

Minutes of the regular meeting of the Daggett County Commission/Redevelopment Agency Board, Tuesday, September 4, 2013. All members were present. Vicky McKee, County Clerk, was present as board secretary. The meeting was called to order at 9:00 A.M. by Chairman Steglich.

Also present were: Virginia Langford, Stew Leith, Tina Bennington, Tammy Twitchell-CEM, Keri Pallesen-County Auditor/Recorder, Darla Steglich, Jerry Taylor, Pat Asbill, Brian Smith, Brian Raymond, Gordon Tharrett, Chad Wooley, Niel Lund and Stephen Foot-County Attorneys.

Mr. Blanchard stated that with regards to old business, the county has interviewed the applicants and picked an employee for the County Building Inspector. He reviewed the terms as discussed with Mr. Tim Novinger as follows: 1. Part-time employee under the county's liability insurance and paid an hourly rate as listed rather than on a contract. \$30.00 for inspection time, \$15.00 for plan review and approval of both residential and commercial, \$15.00 for travel time, and \$15.00 per hour for attending required meetings including the monthly Planning & Zoning meetings. 2. Mileage will be paid at the state rate. 3. He has no problem apprenticing someone. 4. Will do zoning enforcement and a periodic county drive through to check for new building. 5. He will do the assessed values for the building permits and Cindy Keller will issue the building permits and collect the money. 6. He does not need office space or a computer at this time. 7. The county is willing to pay up to \$1,000.00 per year for Mr. Novinger to keep all his certifications necessary and is required to obtain 45 credit hours every three years. If he gets more training than that it would be up to him to pay. Mrs. Bennington questioned if the county had approached Chuck Dickison, Town of Manila Mayor, and Mr. Blanchard stated that this was just settled yesterday and he will provide the information to him.

There was no one else present with old business.

There was no one present with citizens comments.

Tammy Twitchell, CEM, was present in lieu of Michelle Miller who was unable to attend. She reported that September 10<sup>th</sup> through the 12<sup>th</sup> there was an ICS 300 available in Vernal. October 2<sup>nd</sup> at the Zermot Hotel in Midway there is a City and County Directors meeting with Emergency Management. September is National Preparedness Month and the grants are due on September 26<sup>th</sup>.

The minutes of the August 13<sup>th</sup> 14<sup>th</sup> and 27<sup>th</sup> meetings were submitted by the County Clerk's office for review and approval. Mr. Steglich questioned of Mrs. Pallesen if her office had checked to see how much the Courthouse billing had decreased due to Sheriff's office moving. The question had come up due to the invoice for the new Sheriff's office in the amount of \$1,017.00 for one month. Mrs. Pallesen stated that she had not been at that meeting when the request was made but that she would check into it. He also questioned the matter of the Wexbank Fuel Card invoice showing nonfuel charges and was wondering how the county was to determine what the nonfuel items were. Mrs. Pallesen stated that the only department that does that is the EMT's as they had quit using petty cash for drinks and it is up to the Department Head to regulate that but the cards can be restricted to just fuel. Mr. Steglich suggests that the Commission watch what is being bought. Motion by Mrs. Perry to approve the minutes of August 13, 2013 meeting as submitted. Seconded by Mr. Steglich, all in favor. Upon review of the minutes of the August 14, 2013 Special Meeting, motion by Mrs. Perry to approve the

minutes as presented. Seconded by Mr. Steglich, all in favor. Mr. Steglich and Mrs. Perry were present at those two meeting and Mr. Blanchard was excused. Upon review of the minutes of the August 27, 2013, motion by Mr. Blanchard to approve the minutes as presented. Seconded by Mr. Steglich, all in favor. Mr. Steglich and Mr. Blanchard were present at that meeting and Mrs. Perry was excused.

The Open Invoice Report was provided by the County Auditor's office for review and approval. Mr. Blanchard questioned the invoice from Main Street Auto Parts with regards to the charges and credits and the matter of a core deposit. Mrs. Pallesen explained the billing as presented. He also questioned the matter of the postage since everyone uses it and if it should be charged to Non Departmental rather than Building and Grounds and Mrs. Pallesen stated that was where it was budgeted. Motion by Mr. Blanchard to approve the Open Invoice Report in the amount of \$12,204.74. Seconded by Mrs. Perry, all in favor.

With regards to correspondence, Mrs. McKee had provided an email from Ken Brown stating that he appreciated the opportunity to meet with the Commission on August 13, 2013. There was also a letter from The State of Utah, Division of Water Rights stating that there was a meeting scheduled for Thursday, September 26, 2013 in the Commission Chambers regarding Change Application a38665 (41-3687). Mr. Steglich questioned Mr. Lund if they had made contact with Dave Hartvigsen regarding this meeting.

Mrs. Pallesen provided a revised resolution reflecting a correction in the tax rate. Motion by Mr. Blanchard to approve the Amended Resolution #13-18, Resolution Adopting Final Tax Rates and Budgets. Seconded by Mrs. Perry, all in favor.

Mr. Steglich stated that the matter of the fire restrictions can be stricken from the agenda as there has been no change and the season is near its end.

Virginia Langford and Stew Leith were present to request a waiver from the County Cemetery Bylaws regarding headstones. Mr. Leith stated that Mrs. Langford had purchased two single lots in 2006 and she had made arrangements for a full headstone at that time and now the county is not allowing it. There are other upright headstones in that area. Mrs. Perry questioned of Mrs. McKee if the Cemetery Board has a problem with the upright headstones. The original bylaws were approved in 1990 and at that time there were no vertical monuments allowed and it appears that there was a lack of information. Mrs. McKee explained the history with the bylaws and that with the additional number of graves at the cemetery it has gotten to be more important and needing to be enforced. The cemetery board has stressed the issue more now than in the past. Mr. Steglich stated that it appears that it was a lack of communication and at the time she purchased her lots the bylaws required flat headstones but the Commission can approve a waiver. He recommends that the Commission show some leniency in this matter. Motion by Mrs. Perry to approve for the request for the waiver as submitted by Mrs. Langford. Mr. Blanchard questioned if the headstone that Mrs. Langford purchased was for both of them and she responded affirmatively. Seconded by Mr. Blanchard, all in favor.

The matter on the agenda is the Conceptual Trail System with the International Mountain Bicycling Association. Mr. Raymond addressed the proposal to provide a conceptual alignment report and map for the expansion of mountain biking opportunities and the agreement to reimburse their expenses for the project as submitted. He stated that

they are hoping to do a presentation at the Tourism Conference. Mr. Blanchard stated that the contract is for the \$13,000.00+ and he questioned that later in the document it addresses other fees but it does not provide an hourly rate for this or if the \$13,000.00 covers it all. Mr. Blanchard stated that this matter needs to be clarified. Mr. Raymond will contact them and this will be continued until later in the meeting. Mr. Lund stated that the mileage reimbursement also needs to be addressed.

Mr. Steglich addressed the matter before the Commission for the discussion and approval of a lease for county vehicles. He stated that he had talked to Ken Garff Ford regarding continuing the lease for the F150 and Focus and expressed the county's concerns with driving the car since it is so small. It had been suggested to look at leasing a Ford Explorer instead of the Focus. With the lease expiring November 1, 2013, Mr. Steglich is requesting approval from the Commission to proceed with this. Mrs. Pallesen stated that Ken Garff Ford needs to first get the lease documents submitted to Zion's Bank who will in turn email those back to the county to be placed on the agenda for approval. Ken Garff Ford also questioned if the second payment had been made on the leased vehicles and Mrs. Pallesen replied that there had been two payments made on both the truck and the car (December 2011 and December 2012). Mr. Steglich stated that with both of these payments made, the Commission can proceed. They discussed the matter of leasing versus purchasing and which way the county could save money. Mr. Steglich stated that there will still be no additional charges for mileage and Mr. Blanchard stated that based on that he was in agreement. Mrs. Twitchell-CEM, addressed the matter of her truck as being past its grant cycle and in the future can be put into the fleet as none of the maintenance is qualifying under her grant. Her CEM vehicle is a 2005 model with close to 70,000 miles. The vehicle is now a liability to the county as she cannot receive funds back from her grants. Mr. Steglich stated that the Commission will consider that matter in October during the budget process. Motion by Mrs. Perry to approve for the county to proceed with a lease for two new vehicles. Seconded by Mr. Blanchard, all in favor.

Kym Slagowski, IT, was present regarding the Easement Agreement for Daggett County Road Claims Subject to the 5600 West Land Exchange Phase II. Mr. Steglich stated that these are the four parcels that were traded from SITLA to DWR and the agreement is giving the county easement for the roads. Motion by Mrs. Perry to approve the Easement agreement between SITLA and Daggett County as presented. Seconded by Mr. Blanchard with discussion. Mr. Steglich stated that SITLA does not own the property any longer and the matter was discussed. Mr. Foote stated that the purpose of the agreement was because the original trade agreement may not have included the easements in the trade and that this is giving the easements to the county. Mr. Blanchard stated SITLA had approached the county requesting the county to identify the roads that the county had going through the property and now they are returning this document to give the county the easements for those roads. Mrs. Slagowski will contact the State and clarify the items of concerns and get back with the Commission.

Motion by Mr. Blanchard to approve the Survey Map for Dutch John, Section 1,2, 11, 12, 13, 14, T2N, R22E – Blocks 13 and 14 for a boundary line adjustment for Parcel 7 and a new property description for Block 15, Lot 7. Seconded by Mrs. Perry with discussion. Mrs. Perry questioned if this had been approved by Planning & Zoning and it was determined that it had been. It was then determined that since it had already been

approved by Planning & Zoning, the Commission only had to sign the map not approve it. The document will be signed by the Commission.

Jerry Taylor, Flaming Gorge Corp., was present to provide information regarding a request for a letter of support from the Commission for the Concessionaire package with the Forest Service. The Concessionaire package is a competitive bid which is put out every 10 years and is due on the 30<sup>th</sup> of this month. As part of the package the Forest Service has requested for the applicants to obtain letters of support. Mr. Taylor provided the historical background for Flaming Gorge Corp. as requested by Mrs. Perry. Mr. Blanchard expressed his concerns with the condition of the campsites and stated that he was disappointed in the way they are kept up. The matter of the campsites upkeep and closure dates was reviewed and discussed. Mr. Taylor stated that he feels that it is a benefit for the package to be awarded to a local contractor. Mrs. Perry stated that she would like to see the contract awarded locally but she feels it would be irresponsible to recommend one contractor over another. Mr. Taylor stated that they are a small business, local bidder, woman owned and a disabled vet. Mr. Steglich stated that the Commission supports any business but cannot support any one business over another one and it is best that the County needs to stay neutral. There are other local companies bidding against out of town and out of state companies and whoever receives the bid the county will support. Mr. Taylor thanked the Commission and stated that he would be looking forward to working with the Commission in the future. Mr. Steglich stated that there will be a closed session for discussion of a possible contract as Daggett County will be partnering with another company for the bid on the Concessionaire package with the Forest Service. He will open this matter up for public discussion for 15 minutes. Mr. Blanchard stated that there is also a real estate proposal to be discussed in Closed Session. Tammy Twitchell stated that she has brought this up in several meetings that the Commission does not support the local permittees and this partnership would be putting an unfair advantage against them. The Commission should support all the permittees and she can attest to Jerry Taylor as they have worked as partners in a lot of things in the past. The county is not supporting the local people that have been here for a long time. Mr. Steglich replied that the county needs to think out of the box or Daggett County will dissolve due to cuts in PILT, SRS and other cuts. Mrs. Twitchell questioned if the county was going into competition with a local businesses and giving advantage to one business over another one. Mrs. Perry stated that it is important that there is competition and it is time for some change in order to raise the level of service. Mrs. Twitchell questioned why the other local business is not submitting the bid on their own. Mr. Steglich and Mrs. Perry provided other counties that are doing this in other areas of the country. Mrs. Twitchell stated this was another stab at a Forest Service permittee. Against someone that has been here for a long time and the things addressed were out of his control and he is only asking for a letter of recommendation. Mrs. Perry stated that the Commission is just looking at other options and ways to lower the taxes for all the residents.

Gordon Tharrett, Trout Creek Flies, provided information as to the Adirondack Park and the situation there. He warned the Commission to be careful as they might be signing something that could be real bad. Mr. Tharrett stated that the DEC had gone outside and hired a huge corporation that was not in the State and the park was so poorly managed that people quit coming. Mr. Steglich stated that there is a possibility of the Forest Service closing several of the campgrounds down which will impact the county

and the NRA directly. He feels that with the Economic Development integrating their plans and ideas for the future will be a positive thing. Mr. Tharrett stated that there needs to be local processes for reserving the campsites and for filing complaints. Mr. Steglich feels that with the county involved it will be able to be taken to a higher plane.

Pat Asbill questioned if the campgrounds have been operated so poorly why has the county not contacted them and told them it was being done poorly and Mr. Blanchard stated that the county has no authority as the contracts are under the direction of the Forest Service. He also questioned why the county has not partnered with Jerry Taylor and who are these people. Mr. Blanchard stated that Mr. Taylor had not asked the county and Mr. Steglich stated that the company was Western Lands Management and Chuck Bennington is one of the CEO's of that company. Mr. Asbill questioned how the county can go into closed session for negotiation of contracts and Mr. Foote stated that negotiation of contract is allowed in Closed Session and approval of the contract in open session. Pat Asbill questioned if it is legal to have a discussion in a private meeting with someone that we do not know who they are.

Jerry Taylor questioned where the corporate office for Western Land Management Corporation was located. He stated that in order to be incorporated in the State of Utah they have to have a corporate office. Mrs. Perry stated that she had done an internet search and could not find anything. Mr. Taylor stated that there is a registered corporation by that name located in Salt Lake City, Mrs. Perry and Mr. Blanchard stated that they did not know who they were as they had not talked to them either. The matter of the corporation for Western Land Management was discussed. Mr. Steglich provided the history of Western Land Management and stated that they had asked the county to be a partner with them for the proposal. Mr. Taylor again questioned why he cannot get a letter of recommendation and provided his information regarding his corporation. He also addressed the rating of the five issues for the prospectus to the Forest Service.

Motion by Mrs. Perry to go into closed session at 10:25 A. M. Seconded by Mr. Blanchard, all in favor.

Since the matter of the SITLA agreement still needs to be completed, motion by Mr. Blanchard to go back into regular session. Seconded by Mrs. Perry, all in favor.

Kym Slagowski returned to the meeting after discussion with the State of Utah. She stated that DWR had asked SITLA to memorialize all the easements prior to them taking ownership and they will fill in the date. Motion by Mrs. Perry to approve the Easement Agreement with SITLA as presented. Seconded by Mr. Blanchard, all in favor.

Motion by Mrs. Perry to go into closed session at 10:30 A.M. for discussion of a real estate proposal and Partnership Agreement. Seconded by Mr. Blanchard, all in favor. Those present for the Closed Session were County Attorneys Lund and Wooley, Gordon Tharrett, Brian Raymond, Commissioners Blanchard, Steglich and Perry and Clerk McKee. The regular session reconvened at 1:30 P.M. Motion by Mrs. Perry to recess the meeting until 1:30 P.M. Seconded by Mr. Blanchard, all in favor.

The regular meeting reconvened at 1:40 P.M. with the following present: County Attorneys Lund and Wooley, Brian Raymond, Pat Asbill, Commissioners Blanchard Steglich and Perry, Clerk McKee and Auditor Pallesen.

Mr. Raymond stated that he has still not heard back regarding the hourly rate that Trail Solutions is planning on charging. The matter of approval was discussed. Motion by Mrs. Perry to approve to go forward with the Conceptual Trail System

Agreement with the ceiling amount of \$13,500.00. Mr. Raymond stated that some of the funds can come out of the TRT funds and some out of TTAB. Mr. Blanchard recommends to strike #9 on the contract. The contract was agreed to by striking and clarifying that the County is only agreeing to the \$13,500.00. The matter of obtaining the permits from Rowdy Muir, Forest Service was discussed and determined that they will issue a temporary permit to do the GPS. Seconded by Mr. Blanchard upon Section 9 being stricken, all in favor.

Mrs. Perry stated that it should be noted that one of the reasons the Commission went into Closed Session was for the discussion of the professional competency of an individual.

The matter of approval of the partnership will be continued until the next meeting. Mrs. Perry stated that the Commission will provide a letter to the public and that the discussion will be continued at the next meeting.

Mr. Raymond reported that there is a problem at the Shooting Range again by people shooting while personnel are at the landfill and the signs have also been taken down. Mr. Asbill offered his suggestion as to a resolution to the problem.

Motion by Mrs. Perry to go in and out of RDA for discussion of a real estate offer. Seconded by Mr. Blanchard, all in favor.

The matter before the RDA board is a real estate offer from Dan Stephens. Mr. Steglich stated that he had talked to his real estate agent and told her that the county does not have governance over Planning & Zoning and he would need to go to them for the things that they control. A letter needs to be sent from the Commission advising Mr. Stephens to contact the Planning & Zoning regarding his requests other than the utility right of way which the Commission can deal with.

With no further business the meeting adjourned at 2:00 P.M.

/s/ Vicky McKee

/s/ Jerry Steglich

/s/ Warren Blanchard

/s/ Karen Perry