

Minutes of the regular meeting of the Daggett County Commission/Redevelopment Agency Board, Wednesday, February 19, 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, Brian Raymond-Economic Development Director, Dan Stephens, Terry Collier, Niel Lund-County Attorney, David McDonald, Elaine Stewart, Ed Eudis, David Orr, Cindy Keller, Jed Labrum, Jess Jackson and Thompson Davis.

There was no one present with old business. Mr. Steglich questioned the status of the County Surveyor and it was determined that there has been two meetings but all the issues have not been resolved as everyone had not been present for the meetings. Mrs. Perry questioned if the process was working better since the steps have been outlined and Mr. Blanchard replied that he felt that it was working better for him as he now understands what needs to happen. It was determined that Kym Slagowski, IT Department, has not addressed all of her concerns. Mrs. Pallesen stated that she feels that the county needs to get a County Surveyor and Mr. Steglich suggested that the county goes in that direction as there is support for a County Surveyor. Mr. Blanchard stated that the county needs to identify what the surveyor's responsibilities will be. Mrs. Pallesen and Mrs. Perry will work towards getting an RFP prepared for a County Surveyor and the matter will be placed on the next meeting agenda.

The minutes of the February 11, 2014 were provided by the County Clerk's Office for review and approval. Mr. Blanchard provided the change on Page 1, 4<sup>th</sup> Paragraph, 5<sup>th</sup> sentence - American Land & Leisure should be American Lands Council. Mr. Steglich suggested that on Page 2, 1<sup>st</sup> Paragraph, should state the reasons for Mr. Blanchard abstaining and Mr. Lund agreed and stated that there should also be a roll call vote. Mr. Steglich also questioned the wording on Page 3, Third paragraph regarding the Yes and No for Part I and Part II and the wording was to be changed to read – it was determined to leave the “Yes” that the funds are sufficient to cover Part I, OM&R, ... Motion by Mr. Blanchard to approve the minutes of February 11, 2014 as revised. Seconded by Mrs. Perry, all in favor.

The Open Invoice Report was provided by the County Auditor's office for review and approval in the amount of \$37,574.46. Mrs. Perry questioned the invoice for the water heater and coded to supplies and maintenance and if it should come out of another number since it is going to be inventoried and Mrs. Pallesen stated that the number will need to be revised. Mr. Blanchard provided the following questions for the Open Invoice Report: 1. The invoice from Century Link and Mrs. Pallesen stated that was for long distance. He also suggested that the phone at the Dutch John Court needs to be disconnected. Mrs. Pallesen suggested that prior to disconnecting the phone line they should check with Mrs. Slagowski, IT. 2. The billing for the lawn in Dutch John and if it was just the water billing and Mrs. McKee explained she had set up that billing for water only. 3. The invoice for Rescue Tech in the amount of \$6,658.00 and coded to small equipment and Mrs. Pallesen explained that it was for multiple items. 4. The matter of the retirement plaque for Mr. Steen and questioned if this should not be from the county rather than an individual department and it was determined that this would be coded to the general county. 5. The invoice from Zion's Bankcard coded to Miscellaneous Services under the Search & Rescue Fund for the Burbot Bash and Mrs. Perry replied that was proper as there had been two that had charged a lunch at the Villa for the Burbot Bash for the raffle and that was the number that Tammy Twitchell, CEM, had requested it to be charged to. 6. The Burbot Bash Breakfast which was charged under Tammy Twitchell's Fund and questioned why it was not charged to the Burbot Bash Fund and requested that anything for the Burbot Bash be charged to the Burbot Bash Fund. With no further comments, motion by Mrs. Perry to approve the Open Invoice Report as amended in the amount of \$37,574.46. Seconded by Mr. Blanchard, all in favor.

With regards to correspondence, Mrs. McKee provided an email from Julie D'alesandro with the State of Utah regarding the 2<sup>nd</sup> Quarter Distribution from the Land Exchange Distribution Account (LEDA) in the amount of \$2,515.62 for the Little Hole land exchange.

The following business license applications were provided by the County Clerk's office for review and approval: C&H Distributing, Charles Card, Frito Lay, William H. Smith & Assoc., P.C., Carl Stout and Union Telephone. Motion by Mr. Blanchard to

approve the business license applications as listed “a” through “f” as provided. Seconded by Mrs. Perry, all in favor.

Mr. Raymond provided an update on the proposed project for the Manila Airport as discussed at the last meeting. He had received an email from Matt Swapp, State of Utah, this morning which provided the steps and the costs for the various stages for having the Manila Airport obtain an instrument approach procedure in order to accept Life Flight planes in bad weather. The email stated that the project for the piping had already been cancelled but that the instrumentation that Ken Rasmussen had requested had been included as a placeholder for an AWOS project in the outer years of the SCIP which could take as long as seven years to complete for an amount around \$300,000.00. This matter will be continued until a later meeting.

The matter of the Bishop’s Land Bill was on the agenda for discussion. Mr. Steglich stated that the meeting with SUWA as discussed at the last meeting has been scheduled for March 5<sup>th</sup> at 1:00 P.M. Mr. Steglich stated that Congressman Rob Bishop will be coming to the county soon to meet with the commission and the public. He had also heard from the Wilderness Society who has requested to meet with the Commission administratively after the Commission meeting on February 25<sup>th</sup>. Mr. Blanchard stated that with regards to their discussion yesterday, if the designation is ½ mile from the river it could take in the Dutch John Airport. The matter was reviewed and discussed. The roads going to the rim and the bike trail need to be identified soon. There was also concerns addressed with the tone expressed by Molly Ryan, U.S. Forest Service, as it was different than what Rowdy Muir, Forest Ranger, had said at an earlier meeting. Mr. Steglich addressed his concern with the large amount of tax dollars being spent by the Forest Service conducting NEPA studies to close down the campgrounds while the county is trying to create economic development in the county and they are telling the county that the studies for the bike trail will be two years out. Mr. Steglich has requested a tentative meeting with John Ericksen, in Manila on March 3, 4 or 5<sup>th</sup>. Kim Christy with SITLA will be in the county on February 24<sup>th</sup> to discuss the SITLA land to be moved out of the county. Mr. Blanchard suggested that the Commissioners need to meet and discuss these lands prior to Mr. Christy coming to the county.

Mrs. Pallesen had requested for Personnel Policy Manual changes be on the agenda for discussion. Mr. Blanchard addressed his concern with the new policy #29-1-5 and the matter was reviewed and discussed. Mr. Blanchard stated that if an employee requests a personal letter of recommendation he does not see why he would need to go to HR to get that letter but if a letter is given to a company, that would be for HR to provide. The policy prohibits him from giving a letter of reference. Mrs. Pallesen stated that the insurance company had provided the sample and Mr. Lund would need to find a way to protect the county and address Mr. Blanchard’s concerns. Mrs. Pallesen will work with Mr. Lund and bring it back at a later meeting.

Mr. Blanchard stated that he has received proposals to rent or lease the Dutch John Court building and is requesting the Commission to determine an amount for that. The building is approximately 30’ x 20’ or approximately 600 sq. feet. The matter was discussed and reviewed and was determined for the monthly lease amount for the Dutch John Court Building to be at about \$500.00 per month with a review of the sale price. There was also discussion regarding the matter that the Commission might need the property as it is located behind the fire station and there may be a need for an expansion someday.

Mr. Blanchard addressed the matter of there being surveys done in Dutch John that reflects some of the property lines in residential areas start at the sidewalks and some at the easements around 15’ to 20’ from the roadway which results in areas not being maintained. Also on the west end of Block 7 there is a 20’ to 30’ area that still belongs to the county and there is no way for the county to keep the grass watered. Mr. Blanchard stated that the main reason for this is that the original survey conducted by the Bureau of Reclamation and done by the BLM took their survey to the highway easements. The matter was reviewed and discussed and determined that a policy needs to be made on the matter to help future developers and resolve existing problems. Dave McDonald provided an explanation on the two terms and their uses: Easement and Right of Way. 1. Right of Way to a road is an ownership interest. 2. Easement gives access interest. He stated that if there is orphaned land owned by the county it can be deeded by the county to the adjacent owner but the land by Highway 191 is owned by the State of Utah. It was determined that the county will get with Jeff Holt, State of Utah and the Forest Service and have them come into Commission meeting for discussion.

Motion by Mr. Blanchard to go In & Out of the RDA portion of the meeting at 10:10 A.M. Seconded by Mrs. Perry, all in favor.

Cindy Keller, Planning & Zoning Secretary, was requested to come into the Commission meeting for the discussion of the request to be submitted by Delta Plan One but Thompson Davis was not present so the matter was continued until later in the meeting.

The matter of the Memorandum to Form the Eastern Utah Coalition was provided for approval. The matter had been missed on the agenda but there was a need to have it approved and returned directly. It was determined to provide the matter for approval and place it back on the next agenda for ratification. Mr. Steglich stated that a coalition has been formed for economic development for eastern Utah which includes Uintah, Duchesne, Emery, San Juan, Carbon, Grand and Daggett Counties and he has been attending their meetings. The MOU has been reviewed by all the involved attorneys and they have approved the content of the document. The matter will be back on the agenda for ratification at the next meeting. Motion by Mrs. Perry to approve the Memorandum of Understanding forming the Eastern Utah Economic Development Coalition. Seconded by Mr. Blanchard, all in favor.

Motion by Mrs. Perry to recess the meeting until 10:30 A.M. Seconded by Mr. Blanchard, all in favor.

Upon reconsideration, motion by Mrs. Perry to go back into regular session at 10:15 A.M. and go into Closed Session for real property negotiations and personnel issues. Seconded by Mr. Blanchard, all in favor. Those present were Auditor Pallesen, Attorney Lund, Commissioners Blanchard, Steglich and Perry, Lesa Asay and Clerk McKee.

The regular session reconvened at 10:45 A.M. with all of those present as listed earlier as well as Thompson Davis. Mr. Davis stated that Delta Plan One is requesting the County Commission to waive the Planning & Zoning requirement for the Public Hearing for the application submitted by Daggett County for a minor subdivision. The application is to subdivide into 1/3 acre lots the area where the two homes are located in Dutch John and included in the existing agreement with the county with an option to purchase the property. He stated that there are already homes sitting on the lots with utilities so they are making application to waive the subdivision process and they are requesting to take their option to purchase only a portion of the land at this time. They are requesting to have the decision made here so they do not have to go before the Planning & Zoning Board. The matter was reviewed and discussed. Mr. Lund stated that he had reviewed the Subdivision Ordinance and feels that the County Commission has the legal authority to waive the hearing. Mr. Steglich requested discussion from the Commission and stated that this was not a public hearing and he is not requesting public comments at this time. Mrs. Perry stated that she cannot condone going around P&Z and not give the board the opportunity to do what they have volunteered to do. Mr. Blanchard stated that he does not feel that they are asking to go around P&Z as there are already homes located there with utilities and the adjacent neighbors are the county. Mrs. Pallesen stated that there are adjacent land owners other than the county and Mr. Eudis stated that he had talked to the owner of Trout Creek and he was willing to provide a letter of support. Mrs. Perry stated that this needs to be done the way it should be done or not at all and she was excused from the meeting at 11:00 A.M. to attend another meeting. With Mr. Steglich allowing for brief public comments, Dave McDonald stated that he objects not so much to the subdivision but that there are rules are out there to protect the people and public process should be followed. The public process needs to be open and there should be a lot of people from Dutch John there to provide comments. Upon review and discussion, it was determined that the matter would go before the Planning & Zoning Board meeting scheduled for today at 1:00 P.M. and the Commission will recess their regular meeting to await their recommendation. The meeting will reconvene at 3:00 P.M. to allow the P&Z Board to provide their recommendation to the County Commission. Mr. Lund read the purpose of the Zoning & Ordinance in open meeting.

Motion by Mr. Blanchard to go into closed Session at 11:30 A.M. for the purpose of pending litigation. Seconded by Mr. Steglich, all in favor. Those present for the Closed Session are Jed Labrum, Dan Stephens, Attorney Lund, Commissioners Blanchard and Steglich and Clerk McKee. Following the Closed Session, the meeting was recessed until 3:00 P.M.

The meeting reconvened at 3:00 P.M. with the following present. Brian Raymond, Thompson Davis, Ed Eudis, Niel Lund-County Attorney, Keri Pallesen-County Auditor/Recorder, Commissioners Blanchard and Steglich and Clerk McKee.

Motion by Mr. Blanchard to go In & Out of RDA at 3:10 P.M. Seconded by Mr. Steglich, all in favor.

The Commission was back in session for consideration of the recommendation from Planning & Zoning. Cindy Keller, Planning & Zoning secretary, provided the following recommendation from Planning & Zoning Board: The recommendation from the Planning & Zoning Board is to accept the application with the following conditions – 1. The board receives a letter from the adjacent land owners and 2. A clean application be submitted and also based on the advice from the County Attorney to not to proceed with a public hearing for the Mallard Estates Subdivision applications as submitted. Based on the recommendation as submitted, motion by Mr. Blanchard to accept the recommendation from the Planning & Zoning Board to approve the Mallard Estates subdivision and survey map with the conditions as listed. Seconded Mr. Steglich, all in favor with a roll call vote: Warren – Aye and Jerry – Aye and Karen Absent.

With no further business, the meeting adjourned at 3:25 P.M.

/s/ Vicky McKee

/s/ Jerry Steglich

/s/ Karen Perry

/s/ Warren Blanchard