

Minutes of the Electronic Meeting of the Daggett County Commission/Redevelopment Agency Board held on **Tuesday, March 24, 2020** in the Commission Chambers at the Daggett County Courthouse and electronically. Commissioners Randy Asay, Matt Tippetts were present and Commissioner Jack Lytle was available electronically. Auditor/Recorder Keri Pallesen, Attorney Niel Lund, and Clerk/Treasurer Brian Raymond were also present. The meeting was called to order at 9:06 am by Commissioner Asay.

Also present: IT Director Kym Slagowski, Amy McDonald (electronically), Sgt. Travis Dupaix

**Issue Updates:** Commissioner Lytle said he had not been able to follow up on the oil spill that the fire department responded to and was billed to the County, but Commissioner Asay said a second bill had been sent and he had talked with UDOT. The person he spoke with said that there was thought that UDOT would be responsible for that bill. Amy McDonald chatted with Kym Slagowski electronically and asked for the contact information for the person that Commissioner Asay spoke with. Commissioner Asay said he spoke with Tammy Timothy in the Orem office and she was sent a copy of the incident report and the bill and she was going to take it to her boss who is in quarantine and we haven't heard back yet..

**Citizen Comments:** Commissioner Asay asked for citizen comments and no citizen comments were given.

**Approve Minutes:** No minutes were available for review.

**The Open Invoice Register Was Presented For Review And Approval:** The Open Invoice Register of March 23, 2020 for \$55,177.44 was prepared by the Auditor/Recorder's Office. Commissioner Lytle asked about invoice 260881 and 26089 and there is some overpayment and questions about the bill, so Auditor/Recorder Keri Pallesen said it was up to the person who approved the bill to take it off, if desired. Commissioner Lytle asked that it be taken off of this invoice register. Commissioner Lytle also asked about the Blue Stakes as the invoice is duplicated and he was told that was because he asked to split it between water and sewer. Commissioner Lytle also asked about the Access Door Systems bill and it was explained that was to fix the ADA access in the back door of the Courthouse and it works now. Commissioner Lytle asked about the amount to Daggett County and it was the administrative amount for the B & C Roads fund from the Forest Service. We receive that amount every two months or so. Commissioner Lytle motioned to approve the Open Invoice Register dated March 23, 2020 excluding the Dan's Tire amount in the amount of \$54,909.48. Commissioner Tippetts seconded the motion. All were in favor and the motion carried.

**Disbursement Listing:** The Disbursement Listing for March 23, 2020 was prepared by the Auditor/Recorder's Office. Commissioner Tippetts motioned to accept the Disbursement Listing of \$17,425.34 dated March 17-23, 2020. Commissioner Lytle seconded the motion. All were in favor and the motion carried.

**Cash Summary:** Cash Summary dated March 23, 2020 was available for review. Commissioner Tippetts motioned to acknowledge receipt of the Cash Summary of March 23, 2020. Commissioner Lytle seconded the motion. All were in favor and the motion carried.

**Purchase Orders:** Mrs. Pallesen said she had a Purchase Order for approval and Commissioner Tippetts had several. There was a fee for Election Services and Software for \$5705.00. Commissioner Tippetts motioned to approve the Purchase Order for Election Systems and Software LLC for \$5705.00. Commissioner Asay seconded the motion since Commissioner Lytle couldn't see it and deferred. Commissioner Asay and Tippetts voted "aye" and Commissioner Lytle abstained. The motion carried.

Commissioner Tippetts said that he had a bill to replace the engine and injectors in the 2007 Gray Flat bed truck. Commissioner Tippetts motioned to approve Purchase Order #462 in the amount 13,194.00. Commissioner Asay seconded the motion. Commissioner Asay and Tippetts voted "aye" and Commissioner Lytle abstained. The motion carried.

Commissioner Tippetts said that the next one was Purchase Order #461 for Holland Equipment for a 12' blade to go on the grader and to come out of SRS Fund. Commissioner Tippetts motioned to approve Purchase Order #461 for \$15,092.22. Commissioner Asay seconded the motion. Commissioner Asay and Tippetts voted "aye" and Commissioner Lytle abstained. The motion carried. Another PO was held for discussion later in the meeting per the agenda.

**Correspondence:** There was a lot of correspondence regarding COVID-19 over the past week, which is why we are doing this meeting the way we are today. Lots of advice given that we are following. Commissioner Tippetts reiterated it noted there was an Elected Officials meeting that led to restricted access to the Courthouse. Commissioner Lytle said he had tried to catch the news briefings and it is on the agenda or at least the Leave Policy. He felt that the Emergency Declaration should be discussed and approved. Attorney Niel Lund said it stands as it is for 30 days unless ratified and it should be on the agenda to be ratified. Commissioner Tippetts acknowledged it and Commissioner Lytle seconded that acknowledgement. Emergency Management was involved in the process in conjunction with the Tri-County Health Department . Sgt. Dupaix noted the other two Counties made the same declaration the next morning. Commissioner Lytle said he felt it was a blanket declaration.

Sgt. Dupaix noted that he spoke with Michelle Miller this morning and asked if we were still going to do the training today at 2:00 pm. Are we going to still do that? It could be done virtually. Commissioner Lytle said he had done 100 and may have done 200, but he was not sure and Sgt. Dupaix said we could contact FEMA and request all his certifications be sent. Sgt. Dupaix said he'd send out the login information when he receives it from Mechelle.

**Calendar Review:** Commissioner Asay said UBAOG is going to have a short electronic meeting at 9:00 am on Thursday and there is a TriCounty Health Department webinar on Wednesday. Commissioner Lytle said that the Forest Plan Cooperators meeting is on March 25th and 26th. EMS interviews are on Friday the 27th. Has anyone tied into HR to involve Keri Pallesen, and she had not heard anything. Kym Slagowski is only involved to help with the Electronic participation in the interviews. This needs to be decided and tied in with Keri Pallesen before it moves forward any further and Commissioner Tippetts said he would do that.

### **Policy and Legislation Items:**

**Discussion And Consideration Of Business Licenses for Aim Home Inspectors, Red Canyon Lodge, Schwan's, Jeremy Rogers, Slagowski Ranch and Feed, Birrell Bottling Company, Searle Gas Company-SavOn Propane, Coca Cola Bottling, Nicholas Company, TrueGreen, Off and On Again Trucking, and US Foods:** Commissioner Lytle asked why Red Canyon Lodge was not approved last week and Mr. Raymond said they had not paid their UPP yet,

but they have now. James Olsen brought up Schwann's not being mentioned and Mr. Raymond said the Schwann's payment is still in progress so that is being held. Commissioner Lytle motioned to approve the business licences as mentioned excluding Schwans. Commissioner Tippetts seconded the motion. All were in favor and the motion carried.

**Discussion And Consideration Of Surplusing Road Department Equipment including a 1986 Eager Beaver Transport Trailer:** Commissioner Lytle asked if there was a serial number for the Snow Plow, as one was not identified on the agenda. James Olsen said it was attached to the truck given/sold to the Weed Department. Commissioner Asay said that there was a question of keeping the trailer to move the backhoe back and forth to Dutch John, but there is no tractor to haul it now. The trailer would be worth \$7-8,000 as a best guess and the loader would also be \$7-8,000 also. James Olsen and Keri Pallesen said that the issue of surplusing needs to be decided first and then you can set the price and figure out how you want to surplus the equipment so the public process can be done and people can participate. Commissioner Lytle asked what the purpose of the surplus and Mr. Olsen replied that they don't use that equipment any more, except the loader gets used occasionally. There is a new low-boy trailer and that's the one that is used and the other one has been sitting. There are two trailers including the Eager Beaver plus a gooseneck, that can be used to haul smaller equipment. The Commission sentiment was to keep the trailer. The loader purchase needs to be considered before we surplus the existing loader.

**Discussion And Consideration Of Possible Purchase Of A New Loader By the Road Department:** Commissioner Tippetts said James Olsen had gotten three bids and they each have State Contracts. The Case loader was pretty pricey. The Caterpillar had a buy back higher than the purchase price at the end of the year, but the John Deere was less but had a two year warranty. Other details were shared and questions were answered relating to size and options and Mr Olsen's preference was the Cat. Commissioner Tippetts said this was an SRS Fund expenditure and it was budgeted for this year. The request is for \$170,410. Commissioner Lytle asked if consideration had been given to CIB Funding to help with this and Mr. Olsen said that the last loader we got was purchased with CIB funds but they had indicated they weren't going to be funding equipment in the future so he didn't pursue that this time. The option is in the state contract to turn it in at the end of the first year. Commissioner Lytle asked for details on the buy back and Mr. Olsen answered his question saying that buy back is in the State Contract. Commissioner Lytle asked what was in the SRS Fund Balance and Mr. Olsen said it is \$290,000 and that doesn't include this year's payment. This is restricted money that goes into the SRS Fund and has been set aside for big equipment purchases like this. The 2006 Case funded by the CIB is being kept and the 1976 Ford Loader is the one possibly being surplused. It was unsure how the Ford was originally paid for, but it was thought to have been purchased with B Road fund money. Commissioner Tippetts motioned to approve Purchase Order #463 in the amount of \$170,410 to Wheeler Machinery for the purchase of a 2020 Caterpillar Loader 938-M. Commissioner Lytle seconded the motion. All were in favor and the motion carried.

**Discussion And Consideration Of Surplusing Road Department Equipment including a 1986 Eager Beaver Transport Trailer:** Mr. Olsen said he was okay with keeping the trailer since it seems that is what the Commission wants. Commissioner Lytle motioned to surplus the 1976 Ford A62 Loader with Serial Number F4550 and the 9' Western Snow Plow with further investigation on the serial number. Commissioner Tippetts seconded the motion. All were in favor and the motion carried. A 5 minute recess was taken at 10:34 am. The Commission came back into session at 10:40 am.

**Discussion And Consideration Of Possible Changes to County Code To Allow Electronic Meetings:** Attorney Niel Lund said that the Governor's Order allows that this happen for the next 30 days, so we may want to mirror State Code as State Code requires that local governments pass a resolution or ordinance that governs these types of meetings. It could have been done, but can not be found, so his recommendation was that this be done. There is a place in the County Code to add something like this to allow electronic meetings. We can do this by Rule, Resolution or Ordinance depending on what the Commission wants. Commissioner Lytle motioned to go forward with an Ordinance mimicking or referencing the State Code as mentioned by Attorney Niel Lund. The motion was seconded by Commissioner Tippetts. All were in favor and the motion carried.

**Discussion And Consideration Of Changes To The Employee Leave Policy-Addition of Section 10A:** The Attorney Niel Lund said this could be changed to not be specific for COVID-19, but for all pandemics. The Family First Coronavirus Act has authorized a new type of leave. All the details have not been worked out and we will be required to give our employees notice, so we may want to change this or consider it at least. Commissioner Lytle brought up questions about the Family Leave Act and motioned to go forward with this as is and make changes if needed due to the Family Leave Act as necessary. Commissioner Tippetts seconded the motion. There was discussion if there needed to be a sunset and the Attorney said it would not be needed, but an action to repeal could be done, so the motion stands. All were in favor and the motion carried.

**Discussion And Consideration Of Interfund Transfer Register:** Commissioner Lytle motioned to go forward with the Interfund Transfer as presented. Commissioner Tippetts seconded the motion. All were in favor and the motion carried.

**Discussion And Consideration Of Omnia Agreement With Amazon Business:** Attorney Niel Lund said he had spoken with Keri about this and it could be administrative, but since it is a contract and was brought forth for consideration. This will cancel all the business accounts we have and generate one new account with multiple users that can be better managed by the Auditor's Office. Kym and Sgt. Dupaix were okay with this and didn't see an issue. It also allows Amazon to invoice the County. Commissioner Tippetts motioned to enter into the Omnia agreement with Amazon Business and Commissioner Lytle seconded the motion. All were in favor and the motion carried.

**Discussion And Consideration Of Ogden Pioneer Days Cowboy Or Cowgirl of Year Nomination:** Commissioner Asay said this was mentioned last week and just needs a nomination for this year. The list of past nominees was in the packet. We do this every year. Jon Wilde was not on the list and was nominated in the form of a motion by Commissioner Lytle as he embodies everything this is all about. Commissioner Tippetts seconded the motion saying he fits everything in the letter. All were in favor and the motion carried.

**Discussion And Consideration Of Manila Holdings, Inc. Request For Deferral Of The 2020 Tax Sale:** Commissioner Asay asked that we call Mike Pierce of Manila Holdings, which was done and Mr. Pierce presented his request that the Tax Sale be delayed or cancelled, which would delay the Administrative Fee that goes into effect in a couple of days. Mr. Pierce said he talked with John Valentine, the Director of the Tax Commission, and he said the idea is in discussion with the State at this time to do this statewide, but they don't have the regulatory authority. Keri Pallesen's recommendation was to allow her to go forward with the Tax Sale as planned and give her direction

if they want to delay Mr. Pierce's property sale. The Title search has to be done if they are to be sold, but if they are not on the list then they don't have to be searched. Mrs. Pallesen said that she had spoken with Joshua Nielsen of the State Tax Commission and he also thought the Tax Sale and Mr. Pierce's situation and request are two separate issues so you don't have to delay the tax sale if you make an agreement with Mr. Pierce. Mr. Pierce proposed to pay the actual taxes if we could delay payment of accrued penalties and interest and make the approximately \$7,000 in Administrative Fees go away. Commissioner Asay said that he felt there should be some bite for not paying taxes, so he didn't want to see the penalties and interest not paid. Keri read the State Code relating to this discussion and it gave the Commissioners some latitude, but it was asked if the penalties were not paid could the tax sale still be held. Mrs. Pallesen said that if it were delayed now she would not be able to add again later to this year's sale, but could probably be put up for sale again next year. Mr. Pierce explained that he worked with the City to reroute the Sewer line at his expense and he is not the owner, but was willing to pay the taxes now, but would appreciate some consideration to delay payment of everything else until his son can get out of quarantine in London. Attorney Niel Lund reviewed the code further and he said that if there is a trust deed on the property they need an acknowledgment from the lien holder as part of the application of deferral forms prepared by the State. There is some taxpayer information requested by the form, but it is not in the requirements of the code. The tax notices would provide some of the needed information and it was felt that the required information could be prepared by Thursday at 5 pm including the description which is often the plat and lot number. Mr. Pierce proposed that the interest and penalties be delayed until the due date of 2020 taxes and then it could be processed for tax sale again if not paid by then. Commissioner Lytle clarified that the taxes would be paid prior to the end of business on Thursday and the forms would be prepared and sent to the Commission by then also and the penalties and interest (excluding the administrative fees) would be paid by the tax due date in November of 2020. Commissioner Tippets motioned to accept the proposal to pay the taxes due from 2015 to current and completion of the statement and form created by the State by Thursday at 5pm in order to defer the penalties and interest until November 2020 March 26, 2020. There was discussion on how the funds would be paid so this could be cleared up and a wire transfer seemed to be the best. Keri Pallesen said that this needs to be completed by noon on Thursday because she has to have the notice for the paper in by Noon that day to get printed the next week. The timing was discussed and Keri said she was willing to delay the whole sale one week and that would give more time to get everything finalized. If it is not completed by then the administrative fees will be imposed and will move forward to Tax Sale in May of this year. Commissioner Tippets held firm on his motion, but amended that the close of business is 5 pm and Randy Asay is the contact and the funds will go to the Treasurer. Commissioner Lytle seconded the motion. All were in favor and the motion carried. Mr. Pierce asked if a copy of the descriptions could be emailed to him and if Brian could get him the information to wire the money. He will get the forms filled out as soon as possible to make sure they have all the needed information.

There was no need for a closed session. Commissioner Asay said he had received a couple of plaques for sponsoring the Cow Country Rodeo and Cow Country Junior. Rodeo. He will have Jesse Platt get them placed in the proper place.

With no further business Commissioner Tippetts motioned to adjourn and Commissioner Lytle seconded the motion at 2:05 pm.

/s/ Randy Asay  
Commissioner Randy Asay

s/ Brian Raymond  
Clerk/Treasurer\_Brian Raymond

/s/ Jack Lytle  
Commissioner Jack Lytle

/s/ Matt Tippetts  
Commissioner Matt Tippetts