

MINUTES OF BOARD OF COUNTY COMMISSIONERS
MILLARD COUNTY THE 13th DAY OF NOVEMBER 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: Lindsay Mitchell Sheriff's Office
Sherry Hirst BLM Fillmore Field Office
Misti Haines BLM Fillmore Field Office
Emery Polelonema Six County AOG
Sheryl Dekker. Commission Assistant

PURSUANT TO AN AGENDA WHICH HERETOFORE HAD BEEN PROVIDED TO each member of the governing body, the local news media and posted in three public places or on the Millard County website, as required by law the following proceedings were had:

COORDINATION SESSION

The Commissioners scheduled events for the months of November and December 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 gave a quote from Abraham Lincoln. Commissioner Cooper said an opening prayer. Everyone stood and said the Pledge of Allegiance to the Flag.

FOLLOW UP ACTION ITEMS FROM MINUTES OF OCTOBER 30, 2007

There were none.

APPROVAL OF THE AMENDED MINUTES OF OCTOBER 30, 2007

Commissioner Cooper made a motion to approve the amended minutes of October 30, 2007.

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

AUDITORS REPORT

Auditor Brandy Grace was excused from meeting today. Prior to the meeting she had given the Commissioners the Check Edit Report and the Payroll Report from November 11, 2007 to review and sign.

Commissioner Smith said that the Utah Counties Insurance Pool, ("UCIP") payment of \$177,230 is due. Millard County's claims were low enough the board gave the county a 9 percent increase instead of a 10 percent increase for the year. The payment last year was \$162,667 but only \$165,000 was budgeted this year and so funds will need to be found to cover the additional costs.

EMERY POLELONEMA - SIX COUNTY ASSOCIATION OF GOVERNMENTS, ("AOG") PLANNING AND COMMUNITY DEVELOPMENT, FINALIZATION OF CIB LIST

Emery Polelonema, Planning and Community Development Director, Six County AOG reported to the Commissioners that they had finished their visits to the communities in Millard County. The 2008 short term list is down to one page as requested by the CIB Board. He asked if the county had any other projects and asked for final approval of the list. Mr. Polelonema said that applications made prior to December 1, 2007 can be submitted on form 205, but after that the new application form that is available on line must be used.

Sheryl Dekker has received training and will prepare the application to the CIB board for the new Millard County Ambulance Building. The approximate cost of the building is \$500,000 and it is planned to be financed 60 percent by a grant and 40 percent by a loan. Once the engineers estimate is finished, the cost will be more precise. The Commissioners will plan to be in attendance on the April 2008 submission date before the CIB board.

The Hinkley Deseret Cemetery District has a water project for \$25,000 that they plan to finance 75 percent by CIB funds and 25 percent by a grant.

Commissioner Cooper made a motion to approve the 2008 CIB Short List and to approve the proposed projects.

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

LINDSAY MITCHELL-MILLARD COUNTY SHERIFF OFFICE-REQUEST FOR AMBULANCE ABATEMENT

Lindsay Mitchell, Millard County Sheriff's Office came before the Commissioners to request some consideration of an ambulance bill for Earl Vanfleet who is deceased. Medicare paid \$346.02 leaving a balance of \$88.16. Mr. Vanfleet's wife is/or was serving a prison term and is presumed indigent. Mrs. Mitchell asked if the Commissioners would like the bill to go to collection or would they like to waive the fees?

Commissioner Cooper made a motion to waive the ambulance bill of \$88.16 for Earl Vanfleet, deceased, because the effort to collect the bill would go beyond what the county could collect.

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

SHERRY HIRST AND MISTI HAINES, BUREAU OF LAND MANAGEMENT (“BLM”) - DISCUSSION ON PAHVANT HERITAGE TRAIL

Sherry Hirst and Misti Haines from the BLM came before the Commissioners to discuss the Pahvant Heritage Trail project which is a scenic drive to points of interest in Millard County. Millard County and the BLM have agreed to partner with the project to enable access to some of Millard County’s unique sites. Misti Haines who is over the project for the BLM said they are still working out the logistics to have two segments of the drive, Devil’s Kitchen and Lava Tubes, accessible by car. There are plans for making hiking trails and view points at some of the locations. Interpretive tilt signs covered with flat fiber glass are planned at the view areas. There are five parking areas planned at the following locations: Hole in the Rock, Lava Tubes, Pahvant Butte, Lace Curtain and Obsidian Source. A cattle guard will be put at the Hole in the Rock with the BLM furnishing the cattle guard and the county doing the installation. A lengthy discussion of the benefits of the project, the county’s commitment and the BLM’s commitment ensued. The breakdown of costs was presented. (See exhibit B.) Interest in the project has been generated in two Boy Scout troops who have offered to do projects at Hole in the Rock and the Great Basin Heritage Route.

The BLM does not want to go through all the legal processes it would take to adopt the logo and would like it to be Millard County’s logo. Millard County Commissioners expressed a desire to have some adjustments made to the color of the logo. The graphic artist stated he would be willing to work with the county on any alterations requested. The point of contact the BLM will use with the county will be Commissioner Walker and the tourism board. The county and BLM will meet together and try to coordinate and prioritize the roads so work will not be duplicated.

Commissioner Cooper made a motion to partner with the BLM on the Pahvant Heritage Trail. More specific information will be gathered on the roads and logo.

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

Sherry Hirst gave an update on the dedication ceremony of the Fillmore Wildhorse and Burro Facility in Delta. A bust of Gayle Bennett will have a place of honor in the office. She would like this to be a countrywide event. She gave an update on the Media Day and expressed disappointment that the legislators and county officials cannot be in attendance. She suggested a tour with the legislators and the county’s elected officials be planned.

She asked what the status was on using the prison crew to help with fencing projects as the BLM and permittees have done in the past? Attorney Waddingham said the crew is under the supervision of the Sheriff’s Office. The prison work crew can be used along main routes and where it is not a public safety issue; provided one or more of the other parties to the project assume full

responsibility to maintain the fence.

RATIFY THE MOTION TO HIRE TWO FULL TIME EMPLOYEES FOR THE EMERGENCY MEDICAL TECHNICIAN TEAM

Commissioner Walker made a motion to ratify the Commissioner's previous action to hire two full time employees for the emergency medical technician team to serve as a manager and assistant to work wherever needed in Millard County. The employees will be paid out of the Ambulance Enterprise fund.

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

POSSIBLE APPROVAL OF A STATE OF UTAH CONTRACT FOR BOOKMOBILE SERVICE IN MILLARD COUNTY, UTAH

The Commissioners reviewed the contract and tabled the motion.

PUBLIC HEARING TO CONSIDER POTENTIAL PROJECTS FOR WHICH COMMUNITY DEVELOPMENT BLOCK GRANT FUNDING MAY BE APPLIED

Commissioner Walker made a motion to go into a public hearing to receive comment to consider potential projects for which community development block grant funding may be applied.

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

See minutes of the hearing on Exhibit A.

The regular meeting reconvened at 11:43 a.m..

POSSIBLE APPROVAL OF RESOLUTION NO. 07-11-13A, A RESOLUTION OF APPOINTMENT OF A MILLARD COUNTY REPRESENTATIVE AND AN ALTERNATE REPRESENTATIVE FOR THE UTAH COUNTIES INSURANCE POOL ANNUAL MEMBERSHIP MEETING

Commissioner Walker made a motion to approve Resolution No. 07-11-13A, A Resolution to appoint Richard Waddingham to be the Millard County Representative and Commissioner Daron P. Smith as the alternate representative for the Utah Counties Insurance Pool annual membership meeting.

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

POSSIBLE APPROVAL OF RESOLUTION NO. 07-11-13, A RESOLUTION FOR AN INTERLOCAL AGREEMENT FOR BUILDING INSPECTION SERVICES BETWEEN HOLDEN TOWN AND MILLARD COUNTY, UTAH

Commissioner Cooper made a motion to accept Resolution No. 07-11-13, A Resolution for an interlocal agreement for building inspection services between Holden Town and Millard County, Utah pending the vote of approval by Holden Town.

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.

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

Commissioner Cooper and Commissioner Smith attended the Six County AOG where Lieutenant Gary Herbert gave a presentation.

On December 5, 2007 at 4:00 p.m. the annual AOG Christmas meeting will be held in the American Legion Hall in Fillmore. All the Commissioners and their spouses are invited.

Commissioner Cooper said that he had been contacted again by Julie Robison about chip sealing the road near her home. She has requested this for two years. The Commissioners and Thayne Henrie will do a tour of the road and make a decision whether to chip seal it or not.

Commissioner Cooper reported on UNEV's proposed pipeline route that is planned to go through Utah into Nevada. He expressed concerns about its time line and suggested the county contact UNEV and define what Millard County's requirements and concerns are before the project begins.

On October 31, all three Commissioners and Delta City Mayor Gayle Bunker met with Richard Wahje and other staff members from Rocky Mountain Power. The discussion focused on the company's current situation in meeting consumers energy needs. Another topic was the state's pursuit of an energy plan and all the associated unknowns. At our request Rocky Mountain Power engineers and staff will meet with the Commissioners. The communication between the two entities will enable the county to locate new industries in areas where there are available resources and the company would be aware of Millard County's economic development plans.

On October 1, Commissioner Walker and the Millard County Economic Development Director Linda Gilmore traveled to the Clear Lake Waterfowl Management Area to discuss the potential impacts to waterfowl, with local and regional DWR staff, if a proposed wind farm transmission line is constructed in Millard County. They also talked about how to promote the area more effectively, and the possibility of creating a waterfowl viewing area at Sherwood Shores.

On October 5, Commissioner Walker wrote a new story to be featured on restaurant place mats sponsored by Millard County Tourism. The place mats promote various events and activities throughout the county and can be purchased at a minimal cost by interested restaurants.

All three Commissioners met with the elected officials to discuss next year's budget.

On October 6, all three Commissioners, County Attorney Waddingham and Auditor Grace met with Traditions Health Care owners to discuss long-term care. An additional meeting will take place after they receive more information from IHC. No decisions were made.

All three Commissioners met with Thayne Henrie, road supervisor, to review next year's budget.

On October 8, Commissioner Walker went to Cedar City with Millard County Economic Development Director Linda Gillmor, Delta City Mayor Gayle Bunker and Delta City Councilman Bruce Curtis to visit Port 15 Utah officials. Port 15 Utah is the largest rail served business park in the western United States. The project features infrastructure for manufacturers, distributors, wholesalers and retailers to receive and ship goods by rail. The project is built on school trust lands and is a cooperative effort with Iron County Commissioners and Cedar City officials. Port 15 Utah officials will visit Millard County for a discussion about the possibility of constructing a similar site. The project was developed by Quantum Group and parcels have been sold for development to various industries.

On October 8, at 7:00 a.m., Commissioner Smith attended the road department's safety training and the insurance open enrollment.

On November 8, 2007, Commissioner Smith and Gary Walker took company representatives on a tour of a proposed site on SITLA property for the possible building of a plant in Millard County.

On November 7, at the planning zoning meeting, a mining operation named Broken Arrow Inc. located near the Ibex well applied for a conditional use permit. One of the concerns with this operation would be the impact on the roads. The conditional use permit would require Broken Arrow to maintain a five and 1/2 mile stretch of road to Highway 6.

County Clerk Norma Brunson said there were some concerns with the municipal elections. She said that there are three elections next year and the county will need to budget more money to handle the costs. For the Western States Presidential Primary, she proposed two central voting centers; one in Delta and the other one in Fillmore. The other towns will be mailed a ballot. However, if a voter chooses to come to the central locations and vote, they will vote a provisional ballot. The public needs to be made aware of what the costs are to hold an election. A front page banner in the local newspaper would be a good place for the ad. Other ways to notify the public will be used as well.

OTHER BUSINESS

Commissioner Walker made a motion to appoint Shelly Carter Finlinson to the Delta Oasis Cemetery Board. She will replace Howard Allred.

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

Jack Dennison was hired as the cemetery sexton to replace Grant Bennett.

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

Commissioner Cooper made a motion to go into a closed session to discuss personnel issues. Attorney Waddingham asked why they were going into a closed session for payroll changes? Does it fit in the category of the character, professional competence or physical or mental health of an individual or are there other reasons? After discussing the issue the motion was rescinded.

Commissioner Smith said they received two salary changes, one from the Sheriff's Office, and one from East Justice Court. There was no motion, just a suggestion to wait until the county's salary structure and step and grade program are complete.

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 12:36 p.m..

WORK MEETING WITH FILLMORE CITY MAYOR AND DELTA CITY MAYOR TO DISCUSS LAW ENFORCEMENT CONTRACTS WITH MILLARD COUNTY

Attest: _____

Approved: _____

3. Total dollar amount requested

\$17,625.00

4. Provide a budget showing breakdown of costs. Provide a separate sheet if necessary. Note: Costs not included in this proposal will not be considered later for payment.

County Tourism Board Contribution:

12 interpretive signs at \$875 each	\$10,500
40 large directional signs at \$150 each	\$6,000
35 small directional signs at \$25 each	\$875
logo designed by graphic artist	\$250

subtotal: \$17,625

County Road Department Contribution:

5 parking areas ~15'x50' at \$600 each	\$3,000
road maintenance for 110 miles (annual maintenance)	\$16,000

subtotal: \$19,000

County Total:\$36,625

BLM Contribution:

Employees	estimated work-months	cost
Archeologist (GS-11)	2	\$16,400
Interpretive Specialist (GS-12)	0.5	\$5,000
Field Manager	0.5	\$5,800
Archeologist (GS-7)	4	\$18,500
Civil Engineer (GS-11)	0.5	\$3,700
Force Account	0.5	\$14,000
Recreation Specialist (GS-11)	0.5	\$4,600
Employee Time subtotal:		\$68,000
40 metal trail marker signs, posts & hardware		\$2,250
70 wood posts and hardware		\$1000
cattlegaurd		\$25,000

BLM Total:\$96,250

5. Please provide a complete list (including addresses) of those who will be involved with the production of this project. (Attach separate sheet if necessary)

Fillmore Field Office
Bureau of Land Management
35 E 500 North
Fillmore, UT 84631

MINUTES OF MILLARD COUNTY COMMISSION MEETING

Meeting Held at Fillmore, Utah November 13, 2007 at 10:00 a.m.

The Millard County Commission convened in regular session November 13, 2007 in the Millard County Commission Chambers at 50 South Main, Fillmore, Utah at 11:25 a.m.

Present: Daron P. Smith Commission Chairman
John C. Cooper County Commissioner
Kathy Y. Walker County Commissioner
Norma Brunson County Clerk
Janice Robins Deputy County Clerk
Richard Waddingham County Attorney
Sheryl Dekker Commission Assistant

Community Development Block Grant Public Hearing

Commission Chairman Daron P. Smith opened the public hearing for the CDBG (Community Development Block Grant Program) program and stated that this hearing is being called to consider potential projects for which funding may be applied under the 2008 Community Development Block Grant Program. It was explained that the grant money must be spent on projects benefitting primarily low and moderate income persons. The Six County Association of Governments in which Millard County is a member, is expecting to receive approximately \$500,000 to \$530,000 in this new program year. All eligible activities that can be accomplished under this program are identified in the CDBG Application Guide and interested persons can review it at any time. Commissioner Smith read several of the eligible activities including construction of public works and facilities, i.e., water and sewer lines, fire stations, acquisition of real property, provision of public services such as food banks or homeless shelters. Also eligible are loan programs for private businesses which would then hire low income persons and the program can also pay for housing rehabilitation for low income homeowners or for persons owning rental housing for lower income persons. Commissioner Smith indicated that in the past Millard County has received the following CDBG grants.

Elevator	1995	Provided access to the second floor of the old Millard County Courthouse for disabled citizens.
Eskdale Water Project	1999	Water lines for the unincorporated community of Eskdale under the umbrella of Millard County.
Garrison Park	2004	Recreation Park for the unincorporated community of Garrison under the umbrella of Millard County utilizing Millard County RLF (Revolving Loan Fund) funds.
Scipio Rodeo Grounds	2004	Public restrooms for the incorporated community of Scipio utilizing Millard County RLF funds.

111307MCC:jjr
Scipio

This list shows which projects the county has identified as needed in the county. There was no representation from the public at this public hearing. Sheryl Dekker suggested that Millard County apply for funding for a much needed ambulance building to house the Millard County Ambulances in the community of Fillmore as well as housing supplies and providing a meeting place for training and office functions.

Commissioner Smith then opened the meeting up to further suggestion from the audience. However, there were no other persons present at the public hearing. The hearing was adjourned at 11:43 a.m.