

MINUTES OF BOARD OF COUNTY COMMISSIONERS
MILLARD COUNTY THE 17th DAY OF JULY 2006
AT THE COURTHOUSE, FILLMORE, UTAH

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

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

ALSO PRESENT: Don Paxton, Alvin Rust, and Irene Scott

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

No new meetings were scheduled.

PUBLIC WAS WELCOMED

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

OPENING STATEMENTS

Commissioner Smith asked if anyone had an opening statement to give? Commissioner Cooper read a thought. Commissioner Smith said the invocation. Everyone stood and said the Pledge of Allegiance to the Flag.

FOLLOW UP ACTION ITEMS FROM MINUTES OF JULY 10 , 2006

There were none.

APPROVAL OF THE AMENDED MINUTES OF JULY 10, 2006

Commissioner Cooper made a motion to approve the amended minutes of July 10, 2006. Commissioner Smith stepped from the chair and SECONDED the motion. The voting was unanimous. The motion carried.

AUDITORS REPORT

Auditor Grace gave the Commissioners the Check Edit Report of July 14, 2006 to review and sign.

Attorney LeRay Jackson said that Attorney Brent Berkley had inquired about cashing out his accrued sick leave and found it is not possible unless he was retiring. Attorney Berkley is moving and needs money for the move. There is a preliminary hearing in September and the county is keeping him on the Rhoades case at \$50.00 an hour. He would like a two thousand dollar advancement towards the work to be performed on the Rhoades case. Auditor Grace had said this could be done under a written contract. Attorney Jackson had prepared a written agreement that had been signed by himself and Attorney Berkley and submitted it to the Commissioners for their signature.

Commissioner Cooper made a motion to approve an advancement on Chief Deputy Attorney Brent Berkley's retainer in the amount of two thousand dollars (\$2,000.00) which will be billed against his work to be performed on the Rhoades case.

Commissioner Smith stepped from the chair and SECONDED the motion. The voting was unanimous. The motion carried. Three copies of the written agreement were signed.

Attorney Jackson said contact has been made by Mike Clark who said he is interested in a parcel of land owned by Millard County in Abraham. The property is currently in eight 2 ½ acre lots and he would like it sold as one twenty acre parcel. Attorney Jackson opened the closed bid. The bid was for \$100.00 per acre.

Commissioner Cooper made a motion to accept the bid from Mike Clark for \$100.00 an acre.

Commissioner Smith stepped from the chair and SECONDED the motion. The voting was unanimous.

CALLIE PETERSON, SHERIFF'S OFFICE, AMBULANCE ABATEMENT

Callie Peterson was not present.

RATIFY THE MOTION TO APPROVE THE CANVASS OF THE PRIMARY ELECTION ON JUNE 27, 2006

Commissioner Smith was not able to attend the election canvass so Clerk Norma Brunson went to next statutory officer who was Millard County Treasurer John Hansen. The election was canvassed by Commissioner John Cooper, Commissioner Kathy Walker and Treasurer John Hansen.

Commissioner Cooper made a motion to ratify the motion to approve the canvass of the primary election June 27, 2006.

Commissioner Smith stepped from the chair and SECONDED the motion. The voting was unanimous. The motion carried.

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

Commissioner Walker was excused for a family vacation but she had submitted a written report.

On July 11, 2006, Commissioner Walker attended the Miss Millard Tea for contestants, their mothers and the committee. The Miss Millard Pageant will be Friday, August 4, 2006 at 7:00 p.m. in the palladium. A Little Miss Pageant for girls ages 7-10 will be held earlier that day.

Wednesday, July 12, Commissioner Walker attended the Millard County Tourism meeting in Fillmore with Darlene Mundy, Beth Frampton, and newest employee Charlie Christensen was introduced to the board.

Sherry Shepherd also gave an update on the ATV Jamboree, which was successful with about 490 people participating in this years event. She reviewed this year's ATV Jamboree's expenses which were almost \$5,000 under budget.

Commissioner Walker signed the Utah Public Lands Office contract for a \$10,000 grant that had been reviewed.

On Friday, July 14 Commissioner Walker attended a meeting in Baker, Nevada with the other two commissioners. They met with citizens opposed to the Southern Nevada Water Association proposed water project.

Commissioner Smith reported that the county road department will be helping with a Kanosh City, UDOT and county project.

Commissioner Cooper talked with Mr. Lunt living on Sand Rock Ridge who complained about the speed ATV's travel along the road. He asked to have some speed signs put up. Commissioner Cooper said the road will become a city road sometime in the near future, but in the meantime Thayne Henrie at the road department will put up some 25 mph signs.

All the Commissioners visited Eskdale where Mr. Childs provided an interesting tour of the community as well as giving them historical information about the area's settlement. He also treated them to a musical number on a 106 year old Stienway piano. They appreciated sharing a delicious meal prepared by Eskdale residents and look forward to returning often.

Commissioner Smith said a meeting is scheduled on July 19, at 2:30 in Mike Styler's office with the Commissioners and people from the Snake Valley to talk about the water issue.

On Thursday, July 20 at 11:00, the Commissioners have a meeting with Leon Smith and Brian Cottam on the final draft of the CRMP.

OTHER BUSINESS

There were none.

PUBLIC INPUT

Alvin Rust, who is the guardian of an adult who had just been in court, came before the Commissioners to express his dissatisfaction toward the Public Defender. Mr. Slavens had not contacted them after court as he had promised. He felt Mr. Paxton needed representation on the charges and he had not received the help he needed.

Mr. Rust was told to report the incident to the Deputy County Attorney's Office and Attorney Jackson will talk to Attorney Slavens about the complaint.

BID OPENING FOR REAL SURPLUS PROPERTY

Millard County Auditor Brandy Grace advertised a twenty acre parcel of real surplus property owned by Millard County with serial number 7083-A. The newspaper ad ran for two weeks ending July 14, 2006. Auditor Grace opened the following two bids on the property.

UT-MILLARD 1000, LLC	\$226.00 @ acre totaling \$4,520.00
JACK DAVIES	\$1,000 total

Commissioner Cooper made a motion to accept the bid of \$4,520.00 from UT-MILLARD 1000, LLC. If the money is not received in 24 hours after they are contacted the bid will go to the second bidder.

Commissioner Smith stepped from the chair and SECONDED the motion. The voting was unanimous. The motion carried.

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

Commissioner Cooper made a motion to go into a closed executive session to discuss the character, competence of an individual.

Commissioner Smith stepped from the chair and SECONDED. The voting was unanimous and the motion carried.

Commissioner Cooper made a motion to go into a second closed executive session to discuss the character, competence of an individual.

Commissioner Smith stepped from the chair and SECONDED. The voting was unanimous and the motion carried.

WHERE UPON THE MEETING ADJOURNED

Commissioner Cooper made a motion to adjourn the meeting.

Commissioner Smith stepped from the chair and SECONDED. The voting was unanimous and the meeting adjourned at 11:30.

Attest: _____

Approved: _____