

MINUTES OF BOARD OF COUNTY COMMISSIONERS
MILLARD COUNTY THE 21ST DAY OF JANUARY 2020
AT THE COURTHOUSE, FILLMORE, UTAH

PRESENT: Evelyn Warnick. Chairperson
Wayne Jackson. Commissioner
Dean Draper.Commissioner

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

ALSO PRESENT: Andree' Walker and Eva Timothy.USU Extension
Bonnie Gehre. County Auditor
Sheri Dearden. County Treasurer
John Higgins. Landfill Supervisor
Matt Ward. Chronicle Progress
Brooks Jackson. West Recreation Director
James Masner. Holden Town
Adam Richins. County Planner
Connie Hansen. County Recorder
Stuart Bailey, Stetson Henrie, Darren Smith,
John Nye, and David Remkes,. 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 Warnick to the public and Commission members.

OPENING STATEMENTS

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

APPROVAL OF JANUARY 7, 2020 COMMISSION MINUTES

The proposed minutes of a regular County Commission meeting held January 7, 2020 were presented for consideration and approval. Following review and consideration of minor corrections, Commissioner Jackson made a motion to approve the minutes of January 7, 2020, as corrected.

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

FOLLOW UP ACTION ITEMS FROM JANUARY 7, 2020

There were none.

DISCLOSURE STATEMENTS

Disclosure statements were presented for the following:

- Debra Arnold- T&D Maintenance, Inc.
- John Higgins - John's Service
- Wayne Jackson- Mick's Fixall
- Lindsay Mitchell - JM Welding
- Evelyn Warnick- Evelyn Warnick Travel Agency

DISCUSSION AND POSSIBLE APPROVAL OF AN INDIGENT BURIAL APPLICATION FOR DELLA JACOBSON

Auditor Gehre presented the application and the policy regarding indigent burials. She said that there is a discrepancy on the application and that the applicant does own a home. Attorney Finlinson said that there is a medicaid lein which exceeds the cost of the home. Auditor Gehre said that the vacant lot next to the house has a joint tenant.

Commissioner Draper said that it appears that they have met the requirements for an indigent burial.

Commissioner Draper made a motion to approve an indigent burial application for Della Jacobson.

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

INTRODUCTION OF THE NEW FCS/4-H ASSOCIATE PROFESSOR - ANDREE' WALKER, USU EXTENSION

Andree' Walker, USU Extension, introduced Eva timothy who is the new Family and Consumer Science (FCS) faculty member in Millard County. She said that they are continuing to work on filling the other open positions in the County.

Eva Timothy gave a brief background of herself and said that she is excited to get to work and make plans that benefit the community

Commissioner Jackson said that he looks forward to working with Ms. Timothy and

welcomed her to the County.

DISCUSSION AND POSSIBLE APPROVAL OF A CELL PHONE ALLOWANCE FOR THE FCS/4HH ASSOCIATE PROFESSOR - ANDREE' WALKER, USU EXTENSION

Andree' Walker said that when the budget for cell phone stipends was set it was \$80.00. She said that they only budgeted for one position and the plan is to have two faculty positions in the future. Ms. Walker requested that the full amount of \$80.00 go to Ms. Timothy and after another person is hired; either split the stipend between the two employees or request a different stipend for the other position.

Auditor Gehre said that one option is to approve a \$40.00 stipend now and readjust in the future if necessary.

Commissioner Jackson made a motion to approve a cell phone with a monthly limit of \$40.00 for Eva Timothy, USU Extension.

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

DISCUSSION AND POSSIBLE APPROVAL OF RESOLUTION 20-01-21, A RESOLUTION APPOINTING A LEGISLATIVE MEMBER TO SERVE ON THE UTAH ASSOCIATION OF COUNTIES (UAC) BOARD OF DIRECTORS

Commissioner Draper said that he thinks Commissioner Jackson's experience will be beneficial on the Utah Association of Counties (UAC) Board of Directors.

Commissioner Draper made a motion to approve Resolution 12-01-21, a resolution of the Board of County Commissioners of Millard County, Utah, appointing Wayne Jackson to serve on the Utah Association of Counties (UAC) Board of Directors.

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

OPENING BIDS FOR FINANCING A LANDFILL SCRAPER- AUDITOR GEHRE

Commissioner Jackson said that he would like to thank Auditor Gehre for her work on this.

Auditor Gehre opened the following bids:

- State Bank of Southern Utah - 7 Year Term: 2.85%; 10 year term: 3.0%
- Zions Bank Public Finance - 7 year term: 2.09% ; 10 year term: 2.13%
- Wheeler Machinery/Caterpillar Financial Services- 7 year term: 3.85% with one payment of 119,381.34; 10 year term: 3.85% with one payment of \$ 88,171.77.

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

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

DISCUSSION REGARDING THE BOOKMOBILE LIBRARY CONTRACT

Auditor Gehre said that it has been publicly discussed to not renew the book mobile contract when it expires on June 30, 2020. She said that they require 60 days notice.

Commissioner Warnick said that she spoke with both Fillmore Elementary and Delta Elementary and they like the program which is ran by volunteers; however, they were unaware of the cost to the County. Commissioner Warnick said that she also spoke with members of the school board and they don't want to take on the book mobile contract. Commissioner Warnick said that these funds could be used elsewhere.

Commissioner Jackson said that he is in favor of discontinuing the contract.

Commissioner Draper said that the contract amount is \$94,599.00 . He said that there is a small amount of users at each location and this is an expenditure that should probably be discontinued.

Commissioner Jackson made a motion to finish out the Book Mobile Contract which ends June 30, 2020 and not renew going forward.

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

DISCUSSION AND POSSIBLE RESOLUTION 20-01-21A, A RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS OF MILLARD COUNTY, UTAH, ADOPTING A COUNTY SMOKE FREE POLICY

Attorney Finlinson said that he appreciated the input from the youth; however, what they presented as proposed language isn't compatible with the County's policy structure so he needs time to create the policy. He asked that this be postponed for 60 days so he can convert it to the County's policy format.

Commissioner Jackson made a motion to postpone this item for 60 days.

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

DISCUSSION AND POSSIBLE APPROVAL OF RESOLUTION 20-01-21B, A RESOLUTION OF THE BOARD OF MILLARD COUNTY COMMISSION AMENDING THE MILLARD COUNTY STEP AND GRADE SCHEDULE BY ADDING THE PART-TIME POSITION OF RECREATION CLERK

Brooks Jackson, West Recreation Director, said that he was previously given approval to hire part-time help to assist the recreation secretary; however, he decided to hire someone who can fill shifts instead of another secretary. He has three individuals at the pool who are willing to fill in at the recreation office as Recreation Clerks.

A brief discussion was had on the step and grade assigned this position and the hours.

Commissioner Jackson made a motion to approve Resolution 20-01-21B, a resolution of the Board of County Commissioners of Millard County, Utah, amending the Millard County Step and Grade Schedule by adding the part-time position of recreation clerk.

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

DISCUSSION AND POSSIBLE APPROVAL OF THE HOLDEN TOWN CIB PARKING LOT PAVEMENT PROJECT

James Masner, Holden Town Mayor, said that Holden Town would like to respectfully ask that the CIB list be opened and amended to include a pavement project in the amount of \$49,000.00 at the Holden Town Hall. He said that the deadline for submitting CIB applications is February 3, 2020.

Commissioner Draper asked if Holden Town has any other projects on the current list. Mr. Masner said that there wasn't.

Commissioner Draper said that the County's past experience with CIB lists has resulted in 50% funding by grant and 50% funding by loan and asked if Holden Town could handle that. Mr. Masner said that they could and that they would start the project as soon as the weather allows.

Commissioner Draper made a motion to approve amending the CIB list to add the parking lot pavement project at the Holden Town Hall in the amount of \$49,000.00.

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

MONTHLY FINANCIAL REVIEW

Treasurer Dearden and Auditor Gehre presented the monthly financial reports ending in December 2019 and the year end reports for 2019.

DISCUSSION REGARDING AMENDING THE COUNTY STEP AND GRADE SCHEDULE REGARDING SHERIFF'S OFFICE LIEUTENANTS

Commissioner Jackson made a motion to strike this agenda item.

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

PUBLIC INPUT

There was none.

OTHER BUSINESS

Clerk Rowley said that the 2020 Commission Responsibilities needs to be amended to include the UAC Board of Directors and add the Emergency Energy Lands to Commissioner Warnick's responsibilities.

Commissioner Jackson made a motion to amend the 2020 Commission Responsibilities to include the UAC Board of Directors under Commissioner Jackson's responsibilities and Environmental Emergency Energy Land responsibilities under Commissioner Warnick.

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

Clerk Rowley made the Commission aware that the MOU for election services between Delta City and Millard County has been signed and will be filed in the Clerk's Office.

Attorney Finlinson gave a brief update on the initiative process and said that he will work with Clerk Rowley on the information pamphlet and signature sheets. Attorney Finlinson explained the options available to the Commission after the pamphlets with the required amount of signatures have been received.

DISCUSSION AND POSSIBLE APPOINTMENTS TO VARIOUS COUNTY BOARD

There was none.

POSSIBLE APPROVAL OF APPLICATION(S) FOR SETTLEMENT OR DEFERRAL OF DELINQUENT PROPERTY TAX

Treasurer Dearden presented an application for Larry and Terry Smith- Parcel #D-743. She said that this parcel will be on the list for the tax sale in May 2020 and they would have qualified for the circuit breaker if they would have applied.

Commissioner Draper made a motion to abate 100% of the delinquent property tax for Larry and Terry Smith- Parcel #D-743.

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

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

Commissioner Draper said that Millard Care and Rehabilitation (MC&R) will hold a board meeting on January 30, 2020 to discuss the replacement of its director.

Commissioner Jackson said that some local ATV groups have found some possible grant funding for recreation and he would like them to look into that further.

Commissioner Jackson said that Travis Khyll would like to be invited to the Mayors meeting

on Thursday.

Commissioner Draper said that there are four points around the Sevier Playa that are owned by the Utah School Institutional & Trust Lands Administration (SITLA). He said that SITLA sent paperwork to inquire if the County would have a problem if they provided access or a right of way for people to travel in the area. He said that this includes an ATV trail request in addition to those at the Sevier Playa that starts from Fillmore and goes to the Nevada border.

Commissioner Warnick said that the Census gathering starts on March 12, 2020 and ends July 31, 2020. She said that the census is very important to the County funding and said that individuals can fill it out by phone, mail, or online. She said that census gatherers are also being hired to go door-to-door and will be paid approximately \$16.00 per hour and will have their mileage reimbursed.

AUDITOR REPORT

Auditor Gehre said that the federal guidelines for mileage reimbursement dropped to \$.575 and the County will follow those federal guidelines.

Auditor Gehre presented the following reports:

Payroll Register:

1/17/2020 - \$385,762.82

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

Commissioner Draper made a motion to enter into a BOE.

Commissioner Jackson **SECONDED** the motion. The voting was unanimous and the motion carried. The BOE began at 11:20 a.m..

Auditor Gehre said that an error on the tax roll was found while her office was preparing the annual ending report to the State. She said that she is required to notify the Board and the Commission can decide what to do about it.

Auditor Gehre said that this business received the residential exemption instead of the commercial exemption which resulted in approximately \$2,600.00 in lost tax revenue. She said that in the past, if these errors were found after December 31st of the previous year, the County has corrected these issues on the tax rolls and moved forward.

Commissioner Jackson made a motion to notify the owner of the discrepancy and correct this in the tax rolls.

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

POSSIBLE REVIEW OF COUNTY POLICIES AND CONTRACTS

PERSONNEL POLICIES AND PROCEDURES MANUAL:

- SECTION XVI- DISCIPLINARY PROCEDURES
- SECTION XVI- HIRING FOR NEW AND VACANT POSITIONS
- SECTION XIII- PRODUCTIVE WORK ENVIRONMENT

Deputy Clerk Hair explained that she has been updating the listed policies and has received feedback from several department heads and elected officials. She said that these will be put on the next agenda as a resolution.

A brief discussion was had on policy changes.

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

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

Commissioner Draper SECONDED the motion. All three commissioners voted unanimously and the motion carried. Present in the closed session were Commissioner Jackson, Commissioner Warnick, Commissioner Draper, Attorney Finlinson, and Planner Richins.

After the closed executive session the regular meeting reconvened at 12:17 p.m..

The meeting recessed for 10 minutes.

PLANNING AND ZONING COMMISSION CANDIDATE INTERVIEWS

The Commission interviewed the following individuals:

- Darren Smith
- John Nye
- Stetson Henrie
- David Remkes

WHERE UPON THE MEETING ADJOURNED

Commissioner Warnick adjourned the meeting at 1:11 p.m..

Attest: _____

Approved: _____