

MINUTES OF BOARD OF COUNTY COMMISSIONERS
MILLARD COUNTY THE 16th DAY OF FEBRUARY 2010
AT THE COURTHOUSE, FILLMORE, UTAH

PRESENT: Daron P. Smith..... Chairperson
Kathy Y. Walker. Commissioner

Richard Waddingham County Attorney
Marki Rowley. Deputy County Clerk

EXCUSED: Bart A. Whatcott. Commissioner
Norma Brunson County Clerk

ALSO PRESENT: Wayne Jackson American Legion
Alan Peacock Cove Fort resident
Jimmy Hodges Cove Fort resident
Robert Dekker County Sheriff
Pat Manis County Assessor
Linda Manis..... Citizen

PURSUANT TO AN AGENDA WHICH HERETOFORE HAD BEEN PROVIDED TO each member of the governing body, posted at the principal office of the Millard County Commission, posted on the Utah Public Notice Website, and provided to the Millard County Chronicle Progress, a newspaper of general circulation within Millard County, as required by law, the following proceedings were had:

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 asked if anyone had an opening statement to give. Commissioner Smith said the invocation. Everyone stood and said the Pledge of Allegiance to the Flag.

Commissioner Smith excused Commissioner Whatcott and Clerk Norma Brunson from today's meeting.

MILFORD WIND CORRIDOR PROGRESS AND UPDATE

This item was tabled until construction starts.

RATIFY THE MOTION TO APPROVE THE CONTRIBUTION OF \$100 TO PANARAMA

RC&D

Commissioner Walker made a motion to ratify the \$100 contribution to Panarama RC&D.

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

REVIEW AND POSSIBLE APPROVAL OF A BUSINESS LICENSE FOR TAP ENTERPRISES INC.

Tap Enterprises submitted a business license application for a one day tool sale. After a review of the business license application and finding all the signatures in order, Commissioner Walker made a motion to approve the business license for Tap Enterprises.

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

DISCUSSION AND POSSIBLE APPROVAL OF RENEWING A SURVEY CONTRACT WITH SUNRISE ENGINEERING - CONNIE HANSEN

Commissioner Walker made a motion to table the contract survey with Sunrise Engineering.

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

DISCUSSION ON JOHN HANCOCK PLAN TRUSTEES AND ADMINISTRATOR

Commissioner Walker made a motion to table this item.

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

DISCUSSION AND POSSIBLE APPROVAL OF A COOPERATIVE AGREEMENT BETWEEN MILLARD COUNTY AND USU EXTENSION

Commissioner Smith said that this agreement was a renewal of a current contract with USU Extension and states what was actually budgeted in the county's 2010 budget.

Commissioner Walker made a motion to approve the cooperative agreement between Millard County and USU Extension.

Attorney Waddingham said that this should be approved by resolution. He will prepare a resolution and present it for approval at the next meeting.

Commissioner Walker rescinded her motion.

REVIEW AND POSSIBLE ADOPTION OF RESOLUTION 10-02-16, A RESOLUTION APPROVING AND AUTHORIZING THE EXECUTION OF A FOURTH AMENDED INTERLOCAL COOPERATION AGREEMENT WITH OTHER MEMBERS OF UTAH

COUNTIES INSURANCE POOL (UCIP), RELATING TO THE ESTABLISHMENT, FUNDING AND OPERATION OF UCIP

Commissioner Smith read the resolution.

Commissioner Walker made a motion to adopt Resolution 10-02-16, A resolution approving and authorizing the execution of a fourth amendment interlocal cooperation agreement with other members of UCIP, relating to the establishment, funding and operation of UCIP.

Commissioner Smith stepped from the chair SECONDED the motion. Deputy Clerk Marki Rowley called for a roll call vote. Commissioner Walker voted YES. Commissioner Smith voted YES. The voting was unanimous and the motion carried. ***Need copy RW.***

OTHER BUSINESS

Commissioner Smith said that the Department of Agriculture, Utah State Extension and the Department of Natural Resources have been working on support of the Environmental Impact Statement (EIS) being done over roundup ready Alfalfa. Commissioner Smith said that he has a letter of support from the governor. Dennis Stowell and Keri Gibson from the Natural Resource Sub Committee are also supporting the EIS and the finding that there is no significance environmentally on whether or not roundup ready alfalfa can be released into the general marketplace.

Commissioner Walker made a motion to have Trent Wilde, USU Extension agent, send a letter expressing Millard County's support.

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

Commissioner Smith mentioned that Planning and Zoning will need a replacement for Paula Christensen due to her health.

Commissioner Smith asked whether a county that opposes a bill is required to take an official position stating they oppose it. Attorney Waddingham said that they are not required to do so.

Commissioner Walker approved the invoices for Grace Global Corporation for a computer system at the care center in the amounts of \$2,223.50 and \$4,048.10 which were budgeted items.

APPROVAL OF FEBRUARY 2, 2010 COMMISSION MINUTES

Commissioner Walker made a motion to table the approval of the February 2, 2010 minutes pending further clarification. Commissioner Smith stepped from the chair and SECONDED the motion. The voting was unanimous and the motion carried.

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

Commissioner Walker attended the Topaz Art Show and the play “A Thousand Cranes” held in conjunction at the Harris Fine Arts Center at the BYU Campus. Jane Beckwith and the Topaz Museum Board did an amazing job with the art show and several people in Millard County were in attendance.

The Commission met with Millard School District Superintendent Taylor and Business Manager Keith Griffiths. A proposed agreement with IPA was discussed and the date for an upcoming meeting finalized.

Commissioner Walker attended a special Six-County business meeting in Nephi prior to the 2010 Six County annual Recognition Banquet. Millard County selected Intermountain Power Service Corporation (IPSC) as Business of the Year for 2010. At the banquet, Commissioner Walker presented a plaque honoring IPSC to John Finlinson, who was recently appointed as President and Chief of Operations. Among a long list of accomplishments, IPSC was chosen because of their commitment to the residents of the county, water companies and users, and educational opportunities for high school students.

Commissioner Walker participated in a meeting with Judge Deb Haveron, West Millard Justice Court, and Director Brian Whipple, Financial officer Farrell Hatch and Anna LaDamus, representing Mental Health. The purpose of the meeting was to discuss concerns regarding mental health services as terms of probation. Judge Ron Hare, East Millard Justice Court and Judge Stan Robison, Delta City Justice Court, were unable to attend and were excused. Another meeting will be set to discuss the issue.

Commissioner Smith reported that on February 8, he met with the Wellness Committee to discuss the different activities and seminars that will be held quarterly this year. They discussed the relationship with Apple and how the program is working.

On February 9, the Commissioners met with the Millard County School District and took a tour that afternoon visiting a number of dairies and the Egg Farm. Auditor Grace and Treasurer Hansen accompanied the Commissioners on this tour.

On February 11, he attended the UAC legislative meeting in Salt Lake City, where they discussed a number of bills. He attended a hearing that morning over a water bill (Senate Bill 99). A lot of folks were in opposition to Senate Bill 99. The restaurant tax was defeated in committee that day. UAC put a lot of effort in trying to make sure that the bill didn't get defeated.

According to Senate Bill 125, projects that develop a renewable energy source and receive federal grant money would not have to count that money in the personal property total. He called Tom Peters to give him a heads-up on the bill.

Building Official Darell Owens is at a required training this week. Coverage has been set up through Sevier County and Juab County for emergency inspections. A letter is posted on the door

of the County Building in Delta making contractors aware of his absence.

Commissioner Smith attended a MCAT board meeting on Thursday where Auditor Brandy Grace was appointed to be on the MCAT Executive Board.

DISCUSSION ON LANDFILL AND GARBAGE PICKUP IN COVE FORT

Alan Peacock who is a resident of Cove Fort, Utah gave a brief history of the landfill in Cove Fort. He and Jimmy Hodges who also is a resident of Cove Fort, Utah wanted to see if Millard County would set up a garbage pickup in Cove Fort. Sheryl Dekker, Planning Coordinator, asked why they are asking for this service now and have not asked for it in the past. Mr. Hodges said that this has been a problem in the past but has never been addressed. Mozdale out of Cedar City was picking up the trash but that was costing too much money. Mr. Hodges set up a trailer outside his business for trash and then would take it to Beaver at least twice a week. This is also getting too expensive for him. After further discussion, the Commissioners said that they will take this matter under advisement and they would get back to Mr. Hodges and Mr. Peacock. They also asked that Mr. Peacock inquire as to the possibility of an individual in Cove Fort who may be interested in contracting as a private hauler.

PUBLIC INPUT

Wayne Jackson said that everything has been finalized for the American Legion's 91st Birthday Party that will be held in Fillmore. He thanked the Commissioners for all the help they have given. He said that people are already booking reservations at local motels to attend this event.

He turned in a bill to tourism for the banners that will be placed on each side of town. This payment has been approved.

Mr. Jackson said that he is putting a book with all the names of the soldiers and where to find them on the wall, in front of the monument. Steve Robison is building a stand to hold the book. This will make it so much easier for people to find specific names of the soldiers on the wall. This was paid for by the American Legion, not the county.

Mr. Jackson said that everything is going good with the care center. The committee is going to start meeting every other month now instead of every month.

APPOINTMENT AND SWEARING IN OF THE MILLARD COUNTY ASSESSOR PAT MANIS

Deputy Clerk Marki Rowley officially swore Pat Manis in as the Millard County Assessor.

AUDITOR'S REPORT

Auditor Brandy Grace presented the check edits of February 12, 2010 for the Commissioners to review and sign.

She received an invoice from UAC for County Officials' Day Registration for Commissioner Smith.

She received the executive reports from PEHP for the year ending December 2009 which will be on file and available for review in her office.

She received a news letter from the State Auditor's Office which talks about funds received under the American Recovery and Reinvestment Act (ARRA) of 2009. The article relates to the grant money that may be received and the auditing requirements of any grants that have any portion of funding from the ARRA. She wanted to make the commissioners aware that she would need to be informed in advance when those types of funds will be received.

Commissioner Walker attended the Six Co. AOG meeting. Millard County received \$191,000 from Community Development Block Grant (CDBG) as grant money for the proposed Fillmore Ambulance building. She now has to go to Community Impact Board (CIB) to get the remaining amounts. Hopefully, the county will have all the grant money by this summer.

Not all the departments are reporting when they apply for grants to the Auditor's Office. It is necessary to report this to the Auditor's office to make sure that the county will not have to pay back any money received from said grants. The Commissioners will send out a memo informing all the departments of this process.

Auditor Grace and Commissioner Smith discussed with the commissioners Special Service District Number 8 getting its own tax ID number and filling out the required 1099s. Commissioner Smith said that he will inform Brent Tolbert of Special Service District Number 8 that they will need to do this.

Auditor Grace said that a check was received for Title III distribution in the amount of \$35,060.72. She thinks that there may have been a change in the way the money could be used. This money has been receipted and deposited in the county funds. The commissioners will look into the resolution created to accept these funds and let Auditor Grace know of their findings.

Auditor Grace requested a purchasing card allowing her to make payments for invoices, which if paid according to the county's normal accounts payable process, would not be paid on time and would cause the county late fees. It is not feasible to go through an entire check run process for a single check when the issue of an immediate due date is present. This will allow the Auditor's Office to make immediate payment in those circumstances.

Commissioner Walker made a motion to approve a purchasing card for Auditor Grace with a limit of \$20,000 which allows Auditor Grace to pay accounts that would otherwise be late.

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

POSSIBLE APPROVAL OF HARDSHIP ABATEMENT APPLICATIONS

There were none.

POSSIBLE BOARD OF EQUALIZATION (BOE) DISCUSSION AND OR ACTION

There was none.

TREASURER'S REPORT

Treasurer Hansen received last quarter's mineral revenue sharing which has gone down substantially from last year. For the last quarter it was \$28,814.18 which has been received and deposited in the State Treasurer's account. Commissioner Smith said that they budgeted about \$100,000 which will be pretty close to what they will receive.

Treasurer Hansen said he has given the balance of the Overrides Report, which was reviewed last October, to the commissioners; this report is from October 29, 2009 to January 16, 2010. He ran a lengthy report for the 2009 tax year but printed only the year end balance report. The total on that printout was \$1,127.71. The total overrides from January 16, 2009 to January 15, 2010 was \$20,409.44.

OTHER

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

There was none.

WHERE UPON THE MEETING ADJOURNED

Commissioner Walker made a motion to adjourn the meeting.

Commissioner Smith stepped from the chair and **SECONDED** the motion. The voting was unanimous and the meeting adjourned at 12:13 p.m..

WORK SESSION TO DISCUSS THE DELINQUENT TAX LIST

At 1:45 p.m. the board met in a work session to discuss the delinquent tax list. *A recording of this meeting in its entirety is on file for review at the Clerk's Office.*

Attest: _____

Approved: _____