

MINUTES OF BOARD OF COUNTY COMMISSIONERS
MILLARD COUNTY THE 25th of APRIL 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 April and May 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 gave a thought and then said the opening prayer. Everyone stood and said the Pledge of Allegiance to the Flag.

FOLLOW UP ACTION ITEMS FROM MINUTES OF APRIL 18, 2005

There were none.

APPROVAL OF THE AMENDED MINUTES OF APRIL 18, 2005

Commissioner Walker made a motion to approve the amended minutes of April 18, 2005. Commissioner Smith SECONDED. The voting was unanimous. The motion carried.

AUDITORS REPORT

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

An invoice for \$8,348.00 from Tiburon is due. Millard County is still using this company for the taxation system.

Auditor Grace gave the Commissioners the Check Edit Report of April 22, 2005 to review and sign.

Auditor Grace said there are four parcels in the name of Melinda Long on the May 26, 2005 Tax Sale. Auditor Grace asked for and received a request letter from Mrs. Long to be presented to the Commissioners for consideration on her property taxes. Auditor Grace said that Mrs. Long had paid the taxes, penalty and interest on two of the parcels. The remaining taxes, penalty and interest on the other two parcels plus one hundred dollars (\$100.00) for each parcel for the title searches and advertising fees are still due. She asked for some additional time to pay the balance due of nearly six hundred dollars (\$600.00). The Commissioners discussed Mrs. Long's request and authorized Auditor Grace to leave the parcels on the tax sale until the balance due is paid in full.

Auditor Grace reported she had met with the road department office and discussed the new payroll system. The Commission discussed the pros and cons of special pay for different categories of employees. Different kinds of scenarios within a department were discussed. A call has been put into Davis County to see how they handle the situation. That and other information will be considered before a decision is made.

Commissioner Cooper said Gary Hone had come in and talked about planned repairs to the grandstand in Fillmore. He gave the Commissioners an itemized list of the cost to do the painting and repairs. The money for the project will be taken out of the Capital Expenditures.

POSSIBLE APPROVAL OF AN ADDITIONAL JUSTICE COURT CLERK - JUDGE RON HARE

Millard County Justice Court Judge Ron Hare was unable to attend.

RATIFY THE MOTION TO SIGN SUNSET VIEW GOLF COURSE COMMITTEE AMENDED BYLAWS

Commissioner Walker made a motion to ratify the signing of the amended Sunset View Golf Course Bylaws. Commissioner Smith SECONDED. The voting was unanimous. The motion carried.

AWARDING OF THE SURVEY BID - MILLARD COUNTY RECORDER CONNIE HANSEN

Commissioner Smith said there was not time for the survey bid committee to meet last week and make a decision on the bids. The awarding of the survey bid was tabled until next week's Commission Meeting.

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

All the Commissioners attended the Comprehensive Land Use Plan Meeting on Tuesday, April 19, 2005. Some of the items presented there were:

- **USA - All**, Utah Share Access Alliance gave a presentation on how to manage wilderness.
- **Fred Stumph** gave a presentation on the development of the Great Basin Recreation area.
- **Kanosh Band of the Paiute Tribe Chairman Phil Pikyavit** reported on economic development plans on tribal lands.
- **Lars Rasmussen** from Soil Conservation/ NRCS was present.

All the Commissioners attended the UAC Conference in Layton, Utah on April 20-22, 2005. They attended the Public Lands meeting on Wednesday, April 20, 2005 where a new staff member for UAC was introduced. Also present were Gayle McKeachnie, Rural Affairs, and Lynn Stevens, Public Lands Director. A new board has been created to work with the Public Lands Director consisting of a member from the Governors office, the Speaker of the House, the President of the Senate and two county commissioners appointed by UAC, Millard County Commissioner Cooper and Garfield County Commissioner Dodds. The board will meet together and discuss public land issues throughout the state.

They were told that the USDA Forest Service has responded to the letter UAC had submitted on behalf of the counties on the roadless inventory and had they discussed options on how to proceed.

Millard County Attorney LeRay Jackson took a conference call with UCIP at 10:00 a.m. on Monday, April 25, 2005. Later he reported that he had attended a UCIP meeting on Wednesday, April 20, 2005, where he had picked up the insurance premium refund check for Millard County in the amount of six thousand two hundred seventeen dollars, (\$6,217.00) which is 91 percent of the maximum insurance rebate. Deducted were 2 percent for the road department road sign inventory and 7 percent for the Sheriff Office not having the training dates, subject or roster recorded. They had done more than enough training.

He said that he attended the defense driving course training on Friday, April 22, 2005 that was given last week for county employees and county affiliated bus drivers. The first training class was given on Thursday, April 21, 2005.

Clerk Norma Brunson asked if the Commissioners had received any word on the purchasing of new voting equipment for the counties? The Commissioners reported they were told by Lt. Governor Herbert that the state will participate in HAVA. Right now there is a question what the cost will be to the counties and how much money they can expect from the state on the unfunded mandate passed down from the Federal government with the Help America Vote Act, HAVA.

OTHER BUSINESS

Sheriff Ed Phillips brought in four copies of an amended speed control contract with the Utah Highway Patrol.

Commissioner Smith made a motion to sign the amended contract for additional speed control in Millard County. Commissioner Walker SECONDED. The voting was unanimous. The motion carried. Four copies of the contract were signed. Three copies were given to Sheriff Ed Phillips and one copy to the Clerk's Office. The Commissioners decided to keep the money in a separate line item and track the results of the speed control project to see what kind of revenue is generated for the county. The program will affect the Justice Court Office and make it necessary to hire another clerk, however; the Commissioners thought the program should be tracked for a while before hiring another clerk.

Sheriff Ed Phillips said the Corrections Board had called again inquiring if Millard County had made a decision about the jail expansion. After a brief discussion the Commissioners unanimously agreed to not go ahead with the jail expansion at this time. They are not aware of any of the other counties going ahead at this time either. Sanpete County has a need for a jail facility and may build one, but whether or not they will house state prison inmates is not known.

Auditor Grace said that in the past the Commissioners gave direction to the Auditor's Office in regards to pay roll changes. Anything outside of a normal step increase would come before the Commissioners for approval. The Auditor's Office would not process the payroll change without the Commissioners' signature.

Sheriff Phillips said he felt that a new position should come before the Commissioners for approval, but office promotions and changes should be at the discretion of the elected official as long as they stay within their budget.

Commissioner Walker made a motion that pay roll changes notices will no longer be required to be approved by the Commissioners. Row officials are responsible for changes in their offices as long as there is money in their budget. Row officials will notify the Commissioners of changes within their office. All department head's payroll changes will continue to receive Commissioners' approval. Commissioner Smith SECONDED. The voting was unanimous. The motion carried.

Commissioner Cooper said the Bureau of Land Management had sent the county a letter saying thank-you for responding to the BLM letter concerning the Environmental Impact Statement for the Southern Nevada Water Authority and their role as a cooperating agency in the preparation of this EIS. Bruce Flinn, Project Manager, will be contacting the county to discuss the county's involvement in the near future.

The Commissioners discussed the Annual Operating and Financial Plan from the Bureau of Land Management. The plan is pursuant to provisions of the Cooperative Agreement between the BLM, Millard County and the Division of Parks and Recreation concerning the Cricket Mountains, Amasa Basin, Burbank Hills and Conger Mountain OHV Trail Systems.

Commissioner Cooper said he had been contacted by Scipio Town Mayor Burtis Quarnberg who asked for participation of the county safety board to authorize a sign be put up on the road going to the new Eagles Landing in Scipio. The town will furnish the sign if the county will authorize its' installation. The safety committee will be meeting on May 2, 2005 and will consider the request.

Commissioner Walker reported that Kevin Morris, West Maintenance Supervisor said the department is in need of a used pickup truck. They have \$18,000 in the budget for one truck and the insurance money from the stolen truck will help offset the cost of the second pickup. They will have one truck that will go to the surplus sale.

Commissioner Smith said that he has been working with Zane Pentz, Sunrise Engineering and Thayne Henrie, road department supervisor in getting an estimate of the cost of repairs on the two bridges, Cropper Lane Bridge and Bench Road Bridge that qualify for an upgrade. The estimated cost is one million, ninety one-thousand dollars, (\$1,091,000.00). The county can get federal money on a 20-80 percent matching grant. If Millard County is successful in getting the grant then they will need to come up with two hundred thousand dollars, (\$200,000).

The Commissioners discussed whether or not to proceed with the repairs. The grant money will be applied for and the final decision will be made later.

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 11:55a.m..

NOON LUNCHEON WITH LOU BROWN, KIM CHRISTY AND KEVIN CARTER - STATE TRUST LANDS AND THE COMMISSIONERS

Attest: _____ Approved: _____