

MINUTES OF BOARD OF COUNTY COMMISSIONERS  
MILLARD COUNTY THE 21st DAY OF JUNE, 2022  
AT THE COURTHOUSE, FILLMORE, UTAH

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

EXCUSED: Marki Rowley. . . . . County Clerk

ALSO PRESENT: Sierra Dickens . . . . . County Recorder  
Sheri Dearden . . . . . County Treasurer  
Bonnie Smith. . . . . County Auditor  
Adam Richins . . . . . County Planner  
Dennis Alldredge . . . . . Deputy Fillmore City  
Johnny Munoz, Stacey Lake, and Randy Lake, . . . . . Citizen  
Matt Ward . . . . . Millard County Chronicle Progress

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

APPROVAL OF JUNE 7, 2022 COMMISSION MINUTES

The proposed minutes of a regular County Commission meeting held June 7, 2022 were presented for consideration and approval. Following review and consideration of minor corrections, Commissioner Wright made a motion to approve the minutes of June 7, 2022, as corrected.

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

carried.

#### FOLLOW UP ACTION ITEMS FROM JUNE 7, 2022

There were none.

#### DISCUSSION AND POSSIBLE APPROVAL OF THE 2022 TAX RATE

Auditor Smith presented the 2022 tax rate to the Commission for approval after explaining that the rates are based on the total adjusted values. The General Operation rate is .003147 and the County Assessing and Collecting rate is .000356.

Commissioner Wright made a motion to approve the General Operation 2022 tax rate of .003147.

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

Commissioner Wright made a motion to approve the County Assessing and Collecting 2022 tax rate of .000356.

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

#### MONTHLY FINANCIAL REVIEW

Auditor Smith and Treasurer Dearden presented the financial review for May, 2022. The department expense budgets were presented on pages 20-22 of the report. At the moment, the departments are on track.

#### DISCUSSION AND POSSIBLE APPROVAL OF RESOLUTION 22-06-21, A RESOLUTION OF THE BOARD OF MILLARD COUNTY COMMISSION AUTHORIZING THE FILING OF CROSS-APPEALS TO 2022 APPEALS FILED BY TAXPAYERS SUBJECT TO CENTRAL ASSESSMENT

Treasurer Dearden presented the list containing two entities: Pacific Corp Inc. and Lumen Technologies, formally CenturyLink. Treasurer Dearden and Attorney Finlinson explained why the county files cross appeals: to obtain legal standing should litigation take place.

Commissioner Draper made a motion to approve Resolution 22-06-21, a resolution of the Board of County Commissioners of Millard County, Utah, authorizing the filing of cross-appeals to 2022 appeals filed by taxpayers subject to central assessment.

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

DISCUSSION AND POSSIBLE APPROVAL OF A BUSINESS LICENSE FOR CHARLES SERVICES, OWNER - JUAN CARLOS CARAVEO

A business license application was presented for Charles Services, Owner - Juan Carlos Caraveo, a home repair, landscaping, and cleaning business.

After review of the application and finding all signatures in order, Commissioner Draper made a motion to approve a business license for Charles Services, Owner - Juan Carlos Caraveo.

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

DISCUSSION AND POSSIBLE APPROVAL OF RESOLUTION 22-06-21A, A RESOLUTION OF THE BOARD OF MILLARD COUNTY COMMISSION AUTHORIZING THE BASE HOUR WORK WEEK REDUCTION FOR THE FULL-TIME POSITION OF CHIEF DEPUTY MILLARD COUNTY ASSESSOR TO 32 HOURS PER WEEK

Attorney Finlinson explained the general practice of reducing specific full-time positions in the County. It was determined this position could be adequately performed with the reduced hours.

Commissioner Wright made a motion to approve Resolution 22-06-21A, a resolution of the Board of County Commissioners of Millard County, Utah, authorizing the base hour work week reduction for the full-time position of Chief Deputy Millard County Assessor to 32 hours per week.

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

POSSIBLE APPROVAL OF RESOLUTION 22-06-21B, A RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS OF MILLARD COUNTY, UTAH, FOR THE PURPOSE OF ADOPTING THE JUNETEENTH HOLIDAY

This resolution amends the County policy to formally recognizes this as a County holiday

Commissioner Draper made a motion to approve Resolution 22-06-21B, a resolution of the Board of County Commissioners of Millard County, Utah, adopting the Juneteenth Holiday.

Commissioner Wright SECONDED the motion. Deputy Clerk Freeman 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.

DISCUSSION OF APPLICATION Z-2021-062 AMENDING CAMPGROUNDS IN THE TABLE OF USES AND USE DEFINITIONS IN TITLE 10, CHAPTER 25, APPENDIX A, OF THE MILLARD COUNTY ZONING ORDINANCE

Planner Richins presented the application and said that currently the code has two separate

definitions for campgrounds; commercial and non commercial, private use. Separate restrictions are attached to each definition.

The inclusion of a RV space within campgrounds prompted the discussion of creating a RV park in the County due to increased interest. Planner Richins presented several examples from different counties and cities, stating that while the County does not have to follow their examples, they were good case studies that could direct the County on what could be done and how RV parks could be managed.

Changes to the definitions of the campgrounds are needed in order to manage the current situation is, but Planning and Zoning will need to create a new use definition for RV parks, managed through County ordinances. Future discussions are needed concerning County RV parks and recreational vehicles.

This application would only update the campground policy to adjust current RV usage on County Campgrounds. Approval for the application will be requested during the July 5, 2022 Commission meeting.

#### PUBLIC INPUT

Johnny Munoz, a citizen who is currently running for County Commissioner, asked questions concerning the RV development and how ordinances are put in place to manage situations similar to this. Commission Draper explained the process with County and State ordinances and conditional use ordinances.

#### OTHER BUSINESS

Commissioner Warnick stated that Lynndyl City had an issue with their water pumps since the last Commission meeting and that the County was able to help with rural County grant funds.

Commissioner Wright brought up the lack of County Ordinances managing cattle guards in the County. If the private land owners want a cattle guard, they have to pay for them themselves but the County will install them. Cattle guards are installed by the County so that there is consistency. Attorney Finlinson affirmed that it is illegal for County to take payment installments for cattle guard purchases.

Commission Draper said Millard County is filing a protest on an application submitted by the Escalante Valley Partners LLC. for water rights that would affect County aquifers if granted, if approved by this board. Beaver County is also protesting as they are affected by this too.

Commission Wright made a motion to approve the County's position and appeal to this application.

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

## DISCUSSION AND POSSIBLE APPOINTMENTS TO VARIOUS COUNTY BOARD

There was none.

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

There was none.

## DISCUSSION BY EACH COMMISSIONER, COUNTY ATTORNEY, ELECTED OFFICIAL AND SECRETARY

Commissioner Draper brought up several incidents that occurred since the last Commission meeting. He commended all those who helped resolve the water pump issue at Lynndyl, including Lynn Ashby of the Delta Fire Department, Dent Kirkland of Delta City, the Mayor of Lynndyl, Andrew Dutson, and the Lynndyl Town Counsel. There was also a fire up Fillmore Canyon Road. The County Fire Warden Landon Rowley and the BLM worked tremendously to put it out before the wind turned it into a wild fire. Kanosh also had a fire incident that was handled as well.

Commissioner Warnick reported that the County Rodeo went well and commended all those involved.

## 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 Draper made a motion to take ten minute break and then to go into a closed executive session at 11:30 am for the purpose of discussing pending and/or threatened litigation.

Commissioner Wright SECONDED the motion. All three commissioners voted unanimously and the motion carried. Present in the closed session were Commissioner Warnick, Commissioner Draper, Commissioner Wright, Attorney Finlinson, Treasurer Dearden, Auditor Smith, and Planner Richins.

After the closed executive session the regular meeting reconvened at 12:55 p.m

WHERE UPON THE MEETING ADJOURNED

Commissioner Warnick adjourned the meeting at 12:56 p.m.

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

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