

Minutes of the Meeting of the Daggett County Commission Public Hearing held on **Wednesday, October 22, 2020** in the Dutch John Conference Hall at 530 South Boulevard in Dutch John, Utah and through electronic means. Commissioners Randy Asay, Jack Lytle and Matt Tippetts were present in person. Clerk/Treasurer Brian Raymond was present in person. Attorney Niel Lund and Auditor/Recorder Keri Pallesen were present online. The meeting was called to order at 6:00 pm by Commissioner Asay.

Present In Person: Mayor Coombs and Gretchen Northcott of Manila Town Council; Harriett Dickerson, Mayor Sandy Kunkel, Trevor Brooksby, Amy McDonald for the Town of Dutch John; John Morton, Jean Dickinson, Sheryl Street, JayDee Guymon, David Mc Donald, Woody Bair, Tammy Twitchell, and Bret Reynolds **Present Online:** John Rauch, Ryan Mosley,

Introduction: Commissioner Lytle was given the floor and read Resolution 20-10. He briefly reviewed the code about the appointments of Board members. The County is looking at this as a collaborative effort over time. The rules are that we keep comments to 2-5 minutes. We can't answer all questions at this point as many things are still being researched or will be determined by the Board of trustees. Attorney Niel Lund said we are required to provide information on an adequate protest and it would need to be filed with the County Clerk and signed by 25% of private landowners and 15% of taxable market value, etc. or signed by 25% of registered voters at the last congressional election. An adequate protest kills the formation of the district. Commissioner Asay said the County needs to do this for the unincorporated areas.

Public Comments: David McDonald noted that this is for the unincorporated areas of the county as the towns have not filed their notice of intent. Does the County intend to proceed without the Towns and what is the timeline? The resolution must be sent to the Lt. Governor's office. If the town's do not join initially then the annexation process would need to be followed and there would need to be a negotiation with the district on points of discussion. Commissioner Lytle said the comment period is 60 days from tonight. Niel Lund clarified that if there are no adequate protests filed within the 60 days, that on the 61st day a resolution could be adopted to create the district. The resolution would state the services that would be provided, the area of the district, how the board of trustees will be appointed or elected. The Board by-laws and other items relating to the function of the board will be adopted by the Board. Within 10 days of the adoption it must be sent to the Lt. Governor's Office for certification and creation of the district. Dave asked if the Town did not adopt the resolution is it excluded from the district. Commissioner Tippetts and Niel said they could join later. Niel explained that the annexation process would then take place and it would be a negotiation process to become a part of Dave asked the tax amount within each entity and that was not known.

Tammy Twitchell applauded the Commission for their going forward with this. She said there were many grants that she as the former emergency manager could not apply for as Fire and EMS were not combined. Can the elected officials be a part of the board? Niel stated that in fifth or sixth class counties an elected official could serve on the board, but would have to be elected at the end of the first term. John Morton did not agree, but was asked to let the attorney finish. Commissioner Lytle asked about the 5th and 6th class counties that they could just be land owners and not residents, so that was addressed by Niel Lund that landowners can also be trustees.

John Morton read in 17B-1-304 #6, that says that if the appointing authority appoints one of its own that seems to conflict with what the attorney said, but the Attorney noted that if they have that transition to being elected then the person would have to be elected. John was not against Commissioners or Council members being on the board perpetually. Commissioner Asay thanked Dave McDonald for his willingness to contribute scholarships for 6 new EMTs for Dutch John.

Woody Bair asked if the resolution said it was to be this way and Commissioner Asay said that it is proposed. Dave McDonald said that the proposal was signed on September 9th, so it's not just a proposal. Woody thought that the proposal could not be changed without having more public hearings. Commissioner Lytle said the resolution states that it is a proposal and the hearings are being held to get comments and input before a final resolution is prepared to create the district.

JayDee Guymon asked if the proposal changes, does that reset the clock for protests? Niel said the purpose of the public hearing is to get comments and feedback. If the Commission wants the membership to be different than the originally proposed 5 board members then that does not reset the clock or start the process over.

Sandy Kunkel proposed that the board be a 3 member board instead of 5 as proposed, so as when the town's join that they could have equal representation at 3 members each for a total of 9 board members.

Bret Reynolds, Daggett County landowner and future resident, commended the county for their efforts, the current services are lacking. He encouraged the cities to get involved as it would be very beneficial for all of us to work together. He had one question, is there a chance for additional input for the final version that could be adopted on day 61? Commissioner Lytle and Niel Lund said people can continue to comment after the public hearing. Bret said that the money can go to another district if needed and things don't get finalized in time. Niel anticipated that the state has to be notified that the money will be moved, but not actually moved. Bret Reynolds said it should be mutually beneficial and everyone gets what they want. Commissioner Asay said everyone may not get what they want but they get what they agree to and Bret thought the important thing would be that nobody should feel like they were shafted.

JayDee Guymon said it sounds to him like the board can make their own rules and there is no oversight for the board. He was asked what his fear was and he replied that they take that power and use it in a way that is not to the benefit of the County. That's the reason for the election. Commissioner Lytle said his perspective is that in the final resolution there could be language that gives direction. It should be a joint system with emergency services and fire. Commissioner Tippetts brought up that this is similar to the School District and the Conservation Districts are another example. There is state code that deals with getting rid of elected officials and they have to break the law to be removed outside of an election.

Harriett Dickerson said that one thing she heard last night was that the towns could join with conditions. Each Town could require an equal number of members and when the board was fully formed they could change how the board was set up.

John Morton said reading the law there is a way to remove people for cause by $\frac{2}{3}$ vote of the appointing officials. He also said he thinks the local board is a good thing and would like to see the towns participate. There is no infrastructure owned by the County or the District. Commissioner Lytle said that there are funds in the County that could be used to help the district including the current county contracts with both municipalities. It is thought that maybe these could be converted to the District. It's just a possibility.

Tammy Twitchell said that in Uintah County they have voted to combine all the districts for cost efficiencies. It's not acceptable to wait for two hours to get an ambulance out of Vernal or the additional time to bring out fire. The combination of the services helps with grants and donations.

Gretchen Northcott said she understands that many of her questions still need to be hammered out. Will Search and Rescue be under the district? Commissioner Lytle said not typically. As the fledgling district gets going there will be hiccups. Will the EMS Director be a contract employee or part of the district? Is it the intention of the County to provide services to all areas of the county including the towns? The Commissioners are viewing the EMS Director as serving the whole county and there needs to be conversations about that service that is being

provided. We have just committed \$187,000 in equipment for both ambulances. He will be an in kind donation to the district, but could become a part of the district. Darin doesn't have an opinion about Dutch John or Manila or County, just looking to benefit the whole county. The Commission's intent is to form the district and the hope is that the Towns will participate. Gretchen is typically careful and has confidence in the Town of Manila's Fire Department, but still has some concerns about EMS. There is still some heartburn on the representation. Representation could be tax based, but let's keep it reasonable and simple. Starting with five is okay, but she hasn't thought that through. The representation is a hurdle. Turning assets over to an unknown board is scary. The Town of Manila has this on their agenda for Tuesday to discuss this further. Thanks for allowing us to be candid and being welcoming.

Bret Reynolds said one of his suggestions was to have a six member board if the Cities join because if your votes are that close you probably need more discussion. Five to start is okay. One worry is that the towns could gang up on the County. It all needs to be balanced.

Dave McDonald said that Gretchen brought up the Gorilla in the room-representation and the investment of resources. What is the tax base? Commissioner Tippetts said that the total tax base is about \$310 million for the whole county. The Town's have got to watch their finances very closely. A veto vote for each board member can override bad decisions with each entity being represented. Arbitration is used when there is a problem. Another question is how does a town withdraw if they feel they are not getting good service. How do you get unentangled? Niel was asked to comment and he did not know of any specific code relating to part of the district bowing out, but there is a way to dissolve the whole district. This is an important question to consider.

Woody Bair asked on behalf of Ryan Mosley if the Board positions would be paid or volunteer. Gretchen had the same question. Woody asked if the towns don't get involved how do you see this working? Could you have satellite stations? Commissioner Lytle said the County Resolution is a starting point and builds the framework. There should be discussion to see how we would proceed if the towns don't engage. Woody Bair said both fire and EMS are important to his business. What's the thought process if the town won't engage. The County is investing \$180,000 in the next few years to improve EMS. There is pay going into EMS and we are looking for additional grants. The Pines and Acres are an important investment. There probably isn't enough in taxes, but it could be seed money for different grants. Woody said he is in favor of this, as is the company he works for even though it may cost money. Commissioner Tippetts reiterated what Tammy said that combining fire and EMS opens up additional grant monies and it opens up opportunities for CIB grants and loans as the District can get that money and protect County PILT money.

Corey Auger said he is the Fire Warden for Daggett and Uintah County. He is also on a volunteer fire department in Vernal and it has been good for their area and it is challenging now with oil revenues being down. The Uintah Fire Suppression Special District has five members and 3 are town council members representing cities and the chair is not affiliated with any of the entities. They all bring things to the table and still look out for their individual entities. Corey believed they are appointed by their entities, but he wasn't 100% sure. There is a paid director for Fire and Ems, but Gold Cross has a majority of the ambulance coverage, but there is some chance for the district to provide medical services. If you have the district it's easier to do business with all participants involved and not as many contracts and MOUs. Mayor Kunkel asked if it helped with certification, but he said not really as the state and others govern that. The district brought the ISO rating down from 10 to 5 and dissolving the district would have brought it back up, which was one reason people decided not to dissolve. He will still assist up here regardless of how these things play out. As long as services are being provided his services would not change. Where do you find that equipment and services coming from and Commissioner Lytle said the County or district would continue to contract with the municipalities. Corey didn't see a problem as long as the contracts remained in place.

Sgt. Leonard Isaacson introduced himself and said that he is not speaking for the Sheriff's Department. There are lots of guys that don't like politics. There are lots of grants through the Sheriff's department that benefit the entities. Manila and Dutch John got some new SCBA's due to some grants received by the Sheriff's department. We are working on a grant for thermal cameras for Manila and Dutch John. Law enforcement doesn't care about where the equipment is, we care about the service to the community. It's a team effort and we need to work as part of a group that puts the people first.

Dave McDonald said that he had discussions at the last meeting and there were some past discussions to have some portion of sales tax going to the state for class 5 and 6 counties and returning it to the communities and would be about the same amount as could be generated by the tax currently being mentioned. He encouraged the county to work with the legislators to see if this could be brought about. The original intent was for that money to go into EMS as it is so hard to fund in the small counties.

Gretchen said she thought that it's not too late to pull this intent and start over with the towns being involved. It would be good to stop and let everyone join together as a unified group. Commissioner Tippetts said he might be willing to slow things down if the towns would take the step to pass a resolution. Dave said he sees it the other way and once the board is in place then you know who you are working with. Commissioner Asay asked Dave if he had changed his mind and Dave said no, he thought the \$37,000 was not enough to push this, but for the Town he felt like it would be better to know who they were dealing with. Commissioner Lytle thought that we could make this work if we focus on service even if we don't have all the answers. He feels we need the district and the money helps. Commissioner Tippetts didn't see the disadvantage of the County going forward and it won't put you at a disadvantage. The representation might be easier.

Jean Dickinson, a landowner in the eastern part of the county, said she went to the meeting last night and is in favor of this and feels like we are getting more of a debate than public hearing. People need to make substantive comments that could help influence the decisions. It's all important and it's time we started acting like a team.

Woody Bair said Ryan Mosley asked how the District would change the people's willingness to encourage volunteer participation. Empathy is prevalent, so how do we entice people to get involved. Commissioner Tippetts said the district would be created to develop the very best fire and EMS services and not be distracted by all the other things that can distract us. Intensifying the focus is a good way to concentrate on things that would make a difference. Commissioner Asay said you throw another log on the fire to build the fire up.

Niel said that using the total revenue in the unincorporated area of the county is \$182,815 and 246,170 for all the entities at the maximum tax rate based on a spreadsheet provided by the assessors office. These numbers are not official, but a good approximation. There are a few different options to withdraw per 17B Chapter 1 part 5, but at least 51% of the votes are needed in the entity that wishes to withdraw and there are several other steps outlined in the code. Commissioner Lytle thanked everyone for being involved.

John Morton said he wanted to address what Gretchen said as there are 60 days to negotiate. He would like to see a 4 member board with one from Manila, Dutch John, and the unincorporated area plus a County Commissioner and that would represent everyone really well. Now is the time to negotiate. The final resolution determines what things look like. Commissioner Tippetts said there are resident requirements and Commissioner Lytle pointed out that the Towns have to go through the same process the county is going through now, so we are a little off, but it would still be good to have them involved over the next 60 days.

Commissioner Asay responded and said he appreciates everyone's participation and he has changed some of his thoughts due to the comments made the past two nights.

Commissioner Asay adjourned the meeting at 8:12 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