

Minutes of the Meeting of the Daggett County Commission and the Daggett County Redevelopment Agency held on **Tuesday, November 22, 2022** in the Commission Chambers in the Daggett County Courthouse at 95 North 1st West in Manila, Utah and through electronic means. Commissioner Randy Asay and Jack Lytle attended in person and Commissioner Matt Tippetts was excused. Commissioner Lytle will be acting as Chairman. Auditor Keri Pallesen, Clerk Brian Raymond, Recorder/Treasurer Brienne Carter and Sheriff Erik Bailey attended in person. Attorney Kent Snider attended virtually. The meeting was called to order at 9:18 am by Commissioner Lytle. The Invocation was given by Attorney Kent Snider and then Commissioner Lytle led those in attendance in the Pledge of Allegiance.

**Present In Person:** No public were in attendance.

**Present Online or by Phone:** Kirk Bengtson of Tri County Health

**Motion to Go In and Out of Redevelopment Agency (RDA):** Commissioner Asay motioned to go in and out of the Redevelopment Agency (RDA) Meeting Agenda. Commissioner Lytle seconded the motion. The Commissioners voted as follows on the motion:

	Yes	No	Abstained	Absent
Commissioners Tippetts:				X
Commissioner Lytle:	X			
Commissioner Asay	X			

The motion carried.

**Approve Minutes:** Minutes for the October 25, November 1, November 7 and November 15, 2022 meetings were available for review. Commissioner Lytle asked Attorney Snider if he could vote on approval of minutes on a date where he was not present. Commissioner Lytle had been excused on November 7, 2022. Attorney Snider confirmed that he could vote on the form and content that has been represented in the minutes.

Commissioner Asay motioned to approve the minutes of the Tuesday, October 25, 2022, November 1, November 7, and November 15, 2022 Commission Meetings. Commissioner Lytle seconded the motion. The Commissioners voted as follows on the motion:

	Yes	No	Abstained	Absent
Commissioners Tippetts:				X
Commissioner Lytle:	X			
Commissioner Asay	X			

The motion carried. All minutes were approved.

The meeting was paused at 9:30 am as there was a UBAOG meeting invite that popped up and came back into session at 9:40 am.

**Issues Updates:** Commissioner Lytle asked if we could jump around on the topics a bit.

- a. Redevelopment Agency (RDA) - Commissioner Lytle stated that there is nothing new to be reported.
- b. Municipal Building Authority (MBA) - Commissioner Lytle said we had a meeting with the CIB and Drinking water and they are suggesting that we try to do a Special Service District instead of the MBA. There needs to be additional discussion with Commissioner Tippetts, Attorney Kent Snider and the Treasurer and Auditor since they have the billing and other responsibilities related to this possible change.

- c. Affordable/Workforce Housing- Nothing new to report
- d. EMS/EMT Sheriff's Office Updates- Nothing new to report .
- e. Airports- This is an agenda item.
- f. Clinic Updates- Commissioner Asay said that Jesse had come up with a plan, but he has not run it past Dr. Breitenbach yet, but that is probably the next step. Commissioner Lytle thought that we should look at other building stuff and prioritize. We should get with them earlier rather than later. There would be room for a dentist, optometrist, Tri-county Health and Northeast Counseling. Commissioner Asay just wanted to get the conversation going and see if we wanted to put a basement under it. EMS could be involved and have space. There has been interest from Dr. Breitenbach. Commissioner Asay asked about going to CIB and if they would help with two different properties because we don't want to destroy the existing building. Maybe a committee of the general public would be helpful. Kirk Bengel was asked his thoughts and he doesn't have all the background, but he thinks improving healthcare and mental health services in the Tri-County area is positive. Commissioner Lytle thought it would be good to get everyone involved. Commissioner Asay said we haven't finalized anything, so we are just trying to get the conversation going. This touches the lives of many people in the county.
- g. Roads- Nothing new to report.
- h. Code Enforcement Issues- Nothing new to report.

The meeting was paused at 9:30 am as there was a UBAOG meeting invite that popped up. The meeting came back into session at 9:40 am.

**Cash Summary And Aging Report Review:** The Cash Summary Reports and the Aging Report were provided by the Recorder/Treasurer's Office. Commissioner Lytle asked about the \$108,000 and the \$170,000 and the money is in an account, but can't be released until the hold is released and it should be released soon. Last week's payroll is on the sheet and we have received some additional sales tax money in the amount of \$108,000. Fund 13 has a deficit of \$55,000 for the FLAP Project for Sheep Creek roads. However, there are plenty of funds in the PTIF. There is a deficit in Fund 81 in the amount of \$19,030.91 and Pelorus is helping us to fix this mistake. Fund 33 in the amount of \$30,000 for Assessing and Collecting payroll and office expenses, which will be fixed when the hold is released.

Commissioner Asay motioned to acknowledge receipt of the Cash Summary dated November 21, 2022 and the Aging Report for all bank accounts of \$278,628.08. Commissioner Lytle seconded the motion. The Commissioners voted as follows on the motion:

	Yes	No	Abstained	Absent
Commissioners Tippetts:				X
Commissioner Lytle:	X			
Commissioner Asay	X			

The motion carried. Brianne said that Mr. Forbes has been billed and he has paid for the cattle guard. So that is taken care of.

**Approve Open Invoice Register:** There were questions on the Ambulance expenses Open Invoice Register was provided by the Auditor's Office. Commissioner Asay motioned to approve the Open Invoice Register for normal invoices dated November 17, 2022 for in the amount of \$36,464.85. Commissioner Lytle seconded the motion. The Commissioners voted as follows on the motion:

Yes	No	Abstained	Absent

Commissioners Tippetts: X  
 Commissioner Lytle: X  
 Commissioner Asay X  
 The motion carried.

**Disbursement Listing:** The Disbursement Listing was provided by the Auditor’s Office for review. Commissioner Asay motioned to accept the Disbursement Listing for Zion’s Checking dated November 10, 2022 through November 17, 2022 in the amount of \$254,984.02 Commissioner Lytle seconded the motion. The Commissioners voted as follows on the motion:

	Yes	No	Abstained	Absent
Commissioners Tippetts:				X
Commissioner Lytle:	X			
Commissioner Asay	X			

The motion carried. Commissioner Lytle asked for clarification on the Salt Lake Valley Chrysler Jeep. Keri Pallesen stated it was the new purchase for the Road Dept.

**Calendar:** Commissioner Lytle said he would not be here next week

**Citizen comments:** None heard.

**Purchase Request Approvals:** There were none.

**Correspondence:** Commissioner Lytle said that a packet was given to Commissioner Tippetts about the American Lands Council. The American Lands Council is making a good effort for the amount of money (\$250.00) that they are asking for their public lands efforts within the state. Commissioner Asay concurred and thought it was worth considering.

Brian brought up some documents from the Justice Court and Attorney Kent Snider said that there are four things that are needed and we have several of them done. He needs to finish his letter and verify that there is a security plan in place and that it hasn’t changed with the Sheriff. We have two different statuses since we are so seasonal, which means that they will hold court twice a month in the summer and only once during the winter months.

**Commission Calendar:** Commissioner Asay brought up that the UAC Conference was a good convention and they are trying hard to help their constituents. They know where Daggett County is and are supportive of us. Commissioner Lytle will no longer be the head of the Commissioners and Councils.

Keri will meet with the Commissioners and Department heads administratively. Commissioner Lytle will need to do it virtually as he will not be here next week.

**POLICY AND LEGISLATION:**

**Discussion And Consideration Of Tri County Health Department Budget.** Commissioner Lytle moved this up and let Kirk Bengé of Tri County Health lead this discussion. Kirk said that he had agreed last year to bring a preliminary budget before the end of November each year and so the need for today’s discussion. Commissioner Lytle asked about the travel being so much higher and Kirk explained that the staff will be able to attend more state and national trainings. Commissioner Asay said that the gas prices would also lead to an increase. Commissioner Lytle asked about the

Daggett Contribution and Kirk said it is essentially the same as last year and it was cut last year due to the population numbers and the change in the amount per person.

Commissioner Asay said we have discussed the budget and Commissioner Lytle motioned to support the Tri County Health Department Budget efforts. Commissioner Asay seconded the motion. The Commissioners voted as follows on the motion:

	Yes	No	Abstained	Absent
Commissioners Tippetts:				X
Commissioner Lytle:	X			
Commissioner Asay	X			

The motion carried.

**Discussion And Consideration Of Approving Airport Project Bid:** Commissioner Tippetts said it was okay to put this on the agenda, knowing that we might not be in a position to make a decision today. Bret has asked for permission to talk with the bidder and there was a person at UAC who wanted to be on the list. UDOT won't get back with us on this until after Thanksgiving.

**Discussion And Consideration Of Appointing Stephanie Rose To The Board Of The Flaming Gorge Fire And EMS District To Fill The Vacant Position.** Commissioner Asay motioned to approve appointing Stephanie Rose to the Board of the Flaming Gorge Fire And EMS District to fill the vacant position for the West Side until the end of the year. Commissioner Lytle seconded the motion. The Commissioners voted as follows on the motion:

	Yes	No	Abstained	Absent
Commissioners Tippetts:				X
Commissioner Lytle:	X			
Commissioner Asay	X			

The motion carried.

With no further business the meeting was recessed at 10:39 am until the Canvass at 1 pm.

**Canvass Of The 2022 General Election:**

*PRESENT:* Acting Commission Chairman Jack Lytle; Commissioner Randy Asay; and Treasurer Brianne Carter met as the Board of Canvassers and Clerk Brian Raymond and Sheriff Erik Bailey also attended.

The Board of Canvassers convened at 1:09 pm.

Clerk Brian Raymond provided a draft of the Canvass report and we ended up with 501 ballots. Commissioner Lytle asked about the difference between the Unofficial results and the Canvass results and Clerk Brian Raymond explained that there were signatures that were still not verified, ballots received in Dutch John and Provisional ballots that were uncounted on the 8th.

The biggest challenge was that the County Clerk tested Positive for COVID the night before Election Day, which created a few minor hiccups. The DS200 used to process the in person votes had 6 ballots on the flash drive from a quick Logic and Accuracy test with a new employee. Unfortunately, the staff did not catch that before new ballots were run through the machine and counted in the Unofficial results. The unofficial results had one write-in, but that was for Charlie Brown on one of the 6 ballots that should have been zeroed out and not counted. All the ballots were checked by 4 different poll workers to ensure that there were no write-ins that were missed. Commissioner Asay asked about the write-in that he saw during the Audit and Brian explained that the write-in was for an unregistered candidate and could not be counted and while finalizing the adjudication a second vote for the same unregistered candidate was also found. The unofficial Canvass was presented and Commissioner Lytle asked if any of the races were

affected by the 6 votes or if they were able to rerun them. Brian explained that we had 47 votes cast on election day and those ballots were separate, so we deleted the 53 ballots from the Election Day results and were in the process of rerunning the 47 ballots when the flash drive for the in person election day voting failed and we had to use a Back-up Drive, which worked well. The Back-up drive was tested during the Logic and Accuracy testing. In the process of trying to rerun the ballots it was discovered that the Early Vote Express ballots had been mixed in with the Election Day ballots and so the paper ballots were reviewed against the tabulated computer ballots and the early voted ballots were separated out before the Election day ballots were rerun. The 47 were added back into the tabulated results and the 6 ballots were already tabulated, which allowed us to make the comparison and take out the correct ballots.

Treasurer Brienne Carter verified that we had 501 people vote and the paper ballots are the mail in ballots, while the in person ballots included 2 voters who ran their paper ballots through the machine. So everything added up, but what didn't add up is that we had 499 showing as voted on VISTA. At UAC they said that when a voter is pulled from a county and registered in a new County that it changes the number. If there were only one or two off it wasn't considered to be a huge problem. We had two provisional ballots that are counted in the 499 number, but one ballot that we couldn't count of 25 that had signatures that did not match. We have a group of spoiled ballots, where they voted on the machine. We one who re-registered in Salt Lake after sending her ballot in so we couldn't count it. Brienne asked about her son's ballot that never got voted and Brian said it can be shredded or brought in to go in the spoiled envelope.

Brian said we received several ballots after Election Day that were postmarked before November 7th so we could count them, plus we had several ballots that were picked up from the Dutch John Drop box at 8 pm on Election Day, plus the provisional and fixed signature problem ballots that were added to the Election Day totals.

Commissioner Lytle asked about the undervote on the Unofficial Election Day results and it was explained that these were instances when a person did not choose to vote for anyone in a contest. There were 499 who voted in the Senate race and the numbers decreased for some of the county races had more undervotes, especially in uncontested races.

Brian explained that the Canvassers have the opportunity to review all the records of the election. He had available all the ballots, the envelopes and affidavits, the poll books, the printouts from the machines and the security seal reports. The Logic and Accuracy information was also available. Brian said they did two different logic and accuracy tests with at least 54 paper ballots, plus the express vote ballots, plus the six discussed earlier. The records for the Election Audit that was completed yesterday were also available for the board's review. Commissioner Asay was there and he told Commissioner Lytle about it while they were signing Christmas cards earlier today. Brian explained that some voters have multiple signatures that we can review, plus there are additional copies. Some of them needed all five signatures reviewed. We had two people who were a little upset that their signatures didn't match, but others appreciated the time being spent to verify the signatures. The State also said that we can verify over the phone that they voted the ballot and they also provide their birthdate and license number or last four of their social security number to verify who they are.

There were questions about the Flash Drives and how they work and Brian explained that they contain information specific to our county and the elections for our area, although there is some overlap with other counties and it could work on their machines, but it wouldn't mesh as their election races are different than ours.

Brianne brought up that the draft version of the Canvass report had some ?? marks. It was decided that Brian would make the updates during a recess and we would reconvene to approve the changes after the elected officials meeting. The recess was taken at 1:42 pm. The election results presented were:

FEDERAL RACES	ELECTION NIGHT RESULTS	CANVASS RESULTS
<b>U.S. SENATE</b>		
EVAN MCMULLIN	101	109
JAMES ARTHUR HANSEN-LIB	5	4
MIKE LEE-REP	347	377
TOMMY WILLIAMS-IAP	9	8
WRITE-IN (UNASSIGNED)	<u>1</u>	<u>0</u>
<b>TOTAL VOTES FOR U.S. SENATE</b>	<b>463</b>	<b>498</b>
<b>U.S. HOUSE DISTRICT 3</b>		
AARON HEINEMAN-IAP	14	13
GLENN J. WRIGHT-DEM	60	65
DANIEL CLYDE CUMMINGS-CON	6	6
JOHN CURTIS-REP	366	398
MICHAEL R. STODDARD-LIB	<u>11</u>	<u>10</u>
<b>TOTAL VOTES FOR U.S. HOUSE DISTRICT 3</b>	<b>457</b>	<b>492</b>
<b>STATE RACES</b>		
<b>STATE TREASURER</b>		
MARLO M. OAKS-REP	380	409
THOMAS ALAN HORNE-UUP	14	13
WARREN T ROGERS-IAP	24	25
JOSEPH GEDDES BUCHMAN-LIB	<u>25</u>	<u>30</u>
<b>TOTAL VOTES FOR STATE TREASURER</b>	<b>443</b>	<b>477</b>
<b>STATE SENATE DISTRICT 20</b>		
RONALD M. WINTERTON-REP	379	409
JILL M. FELLOW-DEM	<u>73</u>	<u>77</u>
<b>TOTAL VOTES FOR STATE SENATE 20</b>	<b>452</b>	<b>486</b>
<b>STATE HOUSE DISTRICT 68</b>		
SCOTT H. CHEW-REP	<u>394</u>	<u>426</u>
<b>TOTAL VOTES - STATE HOUSE DISTRICT 68</b>	<b>394</b>	<b>426</b>
<b>COUNTY RACES</b>		
<b>COUNTY COMMISSIONER A</b>		
MATTHEW D. TIPPETS-REP	359	392
<b>COUNTY COMMISSIONER B</b>		
JACK (JOHN A.) LYTTLE-REP	381	415
<b>COUNTY AUDITOR</b>		
KERI PALLESEN-REP	387	417
<b>COUNTY SHERIFF</b>		
ERIK L. BAILEY-REP	372	405

SCHOOL BOARD RACES

**SCHOOL BOARD DISTRICT #1**

AMBER KELLY	29	38
CHARLES CARD	<u>38</u>	<u>45</u>
<b>TOTAL VOTES - SCHOOL BOARD DISTRICT 1</b>	<b>67</b>	<b>83</b>

**SCHOOL BOARD DISTRICT #2**

CHELSY LAIL	101	106
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**SCHOOL BOARD DISTRICT #3**

SARAH L WILSON	84	85
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JUDICIAL RETENTION

**STATE APPEALS COURT-PAIGE PETERSEN**

YES	331	358
NO	<u>67</u>	<u>71</u>
<b>TOTAL VOTES - PAIGE PETERSEN RETENTION</b>	<b>398</b>	<b>429</b>

**8TH DISTRICT JUVENILE COURT-RYAN BLAINE EVERSHERD**

YES	330	357
NO	<u>65</u>	<u>69</u>
<b>TOTAL VOTES - RYAN BLAINE EVERSHERD</b>	<b>395</b>	<b>426</b>

**8TH DISTRICT JUVENILE COURT-SAMUEL PAUL CHIARA**

YES	323	351
NO	<u>72</u>	<u>72</u>
<b>TOTAL VOTES - SAMUEL PAUL CHIARA</b>	<b>395</b>	<b>423</b>

**CONSTITUTIONAL AMENDMENT A**

FOR	144	154
AGAINST	<u>223</u>	<u>240</u>
<b>TOTAL VOTES - CONST. AMENDMENT A</b>	<b>367</b>	<b>394</b>

Commissioner Lytle welcomed everyone back into the Canvass and Commission meeting at 4:25 pm. Commissioner Asay motioned to accept the Canvass as presented and amended by the Clerk's Office and Brian Raymond. The motion was seconded by Commissioner Lytle. The Board of Canvassers voted as follows on the motion:

	Yes	No	Abstained	Absent
Commissioner Lytle:	X			
Commissioner Asay	X			
Treasurer Brianne Carter	X			
The motion carried.				

The Canvass and Commission Meeting was adjourned by acclamation at 4:27 pm.

/s/ Excused

Commissioner Matt Tippetts

/s/ Brian Raymond

Clerk/Brian Raymond

/s/ Randy Asay

Commissioner Randy Asay

/s/Jack Lytle

Commissioner Jack Lytle