

MINUTES OF BOARD OF COUNTY COMMISSIONERS
MILLARD COUNTY THE 21st DAY OF FEBRUARY 2012
AT THE COURTHOUSE, FILLMORE, UTAH

PRESENT: James I. Withers..... Chairperson
Bart A. Whatcott. Commissioner
Daron P. Smith..... Commissioner

Richard Waddingham County Attorney
Norma Brunson County Clerk
Marki Rowley. Deputy County Clerk

ALSO PRESENT: Tom Heaton, Don Watts, Jeff Richards, Aaron Gibson, Margaret Oler,
and Delynn Rodeback Rocky Mountain Power
Mike Doyle and Lani Eggertsen.. Environmental Planning Group
Phil Lambertsen..... Citizen
Lindsay Mitchell County Sheriff's Office
Robert Dekker County Sheriff
John Hansen County Treasurer
Brandy Grace County Auditor
Pat Manis County Assessor
Bruce Parker Millard County Planning Consultant
Deb Haveron Justice Court
Scott Johnson Sherwood Water Company
Robert Woorley and Skyler Davies Sunrise Engineering
Brent Spencer Sunset View Golf Course

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 Withers to the public and Commission members.

OPENING STATEMENTS

Commissioner Withers asked if anyone had an opening statement to give. Commissioner Smith congratulated both the Delta and Millard wrestling teams on taking State. Commissioner Whatcott said the invocation. Everyone stood and said the Pledge of Allegiance to the Flag.

APPROVAL OF FEBRUARY 7, 2012 COMMISSION MINUTES

The proposed minutes of a regular County Commission meeting held February 7, 2012 were presented for consideration and approval. Following review and consideration of minor corrections, Commissioner Whatcott made a motion to approve the minutes of February 7, 2012, as corrected.

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

AUDITOR'S REPORT

There was none.

POSSIBLE APPROVAL OF HARDSHIP ABATEMENT APPLICATIONS

There was none.

POSSIBLE BOARD OF EQUALIZATION (BOE) DISCUSSION AND OR ACTION

There was none.

DISCUSSION AND POSSIBLE ADOPTION OF RESOLUTION 12-02-21, A RESOLUTION OF THE MILLARD COUNTY COMMISSION AMENDING THE STEP AND GRADE SCALE BY TRANSFERRING THE RECREATION COORDINATOR POSITION FROM THE MAINTENANCE DEPARTMENT TO THE RECREATION DEPARTMENT

Commissioner Smith explained that this resolution will amend the step and grade scale which listed the recreation coordinator under the maintenance department when it should have been listed under the recreation department.

Commissioner Smith made a motion to adopt Resolution 12-02-21, amending the step and grade scale by transferring the Recreation Coordinator position from the Maintenance Department to the Recreation Department.

Commissioner Whatcott SECONDED the motion. Deputy Clerk Marki Rowley called for a roll call vote. Commissioner Smith voted YES. Commissioner Whatcott voted YES. Commissioner Withers voted YES. The voting was unanimous and the motion carried.

DISCUSSION AND POSSIBLE APPROVAL OF RESOLUTION 12-02-21A, AMENDING RESOLUTION 12-02-07, A RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS OF MILLARD COUNTY, UTAH, APPOINTING TRUSTEES TO THE BOARDS OF MILLARD COUNTY DRAINAGE DISTRICT 1 THROUGH DRAINAGE DISTRICT 4, BY CORRECTING THE NAME OF THE APPOINTED TRUSTEE TO DRAINAGE DISTRICT 2 AND APPOINTING A NEW TRUSTEE FOR DRAINAGE DISTRICT 2 AND DRAINAGE DISTRICT 4

Commissioner Smith explained that this resolution is amending the position of the trustees which were appointed last week, by reappointing Klint Atkinson to Drainage District 1, Robert Anderson to Drainage District 2, Theo Barry to Drainage District 3, Garth Lake to Drainage District 4 and appointing Jared Bryant to Drainage District 3 to fill a vacancy.

Commissioner Smith made a motion to adopt Resolution 12-02-21A, amending Resolution 12-02-07, a resolution of the Board of County Commissioners of Millard County, Utah, appointing trustees to the boards of Millard County Drainage District 1 through Drainage District 4, by correcting the name of the appointed trustee to Drainage District 2 and Appointing a new trustee for Drainage District 2 and Drainage District 4.

Commissioner Whatcott SECONDED the motion. Deputy Clerk Marki Rowley called for a roll call vote. Commissioner Whatcott voted YES. Commissioner Smith voted YES. Commissioner Withers voted YES. The voting was unanimous and the motion carried.

DISCUSSION AND POSSIBLE APPROVAL OF REPEALING RESOLUTION 11-12-20C, A RESOLUTION OF THE MILLARD COUNTY COMMISSION AMENDING RESOLUTION 09-03-17 (ADOPTING THE MILLARD COUNTY STEP AND GRADE SCALE), BY CREATING A NEW POSITION IN THE MILLARD COUNTY RECREATION DEPARTMENT FOR A CONCESSIONS SUPERVISOR AND ASSIGNING AN APPROPRIATE STEP AND GRADE FOR THE NEW POSITION

Commissioner Whatcott explained that the commission was going to create a new position for a concession supervisor but instead the recreation department felt that a new position was not needed. They decided to give an existing employee more duties and to consolidate her position as a lifeguard/cashier/shift and concession supervisor.

Commissioner Smith made a motion to adopt Resolution 12-02-21B, a resolution of the Millard County Commission repealing Resolution 11-12-20C which created a new position in the Millard County Recreation Department for a Concessions Supervisor and assigning an appropriate step and grade for the new position.

Commissioner Whatcott SECONDED the motion. Deputy Clerk Marki Rowley called for a roll call vote. Commissioner Smith voted YES. Commissioner Whatcott voted YES. Commissioner Withers voted YES. The voting was unanimous and the motion carried.

TREASURER'S REPORT

Treasurer Hansen gave an update on Mineral Lease Money the county received for the month of January 2012 which has taken a dramatic decrease down to \$1,383.00.

Treasurer Hansen went over the potential tax appeal settlements he received regarding Millard County. He discussed T-Mobile for the period of 2003 through 2011. The decision was that the valuation for the years 2009, 2010, and 2011 would remain as assessed by the State Tax Commission and the prior years would all be settled with reduced values to the county. He received

the breakout sheets on those and calculated the refunds that would be due back to T-Mobile for that period of time. He said that if the payment is made to T-Mobile by the end of this month the county will receive a reduction in interest in the amount that would need to be paid to them. He asked the commission to approve him making the refund to them.

The refund amount for the tax is \$13,503.81; the refund amount for the penalty for 2004 which was assessed to T-Mobile by the State which Millard County now needs to refund is \$475.00; the interest refund prior to the reduction will be \$2,382.36. However, the reduction the county got for the first three years of 50% and the next two years of 25% will result in a \$605.44 reduction. If the total refund is paid to T-Mobile before the end of the month the total amount the county will need to pay would be \$15,755.73.

Commissioner Smith made a motion to approve the refund to T-Mobile based on this schedule.

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

Treasurer Hansen received a copy of the proposed settlement regarding Deseret Generation and Transmission Cooperative, which is a power company that is in Uintah County. This settlement is basically reimbursing them the things that the commission has talked about in prior meetings. He would like the commission to authorize the approval of this when it comes through. This would settle the years from 2004 to 2011.

Commissioner Smith made a motion to approve the refund to Deseret Generation and Transmission Cooperative and allow Treasurer Hansen to process the refund.

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

Treasurer Hansen said that there has been a conclusion reached on the district court action regarding Pacificorp for the years 2005 through 2011. He said that this particular settlement is confidential at this time and would need to be discussed during a closed session.

OTHER

DISCUSSION AND POSSIBLE APPROVAL OF THE 2011 OVERRIDES REPORT

At the last commission meeting Treasurer Hansen gave the commissioners the overrides report to review from January 2011 to December 2011.

Commissioner Whatcott made a motion to approve the 2011 overrides report.

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

DISCUSSION REGARDING TERRI HOOVER'S PROPERTY TAXES

Terri Hoover explained her tax situation with the commission. She said that she has had

several medical problems and cannot work more than part time. She thought that she could catch up on her taxes but she was unsuccessful. She put the adjoining property near her house up for sale and has not been successful in selling that due to the economy.

Ms. Hoover said that she would appreciate any help the commission would be able to give her. She said that she hopefully will be getting an income tax return and will be able to pay off some of the balance. Commissioner Whatcott asked if she felt she could move forward from here and stay current on her taxes. She said that she does not know what the future holds for her.

Treasurer Hansen said that the two parcels owned by Ms. Hoover are pending a final tax sale. One parcel is a residence and the other parcel is residential real property with no buildings on it.

Commissioner Smith said that the commission abated 50% of Ms. Hoover's property taxes in 2009, 2010 and 2011.

The commission will discuss this further and will let Ms. Hoover know of a decision at a later time.

Later, the commissioners discussed the possibility of pulling this property from the tax sale to give Ms. Hoover an opportunity to bring her balance current.

Commissioner Smith made a motion to remove Ms. Hoover's property, Parcel F-38-1, from the tax sale and to abate her 2007 and 2008 property taxes for that parcel by 50% and to waive penalties and interest if she would agree to pay the balance current within one year. If she cannot comply with the agreement, penalties and interest would be added and the property would be placed on the 2013 Tax Sale.

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

Commissioner Whatcott made a motion to remove Ms. Hoover's property, Parcel F-38, from the 2012 Tax Sale and to give Ms. Hoover one year to pay the balance in full. If she does not bring the property taxes current the property will be placed on the 2013 Tax Sale.

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

Treasurer Hansen will inform Ms. Hoover of the commission's decision.

DISCUSSION REGARDING PHIL LAMBERTSON'S PROPERTY TAXES

Phil Lambertson said that he is a disabled veteran and the commission has been great to work with. The property up for tax sale is an adjoining property to his house that he bought several years ago and was renting out. Three years ago the home on the property burned down which lost him the income and no way of paying the payments due for the property. He and his wife are both unable to work and are trying to survive. He said that he would now be able to pay \$50.00 a month to try and get it caught up.

He said that he has been trying to sell the property but due to the economy he has been unsuccessful. Auditor Grace suggested maybe combining the property to the property that his home

is located on since he receives a veteran abatement.

Commissioner Whatcott said that the commission will go over the information and will get back to Mr. Lambertson with a decision at a later time.

Later, the commission discussed this issue in further detail.

Commissioner Smith made a motion to remove Mr. Lambertson's property from the tax sale and to give him one year to bring his balance current. If he does not bring the balance current the property will be on the 2013 Tax Sale.

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

Treasurer Hansen will inform Mr. Lambertson of the commission's decision.

DISCUSSION AND POSSIBLE APPROVAL OF AMBULANCE ABATEMENTS - LINDSAY MITCHELL

Lindsay Mitchell presented an ambulance abatement application from Vetta Todd. Ms. Todd was transferred from Fillmore Hospital to Utah Valley resulting in an ambulance bill in the amount of \$3,800.00. Ms. Todd is a self employed truck driver, her annual income in 2010 was \$32,000.00; her total debt not including the ambulance bill is \$58,306.00.

The commissioners would like to see what Ms. Todd would be able to pay on a monthly basis.

Commissioner Smith made a motion to abate 25% of Ms. Todd's ambulance bill and to set up a monthly payment plan.

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

Ms. Mitchell presented an ambulance abatement application from Jose Monge. Mr. Monge was transferred to Utah Valley resulting in an ambulance bill in the amount of \$3,750.22. Mr. Monge is currently employed with an annual income of \$13,524.00. His total debt not including the ambulance bill is \$2,652.00. Mr. Monge is a diabetic and has monthly diabetic bills on top of this debt.

Commissioner Smith made a motion to abate 40% of Mr. Monge's ambulance bill and to set up monthly payments.

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

Ms. Mitchell presented an ambulance abatement application from Brandi Smith. Ms. Smith was transferred to Utah Valley resulting in an ambulance bill in the amount of \$3,765.42. Ms. Smith's husband has an annual income of \$17,892.00. Other income received within the last 6 months was \$600.00. Total debt owed not including the ambulance bill is \$3,375.00.

Commissioner Whatcott made a motion to abate 35% of Ms. Smith's ambulance bill and to set up a monthly payment plan.

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

Ms. Mitchell presented an ambulance abatement application from Elena Engstrom. Ms. Engstrom was transferred to Utah Valley resulting in an ambulance bill in the amount of \$4,184.29. Ms. Engstrom's husband has an annual income of \$26,418.00. Her total debt not including the ambulance bill is \$13,301.00.

Commissioner Smith made a motion to abate 25% of Ms. Engstrom's ambulance bill and to set up a payment plan.

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

Ms. Mitchell presented an ambulance abatement application from Carla Palmaymesa. Ms. Palmaymesa has two ambulance bills with a combined total of \$8,147.74. Ms. Palmaymesa is currently unemployed and is receiving unemployment in the amount of \$1,528.00 a month. Her total debt including the ambulance bill is \$20,776.00.

Commissioner Whatcott made a motion to abate 35% of Ms. Palmaymesa's ambulance bill and to set up a monthly plan.

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

PUBLIC HEARING FOR THE PURPOSE OF RECEIVING PUBLIC COMMENT ON PROPOSED AMENDMENTS TO THE MILLARD COUNTY GENERAL PLAN - UTILITIES ELEMENT - MAJOR UTILITY CORRIDOR MAP

Commissioner Whatcott made a motion to enter into a public hearing for the purpose of receiving public comment on proposed amendments to the Millard County General Plan - Utilities Element - Major Utility Corridor Map.

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

Present were: Tom Heaton, Mike Doyle, Lani Eggersten, Don Watts, Bruce Parker, Jeff Richards, Aaron Gibson, Margaret Oler and Delynn Rodeback.

Commissioner Withers called the public hearing to order at 11:07 a.m..

County Planner, Sheryl Dekker, was excused from the public hearing.

Bruce Parker, Millard County Planning Consultant, explained that Rocky Mountain Power requested a CUP to establish a major transmission line in Millard County. The Planning

Commission has recommended favorably to amend the general plan to identify a new major utility corridor as identified in the mapping he sent the commission. The Planning Commission has recommended its findings to the commission.

There were no other comments made.

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

Commissioner Smith SECONDED the motion. The voting was unanimous and the motion carried. The public hearing closed at 11:10 a.m..

The regular meeting reconvened.

PUBLIC HEARING FOR THE PURPOSE OF RECEIVING PUBLIC COMMENT ON AN APPLICATION FOR A CONDITIONAL USE PERMIT (CUP) FOR CONSTRUCTION, OPERATION AND MAINTENANCE OF A SINGLE-CIRCUIT, 345-KILOVOLT (KV) ALTERNATING CURRENT OVERHEAD TRANSMISSION LINE (AN ELECTRIC TRANSMISSION RIGHT OF WAY (MAJOR)) PROPOSED BY PACIFICORP, DOING BUSINESS AS (DBA) ROCKY MOUNTAIN POWER - APPLICANT

Commissioner Smith made a motion to enter into a public hearing for the purpose of receiving public comment on an application for a conditional use permit (CUP) for construction, operation and maintenance of a single-circuit, 345-kilovolt (kv) alternating current overhead transmission line (an electric transmission right of way (major)) proposed by Pacificorp, DBA Rocky Mountain Power.

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

Present were: Tom Heaton, Mike Doyle, Lani Eggersten, Don Watts, Bruce Parker, Jeff Richards, Aaron Gibson, Margaret Oler and Delynn Rodeback.

Commissioner Withers called the public hearing to order at 11:10 a.m..

Mr. Parker said that this item has come to the commission as a CUP and if it is approved the county will be acting as an administrative body. He said that the Planning Commission reviewed this application on February 1, 2012. Prior to that, they had at least two or three meetings with the applicant and have been very well briefed.

There are requirements within the development code that need to be met for the approval of a CUP and the Planning Commission has determined that those standards have been met. The Planning Commission and the County Commission can identify reasonable conditions that can be proposed by the applicant or be imposed by the county to make sure that any potential negative impacts are appropriately mitigated. The Planning Commission recommended 17 conditions in recommending approval to the Commission for this CUP, including a road maintenance agreement, a site reclamation plan, a fire plan, adequate signage etc..

Mr. Parker explained that one change relating to the alignment is how wide the corridor

should be. He said that once the alignment is completed the corridor would be 150 feet wide.

Tom Heaton explained that the distance requirement for adjacent power lines would depend on the voltage of the lines and the span width between the structures.

Commissioner Smith asked if there were any conditions that Rocky Mountain Power would like to set with the county. Mr. Heaton said that Rocky Mountain Power is happy and prepared to complete all the conditions set forth. Mr. Parker discussed signage requirements that need to comply with the electrical code.

Erin Gibson said in regards to the signage requirement to be in compliant with the National Electric Safety Code, they will be using two types of structures in this area and they will put the required signage on the main structures.

Mr. Parker said that necessary warning signs are to be placed on all transmission towers. Rocky Mountain Power typically does not do this but will comply with the conditions.

There were no other comments made.

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

Commissioner Whatcott SECONDED the motion. The voting was unanimous and the motion carried. The public hearing closed at 11:21 a.m..

The regular meeting reconvened.

Mr. Parker said that he has been working closely with Rocky Mountain Power and would like to commend them on their professionalism while working with Millard County.

DISCUSSION AND POSSIBLE ADOPTION OF ORDINANCE 12-02-21, AN ORDINANCE OF MILLARD COUNTY, UTAH AMENDING THE MILLARD COUNTY GENERAL PLAN MAJOR UTILITIES CORRIDOR MAP - AN OFFICIAL MAP

Commissioner Smith made a motion to adopt Ordinance 12-02-21, an ordinance of Millard County, Utah amending the Millard County General Plan Major Utilities Corridor Map - an official map.

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

DISCUSSION AND POSSIBLE APPROVAL OF A CONDITIONAL USE PERMIT FOR CONSTRUCTION, OPERATION AND MAINTENANCE OF A SINGLE-CIRCUIT, 345-KV ALTERNATING CURRENT OVERHEAD TRANSMISSION LINE (AN ELECTRIC TRANSMISSION RIGHT-OF-WAY (MAJOR)) PURSUANT TO APPLICATION #Z-2012-002, PACIFICORP, DBA ROCKY MOUNTAIN POWER - APPLICANT

Commissioner Smith made a motion to approve a CUP for construction, operation and maintenance of a single-circuit, 345-kv alternating current overhead transmission line (an electric

transmission right-of-way (major)) pursuant to application #Z-2012-002, Pacificorp, DBA Rocky Mountain Power - applicant, based on the 17 conditions recommended by the Planning Commission.

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

BID OPENING FOR A FAIRWAY MOWER FOR THE SUNSET VIEW GOLF COURSE

Auditor Grace opened the following bids:

- Turf Equipment and Irrigation \$40,656.17
 - sunshade option \$41,665.43
 - demo option with 70 hours of use \$37,920.47
- RMT Equipment \$40,600.00
 - canopy option \$41,375.00
- Green Line Equipment \$38,033.22
 - canopy option \$38,381.75

Commissioner Smith made a motion to accept and to go through the bids to determine the best value and to report who was awarded the bid at a later commission meeting.

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

Commissioner Withers suggested to take the option of selling the county's old mower rather than trading it in.

DISCUSSION REGARDING JUSTICE COURT SECURITY - JUDGE DEB HAVERON & SHERIFF ROBERT DEKKER

Judge Deb Haveron said that she and Sheriff Dekker have discussed court security for the Millard County Justice Court in Fillmore and are on the same page. She presented the commission with a memo from the Court Administrator's Office, Security Specialist. The Security Specialist came down in November and walked through the court and felt that security for the court is necessary. Currently there is no security provided, not even a panic button.

They reviewed the income generated from the Justice Court and feel that there is money available to provide security, including panic buttons. Judge Haveron said that she may have some money in her budget to have the panic buttons installed which will cost \$1,300.00. They need a magnetometer installed as well which will cost around \$3,250.00. They already have cameras up and running in the court room and the foyer area.

The Justice Court holds its big court days on Tuesdays and is willing to work around the District Court who also holds Juvenile Court on Tuesdays.

Sheriff Dekker said that they talked during the budget session regarding manpower needs and felt that they needed to see what the need was and determine if they could cover it with the manpower that they currently have. He said that there may be times when it is necessary to have a bailiff present as well as a security officer. Judge Haveron said for the most part she would be happy

with just a security officer.

Judge Haveron said that they will have to apply for a grant to be reimbursed for the magnetometer. She will just need to get the application in before April 15, 2012.

Commissioner Whatcott made a motion to proceed with the presentation on adding security to the Justice Court and to include a panic button for \$1,300.00 and the magnetometer for \$3,250.00.

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

PRESENTATION ON A PROPOSED PROJECT BY SUNRISE ENGINEERING WHICH WILL CROSS MILLARD COUNTY PROPERTY

Robert Worley with Sunrise Engineering said that the drinking water at Sherwood Shores contains a higher level of arsenic than what the government allows. Sherwood Water Company, who serves the residents of Sherwood Shores, has looked at a couple of options for a solution. The most feasible option would be to pipe the water in from Delta. They will be using technology called directional drilling to put the pipe in under the reservoir. To do this they will start on one side of the reservoir and steer a drill head down to a minimum of 10 feet between the reservoir and the pipe, once they get across to the other side of the reservoir they will hook onto a welded pipe and pull it back through. The property which will need to be drilled and used to pipe the water is owned by Millard County and a private property owner.

Commissioner Withers asked if the water companies had any issues with this option. Attorney Waddingham said that they have easements to impound water but it should not affect the water companies at all. Mr. Worley said this option was preferred by the water company.

Mr. Worley said that when Delta City annexed all the property, the City was under the impression that the county gave them all of the roads. According to Delta City, all the proper language was in the annexation but the quick claim deed has not been filed.

Attorney Waddingham asked the commission if it would want to even keep the property in question.

Mr. Worley said that they are under mandate to have this installed by the end of this year. Plans have been submitted to the Division of Drinking Water for review. They have been in contact with Abraham and Deseret Irrigation companies but have not yet discussed this particular proposal with them. They are trying to get a general sentiment from all the property owners before this is discussed further with the irrigation company.

Commissioner Withers said that he would like to take some time to look into the legalities before moving forward. Attorney Waddingham will look over the information provided and the commission will get back with Sunrise Engineering with a decision within a couple of weeks.

Commissioner Whatcott made a motion to recess for lunch.

Commissioner Smith 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 the meeting.

Commissioner Smith SECONDED the motion. The voting was unanimous and the motion carried. The meeting reconvened at 1:39 p.m..

PUBLIC INPUT

There was none.

OTHER BUSINESS

Commissioner Smith had a discussion with Linda Gillmor regarding a request to add two proposals to the CIB and CDBG list for Millard County in order to bring natural gas to the Sutherland and Flowell areas. Ms. Gillmor sent a letter to Emery Polelonema requesting this be added to the list.

Ms. Gillmor also put a letter together regarding the Sage Grouse Response, which the commission signed and sent.

Commissioner Smith said that he received a letter from SITLA stating that there is a proposed fiberoptic easement on some SITLA land in the county and if the county has any problems they should respond within 15 days.

Commissioner Smith said that the golf course has the opportunity to buy a self propelled sprayer for about \$9,000.00. This would allow the golf course employees to spray the weeds whenever they would like to and would save the county \$3,000.00 a year by not having to contract it out.

The commission thought that it would be a good investment, especially if it would be available to be used on other county property such as the ball fields. Commissioner Smith will move forward with this and will report the costs and where they will get the money.

Commissioner Whatcott said that he met with Thayne Henrie last week regarding a project west of Kanosh on the county road. He said that he just received a memo he has been waiting for from Corn Creek Irrigation Company giving Millard County permission to move a corner section ditch on Crooked Lane.

Attorney Waddingham asked if the ditch will be moved onto personal property. Commissioner Whatcott clarified that the two property owners have surveyed this small section of the property that the ditch will be on and have deeded it back to the county.

Commissioner Smith said that he gave Attorney Waddingham a license agreement to review regarding the golf course switching its website.

Commissioner Whatcott met with the Fillmore City Mayor and the person in charge of recreation. They looked at some property to put two soccer fields on. Fillmore City has decided to retain ownership of the property and to also maintain that property for the soccer fields. They just

asked for some help from the county to haul dirt to the property. Commissioner Smith said that the county budgeted \$10,000.00 for general use. They will look into having the Road Department haul the dirt. Commissioner Whatcott will discuss this further tonight at the Fillmore City Council Meeting.

Commissioner Withers said that Linda Gillmor is helping Margaret Dutson find some funding for the 4-H mentoring program.

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

Attorney Waddingham informed the commission that he ran a new publication for the public hearing to vacate certain class "D" roads in the paper, which will run for the next four weeks.

He said that he told SITLA since they are responsible for the changes required for the new publication they should be responsible for paying for the publications. SITLA agreed.

On February 8, 2012, Commissioner Whatcott attended a Paiute ATV Trail Committee Meeting, hosted by Millard County.

He also worked with the American Legion, Post 61 of Fillmore, with hosting the American Legion Convention scheduled for June 2012.

On February 9, 2012, Commissioner Whatcott attended a Legislative Day at the Capitol Building in Salt Lake City, Utah.

On February 13, 2012, Commissioner Whatcott met with sub-contractors for the Millard County Ambulance building to review its progress, which is almost complete.

On February 14, 2012, Commissioner Whatcott attended a meeting with East Millard Recreation to discuss an indoor arena issue.

On February 15, 2012, Commissioner Whatcott attended a meeting with Todd Alder, General Contractor for the Millard County Ambulance building, where they set a date for the final punch list. He also attended a Fire Service District Meeting.

On February 16, 2012, Commissioner Whatcott attended a Legislative Day at the Capitol Building in Salt Lake City.

He also attended a Public Health meeting in Richfield, Utah.

Commissioner Smith and Commissioner Withers attended the UAC Legislative Day on Friday, along with Auditor Grace and Assessor Manis. They discussed a proposal to possibly raise the coyote bounty to \$50.00.

Commissioner Smith and Commissioner Withers attended a committee hearing regarding a bill which IPP proposed that would allow them to do coal generation and other forms of fuel

generation. There was a little opposition from the coal industry. The committee sent a letter to Senator Bramble, who is the sponsor of the bill. It passed out of the committee with the stipulation that IPP would send a letter stating that they would inform the senate president, the speaker of the house and the governor if they were to ever start negotiating to not use the coal before 2027. Representative Wright is the sponsor in the house.

Commissioner Withers met with the Scipio Town Council concerning the county providing a building inspector. Hopefully they are moving forward and some of the past problems will be dealt with.

Commissioner Withers met with Commissioner Blackum who is the State's Commissioner of Agriculture. They discussed combining soil conservation districts in the State mostly to help reduce funding requirements. He was receptive to the commissioner's opinion and said that he would keep them in the loop.

Commissioner Withers met with the Road Department regarding a building to be built in Garrison, Utah.

Commissioner Withers spent another day at the legislative session where they met with Tooele County regarding them joining Six Co. AOG.

POSSIBLE REVIEW OF COUNTY POLICIES AND CONTRACTS

There was none.

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

Commissioner Whatcott made a motion to go into a closed executive session to discuss pending litigation.

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

There was no discussion during this closed session. The regular commission meeting reconvened.

Commissioner Whatcott made a motion to go into a closed executive session to discuss pending litigation.

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

Present in the closed session were Clerk Norma Brunson, Commissioner Daron P. Smith, Commissioner James I. Withers, Commissioner Bart A. Whatcott, Attorney Richard Waddingham, Deputy Clerk Marki Rowley and Treasurer John Hansen.

After the closed executive session the regular meeting reconvened at 2:37 p.m..

Commissioner Smith made a motion to allow the commission chair to sign a settlement agreement between Millard County and Deseret Transmission and Generation for the years of 2004 through 2011.

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

WHERE UPON THE MEETING ADJOURNED

Commissioner Whatcott made a motion to adjourn the meeting.

Commissioner Smith SECONDED the motion. The voting was unanimous and the meeting adjourned at 2:41 p.m..

Attest: _____

Approved: _____