

MINUTES OF BOARD OF COUNTY COMMISSIONERS  
MILLARD COUNTY THE 3<sup>RD</sup> DAY OF APRIL 2006  
AT THE COURTHOUSE, FILLMORE, UTAH

PRESENT: Kathy Y. Walker ..... Chairman  
Daron P. Smith..... Commissioner  
  
LeRay Jackson . . . . . County Attorney  
Janice Robins..... Deputy County Clerk

ALSO PRESENT: Dean Draper, Sheriff Robert Dekker, Brent Berkley and John Holliday

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 month of April 2006.

PUBLIC WAS WELCOMED

The meeting began at 10:00 a.m. after a brief welcome by Commissioner Walker to the public and Commission members.

OPENING STATEMENTS

Commissioner Walker asked if anyone had an opening statement to give? Commissioner Smith read a quote from Benjamin Franklin and then said the invocation. Everyone stood and said the Pledge of Allegiance to the Flag.

FOLLOW UP ACTION ITEMS FROM MINUTES OF MARCH 27, 2006

There were none.

APPROVAL OF THE AMENDED MINUTES OF MARCH 27, 2006

This item was tabled until next week.

AUDITORS REPORT

Millard County Treasurer John Hansen took over the Auditor's time today. He said that in reviewing the financial accounts of the county, he has found there are multiple federal tax ID

numbers being used. The Sheriff's Office has one in the name of Millard County, and one is from Mount Catherine Manor in the name of Millard County and the one for the Rodeo or Jr. Livestock Show is in the name of Millard County. Treasurer Hansen feels each entity should have a tax ID number and Millard County should have their own tax ID number. Treasurer Hansen will be closing the tax ID numbers that are not being used specifically by Millard County. He cautioned that there may be some comments from these other entities while this process is being done. Accounts under Millard County's name with funds in it are by statute under the direction of the Treasurers Office, who will sign and execute the checks.

In response to a question asked by Commissioner Smith, Treasurer Hansen answered that the county has been the fiscal agent on a couple accounts. As it is right now, the county is no longer an active fiscal agent.

Treasurer Hansen said that as the Millard County Treasurer he made a decision to invest \$16 million of the longer term money in reserve in certificates of deposit in Zions Bank for approximately six months. The county will get an additional half of a percent higher and the additional revenue generated over the six months period made it worth investing there. It will spread the money out in CD's and in the State Treasury.

Treasurer Hansen said that the county has chosen to use the interest income from the capital projects' funds for general operating revenue until such time another decision is made.

Auditor Grace had sent the Commissioners the Check Edit Report of March 31, 2006 to review and sign.

#### SHERIFF ROBERT DEKKER - PRESENTATION OF BLM PLAQUE

Commissioner Walker presented a plaque to the Sheriff Office from the Bureau of Land Management, under the direction of Sherri Hirst BLM Field Director. This was for their support and involvement in the 1<sup>st</sup> Annual West Desert Arts Festival that did not take place. The plaque was accepted by Sheriff Robert Dekker. Pictures were taken by the Millard County Chronicle Progress reporter Dean Draper.

The Sheriff then presented plaques to Commissioner Walker and Commissioner Smith for their support of the Millard County CERT Program. Pictures were taken.

#### POSSIBLE ADOPTION OF RESOLUTION AUTHORIZING UAC TO REFINANCE ITS OFFICE BUILDING

Treasurer Hansen led a discussion on the refinancing agreement with UAC on their bond. One concern he has in regard to the refinancing of the bond is that UAC will be increasing the amount of the total payment to \$214,194.50 more, however, the interest will be lower, but payments will be spread over seven years. The payment due in 2006 will not be made so it will increase the total amount to be refinanced from total principal of \$1,100,000.00 to \$1,195,000.00. Treasurer

Hansen thinks it is a good thing to refinance but not for that long a period.

UAC is selling some land that they plan to apply that amount to the payment.

The Commissioners thought it would be a good idea to have UAC provide more information about their operating procedures. They will work on a list of items that for which they want information.

Attorney Jackson suggested that the Commissioners talk to other counties and see how they felt about the request from UAC.

#### POSSIBLE EXECUTION OF AN INTERLOCAL COOPERATIVE AGREEMENT BETWEEN MILLARD COUNTY AND UTAH STATE PARKS & RECREATION ON GUNNISON BEND PARK

Attorney Jackson said this is a renewal of an agreement Millard County has signed in the past with State Parks & Recreation to provide a ranger at Gunnison Bend Reservoir for \$2,000 to be paid by Millard County.

Commissioner Smith made a motion to sign the interlocal agreement between State Parks & Recreation and Millard County will pay \$2,000 for a ranger to work at Gunnison Bend Reservoir.

Commissioner Walker stepped from the Chair and SECONDED the motion. The voting was unanimous. The motion carried. Two copies were signed. A faxed copy will be on file in the Clerk's Office.

#### POSSIBLE APPROVAL OF A BUSINESS LICENSE FOR KC DESIGNS, KELLY CARTER OWNER

Commissioner Smith made a motion to approve the signing of a business license for KC Designs, Kelly Carter Owner.

Commissioner Walker stepped from the Chair and SECONDED. The voting was unanimous. The motion carried.

#### POSSIBLE APPROVAL OF A BUSINESS LICENSE FOR DAVIES VAULT CO. - OWNER DANIEL D. DAVIES

Commissioner Smith made a motion sign a business license for Davies Vault Co.

Commissioner Walker stepped from the Chair and SECONDED. The voting was unanimous. The motion carried.

The Commissioners will review the landfill requirements with Sheryl Dekker on both of these licenses.

#### POSSIBLE APPOINTMENTS OF MEMBERS TO SERVE ON THE MILLARD COUNTY WATER CONSERVANCY DISTRICT

This item was tabled.

## CHIEF DEPUTY COUNTY ATTORNEY BRENT BERKLEY-PENDING LITIGATION ON RHOADES CASE

Chief Deputy County Attorney Brent Berkley and Deputy County Attorney John Holliday were present. Attorney Berkley would like to give the Commissioners an update on the information and the status of the Rhoades Case, however, he would like to wait until next week when Commissioner Cooper will be present.

He reminded the Commissioners that they had not attended the last session of Vehicle Use, Internet Use, Sexual Harassment and Safety Management Training, because they had been out of town. There are about 25 other county employees that need to make the mandatory training up. The next training is scheduled for April 25, 2006 at 2:00 p.m. in Commissioners Chambers in Fillmore.

Attorney Berkley reported that there will be no Six County Mental Health meeting in April and the next scheduled meeting is May 24, 2006 in the new day treatment building.

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

Millard County Commissioner John Cooper, Millard County Clerk Norma Brunson and Millard County Auditor Brandy Grace were excused from meeting today.

Commissioner Smith reported the Millard County Road Department has complete defensive driving training.

On Thursday, March 30, 2006, Commissioner Smith spoke with Mark Walsh from Western Counties Alliance in regards to the RS 2477 road issues, PILT issues, the meetings in Washington, the NACCO Conference and the land use plan.

All the Commissioners and Attorney Jackson met with Sherri Hirst and other BLM personnel on Monday, April 3, 2006 and discussed the following items:

- Things the BLM was doing to promote ATV trails
- Plans of the BLM to visit with Millard County Tourism
- BLM asked the county to help with some of the projects for the Public Lands Day
- Road issues on the recording of Class B Roads
- Aerial flyover for photos of the county
- Reported a record year for the number of adoptions of wild horses and burros  
The adoption facility in the Delta/Fillmore area received contacts from all over the nation. They are doing many more adoptions than anywhere in the state.

All the Commissioners, Auditor Grace and Attorney Jackson attended a meeting on March 28, 2006. The purpose of the meeting was to begin negotiations with IHC to reduce maintenance and operation costs at the Millard County Care Center. They will all meet again before the contract is signed. Millard County has not made any payments to IHC since the first of the year because they are waiting for the ground lease to be signed.

Commissioner Walker met with Millard County Gazette Publisher Dale Whipple to discuss tourism related items that Mr. Whipple is pursuing.

On March 29, 2006, Commissioner Walker met with all the Millard County Fair Board. They discussed plans for the upcoming fair that will be held August 10-12, 2006.

Commissioner Walker attended the Utah Farm Bureau legislative meeting. Representative Rick Wheeler was in attendance. Different bills of interest were discussed and it was a really good meeting.

On Thursday, March 30, 2006 there was a Millard County Golf meeting held. Things are going well and the committee will meet every other month instead of monthly. Commissioner Walker attended the meeting.

On March 31, 2006, Commissioner Walker and Mike Styler attended the Sportsman for Fish and Wildlife dinner. They served 473 dinners.

Commissioner Walker talked to Recreation Director Max Wood about the concern of the pool manager leaving at random time for a her lunch hour whenever classes end. In order to make the closings more consistent it is proposed that during the school year only, the pool manager will lock the door from 11:30 to noon each day for lunch and the pool will close at 4:30 instead of 5:00. The Commissioners agreed that this would be a good plan.

#### OTHER BUSINESS

A request for Commission waiver from Penny McCann and Rebecca Cahoon for the Delta Area Chamber of Commerce members luncheon was turned in.

Commissioner Smith made a motion to waive half of the rental fee on fair building or the recreation building which ever they will use.

Commissioner Walker stepped from the Chair and SECONDED. The voting was unanimous. The motion carried.

It was suggested that some changes be made on the Request for Commission Waivers form.

- Remove *Deposit Box*
- Add 50 percent in front of *Rent Box*

The Commissioners asked Attorney Jackson to update the form with the above mentioned suggestions to bring it up to current policy. He will destroy the old forms and give the new forms to the Millard County Recreation Department.

Commissioner Smith made a motion to appoint Tony Stanworth to serve on the Delta Oasis Cemetery Board for a four year term.

Commissioner Walker stepped from the Chair and SECONDED. The voting was unanimous. The motion carried. The motion will be ratified at the next Commission meeting.

Commissioner Walker said the building inspector is asked to do an evaluation every three years. Millard County Building Inspector Gary Church has determined that the building permit fees have not been increased for years. He has made some recommendations where to increase the fees to help cover the cost of inspections. The suggestions were discussed and approved. (See Exhibit A)

Commissioner Smith made a motion that the building permit fees are increased by 10 percent over current fees.

Commissioner Walker stepped from the Chair and SECONDED. The voting was unanimous. The motion carried.

Commissioner Walker read a letter from Justice Court Judge Ron Hare stating that he had three applicants from within the ranks of the County employees apply for the new position in his office. After interviewing the applicants, he has hired Betty Bartholomew as the new clerk of the court.

The Commissioners expressed a concern about the new voting system and asked if there would be any voter training in the county? Deputy Clerk Janice Robins answered their questions. The Clerk's Office is in the process of being trained in the process of using the voting machines from set up to take down and counting. The problem with the memory on the machines statewide has been resolved.

Commissioner Walker said a letter from the State Trust Lands was received in regards to SILTA. The University of Utah has applied for 57 small detector sites on numerous parcels of trust lands as part of their telescope array in Millard County. The detectors are 4' x 8' with an instrument panel of solar selectors and an antenna. The impact of the trust land involved is approximately 5.5 acres. A map of the project was attached. Commissioner Walker kept the letter.

#### PUBLIC INPUT

Reporter Dean Draper asked if anyone had submitted an application for the 2<sup>nd</sup> Annual West Desert Art Festival? *(The Commissioners were not aware of one being submitted, but it is still a possibility.)*

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

There were none.

#### WHERE UPON THE MEETING ADJOURNED

Commissioner Smith made a motion to adjourn the meeting.

Commissioner Walker stepped from the Chair and SECONDED. The voting was unanimous. The motion carried. The meeting adjourned at 11:45 a.m..

Attest: \_\_\_\_\_ Approved: \_\_\_\_\_

## BUILDING VALUATION DATA

<b>Dwellings</b>	Masonry	61.25/sq ft
	Wood Frame	54.45/sq ft
	Log Construction	67.35/sq ft
<b>Basements</b>	Semi-finished	16.50/sq ft
	Unfinished	12.35/sq ft
	9' + Ceilings	18.15/sq ft
<b>Private Garages</b>	Masonry	22.55/sq ft
	Wood Frame	20.10/sq ft
	Open car port	13.75sq ft
<b>Offices</b>	Type III 1 hour	59.40/sq ft
<b>Warehouses</b>		27.50/sq ft
<b>Church Buildings</b>		75.90/sq ft
<b>Manufactured Homes</b>	New	Cost of home plus on-site work (Not land, well or septic system costs)
	Used	Cost of home plus on-site work. (Not land, well or septic system costs. Cost must be reasonable, or use .20/sq ft for permit cost)
<b>Addition Valuations</b>	Without plumbing or mechanical (bedroom, family room, etc.)	27.50/ sq ft
	With plumbing and/or mechanical (kitchens, bathroom, etc.)	44.00/sq ft

## BUILDING PERMIT FEES

**Structures 200 sq ft and less do not require a building permit**

<b>Total Valuation</b>	<b>Fees</b>
\$500.00 - \$2,000.00	\$21.95 for first \$500 plus \$2.75 each additional \$1,000.00
\$2001.00 - \$25,000.00	\$64.75 for first \$2,000.00 plus \$13.10 each additional \$1,000.00
\$25,001.00 - \$50,000.00	\$366.25 for first \$25,000.00 plus \$9.45 each additional \$1,000.00
\$50,001.00 - \$100,000.00	\$601.90 for first \$50,000.00 plus \$6.55 each additional \$1,000.00
\$100,001.00 - \$500,000.00	\$929.10 for first \$100,000.00 plus \$5.25 each additional \$1,000.00
\$501,000.00 - \$1,000,000.00	\$3,023.50 for first \$500,000 plus \$4.45 each additional \$1,000.00

### DAIRY BARNS

Holding Areas	\$15.40/sq ft
Milking & Equipment Areas	\$27.50/sq ft