

MINUTES OF BOARD OF COUNTY COMMISSIONERS  
MILLARD COUNTY THE 11TH DAY OF DECEMBER 2006  
AT THE COURTHOUSE, FILLMORE, UTAH

PRESENT: Kathy Y. Walker ..... Chairman  
Daron P. Smith..... Commissioner  
John C. Cooper. .... Commissioner  
  
Leroy Jackson ..... County Attorney  
Norma Brunson ..... County Clerk  
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.

COORDINATION SESSION

The Commissioners scheduled events for the months of December 2006 & January 2007

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? Deputy Clerk Janice Robins gave a thought and then said the invocation. Everyone stood and said the Pledge of Allegiance to the Flag.

FOLLOW UP ACTION ITEMS FROM MINUTES OF DECEMBER 4, 2006

There were none.

APPROVAL OF THE AMENDED MINUTES OF DECEMBER 4, 2006

Commissioner Cooper made a motion to approve the amended minutes of December 4, 2006.

Commissioner Smith 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 gave the Commissioners the Check Edit Report of December 8, 2006 to review and sign. The payroll Report of December 8, 2006 will be given to the Commissioners.

Auditor Grace led the discussion on a payroll issue where employees are taking leave that puts their pay in excess of 40 hours a week. An employee shouldn't receive overtime or other benefits until they have worked 40 hours. Some employees are submitting either sick leave, vacation or comp. time to make the 40 hours and then taking overtime. The Auditor was given authority starting now, in order to follow policy, to adjust a time for employees with time cards like that. The Auditor will not change the number of hours worked just the number of leave hours taken. Leave hours are to make an employee whole not to increase the amount of money paid. The Commissioners will meet with all the elected officials and department heads to clarify this issue during a January meeting.

On November 6, 2006, Auditor Grace sent a letter to Topaz Museum indicating that Millard County had sent them a check for \$22,500 for the purchase of some property and the Commissioners are requesting an update on the status of the land purchase. She has not received any word back. Commissioner Walker said she talked to Jane Beckwith about the same issue. Mrs. Beckwith said the money had not been used to purchase the land and was told the money will need to be returned if not used to purchase the land. Mrs. Beckwith had asked if the money was returned will it be available when they make the deal on the land as she is trying to complete the purchase on the land. Commissioner Walker said she could not guarantee that the money would be available later. No further word has been sent back to the Commissioners on the money.

Commissioner Cooper asked what the difference was between giving money to the museums in Delta and the DUP Museum in Kanosh? Attorney Jackson said that the test is if the county was going to be part of the venture. Millard County was going to have an office for Millard County Tourism in the new building. Great Basin has used their money to purchase land and Topaz Museum has not. There has been some federally funded money allocated for all the interment camps. Commissioner Walker said she will contract Mrs. Beckwith and see the status of the purchase and the Commissioners will take review the issue again next week with the Auditor.

#### ME BIRD SENIOR CENTER BOARD-DISCUSSION ON BUS

The ME Bird Senior Center Board did not come to the meeting because Commissioner Walker said she had talked to the board. The senior center's name had come up again for a new bus and they needed a \$10,000 match to purchase a new bus from UDOT. Commissioner Walker had told them that Millard County will not supplement the purchase of the bus. The senior center had received a bus in 2002 and a bus from the Olympics in 2004.

#### RATIFY THE SIGNING OF THE IPA SETTLEMENT AGREEMENT FOR TAX YEARS 2007-2009

Commissioner Smith made a motion to ratify the signing of the IPA Settlement Agreement on their value for the Tax Years 2007-2009.

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

#### MILLARD COUNTY CLERK NORMA BRUNSON - SET DATES FOR 2007 COMMISSION MEETINGS

County Clerk Norma Brunson presented a proposed schedule for 2007 Commission Meetings.

January 8, 22	July 2, 9, 16, 23
February 5, 12, 26	August 6, 13, 20, 27
March 5, 12, 19, 26	September 10, 17, 24
April 2, 9, 16, 23	October 1, 15, 22
May 7, 14, 21	November 5, 19, 26
June 4, 11, 18, 25	December 3, 10, 17, 24*

The list was reviewed and discussed. Commissioner Smith made a motion that Millard County Commission meetings are held twice a month for the upcoming year.

Commissioner Cooper SECONDED the motion. The voting was unanimous and the motion passed. Clerk Norma Brunson was asked to work up a schedule showing the 1<sup>st</sup> & 3<sup>rd</sup> Monday of each month and a schedule showing the 2<sup>nd</sup> & 4<sup>th</sup> Monday of each month for the upcoming year. A decision will be made on which schedule to follow at next week's meeting.

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

All the Commissioners, Richard Waddingham, Brad Shaffer, Senator Bennett's Office, Mark Ward, the UAC Senior Policy Analyst and Dean Draper traveled to Garrison to meet with residents from the Snake Valley to discuss the status and strategy in the water pipeline process. The people who had never been to that area commented on the beauty of the mountain ranges and formations in the west desert.

Delta City Mayor Gayle Bunker met with Commissioner Smith and Commissioner Walker.

Commissioner Smith, attended the first day of a two-day partnership series community-based seminar with the BLM. Commissioner Cooper, Dean Draper, and Mayor Christensen attended both days of the conference. Commissioner Cooper, Mayor Christensen attended the second day. The purpose of the training was to encourage the public to get more involved with BLM on the local level. Dean Baker, Arlene Bartholomew, David Limburg, Rand Crafts, and Larry Ryan and others were also in attendance. The WSA in the West Desert, privatization of public land and other items were discussed. Commissioner Cooper spoke with a representative from the Southern Utah Wilderness Alliance.

Commissioner Cooper attended an AOG Christmas meeting. Commissioner Walker and Commissioner Smith were excused. Bruce Blackham who has served as the AOG Chairman this past year past the gavel to Commissioner Cooper for 2007.

Commissioner Cooper attended the Central Utah Public Health Department meeting with Bruce Costa the newly appointed health officer took charge. Commissioner Cooper said he was the Chairman of CUPHD and didn't think it was right to be the Chairman over both organizations so he will serve as Vice Chairman of the CUPHD and Bruce Blackham will serve as the Chairman. Warren Jensen and Barbara Pierson from Millard County serve on the board.

Commissioner Cooper reported that the Washington County Land Bill failed to get through Congress. Millard County had followed the Washington County land bill and was waiting for it to pave the way through Congress. Washington County's Commissioners Alan Gardner, James Eardley and Jay Ence, and Randy Johnson, Public Lands Consultant and Moderator were thanked for their noble effort in working on the land bill. It went further than any other land bill had in the past. White Pine County Land Bill did pass through. Commissioner Cooper expressed his feelings of betrayal toward Senator Harry Reed of Nevada for the way they had been treated. The White Pine County Commission was not in favor of the White Pine County Land Bill.

Commissioner Cooper and Commissioner Smith talked to Fillmore City Mayor David Christensen about the law enforcement contract with the cities.

Commissioner Walker attended a budget hearing with the Desert Hinckley Cemetery. They are increasing their tax rate to .0004 percent.

Commissioner Walker met with Judy Christensen, Six County Aging and discussed the aging programs.

Commissioner Walker attended the Millard County Economic Development Association MEDA Christmas party. Gary Church, Millard County's Economic Director will be retiring at the end of this year. Commissioner Smith and Commissioner Cooper were excused.

## OTHER BUSINESS

The swearing in ceremony for newly elected officials and deputies will be held on Tuesday, January 2, 2007 at noon in Commission Chambers. County Clerk Norma Brunson will send out notices of the ceremony as well as set up the arrangements for a light luncheon.

Commissioner Smith reported that the State Public Lands Offices was in Delta working with the county on signing affidavits of all Class B roads that Millard County claims. The work was done on December 5-7 with Sheryl Dekker who provided the maps and documents. A number of Millard County citizens signed the affidavits on the 4600 segments of roads. The process of identifying the roads has been going on for several years with the help of many people, including road supervisor Thayne Henrie. Millard County is now getting closer to be able to record the county's roads in the Records Office. Sheryl Dekker will be asked to send out thank you letters

to all those who helped in the process.

Commissioner Smith said that Wade Tolbert, Central Utah Public Health Department reported their concern of a health issued on some construction debris that had been dumped on a parcel of property that was sold by Millard County near McBride Lane. The debris cannot be burned because of its nature and needs to be hauled to the landfill. They need to find out if the prior owner caused the problem, if the debris was there when the county sold the property and whose responsibility it is to haul it off. Some investigation will be done to find out who put the debris there.

County Clerk Norma Brunson reminded Commissioner Smith that the Scipio annexation will need to be located and filed in her office.

#### PUBLIC INPUT

Millard County Clerk Norma Brunson asked what the situation at the Fillmore Community Medical Center would be if all the long term patients were transferred to the new care center? Commissioner Walker said that they had been assured by IHC representatives John Hoopes and James Beckstrand that the change may only affect one employee. The hospital is an asset to the communities and I 15 patients and is not in immediate danger of closing.

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

There were none.

#### WHERE UPON THE MEETING WAS RECESSED

Commissioner Cooper made a motion to recess the meeting until 7:00 p.m. tonight.

Commissioner Smith SECONDED the motion. The voting was unanimous and the meeting recessed at 11:00 a.m. and will reconvene at 7:00 p.m..

#### 7:00 P.M. PUBLIC HEARING ON MILLARD COUNTY 2007 BUDGET

Present: Commissioner Walker, Commissioner Cooper, Commissioner Smith, Clerk Norma Brunson, Attorney LeRay Jackson, Sheriff Robert Dekker Auditor Brandy Grace, Treasurer John Hansen, Richard Waddingham and Alison Robison

Commissioner John Cooper made a motion to enter into a public hearing to consider the Millard County Budget for 2007.

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

Commissioner Walker called the public hearing to order at 7:00 p.m. She invited Auditor

Grace to explain the budget process and then the public was invited to come to the mike, state their name and give comment or ask their questions.

**Auditor Brandy Grace** said the 2007 Millard County Tentative Budget was adopted at by the Commissioners on October 23, 2006. Public notices were published on November 1 and November 8 stating the budget had been adopted and was ready for inspection in the Auditor's Office in Fillmore and the county offices in Delta and the date of the public hearing. Copies of the budget had been made available to those present. She pointed out a couple of things that affected the over all budget. The Commissioners approved a 3 percent cost of living for county employees and no new employee positions had been budgeted for. Both the county building inspector and county planner will be retiring at the end of the year and the Commissioners had made a decision to combine these positions into one position. A part time position for economic development and tourism have been developed and money will be taken out of the economic develop budget and the tourism budget. Health Insurance costs for county employees raised considerably this year and the Commissioners made a decision to chose a health care plan that reduced the number of providers to keep the costs about the same as last year. An option was made so employees could buy up an increase level of providers if desired. Dental expense costs were about the same. The travel and utilities budgets were reviewed as they had increased quite a bit this year. It was the feeling of the Commissioners that fuel costs had leveled out some for the coming year. The tentative budget reflected revenues needed from other funds for general fund expenses in the amount of \$1.1 million dollars. This has been budgeted to be taken from the capital expense budget. The Funds 26 and 27 were added in 2006 to account for operations of the Central Utah Narcotics Task Force. These expenditures increased the over all budget but funding for the task force comes from grant money and allocations from other entities, and no additional money is put into support the task force. The 2007 capital project budget has been reduced considerably.

**Alison Robison** said he does have a few concerns. If the county is losing close to a million dollars a year on the Millard County Long Term Care Center and it is paid for then let's get out of it. Make a conditional deed that defaults back to the county. The county can't keep putting money into a dead horse. He questioned the assessment and collection listed on the tax notices. It appears that the taxpayer is being double taxed. He said Sheriff Dekker is doing a good job with his budget and he looks forward to working with the new county attorney. Overall he said the county is doing a good job.

**Commissioner Walker** said they are exploring all options, including different management, on the care center in an effort to get out from under the burden.

**Treasurer John Hansen** answered the question to assessing and collecting. There are two different aspects of it. 1. County wide assessment and collecting rate (Rate set by the county but if not funded at a certain rate then the county is not eligible to receive some of the state levies back)  
2. State wide and multi-county assessment and collecting rate. (Determined by the state of Utah) Both have to be shown on the tax notices.

Treasurer Hansen said if the position of planner and building inspector positions have been combined then some room should be left in that area because one person may not be able to do it.

**Commissioner Walker** said some money was left in the budget for a contract to hire the current planning director as a consultant.

**Auditor Grace** said the money for the building inspector has been put in professional and technical. \$35,000 for commercial inspections contracted to someone else and for someone on a contractual basis. Treasurer John Hansen said that government services and the demand for services continue to increase and the funds to pay for those services are decreasing. All of the Commissioners and elected officials need to put this into perspective. Until Unit 3 comes in and this will be only a temporary fix we need to find ways to put services into perspective and the services provided.

Commissioner John Cooper said that the county does need to prioritize some of the services provided by the county.

**Sheriff Robert Dekker** thanked the Auditor for working him with his budget.

**Commissioner Cooper** welcomed Sheriff Dekker and Richard Waddingham to their newly elected positions and congratulated all the elected officials for the great job they do for the county. He publicly thanked County Attorney Jackson for all the years of service he has rendered to the county.

**Commissioner Walker** reminded everyone there will be an open house for Gary Church, Leon Smith and Attorney LeRay Jackson on December 29, 2006 from 2-4 p.m. at the county offices in Delta. The swearing in ceremony is January 2, 2007 at noon. Mr. Robison was thanked for coming to the meeting.

**Auditor Grace** reminded the Commissioners that they had asked for an additional \$30,000 for the well at the Sunset View Golf Course. Commissioner Walker said there has to be a well at the golf course and the money was in this year's budget but had not been used yet. Also, there are some county water rights that need to be consolidated into one said Attorney Jackson. Treasurer Hansen suggested that the money could be used from the recreational reserve.

**Alison Robison** asked if there was to be a tax raise and that was the reason for the night meeting? The law was discussed and if there is to be no tax raise then the public hearing could have been held during the day.

**Commissioner Smith** said that tax rate was set in July based on what the county's value was. Millard County went with the prior years certified tax rate. Because the value is lower then less revenue is brought in than the year before. The difference is made up by transferring reserve funds. Some budgets have been reduced. State assessed properties continue to go down and the other tax payers have to make up the differences.

**Richard Waddingham** expressed appreciation to Mr. Robison for coming to the meeting. He thanked the Commissioners and Auditor for helping him with his budget. He said that LeRay Jackson has been here for many years and he has a wealth of knowledge and experience. This job is a learning process and he hopes to be able to pick LeRay Jackson's brain for a while to learn what

is going on. He acknowledged Clerk Norma Brunson and said he looks forward to working with her.

Commissioner Smith made a motion to go out of the public hearing.

Commissioner Cooper SECONDED the motion. The voting was unanimous and the public hearing ended at 7:31 p.m.. The final adoption of the Millard County 2007 Budget will be December 18, 2006.

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

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