

MINUTES OF BOARD OF COUNTY COMMISSIONERS
MILLARD COUNTY THE 6TH DAY OF MAY, 2025
AT THE COURTHOUSE, FILLMORE, UTAH

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

Elise Harris..... Interim County Attorney
Marki Rowley..... County Clerk
Kayla Freeman..... Deputy County Clerk

ALSO PRESENT: Kristine Camp..... County Treasurer
Bonnie Smith..... County Auditor
Sierra Dickens..... County Recorder
Jacob Nielson..... County HR Director
Richard Jacobson, Patrick Bennett, and Jerid Bennett... County Sheriff's Office
Adam Richins..... County Planner
Jeff Christensen..... Millard County Care and Rehab
Kurt Forsyth and Bently Peay..... Intermountain Health Center
Monica Ellis and Barry Setwitters..... Barnard Wilson Joint Venture
Ron Larsen..... Jones and DeMille Engineering
Tyson Barber..... Rocky Mountain Power
Denton Peterson..... Deputy County Attorney
Landen Rowley..... County Fire Warden
Dennis Alldredge and Evelyn Warnick..... 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 Johnson to the public and Commission members.

OPENING STATEMENTS

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

APPROVAL OF APRIL 15, 2025 COMMISSION MINUTES

The proposed minutes of a regular County Commission meeting held April 15, 2025 were presented for consideration and approval. Following review, Commissioner Lyman made a motion to approve the minutes of April 15, 2025 as presented.

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

FOLLOW UP ACTION ITEMS FROM APRIL 15, 2025

There were none.

RATIFICATION OF INDIGENT BURIAL FOR MARIO JUSES VALENZUELA

Commissioner Wright made a motion to ratify the approval of the indigent burial for Mario Juses Valenzuela in the amount of \$1,771.20.

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

DISCUSSION AND POSSIBLE APPROVAL OF A BUSINESS LICENSE FOR HOT HANDS FABRICATION AND POWDER COATING, LLC, OWNER - BRIAR PROCTOR

A business license application was presented for Hot Hands Fabrication and Powder Coating LLC, Owner - Briar Proctor, a welding, metal, and powder fabrication business. After review of the application and finding all signatures in order, Commissioner Lyman made a motion to approve a business license for Hot Hands Fabrication and Powder Coating/ LLC, Owner - Briar Proctor.

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

MONTHLY FINANCIAL REVIEW

Auditor Smith and Treasurer Camp presented the March financial review.

DISCUSSION AND POSSIBLE APPROVAL OF ABBY IVORY'S EMPLOYMENT

HR Director Nielson explained that the MEDA Board discussed hiring Abby Ivory as an economic advisor in contract with R6.

The motion for this item was removed from the agenda as it is included in the overall Economic Development Service Agreement with R6.

Commissioner Johnson asked what real benefits the County would gain from hiring an economic advisor. He said that he is concerned about entering into a contract that produces few

results.

HR Director Nielsen stated that they are developing a clear plan with specific focus areas the County can use to measure progress, including grant management responsibilities, defined deliverables, and regular reporting to the MEDA Board.

Planner Richins stated that while collaborating with Ms. Ivory on responses to State RFPs, he noted that there were no existing marketing materials, so she created them effectively and professionally. He also added that as a regional contact she had a wider net of resources to utilize. He said this is just one instance where he has seen her add value.

Commissioner Wright reminded everyone that the agreement is not with Ms. Ivory personally, but with R6, an organization to which the County belongs. He emphasized that the discussion is fundamentally about whether the County will contract with R6 for economic development services.

DISCUSSION AND POSSIBLE RENEWAL OF THE ECONOMIC DEVELOPMENT SERVICE AGREEMENT WITH R6 REGIONAL COUNCIL

Clerk Rowley explained that this is a new contract not a renewal.

Commissioner Wright made a motion to approve the Economic Development Service Agreement with R6.

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

DISCUSSION AND POSSIBLE APPROVAL OF VENDOR FOR INMATE PHONE SYSTEMS AND EXECUTION OF AGREEMENT

Lieutenant Jerid Bennett stated that the previous agreement had expired a month earlier. He outlined the details of the new contract and its associated benefits.

Interim Attorney Harris clarified that, under the County procurement policy, the contract did not require a formal bidding process because it was the lowest bid.

Captain Pat Bennett explained that the new system operates on tablets, which would also offer educational opportunities for inmates. He added that the company provides its own IT support along with a part-time employee to manage the system.

Commissioner Wright made a motion to approve the agreement with IC Solutions for the inmate phone systems.

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

DISCUSSION AND POSSIBLE APPROVAL OF RESOLUTION 25-05-06, A RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS OF MILLARD COUNTY, UTAH, IMPLEMENTING REASONABLE CHILD ABUSE PREVENTION POLICIES AND PROCEDURES

HR Director Nielsen explained that, due to legislation SB158, any organization working with minors is required to meet specific standards and requirements. This resolution will implement new policies and procedures to ensure compliance with those requirements.

Commissioner Wright made a motion to approve Resolution 25-05-06, a resolution of the Board of County Commissioners of Millard County, Utah, implementing reasonable child abuse prevention policies and procedures.

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

DISCUSSION REGARDING MILLARD COUNTY'S POSSIBLE PARTICIPATION TOWARD DEVELOPMENT OF PICKLEBALL COURTS IN DELTA

Interim Attorney Harris explained that the DNR was not in favor of a long-term lease. They preferred that a land survey and potential subdivision be completed first.

Deputy Attorney Denton Peterson clarified that the grant was site-specific and had been awarded to Delta City. If Delta City wished to involve the County in the project, they would need to void the existing grant. The County would then have to apply for a new grant and take on the responsibility of constructing the pickleball courts independently.

Interim Attorney Harris said that she would report that information back to Delta City.

UPDATE ON THE TRANSWEST PROJECT - MONICA ELLIS, BARNARD WILSON JOINT VENTURE (BWJV)

Monica Ellis provided a quarterly update on the Transwest Project, as required by the conditions of the conditional use permits. She stated that the pipe line construction within Millard County is expected to begin as early as next week. Ms. Ellis provided a brief history of the project, noting that it began in 2023. She explained that the project involves bringing DC current power from Wyoming into a conversion station, where it will then be transmitted to Nevada.

Barry Setwitters explained that with the available resources in Wyoming and the connections along the pipeline, it is expected to be producing electricity at full capacity once the construction is complete.

DISCUSSION REGARDING ROAD ACCESS – DAVID DYE

This item was struck from the agenda.

PUBLIC INPUT

There was none.

OTHER BUSINESS

Auditor Smith stated that her office would be sending out a fuel card policy letter to those county employees who have fuel cards. She explained that the letter needs to be signed by each employee and returned to her office.

Landon Rowley, the County Fire Warden, reminded the Commissioners about an upcoming meeting regarding HB48, a legislative bill that focuses on housing development and associated fees in high fire risk areas. He emphasized the importance of understanding how the bill will impact future development in such areas, particularly regarding safety regulations and mitigation efforts. The meeting will provide a deeper look into the requirements and potential changes for local policies as they relate to fire risk management and housing.

Commissioner Lyman stated that she would be present at the meeting.

Planner Richins explained that there is a strict code in place used to classify areas as high risk. This code takes into account various factors, including environmental conditions, historical fire activity, and proximity to critical infrastructure. It ensures that areas are accurately assessed for fire risk, allowing for the implementation of appropriate safety measures and regulations.

Mr. Rowley also explained that he has been promoted to Fire Manager for the region and that Copeland Anderson will be the Millard County Fire Warden.

Commissioner Wright explained that the County will not proceed with any liability against ARES.

HR Director Nielsen explained that after auditing the utility bills to ensure they were correctly tax coded, it was discovered that the County had been over taxed due to bills being improperly coded. The County will be refunded for the overage.

DISCUSSION AND POSSIBLE APPROVAL FOR THE SALE OR TRANSFER OF SURPLUS PROPERTY

Auditor Smith explained that she needs value amounts for the vehicles that will be transferred from the Sheriff's Office to the Road Department and from the Road Department to the Land Fill Department. She suggested using the Kelly Blue Book values.

Commissioner Wright made a motion to approve transferring two Sheriff's Office vehicles to the Road Department and two vehicles from the Road Department to the Land Fill Department, using values as discussed.

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

carried.

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 Lyman 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 11:33 a.m.

Kurt Forsyth explained that they would like to discuss the Commission's rejection of the property tax exemption for the parcels on which the hospital and care center are located. Mr. Forsyth read aloud the letter sent by the Commission, noting that it did not provide a clear explanation for the decision. He stated that they are seeking a better understanding of the rationale behind the rejection and have filed an appeal.

Commissioner Wright clarified that he has no issue with the charitable plan provided by IHC or with the benefits their hospitals and care centers offer. However, he noted that he has not seen any tangible outcomes or evidence that these efforts specifically address the County's needs or align with what the County has asked of them.

Commissioner Johnson also raised concerns about IHC's donations, pointing to examples of contributions to organizations that IHC claims directly benefit Millard County. He noted that these organizations lack representation within the County, making it difficult for the Commission to see a clear, local impact that would justify granting tax-exempt status.

Commissioner Lyman explained that the costs associated with ambulance abatements and indigent burials are covered by the County's general fund, ultimately placing the burden on taxpayers. She stated that IHC's contribution to these programs would have a more direct and meaningful impact on Millard County residents.

Mr. Forsyth acknowledged that there are opportunities to tailor solutions that strengthen

IHC's relationship with the County, but he emphasized that IHC has met the State's requirements for tax-exempt status.

Commissioner Wright responded that he appreciates the willingness to collaborate and emphasized that the Commission wants to be included in the conversation and to see tangible outcomes from those discussions.

Mr. Forsyth explained that IHC holds a community meeting every three years to gather feedback on the issues residents consider most important. This input helps guide the services provided at their clinics. However, he noted that the priorities identified through this process may not always align with those of the Commission. Mr. Forsyth stated that, based on the concerns raised, he believes the commissioners are primarily seeking clear and specific information about what IHC has done to benefit Millard County.

Commissioner Wright added that he would like IHC to seek input from the Commission when determining project priorities. He stressed that, as a commissioner, it is his duty to protect taxpayer funds and ensure they are used effectively to meet the County's needs.

Evelyn Warnick reminded the Commission that the hospitals in Delta and Fillmore have been designated as Level IV Trauma Centers.

Commissioner Johnson responded that, regardless of the designation, patients are still responsible for covering the costs of medical services.

Interim Attorney Harris reminded the Commission that IHC has formally requested reconsideration of the revocation of its property tax-exempt status during this BOE meeting.

Mr. Forsyth stated that, had IHC not been tax-exempt in 2023, they would have paid approximately \$300,000 in property taxes.

Auditor Smith noted that she could not confirm that figure, as the County Assessor's Office has not previously assessed the properties.

Interim Attorney Harris reiterated that this meeting was not intended to be a negotiation, but rather a discussion on whether the Commission will reverse its prior decision on IHC's tax-exempt status.

Mr. Forsyth concluded by stating that IHC provides meaningful value to the community and is open to feedback. However, they respectfully request that the Commission reconsider its decision, as IHC believes it meets the six standards set forth by the State for tax exemption.

Commissioner Wright made a motion to stay with the Commission's original decision concerning IHC's tax exempt status.

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

Commissioner Wright made motion to close the BOE.

Commissioner Lyman SECONDED the motion. The voting was unanimous and the motion carried. The BOE closed at 12:33 p.m.

POSSIBLE REVIEW OF COUNTY POLICIES AND CONTRACTS

Interim Attorney Harris explained that the Commission needs to ratify the settlement agreement with Mitch Bartholomew and Christina Stevens.

Commissioner Lyman made a motion to ratify the settlement agreement with Mitch Bartholomew and Christina Stevens.

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

DISCUSSION REGARDING MILLARD CARE & REHABILITATION AND PARCEL NUMBERS D-3872-5-1 AND D-3872-5-2

Mr. Forsyth stated that the Commission has requested the subdivision and transfer of the property on which the care center is located to the County. He noted that, while this request could potentially be reasonable, there is uncertainty regarding future plans to rebuild or expand the hospitals, which may require additional land. He added that they are currently exploring the purchase of new properties and are still in the early stages of that process.

Mr. Peay stated that he simply wants to understand what prompted the Commission's decision, noting that, from their perspective, they are merely maintaining the status quo.

Commissioner Johnson questioned why IHC needs to retain the land, given that the County owns the building situated on it and IHC is only leasing the land. He suggested that it would be more beneficial to resolve the matter now rather than delay, emphasizing that taking action at this point serves the County's best interests.

Mr. Forsyth stated that they have no intention of putting the County in a position that could be harmful or disadvantageous.

Commissioner Wright clarified that the County is requesting ownership only of the specific portion of the property on which the care center is located.

Commissioner Lyman asked whether offering IHC the right of first refusal would be helpful. Mr. Peay explained how IHC manages its land holdings from a real estate perspective.

Commissioner Johnson stated that the County's inability to own the land on which a county-owned building sits, limits its capacity to manage, maintain, and/or make decisions regarding the property. He emphasized that this creates long-term uncertainty and potential complications for the County. However, he also expressed a willingness to explore terms that would provide a mutually acceptable solution, ensuring that both the County and IHC feel comfortable and secure

moving forward.

Commissioner Johnson then asked what other potential use IHC could envision for the land if not for future hospital expansion.

Mr. Forsyth responded that, from an operational standpoint, establishing a care facility on the east side of the County would be beneficial to better serve that area's needs.

Mr. Peay added that, from a property management perspective, it is strategically wise to maintain control of the land surrounding their existing facilities.

Jeff Christensen, manager of the care center, noted that a firm decision from IHC is needed regarding the possibility of obtaining land to build a care facility on the east side of the County.

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 1:12 p.m..

Attest: _____

Approved: _____