

MINUTES OF BOARD OF COUNTY COMMISSIONERS  
MILLARD COUNTY THE 6<sup>th</sup> DAY OF APRIL 2021  
AT THE COURTHOUSE, FILLMORE, UTAH

- PRESENT: Bill Wright..... Commissioner  
Evelyn Warnick..... Commissioner
- Pat Finlinson..... County Attorney  
Marki Rowley..... County Clerk  
Jamie Hair..... Deputy Clerk
- EXCUSED: Dean Draper.....Chairperson
- ALSO PRESENT: Adam Richins..... County Planner  
Bonnie Smith, Lynette Madsen, and Karen Jordan..... Auditor’s Office  
Brandon Winget..... Road Supervisor  
Richard Beckstrand..... IT Supervisor  
Eva Timothy..... USU Extension  
Rick Bublitz..... East Maintenance Supervisor  
Brooks Jackson..... East Recreation Supervisor  
Chris Carlson..... EnviroTech Services  
Russ Finlinson..... Leaminton Town  
Kevin Orton..... Fillmore City  
Rod Dastrup and Tina Stevens..... Holden Town  
Dent Kirkland..... Delta City  
Tracy Whatcott..... Citizen

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 Wright to the public and Commission members.

OPENING STATEMENTS

Commissioner Wright excused Commissioner Draper. Richard Beckstrand said the invocation. Everyone stood and said the Pledge of Allegiance to the Flag.

## APPROVAL OF THE MINUTES OF MARCH 23, 2021

The proposed minutes of a regular County Commission meeting held March 23, 2021 were presented for consideration and approval. Commissioner Warnick made a motion to approve the minutes of March 23, 2021, as corrected.

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

## FOLLOW UP ACTION ITEMS FROM MARCH 23, 2021

There were none.

## DISCUSSION AND POSSIBLE APPROVAL OF THE ANNUAL STATE COURT CONTRACT

Clerk Rowley presented the annual State Court Contract. She said that no changes were made other than an increase in favor of the County.

Commissioner Warnick made a motion to approve the annual State Court Contract.

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

## DISCUSSION AND POSSIBLE APPROVAL OF BUSINESS LICENSE FOR DELTA RIVER LODGE, OWNER - ELEND LEBARON

A business license application was presented for Delta River Lodge, Owner - Elend Lebaron, a vacation rental business. After review of the application and finding all signatures in order, Commissioner Warnick made a motion to approve a business license for, Delta River Lodge, Owner - Elend Lebaron.

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

## AWARDING OF THE POOL RESURFACING RPFs

Rick Bublitz and Brooks Jackson explained the five bids received and said that they want to go with Deep Blue. Mr. Bublitz said that Deep Blue is the lowest cost and has the best value based on the references that they contacted. Attorney Finlinson said that he can prepare a contract that includes a completion date. \*\*\*NEED CONTRACT\*\*\*

Supervisor Bublitz asked about the money allocated for this project and asked if they can use the remaining funds that were budgeted to fix the pool drains. Commissioner Wright said that this can be looked into.

Later, Chief Deputy Madsen said that \$150,000.00 was budgeted for the pool replastering project and an additional \$5,000.00 was budgeted for the pool drains.

Commissioner Warnick made a motion to award the pool resurfacing RFP to Deep Blue.

Commissioner Wright stepped from the chair and SECONDED the motion. The voting was

unanimous and the motion carried.

#### AWARDING OF THE MAGNESIUM CHLORIDE BIDS

Supervisor Winget went over the two bids that were received and said that EnviroTech was the lowest bid. He explained how the Mag Chloride is stored at the Delta Shop and how it is distributed. He said that this amount will cover as much road as they covered last year. He said that the price keeps going up every year and they haven't been able to cover as many roads as they used to.

Commissioner Warnick made a motion to award the magnesium chloride bid to EnviroTech.

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

#### DISCUSSION AND POSSIBLE APPOINTMENT OF A PRO TEMPORE JUSTICE COURT JUDGE

Attorney Finlinson said that Judge Haveron retired on April 1, 2021 and the County is in the process of officially replacing her. He said that appointing a temporary judge is necessary until an official appointment is made. Attorney Finlinson said that they are proposing to temporarily appoint Judge Cyndee Probert as the Pro Tempore Justice Court Judge. He said that Judge Probert stepped in and handled yesterday's scheduled Justice Court calendar and is currently Juab County's Pro Tempore Justice Court judge as well. Attorney Finlinson said that she will invoice the County for her services.

Commissioner Warnick made a motion to appoint Judge Cyndee Probert as the Pro Tempore Justice Court Judge.

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

#### DISCUSSION REGARDING USU EXTENSION POSITIONS

Eva Timothy, USU Extension said that they have had a part-time 4-H Livestock Coordinator position open for at least eight months and Kalan Taylor has had to take on this additional livestock responsibility. She said that a resolution to this issue and others, is to propose that the Commission consider combining one part-time 4H coordinator position with the open livestock position and turn them into one full-time position. She said that this position could be ran through USU because they can provide benefits at a lower cost. She said that USU will invoice the County similarly to what they already do. Ms. Timothy said that there are funds in their budget to hire a staff assistant, as well as, fund this possible full-time coordinator position. She said that this will hopefully lower the turnover rate in their department.

Auditor Smith said that she doesn't see a problem with this, but asked if this position would follow the step and grade schedule because there have been problems in the past. Ms. Timothy said that she would like to follow the step and grade schedule and that USU will follow the County's lead

for wage and cost of living increases.

#### DISCUSSION AND POSSIBLE APPROVAL OF THE 2021 CIB LIST- TYLER TIMMONS

Tyler Timmons presented the Local Capital Improvement list for 2021. He said that no matter where the municipalities fall on the list, they can still request funding. He said that the list cannot be amended after it is approved.

Russ Finlinson, Leamington Mayor, explained their maintenance storage building project that they want to build in order to house products and preserve their tractors and other equipment.

Rod Dastrup, Holden Town Public Works, explained their water system improvement project. He said that they want to drill a well to help to shore up their water system. Mr. Dastrup said that they have had a shortage of water from the town's springs in recent years and they anticipate that this will get worse as Holden grows. He said that they want to make sure there is an adequate water supply in the future.

Kevin Orton, Fillmore City, said that they are requesting CIB funds to construct a new Fire Station because the current one is aging. He said that Fillmore City has general fund reserves that can be put towards this project as well.

Dent Kirkland, Delta City Public Works, said that they have two items on the list. He said that the first project is regarding sewer improvements which is the higher priority and the second deals with their aging water system.

Commissioner Wright asked Mr. Timmons what funds he anticipates will be received by the municipalities. Mr. Timmons said that there is hold on mineral leases in the State and they are hoping that the funds will grow because of the demand. He said that the amount varies each year and last year CIB provided approximately \$24,000,000.00 in loans and grants. Mr. Timmons briefly explained some decisions the CIB board has made in the past.

It was decided to put this on the next agenda for approval when all three commissioners are present.

#### DISCUSSION REGARDING GRAVELING THE 100 E PINE CREEK CEDARS ROAD - TRACY WHATCOTT

Tracy Whatcott said that the Pine Creek Cedars Road which is south of Fillmore needs gravel. He said that they have widened portions of it themselves in the past and got approval from all landowners except one who doesn't want any improvements. He said that this is a safety issue and the fire department wouldn't fight the fire in the area in 2019 due to the road not being wide enough.

Attorney Finlinson said that he was contacted by one landowner along the road in the past who didn't want any improvements. He explained that the County has to maintain Class B roads but only has to preserve the easement for Class D roads.

Supervisor Winget said that it is claimed as a Class B road and the Road Department has been maintaining it.

Attorney Finlinson said that he thinks it is a Class D road after a certain point. He said that the County can't widen a Class D road easement.

It was discussed that gravel can be put on both Class B and Class D roads. Supervisor Winget

said that this area is a problem for fire fighters and other crews. He said that he won't send his crew up in that area during a fire because it is too dangerous and too hard to get out of there.

Supervisor Winget said that they have the gravel in the budget and the time to do it.

A discussion was had on Class B and D roads and how they were created and formalized on the Transportation Map.

Commissioner Wright said that they will look into this road and consider it at the next commission meeting.

## PUBLIC INPUT

There was none.

## OTHER BUSINESS

Clerk Rowley said that the County received seven recreation waivers through the Intergenerational Poverty program for the month of March totaling \$255.00.

## 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 informed the Commission that Kanosh will be contracting with the County for the 2021 municipal election year.

## AUDITOR REPORT

Chief Deputy Madsen presented the following:

### Payroll

03/26/21 - \$424,070.01

### A/P

03-26-21 - \$140,510.04

03-26-21 - \$15,762.13 Zions Bankcard Draft

04-02-21 - \$83,763.95

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

Commissioner Warnick made a motion to enter into a BOE.

Commissioner Wright stepped from the chair and SECONDED the motion. The voting was unanimous and the motion carried. The BOE began at 11:14 a.m.

Attorney Finlinson said that he was given property tax exempt list that was presented last meeting. He said that there was a question on the one McCornick property that was a cemetery and still has one burial. He said that after further analysis, he thinks it would be prudent to leave it on the list as is.

Deputy Auditor Jordan said that these exempt properties were presented last meeting and there were three that looked incorrect. She said that they looked into those three properties and have removed the Scott Lemon property, but are recommending to leave the McCornick cemetery property and the property owned by a disabled veteran on the exemption list.

Commissioner Warnick made a motion to approve the property exemption list.

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

Commissioner Warnick made a motion to close the BOE.

Commissioner Wright stepped from the chair and SECONDED the motion. The voting was unanimous and the motion carried. The BOE closed at 11:20 a.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 Wright adjourned the meeting at 11:21 a.m.

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

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