

Minutes of the regular meeting of the Daggett County Commission/Redevelopment Agency Board, Tuesday, September 09, 2014. 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 Mrs. Perry, Board Chair.

Also present were: Matt Lucas, Brian Raymond, Niel Lund-County Attorney, Bret Reynolds and Jessica Alexander-Civco Engineering, Keri Pallesen-County Auditor/Recorder and Tammy Twitchell-CEM.

With regards to old business, Mr. Raymond stated that he and Mr. Lund had talked to the RDA attorney yesterday and he has been working with the Town of Manila. They are still trying to move forward with including the Town of Manila into the RDA. Mr. Raymond stated that he had completed the letter to Ken Ivory and the letter is included in the Commission correspondence.

Mr. Lund stated that he would like to emphasize that it is important to utilize Craig Smith, Smith Hartvigsen, until he can get familiar with the RDA. This would mean paying for Mr. Smith to help with the next few things and then he will understand how it all works.

There was no one present with old business nor citizens comments.

The minutes of August 26, 2014 meeting were provided for review and approval by the County Clerk's office. Mr. Blanchard stated that on Page 2, Paragraph 1, needs to read Mrs. Perry. Mr. Blanchard also stated that on Page 4, Paragraph 3, needs to read "Motion by Mr. Steglich to rescind" rather than reverse. Motion by Mr. Blanchard to approve the minutes as revised. Mr. Steglich questioned that with the discussion regarding Delta Plan One's 40 acres and the date amendment from January 18, 2014 to October 1, 2014, what was the one acre Mr. Blanchard had requested to add to the property. Mr. Blanchard responded that it was the little corner by the road that had come to light with the survey but it had been determined at that meeting to wait until later. Seconded by Mr. Steglich, all in favor. Mr. Steglich questioned if Thompson Davis had sent over the requested material and Mr. Lund stated that he will follow up with that.

The Open Invoice Report was provided for review and approval by the County Auditor's office in the amount of \$75,629.60. Mr. Steglich questioned the matter of the payment of \$10.00 to Terry Carter for coyote ears and the matter was discussed. Mrs. Pallesen was requested to attend the meeting and she provided the information that there are several old checks on the listing that were never cashed and they will be turned into Unclaimed Property. Mr. Blanchard questioned the invoice from Home Depot Credit Service which had been charged to the Commission account-4111-740 and Mrs. Perry stated that was for the Capital Project for the desks. Mr. Blanchard also questioned if there was a duplication on the two credits in the amount of \$97.56 to Main Street Auto Parts and Mrs. Pallesen stated that she will check on that and will delete if it is a duplicate. Mr. Blanchard questioned the invoice from Quill Corporation for the two toners and which printer they were for. Mr. Raymond stated that they were for his printer and there was discussion as to the coding. Mr. Raymond stated that last two toners were paid from TRT and this one was coded to the Commission. Motion by Mr. Blanchard to approve the Open Invoice Report with Mrs. Pallesen checking on a possible duplication. Seconded by Mr. Steglich, all in favor.

With regards to correspondence, the Commission reviewed the finalized Ken Ivory letter and Mr. Raymond questioned who else he was to send the letter to. The

matter was reviewed and discussed. Mr. Steglich provided a list of those to receive the letter and Mrs. Perry stated that she planned to email Mr. Snider and have him distribute it. Mr. Raymond stated that the letter was pretty hard on the Forest Service and if the Forest Ranger does get a hold of this he could be quite unhappy. Mr. Steglich recommended that the Governor and Lt. Governor also receive a copy of the letter. Mr. Lund provided a list by page and paragraph of grammatical errors for correction. Upon discussion it was also determined to include a "cc" at the bottom of the letter and include the following list: U.S. Department of Interior, Utah Governor and Lt. Governor, Utah Congressional Delegation, Local and Vernal Forest Service Offices.

The Commission had received an email from Jack Lytle addressing his concerns about the gravel stored in Dutch John being used by Dutch John residents and the county assets being given away. Mr. Blanchard stated that it was not really gravel but were the used 3/8" chips covered with oil and dirt that were swept up after the Dutch John Chip Seal from barrow ditches to keep the storm drains from becoming plugged. Some of the Dutch John residents had asked to use the chips on their private property to put in their driveways and Delta Plan One had also used some of that material to help with flooding issues on county property. Mr. Blanchard stated that the county does not have a purpose for the material. Mr. Lund stated that the concern is that if there are people wanting them they must have some value and the county cannot give away county assets. If the county has no use for them it would cost the county money to haul the material off. Based on the information received, Mr. Lund stated that it was the Commission's decision on the matter. Mr. Blanchard stated that he had checked with Mr. Olsen, Road Superintendent, and was told that they just sweep the chips off onto the side of the road. Mrs. Perry questioned how large a pile they were discussing and Mr. Blanchard stated that it was about 10 yards and it is now down to about 5 yards. The matter was reviewed and discussed. Bret Reynolds, Civco Engineering, was present and Mr. Blanchard questioned of him the value of the material. Mr. Reynolds replied that used chips do not have much value and they are slightly better than dirt but only slightly. Mr. Steglich stated he was in support of letting the people in Dutch John use the material and Mrs. Perry stated she was as well. Mrs. Perry will include this matter into the Commissioners' Corner portion of the newsletter.

The following business license applications were provided by the County Clerk's office for review and approval: First Data Merchant Services and Ryan Russell. Mr. Blanchard addressed his concern with Mr. Russell not having paid a late fee which was reviewed and discussed. Motion by Mr. Steglich to approve the business license application as submitted by First Data Merchant Services. Seconded by Mr. Blanchard and to include Mr. Russell's application upon verification of there not being a problem with his application. All in favor.

The matter of the Commission making a motion at the August 26th meeting to approve the rezone and subdivision application was on the agenda for discussion. The Planning & Zoning board had made a recommendation to the County Commission and they needed to schedule a Public Hearing. The Public Hearing which has been scheduled for September 16th will remain scheduled.

Mrs. McKee had requested consideration of either cancelling the meeting on Tuesday November 4, or rescheduling due to the 2014 General Election. The matter was

reviewed and discussed. Mr. Steglich recommends to reschedule the meeting until Thursday, November 6, 2014.

Mrs. Twitchell had provided two EMPG Project grant applications to inform the Commission that she has submitted them to the Utah Division of Emergency Management for consideration. One of the applications is for a 50/50 match for a Search & Rescue Trailer as an avenue to leverage the funds received from donations received at a Golf Tournament. The other application is for the \$400.00 for CERT training and response. The Sheriff was aware and had approved the applications.

Mr. Lund had prepared and presented Resolution #14-21, A RESOLUTION COMBINING PARCELS OF PROPERTY for the Travis and Shannon Pearce lot combinations approved earlier this year. Motion by Mr. Steglich to approve Resolution #14-21 as submitted. Seconded by Mr. Blanchard, all in favor.

A Draft letter and invoice has been received from Commissioner Topham, Sevier County, requesting Daggett County Commission consideration of being a signatory on a letter in response to the Environmental Protection Agency's proposed definition of water. Mr. Blanchard stated that it was a good letter and feels that the county needs to support it. Motion by Mr. Steglich to approve the letter regarding the revised scope of water and payment of the \$150.00 invoice to Sevier County. Seconded by Mr. Blanchard, all in favor. Changes to the letter will be done by Sevier County and Mrs. Perry will contact them and advise of the changes requested for Daggett County. Mr. Blanchard questioned where the payment of \$150.00 is to be coded and it was determined to take the money from Public Lands line item – Non Departmental.

Mrs. Perry addressed the matter of Sam Hammer needing to have a credit card as she has been ordering county parts on line and felt it would be easier if she had her own card. Upon review and discussion, motion by Mr. Steglich to approve the issuance of a credit card to Sam Hammer with a credit limit of \$1,000.00. Seconded by Mr. Blanchard, all in favor.

Due to time constraints, the Emergency Declaration for Browns Park had to be submitted without having a meeting. Motion by Mr. Blanchard to approve to ratify the Browns Park Emergency Declaration. Seconded by Mr. Steglich but he also questioned what good FEMA was for Daggett County and Mrs. Twitchell stated that the declaration was not just for FEMA but in order to get help from the State this declaration needs to be submitted. Upon the State submitting \$3+M in disasters, then FEMA steps in. The matter was reviewed and discussed. It was determined that Mr. Olsen does need to keep track of all of his time and his crew's time. Mrs. Twitchell stated that an Emergency Declaration should be submitted within 24 hours of an event. Mr. Steglich stated that he will use this as leverage with the Rob Bishop land bill as the county cannot maintain the roads with the federal funds that the county receives. There was discussion regarding the need for debris flow dams and that following commissions will need to work with the BLM and pipelines companies. Mrs. Twitchell stated that filing these Emergency Declarations will give the county leverage in obtaining grants and etc. Mr. Reynolds stated that the debris flow dams will be addressed with the Federal project on the Browns Park Road.

There was discussion regarding the possibility of the Bureau of Reclamation closing the Swinging Bridge to all but foot traffic due to safety issues after the accident on the bridge. In lieu of the bridge there would be a need to use the jeep road which

would become the main route to Crouse Canyon. Moffat County has said that they would not fix the bridge and that Dickinson will be held responsible to repair the damage to the bridge. Based on the discussion, it appears that the jeep trail (BLM) needs to be improved to a vehicle road and Mr. Steglich will make contacts regarding this.

Mr. Reynolds and Jessica Alexander, Civco Engineering, were present to provide and request information regarding the grant application to the Division of Drinking Water Board for financial assistance to repair the two tanks in Dutch John (60,000 gallon and 300,000 gallon). He recommends submitting the application now and some items of question can be worked out later. For the applications submitted now there is a meeting scheduled on November 7th for the board to review them. If there is a problem with the county's application, there is another deadline for applications on November 12th. The cost for the project is for around \$300,000.00 to repair the linings of the tanks, upgrade the approximately eight (8) unmeted connections and other work on the treatment facility. There was discussion regarding the water going through the plant that is not being charged for as it appears that 30% of the water is unaccounted for. The application as prepared was reviewed and discussed. Twenty year projections were reviewed with a need of larger capacity at that time for a cost of around \$1/2M and Mr. Blanchard stated that the Dutch John Community does not want to go into that kind of debt. The last inspection of the tanks was seven years ago and they recommend that the tanks are cleaned every five years so the needed repairs can be determined. The grant application has been set up with the county providing \$30,000.00 and the rest of the funds in grant and/or loan. Mr. Blanchard stated that the \$30,000.00 was the contingency in the water system. The funding options were also reviewed and discussed. Motion by Mr. Steglich to approve the application and to move forward and to discuss the finances down the road and to leave the \$30,000.00 of contingency funds on the loan. All of those involved need to set up a day and time to work a couple of hours on the questions and concerns not completed in the grant application. The Water Conservation Plan was also discussed and was determined that will need to be researched to determine if one has been completed. Seconded by Mr. Blanchard, all in favor.

With regards to Commission projects, Mr. Blanchard stated that he has been working with an engineer coming out from Salt Lake tomorrow regarding the calibration of the SDADA system for the Dutch John water system to make sure the system is reading correctly. In the past the county has used Bowen & Collins but he has been working with a new company, Electric Engineering Technology, that specializes in automation. They are willing to charge \$40.00 for travel and on site \$60.00 per hour with their per diem rate the same as the county and up to \$125.00 for room. They will work under Bowen & Collins license but they should be able to save the county some money.

Motion by Mr. Steglich to go into the RDA portion of the meeting at 10:35 A.M. Seconded by Mr. Blanchard, all in favor. Mr. Lucas stated that the matter is to change the legal description for the property and upon discussion it was determined that there was a need to go into Closed Session for negotiation of land purchase. Motion by Mr. Steglich to go into Closed Session. Seconded by Mr. Blanchard, all in favor. Those present for the closed session were Brian Raymond, Matt Lucas, Attorney Lund, Commissioners Blanchard, Steglich and Perry and Clerk McKee.

The regular meeting reconvened at 11:15 A.M. with those previously mentioned present.

Motion by Mr. Blanchard to approve the Agreement with Uintah Basin Consolidated Communication Center as provided. Seconded by Mr. Steglich, all in favor.

Upon discussion and with the terms remaining the same, motion by Mr. Steglich to not approve the Predator Control Contract for FY2015. Seconded by Mr. Blanchard, all in favor.

With regards to old business, Mr. Lund stated that Mr. Blanchard had asked how to get the interest money back that was required to be paid by the county to the Bureau of Reclamation. Mr. Lund stated that based on the act there was no justification and he is in the information gathering mode.

Mr. Blanchard stated that with all the rain, he is requesting to be able to get about 40 yards (two belly dump loads) of gravel from Minnies Gap and have it laid on the airport road and requested that the road department haul and lay the gravel for them. Mr. Steglich informed him that the gravel belongs to the Road District and they will need to give permission for the gravel.

Mr. Steglich provided an update regarding the RS2477 roads. He stated that he has met with SUWA twice in the last week and they want to bring an end to the RS2477 claims in the county by the county relinquishing three roads or approximately .9 miles of the 180 miles of RS2477 claims. Two of the roads traverse private property which is not a good option so SUWA then wants to move the boundary of the wilderness proposal over and leave the road alone. The other road still needs to be reviewed but it appears to be a dead end that goes up a draw. The county could close that road and in doing such close all the claims in the county. The State of Utah could drop Daggett County out of the lawsuit and they want to do the same with the other involved counties. All the special interest groups are willing to close the book on RS2477 roads in Daggett County.

Mr. Steglich also reported that the county's 12 issue proposal to Congressman Bishop is evolving. SUWA and the others have big issues with any of the property going to private development as they are wanting SITLA to control all of this land. Bishop stated that the county should not worry as they will write the bill up within two to three weeks and it will be back to the county to review. The bill will be written to say that Daggett County will take all of Clay Basin and none of it will go to SITLA and SITLA can take the ski resort property and sell it. Casey Snider is currently back east working on the bill right now. Mr. Blanchard addressed his concern with wilderness and stated that when the legislation comes back to the county for review we need to make sure the county is covered.

Mrs. Perry reported that new automatic doors have been installed at the County Clinic and she will make sure that the county has a set of keys.

Mrs. Pallesen reported that the Bureau of Reclamation will be conducting their final audit on the Dutch John funds the week of September 22nd.

Mrs. Perry stated that the County Commission meeting scheduled for Tuesday, October 7, will need to be cancelled due to a lack of a quorum.

James Olsen was present and stated that the old Jesse Ewing road was reopened during the landslide. The road was reclosed the other day and there are some issues with the Chevron and Mid America pipelines being exposed in the road or adjacent to the road. Mr. Olsen questioned if the county wants to save the integrity of the road in case the county needs to use it again or tell them the road is closed and they need to fix the

problem. The matter was reviewed and discussed. It was determined that the county will not fix the road but leave it up to the pipeline companies.

Mr. Olsen also reported that he had met with the Utah Water Rights in Vernal about getting water out of the river and they helped him fill out the application which transfers water rights from the lake to the river.

With nothing further, the meeting adjourned at 11:45 A.M.

/s/ Vicky McKee

/s/ Karen Perry

/s/ Jerry Steglich

/s/ Warren Blanchard