

MINUTES OF BOARD OF COUNTY COMMISSIONERS
MILLARD COUNTY THE 23rd DAY OF AUGUST, 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 County Clerk

ALSO PRESENT: Bonnie Smith. County Auditor
Sheri Dearden. County Treasurer
Sierra Dickens. County Recorder
Adam Richins County Planner
Kevin Morris. County Tourism Director
Jamie Hair. County HR Specialist\Deputy Clerk
Richard Jacobson County Sheriff's Office
John Higgs. County Landfill Supervisor
Pat Manis County Assessor
Matthew Kolste and Bret Kent.. . . . IPP
Matt Ward. Millard County Chronicle Progress
Carl Camp Territorial State Park Manager
Woody Johnson Territorial State Park Museum Curator
Abe Johnson. Old Capital Arts Festival Director
Denis Alldredge, Vicki Lyman, Trevor Johnson,
Johny Munoz, Doug Jolley, and Betty Jo Western 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

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

APPROVAL OF AUGUST 2, 2022 COMMISSION MINUTES

The proposed minutes of a regular County Commission meeting held August 2, 2022 were presented for consideration and approval. Commissioner Draper requested a few additions be added to the minutes. Commissioner Wright made a motion to table the approval the minutes until the requested additions are made.

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

FOLLOW UP ACTION ITEMS FROM AUGUST 2, 2022

There were none.

DISCUSSION AND POSSIBLE APPROVAL OF A BUSINESS LICENSE FOR AMPM HOUSE & GROUNDS, OWNER - ANNETTE MCDERMAID

A business license application was presented for AMPM House & Grounds, Owner - Annette McDermaid, a house work, yard work, and sprinklers installation system business. After review of the application and finding all signatures in order, Commissioner Draper made a motion to approve a business license for AMPM House & Grounds, Owner - Annette McDermaid.

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

DISCUSSION AND POSSIBLE APPROVAL OF A BUSINESS LICENSE FOR MJ RANCH, OWNER - JUAN RAMIREZ

A business license application was presented for MJ Ranch, Owner - Juan Ramirez, a dog grooming, nutrition, and boarding business.

Planner Richins said that there are no issues in regards to grooming and nutrition but there are requirements for kenneling. He explained that the owners will work with him to obtain a kennel license when they are ready to move forward with that aspect of their business.

Clerk Rowley explained that in order for them to apply for their State business license they first need a County business license.

After review of the application and finding all signatures in order, Commissioner Wright made a motion to approve a business license for MJ Ranch, Owner - Juan Ramirez, for dog grooming and nutrition.

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

DISCUSSION AND POSSIBLE APPROVAL OF IGP WAIVERS

Commissioner Wright made a motion to approve the three IGP waivers presented by Commissioner Warnick for the total amount of \$140.00.

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

DISCUSSION AND POSSIBLE APPROVAL OF TOURISM DIRECTOR EXTENSION

Director Kevin Morrison gave a brief overview of the project at the Gunnison Bend Reservoir that he is currently working.

Commissioner Draper made a motion to approve the Tourism Director Extension for 30 more days.

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

DISCUSSION AND POSSIBLE APPROVAL OF A GREAT BASIN MUSEUM BOARD CONTRACT

HR Specialist Jamie Hair, said that this is a unique situation in which the County pays for the position but doesn't supervise it. She said that this began several decades ago, but there isn't a contract or record of the arrangement. She said an actual contract isn't necessary, but formal Commission approval needs to be on record.

Director Morrison provided some background information for this position, as well as a basic job description. He confirmed that the position is hired by the County not the Museum.

Commissioner Warnick said that the position would fall under the Tourism Department.

Attorney Finlinson said that historically this has been a vague position.

Commissioner Wright made a motion to approve Millard County paying for the receptionist position at the Great Basin Museum.

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

DISCUSSION AND POSSIBLE APPROVAL OF CELL PHONE ALLOWANCES FOR CLERK'S OFFICE

Clerk Rowley explained that there is room in her budget to provide cell phone allowances for the clerk's office deputies and herself.

Commissioner Draper made a motion to approve the cell phone allowances for Marki Rowley, Sheri Stephenson, Jamie Hair, and Kayla Freeman.

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

DISCUSSION AND POSSIBLE APPROVAL OF RESOLUTION 22-08-23, A RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS OF MILLARD COUNTY, UTAH, AMENDING SECTION XIV OF THE MILLARD COUNTY PERSONNEL POLICY MANUAL

Clerk Hair explained that this is the County discrimination and harassment policy. She explained that she had recently attended a training by Johnny Miller and worked with him to update the current policy. She stated that nothing was added or removed, she simply made changes to the language to simplify and clarify certain aspects.

Commissioner Draper made a motion to approve Resolution 22-08-23, a resolution of the Board of County Commissioners of Millard County, Utah, amending Section XIV of the Millard County Personnel Policy Manual.

Commissioner Wright 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.

MONTHLY FINANCIAL REVIEW

Auditor Smith and Treasurer Dearden presented the July 2022 monthly financial review. Auditor Smith did express the need to open the budget and asked the Commission for possible dates. Commission Warnick suggested the Commission meeting on September 27, 2022.

DISCUSSION AND POSSIBLE APPROVAL OF THE SALE OF SURPLUS PROPERTY

Auditor Smith presented the list of surplus property to be sold, which includes County vehicles.

Commissioner Wright stated that surplus vehicles is important to decrease the auto insurance that the County has to pay yearly. The County is required to pay auto insurance on used and unused vehicles, therefore surplus unused vehicles saves the County money. He encouraged department heads to surplus vehicles as soon as they are no longer in use.

Auditor Smith stated that the County has made \$92,000.00 in surplus property so far this year.

Commissioner Wright made a motion to approve the sale of the surplus property.

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

DISCUSSION AND POSSIBLE APPROVAL OF INDIGENT BURIAL FOR MARK MCDONALD

Auditor Smith presented an application for the indigent burial for Mark McDonald. She also explained that this is the last indigent burial that can be covered with the current budget and that the budget will need to be opened and this item addressed if more are to be covered.

Commissioner Draper made a motion to approve the indigent burial for Mark McDonald. Commissioner Wright SECONDED the motion. The voting was unanimous and the motion carried.

DISCUSSION REGARDING MILLARD COUNTY FAIR- BETTY JO WESTERN

Betty Jo Western, the former County Fair Director, stated that she has resigned from this position and expressed some of her concerns. One issue being the new policy of no longer allowing cash to be used at the fair. She explained that not allowing cash and requiring W2's and Social Security numbers drastically changed the fair and that the short notice she received about the new policies caused several problems and issues with booth owners and fair attendees. She also said that as a volunteer she was not kept in the loop when policies concerning the fair were decided by the Commission. She felt that she and her Board were not valued by the commissioners and hopes that in the future this will change.

Commissioner Warnick stated that she only has praise for Mrs. Western and the work she has done. She also said that the County always has room to improve.

Commissioner Draper stated that he is incredibly sorry that she feels hurt and that if there is anything that the Commission can do to remedy this situation, they will do it. He also had a few questions about these new policies that he was not aware of.

Treasurer Dearden explained that these are new policies required by the IRS and that the County has no choice but to follow them.

Auditor Smith also explained the complexities that these new policies have when it comes to those participating in the Fair who also participate in the URS program.

Commissioner Wright stated that while they can not go back and change things, he is very grateful for her comments and affirmed that they are very useful. He also commended her for all the work that she has done and thanked her for her time.

Mrs. Western finished by expressing her concern for the volunteers in the County and said that she has no hard feelings towards the Commission.

REPORT ON THE OLD CAPITAL ARTS AND LIVING HISTORY FESTIVAL - ABE

JOHNSON

Abe Johnson, President of the Old Capital Arts and Living History Festival; Carl Camp, Territorial State Park manager, Woody Johnson, Territorial State Park Museum Curator; and Doug Jolley presented the annual Old Capital Arts and Living History Festival report.

Mr. Johnson expressed his pleasure in being able to watch this festival grow over the years and presented the goal of the festival. He expressed his great gratitude for the County and the Commission for supporting them and helping the festival to grow. He explained that the festival has immense educational value with great participation from the County schools, as well as being a great tourism attraction for the County.

Mr. Jolley expressed his appreciation for County support.

Mr. Johnson stated that this festival promotes many aspects of the County and is a great asset for the County.

Mr. Camp stated that both the County and Fillmore City support for this festival was key in receiving updates and renovations on the Territorial State Park and that its revenue has increased due to this festival.

Mr. Johnson explained that they will be focusing on all the historical aspects of the Territory of Utah. This year with the approval of Indian Affairs, Native American Tribes from all over the State will be holding demonstrations at the festival. He did express his desire to have more arts at the festival. He also thanked the commissioners for all the efforts that were put forth to help mediate the consequences of the Halfway Hill Fire; especially the MCSO and the Road Department.

DISCUSSION AND POSSIBLE APPROVAL OF REQUEST UNDER IPP CONDITIONAL USE PERMIT AMENDMENT II.G.4 FOR WORKER FAMILIES TO RESIDE IN TEMPORARY SITE HOUSING FACILITIES AT THE IPP RENEWAL PROJECT. INTERMOUNTAIN POWER AGENCY, PETITIONER.

Brent Kent, IPP Project Site Manager, and Matthew Kolste, IPP Community Relations Manager are requesting the commissioners allow families of IPP workers to reside in the RV park located on IPP property. Mr. Kent said that when the original conditional use permit was presented it stated that the worker, single and/or married, working on the IPP project, could not utilize the RV sites on IPP property for onsite family housing without approval from the County Commission.

Planner Richins further explained the conditions when it comes to onsite and offsite housing.

Mr. Kent said that there are currently 200 spaces and are they looking at add 400 more.

Planner Richins explained some of the concerns with that many families living out in the RV parks on IPP property; one being busing and the impacts on the school district. Another concern being whether or not the housing will be long term and if it will establish new communities or areas. Another concern is safety with this being an industrial work site, which is not compatible with small children and families.

Mr. Kent said that Intermountain Power Agency has no interest in running an RV park and wants to work with the County so that everyone will benefit and be safe.

Attorney Finlinson said that the contract was originally drafted ambiguously so that it would allow for further discussion as concerns and needs such as this arise.

Mr. Kent said that the majority of the workers would only be working for short periods of the time. He also said that while Fall 2023 is the projected date for peak number of workers on site at 1,200 workers, the housing issue is starting now.

Commissioner Draper asked whether the 600 anticipated sites would be sufficient if they have double the amount of workers coming. Mr Kent explained that according to statistics, IPA only needs to provide 50% of the required living sites; therefore, the projected 600 sites is adequate.

Commissioner Draper stated that 300 sites total was what was communicated to the County, not 300 in addition to the original number. He then requested that the Commission receive concrete plans and numbers concerning this site.

Commissioner Draper questioned the age limit for children proposed to live on site. Mr Kent responded that nothing formal is going to be put in place, but the verbal understanding is that they will be below school age. Commissioner Draper also question if they plan to discuss this living project with the County Sheriff as this new community will be a significant burden on law enforcement. Mr Kent answered that they are planning on meeting with the Sheriff.

Commissioner Draper stated that their request is too open ended. He said that parameters and a concrete plan need to be presented to the Commission before approval can be granted.

Planner Richins said that there is a draft blue print for the communities that he can forward to the Commission.

Sheriff Jacobson explained his office's obligation to such communities, with 1600 sites now planned across the County. He said that this is a significant burden upon his department and employees. He also had some specific questions for the presenters that need to be addressed. Sheriff Jacobson said that he is anxious to have a sit down and discuss the finer points of this issue.

Planner Richins said that initially it was anticipated that it was going to be a mix of RV

and housing units onsite. The anticipated numbers have not changed, but the plan has switched to RV accommodations being the primary housing. This request change is just allowing families to accompany the workers.

It was decided that approval cannot be granted today as there are too many departments and offices in the County that would be impacted. Commissioner Draper clarified that it is a provisional yes that it will be allowed, when or if the issues are resolved. The project managers should meet with the Sheriff and the school district and then return to the Commission with impact information and a specific plan on how to manage those impacts.

PUBLIC INPUT

There was none.

OTHER BUSINESS

Commissioner Draper stated that he was approached by Tom Lovell from the Delta High School Class of 1967. They are having their 55th year high school reunion and want to have a golf tournament with all the fees waived. They plan to contribute the fees to a scholarship fund at Delta High School. The Commission gave approval and will contact the necessary people to make this happen.

Commissioner Wright stated that concerns have been expressed over the County property taxes and had asked Treasurer Dearden to explain the process. She used a presentation to explain County property taxes to help clear up any misunderstandings. See attachment.

Auditor Smith presented the proposed Ash Grove Stipulation Agreement. She said that there is no change in the value, but Commission approval is needed.

Commissioner Wright made a motion to approve the Ash Grove Stipulation Agreement.

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

Attorney Finlinson provided some background concerning the funds the County receives from the Utah Opioid Settlement Memorandum of Understanding. He explained that the Firm distributing the funds from this settlement need an acknowledgment of the Utah Subdivision Agreement to establish Utah attorney fee and expense fund by the counties involved stating that they know they will receive less then what was originally anticipated.

Commissioner Draper made a motion to approve signing and returning the agreement letter.

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

Auditor Smith presented the proposed employee assistance program with Blomquist Hale in response to HB23.

Sheriff Jacobson expressed how important this is for the County and his desire to be a voice for County employees concerning the issue of employee mental health and services
Auditor Smith stated that funding could come from the PEHP refund.

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 was none.

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

There was none.

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

Commissioner Draper made a motion to enter into a BOE.

Commissioner Wright SECONDED the motion. The voting was unanimous and the motion carried. The BOE began at 12:39 p.m.

Auditor Smith presented the following partials that require Commission approval for stipulation or assessor adjustment; Hodges, William H-2067, stipulated after assessor inspection, SDSC, Account 191592, assessor adjustment, Finlinson, William Russell L-2279-2, assessor adjustment, Goffe, Bradly D - M-1521, stipulated after assessor inspection, Oliver, Ilene DO-3267-2, assessor adjustment , and Eagle Market LLC - F-277, stipulated after assessor inspection.

Assessor Manis explained that sometimes his office does not have the initial opportunity for close assessment.

Commissioner Wright made a motion to approve the changes as presented.

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

Commissioner Draper made motion to close the BOE.

Commissioner Wright SECONDED the motion. The voting was unanimous and the motion carried. The BOE closed at 12:43 p.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.

COMMISSION WORK MEETING

There was none.

WHERE UPON THE MEETING ADJOURNED

Commissioner Warnick adjourned the meeting at 12:44 p.m..

Attest: _____

Approved: _____