

MINUTES OF BOARD OF COUNTY COMMISSIONERS
MILLARD COUNTY THE 2nd DAY OF JULY 2013
AT THE COURTHOUSE, FILLMORE, UTAH

PRESENT: Daron P. Smith..... Chairperson
James I. Withers..... Commissioner
Alan M. Roper..... Commissioner

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

ALSO PRESENT: Lauri Mathews..... Signature Real Estate
Derrell Owens..... County Inspector
Forrest Roper..... County Sheriff's Office
Wayne Jackson..... American Legion
Robert Dekker..... County Sheriff
Sheryl Dekker..... County Planner
Kevin Barjenbruch..... National Weather Service
Brandon Bartholomew..... Natural Impressions
James Kallin..... Board of Health
Tom Demolen, John & Marilou Heath, Maxine & Manley Abbott, Michael Corey,
Jon & Kristin Corey, David & Karol Corey, Kelly Healey..... Citizens

Note: Not all agenda items were followed in order.

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, Utah, 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 Withers said the invocation. Everyone stood and said the Pledge of Allegiance to the Flag.

APPROVAL OF JUNE 18, 2013 COMMISSION MINUTES

The proposed minutes of a regular County Commission meeting held June 18, 2013 were presented for consideration and approval. Following review and consideration of minor corrections, Commissioner Roper made a motion to approve the minutes of June 18, 2013, as corrected.

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

FOLLOW UP ACTION ITEMS FROM JUNE 18, 2013

Commissioner Roper asked for an update on Mr. Brunson's property taxes. Commissioner Smith told him that he and Auditor Grace will contact Mr. Lytle regarding the issue.

RATIFY THE MOTION TO APPROVE AN INDIGENT BURIAL FOR ADAM FARLEY

Commissioner Roper made a motion to ratify the approval of an indigent burial for Adam Farley.

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

RATIFY THE APPROVAL FOR A PART-TIME SECRETARY IN THE DELTA OFFICE FOR THE SHERIFF'S OFFICE

Commissioner Withers made a motion to ratify the approval for a part-time secretary for the Sheriff's Office in the Delta City Office building.

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

Commissioner Smith explained that this would reduce the amount of the contract the County has with Delta City for law enforcement services, by eliminating the cost for a secretary. Sheriff Dekker will hire his own secretary.

RATIFY THE APPROVAL OF THE STATE COURT CONTRACTUAL AGREEMENT FOR THE FOURTH DISTRICT COURT

Commissioner Withers made a motion to ratify the approval of the State Court Contractual Agreement for the Fourth District Court.

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

TREASURER'S REPORT

Treasurer Hansen presented the month of June property taxes collection and distribution reports. He said that the financial reconciliation report of county funds between the treasurer and the auditor is not complete, so he will bring it to the next commission meeting.

Treasurer Hansen explained that June is a quarter end so all of the entities who were not restricted received their distribution of property taxes for the month of June.

Treasurer Hansen received a notice from the United States BLM stating that the County will continue to see a reduction in the mineral revenue sharing payments from the federal government for the end of 2012 and the rest of 2013. It indicated that the department will apply a fixed 5.1% sequester reduction against all actual monthly disbursement, effective for the payments ending in June and all future payments.

Commissioner Roper asked how that affects the County's financial numbers. Treasurer Hansen explained that it would affect both the State and Federal payments. He could not give exact figures but said that the numbers have been reduced substantially. He said that it depends on the amount of activity that is in the State, as well as the area that it is involved. Most of the mineral activity right now is in the basin, so they are the ones receiving the majority of the distribution.

Commissioner Smith said that it was rumored that the sequestration with PILT and SRS was going to be cut 5% but then a couple of weeks ago Congress actually funded both of those funds at its highest level for 2014. Treasurer Hansen said that the PILT payment received was higher than what was anticipated.

Treasurer Hansen said that Assessor Manis contacted him regarding two properties that are located in the Drainage District No. 2 boundaries. He said that the properties are similar in classification but one property was assessed at around \$7.00 and the other was assessed at around \$75.00. Treasurer Hansen wanted to make the Commission aware of the situation but also explained that the drainage district assessments do not come from the County.

The County sends the drainage districts a list annually of all the properties that are located within their boundaries, along with the approximate assessment which is based upon prior years. The Districts are supposed to review and certify the list and return it back to the County. The County then uses that information from the list to send the Districts an assessment for the current year. The amount is not based on tax rate, taxing value or market value. The Commission does not control whether the value can be changed, due to it being an assessment from the drainage district, and the commission does not set their assessment rates, it is not a tax.

Commissioner Smith asked how Assessor Manis got involved with this issue. Treasurer Hansen said that it was brought to his attention and he wanted to make sure that everyone is on the same page with understanding this issue.

Treasurer Hansen informed the Commission that Drainage District No. 4 did not return its assessment form. The Treasurer's Office sent them a final letter indicating that if something was not received by the end of May they would not receive an assessment for 2013. Nothing was ever returned so as it stands right now Drainage District No. 4 will not receive an assessment for the year 2013.

Treasurer Hansen said that the disclosure statements will be going out towards the end of the month.

RATIFY THE APPROVAL OF THE ROAD PROJECT AGREEMENT BETWEEN MILLARD COUNTY AND THE USDA, FOREST SERVICE, FISHLAKE NATIONAL FOREST

Commissioner Roper made a motion to ratify the approval of the Road Project Agreement between Millard County and the USDA, Forest Service, Fishlake National Forest.

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

ACCEPTANCE OF INTERIM SUCCESSORS FOR COUNTY OFFICIALS

Attorney Waddingham said that a memorandum was sent to each elected office requesting they submit their interim successors by the first of July.

Clerk Brunson said that she sent all the interim successor statements that she received to the State yesterday. Attorney Waddingham said that a copy also needs to be filed with the County.

Interim successors from the following offices were presented:

- County Attorney
- Clerk
- Treasurer
- Auditor
- Assessor
- Sheriff
- Recorder

Commissioner Withers made a motion to accept all the appointments by the elected offices as their deputies.

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

PUBLIC INPUT

Marilou Heath said that Timberwolf Services, Sugarville's Shelter, Morning Ridge School District, John Heath, as well as herself would all like to recommend Fred S. Tolbert for the American Cowboy Award. This was discussed at the last commission meeting. Commissioner Smith said that they will add Mr. Tolbert's name to the list.

OTHER BUSINESS

Commissioner Withers said that the Rodeo went well. The Rodeo Committee appreciated the citizens for participating and it seemed to be a successful event.

Commissioner Withers said that he received a complaint regarding the noise from the Raceway, which was said to be unbearable on Saturday night. He said that he thinks what happened was they combined all the entries and had one big race that night. He thinks that the noise level was still under the decimal level based on the Delta City ordinance. Commissioner Smith said that they

try to be done with the races by 10:30 p.m.. Delta's end time is 10:00 p.m. but they have given the Raceway a variance until 10:30 p.m..

Commissioner Roper presented an invitation from the Six County Natural Resource Committee to attend their meeting tomorrow at 8:00 a.m. in Oak City. He went over the agenda with the commissioners.

Commissioner Roper and Commissioner Withers attended a Rocky Mountain Power meeting last week. He said that it was an information gathering opportunity based on county needs. They discussed a fire that started in Beaver County and worked its way into Millard County. He said that one of his concerns were that 19 firefighters were killed in Arizona and he would like to make sure that the County will be working on more training on how to prevent what happened during that fire. He would like to make sure that they will have more training on how to avoid something like that.

Commissioner Smith said that safety is a huge concern.

Commissioner Roper reported that the commissioners met with the School District regarding property the County is wanting to purchase. They were able to work out a deal and are just waiting to finalize the location.

Commissioner Roper met with Betty Jo Western, Millard County Fair Chair, regarding putting a float in the parade that will advertise for the Millard County Fair which will be held August 1, 2013 through August 3, 2013.

Commissioner Roper met with Eureka Mayor Hanks, Russ Cowley, Six County Association, and Linda Gillmor, Millard County Economic Development (MEDA) Director. They discussed economic events in Millard County and said that they were willing to help in anyway they can within the Six County.

Commissioner Roper reported that the ATV Jamboree went without a hitch, but they were down several numbers this year and are hoping to learn from this and bounce back next year with a full staff.

Commissioner Roper and Commissioner Withers went to the Utah Manufacturing???. They both had the opportunity to golf with the Utah Manufacturing president and Ashgrove CEO. Both Commissioners did not do such a great job golfing. Afterwards, the president made the statement in the meeting that it has been a misconception that all elected officials are always out golfing. He said that you can rest assured that the Millard County officials are not out golfing.

Commissioner Roper said that Linda Gillmor, MEDA Director, put on a great show. There were about 80 people who attended.

Commissioner Roper said that there is a Government Summit next week in Sevier County. He will get more information on this meeting.

Commissioner Roper said that Miss Millard and Outstanding Teen will be held on July 20,

2013. Junior Miss and Little Miss Millard will be held August 1, 2013.

Attorney Waddingham said that some of the interim successor lists submitted today did not list interim successors. He will followup with those offices to get the correct information. This will be brought back to the next commission meeting.

Commissioner Smith said that he signed the Drug Task Force renewal grant contract a few weeks ago. The County is the fiscal agent for that grant and they sign it each year. *need copy*

Commissioner Smith presented a modification contract between the US Forest Service and Millard County Sheriff's Office. When the Sheriff's Office is asked by the Forest Service to help with situations including emergency services, the Forest Service will reimburse some of the costs to the County. This is a contract that the County renews every year.

Commissioner Withers made a motion to approve signing the modification grant with the USDA Forest Service.

Commissioner Roper SECONDED the motion. The voting was unanimous and the motion carried. **need copy**

Commissioner Smith reported that he attended a Central Utah Counseling Authority Board meeting. They discussed that the State of Utah is requiring the counties to match the funds that are received from federal money. This will cost Millard County an additional \$7,000.00. He said that the flip side of this would be that the State would be putting more money towards Drug Courts.

Millard County currently funds \$11,000.00 towards Drug Court and because of the additional money the State will be funding, the County would not have to continue to fund the \$11,000.00. However, the State would encourage each county to continue funding the same amount as it currently is so that more individuals could participate in drug court. Commissioner Smith said that he will bring this issue up during the County's next budget cycle.

Commissioner Smith said that the State held a budget hearing for its proposed budget. There were no public comments made at this hearing, therefore, the 2014 State budget was passed in the amount of \$4,200,000,000.00, 80% of which is from federal money.

DISCUSSION AND POSSIBLE APPROVAL OF A CONTRACT BETWEEN MILLARD COUNTY SHERIFF'S OFFICE AND THE FOURTH DISTRICT COURT

Sheriff Dekker presented the contract between Millard County and the Sheriff's Office for bailiff services. He said that the contract has increased \$246.00. The contract amount for 2013-2014 is \$25,246.00.

Commissioner Roper made a motion to approve the contract between Millard County Sheriff's Office and the Fourth District Court for bailiff services in the amount of \$25,246.00.

Commissioner Withers SECONDED the motion. The voting was unanimous and the motion carried. **need copy**

DISCUSSION AND POSSIBLE APPROVAL OF OUT OF STATE TRAVEL FOR ADAM BRITT

Adam Britt, GIS, requested approval for out of state travel so that he can attend the Ersi Conference in California, which he attends every year to keep him up to date on the system in the Recorder's Office.

Commissioner Roper made a motion to approve out of state travel for Adam Britt to attend the Ersi Conference held in California.

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

BID OPENINGS FOR THE PUBLIC HEALTH BUILDING IN FILLMORE, UTAH

Commissioner Withers made a motion to table the bid openings for the public health building in Fillmore, Utah.

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

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

Commissioner Smith reported that the County Wellness Committee party that was held Thursday, June 20, 2013 went well. He thanked the committee for all the help, as well as the employees for their services. He said that there will be another party Thursday, August 8, 2013 in Delta. He explained that the funding for these parties comes from insurance incentives or refunds that we get back from the insurance company due to programs the employees participate in, which help lower the utilization of insurance.

Commissioner Smith attended the USACCC Summer Conference last Friday. They discussed Justice Courts in the State. A lot of counties are doing away with their Justice Courts by contracting with the cities to handle the county's court proceedings. He said that Millard County only has one Justice Court in addition to holding Justice Court in Fillmore, UT, it holds Justice Court one day a week in Delta.

They also had a lot of conversation regarding voting. He said that they discussed the lack of companies who are building the voting machines. In the future they will probably be going to mail in voting or internet voting. It has been determined that there is more of a turnout with by mail ballots.

Commissioner Smith said that the United States Department of Justice filed a lawsuit against the State of Utah for the bill it passed stating that no federal employee of the BLM or the Forest Service can act as a policeman or a police agent on federal land. The sheriff, not BLM employees, have the right to enforce state law. He said that currently the Forest Service employees have some authority but have to be deputized by the sheriff in the county. The sheriffs around the State of Utah support this bill and are challenging the federal government. UAC Attorney Mark Ward is involved

with this and will keep the County up to date.

They also discussed centrally assessed properties and where UAC and the counties will be going in the future. A lot of people feel that they need to be united. Millard County is very affected by centrally assessed property. Seventy-Six percent of Millard County's tax base is centrally assessed property. The counties committed to continue to be very involved in supporting this effort.

Commissioner Smith gave a presentation on elected official compensation. He discussed what county commissioners and other elected officials make and how they are compensated. He said that it varies across the State. Millard County commissioners are classified as part-time employees, others are classified as full-time and receive full-time wages.

Commissioner Roper reported that the Community Covenant signing will be held Thursday, July 4, 2013 at 1:00 p.m..

Commissioner Roper reported that the Mental Health Offices in Fillmore have moved to 90 North Main Street.

PUBLIC HEARING FOR THE PURPOSE OF RECEIVING PUBLIC COMMENT ON AN APPLICATION FOR A ZONING MAP AMENDMENT FROM AG20 TO AI (AGRICULTURE INDUSTRIAL). THE APPLICATION IS FOR FORTY ACRES LOCATED AT 3800 W 6500 N - DELTA GRID. JON D. & KRISTIN P. COREY - OWNERS, MICHAEL E. COREY, DBA COREY CATTLE COMPANY, LLC - PETITIONER

Commissioner Withers made a motion to enter into a public hearing for the purpose of receiving public comment on an application for a zoning map amendment from AG to AI. The application is for forty acres located at 3800 W 6500 N - Delta grid. Jon D. & Kristin P. Corey - owners, Michael E. Corey, DBA Corey Cattle Company, LLC- petitioner.

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

Present were: Lauri Mathews, Tom Demolen, John & Marilou Heath, Maxine & Manley Abbot, Michael Corey, Jon & Kristin Corey, David & Karol Corey, Forrest Roper, Wayne Jackson, Robert & Sheryl Dekker, Kelly Healey, and Kevin Barjenbruch.

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

Jon Corey thanked the Commission for the opportunity to talk about the project. He said that they acquired the property a number of years ago. There was a small feed lot existing that bordered 6500 North which contained about 900 acres. With this property they started to put cattle on the land. There was a misunderstanding as they started to expand the number of cattle. They found out that they needed some additional permitting so they are in the process of getting all the required permitting.

Mr. Corey said that they would like to expand their cattle head from 1,200 to around 5,000.

They are trying to do something that has not been done before which will be a benefit to the County. They are raising beef cattle and are trying to fatten them up by using some sprout technology they received from Australia. This technology is a little more water efficient than the traditional method.

He said that the existing operation has had some significant economic benefit to the county. They went over their books from over the last 18 months and found that they have spent a little over \$5,000,000.00 in the local community. They expect with the zone change and by bringing the additional head of cattle, this amount will increase. They will also need to hire a few extra employees.

Commissioner Withers questioned the underground water permit with increasing the cattle from 1200 to 5000. Mr. Corey said that they have agreements with residents in the County who they will be leasing water from and they are also working with the State Engineer's office. Michael Corey said that they are waiting on a stock certificate from one individual to add to the application. Once that is received, they will submit the application to the State Engineer's Office in Richfield Utah. This will all be taken care of during the Conditional Use Permit (CUP) period.

Commissioner Roper asked how the waste control will be handled. Mr. Corey said that they have a contract with LiquaDry who will remove the waste so there will be no discharge or storage of the waste.

Manley Abbot said that his property is adjacent to the property in discussion. He voiced his concerns regarding the culinary water supply and the flies. He said that the flies are so bad now and he worries that they will only get worse. He said that the Coreys informed him that they have a chemical that is suppose to help with the flies, but he does not know if they have started using it yet.

Kelly Healey also lives nearby the property. She said that the Coreys have been extremely great to work with. They have done their absolute best to try and make it a workable situation with the neighbors. She said that she has similar concerns as the Abbots. She also said that the Coreys have been working with her to come up with a win/win situation. She recognizes the impact that their company has on the community. She said that she has a verbal agreement with the Coreys and she and her family do not see an issue with the Coreys not keeping their word.

Michael Corey addressed Mr. Abbot and Ms. Healey's concerns regarding the flies. He said that they have ordered a chemical pellet from Oasis Seed which will be used as a mineral to put into the feed that will treat the manure. The chemical will kill the eggs and the larva of the flies thereby reducing the flies. They are just waiting for that shipment to arrive. In the meantime they brought in some tubs that contain the same chemical.

Marilou Heath said that when she worked with horses, they used hydrated lime and recently she heard about fly parasites and suggested that these may also be options that the Coreys could use.

Commissioner Smith said that the Planning and Zoning Commission held a public hearing, May 1, 2013 where they made an unfavorable recommendation to the board. The board had a few issues that they were uncomfortable with so they forwarded this to the Millard County Commission.

There were no other comments made.

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

Commissioner Withers SECONDED the motion. The voting was unanimous and the motion carried. The public hearing closed at approximately 11:29 a.m..

The regular meeting reconvened.

REVIEW AND POSSIBLE APPROVAL OF APPLICATION #Z-2013-001 FOR A ZONE CHANGE APPLICATION (MAP) FROM AG20 TO AI FOR FORTY ACRES, LOCATED AT 3800 W 6500 N - DELTA GRID. JON D. & KRISTIN P. COREY - OWNERS; MICHAEL E. COREY, DBA COREY CATTLE COMPANY, PETITIONER. PLANNING COMMISSION PUBLIC HEARING HELD ON MAY 1, 2013

Commissioner Withers made a motion to approve application Z-2013-001 for a zone change application (map) from AG20 to AI for forty acres, located at 3800 W 6500 N - Delta grid. Jon D. & Kristin P. Corey - Owners; Michael E. Corey, DBA Corey Cattle Company, petitioner.

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

Commissioner Smith said that after the zone change approval there will be a process to get a CUP approved. The CUP will identify conditions that will be set forth on what is allowed in an AI area for a project this large.

Commissioner Withers said that Millard County is an agricultural county and he appreciates the Coreys for their efforts of going above and beyond of what is expected to make sure that the neighbors are comfortable. He said that it is important to remember that we are neighbors and we are good stewards of the land and it is important to take care of our water and resources. He said that it seems that there has been good compromises for all who are concerned. He thanked the Coreys for trying to take care of the things that the neighbors are concerned about. He thinks that it shows the American spirit that they can work together and he appreciates it.

Sheryl Dekker, County Planner, said that if anyone would like to appeal the commissioners decision they have 30 days to appeal which would go through District Court.

Commissioner Smith said that Ms. Dekker will make the amendment to the County General Plan and Map that shows an AI area and they will continue to work on a CUP.

AUDITOR'S REPORT

Auditor Grace presented a letter from UCIP notifying the County that it will receive a dividend in the amount of \$3,850.00, which will be presented at the December 5, 2013 Membership meeting.

She presented another letter from UCIP notifying the County that it has member equity in use in the amount of \$235,989.00.

Auditor Grace attended the Clerk/Auditor Summer Workshop. They discussed credit card fraud and county issued purchasing cards. She said that other counties have a policy in place that after so many missing receipts credit card privileges will be revoked. She wondered if this would be something that needs to be adopted by policy or if she could implement that in her office. It was discussed that it would be better to have it adopted as policy. She said that her office has a missing receipt form that would need to be filled out in place of a missing receipt, but missing receipts are concerning to the Independent Auditor.

Auditor Grace asked where the Commission is at with the purchasing policy. Commissioner Smith explained that they are waiting for the bonding language. He said that he has made the other changes but it has not been put together yet. Commissioner Roper said that they are mandated by the State on how they need to apply the bonding to the policy. They will work on having a draft put together and distribute it to everyone. They will try to have that done before the next commission meeting.

Auditor Grace said that she has been on a conference call with the executive committee with UCIP. One of the things that they discussed was the legislation that passed, dealing with staggered elections. She said that there has been some differences in opinion between the affiliated groups. They will hold a discussion August 15, 2013 for all members of UAC to participate.

She said that there is some intent to have it repealed prior to the next election process. She also said that they will want to have some of the clerk's discussion and opinion on this issue.

POSSIBLE APPROVAL OF HARDSHIP ABATEMENT APPLICATIONS

There was none.

POSSIBLE BOARD OF EQUALIZATION (BOE) DISCUSSION AND OR ACTION

There was none.

DISCUSSION AND POSSIBLE APPROVAL OF THE UTAH RETIREMENT SYSTEMS PENSION AND 401K RATES

Auditor Grace presented the current rates. She said that the regular public employee retirement rate is 16.04. The new rate that takes effect July 1, 2013 will be 17.29. The rate for public safety is currently 30.45 and is increasing to 32.14. These are rates that the County does not have any discretion over. However, the County does have discretion over the regular employee 401K rates which are currently 14.41%. In the past the commissioners have made it so that the combination between the 401K contribution and the pension rates equal to what the public safety rate is. She said to continue with that practice the regular employee rate would need to be increased to 14.85%. The cost for contributing this increase will cost \$17,000.00 a year.

Commissioner Roper made a motion to approve the 401K retirement rates as 14.85% for 2013.

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

Auditor Grace clarified that this rate is for non public safety 401K contribution.

PRESENTATION ON STORM READY COMMUNITIES - NATIONAL WEATHER SERVICE, KEVIN BARJENBRUCH

Kevin Barjenbruch, Warning Coordination Meteorologist for the National Weather Service Forecast Office in Salt Lake City, Utah, gave a presentation on Storm Ready Communities. He gave a brief background on the Weather-Ready Nation, which is about building community resilience in the face of increasing vulnerability to extreme weather and water events. He said that 90% of all presidentially declared disasters are weather related, leading to around 500 deaths per year and nearly \$14,000,000,000.00 in damage. The end goal is a weather-ready nation, where society is prepared for and responds appropriately to weather-dependent events. A key component of this is ensuring that community leaders make informed decisions, hence, the Storm Ready Program.

Mr. Barjenbruch explained the Storm Ready Program. He said that the Storm Ready Program encourages communities to take a proactive approach to improving local hazardous weather operations and public awareness, protecting lives and livelihoods.

He gave examples of what recognizes a community as storm ready, i.e.:

- Establish an effective communications system, complete with a 24-hour warning point and emergency operations center.
- Have multiple ways to receive severe weather forecasts and warnings.
- Create a network for monitoring local weather and water events.
- Have multiple ways to dissemination weather and weather-related information.
- Engage in community preparedness efforts, including the promotion of public readiness and response through community seminars.
- Develop a formal hazardous weather plan which includes training severe weather spotters and holding emergency exercises.

Mr. Barjenbruch said that this does not mean storm proof, but does mean that communities are better prepared to handle hazardous weather and related events.

He recognized Millard County as being the seventeenth Storm Ready community and presented the Commission with a certificate. He also expressed appreciation to Captain Forrest Roper for all his hard work and participation in establishing Millard County as a Storm Ready Community.

PUBLIC INPUT CONTINUED

Tom Demolen discussed with the Commission his private property that has a public road running through it. He said that multiple times his property has been vandalized and trashed. He said that he has taken some precautions to try and keep the public off of his property. He gave examples of what he has done and explained why. He said that he has spoken with Attorney

Waddingham and Sheriff Dekker regarding this issue. It was suggested that Mr. Demolen post private property signs warning the public that if they violate his property there will be consequences.

Sheriff Dekker said that Mr. Demolen is a private property owner and he has the right to petition the County Commission to place a gate on that road at his expense. He said that the law allows public access on this road but he has the right to protect his property.

Commissioner Roper said that the gate will not stop the vandalism. Sheriff Dekker said that he and Mr. Demolen will address the vandalism as a different issue. Mr. Demolen is in front of the Commission today to request permission to place a gate on the road.

Commissioner Smith said that the commission will allow Mr. Demolen to place a gate on the road as long as it remains unlocked and the public is able to still access the road.

PRESENTATION OF THE 2012 INDEPENDENT AUDIT

Russell Olsen, Larsen Certified Public Accountants, presented the 2012 Independent Audit. He reviewed and explained to the commissioners the Independent Auditor's Report, the Government Auditing Standards and the State Compliance Report. He said that there were no issues that needed to be reported on these reports and in Mr. Olsen's opinion it was a clean audit.

Commissioner Smith questioned the beer tax. Mr. Olsen said that the State asks the auditors to make sure that the beer tax money is spent on liquor law enforcement. He explained how they are able to determine that it is done.

Mr. Olsen also went over the management letter. He said that this letter explains if there were any difficulties and corrected or uncorrected misstatements. He said that there were no disagreements with management or any difficulties or uncorrected misstatements.

Mr. Olsen then went over the findings which included closing entries and drafting financial statements. He said that nothing has changed with this issue. He said that the General Fund balance went over the maximum balance, which is not a bad thing. There were no other findings for the current year.

Commissioner Roper asked if there were any findings that the County needs to work on. Mr. Olsen said that the financial statements are materially correct and any findings that were found are listed in the report.

Mr. Olsen said that he appreciates the staff in the Millard County Auditor's Office. He said that it is not a secret that nobody likes to be audited, but this office accepts and understands why he is there and they always provide what is needed for him to get the audit done.

OTHER BUSINESS CONTINUED

Commissioner Roper said that the County had a winning bid for the contract for the repair of the swimming pool roof. The winning bidder realized that the plans were off and felt that he could not do the project for the amount he bid. Since it was partially Millard County's fault, the County let him out of the contract and offered the contract to the next bidder.

Brandon Bartholomew was the next lowest bidder. When Mr. Bartholomew started the work

he found that there were bigger issues than what was bid out and those problems would need to be fixed before he can start on the actual job.

Commissioner Roper explained what was needing to be done, which includes replacing the ceiling. Attorney Waddingham said that he will need to look at the purchasing policy to make sure that the scope of work would still be in line with the bid. He said that the contract needs to be signed before any work can be started.

Attorney Waddingham said that he has the contract ready except for the payment schedule. Mr. Bartholomew said that he would like to have half down now and the other half at completion of the project.

Mr. Bartholomew explained to the Commission what needs to be done to the roof in addition to what was originally bid.

The commissioners would like to take some time to discuss this further and will get back to Mr. Bartholomew with a plan of action.

DISCUSSION REGARDING PUBLIC HEALTH NEEDS

James Kallin, Six County Public Health Board, said that there are some things that have happened that has made the Public Health employees in Delta want to relocate near the hospital. A few of those reasons are:

- To be closer to the hospital in case a client receiving a shot has a reaction to the serum and requires emergency attention.
- Many residents of the County will not use the facilities because the facility is located next to the bar and the nuisance from smoking outside the bar.
- There is no backup generator at the current location for when the power goes out.
- There was a minor incident that took place between a bar attendee and one of the employees at the public health office. Now the employees are afraid that something might happen to them or to the facility. Since the incident, the bar attendee has done some questionable stuff to the employees or in front of the facilities to make them more frightened.

Mr. Kallin said that he believes that the cost for the new office space will run about the same as the current office space. Also, by relocating, it would eliminate the current problems, as well as make the day to day operations more efficient and the employees will feel safer.

Commissioner Withers will call Bruce Costa with Public Health to find out what the options are and will get back to Mr Kallin.

Commissioner Withers made a motion to recess for lunch.

Commissioner Smith stepped from the chair and **SECONDED** the motion. The voting was unanimous and the motion carried. The meeting recessed at 12:53 p.m..

NOON LUNCH BREAK

Commissioner Withers made a motion to reconvene the meeting.

Commissioner Smith stepped from the chair and SECONDED the motion. The voting was unanimous and the motion carried. The meeting reconvened at 2:06 p.m..

POSSIBLE REVIEW OF COUNTY POLICIES AND CONTRACTS

There was none.

POSSIBLE CLOSED MEETING PURSUANT TO UTAH CODE ANNOTATED SECTION 52-4-204 & 205

There was none.

WHERE UPON THE MEETING ADJOURNED

Commissioner Withers 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 2:07 p.m..

Attest: _____

Approved: _____