

MINUTES OF BOARD OF COUNTY COMMISSIONERS  
MILLARD COUNTY THE 11th DAY OF MARCH 2014  
AT THE COURTHOUSE, FILLMORE, UTAH

PRESENT: Alan M. Roper . . . . . Chairperson  
James I. Withers . . . . . Commissioner  
Daron P. Smith . . . . . Commissioner  
  
Richard Waddingham . . . . . County Attorney  
Norma Brunson . . . . . County Clerk  
Marki Rowley . . . . . Deputy County Clerk

ALSO PRESENT: Mike Holt & Wayne Jackson . . . . . Fillmore City  
Dean Draper . . . . . Chronicle Progress  
Russ Cowley & Emery Polelonema . . . . . Six County Association of Government  
Kevin Bunnell & Scott Dalebout . . . . . DWR  
Lindsay Mitchell & Forrest Roper . . . . . Millard County Sheriffs Office  
Brandon Winget . . . . . County Road Supervisor  
Brandy Grace . . . . . County Auditor  
John Hansen . . . . . County Treasurer

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 Roper to the public and Commission members.

OPENING STATEMENTS

Commissioner Roper asked if anyone had an opening statement to give. Commissioner Smith read a quote from Thomas Jefferson: “My confidence in my countrymen generally leaves me without much fear for the future”. Commissioner Withers said the invocation. Everyone stood and said the Pledge of Allegiance to the Flag.

APPROVAL OF FEBRUARY 18, 2014 COMMISSION MINUTES

The proposed minutes of a regular County Commission meeting held February 18, 2014 were presented for consideration and approval. Following review and consideration of minor corrections, Commissioner Withers made a motion to approve the minutes of February 18, 2014, as corrected.

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

#### FOLLOW UP ACTION ITEMS FROM FEBRUARY 18, 2014

Commissioner Smith said that he talked to Todd Mullen, Sunset View Golf Course, who said that he would like to participate in the Play Unplugged program for the Sunset View Golf Course. Commissioner Withers said that Max Wood, West Millard Recreation, might like to participate as well.

#### DISCUSSION AND POSSIBLE REMOVAL OF JEREMY LABRUM'S PROPERTY FROM THE 2014 FINAL TAX SALE

This item was struck from the agenda.

#### DISCUSSION AND POSSIBLE APPROVAL OF A BUSINESS LICENSE FOR WATER MASTERS, LLC, OWNER - DAVID MARSDEN

A business license application was presented for Water Masters, LLC, Owner - David Marsden, a business for outside sales of soft water. After review of the application and finding all signatures in order, Commissioner Smith made a motion to approve a business license for Water Masters, LLC, Owner - David Marsden.

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

#### SIGNATURES ON CORRECTED MINOR SUBDIVISION RECORDATION CERTIFICATE #00188213, B. 578 P: 777 - APPLICATION #Z-2014-001 FOR A PROPOSED MINOR SUBDIVISION FOR THE PURPOSE OF DIVIDING A 6.86 ACRE PARCEL INTO TWO PARCELS (ONE 1.797 AND ONE 5.063 ACRE PARCEL) LOCATED AT APPROXIMATELY 2056 SOUTH 2000 W, DELTA GRID. GAIL LAWSON - APPLICANT

This agenda item was approved at the last commission meeting. The certificate was brought back for signature due to an error being found in the property description on the certificate that was previously signed.

#### DISCUSSION AND POSSIBLE APPROVAL OF SPONSORING THE PLAY UNPLUGGED PROGRAM

Commissioner Smith said that there was some discussion regarding the County participating in the program to have citizens attend a County meeting to receive a brag tag. Commissioner

Withers said that this would work best in the summer time and would give the citizens a chance to learn how the government works.

Commissioner Withers made a motion to approve sponsoring the Play Unplugged Program in the amount of \$250.00 for participants who attend any sort of county meeting to receive a brag tag. The \$250 will be taken out of the Commission Miscellaneous budget.

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

#### DISCUSSION AND POSSIBLE APPROVAL OF A PROPERTY TAX ABATEMENT FOR REED A. SMITH

Treasurer Hansen said according to his notes last year the Commission agreed to abate one half of the tax, penalties and interest if Mr. Reed paid one half of the balance by April 2014 and then paid the remaining balance before October 31, 2014.

He said at the time of the agreement last year, the balance owed was \$2,839.25; half of that balance would have been \$1,419.63. Dividing that amount into 15 payments equals to be about \$95.00 a month.

Treasurer Hansen said Mr. Reed has made about 8 payments. He is a little behind but is basically on track to meet the deadline. Also, his property is scheduled to be on the tax sale again this year.

Commissioner Smith said that it is clear that Mr. Reed has made an effort and in review of his situation, it is clear that he does have hardships. He suggested to remove the property from the tax sale again this year and to continue to work with him to see if he can catch up and make the payment.

Treasurer Hansen clarified that as long as Mr. Reed continues to make his payments through October the County will waive the other half of the balance which was agreed upon last year.

Commissioner Smith made a motion to remove Mr. Reed's property taxes from the tax sale and allow him to continue to make payments through October and once half the balance owed is paid in full, the Commission will waive the other half, as agreed last year.

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

#### DISCUSSION AND POSSIBLE APPROVAL OF AN AMBULANCE ABATEMENT(S) - LINDSAY MITCHELL

Lindsay Mitchell presented an ambulance abatement application for Merlita Allain. Ms. Allain has an ambulance bill in the amount of \$3,399.33 for a transfer to IMC. Ms. Allain has already made a \$1,500 payment towards the ambulance bill.

Ms. Allain is currently unemployed, her husband has an annual income of \$16,800.00 from social security

Commissioner Smith made a motion to abate 60% of Ms. Allain's ambulance bill based on

income and to set up a monthly payment plan for her to pay the balance.

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

#### PRESENTATION OF THE PILT PAYMENT - KEVIN BUNNELL, REGIONAL SUPERVISOR OF DIVISION OF WILDLIFE

Kevin Bunnell, Division of Wildlife (DWR) Regional Supervisor, introduced Scott Dalebout, DWR Lieutenant over law enforcement, and presented the County with the PILT payment in the amount of \$9,266.75. Mr. Bunnell said that this is the largest PILT payment that he has ever delivered in the Southern Region.

Mr. Bunnell read a letter from DWR Director Greg Sheehan, explaining the PILT payment and thanking the Commission for its support as a partner and a manager in Utah's wildlife.

Mr. Bunnell also thanked the Commission for its support. He said that it has been a busy last couple of months for DWR in Millard County. They moved about 200 animals, which included 48 deer from the Parowan Front to the lands north of town. He thinks that they are done moving animals for this year.

Mr. Bunnell said that he will continue to send updates on the translocation to the Commission. He said that they did not get the number of sheep they wanted, so they may repeat that effort again next year. They were hoping for 90 sheep and were only able to get about 40. He said so far, they have only lost 3 sheep since the transfer.

Mr. Bunnell thanked the County for the support they have shown to his officer Cody Jones who is having some family health problems. He said that especially the Sheriff's Office has rallied behind Mr. Jones and he appreciates that.

The Commission expressed its appreciation for Mr. Jones for the great service he has rendered.

Commissioner Smith asked if the coyote predator control program was passed in the legislative session. Mr. Bunnell said that it is an ongoing bill and did not get addressed this year. He said that they have contracted with some individuals who have shown that they know what they are doing for particular sites for predator control.

The commissioners discussed their concerns with the racoons. It was suggested to add a racoon bounty in addition to the fox bounty the County currently offers.

Mr. Bunnell said that they started a new program for nuisance wildlife. There is a tech currently in Beaver County who will be covering the program for both Beaver County and Millard County. She will be working with the Millard County Dispatch Center who will know how to contact her if people have issues with nuisance wildlife.

The commissioners said that they are excited about the sheep and the deer being brought into the County. Mr. Bunnell said that the commissioners will probably hear some rumblings over the next few years on how the deer hunts on Oak Creek are being managed. He said that they will put together a committee to discuss that.

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

## POLELONEMA

Emery Polelonema, Regional Planner Six County Association of Counties (SCAOG), said that they visited all of the communities in Millard County, except for Meadow, due to the Mayor being sick at that time. He said that Meadow does not currently have anything listed on the CIB list.

Mr. Polelonema encouraged the Commission to inform the towns that there is money available. He said that there are only \$8,000,000 worth of requests made for the \$25,000,000 available funds.

Mr. Polelonema said that they would like to get the CIB list approved today. Commissioner Roper said that he went through the list and also attended some of the visits made by Mr. Polelonema and Mr. Cowley. He said that he thinks that everyone who was visited appreciated the efforts of Mr. Polelonema and Mr. Cowley.

Mr. Polelonema said that Linda Gillmor, Millard County Economic Development Director, told him about a road that runs from Fillmore to the lime plant in Delta that needs some improvements. He questioned if it should be put on the list as a county project. It was discussed that the road should be put on the list as a Special Service District #8 short term project. Commissioner Roper said that he would get Mr. Polelonema more information on the road itself.

Commissioner Smith asked that the project involving the mental health building be removed from the list, since it is no longer needed at this point.

Commissioner Roper said that the County is working on the construction of a new health building in Fillmore and unexpected costs and bonding issues keep coming up. He asked what they need to do with bonding, as far as contractors, and requirements with a Community Impact Board (CIB) loan. Commissioner Withers said that the County received a CIB loan in the amount of \$360,000 to build a public health building. The engineers are now telling the County that the building will cost about a third more than what the County originally thought. Mr. Polelonema suggested to go to the CIB and ask for a supplemental payment. Commissioner Roper said that he thinks the County should be able to complete the building for the amount originally contemplated.

Attorney Waddingham questioned the time frame the County has to spend the CIB money once it is received. Mr. Polelonema said that there is no time frame on when the money needs to be spent, as long as the County is moving forward on the project it was intended for. He said that CIB is here to help the communities.

Mr. Polelonema said that they are bringing in \$30,000,000 to \$40,000,000 in the Six County area for projects. Mr. Cowley gave an example of a County whose representative was prepared when asking for a CIB loan and was able to get a \$750,000 grant for his County just by being fully prepared with information on the projects he was proposing. He said it is better to be fully prepared with all necessary information when requesting funding on a project.

Commissioner Smith said that they will make application to the CIB board in May for the natural gas project. They met with the staff of CIB a couple of weeks ago. The County will work closely with Mr. Polelonema on possible funding for this project.

Russ Cowley, Executive Director Six County AOG, went over the 2014 Consolidated Annual Action Plan with the commissioners. He said that they are currently in the middle of a public hearing process.

He said that the funding goals for next year will include Hinckley Town's sewer improvement project in the amount of \$98,000.

Mr. Cowley reported on what they found for the communities and he went over what was on the community needs assessment report.

Commissioner Withers made a motion to approve the final CIB List.

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

#### DISCUSSION REGARDING THE TRANSFER STATION - WAYNE JACKSON

Wayne Jackson and Mike Holt, both with Fillmore City, discussed the Fillmore transfer station with the commissioners and the possibility of Mr. Holt having to drive his garbage truck to the Delta landfill.

Mr. Holt said that he has updated all of his equipment and is currently hauling garbage from his pick up routes to the transfer station in Fillmore City. He has been told by County employees that he needs to be hauling the garbage to the Delta Landfill instead and if the compactor at the transfer station breaks down the County will not replace it.

Mr. Holt said that he would like to find out what the commissioners want him to do. Mr. Jackson said that Fillmore City would like to keep the transfer station available and in working condition in Fillmore City.

Commissioner Roper said that if Mr. Holt is willing to take the garbage to Delta there will be costs associated for doing that.

The commissioners said that they were unaware of these issues. The County will not compensate Mr. Holt for hauling to Delta, but he was reassured that the compactor will remain in working condition and will stay in Fillmore.

Commissioner Withers said that he will visit with Sheryl Dekker and Phil Lovell who are over the County Landfill. He said that if it is found that there are issues he will meet with the cities to discuss options.

The commissioners said that they will be willing to work with the numbers, if it is proven to be less of an expense to have Mr. Holt haul to Delta rather than do what they are doing now.

Mr. Jackson said that Fillmore City wouldn't have issues but they are paying to use the transfer station right now and would like to continue to be able to use it.

Commissioner Roper said that the commissioners appreciate the investment made by Mr. Holt in the community.

#### BID OPENING FOR MAGNESIUM CHLORIDE

Auditor Grace said that the request for bids was advertised in the Millard County Chronicle Progress on February 26, 2014 and March 5, 2014. She said that there were three bids received.

Auditor Grace opened the following bids:

- Matthew Finlinson: No bid amount was listed
- Dust Busters: Delta; \$66.74 per ton, Delta plus 32; \$71.03 per ton (35 ton minimum)
- Desert Mountain Corp.: Delta; \$98.43 per ton, Delta plus 32; \$104.83 per ton

Auditor Grace explained that Mr. Finlinson's bid form was not filled out with an amount. She said that he brought his bid to the Auditor's Office right at 5:00 p.m. on the deadline date, and was asking questions about the bid specifications. He was told that the deadline was at 5:00 p.m. and it was not the time to be asking questions.

Commissioner Withers made a motion to accept the bids as presented, and to meet with the Road Department to make sure that the bids meet all of the specifications.

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

## PUBLIC INPUT

Wayne Jackson said that the Monument Committee held a meeting. They discussed the Veteran's Wall and the new plaques and decided to make them fit flush with the wall.

Mr. Jackson said that they are taking more time on the names but they are already pouring the stone plaques. The installation crew was pretty impressed with the product. A special glue will be used to place the stone plaques instead of having to drill the plaques. The crew will do all of the cleanup and cure the wall. He said that so far, they are on track 100%.

There is room on the wall to add more plaques. The contract included 42 extra stone plaques which will be stored in a safe place for when they are needed.

Mr. Jackson said that Delta City has taken the metal plaques that were currently on the veterans wall to Frank Thomas to have them refurbished. Steve Robison has offered Delta City a unistrut to mount the plaques on the wall. He said that he is not sure where they are going to display them as of this date.

Commissioner Roper said that he was amazed with the effort on the research to find those who have served. Mr. Jackson said that they need to advertise in the paper quite often now to request names of those who served in the military to get the process started.

Terry Scottorn, Millard County Weed Supervisor, questioned what the status was on the property for the Weed Department. Commissioner Withers said that he talked to Tony Anderson and Sheriff Dekker about the Weed Department using the property West of the Sheriff's Posse building. Sheriff Dekker said that his only concern was how secure the fence was.

Commissioner Withers also talked to the Road Department about laying down gravel on the property so that the facility would be ready to go when they were ready to start moving.

Mr. Scottorn questioned who will be removing the stuff that is currently being stored from the property. It was suggested to get the jail crew to help with that. The commissioners will talk to East Millard Maintenance Supervisor Klint Penney and work with Wayne Jackson to see what they can do.

Mr. Scottorn said that the fence is secure but the gate needs to be hung a little higher so it

does not drag on the ground when opened. He informed the commissioners that currently he does not have any place to work on equipment or any tools to work with.

## OTHER BUSINESS

Commissioner Withers attended the Soil Conservation District meeting. He said that they are still concerned about whether or not they are covered under insurance. Commissioner Smith said that they should be able to get insurance through the Special Service District.

Commissioner Withers said that they are getting paranoid about serving on boards that could get sued. Attorney Waddingham said that they should have articles and bylaws in place to help prevent that. As long as their conduct is not willful or wanton they should not have personal liability.

Commissioner Withers said that the District purchased a gopher machine to rent to farmers to kill gophers. He asked if they need to worry about liability issues in renting that equipment. Commissioner Withers said that they have a release form that he will get to Attorney Waddingham for his review.

Commissioner Smith was contacted by Bryce Pillings who has submitted for payment on fox vouchers. The County budgeted \$1,000 for the predator control program for foxes. He said that his opinion is to do a bounty for both foxes and racoons. It was suggested to split the \$1,000.00 in half allowing \$500 for each. Commissioner Roper said that he was contacted by four citizens; half agreed with the bounty and the other half disagreed.

Commissioner Withers said that he is more concerned with racoons than fox. Racoons ruin your crops and disrupt wildlife.

Commissioner Smith said that he will prepare \$500 worth of vouchers for each racoon and fox.

Attorney Waddingham said a few months ago the letter of credit for the Milford Wind project for reclamation after the project is complete was transferred to BNP Paribus Co. Bank. Milford Wind is now wanting to transfer the letters of credit to Key Bank National Association which has an A- rating. Attorney Waddingham asked Milford Wind why they wanted to transfer the letters of credit. He was told that they are trying to coordinate in regions where they are issuing letters of credit based on the type of project. They wanted to use Key Bank for the western sector for the letters of credit. He said that the commission's approval is required to allow them to do that. The letters of credit are in the amount of \$260,000.00 and \$100,000.00.

Commissioner Withers made a motion to allow Key Bank to be substituted for Paribas Co. to handle the letter of credit on the Milford Wind project.

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

Attorney Waddingham said that the Millard Care and Rehabilitation Center (MC&R) is qualified to apply for seed money to get additional medicare money. The problem with this is that it has to come from a government entity and they need the seed money up front. MC&R wants to

enter into an agreement with the County to pay rent for the facility so they could pay back the seed money. He said that they would need to get IHC's written permission to sublease the property.

Attorney Waddingham said that he received figures from MC&R. They can go back as far as February of last year and pay seed money of approximately \$50,000 a quarter. The seed money must come from a non state government entity. In return, they would be able to receive as much as \$180,000 a quarter. The question is, how is the best way to set that up if they decide to go with it.

Commissioner Smith said that right now the County budgets some money for MC&R to operate on and asked if they could use that money for this. Attorney Waddingham said that would probably work.

Commissioner Smith and Attorney Waddingham will meet with Jeff Christensen, Millard Care and Rehabilitation, to see what the options are and will report back to the Commission.

Commissioner Roper asked whether the private facilities could apply for this. Attorney Waddingham said that he is unsure whether private facilities could apply for this as well, but he thinks that they probably could.

If the return is as good as they claim it is, it will save the County a lot of money. He gave an example of Uintah County and how they do it.

Captain Forrest Roper presented an annual grant application with the Utah Bureau of EMS for signature. This grant will help offset some of the training costs for EMS.

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

Commissioner Smith said that the Millard County Planning and Zoning Commission will be holding a special meeting on Wednesday, March 12, 2014 at 6:45 p.m.. They will be holding a work session and reviewing the proposed subdivision ordinance change.

All three commissioners attended the NACo Conference in Washington D.C. last week. Commissioner Smith thought it was very beneficial. He said that there were a lot of issues discussed. They met with a lot of the congressional staff.

They had a telephone conference with the BLM after the District of Columbia shut down due to the snow. Commissioner Smith said that he appreciated the opportunity to be able to attend and felt that it was very valuable.

Commissioner Smith said that the County is watching a number of bills at the State legislative session right now. He said that UAC is taking a couple of positions on bills to do with transmission corridors. Bruce Parker, County Planning Consultant, has been involved with that and the County appreciates his efforts.

Commissioner Smith said that he expressed the County's position on a number of other bills to Representative Merrill Nielson and Senator Ralph Okerland.

Commissioner Smith said that he noticed that Becky Lockhart's goal was to put an Ipad in every student's hands was revoked. He said that there are a lot of things happening this week at the Legislature which the Commission will continue to monitor.

Commissioner Withers said that he attended the same meetings as Commissioner Smith in Washington D.C.. He said that he felt that the meeting with BLM was hopefully beneficial for the citizens of the County concerning the wild horses issue. He said that it makes an impact when the right agencies know you are concerned enough to come back and find them.

Commissioner Roper presented a letter of appreciation received from Oak City Home Owners Association. Commissioner Withers read the letter and explained that about six months ago the County worked with the Oak City Home Owners Association with fixing a culvert at the entrance of a subdivision in Oak City. The culvert was needed due to safety issues. It was put in place to make sure that the residents of the subdivision were able to get out of the subdivision if there was ever a flood. Commissioner Roper said that the culvert and the overflow outlet looks good.

Commissioner Withers said that there was a lot of positive feedback regarding the contractor (Harward and Rees) who won the bid for the project. He said that they have been very congenial to the citizens and very respectful of private property and several citizens have expressed their appreciation for the contractor's congeniality.

Commissioner Roper presented documentation for the Commission to sign regarding the purchase of property for the public health building which will be forwarded to American Title along with \$25,000 for the purchase of the property.

Commissioner Roper said last year while at NACo the commissioners noticed that Congressman Stewart's office needed a picture for his wall, so this year when they went to the NACo conference they took him a framed picture of Millard County and some of the projects going on in the County to hang on his wall in his office. Commissioner Roper said that they took a picture of the commissioners presenting the picture to Congressman Stewart which would be a good story for the paper.

Commissioner Roper said that he had a good visit with the congressional representative. He thought it was very beneficial. They feel that the County is known by the people back there. He said that anytime there is a need in the County they call the congressional people, who have always been good to work with the County.

The commissioners discussed whether the County will waive the liability insurance requirements for the 2014 Janitorial Contracts. After discussion it was suggested to waive the general liability insurance requirements for the 2014 Janitorial Contracts and to revisit the discussion again when they review the contracts in October, 2015.

Commissioner Withers made a motion to approve the janitorial contracts for the 2014-2015 year.

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

Commissioner Roper read a letter from the Department of Transportation informing the County of its annual meeting to be held Tuesday, April 8, 2014 at 2:00 p.m. at the Millard County

Courthouse.

Commissioner Roper read a letter received from USDA informing the County that the proposal to construct a debris basin on the National Forest Service Systems lands in the Dry Creek drainage has passed the Forest Service's initial screening criteria and would be consistent with uses and management of National Forest systems lands.

Commissioner Roper said that the department heads and elected officials met with Johnnie Miller with Utah Counties Indemnity Pool to discuss the County's purchasing policy. Attorney Waddingham has been working with Mr. Miller and plans to meet with him next week.

Commissioner Roper and Linda Gillmor met with John Bronson, Manager and Director of Zions Bank and with Randy Larsen, Attorney with Ballard Spar Legal. They informed Commissioner Roper and Ms. Gillmor on what the County needs to do to apply for grants to do the natural gas project. Ms. Gillmor and Commissioner Smith went to the CIB and the county is moving forward with that project. He said at 1:00 p.m. the commissioners will meet with Ms. Gillmor to see what they need to do to move forward.

Commissioner Roper informed the commissioners of the Governor's Economic Development Day which will be held in Salt Lake City on April 3, 2014. The cost is \$150.00 to attend.

Commissioner Roper said that there is a fair and an event workshop on April 2, 2014 put on by UCIP. Commissioner Roper is planning on attending this workshop.

Commissioner Roper informed the Commission of a meeting in Delta at 7:00 p.m. for the Utah Department of Agriculture on Thursday night.

The Community Caucus meetings will be as follows:

- Democratic Party: March 18, 2014.
- Republican Party: March 20, 2014.
- Constitution Party: March 27, 2014.

Commissioner Withers requested to have an agenda item added for the next meeting regarding changing Terry Scottorn's job description which will be done by resolution.

Commissioner Roper discussed the public health building requirements on the bond. Attorney Waddingham said that if the County accepts a bond less than the amount of the costs associated with building it is a risk to the County. The lower the bond the higher the risk to the County. He said for example if someone doesn't get paid for the work they have done, the County will be responsible to pay those people. He said any unpaid expense falls to the County and anything less than the bonded amount will also be the responsibility of the County.

Attorney Waddingham discussed the potential risks with the commissioners. Commissioner Roper discussed his thoughts about the bond issues. He suggested to pay the contractor in parts as certain phases of the project are complete.

Commissioner Withers said that he appreciates Attorney Waddingham's counsel, but on the other hand, he would like to be a little more lenient so that local businesses can bid the job which will keep the money in our own county. Attorney Waddingham said to keep in mind that even if it is a requirement the local bidders will build that into a bond.

Commissioner Roper said that local businesses cannot get a bond in the County, due to the financial assets required to receive a bond. The commissioners and Attorney Waddingham discussed this issue further.

Commissioner Withers made a motion to go with a \$100,000 cash bond and the County will pay the contractors in a process as certain phases of the project are completed.

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

Commissioner Roper said that the Commission will work with Attorney Waddingham to put something together.

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

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

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