

MINUTES OF BOARD OF COUNTY COMMISSIONERS
MILLARD COUNTY THE 18th DAY OF OCTOBER, 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: Kevin Morris. County Tourism Director
Sheri Dearden. County Treasurer
Pat Bennett. Sheriff’s Office
Bonnie Smith. County Auditor
Angie Meinhardt. Delta Office Manager
Sierra Dickens. County Recorder
Adam Richins County Planning
Vicki Lyman. Commissioner Elect
Edward Mahony. ARES Mining
Trevor Johnson and Matt Kolste. Citizen

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 said that while harvesting his garden, he was reminded of a discussion where one person at a meeting introduced themselves as being a proud direct decedent of Brigham Young, to which the

meeting organizer replied, “ Make yourself into something. Don’t rely upon your ancestors or the best part of you is underground.” Commissioner Draper said the invocation. Everyone stood and said the Pledge of Allegiance to the Flag.

APPROVAL OF OCTOBER 4, 2022 COMMISSION MINUTES

The proposed minutes of a regular County Commission meeting held October 4, 2022 were presented for consideration and approval. Following review and consideration of minor corrections, Commissioner Wright made a motion to approve the minutes of October 4, 2022 as corrected.

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

FOLLOW UP ACTION ITEMS FROM OCTOBER 4, 2022

There were none.

DISCUSSION AND POSSIBLE APPROVAL OF TOURISM DIRECTOR EXTENSION

Commissioner Wright made a motion to approve the Tourism Director extension for one more month.

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

RATIFICATION OF APPROVAL TO MOVE THE NOVEMBER 15, 2022 COMMISSION MEETING TO NOVEMBER 22, 2022

Commissioner Draper made a motion to approve moving the November 15, 2022 Commission meeting to November 22, 2022.

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

DISCUSSION AND POSSIBLE APPROVAL OF RESOLUTION 22-10-18, A RESOLUTION OF THE MILLARD COUNTY COMMISSION AMENDING RESOLUTION 13-01-22 (ADOPTING THE MILLARD COUNTY STEP AND GRADE SCALE) BY CREATING NEW PART-TIME POSITION IN THE MILLARD COUNTY TOURISM DEPARTMENT OF EVENT PLANNER

Commissioner Warnick provided a copy of the job description for this position, as per the discussion held during the October 4, 2022 Commission meeting and suggested that it be assigned the step and grade 18A.

Tourism Director Morris explained the research that was put into this position, the circumstances in the County that warrant this position, and the expectations of this position.

Commissioner Wright made a motion to approve Resolution 22-10-18, a resolution of the Board of County Commissioners of Millard County, Utah, amending Resolution 13-01-22 (Adopting the Millard County Step and Grade Scale) by creating a new part-time position in the Millard County Tourism Department of Event Planner at step and grade 18A.

Commissioner Draper SECONDED the motion. Clerk Rowley 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 RATIFICATION OF AUTHORIZATION TO SUBMIT APPLICATION FOR 2022 ALLOCATION OF \$3,949,200.00 FROM LOCAL ASSISTANCE AND TRIBAL CONSISTENCY FUND (LATCF)

Attorney Finlinson briefly explained that based on the discussion held during the October 4, 2022 Commission meeting, this just needs to be formalized.

Commissioner Draper made a motion to approve the submission of the application for the 2022 allocation of \$3,949,200.00 from LATCF.

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

Auditor Smith stated that the application was submitted on October 13, 2022 and was accepted, but it is not known when the money will reach the County.

DISCUSSION AND POSSIBLE APPROVAL OF DELEGATION OF EXECUTIVE AUTHORITY RELATED TO LATCF APPLICATION TO ONE COMMISSIONER

This item was struck from the agenda.

DISCUSSION AND POSSIBLE ADOPTION OF RESOLUTION 22-10-18A, A BOND AUTHORIZING RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS OF MILLARD COUNTY, UTAH AUTHORIZING THE ISSUANCE OF MANUFACTURING FACILITY REVENUE BONDS TO BENEFIT ARES STRATEGIC MINING, INC.'S PROPOSED FLUORSPAR PROCESSING FACILITY PROJECT NEAR DELTA.

Attorney Finlinson explained that normally there would be a public meeting prior to a resolution being approved; however the notice was not published in time. He explained that the bond authorizing resolution contains language stating that the issuance of the bond is dependant on the public hearing taking place and final authorization; however the public hearing can occur after authorization is given.

Having read a letter that explained financial burden will be solely upon ARES, Commissioner Draper said that this is an economic opportunity that would benefit the County greatly.

Commissioner Draper made a motion to approve Resolution 22-10-18A, a resolution of the Board of County Commissioners of Millard County, Utah, authorizing the issuance of manufacturing facility revenue bonds to benefit ARES Strategic Mining, Inc.'s proposed Fluorspar Processing Facility Project near Delta.

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.

DISCUSSION AND POSSIBLE APPROVAL OF FILLMORE ROAD BARN PROJECT CONSTRUCTION EXPENSES

Commissioner Wright explained that there is a need for a burner that could use used oil which was not previously discussed within the budget. The cost would be around \$15,000.00.

Commissioner Wright made a motion to approve the Fillmore Road Barn Project Construction expense.

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

MONTHLY FINANCIAL REVIEW

Treasurer Dearden presented the September 2022 financial review.

DISCUSSION AND POSSIBLE APPROVAL OF CREATING AN IMPACT COMMITTEE

Attorney Finlinson asked the Commission how formal this impact committee should be. He stated that his opinion is that it should be an advisory board created by resolution.

Commissioner Wright agreed with Attorney Finlinson and further explained the expectations that this committee would have, including their ability to research issues and then make recommendations with the Commission giving final approval.

Commissioner Draper suggested that it be made up of elected county officials and department heads whose offices will be directly impacted by this project and that the committee last for the duration of the project.

Planner Richins affirmed that any actions taken by the committee would need approval from the Commission and there is always opportunity to add entities onto the committee in the future.

Attorney Finlinson said that he has enough information to draft a resolution.

DISCUSSION AND POSSIBLE APPROVAL OF IGP WAIVER

Two waivers were presented by Angie Meinhardt.

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

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

PUBLIC INPUT

There was none.

OTHER BUSINESS

Commissioner Wright said that he wanted to clarify that the work done on the Halfway Hill fire can be separated into two funding sections. One is fire; \$80,000.00 at Pine Creek 1; and \$87,000.00 at Pine Creek 2. After discussion, with the County Road Supervisor, Commissioner Wright asked for Fillmore City to cover the Dry Creek Basin and said the County will cover the other two.

Commissioner Warnick and Commissioner Draper approved of that proposal.

Commissioner Wright said that they will send notice to Fillmore City.

Commissioner Draper explained a few options on where funding for these bills could come from.

Auditor Smith explained that on the 2023 Benefit Selection from PEHP renewal contract, the Commission needs to opt in or out of the Gender Reassignment coverage.

Commissioner Wright made a motion to opt out.

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

Planner Richins explained that he had the opportunity to talk to Eric Larson from Six Counties Associations and Governments who made him aware of a grant opportunity for reusing or recycling waste water projects. He asked the Commission if the County would be interested in pursuing such a project. Planner Richins said that he supports pursuing this grant.

The Commission gave approval for Planner Richins to pursue this grant.

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

Clerk Rowley made the Commission aware that the post election audit is scheduled for November 14, 2022 at 2:0 p.m. and one commissioner is required to attend. The canvas is scheduled for November 22, 2022 at 12:00 p.m.

Attorney Finlinson said that due to new legislation mandating surveillance systems at every 24 hour ballot drop box location, there is an expectation that grama requests will come in for all the video recordings. He explained that this is going to be an enormous and costly task, not only to set up the cameras but to store all the data.

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

There was none.

POSSIBLE REVIEW OF COUNTY POLICIES AND CONTRACTS

Attorney Finlinson presented the advisory contract between the Sheriff’s Office and Dr. Craig Grose from Revere Health. It is a consultation contract not a direct treatment contract and is \$400.00 a month.

Commissioner Draper made a motion to approve the advisory contract with Dr. Craig Grose. Commissioner Wright SECONDED the motion. The voting was unanimous and the motion carried.

POSSIBLE CLOSED MEETING PURSUANT TO UTAH CODE ANNOTATED SECTION 52-4-204 & 205

There was none.

WHERE UPON THE MEETING ADJOURNED

Commissioner Warnick adjourned the meeting 11:08 a.m..

Attest: _____

Approved: _____