

MINUTES OF BOARD OF COUNTY COMMISSIONERS
MILLARD COUNTY THE 20th 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: Scott Barney. MEDA
Brandon Bartholomew..... Natural Impressions
Brenden Turner. East Millard Recreation
Sheri Dearden..... County Treasurer
Bonnie Gehre..... County Auditor
Klint Penny. East Millard Maintenance
Pat Manis & Margene Stevens..... Assessor's Office
Joyce Barney. SDSC Enterprises
Kevin Morris and William Lister..... West Millard Recreation

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

APPROVAL OF November 13, 2018 COMMISSION MINUTES

The proposed minutes of a regular County Commission meeting held November 13, 2018 were presented for consideration and approval. Following review and consideration of minor

corrections, Commissioner Draper made a motion to approve the minutes of November 13, 2018, as corrected.

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

FOLLOW UP ACTION ITEMS FROM November 13, 2018

Commissioner Withers said that if the 3% COLA adjustment is given as a one-time payment at the end of 2018 then it will not effect the 2019 budget; however, if it is ongoing, it would effect the 2019 budget. This may not be approved based on available funds.

RATIFY THE APPROVAL OF A BUSINESS LICENSE FOR MIDAS RETAIL, INC., OWNER-SATISH VERMA

Commissioner Withers made a motion to ratify the approval of a business license for Midas Retail, Inc., Owner- Satish Verma

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

BID OPENING FOR CONCRETE WORK AT THE EAST MILLARD EQUESTRIAN PARK 465 WEST 100 SOUTH FILLMORE, UTAH

Auditor Gehre opened the following bids:

- Natural Impressions \$47,980.00

Auditor Gehre read the scope of the work of the project bid. Commissioner Withers asked if this would make the sidewalk and restrooms ADA compliant. Mr. Penney, East Millard Maintenance, said that the west restrooms were made ADA compliant.

Commissioner Withers asked if the cement was being poured over the existing cement on the basketball court and expressed concern with the hazard that the large step off would create on the west side.

Commissioner Jackson said that the west side of the basketball court will be backfilled by the County to continue the slope.

Commissioner Draper made a motion to accept the bids, as presented, and review the specifications of the bids, before making a decision.

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

TREASURER REPORTS

Treasurer Dearden presented the financial reports for October 2018. She said that she was

unable to attend a detailed review with Auditor Gehre and Commissioner Jackson prior to the meeting and will do so during the financial meeting in December. She said that the pool cash reports show that the Treasurer and Auditor are not in balance by \$60,878.89, due to journal entries for interest. Treasurer Dearden said that this occurred because the Treasurer's Office made those entries effective in October and the Auditor's Office made those effective in November.

Treasurer Dearden said that notices were sent out mid-October and some payments have been received back.

Commissioner Draper asked why Hinckley and Oak City are listed on the distributions in every monthly report and other municipalities are not. Treasurer Dearden said that the towns elect when they want their distributions and most want to receive it quarterly rather than monthly.

DISCUSSION AND POSSIBLE APPROVAL TO PROPERTY TAX AGREEMENTS, SETTLEMENTS, OR DEFERRALS- TREASURER DEARDEN

Treasurer Dearden said that her office did not receive any.

DISCUSSION AND POSSIBLE APPOINTMENTS/REAPPOINTMENTS OF BOARD MEMBERS TO VARIOUS COUNTY BOARDS

Commissioner Draper said that he is in the process of contacting individuals.

Commissioner Withers asked that the board position with the Housing Authority be posted in the newspaper if it hadn't been already.

PUBLIC INPUT

There was none.

OTHER BUSINESS

Commissioner Jackson said that the Commission needs more information regarding SRS.

Treasurer Dearden said that she spoke with Mr. Weeks at the State Division of Finance and all of the SRS distribution was distributed as Title I money in error. She said that Title I is split between the School District and Special Service District. She said that Mr. Weeks will request the Title III portion, which is 7% at approximately \$31,210.11, back from those two districts.

Treasurer Dearden said that Title II is held by the Forest Service. She said that the Commission needs to make a decision as to where the Title III SRS distribution goes. She said that in the past the money was returned because the scope of use was very narrow; however, the use has recently been expanded, so she thinks the distribution can now be utilized.

Treasurer Dearden said that they need to find out if the Fire District has received any of the Title III distribution that the Treasurer's and Auditor's Offices were unaware of and if the

County is responsible to certify those funds.

Treasurer Dearden said that she and Auditor Gehre both agree that if the County is responsible for certifying the funds going forward then the money should come to the County. She said that they believe there are some qualified uses that the County could use the money for.

Commissioner Draper said that the Fire District has received some Title III funds in the past and he will find out the amounts.

Commissioner Withers said that if the County is accountable for the money, those funds should come to the County and the Commission should decide how it is disbursed.

Treasurer Dearden said that Title II distributions, approximately \$35,668.69, money is held at the Forest Service level and the County can apply for use of those funds.

Commissioner Withers questioned how the County has done this in the past.

Commissioner Draper said that Title II money has been used in the past; however, he doesn't believe the money came through the County.

Attorney Finlinson presented a consulting contract and a HIPPA contract with GBS Benefits Inc. and said that the Commission has previously approved these. Attorney Finlinson said that he has reviewed both contracts and they just need a signature.

Commissioner Withers referred to the Red Dome property purchase and said that Brandon Winget had Sunrise Engineering do a survey and found that there is a building with three phase power on the property that the County wants to purchase. He said that they contacted the property owner and he is willing to throw in the building in exchange for keeping a 10 acre slice of property for the same price that was offered.

Commissioner Withers said that it is his understanding that the property owner has accepted the price the County offered.

Attorney Finlinson said that he will formalize the offer and get a signature.

Commissioner Draper said that a letter was received from the State Auditor stating that each Service District has to complete the training that the State offers. He said that several districts within the County are currently delinquent and that training needs to be completed or funds will be withheld.

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

Clerk Rowley informed the Commission that there may be a recount for Proposition #4. She said that a recount cannot be requested until after the Canvass, but no later than December 3, 2018. If there is a request for a recount, the Commission will be required to convene as a Board of Canvassers immediately following the recount.

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 10:35 a.m..

Auditor Gehre said that Ms. Barney is within the time-frame to appeal her value.

Assessor Manis said that there were 10-13 parcels that did not have a value assigned to them and notices were sent out about one month ago. He said that one of those notices was in the golf course area.

Ms. Barney said that this parcel is being traded between the subdivision and the golf course and is in the process of becoming the County's property.

A discussion was had on what action the Commission can take on the taxes.

Commissioner Withers made a motion to reduce the value of the parcel to 0%.

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

Auditor Gehre said that the next BOE item is for Alicia Henderson who has asked for humanitarian consideration because the time-line has past to appeal her value. She said that the home was purchased from her step father and was condemned in a fire on January 25, 2018. The value assessed was done on January 1, 2018 when the house was still standing.

Assessor Manis went over the dates of the sale and notices and then described the current condition of the home. He said that no documentation has been received to state that the home is condemned.

Auditor Gehre said that Travis Stanworth contacted her stating that he would work on a letter regarding condemning the home; however, she hasn't received one yet.

Assessor Manis said that he suggests looking at what value is currently there which is the lot and garage.

Commissioner Draper asked if it was a primary or secondary residence. Assessor Manis said that it was valued as a primary residence on January 1, 2018. He said that next year it will be assessed as a secondary. Assessor Manis said that there isn't any guidelines and these are dealt with on an individual basis.

It was discussed whether this property would qualify as a BOE reduction or an abatement. Mr. Manis said that he doesn't think this fits the guidelines for a BOE reduction.

It was decided to ask Ms. Henderson to provide the County the proper information for an abatement.

Auditor Gehre presented the third BOE item for John Nelson who has filled out an abatement form. She said he didn't provide a financial statement, but sent a letter stating his medical situation and indicated that he won't be able to pay until December, whether or not, it is abated.

Commissioner Draper said that Mr. Nelson needs to be contacted and said that this can be addressed if he provides the information.

Commissioner Draper made a motion to close the BOE.

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

motion carried. The BOE closed at 11:05 a.m..

POSSIBLE REVIEW OF COUNTY POLICIES AND CONTRACTS

There was none.

CANVASS OF THE NOVEMBER 6, 2018 GENERAL ELECTION

The Commissioners conducted the Canvass for the November 6, 2018 General Election. Results Attached.

WHERE UPON THE MEETING ADJOURNED

Commissioner Jackson adjourned the meeting at 11:06 a.m..

Attest: _____

Approved: _____