

MINUTES OF BOARD OF COUNTY COMMISSIONERS
MILLARD COUNTY THE 17th DAY OF DECEMBER 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: Dean Draper..... Chronicle Progress
Linda Gillmor..... Millard County
Janeal & David Young, Elise Waddingham & Scott Jeffery..... Citizens
Robert Dekker..... County Sheriff
Wayne Jackson..... Military Liason
Laurel & Layne Eliason, Ginger Moody &
Todd Anderson..... Deseret Heritage Association
Marv Turner, Fred Johnson & Howard Allred..... Forestry Fire& State Lands
Tate Bennett..... County Public Defender
Brandy Grace..... County Auditor

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

Commissioner Smith announced that the County Offices will be closed on Tuesday, December 24, 2013 and Wednesday, December 25, 2013 for Christmas Day. He also announced that the Commission will hold a special commission meeting on Monday, December 23, 2013.

APPROVAL OF DECEMBER 3, 2013 COMMISSION MINUTES

The proposed minutes of a regular County Commission meeting held December 3, 2013 were presented for consideration and approval. Following review and consideration of minor corrections, Commissioner Roper made a motion to approve the minutes of December 3, 2013, as corrected.

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

The proposed minutes of a budget hearing held December 3, 2013 were presented for consideration and approval. Following review and consideration of minor corrections, Commissioner Withers made a motion to approve the budget hearing minutes of December 3, 2013, as corrected.

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

FOLLOW UP ACTION ITEMS FROM DECEMBER 3, 2013

There were none.

RATIFY THE APPROVAL OF A CONTRACT WITH PEP SYSTEMS INTERNATIONAL TO REDO THE EAST MILLARD SWIMMING POOL FLOORS

Commissioner Smith said that this contract was approved at the last commission meeting. Attorney Waddingham prepared the contract and Commissioner Smith and Mr. Jones with PEP Systems International both signed it.

Commissioner Roper made a motion to ratify the approval of a contract with PEP Systems International to redo the East Millard Swimming Pool floors.

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

REPORT ON MILLARD COUNTY BUSINESS OF THE YEAR AWARD PRESENTATION TO QUALITY MARKET

Commissioner Roper gave a presentation and presented a plaque of thanks to David and Janeal Young and Scott Jeffery for the excellent service they have provided through Quality Market.

Commissioner Roper shared some of his Quality Market experiences from when he was younger. He complimented them on the renovation. He also thanked them for making the lot next to their building available for another business to move on.

Commissioner Smith complimented them on the Easter weekend hotdog and ice cream event that they put on every year. He said that Quality Market supports all of the events in the community and they employ at least 50 people which is a good economic boost to the County.

DISCUSSION AND POSSIBLE APPROVAL OF A COOPERATIVE RANGE IMPROVEMENT AGREEMENT WITH THE UNITED STATES DEPARTMENT OF INTERIOR BUREAU OF

LAND MANAGEMENT

Commissioner Withers explained that all parties involved agreed to place a fence on both sides of the highway. The County will share the responsibility of putting in the fence with SITLA, UDOT and the Oak City Desert Grazers. He said that SITLA & BLM purchased the fencing and Millard County's jail crew put it up under the supervision of Spence Butler. Millard County and UDOT will help with maintaining the fence if large equipment is needed to move sand and weeds.

He said that by putting in the fence they feel that it will make the roads safer. The area will remain as open range. He said that it was nice to see these government entities work together.

Attorney Waddingham asked for clarification on maintenance of the fence. Commissioner Withers said that the Oak City Desert Grazers will maintain the fence. Millard County and UDOT will only participate with the use of large equipment, if needed.

Keith Meinhardt will put up signs for public view.

Commissioner Roper made a motion to approve the Cooperative Range Improvement Agreement with the United States Department of Interior, Bureau of Land Management.

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

POSSIBLE APPROVAL OF RESOLUTION 13-12-17, 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

Auditor Grace explained that it is required for all of the departments to be under budget before she can close the books. She said that they either need to increase the budget by resolution for those departments who have gone over their budget, or without holding a public hearing, move money from one department to another department within the same fund. This resolution allows her the flexibility to begin moving the budgeted money around to cover those departments who are over budget.

Commissioner Withers made a motion to approve Resolution 13-12-17, 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 Roper SECONDED the motion. Clerk Brunson called for a roll call vote. Commissioner Withers voted YES. Commissioner Roper voted YES. Commissioner Smith voted YES. The voting was unanimous and the motion carried.

POSSIBLE APPROVAL OF RESOLUTION 13-12-17A, A RESOLUTION OF THE BOARD OF COMMISSIONERS OF MILLARD COUNTY, STATE OF UTAH, ADOPTING THE FINAL BUDGET FOR MILLARD COUNTY FOR FISCAL YEAR 2014 AND FIXING SALARIES FOR VARIOUS COUNTY OFFICERS

Commissioner Smith explained that the resolution states that the County advertised and held a public hearing. The minutes for the public hearing were approved earlier in the meeting. The final budget is in balance.

Auditor Grace pointed out that on the portion of the resolution where public officials salaries are attached, according to the pay plan there has been an increase for Commissioner Wither's salary of 2%. She also said that the assessor's salary has remained the same, based on the commitment he made to not take a pay increase until he passes the appraisal test, which he is planning on completing this month. If he passes the test, his salary reflected on this form will change.

Auditor Grace said that there has been some discussion regarding a possible cost of living adjustment (COLA) for the employees. She said that these salaries do not reflect that potential COLA on this pay schedule.

Commissioner Roper made a motion to approve Resolution 13-12-17A, a resolution of the Board of Commissioners of Millard County, State of Utah, adopting the final budget for Millard County for fiscal year 2014 and fixing salaries for various county officers.

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

DISCUSSION AND POSSIBLE APPROVAL OF RESOLUTION 13-12-17B, A RESOLUTION AMENDING MILLARD COUNTY'S PAY PLAN BY CHANGING A PART-TIME POSITION AT THE SUNSET VIEW GOLF COURSE TO A FULL-TIME POSITION AND TO CREATE A PART-TIME POSITION FOR A SECRETARY IN THE SHERIFF'S OFFICE

Commissioner Smith explained that the attached amended pay schedule reflects the two mentioned positions. He said that the golf course position is for a green specialist and will be at a grade 9 and the secretary position will be at a grade 8 and will work out of the Delta sub station. He explained that the Sheriff's Office use to contract with Delta City for a secretary, but no longer do, prompting this addition to the pay schedule.

Commissioner Withers made a motion to approve Resolution 13-12-17B, a resolution amending Millard County's pay plan by changing a part-time position at the Sunset View Golf Course to a full-time position and to create a part-time position for a secretary in the Sheriff's Office.

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

DISCUSSION AND POSSIBLE APPROVAL OF RESOLUTION 13-12-17C, A RESOLUTION APPROVING AND AUTHORIZING THE EXECUTION OF A SIXTH AMENDMENT INTERLOCAL COOPERATION AGREEMENT WITH OTHER MEMBERS OF UTAH COUNTIES INDEMNITY POOL (UCIP), RELATING TO THE ESTABLISHMENT, FUNDING AND OPERATION OF UCIP

Commissioner Smith said that UCIP is the entity who currently handles the County's liability insurance. It was created by the counties to insure the counties. Millard County has participated with them for a number of years.

Commissioner Roper made a motion to approve Resolution 13-12-17C, a resolution approving and authorizing the execution of a Sixth Amendment Interlocal Cooperation Agreement with other members of UCIP, relating to the establishment, funding and operation of UCIP.

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

DISCUSSION AND POSSIBLE APPROVAL OF A WAIVER FOR THE USE OF THE INDOOR FAIRGROUNDS FOR THE SNOW GOOSE FESTIVAL

It was explained that the County has the ability to waive up to 50% of the fee for using the County facilities for non-profit entities.

Commissioner Withes made a motion to waive 50% of the fee for the use of the indoor fairgrounds for the Snow Goose Festival.

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

DISCUSSION AND POSSIBLE RENEWAL OF THE PUBLIC DEFENDER'S CONTRACT

Attorney Waddingham explained that the only change made to this contract was regarding conflict counsel on page 3, paragraph 7. He said that everything else is the same as last year's contract.

Attorney Waddingham said that he has a contract ready for conflict counsel when the County chooses a conflict counsel. Auditor Grace said that she has the telephone bids received for conflict counsel.

Commissioner Roper made a motion to approve the 2014 Public Defender's Contract in the amount of \$84,000.00.

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

Commissioner Smith said that conflict counsel work is no longer part of the public defender contract. He said that the County received some telephone bids for conflict counsel. Auditor Grace went through a process of determining some eligible counsel in our area. Auditor Grace contacted three individuals who they thought would be interested in the position; namely, Cole Cooper, Michael Mathie and Aaron Poff. She received a response from two of those individuals. They discussed what experience each attorney has.

The commissioners wanted to talk to Attorney Tate Bennett before making any decisions.

DISCUSSION AND POSSIBLE APPROVAL OF THE FINAL CIB LIST - EMERY POLELONEMA

Russ Cowley, Executive Director of Six County AOG, asked permission to go to the communities to visit with the mayors regarding the CIB list. He discussed some of the things that they will be visiting with them including the UDOT Mobility Management regarding alternative transportation, Comprehensive Economic Development Strategies and a Consolidated Plan for the CDBG Project regarding the Affirmative Fair Housing Act.

Emery Polelonema, Regional Planner for Six County AOG, presented the CIB list from last year. He said that they will come back some time in March for final approval. They will be going out to the communities in January and they will send the scheduling information to Linda Gillmor, Millard County Economic Development Director. They invited the commissioners to come along on the visits to the communities.

Mr. Polelonema said that there are probably projects on the list that have been completed.

Mr. Polelonema said that one project they have been working on is hazard mitigation. He said that they completed it in 2001 but need to update it through the FEMA program.

Mr. Polelonema said that they are going over the CDBG application process right now and he is the main contact person for that process. He suggested that if anyone calls for this to direct them to Mr. Polelonema.

Commissioner Smith said that they can remove the mental health building project from the list because they have rented some space and no longer need the new building.

He said that the water project for Leamington needs to be added to the list. Mr. Polelonema said that they will amend the list to add this project. He said that the next application due date is February 1, 2014. Commissioner Smith said that this project is more of an urgent project because of the disaster related flooding due to the fire. Mr. Polelonema said that he will talk to Bradley Bartholomew with FEMA and the CIB office regarding this project. Mr. Cowley said that they may be able to do something with the hazard mitigation as well.

Commissioner Withers said that the County has the property secured for the public health building and the plans are in the final stages of preparation. They are hoping the first week of January they will get the bid process started.

Mr. Cowley said that they appreciate Commissioner Roper for serving on the board.

Commissioner Withers made a motion to allow Six County AOG to visit with the local municipalities regarding the CIB list and the projects that are a priority for them.

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

DISCUSSION REGARDING THE DESERET HERITAGE PARK - LAUREL ELIASON

Laurel Eliason, Ginger Moody and Todd Anderson discussed the Desert Heritage Park progress with the Commission.

Ms. Eliason said that before they can move forward they need to work out the issues with securities with the County.

Commissioner Smith said that the ordinance states that during the process the county

attorney, the county commissioners and the engineers need to sign off on the final plat. Ms. Eliason said that her preliminary plat has not changed and is the same as her final plat.

Ms. Eliason explained that the sewer is septic and the water is going to come from the Deseret/Oasis Special Service District. The County has agreed to put in a non-paved road at the County's expense. This road will be a Class B gravel road that the County will maintain.

Mr. Anderson said that with the County putting in the road it will save the Association approximately \$81,000.00 of the total anticipation cost of improvements. The Association's engineer states that the total surety being needed is roughly \$122,000.00. He said that with the County's commitment the \$122,000.00 should be enough to put in the necessary improvements whereby the final plat can be accepted and recorded. This amount is less the road.

Attorney Waddingham said that the County Ordinance states that the County will take the figures to its engineer for review. Mr. Anderson said an agreement with an adjacent property owner has been resolved and as soon as the Association is able to sell lots the Stanworths will move their equipment off the Association's property.

They discussed the surety. Mr. Anderson said that back in August the Association filed a proposal on what the surety should be and requested that it be waived because of the public nature. The Association is a non-profit organization who is trying to better the Deseret/Oasis area. Based on their non-profit status, they thought that it would be appropriate to waive the surety requirements, with conditions. Attorney Waddingham said that non-profit entities are not exempt from the surety requirements.

Commissioner Withers said that they have discussed it and from his point of view he would like to do whatever they can to help the Association with this project. He said that the Association took a huge liability off the County by taking on and improving this property. He would like to find a legal option to be able to help this project move forward.

Ms. Eliason said that they have been working with a company who has its water system priced out. They are willing to give the Association a super good deal if they are willing to advertise for them. She said that they have several people willing to dig the power trenches and they are trying to get this all done on their own. She said that they may have enough sales to pay for the utilities. They are non-profit and anything that is made on this property will go to putting in a community park.

Mr. Anderson said that he has advised the Association that the County has an obligation to make sure that they are not accepting the liability back on this property if the lots are not usable due to there being no roads or utilities. This Association is not a subdivider trying to make a profit. He said that he is looking at an escrow situation where basically they allow the final plat to be recorded and then any sales proceeds are held in escrow via an agreement with the County that all those funds will be used for improvements.

After more questions and discussion regarding surety it was decided that the commissioners will look into the matter and will get back to Ms. Eliason with a figure, the form, the value and whether or not they feel comfortable waiving the surety or not. This will be discussed further at the next regular scheduled commission meeting.

DISCUSSION AND POSSIBLE APPROVAL OF THE STATE FORESTRY WILD LAND FIRE BUDGET - HOWARD ALLRED

Commissioner Smith said that in the past the County has entered into a contract with the Utah Division of Forestry, Fire and State Lands for the Wildland Fire budget.

Fred Johnson asked if the Commission had any questions or comments. Commissioner Smith explained that they meet with the Fire Service District and then enter into a contract with the County. Howard Allred said that this has been worked into the Fire District Budget as well.

Commissioner Withers made a motion approve the contract with the Utah Division of Forestry, Fire and State Lands for the 2014 State Forestry Wild Land Fire Budget in the amount of \$425,798.00.

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

Commissioner Withers said that he appreciates all of the things that they do for the County, especially Mr. Allred. He said that Mr. Allred does a great job. He also appreciates their efforts in trying to mitigate things when they are not going so well for the County.

Dean Draper, Chronicle Progress, questioned the amount of the contract and last year's contract. This contract amount is \$425,798.00; last year's contract amount was \$177,995.00. Commissioner Roper explained how they get the amount of the contract. They take the highest figure and the lowest figure from fires that have occurred in the last seven years and drop them off and add the remaining five years' figures together to get the amount of the contract. Next year the 2006 amount will be dropped off the figure which will bring the amount of the contract lower if this year's fire season is a normal season.

PUBLIC INPUT

Auditor Grace requested to revisit the indigent conflict counsel. Tate Bennett, Public Defender, gave his opinion on each counsel's strengths and weaknesses. He said that Attorney Michael Mathie's strength is that he is more experienced since he is Wayne County's current public defender. He said that Attorney Mathie has been in the criminal practice for at least four years and has a practice established already. He might not have as much time available to commit to Millard County's conflict counsel work as Attorney Poff.

Attorney Bennett said that Attorney Aaron Poff indicated to him that the conflict counsel work for Millard County may be the only work he does, due to medical issues with his daughter taking up most of his time. Attorney Bennett said that Attorney Poff probably has more time to devote to this contract than Attorney Mathie.

Commissioner Smith said that he appreciates Attorney Bennett for his comments regarding this as well as his history with providing indigent conflict counsel to Millard County. He said that the County has always asked for the contract with Millard County be the priority of who holds the contract.

Attorney Bennett said that the conflict work quantity is not that great and he does not think that the contract should be more than \$6,000.00 a month, which he expressed to those who bid the contract. He said that if there is a conflict he would pass the simpler of the two to the conflict counsel.

Commissioner Withers made a motion to start the negotiations of a contract with Attorney Aaron Poff for the indigent conflict counsel contract.

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

Auditor Grace said that the County's insurance states that if the independent contractors do not provide their own worker's compensation the County will have to provide it. She recommended to include the requirement for worker's compensation in the contract for conflict counsel. Attorney Waddingham will make that change to the conflict counsel contract, as well as to Attorney Bennett's contract.

Attorney Bennett said that he carries malpractice insurance and suggested that the County require the independent contractor for conflict counsel carry malpractice insurance as well.

Auditor Grace said that she will contact Attorney Poff and let him know that Commissioner Smith will contact him.

Wayne Jackson said that there are some books that were put out by South Korea, as well as a coin from South Korea that are free to veterans.

He said that he was contacted by Dan Curtis regarding Honor Flight. They will be meeting in Fillmore on January 4, 2014 to sign up all World War II Veterans who are interested in going on a four day, three night tour of the veteran monuments. Honor Flight will fully fund the tour. He invited the commissioners to attend that meeting.

Mr. Jackson asked if the commissioners knew how many veterans are left in the County. He said last he knew there were 35 on the East side of the county. He asked if the commissioners heard of any others to please let him know.

Mr. Jackson said that he found headstones for indigent military service men/women who were buried without headstones. He did this as a new thing through the County and the City. He said that if the commissioners know of any other indigent military service men/women who do not have a headstone to let him know and he will try to get them a headstone.

OTHER BUSINESS

Commissioner Smith said that they have the final purchase agreement which is the legal document through the Title Company for the soccer field property. It has been approved and once it is signed the County will wire the money.

Commissioner Roper said that he spoke with Reverend Beckwith regarding the property the County is wanting to purchase from the Baptist Church for the public health building. He said that Reverend Beckwith received the paperwork from Salt Lake and had something he had to fill out and then he would take care of it at the Title Company. Commissioner Withers said that Sunrise Engineering has completed the plans and now the project is ready to be bid out.

Commissioner Smith asked that the 2014 contract with the County Seat TV Program be

placed on the agenda for the next regular scheduled commission meeting. He said that the contract amount has been reduced to \$11,000.00 from last year's amount of \$22,000.00. He said that he feels that it is well worth the money.

He also asked to put the contract with Robert K. Weidner for lobbying service on the next commission agenda.

Attorney Waddingham discussed with the commissioners spotlighting in the County. He said that a person can use artificial light for hunting but it cannot be from or attached to a motor vehicle. He said that the County could require permits if it wanted, and could require that the Sheriff's Office be notified before spotlighting. He said that it requires an ordinance.

Sheriff Dekker said that the County's current ordinance does not allow spotlighting, including on private property. Attorney Waddingham read a clause out of the state statute regarding private property and the right of a person to protect their crops from predatory animals.

It was suggested to hear public comment and discuss a possible ordinance regarding spotlighting at the next commission meeting.

Sheriff Dekker discussed the resource officers that will be placed in each of the high schools. He said that they hired one officer and are still in the process of hiring the second officer. He said that they met with the schools and discussed the equipment order that will be needed in each office. He said that the school is providing most of the equipment needed for these two positions. He said so far, the Sheriff's Office has only had to purchase two monitors. He said that the school resource officers will be ready to go when school starts again after the Christmas break.

There have been many positive comments heard regarding the resource officers being placed in the Schools.

Attorney Waddingham said that he had a further discussion with Attorney Anderson in the hall regarding the Deseret Heritage Park. Attorney Waddingham said that most of the County's subdivisions are for single lot divisions and do not require an engineer. He said that the wisdom behind having your own engineer is the fact that if someone submits something too low and your engineer thinks that it is not a sufficient surety, they will inform the County so that it will have the information to determine the appropriate surety. He said that he would never recommend that the County waive surety.

He said that he thinks that the ordinances are quite restrictive. He feels that a cash bond is a better form of surety.

Attorney Waddingham suggested that the County follow the ordinance, amend it or do away with it. Commissioner Withers is concerned with the cost for the engineering process that the ordinance requires. Attorney Waddingham said that the County's obligation remains the same no matter who does the project, the improvements have to be done. The commissioners and Attorney Waddingham discussed the potential liabilities regarding the property.

Commissioner Roper will contact Sunrise Engineering to have them do an engineer's review on the proposed Deseret Heritage Park improvements.

Commissioner Smith said that Utah Association of County Attorney Mark Ward, who works on behalf of all of the counties, has requested that the County make sure that its request for SRS

money gets submitted to the State. He said that the County needs to do an election of how it wants to receive the SRS money.

Commissioner Smith explained that one option would be to take 25% of the actual receipts received from the Forest Service. The other is to go by the State's formula by identifying what percent of the money should be for title I, II and III. He said that normally the road department and the school district each get 40% and the remaining 20% will be split between Title II and Title III.

Commissioner Withers made a motion to approve the funding mechanism using the State's formula for receiving SRS money, which is the same as it has done in the past.

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

Commissioner Smith said that the commissioners have an order for holding a special commission meeting on Monday, December 23, 2013 at 10:00 a.m., where the public is welcome. The purpose of this meeting is to have a public hearing to receive public comment on possibly opening and amending the County General Fund and Capital Projects Fund. Also on that agenda will be the possible adoption of a resolution that would allow the County to open the Millard County Budget and amend the General Fund, Road Department Fund, Recreation Fund, Special Projects Fund and Capital Projects Fund. *See attachment.*

Commissioner Roper made a motion to approve the order for the special meeting.

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

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

Commissioner Roper said that he attended an economic development state meeting. He said that there is a lot of stuff going on in the State of Utah. There are projects from one end of the state to the other end of things that they are working on. He said that the State of Utah is in good shape with a lot of economic development.

Commissioner Withers attended a Public Health Meeting in Richfield, Utah last Wednesday. He said that everything is going well and they are excited about the new public health building in Fillmore.

POSSIBLE REVIEW OF COUNTY POLICIES AND CONTRACTS

Commissioner Smith said that they discussed coming up with a policy on spotlighting. They are working on the County's purchasing policy. They are just waiting until the personnel policy is done.

PUBLIC INPUT CONTINUED

Mr. Draper asked if the commissioners received a notice from Senator Lee regarding the budget deal that Congress came to. He said that the notice mentions that the State will no longer receive its portion of the money that was split between the federal government and the State. He is unsure if this cut in funding will effect FEMA or PILT. He said that Utah will not receive the \$32,000,000.00 like it did last year.

Commissioner Smith said that he thinks part of this issue is that in the past the State charged a 2% administrative fee for all of the money that the State gets from federal coffers. It is now increasing that fee to 7% or 8%. Mr. Draper said that the notice he received made it look like it would be more than that.

Mr. Draper said that the Utah Taxpayer's Association is advancing a bill in the upcoming legislature regarding gas taxes. He said that this is to ensure that every county is participating. They are proposing to increase State gas taxes by \$0.42 per gallon. He said that this increase would be to install toll roads, which would effect the northern counties more than Millard County but Millard County would still have to do the \$0.42 increase.

Commissioner Smith said the Nevada District Court ruled in favor of Millard and Juab Counties on the Spring Valley water issue by stating that these counties need to be treated the same as Nevada counties and residents in the mitigation plan for pumping in Spring Valley. He said that Millard County and Juab County basically won the appeal in that court. He said that this just reaffirms that any kind of agreement would have been premature.

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

There was none.

WHERE UPON THE MEETING ADJOURNED

Commissioner Roper made a motion to adjourn the meeting.

Commissioner Withers SECONDED the motion. The voting was unanimous and the meeting adjourned at 12:33 p.m..

Attest: _____

Approved: _____