

MINUTES OF BOARD OF COUNTY COMMISSIONERS  
MILLARD COUNTY SPECIAL MEETING  
THE 28th DAY OF DECEMBER 2010  
AT THE COURTHOUSE, FILLMORE, UTAH

PRESENT: Daron P. Smith..... Chairperson  
Bart A. Whatcott. .... Commissioner  
Craig Greathouse..... Commissioner  
  
Richard Waddingham ..... County Attorney  
Norma Brunson ..... County Clerk  
Marki Rowley. .... Deputy County Clerk

ALSO PRESENT: Cheryl Searle ..... State of Utah - DFCM  
Dean Draper . .... Chronicle Progress  
Linda Gillmor ..... Millard Economic Development Association (MEDA)  
Randle Brunson ..... Citizen  
Robert A. Dekker . .... County Sheriff  
Sheri Dearden ..... Treasurers office  
Brandy Grace . .... County Auditor  
Pat Manis . .... County Treasurer  
Derrick Dowsett..... County Seat TV Program

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 Whatcott said the invocation. Everyone stood and said the Pledge of Allegiance to the Flag.

OPENING OF THE SEALED JANITORIAL BIDS FOR THE FILLMORE SHERIFF'S POSSE BUILDING

Auditor Grace read the request for bid that was posted in the Chronicle Progress. There were

four bids submitted.

Maribel Munoz bid:	\$ 80.00 a month.
Vance Beckstead bid:	\$1,099.00 per year = \$91.58 a month.
Frank & Dixie Funk bid:	\$ 44.00 a month.
Terry Hoover bid:	\$ 125.00 a month.

Commissioner Whatcott made a motion to accept the bids as submitted and to accept the bid of \$44.00 a month submitted by Frank and Dixie Funk after a successful background check. Maribel Munoz will be accepted as the secondary bid of \$80.00 a month, if needed.

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

#### OPENING OF THE SEALED BIDS FOR AP&P OFFICE SPACE REMODEL

Auditor Grace read the request for bid that was posted in the Chronicle Progress.

Two bids were received in a timely manner. One of the bidders brought in a subsequent bid this morning because he claims that he was just informed that the replacement of the ceiling tile should have been in the bid.

Attorney Waddingham and Auditor Grace felt that since it was advertised in the paper that there would be a meeting explaining all the provisions of the project and all the information was given at that meeting the commissioners should only open the bids received on time.

Brandon Bartholomew bid:	\$3,935.79 with the county providing the ceiling tile.
Randle Brunson bid:	\$4,950.00 including the purchase of the ceiling tile.

The commissioners went over the process of the bids explaining that in October this was bid out and later found out that the notice in the paper was not in compliance with the purchasing policy so they rejected any bids submitted at that time. They re-advertised the bid and held a meeting giving all the specifics of the project. One of the people who submitted a bid from the second advertisement did not attend the required meeting.

Randle Brunson explained his understanding of the first and second meetings held for this bid option.

The commissioners decided that there was only one legitimate bid submitted.

Cheryl Searle, AP&P, commented that in her opinion, anytime a bid is submitted, the contractors have the responsibility to attend any and all meetings required to be sure to receive any updated or changed information pertaining to that project.

Commissioner Whatcott made a motion to accept the bid in the amount of \$4,950.00 submitted by Randle Brunson. Mr. Brunson met all the criteria submitted in the paper from the second advertisement.

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

#### RENEWAL OF THE AP&P LEASE FOR OFFICE SPACE

Cheryl Searle, AP&P, said that with the bid that the commissioners accepted, AP&P would pay for the materials and the county would pay for the labor. She would need that bid broken out so she could include the cost of the materials in the lease.

Ms. Searle said that the lease expired November 30, 2009 and they have been continuing on a month to month lease since then. She would like to start a new five year lease beginning on January 1, 2011 and ending on December 31, 2015.

Ms. Searle said that AP&P has been paying the same price for the office space since the first lease. Back in November, the commissioners said they would look into a possible cost increase for the office space. The commissioners have not had a chance to look into that yet but they will get back to Ms. Searle when they get some figures.

Cheryl Searle will provide a contract after she receives the cost for the materials for the remodel and the rental increase and get it back to the commissioners for approval.

#### POSSIBLE APPROVAL OF HIRING A PART-TIME MILLARD COUNTY EMPLOYEE TO SERVE AS A MILLARD COUNTY DEPUTY ATTORNEY

Attorney Waddingham said that there were three applicants who applied for this position; Kaela Jackson, Todd Anderson and Dwight Beckstrand. Attorney Waddingham had a chance to interview two of those applicants but was unable to meet with Mr. Beckstrand for an interview.

Attorney Waddingham's major concern was that he needed an experienced prosecutor who could start immediately.

Kaela Jackson has the experience and would be able to start right away. Attorney Waddingham chose Kaela Jackson for the position and asked the commissioners for their approval.

Commissioner Greathouse made a motion to approve hiring Kaela Jackson as a part-time Millard County employee to serve as a Millard County Deputy Attorney.

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

Ms. Jackson will work out of the Deputy County Attorney's office in Fillmore. This position was budgeted for in the 2011 budget.

#### POSSIBLE ADOPTION OF RESOLUTION 10-12-28, A RESOLUTION OF THE BOARD OF COMMISSIONERS OF MILLARD COUNTY, STATE OF UTAH, APPOINTING TRUSTEES TO THE MILLARD COUNTY DRAINAGE DISTRICTS NUMBERS 1-4

Commissioner Whatcott made a motion to adopt resolution 10-12-28, a resolution of the

Board of Commissioners of Millard County, State of Utah appointing trustees to the Millard County Drainage Districts 1-4 as follows: Drainage District 1, Gale Bennett; Drainage District 2, Clayton Jeffery; Drainage District 3, Theo B. Berry; and Drainage District 4, Garth Lake.

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

**PUBLIC HEARING FOR THE PURPOSE OF RECEIVING PUBLIC COMMENT ON POSSIBLY OPENING AND AMENDING THE FOLLOWING FUND BUDGETS: GENERAL FUND, CENTRAL UTAH NARCOTICS TASK FORCE FUND, CAPITAL PROJECTS FUND, SOLID WASTE FUND AND E-911 FUND**

Commissioner Greathouse made a motion to enter into a public hearing for the purpose of receiving public comment on possibly opening and amending the following fund budgets: General Fund, Central Utah Narcotics Task Force Fund, Capital Projects Fund, Solid Waste Fund and E-911 Fund.

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

Present were: Dean Draper, Sheriff Dekker, Auditor Grace, Linda Gillmor and Derrick Dowsett

Commissioner Smith called the public hearing to order at 11:05 a.m..

Auditor Grace explained that there is a statute that if county fund budgets are going to be increased, there is a requirement to hold a public hearing. She explained the reasons necessary for holding this public hearing.

Last year, the county received nearly \$2,000,000 in mineral lease revenue that was not anticipated. The county did not take action on this matter at the close of 2009, therefore, the county received a write-up for the 2009 audit because the fund balance limitation was exceeded.

With the money brought in and there being some budgeted expenses that have not taken place, the county will be in the same position this year having an excess fund balance which will need to be transferred out to avoid a write up in this year's audit.

Auditor Grace estimated that nearly \$2,750,000 will be transferred out of the general fund, including the \$2,000,000 brought in from mineral lease revenue that was not anticipated. This is not an additional expenditure. It will allow the county to transfer that money from the general fund to capital projects fund which is why the capital projects fund is one of the funds the county is considering amending.

The Resolution allows for a transfer up to an amount specified by the commission. If the money is not needed it will not be used. The county is not anticipating buying anything new. The transfer of funds enables the county to meet the accounting and reporting requirements.

Auditor Grace is requesting the commission allow the following transfers:

- Up to the amount of \$50,000.00 for Central Utah Narcotics Task Force Fund.
- Up to the amount of \$200,000.00 for Solid Waste Fund.

- Up to the amount of \$50,000.00 for E-911 Fund.
- Up to the amount of \$2,750,000.00 for General Fund.
- Up to the amount of \$2,750,000.00 for Capital Projects.

Dean Draper, Chronicle Progress asked what caused the telephone surcharges to multiply by 2.5. Commissioner Smith said that he thinks it was the state contract change with Qwest.

Sheriff Dekker said that when the contractor changed, the county had to upgrade the services. They accepted the lowest bid. The cost for the telephone service and the information the county is getting was much higher than what was planned. There is more money that should be coming into the county that the county has not received. So they are researching to see why they are not getting the money back that they should be getting as well as to figure out why the increase was so high.

There were no other comments made.

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

Commissioner Greathouse SECONDED the motion. The voting was unanimous and the motion carried. The public hearing closed at 11:15 a.m..

The regular meeting reconvened.

**POSSIBLE ADOPTION OF RESOLUTION 10-12-28 A, A RESOLUTION OF THE BOARD OF COMMISSIONERS OF MILLARD COUNTY, STATE OF UTAH, TO OPEN THE 2010 MILLARD COUNTY BUDGET AND AMEND THE FOLLOWING FUND BUDGETS: GENERAL FUND, CENTRAL UTAH NARCOTICS TASK FORCE FUND, CAPITAL PROJECTS FUND, SOLID WASTE FUND AND E-911 FUND**

Commissioner Greathouse made a motion to adopt resolution 10-12-28 A, a resolution of the Board of Commissioners of Millard County, State of Utah, to open the 2010 Millard County budget and amend the following fund budgets: General Fund up to the amount of \$2,750,000.00, Central Utah Narcotics Task Force Fund up to the amount of \$50,000.00, Capital Projects Fund up to the amount of \$2,750,000.00, Solid Waste Fund up to the amount of \$200,000.00 and E-911 Fund up to the amount of \$50,000.00.

Commissioner Whatcott SECONDED the motion. Clerk Brunson called for a roll call vote. Commissioner Greathouse voted YES. Commissioner Whatcott voted YES. Commissioner Smith voted YES. The voting was unanimous and the motion carried.

**POSSIBLE ADOPTION OF RESOLUTION 10-12-28 B, A RESOLUTION OF THE BOARD OF COMMISSIONERS OF MILLARD COUNTY, STATE OF UTAH, TRANSFERRING UNENCUMBERED OR UNEXPENDED APPROPRIATION BALANCES FROM ONE DEPARTMENT IN A FUND TO ANOTHER DEPARTMENT WITHIN THE SAME FUND**

Commissioner Smith explained that this resolution allows for the transfer of money from one department within that fund to another department in that same fund.

Auditor Grace said that by statute the auditor can make recommendations but by resolution

the commission has to allow for her to make transfers. Doing this does not increase any appropriation but allows a transfer of budgeted amounts from one department to another department so when she closes the books no department shows over budget.

Commissioner Whatcott made a motion to adopt Resolution 10-12-28 B, a resolution of the Board of Commissioners of Millard County, State of Utah, transferring unencumbered or unexpended appropriation balances from one department in a fund to another department within the same fund.

Commissioner Greathouse SECONDED the motion. Clerk Brunson called for a roll call vote. Commissioner Greathouse voted YES. Commissioner Whatcott voted YES. Commissioner Smith voted YES. The voting was unanimous and the motion carried.

#### POSSIBLE ADOPTION OF RESOLUTION 10-12-28 C, A RESOLUTION OF THE BOARD OF COMMISSIONERS OF MILLARD COUNTY, STATE OF UTAH, ADOPTING THE FINAL BUDGET FOR MILLARD COUNTY FOR FISCAL YEAR 2011 AND FIXING SALARIES FOR VARIOUS COUNTY OFFICERS

Commissioner Smith explained that the resolution is to adopt the final budget for 2011. There was a public hearing held on December 7, 2010 to discuss the budget.

Commissioner Smith explained the adoption of the budget.

Auditor Grace gave a breakdown of the budget. The General Fund budget is \$12,800,000.00 which includes a transfer of \$1,555,000.000 to the new fund created for recreation, bringing Recreation's budget to \$1,980,000.00. The Road Department budget is \$3,051,500.00. Special Projects budget is \$161,500.00. Central Utah Narcotics Task Force budget is \$211,335.00. Task Force Forfeiture Fund budget is \$50,000.00. Capital Projects fund budget is \$961,970.00. Landfill Solid Waste Fund budget is \$563,500.00. Ambulance budget is \$640,700.00. E-911 Fund budget is \$131,000.00. Revolving Loan fund budget is \$20,000.00. Unemployment Fund budget is \$7,500.00. Tourism budget is \$143,590.00.

Commissioner Smith said at the budget hearing the budget that was presented included a 2% cost of living adjustment (COLA) for 2011 which was taken out of or reduced the step and grade implementation which is where the money was placed originally. There is still money in that fund to do implementation of the part time employees who are not covered by step and grade. Part time employees are not included in step and grade.

The intent is to complete the step and grade by the first of the year. There was money in the 2010 budget to do a 2% Cola. This will only be for 2010 and will not carry over to 2011. The county did not increase or raise the step and grade this year.

Commissioner Greathouse wanted to clarify that he was not in favor of the 2% COLA.

Dean Draper wanted to clarify that there was an increase granted out of the 2010 budget but is a one time thing and will not happen in 2011. Commissioner Smith clarified that this COLA will not affect the employees 2011 salary.

Auditor Grace said that this has not been approved yet. This is going to be voted on under other business.

Commissioner Whatcott made a motion to adopt Resolution 10-12-28 C, a resolution of the Board of Commissioners of Millard County, State of Utah, adopting the final budget for Millard County for fiscal year 2011 and fixing salaries for various county officers.

Commissioner Greathouse SECONDED the motion. Clerk Brunson called for a roll call vote. Commissioner Whatcott voted YES. Commissioner Greathouse voted YES. Commissioner Smith voted YES. The voting was unanimous and the motion carried.

#### RATIFY THE SIGNING OF A LETTER TO THE GOVERNOR'S OFFICE OF ECONOMIC DEVELOPMENT REQUESTING ADDITIONAL ENTERPRISE ZONES IN MILLARD COUNTY

Commissioner Smith said that he believes that under other business on December 7, the commission approved signing a letter to send to the governor's office creating additional enterprise zones in Millard County.

Linda Gillmor, MEDA, explained that Millard County meets the requirement to apply for enterprise zones. These areas allow Millard County to encourage business to move to rural Utah. If the businesses make capital investment into their business then they can get reduced taxes or tax rebates. This is based on post performance.

Millard County is current on enterprise zones with the state. Each year they try to update it and each year if they find businesses or areas that should be in the enterprise zone they can add them to it.

The two business that will be affected by this decision this year are Gardner Dairy and the Central Utah Animal Hospital. These properties are adjacent to a highway and also have access to a railroad. She contacted the business owners and they both are very interested in participating in this. This does not affect county zoning and is a state tax incentive. It has nothing to do with county funding.

Commissioner Greathouse made a motion to ratify the signing of the letter to the Governor's Office of Economic Development requesting additional enterprise zones in Millard County.

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

#### PUBLIC INPUT

Commissioner Smith said that Derrick who is with the County Seat Television Program Production is here recording this meeting today. Millard County is participating in this program to inform county residents about issues that have an effect on the county and services that the county provides.

Commissioner Smith said that in funding these programs they hope to make the public aware of the issues that the county is involved with, such as public land issues and jail funding issues that are battled every year. This will also help to promote some of the events that go on in the county and are unique to Millard County.

The first episode of this program is due to air January 9, 2011 on channel 4 at 8:00 a.m.. The first show will give a quick overview of the difference between the commission and the county councils. It will help to get the viewers familiar with how the county conducts business. It will also give an overview of the 2011 legislature and some of the issues involved with that, along with a feature story on jails, followed by a round table discussion.

Commissioner Whatcott will try to put the dates and times the show will air in the paper, so that the public will know what time to watch. The show will always be on KUTV channel 4, Salt Lake City. There will be 52 episodes discussing 104 different issues throughout the year.

Derrick said that all episodes will be available online. If Millard County chooses, more important episodes may be available through the county website.

Dean Draper, Chronicle Progress, asked if the commission had any input on Secretary of Interior Salazar's edict on wilderness lands.

Commissioner Smith said that he tried to get a hold of Mark Ward, Utah Association of Counties (UAC) but had no luck.

Commissioner Whatcott said that he read the article in the paper and watched it on the internet. He said there are some real concerns regarding the land.

Mr. Draper said that the Red Rock Wilderness proposal will put 1 out of 8 acres in Millard County in a wilderness type status. It would be impossible to go see sites such as the Painted Pots, other than on foot. If they are able to declare this "Wild Lands" it would possibly prohibit travel through the region, which is one of the great things Millard County has to offer.

Mr. Draper received an email from Milford Wind announcing its scholarship project which listed Milford High School, Beaver High School and Millard High School as potential recipients. Mr. Draper responded to that email stating that Milford Wind neglected to mention Delta High School in offering the scholarship availability. He has not heard back from Milford Wind at this point. He said that Delta High School should not be excluded from the opportunity to receive that grant.

Mr. Draper said that he attended an informational hearing held by the Park Service regarding the west desert water. There will be scoping going on until January 7, 2011. Mr. Draper thinks that it would be a good thing if the county would reply to that scoping and look to obtain funds to conduct dye tests to show whether or not the springs across the snake range are interconnected.

There was a three year study done that was funded by the Park Service and USGS. The study was dependant on monitoring wells that Southern Nevada Water Authority (SNWA) was supposed to drill. This study will be concluded in 2011. They are having to shift their moneys into drilling wells because SNWA has postponed drilling those wells on the Nevada side.

They are seeking more funding for the dye tests. They brought in Thomas Aley from the Ozar Institute. Mr. Draper said that Mr. Aley looks like he is the foremost hydrologist in the world in working with dyes. Mr. Draper thought that Mr. Aley's presentation was extremely impressive.

Studies conducted in 2009 and 2010 show a heavy interconnection between basin fill and carbonate aquifer and recharge. Pumping in the valley does have an effect on water in the streams in the park.



Mr. Draper asked the commission if they were aware of why the BLM shut Tomahawk down on the UNEV pipeline?

Commissioner Smith said that he heard rumors and speculations that they were all laid off. He tried to contact Cindy Gubler with UNEV to see what was going on.

The story Commissioner Smith heard was that BLM was going to fine Tomcat for a violation having to do with habitat for Antelope on one of the rights-of-way.

Mr. Draper said that the rumor he heard was that UNEV was fined \$200,000.00 for issues regarding sensitive antelope feeding area.

Commissioner Smith said that he is not quite sure as to what is going on but will have to contact UNEV and BLM to see if there is anything Millard County can do to help out the process.

Mr. Draper found an archeological site that, in his opinion, is the very best site in the entire county that has been heavily vandalized by people shooting it. Several sites have been vandalized by people.

#### OTHER BUSINESS

Commissioner Smith clarified that the Christmas Luncheon was canceled due to the power outage on December 21, 2010. Each office may take its employees to lunch in place of the Christmas Luncheon.

Commissioner Whatcott read a news release regarding Fishlake Forest saying thanks to the Millard County Sheriff's Office and its jail work crew.

Clerk Brunson reminded the commission of the swearing in of the elected officials and its deputies on Monday, January 3, 2011 at noon, upstairs in the Commission Chambers.

Commissioner Smith proposes doing a 2% COLA based on the 2010 salary for all full time county employees as a one time payment.

Commissioner Whatcott made a motion to do a one time 2% COLA to the Millard County full time employees.

Commissioner Smith stepped from the chair and SECONDED the motion. Commissioner Greathouse voted against the motion. The motion passed by a majority vote.

Auditor Grace pointed out that at the budget hearing held December 7, 2010 there was a 2% COLA anticipated and included as part of the 2011 budget. Also at the budget hearing she explained that there were still items being considered and that there would be changes made as they worked to finalize the budget.

There have been several conversations concerning the economy, the taxpayers and what the county can afford. Not only has the cost of providing a 2% COLA been considered but the cost of benefits that are required to be paid on any gross wage was also considered; for example FICA, Medicare, and retirement.

In looking at the expense of a COLA, the County had received mineral revenue money that

had not been anticipated so a COLA could be afforded more feasibly in 2010 than 2011.

It was also recognized that efforts have been made to lower the county's tax rate. The county did not accept the increased tax rate this year.

Auditor Grace said that she, as the auditor, feels that the idea of allowing for the increase in 2010 and not having it carry over to 2011 is a financially good decision given economic circumstances.

Auditor Grace wanted to be clear that this is not a bonus it is simply a COLA increase for 2010 and that there was a lot of discussion regarding this issue.

There are some restrictions to this 2% COLA, one being that it is only for employees who were full time as of January 1, 2010 because this is a 2010 COLA.

Sheriff Dekker said that he thinks that this is a good thing for the commission to do. This is a good way to say we haven't forgotten our employees who are important to us and are our best asset. This is a good way to pat the employees on the back.

Assessor Manis said that his office advertised for a part-time appraiser for help with the commercial appraisals and the Tyler Eagle System. Shirl Nichols, who is currently the Juab County Assessor, was the only qualified applicant who applied for this position. Assessor Manis would like to offer Mr. Nichols the part-time temporary appraiser position.

Assessor Manis budgeted around \$13,525.00 for this position which will include Mr. Nichols' travel expenses.

The commission was presented with the 2011 PEHP Flex Spending Plan contract.

Commissioner Whatcott made a motion to sign the contract with PEHP for the Flex Spending Plan.

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

Commissioner Greathouse made a motion to recess for lunch.

Commissioner Whatcott SECONDED the motion. The voting was unanimous and the motion carried. The meeting recessed at 12:17 p.m..

NOON LUNCH BREAK

Commissioner Whatcott made a motion to reconvene Commission meeting.

Commissioner Greathouse SECONDED the motion. The voting was unanimous and the meeting reconvened at 2:01 p.m..

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

Commissioner Smith reported that he attended a UAC Executive Board meeting on December 16 and 17. At that meeting, Commissioner Whatcott was appointed to be the chair of the Commissioners Public Land Council for a one or two year term. Having Commissioner Whatcott

on that board will help keep Millard County involved with those public land issues.

Commissioner Smith was appointed to be the UAC representative to the NACo Western Board. Each state gets three members to sit on that board and they meet three times a year as part of the NACo Conference.

The commissioners look forward to being involved with everything they can. Commissioner Smith will continue to serve on the Ag and Rural Affairs Committee.

Commissioner Whatcott was appointed to the Energy and Land Use and Environment of NACo. He tried to get appointed to public lands but each state only has 6 or 7 board members and there were no vacancies at that time.

Commissioner Smith said that Thayne Henrie, County Road Supervisor, will be off for a couple of weeks. If there are any problems or emergencies contact Steve Jensen.

Commissioner Whatcott had a meeting with Sherry Petersen who works with Division of Natural Resources (DNR). Commissioner Whatcott was asked about sponsoring an ATV rodeo for the National ATV Jamboree. The Jamboree will line up sponsors and prizes for the event.

The rodeo is centered on safe ATV riding. They will also conduct a one day ATV certification course at the beginning of the Jamboree.

Commissioner Whatcott attended a Resource Conservation & Development (RC&D) meeting and a public health meeting in Richfield. They covered the budgets and projects for the upcoming year at both meetings.

Commissioner Whatcott was invited to go with a Scipio rancher and look at a cattle guard project in the Scipio area.

Commissioner Whatcott attended the ribbon cutting ceremony at the National Guard building in Fillmore.

Commissioner Whatcott met with Fillmore Mayor Eugene Larsen, regarding the shared responsibility of the North Park building and its employees.

Commissioner Whatcott met with Howard Allred regarding Title III funding. They reviewed the policy on how it can be spent and what would be priority work.

Commissioner Whatcott had a meeting with individuals interested in bidding on a cleaning contract for the East Millard Sheriff's Posse building. He reviewed the scope of work required for cleaning that building during the year.

Commissioner Whatcott helped the East Millard Sheriff's Posse with the Sub for Santa Program.

Commissioner Greathouse had nothing to report.

The Commission discussed holding a public hearing for Title III money.

Attorney Waddingham presented a letter to the commissioners stating that the Judicial Council approved having only one justice court for Millard County.

The commissioners discussed vehicles with the sheriff.

#### APPROVAL OF DECEMBER 7, 2010 COMMISSION MINUTES

The proposed minutes of a regular County Commission meeting held December 7, 2010 were presented for consideration and approval. Following review and consideration of the minutes, Commissioner Whatcott made a motion to approve the minutes of December 7, 2010, as presented.

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

#### APPROVAL OF THE BUDGET HEARING MINUTES OF DECEMBER 7, 2010

The proposed minutes of the Millard County Budget Hearing held December 7, 2010, were presented for consideration and approval. Following review and consideration of minor corrections, Commissioner Greathouse made a motion to approve the budget hearing minutes of December 7, 2010, as corrected.

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

#### AUDITOR'S REPORT

Auditor Grace presented the check edit of December 22, 2010 for the commissioners to review and sign.

Auditor Grace presented invoices from the Chronicle Progress for advertising for bids on the AP&P office space remodel, from UAC for 2011 investment for public lands in the amount of \$3,500 and the 2011 UAC dues in the amount of \$11,656 for the commission to review and approve.

#### POSSIBLE APPROVAL OF HARDSHIP ABATEMENT APPLICATIONS

There were none.

#### POSSIBLE BOARD OF EQUALIZATION (BOE) DISCUSSION AND OR ACTION

There was none.

#### TREASURER'S REPORT

Sheri Dearden, Chief Deputy Treasurer, presented a letter from Greg Kessler regarding McCornwood Enterprises, LLC property being taken off green belt.

Assessor Manis said that a couple of parcels were taken off green belt when Mr. Kessler

bought the property. A few more were taken off this year.

Assessor Manis said that in the past the assessor's office would send one letter out regarding the renewal application of green belt property, if an application and or change of ownership on the property was not received. If there was no response to that letter the parcels were taken off green belt. He is changing that practice to sending out two letters before removing the parcels from green belt.

After further discussion on Mr. Kessler's property the Commission asked Ms. Dearden to send a letter to Mr. Kessler informing him that the commission will not be able to adjust his property taxes for this year but they will work to make it right in the future.

Ms. Dearden presented a letter from Craig Robins regarding his mother Lapreal Robins' property taxes. He is asking that the commission waive the penalty of \$26.11 because his mother passed away in June and he did not receive the property tax notice on time. He sent the payment for the taxes on his mother's property but did not include the late fee payment. After further discussion the commission decided that they will not waive the penalty fee of \$26.11. A letter will be sent to Mr. Robins informing him of the commissioners' decision.

#### OTHER

The commission discussed setting tentative dates for hearing on alleged wrongful termination proceedings.

Auditor Grace said that an individual brought to her attention that his payroll check statement was in error. It had apparently been in error for several months due to being dropped from the Apple Program. The Auditor's office can only fix errors on pay checks if it is caught within 30 days of the date the check was issued.

It is the responsibility of the employee to examine its check statement for accuracy when it is received. If errors are found they need to be brought to the attention of the Auditor's office no later than 30 days of the date the check was issued.

Commissioner Whatcott discussed the indoor arena fees in Delta and Fillmore.

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

There was none.

#### WHERE UPON THE MEETING ADJOURNED

Commissioner Whatcott said that he appreciates having worked with Commissioner Greathouse and he thanked him for the service he gave to the county. Attorney Waddingham also thanked Commissioner Greathouse.

Commissioner Greathouse made a motion to adjourn the meeting.

Commissioner Whatcott SECONDED the motion. The voting was unanimous and the meeting adjourned at 3:07 p.m.

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

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