

MINUTES OF BOARD OF COUNTY COMMISSIONERS  
MILLARD COUNTY THE 2nd DAY OF JANUARY, 2024  
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  
Lora Fitch..... Interim County Assessor  
Jacob Nielson..... County HR Director  
Richard Jacobson, Patrick Bennett, and Jerid Bennett... County Sheriff’s Office  
Adam Richins ..... County Planner  
Klint Penney ..... East County Maintenance Supervisor  
Shannon Lovell. .... County Road Department  
Dennis Alldredge and Kasey Olcott..... Citizens

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

APPROVAL OF DECEMBER 19, 2023 COMMISSION MINUTES

The proposed minutes of a regular County Commission meeting held December 19, 2023 were presented for consideration and approval. Following review and consideration of minor corrections, Commissioner Lyman made a motion to approve the minutes of December 19, 2023, as corrected.

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

#### RATIFY THE APPROVAL OF THE BUDGET HEARING MINUTES OF DECEMBER 5, 2023

Commissioner Johnson made a motion to ratify the approval of the budget hearing minutes from December 5, 2023.

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

#### FOLLOW UP ACTION ITEMS FROM DECEMBER 19, 2023

There were none.

#### APPOINTMENT OF A NEW COMMISSION CHAIRPERSON AND CHAIRPERSON PRO TEMPORE

Commissioner Johnson made a motion to appoint Commissioner Lyman as the 2024 Commission Chairperson and Commissioner Wright as the 2024 Chairperson Pro Tempore.

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

#### DISCUSSION AND POSSIBLE APPROVAL OF RESOLUTION 24-01-02, A RESOLUTION OF THE MILLARD COUNTY COMMISSION DELEGATING THE EXECUTIVE FUNCTIONS OF THE COUNTY COMMISSION TO INDIVIDUAL COMMISSIONERS

Clerk Rowley presented the list of responsibilities from 2023 to the Commission for discussion and possible re-delegation.

Attorney Finlinson explained how the executive functions and the associative responsibilities apply to the commissioners.

Commissioner Lyman suggested rotating the responsibilities so that each commissioner gains experience in every aspect of the County.

Commissioner Johnson explained that for continuity purposes, some responsibilities should not be rotated.

Commissioner Wright said that there are pros and cons to both approaches.

Commissioner Lyman said that if they do not rotate responsibilities, then there does need to be some evaluation of how much time is spent with each responsibility.

Commissioner Johnson expressed his support of rotating the lists, with the exception that he

keep his current Six County assignments.

It was also decided that Commissioner Lyman would keep her Six County assignments, as well as continue to serve as the UAC Board of Director.

Commissioner Johnson made a motion to approve Resolution 24-01-02, a resolution of the Board of County Commissioners of Millard County, Utah, delegating the executive functions of the County Commission to individual commissioners 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 THE REMODEL OF THE DELTA ROAD SHED OFFICES INCLUDING TOTAL COST AND PLAN (RESOLUTION 20-12-01)

Auditor Smith explained that an invoice in the amount of \$700.00 for completed work on the Delta Road Shed was received by her office. She explained that if the Department could get the total anticipated cost for projects then she wouldn't have to come before the Commission every time to ask for approval every time a new invoice comes in to be paid.

It was confirmed that this is the last invoice that will be coming in for this specific project.

Commissioner Johnson made a motion to approve the final invoice in the amount of \$700.00 for the remodeling work completed on the Delta Road Shed Offices.

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

#### DISCUSSION AND POSSIBLE APPROVAL OF THE OUT OF STATE TRAVEL REIMBURSEMENT FOR SHANE BRUNSON, MCSO (XI-EXPENSE REIMBURSEMENT – A, 6)

Auditor Smith said that all out-of-state travel and possible reimbursements need prior approval. She said that the reimbursement total is \$402.08 for a trip to Nevada and \$556.40 for a trip to Washington.

Sheriff Jacobson explained that he approved the travel and believes that it is within his jurisdiction to approve any out-of-state travel, as an Elected Official and that the Commission only has authority to approve the reimbursement for any out of state travel. He also expressed his opinion that the Elected Official should have the authority to approve trip reimbursements as long as it is already within the budget. He said that he plans to bring this issue back for further discussion and possible policy amendment at a later Commission meeting.

Commissioner Johnson expressed his displeasure with departments spending money and then asking for approval. He agreed with Sheriff Jacobson that the policy should evolve when it comes to the Elected Officials approval travel and its associated reimbursements.

Commissioner Lyman made a motion to approve the out of state travel reimbursement for Shane Brunson, in the Sheriff's Office.

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

#### DISCUSSION AND POSSIBLE APPROVAL OF THE ANNUAL DONATION OF THE U.S. FOREST SERVICE CAMPGROUND CONTRACT PROCEEDS TO THE MILLARD COUNTY PEACE OFFICERS ASSOCIATION (UTAH CODE 17-50-303)

Attorney Finlinson and Sheriff Jacobson explained that County law enforcement officers perform camp ground checks and are reimbursed at a contracted rate.

Sheriff Jacobson said that those funds are donated to the Millard County Peace Officers Association. He also explained how those funds are used.

Commissioner Johnson made a motion to approve the annual donation of the US Forest Service Campground Contract proceeds to the Millard County Peace Officers Association.

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

#### PLANNING COMMISSION CANDIDATE INTERVIEW

The Commission interviewed Kasey Olcott for the Planning Commission Board.

#### DISCUSSION AND POSSIBLE APPROVAL OF RESOLUTION 24-01-09A, A RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS OF MILLARD COUNTY, UTAH AUTHORIZING THE EXECUTION OF LEASE AGREEMENTS AND ASSOCIATED DOCUMENTS RELATING TO ROAD DEPARTMENT TRUCK LEASES

This Resolution was struck from the agenda and will be brought back with a new number at the next Commission Meeting.

#### DISCUSSION AND POSSIBLE APPROVAL OF A SOLE SOURCE PROCUREMENT FROM AXON FOR THE TASER 10

Captain Bennett explained that the quote expired at the end of 2023 and that he does not have an updated quote. He explained that any purchase would cover an entire inventory replacement.

#### DISCUSSION AND POSSIBLE APPROVAL OF PAYMENT OF LEASE RESIDUAL PENALTY INVOICE FOR SHERIFF'S OFFICE VEHICLES

Attorney Finlinson explained that this just needs formal approval.

Commissioner Johnson made a motion to approve the payment of the lease residual penalty

invoice for the Sheriff's Office vehicles.

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

#### PUBLIC INPUT

There was none.

#### OTHER BUSINESS

Attorney Finlinson explained that he has been working with Auditor Smith to amend the procurement code to clarify multi-year purchases.

Sheriff Jacobson explained that some cases that start within the County and often expand across state lines. Recently, Captain Bennett helped identify a victim found in Kanosh, from a 1958 cold case. He discovered that the victim was from South Carolina and has since been invited to South Carolina to visit with the family.

Captain Bennett further detailed his work, the case, and the reason for his travel to South Carolina.

Sheriff Jacobson explained the reasons for the trip, along with its anticipated reimbursement costs, and that this is still an active case.

Auditor Smith informed the Commission that the milage rate for 2024 has changed to 67 cents per mile. She said that the per-diem rates remain the same as the 2023 rates. She also said that her office set a deadline for purchasing card receipts, but a few were received after the deadline. She explained that these funds would come from the 2024 budget. Auditor Smith asked for consideration of \$3,600.00 in the future for the USU budget should it be needed in 2024, due to this deadline.

Shannon Lovell reported that the Road Department would like to purchase a 2023 grader and that the County already has a State contract with the seller. The total amount quoted is \$342,000.00.

Auditor Smith explained that they will need a 2024 invoice.

Commissioner Johnson made a motion approve the purchase of the 2023 grader.

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

Sheriff Jacobson, on behalf of Linsdey Mitchell, who is watching the Commission meeting online, said that an email was sent to the commissioners concerning a payroll change, but that no response has yet been received.

#### DISCUSSION AND POSSIBLE APPOINTMENTS TO VARIOUS COUNTY BOARDS

The Commission discussed the candidates for the Planning and Zoning Board.

Attorney Finlinson stated that he will research into appointing alternates.

Commissioner Johnson made a motion to appoint Pat Manis, Erin Sorrenson, and Demar Iverson to the Planning and Zoning Board.

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

Clerk Rowley presented the order for publication for notice of vacancies on the Drainage District Boards one through four, for Commission signatures.

Attorney Finlinson explained that the Delta Sutherland Oasis Cemetery District Board will be meeting to discuss whether or not they want to expand the number of Board members.

#### 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 Johnson reported that Celeste Malloy has expressed her desire for a satellite office in Delta. He said that she offered the use of his office to her.

Commissioner Lyman explained that college students coming home, during the breaks, who previously worked at the East Millard Swimming Pool, are looking to pick up shifts. She explained that she has talked to Supervisor Turner about it.

HR Director Nielson agreed to work with Commissioner Lyman to establish the hiring and payroll process.

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

There was none.

#### POSSIBLE REVIEW OF COUNTY POLICIES AND CONTRACTS

There was none.

#### 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 11:21 a.m..

Attest: \_\_\_\_\_

Approved: \_\_\_\_\_