

Minutes of the regular meeting of the Daggett County Commission/Redevelopment Agency Board, Tuesday, January 14, 2014. 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: Keri Pallesen-County Auditor/Recorder, Niel Lund-County Attorney, Tammy Twitchell, Bret Reynolds-Civco Engineering, James Olsen, Roxie Pallesen and Brian Raymond.

There was no one present with old business.

With regards to citizen's comments, Tammy Twitchell was present and notified the Commission that there was an LEPC meeting scheduled for this Thursday. The purpose of the meeting is for a presentation by Agility Recovery, an insurance company that provides the ability to recommence business within a 24 to 48 hour time frame upon a disaster happening at the county facilities. The meeting is scheduled for 12:00 noon with lunch provided. Mrs. Twitchell also stated that it had taken Rock Springs Fire Department two hours to get to the county during the last fire and Mrs. Twitchell requested for the commission to write a letter or contact the State of Wyoming regarding the need to keep Highway 530 plowed. Also the highway signs need to say both Manila and Flaming Gorge. Her suggestions were reviewed and discussed as well as there being discussion regarding other roads coming into the area. Mr. Steglich suggested that there needs to be more emphasis on Uinta and Sweetwater Counties, Wyoming and Daggett County working together. Mr. Olsen stated that the county works with Sweetwater County by plowing both the Wyoming and Utah portions of the Birch Creek road. The State of Wyoming Website (WyDOT) provides the category of the maintenance of the state roads the same way as the county categorizes the county roads. Upon discussion it was determined to try to work with WyDOT in trying to categorize the roads coming into Daggett County at a higher category. Mr. Steglich stated that he plans to take a more active role with the Manila Fire Department and try to help Mr. Long, Manila Mayor, as most of their volunteers have or are planning on quitting as a lot of the firefighters are getting elderly and/or they work out of the area. Mrs. Twitchell stated that they are also looking at starting a Junior Fire Fighter, high school age, with their duty of helping on the fire perimeter.

The minutes of the January 7, 2014 meeting were provided by the County Clerk's office for review and approval. The minutes were reviewed and discussed and due to the number of revisions, the minutes will not be approved today but will be continued until the next meeting.

The Open Invoice Report was provided by the County Auditor's office for review and approval in the amount of \$41,141.62. Mr. Blanchard stated for an FYI, the budget amount of \$2,000.00 for TV will probably be increased for next year's budget because of all the equipment that has had to be replaced. Mr. Steglich questioned the invoice for Utah Division of Risk Management for a total of \$50.00 and coded for \$25.00 each for IT/GIS travel and A&C Aud/Recorder travel and if it should be coded to meeting expense. Mrs. Pallesen replied that the only thing for her office that she codes to meeting expenses are meals and meeting registrations. Mr. Steglich questioned the reason for having to pay interest on credit cards and Mrs. Pallesen stated that was because the paperwork was late in getting to her office. Mr. Blanchard stated that he had lost his card for a short period but he has gotten Zion's Bank to refund the \$19.00 late fee but he is not sure about the \$.68 interest. Upon review, motion by Mrs. Perry to approve the Open Invoice Report in the amount of \$41,141.62 as provided. Seconded by Mr. Blanchard, all in favor.

With regards to correspondence, Mrs. McKee had provided a notice of the Courthouse closure for Monday, January 20, 2014 for Martin Luther King, Jr. Day as a reminder that the next County Commission meeting will be held on Wednesday, January 22, 2014.

The county has not received anything from Pinnacle Potash in writing for their request for an extension. Upon receipt of the phone call from them, Mr. Steglich had agreed upon a week extension. Some issues have come up with the pipeline to transfer the water. The matter will be continued until the document has been received.

With regards to the Contract for Manage Weed Department, the County Commissioners had received a letter from Mr. Brady explaining his reasons for the amounts that he had provided in his contract. Mrs. Perry stated that Mr. Brady keeps his licenses maintained and they are not easy to pass. Mr. Steglich stated that many of the county employees are over tasked and he has great concern with giving raises when none

of the other employees are receiving raises even if they are paid with grants. The rates for the equipment listed on the contract was reviewed and discussed. Mr. Blanchard stated that Mr. Brady had listed equipment uses and rates as well as wages based on the State of Utah's format. The county also pays for his license fees and any schooling as well as provides all the equipment as listed on the contract. Mr. Blanchard questioned if Mr. Brady will not provide the service for any less than the \$25.00 per hour how does the county want to proceed. James Olsen stated that when the county hired Terry Reid to blade the roads in Clay Basin/Browns Park area the county paid a little higher hourly rate of pay as it was worth the additional amount to the county and to him. It was determined that Mr. Brady is being treated as an employee and if he determines that he cannot work for the wage the county can pay the county will look for another employee.

The matter on the agenda was for discussion of the Request for Proposal for County Surveyor. Mr. Steglich stated that at the last meeting Mr. Blanchard had questioned as to why the county was requesting an RFP and Mrs. McKee had been instructed to request those involved with plat maps/surveys be in attendance to provide their input on the matter. Mrs. Pallesen and Kym Slagowski had responded that they would be available to attend the meeting and provide their input. Mr. Steglich stated that it has worked out fairly well in the past as one firm was working on roads and another firm was working on Dutch John and Mr. Blanchard's question was why change when the engineer has the knowledge and background to do the work. Mr. Steglich stated that every other county has a surveyor on contract or as a county surveyor and there is a need for a county surveyor to do certain processes. Mrs. Pallesen stated that as part of the statutory requirements, all plats for any annexations or incorporations are required to have a County Surveyor's signature and any subdivision plat needs to be reviewed prior to recording. Every survey done in the county should be filed in the County Surveyor's office and since the county does not have a County Surveyor that defaults to the County Recorder's office. Due to the statutory requirements for a County Surveyor, Mrs. Pallesen states that she feels it would be wise to have a County Surveyor. Lesa Asay, County Assessor, and Kym Slagowski, IT, were present to provide their input on the matter. Mrs. Slagowski stated that she was in favor of having a County Surveyor as the maps that come in are not always done very well. A County Surveyor would help resolve issues with GIS, recording and the tax roll as things do not always add up or close. Mr. Blanchard responded that he is not so sure we are blaming the right people as the county should not be accepting work that is not complete and maybe we should be holding them to the standards that we should be. Mrs. Pallesen stated that a survey would be filed in the Surveyor's office and a plat has to meet statutory requirements to be recorded. A County Surveyor could review things coming in for correctness and follow things from survey submittal to signing and recording. Mrs. Slagowski stated that she can determine if there is an issue with the plat but she cannot go out in the field and fix the issue. Mr. Blanchard stated that he feels this would just be another budget line item that the county will have to pay for when the work could be done in house. The potential of not having something recorded that needs to be recorded could be a liability to the county. Mr. Steglich stated that as an example, when the county sold the 40 acres to Delta Plan One the county was asked to give names of all surveyors the county was working with and only two names were given. They contacted one without success and they had to shop for another and eventually someone came in and did the job. This shows a need to have a County Surveyor where everyone knows who to contact. He had requested earlier the cost of county surveys for the past three years which could give the Commission an idea of what could be paid to a County Surveyor. James Olsen stated that in the past the commission had the same kind of discussion and they appointed a "county engineer of record" who was on an "on call" position not a hired position. Through time the county hired other engineers to do road projects that went through the State. Upon request, the county engineer would check on the project and keep the hired engineer in check. It would also allow for there to be someone to ask everyday questions which was quite helpful. Mrs. Asay stated that she was just made aware of some Dutch John property that was sold in 2013 but had not been recorded and since it was not recorded by January 1, 2014 it will not be on the tax roll for this year. Mrs. Slagowski stated that herself and Mrs. Pallesen do not have anything to do with the "in house" process of getting the survey through Planning & Zoning. Mr. Blanchard agreed that the in house policies need to be worked on. Mr. Lund stated that he had been reviewing the Utah Code 17-23-1 (3) on the requirements of a county surveyor and suggested that the Commission review that. Mr. Steglich thanked the input provided and asked if there was further discussion. Mr.

Blanchard questioned if the county was willing to pay the extra money to hire a County Surveyor. Mrs. Perry stated that she would like to see how much was paid over the last three years and see if it is feasible. With further discussion, Mr. Lund stated that the duties of the County Surveyor would be to execute and perform county surveys. Mr. Raymond stated that the process has never worked right due to the fact of the question of whose responsibility it is to do the work and do they have the time to do it. The county needs to look at hiring someone that makes this their responsibility to do. With the possible incorporation of Dutch John there will be a lot of work needing to be done. Mrs. Pallesen was directed to provide the amount that was spent for the last three years and the matter will be back on the agenda for the next meeting.

Roxie Pallesen was present to provide her request to the Commission to take care of the rodeo arena as a volunteer at no cost to the county. She stated that she had taken care of the arena for the last 15 years and she feels that the arena is in need of someone that is willing to do the job with consistency and pride. She feels that the stakes need to be removed after each rodeo except for the July rodeo. When the county has need of their tractor elsewhere, she would be willing to use her own tractor with the county reimbursing for fuel. The harrow needs to have the mud cleaned off and kept greased to keep the bearings in good shape and she could also keep track of the oil on the tractor. She also recommends for the county to bring road base in on the parking lot so people can get in and out when there is a storm. Mr. Steglich thanked Mrs. Pallesen and stated that this matter is mostly administrative and can be handled outside of Commission meeting. He will present her proposal to the rodeo boards and Mrs. Perry will get back with Mrs. Pallesen. There had been a phone call received from Marie Etheridge about holding a Target Barrell racing upon the grounds being in good shape. Mr. Blanchard questioned if Mrs. Pallesen serving as a volunteer would mean that would eliminate someone else coming in and grooming and Mrs. Pallesen answered affirmative. She stated that she would groom the arena four times a week which takes about 20 to 30 minutes to do and she would also groom the arena prior to each of the big events and consistency in how it is groomed is important. Mrs. Perry stated that there has been mainly kids grooming the arena which has ended up with the majority of the dirt on one side of the arena. She feels that there could be events brought into the county if it was brought back into shape.

Bret Reynolds, Civco, and James Olsen were present regarding the Highway Sign Management Plan. James Olsen provided a Draft Daggett County Sign Management Plan for the Commission to review and approve. Mr. Reynolds stated that there are federal rules that require all entities to have a management plan for their signs which includes dates for implementation and there is a liability to the county if a plan is not adopted. The primary focus of this plan is to inventory the signs for reflectivity. The plan will also address if the signs are offset from the road, have proper posts and are installed properly. By June of this year, an inventory of all the signs in the county needs to be conducted to determine their condition and figure out how to replace the signs as needed. There are three general rules in determining the reflectivity: 1. Check the signs with a reflectometer 2. A five year replacement program, and 3. Have an older person in an old vehicle provide their opinion on each of the signs. Mr. Lund, County Attorney, addressed the matter of the Commission approving the plan by resolution and determined that it was not required in the code but he would keep reviewing the matter as he felt it would not hurt. Mr. Reynolds proposed that the county needs to start implementing the plan on all signs that fall under the county's responsibility. Motion by Mrs. Perry to approve the plan and for James Olsen and Bret Reynolds to be in charge of managing the plan. Seconded by Mr. Blanchard, all in favor.

Mrs. Pallesen provided the adjustments from the 2013 Board of Equalization for the Commission information. The matter was reviewed and discussed and it was determined that the minutes of the BOE will not be included in the Commission meeting minutes as in the past due to privacy issues.

Mr. Raymond provided an agreement with KSL NewsRadio, Schedule Option B for review and approval with a total amount of \$5,800.00. Since the advertising is for both the Burbot Bash and Flaming Gorge, UOT will pay \$2,900.00 and Daggett County will be responsible for \$2,900.00 which was already budgeted with part of the funds from the Burbot Bash and part from TRT funds. Payment from the county will not be required until March or April. Mrs. Perry addressed her concern that the calendar that the Governor had sent did not include Daggett County. The matter was discussed with an alternate option of the county making their own calendar on the area and sending it out in

lieu of Christmas Cards and/or selling the calendars. Motion by Mrs. Perry to approve the Marketing Coop with KSL radio. Mr. Blanchard questioned the advertising and Mr. Raymond addressed the locations where the advertising will be targeted. Seconded by Mr. Blanchard, all in favor.

Mr. Blanchard stated that there had been five letters sent out to Browns Park land owners with some success and recently there had been three letters sent out to property owners in Flaming Gorge Lake Meadows due to complaints received. Some of the people do not have the capability of removing the trailers in question. The ordinance stated that if the nuisance is not taken care of within 60 days the county will take the responsibility of taking care of the nuisance. Mr. Blanchard questioned if the county was willing to follow through with this with the possibility of not always being paid back. The matter was discussed and it was determined that it would cost upwards of \$2,000.00 to remove each trailer and upon the need of wheels and axels being installed it will cost more. Mrs. Perry stated that it was determined that it was a good idea and worth a try. Another option of working with Sheriff Jorgensen and the inmates was discussed and Mr. Steglich stated that he would discuss the matter with the Sheriff to determine his willingness to participate. There was also discussion of the land at the shooting range being used as a location for recycling the material from the trailers.

Upon review and discussion, it was determined that the Planning & Zoning Budget had been adjusted and there was no funding to pay the building inspector to help with the Planning & Zoning Ordinances. The project will need to be done in house.

Motion by Mrs. Perry to go In & Out of the Redevelopment Agency portion of the meeting at 11:15 A.M. Seconded by Mr. Blanchard, all in favor.

Mr. Lund had provided a Promissory Note, Trust Deed and Addendum for the Commission to review and approve the form of the documents as submitted. The documents are for Block 6, Lot 20 in Dutch John being purchased by Rodney Mangum. Upon them being approved they can be signed and completed outside of meeting. Mr. Blanchard questioned if Dave McDonald was happy with what has transpired and Mr. Lund stated that Mr. McDonald had voiced his concern with the foreclosure language as he felt it made it more difficult for Mr. Mangum to obtain financing. The matter of the option of subordination by the county was reviewed and discussed. Mr. Lund stated that the addition of the foreclosure language does not hinder Mr. Mangum from obtaining financing any more than recording a trust deed. There are two options as follows: 1. The County agrees to subordinate their position to the bank. 2. Record a Trust Deed. Upon the county subordinating their position, the bank will send a document to the county requiring the county's signature. The default for this trust deed is different as there is not a monitory trigger for foreclosure. The trigger for foreclosure would be if Mr. Mangum moved, died or if someone else foreclosed on him. Upon review and discussion, motion by Mrs. Perry to approve the Promissory Note and Trust Deed. Seconded by Mr. Blanchard, all in favor. The Addendum to the Real Estate Purchase Agreement for Land was also on the agenda for a formal approval as it had been agreed upon earlier verbally. Motion by Mr. Blanchard to approve the signing of the Addendum to Real Estate Purchase Agreement for Land. Seconded by Mrs. Perry, all in favor.

With no further business, the meeting adjourned at 11:25 A.M.

/s/ Vicky McKee

/s/ Jerry Steglich

/s/ Karen Perry

/s/ Warren Blanchard