

MINUTES OF BOARD OF COUNTY COMMISSIONERS
MILLARD COUNTY THE 21st Day of NOVEMBER 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: Dean Draper, Michael Barney, Joyce Barney, Cindy Manning, Terri Cummings, Max Wood, Jacquie Hart, Mayor and Sam Starley

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 November and December 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 read a quote from Andrew Jackson and then said the invocation. Everyone stood and said the Pledge of Allegiance to the Flag.

FOLLOW UP ACTION ITEMS FROM MINUTES OF NOVEMBER 14, 2005

There were none.

APPROVAL OF THE AMENDED MINUTES OF NOVEMBER 14, 2005

Commissioner Smith made a motion to approve the amended minutes of November 14, 2005.

Commissioner Walker 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. Several invoices had been turned in by CERT Teams to Commercial Radio for radio equipment. The CERT teams turning in the invoices were Delta, Meadow, Lynndyl, Scipio and Fool Creek area.

Auditor Grace gave the Commissioners the Check Edit Report of November 18, 2005 to review and sign.

Auditor Grace said an invoice for the Doug Miller Expo in the amount of \$1,100.00 to be paid by December 1, 2005 was turned in by Sherry Shepard. Mrs. Shepard had talked to Roger Killpack at Millard County Tourism who agreed to fund the invoice even though the ATV Jamboree was over budget. The Commissioners agreed to have the Auditor pay the invoice out of the Tourism budget.

Auditor Grace had a letter from Dental Select verifying a 4 percent increase over last year. Dental Select would like the County to sign their acceptance at the bottom of the letter. Single coverage changes from \$28.84 to \$30.10 and double coverage changes from \$89.54 to \$93.16. The additional cost will be covered by the County. The letter was signed and will be faxed to Dental Select.

REVIEW AND EXECUTION OF PROTEST BY MILLARD COUNTY TO SOUTHERN NEVADA AUTHORITY TO DEVELOP GROUND WATER IN LINCOLN COUNTY

Commissioner Walker made a motion to sign the protests by Millard County to Southern Nevada Authority to Develop Ground Water in Lincoln County.

Commissioner Smith **SECONDED**. The voting was unanimous. The motion carried. Commissioner Cooper signed four copies of the protests. A copy of each protest will be given to the Clerks Office.

POSSIBLE ADOPTION OF RESOLUTION NO. 05-11-21, A RESOLUTION OF MILLARD COUNTY REGARDING THE SOUTHERN NEVADA WATER AUTHORITY PROPOSAL TO DEVELOP GROUND WATER IN WHITE PINE COUNTY

Millard County Attorney LeRay Jackson had prepared the document and recommended the resolution be signed by the Commissioners.

Commissioner Walker made a motion to adopt Resolution No. 05-11-21, A Resolution of Millard County regarding the Southern Nevada Water Authority Proposal to Develop Ground Water in White Pine County.

Commissioner Smith **SECONDED**. The voting was unanimous. The motion carried.

The resolution was originally written by former County Attorney Warren Peterson who is

a member of the Board of Water Resources for the Board to adopt it but that has not yet been done. The resolution has been modified by County Attorney LeRay Jackson. Copies of the resolution will be sent to the local newspapers, Department of Natural Resources, the Governor's Office, White Pine County and the Clerk's Office.

RATIFY COMMISSIONERS' AUTHORIZATION FOR ASSESSOR JIM TALBOT TO TAKE OFF PENALTIES AND USE LOWER RATE REGARDING VALUES FOR G & G GRAVEL AND CONCRETE

Treasurer John Hansen said a notice had been sent to the Assessor's Office from the Utah State Tax Commission that the correct value for G & G Gravel and Concrete should be \$819,268 instead of 1,650,282. The Commissioners had given permission for the penalties to be taken off and the new value used which would reduce the taxes \$8,424.82. The reason for the change is because wrong figures were reported making the value incorrect.

Commissioner Smith made a motion to ratify the Commissioners' authorization of Assessor Jim Talbot to take off penalties and use lower value for G & G Gravel and Concrete.

Commissioner Walker **SECONDED**. The voting was unanimous. The motion carried.

EXECUTE A RIGHT OF WAY FOR MEADOW TOWN WATER PROJECT

Commissioner Smith made a motion to sign a Right of Way Easement for Meadow Town Corporation.

Commissioner Walker **SECONDED**. The voting was unanimous. The motion carried. The document will be given to Lynn Wall at Wall Engineering for recording and a copy will be on file in the Clerk's Office.

EXECUTION OF CONTRACTS REGARDING MILLARD COUNTY CAFETERIA-HEALTH FLEXIBLE SPENDING ACCOUNT PLAN AND RELATED MATTER

Attorney Jackson had reviewed the contract regarding Millard County Cafeteria-Health Flexible spending account plan and said that due to IRS changes there will be more time allowed for employees to submit their claims.

Commissioner Smith made a motion to execute the contract regarding Millard County Cafeteria-Health Flexible Spending Account Plan.

Commissioner Walker **SECONDED**. The voting was unanimous. The motion carried.

REVIEW AND EXECUTION OF CLOSING DOCUMENT ON SALE OF REAL PROPERTY IN DUCHESNE COUNTY OWNED BY MILLARD COUNTY

Millard County Attorney LeRay Jackson had prepared the closing documents on the sale of the real property in Duchesne County owned by Millard County. Millard County should net about \$26,595.00 on the sale to America Dream Lands.

Commissioner Walker made a motion to sign the documents for the sale of real property in

Duchesne County owned by Millard County.

Commissioner Smith SECONDED. The voting was unanimous. The motion carried.
The Warranty Deed will be recorded by Attorney Jackson.

MEETING BETWEEN COUNTY COMMISSIONERS AND THE SWIMMING POOL MANAGERS OF EAST AND WEST SWIMMING POOLS

Present were Max Wood, Recreation Supervisor, Cindy Manning, West Millard Swimming Pool Manager, and Teri Cummings, East Millard Swimming Pool Manager.

Price changes were discussed and increased to the following amounts which will take effect on January 1, 2006.

Adult Daily Pool Pass	\$2.50
Child Daily Pool Pass	\$1.50
Senior Daily Pool Pass	\$1.25 (Half off passes)
1 Year Family Pool Pass	\$175.00 plus \$5.00 after 5 people
6 Months Family Pool Pass	\$90.00
3 Months Family Pool Pass	\$75.00
1 Year Individual Pool Pass	\$100.00
6 Months Individual Pool Pass	\$65.00
3 Months Individual Pool Pass	\$35.00
Adult Pool Punch Pass	\$20.00
Child Pool Punch Pass	\$10.00
1 Year Family Facility Pass	\$200.00
6 Months Family Facility Pass	\$140.00
3 Months Family facility Pass	\$100.00
1 Year Individual Facility Pass	\$125.00
6 Months Individual Facility Pass	\$100.00
3 Months Individual Facility Pass	\$70.00
Weights, Pool Table, Racket Ball	\$3.00 @ hour
Volley Ball	\$10.00 @ hour

A decision was made that there will be no more reduced sales of passes starting January 2006. Other recreation fees throughout Millard County are being evaluated.

Also discussed were the hiring practices that are used at both pools. The new hiring policy will be:

The managers will advertise the positions.

Applications will be taken from people with Life Guard Training.

Interviews will be done by a panel set up by Max Wood, Recreation Supervisor and assisted by Delise Fullmer, East Millard Recreation Director.

Applicants will be given a call on the panel's hiring decisions.

Positions opened up after hiring for life guards in the spring will be pulled from the interviewing pool for six months. After six months another application can be submitted.

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

Commissioner Walker said the State Land and Fire Agreement with Millard County was signed. The annual fee is the same as last year.

Commissioner Walker made a motion to ratify the signing of the State Lands and Fire Agreement with Millard County for 2006.

Commissioner Smith SECONDED. The voting was unanimous. The motion carried

Commissioner Cooper attended the Central Utah Public Health meeting where the funded compensation study done by Charlene Hatch was discussed. The Six County CUPHD is one of the lowest paying departments in the State. The recommendation didn't pass but another recommendation imposing a .0004 mill levy to handle a raise for the employees to make their positions more competitive was suggested. If the mill levy doesn't raise enough money, then the State will step in. In the past Millard County has paid more than their share and has helped pay an extra \$4.00 an hour for the public health nurses.

Commissioner Smith talked to Forest Ranger Bob Gardner to discuss which Forest Service roads and right of ways are open in the Oak City area. The Forest Service will sign whether the roads in question are open.

The Lease and maps for four separate small GPS stations proposed on Trust Lands that are part of an overall statewide and nationwide GPS date project which includes hundreds of sites was given to the Clerk's Office for filing.

OTHER BUSINESS

Millard County Treasurer John Hansen handed the Commissioners an illustration showing the value changes of centrally assessed properties from 1996 to 2005. He said that if you look at the top ten centrally assessed properties there has been a 34.68 percent decrease in Centrally Assessed. If the County had kept the statutory maximum of .0032 amount 1996 then in order to generate that same amount of money in 2005 the rate would have to increase to .004899. The illustration shows what would have happened if the County had stayed with the certified tax rate. This and other items will be discussed at a budget information meeting in Delta, Utah on November 29, 3005.

Treasurer John Hansen received a request to have a copy of Brush Resources' tax notice sent to Randy Sant, President of RS Consultants Inc. Because of the privacy laws Treasurer Hansen will

get permission from a representative at Brush Resources before he sends the notices.

Commissioner Walker said that Randy Sant, President of RS Consultants Inc. will be retained for \$90.00 an hour without exceeding one thousand dollars, \$1,000.00 to start the process of an incentive package for Brush Resources. This will help establish Millard County as a Redevelopment Agency and other matters. This is a preliminary step and not a future commitment for his fees. If the whole process is needed, the cost will be between twelve and fifteen thousand dollars.

Treasurer Hansen had one more item of business regarding Reed Penney's gravel pit west of the freeway and north of Fillmore. In the past this pit had been used on a limited basis. When Mr. Penney came in to pay his taxes he said he had sold the land to Shadow Mountain Lot and the equipment had been sold to RC Sales and Rental in Centerfield, Utah. The question he asked was whether the personal property on the equipment should have been included on the tax notice? The Commissioners authorized Treasurer Hansen to abate the personal property taxes for Mr. Penney.

Commissioner Smith said the County buildings are being linked to the GIS program. Testing is being done.

All the Commissioners met on Wednesday, November 16, 2005 to work on the 2006 budget.

Michael and Joyce Barney presented a street plat map for Sunset View Estates to the Commissioners and said it was ready for signing.

Commissioner Walker made motion to sign the Sunset View Estates Street Dedication for Access to Planned Unit Development plat map for Michael and Joyce Barney.

Commissioner Smith SECONDED. The voting was unanimous. The motion carried.

Dana Carling, a citizen that lives along the road from Meadow to Kanosh came before the Commission to talk about UDOT's proposed speed increase along the road from 55 miles per hour to 65 miles per hour. Mrs. Carling is afraid if the increase went into effect people would drive even faster than that. There are houses, farms, livestock and four bus stops along the road. She is worried about the safety of her children as well as those who use the road for access to their farms. She said that she doesn't feel UDOT informed the public very well about the speed increase. The Sheriff's Office and Utah Highway Patrol were informed of the change. The Commissioners agreed to have Attorney LeRay Jackson discuss the matter with the Millard County Safety Committee and he will write a letter to UDOT stating the Commissioners are against the speed increase.

PUBLIC INPUT

Fillmore City Mayor Starley inquired about the money set aside for the CERT program and was told there was \$25,000 set aside in the special projects funds. Mayor Starley is in favor of allocating the money on a per capita basis to make distribution more fair to the CERT Teams. The Commissioners will take the suggestion under advisement and work with CERT Commanders to determine best use of the money.

Jacquie Hart from the Fillmore City Office reported their has been a revision of expansion

map by adding a buffer zone. This step will enable Fillmore City to be ready for annexations such as Don Fullmer's on the north side of town.

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

There were none.

NOON

WHERE UPON THE MEETING ADJOURNED

Commissioner Walker made a motion to adjourned the meeting.
Commissioner Smith SECONDED. The voting was unanimous. The motion carried.
The meeting adjourned at 12:10 p.m..

RANDY JOHNSON-MILLARD COUNTY COMPREHENSIVE LAND USE PLAN AND RELATED MATTERS

The Commissioners met with Mr. Johnson to get an update on the Millard County Comprehensive Land Use Plan.

Attest: _____ Approved: _____