

MINUTES OF BOARD OF COUNTY COMMISSIONERS
MILLARD COUNTY THE 23rd DAY OF MAY, 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: Travis Kyhl..... SCAOG
Sierra Dickens. County Recorder
Debra Arnold. County Chief Deputy Treasurer
Bonnie Smith. County Auditor
Dennis Alldredge and Matt Kolste..... Citizens
Richard Jacobson..... County Sheriff
Jacob Nielson..... County HR Director
Adam Richins..... County Planner
Richard Beckstrand. County IT Director
Greg Kelsey Utah Highway Patrol (UHP)

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

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

APPROVAL OF MAY 2, 2023 COMMISSION MINUTES

The proposed minutes of a regular County Commission meeting held May 2, 2023 were presented for consideration and approval. Following review and consideration of minor corrections, Commissioner Lyman made a motion to approve the minutes of May 2, 2023 as corrected.

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

FOLLOW UP ACTION ITEMS FROM MAY 2, 2023

Commissioner Wright discussed the public usage of County RV hook ups.

Attorney Finlinson explained that the County needs to establish a management fee, a procurement threshold, and where the money would go.

Commissioner Lyman will follow up on this item.

MONTHLY FINANCIAL REVIEW

Auditor Smith and Chief Deputy Treasurer Arnold presented the monthly financial review for April, 2023.

DISCUSSION AND POSSIBLE APPROVAL OF AN INTERLOCAL AGREEMENT SCAOG - TRAVIS KYHL

Mr. Kyhl explained that SCAOG was not properly established as a government entity. He briefly explained how it was originally formed as a corporation and the benefits that they would gain as an entity. He explained that a new inter local entity needs to be established and rebranded as the R6 Regional Council

Commissioner Lyman made a motion to approve the agreement for the R6 Regional Council to be established as an inter local agency.

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

DISCUSSION AND POSSIBLE DECISION REGARDING USE OF OPIOID SETTLEMENT FUNDS

Attorney Finlinson explained that a report is due by the end of May and how the funds will be used. He briefly explained the County's drug situation concerning fentanyl. He said that the funds are restricted to treatment and alleviation efforts, but could be used to enhance current programs, including Drug Court and naran availability.

Auditor Smith said that opioid funds in the amount of \$29,000.00 has been received.

Sheriff Jacobson said that naran availability should be enhanced. He said that there is a coalition of local entities that works toward distributing naran throughout the community. He explained that sourcing is limited and these funds would be very beneficial.

Commissioner Wright agreed that the focus should be getting naran to the local entities who

are first responders.

Sheriff Jacobson gave a brief history about fentanyl and how it is being transported into the US and used in the drug trade.

Attorney Finlinson and Auditor Smith will prepare the report based off of County discussions and will circulate a draft before it is due.

DISCUSSION REGARDING A COST INCREASE TO THE UTAH HIGHWAY PATROL (UHP) OFFICE LEASE AGREEMENT

Clerk Rowley explained that she was contacted by UHP concerning the five year lease on an office space in the public safety building that is up for renewal.

Auditor Smith said that the current amount of the lease is \$6,828.00 per year and would be increased to \$8,267.39 per year.

Sheriff Jacobson explained that some administrative functions have been transferred out of that office space.

UHP Sergeant Kelsey said that they occupy 975 square feet.

Sheriff Jacobson explained that the affiliation that they have with UHP is very important to the County and that being able to work closely and share a space is essential to these functions.

Commissioner Johnson made a motion to potentially increase the cost for the UHP office space located in the public safety building.

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

DISCUSSION REGARDING ROLLING OVER REMAINING EMPLOYEES IN THE TRANSAMERICA 401K TO THE UTAH RETIREMENT SYSTEM (URS) 401K PLAN

IT Director Beckstrand explained that two 401k plans were previously offered to County employees. Currently, the only one being offered is from the URS. As the trustee of the Transamerica plan, he has discussed this issue with those employees still currently on this plan. He explained that the money would just roll over into the URS and does not for see any problems.

FINANCIAL REVIEW

This was a duplicated item.

PUBLIC INPUT

There was none.

OTHER BUSINESS

Commissioner Wright reported that he had received the economic development contract with Stuart Clason.

Commissioner Johnson made a motion to approve the economic development contract with Stuart Clason.

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

Commissioner Wright reported that he had received a proposal with two options for racetrack, but that further discussions will be needed.

Commissioner Wright reported that a resolution will be needed in order to accept solar panels at the landfill. Commissioner Johnson agreed to work with Attorney Finlinson on the issue.

Commissioner Wright explained that the preliminary property values for the County have been received by the Treasurer's Office.

Auditor Smith said that there were a few mistakes found on the report and that they are working on fixing the report.

Commissioner Lyman received an email from DNR about a new rule change for conservation groups that would allow them lease public lands. She said that the State is trying to get all counties to write a letter in opposition. Commissioner Wright said he would support such a letter. It was decided that Commissioner Lyman and Attorney Finlinson will draft a letter.

Attorney Finlinson reported that many new legislation bills passed. He said that there are a few bills that will affect law enforcement volunteers. He also said that the County needs to revise its personal use of public property policy. He also said that there will be changes to road ordinances and classifications, as they are not consistent with state law, and that there is a need for a new transportation map.

Commissioner Wright gave an update on the delivery of large equipment at IPP. He said that any road or bridge damages could be considered in alleviations measures.

A business license application was presented for Ugly Mug , Owner -Brody Lovell, a coffee and specialty drink truck. After review of the application and finding all signatures in order, Commissioner Johnson made a motion to approve a business license for Ugly Mug, Owner - Brody Lovell.

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

DISCUSSION AND POSSIBLE APPROVAL OF RESOLUTION 23-05-23, A RESOLUTION APPROVING AN AGREEMENT TO ESTABLISH R6 REGIONAL COUNCIL AS AN INTERLOCAL ENTITY

Commissioner Johnson made a motion to approve Resolution 23-05-23, a resolution of the Board of County Commissioners of Millard County, Utah, approving an interlocal agreement establishing a regional R6 Regional Council as an interlocal entity.

Commissioner Lyman SECONDED the motion. Clerk Rowley called for a roll call vote. Commissioner Johnson voted YES. Commissioner Lyman voted YES. Commissioner Wright voted YES. The voting was unanimous and the motion carried.

DISCUSSION AND POSSIBLE APPOINTMENTS TO VARIOUS COUNTY BOARDS

Clerk Rowley reported that James Pierson was the only person who expressed interest in serving on the Housing Authority Board.

Commissioner Lyman made a motion to approve James Pierson to the serve on the Housing Authority Board.

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

Clerk Rowley reported that Christopher Palmer and McKell Manis were chosen to serve on the Hinckley/ Deseret Cemetery District.

Commissioner Johnson made a motion to approve Christopher Palmer and McKell Manis to serve on the Hinckley/ Deseret Cemetery District.

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

Clerk Rowley reported that the Great Basin Heritage Board would like to appoint Evelyn Warnick to serve on the Board.

Commissioner Johnson made a motion to approve Evelyn Warnick to serve on the Great Basin Heritage 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

Attorney Finlinson presented the contract with Avalaunch Media, LLC.

Commissioner Johnson made a motion to approve the contract with Avalaunch Media, LLC.

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

There is some confusion regarding the County landfill's contracted collection agency for delinquent commercial accounts. Attorney Finlinson will look into the situation and report back.

Attorney Finlinson explained that there are quite a few small Rodeo and Fair contracts and that it would be uneconomical to require each one to provide insurance coverage. He said that the Commission normally waives those requirements and advises that Event Coordinator Rachel West be granted authority to approve those contracts without that requirement.

Commissioner Johnson made a motion to approve granting Event Coordinator Rachel West the authority to approve contracts without insurance coverage.

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

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

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

Commissioner Lyman SECONDED the motion. All three commissioners voted unanimously and the motion carried. Present in the closed session were Commissioner Lyman, Commissioner Wright, Commissioner Johnson, Auditor Smith, Sheriff Jacobson, and HR Director Nielson.

After the closed executive session the regular meeting reconvened at 12:18 p.m.

Commissioner Johnson made a motion to approve the settlement issue as discussed.

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

WHERE UPON THE MEETING ADJOURNED

Commissioner Wright adjourned the meeting at 12:19 p.m.

Attest: _____

Approved: _____