

MINUTES OF BOARD OF COUNTY COMMISSIONERS
MILLARD COUNTY THE 27th Day of JUNE 2005
AT THE COURTHOUSE, FILLMORE, UTAH

PRESENT: John C. Cooper Chairman
Kathy Y. Walker Commissioner

LeRay Jackson County Attorney
Norma Brunson County Clerk
Janice Robins. Deputy County Clerk

ALSO PRESENT: Judge Ronald R. Hare, Clyde Jones, Russell Olsen, Gary Hone, John Hansen, Connie Hansen, Brandy Grace

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 offered a prayer. Everyone stood and said the Pledge of Allegiance to the Flag.

FOLLOW UP ACTION ITEMS FROM MINUTES OF JUNE 20, 2005

There were none.

APPROVAL OF THE AMENDED MINUTES OF JUNE 20, 2005

Commissioner Walker made a motion to approve the amended minutes of June 20, 2005. Commissioner Cooper stepped from the Chair and SECONDED. The voting was unanimous. The motion carried.

AUDITORS REPORT

The Commissioners reviewed various invoices to be approved for payment through the Auditor's Office.

Auditor Grace gave the Commissioners the Check Edit Report of June 24, 2005 to review and sign.

RATIFY THE COMMISSIONERS APPROVAL OF THE MILLARD COUNTY CERTIFIED TAX RATE FOR .003462 AND THE MILLARD COUNTY ASSESSING AND COLLECTING TAX RATE FOR .000226

Commissioner Walker made a motion to ratify the Commissioners' approval of the Millard County Certified Tax Rate for .003462 and the Millard County Assessing and Collecting Tax Rate for .000226. Commissioner Cooper stepped from the Chair and SECONDED. The voting was unanimous. The motion carried.

JUSTICE COURT JUDGE RON HARE - DISCUSSION OF POSSIBLE HIRING OF A FULL TIME EMPLOYEE

Justice Court Judge Ron Hare came before the Commission to report the increase in his office's work load creating the need in the office for another full time Justice Court Clerk. The break down figures showing the June 2005 office work load increases are as follows:

Office Case Load

658 Traffic Cases
9 Criminal Cases
667 Actual Total Cases for June 1- 24, 2005
(806 Total Cases (Last 4 days of June estimated))

Fines to be Collected

\$65,624.40 Actual Total Fines June 1-24, 2005
\$80,000.00 Total Fines (Last 4 days of June estimated)

Millard County's Portion of Fines Collection

\$41,244.01 Total June 1- 24, 2005
\$50,409.33 Total (Last 4 days of June estimated)

Judge Hare said when an office processes 501 plus cases, three clerks are needed to qualify as a certified court office. Normally the office's monthly case load has been around 400 cases but with the UHP extra speed control program, the number of cases has increased to approximately 800 cases. The extra speed control program has increased safety on the roads in Millard County and has brought in enough money to cover the UHP contract and will pay for the additional court clerk.

Commissioner Walker made a motion to authorize Judge Hare to proceed with the process

to hire a full time Justice Court Clerk. Commissioner Cooper stepped from the Chair and SECONDED. The voting was unanimous. The motion carried.

Judge Hare said he will advertise the clerk's position in-house first and if no response the job will be listed through Job Service.

GARY HONE, EAST MILLARD MAINTENANCE SUPERVISOR - UPDATE ON FRONT STEPS REPLACE AT COURTHOUSE

East Millard Maintenance Supervisor Gary Hone presented two bids for the resurfacing the front steps at the Millard County Courthouse at 50 South Main in Fillmore, Utah. The following two bids were submitted for an epoxy stamped coating:

Perma Bond @ \$7,475.00

PEP System @ \$7,000.00

Commissioner Walker made a motion to award the bid to PEP System, LaMar Jones for \$7,000 to re-surface the front steps with an epoxy coating at the Courthouse at 50 South Main Street in Fillmore, Utah. Commissioner Cooper stepped from the Chair and SECONDED. The voting was unanimous. The motion carried. Mr. Hone will get a copy of the bids to the Clerk at a later date.

East Millard Maintenance Supervisor Gary Hone reported on the progress of the remodel at the Millard County Sheriff Posse Building in Fillmore, Utah. He said the grandstand remodel is nearly completed and that plans are being made to install a handicap ramp and wheelchair area.

Commissioner Cooper asked Mr. Hone if he could schedule a time for his crew to help clean up the Commissioners' office in the courthouse.

POSSIBLE DECISION TO TRANSFER THE OLD SENIOR CITIZENS VAN TO UTAH NATIONAL GUARD

At last week's meeting the Commissioners had decided to offer the old senior citizen van to the Utah National Guard in Fillmore, Utah. They talked to Dallin Nielsen who said the Guard could use the van and would accept it along with the responsibility for any needed repairs.

Attorney LeRay Jackson said this action follows Millard County's gifting policy allowing the van to be given to an exempt government entity.

Commissioner Walker made a motion that Millard County transfer the old senior citizen's van to the Utah National Guard. Commissioner Cooper stepped from the Chair and SECONDED. The voting was unanimous. The motion carried.

PRESENTATION OF THE 2004 INDEPENDENT AUDIT

Clyde Jones and Russell Olsen from Larsen and Peterson Certified Public Accountants gave their annual Independent Auditors' Reports. They invited any comment or questions that the Commissioners or elected officials may have about the 2004 Independent Audit and Management

Letter.

A copy of the 2004 Independent Audit will be on file in the Millard County Clerk's Office. Commissioner Cooper thanked Mr. Olsen and Mr. Jones for their help and also thanked the Auditor Office and Treasurer Office for the manner in which the county finances are handled.

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

Commissioner Smith was excused for a family vacation.

Commissioner Walker and Commissioner Cooper attended the opening ceremony of the Fillmore National ATV Jamboree. They reported that this year's attendance was up. Jason Chaffetz, State Chief of Staff and his son Matthew rode on the trail rides. The mud bog was held on Saturday afternoon and was fun to watch.

Commissioner Cooper gave the history of the Indians in Millard County to some of the ATV riders at Meadow Creek Canyon.

Commissioner Cooper complimented the East Millard Maintenance Department for the good job they had done on the grandstand remodel project and for getting the grounds ready for the ATV Jamboree.

Commissioner Cooper also reported that a horse training clinic was held in the indoor arena in Fillmore, Utah last week.

Commissioner Walker attended the RSVP Recognition Banquet in Richfield, Utah seven Millard County citizens received awards for their volunteer work. Those receiving awards were Judy Huntsman, Marlene Christensen, Abe Johnson, Jack Davis and LaWanna Davis and the late Leona Riding. Mr. and Mrs. Karl Jenkins from Meadow, Utah were also in attendance and received an award.

Friday, June 24, 2005 all the Commissioners attended the UAC Management Conference in Richfield, Utah. The theme of the conference was transportation and the Commissioners thought it was a good informative conference. They learned that the State was planning to transfer the jurisdiction of several roads to the county. Some of them are main thoroughfares to and from communities. Millard County is very much in opposition to this action. Commissioner Cooper will attend a meeting in Salt Lake City, Utah with UDOT to voice a protest to the transfer of the following roads from the State to Millard County.

- Highway 133 from Kanosh to Meadow
 - Fillmore City Main Street Hwy 99
 - Flowell Road Hwy 100 going toward Delta to McCornick
 - Delta Junction road to Oak City Hwy 136 to Leamington Hwy 125
 - Hwy 61 from the north Cove Fort exit into Cove Fort and back to I 70
 - Cut off road into Garrison Hwy 159
- The Commissioners stated **NO** to the road transfers
- Brush Wellman Road Hwy 174 going to IPP (The Commissioners might consider a transfer)

Commissioner Smith said the State could have the Desert Harding Road.

Millard County Attorney LeRay Jackson said that Treasurer Hansen had been sued for not taking gold coins for payment of some property taxes. Attorney Jackson said the county will be defending him in this matter. Attorney Jackson will see if there are other cases of this nature throughout the state and will work to consolidate all the cases into one and handle them that way.

Commissioner Cooper reported he had talked with Bruce Bonebreak from the DWR concerning the channel on Fish and Game land that was opened up by local farmers in anticipation of a flood. Lynn Zubeck will contact Millard County who has agreed to help with the re-seeding of the channel to bring back the natural habitat for wild life.

Millard County Recorder Connie Hansen gave copies of the survey contract to Attorney LeRay Jackson and Deputy Clerk Janice Robins for their files.

OTHER BUSINESS

Commissioner Cooper stated the county had received a Transmittal Letter from Sunrise Engineering about the Cheese Plant Intersection project. The construction company plans to have the project finished this week.

Commissioner Walker made a motion to sign the Transmittal Letter from Sunrise Engineering Company that was sent in regards to the Highway 99 Cheese Plant Road project. Commissioner Cooper stepped from the Chair and SECONDED. The voting was unanimous. The motion carried. The letter was given to Commissioner Walker to have Commissioner Smith sign the document.

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 11:40 A.M..

Attest: _____ Approved: _____

