

Minutes of the Meeting of the Daggett County Commission held on **Tuesday, February 16, 2021** in the Dutch John Conference Hall and through electronic means. Commissioners Randy Asay, Jack Lytle and Matt Tippetts were present in person. Clerk Brian Raymond was excused. Attorney Niel Lund, was present in person. The meeting was called to order at 9:10 am by Commissioner Asay.

Present In Person: Bret Reynolds, Dennis Judd, Mayor Sandy Kunkel, Terri Winn, Amy McDonald, and Harriet Dickerson.

Present Online: Auditor Keri Pallesen, Recorder/Treasurer Brianne Carter, Kym Slagowski, and Martin Pierce.

Approve Minutes: No minutes were available to approve

Issues Updates: Commissioner Asay stated that TriCounty Health has changed the format and they no longer post the updates online. In Wyoming Uinta County has 1682 total positive cases with 27 active cases, 1646 recovered cases and 12 deaths. Sweetwater County has 3467 positive cases with 59 active cases, 3369 recovered and 34 deaths. Moffat County Colorado has 650 positive cases including 22 deaths. They are starting to set up times for vaccinations at the Manila Clinic on the 12th of March. We need to call about vaccines for Dutch John.

Bret Reynolds reported on the airports. He is in the process of updating the Master plan toward a 20 year plan instead of the 5 year plan. He has submitted a wish list to the Commissioners. He noted that item 5 is an addition for vehicle parking that is new. Commissioner Lytle said that 1 has a, b, c, and that is all a yes, so item 1 should be a yes. Bret is looking for feedback from the Town. Mayor Kunkel asked how this would affect their General Plan update. Commissioner Lytle thought that this could be an addendum to their plan and maybe somebody could be involved in the process from the Town. Commissioner Asay said we want to make sure we keep the needed property in the airport in this plan. Mayor Kunkel noted that number 18 was not marked and it is providing light for the apron where people park planes and everyone thought that was a yes. He encouraged everyone to contact him if they had any thoughts or questions on this. Once the plan is done we will look at the immediate funds that are available.

Commissioner Tippetts asked for an update on applicants for the Emergency Manager/EMS Director position. Keri Pallesen said he had received a few applications. Bret Reynolds said he will apply to be a member of the Local District. Mayor Kunkel asked what happened to Darin and was told that he resigned.

Commissioner Lytle forwarded information about Fugal and asked if their proposal is ready to be put on the agenda. Niel will send verbiage for agenda in two weeks and suggested contacting the current agent. Matt was asked to do that. Commissioner Lytle will not be here next week.

Commissioner Tippetts said they have extended an offer to Brandi Pearson as the new Commissioner Assistant, she will be starting March 1.

Harriet Dickerson said that two of the firefighters in Dutch John are currently EMT's and Harriet is hoping that the County will allow an ambulance to be stationed in Dutch John. Amy McDonald and Harriet were asked to get a hold of Leonard Isaacson to coordinate this. Darin did a good job getting things rolling and it is hoped that we can keep things rolling.

Mayor Kunkel asked for permission to have the fireworks for the Freedom Fest to be held on the county property. Commissioner Asay said that they could fill out the paperwork from the Clerk's Office and then we would put it on the agenda. The Town needs to coordinate with Chamber, law enforcement, etc.

Citizen Comments: Commissioner Lytle played a video on petroleum based products due to the State and Counties desire to make comments on the President's Executive Orders. There is a 30% protection of Federal lands and Utah's 67% Federal Lands already have 40% protected by various designations. Commissioner Asay said petroleum is important to our lives and this could have a severe effect on us.

Cash Summary And Expected Revenues Report Review: The Cash Summary was provided by the Recorder/Treasurer's Office. Brianne Carter said the Expected Revenue Report was not provided as it hasn't changed, but she will add the requested information for next week. Commissioner Lytle motioned to accept the Cash summary dated February 12, 2021, for all bank accounts. Commissioner Tippetts seconded the motion. All were in favor and the motion passed.

Approve Open Invoice Register: The Open Invoice Register was provided by the Auditor's Office for review. Commissioner Tippetts said for the Weed Department there was a payment for the lease of the truck and there is \$33,000 in that account so we are good. Commissioner Lytle motioned to approve the Open Invoice Register for February 15, 2021, in the amount of \$49,895.16. The motion was seconded by Commissioner Tippetts. All were in favor and the motion carried.

Disbursement Listing: The Disbursement Listing was provided by the Auditor's Office for review. Commissioner Lytle motioned to accept the Disbursement Listing as provided for February 7, 2021, to February 14, 2021, in the amount of \$89,372.38 with void amount of \$1,173. The motion was seconded by Commissioner Tippetts. All were in favor and the motion carried.

Purchase Order Approvals: No purchase orders were needing approval.

Correspondence: Jack's video was correspondence and Collier's provided an offer to serve as the jail Real Estate broker. Commissioner Tippetts asked for clarification from Niel as to what our conversation with them should be. Commissioner Tippetts said we had entered in that contract through an RFP, so would we need to do that again? The potential sale price required it, but Commissioner Lytle said the potential changes in the procurement code could affect how we do this. Commissioner Tippetts

Commissioner Calendar Review: Commissioner Lytle has a Seven County Infrastructure Coalition meeting on Friday.

Policy and Legislation Items:

Discussion and Consideration Of Waiving Late Fees For 2 Utility Accounts: Two utility accounts sent their payments to the old PO Box 400 and they were returned. Commissioner Lytle made a motion to waive the late fees on account 14401 and account 10101. Commissioner Tippetts seconded the motion. All were in favor and the motion carried.

Discussion and Consideration Of Amending The Daggett County Procurement Code: Commissioner Lytle asked to table this item to next week.

Discussion And Consideration Of Creating The Position Of Legal Secretary In Daggett County Attorney's Office: Attorney Niel Lund stated that he would like to hire a legal secretary to

help him mostly with court things given the record number of tickets being written. This position would be 10 hours or less per week and the money is in the budget. The Commission has to approve the new position before anything else can be done.

Commissioner Lytle made a motion to create the position of legal secretary in the Daggett County attorney's office, a part-time position. Commissioner Tippetts seconded the motion. Commissioner Asay asked if the money was already in the budget, and Niel said it was for about \$13 an hour for 10 hours per week. All were in favor and the motion carried.

Discussion and Consideration Of Extension Of COVID-19 Proclamation: Commissioner Lytle asked if this was retroactive and it is. Niel said there were a few changes including Commissioner Tippetts made a motion to approve the extension of the COVID-19 Proclamation declaring a local emergency. Commissioner Lytle seconded the motion with a note that it will reflect the current statistics when they are obtained. Commissioner Tippetts agreed with the note to the motion. Amy McDonald noted that the State had taken over the contact tracing which is why those statistics are no longer being posted. All were in favor and the motion carried.

Discussion and Consideration Of Dutch John Fire Agreement: The Commissioners received some correspondence with some changes to the agreement that was proposed. Amy McDonald said she had some questions or clarifications after re-reading the agreement. The dollar amount was changed from \$5,000 to \$7,500 for the annual payment and there was additional language to cover additional expenses. The Town should bill for their callouts and if they do not receive payment then the County would pay for firefighter wages. Any insurance reimbursements will go to the Town. There was additional discussion on the hourly rate paid for the firefighters. Town attorney Dennis Judd said that if the Town receives reimbursement over and above the Fire Fighter reimbursements they should be able to keep that and Amy said that if they did not she wouldn't want to do the billing. Commissioner Tippetts thought it would be okay to pay over and above any insurance payments and asked about the Manila Agreement. Keri Pallesen pointed out that the insurance companies would not like to pay double for the costs. Amy asked about the billing 30 days after the and Niel pointed out that we will reimburse the Town within 30 days after receiving a bill. We understand that insurance takes time to bill and be reimbursed. Nile said if you want to pay the additional amount it should be restated due to what Keri had pointed out. Amy said in Section 8 that incident reports should be sent to the County within 30 days of the incident. Mr. Judd said that the bill could be sent within 30 days of any response from the insurance company. Commission.

Mr. Judd had additional changes. In Section 1 there was reference to a fire in Dutch John and that should read any incident in Dutch John, i.e. accident, hazmat, etc. would release the Town from responding. In Sections 4 and 5 there is a duplicate sentence that only needs to be there once: Dutch John Fire Department will provide worker's compensation. Amy brought out that the boundaries may be different than what's in the contract and it is up to dispatch who gets called out. Commissioner Tippetts brought out changing the amount of \$7,500 to \$9,000 and not worry about additional billing. Any money the Town gets from insurance is theirs. Harriet wasn't sure how they would deal with extraordinary circumstances. Mr. Judd said that he was okay with either option as

it's a policy decision for the Town. There was also some discussion that the agreement might change due to the new district being formed and maybe we should leave it so it is consistent with the Manila agreement. The original \$5,000 did not cover the utilities, but that should be better now, but the roof is still leaking, but the County did not know that and so there was discussion about that and new lighting that never got installed, so that needs some follow up. There were changes discussed in section six and ownership of the fire trucks and equipment. The proposed change was to take out that reference and in Section 7 Harriet said that the Dutch John Fire Department does not own any life safety ropes, harnesses, etc and that may have been search and rescue. Invoice to the County after 30 days and Keri suggested that if it's not the County's responsibility that we don't get billed. Niel said that would probably go best in Section 5. Niel said it could state Private land and Mr. Judd added state highways. Mr. Judd suggested a change to Section 9 regarding the indemnification language to add negligence on the account of either party. The agreement does not create rights for 3rd parties. Amy asked about the landowner reimbursement and Niel thought it had been clarified, but maybe it was in the Manila agreement. Niel added a sentence to the end of Section 2 stating that if the town is able to receive reimbursement then the county is not liable for expenses. Amy asked about Section 5 and the billing as there was some confusion on an incident last fall due to multiple incidents at the same time. The date was changed to the 23rd of January 2021.

Commissioner Tippetts made a motion for the County to accept the changes made to the Dutch John fire agreement in form to be effective January 23, 2021, and edited this day February 16, 2021. Commissioner Lytle seconded the motion. All were in favor and the motion carried. The Town was thanked for their efforts and providing Fire service to the County.

Discussion and Consideration Of Possible Economic Development RFP: As an update, Commissioner Lytle said the Seven County Infrastructure Coalition (SCIC) has this on their agenda this Friday to have an opportunity to pay for this so he suggests to table this item or remove it.

Commissioner Lytle made a motion to table this item. Commissioner Tippetts seconded the motion. All were in favor and the motion carried.

Commissioner Lytle said he had an email from the Sheriff for discussion of Ambulance services, so an attempt to reach him was made. He will be called back outside the meeting.

Closed Session: Commissioner Tippetts made a motion to go in and out of RDA. Commissioner Lytle seconded the motion. All were in favor and the motion carried.

Commissioner Tippetts made a motion to go into closed session at 11:40 for the reason of purchase or exchange of real property. Commissioner Lytle seconded the motion. A roll call vote was taken, Commissioner Lytle, Aye; Commissioner Tippetts, Aye; Commissioner Asay, Aye, motion carried.

The Commission came out of closed session at 1:37 pm by a motion from Commissioner Lytle, which was seconded by Commissioner Tippetts. All were in favor and the motion carried.

With no further business Commissioner Tippetts motioned to adjourn at 1:38 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