

MINUTES OF BOARD OF COUNTY COMMISSIONERS  
MILLARD COUNTY THE 28th of MARCH 2005  
AT THE COURTHOUSE, FILLMORE, UTAH

PRESENT: John C. Cooper . . . . . Chairman  
Daron P. Smith. . . . . Commissioner  
Kathy Y. Walker . . . . . Commissioner  
  
LeRay Jackson . . . . . County Attorney  
Norma Brunson . . . . . County Clerk  
Janice Robins. . . . . Deputy County Clerk

PURSUANT TO AN AGENDA WHICH HERETOFORE HAD BEEN PROVIDED TO each member of the governing body, the local news and located on the front and back doors of the County Courthouse as required by law the following proceedings were had.

COORDINATION SESSION

The Commissioners scheduled events for the months of March and April 2005.

PUBLIC WAS WELCOMED

The meeting began at 10:00 a.m. after a brief welcome by Commissioner Cooper to the public and Commission members.

OPENING STATEMENTS

Commissioner Cooper asked if anyone had an opening statement to give? Commissioner Cooper said the invocation. Everyone stood and said the Pledge of Allegiance to the Flag.

FOLLOW UP ACTION ITEMS FROM MINUTES OF MARCH 21, 2005

There were none.

APPROVAL OF THE AMENDED MINUTES OF MARCH 21, 2005

Commissioner Walker made a motion to approve the amended minutes of March 21, 2005. Commissioner Smith SECONDED. The voting was unanimous.

AUDITORS REPORT

Auditor Brandy Grace gave the Commissioners various invoices to review and approve for payment through the Auditor's Office.

Auditor Grace gave the Commissioners the Check Edit Report of March 25, 2005 to review and sign.

Auditor Grace presented a pay roll change order for a jail employee. The employee's position will now be full time with benefits and the pay will increase from \$12.61 to \$17.64. The Commissioners authorized the Auditor to make the payroll change for Penny Prows.

Auditor Grace said she has the contracts from Incode who will serve as the website host for Millard County.

Commissioner Smith made a motion to approve the signing of the contract with Incode for hosting the [www.millardcountyut.gov](http://www.millardcountyut.gov) website. The new vender host will give better service and in the long run will be more cost effective. The money will be taken out of the special project budget for website development. Commissioner Walker SECONDED. The voting was unanimous. The motion carried.

Auditor Grace said she has checked into the cost associated with having the Fair Labor Standards Act Training brought into the county. She thinks the training offered would be a benefit to all the supervisors to help them deal with these types of issues. The cost will be \$2,100 plus speaker's fees, travel expenses and out of pocket expenses and would include the manuals and handouts. The Commissioners authorized Auditor Grace to set the training conference sometime in May 2005.

Commissioner Smith said he received a letter from Layton Construction Company. Millard County has been holding about \$29,000 until any problems, during the first year, with the construction of the care center could be addressed. Layton Construction Company has fixed the flooring and the problems with the heating and the air conditioner. They won't know until summer if the air conditioner works properly. The painting of the helipad will be done when the weather warms up. The Commissioners discussed the request and then agreed to release the full amount (\$29,000) to Layton Construction Company.

Commissioner Cooper said the Six County Association of Government's quarterly assessment for the aging programs for the amount of \$15,911.00 has been received. The Commissioners signed the contract.

Commissioner Cooper reported that a request from the Millard County Sheriff's Office to purchase a new vehicle from Salt Lake County fleet management was turned in. The vehicle is a 2004 Ford Crown Victoria and will cost \$19,400.00. The Commissioners signed the Sheriff's Office request to purchase the vehicle.

Attorney LeRay Jackson said at Commissioner Walker's request he had written two additions to Article 3. B. of the Purchasing Policy;

8. In procurements for any new construction of any public (County owned) building or facility all electrical and/or plumbing portions of such construction shall be

performed by contractors licensed and certified by the proper regulating agency or agencies.

9. All contracts awarded by the County for the repair, alteration, or construction of any public facility shall only be to contractors license and certified by the proper regulating agency or agencies.

Commissioner Walker made a motion to modify new language for Number 8 and 9 of Article 3. B. of the Purchasing Policy as written up by Attorney LeRay Jackson . Commissioner Smith SECONDED. The voting was unanimous. The motion carried.

#### JUSTICE COURT JUDGE RON HARE - SECURITY ISSUES

Justice Court Judge Ron Hare said he would like to be included with security upgrades that are being done at the court facility building that were prompted by the court room shooting incidents in the Atlanta, GA and other incidents that have happened throughout the county. Judge Hare said there is a major breach of security the way his office is set up. Someone coming into his office could enter the rest of the offices and courtroom. He suggested a pay window with a pass through be installed that replaces the existing window. This would solve the public from entering his office to make payments. The water fountain under the window will need to be moved. The Justice Courtroom door needs to be made more secure. Judge Hare said a security committee met and made some recommendations to make the building more secure. The doors will be kept locked throughout the building. The locks will soon be changed to allow card swiping. Changes will be made in the use of the law library by the use of a computer being set up for the public to research the law on programs such as Lexis Nexis. The Commissioners want Judge Hare to make a list of his security ideas and take it to the safety committee. The Commissioners agreed to do a brief tour of the building during the lunch break.

#### DISCUSSION ON MILLARD COUNTY CONTRIBUTIONS TO SPORTSMEN FOR WILDLIFE AND OTHER NON-PROFIT ENTITIES

Attorney LeRay Jackson submitted a copy of the Policy of Millard County, Utah on Donations or Contributions. Commissioner Walker said in the past two season golf passes and five golf punch passes, which amounted to \$925.00, have been donated to Sportsmen for Wildlife as door prices at their banquet. Sportsmen for Wildlife have requested a donation of golf passes again this year for their banquet on April 1, 2005. They have advertised the donation of golf passes and plan to auction them off. Commissioner Smith said because of the past donations he had committed some type of donation. The organization uses most of its money in Millard County for wildlife projects, they help with screening the predator control program and each member donates eight hours of work with wildlife issues, usually through the DWR.

The point was brought out that because the golf course is losing money, the Commissioners maybe shouldn't give away golf games. The pros and cons of the issue were discussed.

Commissioner Smith made a motion for Millard County to donate one season golf pass and four punch passes to Sportsmen for Wildlife at a value of \$560.00. Commissioner Walker SECONDED. The voting was unanimous. The motion carried. Next year there will be no season

passes given away.

## BID OPENING ON OLD WEST MILLARD CARE CENTER

There were no bids submitted.

## DISCUSSIONS FROM EACH COMMISSIONER, COUNTY ATTORNEY, AND ELECTED OFFICIALS, AND SECRETARY

Commissioner Walker met with Max Wood, recreation supervisor and Kevin Morris, maintenance supervisor who reported that work is being done on the Sunset View Golf Course clubhouse, a new front door is being put on the exhibit building, new restrooms are being built at the Lyman Row ball fields, the parking lot at the exhibit and fair grounds is being redone and power is being brought to the indoor arena extension for safety issues. These projects should be finished in two to three weeks.

Commissioner Walker attended an ad hoc economic development meeting in Delta that was conducted by Attorney Warren Peterson. John and Brad Nielson from Red Rock Cheese Plant were invited to a dinner and welcomed into the community.

On Wednesday, March 23, 2005, all the Commissioners went to Richfield City Golf Course to pick up ideas on how to make the Sunset View Golf Course more profitable. Consideration is being given to hire Golf Pro Chris Abegglen at \$50.00 an hour to evaluate the operation at Sunset View Golf Course and make his recommendations for a five- year plan to improve the course.

On Thursday, March 24, 2005, Commissioner Walker attended a MEDA meeting in Delta, Utah. The guest speaker was Kay Hudson from SITLA.

Commissioner Walker said at the Farm Bureau meeting they were told that the state has been working on a wolf management document. The Farm Bureau, sportsmen and other agencies have adopted a No Wolves policy and would like supporters of this policy to attend the public meetings.

Commissioner Smith attended the Six County Mental Health Authority Board meeting on March 23, 2005. He received a copy of the board's financial statement. A technician gave a presentation on the assessment of a suicide risk. They also talked about the cost of health insurance for their employees. They use an insurance group that Millard County may want to contact for next year's insurance needs.

Commissioner Smith was contacted by Paul Fowles, CERT Co-commander for Millard County. He said they are interested in having signs painted on the panels of the eight CERT trailers to identify who the trailer belongs to. Salt Creek Sign Company will do a five-foot sign for seventy-five (\$75.00) dollars and a six-foot sign for one-hundred (\$100.00) dollars per side. They requested the use of funds that were set aside for home security to pay for the signs on the trailers. The Commissioners approved the money to go for painting the signs on the trailers.

Commissioner Smith contacted Dennis Stowe from Iron County about the contract they have with Utah Highway Patrol in doing speed shifts along I-15. Iron County gave a favorable report on the program and said it is good for the state as well as the county. Commissioner Smith said local UHP patrolmen are doing extra traffic control shifts in Iron County and are willing to do shifts in Millard County. The cost of the program is forty-dollars (\$40.00) per hour which pays for the man and vehicle. The patrolmen are expected to make two contacts an hour.

Justice Court Ron Hare advised the Commissioners that if the extra traffic control program is adopted in Millard County his office will be affected and he would like advanced notice so he can make the necessary arrangements.

Commissioner Cooper said that Governor Huntsman had appointed Commissioner Lynn Stevens from San Juan County as head of the State Public Lands Department. Commissioner Cooper, Lisa Reid and Gary Hone toured the fairgrounds in Fillmore to see what work needed to be done. The grandstand's roof is in need of repair and will be repaired by the maintenance crew. The jail crew will do some scraping and preparation before the painting can be done. On the last Saturday in April 4-H Clubs, the Riding Clubs and other service organizations will paint the grandstands. The project had already been budgeted for.

#### OTHER BUSINESS

Attorney LeRay Jackson said he has reviewed the Hold Harmless Agreement between the Church of Jesus Christ of Latter-day Saints and Millard County Recreation for the use of some Church property on the west side of the county through January 1, 2005-December 31, 2005.

Commissioner Walker made a motion to sign the Hold Harmless Agreement with the Church of Jesus Christ of Latter-day Saints for Millard County Recreation. Commissioner Smith **SECONDED**. The voting was unanimous. The motion carried. Commissioner Cooper signed the agreement. A copy was give to the Clerk's Office for filing.

Commissioner Smith reported that Congressmen Chris Cannon will be in Fillmore on March 30, 2005 at various times for the public to meet with him.

Commissioner Smith reported he received a letter from the Office of the State Auditor listing two allegations toward Millard County Tourism.

1. Tourism funds were spent for remodeling costs on a privately owned building.
2. Tourism advertising is awarded unfairly to one local publisher.

The report is intended solely for the information and use of the County. However, it is a matter of a public record. Commissioner Walker will talk to Millard County Tourism to identify the value of the donations and be specific in recording what action is taken.

Commissioner Smith received a transmittal letter and payment request from Sunrise Engineering asking for money from the State of Utah for engineering work done on the Hwy 99 and Frontage Road Intersection Construction Project. They are asking for \$1,851.56 less \$92.58 retainage money.

Commissioner Smith made a motion to sign the payment request made by Sunrise

Engineering for construction engineering work done on the Hwy 99 and Frontage Road Intersection Construction Project for money designated for the project. Commissioner Walker SECONDED. The voting was unanimous. The motion carried. The document will be forwarded to Rick Torgerson at the UDOT Office in Richfield, Utah. A copy will be on file at the Millard County Clerk's Office.

Commissioner Smith received a letter from Allison Topham from Richfield, Utah requesting information regarding the power plant's effect on the economy and health in our community. The information is needed for an English Class assignment to write a controversial research paper about the impact of a power plant in Sevier County. A check for \$3.00 was enclosed. Commissioner Smith will answer the request and give the check to the Millard County Auditor.

Commissioner Cooper received a letter from the LDS Church regarding the Fillmore ball fields. It read that according to the lease, a ten-dollar payment is due each year on since 1994. No payments have been received and the total due is \$120.00.

Millard County Clerk Norma Brunson clarified the understanding of the Vehicle Use Policy-an employees' spouse can only drive a county vehicle in the case of an emergency.

Commissioner Cooper received a letter from in Andrea Bullock complimenting the Commissioners of not altering the arena in Delta, Utah.

Commissioner Smith talked to several people about the proposed changes to the arena. They said there was a lot of thought put into the building of the arena the way it is now.

All the Commissioners received a letter from Utah Association of Counties regarding County Government Week in the State of Utah on April 17-23, 2005. A planning kit was enclosed to help plan activities in our county.

#### PUBLIC INPUT

There were none.

#### POSSIBLE CLOSED MEETING PURSUANT TO UTAH CODE ANNOTATED SECTION 52-4-4&5

There were none.

#### WHERE UPON THE MEETING ADJOURNED

The meeting adjourned at 11:55p.m.

#### NOON LUNCH BREAK

#### THE COMMISSIONERS AND ATTORNEY JACKSON MET WITH MARK WALSH FROM

CONGRESSMEN CHRIS CANNON'S OFFICE FOR A WORK MEETING

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