

MINUTES OF BOARD OF COUNTY COMMISSIONERS
MILLARD COUNTY THE 20th DAY OF JUNE 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 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? Commissioner Smith said the invocation. Everyone stood and said the Pledge of Allegiance to the Flag.

FOLLOW UP ACTION ITEMS FROM MINUTES OF JUNE 13, 2005

There were none.

APPROVAL OF THE AMENDED MINUTES OF JUNE 13, 2005

Commissioner Walker made a motion to approve the amended minutes of June 13, 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 June 17, 2005 to review and sign.

Auditor Grace asked the Commissioners how she should handle the invoices for the golf course that are due or past due. She was told that each invoice should be looked at individually to determine if the county should pay it or check if there are any reasons why it had not previously been paid. The amount from the paid invoices will be deducted from the balance owed to Steve Wathen, former golf pro. Auditor Grace talked to a representative at Yamaha, the company leasing the five electric carts to Millard County and found that there will be no ownership at the end of the lease. The Commissioners said they had a different understanding on the leasing contract. After discussing the issue they determined it may be better to purchase the carts outright. The leasing contract and the purchase price of the carts will be investigated. The Commissioners will look at all the options and then determine if there is money to purchase the carts,

UDOT sent a notice that they will be releasing \$264.87 for in house engineering costs on the Hwy 99 frontage road project. Sunrise Engineering Inc. should be sending a notice for Millard County to sign and then the money will be released.

Auditor Grace said the Auditor's Office has determined the value for taxing entities in the county. The tax rate for Millard County will be .003462 and the Assessing and Collecting will be .000226. She handed the Commissioners a copy of a Single Levy Certified Tax Rate Worksheet to review. The proposed tax rate needs to be determined by these figures.

Commissioner Smith made a motion to set the proposed single levy certified tax rate for Millard County at .003462 and the single levy certified tax rate for Millard County Assessing and Collecting at .000226. Commissioner Walker SECONDED. The voting was unanimous. The motion carried. The motion will be ratified at next week's Commission Meeting.

Commissioner Walker will talk to Sherry Shepard about some invoices for the Fillmore National ATV Jamboree before signing them.

RATIFY THE SIGNING OF THE AGREEMENT WITH STATE DEPARTMENT OF AGRICULTURE FOR COUNTY BRAND INSPECTOR

Commissioner Smith made a motion to ratify the signing of the agreement with State Department of Agriculture for County Brand Inspector. Commissioner Walker SECONDED. The voting was unanimous. The motion carried.

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

On June 15, 2005, Commissioner Walker and Commissioner Smith attended the opening meeting with representatives from the dairies and Reed Searle from IPA and their attorneys.

Commissioner Smith said he was asked to check to see if the Department of Agriculture was

doing some monitoring of the situation. He will look into this matter as requested. The Commissioners were excused while the others discussed pending litigation.

All three Commissioners met with Mr. Searle to discuss his appearance before the Millard County Planning and Zoning Board on July 6, 2005, to apply for a Conditional Use Permit. Mr. Searle would like a list of the information the county needs. They briefly discussed future meeting dates with the Millard County Sheriff Office, Millard School District and other interested parties.

The need for the county to do some investigative work on the Southern Nevada Water Authority and Unit Three were discussed. Attorney LeRay Jackson will review all the documentation by working through Rod Clark, the Southern Nevada Authority consultant. Commissioner Smith was asked by Commissioner Cooper to make the initial contact on that.

Also, on June 15, 2005 all the Commissioners, Sheryl Dekker, Gary Church and Leon Smith attended the Delta Area Chamber of Commerce meeting with Reed Searle as the guest speaker. He gave an update on the proposed Unit Three project. There are thirty-nine cities and or local governments and five public service commissions that have to sign off on the project. Construction should begin in 2007 with the date scheduled to go on line in June 2011.

Commissioner Walker spent half a day planting flowers at the Sunset View Golf Course to be ready for the Sahara Motors Golf Tournament on Saturday. She reported that the golf tournament went well. Twenty-three teams participated with the proceeds going to the ME Bird Senior Center and the Delta High School Wrestling Team. The green fees were reduced to half price for the tournament. The golf course was short several golf carts for the tournament and they had to rent some privately owned carts and two from the Paradise Golf Course in Fillmore.

She talked to several golfers on Father's Day and they were pleased with the things being done at the golf course. They are looking forward to the new golf pro starting on July 1, 2005.

Commissioner Smith received a phone call from Bruce Flynn from the management team of the Ely EIS pipeline who wanted to know the name of Millard County's representative who will be attending the technical meetings in Las Vegas, Nevada this week.

Commissioner Smith said the Millard County Road Department was told the BLM is fencing the road that runs from Deseret to Milford, the section where the Cosmic Array building. There will be a culvert and a cattle guard put in. The BLM will pay for the cattle guard and the Millard County will put it in.

Commissioner Smith talked to a Millard County employee about an in house position that they had applied for the job and not given an interview.

Commissioner Cooper reported that the Days of the Old West Rodeo was a great success. The Commissioners participated in the parade on Thursday, June 16, 2005 and there was a good group of spectators. Phillip G. Robison served as the Grand Marshall of the rodeo. The rodeo consisted of stock from the Bar T Rodeo, top cowboys and cowgirls and a good specialty act. The Commissioners thanked all the rodeo committee members for a great show.

Commissioner Cooper attended the UAC Board meeting of Friday, June 17, 2005 in Provo, Utah. New appointments were made by UAC to the National Association Steering Committees. Commissioner Smith was appointed to the Agricultural and Rural Affairs Steering Committee, Commissioner Cooper was appointed to the Public Lands Steering Committee, Sevier County Commissioner Ralph Okerlund was appointed to the Transportation Committee and Rich County Commissioner Bill Cox was appointed to the Human Services and Education Committee and Davis County Commissioners Alan Hansen and Carol Page were appointed to the Justice and Public Safety Committee. The appointees will attend the WIR Conference, the NACO Conference and the Legislative Conference.

Commissioner Cooper said UAC has started a desk side briefing schedule. The briefing committee will be in contact with the TV stations and newspapers to help generate positive things to be reported in the media that happen in counties and government. Anything positive in the county will be forwarded to Doug Perry at UAC to be shared with the news media.

Commissioner Cooper said that UCIP and UAC are working out the problems so the sharing of the same building will work better for both entities.

Commissioner Cooper said that the Forest Service was not able to open up Sand Rock Ridge Road for the ATV Jamboree, but a great trail ride is still expected. The Sheriff's Office and Commissioners had given permission for the riders to use the route from 2nd South down to the airport road, over the freeway and onto the frontage road going north to Meadow.

OTHER BUSINESS

Commissioner Smith recommended that Gerald Anderson be appointed to represent Millard County at the Southern Nevada water meetings in Las Vegas, Nevada. Mr. Anderson has a lot of expertise in water issues. When he cannot attend the meetings, one of the Commissioners will try to attend in his place. Millard County will pay for Mr. Anderson's expenses and if he is chosen to represent Juab County, they can share the expenses. There will be a confidentiality agreement made between Millard County and Mr. Anderson. A notice will be sent to the board that he will represent Millard County at the water meeting. There are two sets of meetings, the biological meetings on Tuesdays and Wednesday, and the Hydro meetings on Thursday and Friday. A schedule of the meetings will be sent out and the county will determine which meetings they need to have a representative in attendance.

Commissioner Smith made a motion to appoint Gerald Anderson as Millard County's representative to the Southern Nevada water meetings. A letter will be sent to the water board showing Mr. Anderson is authorized to represent Millard County at the water meetings. Commissioner Walker SECONDED. The voting was unanimous. The motion carried.

Commissioner Cooper reported that Russell Crosland has resigned as the East Millard Recreation Director. The new director will be Delise Perkins Fullmer.

Commissioner Walker made a motion to raise the pay scale from \$7.00 to \$9.00 for the East Millard Recreation Director Delise Fullmer as a part time employee. Millard County will provide her with a cell phone which she will be required to carry as part of her job. Commissioner Smith

SECONDED. The voting was unanimous. The motion carried.

Commissioner Walker reported that Todd Mullen will be the new golf pro at the Sunset View Golf Course and he will be starting on July 1, 2005. As agreed upon by the Millard County Commission, he will be an exempt county employee with the salary of \$42,000 per year. He will be able to keep 100% of golf lessons and golf club repairs he does. Any special equipment for repairs or lessons will be his responsibility. He will receive 20 percent from the sales from the pro shop and 15 percent of the green fees exceeding \$35,000.00 per year. The Auditor's Office will issue a check for the percentages due to the golf pro.

Commissioner Cooper said he will contact the Division of Fish and Game in Cedar City, Utah to find out what they would like Millard County to help with on the re-seeding of the channel where the wildlife habitat was destroyed during the opening of the channel for flood prevention.

Commissioner Cooper reported a letter from Senator Orrin G. Hatch was received. Senator Hatch thanked the Commissioners for the copy of the letter that Millard County sent to Sally Wisely, Utah's BLM Director about the possibility of greater administrative and employment opportunities at the BLM's Fillmore Office. Senator Hatch had forwarded the letter to Kathleen Clarke, BLM Director.

Commissioner Cooper said Millard County had written a letter stating they are against any introduction of wolves to Utah. He had received a report on the wolf plan for Utah migration.

PUBLIC INPUT

Virginia Josse, Administrator of the Pahvant Senior Citizens Center said the center has a four-year financial partnership with UDOT on the center's two vans. They have just received a copy of UDOT's compliance manual and they have discovered a problem. In the past the Pahvant Senior Center as a courtesy has allowed the Utah National Guard to use the van when they have needed to transport visiting officials from the airport to their destinations. The manual states that the vans are not sanctioned to be used for government officials for government business. The older van would not be under those restrictions and she wondered if it would be all right with the Commissioners if this vehicle was used by the National Guard. The Commissioners thought that they would offer the van to the Guard. Because of the size of the van, the driver is required to have a CDL.

Mrs. Josse said that the center is up on the rotation for another van. They really do not need a van now, but they do need a vehicle to be used to deliver meals on wheels. The Commissioners suggested that when the county has another surplus car that they put in a bid for one and not accept the offer for the third van.

Assessor Jim Talbot said that he received two applications and one by telephone for the position that will need to be filled in his office. He desires to hire someone so they can be trained for the next six months while Clark Price is still on the job. He made a decision not to do any interviews. The Commissioners said the other applicant had put in a complaint about the way the

hiring process was handled. The Commissioners suggested that Mr. Talbot phone the other party and let them know of his decision.

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 12:13 p.m..

Attest: _____ Approved: _____