

MINUTES OF BOARD OF COUNTY COMMISSIONERS
MILLARD COUNTY THE 16th DAY OF FEBRUARY 2021
AT THE COURTHOUSE, FILLMORE, UTAH

PRESENT: Dean Draper.....Chairperson
Bill Wright..... Commissioner
Evelyn Warnick..... Commissioner

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

EXCUSED: Marki Rowley..... County Clerk

ALSO PRESENT: Richard Jacobson..... County Sheriff
Bonnie Smith..... County Auditor
Sheri Dearden..... County Treasurer
Kevin Morris..... County West Maintenance Supervisor
Brooks Jackson..... West Recreation Supervisor
Kalan Taylor..... USU Extension
Richard Anderson and
Nathan Strait Central..... Utah Counseling Center
Kevin Bunnell, Phil Tuttle, Kendall Bagley,
and Stetson West..... Utah Division of Wildlife
Tyler Timmons, Zach Leavitt,
and Travis Kyhl..... Six Counties Association of Government
Elizabeth Jordan, Brandon Stephenson, and Blake Campbell..... 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 Draper to the public and Commission members.

OPENING STATEMENTS

Commissioner Draper asked if anyone had an opening statement to give. Commissioner Draper read the following quote from John Locke, “To this end it is that men give up all their natural power to the society which they enter into, and the community put the legislative power into such

hands as they think fit, with this trust, that they shall be governed by declared laws, or else their peace, quiet, and property will still be at the same uncertainty, as it was in the state of nature”.

Commissioner Draper said that after the Commission became aware of technical issues during the public hearing portion of the last commission meeting, it became apparent that it wasn't appropriate to move forward on the zoning issue. He said that another public hearing will be advertized and the public will be able to participate at a future date. Commissioner Draper said the invocation. Everyone stood and said the Pledge of Allegiance to the Flag.

APPROVAL OF THE MINUTES OF FEBRUARY 2, 2021

The proposed minutes of a regular County Commission meeting held February 2, 2021 were presented for consideration and approval. Commissioner Wright made a motion to approve the minutes of February 2, 2021, as corrected.

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

FOLLOW UP ACTION ITEMS FROM FEBRUARY 2, 2021

There were none.

DISCUSSION AND POSSIBLE APPROVAL OF MOVING THE REGULAR SCHEDULED COMMISSION MEETING FROM MARCH 9, 2021 TO TUESDAY, MARCH 2, 2021

Commissioner Draper said that the Annual Conference with the National Association of Counties in Washington D.C. is being held remotely this year and the Commission will now be able to hold the commission meeting on March 2, 2021.

Commissioner Wright made a motion to approve moving the regular scheduled Commission Meeting from March 9, 2021 to Tuesday, March 2, 2021.

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

DISCUSSION AND POSSIBLE APPROVAL OF WAIVING THE FEE FOR USE OF THE FAIR BUILDING FOR THE DELTA HIGH WRESTLING TEAM

Recreation Supervisor Jackson said that the Delta High Wrestling Team is requesting to use the Fair Building for their annual Hall of Fame Banquet/Fundraiser. He said that they anticipate between 100 and 150 to attend and explained how they will comply with the Covid-19 guidelines.

Commissioner Draper asked why they can't use a school building. Supervisor Jackson said that the Fair Building's size allows them to hold a fundraiser/auction while the participants eat dinner. Commissioner Warnick said that this has been held at the fair building in the past.

Supervisor Jackson said that the wrestling team will clean up and take care of everything except setting up the stage. He said that the event will be held on March 5, 2021.

Commissioner Warnick said that the School District helps the County with some of its programs and she is in favor of this.

Commissioner Warnick made a motion to approve waiving the fee for use of the Fair Building by the Delta Wrestling Team.

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

DISCUSSION AND POSSIBLE APPROVAL OF A BUSINESS LICENSE FOR B&M ELECTRIC - OWNER, BEN MCDONALD

A business license application was presented for B&M Electric, Owner - Ben McDonald, an electrical company. After review of the application and finding all signatures in order, Commissioner Wright made a motion to approve a business license for B&M Electric, Owner - Ben McDonald.

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

PILT PAYMENT FROM DIVISION OF WILDLIFE (DWR) - KEVIN BUNNELL

Kevin Bunnell, DWR, introduced himself, Stetson West, Phil Tuttle and Kendall Bagley.

Stetson West said that he looks forward to continuing to work with Millard County as the DWR Officer. Sheriff Jacobson commended Officer West on his work and said that he has been great to work with.

Phil Tuttle and Kendall Bagley introduced themselves and explained the work that they do within the DWR. Mr. Bagley briefly explained a few projects they are working on including a road project that they will be paying the Millard County Road Department to complete.

Mr. Bunnell said that Millard County receives the largest Payment in Lieu of Taxes (PILT) payment out of those that they deliver. He said that they appreciate the cooperative relationship they have with Millard County. Commissioner Draper said that the amount of the PILT payment is approximately \$9,307.25.

REPORT ON CENTRAL UTAH COUNSELING'S INDEPENDENT AUDIT - NATHAN STRAIGHT AND RICHARD ANDERSON

Nathan Strait introduced himself and Richard Anderson who presented the independent audit which found that Central Utah Counseling Center complied in all material respects, with the State compliance requirements for the year ending on June 30, 2020.

Mr. Strait went over some remodeling projects that they have began in several counties and then briefly went over some senate bills that may impact their programs if passed.

DISCUSSION WITH SIX COUNTY ASSOCIATION OF GOVERNMENT - TYLER TIMMONS, ZACH LEAVITT, AND TRAVIS KYHL

Mr. Kyhl said that there have been some changes to the Community Impact Board (CIB) process. He said that the CIB list is now due May 1, 2021 rather than April 1, 2021 and the list can no longer be amended after it is approved. Mr. Kyhl said that they will be setting up meetings with each municipality and he will let the commissioners know when those are if they want to attend.

Commissioner Draper asked how tight CIB funding is this year. Mr. Leavitt said that it is a little different but there are still available funds.

Commissioner Wright asked where the funds initiate from. Mr. Leavitt said that the majority of CIB funds come from federal mineral lease permits including coal, oil, and natural gas.

DISCUSSION REGARDING A CUSTOM ADDRESS NAME FOR A ROAD IN THE COVE FORT AREA, RATHER THAN A GRID SYSTEM ADDRESS- BLAKE CAMPBELL PETITIONER

Mr. Campbell said that he appreciates the accessibility of the Commission and said that he has an RV park located by Cove Fort where they plan to put tiny houses and some vacation rentals to bring affordable housing and tourism into that area. He said that the road is currently labeled by a number and doesn't have a name. He is requesting that the road be named "This is the Way".

Commissioner Draper said that there are grids that start in Fillmore and in Delta. The reason the grid system is there is to help with emergencies and law enforcement issues. He said that this wouldn't be the first time that a number would be changed to a name.

Attorney Finlinson said that if this is approved it will require a public hearing because it changes the general plan. It was decided to have a public hearing regarding this issue during the next commission meeting being held on March 2, 2021.

AWARDING OF THE POOL RESURFACING RFPS

Supervisor Morris said that while reviewing the proposals, a question arose about the type of service that they currently have and whether some of the pool resurfacing may be covered under a warranty. He said that they are looking into this before making a decision on the RFPS.

Commissioner Wright made a motion to postpone consideration on this item to the April 6, 2021 commission meeting.

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

DISCUSSION AND POSSIBLE APPROVAL OF DESIGNATING A HOME BASE FOR A COUNTY VEHICLE - KALAN TAYLOR

Auditor Smith said that she asked the County's independent auditor about this issue who said that there can be exceptions if it is beneficial to the County and since Mr. Taylor reports to two offices this can be done with no benefit tax as long as the Commission approves it.

It was decided to put this item on the next commission meeting as a resolution.

CONSIDERATION AND POSSIBLE APPROVAL OF THE DISPOSAL OF EVIDENCE BY THE SHERIFF'S OFFICE

Attorney Finlinson presented a list of guns that have been gathered as evidence. He said that most evidence is disposed of by destructive means. However, if the items can be of use the legislative body can approve exchanging it or selling it. Attorney Finlinson said that the Commission has approved offering these to dealers in exchange for ammunition in the past.

Auditor Smith said that this needs to be reflected in the budget.

Sheriff Jacobson said that it may be good to explore what other things may be acquired because there is a shortage of ammunition in the Country. He said that perhaps there could be a payment received for the evidence so that they can look elsewhere for ammunition.

Auditor Smith said that this can be done, but will definitely need to be budgeted.

Sheriff Jacobson explained the process the evidence goes through before being put on this list.

Commissioner Warnick made a motion to approve the conversion of the seized evidence for agency use by the Sheriff's Office.

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

DISCUSSION REGARDING THE STEP AND GRADE SCALE

Deputy Clerk Hair presented findings for the compensation programs used by other counties and said that she thinks it is important to discuss specific issues within the County's current step and grade scale to ensure that those issues are remedied with whatever process the Commission decides to proceed with.

Auditor Smith explained the TechNet system created by Mike Swallow and why the County decided to move away from it in the past.

Commissioner Draper said that when the last study was done, there were some complications that arose after some positions' pay was froze and asked about the weighting of categories of employment.

Deputy Clerk Hair said that part of the weighting of categories was decided through employee surveys where the employees choose the factors that are most valuable to them. Auditor Smith said that each employee was told that they would have input and were interviewed.

Commissioner Wright said that he believes that an internal process of updating job descriptions done by Deputy Hair will give the County a good start on the process.

Commissioner Draper agreed that expediting the update of all job descriptions is a good basis and asked Deputy Hair the time frame that she thinks it could be completed.

After a brief conversation, it was decided that August 1, 2021 will be the deadline to have all job descriptions for the County updated.

MONTHLY FINANCIAL REVIEW

Treasurer Dearden presented the reports ending in January 2021.

PUBLIC INPUT

Elizabeth Jordan asked a few questions regarding the CIB program. Attorney Finlinson explained what the program entails. Commissioner Wright explained where the funds come from.

OTHER BUSINESS

There was none.

DISCUSSION AND POSSIBLE APPOINTMENTS TO VARIOUS COUNTY BOARDS

There was none.

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

Treasurer Dearden presented two applications:

1- Scott Nickle, Parcel #H2102; Account #0097163. A brief discussion was had on Mr. Nickle's acquisition of the property and the Commission's options.

Commissioner Warnick made a motion to abate \$2,158.09 of Scott Nickle's property taxes owed to the County.

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

2- Hinckley/Deseret Gems and Minerals, Parcel # ZZZ-380; Account #0193598. A brief discussion was had on the 2019 State assessment and their 2020 exemption status.

Commissioner Warnick made a motion to abate Hinckley/Deseret Gems and Minerals property taxes by 100% because they are under the exemption amount..

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

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

There was none.

AUDITOR REPORT

Auditor Smith presented the following reports:

A/P Check Registers:

02/05/2021 - \$110,500.55
02/05/2021 - \$110,370.00 Draft to Ritchie Bros.
02/12/2021 - \$60,087.21

Payroll Check Register:

02/12/2021 - \$174,634.47

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

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

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

After the closed executive session the regular meeting reconvened at 12:21 p.m.

WHERE UPON THE MEETING ADJOURNED

Commissioner Draper adjourned the meeting at 12:22 p.m.

Attest: _____

Approved: _____