

MINUTES OF BOARD OF COUNTY COMMISSIONERS
MILLARD COUNTY THE 20th 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 and Madison James..... County Treasurer’s Office
Richard Beckstrand. County IT Supervisor
Bonnie Smith. County Auditor
Sierra Dickens. County Recorder
Lora Fitch..... Interim County Assessor
Jacob Nielson..... County HR Director
Richard Jacobson and Patrick Bennett. County Sheriff’s Office
Adam Richins County Planner
Heather Williams-Young..... Children’s Justice Center (CJC)
Tim Beesley..... Centracom
Dennis Alldredge, John Blaser, Mason Lunt, Devan Wilson,
Micklane Farmer, Del Wetenkamp, Justin Louder, and Casey Shields... 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

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

APPROVAL OF AUGUST 6, 2024 COMMISSION MINUTES

The proposed minutes of a regular County Commission meeting held August 6, 2024 were presented for consideration and approval. Following review and consideration of minor corrections, Commissioner Wright made a motion to approve the minutes of August 6, 2024, as corrected.

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

FOLLOW UP ACTION ITEMS FROM AUGUST 6, 2024

Attorney Finlinson explained that he would be retiring as the County Attorney effective September 30, 2024. He explained the process for appointing an Interim County Attorney.

IGP WAIVERS

Three 4-H IGP waivers for \$10.00 each were presented for approval.

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

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

DISCUSSION AND POSSIBLE APPROVAL OF INCREASING CREDIT CARD LIMIT FOR THE ROAD DEPARTMENT

Commissioner Lyman briefly explained that the Road Department can sometimes purchase parts for equipment from out of state vendors at a lower cost and that they are requesting their card limit be increased to \$10,000.00 to cover the more expensive parts.

Commissioner Wright made a motion to approve increasing the credit card limit for the Road Department from \$5,000.00 to \$10,000.00.

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

Commissioner Johnson said that it would cost \$8,000.00 to just insure the West Millard Senior Citizen bus. He suggested that the commissioner reconsider the option to change the titles of the vehicles as it may be the cheaper option.

Commissioner Wright suggested that the Senior Citizen Centers also look into insurance rates for self-coverage.

Auditor Smith reported that the County UCIP insurance has increased \$29,000.00.

Commissioner Johnson said that he would continue discussions with the Senior Citizen Center.

OPENING AND POSSIBLE AWARDED OF THE SEALED PROPOSALS FOR COMMERCIAL VALUATION SERVICES

Auditor Smith opened the following proposals:

- Daniel Johnson in the amount of \$90,000.00
- John Blazer in the amount of \$649,400.00

Commissioner Wright made a motion to accept the proposals, as presented, and to 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 RESOLUTION 24-08-20, A RESOLUTION OF THE MILLARD COUNTY COMMISSION, DELEGATING THE EXECUTIVE FUNCTIONS OF THE COUNTY COMMISSION TO INDIVIDUAL COMMISSIONERS

Commissioner Johnson explained that he will no longer be serving on the Six County Mental Health Board. It was decided that Commissioner Lyman would take over serving on the Board.

Commissioner Wright made a motion to approve Resolution 24-08-20, a resolution of the Board of County Commissioners of Millard County, Utah, delegating the executive functions of Substance Abuse and Mental Health to Commissioner Lyman.

Commissioner Johnson SECONDED the motion. Clerk Rowley 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 AWARDED OF BIDS FOR THE MILLARD COUNTY EWP 2023-SPRING SITE & WATER CROSSING

Following a review of the bids accepted during the previous Commission meeting, it was recommended that Carlisle Excavation be awarded the bid.

Auditor Smith provided a brief explanation of the review process.

Commissioner Johnson made a motion to approve awarding the bid to Carlisle Excavation.

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

PUBLIC HEARING FOR THE PURPOSE OF RECEIVING PUBLIC COMMENT ON THE ZONING ORDINANCE MAP AMENDMENT APPLICATION # Z-2024-014 REQUESTING TO CHANGE THE ZONING OF APPROXIMATELY 4.13 ACRES OF PROPERTY LOCATED AT APPROXIMATELY 17030 UTAH HIGHWAY 161 (COVE FORT) FROM RANGE & FOREST (RF) TO HIGHWAY COMMERCIAL (HC). JEAN VENTURES, LLC, APPLICANT.

Commissioner Wright made a motion to enter into a public hearing for the purpose of receiving public comment on changing the zoning of approximately 4.13 acres of property located at approximately 17030 Utah Highway 161 from RF to HC.

Commissioner Johnson SECONDED the motion. The voting was unanimous and the motion carried. The public hearing began at 10:39 a.m.

Present were: John Blaser, Sheriff Jacobson, Recorder Dickens, Mason Lunt, Interim Assessor Lora Fitch, Captain Bennett, Devan Wilson, MicKlane Farmer, Del Wetenkamp, Interim Treasurer Camp, and Heather Williams-Young

Del Wetenkamp and Planner Richins explained that the Cove Fort Chevron is under new ownership and that it was discovered that parts of the land within the parcel were zoned incorrectly. This ordinance is to properly remedy the zoning along the boundary lines to match its historical and present usage.

There were no other comments made.

Commissioner Johnson made a motion to close the public hearing.

Commissioner Wright SECONDED the motion. The voting was unanimous and the motion carried. The public hearing closed at approximately 10:43 a.m.

DISCUSSION AND POSSIBLE ADOPTION OF ORDINANCE 24-08-20, AN ORDINANCE OF THE MILLARD COUNTY COMMISSION, CHANGING THE ZONING OF APPROXIMATELY 4.13 ACRES OF PROPERTY LOCATED AT APPROXIMATELY 17030 UTAH HIGHWAY 161 (COVE FORT) FROM RANGE & FOREST (RF) TO HIGHWAY COMMERCIAL (HC). JEAN VENTURES, LLC, APPLICANT

Commissioner Johnson made a motion to adopt Ordinance 24-08-20, an ordinance of the Board of County Commissioners of Millard County, Utah, changing the zoning of approximately 4.13 acres of property located at approximately 17030 Utah Highway 161 from RF to HC.

Commissioner Wright SECONDED the motion. Clerk Rowley 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.

PUBLIC HEARING FOR THE PURPOSE OF RECEIVING PUBLIC COMMENT ON APPLICATION Z-2024-036, AMENDING THE MILLARD COUNTY MASTER TRANSPORTATION PLAN

Commissioner Wright made a motion to enter into a public hearing for the purpose of receiving public comment on amending and adopting the Millard County Master Transportation Plan.

Commissioner Johnson SECONDED the motion. The voting was unanimous and the motion carried. The public hearing began at 10:46 a.m.

Present were: John Blaser, Sheriff Jacobson, Recorder Dickens, Mason Lunt, Interim Assessor Lora Fitch, Captain Bennett, Devan Wilson, Micklane Farmer, Interim Treasurer Camp, Justin Louder, and Heather Williams-Young

Micklane Farmer briefly went over their process to create the plan and Devin Wilson gave a brief summary of the public comments they have received so far, most of them related to bike paths. Mr. Farmer concluded that the plan is now complete.

Dennis Alldredge explained the issues surrounding the old railroad tracks that a proposed bike path would follow.

There were no other comments made.

Commissioner Wright made a motion to close the public hearing.

Commissioner Johnson SECONDED the motion. The voting was unanimous and the motion carried. The public hearing closed at approximately 10:57 a.m.

DISCUSSION AND POSSIBLE ADOPTION OF ORDINANCE 24-08-20A, AN ORDINANCE OF THE MILLARD COUNTY COMMISSION, AMENDING AND ADOPTING THE MILLARD COUNTY MASTER TRANSPORTATION PLAN IN COMPLIANCE WITH THE AMERICANS WITH DISABILITIES ACT, INDIVIDUALS NEEDING SPECIAL ACCOMMODATIONS (INCLUDING AUXILIARY COMMUNICATIVE AIDS AND SERVICES) DURING THIS MEETING SHOULD NOTIFY THE MILLARD COUNTY CLERK'S OFFICE AT 765 SOUTH HIGHWAY 99, FILLMORE, UTAH (743-6223 OR 864-2440, AT LEAST THREE WORKING DAYS PRIOR TO THE MEETING.

Commissioner Wright said that there is immense value in having a plan to work from, but it will not grant preference to projects if they appear on the plan or not.

The Ordinance will be brought back for possible adoption during the next Commission meeting.

PUBLIC HEARING FOR THE PURPOSE OF RECEIVING PUBLIC COMMENT ON COST-OF-LIVING SALARY ADJUSTMENT FOR ELECTED OFFICIALS AND THEIR CHIEF DEPUTIES

Commissioner Johnson made a motion to enter into a public hearing for the purpose of receiving public comment on a cost-of-living salary adjustment for elected officials and their

chief deputies

Commissioner Wright SECONDED the motion. The voting was unanimous and the motion carried. The public hearing began at 11:02 a.m.

Present were: John Blaser, Sheriff Jacobson, Recorder Dickens, Interim Assessor Lora Fitch, Captain Bennett, Interim Treasurer Camp, Justin Louder, IT Supervisor Beckstrand, and Heather Williams-Young

HR Director Nielson presented the costs if the Commission chose to grant the cost-of-living adjustment and explained their methodology. He presented two options, one which includes the Commissioners and one which does not.

There were no other comments made.

Commissioner Wright made a motion to close the public hearing.

Commissioner Johnson SECONDED the motion. The voting was unanimous and the motion carried. The public hearing closed at approximately 11:08 a.m.

DISCUSSION AND POSSIBLE APPROVAL OF RESOLUTION 24-08-20A, A RESOLUTION OF THE MILLARD COUNTY COMMISSION, IMPLEMENTING A COST-OF-LIVING SALARY ADJUSTMENT FOR ELECTED OFFICIALS AND THEIR CHIEF DEPUTIES

Commissioner Johnson asked for a brief explanation of what has been budgeted for the increases and how the increases are available to the County Employees.

Commissioner Wright stated that the money is available in the budget and that he supports the adjustment.

Commissioner Johnson expressed his opinion that he agreed to the adjustment but to not back pay the elected officials and the chief deputies.

HR Director Nielson expressed his recommendation to pay the back pay. Commissioner Lyman and Commissioner Wright supported that recommendation.

Commissioner Wright made a motion to approve Resolution 24-08-20A, a resolution of the Board of County Commissioners of Millard County, Utah, implementing a cost-of-living salary adjustment for elected officials and their chief deputies.

Commissioner Lyman stepped from the chair and SECONDED the motion. Clerk Rowley called for a roll call vote. Commissioner Wright voted YES. Commissioner Johnson voted NO. Commissioner Lyman voted YES. The voting was unanimous and the motion carried.

DISCUSSION AND POSSIBLE DISPOSITION OF SURPLUS PROPERTY FROM THE SHERIFF'S OFFICE

Captain Bennett explained that with the procurement of the new tasers, the old tasers will be traded in and that it requires Commission approval. He will make sure that the invoice is received as soon as possible from Axon.

Commissioner Johnson made a motion to approve the disposition of surplus property from the Sheriff's Office.

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

CHILDREN'S JUSTICE CENTER ANNUAL REPORT - HEATHER WILLIAMS-YOUNG

Heather Williams-Young presented the annual fiscal report from the CJC. She explained that it is a program run by Juab County but serves both Millard and Juab Counties and works closely with Division of Child and Family Services (DCFS) and the local law enforcement agencies. She also explained the services that the CJC provides. She reported that in the past year they hired a child interviewer who is trained to work with children, freeing up that responsibility from law enforcement. She also said that they have hired a part-time patient advocate.

Sheriff Jacobson expressed his great appreciation for the services that the CJC provides to the County.

DISCUSSION REGARDING POSSIBLE ACCESS TO LEAMINGTON TOWER FOR CENTRACOM - TIM BEESLEY

Tim Beesley explained that Centracom takes up space on three towers currently but is looking for access to the Leamington Tower in order to run fiber cables to Leamington. He provided a brief explanation of what services the company provides.

Attorney Finlinson explained that the County owns the Leamington tower.

Mr. Beesley said that he is here to start the conversation and supports the Commission and Attorney Finlinson researching more into the situation before any decision is made.

IT Director Beckstrand confirmed that they have had a great relationship with Centracom.

It was decided that Attorney Finlinson would research the legal side of this situation.

PUBLIC INPUT

Dennis Alldredge expressed his concern that the commissioners may have misunderstood his intention with his previous comments concerning the Master Transportation Plan. He said that he was simply updating the Commission on current issues that he thought they should be apprised of, not that he was in opposition to bike paths along the railroad tracks.

Justin Louder and Casey Shields explained that they are trying to bring back the July 4th demolition derby in Delta and are looking for County support in order for it to become part of the County Fair. Mr. Louder stated that it could become a great tourist attraction for the County. He said that he has talked to the Tourism Department already.

Attorney Finlinson explained how the County has been involved in the past. He explained it is a risk versus value issue and provided some insight into the decisions made by past

Commissions concerning event and venue sponsorship. He said that it could be managed similar to the Rodeo, and if the goal is to revive the demolition derby to be what it once was, then the Commission would need to invest more into it. He also said that compared to the Rodeo, there is less risk.

Commissioner Johnson said that if it worked similar to the Rodeo, then they would need a solid committee of volunteers who would work with the County to make sure that it continues.

Mr. Louder said that he is more than willing to come back to another commission meeting to present a rudimentary plan. The discussion was scheduled for September 17, 2024.

Madison James explained that she and her husband have been organizing the Sanpete County Derby solely through volunteers and is willing to offer their knowledge.

OTHER BUSINESS

Sheriff Jacobson thanked Attorney Finlinson for all the work he has done and commended him for the great person that he is.

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 12:38 p.m.

Auditor Smith presented a list of assessor adjustments, three owner appeals, and one stipulation for Laurie Johnson

Interim Auditor Fitch briefly explained that the list of assessor adjustments is mostly comprised of simple adjustment errors.

Commissioner Wright made a motion to approve the list of assessor adjustments and owner appeals as presented.

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

motion carried.

Commissioner Johnson asked for further clarification on how assessments are made.

Attorney Finlinson explained that it is based on market value and not on how much it would cost to build.

Interim Auditor Fitch also explained that it is based on comparable sales and the statutes that her office has to follow. She explained that their decisions are based on the information they have and they are limited by what information in to which they have access.

Auditor Smith said that the residents initiate a lot of the assessor adjustments.

Commissioner Wright made a motion to approve the stipulation for Laurie Johnson.

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

Commissioner Johnson made a motion to close the BOE.

Commissioner Wright SECONDED the motion. The voting was unanimous and the motion carried. The BOE closed at 12:57 p.m.

POSSIBLE REVIEW OF COUNTY POLICIES AND CONTRACTS

There was none.

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

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

Commissioner Wright SECONDED the motion. All three commissioners voted unanimously and the motion carried. Present in the closed session were Auditor Smith and Interim Auditor Fitch.

After the closed executive session the regular meeting reconvened at 1:10 p.m.

Commissioner Wright made a motion to approve the settlement with Graymount Industries.

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

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 1:12 p.m.

Attest: _____

Approved: _____