

MINUTES OF BOARD OF COUNTY COMMISSIONERS  
MILLARD COUNTY THE 15<sup>th</sup> DAY OF DECEMBER 2020  
AT THE COURTHOUSE, FILLMORE, UTAH

PRESENT: Evelyn Warnick. . . . . Chairperson  
Dean Draper. . . . . Commissioner  
Pat Finlinson. . . . . County Attorney  
Marki Rowley. . . . . County Clerk  
Jamie Hair . . . . . Deputy Clerk

EXCUSED: Wayne Jackson. . . . . Commissioner

ALSO PRESENT: Sierra Dickens. . . . . Recorder’s Office  
Sheri Dearden. . . . . County Treasurer  
Bonnie Smith. . . . . County Auditor  
Pat Manis. . . . . County Assessor  
Richard Jacobson. . . . . County Sheriff  
Brooks Jackson. . . . . West Recreation Supervisor  
John Andrews and Tiffany James. . . . . Magnum  
Michael Ferrell, Todd Macfarlane, Greg Mascaro, Bob Womack,  
Demar Iverson, Erin Sorenson, Stetson Henry, Peter Greathouse,  
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 Warnick recognized Clerk Rowley who was voted Clerk of Year for the second time by other County Clerk’s in the State. Everyone stood and said the Pledge of Allegiance to the Flag. Commissioner Draper said the invocation. Commissioner Warnick excused Commissioner Jackson and said that he has asked to be called by phone on items that require his vote.

APPROVAL OF THE MINUTES OF DECEMBER 1, 2020

The proposed minutes of a regular County Commission meeting held December 1, 2020, were presented for consideration and approval. Commissioner Draper made a motion to approve the minutes of December 1, 2020, as corrected.

Commissioner Warnick stepped from the chair and SECONDED the motion. The voting was unanimous and the motion carried.

#### APPROVAL OF THE DECEMBER 1, 2020 BUDGET HEARING MINUTES

The proposed minutes of a county budget hearing held December 1, 2020, were presented for consideration and approval. Commissioner Draper made a motion to approve the budget hearing minutes of December 1, 2020, as presented.

Commissioner Warnick stepped from the chair and SECONDED the motion. The voting was unanimous and the motion carried.

#### FOLLOWUP ACTIONS

Commissioner Draper referred to the Pine Valley Water presentation given by Kyle Roarink at the last meeting and said that he has since been contacted by the Central Iron County Water Conservancy District who would like to present their side of this issue. It was agreed to invite them to present during a commission meeting in January.

Commissioner Warnick said that a public open house for the upgraded fairgrounds in Delta will be held on December 29, 2020 from 12:30 p.m. to 2:30 pm.

#### RATIFY THE APPROVAL OF AN UPDATED MEMORANDUM OF UNDERSTANDING (MOU) WITH THE TOWN OF OAK CITY

Attorney Finlinson said that Oak City is on the verge of finalizing the annexation, but this MOU made it possible for two property owners to begin the building process before its finalization.

Commissioner Draper made a motion to ratify the approval of an updated MOU with the town of Oak City.

Commissioner Warnick stepped from the chair and SECONDED the motion. The voting was unanimous and the motion carried.

#### RATIFY THE APPROVAL OF THE 2021 COUNTY PAY PERIOD SCHEDULE

Commissioner Draper made a motion to ratify the approval of the 2021 County Pay Period Schedule.

Commissioner Warnick stepped from the chair and SECONDED the motion. The voting was unanimous and the motion carried.

## AWARDING OF BIDS FOR PATROL TRUCKS

Sheriff Jacobson said that the bid for the Dodge Ram is consistent with what has been used in the past and is the lowest bid amount. He said that the documentary fees are included in the bid; however, he doesn't have the sum total including the chosen options.

Commissioner Draper made a motion to award the patrol truck bid to Sahara Motors for a 2021 Dodge Ram 1500 in the amount of \$32,882.50 plus specific options.

Commissioner Warnick stepped from the chair and **SECONDED** the motion. The voting was unanimous and the motion carried.

## DISCUSSION AND POSSIBLE APPROVAL OF RESOLUTION 20-12-15, A RESOLUTION OF THE BOARD OF MILLARD COUNTY COMMISSIONERS AMENDING RESOLUTION 13-01-22 (ADOPTING THE MILLARD COUNTY STEP AND GRADE SCALE) BY CREATING A NEW POSITION IN THE MILLARD COUNTY CLERK'S OFFICE FOR A FULL TIME "DEPUTY CLERK/HUMAN RESOURCE SPECIALIST" AND ADJUSTING STEP AND GRADE ASSIGNMENTS FOR DEPUTIES WITHIN COUNTY ELECTED OFFICES

Attorney Finlinson said that he has prepared a resolution based on previous conversations with the commissioners that includes changing the HR position from part-time to full-time and adjusting two lieutenants grades from 17 to 18. He said that the resolution can be easily modified to include other positions if necessary.

Clerk Rowley said that her office currently has Deputy I and Deputy II positions at a grade 8 and 10 and she said that it was discussed to request that the Commission change these positions to a grade 9 and 11. She said that another more financially sound option is to add a Deputy III position which will only impact one position in her office. She said that adding a Deputy III position at a grade 12 is what she would prefer to do. Clerk Rowley said that this will allow her to hire and keep good employees and explained the job responsibilities of the Deputy III position in her office.

Auditor Smith said that she calculated the costs of moving all Deputy I and Deputy II positions in the elected offices to 9's and 11's and the cost would be approximately \$30,662.69, including wages and benefits. She said that deputy I positions in the elected offices are one of the lowest paid positions and she thinks that their job descriptions and responsibilities warrant the same consideration for grade increases that other positions in the County have received. Auditor Smith said that it is hard to hire at an 8 for the required skills for these positions.

Auditor Smith said that adding Deputy III positions to her office and the Clerk's Office will cost approximately \$16,900.00 and explained the job responsibilities of the Deputy III position in her office. She said that the Deputy III position warrants a grade 12 on the step and grade scale. Auditor Smith said that she would appreciate the same consideration that the Commission has given to other departments in regards to position grade changes.

Commissioner Draper said that he would like to discuss this further during the next Commission meeting. Commissioner Warnick agreed and said that she would like more information before making a decision on these positions.

Clerk Rowley confirmed that the HR position is only moving from part-time to full-time and

won't be creating a Deputy III position in her office, but will result in a pay increase just by moving the position from the part-time scale to the full-time scale.

Commissioner Draper said that besides the HR position, there are two lieutenant positions that will be moving from a grade 17 to 18 included in this resolution. He said that similar to the argument brought up regarding the deputy positions in the offices, income increases need to be considered in order to encourage employees to take on more responsibilities and account for the greater duties that they acquire.

Commissioner Draper made a motion to approve Resolution 20-12-15, a resolution of the Board of County Commissioners of Millard County, Utah, amending Resolution 13-01-22 (adopting the millard county step and grade scale) by creating a new position in the Millard County Clerk's Office for a full time "Deputy Clerk/Human Resource Specialist" and adjusting step and grade assignments for deputies within county elected offices.

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

#### MONTHLY FINANCIAL REVIEW

Treasurer Dearden presented the financial reports ending in November 2020. She said that over \$23,000,000.00 was received in property tax revenue.

Auditor Smith said that the State Auditor requires that the County does a fraud risk assessment. She said that if the Commission passes a conflict of interest policy, reporting fraud and abuse policy and updates the credit card policy, it will move the County from a moderate risk to a low risk. Auditor Smith said that they will need to be passed before the end of the year in order for the County to change to a low risk.

After a brief discussion, it was decided to have a special meeting advertized for December 30, 2020 at 10:00 a.m.

#### PUBLIC HEARING FOR THE PURPOSE OF OPENING BUDGETS FOR THE 2020 YEAR. LANDFILL BUDGET AND ALL OTHER BUDGETS COULD BE CONSIDERED FOR INCREASE APPROPRIATIONS AND/OR TRANSFERS

Commissioner Draper made a motion to enter into a public hearing for the purpose of opening budgets for the 2020 year. Landfill budget and all other budgets could be considered for increase appropriations and/or transfers.

Commissioner Warnick stepped from the chair and SECONDED the motion. The voting was unanimous and the motion carried.. The public hearing began at 10:39 a.m.

Present were: Sierra Dickens, Bob Womack, Sheri Dearden, and Richard Beckstrand.

Auditor Smith listed the following items that need to be amended in the 2020 budget:

-\$18,000.00 - Risk Management - CA Litigation

- \$1,600.00 - Poor and Indigent Burial
- \$40,000.00 - Fuel Tax Other Gov - (this is a pass through)
- \$13,000.00 - Landfill payout Comp Time

There were no other comments made.

Commissioner Draper made a motion to close the public hearing.

Commissioner Warnick stepped from the chair and SECONDED the motion. The voting was unanimous and the motion carried.. The public hearing closed at approximately 10:43 a.m.

The regular meeting reconvened.

**DISCUSSION AND POSSIBLE APPROVAL OF RESOLUTION 20-12-15A, A RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS OF MILLARD COUNTY, UTAH, TRANSFERRING UNENCUMBERED OR UNEXPECTED APPROPRIATION BALANCES FROM ONE DEPARTMENT IN A FUND TO ANOTHER DEPARTMENT WITHIN THE SAME FUND**

Commissioner Warnick read the following title of the Resolution which is more precise than what was on the agenda:

Resolution 20-12-15A, A resolution of the board of county commissioners of Millard County, Utah, opening the 2020 Millard County Budget for the purpose of authorizing transfers between budget funds; and authorizing transfers between budget departments within funds or increasing budget department appropriations using unappropriated fund balances.

Commissioner Draper said that he would like to keep this open until the special meeting on December 30, 2020 and said that the landfill comp time funds needs to be approved.

Auditor Smith said that in years past, she was given permission by the Commission via resolution to transfer between departments in all funds as need to cover any unexpected or unknown overages with full disclosure once 2020 closes.

Commissioner Draper made a motion to approve Resolution 20-12-15A with specific instructions, a resolution of the Board of County Commissioners of Millard County, Utah, opening the 2020 millard county budget for the purpose of authorizing transfers between budget funds; and authorizing transfers between budget departments within funds or increasing budget department appropriations using unappropriated fund balances.

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

**PUBLIC HEARING FOR THE PURPOSE OF RECEIVING PUBLIC COMMENT ON THE MILLARD COUNTY STEP AND GRADE REGARDING POSSIBLE INCREASES TO THE SALARIES AND WAGES OF ELECTED OFFICIALS AND THEIR CHIEF DEPUTIES**

Commissioner Draper made a motion to enter into a public hearing for the purpose of

receiving public comment on the Millard County Step and Grade regarding possible increases to the salaries and wages of elected officials and their chief deputies.

Commissioner Warnick stepped from the chair and SECONDED the motion. The voting was unanimous and the motion carried.. The public hearing began at 10:48: a.m.

Present were: Sierra Dickens, Sheriff Jacobson, Richard Beckstrand, Todd Macfarlane, Bob Womack, John Andrews, and Sheri Dearden.

Commissioner Draper said that State law requires a public hearing be held when elected officials wages are changed and that is the purpose of this public hearing. He said that it is his opinion that the County should provide cost of living adjustments (COLA) to all its employee's including elected officials. He said that Chief Deputy's salaries are set at 75% of their elected officials salary so in order for the chief deputies to receive the COLA, the elected officials need the COLA increase.

There were no other comments made.

Commissioner Draper made a motion to close the public hearing.

Commissioner Warnick stepped from the chair and SECONDED the motion. The voting was unanimous and the motion carried.. The public hearing closed at approximately 10:50 a.m..

The regular meeting reconvened.

#### DISCUSSION AND POSSIBLE APPROVAL OF RESOLUTION 20-12-15B, A RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS OF MILLARD COUNTY, UTAH, INCREASING SALARY AND WAGES OF ELECTED OFFICIALS AND THEIR CHIEF DEPUTIES

Commissioner Draper said that a 3% COLA is proposed and he would like to do this for every employee of the County. The Chief Deputies salaries are set at 75% of the elected officials and therefore, if there is not an adjustment for the elected officials, then the chief deputies will not get an adjustment.

Auditor Smith said that the 3% COLA was included in the 2021 budget; however, there are some proposed changes. Auditor Smith went through the following proposed changes to the 2021 budget:

- 1- Due to COVID-19, the door security project and the fair grounds projects didn't get completed, therefore, \$33,000.00 is being held over for door security and \$10,000.00 is being held over for the fairgrounds.
- 2- The Fire District Chair would like to budget the remaining SRS funds so this would change the funds in Fund 22 in special projects to \$66,440.00.
- 3- Clerk Rowley's budget didn't account for a normal regular promotion for a deputy to move from an 8 to a 10 . This changes the Clerk's Offices wages to \$88,500.00 and benefits to

\$60,700.00.

4- \$6,700.00 reduction in Fund 10 for designated projects.

5- Fund 21 is a passthrough but there hasn't been enough in there in the past, so she would like a \$50,000.00 increase in this fund.

6- The Treasurer would like to move to at least \$2,400.00 for her telephone bill.

Commissioner Warnick said that she was hoping for a 2% COLA but Commissioners Draper and Jackson agreed on a 3% increase during the budget hearing.

Commissioner Draper made a motion to approve Resolution 20-12-15B, a resolution of the Board of County Commissioners of Millard County, Utah, increasing salary and wages of elected officials and their chief deputies by 3%.

Commissioner Jackson SECONDED the motion. Clerk Rowley called for a roll call vote. Commissioner Jackson voted YES. Commissioner Draper voted YES. Commissioner Warnick voted NO. The voting passed by a majority vote.

DISCUSSION AND POSSIBLE APPROVAL OF RESOLUTION 20-12-15C, A RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS OF MILLARD COUNTY, UTAH, AUTHORIZING THE SUBMISSION OF AN APPLICATION TO THE GOVERNOR'S OFFICE OF ECONOMIC DEVELOPMENT (GOED) TO BE DESIGNATED AS AN ENTERPRISE ZONE

Commissioner Draper said that this resolution is necessary in order to establish an enterprise zone in the County which results in businesses possibly receiving State and Federal funds. He said that this enterprise zone will remain in place for the next two years and enable local businesses to grow.

Commissioner Draper made a motion to approve Resolution 20-12-15C, a resolution of the Board of County Commissioners of Millard County, Utah, authorizing the submission of an application to the Governor's Office of Economic Development (GOED) to be designated as an enterprise zone.

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

PUBLIC HEARING FOR THE PURPOSE OF RECEIVING PUBLIC COMMENT ON APPLICATION #Z-2020-044 TO AMEND CONDITIONAL USE PERMIT #Z-2017-033 TO MODIFY THE PERMIT BOUNDARY, ALLOW FOR ADDITIONAL STORAGE CAVERNS AND CONSTRUCTION OF ADDITIONAL PONDS, PERMIT ONSITE PRODUCTION OF HYDROGEN, AND OTHER FACILITY CHANGES AND ADDITIONS ON PROPERTY LOCATED APPROXIMATELY 11 MILES NORTH OF DELTA. MAGNUM CAES, LLC, APPLICANT

Commissioner Draper made a motion to enter into a public hearing for the purpose of receiving public comment on Application #Z-2020-044 to amend conditional use permit (CUP)

#Z-2017-033 to modify the permit boundary, allow for additional storage caverns and construction of additional ponds, permit onsite production of hydrogen, and other facility changes and additions on property located approximately 11 miles north of Delta. Magnum CAES, LLC, Applicant.

Commissioner Warnick stepped from the chair and SECONDED the motion. The voting was unanimous and the motion carried.. The public hearing began at 11:03 a.m..

Present were: Sheriff Jacobson, Richard Beckstrand, Bob Womack, John Andrews, Tiffany James, Sierra Dickens, Todd Macfarlane, Adam Richins, and Sheri Dearden.

John Andrews and Tiffany James gave a presentation on the CUP which was originally approved for the CAES project several years ago. Mr. Andrews said that the project has changed since it was approved a few years ago and the focus has changed to the creation and storage of green hydrogen.

Planner Richins said that the proposed conditions were made at the request of staff as market and business interests change. He said that rather than having a lot of minor changes within a permit that they build a scope or range that they could stay within. He said that if approved it is a CUP granted with specific conditions and requirements and the Commission has the ability to intervene and modify this at any time.

Planner Richins said that the Planning and Zoning Commission had initial reservations but after more review, gave a favorable recommendation. Planner Richins read conditions 29-36 into the record.

There were no other comments made.

Commissioner Draper made a motion to close the public hearing.

Commissioner Warnick stepped from the chair and SECONDED the motion. The voting was unanimous and the motion carried.. The public hearing closed at approximately 11:33 a.m..

The regular meeting reconvened.

DISCUSSION AND POSSIBLE APPROVAL OF A C-2 CONDITIONAL USE PERMIT APPLICATION #Z-2020-044 TO AMEND CONDITIONAL USE PERMIT #Z-2017-033 TO MODIFY THE PERMIT BOUNDARY, ALLOW FOR ADDITIONAL STORAGE CAVERNS AND CONSTRUCTION OF ADDITIONAL PONDS, PERMIT ONSITE PRODUCTION OF HYDROGEN, AND OTHER FACILITY CHANGES AND ADDITIONS. MAGNUM CAES, LLC, APPLICANT

Commissioner Draper referred to the brine pond asked how close it is to the right-of-way. A brief discussion was had on the anticipated expansion of Jones Road and the impact it would have on their operations. Ms. James said that this can certainly be looked into and they could schedule a planning meeting to look at a possible expansion.

Commissioner Draper said that getting together and adding an expansion plan with consideration on the road is beneficial.



Commissioner Draper asked if the Commission would be notified if other products were stored in the caverns. Ms. James said that there is a requirement that the agencies know what product is in the caverns and they would contact Planner Richins if the product was anything other than hydrogen, CAES and Helium in this project.

Ms. James briefly went over their construction time line.

Commissioner Draper asked if the business would be hurt if a municipality pulled their water. Ms. James said it would not present a hardship at this time and they have enough water for contingency.

Commissioner Draper requested an annual report to this body, as well as, an annual tour on site be added to the conditions.

Commissioner Draper made a motion to approve CUP Application #Z-2020-044 to amend CUP #Z-2017-033 to modify the permit boundary, allow for additional storage caverns and construction of additional ponds, permit onsite production of hydrogen, and other facility changes and additions on property located approximately 11 miles north of Delta. Magnum CAES, LLC, Applicant.

Commissioner Warnick stepped from the chair and SECONDED the motion. The voting was unanimous and the motion carried.

#### DISCUSSION AND POSSIBLE ADOPTION OF ORDINANCE 20-12-15, AN ORDINANCE AMENDING AND RESTATING THE MILLARD COUNTY PROCUREMENT CODE, ADOPTED BY ORDINANCE 19-03-19

Attorney Finlinson said that he has continued to receive productive input but it is not prepared and ready for approval today. It was decided to move this to the first commission meeting in January.

#### DISCUSSION AND POSSIBLE APPROVAL OF RESOLUTION 20-12-15D, A RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS OF MILLARD COUNTY, UTAH, ADOPTING THE FINAL BUDGET FOR MILLARD COUNTY FOR FISCAL YEAR 2021

Auditor Smith said that she changed the budget to reflect the items that she disclosed previously and briefly explained those again. She said that the net effect to general fund was \$150.00 for a 2021 budget total of \$26,442,360.00.

Commissioner Draper made a motion to approve Resolution 20-12-15D, a resolution of the Board of County Commissioners of Millard County, Utah, adopting the final budget for Millard County for fiscal year 2021.

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

#### DISCUSSION AND POSSIBLE APPROVAL OF APPLICATION # Z-2020-046 FOR PLAT H, PHASE 4, SUNSET VIEW ESTATES SUBDIVISION. SDSC ENTERPRISES, APPLICANT

Planner Richins said that this is the Golf Course Subdivision in Delta. He said additional lots have already been pre-approved, but the entirety of the subdivision has not been completed and as more pre-approved lots have been developed, the plat is updated and the updated plat requires Commission approval. The commissioners reviewed the map.

Commissioner Draper made a motion to approve Application #Z-2020-046 for Plat H, Phase 4, Sunset View Estates Subdivision. SDSC Enterprises, Applicant.

Commissioner Warnick stepped from the chair and SECONDED the motion. The voting was unanimous and the motion carried.

#### PUBLIC INPUT

There was none.

#### OTHER BUSINESS

Brooks Jackson, West Recreation Supervisor, said that the Central Utah Counseling's addiction recovery group usually meets at an LDS meeting house but has been unable to use the building due to COVID-19. He said that they are requesting to use the room at the county building in Delta. He said that they are also requesting that the fees for their use of the building be waived.

Commissioner Draper made a motion to allow Central Utah Counseling's AA Group to utilize the county recreation building in Delta and waive the fees until their regular meeting place becomes available.

Commissioner Warnick stepped from the chair and SECONDED the motion. The voting was unanimous and the motion carried.

Commissioner Draper said that Millard County received a letter from Traditions Healthcare regarding the dining room expansion at the Millard Care and Rehabilitation building. He said that the letter states that Traditions Healthcare will pay any expenses that go over the \$500,000.00 in CIB funds up to \$100,000.00.

#### PLANNING AND ZONING COMMISSIONER CANDIDATE INTERVIEWS

The Commission interviewed the following individuals:

- Demar Iverson
- Erin Sorenson
- Stetson Henry
- Bob Womack
- Michael Allen Ferrell
- Peter Greathouse
- Bob Rogers

Commissioner Warnick paused the meeting for a 5 minute recess.

#### DISCUSSION AND POSSIBLE APPOINTMENTS TO VARIOUS COUNTY BOARDS

Commissioner Draper made a motion to appoint Leon Lewis to the Hinckley Deseret Cemetery Board.

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

Commissioner Draper said that the Special Service District #8 voted to change their bylaws in order to stagger the board member's terms of service. He said that Darrin Smith, Randy Coats, and Brent Tolbert's terms will expire on 12/31/2022 and Gordan Chatland and Melissa Wither's terms expire on December 31, 2024.

#### 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

There was none.

#### AUDITOR REPORT

Auditor Smith gave the following reports:

AP Check Registers:

12/04/2020 - \$352,512.02

12/10/2020 - \$272,113.96

Payroll Check Register:

12/4/2020 - \$173,744.52

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

Commissioner Draper made a motion to enter into a BOE.

Commissioner Warnick stepped from the chair and SECONDED the motion. The voting was unanimous and the motion carried. The BOE began at 2:00 p.m.

Greg Mascaro said that he bought two parcels in May of 2020 which he was told were both

in greenbelt and no taxes were due at the time of purchase. He said that after purchasing, the Treasurer sent a tax due notice in the amount of \$3,176.00 in roll back taxes. He said that he is respectfully requesting that the properties be taxed as greenbelt for 2020 because the Assessor never recorded a withdrawal of greenbelt status.

Assessor Manis gave a brief time line of these parcels. He said the problem is that it was filed after the lein date and now the Commission needs to approve or disapprove putting the parcels back to greenbelt for the 2020 tax year.

Treasurer Dearden said that once the notice is made to the property tax payer, the payer has a certain amount of days to answer the notice. She said that it was the previous owner who decided not to answer the notice. Treasurer Dearden showed 2019 copies of the parcel and said that she didn't know why the title company did not see that. She said that she believes the title insurance should cover this discrepancy and that these are not required to be recorded until the lein is paid.

A brief discussion was had on the code. Commissioner Draper said that he believes that this is a title company error and that avenue should be explored. He said that he would like an attorney's opinion on this issue before making a decision. It was decided to bring this back to a future meeting.

Commissioner Draper made a motion to go out of BOE.

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

The BOE closed at 2:20 p.m..

#### 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 2:50 p.m.

Attest: \_\_\_\_\_

Approved: \_\_\_\_\_