

MINUTES OF BOARD OF COUNTY COMMISSIONERS
MILLARD COUNTY THE 18th DAY OF AUGUST 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: Adam Richins. County Planner
Brandon Winget. Road Supervisor
Richard Beckstrand. IT Supervisor
Kevin Morris. West Maintenance Supervisor
Sheri Dearden. County Treasurer
Bonnie Smith. County Auditor
Kary and Susan Kesler. 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 Warnick said the invocation. Everyone stood and said the Pledge of Allegiance to the Flag.

APPROVAL OF AUGUST 4, 2020 COMMISSION MINUTES

The proposed minutes of a regular County Commission meeting held August 4, 2020 were presented for consideration and approval. Following review and consideration of minor corrections, Commissioner Draper made a motion to approve the minutes of August 4, 2020, as corrected.

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

carried.

FOLLOW UP ACTION ITEMS FROM AUGUST 4, 2020

There were none.

INTERIM SUCCESSORS

Interim Successors were presented for the Sheriff's Office.

DISCUSSION AND POSSIBLE APPROVAL OF A BUSINESS LICENSE FOR ASHLEE'S DOG GROOMING - OWNER, ASHLEE ANDERSON

A business license application was presented for Ashlee's Dog Grooming, Owner - Ashlee Anderson, a dog grooming business. After review of the application and finding all signatures in order, Commissioner Jackson made a motion to approve a business license for Ashlee's Dog Grooming, Owner - Ashlee Anderson.

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

DISCUSSION AND POSSIBLE APPROVAL OF SINGLE SOURCE PROVIDER FOR THE ROAD BUILDING TRUSSES AND B DECK

Attorney Finlinson said that the policy requires an explanation be given regarding the efforts to find other sources and then the Commission can approve a single source provider based on those findings.

Planner Richins said that large steel trusses are necessary for the size of Road Department Building and there is only one entity that produces these larger trusses in Utah.

Attorney Finlinson said that today the determination needs to be made whether there is a single source provider for trusses. He said that discussions and decisions regarding the budget and transferring funds to complete the road department building are not a part of this decision.

Planner Richins said that Nucor owns Volcraft which is the manufacturer and Steel Encounters is the local distributor.

Commissioner Draper made a motion to approve a single source provider for the Road Building Trusses and B Deck.

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

DISCUSSION AND POSSIBLE APPROVAL OF SINGLE SOURCE PROVIDER FOR THE STAND ALONE OFF-SITE SERVER STORAGE THAT TIES INTO OUR EXISTING SYSTEM NETWORK

Supervisor Beckstrand said that the existing server equipment is over 7 years old. He said that this provider is a different brand, but ties into the County's existing system and works with the same vendor which will reduce any issues resulting from miscommunication. He said that if this is approved, new hardware will be provided every three years.

Commissioner Jackson made a motion to approve a single source provider for the stand alone off-site server storage that ties into our existing system network.

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

DISCUSSION AND POSSIBLE DECISION REGARDING IMPROVEMENTS TO PRIVATE ROAD IN COVE FORT AREA

Attorney Finlinson said that there have been very good discussions between the parties on this issue; however, it is not ready for approval. He said that this will most likely include a payout once the parties agree. It was decided to move this item to the next agenda.

MONTHLY FINANCIAL REVIEW

Treasurer Dearden said that she emailed the financial reports ending in July 2020 and asked if there were any questions. She said that the State Auditor instructed her office to release funds for Drainage District #1; however they are still holding funds for Drainage District #4 and Delta City.

DISCUSSION AND POSSIBLE APPROVAL OF INDIGENT BURIAL APPLICATION

Commissioner Draper said that the County has contracts with the local mortuaries for indigent burials. He said that the allowed costs are tied to the consumer price index and is currently about \$1,800.00 which is more than this invoice amount.

Commissioner Jackson made a motion to approve the indigent burial application for Lee Payne in the amount of \$1,600.00.

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

DISCUSSION AND POSSIBLE APPROVAL OF RESOLUTION 20-08-18, A RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS OF MILLARD COUNTY, UTAH AUTHORIZING CROSS APPEALS OF VALUATIONS BEFORE THE STATE TAX COMMISSION

Treasurer Dearden said that the following entities have filed an appeal and the deadline has now past so there shouldn't be others.

-AT&T, Inc.

- Intermountain Power Agency
- PacifiCorp
- Enel Cove Fort, LLC
- Frontier Communications
- Graymont Western US Inc.
- First Wind Energy Milford Utah
- UNEV Pipeline LLC
- Union Pacific Railroad Company

Commissioner Warnick read the resolution into the record.

Commissioner Draper made a motion to approve Resolution 20-08-18, a resolution of the Board of County Commissioners of Millard County, Utah, authorizing cross appeals of valuation before the State Tax Commission.

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.

DISCUSSION AND POSSIBLE APPROVAL OF RESOLUTION 20-08-18A, A RESOLUTION OF THE BOARD OF MILLARD COUNTY COMMISSION AMENDING THE MILLARD COUNTY STEP AND GRADE SCHEDULE BY ADDING THE FULL-TIME POSITION OF ASSISTANT SUPERVISOR IN THE MAINTENANCE DEPARTMENT

Commissioner Warnick said that Supervisor Kevin Morris is spending two days a week on tourism duties and it has become necessary for an assistant supervisor to handle Mr. Morris's maintenance duties in his absence.

Supervisor Morris said that he and Commissioner Warnick went through the position's responsibilities and the Step and Grade scale and determined that assistant maintenance supervisor would fall into Grade 13. He said that Tourism has applied for more grants which will take even more of his time away from the maintenance department. A brief discussion was had on the benefits of having an assistant supervisor in departments.

Commissioner Draper said that when the decision was made to have Mr. Morris take on Tourism duties, it was understood that Kevin could handle both duties and the added responsibilities.

Mr. Morris said that there is more than he can handle between the two positions.

Attorney Finlinson said that this is just deciding if the position should be created, not allocating any funds to pay for an employee.

Auditor Smith said that East Maintenance probably couldn't budget for an assistant supervisor at this point. She said that West Maintenance probably does have the funds in their budget since part of Mr. Morris's pay comes from Tourism.

Commissioner Jackson made a motion to approve Resolution 20-08-18A, a resolution of the Board of County Commissioners of Millard County, Utah, amending the Millard County Step and

Grade Schedule by adding the full-time position of Assistant Supervisor in the Maintenance Department.

Commissioner Draper 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.

Commissioner Draper briefly excused himself from the meeting.

DISCUSSION AND POSSIBLE APPROVAL OF RESOLUTION 20-08-18B, A RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS OF MILLARD COUNTY, UTAH, AMENDING THE MILLARD COUNTY PERSONNEL POLICY MANUAL

Deputy Clerk Hair briefly went over the changes to the following personnel policies:

Section III - Equal Employment Opportunity
Section IV - Administration
Section V - Position Management
Section VIII - Personnel Actions

Commissioner Jackson made a motion to approve Resolution 20-08-18B, a resolution of the Board of County Commissioners of Millard County, Utah, Amending the Millard County Personnel Policy Manual.

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

Commissioner Draper rejoined the meeting.

PUBLIC INPUT

There was none.

OTHER BUSINESS

Attorney Finlinson said that invitations for bids were sent out for four different aspects of the Road Building. He said that a new bid for the ambulance was needed, as well, in order to perfect some grants coming in. He said that the Sheriff's Office knows that a public hearing is necessary to receive those grants.

Attorney Finlinson said that he needs some clarification for the amount of space that the Recorder's Office will be utilizing in the off site records building.

Commissioners Jackson and Warnick said that the Recorder's Office will be using 30% or about one third of the records building.

DISCUSSION AND POSSIBLE APPOINTMENTS TO VARIOUS COUNTY BOARDS

There were none.

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

There were none.

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

Commissioner Jackson said that the Congressional Ride was last week and it was well put together and they had a chance to discuss important issues one-on-one.

Commissioner Draper said that Senator Lee, Senator Romney, Representative Stewart and Representative McAdams were present on the Congressional Ride. He said that public lands issues including SRS and PILT were discussed. Commissioner Draper said that he is expecting Senator Lee's Office to contact him to further discuss some of these issues. He said that Representative Stewart will be in Millard County on August, 25, 2020.

Commissioner Draper gave an update on the Brush Wellman Highway project and said that the County received a better road than initially thought. He said that the grant for this project was \$8,000,000.00 and Millard County contributed \$411,000.00. He said that the project should close within 4-6 weeks and is moving along well.

Commissioner Draper said that Iron County has requested a right-of-way to take water from an aquifer in West Beaver County. He said that this is the same aquifer that the Southern Nevada had tried to gain access to. Commissioner Draper said that it impacts Millard County because the aquifer extends into the southern edge of Millard County. He said that he would like to send a letter stating Millard County's opposition. Commissioners Jackson and Warnick agreed to send a letter.

AUDITOR REPORT

Auditor Smith said that she has some medical claims as the result of the officer involved shooting last May. She said that she was instructed to request that the Commission officially reject these claims and then she will send them to the County Attorney's Office.

Attorney Finlinson said that the Utah Counties Indemnity Pool (UCIP) recommended that the County follow this process. He said that there are approximately \$600,000.00 in medical bills at this time.

Commissioner Draper made a motion to reject medical claims in regards to Adam Oney's hospitalization.

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

Auditor Smith gave the following reports:

Check Edits:

August 7, 2020 - \$84,471.61
August 13, 2020 - \$1,000.00
August 14, 2020 - \$97,558.72

Liabilities:

August 14, 2020 - \$174,919.22

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.

WHERE UPON THE MEETING ADJOURNED

Commissioner Warnick adjourned the meeting at 11:15 a.m..

Attest: _____

Approved: _____