

MINUTES OF BOARD OF COUNTY COMMISSIONERS
MILLARD COUNTY THE 13th DAY JUNE of 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

ALSO PRESENT: Sheryl Dekker, Dean Draper, Sherry Shepard, Linda Lind, Recorder
Connie Hansen, Treasurer John Hansen, Sheriff Ed Phillips, Captain Robert Dekker and L. Jack
Peterson

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 June and July 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? Commission
Secretary Janice Robins read a quote from former President Ronald Reagen and then said the
invocation. Everyone stood and said the Pledge of Allegiance to the Flag.

FOLLOW UP ACTION ITEMS FROM MINUTES OF JUNE 6, 2005

There were none.

APPROVAL OF THE AMENDED MINUTES OF JUNE 6, 2005

Commissioner Walker made a motion to approve the amended minutes of June 6, 2005.
Commissioner Cooper stepped from the Chair and 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.

Auditor Grace gave the Commissioners the Check Edit Report of June 10, 2005 to review and sign.

Auditor Grace turned in the Over Time and Comp. Time Reports for the Commissioners to read and approve.

Commissioner Smith made a motion to approve the signing of the Special Use Application & Permit for Recreation Events between USDA Forest Service and Millard County. Commissioner Walker SECONDED. The voting was unanimous. The motion carried. The document was signed and a copy will be on file in the Clerk's Office.

Auditor Grace said that Jack Peterson had recently submitted a bid for the surplus glass panels, removed from the East Millard Swimming Pool, at \$10.00 a panel and the bid was denied. She had talked with Gary Hone, maintenance supervisor and he had said that the glass panels are a liability to the county because they could get broken in storage.

Jack Peterson told the Commissioners that he is willing to double his offer and after some discussion the Commissioners agreed to sell all sixteen panels for \$25.00 each.

Commissioner Smith made a motion to accept a bid for the surplus swimming pool panels from Jack Peterson for all sixteen panels at \$25.00 per panel. There is a value to the county to have them removed from county property. Commissioner Walker SECONDED. The voting was unanimous. The motion carried.

Auditor Grace said that Melonie from Incode has notified her that the new Millard County website will soon be finished and ready for use.

DISCUSSION OF A PROPOSAL FOR AN EVENT AT THE GUNNISON BEND RESERVOIR, BRAD BINGHAM - EVERYTHINGCOOL.COM

Mr. Bingham was not in attendance.

DISCUSSION ON RC&D, RESOURCE CONSERVATION AND DEVELOPMENT PROGRAMS - LINDA LIND

Linda L. Lind Coordinator of the Panoramaland Resource, Conservation and Development Programs, gave a brief history of who the RC&D is. RC&D is part of a Federal and local government partnership that was established in 1962 by the USDA. There are seven RC&D's in

the State of Utah. She told what the RC&D's vision, mission and activities are through public and private partnerships with grassroots decision making, that is totally community based. Sheryl Dekker from Millard County along with thirteen other people from Juab, Sevier, Sanpete and Wayne Counties make up the RC&D Board Members.

NRCS

Full time coordinator - Linda Lind
Half time coordinator - Amber Johnson

RC&D 501 (C) 3

Set Goals & Priorities
Develop Partnership
Develop Projects
Seek & Manage Funds

There are three hundred seventy- five (375) RC&D Programs around the nation and they follow the same boundaries as the Soil Conservation Districts. They are doing many types of community based projects that have been initiated by the local governments. Needs are the first thing assessed before projects can be developed and funds sought after. To help in the rating process for projects, assessment forms were filled out by all those attending Commission Meeting. The forms are being passed around to various groups and meetings to get opinions from a variety of people.

SHERIFF'S OFFICE - AWARDING THE KEY SECURITY SYSTEM BID

Sheriff Ed Phillips said that he and Robert Dekker have gone through and evaluated the three key security system bids. They recommended the bid be awarded to Sound Unlimited in Delta, Utah if the company is willing to solicit two electrical contractors to plan for the electrically supply points. The county will then take bids from at least two electrical contractors.

Commissioner Walker made a motion to accept Sheriff Phillips recommendation that the bid is awarded to Sound Unlimited for the key security system and they are to get two electrical contractors' bids. Sound Unlimited bid for the key security system at the court complex was \$26,201.00. Commissioner Smith SECONDED with discussion. The money will come out of the home land security budget. The voting was unanimous. The motion carried.

Sheriff Phillips said that a year and half ago the Sheriff's Office, along with the BLM had met with some people requesting a permit to hold an arts event in the west desert. There had not been any more word about the event until someone had seen it advertised in a newspaper for July 20-24, 2005 date. Sheriff Phillips asked Attorney LeRay Jackson if the county could require a conditional use permit for the event? Attorney Jackson said that he thought the county could require a conditional use permit for an arts events on range and forest land. Sheriff Phillips said he will look at the activity more closely and will talk to Sherry Hirst, BLM Director to see if they have concerns.

Reporter Dean Draper said that arts events, like the Burning Man which has been held for about a decade, could cause a lot of law enforcement problems for the county, because of the participants adverse activities.

Attorney LeRay Jackson said that the State of Utah, Department of Agriculture and Food, County Brand Inspection Agreement has been prepared and is ready to be signed.

Commissioner Walker made a motion to sign the State of Utah, Department of Agriculture & Food, County Brand Inspection Agreement with Millard County for \$3,500.00. Commissioner Smith SECONDED. The voting was unanimous. The motion carried. A copy will be on file at the Clerk's Office.

REVIEW AND POSSIBLE EXECUTION OF MILLARD COUNTY AGREEMENT FOR COMPUTER SYSTEM ACCESS FOR PUBLIC RECORD SEARCH BETWEEN MILLARD COUNTY AND FIRST AMERICAN TITLE COMPANY

Millard County Attorney LeRay Jackson prepared an agreement for Computer System Access for Public Record Search Between Millard County and First American Title Company. Recorder Connie Hansen explained that the agreement will allow First American Title Company access to the retrieval screens of the Assessor, Treasurer and the Recorder Offices. The title company will be able to use the information for their purposes only and will not be allowed to sell any of the information to other companies. First American Title Company will be charged a set up fee and a monthly user fee plus a fee for any copies they will make. The collection process will be done on a prepaid basis. The records' search program will be adaptable to a new computer system when the county upgrades their current system.

Commissioner Smith made a motion to approve the agreement for computer system access for public record searches between Millard County and First American Title Company. Commissioner Walker SECONDED. The voting was unanimous. The motion carried.

POSSIBLE FINAL APPROVAL OF MILLARD COUNTY FACILITIES USE AND RENTAL POLICY

Millard County Attorney Jackson said he has prepared the Millard County Facilities Use and Rental Policy with the desired changes and also included a Request for Commission Waiver.

Commissioner Walker made a motion to adopt the Millard County Facilities Use and Rental Policy with the changes. Commissioner Smith SECONDED. The voting was unanimous. The motion carried. A copy will be on file at the Clerk's Office. Auditor Grace will mail copies to each office to update their Policy and Procedures Manual.

RESULTS OF 2005 MAY TAX SALE

Auditor Grace reported on the results of the 2005 May Tax Sale. She said Steve Brown had purchased three parcels during the sale and later his check did not clear the bank. She asked the Commissioners what action they would like her to take on this sale. The options were discussed and a decision was made.

Commissioner Walker made a motion to accept the results of the 2005 May Tax Sale and allow the sale to go forward for Steve Brown if his check is now honored by the bank and the additional fees are paid. His deeds will not be released by Millard County until all the fees are paid. Commissioner Smith SECONDED. The voting was unanimous. The motion carried. A

copy of the 2005 May Tax Sale will be on file at the Clerk's Office.

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

Commissioner Smith attended the Millard County Jr. Livestock Show Banquet on Thursday, June 2, 2005. He reported good attendance and exhibitors' participation at the show. Commissioner Smith said the stock show board had done a great job and that the support of the community and businesses were much appreciated. There were a lot of positive comments made about the show. The Millard County Jr. Livestock Show is one of the few open stock shows in the state.

June 30, 2005 is the deadline to get the application for predator control reimbursement to the state. Commissioner Smith authorized Auditor Grace to submit to the state, the amount been paid out to date minus the red fox payments.

Commissioner Smith said that the Millard County Road Department is doing the chip sealing in the Sutherland area this week and will then move throughout the county with their projects.

Commissioner Smith attended the Utah Water Resources meeting on Thursday, June 9, 2005 after the tour of the DMAD, the Gunnison Bend Reservoir, Eskdale and Calio to discuss the proposed water project.

On Friday, June 10, 2005 another meeting was held where the Southern Nevada Water Board gave a presentation about their proposed water project. Commissioner Smith said that DMAD made application for funds to upgrade the spillway and Gunnison Bend. They received ninety-five percent funding on a \$2.4 million project.

On Thursday, June 9, 2005 the Delta Soil Conservation District held their budget meeting at 1:00 p.m. The budget was presented and adopted. They had a desire to know how the private sector could address ideas to the Millard County Comprehensive Land Use Plan for projects such as local irrigation projects or soil conservation projects. They were told that if one of the members of either soil conservation district would like to make a presentation to the MCCLUP they are invited to do so.

Commissioner Smith said Millard County had been asked to be an independent facilitator to set up a meeting between IPA and the dairies to discuss pending litigation. The meeting was set up on June 15, 2005 at 10:00 a.m. in Delta, Utah. Reed Searle, IPA, expressed a desire to meet at 1:30 p.m. with the Commissioners to discuss a Millard County Conditional Use Permit for the third unit.

All the Commissioners participated in the interview process for the new golf pro at Sunset View Golf Course on June 7, 2005.

Commissioner Walker reported that a closed tourism work meeting was held by the Millard

County Commissioners on June 8, 2005. A cassette tape of the meeting was turned into the Clerk's Office for filing. Items of discussion were the restructuring of the functions of the tourism board, and how the TRT money will be handled according to Utah State Law. The Commissioners will oversee the budget and the Tourism Board will serve as an advisory committee. A new tourism application was created and will be required to be filled out by anyone wanting TRT funds.

Commissioner Walker attended the Cemetery District Meeting on June 9, 2005. Updates to the bylaws were discussed. Attorney Jackson will have a rough draft of the bylaws ready for by June 29, 2005.

A meeting with the Chamber of Commerce will be held on June 15, 2005.

Commissioner Cooper announced that the Days of the Old West Rodeo parade will be held at 6:00 p.m. on June 16, 2005. The rodeo will begin at 8:00 p.m. each night June 16-18, 2005. Everyone is looking forward to a great rodeo.

Commissioner Cooper and Commissioner Walker attended the Family Dollar Store Grand Opening. The new manager will be Pat Thomas.

The Commissioners were not able to attend this year's Topaz Pilgrimage.

Commissioner Walker said that \$7,396.50 were raised during the Jordan Brunson fund raiser. They thanked Millard County for their support of the event.

Commissioner Cooper reported that the annual horse races in Fillmore, Utah were cancelled because of the rain.

Commissioner Cooper said that the Bits and Boots Horse Show was held in the indoor arena.

OTHER BUSINESS

Commissioner Cooper reported the microwave contract for Millard County is ready for signing.

Commissioner Walker made a motion to pay Millard County's share (\$144,063.15) of the microwave contract. The money will come out of the Telecommunication Budget. Commissioner Smith **SECONDED**. The voting was unanimous. The motion carried.

Millard County Treasurer John Hansen suggested that the county implement a policy that no payment of county invoices or debts be paid for by cash. If an employee or committee member pays cash then they could be disciplined up to possible termination. Revenues from special events should be brought to the Auditors Office for reconciliation or deposited in the bank's night deposit and then reconciled at the bank the next day or the following Monday. Treasurer Hansen said that no money from his office will be shuttled from Delta to Fillmore.

The Commissioners are in agreement with this policy and it becomes effective immediately. People in charge of the ATV Jamboree, the rodeo and other events will be notified of the updated

policy.

Treasurer John Hansen requested that a monthly meeting be set up to discuss county issues with the county officials and Commissioners. The meetings will be held at 9:00 a.m. before Commission Meeting on the second Monday of each month.

Commissioner Smith reported that the Commissioners have received two letters of complaint dated June 1, 2005 about an incident regarding a Deputy Sheriff that happened on May 27, 2005. The letters were turned over to the Sheriff's Office.

Commissioner Smith said that the road department will be doing the chip sealing the roads on their schedule. He said the company that had been awarded the bid to supply the chips to the county said they are not able to supply that amount of chips and will not honor their contract. This has created a hardship on the road department financially and time wise. Another local entity is able to provide the chips at a higher rate. Several of the roads will not be able to be chipped this year. A penalty clause may have to be put into agreements made with companies awarded bids and then walking away from it. The Commissioners will check to see what the problems were with the company.

Commissioner Smith reported he signed the approval for hiring two part time GIS employees to GPS the road signs throughout the county. The employees worked last year for the county and are already trained on the equipment.

PUBLIC INPUT

Sherry Shepard, Chairman, reported that the plans for the Fillmore National ATV Jamboree are going great. The Jamboree will be held June 21 thru June 25, 2005. Governor Huntsman's Chief of Staff will give an opening speech on the 21st and the trail ride will begin. Mrs. Shepard said people are learning about the trail rides from their friends and relatives or from the county's website. This years' registration numbers are up one hundred more than last year, with people coming in from as far as Alabama. The Sheriff has given his permission for them to use the old frontage road. The problem this year has been the snow and water on the trails. She said the Forest Service is taking a CAT up Sand Rock Ridge to remove the snow from the road. The ride going to Coffee Peak can only go to the largest snow drift and then they will have to turn around. She added the stream is passable to the larger TV'S only.

Doug Miller will be doing an outdoor show during the Jamboree. Others attending will be Dan Pope, TV weatherman and a magazine from Las Vegas will be here to do an article about the Jamboree. Dirt Wheels Magazine did an article about the Fillmore National AT Jamboree for free.

There are new activities and rides planned this year. Mrs. Shepard said the Fillmore ATV National Jamboree Committee really appreciates the help and cooperation from the BLM and USDA Forest Service.

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

4&5

Commissioner Walker made a motion to go into a closed executive session. Commissioner Smith SECONDED. The voting was unanimous. The motion carried.

Commissioner Walker made a motion to approve the hiring of Todd Mullen as the head golf pro at Sunset View Golf Course. Commissioner Smith SECONDED. The voting was unanimous. The motion carried.

WHERE UPON THE MEETING ADJOURNED

The meeting adjourned at 2:10 p.m.

Attest: _____ Approved: _____