

MINUTES OF BOARD OF COUNTY COMMISSIONERS
MILLARD COUNTY THE 18th DAY OF APRIL, 2023
AT THE COURTHOUSE, FILLMORE, UTAH

PRESENT: Bill Wright..... Chairperson
Vicki Lyman..... Commissioner
Trevor Johnson..... Commissioner

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

ALSO PRESENT: Sheri Dearden..... County Treasurer
Sierra Dickens. County Recorder
Bonnie Smith. County Auditor
Adam Richins..... County Planner
Angie Meinhardt. Delta Office Manager
John Higgins. County Landfill Supervisor
Pat Bennett County Sheriff’s Office
Dennis Alldredge..... 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 Wright to the public and Commission members.

OPENING STATEMENTS

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

APPROVAL OF APRIL 11, 2023 COMMISSION MINUTES

The proposed minutes of a regular County Commission meeting held April 11, 2023 were presented for consideration and approval. Following review and consideration of minor corrections, Commissioner Johnson made a motion to approve the minutes of April 11, 2023 as corrected.

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

carried.

FOLLOW UP ACTION ITEMS FROM April 11, 2023

There were none.

DISCUSSION AND POSSIBLE APPROVAL OF THE COUNTY'S PARTICIPATION IN THE HOME ENERGY EFFICIENCY GRANT PROGRAM

Auditor Smith explained the grant program and suggested that the County fill out the application.

Commissioner Lyman made a motion to approve the County's applying for participation in the home energy efficiency grant program.

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

Attorney Finlinson asked about the water resource grant program and Commissioner Wright said that the County is not moving forward due to requirements.

OPENING AND POSSIBLE AWARDING OF SEALED BIDS FOR A FRONT LOAD GARBAGE TRUCK

Auditor Smith opened the following bids:

- Martin Spencer, Refuse Equipment Sales, in the amount of \$394,500.00
- Landon Thompson, Signature Equipment, in the amount of \$124,748.00, does not include the chassis
- Gavin Erickson, Owen Equipment, in the amount of \$173,153.00, does not include the chassis

Supervisor Higgins explained that the County has already done business with Refuse Equipment Sales, but he would like to research into the bids more as there may be some savings if the box and the chassis are acquired separately. He explained that none of the bid products are available for deliverable at this time.

Attorney Finlinson explained that only one bid is considered responsive as the request for bids included the entire setup.

Commissioner Johnson made a motion to accept the bids, as presented and to review the specifications of the bids before awarding the bid.

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

MONTHLY FINANCIAL REVIEW

Auditor Smith and Treasurer Dearden presented the monthly financial review for March 2023.

Commissioner Johnson made a motion to approve the monthly financial review for March 2023.

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

DISCUSSION AND POSSIBLE LEGISLATIVE APPROVAL OF DECLARATION OF EMERGENCY FOR FLOOD CONTROL

Attorney Finlinson explained that an executive declaration of emergency can only last for one month at a time; however, using legislative approval it may be extended. It was suggested to extend the declaration through August 31, 2023.

Commissioner Lyman made a motion to approve the Declaration of Emergency for flood control through August 31, 2023.

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

DISCUSSION AND POSSIBLE APPROVAL OF THE 2024 FY STATE COURT CONTRACT

Attorney Finlinson explained that the County owns the court facilities and the State leases it.

Clerk Rowley explained that the contract for 2024 is in the amount of \$193,007.94, which is an increase from the 2023 contract.

Commissioner Johnson made a motion to approve the 2024 FY State Court Contract in the amount of \$193,007.94.

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

PUBLIC INPUT

There was none.

OTHER BUSINESS

Attorney Finlinson said that the Tourism media RPF was awarded to Avalaunch. Avalaunch sent an agreement with terms for signatures, which was not favorable. He said that a letter of intent will be sent to Avalaunch to start negotiations.

Commissioner Lyman said that she received a message from the Miss Millard Pageant Board discussing its desire to disaffiliate with the Miss Utah and Miss America Pageant Programs. The Board would like to have their own County pageant with their own rules and conditions that is not connected to the Miss Utah and Miss America programs. Commissioner Lyman expressed her support of the Board's decision.

Auditor Smith said that there is \$18,500.00 total budgeted for the Miss Millard Pageant.

Commissioner Lyman made a motion to approve the disaffiliation of the Miss Millard Pageant with the Miss Utah and Miss America Pageant Programs.

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

Commissioner Lyman said that at the party's caucus, it was said that the Bureau of Land Management is taking public comment on allowing conservation groups to buy the rights to grazing lands. She asked if this information could be added to the County website.

Attorney Finlinson explained that there is a fine line between disseminating public information and public advertising, but there are no clear guidelines as to what is allowed and what is not and where on the website it should be posted. He said that it does have to be content neutral, but most likely will have to be decided on a case by case basis.

Commissioner Wright suggested entities should go through the party delegates and that the County is not responsible for disseminating all information.

Later, Commissioner Johnson explained that the County received notice from Central Utah Mental Health saying that they have received more funding and have asked that the County pay \$1271.79 more as part of the matching funds.

Commissioner Johnson also said that the Rodeo Board was informed that the Cowboy Radio channel wants to stream the Rodeo and would charge an up-front cost in the amount of \$1,272.50; however, the Cowboy Radio channel will pay the Rodeo Board \$2,000.00 after the rodeo. He said that this service was not budgeted for and the Rodeo Board needs an additional \$460.00 to cover the up-front cost, which will be a reimbursable expense.

Auditor Smith explained that since this is a simple overpayment reimbursement, she can easily handle it with approval from the Commission.

Commissioner Johnson made a motion to allow Auditor Smith to move funds as needed and to approve the overpayment reimbursement to the Rodeo Board.

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

Commissioner Lyman asked if there is a noise ordinance that would apply to the County

Fair and Rodeo.

Attorney Finlinson said that he did not know, but most likely it would be town ordinances that would manage it.

Commissioner Wright asked if there are rules concerning signs on the side of the roads. Planner Richens explained the City, County, and State zoning rules and conditions that apply.

Attorney Finlinson brought up a IPA Renewal project impact situation concerning speeding on the roads to IPP. He said that there are many speeding cases resulting unsafe road conditions and that the Justice Court has seen a great increase in cases. He suggested offering double time to the deputies to work speed shifts. He suggested using funds from IPA as this is a direct impact of the project and should be pursued sooner rather than later.

Captain Bennett said that this has also been discussed in the Sheriff's Office. He suggested that more meetings be held with the Impact Alleviation Committee. He also said that deputies have also responded to increased DUI incidents from the bar in Delta City. He explained that the real problem is that there are not enough deputies to cover everything.

Planner Richins offered to reach out and start the conversation with IPA.

Commissioner Johnson said that there is an issue at the landfill station with IPP workers dumping, who are not allowed. He said this situation should be discussed with the Impact Alleviation Committee as well. He suggested that the Landfill Department be compensated for the extra work.

DISCUSSION AND POSSIBLE APPOINTMENTS TO VARIOUS COUNTY BOARDS

Clerk Rowley said that Matt Eliason was the only applicant for the Deseret Hinckley Cemetery Board vacancy.

Commissioner Johnson made a motion to appoint Matt Eliason to the Deseret Hinckley Cemetery Board

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

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

There was none.

POSSIBLE REVIEW OF COUNTY POLICIES AND CONTRACTS

Clerk Rowley presented a new Tritel Network Contract for two cameras to be added to the existing system at the Public Safety Building due to new election legislation HB448. She explained that the total cost of \$2,263.00 for the two cameras is covered in the elections budget, but will be reimbursed with funds appropriated in the bill.

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

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 11:17 a.m..

Attest: _____

Approved: _____