

MINUTES OF BOARD OF COUNTY COMMISSIONERS
MILLARD COUNTY THE 18th DAY OF JUNE, 2024
AT THE COURTHOUSE, FILLMORE, UTAH

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

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

EXCUSED: Marki Rowley. County Clerk

ALSO PRESENT: Kristine Camp..... Interim County Treasurer
Bonnie Smith. County Auditor
Lora Fitch..... Interim County Assessor
Jacob Nielson..... County HR Director
Richard Jacobson, Patrick Bennett, Shane Brunson,
and Jerid Bennett. County Sheriff's Office
Dennis Alldredge and Diane Greener. Citizens
Shaune Walls, Tina Anderson, Kurt Forsyth, Andrea Wardle,
Broox Anderson, Sheri Louder, Rita Willoughby, and
Ches Jacobson. Millard County IHC Hospitals

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 Lyman to the public and Commission members. She excused Clerk Rowley from the meeting.

OPENING STATEMENTS

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

APPROVAL OF JUNE 4, 2024 COMMISSION MINUTES

The proposed minutes of a regular County Commission meeting held June 4, 2024 were presented for consideration and approval. Following review and consideration of minor corrections, Commissioner Johnson made a motion to approve the minutes of June 4, 2024, as corrected.

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

FOLLOW UP ACTION ITEMS FROM JUNE 4, 2024

There was none.

INTERIM SUCCESSORS

Deputy Clerk Freeman presented the interim successors for the following offices:

- Auditor
- Justice Court
- Sunset View Golf Course
- East Maintenance Emergency
- West Maintenance Emergency

DISCUSSION AND POSSIBLE APPROVAL OF CELL PHONE ALLOWANCE FOR MADISON JAMES

Interim Treasurer Camp explained that Madison James is a new hire in the Treasurer's Office and that it is necessary to use her personal cell phone for work duties. She requested a cell phone allowance in the amount of \$40.00.

Commissioner Johnson made a motion to approve the cell phone allowance for Madison James.

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

DISCUSSION AND POSSIBLE APPROVAL OF IGP WAIVERS

Deputy Clerk Freeman presented three 4H IGP waivers, in the amount of \$26.00.

Commissioner Johnson made a motion to approve the 4H IGP waivers in the total amount of \$26.00.

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

DISCUSSION AND POSSIBLE APPROVAL OF THE 2024 TAX SALE

Auditor Smith presented the 2024 finalized tax sale for approval.

Commissioner Johnson made a motion to approve the 2024 tax sale.

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

DISCUSSION AND POSSIBLE APPROVAL OF THE 2024 MILLARD COUNTY TAX RATE

Auditor Smith presented the 2024 Millard County tax rate at 0.002695 and the 2024 Millard County assessing and collecting tax rate at 0.000305 and briefly explained how they were calculated.

Commissioner Wright suggested lowering the tax rate for citizens by lowering the projected revenue estimate used to calculate the rate by \$1,500,000.00. He expressed his desire to find a way to give those projected funds back to County residents.

Commissioner Wright made a motion to lower the projected revenue estimates for the 2024 Millard County tax rate by \$1,500,000.00.

The motion died for lack of a second.

Auditor Smith said that the tax rate has to be submitted by June 22, 2024.

Commissioner Johnson made a motion to approve the 2024 Millard County tax rate at 0.002695 and the 2024 Millard County assessing and collecting tax rate at 0.000305.

Commissioner Lyman stepped from the chair and SECONDED the motion. Commissioner Johnson voted YES. Commissioner Lyman voted YES. Commissioner Wright voted NO. The motion passed by majority vote.

DISCUSSION AND POSSIBLE APPROVAL OF THE 2024 MILLARD COUNTY ASSESSING AND COLLECTING TAX RATE

This item was approved in the previous agenda item.

DISCUSSION AND POSSIBLE APPROVAL OF FISCAL YEAR 2024-2025 INDIGENT DEFENSE CONTRACT (IDC) GRANT AGREEMENT

Deputy Clerk Freeman presented the fiscal year 2024-2025 Indigent Defense Contract (IDC) grant agreement for approval.

Attorney Finlinson explained that the grant money the County agrees to accept with this contract helps pay costs for indigent defense. He said that costs for indigent defense has increased dramatically for the County. He briefly explained how these services are provided.

Commissioner Wright made a motion to approve the fiscal year 2024-2025 Indigent Defense Contract (IDC) grant agreement.

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

DISCUSSION AND POSSIBLE APPROVAL OF RESOLUTION 24-06-18, A RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS OF MILLARD COUNTY, UTAH, AMENDING RESOLUTION 24-04-16, (A RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS OF MILLARD COUNTY UTAH, AMENDING THE MILLARD COUNTY POLICIES AND PROCEDURES MANUAL BY THE ADDITION OF SECTION IX-A, MERIT BANDING POLICY) BY CORRECTING THE SECOND AND THIRD BAND

HR Director Nielson explained the issue with the second and third band.

Commissioner Johnson made a motion to approve Resolution 24-06-18, a resolution of the Board of County Commissioners of Millard County, Utah, amending Resolution 24-04-16 by correcting the second and third band.

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

DISCUSSION AND POSSIBLE APPROVAL OF RESOLUTION OF 24-06-18A, A RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS OF MILLARD COUNTY, UTAH, AMENDING 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) BY CHANGING COMMISSION DUTY ASSIGNMENTS

HR Director Nielson recommended leaving the structure as is and to re-evaluate the situation in a few months.

Attorney Finlinson recommended combining the west and east senior citizen designations into one duty.

Commissioner Johnson made a motion to approve Resolution 24-06-18A, a resolution of the Board of County Commissioners of Millard County, Utah, amending Resolution 24-01-02, by changing Commission duty assignments.

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

DISCUSSION AND POSSIBLE APPROVAL OF PURCHASING CARDS FOR THE AGING/SENIOR DEPARTMENT

Auditor Smith explained that the lead and two site manager R6 Regional Council employees coming to work with the Aging/Senior Department have requested purchasing cards in the amount of \$700.00 each, in order to purchase supplies and incidentals.

Commissioner Johnson made a motion to approve the purchasing cards for the Aging/Senior Department.

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

DISCUSSION AND POSSIBLE APPROVAL OF PEHP REFUND USAGE

Auditor Smith reported that the County is receiving a PEHP refund based on employee participation and offered a few suggestions on how previous refunds have been used.

Commissioner Johnson made a motion to approve the PEHP refund usage covering a month of premium withholding of qualified employees.

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

DISCUSSION OF THE GUNNISON BEND RESERVOIR MANAGEMENT

Sheriff Jacobson briefly explained that the reservoir is not set up to properly manage the influx of people. He recommended that there should be some type of County presence there. He also said that the Code governing the reservoir hasn't been updated since 1985 and probable needs to be updated. He stated that since it is a County facility, the County should be responsible to properly manage and maintain the site.

Commissioner Lyman stated that she has periodically visited the site to further understand the situation.

Sheriff Jacobson recommended that prioritization should focus on dock management, proper signage, and site maintenance in order to better serve the park and limit liabilities.

Attorney Finlinson said that West Recreation is currently the informal County presence there.

Commissioner Johnson said that he has received a private donation on behalf of the County for \$10,000.00 specifically to be used at the Reservoir and is open to suggestions for its usage.

DISCUSSION REGARDING HINCKLEY - DESERET CEMETERY BOARD - DIANE GREENER

Mrs. Greener discussed her issues with the cemeteries with the Commission.

Commissioner Wright asked who could audit the Board.

Attorney Finlinson explained that the Commission does not supervise or advise the cemetery districts and that their only role with respect to the districts is to appoint board members. He said that the cemetery districts are independent, autonomous special service districts governed by state law and their own policies. He said that the County Auditor could audit the district at her discretion.

Commissioner Johnson thanked Mrs. Greener for expressing her concerns, but advised her that she needs to address her concerns to the Board.

PUBLIC INPUT

There was none.

OTHER BUSINESS

There was none.

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 Wright SECONDED the motion. The voting was unanimous and the motion carried. The BOE began at 11:45 a.m.

Kurt Forsythe, President of the Delta and Fillmore IHC hospitals, presented the Charity Report for 2023, as required as a non-profit entity, and their plans for 2024.

Commissioner Johnson made motion to close the BOE.

Commissioner Wright SECONDED the motion. The voting was unanimous and the motion carried. The BOE closed at 12:03 a.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 made a motion to adjourn the meeting.

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

The meeting adjourned at 12:04 p.m..

Attest: _____

Approved: _____