

Minutes of the Meeting of the Daggett County Commission and the Daggett County Redevelopment Agency held on **Tuesday, July 13, 2021** in the Commission Chambers in the Daggett County Courthouse in Manila, Utah and through electronic means. Commissioner Randy Asay, Commissioner Jack Lytle and Commissioner Matt Tippetts were present in person. Attorney Niel Lund, Clerk Brian Raymond and Recorder/Treasurer Brianne Carter were present in person. Auditor Keri Pallesen attended digitally. The meeting was called to order at 9:06 am by Commissioner Asay.

Present In Person: Brandi Pearson-Commission Assistant, Woody Bair, Jesse Lassley

Present Online or by Phone: Bret Reynolds,

A short recess was taken as there were technical difficulties with several laptops.

Motion to Go In and Out of Redevelopment Agency (RDA): Commissioner Lytle motioned to go in and out of the Redevelopment Agency (RDA). Commissioner Tippetts seconded the motion. All were in favor and the motion carried.

Approve Minutes: Minutes from the July 6, 2021 Commission Meeting, were available for review. Commissioner Lytle motioned to approve the July 6, 2021 Commission Meeting Minutes. Commissioner Tippetts seconded the motion. All were in favor and the motion carried.

Issues Updates: Commissioner Lytle didn't have anything and Bret Reynolds said the surfacing of the Dutch John Airport and it will be painted in a couple of weeks. They are doing the Survey work for the Instrument Landing Approach (ILA) this week. Bret asked if the AWOS had been fixed yet and that was briefly discussed. The part is here and it is not running yet, so we will have to follow through on this. Jesse may have to install it.

Commissioner Lytle asked about COVID and there are still cases around, but it is not known about the cases in Daggett County.

Jesse is working on some lights to install at the Clinic and some other items, so he will have to work the airport AWOS into his schedule.

Citizen Comments: No comments were given.

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 that we received all the expected revenue but it doesn't all show yet, the Tax disbursements have been made and there is more money that is not showing yet on the Cash Summary. Commissioner Lytle asked about the Water Tank Replacement Project and Brianne said that she will follow up with Chris Clark on that. We received the SHSP grant so that is positive and the Corner Monumentation is positive now also.

Commissioner Lytle motioned to accept the Cash Summary Report for all accounts as of July 12, 2021 and the Expected Revenue Report also dated July 12, 2021 of \$0 recognizing that it will change next week. Commissioner Tippetts seconded the motion. All were in favor and the motion carried. There are some pending reimbursements

Approve Open Invoice Register: The Open Invoice Register of July 12, 2021 was provided by the Auditor's Office. Commissioner Tippetts motioned to approve the Open Invoice Register dated July 12, 2021 in the amount of \$27,299.35 Commissioner Lytle seconded the motion. All were in favor and the motion carried.

Disbursement Listing: The Disbursement Listing was provided by the Auditor's Office for review. Commissioner Tippetts motioned to accept the Disbursement Listing from Zions Checking for July 5 - July 12, 2021 in the amount of \$9,012.35. The motion was seconded by Commissioner Tippetts. All were in favor and the motion carried.

Purchase Request Approvals: There were no purchase requests to consider. Commissioner Lytle has one coming and found out the Chlorine Analyzer is under \$5,000.00 and a Purchase Request is not needed.

Correspondence: Commissioner Asay noted we had received information back from the Jr. Rodeo regarding our donation of a saddle including a certificate and a receipt.

Commissioner Lytle said there is a letter that he had sent from the meeting he and Commissioner Asay attended in Moffat County. He read the letter about Dinosaur National Monument; President Biden's America the Beautiful Initiative, and the operation of the Flaming Gorge Dam so that everyone would know the contents. It will be sent to Federal and State legislators. There was Commission support to get it signed, so the Commissioners signed the letter. The Manila airport survey is going on this week.

Commissioner Tippetts said he had received information on the Judicial nomination for the Justice Court and so that was discussed and we can not make nominations for the Towns and ours can not be Elected Officials. Leonard Isaacson, Craig Collett and Chad Reed were considered for the Nominating Commission and they would be doing the interviews and will make the recommendation to the AOJ. If all three will do it that's great, but maybe we ought to consider others in case they are unwilling. Commissioner Tippetts recommended contacting them all before turning their names in to the state. Attorney Niel Lund was asked to contact them and agreed to do that.

Commissioner Tippetts said that James Olsen was contacted by someone on the RAC Board to let the County know about some RAC money that could potentially pave the roads in the Pines and Acres. The County Roads are from the entrances to the gates. According to Woody Bair, the remaining roads are private, so it wasn't clear how that would work out. Commissioner Lytle thought there would have to be a three way agreement between the County, the landowners associations and the Forest Service. The County would not be on the hook for the match. Private roads should not expect tax money to be used, but public/county roads are something we could help with. Half Moon Park and Deer Run have approached Commissioner Lytle in the past to get help, so more research needs to be done. Sometimes gravel isn't bad as maintenance on a paved road can be expensive.

There was correspondence on using the jail for a film, but it's not a big price, but the jail would need to be opened and re-energized and then shut down again afterwards. Is it beneficial and maybe we could include Thomas Winterton in this discussion. Clerk Brian Raymond said there are film incentives for film expenses that occur in Utah that might help them. Commissioner Tippetts thought that would be their responsibility to follow up on. Commissioner Lytle brought up the cost of insurance and they would cover that. We also need to cover all of our expenses for opening and closing back down. Landscaping was brought up in case it was needed. They are looking for a quick response but the dates are negotiable. The Sheriff has been the contact and it appears they have been working with Colliers. Commissioner Asay or Niel could be tied into this for additional information.

Commissioner Lytle said that he had received some info informally that there is talk about due to the drought contingency they will bump up flows from the Dam. There is a meeting tomorrow at 3 pm about this. Woody Bair thought that the Bureau of Reclamation (BOR) would want to maintain their storage as much as possible, due to the fact that they can't push too much water down the river all at once as there are issues with the endangered fish and other stakeholders. He is trying

not to get too worried that it will go crazy as the BOR is in the water storage business. Commissioner Asay was concerned about how much input we will have if they have already made the decision as the level of Lake Powell and Lake Mead are driving the BORs decisions. There was further discussion.

Representative Moore was here Friday night and the water came up and he was being pressured about it, but wasn't getting any answers from BOR. Woody said we need to keep our partnerships strong, so we have a seat at the table and can give input. Commissioner Lytle said he visited with Representative Moore about the water plant and he can't do much now, but he may be able to help more in the future. Commissioner Asay thought that he has us in his mind and is trying to help us. They are looking at September 7th as a possible meeting about Dutch John.

Calendar Review: Commissioner Lytle said he has SCIC on Friday and NACO West Regional Call is coming up. Commissioner Lytle attended the NACO conference virtually. PLSC on Wednesday. There is a meeting with Richard from Southwest Wyoming and they are including us in the conversation at 10:30 on Wednesday and 3 pm meeting tomorrow with BOR. Town Council is 6-8 pm on Wednesday.

Commissioner Tippets said the Museum Board was yesterday. Tomorrow is the Conservation District and Weed Board meetings. Tonight's Trails meeting was cancelled. The Board of Adjustments was cancelled for this afternoon. Planning and Zoning is next Tuesday.

Commissioner Asay said they got help from the IT people in Duchesne County and one of their specialists was here and he is on standby. He publicly thanked Duchesne County for their support and assistance. Keri has put out the request for people interested in the IT Department. Commissioner Lytle asked about Jim Moore and Commissioner Asay thought that there isn't as much of a learning curve from Duchesne County. Commissioner Asay said he will talk with Jim and respond to his questions, since he has put some effort into getting educated.

Policy and Legislation Items:

Discussion and Consideration Of The Flaming Gorge Fire/EMS District To Take Over The Town Contracts: Commissioner Asay moved this item up on the agenda and turned the time over to Woody Bair for this discussion. Woody said that they have gotten to the point of time that they are ready to take over the contracts with the Towns to provide Fire Services. The budget has been adopted and they are on their way and on the right track. Bret Reynolds said the contracts will be a process. Manila has a resolution to join, but it will take time, so they are still trying to work on logistics. The District would like to formally request that the District be allowed to pursue the contracts with the Towns. Commissioner Asay thought it was great that they had made this much progress and that all the members have been well engaged. There is a need for a secretary, but Brandi Pearson has been very helpful. Commissioner Lytle said the Commission was glad they could help by allowing Brandi to assist. He also wanted the Board to keep in mind the reciprocal use of the ambulances. Woody said his personal goal is to work on the EMS stuff once the contracts are all worked out. Bret said he agreed with Woody and they just need to get better educated on how the ambulance works. Commissioner Lytle said there is a need to make the EMS coordinator a more permanent thing. Woody said the administrative assistant is the next priority, but they still need to coordinate all the policies for the District. The Budget for the District is set and the notices were put out as required. It is a learning process and Bet said he appreciates the Commissioners efforts to keep everything going more and more.

Niel said there would need to be an agreement with the County first and then the Towns would have to agree to allow the contract to be assigned. It doesn't need to be a new contract, but could just be an addendum. Commissioner Lytle asked when the agreements expire and Dutch John is coming up and the Manila one has another year. The District would agree to continuing the contracts under their name and the County could agree with the district about what the County would provide. The Towns would agree to reassign the contract to the District.

Commissioner Lytle motioned to transfer the County's interest in the Fire agreements with the Town of Manila and Town of Dutch John to the Flaming Gorge Fire and EMS District contingent upon signatures of all parties. Commissioner Tippetts seconded the motion. Woody noted that the approved budget has the funds in it to continue these contracts. All were in favor and the motion carried. A short recess was taken and the Commission came back into session at 10:59.

Discussion and Consideration Of Tower Rock Run Funding And Administration:

Commissioner Asay went back to this agenda item. Commissioner Lytle asked if Keri Pallesen wanted to talk to this and Brian said she had requested this be discussed so she knew where the money would come from and go. The budget has been around \$4,000 in the past, but is not set yet. Fund 22 is the Economic Development Fund. Keri was asked to participate but she was on a phone call. Commissioner Lytle asked about using Daggett Designation and Brian said that is the Commission's Money and not the Chamber's so he didn't think that was the best spot.

The Busses were discussed while waiting for Keri. Brian said that last week Johnnie Miller was at the Clerk's Conference, so he talked with him about this and Johnnie thought the way the agreement was written wasn't the best as UCIP can't cover vehicles not owned by the county. Brian was looking for more info, but hadn't gotten it yet, but Johnnie did give additional information about the Volunteers and the Chamber could be a volunteer Facilitator and have immunity. Keri came into the meeting, and she hadn't gotten any information from him other than that he had talked to Brian. We can't provide insurance for their vehicles. Johnnie had said he was available if the Commissioners had questions, so he was called and he was asked about the bus situation. Keri would need to get a certificate letter to send to the school district to show coverage for a leased or rented vehicle. The County is kind of renting and in Utah the owner is the primary insurer and the State seems to think they are an exception and the County would be the secondary. If there was an accident they could sue the County, UCIP would possibly cover the loss, but would not just pay it initially. It would be best to have the County indemnify only if they were negligent, but thought that this could be okay if you wanted to sign it as agreed and if there is an accident, UCIP will work with the State to deal with that. Johnnie asked the Commissioners, do you want to cover the volunteers or not cover them, then have them volunteer under the Chamber as a Volunteer Facilitator which gives them immunity. No reply was given Keri was asked if she had any questions and she did not. Johnnie was thanked for his help.

Keri said Fund 22 was where it has been in the past, but we will need to make a budget adjustment. It was thought a motion would be helpful and Commissioner Tippetts would need to approve the expenditures. Commissioner Tippetts recommended getting the certificate and submitting it with the agreement to make sure they will accept it. Keri asked Brian to get the contact

information at the school and she will provide them with the certificate. We would probably want to have their drivers instead of trying to find our own.

Commissioner Lytle motioned to run the funding through Fund 22 with the understanding that we will have to have a budget opening and the Chamber will provide for any shortfalls. Commissioner Tippetts seconded the motion. All were in favor and the motion carried.

Discussion and Consideration Of Bus Use Indemnity Agreement Between Daggett School District And Daggett County For The Tower Rock Run: Based on the previous discussion Commissioner Lytle made the motion to enter into the agreement as written with the School District and the County will provide a certificate of coverage and that the District will provide the busses and drivers for the Tower Rock Run. Commissioner Tippetts seconded the motion. All were in favor. The motion carried.

Discussion and Consideration Of Possible Funding Uses From American Rescue Plan Act: Clerk Brian Raymond shared some of the information received at the Clerk/Auditor's Summer Conference last week and has provided some highlights and links to additional information. UAC is looking at hiring somebody to help the Counties with this. The American Rescue Plan is about Programs and projects. The Iron county Auditor suggested keeping it simple and trying to find one project that meets the need. Keri asked if it could be Revenue Replacement and it can be for General Revenue like Property Tax, Sales Tax and fees with an inflationary index. Keri had not done those calculations, but our taxes were up, so we'll have to look at them. Other questions were pulled out of the 35 pages of questions and the Interim Rule is about 95 pages. We haven't received it yet, but Daggett County has been allocated \$184,526 over the multi-year period. First Responders salaries and bonuses are one option, but there are regulations. Water and Sewer is another and Rodeo Grounds improvements are others. The smaller municipalities are reliant on the State or Counties for any funding. Curtis of Davis County was recommended as a resource but he wasn't at the Conference and Dan of Iron County gave the presentation at this Conference and the Spring Conference. There was no specific purpose for it being on the agenda other than to spur the discussion due to the new information provided last week. Keri thought there were lots of ways we could use the money, but the possible uses need to be prioritized. Commissioner Lytle said we need to make sure we are careful on how we allocate the money. He requested a digital version of all the information. Commissioner Tippetts also requested a copy. Commissioner Lytle asked that we add this to the Issue Updates and it could be combined with Covid-19 updates. If we can match it with other funds it will go farther. CIB was looking into being a party for distributing some of the State Funds received. It was decided to add ARPA to the Issue Updates and Brian agreed to do that.

Discussion and Consideration Of BLM Weed Grant Amendment For FY2022: Brian said this is a continuation of a five year program that came directly to him as addendum to the Master Contract signed a couple of years ago. Commissioner Lytle made the motion to move forward with the BLM addendum to the contact for weed services. Commissioner Tippetts seconded the motion. All were in favor and the motion carried. The addendum was signed.

Closed Session: Commissioner Tippetts made the motion to go into a Closed Session for the purpose of Purchase, exchange or lease of real property at 11:45 am. Commissioner Lytle seconded the motion. A roll call vote was taken: Commissioner Jack Lytle voted “Aye”, Commissioner Randy Asay voted “Aye” and Commissioner Matt Tippetts voted “Aye” and the motion carried.

Commissioner Tippetts motioned to go out of Closed Session into Regular Session at 1:05 pm Commissioner Lytle seconded the motion. All were in favor and the motion carried.

Correspondence (Cont’d): Commissioner Lytle said Chad Booth had contacted him about some trails grants that are coming up with a short turnaround time with DNR. Commissioner Tippetts had not heard from him, but he will call him and get more information.

Niel Lund said he had contacted the three nominees for the Judicial Commission and they were all willing to participate and so their names were sent to Amy Hernandez. The Towns do not need to be notified as that is Amy’s responsibility. Brandi will double check with Amy to make sure the Towns are being notified that they need to appoint someone to the Commission. There were at least two applications for the position.

Commissioner Tippetts and Commissioner Lytle were willing to adjourn due to no further business and no motion, Commissioner Asay declared the meeting adjourned at 1:10 pm.

/s/ Randy Asay

Commissioner Randy Asay

/s/ Brian Raymond

Clerk/Treasurer_Brian Raymond

/s/Excused

Commissioner Jack Lytle

/s/ Matt Tippetts

Commissioner Matt Tippetts