

MINUTES OF BOARD OF COUNTY COMMISSIONERS
MILLARD COUNTY THE 19th DAY OF APRIL 2022
AT THE COURTHOUSE, FILLMORE, UTAH

PRESENT: Evelyn Warnick. Chairperson
Dean Draper. Commissioner
Bill Wright. Commissioner
Pat Finlinson. County Attorney
Marki Rowley. County Clerk
Kayla Freeman Deputy Clerk

ALSO PRESENT: Bonnie Smith County Auditor
Sierra Dickens County Recorder
Sheri Dearden County Treasurer
Tyler Timmons and Gina Dellapiana Six Counties
Kevin Morris and Kaylene Kennington County Tourism
Russ Finlinson and Clark Nielson. Leamington Town
Dennis Alldredge. Fillmore City
Eva Timothy USU Extension
Richard Jacobson, Tony Pederson, Richard Warren, Robert Clark,
and Pat Bennett Sheriff’s Office
Kim Rowell EMS Director

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

APPROVAL OF APRIL 12, 2022 COMMISSION MINUTES

The proposed minutes of a regular County Commission meeting held April 12, 2022 were

presented for consideration and approval. Following review, Commissioner Wright made a motion to approve the minutes of April 12, 2022, as presented.

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

FOLLOW UP ACTION ITEMS FROM APRIL 12, 2022

There were none.

CIB LIST PRIORITIZATION - SIX COUNTY TYLER TIMMONS

Tyler Timmons presented the 14 projects on the Community Impact Board (CIB) list for the Commission to prioritize 1-14. He affirmed that the order would not affect a town's ability to apply for nor limit the money they could receive.

Mayor Russ Finlinson of Leamington described the town's concerns with their spring water source, wells, generators, water storage, and the need to update the town hall, due to exterior moisture damage.

Commissioner Draper questioned the current amount of available CIB funds. Mr. Timmons replied that it is low and, therefore, it will be up to the CIB Board as to the actual amount awarded and to whom.

Commissioner Wright suggested that the commission put the five water improvement requests at the top of the list. The Commission prioritized the list as follows:

1. Leamington Culinary Water Improvements
2. Holden Water System Improvements
3. Hinckley Water System Improvements
4. Oak City Water System Improvements
5. Lynndyl Water System Improvements
6. Delta Sewer Improvements
7. Hinckley Wastewater Improvements
8. Meadow Water Master Plan
9. Delta Storm Drain Master Plan
10. Oak City Bridge/Road Improvements
11. Scipio Road Improvements
12. Meadow Transportation Master Plan
13. Leamington Town Hall Upgrades
14. Hinckley Arena Improvements

Commissioner Warnick made a motion to approve the CIB List as prioritized.

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

DISCUSSION AND POSSIBLE APPROVAL OF A SPECIAL APPOINTMENT EXTENSION FOR TOURISM DIRECTOR

Continuing the discussion of approving the special appointment extension for the County Tourism Director, Attorney Finlinson affirmed that it would be 3 months with a month to month extension as needed.

Commissioner Draper made a motion to approve the special appointment extension for Tourism Director Kevin Morris, subject to budget alterations.

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

DISCUSSION AND POSSIBLE APPROVAL OF A CREDIT CARD, GAS CARD, AND PHONE STIPEND FOR KAYLENE KENNINGTON -TOURISM

A request has been made for a credit card, gas card, and phone stipend for Kaylene Kennington. Auditor Smith stated that there is not a similar situation currently in regards to a credit card for this employee and that the Commission would need to establish a monetary limit.

Auditor Smith also explained that the gas card is assigned to the specific vehicle, not to an employee and that the stipend amount for a cell phone would also need to be set by the Commission.

Commissioner Draper made a motion to approve a credit card with a limit of \$ 2,000.00 for Kaylene Kennington - Tourism.

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

Commissioner Wright made a motion to approve a cell phone stipend in the amount of \$40.00 per month for Kaylene Kennington - Tourism.

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

DISCUSSION AND POSSIBLE APPROVAL OF A LEGISLATIVE COLA INCREASE FOR EVA TIMOTHY - USU EXTENSION

Eva Timothy provided a brief recap regarding the reasons for the merging of two current positions and for the COLA request by USU. Commissioner Wright approved of the decision to merge the current job positions, but stated that he was not comfortable awarding the COLA increase. He suggested caution before making monetary changes driven by a non county entity.

Regarding the new full time position, County Auditor Bonnie Smith explained that Resolution 21-05-04 made the current position held by 4-H employee Courtney Stephenson full-time at 30 hours. She would be absorbing 10 extra hours from the unoccupied part-time position, which would then

be removed. Therefore, a new resolution would not be needed as funds are already allocated in the budget for employees.

It was clarified that this COLA increase request is an additional COLA increase above what county employees were awarded in January. Therefore, it was decided that in an effort to be consistent and where Mrs. Timothy already received a COLA increase, the Commission would not approve a second one.

DISCUSSION AND POSSIBLE APPROVAL OF PURCHASING A NEW AMBULANCE - KIM ROWELL, EMS DIRECTOR

EMS Director Rowell and Sheriff Jacobson explained that requests for new ambulances come with a two year fulfillment time line. However, the county's ambulance supplier currently has a ready to use, stock ambulance in accordance with the County's current specifications and a fulfillment time line of about five months; costing \$199,460.00. Grant funds have been gathered in the amount of \$178,452.00. The requested amount to cover the rest of the cost is \$21,000.00.

Due to the May 10, 2022 deadline for usage of the Per Capita Grant of \$8,994.00, which would go toward purchasing an ambulance, Auditor Smith expressed concern with the ability to follow the procurement code and whether or not it could be completed in time.

Attorney Finlinson explained that the bids could be opened and closed on the same day as this is not an unknown vendor. It was also discussed if a procurement code exemption for the purchase of ambulances could be made for the future.

After discussion, it was decided that a request for proposal for the ambulance procurement would be created and posted on the County Website and that EMS Director. Rowell would send it directly to the vendors. The bids would be opened and awarded during the next Commission meeting to be held on May 3, 2022. The requested funds to cover the remaining costs will come out of the ARPA Funds.

PUBLIC HEARING FOR THE PURPOSE OF OPENING BUDGETS FOR THE 2022 YEAR. ALL BUDGETS COULD BE DISCUSSED AND CONSIDERED, AS NECESSARY

Commissioner Wright made a motion to enter into a public hearing for the purpose of opening the budgets for the 2022-2023 fiscal year. All budgets could be discussed and considered, as necessary.

Commissioner Draper **SECONDED** the motion. The voting was unanimous and the motion carried. The public hearing began at 10:50 a.m.

Present were: Bonnie Smith, Sheri Dearden, Kaylene Kennington, Sierra Dickens, Richard Jacobson, Pat Bennett, Kevin Morris, Dennis Alldredge and Gina Dellapiena.

Auditor Smith presented the budget requests as listed. See Attachment A: 2022 Budget Possible Amendments - 04/19/2022.

As previously discussed, a reallocation of ARPA funds for the purchase of a new ambulance totaling \$21,000.00 is needed, but may go as high as \$30,000.00 if needed.

There were no other comments made.

Commissioner Wright 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 11:05 a.m.

The regular meeting reconvened.

DISCUSSION AND POSSIBLE APPROVAL OF RESOLUTION 22-04-19, A RESOLUTION OF THE BOARD OF MILLARD COUNTY Commission OPENING THE BUDGET AND AMENDING THE COUNTY BUDGETS AS DISCUSSED

Changes to the budgets previously presented by Auditor Smith are two additional cameras needed in addition to the previously requested seven by Clerk Rowley for a fund increase of \$10,000.00 and the \$21,000.00 needed for the ambulance purchase.

After a discussion to ensure that requested fund changes were sufficient, Commissioner Wright made a motion to approve Resolution 22-04-19, a Resolution of the Board of Millard County Commission Opening the budget and amending the County budgets as discussed.

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

PUBLIC HEARING FOR THE PURPOSE OF RECEIVING PUBLIC COMMENT RELATIVE TO PROPOSED CHANGES TO SEVERAL SECTIONS WITHIN TITLE 3, CHAPTER 3 OF THE MILLARD COUNTY CODE, "DELINQUENT REAL PROPERTY TAX SALES," AMENDING THE TIME, PLACE, AND MANNER OF THE ANNUAL TAX SALE AND RELATED PROVISIONS

Commissioner Draper made a motion to enter into a public hearing for the purpose of receiving public comment relative to proposed changes to several sections within Title 3, Chapter 3 of the Millard County Code, "Delinquent Real Property Tax Sales," amending the time, place, and manner of the annual tax sale and related provisions.

Commissioner Wright SECONDED the motion. The voting was unanimous and the motion carried. The public hearing began at 11:15 a.m.

Present were: Sheri Dearden, Bonnie Smith, Sierra Dickens, Pat Bennett, Dennis Alldredge and Gina Dellapiena.

Attorney Finlinson explained that Ordinance 22-04-19 would grant the County Auditor the authority to conduct property sales using an online, third party auction service.

There is a fee charged for usage of this service, but Auditor Smith noted that the County would not retain anything beyond payments due from the property sale.

There were no other comments were made.

Commissioner Draper made a motion to close the public hearing.

Commissioner Wright SECONDED the motion. The voting was unanimous and the motion carried. The public hearing closed at approximately 11:15 a.m.

The regular meeting reconvened.

DISCUSSION AND POSSIBLE ADOPTION OF ORDINANCE 22-04-19, AN ORDINANCE OF THE BOARD OF MILLARD COUNTY COMMISSION AMENDING SECTIONS WITHIN TITLE 3, CHAPTER 3 OF THE MILLARD COUNTY CODE, "DELINQUENT REAL PROPERTY TAX SALES", AMENDING THE TIME, PLACE AND MANNER OF THE ANNUAL TAX SALE AND RELATED PROVISION

Following a discussion where the Commissioners expressed doubt as to whether or not an online auction service would serve the best interests of the County, Commissioner Wright expressed the Commission's decision to not adopt Ordinance 22-04-19 until further research has been done with the possibility of addressing this next year.

The adoption of Ordinance 22-04-19 failed for lack of a motion.

CONSIDERATION AND POSSIBLE APPROVAL OF A PAYMENT TO SUBCONTRACTOR FOR WORK PERFORMED ON MILLARD COUNTY PROPERTY AND PURSUIT OF INDEMNIFICATION BY GENERAL CONTRACTOR

Attorney Finlinson reaffirmed that the debt owed by the County for the building of the Weed Building is legitimate.

Commissioner Draper made a motion to approve payment in the amount \$26,800.00 to DCH Construction INC. for work performed on Millard County property and pursuit of indemnification by general contractor.

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

CONSIDERATION AND POSSIBLE APPROVAL OF THE RELEASE OF A NOTICE OF INTEREST RECORDED BY MILLARD COUNTY IN 2002 ENCUMBERING PROPERTY IN THE HINCKLEY AREA

In 2002, the courts took a property bond for a jail release after which Dexter Anderson signed a notice of interest on behalf of Millard County. Recently, when a title company tried to sell the property it was discovered that the County never released its interest. Attorney Finlinson explained

that all that is needed is the Commission's approval and signature to release the County's interest.

Commissioner Draper made a motion to approve releasing a notice of interest recorded by Millard County in 2002 encumbering property in the Hinckley Area.

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

DISCUSSION AND POSSIBLE APPROVAL OR AMENDMENTS TO ARPA FUNDED PROJECTS

Auditor Smith presented the list of the current ARPA funded projects within the County for the 2022 fiscal year. The total amount budgeted for projects totals \$1,364,000.00

The only project having been paid for using ARPA funds is the upgrades to ambulances, with the approval for the \$21,000.00 increase needed to purchase the new ambulance.

The radio upgrade project for the Sheriffs Office, originally budgeted at \$164,500.00, is no longer sufficient with \$54,000.00 more needed due to price increases. Sheriff Jacobson confirmed that while no order has been placed, the price is locked in. It was confirmed that these upgrades have to be done in order to bring the Sheriff's Office up to compliance.

Auditor Smith explained that she has no concerns about the ability to fund the projects and it is projected that funds may need to be taken from the second tranche to do so.

Commissioner Wright made a motion to approve the ARPA funded projects as presented, amending the following: Sheriff's Office radio project for \$54,000.00 and the ambulance purchase for \$22,000.00.

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

POSSIBLE AWARDING OF BID FOR PATROL TRUCKS

Due to no vehicle availability at this time, both dealership bids currently sent to the Sheriff's Office for consideration are no longer viable. The awarding of the bids are postponed until further notice.

LETTER OF COMMENDATION FROM SHERIFF JACOBSON

Sheriff Jacobson presented a letter of commendation, recommended by Sgt. Tony Pederson, to Deputy Richard Warren for his actions on March 31, 2022 involving a call concerning a wrong way driver on the freeway.

PUBLIC INPUT

There was none.

OTHER BUSINESS

Because of a lack of employee life guards at the East Millard Pool, it was decided that due to liabilities, the pool will need to be closed when there is not sufficient coverage. Two lifeguards left the pool for other employment for higher pay. This situation highlighted the growing issue of competitive pay in regards to part-time employment by the County.

Auditor Smith has sent out surveys to the surrounding counties and cities concerning their pay scale. So far, 18 entities have not responded. It was decided that the Commission can not move forward with the discussion until the Auditor's Office has finished data collecting. Commissioner Warnick expressed her willingness to help with this task.

Commissioner Draper expressed his concern that the pay scale will be challenged in the future and that they will have to think about how to fund this. Commissioner Wright reaffirmed that part-time employee pay needs to go up.

Sheriff Jacobson expressed that this is also concerning with his office, as capable deputies are leaving for higher pay in the private industry.

Commissioner Warnick suggested that it was time to hold a department head and mayor meeting to discuss this pay issue. This meeting was tentatively set for May 12, 2022.

DISCUSSION AND POSSIBLE APPOINTMENTS TO VARIOUS COUNTY BOARDS

Commissioner Draper said that two applicants were interviewed and they were both great applicants.

Commissioner Draper made a motion to appoint Merrie Jo Smith to serve on the Delta/Sutherland/Oasis Cemetery District Board.

Commissioner Wright 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

Commissioner Draper acknowledged the many fires that have occurred in Delta recently. He expressed sympathy that some things are a part of everyday life while some are tragedies.

Commissioner Draper informed the Commission that he had received notification from the Secretary of Interior informing Commissioner Draper of his appointment for 3 years to serve as a member of the Resource Advisory Counsel Utah. The Commission congratulated him on his appointment.

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

There was none.

COMMISSION WORK MEETING

There was none.

WHERE UPON THE MEETING ADJOURNED

Commissioner Warnick adjourned the meeting at 12:15 p .m.

Attest: _____

Approved: _____

2022 Budget Possible Amendments - 04/19/2022

Request Description	\$ Requested	GL Expense Acct#	GL Revenue or Acct#	Note
Election budget - ballot boxes	14,600.00		10-3120 Realize	General & Primary Election contracts. Ballot boxes, poll workers,
election poll workers	5,500.00		Revenue for Gen. Fund	and cameras as now required by legislation. Payment one time
Surveillance - cameras estimate cost plus installation	45,000.00			election equipment received last fall.
Clerk	14,900.00			23,971.22
District Court Personnel	21,171.76			Staffing Changes wages and benefits- Additional benefit election costs and vacation payout. Plus and additional 2 hours per week
Treasurer budget - staffing changes	-21,171.76			Move budget due to staffing changes plus 2 hours per week
FY22 Indigent Defense Contract & Grant Increase	19,750.00			Move budget to District Court (100% for Jamie)
	41,000.00	10-4126-31101		Staffing changes - benefits cost increase
		Current Budget	390,000	July 2021 to June 2022 -partially reimbursed
Capital increase for S.O. Vehicles	182,000			110,000 41K grant modification signed in February
Tourism - Wages & Benefits	71,500.00			Reimbursement, Fund
State Utah Office of Tourism Grant - Digital mapping	93,750.00			bal for any addtl
State Parks Grant - Strategic Destination Planning (1x)	40,000.00			2021 unexpended budget moved to 2022 for vehicle purchases
State Parks Grant - Branding and Marking Grant (1x)	25,000.00			(\$157,200 refund from Droubay)
Three County OHV Collaboration Grant (1)	1,700.00			
State Parks - Boater Access grant new restrooms	90,000.00			14 hours/week assistant, keeping Kevin full time through the end
GOED - mandate OHV grant (2 year grant, 75k each year)	75,000.00			Fund Bal of the year. Fix calculation error 29 hours per week not per period
CAPITAL - subcontractor payment weed building	26,800.00			70,000 per Kevin
Ambulance	45,000.00			20,000 50/50 match grant (planned 32,500 out of web advertising, planning & Branding)
				12,500 50/50 match grant
				0 Administered by Beaver Co - County portion budgeted
				70,000 10,000 Cash match; 30,000 in-kind match (awarded - wont be paid until July)
				150,000 75k budget next year
				bond release - non-payment from contractor
				45,000 Sell of ambulance to IPSC increase budget by this amount

Notes on New Ambulance: 124k 1 x grant, 8,994 per capita grant due May 10th = short \$21,009 use ARPA if not then journal entry