

MINUTES OF BOARD OF COUNTY COMMISSIONERS
MILLARD COUNTY THE 5th DAY OF JUNE 2007
AT THE COURTHOUSE, FILLMORE, UTAH

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

Richard Waddingham County Attorney
Norma Brunson County Clerk
Janice Robins. Deputy County Clerk

ALSO PRESENT: Mike Lowe, Hugh Hurlow, J. Lucy Jordan–Utah Geological Survey
Jim Talbot and Brandon Bartholomew- Millard County Assessor’s Office
Bob Viveiros-Crossroads Dairy Owner
Gary Walker-Millard County Planner
Jeff Whatcott- Drug Task Force
Craig Poulsen-USU Extension

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 June & July 2007.

PUBLIC WAS WELCOMED

The meeting began at 10:00 a.m. after a brief welcome by Commissioner Smith.

OPENING STATEMENTS

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

FOLLOW UP ACTION ITEMS FROM MINUTES OF MAY 15, 2007

There were none.

APPROVAL OF THE AMENDED MINUTES OF MAY 15, 2007

Commissioner Cooper made a motion to approve the amended minutes of May 15, 2007. Commissioner Walker 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 Reports of May 21, May 25 and May 31, 2007 to review and sign. The payroll report of May 25, 2007 was given to the Commissioners.

Auditor Grace received a bid on a parcel of Millard County's surplus property with serial number HD 3473-1-5. Assessor Talbot said this was one of the same parcels that came before the Commissioners a few weeks ago and at that time he had recommended that the Commissioners sell the property. The Commissioners did not accept his recommendation and he does not want to waste his time checking property values every time a bid comes in if the Commissioners aren't going to accept his recommendations. Auditor Grace said that it might be wise to put a minimum bid of \$100 an acre on properties advertised on the website to avoid getting so many low bids.

Commissioner Cooper made a motion to put a minimum bid of \$100.00 an acre on Millard County surplus properties advertised on the county website.

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

Auditor Grace said she will put a copy of the Public Employees Health Plan (PEHP) about the premiums paid by the county's risk pool on file in the Auditor's Office.

Auditor Grace said she has received word from the Office of the State Auditor that Millard County Drainage Districts Nos. One and Three, the Millard County Fire District, Millard County Special District Number 8 and the Millard County Water Conservancy District have not filed the required reports. The state instructed the county to hold funds for these districts until the reports are filed.

Commissioner Walker made a motion to ratify the 2007 Tax Sale that was held on May 24, 2007.

Commissioner Cooper SECONDED the motion. The voting was unanimous and the motion carried. Auditor Grace explained that the surplus money collected at the tax sale was sent to the state as unclaimed properties. Commissioner Smith said he attended the sale and it was handled very professionally by the Auditors Office. He had made a statement at the sale that all the properties sold there do not automatically qualify as a proper building lot and buyers need to be aware that it is their responsibility to find out property information before the sale. Attorney Richard Waddingham said that one parcel was sold with an undivided interest and purchased by one of the co-tenants. The sale does not preclude the other owner with an undivided interest to later

challenge the co-tenant who purchased the property at the sale. He so warned the purchaser at the sale and suggested he may want to retain an attorney to help him with ownership issues.

See Exhibit A (Copy of Tax Sale)

Auditor Grace said Jer'E Brinkerhoff had turned in two invoices from Pahvant Valley Printing for the Fillmore Horse Racing Association. The invoice for the posters was for \$136.42 and \$84.60 for the programs. The Auditor was contacted by the Sheriff Office to see if they should charge for the stand-by ambulance services at the races. (The Commissioners said that the ambulance fee would be waived as part of their commitment to help with the races.)

Commissioner Cooper made a motion to pay the two invoices to Pahvant Valley Printing.

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

The Intermountain Health Care (IHC) billing for long term care was received. The amount for the Fillmore Hospital was \$9,150.24 and \$14,856.78 for the Millard County Care Center.

Commissioner Walker signed the invoice and then made a motion to pay the IHC invoice.

Commissioner Cooper SECONDED the motion. The voting was unanimous and the motion carried. The payment will make the account over budget. Commissioner Walker stated that the Request for Proposals (RFP) for operational long term care center services has been sent out to all private providers.

Auditor Grace said that Todd Mullens, the golf pro, had reported that his cell phone was not working properly. She asked him to hold off getting a replacement phone until the Commissioners made a decision about renewing the cell phone contract with All-tel. The Commissioners and Auditor discussed the contract and called Sheriff Dekker to hear his concerns about phone reception on the west desert. The sheriff said he is agreeable if they continue the contract with All-tel.

Commissioner Walker made a motion to renew the two-year contract with All-tel.

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

A discussion ensued about insurance issues, workers' compensation and possible participation in a wellness program.

HUGH HURLOW-UPDATE ON THE GROUND WATER MONITORING ON THE WEST DESERT

Hugh Hurlow, Mike Lowe and J. Lucy Jordan presented a power point presentation on the west desert ground water monitoring project. They have been involved with the issue for the past three years. The areas of interest were pin pointed on a map. A copy of the map was given to Millard County and it will be on file in the Clerk's Office. The Commissioners expressed their support of the project and thanked them for giving an update on the water monitoring project.

POSSIBLE APPOINTMENT TO THE BOARD OF TRUSTEES FOR MILLARD COUNTY

DRAINAGE DISTRICT NUMBER FOUR

This item was tabled.

PUBLIC HEARING TO HEAR PUBLIC INPUT ON AN ORDINANCE OF MILLARD COUNTY, UTAH TO AMEND THE ZONING MAP OF MILLARD COUNTY BY RE-CLASSIFYING A PORTION OF THE UNINCORPORATED AREA HERETOFORE CLASSIFIED AS AGRICULTURAL TO AGRICULTURAL INDUSTRIAL.

Commissioner Walker made a motion to go into a public hearing to hear input on re-classifying a portion of the unincorporated area heretofore classified as Agricultural to Agricultural Industrial.

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

Commissioner Smith called the public hearing to order at 11:17 a.m. and asked if there were any public comments on the proposed zoning change. Gary Walker, Bob Vivieiros, Brandy Grace, Brandon Bartholomew, Craig Poulson, Jeff Whatcott and Jim Talbot were present.

Gary Walker, Millard County Planner showed the area of the proposed zone changes on a map. He briefly explained the purpose of making the zone change from Agricultural to Agricultural Industrial was to allow the dairy to expand from a level three to a level four animal feeding operation. The dairy wants to expand corrals which will create setback issues with some of the homes in the area. The other property owners have been contracted and encroachment easements have been secured.

Bob Vivieiros, Crossroads Farms said they had come into the area in 1999 with 400 cows not knowing that there would be compliance issues when they purchased 449 more cows from Thomas' Dairy and extended their operation to more than 900 cows. Mr. Vivieiros said that with economics the way they are they need to expand, but in order to expand some changes needed to be made. They have worked out arrangements with their neighbors and obtained easements to allow for the expansion of the number of cows. They will address the issues pertaining to odors, if necessary. They have agreed to buy their neighbors' property at fair market value if any of the owners decide to sell at a later date.

Attorney Richard Waddingham stated that the new easements and covenants will be recorded and run with the land.

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

Commissioner Cooper SECONDED the motion. The public hearing ended at 11:27 a.m..

Commissioner Walker made a motion to approve Ordinance No. 07-06-05, An ordinance of the Millard County Commission amending the Zoning Map of Millard County to Reclassify Certain Property from Agricultural to Agricultural Industrial.

Commissioner Cooper **SECONDED** the motion with discussion. Attorney Waddingham said he had crossed out the words *attached hereto as Exhibit "A" and incorporated herein by reference* referring to the zone change application because it is already public record. State law requires the ordinance be posted in nine public places. He recommended that notices be posted in Delta at the county building, the city building, the posse building, recreation center, ambulance building and fire station and in Fillmore, the old courthouse, the new courthouse and the Sheriff's Office. The law says that an order entered in the minutes of the county commission that an ordinance has been duly published or posted shall be prima facie proof of such publication or posting.

Gary Walker said the Millard County Planning and Zoning Commission has recommended the zone change after going through the criteria in the county ordinance such as: the need of the zone change, the impact on the surrounding area, the distances to certain business centers, access to area traffic patterns, utilities, the impact on water, sanitation and fire.

Clerk Norma Brunson called for a roll call vote. Commissioner Cooper. YES. Commissioner Walker. YES. Commissioner Smith. YES. The voting was unanimous and the motion carried.

PUBLIC HEARING FOR THE PURPOSE OF CONSIDERING AN AMENDMENT TO THE TRANSPORTATION MAP OF THE GENERAL PLAN

Commissioner Cooper made a motion to go into a public hearing for the purpose of considering an amendment to the transportation map of the General Plan.

Commissioner Walker **SECONDED** the motion. The voting was unanimous and the motion carried.

Commissioner Smith called the public hearing to order at 11:30 a.m.. Assessor Jim Talbot, Brandon Bartholomew, Jeff Whatcott, Gary Walker and Craig Poulsen were present.

A copy of the transportation map was publically displayed. Commissioner Smith explained that an annexation in Delta had been added to the map that now shows certain roads as Class C roads. Also shown on the map are the Millard County Class B & D roads that cross Forest Service and BLM ground, the Forest Service roads, the Bureau of Land Management roads and the ATV trails. There are 2,056.18 miles of Class B roads shown on the map. A section of the old highway in Scipio that had not been previously identified as a county road was added.

There were no further comments, Commissioner Walker made a motion to close the public hearing.

Commissioner Cooper **SECONDED** the motion. The voting was unanimous. The hearing ended at 11:35 a.m..

REVIEW AND POSSIBLE APPROVAL OF RESOLUTION NO. 07-06-05C, A RESOLUTION OF MILLARD COUNTY, UTAH TO AMEND THE MILLARD COUNTY GENERAL PLAN TRANSPORTATION MAP(S)

Commissioner Walker made a motion to approve Resolution No. 07-06-05C, A Resolution of Millard County, Utah to amend the Millard County General Plan Transportation Map(s).

Commissioner Cooper **SECONDED** the motion. Clerk Norma Brunson called for a roll

call vote. Commissioner Walker. YES. Commissioner Cooper. YES. Commissioner Smith. YES. The voting was unanimous and the motion carried. The Resolution will be on file in the Clerk's Office. The Commissioners will distribute copies of the map to State and Federal agencies.

PUBLIC HEARING TO HEAR THE ANNUAL REPORT OF MILLARD COUNTY DRAINAGE DISTRICTS NUMBERS ONE THROUGH FOUR

Commissioner Walker made a motion to go into a public hearing to hear the annual report of the Millard County Drainage Districts Numbers One through Four.

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

Commissioner Smith called the public hearing to order at 11:40 a.m.. Present were Craig Poulsen, Assessor Jim Talbot, Auditor Brandy Grace, Brandon Bartholomew and Gary Walker. Commissioner Smith read the annual report of the Millard County Drainage Districts Numbers One through Four:

Millard County Drainage District Number One	
2006 Total Receipts	\$26,858.93
2006 Total Expenditures	\$3,240.31
Book Balance as of 12/31/2006	\$23,618.62

Millard County Drainage District Number Two	
2006 Total Receipts	\$68,217.40
2006 Total Expenditures	\$40,144.86
Book Balance as of 12/31/2006	\$28,072.54

Millard County Drainage District Number Three	
2006 Total Receipts	\$56,439.36
2006 Total Operating Expense	\$24,788.40
Book Balance as of 12/31/2006	\$31,650.96

Millard County Drainage District Number Four	
2006 Total Receipts	\$28,481.85
2006 Total Operating Expense	\$12,311.80
Book Balance as of 12/31/2006	\$16,170.05

Commissioner Cooper made a motion to close the public hearing.

Commissioner Walker SECONDED the motion. The voting was unanimous and the hearing ended 11:44 a.m..

Commissioner Cooper made a motion to accept the annual report of Millard County Drainage District Numbers One through Four.

Commissioner Walker SECONDED the motion. The voting was unanimous and the motion

carried.

Commissioner Walker made a motion to approve the order of the matter of hearing the annual reports of Millard County Drainage District Number One.

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

Commissioner Cooper made a motion to approve the order of the matter of hearing the annual report of Millard County Drainage District Number Two.

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

Commissioner Walker made a motion to approve the order of the matter of hearing the annual report of Millard County Drainage District Number Three.

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

Commissioner Cooper made a motion to approve the order of the matter of hearing the annual report of Millard County Drainage District Number Four.

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

The annual report and orders will be on file in the Millard County Clerk's Office.

REVIEW AND POSSIBLE APPROVAL OF RESOLUTION 07-06-05D, A RESOLUTION BY MILLARD COUNTY BOARD OF COMMISSIONERS APPROVING AN INTERLOCAL AGREEMENT BETWEEN MILLARD COUNTY AND UTAH STATE PARKS AND RECREATION FOR LAW ENFORCEMENT AT THE GUNNISON BEND PARK

Attorney Waddingham said that the interlocal agreement between Millard County and Utah State Parks and Recreation for law enforcement at the Gunnison Bend Park had been signed but not adopted by Resolution.

Commissioner Cooper made a motion to approve Resolution 07-06-05D, A Resolution by Millard County Board of Commissioners approving an interlocal agreement between Millard County and Utah State Parks and Recreation for law enforcement at the Gunnison Bend Park.

Commissioner Walker SECONDED the motion. Clerk Norma Brunson called for a roll call vote. Commissioner Cooper. YES. Commissioner Walker. YES. Commissioner Smith. YES. The voting was unanimous and the motion carried.

REVIEW AND POSSIBLE APPROVAL OF CHANGES TO THE HIRING POLICY IN THE MILLARD COUNTY POLICY AND PROCEDURES MANUAL

This item was tabled until next meeting.

REVIEW AND POSSIBLE EXECUTION OF A CONTRACT WITH STERLING CODIFIERS TO PUT MILLARD COUNTY CODES ON THE WEBSITE

This item was tabled until next meeting.

CONVENE AS THE BOARD OF EQUALIZATION TO HEAR APPEAL NO. 06-1390

Commissioner Cooper made a motion to convene as the Board of Equalization.

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

Present were: Auditor Grace, Assessor Jim Talbot, Brandon Bartholomew, Gary Walker, and Craig Poulsen.

Auditor Grace said first she would like the Commissioners to consider a tax exemption request made by Great Basin Historical Society for the 2007 tax year on the property with serial numbers D-807 and D-808. They were given an application and have been told that it will not be approved until there is a ruling from the state tax commission on their 2006 appeal.

Auditor Grace said it was her understanding that the guidelines set forth by the tax commission is that an exemption does not exist until the owners have applied for a building permit. Great Basin Historical Society contended that tearing down the old building constituted construction.

Commissioner Cooper made a motion to deny the request made by Great Basin Historical Society for a tax exemption status based on the fact that there is no structure.

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

Auditor Grace said that Appeal No. 06-1390 is for Steven Rand and Teresa Martin. They had not filed a Board of Equalization, BOE, application before the September 16 deadline. Teresa Martin claims that the day of the BOE she had called the County Office in Delta but the Auditors had already left. She called the courthouse in Fillmore and was told the message would be given to the Auditors but no one remembers talking with her. The State Tax Commission ruled that the county should hear the appeal. The owners were notified that a Board of Equalization would be held today at approximately 10:45 a.m..

Assessor Jim Talbot said that Teresa Martin had recently come into his office and reported that they had taken down some buildings and it was agreed at that time that the tax would be reduced. It was discovered during the on site visit to the property that the number of the buildings that had been built were more than they had torn down. Assessor Talbot said that he recommended the request be denied.

Commissioner Walker made a motion to deny the request of appeal No. 06-1390 on property with serial number HD 4293 and to uphold the Assessor's recommendation.

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

REVIEW AND POSSIBLE APPROVAL OF A VEHICLE REGISTRATION FEE REFUND TO

JIM NELSON FOR A TOTALED CAR

Millard County Assessor Jim Talbot said that Jim Nelson had requested a refund for a registration that was paid on a vehicle that was totaled the next day. The Commissioners discussed the request for a refund.

Commissioner Cooper made a motion to waive the registration fee and refund the money back to Jim Nelson for the totaled car.

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

Assessor Talbot said that Shawn and Sheila Finlinson's home was destroyed by fire and he would like to recommend that the home be removed from the tax rolls.

Commissioner Cooper made a motion to follow Assessor Talbot's recommendation and take the home of Shawn and Sheila Finlinson off of the tax rolls. The ground will still be taxed.

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

Commissioner Walker made a motion to adjourn the Board of Equalization.

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

RATIFY THE MOTION TO APPOINT KEVIN MORRIS TO THE HINCKLEY-DESERET CEMETERY BOARD

Commissioner Walker made a motion to ratify the appointment of Kevin Morris to the Hinckley-Deseret Cemetery Board.

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

REVIEW AND POSSIBLE APPROVAL OF RESOLUTION 07-06-05A, A RESOLUTION APPROVING AN INTERLOCAL AGREEMENT BETWEEN MILLARD COUNTY AND KANOSH TOWN FOR MILLARD COUNTY BUILDING INSPECTOR SERVICES

Gary Walker, Millard County Planner, said that in the agreement with Kanosh Town, Millard County would get 40 percent of the building permit fee. Kanosh Town would get the other 60 percent. Kanosh Town is considering discounting their 60 percent and returning it back to the owner. A Kanosh Town council meeting will be held this week and a decision will be made on the amount they will charge for a building permit. Gary Walker said that Kanosh Town is currently using an older assessment chart than the county.

Commissioner Cooper made a motion to adopt the resolution approving the interlocal agreement between Millard County and Kanosh Town for Millard County Building Inspector Services.

Commissioner Walker SECONDED the motion. Clerk Norma Brunson called for a roll call vote. Commissioner Cooper. YES. Commissioner Walker. YES. Commissioner Smith. YES. The

voting was unanimous and the motion carried. The Resolution will be on file in the Clerk's Office. REVIEW AND POSSIBLE APPROVAL OF RESOLUTION NO. 07-06-05B, A RESOLUTION BY MILLARD COUNTY BOARD OF COMMISSIONERS EXPRESSING ITS DISAPPROVAL OF THE PROPOSED "VOTER CONFIDENCE AND INCREASED ACCESSIBILITY ACT OF 2007" (HR 811)

Commissioner Walker made a motion to approve Resolution No. 07-06-05B, A Resolution by Millard County Board of Commissioners Expressing its Disapproval of the Proposed "Voter Confidence and Increased Accessibility Act of 2007" (HR 811).

Commissioner Cooper SECONDED the motion. Clerk Norma Brunson called for a roll call vote. Commissioner Cooper. YES. Commissioner Walker. YES. Commissioner Smith. YES. The voting was unanimous and the motion carried. The Resolution will be on file in the Clerk's Office.

REVIEW AND POSSIBLE APPROVAL OF REPAIRS TO THE LUNCH ROOM ON THE COURT SIDE OF THE PUBLIC SAFETY BUILDING-CLERK NORMA BRUNSON

Millard County Clerk Norma Brunson requested that a direct outside exit and entrance door be installed in the jury room in order to provide more safety and privacy to the jurors. She said the approximate cost will be \$4,000. The Commissioners approved money for the door to be put in next years budget. The minor kitchen repairs requested will begin immediately.

OTHER BUSINESS

Lieutenant Jeff Whatcott requested the Commissioners sign the Task Force grant for \$140,000.

Commissioner Cooper made a motion to sign the Task Force grant.

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

Craig Poulsen, USU Extension Agent brought in an agreement requesting the Commission Chairman's signature. The agreement is between Utah State University and Millard County. Attorney Waddingham will review the agreement and it will be put on the next agenda for review and approval.

Mr. Poulsen reported on the steps of how to list noxious weeds. The Utah Noxious Weed Act states that a county legislative body may declare a particular weed or a competitive plant, not appearing on the state noxious weed list, a county noxious weed within its county. Millard County is interested in listing Tamarix and the Russian Olive as noxious weeds. When the noxious weed list is complete, it will be posted on the county's website.

Commissioner Walker made a motion to adjourn the meeting for lunch.

Commissioner Cooper SECONDED the motion. The voting was unanimous and the motion carried. The meeting adjourned at 12:05 p.m..

LUNCH BREAK

Commissioner Walker made a motion to reconvene the regular meeting

Commissioner Cooper SECONDED the motion. The voting was unanimous and the motion carried. The meeting reconvened at 1:30 p.m..

Commissioner Smith announced that the names of Ken Lydon and Lindsay Mitchell have been nominated to serve on the East Millard Swimming Pool Advisory Board.

Commissioner Cooper made a motion to appoint Ken Lydon and Lindsay Mitchell to the East Millard Swimming Pool Advisory Board replacing Kelly Gillins and David Remkes.

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

Commissioner Cooper received a letter from the Forest Service stating they are suspending work on the Fishlake and Dixie National Forests. A United States District Court made a ruling prohibiting the Forest Service from using the 2005 planning rule. The Forest Service Plan Revision is on hold until this issue is resolved.

Commissioner Cooper said the list for Wild and Scenic Designated Rivers is very large in Utah and Corn Creek is still on the list.

Commissioner Cooper received an e-mail from Steve Erickson regarding the USGS BARCASS study. He informed the Commissioners that the media may be contacting them for their reaction to the study.

Commissioner Walker announced that the Governor's Rural Partnership Board meeting in Delta for discussion of economic development issues is tentatively set for July 19, 2007. All the Commissioners were invited.

Commissioner Walker has been contacted by Dave Jackman who would like permission to use the property at the Millard County Fairgrounds for CDL testing. The test takes about 45 minutes and would be done about six times a year. There would be no liability to the county. He does CDL testing in Juab, Sanpete and Sevier Counties. The Commissioners agreed to let Mr. Jackman use the property for CDL testing but it will be subject to the availability of the grounds.

Commissioner Smith received a letter from the Office of the Millard County Sheriff stating pursuant to Millard County Ordinance 2.10.142 and 2.10.143, and Utah Code Annotated 63-5b-401, the interim succession for the Sheriff's Office if the Sheriff is unavailable is as follows:

Captain Forest Roper
Lieutenant Roger Young
Lieutenant Jeff Whatcott
Lieutenant Michael Winget

Commissioner Smith received three copies of the project agreement between Millard County and the Forest Service for road preparation and furnishing and placing magnesium chloride on the Maple Hollow Campground Access Road. The cost of the project is \$5,367.45.

Commissioner Cooper made a motion to approve and execute the contract with the Forest Service for road maintenance. The agreement is a supplement to the Forest Road Agreement Between Millard County, Utah and the Forest Service Master Agreement Dated September 22, 1987.

Commissioner Walker SECONDED the motion. The voting was unanimous and the motion carried. The documents will be sent to the Forest Service for signing. A copy of the document will be on file in the Clerk's Office.

Clerk Norma Brunson announced that she had received notice for the Boundary Commission that the Millard County Planning and Zoning Commission will hold a public hearing on June 6, 2007 on the Crossroads Conditional Use Permit for Crossroads Farms.

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

Commissioner Cooper received a fax from Attorney Adam Trupp, at Utah Association of Counties, about the meeting that was held to find out whether or not the CDC and Public Lands Advisory Council should be consolidated. The consensus of the majority of Commissioners at the meeting was not to combine the two entities and have the legislature fund the CDC and then they will disburse the funds. This plan would help them maintain their confidentiality. The Millard County Commissioners agreed the two entities should be kept separate. Commissioner Cooper expressed his concern that there had been no distinction made from the voting members and the other members on the council. Commissioner Cooper reported that Lynn Stevens resigned from his office last week.

Commissioner Cooper announced that on June 11 at noon, Fillmore City is hosting a celebration for the local National Guard troops that are being deployed from our local area. The public is invited to attend. The courthouse will be closed during the celebration.

Commissioner Cooper, Territorial Statehouse Ranger Gordon Chatland, Mayor David Christensen and Councilman Ken Martin attended a meeting with a representative from the Utah State Parks to discuss ways to enhance the exposure of the Statehouse Museum. The Statehouse Museum is an important historical site and it needs to be advertised more.

Commissioner Walker, Territorial Statehouse Ranger Gordon Chatland, Deb Haveron, Tourism Secretary, and Linda Gillmor, Economic Development/Tourism Director attended the Utah Tourism Conference on May 16-18 in Price. The Conference provided good information for the upcoming year. Salt Lake County Mayor Peter Corroon and Commissioner Walker talked about some of the potential funding challenges faced by the counties.

All three Commissioners attended the Utah Department of Transportation (UDOT) annual

visit to Millard County on May 22. Topics discussed included UDOT projects, programs and available assistance. The need for freeway informational signs near Fillmore was discussed, as well as the needed signage along the Great Basin National Heritage Route.

Commissioner Walker had been excused for the remainder of the month due to the death of her father.

Attorney Richard Waddingham reported he had reviewed the law concerning sales tax increases. He said there are more than one hundred pages of tax amendments to the tax law. He surmised that if the county doesn't pass the quarter sale tax increase by January 1, 2008 then the state will pass it and keep the additional money. If the county later passes the sales tax increase the county would receive the money effective the first day of the next calendar quarter. He will check with Brent Gardner to see if his assumption is correct. Attorney Waddingham recommended that the increase be done as soon as possible.

Attorney Waddingham said he reviewed the contract that the Brinkerhoff family has with Millard County leasing the property where their horse barn is located. According to the contract the Lessee, the Brinkerhoffs, should have their premises insured and name the Lessor, Millard County, as an additional insured. The insurance needs to be in effect until the contract expires in 2019. The race track and other fairgrounds are covered by Millard County according to Commissioner Cooper. The Brinkerhoff family will be contacted to see if they have liability insurance on the leased property and their buildings.

Commissioner Smith attended the Mental Authority Board meeting on Wednesday, May 30, 2007. The State of Utah had allocated them more state money. The formula they use for the counties to match is 20 percent based upon population. Millard County's portion of the Central Utah Counseling Center is 18.52 percent and with the added money the increased match for next year will be \$2,552.90 for mental health and \$1,840.83 for substance abuse. Also proposed was some DORA money and some one time money provided by the state. The counties will match that amount by 10 percent, an increase of \$4,629.85 in next year's budget. Higher percentage proposals had been made but they were rejected.

Commissioner Smith said that Millard County Special Service District Number 8 would like to amend its bylaws. They are allowed to make amendments as long as there is one Commissioner at their meeting. They have some proposed bylaws for Attorney Waddingham to review which include a change from the current travel reimbursement rate to the federal reimbursement rate or to set a fixed amount.

Commissioner Smith showed the Commissioners a group of pictures of the IPP Road taken by County Road Supervisor Thayne Henrie. The pictures show the bad shape the base is in. The road has a lot of traffic including heavy trucks. The estimated cost to chip seal the road is \$200,000. The money had not been budgeted for and the project may be done as a capital project. They will ask IPP if they want to help with the project. The road is used by heavy trucks and will not be used by heavy trucks in the future as there will be a weight limit restriction on the road.

Copies of the road pictures will be on file in the Clerk's Office.

Commissioner Smith thanked all the people who helped with the Millard County Jr. Livestock Show. It was a really good show and the local youth did very well at the show. There were many out of county youth participating in the show.

PUBLIC INPUT

There was none.

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

Commissioner Walker made a motion to go into an executive closed session to discuss personnel issues regarding payroll increases.

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

Commissioner Cooper made a motion to approve the pay raises for employees from the West Millard Swimming Pool and West Millard Maintenance that were discussed in the closed executive session.

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

WHERE UPON THE MEETING ADJOURNED

Commissioner Walker made a motion to adjourn the meeting.

Commissioner Cooper SECONDED the motion. The voting was unanimous and the meeting adjourned at 2:35 p.m..

Attest: _____

Approved: _____

2007 Tax Sale Reconciliation

05/24/2007

Parcel #1:	HARMON, RORICK OR CLEA	Taxes: \$	89.76
O-SS-538		Administrative Costs:	100.00
0077389	LOT 538, SHERWOOD SHORES SUBDIVISION .11 AC	Advertising Cost:	40.00
		Cost of Deed:	2.00
	SOLD TO: James K Slavens & Melanie Slavens JT	Recording Fee:	10.00
	PO Box 752	Minimum Bid: \$	241.76
	Fillmore UT 84631	Surplus:	758.24
		TOTAL PAID: \$	1,000.00
Parcel #2:	MONTAGUE, KIM	Taxes: \$	126.43
CD-2-9		Administrative Costs:	100.00
0148263	LOT 9, BLK 2, CLYDE'S DELL SUBDIVISION.	Advertising Cost:	40.00
	BEING IN HINCKLEY TWN SVY 1.00 AC	Cost of Deed:	2.00
		Recording Fee:	10.00
	SOLD TO: Robert Law	Minimum Bid: \$	278.43
	PO Box 252	Surplus:	3,721.57
	Delta UT 84624	TOTAL PAID: \$	4,000.00
Parcel #3:	PETERSON, GEORGE CLIFFORD	Taxes: \$	544.93
1968		Administrative Costs:	100.00
#0002148	BEG 3.75 CHS E SE COR SW1/4 SW1/4 SEC 18,	Advertising Cost:	40.00
	T18S, R2W, SLM, N 73^45' E 30 CHS, S 1 CH,	Cost of Deed:	2.00
	N 70^05' E 11 CHS, S 10.88 CHS, W 39 CHS TO BEG.	Recording Fee:	11.00
	LESS BEG 242.2 FT S & 1081.5 FT E FR SW COR	Minimum Bid: \$	697.93
	SD SEC 18, S 11^16' E 557 FT, N 86^34' E 574 FT,	Surplus:	0.00
	S 8^03' E 265.5 FT, S 89^58' E 1736.3 FT, N 0^26' E	TOTAL PAID: \$	0.00
	265.5 FT, N 89^58" E 668.9 FT, N 0^23' E 984.5 FT,		
	S 74^W 710.6 FT, S 74^51' W 746.5 FT, S 75^11' W		
	738.5 FT, S 73^16' W 1067 FT TO BEG.		
	SOLD TO: No Bids		
	Parcel struck to Millard County		
Parcel #4:	FOSTER, LYLE 1/6 INT	Taxes: \$	65.02
8545		Administrative Costs:	100.00
#0040403	S1/2 NE1/4 SW1/4 SEC 18, T24S, R41/2W, SLM.	Advertising Cost:	40.00
	LESS SW1/4 S1/2 NE1/4 SW1/4 SEC 18. 15 AC	Cost of Deed:	2.00
		Recording Fee:	11.00
	SOLD TO: Adam B. Remkes	Minimum Bid: \$	218.02
	25 N 300 W	Surplus:	731.98
	Fillmore UT 84631	TOTAL PAID: \$	950.00

Parcel #5:	WILLIAMS, PAUL	Taxes: \$	76.94
DES 131		Administrative Costs:	100.00
09588	LOT 131 DESERET ESTATES, UNIT ONE, IN SEC 36, T18S, R8W, SLM. .21 AC	Advertising Cost:	40.00
		Cost of Deed:	2.00
		Recording Fee:	10.00
	SOLD TO: Ilene R. Oliver	Minimum Bid: \$	228.94
	476 S 940 W	Surplus:	0.00
	Orem UT 84058	TOTAL PAID: \$	228.94

Parcel #6:	WILLIAMS, PAUL	Taxes: \$	76.94
DES 132		Administrative Costs:	100.00
44742	LOT 132, DESERET ESTATES, UNIT ONE, IN SEC 36, T18S, R8W, SLM. .20 AC	Advertising Cost:	40.00
		Cost of Deed:	2.00
		Recording Fee:	10.00
	SOLD TO: Ilene R. Oliver	Minimum Bid: \$	228.94
	476 S 940 W	Surplus:	0.00
	Orem UT 84058	TOTAL PAID: \$	228.94

Parcel #7:	WINSOR, BERNICE L & JACOB H	Taxes: \$	293.38
4730		Administrative Costs:	100.00
105883	NE1/4 SE1/4 SEC 23, T17S, R8W, SLM. 40 AC	Advertising Cost:	40.00
		Cost of Deed:	2.00
		Recording Fee:	10.00
	SOLD TO: J.S.S.S. Inc.	Minimum Bid: \$	445.38
	489 E Hillview Dr.	Surplus:	1,754.62
	Cedar City UT 84720	TOTAL PAID: \$	2,200.00

TOTAL PAID	\$	8,607.88
-------------------	-----------	-----------------

Taxes:	728.47
Administrative Costs:	600.00
Advertising Cost:	240.00
Cost of Deed:	12.00
Recording Fee:	61.00
Surplus:	6,966.41

Distribution of Funds	
Millard Co. Treasurer (Taxes Paid) \$	728.47
Millard Co. Auditor (Admin. Costs)	852.00
Millard Co. Recorder (Recording Fees)	61.00
State of Utah (Surplus Property)	6,966.41

TOTAL DISTRIBUTION:	\$	8,607.88
----------------------------	-----------	-----------------

