

Minutes of the regular meeting of the Daggett County Commission, Tuesday, August 27, 2013. Commissioners Steglich and Blanchard were present and Commissioner Perry was excused. Vicky McKee, County Clerk, was present as board secretary. The meeting was called to order at 9:00 A.M. by Chairman Steglich.

Also present were: Stew Leith, Keri Pallesen-County Auditor/Recorder, Matt Henry, Chad Booth and Brian Raymond-Economic Development.

There was no one present with old business. Matt Henry was present regarding citizens comments. He was present regarding the Junior Rodeo Series and requested to use a county credit card to pay for the Gift Cards in the amount of \$2,500.00. Mr. Steglich stated that he can use his county credit card for that purpose. Mr. Henry thanked the Commission for their support with the Junior Rodeo Series.

The approval for the minutes for the August 13th and 14th meetings will be continued as Commissioner Blanchard was not present at either meeting and Commissioner Perry was not present today.

The Open Invoice Report was provided by the County Auditor's office for review and approval in the amount of \$80,778.40. Mrs. Pallesen reviewed the changes from the report submitted earlier and the newest Open Invoice Report just submitted. Mr. Steglich questioned the billing from Smuin, Rich and Marsing being back on the report and in the amount of \$700.00 which is 50% of their original billing. Mr. Blanchard stated that he had checked with the Attorney General and had been informed that the county did not have any obligation to pay this billing. Mr. Foote recommended that the county needs to tell Smuin, Rich and Marsing to send the billing to who had requested the audit. Mrs. Pallesen stated that she hated to see the county refuse payment when the firm has been so helpful in the past and that the audit originated from Nick Fazio who had contacted the current independent auditors and prior auditors (Smuin, Rich & Marsing) to determine if their audit was done properly. A letter will be drafted to Smuin, Rich and Marsing stating that the county had not requested the audit and does not feel that the county is responsible. Mr. Steglich questioned why the county should be paying mileage to Sheriff Jorgensen when the Sheriff has his own personal county vehicle. Mrs. Pallesen stated that apparently he had determined that he needed to take his personal vehicle and is being paid at the reduced amount. Mr. Blanchard stated that it was allowed in the personnel policy. Mr. Blanchard questioned if the check to Joe Jacobs was the amount approved at an earlier Commission meeting. He also questioned the invoice to the Senior Citizens Center and was informed that it was for the Pasta Bash. Mr. Raymond stated that this was an agreement made in the past for the reimbursement and the proceeds come from the race not from county funds. Mr. Steglich questioned if Mrs. Perry had approved the amount for Sara Lamb-Potting Shed and Mrs. Pallesen stated that Mrs. Perry had signed the invoice. Upon review, motion by Mr. Blanchard to approve the Open Invoice Report excluding the invoice from Smuin, Rich and Marsing in the amount of \$700.00. Seconded by Mr. Blanchard, all in favor.

With regards to correspondence, Mrs. McKee provided a letter from the United States Department of Interior, Fish & Wildlife Service responding to a letter sent earlier by the Commission concerning the operation and maintenance of Jones Hole National Fish Hatchery. Brian Raymond stated that last night at the Single Fly there was an employee of the Fish Hatchery in attendance and he had provided the following: they are not planning on closing the fish hatchery right now but they have cut their budget by 40%

this year. They plan on doing Kokanee hatchlings this winter and are considering doing some Snake River Cutthroat and are doing Bonneville Cutthroat now.

The matter of budget listing on the county website was on the agenda for discussion because of comments made at the Budget Public Hearing. Mr. Steglich stated that he had talked to Mrs. Pallesen, County Auditor, regarding this and it is listed on the website. The budget listing as to the content was discussed and reviewed. Mrs. Pallesen stated that county expenses are listed on the Utah Transparency Website.

The matter of Resolution #13-12, Reopen Calendar Year 2013 Budget was on the agenda for discussion and approval. There was no one present with questions or comments and Mr. Blanchard stated that the changes had been approved earlier and taken to the county meetings for discussion. With no further discussion, motion by Mr. Blanchard to approve Resolution #13-12, To Open Calendar Year 2013 Budget. Seconded by Mr. Steglich, all in favor.

Mr. Blanchard addressed the matter of Resolution #13-17, Municipal Wastewater Planning Program. He stated that this was a survey being required by the State of Utah, DEQ. Mr. Blanchard stated that he had sent the survey by email last evening for review. It was determined that the document was needing to be reviewed so this matter will be tabled until later in the meeting.

Susie Potter, Sheriff's Office/Ambulance Billing was present and provided her concerns with information on ambulance claims. She has received a payment agreement from an insurance company where they want to decrease the amount paid. They are offering a discount of \$131.00 or a reduction of 10%. Mrs. Potter was questioning the Commission to determine if they want her to bring these types of agreements before them each time or give her a blanket approval to deal with them due to time constraints. The matter was discussed and reviewed. It was determined to leave this matter up to the discretion of Mrs. Potter unless it is a large billing and there is time to bring it to the Commission. Mr. Foote stated that upon review of the agreement as provided, approval of the form as submitted only benefits the insurance company. #5 states that they agree to pay the county less the patient co-pay, deductible and co-insurance amounts within 15 working days. The only benefit for the county is that payment would be received quicker. Mrs. Potter also questioned the decision of the Commission regarding writing off the billing for the county employees. It was determined that upon payment from the insurance company for a county employee for ambulance service the Commission needs to be approached individually by the employee to request the Commission to write off the remaining balance. Mrs. Potter stated that she will read through any Assignment Letter Agreements and if there is a benefit to the county more than an earlier payment she will take care of it as stated.

Due to there not being any changes, the matter of the fire restrictions will be tabled for one more week.

The matter of Resolution #13-19, A RESOLUTION AMENDING DUTCH JOHN UTILITY WATER AND SEWER RATES was on the agenda for review and approval. Mrs. McKee explained that the rates had been approved at an earlier Commission meeting but needed to be approved by resolution. Mr. Foote questioned the wording for Multiple Units for Hotels, Motels, RV Parks and etc. As the way it is stated is not clear. Upon revision as suggested by Mr. Foote, motion by Mr. Blanchard to

approve Resolution #13-19, A Resolution Amending Dutch John Utility Water and Sewer Rates. Seconded by Mr. Steglich, all in favor.

Stew Leith was present regarding a request for a waiver for the cemetery bylaws for headstones. Mr. Leith stated that Mrs. Langford bought her cemetery lot in 2006 with the understanding that she could put a headstone which she had ordered and purchased. This matter will be tabled and Mrs. Langford will be requested to attend the next meeting.

Brian Raymond provided information regarding an Amendment to Economic Development Grant. Last year the State of Utah had given Daggett County \$50,000.00 and they are providing an additional \$25,000.00 for Economic Development. Mr. Foote questioned if the county had spent the \$50,000.00 from last year and Mr. Raymond stated that the county had spent more than that. In the scope of work for the original \$50,000.00, the county had listed \$10,000.00 for marketing, \$20,000.00 for feasibility studies and \$20,000.00 for projects. This \$25,000.00 will be for special projects which will make that total \$45,000.00. Mr. Blanchard questioned the matter of identifying the projects for the state and Mr. Raymond stated that he will provide the information. With no further comments, motion by Mr. Blanchard to approve the Contract Amendment with the State of Utah in the amount of \$25,000.00. Seconded by Mr. Steglich, all in favor.

The matter before the board is a Memorandum of Understanding Establishing the Flaming Gorge County Affiliate Fund Between the Community Foundation of Utah and Daggett County. Mr. Raymond stated that there is currently not a 501(c)(3) Non-Profit operating in the county to help with Community Development. There has been a couple in the county for other reasons but that does not develop the entire county. The county does not have a 501(c)(3) as one of their requirements is that they have to give 5% of their money away each year to maintain their foundation status. With a 501(c)(3) the county would be able to apply for grants for trails, parks, Senior Center and shooting range and be able to accept that money. This MOU would set up an Advisory Committee that will advise the Community Foundation of Utah on how to spend money they receive on the county's behalf. Mr. Raymond stated that donors can stipulate which project they want their donation to go towards but with a small donation, under the agreement, you cannot say where the money is to go. The local group would decide where the money was to be spent. Mr. Blanchard stated that the corporate group receives a healthy percentage of the money donated. The terms of the agreement was reviewed and discussed. Mr. Raymond stated that the county is working on applying for a 501(c)(3) on their own but he does not know how long that is going to take. Mr. Foote stated that process can take anywhere from six months to two years and during that time the county could operate under the umbrella of the application. Mr. Steglich questioned the length of the agreement and Mr. Foote stated that #9 states that if the board ceases to function the Community Foundation will terminate this agreement and the funds will remain with the foundation. Mr. Raymond stated that there is a sentiment in the county that they do not want to give to the county so therefore this is an alternate entity to donate the money to. Mr. Steglich stated that he would feel better if there was a termination date or notice and Mr. Raymond will check with the Community Foundation of Utah to determine if they would agree with that change in the agreement and get back with the Commission.

Mr. Foote also expressed his concern that the county would not have any liability upon approval of this agreement.

Mr. Raymond provided information regarding three separate grants with the Utah Cooperative Marketing Program, Round 11. He addressed the three Memorandum of Understandings for the Burbot Bash, KTVX-Grand Junction and the Mobile Website as approved by the Utah Office of Tourism. The county will request 50% of the money up front upon signing the forms. The county received 100% of the grant requested for KTVX-Grand Junction and about 90% of the other two grants. The county is required to match 50% which comes from revenues from the Burbot Bash, TRT funds and from the Chamber of Commerce. Motion by Mr. Blanchard to approve the Memorandum of Understanding x 3 as presented. Seconded by Mr. Steglich, all in favor. Mr. Foote stated that Mr. Raymond needs to be aware that the MOU states that if the initial 50% of funds are not requested within 30 days of the project start date as indicated on your application, all Co-op funds for this project will be forfeited. Mr. Raymond will clarify his start dates on the applications and with UOT on the start dates and funding.

Tammy Twitchell, CEM, had received official notification of Daggett County's FY2013 Emergency Management Performance Grant (EMPG) and provided it to the Commission for approval and signing. Upon review, motion by Mr. Blanchard to approve the 2013 EMPG Grant as submitted. Seconded by Mr. Steglich, all in favor.

The matter of the Warranty Deed for Left Hand Fork will be continued.

Chad Booth was present representing the County Seat TV Program to provide the midyear update on some of the things they have been working on. They taped two shows at the Rural Summit at Cedar City with the keynote speaker, Chuck Fluarty. He questioned for the Commission to think of items that they should be covering as the County Seat is supposed to be the voice of Rural Utah. When tough issues come up do not put them aside – use the County Seat to be proactive not reactive. Mr. Booth questioned what does the county needs to talk about: Mr. Steglich questioned the status of the segments with At Your Leisure. Mr. Steglich addressed the issue between SITLA and Trout Unlimited in the Bookcliffs as well as the Land Bill of Congressman Bishop. Mr. Steglich stated that Daggett County is losing federal funding in addition to the Dutch John funds. All counties need to think out of the box and Daggett County is considering bidding on a Forest Service concession as there are 43 campground sites that are awarded to a concessionaire. Upon checking, the Forest Service does not have concern of the county bidding on this. The Forest Service has included the Summit Springs Guard Station in the bid packet as they cannot get approval from congress to be a rental agency. This also fits into the American Lands Council ideas of the counties managing their own lands. There was discussion regarding the lack of management of federal lands and the excessive amount of fire fuels and downed timber. Mr. Booth recommends for the Commission to watch this last filming of the County Seat as it addresses a lot of these issues. Mr. Raymond addressed his concern with the minimum amount of air time for County Seat and Mr. Booth responded to his concern. Mr. Booth also provided the 2014 Rates for the County Seat and requested that Daggett County consider sponsorship. Mr. Steglich read an email from J. Mark Ward, UAC, which stated that the Dept. of Interior Office of Natural Resource Revenue has reversed its earlier stance and decided to release all previously sequestered mineral lease revenues due the state for FY2013.

Motion by Mr. Blanchard to go into Closed Session at 11:05 A.M. for the purpose of discussing a real estate proposal. Seconded by Mr. Steglich, all in favor. The following were present: Commissioners Steglich and Blanchard, County Attorney-Foote, Mr. Raymond and Clerk-McKee. The regular session reconvened at 11:20 A.M.

Motion by Mr. Blanchard to recess the meeting for 20 minutes to allow time to review the survey from the State of Utah, Municipal Wastewater Planning Program. Seconded by Mr. Steglich, all in favor. The regular session reconvened at 11:40 A.M.

Motion by Mr. Blanchard to approve Resolution #13-17, Municipal Wastewater Planning Program and to send the annual survey as written to the Environmental Quality Dept. Seconded by Mr. Steglich, all in favor.

Upon review, motion by Mr. Blanchard to approve the Memorandum of Understanding Establishing the Flaming Gorge County Affiliate Fund between the Community Foundation of Utah and Daggett County with the following changes as worded by County Attorney Foote: 1. Daggett County will not be liable for any fees assessed to the Flaming Gorge Country Community Foundation, 2. This agreement may be terminated by the Flaming Gorge Country Community Foundation with 90 days notice to the Community Foundation Board of Directors and 3. Wording dealing with the original members to be appointed by the County Commission.

With regards to the Cooperative Marketing Agreement, Mr. Foote recommends for Mr. Raymond to contact the State and question if the county is ok to sign the documents as we are ready to start projects. Mr. Raymond will review the start dates as listed on the application and verify with the State if they will honor the contract. Motion by Mr. Blanchard to approve the Memorandum of Understanding for the three grants with the Utah Office of Tourism with the condition to verify from the State that the project is ready to start now and if they will honor that. Seconded by Mr. Steglich, all in favor.

With no further business, the meeting adjourned at 11:50 A.M.

/s/ Vicky McKee

/s/ Jerry Steglich

/s/ Warren Blanchard