

Minutes of the regular meeting of the Daggett County Commission/Redevelopment Agency Board held on **Tuesday, February 20, 2019** in the Commission Chambers at the Daggett County Courthouse. Commissioners Randy Asay, Jack Lytle and Matt Tippetts were present. Auditor/Recorder Keri Pallesen, Attorney Niel Lund, and Clerk/Treasurer Brian Raymond were also present. The meeting was called to order at 9:03 a.m. by Commissioner Asay.

Also present: Butch Johns, Dave McDonald of Dutch John Town Council, Bret Reynolds, Nancy Thomsen and Jim Nulle of DBT

Issue Updates: County Attorney Niel Lund said the Judge granted our motion for judgment on the pleadings and dismissed the case. He didn't make a ruling on the RDA's motion to dismiss as it was moot once he granted the judgment on the pleadings. The only thing pending on the case is our counter claim and Mr. Lund said he would talk with the Commissioners individually as there is no Closed Session on the agenda today.

Citizen Comments: None given today.

Approve Minutes: The minutes from the February 12, 2019 meeting were available from the Clerk/Treasurer's office. Commissioner Lytle motioned to accept the minutes as written for February 12th and Commissioner Tippetts seconded the motion. All were in favor and the motion carried.

The Open Invoice Register Was Presented For Review And Approval: The Invoice Register of February 19, 2019 for \$70,139.67 was prepared by the Auditor/Recorder's Office. Commissioner Lytle made the motion to accept the invoice register of February 19, 2019 in the amount of \$70,139.67. Commissioner Tippetts seconded the motion. There was no additional discussion and all were in favor, so the motion carried.

Disbursement Listing: The Auditor/Recorder's office provided the Disbursement List. Commissioner Lytle made the motion to accept the County Disbursement Listing Report for February 12 through February 19, 2019 and Commissioner Tippetts seconded the motion. All were in favor and the motion carried.

Cash Summary: Commissioner Lytle made the motion to accept the Cash Summary Report and Commissioner Tippetts seconded the motion. Clerk/Treasurer Brian Raymond provided discussion to explain the updates to the Bond PTIF accounts. He has initiated the payments for 2018 and 2019, but has not made the earlier year payments. The question was asked how much those payments would be and Mr. Raymond said the total would be around \$44,000 less the amounts already transferred. They are only an account transfer from Zions to the PTIF accounts, but will allow a little better interest rate. There are several home sale accounts that have been drawn down over the years. Mr. Raymond said he had left them that way due to the lawsuit, but maybe now they could be combined.

Correspondence: Mr. Raymond said that the Dicio Group would like to meet with the elected officials next Tuesday at 1:30 pm. They are working for the Utah Association of Counties (UAC) to find out how the Counties feel about the Utah Associations of Counties (UAC) and what they need. There is a Uintah Basin Association of Governments (UBAOG)

Commissioner Asay brought up that he had talked with Logan Wilde last week and he had talked with Summit County regarding annexing Forest Service ground under the Spirit Lake Lodge into Daggett County and they seemed to be open to that. Mr. Raymond mentioned that at one point in time Commissioner Gutz had the idea of doing something similar for a larger parcel, but it never got any traction. Commissioner Lytle would love to pursue something like that in the future. Commissioner Asay asked what the constraints for getting power up to the Lodge might be. To approve the change in boundaries there would need to be a joint resolution signed by the legislative bodies of both counties. There was further discussion about annexing the quarter quarter section of land where the lodge sits and we will continue to work towards making that happen.

Commission Calendar Review: Commissioner Lytle said that Friday is the Rural Day at the Legislature. Randy has two tickets, but may not be able to make it. Commissioner Lytle and Tippetts were both planning on attending. Commissioner Tippetts will be attending the Chamber meeting and will meet with Mark Wilson before the meeting. Commissioner Tippetts will also be attending the Planning and Zoning meeting tonight. Commissioner Lytle mentioned that citizens in Dutch John tonight to discuss the Water and Sewer Rates, but he will be unable to attend. This will be a start and will need to be formalized later in the meeting. County Attorney, Niel Lund mentioned that he has District Court today, so he will be in and out, but needs to go to court now, so he was excused.

Weekly Budget Review: No budget was available for discussion today.

Policy and Legislation Items from the Posted Agenda:

Discussion And Consideration Of Volunteer Application For John Foster For Planning And Zoning Commission: Commissioner Lytle motioned to approve John Foster for the Planning and Zoning position, but it was noted we had received a second application and discussion ensued regarding what the proper procedures are when there are multiple applicants. In the past it's been a first come first served, but it would be best to have a policy in place before we advertise a position. There was also a question as to whether we should be getting a recommendation from the Planning Commission when there is more than one applicant, so we need to check with the individuals and see what they were signing up for and double check the Planning and Zoning bylaws for guidance before revisiting this issue on the 5th of March. Volunteer applications need to be reviewed by the HR Director by Code, but once reviewed it's up to the bylaws how they are handled. Commissioner Tippetts said that he would like to see it handled like an employee hiring with an open and close date on posting and then hold interviews for the applicants as hopefully in the future we will have more applicants than positions. Commissioner Lytle will do the legwork before the meeting on the 5th. This was tabled by the Chair without a motion until March 5th.

Discussion And Consideration Of County Business License Requirements And Applications: Mr. Raymond said that he had included the State Code for Counties and there is a need to look at this. One change made was that the Licenses are from April 1st through March 31st instead of January 1 through December 31st. We also haven't addressed the home-based businesses as updated in the State Code. The County does not even have to do business licenses. The Attorney said the license date could just say annual and the dates could be set, but it would be best to have it consistent. Another problem we are experiencing is that we had 12 businesses that paid their money, but never completed their UPP process. Dave McDonald gave a lot of input of how Dutch John administers business licenses and especially the guides who are contract or bit piece employees.

Another item to consider is the discussion regarding reciprocal licenses for Towns and County. Mr. McDonald said outfitters are under Circular 69 put out by the Tax Commission, that sales tax is generated where the expedition originates or the guides pick up their clients. Schwann's does business on site as well as doing pre-orders. The cost of doing business licenses should be covered by the fees being charged. Commissioner Lytle asked about benefits provided by a business license? Mr. McDonald said the Town of Dutch John chose to get rid of the business license requirement for those businesses that didn't provide any extra value or sales tax. Commissioner Tippetts thought there needs to be an opportunity for people to have a business license. The Assessor needs to be kept in the loop by the municipalities by State Code. Another question was agriculture, which isn't mentioned in the State Code, but according to the Tax Commission was exempted if sold on their personal property. Moab exempted the sale of produce from private ground in their code. Commissioner Lytle asked about logging or firewood companies cutting in Daggett County and then selling those logs may not need a license depending on where their office is and where they do the billing/invoicing from. Mr. McDonald mentioned that Dutch John did not see an administrative benefit for requiring business licenses for the individual guides and shuttle drivers. Mr. Raymond said he would take these comments and put together the proposal and an accompanying list of how the changes might affect our revenues.

Discussion And Consideration Of Section 5 Employment Categories, Of the Daggett County Policy And Procedures Manual: Attorney Niel Lund said that he had sent out some updates to this section of the Policy and Procedures. Commissioner Lytle asked to get a printed copy, as did Mr. Raymond and Commissioner Tippetts. Mr. Lund said the 5.6.7 was the only change although there was discussion on the orientation period. Commissioner Tippetts had reservations about having all positions having the same orientation period. Mrs. Pallesen said it could be per the job description. Commissioner Tippetts had a concern for extending the orientation period and not having benefits and compensation available until the end of the orientation. Mrs. Pallesen recommended that there be a six month orientation period. Commissioner Lytle said the orientation period is both positive and negative based on the reviews, so it's not just to make it easier to fire someone. Butch Johns mentioned that Dave McDonald said that if someone was let go during their orientation period they would lose their accrued benefits. Butch Johns said that in his past business they had a year orientation and cut back to 6 months and found it was sufficiently long to give a good idea if the person would work out or not. Commissioner Tippetts said he was okay with 6 months, but he wanted to know what's tied to the orientation period. Mrs. Pallesen said employees on probation currently do not get sick and vacation until the end of the orientation and they will get a raise at the end of their orientation. Sick and vacation can be allowed if wanted. Commissioner Lytle said that 5.2.1 talks about the raise at the end of the orientation period. The section also requires approval of the Budget Officer and Mrs. Pallesen said she would change that to HR Director, but Commissioner Lytle liked the idea of the Budget Officer having input to ensure the budget will be able to cover the change and others thought that is the Department heads responsibility with HR being involved. Commissioner Tippetts said he was concerned about the ability to give benefits or raises to those who are outperforming their job description and it appeared that the policy is the minimum and the Compensation policy allows for opportunities to reward. Commissioner Lytle motioned to go forward with the items discussed.

Attorney Niel Lund asked about promotion orientations mentioned in 5.2.2, which brought up additional discussion about Temporary and seasonal employees and how this might work and some thought that this section wasn't necessary. The word demoted could be kept along with the option of being terminated. There was discussion about removing the whole section and Mrs.

Pallesen wasn't sure how taking it out would affect HR. Not everyone that is offered a promotion has to take it and having termination as a possibility is good although it is not best for morale.

Section 5.3 added some information about exemptions for Fair Labor Standards Act (FLSA), but it was mentioned that the volunteer board members are exempt from this policy and being exempt from FLSA is a whole different bunch of requirements. Section 5.4 should be changed to 5.3.5 and some of the other items in 5.3 were discussed.

Section 5.6.7 was also changed as mentioned earlier. Commissioner Lytle said we need to look at 5.7.2 as he thought he was elected to be part-time. Commissioner Lytle said he would do some more research. Commissioner Tippetts motioned to table until the next meeting. Commissioner Lytle seconded the motion. Commissioners Tippetts and Lytle were in favor and Commissioner Asay abstained. The motion carried.

Discussion And Consideration Of Section 9 Compensation, and Section 21 Of the Daggett County Policy and Procedures Manual. This was tabled until another Elected Officials meeting is held.

Discussion And Consideration Of Dutch John Water And Sewer System Rate Adjustments: Commissioner Asay asked about this and Commissioner Lytle said he didn't put it on the agenda, but he thought there was a need to dive deeper and get a consensus of what is fair and get back with Terry Smith for some feedback from him. Commissioner Asay was good with the description given.

Dave McDonald of Dutch John Town Council said they had hoped to form a committee that would look at the operation for the past two or three years and find something that is fair to all the users. There was a hope to have a composition of the committee include a County Commissioner, a large and small business and several residents as there are so many of them, plus the Bureau of Reclamation (BOR) would be asked for their input as a user and a provider plus the Forest Service as a large user to also provide input and comments. We need to look at the terms and the history and where the numbers come from and what meets the needs of the budget and allows for capital replacement. Whatever the committee comes up with will then be provided as a recommendation back to the Commission. Commissioner Lytle asked about having both large businesses involved and Butch Johns said you should keep it small (5 or 7 members) to help things get done so maybe you could flip a coin to see which large entity participates. This impacts everyone and this is not a vote, it's to try and get consensus. Mr. Johns said that there needs to be leadership or the group won't be able to accomplish much. Keri Pallesen said she had provided them some budget information and Mr. McDonald asked for a copy of what she sent. She noted that the budget on the early versions are different as the revenue stream was not approved and so expenses were changed as well to match the revenues.

Discussion And Consideration Of AWOS Project & Instrument Landings With Nancy Thomsen of DBT: Bret Reynolds introduced Nancy Thomsen, Senior Vice President of DBT and also Jim Nulle, DBT Senior Field Engineer. Nancy Thomsen said DBT owns both companies that provide FAA non-federal commissioned and certified AWOS system to Non-federal airports like Manila. DBT has built and installed AWOS systems throughout Utah and the west. Everything will be self-contained outside an FBO or Fixed Base of Operations (fuel, aircraft servicing, etc.). The system is modular, so if the use grows you can add things that may be needed. Without the visual system the pilots will go to a flight planning service or they can call the AWOS or dial the weather directly from their VHF radio. We will deliver an AWOS 3PT to you that will broadcast on Nadens where it gets broadcast to the FAA National Database where it is broadcast to the National Weather

Service and every flight planning software provider out there, so Manila Airport will be out there. There will be one of every measurement. Roosevelt had a little black box and that is their user interface and the AWOS is a 30' tower out by the runway that collects decision information for the pilots that they need to make a safe landing. Mr. Reynolds said that their contract requires DBT to maintain the system for the fee of \$5,500 per year. Part of the process is to determine where the tower will go and they are currently looking to the west of the entrance road to the airport. Nancy asked about the 5, 10, 15 year plans for the airport and are there airport layout plans that may affect things long term. The AWOS can be moved if needed, but not without cost. The short term is to be able to provide emergency services. "Local Weather" is always defined as the weather on the ground for the airport in question and for Manila that does not include Dutch John or Fort Bridger. By adding the AWOS you allow the pilots a greater window of landing in the airport. Mr. Raymond found the original plan and made copies of the plan for DBT and CIVCO. The plans were reviewed and ownership of land around the airport was examined. What are your plans for affluent, high wealth individuals flying into your airport in the future? The AWOS system will last for 20 years. DBT manufactures two of these systems and spoke about places where affluent people fly into to enjoy resorts like in Texas, Saratoga and Jackson Hole, Wyoming, plus Ketchum Idaho. The maps and ownership surrounding the area around the airport were reviewed and possibilities of acquiring more land were also examined. If someone wants the location where the AWOS is located then they can pay to have it moved. You want to keep it simple and inexpensive at this point in time. The Fuel needs to be away from the building and your current building is an ideal location for an FBO. The airport plans call for the circle to move and it could be done by those doing the lighting. The only advantage to move the circle at this point is doing it while an electrical crew is already here and mobilized. The same holds true if you do the AWOS paperwork and groundwork for Dutch John airport at the same time as Manila. Commissioner Lytle explained that the plan was to get one project completed instead of hopscotching back and forth and getting neither completed. The 2nd pot of money from the State was originally scheduled for expanding the apron and has been set aside now to complete the ILS in Manila. The County is trying to decide whether or not to do the 2nd phase or ILS now or next year. DBT works with Palis that is going to build the localizer and glide slope and which is ILS and provides a precision approach. The localizer can be taken out and you have a non-precision approach. The paperwork is the same for both types of approach and the feds analyze the planned approach and the land use determines whether you get a precision or non-precision approach. DBT is here to help you get equipment in the ground and get the non-Federal Procedures, not to write special procedures for the EMS crews. Weather is the first objective. You have to have the weather data to do the ILS. The approach study is the next step after AWOS for ILS. There's no cost from the Fed's to do the approach work it's just paperwork and time. DBT can get that paperwork started. Distance Measuring Equipment (DME) will need to be put in to do the step down from the air to the runway. The problem is going to be the glide slope in, which has to be a 1,000 ft from the end of the runway and 400' feet off the centerline of the runway and we are into a hill and non-county property. DBT's recommendation would be to go to a non-precision approach with DME and a Localizer. Once the letter has been submitted then they will give you your standing in the cue. DBT can give us an estimate on the localizer and DME equipment next week. The airports division when they are doing the study might have other requirements like widen the runway, do different paint, etc., so you need to get in the cue to find out what the timeline and scope of the project would be. The Dutch John airport was looked at and it would be easy to get ILS in there. The development plan needs to include fuel in the planning as its important to pilots and the distance to the next airport means they have to carry extra fuel to fly in here.

Discussion And Consideration Of AWOS Contract Approval Between DBT and Daggett

County: Bret Reynolds brought up the AWOS contract, which is based on the bid for \$196,722.

Commissioner Tippets motioned to approve the bid proposal and then changed it to approve the contract between Daggett County and DBT Transportation Services, LLC for \$196,722 for the construction of the AWOS system at the Manila airport. Commissioner Lytle seconded the motion. All were in favor and the motion carried. The contracts were signed and Commissioner Lytle was excused to attend another meeting.

Commissioner Lytle made the motion to adjourn at 1:14 pm.

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/s/ Jack Lytle

/s/ Brian Raymond

/s/Matt Tippets

/s/ Randy Asay