

Minutes of the regular meeting of the Daggett County Commission/Redevelopment Agency Board held on **Tuesday, April 30, 2019** in the Commission Chambers at the Daggett County Courthouse. Commissioners Randy Asay, Jack Lytle and Matt Tippetts were present. Sheriff Erik Bailey, Auditor/Recorder Keri Pallesen, Attorneys Tracy Cowdell and Chad Woolley and Clerk/Treasurer Brian Raymond were also present. The meeting was called to order at 9:05 a.m. by Commissioner Asay.

Also present: Carrie Poulsen, Chad Reed, Thompson Davis, and Kym Slagowski

Issue Updates: Commissioner Lytle said we worked on the Water and Sewer rates yesterday and spoke with Terry Smith and he will try to pull everything together for industrial, government and commercial uses. Commissioner Tippetts said he thought we are getting closer.

Commissioner Tippetts said that there was a Local District Exploratory meeting last week and there seems to be consensus for moving forward. Another meeting is scheduled for the end of May. He also attended the Transportation District meeting and talked about adding airports and trails and there seems to be some willingness to do that.

Citizen Comments: None given

Approve Minutes: The draft Minutes from the April 23, 2019 Commission Meeting were available from the Clerk/Treasurer's Office. Commissioner Lytle said under the Commission calendar review the ride is in Brigham City for the Golden Spike Celebration and Commissioner Tippetts was planning on attending while Commissioner Lytle and Asay were iffy on being able to attend. Commissioner Tippetts said he didn't talk about anything other than the short term rental ordinance, so it was changed to reflect that. Commissioner Tippetts motioned to approve the amended minutes for the meeting held on April 23, 2019. Commissioner Lytle seconded the motion. All were in favor. The motion carried.

The Open Invoice Register Was Presented For Review And Approval: The Invoice Register of April 29, 2019 for \$33,724.18 was prepared by the Auditor/Recorder's Office. Commissioner Tippetts made a motion to approve the Invoice Register of April 29 for \$33,724.18. Commissioner Lytle seconded the motion to approve the Invoice Register of April 22, 2019. All were in favor. The motion carried.

Disbursement Listing: The Auditor/Recorder's Office provided the Disbursement List. Commissioner Tippetts made the motion to approve the County Disbursement Listing dated April 23 through April 29, 2019 in the amount of \$123,001.11. Commissioner Lytle seconded the motion. All were in favor. The motion carried.

Cash Summary: A Cash Summary was provided by the Clerk/Treasurer's Office. Commissioner Lytle noted that things had changed since last week. Clerk/Treasurer Brian said that he had reviewed it with Kyle of Pelorus and Fund 28 is the main utility account so any changes reflect into that account. Commissioner Lytle also asked about the cash balance of Fund 28, and after Mr. Raymond reviewed it with him it was noted that there are additional things to look at with Kyle of Pelorus's assistance. Attorney Cowdell said that it didn't need to be approved as the agenda calls for review and they had done the review. They could change the agenda for it to be an action item if they desired.

Correspondence: Commissioner Asay said he had received correspondence from the Jr. Rodeo and they had thanked us for their sponsorship. Commissioner Tippetts said he had heard from Debbie Weaver of Economic Development and she said Summit County wanted a letter from the Commission to their Council regarding the annexation of Spirit Lake Lodge and wasn't sure if she should write the letter or if the attorneys would do it. It's right on the border of Daggett County, but is actually in Summit County and we are providing the emergency services, but it's on Forest Service property. Representative Wilde said that they need this letter. Chad Woolley said that when Niel Lund had started this process he seemed to get some push back, but this request for the letter was new. Attorney Tracy Cowdell said they are willing to write the letter and so he was given some information as he noted there is a formal process for doing an annexation. There has been discussion of a quarter section and Commissioner Tippetts said he would send the attorney the information he has received and Brian Raymond said that he had heard from Tri-County Health and they wanted to be kept up to date on the annexation process. Commissioner Tippetts had also talked with Gretchen Northcott of Manila Town Council and they would like us to attend their meeting on the 7th and there is a need to meet and discuss the fire department fees more in the future. Commissioner Lytle noted that there is a GOED application from Nan Groves and it was asked if Debbie Weaver is getting that information and Commissioner Tippetts thought she was, but it wouldn't hurt to forward it to her. Debbie has also been working with Chris of Bike Utah and there is another grant opportunity, but we need to update the Trails master plan so that all of that particular trail is part of the plan. Debbie is working with Jason of Sunrise Engineering to get that formally added to the plan.

Commission Calendar Review: Commissioner Lytle said his son is graduating Thursday so he will be heading out tomorrow. Commissioner Asay said he has Northeast Counseling meeting tomorrow from 10 am to 2 pm.

Policy and Legislation Items:

Discussion And Consideration Of Business License Applications For American Towers LLC; River Runners Transport, Inc.; Ryan Russell and Sysco USA 1: Commissioner Asay read the names of the businesses. Mr. Raymond noted that licenses c. and d. have paid but we have not received their paperwork and should not be considered at this time. Commissioner Lytle asked about the American Towers and that it had a note at the top that was different. Commissioner Lytle made a motion to approve the Business License applications as mentioned for a. through b only. Commissioner Tippetts seconded the motion. All were in favor. The motion carried.

Commission Calendar Review (Cont'd): Commissioner Lytle said The PRCA Committee is part of the Vernal Chamber and there is a meeting on May 16th in Vernal which is the 70th Annual Meeting and Awards Banquet, which will be attended by the Lt. Governor. Commissioner Lytle said he can't attend, but there is a \$25 per person fee if anyone is available to attend. There was also correspondence regarding the two houses owned by the Forest Service in Dutch John. Commissioner Lytle motioned to go in and out of RDA and Commissioner Tippetts seconded the motion and all were in favor, so the motion carried. Commissioner Lytle said we should consider looking at the possibility of investing in these houses with the RDA.

Discussion And Consideration Of Commissioner's Corner For Daggett County Newsletter: Commissioner Asay said this didn't need to be part of the meeting and tabled it.

Discussion And Consideration Of Recommendation From the County Planning and Zoning Commission To Change the Building Permit Fees: Chad Reed of the Planning and Zoning Commission said that in the last year's budget (2018) there was a shortfall of \$10,000 in revenues versus the expenditures. Commissioner Lytle clarified that the budget was maintained, but Mr. Reed said their goal was to break even on fees vs. expenses. It wasn't known how long ago the last fee change was instituted by the County. The Town of Manila has raised their fees and this will more closely reflect those changes and the IRC has also changed their fees and they are a little less than what is proposed, but they should at a minimum go to those rates. Matt Tate's proposal is the same as what the Planning Commission is recommending to the Commission. There is also a \$125 fee for doing the Short Term Rental inspection and that is included in the \$325 fee that the Town collects. There was further discussion and Attorney Cowdell asked if there was any kind of an interlocal agreement with the Town of Manila. Mr. Cowdell said he would have Niel Lund work on this agreement. After reviewing and clarifying which form was the actual proposal and Commissioner Lytle motioned to approve the fees and Commissioner Tippetts seconded the motion thanking their efforts. There was a note by the attorney that you may want to amend the motion to allow the attorney to draft an ordinance. He said you could do it based on how it has been done or it could be pursuant to the fee schedule. It was thought that the fees were on a schedule and not part of the code. The motion was brought to a vote to approve the recommendation of the planning commission. All were in favor and the motion carried. The Planning Commission was again thanked for their efforts in bringing this forward.

Discussion And Consideration Of Recommendation From the County Planning and Zoning Commission Regarding Change To Title 8 Chapter 15 of The Daggett County Code: Short Term Rentals: Chad Reed addressed this and the recommendation is to take away the 10 acre requirement and limit it to 5% of all the homes in the County which means there are about 45 homes that could be approved for this type of permit. Some members wanted it to allow 20% of the homes to be permitted for overnight rentals, but others wanted to keep the percentage low to start with and see how it goes. For Economic Development and other purposes the board has decided to make the change. There have been no complaints with the one that has gone through the process, but there have been complaints about others that have not been licensed. Another change was that owners were allowed to own up to five overnight rentals, when originally owners were only allowed to have one overnight rental at a time. As this was being reviewed one concern is that it might negatively affect long term rentals which are already in short supply. This proposal is only for the unincorporated areas of the County. The numbers of houses each year and permits issued will have to be reviewed. Commissioner Lytle asked about lowering the percentage to 2 or 3%. We currently have 1 approved and two applications, but a possible third that does not fit the old rules. We can motion this forward, but can't adopt it today. No public hearing has been held yet and it was asked who needed to hold the hearing. It was suggested that the ordinance be created and then sent back to planning and zoning for review. The Commissioners thanked the Planning Commission for their efforts! Commissioner Lytle motioned to accept the proposed changes for Title 8 Chapter 15 of the Code for overnight rentals in concept and move forward with County Attorney's office preparing an ordinance and to schedule a Public Hearing on Wednesday, May 29th. The motion was seconded by Commissioner Tippetts. All were in favor and the motion carried. The Planning Commission is trying to get this done by the beginning of June so people can follow through with this for the summer season. Tracy Cowdell suggested that the next time we consider changes of this nature, we do a moratorium.

It was noted that the Planning Commission has started reviewing the Trails Plan. Commissioner Tippetts asked a procedural question regarding the Trails Plan adoption into the master

Plan. Can it be held at the same time as the other hearing and that was thought to be a good idea. Another issue the Planning Commission is dealing with is the abundance of Travel Trailers on county properties and there is help needed from the attorneys and the Sheriff's department. Mr. Cowdell explained some options regarding civil or criminal proceedings, but said their firm would brainstorm some more about this for the meeting. There is a work session planned for the 14th at 6 pm and they would like an attorney and a Sheriff's department representative in attendance to provide input.

Road and Transportation District: Commissioner Lytle asked Mr. Reed for more information regarding the trails and airport funding. Mr. Reed said that it is the District's understanding that the County will not use any District funding, but will only funnel money into the district for use on the proposed activities. The Economic Development Board could help with funding and grants, which is good because the time and money of the district is tight already. The original intention of the District was to fund road developments and improvements, so changing that is watering down the purpose of the board and could bring pushback. We need to look at the Municipal Building Authority, local districts and the 501 (c) (3) non-profit for the airport and trails funding. Airport is funding is currently thought to be State money and not federal, but that has to be verified. Commissioner Tippetts encouraged the District to work with their attorney and the County to continue to investigate this.

Discussion And Consideration Of Ratifying The 2019 PRCA Rodeo Agreement Between Daggett County And The PRCA: Commissioner Lytle said this is the 3rd year of a three year contract with Powder River Rodeo Company. This is the application to the PRCA that has an application fee and membership fee for the PRCA totalling \$1200. Commissioner Lytle said he asked for a Purchase Order (PO) and signed it too soon, so he motioned to have this ratified so they can start getting sponsorship letters out and start receiving money. The attorney didn't have any concerns, so Commissioner Tippetts seconded the motion. All were in favor and the motion carried. It was noted that this was the last year of our stock contract, so it opens some doors for other discussion in the future.

Discussion And Consideration Of Surplusing A Non Working USB Hub With Tag #3680: The IT Department had put this on the agenda and Kym Slagoski was asked to join the meeting. The value when it was working was only about \$10. It was tagged, so she put it on the agenda to be surplussed. Commissioner Tippetts motioned to surplus the item. Commission Lytle seconded the motion. All were in favor and the motion carried.

Discussion And Consideration Of Salary Adjustment For Water And Sewer Operator: Commissioner Lytle said that due to the wage moratorium he has brought this to the Commission as the operator has completed one of the four trainings required. Commissioner Tippetts asked if it was allowable by his job description and the answer was yes, so he motioned to approve the wage increase and Commissioner Asay seconded the motion. It was noted that this will not be retroactive, but take effect as of today.

Discussion And Consideration Of Dutch John Water And Sewer Rates: Commissioner Lytle said that we are still working on this with Terry Smith to apply the information supplied by the committee's efforts and trying to fit into the matrix. It's going to take some time for him to get to his part and so this will come back onto the agenda in two weeks.

Discussion And Consideration Of Permission To Use County and Redevelopment Agency Land For The 2019 Freedom Festival In Dutch John: Commissioner Lytle asked the Town of Dutch John to get with us on this and they have sent a letter. The attorney recommended getting with UCIP and see what they want, so that we are covered or we want to be an additional insured on the Town's insurance. We can be a co-producer and then work with our insurer to see what they need. The Town will be responsible for the volunteers on their Fire Department. We should identify lands that will be used on a map. There might be a memorandum of understanding between the Town and Chamber and County. It's been pretty informal in the past and probably needs to be more formalized. The attorney did not have any problem with the county participating, the County just needs to see what is covered under the insurance. Commissioner Lytle made a motion to participate as in the past with the use of the land for the Freedom Festival with the idea of formalizing things better than in the past. Commissioner Tippetts seconded the motion. All were in favor and the motion carried.

Closed Session: Commissioner Lytle made a motion to go into a closed session at 11:35 am for potential, imminent or occurring litigation and the motion was seconded by Commissioner Tippetts: Commissioner Lytle voted "Aye"; Commissioner Asay voted "Aye"; and Commissioner Tippetts voted "Aye". All were in favor. The motion carried.

Motion to go back into Open Session was made by Commissioner Lytle at 1:07 pm. Commissioner Lytle made motion to accept revised Invoice register for and Commissioner Tippetts seconded the motion. All were in favor. The motion carried.

The Commission came back into Regular meeting and Commissioner Lytle made a motion to adjourn at 1:08 pm.

/s/ Jack Lytle

/s/ Brian Raymond

/s/Matt Tippetts

/s/ Randy Asay