

MINUTES OF BOARD OF COUNTY COMMISSIONERS
MILLARD COUNTY THE 19th DAY OF OCTOBER 2021
AT THE COURTHOUSE, FILLMORE, UTAH

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

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

ALSO PRESENT: Sierra Dickens..... County Recorder
Sheri Dearden..... County Treasurer
Bonnie Smith..... County Auditor
Richard Jacobson..... County Sheriff
Adam Richins..... County Planner
Bryant and Clayton Anderson..... Commercial Business Radio
Kevin Eardley..... Propane Equipment and Supply
Kevin Peng, Jon Finlinson, Greg Huynh..... LADWP
Matt Ward..... Chronicle Progress
Dennis Alldredge..... Fillmore City

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 Wright said the invocation. Everyone stood and said the Pledge of Allegiance to the Flag.

APPROVAL OF THE MINUTES OF OCTOBER 12, 2021

The proposed minutes of a regular County Commission meeting held October 12, 2021 were presented for consideration and approval. Commissioner Wright made a motion to approve the

minutes of October 12, 2021, as corrected.

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

FOLLOW UP ACTION ITEMS FROM OCTOBER 12, 2021

There were none.

MONTHLY FINANCIAL REVIEW

Treasurer Dearden presented the financial reports ending in September 2021 and went over items on the Override Report.

DISCUSSION AND POSSIBLE RENEWAL OF CONTRACTS WITH COMMERCIAL BUSINESS RADIO FOR TV AND RADIO MAINTENANCE - BRYANT ANDERSON

Mr. Bryant Anderson presented the past agreement for television maintenance and a services cost summary for their radio services. He said that they would like to renew the radio and television contracts for 2022.

Mr. Clayton Anderson briefly explained how they could install a dedicated connection that would provide reliable internet to Oak City. He said that they estimate the monthly cost would be approximately \$200.00.

Commissioner Warnick said that she asked Mr. Clayton to explain this because she feels like this would benefit residents.

Mr. Clayton Anderson confirmed that this proposed fast internet connection doesn't change the contracts that have been proposed today and he doesn't foresee it changing the budget. Auditor Smith said a new line item could be created for this.

Commissioner Warnick made a motion to renew the Television and Radio Maintenance Contracts with Commercial Business Radio.

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

DISCUSSION AND POSSIBLE APPROVAL OF RESOLUTION 21-10-19, A RESOLUTION OF THE MILLARD COUNTY COMMISSION CREATING A RETENTION SCHEDULE FOR COUNTY EMAIL AND TEXTS

This item was stricken.

AWARDING OF THE WAGE COMPENSATION RFP

Commissioner Draper said that he believes Paypoint HR offers the best value for cost due to the initial research Paypoint HR included in their proposal, the proper tools that they will provide,

and their continued support. Commissioners Warnick and Wright agreed. Auditor Smith said that special projects has some funds available that could go toward this project.

Commissioner Warnick made a motion to award the compensation RFP to Paypoint HR.

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

DISCUSSION AND POSSIBLE ADOPTION OF MILLARD COUNTY'S 2022 TENTATIVE BUDGET

Auditor Smith presented the tentative budget. She said that the tentative budget has to be adopted by November 1, 2021 by statute and the tentative total is \$26,574,782.00. She said that the public budget hearing will be held December 7, 2021 at 6:00 p.m. Auditor Smith said that copies of the tentative budget can be found on the County website, in the Auditor's Office, and the Delta Office.

Commissioner Draper said that he would like to propose a 3.0% cost of living increase (COLA) for employees and asked Commissioners Wright and Warnick for their input on this.

Commissioners Wright said that he would support it since the wage compensation study has not been completed and updated.

Commissioner Warnick said that increases to the budget concern her, but she feels like this needs to be considered this year.

Commissioner Draper said that a 3% increase would add approximately \$797,234.46 to the tentative budget. He said that current inflation is approximately 15.0% and the Commission would like to see this 3.0% COLA increase for employees included in the tentative budget.

Commissioner Wright made a motion to approve Millard County's 2022 tentative budget including the 3.0% COLA.

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

DISCUSSION AND POSSIBLE APPROVAL OF RESOLUTION 21-10-19A, A RESOLUTION OF THE MILLARD COUNTY COMMISSION AMENDING RESOLUTION 20-06-02A; THE URS EMPLOYER PICK-UP ELECTION FOR TIER 2 PUBLIC SAFETY EMPLOYEES; PRELIMINARY INCREASE EFFECTIVE 07/01/2022 (CURRENTLY 2.27% - INCREASE 2.59%)

Auditor Smith said that the Commission has covered the pick-up election for Tier 2 public safety employees in the past and if the Commission chooses to continue paying it, the cost is increasing on July 1, 2022 from 2.27% to 2.59%.

Commissioner Wright made a motion to approve Resolution 21-10-19A, a resolution of the Board of County Commissioners of Millard County, Utah, amending Resolution 20-06-02A; the URS employer pick-up election for Tier 2 public safety employees; preliminary increase effective 07/01/2022 (currently 2.27% - increase 2.59%)

Commissioner Warnick SECONDED the motion. Clerk Rowley called for a roll call vote. Commissioner Warnick voted YES. Commissioner Draper voted YES. Commissioner Wright voted YES. The voting was unanimous and the motion carried.

DISCUSSION AND POSSIBLE APPROVAL C-2 CONDITIONAL USE PERMIT APPLICATION #Z-2021-048 TO CONSTRUCT AND OPERATE BULK PROPANE STORAGE AT APPROXIMATELY 25 W 1000 N DELTA. VALLEY AGRONOMICS, APPLICANT

Kevin Eardley, Propane Equipment and Supply, said that he is representing Valley Agronomics and they are proposing to place a 30,000 gallon propane tank at their location in Delta to use for off-site storage. He said that they will store and deliver propane to residential and commercial customers.

Planner Richins said that this received a favorable recommendation from the Planning and Zoning Commission subject to some conditions. Planner Richins read the proposed conditions into the record.

Commissioner Wright made a motion to approve the C-2 Conditional Use Permit Application #Z-2021-048 to construct and operate bulk propane storage with the discussed conditions located at approximately 25 W 1000 N Delta. Valley Agronomics, applicant.

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

PUBLIC INPUT

There was none.

OTHER BUSINESS

Commissioner Draper read a letter addressed to the Millard County Commission from Beaver County Commissioner Pearson regarding grazing on federal lands. The letter introduced Scott Stubbs with the Public Land Counsel and requested funds from each county that will be used as they work to find possible solutions.

Commissioner Draper said that he would like to support the lobbying efforts towards this up to \$2,000.00.

Commissioner Wright said that this is similar to other issues that greatly impact small rural counties and he supports this.

Commissioner Warnick agreed to support this important effort.

Auditor Smith said that \$2,000.00 was available in Special Projects.

Commissioner Wright made a motion to approve up to \$2,000.00 to support the Public Land Counsel in their work regarding grazing rights on federal land.

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

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

There was none.

AUDITOR REPORT

Auditor Smith presented the following reports:

Payroll Liabilities Register:
10/8/21 - \$183,721.47

AP Check Register:
10/15/21 - \$210,794.53

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

Commissioner Wright made a motion to enter into a BOE.

Commissioner Warnick SECONDED the motion. The voting was unanimous and the motion carried. The BOE began at 10:50 a.m.

Auditor Smith presented an indigent application for Account #0046632.

Commissioner Draper said that he would like to see a letter from the applicant. Later, Auditor Smith said that they didn't ask for a letter because the applicant has qualified for social security disability.

Commissioner Warnick made a motion to abate the indigent application for account #0046632 by 20.0%

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

Auditor Smith presented a change from the Assessor's Office for Parcel #7728.

Assessor Manis said that the appraiser classified this as an equipment building instead of a pole barn shed. He explained the valuation changes that he suggests after further investigation by his office.

Commissioner Wright made a motion to accept the Assessor's revised valuation for parcel #7728.

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

Commissioner Wright made a motion to close the BOE.

Commissioner Warnick SECONDED the motion. The voting was unanimous and the motion carried. The BOE closed at 10:59 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.

DISCUSSION AND POSSIBLE APPROVAL OF A C-2 CONDITIONAL USE PERMIT APPLICATION # Z-2021-001 TO AMEND THE CONDITIONAL USE PERMIT FOR THE INTERMOUNTAIN POWER PROJECT (IPP) FOR CONSTRUCTION AND OPERATION OF AN ELECTRIC GENERATING FACILITY. INTERMOUNTAIN POWER AGENCY, OWNER. LOS ANGELES DEPARTMENT OF WATER AND POWER (LADWP), APPLICANT.

Kevin Peng introduced himself, Jon Finlinson, and Greg Huynh who are here representing LADWP. Mr. Pang gave a presentation on the IPP renewal project and their CUP Amendment Application. The presentation included the project scope, schedule, the CUP application and overview of plans.

Planner Richins said that this has been a lengthy process due to its magnitude. He said that based on the known history from the initial IPP project, they have been able to estimate some of the potential impacts of this future project. He said that some of the proposed conditions include more frequent communication.

Planner Richins said that the language for the conditions on the CUP has not yet been received from the legal counsel. He said that he can explain the substance of the conditions and they largely mirror the original CUP.

Planner Richins said that it is hard to foresee all future impacts and there is often a mismatch between the impact and remedy. He said that the proposed conditions include language that states the grantee acknowledges that it is required to assume financial responsibility for or provide for the alleviation of any direct impacts experienced by the County as a result of the project.

Mr. Pang said that they would like to sit down and discuss the processes and set expectations up front.

Commissioner Draper said that when the renewal process came about, they chose to utilize the original CUP that was fashioned in 1981. He said that the presentation and the CUP language that Planner Richins shared addressed some of his concerns. He said that the Planning Commission

has worked on this for the past year, and have combed through this in order to gain a better understanding of what happened originally and what has since changed. Commissioner Draper said that he would like more time to review the language of the conditions before considering the formal request for approval.

Commissioner Warnick agreed that it was necessary to take more time to review the conditional use language.

Commissioner Wright said that something can be learned from the impacts that have happened historically. He said that he would like more time to see the recommendations before addressing this CUP.

Commissioner Draper said that the positive impact IPP has had on the County is not lost on them. He said that it has been a boon to the County. It was decided to put this item on a future agenda.

WHERE UPON THE MEETING ADJOURNED

Commissioner Draper adjourned the meeting at 11:50 a.m.

Attest: _____

Approved: _____