

## Draft

Minutes of the regular meeting of the Daggett County Commission/Redevelopment Agency Board held on **Tuesday, February 25, 2020** in the Commission Chambers at the Daggett County Courthouse. Commissioners Randy Asay, Jack Lytle and Matt Tippetts were present. Auditor/Recorder Keri Pallesen, Sheriff Erik Bailey, Attorney Niel Lund and Clerk/Treasurer Brian Raymond were also present. Everyone was welcomed and the meeting was called to order at 9:11 am by Commissioner Asay.

Also present: Jerry Steglich, Carrie Poulsen, Matt Lucas, Albert Foster and Brenda of Gallagher

**Board of Adjustments Meeting - Discussion and Consideration Of Variance Request - Lee Schulz:** Commissioner Lytle motioned to go into the Board of Adjustments meeting. Motion was seconded by Commissioner Tippetts. All were in favor and the motion carried. The meeting was called to consider a variance.

Commissioner Asay asked Carrie Poulsen of Planning and Zoning to explain the request. She stated that Mr. Schulz has a parcel that is just outside the Pines subdivision, but part of their Homeowner's Association (HOA). Mr. Schultz has submitted an application because this is in an MU-40 zoned property and he can't meet the required 60 foot setbacks. The proposed building plan was presented and she explained that he is also buying the property next to his and has US Forest Service property behind and to the other side and the Maxen Ranch in ag zone is on the other side of the road. The Pines setbacks were discussed and he would meet those of 30' on the front and 12' on the sides. The lot he is purchasing was owned by the Spackman's. Commissioner Lytle recommended that we look at changing the MU-40 zoning for these five lots when possible. Commissioner Tippetts asked the Attorney if this meets the requirements for a variance. Mr. Lund went through the five requirements and he felt that it met the requirements as the zoning would not allow him to build which is the hardship and he didn't see an issue if the Commission wanted to grant the application. Commissioner Lytle motioned to approve the application based on the discussion between the attorney and Commissioner for a variance for Lee Schulz for his lot with Serial no. 090-5 and Property Tax ID # 02-0021-0094. Motion was seconded by Commissioner Tippetts. All were in favor and the motion carried.

With no further business Commissioner Tippetts motioned to adjourn the Board of Adjustments Meeting and go into regular Commission Meeting at 9:22 am.

**Issue Updates:** Commissioner Tippetts asked about the EMS Director position and Sheriff Bailey said he has four applicants to interview. One is in South Carolina and he is still trying to contact that person. The afternoon of March 27th is the tentative date for interviews. There will be EMS candidates testing in March if nothing has changed.

Commissioner Asay brought up the invoice received from Dutch John and there were questions about the bill and the information provided or not provided. We can talk about it during the Elected Officials meeting. There was a brief discussion on the letter received from the Town's attorney and it will be discussed more in Closed Session. The attorney noted that this billing is presumptive and not based on the existing agreement.

**Citizen Comments:** Commissioner Asay opened it up and Jerry Steglich with the Daggett County Central Republican Committee. There is a caucus meeting scheduled for March 24th and he encouraged everyone that is running to attend. Those running can set up a table for a meet and greet from 6 to 7 pm and the actual meeting will start at 7 pm. There was some confusion if this was the

## Draft

convention or not and Mr. Steglich explained that it is the precinct caucus for Manila and Dutch John will be holding their's the same night at the same time. Manila will elect 14 delegates and Dutch John will elect 7 and they will meet at the Convention to decide who will represent the party. The candidates can still get signatures and be on the ballot even if they are not selected by the delegates.

Jerry also asked for an update on the legislative involvement and efforts on the jail. Commissioner Tippetts described the referendum and the repeal of the tax reform bill have put the state into a financial crunch, so its going to be difficult for something to happen this year, but we are still working with them and trying to promote the State helping to remedy the situation. Commissioner Lytle said his conversations with Mike Mower and Representative Wilde has shown that it just isn't coming together to happen this year. We need to get a meeting with the executive director of Corrections-Mike Hammond, but it has lost some of its steam. Mr. Steglich said that he would hope the Commission would be aggressive and help the State to understand that they didn't care about our budget when they made their decision to remove the prisoners. He suggested getting Casey Snider involved as he understands. The Sheriff brought up that we need the economic impact of the closure and we need to complete the economic impact study. The new workforce services report shows 27 new jobs and where are these jobs. Senator Winterton said he would get with GOED to get information from them, but Commissioner Tippetts said he had not followed up with the Senator yet, but would. The Sheriff reiterated that the study needs to get done to show what the jail closure did to Daggett County.

**Approve Minutes:** Minutes for the December 17, 2020 Public Hearing, Dec 31, 2019 Commission Meeting and the February 11, 2020 Commission Meeting were available for review.

Commissioner Lytle thought he was there, but the minutes said he was excused. Commissioner Tippetts motioned to approve the December 17, 2019 Public Hearing minutes. Commissioner Lytle seconded the motion. Commissioner Asay and Tippetts were in favor and Commissioner Lytle abstained. The motion carried.

Commissioner Lytle motioned to approve the December 31, 2020 minutes. Commissioner Tippetts seconded the motion. All were in favor and the motion carried.

Commissioner Lytle motioned to accept the February 11, 2020 Commission Meeting minutes. Commissioner Tippetts seconded the motion. All were in favor and the motion carried.

**The Open Invoice Register Was Presented For Review And Approval:** The Open Invoice Register of February 24, 2020 for \$68,601.32 was prepared by the Auditor/Recorder's Office. Commissioner Tippetts motioned to approve the Open Invoice Register dated February 24, 2020 in the amount of \$68,601.32. Commissioner Lytle seconded the motion. All were in favor and the motion carried.

**Disbursement Listing:** The Disbursement Listing for February 11-24, 2020 was prepared by the Auditor/Recorder's Office. Commissioner Lytle motioned to accept the Disbursement Listing dated February 4-10, 2020 in the amount of \$81,799.96. Commissioner Tippetts seconded the motion. All were in favor and the motion carried.

**Cash Summary:** Cash Summary dated February 24, 2020 was available for review. Commissioner Tippetts motioned to acknowledge receipt of the Cash Summary for February 24, 2020. Commissioner Tippetts seconded the motion. All were in favor and the motion carried.

**Purchase Orders:** There were no purchase orders to discuss.

## Draft

**Correspondence:** Commissioner Lytle said he hadn't reviewed the packet to see if this was there, but there are some things in SB163 that complicate Redevelopment Agencies. It was reviewed in last week's UAC meetings and Mr. Raymond did not have any additional input. Commissioner Lytle said he would watch that bill and maybe we want to talk with Craig Smith about it. There was also a question about the All America Road designation and there needs to be caution in this as it may have consequences. The 11th is the fireworks in Dutch John, due to the 4th being on a Saturday. The problem is now it conflicts with the Cow Country Rodeo.

Commissioner Asay said he had received a certified letter from Trust Lands for a sale set up for 320 acre parcel in Daggett County up Sheep Creek Geological Loop some time in June. It is adjacent to the Ranch and the NRA/Forest Service on the South and West.

**Calendar Review:** Commissioner Lytle needs to be excused from next Tuesdays meeting as he will be heading to DC on Friday for NACO and will just be returning on the 4th. He will be at the UAC meetings on Thursday. He will be on the UAC calls on Thursday before he leaves. Commissioner Tippetts asked about the UBAOG meeting on his calendar for Thursday and nobody could confirm or say for sure that it was still going. It was found to be scheduled for March 26th and not February 26th.

Weekly Budget Review:

### **Policy and Legislation Items:**

**Discussion And Consideration Of Business License Fee for Ironman Onsite Welding:** Mr. Raymond was asked if he had any concerns and he replied that he did not. Commissioner Tippetts motioned to approve the business license for Ironman Onsite Welding. Commissioner Lytle seconded the motion. All were in favor and the motion carried.

**Discussion And Consideration Of Business License Fees:** Mr. Raymond said now that we have approved our first business license it may be a moot point. There was a small shortfall in revenues last year in this category. The idea behind the business licence is to have the and Commissioner Lytle asked if we had

**Discussion And Consideration Of Security Contract With Dominion Energy:** Attorney Niel Lund said that he forgot to get this to Mr. Raymond for inclusion in the packet, but he had sent out by email this morning. We would be notified if the national threat level reaches a certain point and then provide services as outlined in the contract. Mr. Lund said it is a very large Federal Contract and the first 6 pages are pertinent to us and he didn't have any issues with what's in the contract. Wages were discussed and they seemed sufficient. The invoices would have to be submitted online through their invoicing system. Commissioner Lytle asked if there was a need for other offices to review further and Mr. Lund said he didn't feel that was needed. Commissioner Lytle motioned to go forward with the Contract 25:30 and Commissioner Tippetts seconded the motion. All were in favor and the motion carried.

**Discussion And Consideration Of Contract with Jones and DeMille Engineering.** Mr. Lund printed a copy of the contract without the highlights. This is what we discussed with Bart during the last meeting and the preamble adds information as well as the Scope of Work. There were a few other changes setting out the work and there are some highlights on what's in the packet. The rates can be changed annually with the approval of the Commission. The contract is to ensure they

## Draft

perform the County Surveyor duties, but leaves it open for them to perform other needed projects. TMr. Lund said they are okay with this version and he is also okay with it. Page three is the only page that needs to be signed today. Commissioner Tippetts motioned to approve the contract based on the fact that both parties are okay with it as written. Commissioner Lytle asked about the involvement of the RDA. Commissioner Lytle motioned to go in and out of the Redevelopment Agency. Commissioner Tippetts seconded the motion. All were in favor and the motion carried. Commissioner Lytle motioned 35:00 to approve the general services survey contract with Jones and DeMille. Commissioner Lytle seconded the motion. All were in favor and the motion carried. The attorney noted that there is a need for the Commission to choose a contact person, but it doesn't have to be done during Commission Meeting.

**Discussion And Consideration Of Health Insurance Insurance Broker - Albert Foster and State Proposal For Use Of The Daggett County Jail:** Commissioner Asay welcomed Albert Foster and he introduced Brenda ?? who is an account representative. March 1st Medical marijuana becomes legal in Utah and so he has worked with Keri Pallesen and looked at our policy and there is draft that will be coming for review shortly. There was discussion on this issue and there was input from Commissioner Lytle and the Sheriff on how they might have to deal with this.

Several years ago the County switched to a different company in order to be a part of the UAC program, but that program is dead now. We are part of the LPRG account with PEHP and it is a much larger pool than UAC could ever be, so the risk is better distributed. Albert said he had returned to Gallagher after four years as Ray Hussey has retired. Brenda and he worked together for many years and they had heard there was some issues with the services they had received from the current contractor. Gallagher has quite a few counties they work with. Keri Pallesen said that Gallagher was good to us in the past and she enjoyed 50:00 . In the event there is no cost difference Commissioner Tippetts was willing to go with Keri Pallesen's recommendation to switch brokers. There was additional discussion and Albert said once you decide to go with them the County would just have to sign a letter stating that Gallagher is now the County's broker. There is also a contract that would need to be signed. The attorney said we should check with Brandy of UAC and make sure that we are not hurting ourselves in the future and review the contract before approving it. Commissioner Tippetts motioned to table until next week and Commissioner Lytle encouraged him to amend his motion to approve it with the contingency that there were no issues to move forward by March 1st for Gallagher as our broker. Commissioner Tippetts motioned to approve Gallagher being the County's Health Insurance Broker if there were no issues and to move forward by March 1st. Commissioner Lytle seconded the motion. All were in favor and the motion carried.

**Discussion And Consideration Of Dutch John Volunteer Fire Department (DJVFD):** Commissioner Lytle asked if there was anything specific and Commissioner Asay said we are still waiting for a letter from Dutch John. Commissioner Lytle motioned to table this discussion and not bring it back until we have something concrete from Dutch John. Commissioner Tippetts seconded the motion. All were in favor and the motion carried.

**Closed Session:** Commissioner Lytle motioned to go into Closed Session at 11:34 am in the Daggett County Commission Chambers for the purpose of discussing the Purchase, Exchange, or lease of Real Property. Commissioner Tippetts seconded the motion. A roll call vote was taken on the Closed Session motion and Jack Lytle voted "Aye", Matt Tippetts voted "Aye" and Randy Asay voted "Aye" . The motion carried and Closed Session began at 11:38 am.

Commissioner Lytle motioned to come out of Closed Session at 12:06 pm. Commissioner Tippetts seconded the motion. All were in favor and the motion carried.

## Draft

**Other Discussion:** Commissioner Lytle said he went to the Wolf meeting last night in Colorado and there are 4 or 5 wolves running over there and they have a confirmed elk kill and another that was being chewed upon. US Fish and Wildlife (USFW) might delist the Wolf in March

With no further business Commissioner Lytle motioned to adjourn at 12:21 pm.