

MINUTES OF BOARD OF COUNTY COMMISSIONERS
MILLARD COUNTY THE 15th DAY OF AUGUST, 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: Debra Arnold Interim County Treasurer
Bonnie Smith. County Auditor
Sierra Dickens. County Recorder
Jacob Nielson..... County HR Director
Richard Jacobson, Jerid Bennett, and Patrick Bennett. . . . County Sheriff’s Office
Dennis Alldredge..... Citizens
Lora Fitch Interim County Assessor
Adam Richins County Planner
Shane Church SFC Welding Inc.

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

HR Director Nielson said the invocation. Everyone stood and said the Pledge of Allegiance to the Flag.

APPROVAL OF AUGUST 1, 2023 COMMISSION MINUTES

The proposed minutes of a regular County Commission meeting held August 1, 2023 were presented for consideration and approval. Following review, Commissioner Johnson made a

motion to approve the minutes of August 1, 2023 as presented.

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

FOLLOW UP ACTION ITEMS FROM AUGUST 1, 2023

There were none.

DISCUSSION AND POSSIBLE APPROVAL OF APPOINTMENT TO THE AGRI-PARK BOARD

Commissioner Wright presented the appointment of Commissioner Johnson to the Agri-Park Board and the Six Counties Board.

Commissioner Wright stepped from the chair and made a motion to approve the appointment of Commissioner Johnson to the Agri-Park Board and the Six Counties Board.

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

MONTHLY FINANCIAL REVIEW

Auditor Smith and Interim Treasurer Arnold presented the monthly financial review for July, as well as, the quarterly financial review.

Commissioner Lyman asked about the budget for Recreation for future projects.

Auditor Smith explained that the budget would need to be amended with projects added as Capital projects.

OPENING OF THE INMATE DENTAL SERVICES RFPS

Auditor Smith reported that no RFPs have been received by her office.

Sherif Jacobson suggested that they reopen the request for RFPs and answer any questions that they have received from potential contractors.

Commissioner Wright questioned if the previous contractor is interested.

Sheriff Jacobson said that they are no longer under contract with anybody. He explained the current arrangement with local dentist for emergency services only.

DISCUSSION OF AMENDING THE COUNTY PERSONAL USE POLICY

Attorney Finlinson explained that the County's personal use policy needed to be updated in order to be in compliance with the State and to allow for insurance coverage. He presented a copy

of the updated draft policy for discussion. He explained that it will be on the next Commission agenda for approval as a resolution.

Auditor Smith explained that an ethical statement that needs to be signed by all employees has not been sent out and suggested that once the personal use policy is official, both documents be sent out to all employees.

Commissioner Wright also suggested that this be discussed in the next supervisor meeting after it has been adopted.

DISCUSSION AND POSSIBLE APPROVAL OF IGP WAIVERS

Commissioner Johnson presented seven IGP wavers in the total amount of \$320.00.

Commissioner Johnson made a motion to approve the seven IGP wavers in the total amount of \$320.00

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

DISCUSSION AND POSSIBLE APPROVAL OF RESOLUTION 23-08-15, A RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS OF MILLARD COUNTY, UTAH APPROVING THE FILING OF CROSS-APPEALS TO 2023 APPEALS FILED BY TAXPAYERS SUBJECT TO CENTRAL ASSESSMENT

Attorney Finlinson presented the resolution and explained that it is a yearly occurrence that grants the County the ability to pursue cross-appeals.

Commissioner Lyman made a motion to approve Resolution 23-08-15, a resolution of the Board of County Commissioners of Millard County, Utah, approving the filing of cross-appeals to 2023 appeals filed by taxpayers subject to central assessment.

Commissioner Johnson 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 PROPERTY IMPROVEMENTS - SHANE CHURCH

Mr. Church explained that he is looking to annex land into Delta City, but Delta City would like the county road on his property to be double chipped sealed first, which requires it to be sprayed with magnesium chloride.

Commissioner Wright questioned why the County should put in the work and funding to improve the roads just to have it be turned over to Delta City.

Mr. Church explained that he is trying to get agreements in place that would prove to Delta City that the road improvements would eventually be completed by the County in order for the City to approve the annexation. He also explained that as part of this development project, Delta City is also requesting that there be a plan in place for water supply. He said that he has potentially solved that request if the County will agree to eventually improve the road.

Commissioner Wright explained that the County has historically taken the position that it does not provide municipal services for cities and towns.

Planner Richins explained that while the County does not participate in the annexation process, the issue is that this specific section of road is owned by the County and that the annexation is held up until a road improvement plan is in place. He said that the County is already planning on improving roads in the County using the requested process and that Mr. Church and other business owners are willing to help fund the improvement of the county roads that would be annexed with their project, in order to have them added to the overall County Road Improvement Project.

Mr. Church explained that he has talked to the County Road Supervisor, who said it is possible for it to be done with Commission approval, so he is looking for permission from the County. He said as long as the County will agree, then Delta City will approve their annexation plan and he can figure out payment later, if the County wants reimbursement,.

Commissioner Johnson explained the benefits that would come to the County by working with Delta City and other businesses that want to build within the County.

Commissioner Wright said that he would first like to meet with the Road Supervisor concerning the County incorporating these roads into the county project and would then reach out to Mr. Church in a few days.

Mr. Church explained that Delta City is requesting an MOU with the County.

Attorney Finlinson said that there is a precedent for this type of arrangement.

PUBLIC INPUT

There was none.

OTHER BUSINESS

Interim County Assessor Fitch requested a work meeting for September 12, 2023.

Clerk Rowley received an appeal to the Planning and Zoning decision on C-1 Conditional Use Permit Application #Z-2023-039 for a Commercial Kennel.

Attorney Finlinson asked the commissioners if they want to hear the appeal themselves or if they want to appoint an appeal authority. He said that it is not a very technical decision; therefore,

the Commissioners decided to act as the appeal board for this.

DISCUSSION AND POSSIBLE APPOINTMENTS TO VARIOUS COUNTY BOARDS

Clerk Rowley clarified that the new appointment to the Hinckley Deseret Cemetery Board from the last meeting will fill Mike Anderson's seat starting January 2024.

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 reported that the Municipal Primary Election has been pushed back to September 5, 2023 due to the Federal Special Election.

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

There was none.

POSSIBLE REVIEW OF COUNTY POLICIES AND CONTRACTS

Clerk Rowley presented the County interlocal agreement with Leamington for the Primary and General Municipality Elections.

Commissioner Johnson made a motion to approve the County interlocal agreement with Leamington for the Primary and General Municipality Elections.

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

MEETING OF THE BOARD OF DIRECTORS OF THE REDEVELOPMENT AGENCY OF MILLARD COUNTY FOR PURPOSE OF DETERMINING UTAH SOLAR 1 CDA PROJECT PROCESS AND PROCEDURE

Commissioner Wright said that the Commission is waiting on a resolution from the County School Board before any decisions would be made.

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

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

Commissioner Johnson SECONDED the motion. All three commissioners voted unanimously and the motion carried. Present in the closed session were Planner Richins, Auditor Smith, Interim Treasurer Arnold, and Interim Assessor Fitch.

After the closed executive session the regular meeting reconvened at 12:02 p.m.

WHERE UPON THE MEETING ADJOURNED

Commissioner Wright adjourned the meeting at 12:03 p.m..

Attest: _____

Approved: _____