

MINUTES OF BOARD OF COUNTY COMMISSIONERS  
MILLARD COUNTY THE 2nd DAY OF AUGUST, 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: Bonnie Smith..... County Auditor  
Sheri Dearden..... County Treasurer  
Adam Richins..... County Planner  
Richard Jacobson and Pat Bennett..... County Sheriff's Office  
Shonda Robison..... County Recorder  
Margene Stevens..... County Assessor  
Brandon Williams..... County Road Supervisor  
Landon Rowley..... County Fire Warden  
Heather Williams Young..... Children's Justice Center  
Kennedy Christensen, Hannah Hunter, Karley Swallow, Daylen Anzures, Noel  
Rowley, TyLynn Taylor, and Ria Dearden..... Miss Millard Royalty  
Sarah Richins, Cherish Works, Madelym Stanworth,  
Kennedi Dutson, and Paige Curtis..... American Legion Auxilary (ALA)  
Angie Meinhardt..... Delta Office Supervisor  
John Haggerty..... State Auditor  
Matt Ward..... Millard County Chronicle Progress  
Johny Munoz, Dennis Alldredge, Scott Christensen, Kelly Swallow,  
Matthew Kolste, Vicki Lyman, and Trevor Johnson..... 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 Warnick to the public and Commission members.

OPENING STATEMENTS

Commissioner Warnick asked if anyone had an opening statement to give. Commissioner Draper quoted Adam Smith, The Wealth of Nations, “In economic freedom anybody has the freedom to buy, the freedom to sell, and the freedom to fail.” Commissioner Draper said the invocation. Everyone stood and said the Pledge of Allegiance to the Flag.

#### APPROVAL OF JULY 19, 2022 COMMISSION MINUTES

The proposed minutes of a regular County Commission meeting held July 19, 2022 were presented for consideration and approval. Following review and consideration of minor corrections, Commissioner Wright made a motion to approve the minutes of July 19, 2022, as corrected.

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

#### FOLLOW UP ACTION ITEMS FROM JULY 19, 2022

There were none.

#### RATIFICATION OF THE APPROVED MEMORANDUM OF UNDERSTANDING FOR MILLARD COUNTY EMERGENCY DEBRIS BASIN INSTALLATION AT THE FILLMORE WILDLIFE MANAGEMENT AREA

Commissioner Draper made a motion to ratify the approved Memorandum of Understanding for the Millard County emergency debris basin installation at the Fillmore Wildlife Management area.

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

#### MISS MILLARD ROYALTY REPORT

The new 2022-2023 Miss Millard Royalty introduced themselves to the Commission. After which Commissioner Warnick thanked them for their service; Commissioner Wright thanked them for the efforts they put into bettering the County; Commissioner Draper congratulated them on being chosen.

#### AMERICAN LEGION GIRLS STATE REPORT

Sarah Richins, President of the Delta American Legion Auxiliary, introduced herself and read a report from one of the members who was not able to attend today. Afterwards, the girls in attendance introduced themselves and shared a few words about their experience at Girls State.

Commissioner Warnick challenged the girls to stay involved in their community and government.

Commissioner Wright also challenged the girls to remember what they learned and to continue to learn about our government.

## CHILDREN'S JUSTICE CENTER ANNUAL REPORT AND PRESENTATION

Heather Williams Young, from the Juab and Millard Counties Children's Justice Center (CJC), presented her annual report. She stated that 355 individuals have been served and 63 new cases have been opened during the last fiscal year. The majority of the children involved having faced sexual, physical, and/or psychological abuse. Cases are referred to the CJC by law enforcement or DCFS. She reported that there is now a grant funded therapy program that provides in person and remote therapy sessions. She also explained that the Center has seen a 50% drop in referrals from Millard County since this time last year.

Attorney Finlinson stated that CJC provides training and safe settings to law enforcement for conducting child forensic interviews. This has been of great value to the County. He reported that the County contributed \$3,000.00 last year but that it is minimal in comparison to the services that the County receives from CJC.

Mrs. Young briefly stated that they are requesting \$4,000.00 this year and explained where funding comes from. She also said that CJC has a "friend's board" that works to fund-raise for the Center. Commissioner Warnick invited the Center to send its representatives to the County's Community First night.

## DISCUSSION AND POSSIBLE APPROVAL OF EXTENDING THE STATE OF EMERGENCY FOR THE HALFWAY HILL FIRE

Attorney Finlinson explained that while a state of emergency cannot be extended it can be re-declared after 30 days when it expires.

Commissioner Draper stated that he had been approached by several State agencies regarding the Halfway Hill Fire. He gave a brief summary of the situation and the reasoning for extending the state of emergency. He said that it is needed in order to help manage the long term effects of the fire and to continue to receive funding and equipment from the State. He explained that the next Commission meeting will be after the 30 days expiration date. He also commended Lt. Governor Henderson who personally came down to provide support to the efforts of controlling this fire.

Attorney Finlinson said that the Commission can authorize the Commission Chair to sign a new proclamation declaring another state of emergency and then follow up with a resolution in the next Commission meeting.

Commissioner Wright made a motion to approve the delegation of the executive authority to the Commission Chair in order to sign a new proclamation to declare another state of emergency.

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

## DISCUSSION AND POSSIBLE APPROVAL OF THE SPONSORSHIP FOR A HALFWAY HILL

## FIRE GRANT(S)

Commissioner Draper explained that there is still a fire crew working in Nephi Canyon, but the rest of the crews were let go. He said that due to the terrain difficulties the remaining crew is there to contain the fire, not to actively fight the fire. He also explained that either the County or Fillmore City needs to be a sponsor of the grants in order for grants to be processed.

Landon Rowley, the County Fire Warden, explained that there is specific documentation and paperwork in order for funds to be granted. It was decided that Commissioner Draper will manage the process.

Mr. Rowley also explained the purposes of the different teams who are working on the fire and what the burn will look like in the future. He stated that he will provide tours of the burn to any one who is interested.

Commissioner Draper said that under the ARPA rules, ARPA funds could be used to help cover the costs of spraying water up Chalk Creek Canyon. He also reported that Federal Funding could possibly be used to help the County recover from the fire and that more information will be forthcoming.

Mr. Rowley and Commissioner Draper provided information on what could be done in order to help counteract the erosion and possible floods as a result of the burn scars.

Commissioner Draper made a motion to appoint the County as the sponsor of the grants.

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

## RECOGNITION BY THE SHERIFF

Sheriff Jacobson recognized all those who were involved in managing the fires throughout the County. He also recognized Millard County Sheriff's Office (MCSO) Dispatch in managing the personnel and resources needed to help combat the fires. He stated that MCSO Dispatch was recognized as the 2022 Dispatch Center of the Year for the entire State of Utah by the Utah Chapter of National Emergency Association. He read the commendation letter recognizing MCSO Dispatch and awarding them with the award.

## PRESENTATION OF THE 2021 INDEPENDENT AUDIT

Auditor Smith and John Haderlie, a partner at Larson and Company, presented the 2021 Independent Audit which was completed in May 2022. Mr Haggerty stated that the report as been reformatted this year. After an explanation of how the audit is performed and the standards they have to stand by, he stated no major concerns or issues were found.

Commissioner Wright made a motion to accept the 2021 Independent Audit.

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

## DISCUSSION OF SALARY SURVEY PROCEDURE

Commissioner Warnick felt it was a good idea for the commissioners to publically discuss the salary survey that was conducted by Paypoint amongst themselves and to decide what the next steps should be and questions that should be asked of Paypoint.

Commissioner Draper said, "I asked that this be put on the agenda and that the discussion be solely between the commissioners. The purpose being we have received a document from them showing their findings. The normal procedure in this case would be exchanges of information between the PayPoint folks and the Commission asking questions. How did you arrive at this finding? Did you look at this item? There needs to be some questions that are posed by the Commission to Paypoint and that we then come back and address what they have presented to us at a future date. I want the opportunity for the Commission who commissioned this study to interact with the people that we contracted with."

Commissioner Warnick supported this assessment.

Attorney Finlinson explained that he was the person who suggested the widespread dissemination of the report and that it was not the Auditor or Human Resources. He explained that process is legislative and the survey was requested solely by the commissioners. He clarified that all conversations by the commissioners must be conducted individually with Paypoint and any other conversations must be held in an open meeting.

Commissioner Wright stated that the Commission had good intent behind requesting this unbiased report and that they will try to answer all the questions that anybody has.

Attorney Finlinson suggested that the best step forward would be for the commissioners to work individually with the department heads and elected officials and find out if there are legitimate complaints and issues concerning the survey. The commissioners all agreed upon this step.

## APPROVAL OF IGP WAIVERS

Commissioner Warnick presented four IGP waivers

Commissioner Draper made a motion to approve the IGP waivers as presented.

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

## DISCUSSION AND POSSIBLE ACTION CONCERNING IPP RENEWED IMPACTS

Commissioner Draper stated that the conditional use permits granted to IPP impact different aspects of businesses within the County and invited Planner Richins to explain the situation. Planner Richins explained that this project involves a series of agreements to govern the project in the County. He said that a sit down discussion with IPP is required in order to decide what needs to happen concerning any unforeseen impacts upon the County by this project and the responses the County could have.

Commissioner Draper said that one unforeseen impact concerns is the increase in traffic caused by IPP workers driving to and from work on the project and the impact it has had on those living along the highway and the golf course.

Planner Richins suggested a meeting with the shareholders and permit holders with the Commissioners and the County Planner where these issues and possible solutions are discussed.

Attorney Finlinson suggested that the Planning and Zoning Department first identify and create a specific list of impacts and then present it to the commissioners. The commissioners agreed.

#### PUBLIC INPUT

Matthew Kolste, the Community Relations Manager for IPP invited the Commissioners to attend the upcoming City Council meeting tomorrow at 4pm at the Delta City Building.

#### OTHER BUSINESS

There was none.

#### DISCUSSION AND POSSIBLE APPOINTMENTS TO VARIOUS COUNTY BOARDS

There were none.

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

There were none.

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

Auditor Smith just wanted to let the Commission know that her office started the budget reports early this year. It was also clarified that department heads should budget for the next year based on current estimates. Any impacts from the Paypoint survey will be dealt with if they arise.

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 Wright made a motion to go into a closed executive session for the purpose of discussing pending and/or threatened litigation.

Commissioner Draper SECONDED the motion. All three commissioners voted unanimously and the motion carried. Present in the closed session were all three commissioners, Planner Richins, Attorney Finlinson, Auditor Smith, Treasurer Dearden, Sheriff Jacobson, and Captain Bennett.

After the closed executive session, the regular meeting reconvened at 1:14 p. m.

WHERE UPON THE MEETING ADJOURNED

Commissioner Warnick adjourned the meeting at 1:15 p.m.

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

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