

MINUTES OF BOARD OF COUNTY COMMISSIONERS
MILLARD COUNTY THE 5TH DAY OF DECEMBER, 2023
AT THE COURTHOUSE, FILLMORE, UTAH

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

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

EXCUSED: Marki Rowley. County Clerk

ALSO PRESENT: Kevin Morris..... County Tourism Director
Bonnie Smith and Vickie Bennett. County Auditor’s Office
Sierra Dickens. County Recorder
Jacob Nielson..... County HR Director
Adam Richins County Planner
Dennis Alldredge and Clark Nielson..... Citizens
Casey Fowles..... County Golf Course Manager

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

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

APPROVAL OF NOVEMBER 14, 2023 COMMISSION MINUTES

The proposed minutes of a regular County Commission meeting held November 14, 2023 were presented for consideration and approval. Following review, Commissioner Johnson made a motion to approve the minutes of November 14, 2023, as presented.

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

FOLLOW UP ACTION ITEMS FROM NOVEMBER 14, 2023

There were none.

IGP WAIVERS

Commissioner Johnson presented three waivers, in the total amount of \$150.00.

Commissioner Johnson made a motion to approve the IGP waivers in the total amount of \$150.00.

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

DISCUSSION AND POSSIBLE APPROVAL OF RESOLUTION 23-12-05, A RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS OF MILLARD COUNTY, UTAH APPROVING THE APPOINTMENT OF THE INTERIM COUNTY ASSESSOR TO THE MCAT BOARD

Attorney Finlinson explained what services this Board provides.

Commissioner Johnson made a motion to approve Resolution 23-12-05, a resolution of the Board of County Commissioners of Millard County, Utah, approving the appointment of the Interim County Assessor to the MCAT Board.

Commissioner Lyman SECONDED the motion. Deputy Clerk Freeman 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 WRITING OFF OUTSTANDING BALANCE AT LANDFILL

Commissioner Johnson explained the situation concerning the outstanding balance of \$217.60.

Commissioner Johnson made a motion to approve writing off the outstanding balance of \$217.60 at the landfill.

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

DISCUSSION AND POSSIBLE APPROVAL OF UGLY MUG BUSINESS SELLING ALCOHOL OUT OF THE MILLARD COUNTY GOLF COURSE - WHITNEY NOISE

Casey Fowles briefly explained that the business who leases property on the golf course would like to sell alcohol on the premises.

Attorney Finlinson explained that the policy states that alcohol is not allowed on County property and that the policy would need to be amended in order to allow it.

Mr. Fowles explained that many golfers already bring their own alcohol and the County policy is not enforced. He said that there are rules that govern the selling of alcohol and most of the other golf courses in Utah sell alcohol.

Commissioner Wright explained that it would require more research and a larger discussion on policy exceptions before the Commission.

Director Morris explained that this was considered for the rodeo and that discussions were had with Delta City. He said that Delta City did not want a blanket policy, but that they would rather have there be exemptions, isolated to specific events.

Attorney Finlinson said that it would be easy to approve exceptions to the policy as needed.

DISCUSSION AND POSSIBLE APPROVAL OF BUSINESS LICENSE BLUE PINE LAWN AND PEST - RICK WILLOUGHBY

Deputy Clerk Freeman explained that the business license paperwork is currently with the Sheriff's Office and will be put on the next agenda for approval.

DISCUSSION AND POSSIBLE APPROVAL FOR ACCEPTING A BID THAT IS NOT THE LOWEST RESPONSIVE BID OR SOLE SOURCE FOR A UTV FOR TOURISM

Director Morris explained that there is only one source for the desired UTV in the State of Utah. He said that he has the budget for it and that it would cost \$35,654.00 to buy it from Prime Sports.

Attorney Finlinson explained that the Commission needs to give their findings on the record that this is a sole source situation.

Commissioner Lyman made a motion to approve the purchase of the UTV from Prime Sports, as a sole source, in the amount of \$35,654.00.

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

DISCUSSION AND POSSIBLE APPROVAL OF LETTERS OF SUPPORT FOR UDOT GRANT APPLICATIONS - ADAM RICHINS

Planner Richins explained the two UDOT grants that he is requesting letters of support from the Commission. He explained the planned purposes of the funds and the possible amounts.

The Commission gave their support to Planner Richins.

PUBLIC INPUT

Clark Nielson, on behalf of the Leamington Town Council, is here to seek support from the Commission. He presented a letter that was signed by the Leamington Town Council in June 2022, addressed to the BLM, in opposition of the proposed route for the Cross-Tie 500-kV Transmission Project.

Planner Richins explained the situation around this project and said that it is still in the public comment and assessment stage. He explained that the suggested alternative route is more aligned with what the County has suggested as the preferred policy. He said that what Leamington Town Council is asking for is only a small adjustment from the proposed route.

Commissioner Wright said that he is in support of Leamington Town Council's request.

Commissioner Johnson also expressed his support of the alternate route.

Commissioner Wright suggested Planner Richins write a letter on behalf of the Commission expressing their support.

OTHER BUSINESS

Auditor Smith presented the pay period calendar for 2024, including the holiday office closures.

Commissioner Johnson made a motion to approve the pay periods calendar for 2024, including the holiday closure hours.

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

Planner Richins presented the plan for a previously approved subdivision, that needs a correction to a property line, for Commission approval.

Commissioner Johnson made a motion to approve the amendment to the K Hansen Subdivision.

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

DISCUSSION AND POSSIBLE APPOINTMENTS TO VARIOUS COUNTY BOARDS

Deputy Clerk Freeman stated that McKensy Topham was appointed to the Delta, Sutherland, Oasis Cemetery District Board.

Commissioner Johnson made a motion to approve the appointment of McKensy Topham to the Delta, Sutherland, Oasis Cemetery District Board.

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

carried.

Commissioner Wright requested that the Special Service District 8 (SSD #8) be added to the agenda for the next Commission meeting for discussion.

Planner Richins explained that the Planning and Zoning Commission advertised three open seats for 2024, for the Board, and said that they have received more applicants than there are available seats. He requested interviews with the Commission to fill the seats, be held during the next commission meeting.

Attorney Finlinson explained the process and the Commission approved holding interviews during the December 19, 2023 meeting.

Commissioner Lyman presented Pat Manis to serve on the Millard County Housing Authority Board for approval from the Commission.

Commissioner Lyman made a motion to approve the appointment of Pat Manis to serve on the Millard County Housing Authority Board.

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

Commissioner Lyman reported that Jessica Anderson was selected to be the new manager for the St. Catherine's Manor and the Sands Apt.

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

Commissioner Lyman stated that she wanted to make the Commission aware that it seems like the BLM is no longer considering public comment before making decisions regarding BLM land.

Commissioner Lyman suggested that Commissioners meet concerning assignment distributions.

Attorney Finlinson explained that those executive duties will be delegated in the first meeting in January 2024 and agreed that the commissioners should reflect on their 2023 duties in order to come prepared to discuss how those duties should be distributed fairly for 2024.

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

Commissioner Lyman made a motion to enter into a BOE.

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

carried. The BOE began at 11:18 a.m.

Chief Deputy Auditor Bennett presented a list of factual error adjustments for approval.

Commissioner Lyman made a motion to approve the presented list of factual error adjustments.

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

Commissioner Lyman made motion to close the BOE.

Commissioner Johnson SECONDED the motion. The voting was unanimous and the motion carried. The BOE closed at 11:23 a.m..

POSSIBLE REVIEW OF COUNTY POLICIES AND CONTRACTS

Commissioner Wright presented the maintenance agreement for the equestrian facilities with B&C Racing Stables, LLC.

Commissioner Lyman made motion to approve the maintenance agreement for the equestrian facilities with B&C Racing Stables, LLC.

Commissioner Johnson 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

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 11:28 p.m..

Attest: _____

Approved: _____