

Minutes of the regular meeting of the Daggett County Commission/Redevelopment Agency Board, Tuesday, November 05, 2013. All members were present. 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: Keri Pallesen-County Auditor/Recorder, Larry Woosley, Niel Lund-County Attorney, Matt Henry, Brian Raymond, Chad Woolley-County Attorney and Kenny Hardy.

There was no one present with old business. Mrs. Perry requested that an Elected Officials Meeting be scheduled for Tuesday, December 3, 2013 at 1:30 P.M.

With regards to citizen's comments, Larry Woosley was present to address his concerns with Planning & Zoning on condemned houses, outhouses and etc. He stated that there had been a house located on Ylincheta Lane next to the log cabin which was condemned seven to eight years ago and is still being used. It had been condemned because there is no water, sewer or electricity and the owner was dumping his trash outside. There is also a double wide started but not finished as well as a property that is full of hazardous waste. He would like to see something done about the condemned properties in Flaming Gorge Lake Meadows Subdivision as well as his other concerns. Mr. Blanchard stated that P&Z has tried to work on the issues before but enforcement is hard.

The minutes of the October 22, 2013 were provided by the County Clerk's office for review and approval. Mrs. Perry provided a revision in the wording as follows on page three, last paragraph- CEM will be reimbursing Daggett County for rent and utilities for Mrs. Twitchell's office space and on Page 4, the proper title for International Mountain Bike Association. Also on page 4, Mr. Steglich provided the proper spelling for Gallagher Insurance. Motion by Mr. Blanchard to approve the minutes of October 22, 2013 as revised. Seconded by Mrs. Perry, all in favor. The minutes of the Special Meeting held on October 31, 2013 were provided by the County Clerk's office. Motion by Mr. Blanchard to approve the minutes as presented. Seconded by Mrs. Perry, all in favor.

The Open Invoice Report was provided by the County Auditor/Recorder's office for review and approval in the amount of \$157,545.15. Mr. Steglich questioned the invoices for Indigent Attorneys and Mrs. McKee explained the reason for the additional attorneys. Mrs. Perry questioned why the invoice from Pollard Water in the amount of \$385.30 was not coded as an inventory item. Mr. Blanchard stated that it was a pump for the Dutch John Sewer Treatment plant which is replaced about once a year and he does not believe that installed equipment should be inventoried. Mrs. Perry stated that she does not agree with this and would like to discuss this matter at the Elected Officials meeting in December. With no further questions or concerns, motion by Mr. Blanchard to approve the Open Invoice report as provided. Seconded by Mrs. Perry, all in favor.

With regards to correspondence, Ken Brown, Western Counties Alliance, had provided an email with concerns for the one-year extension of the Secure Rural Schools Program (SRS) and requested all counties to contact their congressional members regarding this. There was also a copy of a Resolution Regarding Water Rights Principles provided for review. Mr. Steglich stated that the State Engineers have signed off on the resolution and they are looking down the road at future development and how water rights held and transferred can affect that future. There have been some instances where

individuals have sold their property and sold their water shares without prior approval of Sheep Creek Irrigation.

The following business license applications were provided by the County Clerk's office for review and approval: Ferrelgas LP, Vivint, Inc. and ARM Security. Upon review and discussion, motion by Mrs. Perry to approve the business license applications as provided. Seconded by Mr. Blanchard, all in favor.

Matt Henry was present representing the Cow County Youth Rodeo Board and to provide their proposal for the rodeo grounds upgrades. The board would like to see some money budgeted for improvements for a return alley inside the arena to bring stock from the west end to the east end in order to keep the rodeo moving faster. The cost for this would be around \$2,200.00 to purchase a row of panels which could be removed for the Cow Country Rodeo. The board would also like to see the county purchase from the High School Rodeo the panels that have been used by the county for various things over the years. Mrs. Perry stated that she felt that since those panels had been purchased by several entities including the High School Rodeo Club and since they had set there all those years and used for county functions they belonged to the county. Mr. Henry stated that both the Cow Country Rodeo and Youth Rodeo boards are requesting to have a \$2,500.00 budget set up to be used by both rodeos for improvements with input from the County. The Commission suggested that the rodeo boards contact the TRT board for monies for the upgrades as requested. Mr. Steglich stated that he would like to see all the organizations get together and form a committee and provide a long term plan back to the Commission for their review. He would like to see an indoor arena at an alternate location with ample parking for safety. Mr. Henry stated that he would be glad to do that but there needs to be something for the short term. The budgets for both the TRT and TRCC Funds were discussed as well as the schedule for their next board meeting. Mr. Steglich provided information on the new Flaming Gorge Community Fund and the 501c3. Mr. Raymond stated that since there is already money budgeted between 2013 and 2014 for the rodeo to cover Mr. Henry's request, he will send an email to the TRCC Board explaining the Commission's intention of using that budgeted money for a return alley. Mr. Henry also addressed his concern with the condition of the scale facility.

Planning & Zoning Positions and Planning & Zoning Ordinances were on the agenda for discussion and Cindy Keller was requested to be in attendance for the discussion. Mr. Steglich addressed his concerns with his experiences with the Planning & Zoning Board which was the same as Mrs. Kushida had recently experienced. He also recommended that the Planning & Zoning Ordinance needs to be revised with the help of the County Attorneys and Mrs. Perry who will be spearheading the project. The final product will make it so there will be a process in place for all developers. Mr. Steglich stated that the other item for discussion was the removal of one of the board members as he is holding up what the board is trying to do. There is a Planning & Zoning Board meeting scheduled for tomorrow and that proposal will be presented at that meeting. Mr. Raymond stated that there are guidelines in the P&Z Ordinance that give the County Commission the authority to remove a board member or at least to ask to have a board member removed. Mr. Blanchard stated that Jack Lytle has tried to do a good job and has been there for a long time. He realizes that he can be difficult to deal with and a few months ago Mr. Lytle had requested to resign because of his job requiring a lot of his time. Mr. Blanchard reminded all present how many times there has not been a meeting

because of not having a quorum so the position would need to be filled quickly. Matt Henry stated that he would like to speak on behalf of Jack Lytle as he would be concerned if Mr. Lytle did resign as Mr. Lytle has a lot of knowledge and technical ability that he provides and is very aware of the laws that need to be followed. The Kushida Subdivision has brought a lot of things to the table and there was a lot of knowledge that the board members were in need of. The Commission needs to remember that the board members are volunteers. Mr. Steglich stated that he feels that a letter of resignation needs to be requested as he has worked with Mr. Lytle for many years and he is not a help for the board but a hindrance. Mr. Blanchard and Mrs. Perry both stated that they would rather wait until there is a replacement available and Mr. Blanchard stated that he has been discussing this with a couple of individuals. Mrs. Keller stated that the county needs to do this as soon as possible and for the board members to not rely on her. There are currently two board members who are trying to learn the system and bringing on two new ones would make it very difficult as it takes time to learn. Mrs. Perry was instructed to work with Ms. Keller. Mr. Blanchard stated that not everything goes back to the Planning & Zoning Board as they do not issue permits nor do they tell the developers when and what they need to be doing.

Motion by Mrs. Perry to recess the regular meeting and go into the Public Hearing scheduled for 10:08 A.M. for the purpose of obtaining public comments regarding the application for a minor subdivision submitted by Marge Kushida, property owner of Parcel #A229, T3N, R19E, Section 25; a 40 acre portion of NE1/4, NE1/4. Seconded by Mr. Blanchard, all in favor. Mr. Henry stated that his original comments were read into the Planning & Zoning Public Hearing. Mrs. McKee stated that Matt Slade had called this morning about an email he had sent but the county has not received it. Mrs. Slagowski has been working on locating the email without success.

Motion by Mrs. Perry to go back into the regular session at 10:12 A.M. Seconded by Mr. Blanchard, all in favor.

Motion by Mrs. Perry to approve the application for the Minor Subdivision as submitted by Marge Kushida as recommended by the Planning & Zoning Board. Seconded by Mr. Blanchard, all in favor.

Kenny Hardy, Attorney Representing Marge Kushida, was present to address the issue on her Zoning Change application. He stated that his firm was not involved until just recently and questioned why the subdivision was at this stage without the zoning process being dealt with. Ms. Keller stated that Mrs. Kushida was not sure what the lot size of the subdivision was going to be. Mr. Blanchard stated that it was not their responsibility. Mr. Hardy addressed the matter that Mrs. Kushida's neighbors were saying that she was conducting development without proper authority to do so. He provided and read minutes from the Planning & Zoning meeting stating that the board would not approve the application without the water and roads being installed first. Mr. Henry responded to the minutes as read and Mr. Hardy stated that Mrs. Kushida was not a developer and she did not know what they needed to do so she had to rely on the direction of the Planning & Zoning Board. Upon approval of the subdivision today and the meeting scheduled for tomorrow for the zoning change, Mr. Hardy stated that he appreciates the efforts that the county is taking now and with the meeting scheduled for tomorrow for the zoning change he is hoping that the matter can be moved quickly back to the County Commission. Mr. Steglich stated that the county's intention is to move this

forward as expeditiously as can be done legally. Mr. Hardy stated that he plans on attending the P&Z meeting tomorrow.

Cindy Keller, Planning & Zoning Secretary, was present regarding the Amended Plat Map for the Atwood Subdivision. She stated that the map had been before the Planning & Zoning Board but she did not have their letter of recommendation. This matter will be continued to allow for Ms. Keller to provide the letter.

The matter of the approval of the Lease with Zion's Bank and Resolution will be continued as the county has not received the paperwork for the lease.

Motion by Mr. Blanchard to approve Resolution #13-21, A RESOLUTION OF APPOINTMENT OF A DAGGETT COUNTY REPRESENTATIVE AND AN ALTERNATE REPRESENTATIVE FOR THE UTAH COUNTIES INDEMNITY POOL ANNUAL MEMBERSHIP MEETING with Keri Pallesen to serve as the county representative and Karen Perry to serve as alternate. Seconded by Mrs. Perry, all in favor.

The county had received a contract from the State of Utah regarding the Predator Control – FY2014. The matter was reviewed and discussed without a motion for approval.

Motion by Mr. Blanchard to surplus the following equipment: 1. Snowdogg CM100Snow Plow for the Road Department, 2. 1981 Peterbilt VIN#1KP9D29X3BP140110 for the Road Department and 3. Brother Fax 2810V Model, Serial #U61325E7N120164 for the IT Department. Seconded by Mrs. Perry, all in favor. Mr. Blanchard requested that the Snowdogg and the Peterbilt be listed on Public Surplus for sale.

The matter before the board is the determination and approval of the county employee health insurance. Mr. Steglich reported that there would be no information available from Cigna until tomorrow so this matter will need to be continued until the meeting scheduled for November 19, 2013.

Brian Raymond had requested that the invoices for the Grand Junction promotion submitted by HOAK Media for the months of September and October be on the agenda for approval. He stated that the invoices are not included on the Open Invoice Report as they were not turned into the Auditor's office in time. Mr. Raymond felt that the advertising being paid for was getting good results. Mrs. Pallesen stated that if there is time to get it on the agenda there would be time to request that they be included on the Open Invoice Report as a special consideration. Upon review and discussion, motion by Mrs. Perry to approve the invoices as submitted. Seconded by Mr. Blanchard, all in favor.

Mr. Raymond provided a copy of a contract for OddsOn Promotion for the Tagged Fish Insurance as revised. Mr. Lund, County Attorney, has reviewed the document and provided some revisions to the agreement. Mr. Blanchard questioned the contract with regards to B., 10 which states that All winners must submit to and pass a polygraph examination. If the county would be required to provide the polygraph test that would need to be budgeted for. Mr. Raymond stated that it could be included in the rules that the applicant would pay for the polygraph. The rules of the Burbot Bash were reviewed and discussed and Mr. Raymond stated that this contract needs to be signed and approved by Friday including the payment. Motion by Mrs. Perry to approve the contract

and payment when funds are available. Seconded by Mr. Blanchard, all in favor. The payment to OddsOn Promotion is to take priority over the invoice to Hoak Media.

Mr. Raymond provided a Contract with the State of Utah for \$15,050.00 for the BEAR project FY2014. Mr. Blanchard questioned if Mr. Raymond had the time for the interviews required and Mr. Raymond replied that a lot of the interviews have been completed because of the Tourism Conference and visiting with the businesses because of the Burbot Bash. The terms of the contract were reviewed and discussed. Motion by Mr. Blanchard to approve the contract with the State of Utah in the amount of \$15,050.00 for the BEAR Program. Seconded by Mrs. Perry, all in favor.

The matter back before the Commission is approval of the Contract and agreement between Daggett County and Success In Education for the Burbot Bash Event Partnership. Mr. Raymond provided a budget as requested by Mr. Blanchard. He also reviewed the contract as revised and discussed the changes as discussed from the last meeting. The sponsor list was reviewed and discussed. Motion by Mrs. Perry to approve the Budget and Contract between Success in Education Foundation and Daggett County. Seconded by Mr. Blanchard, all in favor.

With Ms. Keller, Planning & Zoning, providing their written recommendation regarding the Atwood Plat Map revision, Mr. Steglich read the recommendation in open meeting. Upon review and discussion, motion by Mr. Blanchard to accept the recommendation from Planning & Zoning Board to accept and sign the amended plat map for Atwood Subdivision. Seconded by Mrs. Perry, all in favor.

Motion by Mr. Blanchard to accept the resignation from the Mosquito Abatement District board as submitted by Lenita Steinaker. Seconded by Mrs. Perry, all in favor.

Mr. Raymond had received an email from Bob Gilbert, Workforce Services, requesting that Daggett County pledge and be a member of the Utah Patriot Partnership. Mr. Gilbert email stated that Utah has a lower percentage of vets, when compared to other States that return to the workforce. The matter of Daggett County having a veteran's preference for positions was discussed as well as other ways that Daggett County could be of help. Mrs. Pallesen stated that the Personnel Policy as written does not give the veterans any priority. Mr. Steglich stated that the matter be continued until next year.

The matter of the Left Hand Fork will be continued to allow time to contact Craig Smith.

With no further business, the meeting adjourned at 11:10 A.M.

/s/ Vicky McKee

/s/ Jerry Steglich

/s/ Karen Perry

/s/ Warren Blanchard