

MINUTES OF BOARD OF COUNTY COMMISSIONERS
MILLARD COUNTY THE 2nd DAY OF JANUARY 2007
AT THE COURTHOUSE, FILLMORE, UTAH

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

Richard Waddingham. County Attorney Elect
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 media 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 January and February 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. 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 DECEMBER 18, 2006

There were none.

APPROVAL OF THE AMENDED MINUTES OF DECEMBER 18, 2006

Commissioner Cooper made a motion to approve the amended minutes of December 18, 2006.

Commissioner Smith SECONDED the motion. The voting was unanimous.

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 22 and 29, 2006 to review and sign. The December 22, Check Edit Report was approved by Commissioner Cooper and Auditor Grace and the checks have been sent out. She gave each Commissioner a copy of the Payroll Report of December 22, 2006 to review.

Auditor Grace said that the employees have received new health care cards from Medco and they are no longer the county's health care provider. A new card from Caremark will be issued and mailed to the employees.

Commissioner Smith asked to have a discussion regarding a policy change on the use of comp time. Auditor Grace was asked to write up a proposed new policy and it will be discussed as an agenda item at the next meeting.

The Commissioners and the Auditor discussed the county's purchasing cards. The county is still in the process of calling in all the VISA cards and replacing them with the purchasing cards. Sheriff Dekker had requested purchasing cards with a \$500 limit for all his deputies. Right now only the law enforcement officers have purchasing cards. A decision to grant all the deputies a card will be made later. There is a possibility of issuing a couple of cards with no designated name for the deputies to use when leaving the area.

Commissioner Cooper made a motion to authorize the Auditor to process purchasing cards for:

Gary Walker	Millard County Building Inspector/Planning and Zoning (\$1,500)
Richard Waddingham	Millard County Attorney (\$3,000)
Paulette Staples	Millard County Sheriff's Office (\$3,000)
Richard Carter	Millard County Deputy Sheriff (Transport Officer) (\$1,500)
George Ann Probert	Millard County Deputy Attorney Office Trial Account (\$1,500)

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

APPOINT MEMBERS TO THE MILLARD COUNTY SPECIAL DISTRICT NUMBER 8 BOARD

Commissioner Smith said that the board is still making a decision on whom they will recommend to serve on the Special District Number 8 Board. The item was tabled until the next meeting. Commissioner Smith reported that he had sent a letter to Mike Styler thanking him for serving on the board and for doing a great job.

POSSIBLE APPROVAL OF A BUSINESS LICENSE FOR STEVEN BAER - S&H AUTO

The Commissioners reviewed the application and found all the signatures in order. Commissioner Cooper made a motion to approve the business license for Steven Baer - S&H Auto.

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

REQUEST FOR COMMISSION WAIVER-ELIZABETH WILSON FOR SNOW GOOSE FESTIVAL-QUILT SHOW IN MEETING ROOM IN RECREATION BUILDING

Commissioner Walker talked with Elizabeth Wilson who is a member of the Snow Goose Festival Committee. The Quilt Show during the Snow Goose Festival has asked for a waiver on the rental fees of the exhibit building, tables, chairs and room dividers for February 22, 23 & 24. The fee for the use of the fair building is \$150.00 a day. They would also like the meeting room, tables and chairs in the recreation building on February 23 and 24, in case the fair building is full. The fee for the recreation meeting room is \$15.00 an hour. The group is charging a \$3.00 entrance fee for the Quilt Show and also charging a fee for the quilting class. Eighty percent of the class fees will go to the quilting teachers and 20 percent of the fees will go to the quilting guild.

Commissioner Smith made a motion to deny the request for a waiver on the use of the recreation building. The county doesn't want to tie up the meeting room without the fees being paid.

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

REQUEST FOR COMMISSION WAIVER -ELIZABETH WILSON FOR SNOW GOOSE FESTIVAL-QUILT SHOW FAIR EXHIBIT BUILDING

Commissioner Smith made a motion to approve the request for a 50 percent waiver on the rental fees on the Fair Exhibit Building for the Quilt Show.

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

REQUEST FOR COMMISSION WAIVER-BONNEVILLE CHAPTER OF INT'L CODE COUNCIL-EXHIBIT BUILDING

Commissioner Walker said that the Bonneville Chapter of Int'l Code Council would like to request a waiver of fees on the exhibit building for a continuing education class for building inspectors. They are charging a fee for the class.

Commissioner Cooper made a motion to deny the request for a waiver on the rental fees for the Bonneville Chapter of Int'l Code Council for the use of the fair exhibit building.

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

RATIFY THE SIGNING OF AN INDIGENT BURIAL FOR TERRY L. DUTTON

Auditor Grace had received the invoice from Nickle Mortuary, the death certificate and the affidavit of indigency with a request for an indigent burial for Terry L. Dutton to the Commissioners.

Commissioner Smith made a motion to ratify the signing of an indigent burial request for Terry L. Dutton. The Commissioners had reviewed the application and found he qualified under the state guidelines of indigency. The amount of the burial was \$995.00.

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

MEET WITH ELECTED OFFICIALS AND DEPARTMENT HEADS TO DISCUSS PAYROLL AND OTHER ISSUES

This item was cancelled by the Commissioners.

FILING OF DISCLOSURE STATEMENTS

Disclosures were filed by:
James Talbot
John L. Hansen
Sheri Dearden

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

All the Commissioners said that they are looking forward to the new year. They have enjoyed working together and they expressed appreciation to the county employees for their good work and for their commitment to the citizens of Millard County. They welcomed County Attorney Richard Waddingham. A special thanks was given to the county road department for plowing the roads during the holiday season.

Millard County Clerk Norma Brunson said that she has talked with the Lt. Governor's Office about the swearing in ceremony for newly elected officials and their deputies. She will follow the state's guidelines for today's swearing in ceremony.

OTHER BUSINESS

Lt. Forrest Roper asked for approval and a signature on the Ambulance EMS Service Grant. The state will provide \$36,000 which is about 40 percent of the cost of an ambulance.

Commissioner Smith made a motion to approve and sign the Emergency Service Grant.

Commissioner Cooper SECONDED the motion. The voting was unanimous and the motion carried. Commissioner Walker signed and dated the document. A copy will be given to the Clerk's Office for filing.

Commissioner Cooper made a motion to rotate the Millard County Commission Chair and to nominate Commissioner Daron P. Smith to serve as the Commission Chair for the 2007 year.

Commissioner Walker stepped from the Chair and SECONDED the motion. The voting was unanimous and the motion carried. Commissioner Smith will take over the chairperson's duties at the next Commission meeting. Commissioner Cooper thanked Commissioner Walker for the great job serving as the 2006 Commissioner Chairperson.

Millard County Treasurer John Hansen said the county is in the process of converting to Tyler Technology's software. The old software provider, Tiburon won't renew their contract with the county as in the past. However, they are offering a contract from January 1, 2007 to March 31, 2007, at \$250 an hour with a minimum service time of four hours. Newly elected County Attorney Richard Waddingham reviewed the contract and questioned the phrase (that it is the affirmative duty of the county to identify any items that need to be kept confidential) and asked Treasurer Hansen if this was a problem. Treasurer Hansen said it would not be a problem. Attorney Waddingham said that the contract was ready to be signed.

Commissioner Smith made a motion to approve the contract as set up by Tiburon. He asked if the cost of the contract will be divided up between the offices? And would it be an incentive for Tyler Technologies to get the county up and running, or pay for the contract? Richard Beckstrand and John Hansen will be appointed as the authorized representatives for Millard County.

Commissioner Cooper SECONDED the motion. The voting was unanimous and the motion carried. Two copies of the contract were signed. Treasurer Hansen will provide a copy later for the Clerk's Office to file.

Commissioner Cooper said that Scott Nickle hadn't received a tax notice until December 15, 2006 on one of his properties that he had purchased from the county. He would like the twenty-dollar delinquent fee waived. After discussing the issue Treasurer Hansen stated that it is the buyer's responsibility to get a deed recorded to establish ownership and to provide the taxing address. Mr. Nickle is not a first time land owner and knows the taxes are due on November 30 each year. The Commissioners agreed that it is Mr. Nickle's responsibility to pay the taxes and the delinquent fee and he will be contacted with the Commissioners' decision.

Commissioner Smith talked to Scott Mork and others from Graymont Western and they are requesting that the county write a letter to the Bureau of Land Management allowing Graymont Western to reroute a county road right of way located south of their current facilities. Graymont Western is planning to build a new quarry and a new crusher. They are now wanting to move the road a little and would like the county to help them with the Title 5 application with the BLM for the road project. Three segments of road would be affected by the proposed changes.

Commissioner Smith made a motion to approve support for the plans Graymont Western has to expand to a new quarry area and improve the roads to benefit their project.

Commissioner Cooper SECONDED the motion. The voting was unanimous and the motion carried. Commissioner Smith will draft the letter and will provide a copy for the Clerk's Office files.

Commissioner Smith made a motion to approve a Memorandum of Understanding between Millard County and Leon Smith for planning and zoning consultation and for inspection services. The contract is for two eight-hour periods during the week, not to exceed 32 hours in a pay period

at the rate of \$25.00 an hour. One eight-hour day will generally be on Tuesdays, and the other eight hours will be used as needed for planning and zoning consultation and for a backup building inspector. The contract will be for a six-month period and then it will be reviewed. Either party can terminate the contract by giving two weeks notice.

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

Commissioner Smith received a notice from UDOT that they have done an inspection and rated all of the bridges in Millard County. There were two bridges in question last year that would probably qualify for STIP, Statewide Transportation Improvement Program, money if it is available. Last year the money was cut for the bridge program. The situation with the bridges will be monitored by Commissioner Smith and Thayne Henrie, Millard County Road Supervisor.

Commissioner Smith received the signed contract #071307 between the State of Utah, Department of Technology Services, AGRC and Millard County for funding of collection and delivery of corner coordinates and/or construction of the digital parcel database. The grant is for \$16,000. A copy of the document was given to the Clerk's Office for filing.

Commissioner Cooper had been contacted by Kim Quarnberg over a situation with a DWR and Millard County commitment. Commissioner Cooper asked Attorney Waddingham to contact Mr. Quarnberg and check into the matter.

Commissioner Cooper expressed his concerns over providing service on USDA Forest Service roads. He would like to check and see if their payments are covering the county's costs. Commissioner Smith will talk to Thayne Henrie, road supervisor and do an evaluation of forest service road maintenance and then discuss the findings with the new district ranger.

The Commissioners discussed their assignment of duties for Millard County Commissioners effective January 2007 (See Exhibit A)

PUBLIC INPUT

There was none.

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

There was none.

WHERE UPON THE MEETING ADJOURNED

Commissioner Cooper made a motion to adjourn the meeting.

Commissioner Smith SECONDED the motion. The voting was unanimous and meeting adjourned at 11:45 p.m..

NOON SWEARING IN CEREMONY FOR MILLARD COUNTY ELECTED OFFICIALS
AND DEPUTIES

The following elected officials were sworn into office:

Norma Brunson	Millard County Clerk
Daron P. Smith	Millard County Commissioner
Kathy Y. Walker	Millard County Commissioner
Brandy Grace	Millard County Auditor
John Hansen	Millard County Treasurer
Jim Talbot	Millard County Assessor
Connie Hansen	Millard County Recorder
Robert Dekker	Millard County Sheriff
Richard Waddingham	Millard County Attorney

The following elected deputies were sworn in:

Sheri Stephenson
Irene Scott
Janice Robins
Bonnie Gehre
Sheri Kay Beckstrand
Stacie Dean
Lynn Mansfield
Star Cummings
Debra Arnold
Sheri Dearden
Susan Duncan
Susan Wilcox
Julie Olsen
Dexter Anderson
Pat Finlinson

Attest: _____

Approved: _____

Assignment of Duties for Millard County Commissioners Effective January 2007

Commissioner Daron P. Smith **Chairman**

Joint Responsibilities

Building Inspection Department
County Weed Board
Drainage Districts
GIS Department
Mosquito Abatement District
Road Department
Six-County Mental Health
Soil Conservation Districts (MCD & DSCD)
Southern Region RAC / Predator Control
Special Service District # 8
Risk Management / Insurance
Water Conservancy District

Board of Adjustments
Boundary Commission
County Comprehensive Plan
County Tax Commission
BLM
Forest Service
Human Resources
IPA Concerns
Public Lands
Snake Valley Water Issues
Utah State Legislature

Commissioner Kathy Y. Walker

Cemetery Districts
Delta & Fillmore Chambers of Commerce
Economic Development / MEDA Board
Housing Authority
Landfill / Solid Waste
Long Term Care
Millard County Jr. Livestock Show
Millard County Fair / Miss Millard
Millard County Bookmobile
Recreation
Senior Citizens
Tourism
West Justice Court
West Millard Maintenance

Commissioner John C. Cooper

Days of the Old West Rodeo
East Justice Court
East Millard Maintenance
LEPC (Local Emergency Planning
Committee)
Fire District Board
Planning & Zoning
Public Health
Six County AOG
Television
USU Extension Service