

MINUTES OF BOARD OF COUNTY COMMISSIONERS
MILLARD COUNTY THE 6th DAY OF AUGUST, 2024
AT THE COURTHOUSE, FILLMORE, UTAH

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

Pat Finlinson. County Attorney
Marki Rowley. County Clerk
Kayla Freeman..... Deputy 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 and Patrick Bennett,..... County Sheriff’s Office
Adam Richins County Planner
Devon Shields and Mason Lunt..... Sunrise Engineering
Kalen Taylor. USU Extension Office
Jennifer Bastian. Carlisle Excavating
Dennis Alldredge, McKay Christensen, Ron Draper, Colin Christensen
Sid Bastian, and Leslie Bastian. 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 Lyman to the public and Commission members.

OPENING STATEMENTS

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

APPROVAL OF JULY 23, 2024 COMMISSION MINUTES

The proposed minutes of a regular County Commission meeting held July 23, 2024 were presented for consideration and approval. Following review, Commissioner Wright made a motion to approve the minutes of July 23, 2024, as presented.

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

FOLLOW UP ACTION ITEMS FROM JULY 23, 2024

There were none.

IGP WAIVERS

Fourteen IGP Waivers were submitted for approval. Ten were for soccer in the total amount of \$710.00, with \$300.00 being paid by the Central Utah Public Health Grant, and four were for flag football in the total amount of \$160.00.

Commissioner Wright made a motion to approve the IGP waivers as presented.

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

OPENING OF BIDS FOR THE MILLARD COUNTY EWP 2023-SPRING SITE & WATER CROSSING

Auditor Smith opened the following bids:

- Patriot Construction at \$845,679.00
- Trapp Construction, LLC at \$717,133.00
- Perko Rock Co. at \$728,154.00
- Carlisle Excavating Inc. at \$626,630.00

Commissioner Wright made a motion to accept the bids, as presented, and review the specifications of the bids, before making a decision.

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

DISCUSSION AND POSSIBLE APPROVAL OF INCREASE TO THE QUARTERLY RATE FOR INSURING THE VEHICLES OWNED BY THE SENIOR CITIZEN CENTERS

Attorney Finlinson reminded the Commission that the original recommendation was for the titles of the vehicles to be changed to the County and any non-county employee must complete a volunteer driving form, but it was decided that they would just increase the cost of the quarterly rate so that the Senior Citizens Center can cover the cost of insurance rather than changing the titles of the vehicle.

Commissioner Johnson said that he does not have the new rates.

DISCUSSION AND POSSIBLE ADOPTION OF ORDINANCE 24-08-06, AN ORDINANCE OF THE BOARD OF COUNTY COMMISSIONERS OF MILLARD COUNTY, UTAH VACATING A CLASS D MILLARD COUNTY ROAD AND REMOVING THE ROAD FROM THE OFFICIAL MILLARD COUNTY TRANSPORTATION MAP

Attorney Finlinson reported that since the last meeting, more discussion has been held with the Forest Service, and while they will not withdraw their objection, they recommend that the Commission move forward in making a decision. Attorney Finlinson reminded the Commission that the road terminates in the middle of the private property owned by the Bastians and that they are requesting the removal of “public” access to their property.

Commissioner Wright made a motion to adopt Ordinance 24-08-06, an ordinance of the Board of County Commissioners of Millard County, Utah, vacating a Class D Millard County road and removing the road from the official Millard County transportation map.

Commissioner Johnson SECONDED the motion. Clerk Rowley 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 REGARDING A BUILDING OCCUPANCY PERMIT - MCKAY CHRISTENSEN & SHANE CHURCH

McKay Christensen provided an update on their project progress. He explained that he has been working with Planner Richins on the fire suppression code to figure out what is required for him as a small business. He said that in his opinion, the fire code is ambiguous, and he encouraged the County to better define the code.

Attorney Finlinson said that he has also researched into the fire suppression code. He said that he discovered that the Fire Service District has complete authority in the County and that the Fire Service District entered into interlocal contracts with the municipalities to manage the unincorporated properties. He explained that there is some uncertainty on who ultimately makes decisions for the unincorporated properties within the County. He recommends Mr. Christensen talk to the Fire Service District directly.

Commissioner Johnson asked for further details on Mr. Christensen’s discussions with Delta City.

Mr. Christensen said that Delta City insisted upon too many road infrastructure requirements as well as the water requirements; therefore, it was not feasible for the business’s budget to be annexed into the city at this time.

Commissioner Wright agreed that it is harder for small businesses to fund their way into the County.

PUBLIC INPUT

Ron Draper explained that he is running on the State Legislature ballot for District 29, which includes Millard County. He simply wanted to introduce himself and his campaign.

OTHER BUSINESS

Attorney Finlinson provided an update on the drainage district appeal. He said that the hearing officer requested that they hold an evidentiary hearing in Fillmore, on September 5, 2024. He also reported that the employment action appeal scheduled for today was moved to September 17, 2024.

Commissioner Lyman said that Brandon Winget called and explained that he can purchase parts for equipment from out of state cheaper than in state. He was wondering if his credit card limit could be increased to \$10,000.00.

Auditor Smith said the amount is under the threshold of \$15,000.00, which would require Commission approval.

This will be added to the next Commission agenda for possible approval.

DISCUSSION AND POSSIBLE APPOINTMENTS TO VARIOUS COUNTY BOARDS

Commissioner Wright reported that he received a letter from the Millard County Care and Rehabilitation Board stating that they have selected Michelle Burr to replace Bonnie Shamo.

Commissioner Wright made a motion to approve the appointment of Michelle Burr to the Millard County Care and Rehabilitation Board.

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

Planner Richins said that for the open position on the Planning and Zoning Commission, they only received one applicant, Phil Diaz.

Commissioner Johnson made a motion to approve the appointment of Phil Diaz to the Planning and Zoning Commission.

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

POSSIBLE APPROVAL OF APPLICATION(S) FOR SETTLEMENT OR DEFERRAL OF DELINQUENT PROPERTY TAX

There were none.

DISCUSSION BY EACH COMMISSIONER, COUNTY ATTORNEY, ELECTED OFFICIAL AND SECRETARY

Clerk Rowley reported that the recount on the 2024 Primary Election resulted in no change in the County's results.

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

There was none.

POSSIBLE REVIEW OF COUNTY POLICIES AND CONTRACTS

There were none.

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

There was none.

APPEAL FROM ADVERSE EMPLOYMENT ACTION

This was rescheduled to the September 17, 2024.

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 11:04 p.m..

Attest: _____

Approved: _____