great Basin National Heritage Area Board will come make a presentation to the Commission in the future.

Commissioner Draper said that he received a letter from the Department of Agriculture regarding the finances on the Predator Control Program. He said that the County has to provide \$4,500.00 by December 1, 2018. Commissioner Draper said that this is a program where the County

provides matching funds and it has been used for bounties on red foxes and other predators.

Commissioner Draper said that the Governor's Office of Public Lands and Policy is undergoing a legal procedure regarding roads on the Pahvant and Canyon Ranges in the Fishlake National Forest. He said that there is a discrepancy in the Federal Roadless Rule. He said that the County has the opportunity to create maps and determine whether or not the roads can be removed from the Roadless Rule.

Commissioner Draper said that this needs to be adopted as part of the County Resource Management Plan (RMP) and the plan needs to be addressed by the Commission on Sept 11, 2018. He said that a Public Hearing will be held on September 5, 2018 and again on September 11, 2018 during the commission meeting. Commissioner Draper said that maps and the proposals will be available to view.

Commissioner Withers asked if the 50" rule will stay. Commissioner Draper said that the County will have a say in it.

Commissioner Jackson said that the volunteer of the year is Mrs. Carson who volunteers at the food bank and in the Community Emergency Response Team (CERT)

Clerk Rowley said that she applied for reimbursement on the election equipment purchased in the amount of \$92,969.00 and has been approved for reimbursement in the amount of \$43,126.99.

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

Commissioner Draper said that the Congressional Ride last week had 110 participants. He said that the change in the InterMountain Power Plant was discussed, as well as grazing and transportation issues.

The commissioners thanked the West and East Millard Sheriff's Posses, Neuel Chlarson, the American Legion, SUFCO Mines and John Hogan for helping make it successful. Commissioner Jackson said that he received a lot of compliments.

Commissioner Jackson read a letter from Fillmore City Mayor, Mike Holt, regarding quarterly meetings between all county mayors and the Commission. He said that the meetings will be held quarterly on the third Wednesday of the last month, at 6:00 p.m. in the Fillmore City Council Room.

Commissioner Draper said that he won't be able to attend any of those meetings because they are on Wednesdays and asked that other days be considered.

Attorney Finlinson said that he suggests designating only one commissioner to attend and act as an executive or an administrator. He said there may be problems if two or more commissioners attend.

Commissioner Draper said that in past mayor meetings people just came to voice concerns and no action was taken.

Mayor Holt said that no action will be taken in these meetings and these meetings are only to facilitate information between communities.

Commissioner Draper clarified that there is not an acting Millard County Mayor. Mr. Holt said that the letter is referring to the Six County AOG and that all meetings will be recorded and minutes will be taken.

Commissioner Jackson said that a bill has been received from Delta High School in the amount of \$2,200.00 for expenses incurred by hosting the speaker organized by Miss Millard. He said that he asked the School Board to put him on their next agenda in order to work with them on this.

Scott Barney, MEDA, said that he attended a meeting with Commissioner Jackson regarding Opportunity Zones. He said that there isn't a lot of information available because many of the rules haven't been finalized.

Mr. Barney said that the zones have been approved but he doesn't know what this means for tax purposes. He said that all of Fillmore City is included in an Opportunity Zone.

Mr. Barney explained that an Opportunity Zone is a vehicle that allows individuals to decrease its capital gains tax burden if they invest in approved funds, which invest in these approved zones.

Commissioner Jackson said that these Opportunity Zones will exist until the year 2028.

Commissioner Jackson said that Dan Eldredge contacted him to set up a meeting after the next Commission meeting. He said that Ted Olsen will also attend.

Commissioner Jackson said that the National Guard is still planning to sign the building over to the County in September.

POSSIBLE REVIEW OF COUNTY POLICIES AND CONTRACTS

Attorney Finlinson explained his role in the contract process. He said that he usually only reviews contracts, however, he will prepare contracts in some cases where the other outfit is unable to do so.

Attorney Finlinson said that he has reviewed the contract with Zions Public Finance but has not signed it. He said that he told LuAnn that the contract language was good; however, the correct numbers needed to be added before being sent to the Commission Chair for a signature.

Attorney Finlinson said that an invoice has been received by the Auditors office and there has been some confusion whether the contract was signed and by whom.

Attorney Finlinson said that he has only done the legal review and has not signed it. He said that the contract needs to be signed by the chair. Commissioner Jackson said that he has not signed the contract.

Auditor Gehre said that Zions Public Finance sent an invoice for half of the amount owed. Attorney Finlinson said that the contract needs the correct numbers added and then be signed by the Chair before the invoice can be paid.

Clerk Rowley reminded the Commission that all county contracts need to be filed in her office.

Attorney Finlinson said that a reduction of two buildings in the cleaning contract with Tammy Lane was previously agreed to and it wasn't necessary to change the contract to remove those; however, a new contract is required in order to add the armory to her cleaning contract because it wasn't listed in the original contract. He said it doesn't need to be rebid and he would like this contract change put on the next agenda.

WHERE UPON THE MEETING ADJOURNED

Commissioner Jackson adjourned the meeting at 11:19 a.m..

Attest: _____

Approved: _____