

Minutes of the regular meeting of the Daggett County Commission/Redevelopment Agency Board Tuesday, February 23, 2016. Commissioners Jack Lytle and Clyde Slaugh were present. Commissioner Perry was excused. Niel Lund, County Attorney and Sue Olorenshaw, County Clerk were also present. The meeting was called to order at 9:05 a.m. by Commissioner Slaugh.

Also present were: Dave McDonald, Ryan Kelly, Randy Asay, Hank Gutz, Thompson Davis, Boyd Pallesen, Lesa Asay, Susie Potter, Bob Slagowski, Glen Tinker, Bob Anderson, Carrie Poulsen, Jed Olson, Sheriff Jerry Jorgensen, David Orr, James Olsen, Kym Slagowski, and Keri Pallesen-Auditor/Recorder.

Old Business: None at this time.

Public comment. No one present with comments.

The minutes of the regular commission meeting held on February 17, 2016 were presented for review and approval. Commissioner Lytle stated he would like additional time to review. No action taken.

The invoice register was presented by the Auditor's Office for review and approval. Mr. Lytle stated he needs time to review this as well. No action taken.

Calendar Review: Commissioner Slaugh stated that interviews were conducted last week for the road department position and Mitch Olorenshaw was hired and will start work on February 29, 2016. Commissioner Lytle stated that he attended the Farm Bureau grazing meeting held in Richfield last Thursday. Mr. Lytle stated that the meeting was well attended and he felt it was a good meeting. Mr. Lytle also stated that he attended the legislature on Friday and reported that they are still pursuing additional housing funds for State inmates.

The following business licenses were presented for review and approval: Dean Cohen, Neal Lems, William H. Smith & Associates, Inc., and Collett's Mountain Resort. Motion by Jack Lytle to approve the business licenses as presented. Seconded by Clyde Slaugh, all in favor.

Discussion and consideration of the MOU between Daggett County and the Town of Dutch John. Commissioner Slaugh asked if Mr. Kelly or Mr. McDonald had received a copy of the draft MOU from Chad Woolley and both stated that they had not. After further discussion, this matter will be tabled until next week.

Boyd Pallesen was present to address the Commission regarding the lease or purchase of water by Sheep Creek Irrigation. Mr. Pallesen stated that Sheep Creek had approached the Commission back in April 2014 and made an offer to purchase water from the County and was turned down. Mr. Pallesen stated that they had asked for 4000 acre feet of water. According to Mr. Pallesen, the State indicated that the water could be transferred and stored at Long's Park. Mr. Pallesen stated that Sheep Creek would still like to pursue this matter. Mr. Pallesen addressed the amount of water that has been proved upon and indicated that they are aware of the amount of water that needs to be held for the future municipal water needs in Dutch John. The past offer from Sheep Creek was to lease the water for 99 years for \$100,000.00. Mr. Pallesen stated that Sheep Creek will have a stock holder meeting on March 26<sup>th</sup> where it will be determined if they are still willing to pursue. This acquisition would give Sheep Creek Irrigation 30,000 acre feet for agricultural use in the County. If water is available they would like to be considered and it would keep the water in the County. Mr. Pallesen stated that it is his understanding that if the water is not proved up on, it could be at risk to lose those rights.

Mr. Lund addressed the Commission. Mr. Lund stated that his recollection was that the offer made by Sheep Creek was too low and PPI was offering a higher amount. Commissioner Lytle addressed stream flows. Mr. Pallesen stated that there are still many unanswered questions. Commissioner Lytle asked if Sheep Creek is the only irrigation company who has expressed an interest at this time. Commissioner Lytle addressed Mr. Pallesen for a written proposal after the stockholder meeting in March. Mr. Pallesen asked if there was any other interest in water at this time. Mr. Lund stated that Dave Hartvigsen and Craig Smith have indicated that there has been interest in the water however; nothing has been formally submitted.

Discussion regarding the sewer line issue with Trout Creek and Flaming Gorge Resort. Mr. McDonald stated that no one from Trout Creek had been notified and he is unaware of what the issues are. Thompson Davis addressed the Commission regarding the issues he feels need to be addressed. Mr. Davis stated that he was unable to attend the Planning & Zoning meeting last week but has expressed his concerns and has complaints regarding the Trout Creek property. Mr. Davis stated that he would prefer to have the owner of the property present to discuss the issues. Mr. Davis stated that they are requesting a stop work order be issued to Trout Creek until the owner can be present. Carrie Poulsen was present and addressed the discussion with Planning & Zoning regarding the sewer line and easements. Mr. McDonald stated that the County owned the property where the sewer and water lines are located and this was sold to Delta Plan. Further discussion regarding sewer lines. Mr. Davis would like to know who installed the line, who inspected the line, and were they properly licensed. Mr. Davis stated the excavation took place in December 2014, and stated that he was told that Warren Blanchard gave the authority to connect to the existing line. Mr. Davis stated that he spoke with Mr. Blanchard and was told that no permission was given for trout Creek to hook in to the sewer line. Mr. Blanchard was replaced in 2015. Mr. Kelly asked Mr. Davis why they did not pursue this matter until 2015. Mr. McDonald stated that all the work was done on property that was owned by the County and was done according to the plans that were submitted however; it was changed and connected in a different location to avoid damage to trees. Mr. McDonald also stated that Delta Plan has connected to the new 6" line that they are disputing. Commissioner Lytle asked what Delta Plan is expecting from the Commission. Mr. Davis addressed his concerns over the contractor and licensing issues and the fact that he is not aware of any inspections. Commissioner Lytle addressed Mr. Davis. Mr. Davis stated that the line was installed on Delta Plan property with no easements. It is their opinion that the lines through the property was purchased with the real estate purchase and are private and owned by Delta Plan. Mr. Davis indicated that the line from Trout Creek has been capped. Commissioner Slauch stated that he feels the owners need to be present and the County needs to research further. Mr. Davis also stated that Trout Creek also has a building located within the setbacks and needs to be moved. Commissioner Lytle stated that he instructed Mrs. Poulsen to notify both parties that the issue was on the Planning & Zoning agenda for discussion. Commissioner Lytle stated that there is an issue with ownership of the line and whether or not Delta Plan had the right to cap. Mr. Davis stated that all pipes that were not connected to Delta Plan cabins or buildings have been capped. Commissioner Lytle addressed Mr. Lund as to what he thought needed to be done. Mr. Lund stated that a discussion needs to take place with Trout Creek owners and Delta Plan regarding this

issue. Mr. Lund indicated that the County needs to determine what lines were there and what easements were in place at the time of sale. The County will need to look at the actual contract and determine what each party would like the end result to be. Commissioner Slaugh stated that the Commission needs to research this further. Mr. Lund stated that he will speak to Tracy Cowdell to see if he can look in to this as soon as possible.

Motion by Jack Lytle to move in to the scheduled public hearing at 10:10 a.m. to discuss the 2016 budget. Motion was seconded by Clyde Slaugh, all were in favor. Commissioner Lytle addressed Mrs. Pallesen regarding the current budget deficit. Mrs. Pallesen stated that the only information she has received is the information regarding the trails budget. Mrs. Pallesen stated that the budget is available online. Commissioner Lytle stated that the budget is still short approximately \$175,000.00. Mrs. Pallesen stated that the budget had to be opened before the changes that were discussed previously could be made. Commissioner Lytle addressed budget items and stated that the vehicle leases were not renewed. Commissioner Lytle asked how long they can keep the budget open. Mrs. Pallesen stated that she did not think there was a time limit however; during the public hearing process the public needs to be kept informed of when and what will happen regarding the budget. Mr. Lund suggested the Commission leave the budget open until Commissioner Perry can be present. Commissioner Lytle stated there is still a lot of work to do in order to reduce the amount needed from the fund balance. Commissioner Slaugh asked if there was anyone present for the budget hearing. James Olsen stated that he was present for the public hearing. Sheriff Jorgensen stated that the revenues for the jail should be higher than anticipated and should bring in approximately \$40,000.00 more in revenue based on the average over the last six months. Mr. Olsen addressed using SRS monies for equipment purchases. Mr. Olsen stated that this has been done in the past and had been overlooked this year, and would like to make sure that this is accounted for in his budget. Mrs. Pallesen stated that this could be taken care of with a budget adjustment. Commissioner Lytle stated that they would like to use approximately \$3000.00 of the SRS funds to pay for services from Bob Weidner. Mr. Olsen asked what Mr. Weidner would be able to accomplish for the road department. Commissioner Lytle stated the Mr. Weidner would work to continue receiving SRS funds. Commissioner Lytle commented on the budget situation. Mrs. Pallesen wanted to make it clear that the budget is balanced. Commissioner Lytle indicated that he understood and was addressing the fact that the County was using the fund balance in order to balance the budget. Further discussion. Mrs. Slagowski addressed the Commission regarding the capital improvement fund for the jail that had been discussed previously however; it was not on the list or the agenda. Mrs. Pallesen stated that she was not given any information regarding this item. This can be added and she can re-notice for another public hearing. With no further comments, motion by Jack Lytle to go out of the public hearing and back in to the regular session at 10:28 a.m. Motion was seconded by Clyde Slaugh, and all were in favor.

Commissioner Slaugh addressed the Dutch John officials regarding the Town's policy for advertising for potential job openings. Mr. McDonald stated that the Town has not discussed this and they will need to address. Mr. McDonald stated that they will research and make sure the Town is doing everything according to the law.

Discussion regarding planned airport projects for both Manila and Dutch John. Bret Reynolds-CIVCO Engineering and Matthew Swapp-UDOT Aeronautics were going to be at the meeting today to discuss this item however; Mr. Reynolds called to say they would not be able to attend.

Motion by Jack Lytle to recess at 10:40 a.m. and reconvene at 1:00 p.m. for the natural gas presentation. Seconded by Clyde Slaugh, all in favor.

The regular meeting reconvened at 1:03 p.m. Mike McCandless with Epic Engineering was present to address the natural gas feasibility study. Those present were Commissioners Slaugh and Lytle, Niel Lund, Sue Olorenshaw, Keri Pallesen, Dennis and Eyvonne Long, Bruce Northcott, and Randy Asay. Mr. McCandless gave the presentation that was given at the commission meeting on February 17<sup>th</sup> and answered questions from Mayor Long, Superintendent Northcott and Randy Asay.

The minutes of the February 17, 2016 meeting were presented for approval. With no questions or comments, motion by Jack Lytle to approve the minutes as written. Seconded by Clyde Slaugh, all in favor.

The Invoice Register was presented again for approval. Commissioner Lytle addressed the credit from MFA Propane. Mrs. Pallesen stated that the original credit was from Basin Propane. MFA could not determine where the credit came from and instructed the County to take the credit. Commissioner Lytle asked if Mrs. Pallesen was still holding the check for the clinic. Mrs. Pallesen stated that the check was still being held and that Kenny Stansfield will be present at next week's meeting to discuss the invoice and amount. With no further questions, motion by Jack Lytle to approve the Open Invoice Register in the amount of \$103,041.98 less the payment to UBMC. Motion was seconded by Clyde Slaugh. All were in favor and the motion carried. With nothing further, the meeting adjourned at 2:20 p.m.

/s/ Sue Olorenshaw

/s/ Clyde Slaugh

/s/ Jack Lytle