

Minutes of the regular meeting of the Daggett County Commission/Redevelopment Agency Board held on **Tuesday, August 20, 2019** in the Commission Chambers at the Daggett County Courthouse. Commissioners Randy Asay, Jack Lytle, and Matt Tippetts were present. Auditor/Recorder Keri Pallesen, Attorney Niel Lund and Clerk/Treasurer Brian Raymond were also present. The meeting was called to order at 9:01 a.m. by Commissioner Asay.

Also present: Pat Asbill, Bret Reynolds of CIVCO Engineering, Sgt. Travis Dupaix, Matt Swapp of State of Utah Aeronautics

**Issue Updates:** Commissioner Lytle said he met with Keri Pallesen about the room payments and the payments have been made, but it's a difficult situation. Are we still on the gun with the auditors again for this year? The issue is it continued after being notified that the policy isn't being met and so it is a little difficult. Commissioner Tippetts said the Sheriff was going to get that information and provide it to the Commission. The 27th is when we are going to discuss this more during the Elected Officials meeting.

Dutch John Firehouse repairs are underway and Jesse Platt will be going over this morning to take a look at it and he has a lot of skills, so we thank him for his efforts. We need some railroad ties, so options were discussed as to who might help with this. Commissioner Tippetts said that he felt we should look at hiring a full-time EMS director for next year as we work on the budget. The person does not have to be a paramedic as our current director is not, but it could be helpful.

Commissioner Asay noted that the funeral for Economic Development Director Debbie Weaver will be Saturday in Morgan and there may be a memorial here at some point in time. Commissioner Lytle asked for a moment of silence to reflect and/or pray for Debbie Weaver and her family. Commissioner Tippetts said there were a couple of things Debbie had been working on and he will pick up those items and try to get them done.

**Citizen Comments:** No public comments given today.

**Approve Minutes:** The Clerk/Treasurer's Office provided minutes for the July 9, 2019 meeting. Commissioner Tippetts said he reviewed the minutes and motioned to approve the minutes of the July 9, 2019 Commission meeting. The motion was seconded by Commissioner Lytle. All were in favor and the motion carried.

**The Open Invoice Register Was Presented For Review And Approval:** The Open Invoice Register of August 16, 2019 for \$48,890.94 was prepared by the Auditor/Recorder's Office. Commissioner Lytle made a motion to approve the Open Invoice Register of August 16, 2019 in the amount of \$48,890.94. Commissioner Tippetts seconded the motion. All were in favor. The motion carried.

**Disbursement Listing:** There was a Disbursement Listing for August 13 through August 16, 2019. Commissioner Lytle asked about the difference between paychecks and payroll and he was told the paycheck is the straight wages and the others are the benefits associated with each payroll. Commissioner Lytle made a motion to accept the Disbursement Listing in the amount of \$111,281.13 for 8/13 through 8/16/2019. Commissioner Tippetts seconded the motion. All were in favor and the motion carried.

**Cash Summary:** Commissioner Lytle noted that the disbursement is more than is in the Zion's Account, but Mr. Raymond noted that those checks are already written and will come in at

different times and are reflected in the cash balances. Commissioner Lytle motioned to acknowledge receipt of the Cash Summary as presented for 8/20/2019. Commissioner Tippetts seconded the motion. All were in favor. The motion carried.

**Citizen Comments:** Pat Asbill said he needs to get a pickup to get the new translators picked up in Roosevelt as we have Channels 2 and 5 not working. The equipment needs to be hauled up the mountain to the translator site. Pat would also need some getting it loaded and unloaded. Commissioner Tippetts said he could help on Monday or possibly Wednesday afternoon. Matt and Pat will work together on this to get it done. Pat gave Matt his number.

**Correspondence:** Commissioner Asay said we got the water bill on the Big Lawn and it's expensive and we need to reconsider the \$600+ bill as we will have to open the budget to keep paying this amount.

Commissioner Tippetts said he had talked with Becky Bindl, Keri Pallesen and Aaron Eager of the State last week and one topic was the payments from providers should be going to the Weed Budget and it was thought that this was what was happening. Mayor Coombs had also contacted him about having the Commissioners and the Attorney attend the Town meeting on September 12 that 7pm to discuss the MOUs with Fire and the Sheriff's Department. There is also a meeting with Senator Romney in Vernal tonight and several Commissioners will attend. Commissioner Lytle said that he wasn't going to be able to attend the Town meeting on the 12th.

Commissioner Lytle asked about the Clinic and Commissioner Tippetts said that they were considering changing the days to be open Monday through Thursday and being closed on Fridays. Commissioner Asay said he had heard some grumbling about that proposal.

**Purchase Orders:** Commissioner Lytle asked that this be tabled until later as he has some POs to be considered after the contracts are approved.

**Commission Calendar Review:** Commissioner Lytle said that Monday night they will have a short meeting and start the prep work for the week for the PRCA Rodeo. The Packer, grader, and ripper will be needed to prepare the dirt for the rodeo. Planning and Zoning has a public Hearing for tomorrow to adopt the Trails plan into the Master Plan at 6 pm.

Commissioner Lytle said the 6 am Railway meetings are still happening, some are short and others are longer. The calendar shows a NEOGOV Educational training is on August 22nd, but it's just for Keri Pallesen and Brianne Carter. The rest of the week is PRCA and next week will be CIB and then Commissioner Lytle said he will be gone to Washington DC.

## **Policy and Legislation Items:**

**Closed and Open Sessions: Discussion And Negotiation of Possible Land And Water Sales/Lease With Town of Dutch John:** Nobody was present from Dutch John so this was tabled.

**Discussion And Consideration Of 2019 Daggett County PRCA Centennial Rodeo Mini Bull Riders Contract (Preshow):** Commissioner Asay moved this up on the agenda at Commissioner Lytle's request. Commissioner Lytle said that it will cost \$1,000 for the Mini Bull program and there were three specific sponsors. Commissioner Tippetts motioned to approve the Contract for the Mini Bull riders in the amount of \$1,000 or \$500.00 per day. Commissioner Asay seconded the motion and all were in favor. The motion carried.

**Discussion And Consideration Of 2019 Daggett County PRCA Centennial Rodeo**

**WRPA Breakaway Event Contract:** Commissioner Lytle said this is a new event from the WRPA and will cost us \$250 and the other person will pay the other \$250, which is all added money. The money paid for the event goes to the contractor and gets paid out to the contestants. Commissioner Tippetts motioned to accept and sign the contract for the WRPA Breakaway Event contract for the 2019 PRCA Rodeo. Commissioner Asay seconded the motion. All were in favor and the motion carried.

**Discussion And Consideration To Approve \$16,000 “Added Money” As Sole Source For/To PRCA/WRPA For 2019 Daggett County Centennial Rodeo:** Commissioner Lytle had Keri Pallesen address this and she said our policy requires us to do an RFP and the purchasing policy may need to be looked at as this is an unintended consequence of the changes to the policy as the PRCA Rodeo is a sole source and the policy doesn’t really address this or allow sole source. The past minutes approving the Rodeo did not address this at all because that was a different policy. Keri recommended putting it on the agenda for next week to deal with and not let it fall through the cracks. There were questions on the signature and the version in the packet did not have a signature and so Commissioner Lytle provided Keri with a signed copy. Attorney Niel Lund asked if this was covered under the original contract and Mrs. Pallesen said that the original contract was the Stock Contract only and the PRCA/WRPA contract is an annual contract that did not have this problem until the policy was changed. The “Added Money” is money added to that paid by contestants to increase the prize money. Commissioner Tippetts motioned to approve the \$16,000 Added Money for the PRCA/WRPA 2019 Daggett County Centennial Rodeo as an exception to our current policy as a sole source contract. Commissioner Asay seconded the motion. All were in favor and the motion carried. Mr. Lund said that the State procurement code has sole source as an exception, so we should be okay. Commissioner Lytle thanked Keri Pallesen for her help in figuring this out and keeping us straight on this.

**Purchase Orders:** Commissioner Lytle asked that this be brought back for consideration and Commissioner Asay allowed it. We have two PO’s: one for \$16,000 and one for \$18,580. Commissioner Lytle said that this amount is due to the \$11,000 coming from the Economic Development District acting as the 501(c)(3) for a total of \$29,580 for the Contract with Powder River so we can give them a check after the Saturday Performance. Commissioner Tippetts motioned to approve Purchase Order 408 for Powder River. Commissioner Asay seconded the motion. All were in favor and the motion carried.

Commissioner Asay said we now have the Purchase Order for the Added Money and Commissioner Tippetts motioned to approve Purchase Order #407 for the PRCA Added Money in the amount of \$16,000. Commissioner Asay seconded the motion. All were in favor and the motion carried.

Commissioner Lytle brought up the Hospitality Tent that was approved, and asked if we need an invoice to get the check written and Keri Pallesen asked if the Mini Bull and WRPA Added Money Purchase Orders are to be used as the invoice. Commissioner Lytle said they were. Keri said that the Purchase Order then needs to have it noted that the Purchase Order is the request for payment and an additional invoice will not be submitted. The papers were all completed and signed. There was a question regarding the minibulls and that needs to be signed in order for the check to be written.

**Discussion And Consideration Of Letter of Engagement From Smith Hartvigsen:**

Commissioner Asay said he didn’t see a copy of the letter in the packet and Mr. Raymond said it was

sent out to each of the Commissioners and Mr. Lund said that this is still in the negotiation stage and there are changes needed and so maybe that document is not public until it is reviewed.

Commissioner Lytle motioned to go in and out of Redevelopment Agency. Commissioner Tippetts seconded to go in and out of RDA. All were in favor and the motion carried. Commissioner Lytle made a motion to go into closed session for the purpose of negotiation of the purchase, exchange or lease of real property. A roll call vote was taken: Commissioner Lytle voted "Aye", Commissioner Tippetts voted "Aye" and Commissioner Asay voted "Aye" so the motion carried.

Moved by Commissioner Lytle to go back in to Open Session and seconded by Commissioner Tippetts to go back into open session at 11:33 am. Commissioner Asay said that we have some questions that we are looking to get answered before finalizing or approving the letter of engagement. Commissioner Lytle said the purpose of the engagement is to find opportunities to lease the water. Commissioner Tippetts said the leasing of this water would benefit every resident of the county and no lease would preclude the use of the water as its needed in Dutch John.

**Discussion And Consideration Of Travel Issues:** Mr. Raymond said he couldn't find the travel policy and so nothing is in the packet. There was discussion that this was for the 27th Elected Officials meeting. Do we want to recess on the 27th and come back after the elected officials meeting? The wage study is also that day, so it will be busy. Wednesday, September 4th will be the next Commission meeting after the Elected Officials meeting. Commissioner Lytle said that the Sheriff's Office was notified there was a problem and there has been no change made yet, but we are working towards a resolution.

**Discussion And Consideration Of MOU For Cross Deputization Of Forest Service Law Enforcement Officer Logan Linnan:** Commissioner Asay brought this up and Attorney Niel Lund said that Logan Linnan was not mentioned specifically so it could be used for any deputies. Sgt. Dupaix said that there may be as many as three Forest Service Officers over Labor Day weekend. The Forest has done this with other counties, and so this is probably a standard contract for them. Mr. Lund did not have any problems with this agreement as written. Commissioner Lytle asked about their certification through POST and if there was a swearing in process they would need to go through. The Commission or Sheriff's Department would still have control over who is deputized even if there are others who are POST certified. It's not just a blanket approval allowing everyone to be cross-deputized. Commissioner Lytle motioned to approve the MOU and approve the Sheriff signing the MOU. Commissioner Tippetts seconded the motion. All were in favor. the motion carried.

**Discussion And Consideration Of Uintah Basin Consolidated Communications Center (UBCCC) Agreement For Dispatch Services:** Attorney Niel Lund said he had reviewed the agreement and is okay with it and this is supplemental to another agreement that goes until June of 2020. The amount is not reflected in this because it is based on the calls received. Commissioner Lytle motioned to approve the UBCCC Agreement for Dispatch Services. Commissioner Tippetts seconded the motion. All were in favor and the motion carried.

**Discussion: Planning And Zoning Update Regarding Conversation With Mike Eriksson of Utah, Forestry Fire and State Lands on July 16 Regarding Utah Wildland Urban Interface (WUI) Code:** Chad Reed and Carrie Poulsen were here from Planning and Zoning. Chad gave a little history on the Wildland Urban Interface or WUI. We did an Ordinance in the past and this was brought up due to a GRAMA request that got the Planning and Zoning Commission thinking about what they need to be doing and what the County might need to be doing. The whole purpose of this

is to protect the homeowner's property. There was discussion of which areas were included and there were obvious places like the Pines and Acres and Taylor Flat, but Mr. Raymond reminded everyone of the issues California dealt with last year as Urban Interface. Commissioner Lytle asked what some of the requirements are and Carrie Poulsen said there is an assessment that could be done and Corey Auger the Fire Warden is willing to do the assessment. She couldn't find any done after 2010. Sgt. Dupaix asked if the Firewise Program was brought up and neither Chad nor Carrie really remembered. This is something that could be put into the newsletter and on the website to help educate people. This is just another thing that needs work and the maps that Mr. Raymond found are not very clear and maybe Kym Slagowski might be able to update them or maybe Mike Eriksson or Corey Auger could update them for us. The item has been added to the building permit packet and the need is to continue to educate people. We could put the assessment in the newsletter with introduction information from Forestry Fire and State Lands (FFSL) to get the conversation started. Let's get the maps more user friendly so Carrie can look it up when people submit a building permit or people can go to the website and see which level or category they might be in for all the unincorporated areas of the county. We'll have to get with Kym Slagowski on this. Chad and Carrie were thanked for their work on this and bringing it to the attention of the Committee

**Discussion And Consideration Of Assumption of Liability Rider For M & M Asphalt Bond For The Manila Airport Runway Preservation Project:** Commissioner Asay said there was a notice that the bond issuer for the company doing the work on the airport runway preservation project had changed. Attorney Niel Lund said he wasn't sure that this needed to be on the agenda as it is more administrative, but it's there. Commissioner Lytle motioned to acknowledge the change and the Chair go ahead and sign it. The motion was seconded by Commissioner Tippetts. All were in favor and the motion carried.

**Flaming Gorge Clinic Updates:** Commissioner Tippetts had sent an email to Mr. Raymond to put this on the agenda for next week, so he wasn't sure if this needed to be discussed further and Commissioner Asay said he would talk with them about this. One of the reasons the school is off on Fridays is so people can get to appointments.

Motion to recess was made by Commissioner Lytle and seconded by Commissioner Tippetts.

**Discussion And Consideration Of Uses And Restrictions To Airport Lands With UDOT Aeronautics:** Commissioner Asay welcomed everyone back into session at 1:08 pm. Matthew Swapp said his boss has asked to be excused due to a case of food poisoning. Bret Reynolds of CIVCO Engineering said the purpose of today's meeting is to talk about the Dutch John airport and also the Manila airport projects. Mr. Reynolds said we have three projects at the Manila Airport based on two grants. On the Runway Preservation Project we have another \$500+ amount that still needs to be paid over the revised grant amount and you can ask the state to pay for 90% or just pay it. Commissioner Tippetts said that he felt the number was low enough that we should pay it and not nitpick for that amount. There are several other issues that we have coming up on the AWOS and Lighting project that will require additional funds.

The second project is the Automated Weather Observation Station (AWOS). West of the roadway by the hanger is a stake where that is going. The other part of the project is the lighting project and these two are on the same grant for \$500,000. On the lighting project we still haven't got the PAPIs figured out. The ones we got from Vernal did not include the regulators and maybe we will be able to get them from Roosevelt. If there are more lights they could be used for Dutch John airport. The PAPIs we have need to be tipped over. We have overrun some items and the

contingency has been used up. The AWOS did not include an access road to the location for the AWOS and it is very swampy. We've had preliminary discussions to use the next \$500,000 towards the uncompleted items. We haven't spent any on AWOS yet, so we are okay for the moment. Matt Swapp said he had set aside \$100,000 for the Instrument Approach, but we need to talk about that as Jared Esselman Director of Aeronautics that there is a better way of doing it for less than what was proposed by DBT. We originally had \$215,000 for Lighting, \$170,000 for AWOS, and \$90,000 for contingency and it looks like all the contingency will be used for the lighting project. Matt Swapp said that he has set aside \$100,000 from the second \$500,000 for the Instrument Approach. Commissioner Tippetts asked what was the priority from the State's point of view? The Apron and lighting in Dutch John were discussed as was the fencing needs for Manila. This money needs to be spent down as it is a special project. Salina could use the money if we didn't need it. We still need to come up with the match. Bret said he would start costing things out to see what could be done. Mr. Swapp asked about the County doing the work for the access road, but we would have to reimburse them for any work and that could be the match.

Commissioner Tippetts asked about going into closed session to discuss other options for proposals being considered. There has been enough in closed session that it might be helpful, but it could be discussed in general terms. There is interest from several people who are interested in developing or helping develop surrounding properties. The Part 77 Surfaces have to be maintained so there is no intrusion into that area. CIVCO had looked at that with the previous discussion when selling a parcel. The County will maintain ownership, but what could the boundaries look like that protect the airport but allow for development. We want to make sure that enough space is reserved to maintain safety and room for growth in the future if needed, while still being eligible for funding. Hangar homes are a consideration for the future. We are looking for ways to use both airports better. The grant assurances would require it to be safe and maintain the Part 77 3 dimensional aspect. How far from the runway can you start building and what if there are new taxiways? The attorney asked how does it work to subdivide out what is developable from what will stay in the airport perpetually because its a huge parcel. Is 250' from centerline a hard line or does it need to be out farther. There is a desire to keep the grass strip as a future possibility. It's usually not a priority for the State to do any grass runways. The first step is to review the airport layout plan and then be conservative, so you have options in the future. Taxiways would probably extend that need for additional space. The width of taxiways would have to be looked up. Mr. Reynolds said the mountain across the river is the controlling factor as it limits how people can approach Dutch John. Mr. Reynolds said he would look at the work that has been done and it doesn't look like the State would pay for engineering, but it could preset us to hire an engineer to do that work. Mr. Lund asked if the County transferred the airport to the RDA and Mr. Swapp said there is language that sets requirements for transfer. The RDA would keep it open as a public airport. You would just need to be sent to Jared Esselman for his review. Mr. Raymond asked if the funding we have been receiving is State or Federal and Mr. Swapp said that it is all state. If you get CIB money in the future as Moab did then that would have a federal nexus. It was asked if the RDA could go after CIB funding and it was unclear and it was also unclear if an RDA would protect federal money from affecting PILT. More investigation needs to be done on that. MBAs can do airports and protect federal money from affecting PILT. Whatever, we need to decide quickly what else could be done to use the remaining grant money: fencing in Manila, apron and lighting in Dutch John. Fencing in Dutch John is not as important right now. Bret said there first needs to be a discussion on the instrument approach to see how much is needed for that and then we can see what is left for other projects.

Matt Swapp mentioned that any in kind must be related to an approved project. There is \$100,000 set aside for the instrument approach which leaves \$400,000 plus the counties match. There is an annual fee for the AWOS. The grant money is still available for both pots of money.

The State is flexible on when the money is spent within reason. Every year in June Aeronautics approves a new five year list. There is a Preservation project scheduled in Dutch John for 2020 and again in 2024 with Manila having it again in 2023. The Dutch John project is \$121,500 plus a \$13,500 match for a total of \$135,000 total that needs to be budgeted for next year along with the \$550,000.

How does the change in our policy affect what we are doing with the Engineer of Record. Bret Reynolds asked if the County can use the State Pool that is qualification based, but it was thought that this had not been mentioned in the policy. Matt Swapp said that most communities have a four or five year contract with engineers. Any project has to be approved before you can go out for an RFP. Spending the \$65,000 to get another \$650,000 is a no brainer, but where does that money come from and could the RDA provide part of it? Bret said he was willing to work with the County to get the ACIP forms completed for the upcoming projects. The instrument landing project in Manila and the pavement preservation project in Dutch John are givens and then we'll see what else can be done. There is the annual fee for AWOS, and \$10,000 was what was remembered, but it was not certain if that was the right number. The AWOS and instrument landing need to be done and once we do the budget, we can see if there is money available. We need to get the ACIP forms done to reserve our spot in the Queue, but if we can't find the match money then we notify the state and they will find another project that can use the money. Commissioner Tippetts asked if we could give Bret the direction to fill out the applications and start the process to find the money and get these projects going. Commissioner Lytle thought the pavement preservation and the instrument approach projects should be done. For the possible lighting project we need to check with Roosevelt and see the status of their lights. We still need to be looking at the apron and there was discussion that it might be more important than lighting. Cleaning up the area around the hangar could provide more space. Let's move forward and get the ACIPs prepared and check on what we have done on the Dutch John plan and what it will cost to move forward on that as well.

There was additional discussion about the proposed development in Dutch John and Matt Swapp said that as long as they keep in mind the Part 77 restrictions the County should be okay. It was not thought we could get back up to being an FAA airport as they are cutting back not expanding airports. Matt Swapp mentioned that Jared Esselman, the Director of Aeronautics was willing to come out another time when he is feeling better. Mr. Swapp was thanked for coming.

Bret Reynolds addressed the Bond information briefly and Commissioner Lytle motioned to adjourn at 2:47 pm.

/s/ Randy Asay  
Commissioner Randy Asay

s/ Brian Raymond  
Clerk/Treasurer Brian Raymond

/s/ Jack Lytle  
Commissioner Jack Lytle

/s/ Matt Tippetts  
Commissioner Matt Tippetts