

MINUTES OF BOARD OF COUNTY COMMISSIONERS
MILLARD COUNTY THE 22nd DAY OF MAY 2006
AT THE COURTHOUSE, FILLMORE, UTAH

PRESENT: Kathy Y. Walker Chairman
Daron P. Smith. Commissioner
John C. Cooper. Commissioner

Norma Brunson County Clerk
LeRay Jackson County Attorney
Sheryl Dekker. Commission Coordinator

EXCUSED: 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.

9:30 a.m. CRAIG POULSON AND DIRECTOR CHRIS SAUNDERS

Craig POULSON and Chris Saunders presented a draft job description for a new position for a Millard County Family and Consumer Sciences Agent. The advertisement for the position along with the job description will be put on the internet in the next two to three weeks. The closing date is yet to be determined.

9:50 A.M. COUNTY COMMISSION COORDINATING SESSION REGARDING FUTURE SCHEDULE, MEETINGS, ETC.

The Commissioners scheduled events for the month of May 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 George Washington. Commissioner Cooper said the invocation. Everyone stood and said the Pledge of Allegiance to the Flag.

FOLLOW UP ACTION ITEMS FROM MINUTES OF MAY 15, 2006

Bonnie Gehre will ask to make an amendment to the minutes of May 8, 2006.

APPROVAL OF THE AMENDED MINUTES OF MAY 15, 2006

Commissioner Cooper made a motion to approve the amended minutes of May 15, 2006. Commissioner Smith SECONDED the motion. The voting was unanimous. The motion carried without opposition.

AUDITORS REPORT

Chief Deputy Auditor Bonnie Gehre presented the check edit report for May 19, 2006.

Mrs. Gehre presented some capital improvement invoices for approval by the Commissioner Walker.

Chief Deputy Auditor Gehre asked the Commissioners to consider a change to the minutes of May 8, 2006. Ms. Gehre will contact Deputy Clerk Janice Robins for the appropriate changes regarding retirement rates through the State Retirement System.

Commissioner Smith had asked for information about giving post-retired employees a different benefit package than regular full time employees. Bonnie Gehre reported that there are two new hires who are post retired employees, and that all full time employees must receive the same retirement benefit as all other employees. The rate must be the same across the board.

County Auditor Brandy Grace reminded the Commissioners about the tax sale on May 25, and asked that a commissioner be present for that. Commissioner Cooper will be present at the May Tax Sale.

CRAIG POULSON, USU EXTENSION AGENT - DISCUSSION ON CONTROLLING WEEDS IN MILLARD COUNTY

Craig Poulson presented a new Interlocal Multi-County Biological Weed Control Agreement. The cooperative agreement involves Tooele, Utah, Juab and Millard Counties. Each county pays \$1,500 per year for this two-year project. The funds have come out of the weed department budget in the past. The funds will continue to come out of that fund.

Mr. Poulson stated that he believes this is a very worthwhile program and significantly helps each of the four counties in controlling noxious weeds in remote areas of their counties. A motion was made by Commissioner Smith to approve and sign the agreement including approval of the \$1,500 out of weed department funds for the agreement for the next two years.

Mr. Poulson reported on a successful weed spray sharing program that was conducted on Saturday, May 20. Spray was distributed to several citizens at no cost to them.

GEORGIA HARE - UNIVERSITY OF UTAH SUMMER SCHOLARSHIPS

Georgia Hare came before the commission to request scholarships for the University of Utah Drug and Alcohol Seminar that is held each year. In the past Millard County has cosponsored four people. The University will match each person the County sponsors. Mrs. Hare noted that Millard County has participated in this program for the past 25 years. She asked for the equivalent of four people at a cost of \$1,016 total.

Commissioner Cooper made a motion to approve the request in the amount of \$1,016 for the summer scholarships for the university of Utah Symposium. The motion was seconded by Commissioner Smith. Voting was unanimous in the affirmative.

STEVE BONAR AND JOELLE McCARTHY - DISCUSSION OF TRAIL HEAD PROJECTS WITH THE BUREAU OF LAND MANAGEMENT

Steve Bonar presented a map to the Commissioners along with a proposal for a trail head improvement project entitled Amasa Basin Trail head Improvement Project. This project proposal has been recommended by the tourism board in the amount of \$13,100 for a 16' X 16' pavilion, 12.5 cubic yards of cement for the pavilion pad and sidewalk, two metal picnic tables, two grills, a fire ring, a kiosk with plexiglass cover, and 660 feet of fence. BLM will provide a CXT toilet and BLM will maintain the project. The Sheriff's Office inmate crew and the Road Department will provide labor and equipment as Millard County's in-kind contribution with a value of \$10,000.

Mr. Bonar stated that, if this project works and is an improvement that people like, then they will look at doing similar improvements on other trail heads on BLM lands.

Commissioner Smith said that Millard County entered into a cooperative agreement with BLM and state parks on the four ATV trails on the west desert. He feels it is appropriate to continue to work with BLM on improving the trail heads for those trails.

Commissioner Smith made a motion to approve the expenditures and allow the Sheriff's Conservation Crew and Road Department to make an in-kind contribution in labor valued at \$10,000 to help with the project. The motion also includes accepting the tourism board's suggestion that \$13,100 be contributed from TRT funds for this project. Funding is available this fiscal year. The motion was seconded by Commissioner Cooper. The motion carried without opposition.

Joelle McCarthy presented a map to the Commissioners along with a proposal for an improvement project entitled Pahvant Valley Trail Scenic Byway Project. This project proposal has been recommended by the tourism board in the amount of \$12,950 for ten kiosks with plexiglass fronts and 35 large directional signs.

The County Road Department's in-kind contribution with a value of \$10,438 will be used for road improvements and five small parking areas along the trail project. The parking lots will be located at Hole in the Rock, the Lava Tubes, Devil's Kitchen, Lace Curtain, and Great Stone Face. Annual road maintenance will be performed by the Millard County Road Department at a cost of approximately \$7,438. This represents annual grading of 85 miles of road at a cost of \$87.50 per

mile.

Commissioner Cooper made a motion to approve the county's participation in the Pahvant Valley Trail Scenic Byway Project as indicated in the discussion above. Funding will be approved this year and funded next year for the in-kind improvements. The motion also includes accepting the tourism board's recommendation to spend \$7,000 for ten kiosks with plexiglass fronts from TRT funds. The motion was SECONDED by Commissioner Smith. Voting was unanimous in the affirmative and the motion passed.

POSSIBLE APPROVAL OF AN INTERLOCAL AGREEMENT FOR BUILDING INSPECTION SERVICES BETWEEN MILLARD COUNTY AND KANOSH TOWN

Millard County Attorney LeRay Jackson presented the contract for building inspection services between Millard and Kanosh town. He stated that this is a renewal of the previous contract between the two entities. Commissioner Cooper made a motion to approve the agreement that has an effective date of April 1, 2006. Commissioner Smith seconded the motion. The motion carried without opposition.

RATIFY THE SIGNING OF A SPECIAL USE APPLICATION & PERMIT FOR RECREATIONAL EVENTS (ATV JAMBOREE) WITH FISHLAKE NATIONAL FOREST

Commissioner Smith made a motion to ratify the Special Use Application & Permit for Recreational Events (ATV Jamboree) with Fishlake National Forest. Commissioner Cooper seconded the motion. Voting was unanimous in the affirmative. The motion carried.

RESOLUTION TO SUPPORT APPLICATION TO CREATE AN ECONOMIC DEVELOPMENT ZONE IN MILLARD COUNTY FOR BRUSH RESOURCES

Commissioner Walker presented the application to create an Economic Development Zone to provide for the state incentives for expansion of the Brush Resources, Inc. Plant. Concern was expressed about the language in the document that mentions incentives given by Millard County for the project.

This item was tabled pending further clarification. Agenda item for June 5, 2006

RATIFY THE MOTION TO HAVE VOTING MACHINES IN ALL PRECINCTS IN MILLARD COUNTY

Commissioner Smith made a motion to ratify the decision to have voting machines in all Millard County voting precincts and have all precinct voting places open for the June 27 primary election. Commissioner Cooper seconded the motion. There was no additional discussion on the motion. The motion carried without opposition.

DISCUSSIONS FROM EACH COMMISSIONER, COUNTY ATTORNEY, ELECTED OFFICIALS,

AND SECRETARY

Commissioner Smith reported on the Weed Board's spray give away program which was held on Saturday, May 20 in Delta and Fillmore. He expressed appreciation to Chairman Tony Anderson, Weed Specialists T.J. Taylor and Rob Lang, and USU Extension Agent Craig Poulson. Approximately 1,000 gallons of spray was distributed.

Commissioner Smith reported that all three commissioners attended the Millard Council of Governments' meeting on Wednesday, May 17. Those who participated besides the mayors and commissioners were County Recorder Connie Hansen, Sheriff Robert Dekker, Maureen Casper of Senator Hatch's Office.

Commissioner Smith said that he traveled to Salt Lake City with the other two Commissioners on Thursday and attended the Constitutional Defense Council's meeting with the other two commissioners. They attended the meeting to request funding support for legal council on the water issues facing the West Desert with regard to Southern Nevada Water Authorities' application for water rights in the Snake Valley aquifer. The Constitutional Defense Council was created to make recommendations to the Legislature for expenditure of funds. At that point an appropriation bill would be proposed by a legislator to have the money tagged for spending from the Public Lands Offices at the subsequent legislative session. Commissioner Smith expressed frustration in trying to get things done with regard to this fight. Another meeting with Governor Huntsman is being set up for a future date to discuss the matter.

Commissioner Smith said that the creation of a new public lands office has created problems for the Constitutional Defense Council. Apparently there is some confusion about who has authority to expend money.

Commissioner Smith received a phone call from Reed Searle, Intermountain Power Agency. They would like to meet with the County about the conditional use permit for unit three. They feel confident in going through that process. The tentative date for that meeting is June 27, which is also election day.

Commissioner Cooper reported that all three commissioners attended the Public Lands Advisory Council meeting in Salt Lake City.

Commissioner Walker reported on the UDOT meeting that all three commissioners attended wherein the Department of Transportation reported on ongoing and future projects.

Commissioner Walker reported that she attended a flag ceremony at the Hinckley Cemetery on Saturday, May 20. American Legion Post 365 conducted the flag ceremony. Brush Resources donated flag poles and purchased an American flag and flags for each of the military branches of the government. Commissioner Walker expressed her appreciation to Neil Swenson, Sexton for the Hinckley Cemetery and Mike Anderson who chairs the Hinckley/Deseret Cemetery District for the improvements to the Hinckley Cemetery.

Commissioner Kathy Walker went to the State Elections Office while in Salt Lake City last week. She asked about using optical scan ballots for the June Primary Election and was informed that the optical scan ballots cannot be used exclusively at the polling places. She asked if there was any other help they could provide to make the election more acceptable to the Clerk's Office. They said they can send someone from Diebold to help train the election judges. She was also told they could send as many people as they needed to train at Salt Lake City.

County Clerk Norma Brunson said she hoped that Commissioner Walker told them that the situation was created because of the decision made in Commission Meeting last week. Commissioner Walker stated that she made that very clear to Steve McDonald at the Elections Office.

OTHER BUSINESS

Commissioner Smith reported that he received a letter from the Governor's Office of Planning and Budget stating that \$200,000 has been appropriated in the State's 2006-2007 budget for updating of County General Plans. He noted that Millard County has been working with Brian Cottam of the Governor's Office of Planning and Budget in updating the public lands section of Millard County's General Plan.

Commissioner Cooper said that he has received a letter outlining an incentive program for high school students to take a more rigorous curriculum. Four school districts in the state are included in the incentive program, which does not include Millard School District.

PUBLIC INPUT

There was none.

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

There was no closed session.

ADJOURNMENT

Commissioner Cooper made a motion to adjourn the meeting. Commissioner Smith **SECONDED** the motion. The voting was unanimous. The motion carried. The meeting adjourned at 11:25 p.m.

Attest: _____ Approved: _____