

Minutes of the Meeting of the Daggett County Commission held on **Tuesday, March 30, 2021** in the Commission Chambers at the Daggett County Courthouse and through electronic means. Commissioners Randy Asay, Jack Lytle and Matt Tippetts were present in person. Attorney Niel Lund, and Recorder/Treasurer Brianne Carter were present in person. Auditor Keri Pallesen and Clerk Brian Raymond were attending virtually. The meeting was called to order at 9:04 am by Commissioner Asay.

**Present In Person:** Brandi Pearson-Commission Assistant, Phil Timothy

**Present Online:** Bret Reynolds of CIVCO Engineering, Senator Ron Winterton, and Kym Slagowski

**Approve Minutes:** Minutes for the March 23, 2021 Commission Meeting were provided by the Clerk's Office. Commissioner Lytle motioned to approve the minutes for the March 23 Commission Meeting. Motion was seconded by Commissioner Tippetts. All were in favor and the motion carried. Commissioner Lytle motioned to go in and out of the Redevelopment Agency (RDA) and Commissioner Tippetts seconded the motion. All were in favor and the motion carried. Commissioner Lytle noted there were RDA discussions in the minutes and motioned to approve the minutes for the RDA and Commission Meeting minutes for the March 23, 2021 Commission Meeting. Commissioner Tippetts seconded the motion. All were in favor and the motion carried.

**Citizen Comments:** None given.

**Issues Updates:** Commissioner Lytle said they are still working on the background check for the EMS Director and it should be done tomorrow. The Sheriff had to run to Salt Lake today, so he wanted the EMS Update given and wanted the Commission to know that he was fine with the Bailiff Contract that will come up later on the agenda and had already signed it.

Commissioner Asay said the mask mandate will be removed in Utah on April 10th unless President Biden has his way and the states have to wait until May. TriCounty will be back in Daggett County on the 9th of April to do some more vaccinations.

Commissioner Asay said he wants Affordable Workforce Housing to keep this in front of us. Brandi Pearson said she has a 1:00 pm phone meeting today with David Fields of Workforce Services. He is over the Housing and Community Development Division for the State. She is also meeting with Jordan Leonard tomorrow at 1:00 pm. He is with the ROI Program at Utah State. She has also been contacted by V6 in Vernal and not sure when we will be able to afford or use their services, but Commissioner Lytle said he has talked with them before about the PRCA. Zac of Workforce Services left the UBAOG meeting before Commissioner Tippetts and Brandi could speak with him. He took over Blaine's position at Workforce Services. Commissioner Tippetts said that there is \$36,000 in Fund 49 for Affordable Housing. Commissioner Lytle asked Clerk Brian Raymond if that money was set for a specific project and Brian replied that there is no specific project, but it would have to be used for a project that met the Federal Affordable Housing Guidelines. Recorder/ Treasurer Brianne Carter asked if the RDA money could be used for Affordable Housing in Dutch John. Commissioner Lytle said it could but he would like to see whatever we do be more of a low interest loan or something, so we can continue to build the fund. Senator Winterton joined the meeting and he was asked if there was anything specific from the legislation this year that would affect this discussion. He was still trying to review what was passed and its effects and would be willing to make a presentation in a week or two. It was thought maybe Kera Birkeland could also present some information from the House's perspective. Affordable Housing is critical!

Commissioner Tippetts said there was a property listed last week that had 8 offers in 12 hours and sold above list price. Commissioner Lytle said that there is somebody at Rural Development at USDA. It used to be Randy Parker was appointed for Utah, but he may not be there any longer. Brandi said she would look into it.

Bret Reynolds was asked if he had anything for the airports and he said he is still working on things and has nothing to report on the Airports this week.

**Citizen Comments:** Commissioner Lytle said that he wanted to comment as a citizen that he was very happy with those who volunteered to help with the Fire and EMS District. They have a big task ahead of them. Commissioner Tippetts and Asay were also quite happy with the group that had volunteered. It is an enormous task that they have in front of them.

**Cash Summary And Expected Revenues Report Review:** The Cash Summary and Expected Revenue Reports were provided by the Recorder/Treasurer's Office. Recorder/Treasurer Brianne Carter said she has completed the disbursement to the PTIF Accounts for February and will do the March Disbursement later this week after the end of the month. The Town of Dutch John made payments for Utilities and Elections. We have three properties for Tax Sale this year and one was redeemed yesterday and another made a significant payment, so we will probably only have 1 lot to sell and it is in Captain's Cove and not Taylor Flat. Some of the funds that are negative may be received quickly like the SHSP grant while the corner monumentation project will take longer as they are still doing work on the project.

Commissioner Lytle motioned to accept the Cash Summary Report of March 27, 2021 for all Zions bank accounts and the PTIF Accounts and also to acknowledge the Expected Revenue Report. Commissioner Tippetts seconded the motion. All were in favor of the motion and the motion carried.

**Approve Open Invoice Register:** The Open Invoice Register of March 29, 2021 was provided by the Auditor's Office for review. Commissioner Lytle asked about the payments to the Clinic. It was thought that we made two payments, but there was only one for the clinic for about \$17,000 and the other was the annual payment to TriCounty Health for about \$14,000 and that is lower than in the past. Brandi Pearson said she has some ideas that could help the clinic be used more and be more profitable. Commissioner Asay said that we did not budget \$17,000 per month for the clinic, so we need to do something. Commissioner Tippetts motioned to approve the Open Invoice Register for March 29, 2021 in the amount of \$72,433.76. The motion was seconded by Commissioner Lytle. All were in favor and the motion carried.

**Disbursement Listing:** The Disbursement Listing was provided by the Auditor's Office for review. Commissioner Lytle asked about the VieVu LLC payment and Keri was not sure and said she would have to look it up. Commissioner Lytle motioned to acknowledge receipt and review of the Disbursement Listing for Zions Checking, for March 22, to March 29, 2021 in the amount of \$90,723.82. The motion was seconded by Commissioner Tippetts. There were some issues with the virtual meeting that were resolved after some time. All were in favor and the motion carried.

**Purchase Request Approvals:** There were no purchase requests known.

**Correspondence:** Commissioner Lytle said he had covered both things, but on April 8th Mike Mower will be visiting at about 9:30 or 10:00 am. And Commissioner Lytle said he has a CIB meeting at 8 am and they usually go for several hours, so maybe he can attend part of the meeting with Mr. Mower virtually. Commissioner Tippetts said that the Commission had received some correspondence from Eric South of Uinta County Wyoming regarding the Executive Order 14008

and he wrote a letter with the Executive Order which is about 130 pages. Brandi said she had forwarded the email to everyone last week or the week before. He respectfully requested that any land or water requests adjacent to Uinta County be coordinated with them.

It was asked if we had received any emails from UBAOG following the meeting and nobody had seen any yet. Commissioner Lytle talked about the Colorado River Meeting in Vernal and we should be in attendance at 1 pm at the Conference Center on Thursday. Commissioner Lytle will be there, but would like at least one of the others to attend, but Commissioner Tippetts has a funeral to attend that day. Commissioner Asay will try to attend.

Commissioner Lytle asked if anyone else had received a text from Darrin for Natural Resources and Public Lands agenda items and it appears that nobody else did. Commissioner Lytle was the only one. He forwarded it. The Energy Conference last week was really good and had people from many parts of the West, not just Utah. It's a lot more than just energy. The extractive industries are important to a lot more than just petroleum. Colorado was working with North Face as they have pulled their support for oil and gas as it didn't meet their Corporate Philosophy. After the fact they were given an award for their support of the oil and gas industry due to the use of petroleum in many of their products. Commissioner Asay wanted to state that we are in support of the oil and gas industry and against the Executive Orders. Commissioner Tippetts said it is a delay process as the Executive Branch does not have the power to do this as its a Congressional Power but yet it ties up everything in litigation.

**Calendar:** Commissioner Tippetts said Mike Mower will be coming on the 8th and Representative Blake Moore will be here on the 6th at 2 pm. Commissioner Tippetts asked if we wanted to invite anyone in particular to the meeting with Mike Mower. The Sheriff is aware of it. Senator Winterton was invited, and so was Thomas. Representative Kera Birkeland should be invited and Brandi will work on that. Brian Nelson the Director of Corrections will join virtually. Commissioner Tippetts asked if we should invite anyone to the meeting on the 6th? Commissioner Lytle said Representative Moore was challenged to invite the Mayors and Town Councils, but we can also do that. Travis Campbell is Representative Moore's Aide.

Commissioner Tippetts will be gone on Thursday and has a Shooting Range meeting on Saturday and will go to Manila Town Council on Monday. Commissioner Lytle has CIB next Thursday. He wasn't sure if the Dutch John Town Council or Planning and Zoning were meeting tomorrow night. There is a CED meeting on April 8th at 4 pm. Bret asked if Matt would be available Friday night or tonight for a EMS District Meeting and he was available for either. Commissioner Asay wasn't sure when the next Northeast Counseling meeting would be held. Keri thought it was the original schedule as a proposal to meet monthly did not go anywhere. Doug (last name unknown) is the Chair and he is from Duchesne or Roosevelt. Commissioner Lytle was willing to attend these meetings if it could help keep things functional. Commissioner Asay said Keri Pallesen was very helpful and provided good input as an HR professional to the board.

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

**Discussion and Consideration Of Completed Business Licences: Jones Paint & Glass, Willow Springs Outfitters, Charlie's Smokehouse Meats, Bridger Valley Electric, C & H Distributing, Dinosaur River Expeditions, Off-N-On Trucking, Searle Gas Co./SavOn Propane:** Commissioner Asay said we had the following eight business licenses for review: Jones Paint & Glass, Willow Springs Outfitters, Charlie's Smokehouse Meats, Bridger Valley Electric, C & H Distributing, Dinosaur River Expeditions, Off-N-On Trucking, Searle Gas Co./SavOn Propane: Commissioner Tippetts motioned to approve the applications for the eight businesses that have

completed their applications. Commission Lytle seconded the motion. All were in favor and the motion carried.

**Discussion and Consideration Of Conditional Business Licenses: Igloo Ice, Inc., DirecTv, LLC BLM, Cedar Springs Marina:** Commissioner Tippetts asked if we are waiting for their UPP and Clerk Brian Raymond replied yes. Commissioner Tippetts motioned to conditionally approve the application for Igloo Ice, Inc., DirecTv, LLC BLM, Cedar Springs Marina contingent upon getting the needed UPP paperwork to the Clerk. Commission Lytle seconded the motion. All were in favor and the motion carried.

**Discussion and Consideration Of Jail Listing Agreement:** Commissioner Asay said he would like to get some feedback about this issue. Commissioner Tippetts had not reached out to the current listing agent. He asked what the process would be if there was a desire to go a different direction with the current listing. Attorney Niel Lund said that he would contact the listing agent and see if there is an amicable way to disengage. They had some expenses that may need to be reimbursed for. In the event we do terminate the contract then what will be the next step with our procurement policy. Niel said it would probably be best to do another RFP as there has been interest. Commissioner Lytle noted that there were two or three groups that were interested in the jail but it was more rental and not a purchase and would not provide enough to put the bond in jeopardy and Niel had received an email that they would investigate it. Commissioner Tippetts asked what the Commissioners thought of letting the listing agent know we are going to repost the RFP and they would be welcome to reapply. We want the best representation we can get and we have been approached by another group, but we don't know if they will be any better. Commissioner Asay and Lytle said we haven't heard much from the listing company recently, so maybe it's time to re-evaluate. We have initiated most of the conversations in the past year. They know we will consider any offer, they just need to bring it to us. This was tabled until the next meeting.

**Discussion and Consideration Of Contract With The State Of Utah For Bailiff Services-Contract # 160157 #6:** Commissioner Lytle said the Sheriff was okay with it, so he motioned to approve the contract with the State Of Utah For Bailiff Services-Contract # 160157 Amendment #6. Commission Tippetts seconded the motion. All were in favor and the motion carried. Brian pointed out that the County attorney also needs to sign this contract.

**Discussion and Consideration Of Contract With The State Of Utah Administrative Office Of Courts For 2021-2022:** Commissioner Asay asked the Clerk if he was going to bring this forward. Brian said this is the State Contract for District Court for the use of the courtroom and staff to provide the 8th District Court. Brian and Niel were okay with the contract.

Commissioner Lytle motioned to approve the contract with the State Of Utah Administrative Office Of Courts For 2021-2022. Commission Lytle seconded the motion. All were in favor and the motion carried.

Commissioner Tippetts requested a Discussion and Consideration of the Justice Court options with Judge Hartmann leaving this year. We have a qualified person interested in the position. We should try and have Judge Hartmann attend the meeting next week for this discussion. There may be

a Judge school that the new Judge could attend. The District Court may be able to help in the interim. Niel would do some investigating on this. Commissioner Lytle thought we should work to keep the Justice Court. Brian said there was discussion that the position may have to be full-time.

**Discussion and Consideration Of Method Of Selling The Road Department Trucks Previously Surplussed:** Commissioner Asay said we were going to reach out and see if anyone was interested. Commissioner Tippetts thought the estimates were low and these should be the reserve amounts and we should be able to get more by putting them on the surplus site where we sold the ambulance. Commissioner Tippetts thought that these are both pre-def and they are popular.

Commissioner Tippetts motioned to place the vehicles on the auction with the 2012 Ram 5500 reserve price for \$24,000 and the 2007 Ram 3500 reserve bid for \$15,000 and Commissioner Lytle asked if we should raise the minimum bid up a couple thousand and it was discussed. Commissioner Lytle seconded the motion. All were in favor and the motion carried.

**Discussion and Consideration Of Resolution 21-02: A Resolution Appointing The Initial Members Of The Board Of Trustees Of The Flaming Gorge Fire & EMS District:** Attorney Niel Lund said he wasn't sure if he had the right names in the right spots and there was a change made in the draft. The spellings were checked. Commissioner Lytle motioned to approve Resolution 21-02: A Resolution Appointing The Initial Members Of The Board Of Trustees Of The Flaming Gorge Fire & EMS District with the discussed corrections. Commissioner Tippetts seconded the motion. All were in favor and the motion carried. Bret Reynolds requested a signed copy of the Resolution. Commissioner Lytle asked Brian to create a certificate of appointment like done for the elections and Mr. Raymond replied that he would work on that.

**Discussion and Consideration Of Ordinance 21-03: An Ordinance Of Daggett County, Utah Establishing The Method, Rules, And Procedures For Conducting The Annual Tax Sale, Establishing an Effective Date, Repealing All Ordinances in Conflict Therewith And Related Matters:** Niel Lund said that there is not a rush for this and we have always done this as a Resolution in the past and this repeals prior policies and can be tabled today as it was just brought into the meeting. This year we are planning on doing an online Tax Sale this year. The Auditor does the Tax Sale. Auditor Keri Pallesen did most of the work on this. Keri was asked her thoughts and she is good with it as it is, but she might have some other thoughts later. It's all new being online and with only 1 or two parcels it should be pretty easy. Much of the language is borrowed from Iron County that did their Tax Sale online last year and used the same company we are contracted to use.

Commissioner Lytle motioned to approve Ordinance 21-03: An Ordinance Of Daggett County, Utah Establishing The Method, Rules, And Procedures For Conducting The Annual Tax Sale as amended. Commissioner Tippetts seconded the motion. All were in favor and the motion carried. It was asked if it needed to be done by Roll call vote and Niel did not think that it needed to be since it was unanimous. Commissioner Lytle thanked Keri for her work on this.

**Discussion and Consideration Of Facility Use Request For Cow Country Junior Rodeo Including On-Site Camping:** Commissioner Asay asked about this and Mr. Raymond said that

they had requested on-site camping and if they had any restrictions on the camping. There is another activity scheduled in the Pavilion on June 19th that was scheduled before this application was received. Commissioner Tippetts was okay with the camping, but thought we ought to mitigate any conflict prior to the date and Brian said he had already contacted the party and they were okay with being there the same day as the Jr. Rodeo. The dates for the Junior Rodeo are June 18th and 19th; July 16th and 17th, August 13th and 14th; and September 6

Commissioner Tippetts motioned to approve the Facility Use Request including on-site camping for the Cow Country Junior Rodeo and Commissioner Lytle seconded the motion. All were in favor and the motion carried.

**Closed Session For Possible Purchase, Exchange Or Lease Of Real Property:** Brian Raymond said there is a gentleman coming to discuss a property proposal. Commissioner Lytle motioned to recess until Mr. Timothy arrived.

The Commission came back into session at 11:50 am. Commissioner Tippetts motioned to go into Closed session at 11:51 am for the discussion for the possible sale or lease of real property. Commissioner Lytle seconded the motion. A Roll Call Vote was taken and Jack Lytle voted "Aye", Randy Asay voted "Aye" and Matt Tippetts voted "Aye". The motion carried.

Commissioner Lytle motioned to go back into regular session from Closed Session at 1:20 pm. Commissioner Tippetts seconded the motion. All were in favor and the motion carried.

**Purchase Request Approvals (Cont'd):** There were two purchase requests received from the Road Department during the recess. The first is a snowplow for \$5,385.76. It is a 10' plow and is on State Contract. The second is for the dump bed for the new truck and it is a total of \$11,871.16. It is also on a State Contract. They are keeping the plow that's on the 5500 as a backup since it is a V plow and the new plow is a straight blade. Keri was asked for her comments and she noted that we need to adjust the budget for these items from the SRS money. Commissioner Lytle asked what else needs to be considered for the budget adjustment for the clinic and the economic development contract. An invoice is needed for the Economic Development Contract reimbursement from Seven County Infrastructure Coalition (SCIC). There was a Sander on the Purchase Request, but no information could be found on that. The old mounts would cost about \$1800 to install on the new truck, but the new mounts will handle either blade. There is a \$1200 surcharge for the fluctuating price of steel. There was a question about the use of SRS funds and if they had the same requirements as "B" Road money. Brian did not think so, but he wasn't sure and nobody else seemed to know, so more research will need to be done on this.

Commissioner Lytle motioned to approve the Purchase Requests for the Snowplow at \$5,385.76 and the Dump Bed for the new truck for \$11,871.16. Keri said there is money in the fund, but the budget needs to be adjusted. Commissioner Tippetts seconded the motion. All were in favor and the motion carried.

Commissioner Lytle brought up the needed invoice for CIB reimbursement through SCIC. Niel thought the minutes might be sufficient, so he was asked to get a hold of Eric Johnson and find out what was needed as they want evidence of following procurement policies.

With no further business Commissioner Lytle motioned to adjourn at 1:38 pm and Commissioner Asay declared the meeting adjourned.

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/s/ Randy Asay

Commissioner Randy Asay

s/ Brian Raymond

Clerk/Treasurer Brian Raymond

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/s/ Jack Lytle

Commissioner Jack Lytle

/s/ Matt Tippetts

Commissioner Matt Tippetts