

MINUTES OF BOARD OF COUNTY COMMISSIONERS
MILLARD COUNTY THE 20th DAY OF NOVEMBER 2006
AT THE COURTHOUSE, FILLMORE, UTAH

PRESENT: Daron P. Smith..... Chairman
John C. Cooper. Commissioner

Norma Brunson County Clerk
Janice Robins..... Deputy County Clerk

ALSO PRESENT: Millard County Chronicle Progress Reporter Dean Draper

EXCUSED: Millard County Attorney LeRay Jackson and Commissioner Walker

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 2006.

PUBLIC WAS WELCOMED

Commissioner Cooper made a motion to appoint Commissioner Smith to serve as acting chairman.

Commissioner Smith SECONDED the motion. The voting was unanimous and the Commissioner took the chair and welcomed the public.

OPENING STATEMENTS

Commissioner Smith asked if anyone had an opening statement to give? Deputy Clerk Janice Robins gave a quote. Commissioner Smith said the invocation. Everyone stood and said the Pledge of Allegiance to the Flag.

FOLLOW UP ACTION ITEMS FROM MINUTES OF NOVEMBER 13, 2006

There were none.

APPROVAL OF THE AMENDED MINUTES OF OCTOBER 16, 2006

Commissioner Cooper made a motion to approve the amended minutes of October 16, 2006.

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

APPROVAL OF THE AMENDED MINUTES OF NOVEMBER 13, 2006

Commissioner Cooper made a motion to approve the amended minutes of November 13, 2006.

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

AUDITORS REPORT

Auditor Brandy Grace gave the Commissioners various invoices to review and approve for payment through the Auditor's Office. The October billing from IHC for the long term care has been received. The portion for the Long Term Care Center doesn't reflect one payment Millard County has paid and so the county has a credit. The amount due for the long term care at the Fillmore Hospital is \$12,338.96 and the Commissioners authorized Auditor Grace to make the payment.

Auditor Grace received a bill from Randy Johnson for December consultant fees in the amount of \$1,500.00. The Commissioner asked the Auditor to hold the payment until further notice. They are planning to meet with Mr. Johnson and will discuss the bill.

Auditor Grace gave the Commissioners the Check Edit Report of November 17, 2006 to review and sign.

Commissioner Smith said he and Auditor Grace had met with a representative from Tyler Technologies in St. George and were told they have come up with a new form to itemize the check edit reports and it has a place for Commissioner signatures. Commissioner Smith had agreed to make the change in the county's software package and pay the additional cost.

ADDITION TO MILLARD COUNTY POLICY AND PROCEDURES MANUAL RE: POST RETIRING EMPLOYEES

This item was tabled.

REQUEST FOR COMMISSION WAIVER BY RAYETTE JONES FOR RELAY FOR LIFE

Commissioner Cooper made a motion to waive 50 percent of the rental fees requested by Rayette Jones for Relay for Life to hold their Christmas Party in the activity room at the recreation center on December 11, 2006.

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

MEET AS THE BOARD OF ADJUSTMENT TO REVIEW A REQUEST BY PETER C. VANDER MEIDE

This item was tabled until December 4, 2006.

DISCUSSION WITH DELTA CITY AND FILLMORE CITY ON LAW ENFORCEMENT CONTRACTS

This item was tabled until next week.

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

Commissioner Cooper and Commissioner Smith attended the UAC Legislative Conference in St. George, Utah. Commissioner Walker was excused because of the illness of her mother. Commissioner Cooper attended the public lands meeting on Wednesday. Commissioner Cooper attended a meeting with Robert Weidner and was appointed to serve on the RLPCC committee. The bills that will be introduced to the legislature this year were reviewed by the Commissioners and elected officials and the statements and lobbying efforts will be directed to the legislature according to the position they have chosen. The Commissioners tried to attend many of the sessions of the legislature last year and found it to be effective in helping with counties' interests.

Commissioner Cooper serves on the UAC Board and they met and discussed many issues. A response was made to the Salt Lake Tribune's request to access employees' records past and present. The newspaper thinks because UAC is funded by taxpayers dollars they have a right to everything. UAC is not willing to give up any rights and wants to protect the organization's GRAMMA's rights. Some things could compromise government and GRAMMA and would infringe on former employees situations.

Commissioner Smith announced that Commissioner Cooper was elected as the Vice Chairman of USACC. Millard County and other counties agreed to hire an attorney to help with land issues. The cost to the counties is based on the number of public land acres in the county. Millard County's portion will be \$4,000. Mark Ward is the attorney that was chosen to represent the counties. Mr. Ward has had a lot of experience in court on public land issues. Mr. Ward will be meeting in Delta on Tuesday, November 21, to go over the water issues. Dean Draper, Dean Baker, Jerald Anderson and Richard Waddingham will be invited to attend the meeting.

Commissioner Smith said another item discussed at UAC was the reallocation of Class B and Class C road money which would give more money to cities and less money to counties, therefore, the Commissioners are not in favor of that bill. A list of recommendations from the Governor's Task Force was proposed concerning taxes, special service district and tax funds. Some of the items Millard County supports and some they oppose. The task force wants to tweak the law

involving taxability trust funds and the Commissioners are interested in seeing how this will affect Millard County. UAC is interested in doing some public relations news articles informing the public how the county gives them services as most people do not know what services the counties provide.

Commissioner Smith attended the Central Assessed meeting at UAC. Most of the other counties that need to sign the IPA agreement were in attendance. If they come to an agreement then the document will be signed by the first of the year.

Commissioner Cooper said the UAC Board has contracted for 2007 with Summit, a public relations firm, who will help the counties write positive articles to be published throughout the state about county government and functions.

Commissioner Cooper expressed how pleased he is that Mark Ward has been hired by UAC. Mr. Ward is an attorney who has worked on public lands issues and was the attorney on the Tina Campbell lawsuit. He was the legal voice for Kane, San Juan and Garfield Counties during that lawsuit. His history and expertise are great and he is very proactive. UAC has agreed that Mr. Ward will help Millard County in the water issues on the west desert.

Commissioner Cooper reported that an RS2477 bill crafted thru efforts of Kane County was submitted to Congress by Representative Pierce from New Mexico. There was a heated discussion to determine whether UAC would want to endorse this legislation or not. Millard County feels that it would not be in the best interest of Millard County to support this bill.

Millard County Clerk Norma Brunson said that at UAC the upcoming municipal elections were discussed. It is the feeling of the clerks throughout the state that it would be very expensive for the cities to use the new voting machines and they voted not to get involved with city elections.

Millard County Clerk gave a Delta City Annexation and a Scipio Town Annexation documents were given to Commissioner Smith for review.

Adam Britt gave a presentation on Millard County's automated plat maps at UAC. The Commissioners expressed their appreciation for all the elected officials proactive approach to government.

OTHER BUSINESS

There were none.

PUBLIC INPUT

Commissioner Cooper reported that Michael Sorensen's kidney replacement was successful and that he and his sister Nancy are doing well at this time.

A plan to build a fireworks repository in the Hinckley area was discussed. The time limit on the Conditional Use Permit that had been given to Rex Stanworth has expired. Construction has started on the site but notice will be given for them to stop until a new CUP is granted. There are some citizens around Hinckley concerned about this issue. Commissioner Smith will visit with Leon Smith and Gary Church to check on the zoning of the area in question.

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

There were none.

WHERE UPON THE MEETING ADJOURNED

Commissioner Cooper made a motion to adjourn the meeting.

Commissioner Smith stepped from the chair and SECONDED the motion. The voting was unanimous and the motion carried. The meeting adjourned at 11:00 a.m..

NOON COMMISSIONER CANVASS 2007 GENERAL ELECTION RESULTS

Sheriff Robert Dekker will participate in the canvass in the place of Commissioner Walker.

Attest: _____

Approved: _____