

Minutes of the regular meeting of the Daggett County Commission/Redevelopment Agency Board held on **Tuesday, April 10, 2018** in the Commissioner Chambers at the Daggett County Courthouse. Commissioners Jack Lytle, Randy Asay and Clyde Slaugh were present. Auditor/Recorder Keri Pallesen, Sheriff Erik Bailey, Justice Court Judge Charlene Hartmann and Clerk/Treasurer Brian Raymond were also present. Attorney Neil Lund was excused as he is on Military Service for the next two weeks. Karen Perry, Manila Mayor and Randy Browning of Manila Town Council were also in attendance. The meeting was called to order at 9:05 a.m. by Commissioner Lytle.

Also present: Matt Tippets, Tim Hollinger of Daggett Mosquito Abatement District, Ned Brady and Becky Bindl of Weed Department, Bret Reynolds, John Weaver, Rowdy Muir of Forest Service, Travis Dupaix and James Olsen

**Old Business:** None brought forward.

**Citizen Comments:** No comments were made during this portion of the meeting.

**Approve Minutes:** Minutes for the March 13<sup>th</sup> Commission meeting were submitted and available for review. Commissioner Slaugh made a motion to approve the minutes of March 13, 2018 and Commissioner Asay seconded the motion. All were in favor and the motion carried.

Commissioner Asay made the motion to approve the March 20, 2018 Commission Meeting minutes and Commissioner Slaugh seconded the motion. Commissioner Lytle abstained since he was not at that meeting and Commissioners Slaugh and Asay voted in favor and the motion carried.

**The Open Invoice Register was presented for review and approval:** The open invoice register of \$33,206.65 was available from the Auditor Recorder's Office. Commissioner Asay made the motion to approve the invoice register of April 9, 2018 in the amount of \$33,206.65 and Commissioner Slaugh seconded the motion. All were in favor and the motion carried.

**Correspondence:** Commissioner Slaugh said that RaNae Wilde has resigned from the Museum Board. Commissioner Lytle asked if there was anything about Centennial Board or Daggett Daze and nobody was sure.

Commissioner Lytle said we received a Notice of Claim from the Town of Dutch John and we'll address that later in the meeting.

Commissioner Slaugh said that he attended the Town of Manila Planning and Zoning meeting and it seemed like there was a huge concern about the sewer system and lack of water. Randy Browning of Manila Town Council addressed this and said that the RV Park Plan is just in the early stages and there is a long way to go before it gets a permit. The water is fine as they have just finished a water project and the sewer system will be addressed in the next phase of their planned work. There are some minor issues that will be addressed and the RV Park wouldn't overwhelm the system. Commissioner Slaugh said he was concerned that we are working on Economic Development and wondered if the citizens are against economic development. Mr. Browning said he wants to see economic development and that the citizens want to make sure that it is done right or not done at all. Mr. Browning said that the Planning and Zoning Commission and the Town Council want to see the ordinances followed and the project to be done right. Tim Hollinger also addressed his concerns and that he is not against the project, but he just wants to see that it does not negatively affect other residents and businesses even though we need economic development. Mr. Hollinger

said that there are two other subdivisions approved that have lots available and we need to be prepared for those properties to use water in the future. Commissioner Asay said that we need to look at citizen's concerns, but we hope that somebody will want to develop the area. Mr. Browning said that the long-term issue is the maxing out of the sewer lagoons, but currently that is not an issue as there is still one lagoon that is not being used yet.

**Weekly Budget Review:** The Cash Summary for April 9, 2018 was available from the Clerk/Treasurer's Office for review this week. Commissioner Lytle asked about the parentheses around Fund 29 amount and is that in the hole? Auditor/Recorder Keri Pallesen said that she hadn't looked at it and wasn't sure. Mr. Raymond said that there were other accounts with money in them for Fund 29 and all that money should probably be transferred to fund 10 and zero out those accounts. If there is a negative balance we could get them taken care of this year and Mrs. Pallesen suggested that we have a training during a future elected officials meetings to go over this.

**Commission Calendar Review:** Commissioner Asay said he has a Northeast Counseling meeting tomorrow. Commissioner Slaugh said he has a Conservation District meeting tomorrow. Commissioner Lytle said there is the Basin Federal and State partners meeting at 8 am in Vernal and a NACO phone call at 9 am tomorrow and then Fish and Game meeting the rest of the day. There is an SCIC meeting on Friday and time sheets should have been approved yesterday. The UAC Management Conference starts the 24-26<sup>th</sup>.

#### **Policy and Legislation Items from the Posted Agenda:**

**Discussion And Consideration Of Business License Applications:** There was discussion that Dominion Energy and Modular Space Corp. have not turned in their paperwork yet, although they have made their payment. Commissioner Lytle read through the names of all the business licenses and Commissioner Slaugh made the motion to approve the licenses for businesses a. through e. Commissioner Asay seconded the motion and all were in favor and the motion carried.

**Discussion and Consideration Of Court Security Issues And Possible Grants – Judge Hartmann:** Commissioner Lytle turned the time over to Judge Hartmann. She talked about the lack of improvements over the past years and there are several concerns brought up by the Administrative Office of the Courts Security person, Mr. Chris Palmer. Judge Hartmann said that Mr. Palmer had some good recommendations and some of which will be easy and others are more expensive. There are some funds available to help with this. Tinting should be added to the windows. The alarm button for the courtroom should be found and fixed. Mr. Raymond said that there are two in his office and maybe one of them migrated to his office. The comfy chairs are a hazard and need to be benches or something more permanent and unthrowable. We are one of five courts that don't have video recording system and District Court needs that and eventually Justice Court will need it as well. There are grants available and the grant requests are due on Friday and Mr. Palmer was willing to help with this process. Commissioner Lytle asked if Commissioner Asay would get with the Judge to see what could and couldn't be done under these grants. The three top issues are important, we are just not sure what the county can contribute, so lets ask for grant and see what we get.

**Discussion And Consideration Of Interlocal Agreement Between Daggett County And Daggett Mosquito Abatement District:** Commissioner Lytle asked if this would be time consuming or quick and Tim Hollinger spoke to the changes he had made to the proposed agreement. Auditor/Recorder Keri Pallesen said that there was some consideration about changing the status of the employees to be considered for next year, so the agreement should be kept it to one year. Mrs.

Pallesen also said that she feels the Hold Harmless section needs to stay in the agreement. Mr. Hollinger was encouraged to work through the County attorney to finalize this before bringing it back for approval. Commissioner Lytle thanked him for bringing it forward.

#### **Discussion and Consideration Of MOU Between BLM And Daggett County Weed**

**Dept.:** Commissioner Lytle asked about this and Becky Bindl said that this was talked about before but it is on the agenda to finalize it with the only change being the addition of \$5,000 in revenue being added. Commissioner Asay moved to ratify the MOU and Commissioner Slauch seconded the motion. All were in favor and the motion carried.

**Forest Service Update by Rowdy Muir, District Ranger:** Mr. Muir said they are looking at prescribed fire starting at the end of this week around Flaming Gorge Resort and Pipe Creek for two to three weeks. Looking to meet with engineers on trails and Mr. Reynolds confirmed that tomorrow at 1 pm, but might be easier to meet in Vernal. Mr. Reynolds said he would follow up with Mr. Avert to meet down there. The Forest Plan Revision is still in process. The Water Quality meeting is at the end of the month and Hank Gutz is not doing well, so we need someone else to step up and represent the Public Lands Committee.

The meeting was recessed at 10:10 am for UDOT staff to get set up. Commission Meeting was reconvened at 10:20 am for the UDOT meeting: New people attending included Karen Perry, Mayor of Manila, Sean Hughes, plus Chris Potter, Chris Chestnut, Larry Montoya and Evan Rhoades of UDOT, and Nick Jones of LTAP

**UDOT Local Government Team's Annual Visit to Daggett County:** Commissioner Lytle turned the time over to the UDOT Team. Chris Potter introduced the agenda and then talked about the Legislative Updates and funding opportunities. This is your meeting to provide some training and to get communication going with the local governments. Senate Bill 136 does not apply much to Daggett County, but is about UTAs new Commission and Advisory Board. Now Utah is doing planning for all modes of transportation. Alternate Fuel vehicles are getting increased fees for transportation projects. Senate Bill 128 is a transportation bill revision and deals with permitting given to localities and creates a few rules permitting on UDOT right of ways. Senate Bill 189 is a bill that allows small wireless providers within the right of way and sets up an established permitting process and regulations to help with driverless vehicles. House Bill 361 has rules for bill boards and local government eminent domain. Senate Bill 71-S4 is a toll road bill for Little Cottonwood Canyon to add a bus lane in the center since there is not enough parking and it will be a picture of your license plate and then you will get a bill to avoid the congestion and it can be used on any state road within the state. Senate Bill 120 limits localities ability to add transportation fees on bills owed to the locality instead of imposing a tax.

We are in the fourth year of a five year funding program. The money is budgeted 5 years out but not spent until it is funded. Recreational Trails program has funds through the DNR that are trails off of roads and the deadline is May 31<sup>st</sup> of each year. There's not a lot of money, and spreads out to as many areas as possible. It's not just for hikers and bikers, but motorized is also about half of the money. Safe Routes to Schools is for kids to get from neighborhoods to schools. There are also bike and pedestrian funds for local governments. One program has limited funding and is putting applications on hold to build up funding for larger future projects. Class B and C Road money is distributed at a rate of 30% to localities and UDOT keeps the other 70%. You can look up your mileage and payments on UDOT's website [UDOT.utah.gov](http://UDOT.utah.gov) and go under the doing business drop down to Local Government Assistance link. Payments dispersed and Road mileage listings are available for review. Don't update mileage more than once a year even if you complete multiple

projects within a year. The website is a one stop shop for local governments. Admin Rule 918-6 was discussed to outline the responsibilities where a state and local road intersect. It has to be reviewed every five years and the handout has the recommended changes that were examined in November and December, and approved. Local complaints or notifications regarding signage need to be passed on to UDOT crews. Road Crew supervisor James Olsen asked about paved aprons on intersections as people have been asking him about this. Generally the unpaved roads like we have here are the local government's responsibility, but there are some options if you are involved in the planning process to use some rotomill as just doing this for these intersections would be cost prohibitive in rural areas like Daggett County. Bridgework maintenance and inspections were discussed with input from James Olsen were discussed during this time period.

Larry Montoya talked about upcoming projects in the area and the first one is the intersection improvements along Hwy 191 in Dutch John. The Fiber project with Strata will be to Dutch John this year. The Brown's Park Phase III money will be available for funding this fall. Next year will be Hwy 43 work from State Line to State Line. Commissioner Asay asked about widening and there were no plans to do that. Keri Pallesen mentioned the high number of deer hit along this stretch and wondered if there was any consideration for higher fences or anything. Rowdy Muir said the Forest Service had planned to work on some drainage issues along 44 and a lot of design work has already been done, so he would like to make sure he doesn't do work that will get torn up the next year. There is a meeting out here next week where they can coordinate this. There is another project on 191 from County line to Greendale Junction. Commissioner Lytle asked about overlays and Jersey barriers that may be available from a project along the switchbacks.

Terry Newell our Regional Director has accepted a new position as a Deputy Director.

Chris Chestnut talked about Long Range Transportation Plan Updates including population estimates for the future. UDOT will come out again to verify that the local governments agree with those projections and then what that means to the local communities and if they want growth or not and where it might happen that will impact transportation and future projects.

Nick Jones discussed the training available through LTAP or the Local Technical Assistance Program. Pavement management was discussed and encouraged so that roads are maintained and kept in good condition for many years. Chris wrapped up the meeting and thanked everyone that attended and gave credit to the regional group for the efforts they do to coordinate with local government agencies. UDOT portion of the meeting was ended at 11:41 am.

**Discussion And Consideration Of Bureau of Land Management (BLM) Cooperator Agreement For Travel Plan:** Commissioner Lytle said we'll table this one.

**Discussion And Consideration Of Airport Contract w/CIVCO Engineering:** Commissioner Lytle turned time over Bret Reynolds. He had given Niel Lund signed copies of the contract, but he thought that Clyde Slaugh was Chairman, so that needs to be changed on the contract before it is signed. CIVCO has looked at another option that does more for less on the AWOS. Duchesne recently put in AWOS so they are willing to share their learning and what their system looks like. Commissioner Slaugh will be the contact with CIVCO. The contract will be a lump sum of \$35,000 to get the County to the bid process completion. Commissioner Asay moved to approve the contract and Commissioner Slaugh seconded the motion. All were in favor and the motion carried. The Clerk will need to attest the contract. There will need to be further discussion on the construction oversight which is not part of CIVCOs current contract.

**Discussion And Consideration Of Renewal #36 For State Court Contract Agreement For 8<sup>th</sup> District Court:** Commissioner Lytle asked if everyone had been able to look at this. Mr. Raymond explained that this is an annual contract that has changed with a slight increase and not

really any room for negotiation. Commissioner Slaugh moved to approve the agreement with the State for the 8<sup>th</sup> District Court and Commissioner Asay seconded the motion. All were in favor and the motion carried.

**Discussion And Consideration Of Dutch John Issues And Agreements:** Commissioner Lytle said he was contacted on Sunday about the Face to Face meeting. They were looking at Friday as a possibility to get together. The Notice of Claim requires some carefulness in meeting with them at this point in time. Attorney Niel Lund did not see a problem with discussing the items not on the Claim. Commissioner Asay would like to talk with attorney Neil Lund in a closed session before doing anything further with this. Commissioner Slaugh made a motion to go in and out and into a closed session to discuss litigation at 12:10 pm. Commissioner Asay seconded the motion. All were in favor and the motion carried. Commissioner Asay made a motion to come out of Closed session at 1:14 pm and Commissioner Slaugh seconded the motion. All were in favor and the motion carried.

Motion to adjourn was made by Commissioner Slaugh at 1:15 pm.

s/ Brian Raymond  
Clerk/Treasurer\_Brian Raymond

/s/ Jack Lytle  
Commissioner Jack Lytle

/s/ Clyde Slaugh  
Commissioner Clyde Slaugh

/s/ Randy Asay  
Commissioner Randy Asay