

Minutes of the regular meeting of the Daggett County Commission/Redevelopment Agency Board, Tuesday, December 17, 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 Commissioner Steglich.

Also present were: Brian Raymond-Economic Development, Keri Pallesen-County Auditor/Recorder, Tammy Twitchell-CEM, Rowdy Muir-U.S. Forest Service, Jerry Taylor, Ryan Kelly and Niel Lund-County Attorney.

There was no one present with old business. Mr. Steglich reported that with regards to the RFP for the surveyor, the matter will be followed up by Mrs. Perry and Mrs. Pallesen. Mrs. Perry stated that upon further conversation regarding inventory, anything that is ordered that is a manageable item and needs to be inventoried needs to be addressed to the County Clerk's office for delivery so it can be inventoried timely.

There was no one present with citizens comments.

The minutes of the December 10, 2014 meeting and the December 11, 2014 training was provided by the County Clerk's office for review and approval. Mr. Lund provided the following revisions for the minutes from December 10th: Page 2, 2nd full paragraph – change probable to probably and Page 3, 4th full paragraph should read Open & Public Meetings Act. Motion by Mr. Blanchard to approve the minutes of the December 10, 2014 meeting as revised. Seconded by Mrs. Perry, all in favor. Mrs. Perry provided a revision for the December 11th minutes – Page 1, 1st paragraph should read Open & Public Meetings Act. Motion by Mrs. Perry to approve the minutes of December 11, 2013 as revised. Seconded by Mr. Blanchard, all in favor.

With regards to the Open Invoice Report, Mrs. Pallesen provided the following changes: Page 2-Daggett County Capital Improvement Fund in the amount of \$512,000.00 – deleted. Page 4, two invoices from Main Street Mechanic, LLC – in the amount of \$112.05 and \$67.20 - deleted, Page 6, Zions Bank Card – added \$919.68. Mr. Blanchard provided a change in his coding for the invoice from Bowen Collins should be 28-4420-310. Mrs. McKee stated that on Page 5 the invoice for Uintah Basin Standard was coded to her account in error and Mrs. Pallesen provided 4141.220 as the correction. Upon review and discussion, motion by Mr. Blanchard to approve the Open Invoice Report as revised. Seconded by Mrs. Perry, all in favor.

With regards to correspondence, Mr. Steglich stated that he had forwarded an email to the other Commissioners, County Attorneys and Mark Ward, UAC Attorney, about the water from Flaming Gorge Reservoir being released to Lake Powell. The matter was discussed. Rowdy Muir, U.S. Forest Service, stated that there are more than one state and county involved with this matter and there was quite a group in Wyoming already involved. Jerry Taylor stated that he believes that the process has already started due to the flows the Bureau of Reclamation had allowed this year. They had violated their Operating Plan for the Endangered Species by releasing 14 days of flow when their operating plan said 7 days maximum and they also approved higher releases than the Federal Fisheries had applied for. Mr. Raymond stated that he believes the entire reason for this is to fill Lake Meade. Mr. Steglich stated that as discussions follow he will keep everyone informed.

Mr. Raymond stated that he had received information from Matt Swapp with Utah Aeronautics regarding improvements at the Manila Airport. The matter will be added to a later agenda for discussion.

Tammy Twitchell was present as requested to provide information concerning the safety meetings becoming mandatory. Sheriff Jorgensen had stated that unless the program is made mandatory his employees will not attend. Her original idea had been to reward those that attend 10 safety meetings with a shirt or jacket and Workers Comp had supported her idea. It appears that those not attending the safety meetings have the highest number of accidents. She has reviewed some on-line programs which reflects a cost of between \$5,000.00 a year and \$500.00 per month but she does not feel that these programs are that beneficial. The current cost for what she has been doing is about \$30.00 to \$40.00 per month but she sees there is a need for more safety trainings in general geared to what is needed. Mr. Blanchard stated that he felt the training should be handled the way it is being done. Mrs. Twitchell stated that if the trainings are made mandatory the county would need to make sure they can be given to everyone and it needs to be a positive thing. Alternate types of trainings were reviewed and discussed and it was determined for the safety program to continue as Mrs. Twitchell has been doing. Ryan Kelly questioned if the cost of Workers Comp could be reduced if everyone participated in the program. Mrs. Twitchell replied that Workers Comp helps conduct the safety meetings. The idea with a safety program is that in case of a death of a county employee having a safety program in place would go to due diligence. The recent fire was reviewed and discussed and Mr. Lund stated that he felt that the county would not be responsible. There was discussion regarding prior responses by the county with scene control and the need for training. Mr. Kelly questioned why the officers do not want to participate and was informed that there was no real reason provided.

Mr. Raymond provided the update to the application for the Enterprise Zone Designation for Daggett County for review and Mr. Steglich opened the matter for discussion. Mr. Raymond stated that there was no guarantee that it will do the county any good but with just a little effort to get it in place could be very beneficial. Mr. Steglich questioned if the Enterprise Zone would be competing with the RDA with the tax incentives and Mr. Raymond stated that it could but the RDA Project Areas do not have resources at the current time. The Enterprise Zone would be giving tax credits for upgrades and employees hired and is performance based. The Enterprise Zone is mainly for manufacturing but there is a small amount for services. Upon approval, Mr. Raymond will provide an official resolution. Mr. Kelly stated that he has been trying to recruit a manufacturing company and requested the information on the Enterprise Zone be provided to him. Motion by Mrs. Perry to approve the reapplication for the Enterprise Zone Designation. Seconded by Mr. Blanchard, all in favor.

Motion by Mrs. Perry to go In & Out of the RDA portion of the meeting at 9:45 A.M. Seconded by Mr. Blanchard, all in favor.

Mr. Raymond provided Draft documents for the closing of Rod Mangum's property in Dutch John since he has received a Certificate of Occupancy. He stated that the County Attorney had prepared the Promissory Note and there had been some revisions made in the wording. It was determined that the intention of the incentive was for it to disappear after the 10 year time but the current wording did not provide for that, therefore, the revision. Upon review of the file, it appears that Mr. Mangum had not signed the extension agreement and his check in the amount of \$1,000.00 was not cashed. The matter of settlement was discussed. Mr. Mangum had provided a spread sheet and Mr. Blanchard questioned if it should be included in the documents. Mr. Raymond stated

that he feels it does not need to be incorporated into the documents. Mr. Lund stated that he had tried to word the Promissory Note so the spread sheet would not need to be included. The wording in the Promissory Note was reviewed and discussed.

Mr. Lund reported that the Memorandum of Understanding with the School District is not complete and that he will get with Superintendent Northcott. He would like to also include the other things that are being done on school property in Dutch John by the county. The matter will be continued until the document can be completed.

Mr. Steglich stated that the agenda item Discussion of the County Seat Program will not be done today and this matter will be continued until possibly after the Burbot Bash.

The matter before the board is ordinance 13-26, AN ORDINANCE SETTING THE COMMISSION MEETING SCHEDULE FOR 2014. Upon review and discussion, motion by Mrs. Perry to approve the ordinance as provided. Seconded by Mr. Blanchard, all in favor.

Utah Counties Indemnity Pool had provided documents for approval by the Commission. Upon review and discussion, motion by Mrs. Perry to approve Resolution #13-25, A RESOLUTION APPROVING AND AUTHORIZING THE EXECUTION OF A SIXTH AMENDED INTERLOCAL COOPERATION AGREEMENT WITH OTHER MEMBERS OF UTAH COUNTIES INDEMNITY POOL, RELATING TO THE ESTABLISHMENT, FUNDING AND OPERATION OF UTAH COUNTIES INDEMNITY POOL and the Sixth Amended Interlocal Cooperation Agreement By and Between Members of the Utah Counties Indemnity Pool as provided. Seconded by Mr. Blanchard, all in favor.

Upon request by the Commission, Mrs. McKee provided an estimated pay off amount in the amount of \$202,680.34 for the bond with the State of Utah, Water Division for the Water Plant and System in Dutch John. Upon approval by the Commission, Mrs. McKee will contact the State Division of Finance, obtain a definite amount and have the funds wired to the Division of Finance for payoff of the loan. Motion by Mr. Blanchard to approve the payoff of the Bond #3F100 to the Utah Division of Finance in the estimated amount of \$202,680.34. Mr. Steglich questioned if the bond was a tax or revenue bond and it was determined it was a revenue bond. Seconded by Mrs. Perry, all in favor.

The matter before the Commission is a Challenge Cost Share Agreement Between Uintah County and Daggett County and USDA. Mr. Lund stated that Uintah County Attorney had contacted him regarding the following concerns that they had expressed with the agreement and in which he supported: 1. Refers to both Daggett and Uintah County as the same county. 2. Uintah County is to be paid \$1,500.00 but there is no amount listed for Daggett. 3. The agreement does not provide remedy in case of breach of contract for each county separately. 4. The times listed for grooming needs to be reviewed and revised. Uintah County did not approve the agreement as submitted and Mr. Lund recommends that Daggett County submit the same concerns with the agreement. With these items noted, the matter will be continued until the next meeting. The grooming of the trails was reviewed and discussed.

Jerry Taylor was present to provide information to the Commission regarding the Forest Service Campground Concession. He stated that AL&L was selected by the Forest Service to be the new concessionaire. There is an appeal process and he feels that

in lieu of their decision, the economic impacts will be substantial to the county and is soliciting the county's support. He provided the following reasons for the Commissioner's consideration: F.G. Corp is headquartered in Daggett County and AL&L is headquartered in Provo, Utah and the owner lives in Irving, CA. AL&L's vehicles are registered in Utah County where F.G. Corp's vehicles are registered in Daggett County. The Flaming Gorge Market is another business that would be affected by the loss of sales as the F.G. Corp. uses them to support the concession package and AL&L will not purchase locally. He stated that he was present to ask for support from the Commission and requests a letter be sent to John Erickson, Forest Supervisor, in Vernal expressing the concerns that the economic impact from the decision will have on Daggett County. He has a meeting scheduled on Monday, December 23rd at 10:00 A.M. with Mr. Erickson and would like for him to have the letter sent to him prior to that meeting. Mr. Blanchard stated that he has received phone calls and emails voicing their support of Flaming Gorge Corp. and their concern with the economic loss to the county. Motion by Mr. Blanchard to support Jerry Taylor and Flaming Gorge Corp. and to provide a letter of support to John Erickson, Forest Supervisor included in the letter the economic benefits that Mr. Taylor would provide to the county. Seconded by Mrs. Perry. Mr. Steglich opened the matter for discussion. Mr. Steglich stated that he had gone on the tour for the Concessionaire Package and as a County Commissioner and what he saw at the campsites, he would not support either company. The Forest Service went through a process that was thorough and beneficial. He does not see an economic benefit with one company over another and AL&L is willing to work with the county. Mr. Taylor has the right to protest and he feels that if AL&L or F.G. Corp were providing the service that they should have been this might have been different. Mr. Steglich stated that he will not support Mr. Taylor and will send another letter to the Forest Service stating why. Mr. Taylor requested to respond to Mr. Steglich's comments and addressed Mr. Steglich not supporting the county or the local businesses. Mr. Steglich requested a roll call vote as follows: Mrs. Perry-Aye, Mr. Blanchard – Aye and Mr. Steglich – Nay. Mr. Kelly stated that he will support anything that will support a local business and rally around them and that he offers his support of local business. Mr. Muir, District Ranger, stated that he has not been involved with the concession packets as that is done third party in Salt Lake. Mr. Muir read parts of an email which stated that the bids were evaluated on five criteria in the prospectus. Both bids were competitive and each bid had strengths and weaknesses. There were some differences in how they responded to the criteria. The return to government is a criteria that was important to the Forest Service as that is money that can be used and returned to the sites. The best overall bid was selected.

With no further business the meeting adjourned at 10:20 A.M.

/s/ Vicky McKee

/s/ Jerry Steglich

/s/ Karen Perry

/s/ Warren Blanchard