

Minutes of the regular meeting of the Daggett County Commission/Redevelopment Agency Board held on **Tuesday, October 23, 2018** in the Commissioner Chambers at the Daggett County Courthouse. Commissioners Jack Lytle, Clyde Slaugh and Randy Asay were present. Attorney Niel Lund, Auditor /Recorder Keri Pallesen, and Clerk/Treasurer Brian Raymond were also present. The meeting was called to order at 9:10 a.m. by Commissioner Lytle.

Also present: Thompson Davis, Jerry Steglich, James Olsen, Travis Dupaix, Tabitha Olorenshaw

Old Business: Auditor/Recorder Keri Pallesen addressed the Commission regarding some budget issues and the need to hold a hearing to re-open the budget. There was some brief discussion and it was decided to hold the hearing on November 7, 2018 at 9:30 am. (The recorder was turned on near the end of this conversation).

Citizen Comments: Thompson Davis addressed the Commission and said that he had some additional information that would be helpful for the water and sewer rate decision. He said there are several people and organizations that have rental properties that he feels may not be treated the same way as other users. He had no specific information as to how they were being charged, but wanted to be sure everyone was being charged accordingly. Thompson Davis said he would like these other areas to be part of the resolution. Commissioner Lytle felt like we needed time within the staff to meet and get everyone up to speed, and said that James Olsen said that the Commission needs to be careful about Open Meetings laws. The Attorney said that the Commission has legislative and executive responsibilities and this could be an Administrative/Executive Meeting, and the Open Meetings Act applies to the legislative functions. The Executive Meeting would not have the same legal ramifications of a Closed Session. Jerry Steglich said that the safest thing to do would be to go into Closed Session and discuss these types of things. The Attorney disagreed and said that the allowable reasons for holding a Closed Session do not meet the reasons we are discussing the rate options. Privacy Act Information is not the same as the things allowed for discussion in a Closed Session.

Thompson Davis said he would like to propose a moratorium on commercial water rates.

Approve Minutes: Two sets of Minutes were available for review.

Commissioner Asay made the motion to approve the Minutes of October 10, 2018. Commissioner Slaugh seconded the motion. Commissioner Asay and Slaugh were in favor, and Commissioner Lytle abstained since he wasn't there. The motion carried.

Commissioner Asay made the motion to approve the Minutes of October 16, 2018. Commissioner Lytle seconded the motion. Commissioner Asay and Lytle were in favor, and Commissioner Slaugh abstained since he wasn't there. The motion carried.

The Open Invoice Register Was Presented For Review And Approval: The Open Invoice Register of \$12,138.81 was available from the Auditor/Recorder's Office. Commissioner Slaugh made the motion to approve the Invoice Register of October 22, 2018 in the amount of \$12,138.81. Keri Pallesen noted that there had been a revised version and the one the Commission was approving was not the most current. Commissioner Slaugh made a motion to revise his previous motion to approve the updated Invoice Register of \$13,055.78. Commissioner Asay seconded the revised motion. All were in favor. The motion carried.

Correspondence: Commissioner Lytle said there didn't appear to be anything this week.

Commission Calendar Review: Commissioner Lytle said there are issues with future meetings and there is a UBAG meeting this Thursday. Commissioner Asay and Commissioner Lytle will attend, but Commissioner Slaugh will not be able to make it.

Policy and Legislation Items from the Posted Agenda:

Discussion And Consideration Of Payment For Settlement And Release Of Liability

Agreement With Dutch John Resort: Attorney Niel Lund said it was initially thought that this payment could not come from Fund 28, but he feels that there is some benefit to the Water/Sewer System so at least some of that money can come from Fund 28. The Release of Liability benefits the County, and they are obligated to continue to provide services, so some money could come from the General Fund and some from the Fund 28 Budget. It's up to the Commission to decide how much and from where. If something comes from the General Fund, the budget would need to be reopened. Mrs. Pallesen said that cash in Fund 28 is at \$198,000.00 at the moment. Commissioner Lytle said that he did not vote for this, but it was approved and we need to move forward. Commissioner Slaugh thought it could come from Fund 28. The Attorney read through the agreement and discussed the vacation of what interest the County holds in the pipe. There is nothing in either fund for this, so the budget will need to be re-opened. Keri Pallesen said that it should be taken from the right place to start with, wherever that may be. Commissioner Slaugh was ready to make a motion, but there were questions as to how much from each budget. Commissioner Slaugh made the motion to take half from Fund 28 and half from the Commission Budget. The motion was seconded by Commissioner Asay. Keri Pallesen asked what line item in the Fund 28 Budget, and it was decided from the Sewer Budget. There was some discussion on the process and it needs to be coded and given to Mrs. Pallesen. The Minutes should be attached, and they are generally done before the vouchers, so let's try and get them done for next week. All were in favor. The motion carried.

Discussion And Consideration Of Pick-up Truck Purchase For Daggett County Road Department:

Mr. Olsen was present and he had a revised purchase price which was lower than the original. The current truck will be sold, possibly through KSL. The value is in the low to mid 20's. Commissioner Lytle asked about the plow, and it was more costly to trade in the truck and plow. This expenditure will come from SRS money. This will have a bed liner and it will stay in the truck. Mr. Olsen responded that it was in their budget for this year and was on State Bid, although they did get several other bids. The original truck was purchased with SRS funds, and so the funds would need to go back into that fund. The tailgate is dinged up and so suggestions were made to look into finding a new one. Commissioner Slaugh made the motion to approve the truck for \$49,998.00. Commissioner Asay seconded the motion. All were in favor. The motion carried. Mrs. Pallesen was asked if she needed anything else besides just an invoice. Mr. Olsen asked about waiting until they receive the new truck and then surplusing the old one. The Commissioners said they could go ahead and get started on the surplus approval in next weeks meeting.

Discussion And Consideration Of Listing Prices For Daggett County Jail. Tabitha Olorenshaw was present to discuss this and said they are ready to meet. Commissioner Asay asked to have Newmark give their feedback on the price. The Commission concurred on the recommendation from the Economic Development Board, so Newmark needs to provide their comments. Mrs. Olorenshaw said she would send them an email. Jerry Steglich said the email should go to them in a very professional manner and see if they are willing to work to market the property for the desired listing price. The Commission agreed that the letter can be signed by Mrs. Olorenshaw after review from the Economic Development Board and the Attorney. James Olsen

said that the road going in there was a county road, and if the Jail and Sheriff's Office is sold together it should probably be vacated and become private again.

Discussion And Consideration Of County Code Relating To Bonds Or Insurance For Elected Officials: Commissioner Lytle said it was on the Agenda last week and there is something that several counties have discovered and issues with this to match State Code. Cache's ordinance was sent last night, but hasn't been reviewed yet. Keri Pallesen said that UCIP provides coverage, but more needs to be done with this to comply with State Code. Mr. Lund stated that our current code is silent on this issue and Davis County is in the same situation, so he would like to see how they resolve the issue. There are some limits set by the State. It's now just part of our general UCIP policy. Mrs. Pallesen said the ordinance would set the limits of coverage. Mr. Lund will talk with UCIP and double check the code. This should be on the Agenda next week for further review.

Discussion And Consideration Of Possible Uintah Fire District Agreements: Mr. Lund had not heard back from Mr. Allred yet, but he anticipates that the decision makers just need to figure out what equipment is going to be used. Sgt. Dupaix didn't have anything else. This would be for the East side of the County, and Mr. Lund suggested attaching a map that specifies the area covered. Commissioner Asay said that the County Fire Department should be closed down until they are certified in order to minimize the liability. We are still struggling to get the volunteer forms completed and the County is not giving any direction to them, and they are not following County policy. Also, the only time they come to the County is when they want money. Mr. Lund said that the District could do something to have these volunteers be part of their group, but under their guidance. The District is willing to do training, but they may not want the equipment, as they are not sure what the maintenance of it has been in the past. There are lots of little details that need to be considered.

Discussion And Consideration Of Possible Uintah Fire District Agreements: Mr. Lund said there was nothing to discuss in Closed Session today.

Discussion And Consideration Of Roadless Rule Petition: Commissioner Lytle said he wasn't really prepared to get into this deeply this week, but he discussed some of what he thinks we need to go over it further regarding some of the areas. Mr. Olsen said he would like to be a part of that, but Commissioner Lytle said it would be a couple of weeks before he can get to a point to put it on the screen to go over the roads.

Sheriff's Office Report: Sgt. Dupaix said that they are preparing the HMP (HazMat) Grant and there were a few questions and additional discussion on that, as it is coming up and will be part of the budgeting process. The Sheriff asked Brian Raymond to put a Swearing-In Ceremony for a new officer on the Agenda for November 7th.

Commissioner Slaugh made the motion to adjourn at 11:30 am

/s/ Jack Lytle

/s/ Brian Raymond

/s/ Clyde Slaugh

/s/ Randy Asay