

Minutes of the regular meeting of the Daggett County Commission/Redevelopment Agency Board, Tuesday, July 16, 2013. Commissioners Blanchard and Perry were present and Commissioner Steglich was excused. Vicky McKee, County Clerk, was present as board secretary. The meeting was called to order at 9:00 A.M. by Acting Chair, Perry.

Also present were Stew Leith, Keri Pallesen-County Auditor/Recorder, Brent Stewart, Kym Slagowski-IT and Stephen Foote-County Attorney.

There was no one present with old business. Mrs. Perry stated that she had completed the letter to the United States Fish & Wildlife and provided it for review and signature by the Commission.

With regards to Citizens Comments, Stew Leith was present to discuss the matter of the weeds in Harpers Landing Subdivision. He provided information as to how the county had taken care of the situation in the past. The county had cut the weeds and billed the property owner an hourly rate for the job done. He had talked to Ned Brady and he suggested that the whitetop be sprayed before the weeds are cut. With regards to spraying the weeds, the county policy is to spray and charge for ½ the cost of the chemical and the hourly rate for spraying. Mrs. Perry will get in touch with Harpers and also with Kelly Wilde on some of the weeds on county property.

There were no minutes submitted by the County Clerk's office from the Public Hearing and Commission meeting held on July 9, 2013.

The Open Invoice Report was provided by the County Auditor's office for review and approval in the amount of \$31,387.36. Mr. Blanchard questioned the purchase made by Tammy Twitchell and who would be responsible upon receipt of the product and if it is to be paid out of her grant. Mrs. McKee provided a concern with the coding of the invoice from Carol Force and also the matter of possible inventory items coded under supplies rather than the inventory number. Mrs. Pallesen requested a list of those in question to determine if they are multiple items or inventory items. Motion by Mr. Blanchard to approve the Open Invoice Report as provided with clarification on the possible inventory items. Seconded by Mrs. Perry, all in favor.

With regards to correspondence, Mrs. McKee had provided an email from Gary Drage concerning their meeting with the Commission last week. Mrs. Perry stated that she had visited with Mayor Dickerson and had been informed that the free water and the building at the school were taken away due to the wishes of Superintendent Northcott. Upon discussion with Commissioner Steglich, it was determined that the residents of Half Moon Park would have permission to use the hydrant located in the County Park. The county is also looking at installing a hydrant without threads to allow for filling up small containers but no RVs or large containers.

The following business license applications were submitted for review and approval: Brad Lovejoy and ratification of Dave McDonald. Motion by Mr. Blanchard to approve the business license applications as provided and listed "a" to "b" and upon request by Mr. Blanchard, Mrs. McKee will check into a late fee by Mr. Lovejoy. Seconded by Mrs. Perry, all in favor.

The Volunteer Application submitted by Cathy Golightly was on the agenda for approval. It was determined that the form for the position description had been omitted and Mrs. McKee will get that submitted to Mrs. Pallesen for her review and submittal.

Motion by Mr. Blanchard to approve the Volunteer Application for Cathy Golightly. Seconded by Mrs. Perry, all in favor.

Mrs. Perry stated that the county had received an Email from Dave McDonald stating that the guides should not have to purchase a business license since they work under a permit holder. Mrs. McKee stated that the business license was also on the agenda because Mr. Foote, County Attorney, had research DOPL and at a prior meeting had stated that it was up to the County Commission to determine which type of businesses would be required to obtain a business license in the county. The matter of the business license requirement for fish guides was reviewed and discussed. It was determined that they are independent contractors and based on that they are operating their own business (providing a service and receiving payment) and need to have a business license. Mrs. Blanchard stated that he was still trying to get in touch with Stacy at the State and that the county may not be proper in the scenic tours. The issue of contractor's business licenses was discussed.

Mrs. Perry addressed the matter of a recent conversation with Dave McDonald who had filed a complaint with the Federal Government regarding the use of Dutch John funds. He had stated that the Office of the Inspector General would like to meet with at least one Commissioner and offer the county a deal as follows: They will not force the county to pay back the 4.5M if the county allows the BOR to withhold the last two payments until Dutch John incorporates and the county will not have to pay the interest billing. Mrs. Perry stated that she has reviewed the expenditures and that the first years the Commission did not spend much of that money until 2007. At that time they started expending a little more but it did not seem extravagant until 2011. Mrs. Perry requested that Mr. Foote or Mr. Charles write a letter to the OIG and request copies of the audit and find out what the conversation had been with a private citizen. Mr. Foote stated that he has never had an investigative body tell a private citizen what they were going to offer to an entity without speaking to the involved entity. The matter of the audit conducted was reviewed and discussed. The county has received a billing from Smuin, Rich and Marsing for an audit requested by the AOG and the Commission is questioning whether or not they should be paying for this as the county did not ask for the audit nor receive a copy of it. Mr. Foote recommends to follow up with those in charge of certain areas - BOR-conclusion of audit, Nick Lafazio and who he was reporting to as to what is going on, their determination and if they found anything to fix. From information obtained, Mr. LaFazio was investigating the audit done by the BOR to determine if it was done properly. Daggett County has submitted the interest payment to the Bureau of Reclamation in the amount of \$325,341.83 and Mr. Blanchard stated that he was told by the Bureau of Reclamation that as soon as the county has paid the interest back they would release the last two years payments. He also stated that Congressman Bishop was going to submit a bill through Congress into the Dept. of Interior financing to refund Daggett County for this payment. Mr. Foote stated that the legislation stated that there was to be a payment made to Daggett County and the county has to sign a grant request in order for the money to come to the County but it was never treated as a grant by the BOR either. The matter was discussed. Mr. Foote will do some checking into these areas to determine what the complete story is.

Motion by Mr. Blanchard to approve the Rules & Regulations for Cemeteries Owned and Operated by Daggett County as presented. Seconded by Mrs. Perry, all in favor. The document as approved includes both the Manila and Dutch John cemeteries.

Motion by Mr. Blanchard to go into the RDA portion of the motion. Seconded by Mrs. Perry, all in favor.

The Memorandum of Understanding for the Town of Manila was provided by the County Attorney for consideration. Mr. Blanchard had reviewed the document earlier and had provided some comments as follows: He questioned if it was the obligation of the RDA to define the project area or is it the entity wanting to be included and Mr. Foote replied that the project area is the Manila/Lucerne Community Project which is a specific term for a defined area. The RDA board will need to set up the project area by going through the processes similar to the Greendale Project Area to define the Manila/Lucerne Project Area. Mr. Blanchard questioned if the RDA is to define specific projects and Mr. Foote replied that the RDA board does set projects that they want to see accomplished but also work with individuals on their projects. Since this is an MOU with the Town of Manila it will require a joint effort within the town and the county to develop this project area. Mr. Foote stated that the county has the right under State law to approve an MOU to provide public services but establishing the Project Area does require a Public Hearing. Upon review, motion by Mr. Blanchard to approve the Memorandum of Understanding and present the agreement to the Town of Manila for their approval as well.

Brian Raymond had provided options for Incentive Extension Requests as requested as follows: 1. Simple fee like the application fee: \$100.00-\$300.00. Should be enough to encourage timely completion but not enough that it makes the transaction fall through. 2. Loss of Percentage of the Incentive ie: 5% to 15% of the incentive is taken away. This could be detrimental to the program, but if a proper length of time is given the first time it may be helpful in encouraging completion. And 3. No action – leave it as it is and give consideration on a case by case basis. Mr. Raymond recommended #1-and recommended the time allowed for completion of projects such as these to be 18 months or two years. Mr. Foote stated that #3 is not a viable option as the county cannot charge without a basis for charging. Mr. Blanchard stated that the incentive is given on a 10 year basis upon the applicant living in the home for ten years or pay the incentive back. He would like to see the extension tied into that same time frame or 10% for every year of an extension. The time frame necessary to complete a home was discussed and reviewed and Mr. Foote suggested that the person requesting the incentive needs to provide their own time table and make them comply with that or there will be a cost. Based on discussion, it was determined that their preference was for a maximum of two years to complete and a 10% loss of incentive per year beyond that. Mrs. Perry will get with Mr. Raymond on their preference to be provided at the next Commission meeting.

The regular session reconvenes at 10:20 A.M.

Mr. Blanchard had requested that the Dutch John sewer rates be on this agenda for discussion. The Dutch John water rate that is currently being charged is paying for itself but the sewer is not providing enough to pay expenses and he proposes to increase the basic sewer rate to \$35.00 per month for residential and 1.5x for commercial or \$57.50. This will provide revenues in the amount of approximately \$50,000.00 + for

the year with the operating cost of \$42,000.00 to \$45,000.00. He also recommends that there is an additional change in the commercial rate. There are five commercial users that are not charged for and do not use sewer. There are some commercial uses that are using commercial connections and are not being charged such as the following: 1. Flaming Gorge Rec. Service's RV campground has 14 sites and they are only charged for two connections, 2. Trout Creek has four motel rooms, rooms upstairs and three R.V. sites and they pay for one connection and 3. At the Forest Service office they are renting rooms for summer help upstairs and they are billed for one connection. 4. He has checked with other utility companies and the normal procedure is to charge .25 x the basic rate for every four units. Mr. Blanchard stated that he would check with the businesses to determine the exact numbers so that the county will know what to charge. Mr. Blanchard will put together a rate schedule reflecting his proposal so that a notice can be sent out to the residents.

Kym Slagowski, IT, had provided a State of Utah Contract, in the amount \$10,000.00 for the purpose of funding reimbursement for collection and delivery of Public Land Survey System section corner data as outlined in the Technical Direction for Acceptance and Analysis of Local Control Digital Data into BLM Cadastral Framework and/or enhancing the digital GIS Parcel Data Layer. Mrs. Slagowski was present and stated that the county receives the grant on a yearly basis and in the past her wages have been included as a reimbursable expense. Upon review and discussion, motion by Mr. Blanchard to approve the contract as provided. Seconded by Mrs. Perry, all in favor. Wages can be charged on the grant.

The State Court Contractual Agreement for 2013-14 was provided by the County Clerk's office for consideration. Mrs. McKee addressed her concerns with some of the fees in the new contract and stated that she would be in touch with Russ Pearson, County Administrator, regarding those concerns. Motion by Mr. Blanchard to approve the State Court Contractual Agreement, Renewal #30 in the amount of \$36,253.60. Seconded by Mrs. Perry, all in favor.

The Contract Amendment for the Bailiff Contract from July 1, 2013 to June 30, 2014 was also provided for consideration. Motion by Mr. Blanchard to approve the State of Utah Contract Amendment #3 in the amount of \$1,515.00. Seconded by Mrs. Perry, all in favor.

Motion by Mr. Blanchard to approve for the following two air compressors to be declared surplus as requested by the Sheriff's office: Husky Compressor – VT631505AJ and Itachi #2360 UBAG. Seconded by Mrs. Perry, all in favor.

With no further business the meeting adjourned at 10:40 A.M.

/s/ Vicky McKee

/s/ Karen Perry

/s/ Warren Blanchard