

MINUTES OF BOARD OF COUNTY COMMISSIONERS
MILLARD COUNTY THE 11th DAY OF JULY, 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: Bonnie Smith..... County Auditor
Sierra Dickens. County Recorder
Debra Arnold. Interim County Treasurer
Richard Jacobson..... County Sheriff
Adam Richins County Planner
Jacob Nielson..... County HR Director
Jon Haderlie Larson & Company
Dennis Alldredge..... Citizen
Lora Fitch County Assessor’s Office

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 Wright asked if anyone had an opening statement to give Commissioner Johnson said the invocation. Everyone stood and said the Pledge of Allegiance to the Flag.

APPROVAL OF JUNE 20, 2023 COMMISSION MINUTES

The proposed minutes of a regular County Commission meeting held June 20, 2023 were presented for consideration and approval. Following review, Commissioner Johnson made a motion

to approve the minutes of June 20, 2023 as presented.

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

FOLLOW UP ACTION ITEMS FROM JUNE 20, 2023

Clerk Rowley reported that Distant Peak Engineering has still not submitted a valid sales and use tax number; therefore, their business license has not be issued.

INTERIM SUCCESSORS

Interim successors were presented for the following:

- Road Department
- Treasurer's Office
- West Maintenance Department
- Landfill Department
- Solid Waste Division
- West Recreation Department

Commissioner Johnson made a motion to approve the interim successors as presented. Commissioner Lyman SECONDED the motion. The voting was unanimous and the motion carried.

RATIFICATION OF THE CONSULTING AGREEMENT WITH SHERI DEARDEN

Commissioner Lyman made a motion to ratify the consulting agreement with Sheri Dearden. Commissioner Johnson SECONDED the motion. The voting was unanimous and the motion carried.

DISCUSSION AND POSSIBLE APPROVAL OF A CELL PHONE ALLOWANCE FOR INTERIM TREASURER DEBRA ARNOLD

Commissioner Johnson made a motion to approve the monthly cell phone allowance in the amount of \$120.00 for Interim Treasurer Debra Arnold.

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

PRESENTATION OF THE MILLARD COUNTY INDEPENDENT AUDIT

Jon Haderlie, Larsen an Co. auditor, explained the process of performing an independent audit for a county and then presented the report for the Millard County independent audit. Following his report, he said that there are no major problems and that the County is in good standing. He said that one area of improvement is that inventory tracking within the County should be done on the

department level, including non capital assets, and should utilize some sort of a tracking database. The finding on last year's audit remains on this year's audit because the required tracking for roads and bridges has not been implemented yet.

MONTHLY FINANCIAL REVIEW

Auditor Smith and Interim Treasurer Arnold presented the monthly financial review for May 2023.

DISCUSSION AND POSSIBLE ADOPTION OF ORDINANCE 23-07-11, AN ORDINANCE OF THE BOARD OF COUNTY COMMISSIONERS OF MILLARD COUNTY, UTAH CREATING THE MILLARD COUNTY RECORDER APPEAL AUTHORITY

Attorney Finlinson explained that the State Legislature requires this appeal authority to be granted to someone in the County. It will be advertised and then the Commission will appoint a person to hold this authority.

Commissioner Johnson made a motion to adopt Ordinance 23-07-11, an ordinance of the Board of County Commissioners of Millard County, Utah, creating the Millard County Recorder Appeal Authority.

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

DISCUSSION AND POSSIBLE APPROVAL OF A MEMORANDUM OF UNDERSTANDING (MOU) FOR INDIGENT DEFENSE SERVICES

Attorney Finlinson briefly explained the need for this MOU.

Commissioner Johnson made a motion to approve the MOU for Indigent Defense Services.

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

DISCUSSION AND POSSIBLE APPROVAL OF RESOLUTION 23-07-11, A RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS OF MILLARD COUNTY, UTAH AMENDING RESOLUTION 23-06-06B, AUTHORIZING IMPACT ALLEVIATION PREMIUMS FOR MILLARD COUNTY SHERIFF'S OFFICE PERSONNEL

Attorney Finlinson explained that this resolution adds dispatchers to the list of personnel who could receive impact alleviation premiums.

Auditor Smith asked if this would be retroactive.

Attorney Finlinson said that he would look into this possibility.

Commissioner Johnson asked if IPA has agreed to these alleviation payments and if this has been presented to them in a written agreement or if the County is approving action based off of a verbal agreement.

The commissioners decided that in the future any alleviation payments or decisions need to be presented to IPA in writing, for agreement, prior to being presented to the Commission for approval.

Commissioner Johnson made a motion to approve Resolution 23-07-11, a resolution of the Board of County Commissioners of Millard County, Utah, amending Resolution 23-06-06B, authorizing impact alleviation premiums for Millard County Sheriff's Office personnel.

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

PUBLIC HEARING FOR THE PURPOSE OF RECEIVING PUBLIC COMMENT ON OPENING BUDGETS FOR THE 2023 YEAR. BUDGETS TO BE CONSIDERED ARE THE GENERAL FUND FOR A PASS THROUGH UDOT GRANT. ALL OTHER BUDGETS MAY BE CONSIDERED AS NECESSARY

Commissioner Lyman made a motion to enter into a public hearing for the purpose of receiving public comment on opening budgets for the 2023 year. Budgets to be considered are the general funds for a pass through UDOT grant. All other budgets may be considered as necessary.

Commissioner Johnson SECONDED the motion. The voting was unanimous and the motion carried. The public hearing began at 11:21 a.m..

Present were: Auditor Smith, Recorder Dickens, Interim Treasurer Arnold, Sheriff Jacobson, HR Director Nielson, Planner Richins and Dennis Alldredge.

Planner Richins explained the transportation project that the County applied to receive UDOT grant funds for.

Commissioner Johnson made a motion to close the public hearing.

Commissioner Lyman SECONDED the motion. The voting was unanimous and the motion carried. The public hearing closed at approximately 11:24 a.m..

DISCUSSION AND POSSIBLE APPROVAL OF RESOLUTION 23-07-11A, A RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS OF MILLARD COUNTY, UTAH OPENING AND AMENDING THE 2023 BUDGET AS DISCUSSED

Commissioner Wright asked if any of the grant money could be put towards an inventory

system for County Roads.

Planner Richins explained that there would be a lot of overlap and would be very helpful in completing the preparatory work for implementing an inventory system.

Commissioner Johnson made a motion to approve Resolution 23-07-11A, a resolution of the Board of County Commissioners of Millard County, Utah, opening and amending the 2023 budget as discussed.

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 APPROVAL OF A CONTRACT WITH JONES AND DEMILLE ENGINEERING FOR PROFESSIONAL SERVICES

Planner Richins explained that Jones and DeMille Engineering has been working with the Planning and Zoning Department to provide engineering services and inspections in order to apply for grants. This agreement would allow the County to continue to utilize their services to evaluate the County transportation network, to compile data, and to draft a master transportation plan.

Commissioner Johnson made a motion to approve the contract with Jones and DeMille Engineering for professional services.

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

DISCUSSION AND POSSIBLE APPROVAL OF RESOLUTION 23-07-11B, 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 NEW POSITIONS FOR A MASTER MECHANIC WITHIN THE MILLARD COUNTY ROAD DEPARTMENT AND THE LANDFILL DEPARTMENT

Commissioner Johnson explained the need for a master mechanic to be utilized between these two departments.

Commissioner Wright explained that sharing a mechanic would be beneficial to both departments and would save the County funds by not needing to spend funds on outside work and overtime.

HR Director Nielson said that it would be at a grade assignment 19.

Commissioner Lyman made a motion to approve Resolution 23-07-11B, 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 new positions for a master mechanic within the Millard County Road Department and the Landfill Department.

Commissioner Johnson 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 APPROVAL OF RESOLUTION 23-07-11C, A RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS OF MILLARD COUNTY, UTAH AMENDING RESOLUTION 13-01-22 (ADOPTING THE MILLARD COUNTY STEP AND GRADE SCALES) BY AMENDING THE GRADE ASSIGNMENT FOR THE MILLARD COUNTY EMS DIRECTOR

Sheriff Jacobson explained that the EMS Director was not being compensated as much as a subordinate. He explained that he met with HR Director Nielson and they both decided to remedy this situation by moving this position from step 13E to 13G.

Attorney Finlinson said that if this is only a step change then it does not require a resolution.

Commissioner Lyman made a motion to approve moving the EMS Director from step 13E to 13G.

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

DISCUSSION AND POSSIBLE APPROVAL OF RESOLUTION 23-07-11D, A RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS OF MILLARD COUNTY, UTAH AUTHORIZING THE MILLARD COUNTY TREASURER TO MANAGE AND ADMINISTER INVESTMENTS IN THE UTAH PUBLIC TREASURERS INVESTMENT FUND

Attorney Finlinson explained that this resolution is needed because Interim Treasurer Arnold requires this authority as the Interim Treasurer for the County.

Commissioner Johnson made a motion to approve Resolution 23-07-11D, a resolution of the Board of County Commissioners of Millard County, Utah, authorizing the Millard County Treasurer to manage and administer investments in the Utah Public Treasurers Investment Fund.

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

DISCUSSION AND POSSIBLE APPROVAL OF IGP FUNDS FOR CERTAIN ACTIVITIES

Commissioner Johnson explained that the High School Football teams are in charge of little league football and that there will be kids that could use help paying the registration fees.

Planner Richins said that if it is a school run program then they do not qualify, as it is district policy that fees should not be collected if it would prohibit participation.

Mr. Alldredge said that for sub highschool aged students, fee waiver programs do not apply and would not receive funds from the school.

Clerk Rowley read the list of IGP approved sports, which does not include football.

Attorney Finlinson suggested that this discussion needs to be with the IGP Board and explained that while the Commission approves funds, it cannot override decisions made by the IGP Board as to what is an approved sport.

Commissioner Johnson suggested that registration fees for soccer and baseball should be changed for next year.

DISCUSSION AND POSSIBLE APPROVAL OF DETERMINATION OF SPECIALTY VEHICLE CONCEPTS AS A SOLE SOURCE PROVIDER

Commissioner Wright explained the definition of a sole source provider.

Auditor Smith summarized the auditor's office review stating that there are other vendors who sell surveillance equipment but what sets Specialty Vehicle Concepts apart was the aesthetic look of the product. The Strike Force already have these camera systems and software allowing the systems to work together, which has been compelling to the board in history in determining sole source.

Sheriff Jacobson explained that Specialty Vehicle Concepts is the sole source provider for incognito camera technology and the County already owns software and equipment from this company which is utilized by the Sheriff's strike force.

Auditor Smith confirmed that her office conducted a brief review and recommended that Specialty Vehicle Concepts is a sole source provider.

Commissioner Johnson made a motion to approve Specialty Vehicle Concepts as a sole source provider.

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

DISCUSSION AND POSSIBLE APPROVAL FOR AUTHORIZATION TO ACCEPT A HIGHER BID FROM UNIFIED FLEET LEASING SERVICES

Attorney Finlinson explained that the procurement code requires Commission permission to award bids to a higher bidder and that it was discovered that the code did not specifically mention electronic bid submissions. He explained that it would require an ordinance to add that language to County Code.

Commissioner Wright asked what would be the best policy moving forward when dealing with leasing services and comparing prices.

Sheriff Jacobson explained that leasing services may no longer be cost effective and could be creating more problems rather than saving money. He said that moving forward, his office will be looking into alternate methods of procuring vehicles. He also explained the problems that come with leasing vehicles and vehicle availability, based on the market.

Commissioner Johnson made a motion to authorize the acceptance of a higher bid from Unified Fleet Leasing Services.

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

PUBLIC INPUT

There was none.

OTHER BUSINESS

Commissioner Lyman reported that the people in charge of the M.E. Bird Senior Center added onto the current building and were wondering if County would help cover the cost.

Attorney Finlinson explained that there is a very specific approval process that needs to be completed before any work is done in order for County funds be applied to building projects. Where this process was not followed, he said that the County would not provide any funds even though it is a County owned building.

Commissioner Lyman reported that there is interest in starting a cornhole league in Delta utilizing the County Fair Building.

Commissioner Wright said that they just need to follow the current fee schedule and to work with West Recreation to schedule the building.

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

There was none.

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

Commissioner Johnson made a motion to enter into a BOE.

Commissioner Lyman SECONDED the motion. The voting was unanimous and the motion carried. The BOE began at 12:36 p.m..

Deputy Auditor Bennett presented a list of evaluation posting errors and explained that she is requesting authority to approve this list and all other obvious errors as they arise.

Commissioner Johnson made a motion to approve the list of evaluation posting errors and authorize the Auditor’s Office to approve all other obvious errors as they arise.

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

Commissioner Johnson made motion to close the BOE.

Commissioner Lyman SECONDED the motion. The voting was unanimous and the motion carried. The BOE closed at 12:41 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.

WHERE UPON THE MEETING ADJOURNED

Commissioner Wright adjourned the meeting at 12:41 p.m..

Attest: _____

Approved: _____

