

Minutes of the regular meeting of the Daggett County Commission/Redevelopment Agency Board Tuesday, July 14, 2015. Commissioners Karen Perry, Clyde Slaugh and Jack Lytle were present. Niel Lund-County Attorney, and Sue Olorenshaw, County Clerk were also present. The meeting was called to order at 9:00 a.m. by Commissioner Perry.

Also present were: Keri Pallesen-Auditor/Recorder, and Brian Raymond.

With regards to old business, Niel Lund stated that Steve Habovstak is ready to move forward with his purchase. Mr. Lund stated that Mr. Habovstak has decided to take the housing incentive program so he will need to prepare an addendum to the REPC stating that no title insurance will be required. Mr. Lund will prepare the documents and have them available for next week. Commissioner Perry stated that she had spoke with Yvonne Long regarding how the Town of Manila handles serving notice to violators of Town ordinances. Mrs. Long indicated that they don't do anything because they have no way to prosecute. Niel Lund stated that the Town has no law enforcement or justice court of its own in order to prosecute and the County could provide these services but they would need an inter-local agreement which the Town has not been willing to fund. Commissioner Perry addressed the email from Matt Henry regarding the proposed improvements to the rodeo grounds. Estimated improvements would total over \$17,000.00. Matt Henry has stated he would donate his time and equipment in exchange for the old roping chute and alley. Commissioner Perry stated the County does not have the funds for the improvements, and no way to do the improvements all at once. Brian Raymond suggested the possibility of donations made through the non-profit or by collecting donations at events held at the rodeo grounds. Commissioner Lytle stated that he would like to see additional bids as well. Discussion by the Commission regarding current charges for using the scales and the costs of maintenance. It has been reported that there may be additional keys out and not all the fees are being collected. It was suggested that the locks be changed periodically to make sure that the County is collecting the proper fees. Commissioner Perry suggested that the County may need to start charging a fee for use of County facilities in order to help offset the costs of maintenance and upkeep. Further discussion by the Commission on how to proceed with this issue. Commissioner Lytle suggested meeting with those groups that use the grounds/facilities on a regular basis to see if they may have any ideas for additional funding solutions. Niel Lund addressed the proposal from Matt Henry and stated that the County should follow the bid process relating to the surplus items. Commissioner Lytle addressed the Charles Card lot. Mr. Lytle stated that due to some type of miscommunication, the construction crew showed up but was not able to start because the exact water/sewer line location still had not been determined and indicated that there may be an issue dealing with the cost for mobilization. Commissioner Lytle also reported that the Dutch John Town Officials were sworn in last night by Justice Judge Anne Steen.

No one present with public comment.

The minutes of the July 7, 2015 meeting were presented for review and approval. Commissioner Perry identified one minor correction on page two. Motion by Jack Lytle to approve the minutes with the correction. Seconded by Clyde Slaugh, all in favor.

The Invoice Register was presented by the Auditor's Office for review and approval. Discussion regarding the charges for the Manila airport project. With no

further questions, Motion by Clyde Slaugh to approve the Open Invoice Register in the amount of \$160,617.39. Seconded by Jack Lytle, all in favor.

With regards to Commission correspondence Commissioner Perry addressed an email she received from Jim Coffin and will forward it to Niel Lund and Sue Olorenshaw. Mr. Coffin writes a newsletter out of Washington, D.C. called Public Lands News and indicated that he has followed Mr. Bishop's Public Lands Initiative for some time. One of his subscribers suggested that he contact the County regarding Daggett County's updated PLI recommendation. Discussion regarding using this site as an avenue to get the word out and possibly get other senators and congressmen to back the County's recommendations. Mrs. Perry will draft a response to Mr. Coffin and send it out for review. Commissioner Lytle addressed the Dutch John utility shutoff notices that were sent out and questioned what the status was on these accounts. Mrs. Olorenshaw stated that all but Jeremy Sparger had either paid or made arrangements to pay and that Mr. Sparger's water had been disconnected. Commission Lytle discussed an email he received from EDCUtah regarding their golf tournament and pheasant hunting activity being held in Duchesne. Mr. Lytle stated that he will forward the email to Mayor Long and Mayor Rogers.

Calendar Review: Mr. Lytle stated that he had a Six County Coalition work meeting on Friday. Commissioner Slaugh stated he had a meeting tomorrow with the BLM and Mr. McCoy. Commissioner Slaugh also stated that he attended a Daggett Daze Meeting yesterday, and everything seems to be moving forward. Commissioner Lytle reported a count of 566 vehicles for the Dutch John fireworks.

The next item on the agenda is the determination of Board of Equalization (BOE) hearing dates. Mrs. Pallesen stated that the County Commission is the BOE. It was determined that BOE hearing dates will be September 22, 2015 from 2:00 p.m. to 5:00 p.m. and September 23, 2015 from 9:00 a.m. to 11:00 a.m.

Mrs. Pallesen indicated that the audit has not been completed at this time.

Consideration of revisions to Section 10 of the new leave policy. Mrs. Pallesen had sent out some sample policies and Commissioner Perry stated that she liked the Washington County Policy with a limit of 500 total hours, and after 500 hours employees would not accrue any additional hours. Paid time off (PTO) combines sick, vacation, and holidays. Mrs. Pallesen stated that the Washington County policy was written for days and the County would need to convert to hours. Commissioner Lytle stated that he would like to see paid holidays kept separate from the other leave types. Commissioner Perry stated that she agrees that holidays should be kept separate. Discussion regarding what the hourly accruals would be according to current County policy. Mrs. Pallesen stated that vacation and sick pay is totally voluntary as far as payment by the County. Further discussion regarding how this change would benefit the County versus the employees. Discussion regarding Sheriff Jorgensen's concerns regarding this change and the effect on ambulance drivers, and fire department volunteers. Suggestions included adding wording stating that the accrual does not apply to the fire department and ambulance volunteers. Niel Lund stated that the policy needs to be specific enough to identify the necessary intent. Mr. Lund and Keri Pallesen will work on a new draft. Mr. Lund stated that the County could exempt the position and not the employee from the policy. Mr. Lund stated that he is still unclear on the leave policy and would like the Commission to

clarify. Commissioner Lytle suggested having an elected officials meeting to discuss this issue. Commissioner Perry suggested having a meeting on July 21st at 1:30 p.m.

Consideration of the proposed budget adjustments and consideration of RESOLUTION #15-18 TO REOPEN CALENDAR YEAR 2015 BUDGET.

Commissioner Lytle questioned what effect the adjustments have on the overall fund balance. Mrs. Pallesen stated that an additional \$113,000.00 would be coming out of the fund balance. Commissioner Lytle also asked what effect Dutch John will have on the budget. Mrs. Pallesen stated the funds associated with the incorporation will be funds 28 and 29; she will work on budget figures and take these funds out to see what kind of effect it will have. Mrs. Pallesen also indicated that fund 29 has an appropriation of \$70,000.00 over and above what they have budgeted for revenues coming in. Further discussion regarding the finances in Dutch John. Discussion regarding other adjustments being made at this time. Mrs. Pallesen stated that SRS monies had been taken out and needed to be added back in to the revenues, she also stated that the ambulance revenues have been reduced another \$25,000.00 based on current collection estimates. The trails fund had revenues that needed to be added and were revised to match the expenditures. Adjustments to the jail budget needed to be made due to the general obligation bonds that were paid off and reissued. Mr. Lund identified a calculation error in the resolution. Commissioner Lytle had a question regarding the shooting range. Mrs. Pallesen addressed payment to the State/SITLA for the purchase of 40 acres of land at \$600.00 per acre; however the gun range cannot be located there due to environmental and safety issues. Further discussion regarding the budgets and proposed changes. Mrs. Pallesen asked if the payment to Mark Ward for the RMP would come out of the RDA fund, Mr. Lund stated that the use would qualify. Discussion on whether to pay out of the RDA fund or move to the general fund. Commissioner Lytle addressed payment to Bob Weidner. Mrs. Pallesen stated that nothing has been paid to Mr. Weidner at this time. Mrs. Olorenshaw stated that an amount was never discussed other than Mr. Weidner had wanted \$5000.00. Commissioner Lytle suggested paying Mr. Weidner \$1000.00 to \$1500.00. Commissioner Perry asked how the other Commissioners would like to proceed with budget. Options at this time are to approve and reopen at a later date if needed or to keep open for now. Mrs. Pallesen stated that if the Commissioners decide to keep the budget open and make other changes, it would be a good idea to advertise and hold another public hearing. Commissioner Perry suggested paying Bob Weidner out of public lands and pay Mark Ward out of the RDA. Mr. Lund stated that the entire County except the Town of Manila is included in the RDA and the RMP includes the RDA and will benefit and affect the RDA. RDA is the Rural Development Association and Daggett County is unique in the amount of land which is included in the RDA. With no further discussion, motion by Clyde Slaugh to adopt RESOLUTION #15-18 TO REOPEN CALENDAR YEAR 2015 BUDGET and make the following changes: Increase contributions and transfers in by \$6,184.00 from \$400,548.00 to \$406,732.00 making total revenues of \$3,178,267.00, and increasing the Economic Development Fund expenditure budget by \$43,297.00 from \$30,000.00 to \$73,297.00. Seconded by Jack Lytle, all in favor.

Discussion of the Daggett County and Mosquito Abatement District Agreement. Commissioner Perry addressed the notes from Niel Lund regarding the agreement and use of a County vehicle. Mrs. Pallesen addressed possible issues with the insurance if not

being used for County use. Niel Lund asked whether the insurance would allow use if there was an inter-local agreement. Mrs. Pallesen stated that she thought it would. An inter-local agreement would also allow the County to use the Mosquito Abatement District equipment as well. The Commissioners stated that they are comfortable with the current amounts and percentages used in the current agreement. Niel Lund stated that he had done more research regarding the mosquito abatement act and in the County's situation, board members are appointed by the Commission. Mr. Lund stated that one section of the act states members are appointed for a 4 year term; however they can continue to serve until they are replaced. The Board consists of five members, four from the County and one from the Town of Manila. Mr. Lund indicated that members need to be appointed by resolution, and this has not been done in quite some time. Mr. Lund also stated that it would be wise to stagger the terms, and suggested adopting a resolution and back dating it to when the current members took their position. Mr. Lund had discussed the possibility of dissolving the District; however the Act states that the District cannot be dissolved unless there is a signed petition including the signatures of 100% of the landowners in the District and this is not likely to happen. The requirements to dissolve are different than a special service district. Current board members are Brian Raymond, Tammy Twitchell, Layne Ferrin, Roxey Pallesen, and Stew Leith. Mr. Lund stated that he will work with Brian Raymond to finalize an agreement.

Discussion regarding a County GRAMA/Records Officer. Mr. Pallesen stated that the County is out of compliance and the outside auditors have stated this needs to be addressed. Currently Daggett County shows no certified records officers registered with State Archives. Mrs. Pallesen stated that she thought Mr. Lund could be the GRAMA/Records Officer. Mr. Lund stated that in some of the jurisdictions they represent his firm reviews all GRAMA requests. Mr. Lund stated he will review and if no conflict exists he would be willing to act as the records officer. This will be tabled until next week.

Discussion regarding the Proposal to Handle Appeals of Right for Indigent Defendants in Daggett County from Emily Adams. Mr. Lund stated that he had received a call from Ms. Adams who indicated that she was interested in handling this for Daggett County. Mr. Lund informed her that it was up to the Commission and she would have to submit something to them. Commissioner Perry stated that Ms. Adams resume looked good. Niel Lund addressed Commission and stated that there is no current contract in place for appeals, and they are dealt with on a case by case basis. There was a contract for the last case, but the contract was for that one appeal and there are no current cases on appeal at this time. Mr. Lund stated that it may not be necessary to enter into an official contract. Commissioner Perry stated that she will send correspondence to Ms. Adams letting her know that the County does not wish to enter in to a contract but would keep her on a list for future reference.

With no further business the meeting was adjourned at 11:58 a.m.

/s/ Sue Olorenshaw

/s/Karen Perry

/s/ Jack Lytle

/s/ Clyde Slaugh