

Minutes of the regular meeting of the Daggett County Commission/Redevelopment Agency Board held on **Tuesday, December 31, 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, Sheriff Erik Bailey were present. Deputy Auditor/Recorder Brianne Carter was present to take minutes and run the recorder as Mr. Raymond was excused for a doctor's appointment with his wife and Vicky Tanner was out sick. The meeting was called to order at 9:14 am by Commissioner Asay.

Also present: Senator Ron Winterton, Bret Reynolds of CIVCO Engineering, James Olsen, Marcus and Tasha Hansen, Trevor Brooksby, Sgt. Travis Dupaix, plus Kurt Mower and Kevin Yack of the Uintah Basin Association of Governments.

Issue Updates: Sgt. Dupaix was asked about the EMT class and all five are still going. Commissioner Tippetts said he has a meeting on Thursday January 2nd at 1 pm with Aeronautics to get clarifications on the ability to sell property around the airport. Aeronautics wants to help us make sure that nothing affects the airport in a negative way. There is an annual fee that connects the development into the airport and other funding considerations. Bret Reynolds will also be attending with Matt Tippetts and the other commissioners are welcome to come.

Commissioner Tippetts brought up a meeting he is trying to set up with Lt. Governor Cox to go over the possibility of State involvement in finding a solution for the jail, with the involvement of the Senator, Representative and the corrections people. State Corrections is struggling to find employees and so are all the other counties.

Niel Lund said that Charlie Forbush with UBMC is looking to be on the agenda next week at 10 or whatever is convenient. Commissioner Lytle asked if Mr. Lund had made contact with the delinquent utility person and they have just been playing tag. Commissioner Lytle also asked everyone to keep Mayor Rogers in their prayers as he is in a difficult struggle.

Citizen Comments: Senator Winterton said that there are several water bills that are coming up this session that need to be monitored. There are about 80 bills already prepared and have had some vetting. Commissioner Asay asked what the implications are for the new Tax Bill and also the referendum? Senator Winterton said HB 441 should be effective January 1st, but the referendum will not be completed until November. There were questions as to when funds will be available and how much should the county budget, etc. B & C Road Funds are supposed to be sent out every two months and this would help the hold harmless amount to counties like Daggett County. Everyone was encouraged to read the bill and know what is actually in it and the media is not portraying the whole picture. There was further discussion about the tax bill and some of the things that are in there and the process of considering the bill.

Approve Minutes: No minutes were available for review.

The Open Invoice Register Was Presented For Review And Approval: The Open Invoice Register for December 30, 2019 for \$65,838.82 was prepared by the Auditor/Recorder's Office. Commissioner Lytle motioned to approve the Open Invoice Register in the amount of \$65,838.82 dated December 30, 2019. Commissioner Tippetts seconded the motion. All were in favor and the motion carried.

Disbursement Listing: The Disbursement Listing for December 16-30, 2019 was prepared by the Auditor/Recorder's Office. Commissioner Lytle asked about the payment amount and the

void amount and Keri Pallesen said it was a payroll that had to be voided and reprocessed. Commissioner Lytle motioned to accept the Disbursement Listing for December 16-30, 2019 in the amount of \$111,933.77 and the void amount of \$22,475.10. Commissioner Tippetts seconded the motion. All were in favor and the motion carried.

Keri Pallesen said there was an Interfund Transfer that was sent out with the Disbursement listing. She would like to have this approved as it is in the budget adjustment later and is for the checks last year that were put back into the account they came from. Commissioner Lytle motioned to approve the Interfund Transfer of December 31st, 2019 as presented. Commissioner Tippetts seconded the motion. All were in favor and the motion carried.

Cash Summary: A digital copy was not available, but a printed copy was. Commissioner Lytle said that it looks like we should be okay and Commissioner Asay noted there were no parentheses this week. Commissioner Tippetts motioned to acknowledge receipt of the Cash Summary dated December 31, 2019. Commissioner Lytle seconded the motion. All were in favor and the motion carried.

Purchase Orders: There was a Purchase Orders for Institute of Internal Auditors for continuing education for the Auditor on Internal Auditing. Commissioner Lytle motioned to approve the PO for \$2,025.00 and Commissioner Tippetts seconded the motion. Commissioner Tippetts asked for clarification that we are only required to do this for amounts over \$5,000 but this is just All were in favor and the motion carried.

Commissioner Lytle said we need to verify that people are doing the annual trainings that are required by the State Auditor's office and we have to provide proof of completing the training, especially the open meeting training. Attorney Niel Lund said that Tracy came up and did that training on April 30th, but not sure how many Planning and Zoning board members attended. We need to schedule for 2020.

Correspondence: Commissioner Asay asked for correspondence and Commissioner Lytle asked if we need to add the Clinic to next week's agenda or issues and it was thought to put it on the agenda and maybe the issues section after that. Attorney Niel Lund said that a copy of the Clinic MOU had been found from 2008, which referred to a management letter in 2007. Commissioner Lytle noted the Enterprise Zone has been approved and thanked the UBAOG folks for helping to facilitate this.

Calendar Review: Commissioner Tippetts said that Friday, Bret and Commissioner Tippetts will be meeting with BLM about the FLAP application. Commissioner Lytle asked about the Jesse Ewing Road and it seems like it's still settling. There are "road damage" and "falling rock" signs in place already. Commissioner Lytle said there is no CIB meeting this month and Seven County meeting is the 20th. There is a calendar item on the 8th that there is a Federal Land Agencies meeting and a Public Lands call that day with NACO.

Policy and Legislation Items:

Discussion And Consideration Of Paragon Utah Mass Appraisal (PUMA) System User Agreement For Multi-County Appraisal Trust's: The attorney Niel Lund said that Assessor Lesa Asay is not here, but he had reviewed the contract and the agreement is just fine. It was asked if there was a financial cost and it was thought the state is paying for it. Commissioner Lytle motioned to approve the user agreement for Multi-County Appraisal Trusts Paragon Utah Mass Appraisal

System (PUMA) and Commissioner Tippetts seconded the motion. All were in favor and the motion carried.

Discussion And Consideration Of Manila Airport Lighting Project Change Order #1:

Commissioner Asay gave Bret Reynolds the floor and he said there were some issues on the Lighting Portion of the AWOS and Lighting Project. The PAPIs did not come with regulators and those had to be purchased and installed. There were some overruns and it came out to \$14,132.14.

Aeronautics said that the Commission needs to approve the change order. In the initial budget there was a \$55,000 for contingency, so we are still good there. Our portion will be 10% of that and is within the initial budget. Commissioner Tippetts motioned to approve Change Order #1 for the Manila Airport Lighting project in the amount of \$14,132.14 with a side note that the County's portion is 10% or \$1413.21. Mr. Reynolds said Keri Pallesen wanted this as we are at the maximum payout and can't pay this without this approval. Commissioner Tippetts seconded the motion. All were in favor and the motion carried.

Discussion And Consideration Of AWOS Access Road At Manila Airport: Mr.

Reynolds said that the subcontractor doing the civil work said we need an access road so Bret got a bid and it was high, then got a second bid and it was even higher, so he met with Aeronautics and engineer to find out exactly what was needed and then the idea of the Road Department doing the work and Aeronautics said they could but could not make any money on the project, but only cover their costs. Road Department Supervisor James Olsen noted that his bid was only for warm weather and not cold weather. The AWOS people have to be contacted to see how cold weather affects their portion of the project. Commissioner Lytle asked the consequences for waiting until spring and there is a timing issue with payment for DBT and they thought this would all be done this year and they are not happy with the situation. We could build the access road now and keep this project going. It was asked how much more could it cost us by doing it in cold weather and Mr. Olsen said 25-30%. Bret Reynolds said he would talk with Aeronautics about this on Thursday. The firm does this nationwide and they are only the company that does this. If it's mutually agreed upon then we shouldn't have penalties. Commissioner Tippetts said that they will talk with Aeronautics about how to structure this payment so that they will reimburse us. Mr. Reynolds will do some more checking on things before the meeting. Commissioner Tippetts said they are frustrated that they have done work, but we have followed the contract of half down and half when complete, which it is not done yet. We can also see if the State will entertain a change order for the winter conditions so they can finish it up before the end of February.

Discussion And Consideration Of Request For AWOS System At Manila Airport:

There is another consideration for the Manila Airport, DBT has completed the application to the FFA like they said they would. The only instrument control available is GPS during daylight, but if we do a survey we could do GPS at night time as well. The terrain is the limiting factor. State Aeronautics has set aside \$100,000 for the survey in FY2021. The annual costs are still unknown and a big concern. The proposed County budget includes \$70,000 for airports in 2020. The State needs Daggett County to get the paperwork done.

Discussion and Consideration Of Airports In General: Nothing further was discussed about this as it was felt everything was covered already.

Discussion And Consideration Of Federal Lands Access Program (FLAP) Projects And Approval Of A Letter Of Support: Commissioner Asay let Bret Reynolds address this and Mr.

Reynolds said he is meeting with the BLM this afternoon regarding this. The Acrobat program would not open the document in the packet, so Mr. Reynolds passed out some information as he explained the FLAP program. He has been talking with the Flaming Gorge Transportation District on this for a while as the program is only opened up every five years. There is a form that needs to be filled out by the owner and the owner needs to be the applicant. The first project is widening the Birch Creek Road near McKinnon. The 2nd one is the Stateline Road which could be paved or hardened as it is often a muddy mess. It goes all the way to the lake and connects to Commissioner Asay asked if Wyoming was fixing their road, because what's the point of us improving it if they don't. Once a FLAP program is approved the the Central Federal Lands out of Colorado takes over the project and they make the determinations of width. The roads/trails have to connect to federal lands. They can award one project, some projects, all of them or none of the projects. The Third item was the Red Creek Road and the BLM is questioning if it's a county road and there was a question if we had a Title V, but James Olsen said we are claiming it as an RS2477 Road. We have a Title V on the Brown's Park Rd. The Title V means we have to go through BLM to do any maintenance. We will probably have to apply for Title V on this, but Title V affects the match in that federal money can't match federal money. A 4th Project was the trail from The Town of Manila to the Reservoir, while the 5th Project is the Manila to the Ashley National Forest ATV Trail. Commissioner Lytle was uncomfortable with the trails being separate use and not shared use. There was discussion and questions on the potential funding sources and the types of trails and the Trails Committee has reviewed this and this is their recommendation. They have another trails meeting on January 10th at 6 pm at the Red Canyon Lodge and today they are meeting with Forest Service in Vernal and then the BLM on Thursday. The trail to Lucerne is scheduled to be a non-motorized trail with the help of funding from Bike Utah, but with the FLAP money it could become motorized. Mr. Reynolds said he needs approval from the Commission and the name of a contact person to go ahead and submit the application. Mr. Olsen said he was the current contact person for the ongoing Sheep Creek project and explained that each application needs a contact person. It was agreed to make Commissioner Tippetts the contact for Road projects and Commissioner Lytle the contact for the trails projects. The contact can be changed if needed. The application is due on the 15th of January, so there isn't much time. The Forest Service has been contacted and they have been kept in the loop. Commissioner Tippetts motioned to approve turning in the five applications and a letter of support for the Federal Lands Access Program (FLAP). Commissioner Lytle seconded the motion. All were in favor and the motion carried. Mr. Reynolds will prepare the applications and endorsement letter for the Commission to sign. The committee will talk more about the trail becoming multiuse at the January 10th meeting. There won't be a decision until late spring.

Discussion And Consideration Of Surplus Of Laptops HP4530 And HP4540 Tags Numbers 3646, 3649, 3913: Commissioner Tippetts noted that the tag numbers in the email are not all on agenda. Commissioner Tippetts motioned to approve the surplus of Laptops with tag numbers 3646, 3649 and 3913 and give the staff members option to purchase as indicated. Commissioner Lytle seconded the motion. All were in favor and the motion carried.

Discussion And Consideration Of Possible Mower Purchase For Road Department: James Olsen said he had gotten four quotes for a new mower and they are all over \$15,000, which the policy said we should get it to a competitive bid process. The bids were all on the same mower, so the question is how does the Commission want to handle this. When Mr. Olsen talked with Auditor Keri Pallesen she said to take it to the Commission for their decision. The State Bid is higher than the quote received from another company. Attorney Niel Lund said he felt the due diligence was done and the county should be fine to go forward and purchase the mower. There was discussion on

the lease of the tractor, which is in process, but still waiting to hear from John Deere. This will be from SRS Funds and there was discussion of whether it was 2019 or 2020. Keri Pallesen was asked if she had a preference for which year it would come from and she didn't. Commissioner Lytle motioned to approve the purchase of a mower for the Road Department contingent upon the purchase or lease of a tractor. Commissioner Tippetts seconded the motion. All were in favor and the motion carried.

11:30 AM - Closed Session: Commissioner Asay stated that there is a need for a Closed Session for the purpose of discussion of the Purchase, Sale or Exchange of Real Property. Commissioner Lytle motioned to go in and out of Redevelopment Agency (RDA) and Commissioner Tippetts seconded the motion. All were in favor and the motion carried.

Commissioner Lytle motioned to go into Closed Session at 11:39 am for the purpose of discussion of the Purchase, Sale or Exchange of Real Property. Commissioner Tippetts seconded the motion. A Roll call vote was taken and Commissioner Lytle voted "Aye"; Commissioner Tippetts voted "Aye"; and Randy Asay voted "Aye". The motion carried and the Closed Session was entered at 11:44 am.

Commissioner Lytle motioned to go out of closed and come back into Open Session at 12:32 pm and stay in and out of RDA. Commissioner Tippetts seconded the motion. All were in favor and the motion carried.

Discussion And Consideration Of Victim's Advocate Vehicle And Sheriff's Vehicles:
This has already been dealt with and was tabled.

Discussion And Consideration Of Resolution 19-20: Amending The 2019 Daggett County Budget: Commissioner Lytle motioned to approve Resolution 19-20 to amend the 2019 Budget. Commissioner Tippetts seconded the motion. Commissioner Tippetts commented that the Commission is not just blowing over this, but had spent 8 hours working on the budgets yesterday and there was over a \$100,000 of last year's budget that was not spent. All were in favor and the motion carried.

Discussion And Consideration Of Resolution 19-21: Adopting The 2020 Daggett County Budget: Auditor/Recorder Keri Pallesen addressed the Commission and said during her review she found the County Seat Program and the Public Relations contract had not been added to the 2020 budget. That is \$18,000 for the Public Relations and half goes to the Sheriff's Department. The County Seat will be \$6,500 of which Dutch John will provide \$2,500. Commissioner Tippetts brought up the Pay increases for employees that had been here for over 5 years. This allows the increase without removing the wage freeze. Commissioner Lytle motioned to approve Resolution 19-21: Adopting the 2020 Daggett County Budget with the approved wage adjustments, the County Seat program and PR Contract amounts discussed earlier. Commissioner Tippetts seconded the motion. All were in favor and the motion carried.

Discussion And Consideration Of Ordinance 19-22: An Ordinance Establishing And Affixing Salaries Of Elected Officials And Statutory Officers For Daggett County For 2020: Commissioner Tippetts asked if the previous motion included the RDA budget and it was stated that it is a separate agenda item. We are still in and out of RDA and so the RDA Budget was handled before the Salary Ordinance.

Discussion And Consideration Of Resolution 19-05RDA: A Resolution Adopting the Daggett County RDA Budget. Commissioner Tippetts motioned to approve Resolution 19-05RDA: Adopting the 2020 Daggett County Redevelopment Agency Budget as presented. Commissioner Lytle seconded the motion. All were in favor and the motion carried. The 2019 RDA Budget Adjustment Resolution was not addressed as there were no adjustments to that budget.

Discussion And Consideration Of Ordinance 19-22: An Ordinance Establishing And Affixing Salaries Of Elected Officials And Statutory Officers For Daggett County For 2020: Commissioner Tippetts motioned to approve Ordinance 19-22 Establishing and Affixing Salaries for 2020 County Officials. Commissioner Lytle seconded the motion. All were in favor and the motion carried.

Discussion Of Separation And Reconsolidation Of County Elected Offices: Commissioner Lytle motioned that we move this discussion to the Issues Updates list towards a decision before February 1st. Commissioner Tippetts seconded the motion. All were in favor and the motion carried.

Discussion And Consideration Of Resolution 19-24: A Resolution Specifying The Percentage Of Revenue Under U.C.A. 59-12-2219(8) That Will Be Allocated To An Eligible Political Subdivision : Commissioner Asay turned the time over to Kurt Mower and Kevin Yack with the Uintah Basin Association of Governments (UBAOG) who explained that the Ordinance has been passed for the tax and now we need a resolution of where to send the tax. Attorney Niel Lund said since we changed from code subsection 6b instead of 6c, we have to pass a resolution, so that is what this resolution is for. There is a provision that requires UBAOG to spend the money for Daggett County.

Commissioner Lytle motioned to approve Resolution 19-24, A Resolution Specifying The Percentage Of Revenue Under U.C.A. 59-12-2219(8) That Will Be Allocated To An Eligible Political Subdivision in this case for Daggett County to the Uintah Basin Association of Governments. Commissioner Tippetts asked for clarification on the distribution of the funds and Mr. Lund said that the County gets .05% and the .1% goes to UBAOG. Commissioner Tippetts seconded the motion.

Senator Winterton and future Dutch John Town Council member Trevor Brooksby were asked if they had any comments and they did not.

With no further business Commissioner Lytle motioned to adjourn at 1:00 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