

MINUTES OF BOARD OF COUNTY COMMISSIONERS
MILLARD COUNTY THE 13th DAY OF NOVEMBER 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: Brandon Winget..... Road Department
Sheriff Dekker. MCSO
Bryant Anderson. Commercial Business Radio
Shellie Dutson and Matt Ward..... Chronicle Progress
Mike Holt & Kevin Orton. Fillmore City
Bonnie Gehre..... County Auditor
Sheri Dearden..... County Treasurer
Deb Haveron. Tourism
Adam Richins..... County Planner
Scott Barney..... MEDA
Kevin Morris and William Lister..... West Millard Recreation
Tony Dearden, Andy Nickle, Elaine Miller, and Craig Bartholomew..... Citizens

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 and said it was great to have the healing field with flags on display for Veterans Day. Commissioner Withers expressed his appreciation for the EMS volunteers. He said that they are constantly busy and he is thankful for those willing to take on that challenge to provide that service. Attorney Finlinson said the invocation. Everyone stood and said the Pledge of Allegiance to the Flag.

APPROVAL OF October 2, 2018 COMMISSION MINUTES

The proposed minutes of a regular County Commission meeting held October 2, 2018 were presented for consideration and approval. Following review and consideration of minor corrections, Commissioner Draper made a motion to approve the minutes of October 2, 2018, as presented.

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

APPROVAL OF October 16, 2018 COMMISSION MINUTES

The proposed minutes of a regular County Commission meeting held October 16, 2018 were presented for consideration and approval. Following review and consideration of minor corrections, Commissioner Withers made a motion to approve the minutes of October 16, 2018, as corrected.

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

APPROVAL OF October 24, 2018 PUBLIC HEARING MINUTES

The proposed minutes of a Public Hearing held October 24, 2018 were presented for consideration and approval. Following review and consideration of minor corrections, Commissioner Withers made a motion to approve the minutes of October 24, 2018, as corrected.

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

APPROVAL OF October 25, 2018 PUBLIC HEARING MINUTES

The proposed minutes of a Public Hearing held October 25, 2018 were presented for consideration and approval. Following review and consideration of minor corrections, Commissioner Draper made a motion to approve the minutes of October 25, 2018, as corrected.

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

FOLLOW UP ACTION ITEMS FROM October 16, 2018

Clerk Rowley said that she previously reported at the October 2, 2018 meeting that the County received two complementary Lagoon tickets and that the Commission had decided to hold a drawing to include all county employees. Cindy Staples was the recipient of those tickets.

RATIFY THE APPROVAL OF PAYMENT TO MARK WARD FOR SNAKE VALLEY WATER APPEAL

Commissioner Draper said that Balanced Resources was hired to represent the County in an appeal to the Nevada State Engineer's ruling regarding Spring Valley, which effects the Snake

Valley through underground water flows. He said that payment is required in the amount of \$5,000.00 down and \$5,000.00 upon completion. Commissioner Draper noted that Judge Estes, of the Seventh District Court of Nevada, remanded all the applications regarding the Southern Nevada Water Authority in 2013 and that he will be the presiding judge in the upcoming appeal.

Commissioner Draper made a motion to ratify the approval of payment to Mark Ward for the Snake Valley Water Appeal.

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

DISCUSSION AND POSSIBLE APPROVAL OF A CELL PHONE ALLOWANCE FOR CHANTELLE EDWARDS, CADEN LOWRY, AND ROBERT CLARK-SHERIFF'S OFFICE

Sheriff Dekker said that these cell phone allowances are standard allowances for new employees and an employee who received a promotion.

Commissioner Withers made a motion to approve a Cell phone allowance for Chantelle Edwards, Sheriff's Office, in the amount of \$40.00.

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

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

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

Commissioner Withers made a motion to approve a cell phone allowance increase from \$40.00 to \$80.00 for Robert Clark, Sheriff's Office.

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

DISCUSSION AND POSSIBLE APPROVAL OF A BUSINESS LICENSE FOR RJ EXCAVATION, OWNER - RICHARD C JOHNSON

A business license application was presented for RJ Excavation, Owner - Richard C. Johnson, an excavating and grading business. After review of the application and finding all signatures in order, Commissioner Draper made a motion to approve a business license for RJ Excavation, Owner - Richard C. Johnson .

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

DISCUSSION AND POSSIBLE APPROVAL OF A BUSINESS LICENSE FOR JH WOOD CRAFTS, OWNER - JEANATTA HARDY

A business license application was presented for JH Wood Crafts, Owner -Jeanatta Hardy, a business that sells and offers tutorial on wood craft kits. After review of the application and finding all signatures in order, Commissioner Draper made a motion to approve a business license for JH Wood Crafts, Owner -Jeanatta Hardy.

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

DISCUSSION AND POSSIBLE APPROVAL OF A BUSINESS LICENSE FOR MIDAS RETAIL, INC., OWNER- SATISH VERMA

A business license application was presented for Midas Retail, Inc, Owner-Satish Verma, a Chevron Gas Station and C-Store . After review of the application and finding all signatures in order, Commissioner Draper made a motion to approve a business license for Midas Retail, Inc, Owner-Satish Verma.

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

This business license will be ratified at the next meeting.

DISCLOSURE STATEMENTS

A disclosure statement was presented from Brenden Turner, East Millard Recreation Director.

DISCUSSION AND POSSIBLE APPROVAL OF FUNDING FOR ALZHEIMER'S DOLLS FOR MILLARD COUNTY REHAB CENTER RESIDENTS-ELAINE MILLER

Ms. Miller brought an example of a lifelike Alzheimer's doll and said that many residents who suffer from Alzheimer's don't receive many visitors in the facility and slowly deteriorate. She said that they've found that there is improvement if the residents are given dolls.

Ms. Miller said that she received funding for the dolls for the female patients and is now requesting funding for stuffed animals to give to the male residents who don't want dolls. She said that she needs funding for two dogs and two cats in the amount of \$437.98.

Commissioner Draper said that Ms. Miller is a driving force for good things at the Care Center. He said that there is money in Special Projects to cover this cost.

The commissioners expressed appreciation for Ms. Miller and her work to better the lives of Millard County Citizens.

Commissioner Draper made a motion to approve funding in the amount of \$500.00 for Alzheimers's Dolls for the residents at the Millard County Rehabilitation Center.

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

DISCUSSION AND POSSIBLE APPROVAL OF A PROPOSED CONTRACT RENEWAL

BETWEEN MILLARD COUNTY AND COMMERCIAL BUSINESS RADIO, LC - BRYANT ANDERSON

Mr. Anderson presented a contract summary for review. He expressed his appreciation to the County for its support and said that the proposal for this year is similar to last year, except the Sheriff's Office has acquired different radios. He went over the changes. The new contract amount is \$29,758.00.

Commissioner Draper asked if the Sheriff's Office is funding the increase. Sheriff Dekker said that the Sheriff's Office will cover the cost.

The Commissioners expressed appreciation for Mr. Anderson and how good he has always been to work with.

Commissioner Withers made a motion to approve a contract renewal between Millard County and Commercial Business Radio, LC- Bryant Anderson.

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

DISCUSSION AND POSSIBLE APPROVAL OF A PROGRAMMATIC AGREEMENT BETWEEN THE BUREAU OF LAND MANAGEMENT (BLM), FILLMORE FIELD OFFICE; UTAH STATE HISTORIC PRESERVATION OFFICE; STATE OF UTAH, SCHOOL AND INSTITUTIONAL TRUST LANDS ADMINISTRATION (SITLA) UTAH DIVISION OF OIL, GAS AND MINING; AND CRYSTAL PEAK MINERALS, INC. REGARDING THE SEVIER PLAYA POTASH PROJECT

Attorney Finlinson said that this agreement has been settled and that the County is not part of the agreement. However, they would like the Commission to be aware of the agreement and extend its approval.

Commissioner Withers made a motion to approve a programmatic agreement between the BLM, Fillmore Field Office; Utah State Historic Preservation Office; SITLA; Utah Division of Oil, Gas and Mining; and Crystal Peak Minerals, Inc. regarding the Sevier Playa Potash Project.

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

DISCUSSION REGARDING THE POSSIBLE PURCHASE OF RED DOME- BRANDON WINGET

Brandon Winget, Road Department, said that Mr. Anderson refused the offer of \$1,800.00 per acre and he is wanting to know what the Commission would like to do next. He said that there have been other offers made, but Mr. Anderson wouldn't accept payments. Mr. Winget said that the parcel that the County is interested in is 117 acres. He said that the materials acquired there would pay for itself in 3 years and would last for many years in the future.

Attorney Finlinson said that the County would be purchasing the mineral rights, but there isn't any certainty beyond the local BLM people who have been very supportive. He said that a letter

received from Mr. Anderson, indicated that most of his mineral rights pre-date federal regulations.

Attorney Finlinson said that there is still some uncertainty on whether the federal government may make the County put money up for reclamation or challenge the definition of the mineral rights. He said that the risk isn't significant and that reclamation would be possible.

Commissioner Draper recommended to discuss this further in a closed session.

PUBLIC HEARING FOR THE PURPOSE OF OPENING BUDGETS FOR THE 2018 YEAR. BUDGETS TO BE CONSIDERED FOR INCREASED APPROPRIATIONS AND/OR TRANSFERS BETWEEN DEPARTMENTS ARE: GENERAL FUND, TOURISM AND TASK FORCE.

Commissioner Withers made a motion to enter into a public hearing for the purpose of opening budgets for the 2018 year. Budgets to be considered for increased appropriations and/or transfers between departments are: General Fund, Tourism and Task Force.

Commissioner Draper **SECONDED** the motion. The voting was unanimous and the motion carried. The public hearing began at 10:47 a.m..

Present were: Robert Dekker, Shellie Dutson, Mike Holt, Kevin Orton, Bonnie Gehre, Matt Ward, Deb Haveron, Adam Richins, Scott Barney, Kevin Morris, William Lister, Tony Dearden, Andy Nickle, Brandon Winget, and Craig Bartholomew.

Auditor Gehre said that opening the budget for the Task Force is no longer needed.

General Fund:

Auditor Gehre said that Miss Millard has \$500.00 left in its budget and if it funds at the same level as previous years, it will need \$5,000.00. She said that the Fair is under budget this year and suggested to transfer funds from the Fair Budget to cover Miss Millard.

Auditor Gehre said that Predator Control is reimbursed. She said that since 2015, it has always been paid a year later. She said that Predator Control needs \$10,000.00 to get back on track with that schedule.

Tourism:

Mr. Morris said that Tourism came close to matching its budget and explained the items that have increased or changed. He said that a lot of these things were a one time occurrence and wont reoccur. He said that Tourism needs \$6,979.00.

Ms. Haveron said that they would like to combine the Jamboree and Racetrack in the same budget next year; however, still show the expenses on separate line items for reporting.

There were no other comments made.

Commissioner Draper made a motion to close the public hearing.

Commissioner Withers **SECONDED** the motion. The voting was unanimous and the motion carried. The public hearing closed at approximately 10:59 a.m..

The regular meeting reconvened.

DISCUSSION AND POSSIBLE APPROVAL OF RESOLUTION 18-11-13, A RESOLUTION OF THE BOARD OF MILLARD COUNTY COMMISSIONERS OF MILLARD COUNTY, UTAH, TO OPEN THE 2018 MILLARD COUNTY BUDGET AND AMEND THE BUDGET GENERAL FUND, AND TOURISM

Commissioner Draper made a motion to approve Resolution 18-11-13, a resolution of the Board of County Commissioners of Millard County, Utah, to open the 2018 Millard County budget and amend the General Fund and Tourism budgets.

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

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

Commissioner Withers made a motion to enter into a BOE.

Commissioner Draper SECONDED the motion. The voting was unanimous and the motion carried. The BOE began at 11:03 a.m..

Auditor Gehre presented four abatement applications for review.

-Cory & Maryanne Anderson- Parcel #F-MV-26

Commissioner Withers made a motion to abate 33% of Cory and Maryanne Anderson's property taxes, parcel #F-MV-26, based on the federal poverty guideline.

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

- Ned Church- Parcel# D-591

Auditor Gehre said that Mr. Church passed away earlier this year and that the family signed the home over to Medicare to cover his medical expenses. Commissioner Withers asked if the shown income was from Social Security. Auditor Gehre said that the Social Security shows as income from the prior year.

Auditor Gehre said that the County can only abate a maximum of 50% on this type of abatement.

Commissioner Withers made a motion to abate 50% of Ned Church's property taxes, parcel# D-591, based on the federal poverty guideline.

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

-Sheri Hackworth-Parcel #S-1202

Commissioner Withers made a motion to abate 30% of Sheri Hackworth's property taxes, parcel #S-1202, based on the federal poverty guideline.

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

-Jason And Sabrina Park- Parcel #X-2817

Commissioner Withers made a motion to abate 45% of Jason and Sabrina Park's property taxes, parcel #X-2817, based on the federal poverty guideline.

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

Auditor Gehre said that Kolter Eagar, parcel #MA-2411-1-1, is willing to stipulate and requested the Commission's pre-approval for the stipulation.

Commissioner Draper made a motion to approve the stipulation on Kolter Eagar's property taxes, parcel # MA-2411-1-1.

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

Commissioner Withers made a motion to close the BOE.

Commissioner Draper SECONDED the motion. The voting was unanimous and the motion carried. The BOE closed at 11:22 a.m..

DISCUSSION AND POSSIBLE APPROVAL OF RESOLUTION 18-11-13A, A RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS OF MILLARD COUNTY, UTAH, REQUESTING THE RECERTIFICATION OF THE MILLARD COUNTY JUSTICE COURT

Attorney Finlinson said that the County needs to re-certify with the Judicial Council every four years and this requires a formal request for re-certification from the Legislative Body. He said that it is his opinion that the Court is functioning according to and pursuant to the law and it is in the best interest of Millard County residents to re-certify.

Commissioner Withers made a motion to approve Resolution 18-11-13A, a resolution of the Board of County Commissioners of Millard County, Utah, requesting the recertification of the Millard County Justice Court.

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

AWARDING OF BID FOR AIR HANDLER REPLACEMENTS AT THE MILLARD COUNTY SWIMMING POOL IN DELTA

Mr. Morris said that he has done a review of the bids to try to make them more comparable.

He said that a few weeks ago the bid opening showed a big difference between low and high bids.

Attorney Finlinson said that bidders can submit a revised bid but discussing bids with bidders shouldn't be done without the Legislative Body's approval.

Commissioner Withers said that a more precise bid is now needed and that Mr. Morris has done a review. Attorney Finlinson asked Mr. Morris to prepare a more precise bid request.

Commissioner Withers made a motion to reject all the bids submitted for air handler replacements at the Millard County Swimming Pool in Delta and revise the bid request.

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

AWARDING OF BID FOR 400' OF CONCRETE CURB REMOVAL AND REPLACEMENT AT 81 S. MANZANITA AVE IN DELTA

Mr. Morris said that there was one bid submitted that came in under \$25,000.00, which did not need to be a sealed bid. He said that the project is now finished.

Commissioner Draper made a motion to ratify the awarding of the bid to Natural Impressions for 400' of concrete curb removal and replacement at 81 S. Manzanita Ave in Delta.

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

DISCUSSION AND POSSIBLE APPROVAL OF A JOINT AGREEMENT WITH UTAH DEPARTMENT OF TRANSPORTATION (UDOT) FOR 2 STREET LIGHTS

Commissioner Withers made a motion to table this agenda item.

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

PROPERTY TAX EXEMPTION/ADJUSTMENT- FILLMORE CITY- TREASURER DEARDEN

Treasurer Dearden said that Fillmore City had five parcels that received property tax notices. She said that four were on the prior list of approved exemptions; however, there is one more parcel that was purchased in 2018 so the value needs to stay on for the year.

Treasurer Dearden said that a portion of the taxes were paid by First American Title at the time of closing and that Commission authorization is needed to abate the remaining tax.

Commissioner Draper made a motion to approve the abatement for Fillmore City on parcel #F382-1 in the amount of \$398.32.

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

DISCUSSION AND POSSIBLE APPROVAL TO PROPERTY TAX AGREEMENTS,

SETTLEMENTS, OR DEFERRALS- TREASURER DEARDEN

There were none.

DISCUSSION REGARDING LANDFILL

Commissioner Jackson said that this was put on the agenda to discuss the next step forward. Commissioner Withers said he would like a lot of things clarified.

Attorney Finlinson said that the next step is to prepare and approve a resolution, which he needs guidance from the Commission to create. He said that he can prepare competing resolutions if the Commission desires.

Commissioner Withers asked for clarification on the equipment list that was included in the study. He asked when this equipment would be purchased, if the new fee schedule is adopted. He questioned why all this equipment is all of the sudden needed, since it hasn't been in the past. He said that this equipment is going to cost a lot of money.

Mr. Higgins explained how each piece of equipment will be used. He said that the County would hopefully begin to purchase the equipment after the first year.

Commissioner Withers said that if the County adds a flesh pit fee, people will start burying dead animals on their own property, which will result in neighbor complaints. He questioned whether the fee was worth the problems it would create.

Commissioner Withers compared the fees that residents pay for property taxes and said that he isn't sure that we need to budget for all the equipment that was listed in the study.

Commissioner Draper said that he previously asked Mr. Higgins for a prioritized list of the top five pieces of necessary landfill equipment. He said that he would like to see a proposed ordinance or resolution to deal with the fee discrepancies and put a minimum fee in place.

Commissioner Draper said that the proposed bonds were a surprise and he has no intention of doing one.

Mr. Higgins, discussed his list of top five equipment needs with the Commission.

Attorney Finlinson said that he will draft a resolution, due to the only changes being fees, an ordinance is not necessary.

Commissioner Draper asked if a resolution will cover all past agreements. Attorney Finlinson said that he couldn't find any previous agreements and that State law doesn't allow for those agreements.

Planner Richins said that he hasn't seen any agreements or documentation either.

Commissioner Withers questioned what would happen if a citizen contracted with a garbage business from Salina and also what would happen if Mr. Nickle brings garbage from Little Sahara. Mr. Higgins said that Mr. Nickle will be considered a local hauler.

Commissioner Withers asked if it was possible to place a dollar raise for every citizen but provide a way for those elderly or otherwise in need to qualify for a reduced fee.

Commissioner Withers expressed appreciation for John Higgins for how he keeps up the landfill stations and landfill.

DISCUSSION REGARDING BUSINESS OF THE YEAR NOMINEES

Commissioner Jackson nominated Fillmore Country Floral, owner - Jack and Linda Davies for business of the year. Both Commissioner Draper and Withers agreed.

PUBLIC INPUT

There was none.

OTHER BUSINESS

Commissioner Withers said that Don Gavin who serves on the Special Service District #8 Board has expressed his retirement at the first of the year. He said that the Board nominated Daron Smith to replace him.

Commissioner Withers said that two new members are needed to serve on the Housing Board. He said that Mr. Dixon is resigning and they are short one other board member. Commissioner Withers will work on finding interested persons.

Attorney Finlinson suggested to publish requests for volunteers in the paper.

Scott Barney, Millard County Economic Development Association (MEDA), said that there are three vacancies on the MEDA Board and that they are looking for recommendations. He said they will hopefully be taking care of that in the next week or two.

Mr. Barney said that he attended a CBGB workshop on how to apply for grants and if there is something the County wants done, it will have to hold a public hearing and submit it by the first of next year.

Commissioner Draper asked if they still match at 50%. Mr. Barney said that it isn't a requirement.

Commissioner Draper said that the interlocal agreements have been located for each municipality and its fire department and he will make arrangements with the State Division of Forestry and Fire so that they deal with the District instead of each municipality.

Mr. Winget said that the State of Utah awarded them the Cooperator of the Year Award for helping on fires. He said that the award shows how fast the County responds and how capable its fire fighters are.

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

Commissioner Withers said that the proposal has been sent to the State regarding the fence project along Highway 257. He said that there is a good cooperation between all parties involved and is currently waiting to see if the State will match the funds.

Commissioner Draper explained that they have proposed 14 miles of fence along Highway 257 so that livestock can be kept off the roadway.

Clerk Rowley said that the election went well and that the County had over 70% turnout. She said that there were 453 by mail ballots and 53 provisional received on Election Day. She said that 5 of the provisional ballots will not be counted due to missing information and all other ballots will be counted during the Canvass which will be held Tuesday, November 20, 2018 at 12:00 p.m..

Clerk Rowley said that she thinks that mailing ballots to all registered voters helped the turnout.

Commissioner Draper said that the County is in the budget process and is trying to find a way to enact a 3% cost of living adjustment in the 2019 budget. He asked if the Commission should send out a letter to department heads and elected officials asking if they could find a way to reduce their budgets to help fund this.

Attorney Finlinson said that department heads wouldn't know how to answer that question. Commissioner Withers said that the Auditor would adjust that.

Attorney Finlinson said the indigent defense grant was granted for \$10,000.00 less than asked for. He said that the County will pay a monthly amount to Utah County and will get a quarterly payment back from the State. Attorney Finlinson said that the County should be paying just a little more than it has paid out in the past and that it is significantly less than if the County had to find the contract defenders.

Commissioner Jackson said that Six Counties and Five Counties have a meeting tomorrow in St. George.

Commissioner Jackson said that the National Guard will be here at 1:00 p.m. to sign a 15 day extension on the Armory lease agreement. He said that the title hand over is scheduled for December 15, 2019.

POSSIBLE REVIEW OF COUNTY POLICIES AND CONTRACTS

There was none.

POSSIBLE CLOSED MEETING PURSUANT TO UTAH CODE ANNOTATED SECTION 52-4-204 & 205 12:15

Commissioner Withers made a motion to go into a closed executive session for the purpose of discussing pending and/or threatened litigation & negotiations on the Red Dome mineral rights purchase.

Commissioner Draper SECONDED the motion. All three commissioners voted unanimously and the motion carried. Present in the closed session were Brandon Winget, Commissioner Withers, Commissioner Jackson, Commissioner Draper, and Attorney Finlinson.

After the closed executive session the regular meeting reconvened at 12:40 p.m..

WHERE UPON THE MEETING ADJOURNED

Commissioner Jackson adjourned the meeting at 12:41 p.m..

Attest: _____

Approved: _____