

MINUTES OF BOARD OF COUNTY COMMISSIONERS
MILLARD COUNTY THE 5th DAY OF JULY, 2022
AT THE COURTHOUSE, FILLMORE, UTAH

PRESENT: Dean Draper..... Commissioner
Bill Wright..... Commissioner

Pat Finlinson..... County Attorney
Kayla Freeman..... Deputy County Clerk

EXCUSED: Evelyn Warnick..... Chairperson
Marki Rowley..... County Clerk

ALSO PRESENT: Bonnie Smith..... County Auditor
Richard Jacobson..... County Sheriff
Adam Richins..... County Planner
Pat Manis..... County Assessor
Dennis Alldredge..... Fillmore City
Trevor Johnson, Stacey Lake, Randy Lake, and Johny Munoz..... 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 Wright to the public and Commission members.

OPENING STATEMENTS

Commissioner Wright asked if anyone had an opening statement to give. Deputy Clerk Freeman said the invocation. Everyone stood and said the Pledge of Allegiance to the Flag. Commissioner Wright excused Commissioner Warnick from the meeting today.

APPROVAL OF JUNE 21, 2022 COMMISSION MINUTES

The proposed minutes of a regular County Commission meeting June 21, 2022 were presented for consideration and approval. Following review and consideration of minor corrections, Commissioner Draper made a motion to approve the minutes of June 21, 2022, as corrected.

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

FOLLOW UP ACTION ITEMS JUNE 21, 2022

There were none.

INTERIM SUCCESSORS

The interim successors for the Millard County Justice Court was presented to the Commissioners.

DISCUSSION AND POSSIBLE APPROVAL OF MOVING THE AUGUST 16, 2022 COMMISSION MEETING TO AUGUST 23, 2022 AND THE SEPTEMBER 20, 2022 COMMISSION MEETING TO SEPTEMBER 27, 2022

Commissioner Draper made a motion to approve moving the August 16, 2022 Commission meeting to August 23, 2022 and the September 20, 2022 Commission meeting to September 27, 2022, due to conferences that the Commissioners will be attending.

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

OPENING AND POSSIBLE AWARDDING OF BIDS FOR CYBER SECURITY

This purchase is covered under ARPA Funds.

Auditor Smith opened the following bids submitted through email:

- Eos Systems Inc. from Boston, Massachusetts for \$108,473.00
- Adlumin Inc. from Washington DC for \$108,483.30
- Computech Consulting from Bountiful, Utah for \$97,634.97.

Auditor Smith reported that County IT Director Richard Beckstrand wants to go with CompuTech as the County already has a business relationship with them and they offered the best value.

Commissioner Draper made a motion to accept the bids as presented and award the bid to CompuTech at \$97,634.97.

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

DISCUSSION AND POSSIBLE APPROVAL OF FILLMORE ROAD BARN PROJECT EXPENDITURES

Attorney Finlinson provided a brief background of the project expenditures that were previously approved by the Commission in the Fall of 2021. He said that the Auditor's Office recently received an invoice for expenditures that did not fall into any of the approved expenditure categories; therefor withheld payment until the Commission approval was received

Commissioner Wright explained that as the project progressed there were and may continue to be expenditures that were not specifically discussed nor anticipated during the project's opening.

Attorney Finlinson explained that where this is a capital project, expenditures are itemized and charged differently than maintenance requirements and that there is a difference between construction and equipment purchases.

Auditor Smith affirmed that the Commission and the Auditor's Office needed to be on the same page concerning line items that need to be approved and added onto the previous approved list, as well as, how to classify the expenditures.

Attorney Finlinson reaffirmed that any changes and/or additions on a capital project need to be discussed and approved by the Commission in order for the Auditor's Office to make payment. He also explained that this is not a request for an increased budget, but rather approval of additions.

Commissioner Wright suggested that the asphalt request be removed from the list and that future discussions and bids be required before this purchase is made.

Commissioner Wright made a motion to approve updating the list of approved expenditures for the Fillmore Road Barn Project expenditures.

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

DISCUSSION AND POSSIBLE ADOPTION OF ORDINANCE 22-07-05 AN ORDINANCE OF THE MILLARD COUNTY COMMISSION AMENDING THE DEFINITION OF CAMPGROUNDS IN THE TABLE OF USES AND USE DEFINITIONS IN TITLE 10, CHAPTER 25 OF THE MILLARD COUNTY ZONING ORDINANCE

Planner Richins stated that a new use definition of campgrounds to accommodate RV usage is needed. The proposed change to the current definition would further distinguish the usage definition of commercial campgrounds to be more primitive with out formal RV usage and also that commercial campgrounds would not be allowed in agriculture zones. He said that a formal application will be presented in the near future by the Planning Commission that would accommodate RV usage and RV parks in the County.

Stacee Lake requested that commercial camping be removed from all Agriculture, Agriculture 20, and Agriculture Industrial zones within the County.

Planner Richins provided the definitions of Agriculture (AG), AG 20, and AG Industrial.

He also explained that commercial campgrounds would only be allowed on lands currently classified as range and forest zone.

Commissioner Draper agreed with Mrs. Lake to disallow commercial campgrounds on all AG zones. He affirmed that any commercial campgrounds to be built on AG zones now and in the future would require a zone change.

Commissioner Draper made a motion to approve Ordinance 22-07-05, an ordinance of the Board of County Commissioners of Millard County, Utah amending the definition of campgrounds in the Table of Uses and Use Definitions in Title 10, Chapter 25 of the Millard County Zoning Ordinance.

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

DISCUSSION AND POSSIBLE APPROVAL OF CHANGES TO INSURANCE COVERAGE ON HISTORIC BUILDINGS FROM REPLACEMENT COVERAGE TO REPRODUCTION COVERAGE

Attorney Finlinson explained that while a decision is not needed today, he wanted the Commission to be aware that all County owned historical buildings would now be repaired using updated techniques and materials designed to match the original workmanship and that this would cause an increase in insurance premiums. However, no actual numbers are available at this point.

Commissioner Wright stated that it is appropriate to wait until the surveys on the buildings are complete before any further discussions are had.

Commissioner Draper also stated that further discussion would be needed on whether or not reproduction should be the priority or utility.

Assessor Manis asked the Commission if this year's policy needs to be changed. Commissioner Wright affirmed that it would be better to wait, but suggested that Attorney Finlinson talk to the insurance company about amending this year's policy so that there is some coverage.

DISCUSSION OF HB 23, FIRST RESPONDER MENTAL HEALTH SERVICES AMENDMENTS, AND CURRENT COUNTY BENEFITS UNDER THE EMPLOYEE ASSISTANCE PROGRAM

Auditor Smith explained that the current employee assistance program does not cover everything mandated by House Bill 23. This bill became effective on July 1, 2022. She stated that there are no estimated options or figures available at this time, but that the program is not starting from scratch. There are some coverages already available, but they do not include the employee's spouse or children. She explained that there is also grant funding available in order to help

update the program.

Sheriff Jacobson expressed the importance of these updates. He explained that there will need to be budget additions in order to support the program mandates as the grants are a one time use. He said that the Sheriff's Office has been assertive in attacking mental health issues before extreme problems arise and has worked with the Auditor's office to reclassify the current budget to include a mental health line item. He stated that this is an important and much needed program that needs the support of the Commission.

Commissioner Draper asked if there is an estimated number of people who would be applying for these program resources. Auditor Smith stated that there is not an updated, specific list as to whom would be covered in this program.

Sheriff Jacobson also stated that it should appropriately cover all those involved as there are clerical staff and others that are not sworn into law enforcement that need to be covered as well.

Auditor Smith stated that when she has the costs, as well as, the list identifying options and who would be included in this program, she will present to the Commission with more answers

PUBLIC INPUT

There was none.

OTHER BUSINESS

Commissioner Wright said that new legislation was passed by the State that created an oversight committee chaired by Senator Owens. Commissioner Draper has agreed to serve on the committee.

Attorney Finlinson stated that prior to 2017 the County operated with only one public defender to cover all the Courts within a conflict of interest agreement with Juab County. After 2017, requirements for indigent defense increased dramatically. Juab County first contracted with the Utah County Public Defender Association to have them provide the indigent defenders, with grants to help cover the cost. Millard County soon followed. He said that the idea of a regional public defendant office was very appealing.

Attorney Finlinson explained that a new defender is needed and that the County now needs to help cover the cost of 7 public defenders. The amount paid is currently around \$390,000.00, with grants covering \$140,000.00, which will continue to decrease. Right now, it is still financially beneficial to stay with the Utah County Public Defender Association rather than contracting with 7 private attorneys, but with the way things are going it will not stay that way for long.

Attorney Finlinson explained that the State set standards that do not set a limit for the amount of cases a prosecutor can have, but do limit the amount of cases defenders can manage. He stated that case numbers are continuing to rise, which is leading to an increased need for

indigent defenders.

It was decided to continue this discussion in October 2022.

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.

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

Commissioner Draper repeated that he is attending the National Association of Counties (NACo) Conference in July, 2022.

Sheriff Jacobson stated that when discussing an application with zone changes, campgrounds, RV campgrounds, etc, his first priority is public safety and whether or not proactive involvement by the Sheriff's Office would be welcome onsite.

Planner Richins stated that Sheriff Jacobson has been very helpful in the application process. He also said that it should be pretty simple to add the appropriate language in conditional use permits that would require a formal agreement with law enforcement involvement.

Commissioner Wright stated that there is not a current need for extreme law enforcement oversight, but that this is a good place to start in accommodating the needs of the Sheriff's Office.

Planner Richins stated that he would bring up this issue at the next Planning and Zoning Commission meeting.

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.

WHERE UPON THE MEETING ADJOURNED

Commissioner Wright adjourned the meeting at 11: 28 a.m.

Attest: _____

Approved: _____