

MINUTES OF BOARD OF COUNTY COMMISSIONERS
MILLARD COUNTY THE 2nd DAY OF SEPTEMBER 2014
AT THE COURTHOUSE, FILLMORE, UTAH

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

Norma Brunson County Clerk
Marki Rowley Deputy County Clerk

EXCUSED: Richard Waddingham County Attorney

ALSO PRESENT: Bart Whatcott East Millard Recreation
Wayne Jackson Military Liaison
Robert Dekker County Sheriff
Brandy Grace County Auditor
John Hansen County Treasurer

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

Commissioner Roper excused Attorney Waddingham from today's meeting. He is working on other County business at this time.

APPROVAL OF AUGUST 19, 2014 COMMISSION MINUTES

The proposed minutes of a regular County Commission meeting held August 19, 2014 were presented for consideration and approval. Following review and consideration of minor corrections, Commissioner Withers made a motion to approve the minutes of August 19, 2014, pending review

of the County Attorney.

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

FOLLOW UP ACTION ITEMS FROM AUGUST 19, 2014

Commissioner Smith said that at the last commission meeting the Commission made a motion to participate \$13,720.00 to allow for veterans to attend the Honor Flights, if the County had the funds available and if it complied with the County's Purchasing Policy.

Commissioner Smith said that he spoke to Attorney Waddingham about the policy. Also, there are funds available in the budget.

DISCUSSION REGARDING THE EAST MILLARD SOCCER AND BASEBALL FIELDS - BART WHATCOTT, EAST MILLARD RECREATION DIRECTOR

Bart Whatcott, East Millard Recreation Director, discussed with the Commission the possibility of putting in a ball park complex. He said that he has been working with the committee to make things better. He has also worked on making contact with people who have ball parks to get an idea of what their revenue from the ball parks have been.

Mr. Whatcott said that he spoke with Jeremy Teeple who is the Millard High School Baseball Coach. Mr. Teeple gave ideas of how he would bring revenue into the County by use of the ball park.

Mr. Whatcott also visited with Beaver County Recreation and San Juan County Recreation who both were able to get a grant to fund the construction of their ball park complex. He said that he is looking into the possibility of obtaining a grant to put a ball park complex in Fillmore.

Mr. Whatcott said that his goal with the ball park complex would be to have each sport in one location to better accommodate the families whose children will be playing on the fields. He said that it is an inconvenience for families who have several kids playing the same sport to be spread across town.

Mr. Whatcott said that the issues with the horse track and the soccer field are still pretty bad. He said that he has had several citizens express their concerns with the horse track and the soccer fields being at the same location.

Commissioner Smith expressed his concerns with putting money toward the ball fields since they do not bring money back to the County. He said that the County gets criticized on everything it has in recreation, due to the expense of maintaining it. He said that the County has already put in a lot of money to upgrade and upkeep the current fields.

Mr. Whatcott said that the problem with the current fields are that they do not meet regulation to be able to hold tournaments. They are just not deep enough. If they were to bring the fields up to regulation they would be able to hold tournaments on them, which would bring revenue to the County. He said that he had several people from down south and up north who have expressed that if the ball parks in Fillmore were able to host tournaments they would hold them in Fillmore.

Mr. Whatcott said that he will contact Beaver County and San Juan County to see what their Transient Room Tax was before and after the ball park complex went in.

Commissioner Roper said that they have been discussing this option for years and nothing has been done. The County is still deciding on which place to put the soccer and baseball fields.

Mr. Whatcott suggested to have a written contract with the Church. Commissioner Roper said that he called the Church officials and told them that the County would like to obtain the ball park property. He was told that the Church would like to keep the ball parks to ensure that the youth have the opportunity to continue to play sports.

Mr. Whatcott also said that he spoke with the National Guard who would be willing to help with the fields as long as it was under 100 man hours. Anything over 100 man hours would need to be approved by the main headquarters, but could take several months or years to be approved.

Mr. Whatcott also said that he spoke with Brandon Winget, Road Supervisor, who is also willing to work on the fields.

The Commission and Mr. Whatcott discussed getting started on moving the dirt for the soccer fields which has already been approved.

Mr. Whatcott said that he has had a hard time finding soccer educated volunteers, so he has scheduled a soccer clinic this fall to help educate people who would like to volunteer but know nothing about soccer.

DISCUSSION REGARDING USAGE OF THE EQUESTRIAN PARK - BART WHATCOTT, EAST MILLARD RECREATION DIRECTOR

Mr. Whatcott said that there are several delinquent accounts for the use of the East Millard Equestrian Park. He said that several letters have been sent to the account holders and nothing has been done on their part to correct the delinquencies. He said that one person who had a delinquent account up and left owing the County a bill of about \$1,300.00.

The commissioners and Mr. Whatcott discussed sending another letter informing them that if they do not bring the account current they no longer will be allowed to use the facilities.

Mr. Whatcott will put together a list of the delinquent accounts for the Commission to review.

Commissioner Roper expressed his appreciation to Mr. Whatcott for his efforts and the work he has done so far. He said that he has heard a lot of good comments towards Mr. Whatcott.

DISCUSSION AND POSSIBLE APPROVAL OF AN AGREEMENT WITH THE UTAH DEPARTMENT OF AGRICULTURE AND FOOD FOR PREDATOR DAMAGE CONTROL FY2015

Commissioner Withers said that this is the same contract the County does every year with the Department of Agriculture.

Commissioner Smith explained that this is for flying to shoot coyotes in the County. He said that the County budgets \$9,000.00 to give the Department of Agriculture. They will refund the County up to \$4,500.00 for bounty on coyotes. The county cut the bounty for coyotes in half so they could offer bounties on foxes and racoons in addition to the coyotes.

Commissioner Withers made a motion to approve the agreement with the Utah Department of Agriculture and Food for Predator Damage Control FY2015.

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

PUBLIC INPUT

Wayne Jackson presented the Commissioners with a copy of the National Security Universal Resume of Resolutions. He went over some parts of the resolution with the commissioners.

Mr. Jackson asked the Commission if the veterans who will be attending the Honor Flights would be able to park their vehicles at the parking lot of the County Courthouse on Main Street Friday, Saturday and Sunday of next week. The commissioners did not have a problem with that.

Mr. Jackson said that they have a doctor and three part-time nurses who have volunteered to be chaperones on the Honor Flights trip.

Mr. Jackson said that they ended up needing four extra panels for the Veterans Memorial Wall. He said that he spoke with the people who did the original wall and they have agreed to volunteer their time to mount the new wall, so there will be no cost to the County for that service.

He said that he thinks that they are pretty close to having the wall complete.

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

Treasurer Hansen presented the property taxes collected and distributed for the month of August and the Auditor/Treasurer Reconciliation on the County finances for the commissioners to review and sign.

He explained that they only distribute to the taxing entities quarterly except for the very few who have requested to receive it on a monthly basis.

Treasurer Hansen discussed with the Commission the way checks are distributed. He said due to certain circumstances his office implemented a policy that unless there is a commission decision and/or there are special circumstances his office will only mail out checks and will no long deliver them. If someone would like to pick up and/or deliver a check they would have to sign responsibility for that check. He said that they have had issues where they have held the checks or the checks have gone out and had not been delivered. Treasurer Hansen said that his policy is that unless he is notified in advance with a reason for picking up a check, all checks will be mailed. He gave examples of why the policy was implemented.

The commissioners said that Treasurer Hansen's policy is reasonable. Commissioner Roper said that the policy is good and leaves the door open to allow for special circumstances.

Commissioner Smith said that his preference would be to have the person who the check is intended for be the one to pick it up.

Treasurer Hansen said that he would like accountability in writing from the Commission

when they authorize a check to be picked up rather than mailed.

Treasurer Hansen explained the process of the check edit. It was decided that at least two commissioners would need to sign the check edit unless special arrangements have been made. This can be done electronically or approved by telephone.

County employees can pick up a check if it is for expenditures for their office.

OTHER BUSINESS

Commissioner Withers said that the timing mechanism for the touch pad in each lane for the swimming laps have gone bad at the West Millard Swimming Pool. They cannot hold anymore official meets there until they are replaced. He said that Max Wood, West Millard Recreation Director, said that he did not budget for this item, but asked if he could go ahead and replace it this year since it is needed now.

Commissioner Smith said that he is fine with Mr. Wood replacing the timing mechanism. He would like to see the facility be used.

Commissioner Smith said that Kevin Morris, West Millard Maintenance Supervisor, has talked with Delta City for a number of years about putting in a trailer clean out sewer system at the fair grounds. He said that the City has finally agreed to put it in. The deal before was, if they were to put it in the County would put in a pad over it. He said that it will cost about \$1,000.00 to put in the pad. He asked if he could go ahead and do it this year since the City is willing to put it in at this time. Commissioner Smith said that he would be fine with it and to work it out at the end of the year. Commissioner Roper said that it would be advantageous to have it especially since Delta City is willing to work with the County on it.

Commissioner Withers said that the Weed Board had a meeting where they discussed sharing the storage building east of the East Millard Maintenance Building. They are concerned that there is not enough space in the building for all of their equipment. They are looking at constructing a new building somewhere else to be funded in their 2015 budget. They are going to come up with a place to construct the building and will visit with the Commission during the next budget cycle.

Commissioner Withers said that the Weed Department is also looking into obtaining a grant for purchasing chemical and will look at their budget next year to possibly purchase a new truck. He said that one of the trucks they inherited from the Road Department blew up. They are now down one vehicle and will be discussing this with the commission in the future.

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

Commissioner Withers and Commissioner Roper met with Dave Sturlin and John Hansen both from the Eskdale/Garrison area. They have been pursuing a land swap for the past couple of years. He said that on the side of Dave Sturlin's property there are two 40 acre pieces located within the perimeter of the Eskdale community. They keep running into an issue with the Department of Defense's fly zone making it hard to make land swaps. Congressional staff attended and discussed

some options that they could pursue. Mr. Hansen said that his request is a little more of a challenge, but they will work on options for him.

Commissioner Withers and Commissioner Roper met with concerned citizens from Oak City. Del Barnhurst, Forest Service, was also in attendance. They discussed and shed some light on the project in Oak City. He said that the citizens were more concerned with the fire prevention of future fires. When it was all said and done the citizens were more comfortable with the project.

Commissioner Smith and Commissioner Withers attended an open house for the Horizon Woman's Shelter who serve the five county areas. They have volunteer advocates for the facility. The facility houses 17-18 people most of the time. They will also take homeless people until they can get on their feet. He said that the facilities location is not advertised, to keep the people who need it safe. If someone needs its services they would have to contact the Sheriff's Office. The facility is federally funded through the state and some private funds. They do have a board who would like to see if the County could participate in some funding.

Commissioner Smith said that there are groups who will put together packets and donations are accepted. He said that it is nice to know that the facility is there if needed.

Commissioner Smith said that he attended a Golf Committee meeting on Thursday. He said that things are looking good and there have been a lot of positive comments made.

He said that there is one issue they have had for a while regarding the ADA requirements for the club house stairs. They have had four or five complaints in the last month from people who have called. They have looked at putting in a ramp, or building a clubhouse on ground level for carts and storage.

Commissioner Smith said that he was going to visit with Derrell Owens, County Building Inspector, about putting in a lift but, that will be quite expensive.

Commissioner Smith said that there was a BMX race on Friday night. They had a lot better turn out. There were about 12 or 14 participants and 5 different heats. They are planning some other events. They are growing and getting some interest and he feels positive about that.

The Commissioners met with Fred Tolbert, Michael Gates and the BLM regarding the wild horse issue. They talked about meeting with Juan Palma, State Director, to try and enact the RAC committees to get local input. He said that it was a good meeting.

Commissioner Roper said that they need to act fast on that. He feels that it is a great direction to go. It may alleviate some of the problems and tension.

Commissioner Smith asked Clerk Brunson where the County is at with the re-election. Clerk Brunson explained that the Supreme Court is having oral arguments this Friday. There is a different motion before Judge Laycock, but it has not run its course yet and there has been no ruling on that yet.

Mr. Macfarlane filed a response with the Supreme Court case and Attorney Waddingham is going to file a response as well.

As far as the re-election, there is not enough time to meet all of the deadlines. The deadline

for a write-in candidate is Friday, September 5, 2014 at 5:00 p.m..

Commissioner Roper said that the County Arts Festival begins Wednesday and runs through Saturday. He said that the commissioners will be milking a cow, separating the milk and making butter, cheese and ice cream on Thursday and Friday morning from 9:00 a.m. to 11:00 a.m. and again from 1:00 a.m. to 3:00 p.m..

He said that the fourth grade classes will be attending the Arts Festival for demonstrations as well.

The Commissioners will be meeting with the Community Impact Board tomorrow at 8:30 a.m. to apply for a grant to help cover the costs of putting gas into the three different areas in the County. It will give an idea of what the costs will be and give the citizens who will be receiving the service the opportunity to vote on whether or not they want the County to pursue the project.

Commissioner Roper attended a Constitutional Defense Council (CDC) Meeting. It was very interesting. They discussed the Forest Service putting together its plan for the coming year. The CDC wants input as far as grazing. They put together a team that is going to provide input into the Forest Service as they make the plan.

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 11:54: a.m..

Attest: _____

Approved: _____