

MINUTES OF BOARD OF COUNTY COMMISSIONERS
MILLARD COUNTY THE 27th DAY OF NOVEMBER 2006
AT THE COURTHOUSE, FILLMORE, UTAH

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

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

EXCUSED: Millard County Clerk Norma Brunson

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 December 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 and then said the invocation. Everyone stood and said the Pledge of Allegiance to the Flag.

FOLLOW UP ACTION ITEMS FROM MINUTES OF NOVEMBER 20, 2006

There were none.

APPROVAL OF THE AMENDED MINUTES OF OCTOBER 23, 2006

Commissioner Cooper made a motion to approve the amended minutes of October 23, 2006. Commissioner Smith SECONDED. The voting was unanimous and the motion carried.

APPROVAL OF THE AMENDED MINUTES OF NOVEMBER 20, 2006

Commissioner Smith made a motion to approve the amended minutes of November 20, 2006. Commissioner Cooper 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.

Auditor Grace said that there will not be a Check Edit Report for last week as it was the Thanksgiving holiday and with the month ending this week, they will do one check edit report including November 30, 2006.

The payroll report for November 24, 2004 was given to the Commissioners from Auditor Grace.

Auditor Grace said she is still holding Randy Johnson's December invoice for \$1,500. The Commissioners told her to hold off payment until they meet with Mr. Johnson this week.

Auditor Grace told Attorney Jackson that Jesse Brown is purchasing more land and she will provide him the serial numbers so he can prepare the deed for the 80-acre parcel with serial number HD 3467 and a 40-acre parcel which is half of DO 3205. The additional 120 acres will be purchased for \$12,000.

Auditor Grace discussed the insurance premium from UCIP for \$162,667. Brody Parker attended the safety accident meeting and he said that the increase is across the board. The Commissioners authorized payment for the insurance premium.

The Commissioners and Auditor scheduled a work meeting for Wednesday, November 29 at 9:00 a.m. to see if the 2006 budget needs to be opened at the year end and to work on the 2007 budget. The public hearing on the budget will be held December 11, 2006 at 7:00 p.m. in Commission chambers.

Auditor Grace said that Jim Stevens, USU Extension, has had a Visa Card she asked the Commissioners if he needed a purchasing card after the Visa was cancelled? The Commissioners agreed that with Mr. Stevens part time employment, he would not need a purchasing card and could he use Craig Poulsen's card when necessary.

Auditor Graces said that Bart Whatcott had inquired about the county's economic developer position and wanted to see the preliminary job description. The Commissioners said that job description has not been released yet.

SIX COUNTY ASSOCIATION OF GOVERNMENTS-EMERY POLELONEMA AND RUSSELL

COWLEY-FINALIZATION OF THE CIB LIST

Emery Polelonema from Six County Association of Government said they have visited the communities in Millard County and each city has updated their list. He gave copies of the Permanent Community Impact Fund Board (CIB) 2007 Consolidated Local Capital Improvement Short and Medium Term List and the Permanent Community Impact Fund Board (CIB) Community Development Block Grant (CDBG) 2007 Consolidated Local Capital Improvement List to the Commissioners. The Commissioners reviewed the list and made amendments on the final CIB List. (Russell Cowley was not able to attend the meeting.)

Commissioner Smith made a motion to approve the amended 2007 short CIB List.

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

Commissioner made a motion to approve the amended short term 2007 CDBG List.

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

EXECUTION OF A QUIT CLAIM DEED FROM MILLARD COUNTY TO BROWN DIRT INC. (Jesse Brown)

Commissioner Cooper made a motion to execute a Quit Claim Deed from Millard County to Brown Dirt Inc. (Jesse Brown).

Commissioner Smith SECONDED the motion. The voting was unanimous and the motion carried. The deed was signed by Commissioner Walker and will be recorded in the Millard County Recorder's office and then sent to Mr. Brown.

DISCUSSION WITH DELTA CITY AND FILLMORE CITY ON LAW ENFORCEMENT CONTRACTS

This item will be rescheduled for next week.

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

On Tuesday, November 21, Commissioner Smith and Commissioner Cooper met with Mark Ward, Attorney LeRay Jackson and Richard Waddingham to review the water issues. Mr. Ward has been appointed by UAC as the attorney to help in processes in the water issues with Nevada. A meeting was set up on December 5, 2006 at 1:00 p.m.. The Commissioners, Mark Ward Attorney Jackson and Richard Waddingham, Ken Hale, Cecil Garland, Dean Baker and Jerald Anderson will be invited to attend the meeting.

Commissioner Smith said the annual Christmas dinner at Eskdale will be held on December

7 and 8, 2006.

Commissioner Smith attended the Millard County Mosquito Abatement Board meeting on Monday, November 20 where their tentative budget was adopted. They are going to increase the tax rate as the value that they are now operating on is decreasing and they had to dip into their reserves this year. The Mosquito Abatement Board will be doing a truth and taxation along with a public hearing.

Commissioner Cooper said the Governors Public Lands Policy Coordination Committee meeting will be rescheduled for December 14, 2006 at 2:00 p.m. according to Mark Ward. Mr. Ward has arranged for Edwin Firmage to testify in that meeting in Millard County's behalf concerning the Nevada water issue.

Commissioner Cooper received a letter from Sharon Aguiar who would like some support in an effort to have the use of M 44 banned for predator control by the USDA. Her dog was recently poisoned by M 44. She claims there was no warning about the location of the poison. The Commissioners will discuss the issue and see if they want to take a stand with Representative Cannon.

Commissioner Cooper will participate in a telephonic conference with the BLM on November 28, 2006 at 10:30. He will give the phone number to Mark Ward so he can be involved with the call.

Chris Thompson and Nancy Schmid will be meeting on Tuesday, November 28, 2006 at 10:00 a.m. with the Commissioners to discuss the billings and the formula used for billings at the Millard County Long Term Care Center.

Commissioner Walker received the following letter from the Millard County School District (See exhibit A)

A letter from the Nevada State BLM Office was received by Commissioner Walker thanking the county for being a cooperating agency for Clark, Lincoln and White Pine Counties ground water development project EIS. Copies of the Memorandum of Understanding between the BLM and Millard that had been finalized were given to each Commissioner and a copy will be sent to Mark Ward.

OTHER BUSINESS

Deputy Garth White came before the Commissioners asking for suggestions on how to pay the invoice for \$5,000 plus to Harbor Freight for CERT equipment. After discussing several options for payment the decision was made to pay the entire bill over the phone with either the Sheriff's Visa card or the Auditor's Visa card.

Millard County Recorder Connie Hansen gave the Attorney and Clerk copies of the Millard

County Agreement for Computer System Access for Public Records Search for their files.

Commissioner Smith gave the Delta City annexations to the Clerk for filing. He said he told Mayor Bunker that the Class B and Class C road funds would have to be adjusted because with the annexation the county roads within the new city boundaries would have to be transferred to the city. The adjustments will be made with the county road department.

Millard County Treasurer John Hansen gave the Commissioners a bill from Brent Eyre for \$450.00 for consultation that could be paid out of the IPP Account.

Commissioner Smith made a motion to pay the bill of \$450.00 to Brent Eyre.

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

Treasurer John Hansen received a letter from 360Networks (USA2) LP requesting that the penalty and interest on their 2005 income tax with serial number ZZZ 248 be waived. They are coming out of a Chapter 11 bankruptcy and said they are having trouble coming up with the money. They have paid the property tax for 2006 in the amount of \$538.49. The property tax for 2005 was \$641.34 and the penalty of \$12.83 and the interest of \$62.02 have been added to the total amount due.

The Commissioners authorized Treasurer Hansen to notify the company that the penalty and interest will be waived for the 2005 taxes, if the taxes are paid by December 15, 2006, if not paid they will be added back on.

PUBLIC INPUT

There were none.

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.

Commissioner Smith SECONDED the motion. The voting was unanimous and the motion carried. Commissioner Walker recused herself and left the room.

WHERE UPON THE MEETING ADJOURNED

Commissioner Smith made a motion to adjourn the meeting.

Commissioner Cooper SECONDED the motion. The meeting adjourned at 12:00 noon.

Attest: _____ Approved: _____

Millard School District

285 East 450 North ❖ Delta, Utah 84624 Phone: (435)864-1000 Fax: (435)864-5684

M

Board Members

Ronald T. Draper
President

R. Lee Tippetts
Vice President

Mark A. Huntsman

Barbara P. Killpack

Carol D. Kimball

David W. Taylor
Superintendent

Keith T. Griffiths
Business Administrator

November 14, 2006

Commissioner Kathy Walker
Millard County Commissioner
PO Box 854
Delta, UT 84624

Dear Commissioner Walker:

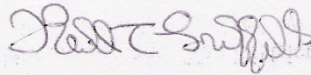
The request received from you and Delta City Mayor, Gayle Bunker, concerning the Millard School District participating in the cost of providing law enforcement services for Delta City and Fillmore City, was discussed with the Millard School District Board of Education at its regular board meeting held November 9, 2006. It was felt that providing law enforcement services is a function of City/County Government and is not a function that the Millard School District would be interested in participating with.

The Millard School District is facing similar problems as Millard County with the declining assessed valuation as well as declining student enrollment. The District's M & O budget, in which matters of this could be paid, is very limited and is equalized under the State of Utah's Equalization Program. In order for the Millard School District to participate in any funding of law enforcement services, it would be necessary to reduce staff and eliminate job positions. At the start of this current school year, many employees who had retired or quit were not replaced as an effort is being made to consolidate and bring our budget more in line with revenues. Class sizes have also been raised, which has created concern expressed by our patrons and staff.

We appreciated the opportunity of visiting with you and Mayor Bunker and getting additional insight into the challenges that you are faced in managing your budgets.

If you have any questions concerning this, please contact me.

Sincerely,



Keith T. Griffiths
Business Administrator

KTG/js