

MINUTES OF BOARD OF COUNTY COMMISSIONERS  
MILLARD COUNTY THE 1<sup>st</sup> DAY OF OCTOBER, 2024  
AT THE COURTHOUSE, FILLMORE, UTAH

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

Marki Rowley. .... County Clerk  
Kayla Freeman..... Deputy County Clerk

ALSO PRESENT: Elise Harris. .... Deputy County Attorney  
Kristine Camp. .... Interim County Treasurer  
Bonnie Smith and Vicki Bennett..... County Auditor’s Office  
Sierra Dickens. .... County Recorder  
Lora Fitch and Hollie Miller. .... County Assessor’s Office  
Jacob Nielson..... County HR Director  
Patrick Bennett and Jerid Bennett. .... County Sheriff’s Office  
Klint Penney..... East County Maintenance Supervisor  
Kevin Morris and Rachel West. .... County Tourism  
Richard Beckstrand ..... County IT Director  
Tim Beesley, Abdiel S., Jason Anderson, and Richard Johnson. .... Centracom  
Kalen Taylor. .... USU Extension Office  
Dennis Alldredge..... Citizen

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 SEPTEMBER 17, 2024 COMMISSION MINUTES

The proposed minutes of a regular County Commission meeting held September 17, 2024 were presented for consideration and approval. Following review and consideration of minor corrections, Commissioner Wright made a motion to approve the minutes of September 17, 2024 as corrected.

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

#### FOLLOW UP ACTION ITEMS FROM SEPTEMBER 17, 2024

There were none.

#### IGP WAIVERS

Four IGP waiver applications for basketball were presented in the total amount of \$160.00.

Commissioner Wright made a motion to approve the four IGP waivers in the total amount of \$160.00.

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

#### DISCUSSION AND POSSIBLE APPROVAL OF APPOINTMENT OF JASON MAY TO THE TOURISM BOARD

Tourism Director West said that Jason May was selected to serve on the Tourism Board.

Commissioner Johnson made a motion to approve the appointment of Jason May to the Tourism Board.

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

It was later discovered that the position was not advertised and the Tourism Board was advised to advertise the position.

#### DISCUSSION AND POSSIBLE APPROVAL OF RESOLUTION 24-10-01, A RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS OF MILLARD COUNTY, UTAH, APPOINTING A REPRESENTATIVE AND AN ALTERNATE REPRESENTATIVE TO THE UTAH COUNTIES INDEMNITY POOL (UCIP) ANNUAL MEETING

Clerk Rowley explained that being a commissioner is not a requirement to attend this meeting and that an elected official could also serve.

Commissioner Wright made a motion to approve Resolution 24-10-01, a resolution of the

Board of County Commissioners of Millard County, Utah, appointing Commissioner Lyman as the representative and Commissioner Johnson as the alternate representative to the Utah Counties Indemnity Pool (UCIP) annual meeting.

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 AND POSSIBLE APPROVAL OF THE MEDA BOARD PURCHASING OF BOX TRAILER FOR THE CDL PROGRAM

Commissioner Lyman explained that the MEDA Board has requested to a box trailer for the CDL Program and received three bids. She said that they recommend the bid from DKM Construction.

Commissioner Johnson made a motion to approve the MEDA Board purchase of a box trailer for the CDL program from DKM Construction.

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

Commissioner Wright gave a brief explanation of the CDL Program and explained the benefits it provides to the County.

HR Director Nielson said that the first reimbursements from the grants for the CDL program are being sent out today. He explained that there are a lot of applicants for grants connected to the program.

#### DISCUSSION AND POSSIBLE APPROVAL OF SELLING SCRAP METAL

Auditor Smith said that her department had been contacted concerning the Road Department's request to sell its scrap metal. She said that the metal is considered county surplus and that it would need to go through the proper bidding process.

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

Mr. Beesley explained that he had been in contact with Commissioner Johnson and after comparing prices with Fuller Creek's contract, they would be willing to pay comparable pricing at \$375.00 per month. He asked if they could pay through itemized credit.

Auditor Smith affirmed that they could pay through itemized credit.

Mr. Beesley said that their contract is up for renewal and asked if they could add this itemized credit option and new access to their existing contract.

The Commission agreed to his request.

Commissioner Johnson made a motion to approve access for Centracom to the Leamington tower.

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

#### DISCUSSION AND POSSIBLE APPROVAL OF PURCHASING A BILLBOARD FOR TOURISM

Tourism Director West said that they found a suitable location for a billboard and that the current owner is willing to sell it to the County in the amount of \$25,000.00. She said that because the land is owned by Fillmore City, they would need to lease it on a yearly basis.

Deputy Attorney Harris said that she thought there was an estate that had an interest and advised that they look into that.

Tourism Director West explained the benefits of having a digital billboard right off I15.

Commissioner Wright asked if there were any maintenance requirements.

Mr. Morris explained there would be some maintenance.

Supervisor Penney said that he has worked on these types of signs before.

Tourism Director West said that there are some opportunities to advertise for other county events and programs which could bring in revenue.

Commissioner Wright made a motion to approve the purchase of a billboard for Tourism.

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

#### DISCUSSION AND POSSIBLE APPROVAL OF FUNDING A CYBER SECURITY BACKUP

Auditor Smith explained that the best place to fund the cyber security backup is from ARPA funds or miscellaneous projects.

Commissioner Wright made a motion to approve funding a cyber security backup using ARPA funds.

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

#### DISCUSSION AND POSSIBLE APPROVAL REGARDING THE VEHICLES OWNED BY THE SENIOR CITIZEN CENTERS

Commissioner Johnson said that they are still awaiting the titles.

Auditor Smith explained that once she has the titles in hand, she can add these vehicles to the County insurance.

#### DISCUSSION AND POSSIBLE APPROVAL OF REASSIGNING COUNTY VEHICLES

HR Director Nielson said that with the County Fleet Management, there needs to be some temporary reassignments to meet a few department specific needs within the County.

Commissioner Wright made a motion to approve the reassigning of County vehicles. Commissioner Johnson SECONDED the motion. The voting was unanimous and the motion carried.

Auditor Smith said that even if it is temporary, the Auditor's Office needs to be made aware of any reassignments.

#### OPENING OF BIDS FOR THE OUTDOOR ARENA CONCRETE

Auditor Smith said that they are extending the deadline two more weeks and will open the bids during the next Commission meeting.

Supervisor Penney briefly explained the work they are doing at the arena.

#### DISCUSSION AND POSSIBLE APPROVAL OF FEMA FEE SCHEDULE FOR LANDFILL EQUIPMENT

HR Director Nielson explained that the FEMA fee schedule best fits within the Landfill equipment usage.

Commissioner Wright said that it will provide a fee standard.

Auditor Smith explained that it is a requirement, but that it will require a resolution.

The required resolution was added to the next Commission meeting agenda.

#### DISCUSSION REGARDING VENDER SIGNS AT THE MILLARD COUNTY RODEO ARENA

Commissioner Wright said that he discussed the situation with the Rodeo and expressed his opinion that the Derby should not become part of the County Fair. He said that the vendor signs are generally on a yearly contract and suggested the derby should be held at the racetrack. He said that the only issue would be seating.

Supervisor Penney said that he has looked into acquiring bleachers and also does foresee conflict with the Rodeo concerning their signs.

Commissioner Johnson said that the Rodeo does not own the arena, the County does, and that they should find ways to utilize the arena more often.

Mr. Morris said that they have lost attractions due to the signage issue at the arena, which can be used for things besides the Rodeo. He said that the signs are regularly replaced due to damage as well.

Commissioner Johnson said that it would be up to the Maintenance Department to remove the signs.

Commissioner Lyman asked if there are any existing contracts that they could look at.

Commissioner Wright suggested that before any agreements are made liability insurance contracts are reviewed first to ensure the County would not be held liable.

HR Director Nielson said that regardless of the initial intent concerning signs, that whatever is decided upon should be well defined and documented.

Commissioner Wright and Commissioner Johnson both agreed that there needs to be a documented policy either way.

Commissioner Johnson and Commissioner Lyman agreed that signage should be by event only.

Commissioner Johnson agreed to look at the signage contracts.

The resolution to create a county signage policy was added to the next Commission meeting agenda.

## MONTHLY FINANCIAL REVIEW

Auditor Smith and Interim Treasurer Camp presented the monthly financial review.

Auditor Smith explained that she neglected to email the report to Commissioner Wright and Commissioner Johnson.

It was decided to table this review to the next meeting to give Commissioners Wright and Johnson time to review the information.

## PUBLIC INPUT

There was none.

## OTHER BUSINESS

Commissioner Lyman said that she received an email from UAC asking that the County contribute \$1,000.00 to help with a state appeal, supported by UAC, which would prevent special interest groups from buying public BLM lands.

Commissioner Wright expressed his approval of the appeal and what the State is trying to do.

Commissioner Johnson questioned whether the County needs to commit more funds to UAC where they already pay \$124,000.00 yearly to UAC for them to take on tasks like this on behalf of the County.

It was decided that Commissioner Wright and Commissioner Johnson would read the email before offering their decision.

Commissioner Lyman expressed her opinion that they have a BOE officer to listen to the appeals and offer any insights.

Commissioner Wright said that he does not support having a BOE officer as they would intervene between him and the public and would sway the Commission's opinion.

Commissioner Johnson expressed his opinion that with commercial businesses, a BOE

officer would be helpful.

Interim Assessor Fitch explained that she continues to invite the commissioners to assessment meetings. She also explained how a BOE hearing officer lawfully should work and that they would only weigh the evidence of each appraisal.

Commissioner Wright said that he feels like they do not need another person to help with this and they should just trust the appraisals and that for the best interest of representing the people, it is his opinion that it would be better to not have a BOE hearing officer.

Commissioner Lyman said that being better educated and relying on more experienced individuals is in the best interest of the people.

Commissioner Johnson said he sees both sides of the conversation.

Assessor Fitch provided an example of how two appraisals differed and what the job of a BOE hearing officer would be like using that example.

Commissioner Wright made a motion to not have a hearing officer.  
The motion died for lack of a second.

Auditor Smith suggested that they discuss this during the BOE meeting later on in the meeting.

Commissioner Johnson said that the commissioners would still make their own decisions in regard to appeals, even if a BOE hearing officer is hired.

Deputy Attorney Harris asked if former County Attorney Pat Finlinson could keep his laptop in lieu of a retirement gift.

Auditor Smith explained that it would be appropriate for him to keep his laptop in lieu of a gift from the County.

Commissioner Wright made a motion to approve former County Attorney Finlinson keeping his laptop.

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

A business license application was presented for 3Sixty Transport, Owner - Chrystal Blessing, a specialized trucking business. After reviewing the application and finding all signatures in order, Commissioner Johnson made a motion to approve a business license for 3Sixty Transport, Owner - Chrystal Blessing.

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

The motion will be ratified during the next Commission meeting.

Deputy Clerk Rowley explained that the IDC grant agreement for 2025 was reduced by \$14,500.00 and that the County would need to make up the difference.

## 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 Wright 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 11:42 a.m.

Jeremy Eliason, Parcel HD-DES-HER-9, Account 0189092, presented his application. He said that the County appraisal this year has increased \$150,000.00 from last year. He explained that he has submitted comparables which are lower than the County's appraisal.

Commissioner Wright asked if there were any official appraisals completed.

Mr. Eliason said that there was one official appraisal done in June 2023.

Assessor Fitch explained that there was an error found in the account and it dropped the County appraisal down to an estimated \$502,000.00.

Commissioner Wright asked what is done with the errors that are not protested.

Assessor Fitch explained that when they send notices, they encourage every owner to look over the assessment and contact her office if they believe there is any error.

Interim Assessor Fitch explained the comparables that her office used and how Mr. Eliason's comparables are not quite as accurate. She said that the official value her office is suggesting is \$491,00.00.

Commissioner Wright made a motion to accept the County Assessor's value at \$491,00.00.

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

Commissioner Wright was excused from the rest of the meeting.

Deputy Auditor Bennett presented stipulations for Katherine Lemon, Parcel F-ER-A-AMD-17; Gayle Cluff, Parcel F-238; and Ladd Hales Parcel DO-3269.



Commissioner Johnson made a motion to accept the stipulations as discussed.

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

Deputy Auditor Bennett reported that a letter of intent to dismiss was sent to Marion Anderson Parcel 3720-3-1-1, but no further evidence was ever received.

Commissioner Johnson made a motion to dismiss the application from Marian Anderson

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

Deputy Auditor Bennett presented five parcels belonging to Sun Development LLC, Parcels F-7061-5, F-7061-4, F-7073-2-1, S-1277, and D-4058-6-1. She reported that a letter of intent to dismiss was sent, but no further evidence was ever received.

Commissioner Johnson made a motion to dismiss the application from Sun Development LLC.

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

Deputy Auditor Smith presented her request to send an intent to dismiss for lack of evidence to Lafe and Joyce Parrish, Parcel F-485-1 and to FTA Pahvant Holdings, LC Parcel 8531.

Due to a conflict of interest with Commissioner Johnson, it was decided to table the application from Lafe and Joyce Parrish, Parcel F-485-1 until next time.

Commissioner Johnson made a motion dismiss the application from FTA Pahvant Holdings, due to lack of evidence and the parcel not being a part of the Greenbelt.

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

Deputy Auditor Bennett presented the application for Carma Brown, Parcel 5918-A-2 and the evidence that was submitted.

Interim Assessor Fitch explained that the sales from this year would affect next year's assessment but that some of the comparables are not as accurate as the County Assessor's comparables and is already valued lower than some comparables.

Commissioner Johnson expressed his opinion after reviewing the information that it is assessed too high. He asked about water rights and power hookups and if those are factored into the assessments.

Interim Assessor Fitch explained how those statistics are factored into the value.

Commissioner Johnson made a motion to lower the assessment to \$1,500.00 per acre, totaling \$166,545.00.

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

Deputy Auditor Bennett presented the list of assessor adjustments for approval.

Commissioner Johnson made a motion to approve the assessor adjustments as presented  
Commissioner Lyman stepped from the chair and SECONDED the motion. The voting was unanimous and the motion carried.

Deputy Auditor Bennett presented the requested letter about Joshua Rusby's disability. It explained that the process for obtaining disability would take at least nine months. She reported that based on his income, he falls within the forty percent adjustment bracket.

Commissioner Johnson made a motion to approve the tax adjustment for Joshua Rusby at forty percent.

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

Deputy Auditor Bennett presented a hardship application for Doug Fisher, Parcel H-2081-A-2 and reported that based on his income, he falls within the forty percent adjustment bracket. She also said that they received a letter from his doctor.

Commissioner Johnson made a motion to approve the tax adjustment for Doug Fisher at forty percent.

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

Auditor Smith explained that per County policy when there is a conflict of interest a letter of acknowledgment is required. She said that she needs a letter from both Commissioner Lyman and Commissioner Johnson.

Commissioner Johnson made a motion to close the BOE.

Commissioner Lyman stepped from the chair and SECONDED the motion. The voting was unanimous and the motion carried. The BOE closed at 12:38 a.m.

Commissioner Johnson made a motion to hire a hearing officer for this year only.

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

Commissioner Lyman will contact the possible hearing officers based on the information given to her by Auditor Smith.

## 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 Lyman stepped from the chair and SECONDED the motion. The commissioners voted unanimously and the motion carried. Present in the closed session was Deputy Attorney Elise Harris.

After the closed executive session the regular meeting reconvened at 12:50 p m.

WHERE UPON THE MEETING ADJOURNED

Commissioner Johnson made a motion to adjourn the meeting.

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

The meeting adjourned at 12:50 p.m..

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

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