

MINUTES OF BOARD OF COUNTY COMMISSIONERS
MILLARD COUNTY THE 4th DAY OF FEBRUARY 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: Matt Ward..... Chronicle Progress
Sheri Dearden..... County Treasurer
Bonnie Gehre..... County Auditor
Adam Richins..... County Planner
John Higgins. Landfill Supervisor
Brandon Winget..... Road Supervisor
Richard Jacobson and Shane Brunson..... Sheriff’s Office
Japheth McGee..... Zions Bank
Kevin Bunnell, Mike Wardle, Greg Behre..... Division of Wildlife Resources
Whitt Sorenson and Bob Rogers. 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 21, 2020 COMMISSION MINUTES

The proposed minutes of a regular County Commission meeting held January 21, 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 21, 2020, as corrected.

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

FOLLOW UP ACTION ITEMS FROM JANUARY 21, 2020

There were none.

DISCLOSURE STATEMENTS

There were none.

DISCUSSION AND POSSIBLE APPROVAL OF A BUSINESS LICENSE FOR OWEN'S ARMS; KIRK OWENS-OWNER

A business license application was presented for Owen's Arms, Owner - Kirk Owens, a gun smithing business. After review of the application and finding all signatures in order, Commissioner Draper made a motion to approve a business license for Owen's Arms, Owner - Kirk Owens.

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

RATIFY THE AMENDMENT TO THE 2020 COMMISSION DUTY ASSIGNMENTS

Commissioner Draper made a motion to ratify the amendment to the 2020 Commission Duty assignments.

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

RATIFY DISCONTINUING THE BOOK MOBILE CONTRACT

Commissioner Jackson made a motion to ratify discontinuing the book mobile contract.

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

DISCUSSION AND POSSIBLE APPROVAL OF A CELL PHONE ALLOWANCE FOR STEVE JENSEN- ROAD SUPERVISOR WINGET

Road Supervisor Winget said that he would like to get a cell phone allowance for Steve Jensen, Assistant Road Supervisor, because he is using his phone for County business.

A brief discussion was had on the cell phone allowance of Supervisor Winget, and it was decided to approve a \$40.00 cell phone allowance for Mr. Jensen.

Commissioner Draper made a motion to approve a cell phone allowance for Steve Jensen,

Road Department, in the amount of \$40.00 a month.

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

PRESENTATION OF THE PAYMENT IN LIEU OF TAXES (PILT) - KEVIN BUNNELL, DIVISION OF WILDLIFE (DWR) REGIONAL SUPERVISOR

Kevin Bunnell presented a PILT payment to Millard County in the amount of \$9,307.00 on behalf of the Utah State Division of Wildlife. Mr. Bunnell gave an update on the watershed restoration initiative which began in 2006. He said that Millard County has received the most funding in terms of acres that money has been put into.

Mike Wardle, Wildlife Biologist, and Greg Behre, Conservation Officer, introduced themselves.

Commissioner Jackson said that the County is working on bike trails and asked if the Division of Wildlife has been apprised of these projects. Mr. Bunnell said that their office would be notified by the federal agencies if there is a role that they can play.

Commissioner Draper asked about predator control bills in the legislature. Mr. Bunnell said that they have been working closely on a bill that will create more flexibility for them to respond to predator populations. He said that there is a situation where predator and prey populations are imbalanced and because the deer population dropped, the cougar population needs to be reduced as well, in order to restore that balance. He said that this year is promising for high survival of deer populations.

APPROVAL OF A FIDELITY BOND OR THEFT OR CRIME INSURANCE ON ALL COUNTY OFFICIALS AS A GROUP, RATHER THAN INDIVIDUALLY, BY PRESCRIBING THE AMOUNT OF SAID GROUP FIDELITY BOND OR THEFT OR CRIME INSURANCE FOR ALL COUNTY OFFICIALS, INCLUDING THE MILLARD COUNTY TREASURER, AND APPROVING THE PREMIUM FOR SAID BOND OF INSURANCE FOR ALL OFFICIALS

Attorney Finlinson gave a brief background on this issue and asked that this item be tabled until this can be reviewed by his office.

Commissioner Jackson made a motion to table this agenda item until the February 18, 2020 commission meeting.

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

AWARDING OF THE BID FOR FINANCING A LANDFILL SCRAPER

Commissioner Jackson said that the bids were opened during the last commission meeting. A brief discussion was had on using a 10 year term verses a 7 year term.

Mr. Japheth McGee, Zions Bank, said that there isn't any prepayment penalties and went over current market financial conditions.

Commissioner Jackson made a motion to award the bid for financing a landfill scraper to Zions Bank which has a 10 year term with interest at 2.13%.

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

DISCUSSION AND POSSIBLE ADOPTION OF A LEASE AGREEMENT IN THE AMOUNT OF \$747,863.00 FOR A LANDFILL SCRAPER

Commissioner Jackson made a motion to adopt a lease agreement with Zions Bank in the amount of \$747,863.00 for a landfill scraper.

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

DISCUSSION AND POSSIBLE APPROVAL OF RESOLUTION 20-02-04, A RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS OF MILLARD COUNTY, UTAH, AMENDING THE MILLARD COUNTY PERSONNEL POLICY MANUAL

Deputy Clerk Hair said that she has been updating the following policies and went over a few changes that were made to the policies since she last sent copies to the elected officials and supervisors.

- Section VI- Hiring for New and Vacant Positions
- Section XVI - Disciplinary Procedures
- Section XIII - Productive Work Environment

Commissioner Draper made a motion to approve Resolution 20-02-04, a resolution of the Board of County Commissioners of Millard County, Utah, amending the Millard County Personnel Policy Manual.

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.

PUBLIC INPUT

There was none.

OTHER BUSINESS

Commissioner Draper inquired about paperwork being submitted by Mrs. Chlarson regarding the arena rules. Commissioner Jackson said that he hasn't seen any paperwork.

Commissioner Warnick said that she will speak with Kevin Morris who has been working on this issue.

Auditor Gehre said that there are some issues regarding the Meadow Town Fire payment that the County received. She said that if members of the West Millard Posse receive checks over

\$600.00, they will need to be issued a 1099 form because there is a tax liability. She said that it has been indicated that this will be a hardship. She said that the West Millard Posse is a separate legal entity and the East Millard Posse is not.

Auditor Gehre said that it is possible that her office can issue those payments and work on getting the separation that was talked about previously.

Attorney Finlinson said that the Commission can authorize the Auditor's office to issue two checks to each posse instead of one. He said that from a fiscal point of view, the West Millard Posse is set up correctly and in accordance with the County Fiscal Procedures Act and ideally the East Millard Posse will change their setup to be structured more like the West Millard Posse.

Sheriff Jacobson said that the Posses are under the Sheriff's Office and he requested time to speak with the commanders to hear what their desires are.

It was decided to move forward after Sheriff Jacobson is able to speak with both commanders.

Auditor Gehre said that Mr. Winget is getting \$80.00 a month for a cell phone allowance instead of \$40.00 that she mentioned earlier in the meeting and asked the Commission if they wanted to change their motion for Mr. Jensen. It was decided to stay with the motion approving \$40.00 cell phone allowance for Steve Jensen.

Commissioner Draper said that the County received a letter from the Utah State Department of Agriculture and Forest regarding appointing individuals to conservation districts.

Attorney Finlinson requested to review that letter.

DISCUSSION AND POSSIBLE APPOINTMENTS TO VARIOUS COUNTY BOARDS

There was none.

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

There was none.

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

Clerk Rowley said that the Presidential Primary will be held March 3, 2020 and said that ballots will be mailed on or about February 11, 2020.

Commissioner Draper said that the Commission is very interested in several protected bills at the legislature. He said that the Commission is actively engaged with the legislature on several items including bills regarding water banking. Commissioner Draper explained what water banking is and how it works. He said that the Commission is very concerned that individuals and the agricultural community in the county may lose water.

AUDITOR REPORT

Auditor Gehre said that her office received an invoice from Chadwick Booth and Co. in the amount of \$17,000.00. She said that this is for the “County Seat” and “At Your Leisure” programs. After a brief discussion, it was found that \$15,300.00 had already been paid from Tourism.

Auditor Gehre said that her office received an invoice for the 2020 assessment of public lands and a letter from the Utah Association of Counties (UAC). She said that this has already been budgeted.

Commissioner Draper explained that this invoice is separate from the regular UAC membership fees and is going toward a lawyer that UAC hired to help deal with public lands issues.

Auditor Gehre presented the following reports:

Payroll Liabilities:

January 31, 2020 - \$210,893.81

Check Edits:

January 17, 2020 - \$136,903.75

January 28, 2020 - \$223,210.28

January 31, 2020 - \$67,823.60

Bank Card Draft:

January 31, 2020 - \$6,584.32

Auditor Gehre said that the County received the revenue sharing for the bank card in the amount of \$2,994.89.

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

There was none.

POSSIBLE REVIEW OF COUNTY POLICIES AND CONTRACTS

There was none.

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

There was none.

PLANNING AND ZONING CANDIDATE INTERVIEWS

The following individuals were interviewed:

-Whitt Sorenson

Commissioner Warnick recessed the meeting at 11:23 a.m.
The meeting reconvened at 11:51 a.m..

The following individuals were interviewed:

- Bob Rogers

WHERE UPON THE MEETING ADJOURNED

Commissioner Warnick adjourned the meeting at 12:10 p.m..

Attest: _____

Approved: _____