

Minutes of the regular meeting of the Daggett County Commission/Redevelopment Agency Board, Tuesday, December 16, 2014. All members were present. Vicky McKee, County Clerk, was present as board secretary. The meeting was called to order at 9:00 A.M. by Mrs. Perry, Board Chair.

Also present were: Bret Reynolds-Civco Engineering, Stewart Leith, Brian Raymond, Keri Pallesen-County Auditor/Recorder, Tracy Cowdell-County Attorney, John Morton, Matt & Amanda Lucas and Rebekah Cowdell.

With regards to old business, Mr. Blanchard provided an update on the proposed applications to DEQ-Division of Drinking Water and Community Impact Board for the Dutch John Water Tank Project. The county had originally submitted an application to the DEQ and they had offered a loan and a grant. It had been a consideration to apply to CIB for additional help with the loan portion of the project. Discussions with DEQ presented that they would withdraw their funds if the county proceeded with the CIB Application. The possible terms from both CIB and DEQ were reviewed and discussed. Mrs. Pallesen questioned how the loan with DEQ would be affected by the Dutch John Incorporation and if this should wait until that is completed. Mr. Blanchard stated that this project cannot wait as they have found two more leaks yesterday with visible puddling. Mr. Cowdell stated that the county could enter into a MOU with DEQ early on that states that upon Dutch John incorporating, Dutch John will assume the responsibility of the loan but the county could remain as co-signer. The county also needs to make sure that the residents of Dutch John know that it will be their responsibility. The meeting with DEQ is scheduled for January 9, 2015 and January 8, 2015 is scheduled for the CIB meeting. It was determined that DEQ has already given their best with a 0% interest and CIB has not provided any definite direction. Mr. Blanchard stated that with the loan from DEQ the water minimum billing would need to be increased by \$14.00 per hookup and with the conditions that the project would be completed by November 2015. Upon review and discussion it was determined that the county would proceed with DEQ and not submit an application to CIB.

Mrs. McKee also provided an update on the Jail Bond Reissuance. She stated that she had received a phone call and an email from Allen Westenskow, Zion's Bank Public Finance, where he provided draft debt service numbers for review and a Closing Date of January 20, 2015.

Mrs. McKee also read a copy of Article IV, Section 9 regarding the terms of elected officials which stated that the terms of the new officials shall commence on the first Monday in January next following the date of the election. Mr. Cowdell stated that based on the code, the new officials are officially in office the first Monday in January and swearing them in is mainly ceremonial. Upon review and discussion, it was determined that the new elected officials will be sworn in by Mrs. McKee on Tuesday, January 6, 2015 at the Commission meeting.

Mrs. Perry stated that the documents for the sale of the Union Telephone Shares were put into the mail today.

Mr. Steglich questioned if Mrs. Pallesen had heard anything back from the Bureau of Reclamation and she reported that Mr. Blanchard had received an email from the BOR stating that they had not found any concerns.

Bret Reynolds questioned if the county had sent a letter to the DNR and Mr. Steglich stated that he will get with Mr. Lund and draft a letter.

There was no one present with citizen's comments.

The minutes of the December 9, 2014 meeting were submitted by the County Clerk's office for review and approval. Mr. Blanchard questioned which airport the work order from Civco Engineering was for and it was clarified that it was the Dutch John Airport as written. Mr. Blanchard also stated that the reason in the minutes for the Closed Session was incorrect. Tracy Cowdell, County Attorney, stated that he agreed and he recommended changing the minutes on Page 2, Paragraph 6, to read that the purpose of the Closed Session was for discussion of the character and competence of an individual. Motion by Mr. Steglich to approve the minutes as revised. Seconded by Mr. Blanchard, all in favor.

The matter of the Open Invoice Report in the amount of \$144,158.74 was provided for review and approval by the County Auditor's office. Mrs. Perry addressed her concerns with the additional expenditures of the County Sheriff while his budgets are over. Mrs. Pallesen stated that she had received an email yesterday requesting an additional \$23,000.00 to cover this year's budget over what has been transferred with some of that amount being included in this Open Invoice Report. The concerns of the overages in the budgets were reviewed and discussed. Mrs. Pallesen stated that she feels that anything over this additional \$23,000.00 needs to be taken from their salaries. Mr. Cowdell stated that this is a serious problem and he suggests that the Commission controls the money and they need to say this is it or that they will make cuts in those budgets. Mrs. Pallesen stated that she had been informed that there are some jail employees that are over their allowable vacation allowance and they cannot take time off as they are short staffed so they need to carry that time over. The County Policy states that under that condition the employee will lose those hours. Mrs. Perry stated that Chris Collett was an appointment made by the Sheriff and she questioned if that appointment can go away. Mr. Cowdell suggested that the Commission go into Closed Session regarding this matter. The matter of the Open Invoice Report will be continued until later in the meeting

There had been correspondence provided that stated that PILT (Payment In Lieu of Taxes) will be fully funded for another year and Secure Rural Schools has not received Congressional funding for FY2014 as of yet. Mr. Blanchard stated that it was important that the county have representation at the Legislative Session as the county needs that funding.

Stewart Leith has submitted an application to serve as a board member on the Planning & Zoning Board. Motion by Mr. Blanchard to approve the application as submitted. Seconded by Mr. Steglich, all in favor.

Upon discussion, Mr. Cowdell stated that he will follow up with the codification of the county codes with Sterling Codifiers.

The matter before the board is consideration of Ordinance #14-31, AN ORDINANCE SETTING THE COMMISSION MEETING SCHEDULE FOR 2015. Motion by Mr. Blanchard to approve the Ordinance as submitted. Seconded by Mr. Steglich, all in favor.

The matter of the approval of the 2015 Budget, 2014 Budget Adjustments and the Elected Officials Ordinance will be continued until later in the meeting.

Mr. Reynolds was present regarding the Dutch John Airport Plan. Mr. Reynolds stated that they were not 100% complete with the plan but they have resolved the issue of

the property in question. They had looked at two different runway configurations-the existing runway and one for possible future expansion and any affects those might have on the proposed Lucas property. Based on the information obtained, if the Lucas's built on the edge of their property they could only build 33.23' tall and at the far end of their lot they could build 101' tall. Therefore there are no issues with their property and the airport. The rest of the Dutch John Airport Plan will be completed by the end of this week or next week.

Motion by Mr. Steglich to go into the RDA portion of the meeting at 9:45 A.M. (In & Out).

One of the matters before the RDA Board is the contract with Matt & Amanda Lucas. It was determined that the county was in possession of the most recent documents. Mr. Blanchard questioned the matter of the Participation Agreement #2.1, which states that the Participant must improve the Project Area by constructing a residential home, in accordance with the terms of this agreement and nowhere in the agreement does it provide terms for that. He questioned if the agreement needs to provide stipulations for the protection of the county. The County Code requires at least a 900 sq. foot building. Mr. Cowdell stated that the county can do an addendum to the agreement or record some covenants on the property. The matter was reviewed and discussed. Mrs. Perry stated that she does not feel that the county needs that protection and Mr. Steglich stated that he does not want to set precedence and feels that it should be amended. Mr. Cowdell stated that the county could also put zoning into that particular area which would provide protection. It was determined that Mr. Cowdell will put together a one page document as an addendum. Motion by Mr. Blanchard to approve the Contract, Participation Agreement and Quit Claim Deed for the five acre parcel with the amendment as presented. Seconded by Mr. Steglich, all in favor.

Motion by Mr. Steglich to ratify approval of the \$3,000.00 agreement for Charlie Card for trailer removal. Seconded by Mr. Blanchard, all in favor.

John Morton was present and was questioned if he would like to go into Closed Session. Motion by Mr. Steglich to go into Closed Session at 9:55 A.M. for the following reasons: 1. negotiation of real property and 2. character and competence of an individual. Those present for the first section of the Closed Session were Brian Raymond, John Morton, Tracy Cowdell, Commissioners Blanchard, Steglich and Perry and Clerk McKee. Mr. Morton was excused and the rest remained for the second portion of the closed session.

The regular session reconvened at 11:20 A.M.

The matter before the Commission is consideration of the County Attorney Contract renewal. There has been a request to the county for a raise in the amount paid for the county attorney contract for this year and next year. Mr. Blanchard questioned the matter of the contract providing an extra year which was discussed. Motion by Mr. Blanchard to approve the requested raise for this year and to review it again next year based on additional experience being obtained by Mr. Lund. Seconded by Mr. Steglich, all in favor.

The Open Invoice Report was again before the Commission for consideration. There was discussion of the concern with paying the Commissary billings as that budget is over budget as well. Mrs. Perry questioned the reasoning for paying for employees meals at the jail and it was determined that was due to the 12 hour shifts. Mr. Blanchard

will work with Mrs. Pallesen on the Horizon billing as there is also a credit. Motion by Mr. Blanchard to approve the Open Invoice Report in the amount of \$144,158.74. Seconded by Mr. Steglich, all in favor.

With nothing further the meeting adjourned at 11:30 A.M.

/s/ Vicky McKee

/s/ Karen Perry

/s/ Jerry Steglich

/s/ Warren Blanchard