

MINUTES OF BOARD OF COUNTY COMMISSIONERS
MILLARD COUNTY THE 1ST DAY OF SEPTEMBER 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: Kyle Wheeler. USDA
Romeo Ciupercha.. . . . PVT Materials
Thayne Clark. BC&A
Sheri Dearden.. . . . County Treasurer
Bonnie Smith. County Auditor
Lindsay Mitchell. Sheriff’s Office
John Higgins, Corey Woods, and Tom Huffer. County Landfill
Linette Woods, Bobbi Beckstead, Todd Macfarlane,
and Ivy Huffer. Citizens

NOTE: Not all agenda items were followed in order.

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 read a quote from Thomas Jefferson which states, “Man has no natural right in opposition to his social duties. There are two kinds of duties - public and private. Public duties relate to public morality and are usually supported by local or state ordinances which can be enforced by the police power of the state. Private duties are those which exist between the individual and his Creator.

Commissioner Draper then read a quote from William Blackstone that states: “Let a man therefore be ever so abandoned in his principles, or vicious in his practice, provided he keeps his wickedness to himself and does not offend against the rules of public decency, he is out of the reach of human laws. But if he makes his vices public, though they be such as seem principally to affect himself, they then become the bad example they set, of pernicious effects to society; and therefore it is then the business of human laws to correct them.... Public sobriety is a relative duty (Relative to other people) and therefore enjoined by our laws; private sobriety is an absolute duty, which, whether it be performed or not, human tribunals can never know; and therefore they can never enforce it by any civil sanction.. Attorney Finlinson said the invocation. Everyone stood and said the Pledge of Allegiance to the Flag.

APPROVAL OF AUGUST 18, 2020 COMMISSION MINUTES

The proposed minutes of a regular County Commission meeting held August 18, 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 18, 2020, as corrected.

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

FOLLOW UP ACTION ITEMS FROM AUGUST 18, 2020

There were none.

RATIFY THE REJECTION OF MEDICAL CLAIMS IN REGARDS TO ADAM ONEY’S HOSPITALIZATION

Attorney Finlinson said that the rejection of medical claims was done at the recommendation of the Utah Counties Indemnity Pool (UCIP). He said that he made contact with the medical provider who said that they will bill the patient.

Commissioner Draper said that the County was advised to reject this so it can be properly billed to the person responsible.

Commissioner Jackson made a motion to ratify the rejection of medical claims in regards to Adam Oney’s hospitalization.

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 they are still in negotiations on this.

PUBLIC HEARING FOR THE PURPOSE OF RECEIVING PUBLIC COMMENT ON

APPLICATION #Z-2020-023 FOR A C-2 CONDITIONAL USE PERMIT TO CONDUCT SURFACE MINING ON PROPERTY LOCATED NEAR PAHVANT BUTTE, MORE PARTICULARLY DESCRIBED AS: NW ¼ & E1/2 OF SECTION 36, T19S, R7W

Commissioner Jackson made a motion to enter into a public hearing for the purpose of receiving public comment on Application #Z-2020-023 for a C-2 conditional use permit to conduct surface mining on property located near Pahvant Butte, more particularly described as: NW ¼ & E1/2 of SECTION 36, T19S, R7W.

Commissioner Draper SECONDED the motion. The voting was unanimous and the motion carried. The public hearing began at 10:43 a.m..

Present were: Sheri Dearden, John Higgins, Adam Richins, Brandon Winget, Richard Beckstrand, and Romeo Ciupercha.

Mr. Ciupercha, PTV Materials, said that they are requesting a permit to perform surface mining on the outer platform of Pahvant Butte. He explained the location of the surface mining and how the material was formed during an eruption. He said that this material is used to improve properties of concrete and its use extends the life of concrete structures.

Commissioner Draper asked if the mining was initially started on School and Institutional Trust Lands Administration (SITLA) property. Mr. Ciupercha confirmed that the mining initially started on SITLA land and said that it is surrounded by Bureau of Land Management (BLM) property where they have filed claims.

There were no other comments made.

Commissioner Draper made a motion to close the public hearing.

Commissioner Jackson SECONDED the motion. The voting was unanimous and the motion carried. The public hearing closed at approximately 10:57 a.m..

The regular meeting reconvened.

DISCUSSION AND POSSIBLE APPROVAL OF APPLICATION #Z-2020-023 FOR A C-2 CONDITIONAL USE PERMIT TO CONDUCT SURFACE MINING ON PROPERTY LOCATED NEAR PAHVANT BUTTE, MORE PARTICULARLY DESCRIBED AS: NW ¼ & E1/2 OF SECTION 36, T19S, R7W

Commissioner Warnick asked if this project will change the appearance of the area. Mr. Ciupercha said that the Butte will not be changed and they won't come near the roads that take visitors around Pahvant Butte.

Planner Richins said that this application received a favorable recommendation from the Planning and Zoning Commission. He said that the application did conform to the Millard County General Plan and read the recommended conditions into the record.

Commissioner Draper said that the product will be trucked out of the area using the Clear Lake Road. He said that there won't be that much traffic initially but eventually that road will need to be enlarged which will require a change to the Conditional Use Permit (CUP) at that time.

Commissioner Draper said that a few reasonable paying jobs will result out of this and it is hopeful that more permanent jobs will be necessary as the operation grows. Mr. Ciupercha briefly spoke of possible jobs as the operation grows.

Commissioner Draper asked that a condition be added that requires a yearly update to the County Commission from the company for the next three years and then as needed.

Commissioner Draper made a motion to approve Application #Z-2020-023 for a C-2 conditional use permit to conduct surface mining on property located near Pahvant Butte, more particularly described as: NW ¼ & E1/2 of section 36, T19S, R7W.

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

PUBLIC HEARING FOR THE PURPOSE OF RECEIVING PUBLIC COMMENT ON APPLICATION #Z-2020-012 TO AMEND THE USE DEFINITIONS AND TABLE OF USES IN TITLE 10, CHAPTER 25, APPENDIX A OF THE MILLARD COUNTY CODE TO INCLUDE HEALTH AND/OR FITNESS CENTER

Commissioner Jackson made a motion to enter into a public hearing for the purpose of receiving public comment on Application #Z-2020-012 to amend the use definitions and table of uses in Title 10, Chapter 25, Appendix A of the Millard County Code to include health and/or fitness center.

Commissioner Draper SECONDED the motion. The voting was unanimous and the motion carried. The public hearing began at 12:00 p.m..

Present were: Planner Richins, Treasurer Dearden, Road Supervisor Winget, Landfill Supervisor Higgins, Bobbie Beckstead, Ivy Huffer, and Linette Woods.

Planner Richins said that this application proposes to add a health and/or fitness center to the County of Use Definitions as a P-2 permitted use. He said that there currently isn't a category that fits a health/and or fitness center in the County Table of Uses, and the Planning and Zoning Commission suggested adding it after review. He said that ultimately, the recommendation was that if they were in agricultural zones, they would have to sign an acknowledgment agreement that they can't complain about agricultural activities.

Planner Richins read specific sections from the Millard County Code and said that the consistency with the Millard County General Plan needs to be considered. He said that when a type of use is located in a zone where it isn't usually located, the County typically uses a conditional use permit to attempt to mitigate any undesirable impacts.

There were no other comments made.

Commissioner Jackson made a motion to close the public hearing.

Commissioner Draper SECONDED the motion. The voting was unanimous and the motion carried. The public hearing closed at approximately 12:08 a.m..

The regular meeting reconvened.

DISCUSSION AND POSSIBLE ADOPTION OF ORDINANCE 20-09-01 AN ORDINANCE OF THE MILLARD COUNTY COMMISSION AMENDING THE USE DEFINITIONS AND TABLE OF USES IN TITLE 10, CHAPTER 25, APPENDIX A OF THE MILLARD COUNTY CODE TO INCLUDE HEALTH AND/OR FITNESS CENTER

Attorney Finlinson requested that this be moved to the agenda next because the ordinance is not ready.

It was decided to move this item to the September 15, 2020 Commission Agenda.

DISCUSSION AND POSSIBLE APPROVAL OF THE COUNTY BECOMING A CO-SPONSOR ON THE C-CANAL LINER PL-566 GRANT WITH NRCS - JASON DODD, NRCS

Jason Dodds presented a handout and said that Delta Conservation District is trying to put together a grant to line the C-canal. He said that this has been a discussion for years and they now have a great opportunity to work with the NRCS to complete this project. Mr. Dodds said that NRCS needs to partner with an entity who has taxing and eminent domain authority. He said that the approximate cost of the project is \$21,000,000.00.

Thane Clark, Engineer with C-Canal Company, said that these projects are typically referred to as watershed improvement projects, and the sponsor doesn't take responsibility for the whole project. He said that the federal government pays 75% of the project through a grant, and the canal company will obtain a low interest loan from the State to pay for the remaining 25%. Mr. Clark said that this also sets up a new watershed for Millard County and a new place for funds to come through. Mr. Clark explained the possible water savings with this project.

Mr. Clark explained the liability that the sponsor takes on when entering a contract with NRCS. He said that the County acts as a pass through. He said that the contract can make the County responsible if the project is sued, however, that responsibility can be passed to the contractor or the canal company in a contract.

Commissioner Draper asked when the submission deadline was. Mr. Clark said that it was actually submitted a few weeks ago without a sponsor but with several letters of support. He said it is their goal to get an eligible sponsor before the contracting deadline which is in October or November.

Commissioner Draper said that the Water Conservancy isn't set up to handle this contract and asked if there is a reimbursement to the County for the accounting. Mr. Clark said that there is approximately \$200,000.00 set aside for sponsorship reimbursement.

Commissioner Warnick asked if Delta City could be a sponsor. Mr. Clark said that they are looking into it and want as many options for sponsors as possible.

A brief discussion was had on how to create a watershed in Millard County.

Commissioner Draper said it is easy to see the value of this project.

Attorney Finlinson said that this requires risk evaluation and just knowing that the funds come from the federal government lowers the risk significantly. He said that he is happy to have further discussions on this and can reach out to the Washington County Attorney's Office who has been involved in a similar project.

It was decided to move this item to the September 15, 2020 Commission Agenda.

DISCUSSION AND POSSIBLE RESOLUTION 20-09-01, A RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS OF MILLARD COUNTY, UTAH AUTHORIZING CROSS APPEALS OF VALUATION BEFORE THE STATE TAX COMMISSION

Treasurer Dearden said that these were received by the Auditor's Office and that is why they weren't included in the last resolution. She said that the following need to added:

- Ashgrove Cement Company
- Century Link, Inc.
- T-mobile US, Inc.

Commissioner Draper made a motion to approve Resolution 20-09-01, 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.

EMPLOYEE APPEALS

Deputy Hair, HR Specialist, said that two landfill employees, Tom Huffer and Corey Woods, are appealing corrective action forms that were given to them on May 18, 2020, July 1, 2020 and July 15, 2020. She briefly explained the policy and appeal process and said that she sent a copy of the corrective actions and appeal letters to the commissioners last week.

Commissioner Warnick said that the deadline to appeal the May 18, 2020 corrective action had passed, and the July 1, 2020 appeal had merit and it would be removed from the employees file.

Commissioner Warnick asked for opening statements from the Landfill Supervisor, John Higgins and the employees' representative, Todd Macfarlane.

Supervisor Higgins said that there has been a steady decline in the work performance of landfill truck drivers, Corey Woods and Tom Huffer. He said that this is putting a large strain on his department because other staff has to fill in when the loads aren't being hauled. He said that he met and began working with these employees in May to correct this issue. Supervisor Higgins said that the employees were given expectations in June that were tested by himself and other employees. He said that Mr. Woods and Mr. Huffer continued to not meet these expectations. Supervisor Higgins said that he has attempted to work with the employees by adjusting work schedules and allowing them to not combine loads if they are concerned about safety even though it has been done

for years. He said he has tried to work with them in other ways and the employees have not tried to improve their performance. Supervisor Higgins said that the #1 job duty of a truck driver is to make sure the public has a place to dump their waste and this is not being done. He said that the two employees give a lot of excuses as to why they can't meet the expectations and some of them are valid. He said that they are not held responsible when trucks break down nor are they required to clean up sites on windy days. He said that they have also reduced the amount of sites the two employees haul on high volume days. Supervisor Higgins said that their work performance is still consistently below what they used to do and what other employees are doing when they haul the loads in Mr. Woods or Mr. Huffer's place. He said that the job changes daily depending on the weather and the amount of waste being left by the public, but other employees who use the same equipment under the same varying conditions are able to meet the expectations. Supervisor Higgins said that he needs their work performance to improve to better serve the public. He said that this has a large impact on the amount of overtime he and other employees are having to work. He said that this is costing the County money and has also lowered the morale of other department employees who feel that they are having to pick up the slack and do Mr. Woods and Mr. Huffer's jobs. Supervisor Higgins presented a copy of the work expectations to the commissioners.

Mr. Macfarlane said that this is not the first time these two employees have been before the Commission for their jobs. He said that it is his understanding that the grievance and appeal policy has been updated but pointed to an inconsistency that said that employees have 1 year to appeal these corrective actions. He said that these two gentlemen have prepared a grievance as well, though they haven't filed it yet. Mr. Macfarlane said that it is their position that this is a biased hearing and asserted that each commissioner may have a bias against himself or the employees. He said that these employees have a fundamental right to have an impartial and unbiased tribunal and said that a Hearing Officer is needed to ensure impartiality.

Mr. Macfarlane said that they are willing to proceed under protest without waiving the right to have the appeal heard by an impartial tribunal. The Commission decided to continue with the appeal.

Mr. Macfarlane said that it is Tom and Corey's position that there has been a hostility toward them since they returned to their employment a year and half ago. He said that they got their jobs back but the attitudes towards them has been completely different. He said that their assignments have changed to be mainly truck drivers even though they have been told repeatedly that the truck driver position would rotate between all landfill employees. He said that they have been stuck in the trucks and even after these write ups started occurring they were told that rotations would begin and it has never happened.

Mr. Macfarlane said that in regards to the May 18, 2020 write up, its their position that they had been told that they could not work overtime, and that they needed to end their day at 8 hours regardless of the status of what had been accomplished and that they weren't going to be allowed any overtime hours. He said that as result of that, there were numerous occasions where they weren't able to get to everything. He said that the daily conditions change as Supervisor Higgins said and if they get behind anywhere, it puts them behind everywhere. Mr. Macfarlane said that it's the employees position that the schedule given to them was both unreasonable and unrealistic and if you add up the amount of time they were assigned it comes to 8 ½ hours and they were told that they could only work 8 hours. He said that this time doesn't take into account any maintenance on equipment or employee

breaks that they are entitled to. He said that it is their position that no one who does this on a regular basis can accomplish those tasks within that amount of time. He said that the employees feel like since they have been back, based on an antagonistic attitude towards them, that the hierarchy of the landfill is looking for every opportunity to write them up and create a record of deficiency that would justify their termination.

Mr. Macfarlane said that it appears to them that it may even go farther as rumors of contracting out the waste hauling to other entities may do away with county truck drivers entirely. They feel that they have been assigned to be the truck drivers and now there is an effort in place to impose unrealistic expectations and create a record against them so that if there is a reason to reduce the landfill workforce they will be candidates for that reduction. He said that the employees feel like they are being railroaded out of their jobs and that is why they chose to appeal the corrective actions and are prepared to file grievances. He said that they feel the imposed expectations are unreasonable and there isn't any one else who is performing these tasks full-time and able to meet these expectations.

Mr. Macfarlane said that one of the ways that they can get the job done more expediently is to combine loads at the transfer stations. He said that this has been historically done to be more efficient. It is their understanding that it is not a lawful practice and they are not allowed to do that from a legal or procedural standpoint. He said that HR Specialist Hair called Corey and specifically told him not to combine loads. He said that this is a good example of what they are expected to do in order to meet expectations.

He said at the time of the write up in May, the employees actually felt there was some merit to the write up that they received because they weren't able to get back to the Fillmore bins before their day was done so they left without adequately communicating the status of the Fillmore bins to their supervisor. Mr. Macfarlane said that they acknowledge that there may have been a shortfall in communication.

Mr. Macfarlane said that the employees were unaware of the write up dated July 1, 2020 and only found out about it when they requested copies of their personnel files. He said that all the write-ups are vague and ambiguous and state that the job performance is just lacking without giving any real specifics. He said that all they say is that the employees are not meeting the expectations that have been imposed on them. He said that the employee's position is that it is possible to meet those expectations on some days, but on many days it is not possible and it isn't possible for anyone to meet these expectations continuously. He said that it is unsafe and unlawful yet they are expected to do it.

Mr. Macfarlane said that the employees have a lot of pictures, texts, and notes as evidence and are willing to testify if time allows.

Attorney Finlinson asked if Mr. Macfarlane can cite an authority for the statement regarding combining loads being unlawful. Mr. Macfarlane said that he is relying on other people that have told him that based on the capacity of the equipment and its current condition. Attorney Finlinson asked him to find and send that to him. Mr. Higgins was also unable to cite any laws and said that it is what has been done historically.

Attorney Finlinson said that the documentary evidence can be stipulated on foundation if the employees just want to submit it to the Commission. After a brief discussion, it was decided to have the employees submit their digital records to the Clerk's Office for the Commission to consider.

Mr. Macfarlane said that in terms of attitude, the more hostility the employees have felt

towards them it has been hard to keep their chins up and have good morale. He said that they feel like there is an agenda to get rid of them and it is really hard to work through that with their chins up and a smile on their face.

Mr. Macfarlane asked for a brief break to confer with the employees.

Later, Mr. Macfarlane said that the employees feel like they are being set up to fail. He said that on one hand the employees are told not to work overtime, and on the other they are required to haul a lot more loads than can be hauled in 8 hours in order to get the job done. He said that they also are not given help when they ask for it and these things are a part of the manifestation of the attitude toward them. He said that it is hard for the employees to keep their chins ups. Mr. Macfarlane said that they value their jobs and they hope these appeals are resolved and if not, they are prepared to file a grievance.

Attorney Finlinson said that his advice is to take everything under advisement, give him time to look into the procedural issues, and give the Commission time to receive and review the evidence from the employees. He said that he suggests to continue the appeal to the next meeting and in the meantime, any evidence needs to be provided to the Commission, as well as, the other party.

BID OPENING FOR ROAD DEPARTMENT BUILDING DOORS

No Bids were received.

BID OPENING FOR THE ROAD DEPARTMENT BUILDING ROOF AND INSULATION

Auditor Gehre opened the following bids:

- Red Peaks Roofing, Inc. \$299,990.00

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

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

BID OPENING FOR THE ROAD DEPARTMENT BUILDING CONCRETE

No bids were received.

BID OPENING FOR THE ROAD DEPARTMENT BUILDING TRUSS INSTALLATION

No bids were received.

Commissioner Jackson made a motion to extend the deadline for the bids to 5:00 p.m. September 14, 2020.

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

carried.

BID OPENING FOR AN AMBULANCE

Auditor Gehre opened the following bids:

- Braun NW Inc./Northstar Not able to offer a bid at this time, but requested the bid results.
- Ken Garff \$196,303.00
- Professional Sales and Service \$180,250.00

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 AND POSSIBLE APPROVAL OF CELL PHONE AGREEMENTS-SHERIFF'S OFFICE

Lindsay Mitchell, Sheriff's Office, said that she had several cell phone agreement changes and initial agreements. She requested that Justin Teeples, Jerid Bennett, and Corey Anderson have their cell phone allowance raised to \$60.00 per month. She requested that Brandon Gonzalez, Taylor Frampton, Amanda Bond, Randy Wilkinson, Kyle Stevens, and Aaron Jurado receive a cell phone agreement in the amount of \$40.00 per month.

Commissioner Draper made a motion to approve of a cell phone agreement in the amounts requested.

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

PUBLIC INPUT

There was none.

OTHER BUSINESS

Attorney Finlinson gave an update on the Care Center project. He said that some contracts are needed between the County and IHC. He said that all the documents have been sent to IHC. Attorney Finlinson said that he doesn't have the documents today; however, he asked that the Commission approve them so that action can be taken when the paperwork comes back. He said that the first contract is an assignment, assumption, and consent between Millard County, IHC, and the Millard

County Building Authority. He said that the second contract is an estoppel certificate, and the third contract is an extension of the ground lease between IHC and Millard County.

Commissioner Draper made a motion to approve of the assignment assumption, and consent contract, estoppel certificate, and an extension of the ground lease with IHC.

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

Attorney Finlinson said that the State Court made a decision that opens up another avenue of appeal for David Archuleta who has been on death row since 1989 and this decision will cause additional work and funds from the County that hasn't been budgeted. He said that other attorneys have offered to do the work but the County will have to bear the costs of transcripts.

Attorney Finlinson said that the expected UCIP contribution for next year is approximately \$292,135.00.

Commissioner Jackson said that the Sheriff's Office is having problems with a chiller and they don't think it is repairable. He said that the approximate cost to replace it is \$65,121.00.

Auditor Smith said that it has been discussed to hold a public hearing on September 15, 2020 and this can be included in that public hearing.

Commissioner Draper said that there was a request from the museum in Delta to have the Road Department move some equipment from Fillmore to Delta. It was agreed to have the Road Department move the equipment.

Commissioner Draper said that the rumor that suggests the new road building will have a full-time mechanic who is the brother of a department head is not true.

DISCUSSION AND POSSIBLE APPOINTMENTS TO VARIOUS COUNTY BOARDS

Commissioner Draper said that Sonya Taylor and Sarah Richins have agreed to serve on the Millard Care and Rehabilitation Board. He said that Casey King has agreed to serve on the Central Utah Public Health Board.

Commissioner Jackson made a motion to appoint Sonya Taylor and Sarah Richins to the Millard Care and Rehabilitation Board and appoint Casey King to the Central Utah Public Health Board.

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

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

There were none.

AUDITOR REPORT

Auditor Smith gave a brief CARES Act update. After a brief discussion it was decided to consider applications at the next commission meeting.

Auditor Smith gave the following reports:

Ap Check Registers:

08/21/2020 - \$135,290.14

08/28/2020 - \$66,292.87

08/28/2020 - \$18,607.29 Zions Bankcard Draft

Payroll Liability Register:

8/28/2020 - \$418,233.75

Auditor Smith said that the Holden Fire Department is interested in a mower motor that East Recreation currently has. She said that the value is under \$1,500.00 and under the Commission's direction, it can be sold or given to the Holden Fire Department. She said that it can also be put on the surplus website.

Auditor Smith said that work meetings need to be scheduled in October to start working on the budget. She said that GBS will have renewal rates in two weeks and she would like to schedule an administrative meeting for that as well.

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 1:05 p.m..

It was briefly discussed that a closed session was necessary within the BOE.

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

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

Commissioner Jackson SECONDED the motion. All three commissioners voted unanimously and the motion carried. Present in the closed session were Auditor Smith, Assessor Manis, Margene

Stevens, Commissioner Warnick, Commissioner Jackson, Commissioner Draper, and Attorney Finlinson.

After the closed executive session the BOE reconvened at 1:29 p.m..

Commissioner Warnick said that the Commission made a unanimous decision to go with the Assessor's recommendation regarding the Hawbush appeal.

Auditor Smith said that as of right now there aren't any other in person hearings. She said that the State Tax Commission sent a letter correction on Kern River Gas Transmission which changed the taxable value by approximately \$48,000.00.

Auditor Smith presented abatements that have been submitted. She said that a few qualify for permanent disability and said that the amount to abate is at the discretion of the board.

Commissioner Draper made a motion to abate 50% of Jason and Sabrina Park's property taxes. Commissioner Jackson SECONDED the motion. The voting was unanimous and the motion carried.

Commissioner Draper made a motion to abate 35% of Sheri and Shawn Hackworth's property taxes.

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

Commissioner Draper made a motion to abate 20% of John and Meri Lou Heath's property taxes. Commissioner Jackson SECONDED the motion. The voting was unanimous and the motion carried.

Commissioner Draper made a motion to abate 40% of Doug Fisher's property taxes. Commissioner Jackson SECONDED the motion. The voting was unanimous and the motion carried.

Commissioner Draper made a motion to abate 50% of Jeneane Harmon's property taxes. Commissioner Jackson SECONDED the motion. The voting was unanimous and the motion carried.

Commissioner Jackson made a motion to close the BOE.

Commissioner Draper SECONDED the motion. The voting was unanimous and the motion carried. The BOE closed at 1:44 p.m..

POSSIBLE REVIEW OF COUNTY POLICIES AND CONTRACTS

There was none.

WHERE UPON THE MEETING ADJOURNED

Commissioner Warnick adjourned the meeting at 1:45 p.m..

Attest: _____

Approved: _____