

Redevelopment Agency  
05-26-15

MINUTES OF MEETING HELD BY MORGAN CITY REDEVELOPMENT AGENCY IN OPEN PUBLIC SESSION ON TUESDAY, MAY 26, 2015 AT 5:15 P.M., IN THE COUNCIL ROOM OF THE CITY OFFICE LOCATED AT 90 WEST YOUNG STREET

Present: Chair, Ray W. Little.

Members: Tony London, Jeff Wardell, Shelly Betz, and Fran Hopkin.

Excused: Member, Mike Kendell.

Staff: Gary Crane, Attorney.

Others present: Attorney, Marlesse Jones.

This meeting was called to order by Chair, Ray W. Little.

**Minutes**

MOTION: Shelly Betz moved to approve the minutes of the May 12, 2015 meeting.

SECOND: Tony London. Vote: 4 ayes, Mike not present.

**Items for Discussion**

Attorney Crane introduced Marlesse Jones, an Attorney that works for Layton City and has been assisting the RDA with collection of delinquent accounts. She is present tonight to give the members an update on the status of these accounts.

Attorney Crane stated the RDA needs to diligently try to collect monies owed. You may not be able to collect all of the monies owed, but you need to try and must have a record of what action has been taken. Attorney Jones has worked with 4 of the 5 existing accounts that are outstanding.

Attorney Jones stated that Chris VanCampen is first on the list. She did send a letter; it was signed for and received by him, but there has been no response. She stated the RDA did get a small claims judgement against him so there may be a chance of getting some monies. There are items that can be pursued such as wage garnishments. He is also practicing law again and she feels this information should be sent to the Utah Bar Association. His wife is on some of the paperwork, so there would be the possibility of garnishing her wages.

There were some questions on how these individuals are found in order to make contact. Attorney Jones stated that often social media can help in locating people. She also can look up addresses; it is harder to find their address through phone numbers because most people do not have a landline anymore.

There were some questions about the process for notifying the Utah Bar. Attorney Jones reviewed Mr. VanCampen's work history since she has been involved with this case. Chair Little asked what she feels should be done with this or the other cases. She stated this is the only one

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with a small claims court judgement, and she feels it should be pursued. She feels the Utah Bar should be contacted. She would send a copy of her letter to the Utah Bar and to Mr. VanCampen as well and if there is still not response, then she would move forward with a wage garnishment.

Attorney Crane suggested doing a registered letter to Mrs. VanCampen since she is on the promissory note, but is not on the small claim judgement. Attorney Jones stated Mrs. VanCampen did not sign the second amended agreement; she is not sure how this would affect the claim against her.

Chair Little asked Attorney Jones to try to make contact by phone with both Mr. VanCampen and his wife. The members felt she should contact the Utah Bar with this information. Chair Little asked if there should be interest added to the amount owed. Attorney Jones stated if they proceed with garnishment, the interest should be added. He has been given many chances to pay this debt.

The second delinquent account is Jack Deschner, Scuds Fly and Tackle. A letter was sent to the last known address; it was returned as undeliverable. She did find out that he had a DUI case, and had Attorney Nebeker as counsel. She could contact Attorney Nebeker to see if he would be willing to provide a current address. This is a little different than the VanCampen issue, so the members need to decide how far to pursue this case. It would take some effort to find out where he is banking and/or working.

Jeff asked if the attorney representing him can give the information. Attorney Jones stated he cannot, but he can ask his client about it and may be able to get information that way. Shelly stated at a minimum, she feels Attorney Nebeker should be contacted. Jeff stated he feels it is the principle of the idea; they owe money and should pay it. You can go to the court and get a judgement - you may not be able to get the money, but at least you have a judgement.

Attorney Jones stated she is not sure if Jack went through a bankruptcy with the business closing. She will contact his Attorney and see if she can get any further information and proceed with filing a claim in small claims court.

The third account on the list is Larry Serl who was doing business as Little Thunder. Attorney Jones has sent two letters to his last known addresses, and they were both returned. She believes he lives in Orem and just recently got married. The RDA has the title for a 1994 Ford Explorer, although it was never put into the RDA's name. She stated he owes on utilities also, but this cannot be added to the RDA loan. The information - if any is gathered - can be used to help collect on the delinquent utilities. Attorney Jones will check to see if DMV records can be obtained without a judgement.

It was stated this money is the public's money, and there needs to be an effort to collect the funds no matter if it is \$5 or \$5,000 that is owed. The members agreed there should be a judgement filed under small claims court for all cases. It is not a guarantee you will ever collect, but is an indicator the RDA is serious and wants to collect these debts.

The final one that she has been working on is RaQuel Dayton, who was doing business as Zumba. She sent a letter to her, but it was at a time when she was losing her home, and the

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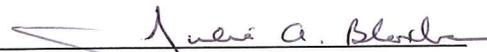
mail was returned. It is believed she still lives in Morgan. She will try to obtain that address and send a notice.

Attorney Jones asked for clarification if the members are willing to make payment arrangements for any of these outstanding accounts. The members felt all of these have been given notice and plenty of chances to pay and no further payment arrangements should be made; payment needs to be made in full. RaQuel is going through a divorce and she has a court date soon. If all else fails she could be served at the time of her court date. Fran asked if the attorneys have an obligation to give information or pass on these types of items to their clients. They do not since they have not been retained for this specific case. Attorney Crane stated another item to consider is if any of these accounts want to settle for a lesser amount, would the members be willing to negotiate on the amount owed; some money is better than nothing. Attorney Crane looked at Utah Code and stated what the interest rate is that could be charged to these accounts.

Attorney Jones stated she would be willing to attend meetings as wanted to give updates on these accounts and any progress that is being made. There is also a fifth account that has defaulted, Gary Dudley, Valhalla Armory that Attorney Jones will pursue once she has been given the information about this case.

The members thanked Attorney Jones for her efforts with these debts. Chair Little asked if the debt collection needs to be done by policy. Attorney Crane stated it would be good to pass a resolution stating the policy for the future.

This meeting was adjourned at 6:35 p.m.

  
Julie A. Bloxham, Agency Secretary

These minutes were approved at the 6-9-15 meeting.