

MINUTES OF BOARD OF COUNTY COMMISSIONERS  
MILLARD COUNTY THE 18TH DAY OF SEPTEMBER 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: Sarah Kimball. . . . . Manager First American Title Company  
Mayor Gayle Bunker. . . . . Delta City  
John Hansen. . . . . Millard County Treasurer  
Brandy Grace. . . . . Millard County Auditor  
Sandra Willoughby. . . . . Delta Citizen  
Geraldine L. Church . . . . . Fillmore Citizen  
Bryant Anderson. . . . . Commercial Business Radio LLC  
Matt Zeigler. . . . . Millard County Building Department  
Gary Walker. . . . . Millard County Building/Planning Department  
Doris Rasmussen . . . . . Fillmore Citizen  
Mayor David Christensen . . . . . Fillmore City  
Connie Hansen. . . . . Millard County Recorder  
Jim Beckstrand. . . . . Hospital Administer Fillmore & Delta Intermountain Health Care  
Debra Arnold . . . . . Millard County Deputy Recorder  
Nancy Schmit. . . . . Millard County Care Center  
Angela Corbett. . . . . Millard County Care Center  
Rae Ellen Massa . . . . . Millard County Care Center LPN  
Selena Thayne. . . . . Millard County Care Center Cook/SSD  
Dean Draper. . . . . Millard County Chronicle Progress  
Ron Hare . . . . . Fillmore Citizen  
Craig Grose . . . . . Physician Fillmore Clinic  
Becky Grose . . . . . Fillmore Citizen  
Jolene Johnson . . . . . USU Extension  
Jim Stevens . . . . . USU Extension  
Bill N. Wright . . . . . USDA Forest Service

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 September and October 2007.

#### PUBLIC WAS WELCOMED

The meeting began at 10:00 a.m. after a brief welcome by Commissioner Smith to the public and Commission members.

#### OPENING STATEMENTS

Commissioner Smith offered the opening prayer. Everyone stood and said the Pledge of Allegiance to the Flag.

#### FOLLOW UP ACTION ITEMS FROM MINUTES OF SEPTEMBER 4, 2007

Commissioner Walker said Millard County's name had not been taken off the billings from Delta City and Rocky Mountain Power for the old care center until recently. Delta City is holding a bill for \$5,000 that should have been for White River Academy. Millard County will forward the bill to the academy. The September billing in the amount of \$663.00 should be going directly to White River Academy.

#### APPROVAL OF THE AMENDED MINUTES OF SEPTEMBER 4, 2007

Commissioner Cooper made a motion to approve the amended minutes of September 4, 2007.

Commissioner Walker SECONDED the motion. The voting was unanimous.

#### AUDITORS REPORT

Auditor Brandy Grace said the Commissioners had approved the Check Edit Report of September 7, 2007 and gave them the September 14, 2007 Check Edit Report to review and sign.

Auditor Grace gave the Commissioners various invoices to review and approve for payment through the Auditor's Office. The August long term care bill from Intermountain Health Care for \$20,172.12 has been received for the swing beds because some of the July appropriation for the swing beds went toward long term care.

An invoice from Randy Johnson for \$1,000.00 was received. Mr. Johnson is helping Millard County with their land use plan and general plan. The Commissioners authorized payment.

Auditor Grace said that when the Millard County Fair Director went to pay the advertisement bill at the Chronicle Progress last year's bill was given to her also. Payment of last year's bill will put them over budget as this should have been paid out of last year's budget. Late billings by the newspaper have been discussed with two reporters from the Chronicle Progress according to previous commission minutes. The Commissioners requested that Auditor Grace send the

newspaper a letter informing them that prompt billing to the county during the current year would be appreciated. The bill for last year for \$476.00 will be paid. The letter should be attached to the minutes for future reference.

The Commissioners approved the following three days for Millard County Offices to be closed. Employees will be able to take time off using vacation time or they may work those days.

Friday, November 23 the day after Thanksgiving day.

Monday, December 24 Christmas Eve

Monday, December 31 New Years Eve

The Clerk's Office will send a notice to be published in the newspaper.

Treasurer John Hansen, Auditor Grace and the Commissioners agreed to hold the budget hearing on December 6, 2007 at 7:00 p.m. in the Commission Chambers in Fillmore. The final budget will be approved on December 18, 2007 at Commission Meeting.

Commissioner Walker made a motion to grant a 45 percent hardship abatement for Barney Davis based on income.

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

Commissioner Walker made a motion to grant a 50 percent hardship abatement for Kent Devers based on his income and number of people in the household. The property serial number is D 745-1.

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

Commissioner Walker made a motion to give a 25 percent hardship abatement for JoAnn Turner based on her income and number of people in her household. The property serial number is K-1780.

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

Treasurer John Hansen said the county is ready to prepare the tax rolls and asked what the Commissioners had decided on a military abatement for members deployed in Iraq. The issue of giving a military tax abatement was discussed and there is nothing in the law that allows a legislative body to abate the taxes before they are due, just after they are delinquent. No action was taken.

#### BRYANT ANDERSON- COMMERCIAL BUSINESS RADIO LLC CONTRACT RENEWAL

Bryant Anderson, owner of Commercial Business Radio LLC, said the contract is basically the same except for changes in the Sheriff's Office. The old mobiles were replaced with new mobiles and they will be on a one year factory warranty so there will be no maintenance on them. Some of the pagers were taken off the list and there has been a reduction of annual checkups. The

total amount of the contract for 2008 will be \$40,538.00 compared to \$44,504.00 in 2007. Last year the mobile videos were purchased and they are sent back to the factory for repairs as needed.

Commissioner Cooper made a motion to approve renewal of the maintenance contract for \$40,537.00 with Commercial Business Radio LLC, Bryant Anderson owner.

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

POSSIBLE ADOPTION OF ORDINANCE 07-09-04, AN ORDINANCE OF THE MILLARD COUNTY COMMISSION AMENDING TITLE 5, CHAPTER 2, SECTION 5 OF THE MILLARD COUNTY CODE ENTITLED "ADEQUATE WATER SYSTEM REQUIRED" BY ADDING A NEW SECTION 5-2-5C; AMENDING THE MILLARD COUNTY CODE ZONING REGULATIONS BY AMENDING SECTION 10-1-4, "DEFINITIONS"; SECTION 10-3-4 "COUNTY COMMISSIONERS' HEARINGS;" SECTION 10-9-2, "MORE THAN ONE PRINCIPAL STRUCTURE ON A LOT;" AND SECTION 10-10-4, "PERMITTED SIGNS IN CERTAIN ZONING DISTRICTS."

Commissioner Walker made a motion to approve the Adoption of Ordinance 07-09-04, an Ordinance of the Millard County Commission Amending Title 5, Chapter 2, Section 5 of the Millard County Code Entitled "Adequate Water System Required" By Adding a New Section 5-2-5C; Amending the Millard County Code Zoning Regulations by Amending Section 10-1-4 "Definitions"; Section 10-3-4 "County Commissioners' Hearing"; Section 10-9-2, "More Than One Principal Structure on a Lot;"; And Section 10-10-4, "Permitted Signs in Certain Zoning Districts."

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.

POSSIBLE ADOPTION OF AN ORDINANCE OF THE MILLARD COUNTY COMMISSION ENACTING A COUNTY SALES AND USE TAX

Two public hearings will be held to take public comment on a proposed County Option Sales and Use Tax of .0025 (1/4 of 1 percent) in addition to the sales and use tax currently in effect.

- Wednesday, September 26, 2007 at 6:00 p.m. at the Millard County Commission Chambers located at 50 South Main St, Fillmore, Utah.
- Thursday, September 27, 2007 at 11:00 a.m. at the Millard County Offices located at 71 South 200 West, Delta, Utah.

A Millard County Ordinance enacting a county sales and use tax will be voted on in a special Commission meeting on Thursday, September 27, 2007 at 12:00 noon.

REVIEW AND POSSIBLE APPROVAL OF THE NON PLAT SUBDIVISION FOR CRAIG GREATHOUSE APPROVED BY THE PLANNING COMMISSION AT THEIR SEPTEMBER 5, 2007 MEETING. LEGAL DESCRIPTION: NE QUARTER OF THE NE QUARTER OF SECTION 28, T18S, R7W, 1320' WEST, 1320' SOUTH, 1320' EAST, 1320' NORTH

Gary Walker explained that this is a forty-acre parcel that is owned by Craig Greathouse lying north east of Deseret off Hwy 257. This is a correction of a division that took place prior to getting approval from the Millard County Planning and Zoning Commission. Nine acres have been sold to Dallin

Dutson who is building a new home. Mr. Dutson came in for a building permit and the split was discovered. He has obtained a waste water permit and a water right and well permit is in the process with temporary approval. The lot has sufficient frontage on 2500 South a.k.a. Cropper Lane, and he has made arrangements with Rocky Mountain Power for electricity. The first time this proposed non plat subdivision went before the Millard County Planning and Zoning Commission to be divided into building lots it was not approved. Upon re-application it was approved.

Commissioner Walker made a motion to approve a non plat subdivision for Craig Guesthouse and authorized Commissioner Smith to sign the affidavit and certificate of a non plat subdivision for recording.

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

#### PUBLIC MEETING TO RECEIVE PUBLIC COMMENT ON A PROPOSAL TO DISCONTINUE FUNDING THE SWING BEDS FOR THE LONG TERM CARE AT THE FILLMORE COMMUNITY MEDICAL CENTER, EFFECTIVE JANUARY 1, 2008

Commissioner Smith opened the public meeting at 11:06 a.m. and asked that people come to the microphone and keep their comments to the subject of the proposal to discontinue funding for the swing beds at the Fillmore Medical Center. The Commissioners have talked with Intermountain Health Care about this proposal and thanked Jim Beckstrand, Administer of Delta and Fillmore Medical Center for being at the meeting.

**Sandra Willoughby** asked why the meeting was only noticed on three doors in Delta?

**Attorney Richard Waddingham** said that when the decision to hold a public meeting was made there wasn't time to get a notice in the newspaper. A notice was posted on the county's website and in public places on both sides of the county.

**Sandra Willoughby** said that she was told by Commissioner Smith at a ball game weeks ago that there would be public hearings held. She asked if they were going to advertise the care center public hearings in the same manner?

**Commissioner Cooper** said he had made a motion in Commission meeting to hold the public meeting to get public input on the swing bed issue. A decision will not be made today and they will talk again with John Hoops, Regional Director of Intermountain Health Care before a decision is made.

**Commissioner Smith** said that this is not a public hearing, but a public meeting scheduled on the Commission agenda. We feel we have tried the best we could.

**Attorney Waddingham** said that normally the type of notice that was provided isn't required. We felt the issue was important enough to try and provide the best notice possible.

**Sandra Willoughby:** I think that you don't want the public here or you would have put notice in the paper.

**Doris Rasmussen** asked if they take the swing beds out of the Fillmore Medical Center will it still be viable? Aren't the swing beds what is keeping the hospital afloat?

**Commissioner Smith** said you would have to ask Intermountain Health Care that question. Millard County has had numerous discussions with Intermountain Health Care's John Hoopes and Jim Beckstrand. Right now Millard County is subsidizing those beds and if the county decides not to continue then it would be Intermountain Health Care's decision whether or not they keep those beds open. It is something Intermountain Health Care would look at and it would be their decision.

**Doris Rasmussen** said that back when there wasn't a hospital we worked hard to get this one and we don't want it to close. The county chose to build an overly sized facility in Delta but people in Fillmore do not want to put their loved ones over there, they want to keep them here. All the people need a voice in this matter. It looks like if all the people are put over there then we are going to have to suffer over here.

**Jim Beckstrand**, Administrator Delta and Fillmore Medical Care Center said that the decision for swing beds at the Fillmore facility is not a decision and not within the responsibility of the Millard County Commission to determine whether that service is offered or not. That responsibility is with the Intermountain Health Care and the local hospital trustees. Intermountain Health Care will continue regardless of what decision is made by the board of Commissioners with respect to the subsidy amount that has helped over all these years. It has not kept Fillmore in the black, but it has helped so the bottom line loss was not as great and that is of public record. If the subsidy for the swing beds does go away, Intermountain Health Care will continue to provide the service of swing beds and extended care to the citizens. That doesn't mean the service will be there forever as there are no guarantees about that in the health field. The use of the beds will be looked at on an annual basis.

**David Christensen**, Fillmore City Mayor said he appreciates the Commissioners holding the meeting, but would have liked to see more advertising. With the depleting of county funds, it is critical that something needs to be done. On the other hand a medical facility is needed in Fillmore and this side of the county. Whether or not Millard County decides to subsidize it, the overall program needs to be looked at and if they need funding to help, we need to take a look at that. He encouraged other meetings to be held on this subject. As a whole the county cannot afford to continue to put a million dollars in the management of the Millard County Care Center and a new style of management may be needed as the reserve may be gone.

**Commissioner Smith** said one of the issues in his mind is that funding the swing beds at Fillmore is part of the contract Millard County has with Intermountain Health Care for long term care. If the

county chooses not to fund the swing beds then a new contract would need to be negotiated.

**Commissioner Walker** said that John Hoopes, Regional Operations Manager has said that if Millard County doesn't continue to fund beds it doesn't necessarily void the contract with Millard County. If the decision to not fund the bids in Fillmore does void the contract, Intermountain Health Care is still willing to work with Millard County.

**Dr. Criag Grose** said that if Millard County is choosing to not fund the beds then they should know whether Intermountain Health Care is in favor of it. Millard County and Intermountain Health Care should meet and discuss the issue rather than withdraw the funding and then find out later what has happened. The Commissioners said they plan to meet with Intermountain Health Care again to discuss the issue. They don't think this decision will put the hospital in jeopardy.

**Dr. Grose** said that if the funding is withdrawn Medicare and Medicaid probably won't come up with more money to fill the gap, so where will the money come from? Intermountain Health Care will have to make a decision where this money is going to come from. These are questions that need to be answered before the funding is withdrawn.

**Commissioner Cooper** said he had been concerned about this issue for a long time as the county has been withdrawing a lot of funds and using reserves for long term care in the county. He wants what is best for the citizens in Fillmore. In a way the county has competed with itself in regards to the Millard County Care Center and the swing beds at the Fillmore Medical Center. He believes that because this is a critical care center, Intermountain Health Care makes it whole every year. There may be a federal program to help facilities of this type to be made whole with federal funding.

**Dr. Grose** said in regards to the Fillmore Medical Center and health care in general it is important to remember what business we are in within the county. If we are in the health care business and taking care of the elderly then a decision should be made on a quality of care basis. If we are in the financial business then our decision should be based solely on a financial basis. National standards have been set by doing studies that say as you increase quality of care per patient you also save money. That seems to apply to every aspect of healthcare that Intermountain Health Care and he as a physician are involved in. If you lower the quality of care and base decisions solely on financial reasons, it ultimately costs more because of disease control, complications, litigations and decreased interest in populating these facilities. All these questions need to be answered before we withdraw financial backing to the hospital for the long term care. They need to ask first and not after the fact. He said he had expressed these opinions in a newspaper editorial.

**Virginia Josee**, Administrator Pahvant Senior Citizens Center and Chaplin for Intermountain Health Care would like the back ground information on the contract between Millard County and Intermountain Health Care.

**Jim Beckstrand** said that the contract is a document that has evolved over many years.

**Ron Hare**, a former member of the Fillmore Hospital board, said that at the time he served on the

board, the old hospital was outdated and a new facility was needed. Intermountain Health Care was approached about building a facility in Fillmore, Delta and Mt. Pleasant. It was known then that the facility probably would not be able to operate in the black with the current occupancy rate plus pay for the facility. Negotiations were made with the Millard County Commissioners and Fillmore City Council at that time to come up with a way to get the facility here so a hospital in the area would not be lost. The local hospital board, the Intermountain Health Care board working through Utah Valley and the Commissioners at the time devised a plan that the County would help subsidize care at the Fillmore Hospital to help guarantee they could get a new facility in the area. The idea of the swing beds came later. The contract has evolved further over the past twenty years.

**Treasurer John Hansen** said the funding at that time came out of two special districts that were created known as the East and West Hospital Districts.

**Jim Beckstrand** said there exists right now a contract between Intermountain Health Care and Millard County. The bulk of the contract is the management of long term care services in Millard County, essentially managing the new Millard County Care Center and a portion of the coverage of expenses with the swing beds in Fillmore. Because of the logistics and other factors, it didn't make sense to build two facilities in Millard County. The Fillmore Medical Center is licensed as an acute care hospital basically taking care of acute patients for a three or four day stay. They have a provision of their license to accept swing beds which are skilled nursing care, which is a step down from acute care. This allows the hospital to keep patients who continue to need assistance but don't fit the requirements of an acute care stay. Medicare will pay for the patients to receive a specified number of days a year. The stay of the patient is extended out to enable them to recoup and rehabilitate in order to go back home. The hospital is not licensed as a long term care facility but the Millard County Care Center is licensed as a long term facility. The subsidy for the swing beds is what is in question today. For patients who need longer care, they either are on a private pay basis or state medicaid pays for them. State Medicaid will only pay so much per patient per day. The reimbursement does cover the fixed cost of taking care of patients and it is that overage of costs that is the basis of the contract with Millard County. This allows the hospital to take care of these patients and makes it possible for Intermountain Health Care to provide this service. There has been a long-standing contract and partnership with the county in regards to subsidizing the swing beds. The Commissioners are looking at this piece of the contract because they are wondering if they can afford to continue to fund it. The subsidy helps to soften a negative net operating income. If that goes away then Intermountain Health Care will take a look at the situation and see if they can absorb the additional costs. It does not automatically mean the service will stop. They will work through the problems each year. If the subsidy is discontinued then the contract is violated and so Intermountain Health Care will have to sit down with Millard County and discuss those issues. Intermountain Health Care doesn't receive a fee to manage the Millard County Care Center. The MCCC employees belong to Intermountain Health Care and not Millard County. This decision will affect them. Fillmore is a twenty-bed facility and 12 beds are set aside to be used as skilled or extended beds. The twelve beds are reimbursable by the county, if they are full. The agreement has worked well over the years.

**Doris Rasmussen** said that if it wasn't for the swing beds, the hospital wouldn't have made it.



**Jim Beckstrand** said that it can be up to \$150,000 a year and yes, it has been very important. It helps keep our employees working.

**Dr. Grose** asked if there is a federal funding program to help the hospital?

**Jim Beckstrand** said a critical access hospital must meet certain definitions and guidelines and certain geographical distances one from another, and no more than twenty-five beds. Both Delta and Fillmore Hospitals are classified as critical access hospitals making them eligible for reimbursement of Medicare patients at 101 percent of charges. This insures survival for the smaller hospitals throughout the county. This allows the hospital opportunities through cost reporting to be able to receive the 101 percent reimbursement and keep the doors open to the facility. All third parties do not reimburse at this rate.

**Commissioner Cooper** said that it had been reported that there is a federal program helping to keep critical care facilities whole.

**Mr. Beckstrand** said that the Commissioners need to make sure they are getting good information in regards to hospital regulations. It may take two to three years for the cost reports to settle.

**Dr. Grose** asked who pays for long term care and the swing beds?

**Jim Beckstrand** said that long term care is not paid for by Medicare. They either are private pay or Medicaid patients. If the county withdraws its funds, it will have nothing to do with the critical access status.

**Ron Hare** asked the percentage of Medicare and Medicaid patients in the Fillmore Medical Center.

**Jim Beckstrand** said that the Medicare and Medicaid volume runs about 48 percent and of that Medicaid would be right around 24-26 percent.

**David Christensen** said he has also served on the old Fillmore Hospital board and has traveled all over looking at other facilities. He encouraged Millard County to go through all the past commission minutes and read what commitments the county had made in regards to the Fillmore Hospital and if they are long-lasting commitments that you can't get out of.

**Commissioner Cooper** said that many different contracts have been signed through the years with updated commitments.

**Richard Waddingham**, Millard County Attorney said that it would be a wise decision for Millard County and Intermountain Health Care to get together and discuss the issue before a decision is made.

**Sandra Willoughby** said that there is a way for the county to make money. They could open up the Millard County Care Center to assisted living. There are two halls in the facility locked off right

now.

**Becky Grose** said she has a mother in MCCC. She asked in regards to the Fillmore Hospital, is it possible to put a tax increase on the November ballot because it has outgrown its budget? Are there other options out there that can be addressed instead of just cutting services and benefits?

**Commissioner Cooper** said the county has a shrinking budget and approximately two million dollars of reserve money has already been used. The IPP 3<sup>rd</sup> unit that was planned to be built will not be built. We would like to provide these services but we may not be able to afford to do so. We may have made a mistake by not advertising the meeting more, but we are not making a decision right now. We have been working to find a solution for two years.

**Commissioner Cooper** said there will be two public hearings on the MCCC and they will include the swing bed issue at those hearings. There will be a hearing in Fillmore and one in Delta.

**Commissioner Walker** in response to Becky Grose's comment about a tax increase on the ballot said it was too late to get it on the ballot for the general election this year.

*The comments not made at the microphone were sometimes inaudible on the tapes.*

**Sandra Willoughby** suggested maybe they should take donations for the long term care.

**Becky Grose** suggested the option of an adult day care or maybe a rehabilitation center as different ways to make funds utilizing the care center.

**Commissioner Cooper** said that 70 percent of the property taxes in the county are paid by one entity as a centrally assessed property and it has been depreciating at a rapid rate. Only 30 percent of the property taxes are from locally assessed properties. With the depreciation of IPP the centrally assessed tax shift is created making its taxes going down while the locally assessed taxes have gone up 80 percent. Two thirds of all property taxes collected go to the school district.

**Sandra Willoughby** asked, "Why was a 7.3 million-dollar building built and why wasn't a 40-bed facility built instead of a 60-bed facility?"

**Commissioner Cooper** said that public hearings had been held before the MCCC was built and inquired as to why she had not attended those hearings.

**Commissioner Walker** said that Traditional Health Care was the only company that responded to the notice of bid for management of the MCCC. Intermountain Health Care did not put in a new bid. There have not been any legal agreements made with Traditions Health Care and only one meeting has been held with them to discuss their operating plans.

**Becky Grose** asked if it were possible for the National Health Service to help with funding?

**Dr. Grose** said that disagreeing on a political subject doesn't mean there is no respect or dislike.

He appreciates the Commissioners holding the public meeting.

**Rae Ellen Massa**, nurse at the Millard County Care Center said when she saw the notice at MCCC about the meeting today she had asked herself, “Why now?” When the Commissioners were elected, and also at all the meetings that this subject has come up, we were told that to withdraw funds from the Fillmore Hospital would not be an option. What has changed in the last two months to make you change your minds? If the answer is dollars then what is the amount?

**Commissioner Smith** said that he doesn’t remember making the statements that you (Mrs. Massa) referred to. In answer to her question of why now, he stated that there are no longer funds available. For the last three years the county has budgeted \$500,000 for long term care in the county and have spent between \$700,000 and \$800,000 each year. This has been reviewed each year and we can’t afford to continue to do this. Last year the estimated budget was \$700,000 but it was anticipated that some positive things would happen with long term health care and so \$500,000 was budgeted and they spent a million dollars. The county is in a situation to tighten everything in our budget. In talking to IHC they are not able to know how to control the costs of the MCCC. The suggestion is that we need to fill the center, but the question is, how do we get it full? These issues have been discussed for two years.

**Rae Ellen Massa** asked why the senior citizens should suffer because they are the ones who sacrificed and built this county. Why should their care be compromised? Aren’t there other areas in the county that can be cut and help the elderly get the things they are entitled to have? The recreation budget or other areas should be trimmed so the elderly get the care they need.

**Commissioner Cooper** said that the county has made the commitment that whatever decision is made it will be in the best interest of the county and its citizens. We do not want to give less care than has been given in the past. Every budget in the county is being considered. It comes down to two things we cut either employees or services. We are trying not to cut employees because they are the lifeblood of the people who live here. We are trying to prioritize services.

**Becky Grose** asked if the MCCC has been advertised outside of the county in an effort to fill beds?

**Nancy Schmid** said that the MCCC has been advertised outside the county.

The public meeting ended at 12:23 p.m..

#### REVIEW AND POSSIBLE APPROVAL OF A BUSINESS LICENSE FOR SCIPIO STORAGE-OWNERS CLINTON AND DONNA QUARNBERG

Commissioner Cooper made a motion to approve a business license for Scipio Storage-Owners Clinton and Donna Quarnberg.

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

## POSSIBLE APPROVAL OF A QUIT CLAIM DEED FROM MILLARD COUNTY TO GLEN J. WAHLBERG AND PATRICIA WAHLBERG

Commissioner Walker made a motion to approve the execution of a Quit Claim Deed from Millard County to Glen J. Wahlberg and Patricia Wahlberg.

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

## POSSIBLE APPOINTMENT OF TAMERA LANE AND DELL ASHBY TO THE MILLARD COUNTY HOUSING AUTHORITY BOARD

Commissioner Walker made a motion to appoint Tamera Lane and Dell Ashby to the Millard County Housing Authority Board.

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

## OTHER BUSINESS

Attorney Richard Waddingham said First American Title Company has a contract with Millard County for three licenses to be used in its offices in Fillmore and Delta. They would like to propose that all of its offices have access to the county's records. This would help expedite their title work in Millard County. Recorder Connie Hansen agrees that this agreement is acceptable to her. At the end of the year the contract will be reviewed and adjustments will be made if necessary.

Commissioner Cooper made a motion to approve a computer access agreement for public records between Millard County and First American Title Company f.k.a. Security Title Company.

Commissioner Walker SECONDED the motion and asked for a discussion. If another title company requests the same type of arrangement, it would have to be granted an agreement through the same process. The voting was unanimous and the motion carried. The motion will be ratified at the next Commissioner meeting.

Commissioner Walker made a motion to break for lunch.

Commissioner Cooper SECONDED the motion. The voting was unanimous and the motion carried. Lunch break began at 12:35 p.m..

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 1:55 p.m..

Commissioner Walker made a motion to approve the project agreements between Millard County and U.S. Forest Service for road maintenance at \$14,140.00 and MagChloride for \$38,706.00.

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

Commissioner Walker made a motion to approve payment to Intermountain Health Care for \$20,172.12 for the month of August based on the current contract with Intermountain Health Care.

Commissioner Cooper SECONDED the motion. The money will be transferred from another department as this line item is over budget. If there was not money available then they would have to go through the process to open the budget which will be done at the end of the year. The voting was unanimous and the motion carried.

Commissioner Cooper reported on a letter from SITLA about the re-seeding project on the Milford Flat fire.

Attorney Waddingham reported he had received an Order of Dismissal on the Howard Johnson case. A copy will be on file in the Clerk's Office.

Clerk Norma Brunson reported that one of the Clerk's had received a nice letter from an attorney thanking her for going the extra mile correcting a problem they had.

The Commissioners made a decision to advertise the custodial positions for facilities on the east side of the county.

Attorney Waddingham had received a request seeking the county's approval or disapproval of a land transfer of 775 acres to the Kanosh Band of Paiute Indians. The Commissioners could find no reason to protest the sale.

Jolene Johnson and Jim Stevens from the USU Extension were present. Jolene Johnson came before the Commissioners seeking Commissioners approval for the department to purchase a used vehicle. They have found a 2002 Pontiac with 60,000 miles for \$6,500.00. They have money in their budget to cover the expense. The Commissioners gave their approval. Jolene Johnson gave a brief report on 4-H activities, projects and upcoming classes. A request for a salary adjustment for Shayla Dansie was made. She should have received the increase some time ago. The Commissioners will discuss this issue in the closed session held later in the meeting.

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

Commissioner Cooper attended the Second Annual Native American Summit in Cedar City. There were five tribes represented at the summit as well as Lt. Governor Gary Herbert and county commissioners.

On September 5, 2007, all three Commissioners attended the Natural Resource Coordinating Council meeting in Torrey, with updates and reports from the Legislators. The Commissioners visited the fish hatchery in Wayne County. A tour of the Bison Resource Allotment on the Henry Mountains was cancelled because the roads were washed out.

Commissioner Walker attended a portion of the Economic Development Technical

Committee retreat in Delta. Linda Gillmor, Millard County Economic Development Director acted as host for the Six-County meeting.

All the Commissioners attended the Old Capital Arts Festival in Fillmore, Utah on September 8, 2007.

September 10 and 11 Commissioner Walker helped the Sunset View Golf Pro and the Economic Development director work on next year's budget.

On September 12, 2007, Commissioner Walker attended the Delta Area Chamber meeting, Josie Greathouse, Millard County Sheriff Office Deputy presented information on street gangs. She gave information about two Delta gangs as well as a possible gang in Fillmore. Gang members range from age 11 years through the early twenties.

Commissioner Walker met with a Delta Chamber employee who recently resigned her position. She also served as a part-time Millard County Tourism employee.

All three Commissioners served as the Board of Equalization in Fillmore on September 13, 2007.

Commissioner Walker met with Delta Chamber President, Merrie Jo Smith, to discuss a Chamber/Tourism employee position. A decision was made to hire someone within the next month to fill both positions.

Commissioner Smith attended the newly formed Wellness Committee. Deb Arnold was chosen Chairperson, Cyndee Probert, and Tony Pedersen, Co Chairs.

#### PUBLIC INPUT

There was none.

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

Commissioner Cooper made a motion go into a closed executive session.

Commissioner Walker SECONDED the motion. The voting was unanimous and the session began at 2:30 p.m..

The regular meeting reconvened at 3:12 p.m..

Commissioner Walker made a motion to approve salary increases for the East Millard Pool, the Sheriff's Office and the USU Extension.

Commissioner Cooper 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 3:15 p.m..

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

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

