

Minutes of the Meeting of the Daggett County Commission held on **Tuesday, April 6, 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, Clerk Brian Raymond, Recorder/Treasurer Brianne Carter and Sheriff Erik Bailey were present in person. Auditor Keri Pallesen was present virtually and in person. The meeting was called to order at 9:02 am by Commissioner Asay.

Present In Person: Brandi Pearson-Commission Assistant, Ryan Kelly

Present Online: Bart Jensen of Jones and DeMille Engineering, Senator Ron Winterton, Bret Reynolds of CIVCO Engineering, Kirk Bengé of TriCounty Health Department, and Kym Slagowski

Approve Minutes: Minutes for the March 30, 2021 Commission Meeting were provided by the Clerk's Office. 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 Tippetts motioned to approve the minutes for the RDA and Commission Meeting meeting of March 30, 2021. Commissioner Lytle seconded the motion. All were in favor and the motion carried.

Issues Updates: Commissioner Asay said he had not heard anything regarding the removal of the mask mandate on April 10th. Commissioner Lytle said he still has to wear a mask at certain times and other entities can still require masks, so they won't disappear. The Clinic will have the Johnson and Johnson vaccine on Friday and then they won't be back.

Brandi Pearson was still working to get the correct contact for Workforce Services. Sheriff Bailey said he has started working to convert the upstairs of the Church into a barracks for seasonal staff. We've had a good response from our facebook request for furniture, stove, etc. We need to convert the one bathroom into two and it shouldn't be too hard. Could it come from TRT? We need to agendize it and discuss it a little further in two weeks. Commissioner Asay said that the list of people who donated could be presented at that time. Commissioner Tippetts asked if the Affordable Housing Fund could be used and Mr. Raymond thought it might, but there would have to be a process to determine if they meet income guidelines or not. This is a temporary fix. Could we rent some rooms from say the Villa or somewhere, but many of the places are already booking up, but if we look forward towards next year now would be the time. The EMS Director position has been reopened and there are interviews for a deputy on Friday. The staff is down and so sending a person to post is a possibility, but we can discuss during the budget opening if we need a minor adjustment.

Bret was asked if he had anything on airports and he said that they are starting the crack seal this morning and they were supposed to have been done by the end of March. Commissioner Tippetts suggested that Bret would need to prepare a change order to justify the extension due to weather, so this will need to be on the agenda for next week.

Kirk Bengé was asked if he had anything for TriCounty Health and he couldn't be heard through the virtual system. Everyone else was tested and one phone call was unidentified. Kirk finally got on and said that about 20,000 doses of the vaccine have been administered in the TriCounty area. TriCounty Health now has the Johnson and Johnson vaccines and will be back in Manila on Friday. They will administer the second doses of Moderna plus they will have the single dose Johnson and Johnson vaccine available for those who never got their first dose. With the help of the National Guard they will also be administering vaccines at the USU Campus in Roosevelt and the TriCounty Office in Vernal on the same day as Manila. Commissioner Lytle asked about the

tribe vaccinations and if those were included in the number that have been administered and Kirk was not sure, but at least some were thought to have been counted.

Water and Sewer updates were briefly given and it's an agenda item later today. Recorder/Treasurer Brianne Carter said she has prepared contracts to send out to every utility user and landlord. Commissioner Tippetts thought that if there is a tenant agreement then the owner is not obligated to pay. There was additional discussion on this item and who is obligated to pay for services. Bret Reynolds said he has a property leased out and the responsibility goes back to him after the tenant moves out, so that the utilities stay on. This can be done administratively and not during Commission meetings unless its deciding on policy. Niel thought even that could be done administratively.

Citizen Comments: Bret Reynolds noted that the Flaming Gorge Fire and EMS District is starting to roll. They will hold their first official meeting next week and they had a meet and greet last Friday to get things going. Commissioner Tippetts thought it was going well. There will be lots of discussion in the future with the County. Brandi Pearson was involved and had a discussion with Darrin Bushman of Piute County.

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 cut the 1st Quarter checks for taxes, but they will not show up until next week. Commissioner Lytle asked about PTIF 2259 and Brianne said she would check into it and Brian said that account has money for the General Fund as well as Roads. Brianne said there is an invoice that has been sent to Wheeler and that is for the buy back of equipment. The SHSP grant still has not been received and so Brianne will have Gidget Carroll check into that.

Commissioner Tippetts motioned to acknowledge receipt of the Cash Summary Report of April 2, 2021 and the Expected Revenue Report in the amount of \$194,572.00. Commissioner Lytle seconded the motion. All were in favor and the motion carried.

Approve Open Invoice Register: The Open Invoice Register of April 1, 2021 was provided by the Auditor's Office for review. Commissioner Lytle asked about the RDA for CIVCO Engineering and Commissioner Tippetts said it was for work done parceling the airport property. Commissioner Tippetts said he had talked with Keri and she thought it should come from the RDA fund and Commissioner Asay said he had also discussed it with her.

Commissioner Tippetts motioned to approve the Open Invoice Register of April 1, 2021 in the amount of \$63,252.31. 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 Green River Grill and Steakhouse and Brandi Pearson said it was a grant for BEAR Mini Business Grants that had been paid out and was never cashed, so it was reissued, which is why it is showing up again.

Commissioner Lytle motioned to acknowledge receipt and review of the Disbursement Listing for Zions Checking, for March 29, 2021 to April 1, 2021 in the amount of \$73,551.64. The motion was seconded by Commissioner Tippetts. All were in favor and the motion carried.

Purchase Request Approvals: There were no purchase requests to review.

Correspondence: Commissioner Lytle said he had received an email from Jake Garfield about the retainer for the Amicus brief and he had forwarded it to Niel and Brian for their comments.

If we wanted to be a part of it we would probably have to have this on the agenda for next week. Niel had seen it, but had not read it yet. Commissioner Asay asked the Clerk to put it on the agenda for next week.

Commissioner Tippetts said he spoke with Representative Kera Birkeland and she will be joining the meeting with Mike Mower on Thursday virtually. Commissioner Tippetts attended the Fire and EMS District Meet and Greet last week. Brandi Pearson said she had left a message for Kera's assistant. Commissioner Tippetts also had correspondence with our Realtor for the Jail which will be discussed later.

Calendar: Commissioner Asay said the next Northeast Counseling meeting will be on Wednesday, April 14th. Keri was approved to continue to be a County representative. Mike Mower is coming on Thursday at 10:30 am and Blake Moore is at 2 pm this afternoon.

Commissioner Tippetts said that 4 pm on Thursday is the County Economic Development Board Meeting and he will also attend the Town Council meeting at 5:30 pm that same day.

Policy and Legislation Items:

Discussion and Consideration Of Completed Business Licences: Mill Hollow, Jed Olson/Circle Bar Hunting LLC, Nicholas & Company, Inc, Slagowski Ranch-Custom Meats, Bullshippers LLC, National Outdoor Leadership School, US Foods Inc, Wild West Munchies LLC, and DDI Inc: Commissioner Asay said we had the following nine business licenses for review: Mill Hollow, Jed Olson,/Circle Bar Hunting LLC, Nicholas & Company, Inc, Slagowski Ranch- Custom Meats, Bullshippers LLC, National Outdoor Leadership School, U S Foods Inc, Wild West Munchies LLC, and DDI Inc. Commissioner Tippetts motioned to approve the applications for the nine 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: Cove Storage LLC, Mountain West Propane Inc, Dish Network LLC, The Forbes Family Farm LLC: Commissioner Asay asked if we were waiting for their UPP and Clerk Brian Raymond replied yes. Commissioner Tippetts motioned to conditionally approve the applications for Cove Storage LLC, Mountain West Propane Inc, Dish Network LLC, The Forbes Family Farm LLC contingent upon getting their needed UPP paperwork completed. Commission Lytle seconded the motion. All were in favor and the motion carried.

Discussion and Consideration Of Purchasing An Ad : Commissioner Lytle motioned to approve the Purchase of a \$140 Full Page ad in the High School Yearbook from the Daggett Designation line item of TRT. Commissioner Tippetts seconded the motion. All were in favor and the motion carried.

Discussion and Consideration Of Jail Listing Agreement: Commissioner Tippetts said that he had talked with Nate Worthen and that the Commission was thinking of putting out a new RFP and Nate said they would probably submit another proposal, but admitted they had not done much over the past year due to COVID. The contract was not discussed. Commissioner Lytle asked about the termination date and could we write one in so there was not a fee and it was thought the current

contract had a 30 day termination. There was discussion about whether they met the terms of the listing agreement and what is appropriate for payment of their expenses, so maybe there is some room for negotiation. Commissioner Lytle asked how we got to work with Mr. Worthen's company and it was through the RFP and they were the only proposal received. Nobody had any previous experience with them. Commissioner Lytle discussed making a motion to go forward with terminating the contract and after discussion motioned to terminate the contract with Nate Worthen and the Realty, Project Development and Management Group and have Attorney Niel Lund contact them about the severance. Commissioner Tippetts seconded the motion. All were in favor and the motion carried. A short recess was taken at 10:25 am.

Discussion and Consideration Of Wes Weber's Water & Sewer Bill: Mr Weber did not show and this item was tabled.

Discussion and Consideration Of Procedures/Process Of Appointing New Justice Court Judge: Commissioner Asay noted that this will be tabled until next week as some of the information was not available. Commissioner Lytle noted that there is a report provided from the Justice Court for March for the Commissioners review.

Discussion and Consideration Of Date To Open And Adjust The 2021 Daggett County Budget: Commissioner Lytle asked about the time required and Brian thought it was 7 to 10 days and wasn't sure about the need for publication. Commissioner Lytle thought we should publish it. Keri Pallesen came into the meeting and was asked if it required a week to 10 days and she said she had not kept up on the requirements. She found the code 17-36-26 that relates to this and the Public Notice website is required, but publishing is not if there is no newspaper of general circulation. It has to be posted for 5 days, so the 13th could work. We need to be doing it shortly as there are expenditures waiting.

Commissioner Lytle motioned to hold the Public Hearing to Open the Budget on April 13, 2021 at 10:00 am. Commissioner Tippetts seconded the motion. There was discussion if this date allowed the Auditor and the Clerk enough time and they thought it could be done. There was a review of the process to have the Public Hearing and then a Resolution needs to be created to adopt the changes. Commissioner Tippetts thought the resolution could be done the following week, but Commissioner Lytle thought it could be prepared and if several changes need to be made it could be tabled until the following week. Keri and Niel will need the particulars to prepare the resolution. Keri is the one who will do the resolution. All were in favor and the motion carried.

Discussion and Consideration Of Jones & DeMille Invoices: Bart Jensen was available to join the discussion. Commissioner Asay said that we wanted to get the bills straightened out. Bart had talked with Niel and Keri and it appears that there were some payments made but some were missing. Keri Pallesen asked that the bills need to come to the Auditor as she wasn't sure where they were going. Brian said that he had received some of the bills. The project numbers are included on the invoices, but Keri pointed out that maybe there needs to be different project numbers for the RDA vs. just the projects for the County. Commissioner Tippetts thought that when the RDA will benefit

from the sale, then the cost should go to the RDA. Commissioner Lytle asked if there needed to be an interlocal agreement or something between the County and the RDA for the benefit of the Auditor and Jones and DeMille. How do we keep straight what Jones and DeMille and CIVCO are doing? Bart said the work has been done in coordination with CIVCO regarding the Forest Service Parcel and see what needs to be done in regards to the runway on through their property. Martin Pierce and Bret Reynolds have been researching that and we just need a functional agreement with the Forest Service until something more permanent can take place to solve the issue. The RDA could be a different Phase or a whole new project number. It would be easier to do just the phases, but maybe the RDA needs to be a separate Project and the individual RDA projects could be phases. Keri said the RDA is a separate entity, so they should be billed separately. The Lucas Plat review should be billed under the General as County surveyor duties. Setting up the subscription to access the recording information was also discussed. The research was done for the benefit of the County, but if they needed personal research then they would need to purchase a subscription. There has been some discussion billed and maybe that shouldn't happen. There has been some work to listen in the meetings that have not been charged. Commissioner Lytle asked about the outstanding bill and there were several different figures brought out but the final amount should be \$10,859. There was more discussion on the billing, so Bart said he would rework the amounts and get a new bill sent to the County.

Discussion and Consideration Of Jones & DeMille Invoices:

Discussion and Consideration Of Date To Open And Adjust The 2021 Daggett County Budget (Cont'd): Commissioner Lytle thought we needed to schedule a public hearing to include the RDA Public Hearing for Tuesday, so he motioned to hold the Hearing at 10:15 on the 13th of April and have an agenda item for approval of a Resolution for any changes to the RDA Budget. Commissioner Tippets seconded the motion. All were in favor and the motion carried.

Discussion and Consideration Of Jones & DeMille Invoices (Cont'd): There was discussion that there might need to be an agreement between the RDA and Jones and DeMille. It was thought the RFP noted that there was work for the RDA, but there may be a need for an agreement with Jones and DeMille. Niel will need to work with Jones and Demille to get this finalized. Niel came back into the meeting and was tasked with getting an agreement between the County and RDA and maybe add additional projects to the agreement with Jones and DeMille. Keri said that the more separated the County and RDA are the better off we will be, so we may want a separate RDA contract with Jones and DeMille. We could have the same agreement between the RDA and Jones and Demille that we have between the County and Jones and DeMille. Bart will work on the bill and leave the subscription out for now. Senator Winterton was asked if he had any comments and he did not.

Discussion and Consideration Of Shooting Range Committee Request For Additional Land: Brian Raymond said there are two items in the packet for this agenda item. He attended the Shooting Range meeting last weekend and said that Chairman Jeff Darr had spoken with Scott

Bartlett of the School Institutional Trust Lands Administration (SITLA) and they were willing to start the process to sell the land if the Commission would agree to pay the \$4000 closing costs when necessary. If there is concern on the appraisal, they could get that done early and it would cost \$2600. Brian said the grant we were hoping to get doesn't look like it will come through after a conversation last week. The Committee also wanted the Blue stakes for the area done and Commissioner Asay said the line was put in by Bridger Valley. Commissioner Lytle asked if this is the best place for the range, could the dump be used as a shooting range or is there other ground that could be used? Have they considered doing a trade and Brian said they have not gone there. Commissioner Asay thought that the short gun range is okay. The Committee said the cost of the land is still a savings over the cost of moving the dirt. There are road issues and the tank is still being used as part of the grazing permit and it has been a target and has some dents in it. Brian said the Committee is pretty excited about options and has raised about \$6,000 towards the range. The original 40 acres cost about \$24,000. And it is still not paid off. Ryan Kelly asked about the grant, as the last time he talked with Tara there was a 10% matching grant coming up, so maybe there was a misunderstanding. Commissioner Tippetts said there are two parts to this: one is the land purchase and the other is improvements that will need to be made, so he asked if the Commission would be okay with taking this to the CED group to see if they were willing to use some of their money to purchase the land or do the improvements if we can finance the land in some other way? Commissioner Lytle still wasn't convinced this was the best location. There are issues with the land as there is already shooting going on for at least part of it. The tank is still being used and the water line goes into Forest Service Land. Maybe there could be a way to use less than 40 acres. Brian recommended having a joint meeting between the Commission and the Committee. Commissioner Asay and Lytle don't want to hurt the existing grazing permit.

Commissioner Lytle motioned to table the land acquisition discussion until there was a date and time that the committee could meet with the Commission for further discussion. Commissioner Tippetts seconded the motion. The signs look good and will be purchased by the Non-profit. Commissioner Lytle asked about the signs at the Rodeo Grounds and may have language that might be useful. Niel was given the signs for review and maybe they could go to UCIP as well for review.

Closed Session For Possible Purchase, Exchange Or Lease Of Real Property:

Commissioner Lytle motioned to go into Closed session at 12:10 pm for the discussion of the possible purchase, exchange or lease of real property. Commissioner Tippetts seconded the motion. A Roll Call Vote was taken: Matt Tippetts voted "Aye", Randy Asay voted "Aye" and Jack Lytle voted "Aye".

Commissioner Tippets motioned to go back into regular session from Closed Session at 1:00 pm. Commissioner Lytle seconded the motion. All were in favor and the motion carried.

With no further business Commissioner Asay declared the meeting adjourned at 1:00 pm.

/s/ Randy Asay

Commissioner Randy Asay

s/ Brian Raymond

Clerk/Treasurer Brian Raymond

/s/ Jack Lytle

Commissioner Jack Lytle

/s/ Matt Tippets

Commissioner Matt Tippets