

Minutes of the Meeting of the Daggett County Commission/Redevelopment Agency Board held on **Tuesday, October 27, 2020** in the Commission Chambers at the Daggett County Courthouse and through electronic means. Commissioners Matt Tippetts and Jack Lytle were present in person. Commissioner Randy Asay was excused. Attorney Niel Lund and Clerk/Treasurer Brian Raymond were present in person. Auditor/Recorder Keri Pallesen was present online. The meeting was called to order at 9:12 am by Commissioner Tippetts. Commissioner Randy Asay was excused today for personal business.

Present In Person: There were no participants in physical attendance **Present Online:** Mechelle Miller, Corey Auger, Senator Ron Winterton, Kym Slagowski, Nate and Seth Worthen

Approve Minutes: No minutes were available for review.

Issue Updates: Commissioner Lytle asked about the billing and Niel said he wasn't planning on doing anything else. Commissioner Lytle asked Mr. Raymond if he had the collections set up and he replied that he had attempted and the login did not work and he is following up on that. The Bureau of Reclamation is working on getting payments caught up for delinquent parties. Commissioner Lytle asked about our extremely late person and he did not make a payment last month, and so is eviction an option? Not sure if he is still living there. If we want to contact him it could be done administratively and not during session. Others we briefly discussed. Three or four will need to be turned over to collections.

Nate Worthen will be joining us at 10 am, since the Town will not be participating in today's meeting as they need to meet together as a Town before they get back with us.

Mechelle Miller said she had an update from the State. They are working on a plan for the nursing shortage. Everyone in the state is Moderate or higher except Daggett County and one other county. Commissioner Lytle asked some questions and Mechelle said that the ICU bed's are at 72% of capacity and that is statewide, but the big hospitals on the Wasatch Front are busier as they get cases from the rural areas. Doctors are not staying busy with other patients as people are avoiding Drs and hospitals these days. Commissioner Tippetts noted that it is evident that cases are increasing and hospitalizations are increasing. We need to keep being careful and masking up if we are grouping even if it's not required. Senator Winterton said there is still no silver bullet. Commissioner Lytle asked about testing and Michelle said there are rapid tests available, but it still takes about a day to get results. Mechelle asked if the County had applied for COVID Funding for Public Assistance (PA) and said Shiloh Dupaix was working on a project, but nobody was sure what she did and it's not certain whether she completed the application or not. Commissioner Tippetts will get with Shiloh and follow-up with her. Mechelle asked about the Proclamation and Mr. Raymond was asked to send a copy to Mechelle Miller.

Commissioner Tippetts noted we had two hearings last week and they were well attended and were in large part supportive of forming a new district. There was an attempt to calculate when the 60 days would be up and it was determined that we could move forward on the 22nd of December, which is a Tuesday. Commissioner Lytle addressed some concerns and thanked the Town Councils for their participation. He said we should shoot for the 22nd to finalize the details.

Citizen Comments: No citizen comments were given.

Cash Summary: The Cash Summary dated October 26, 2020 was available for review. Commissioner Lytle asked about the positive nature of Fund 10 and Mr. Raymond said it was a combination of the tax disbursement and a transfer from the PTIF account. It was noted the Weed

fund was looking better. Commissioner Lytle motioned to acknowledge receipt and review of all bank accounts as of October 26, 2020. Commissioner Tippetts seconded the motion. All were in favor and the motion carried.

The Open Invoice Register Was Presented For Review And Approval: The Open Invoice Register of October 27, 2020 was prepared by the Auditor/Recorder's Office. Health Insurance was Commissioner Lytle motioned to approve the Open Invoice Register dated October 27, 2020 for the normal invoices in the amount of \$37,064.41. Commissioner Tippetts seconded the motion. All were in favor and the motion carried.

Disbursement Listing: The Disbursement Listing for October 19 - 26, 2020 was prepared by the Auditor/Recorder's Office. Commissioner Lytle motioned to accept the Disbursement Listing as reviewed from Zions's Checking for October 19 - 26, 2020 in the amount of \$88,417.79. Commissioner Tippetts seconded the motion. All were in favor and the motion carried.

Purchase Orders: Commissioner Lytle thought he had a purchase order for the SCADA project and asked for a moment to check on that. It wasn't as far along as he had thought.

Correspondence: Commissioner Tippetts corresponded with Nate Worthen our Realtor for the jail and he will be joining us at 10 am. He also spoke with the Town Councils and Mayors about the Local Districts. Commissioner Tippetts also met with Clay Crozier and Adam Gardiner of Senator Romney's staff last Friday. It was a good meeting. The State Park issue as part of the NRA was discussed as an early discussion item, but it hasn't gotten much traction yet. Senator Winterton was asked if he had any comments and he said he could support it in general terms.

Kym was asked to help with the PO and answer any questions Keri's office might have.

Coery Auger had information about Fire. He had just gotten off the phone with the Ashley National Forest and they will come off fire restrictions tomorrow and so will Uintah County. The extended fire season will stay in place until the end of November in case it stays dry and we want to go back into restrictions. The County can also open the yard waste burn and extend it with a letter. Commissioner Lytle asked about BLM and Corey did not have the latest from them. Seasonal resources are going away and the year round fire resources are somewhat busy, but there are still resources available. The muzzleloader hunt is coming up and it could mean people will want to have fires during that hunt. The Commissioners were willing to end the fire restrictions for Daggett County, but weren't sure about burning past the end of October for burning. BLM is waiting on the MOAB area and they want to come out of restrictions if possible along with the BIA. It is an administrative recommendation. The state depends on the Counties and they prefer that the counties work together to be on the same page as it makes it easier to enforce. Maybe it can get on the agenda next week to approve or ratify it. Duchesne is staying in the restrictions and Wasatch and Summit will know by the end of the week.

Issue Updates (Cont'd): Nate and said we are 15 months into this and we are going into our 2nd winter. There was a question if there was any need to go into closed, so we don't affect our Negotiation standpoint. We have had 2100 online views and some people have opened the online flier (about 20-25 times). We put up a new sign over the summer and have had a handful of calls from people in the Wasatch Front. Most have asked about turning it into a resort setting. It has all the bones for a resort but extensive reconstruction would be needed. The price is an issue for some people and is often a game stopper. The housing market is on fire, but commercial is the opposite and there are a lot of vacant commercial properties. This could be a great storage for the State of

Utah and they were approached, but didn't have a huge appetite for it due to getting things in and out of there to where it is needed. Senator Wintereton was asked about how the State could be involved in this discussion. There was talk of going into a closed session, but it should be done when Randy is available. How about 11:00 am next week and that would work and Senator Wintereton was invited also. There was no time sensitivity so next week would be fine, but it was not noted until after the Worthen's got off that next week's meeting is on Wednesday and is going to be in Dutch John. Nate and Seth were thanked for participating and giving an update. Commissioner Tippetts said he would get a hold of them to let them know that the meeting is on Wednesday not Tuesday. Kym needs to be notified that everything needs to be set up for Dutch John next Wednesday.

Keri Pallesen came into the meeting

Calendar Review: Commissioner Tippetts said that next week's Commission Meeting is on Wednesday and it will be in Dutch John and we will need Kym Slagowski's help to get that set up electronically. Commissioner Lytle asked for a recess and it was granted. Upon returning, Commissioner Tippetts said there is one budget meeting at 1 pm for the courts and the others need to be rescheduled. There was a FLAP kickoff meeting for the 21st and the Site meeting was supposed to be today and was postponed to the 21st of November. Commissioner Tippetts said he tried to get out to the Clay Basin Rd, but did not and Commissioner Asay said he had driven it and it's a great improvement. A letter to the Sweetwater County Commission would be nice. Last Friday he met with Union and they got the AWOS hooked up. It is complete and the next run of the FAA will get it online in December or so. Election Day is next Tuesday. Commissioner Lytle has a CIB meeting next Thursday, November 5th. There is a TV meeting coming up and Pat Asbill has probably been invited. It appears there are no elected officials meeting today and it wasn't clear when the next time to meet will be. There is a COVID Jurisdictional call tomorrow morning. Daylight Saving Time starts on Sunday.

Correspondence (Cont'd): Clerk/Treasurer was asked where we are on the taxes and he said we are up 11% are on TRT and are up on Restaurant, so it appears our revenues will be above the budgeted amount. These numbers are one to two months behind, so some revenues get pulled back for budget purposes and what is on the forms is what was actually received during the year. Hospital Tax revenues are over budget so far. County Option Tax is up 8% year to date and Sales Tax is up 11% year to date over last year, so we are in pretty good shape. It is definitely slowing now, so we have a cushion if it slows down more than past years. October was much busier this year on this side of the lake compared to previous years. Property taxes seem to be up for October, but it is not a result of comparing actual numbers. Mr. Raymond was asked to be prepared to do this in future months.

Commissioner Lytle said he had received a letter from John Rauch of Cedar Springs Marina, He is a firefighter in Dutch John and he was in support of the Local District and had some ideas for CEM. Commissioner Tippetts said there was a letter from the School District regarding their parking lot paving project and the County's involvement in that project.

Policy and Legislation Items:

Discussion And Consideration Of Letter Of Recommendation For A Lot Combination For Lee Schultz: Commissioner Tippetts asked Vicky Walters to step into the meeting and she explained that the parcels are not in a subdivision and so it is a metes and bounds description and is a lot line adjustment. This is in the Acres and it is the combination of two congruent lots and one will have a house and the other will be a garage/shop. The HOA is requiring the combination and

Planning and Zoning has approved it and now its before the Commissioner for approval. Commissioner Lytle motioned to approve the recommendation of Planning and Zoning for a Property Line Adjustment for Lee Schultz for lots 09-05 and 09-04-01 to combine the lots into a single lot. Commissioner Tippetts seconded the motion. All were in favor and the motion carried.

Discussion And Consideration Of Letter Of Recommendation To Bridger Valley Electric Association: Commissioner Vicky Walters explained that the Bridger Valley is hooking up power without approved building permits and there needs to be coordination. Chairman Reed thought it might be helpful to have the Commissioners weigh in on this with Bridger Valley Electric. Commissioner Tippetts said that on the Wasatch Front they have to have a power to panel inspection first before the power is hooked up, so he wondered if the rest of the board felt this was worthwhile to pursue. The person is still hooked up and they have submitted no paperwork. Brian Raymond said that he had brought this up with Commissioner Asay and he was willing to talk with Bridger Valley about this. Vicky thought that it was a safety issue and Commissioner Tippetts agreed. Moon Lake Electric requires a building permit number and verification of payment and a copy of the inspection. We'll have Commissioner Asay call and reiterate the importance of following our code and have more discussion on the power to panel inspection. Attorney Niel Lund said it would just have to be prepared and approved at a future Commission meeting. Commissioner Lytle thought that the recommendation could be given to Planning and Zoning to update the ordinance to include a power to panel inspection requirement in the code. Commissioner Tippetts said he would pass this along to the Planning and Zoning Commission.

Discussion And Consideration Of Local District With Manila Town Council: Commissioner Tippetts said this had been cancelled by the Town.

Discussion And Consideration Of Title 6 Chapter 6 Of The Daggett County Code Regarding Disposal Of Public Property: Commissioner Lytle asked the Attorney if he was able to rewrite the ordinance. He said he was not able to do that yet. The attorney requested that the Commission look at the current ordinance and give feedback. The Real Property in Public Use may be the one that applies here. Mr. Lund said we may need to add a section that nothing will inhibit the transfer or disposal of property to another government entity if that is in the best interest of the health welfare and safety of the general public. Commissioner Lytle thought there is a difference between it going to private use vs. public use. The attorney said we can adjust the definition of significant real property which has a procedure to follow. If it is to remain in public use that process should not need to apply. Commissioner Lytle asked about reversionary language and it was not really thought it needed to be in code. The Federal Government does this, so why can't we. The attorney said he would need to do some research, but he is not really in favor of that type of language as it is unclear how enforceable that is. State Code no longer requires planning and zoning approval like our County Code, so the Commissioners thought the County Code could be consistent to the State Code and referenced to it. Mr. Lund will make the updates and have it ready for next Wednesday's meeting. Commissioner Lytle motioned to table consideration Of Title 6 Chapter 6 Of The Daggett County Code Regarding Disposal Of Public Property until November 4th. Commissioner Tippetts seconded the motion. All were in favor and the motion carried.

Discussion and Consideration Of Memorandum Of Understanding For Indigent Defense Services Between Uintah County And Daggett County: Commissioner Tippetts asked Attorney Niel Lund to give us an overview on this. Niel said our MOU with Mr. Deane's office is funded by a grant and we had agreed to pay an amount based on the average cost of the three

previous years. If the expenses go over that amount the grant will cover the excess. The Indigent Defense Trust Fund is almost like homicide insurance. If there is a capital case the Trust Fund will cover the expenses for that case. The two items are separate and we need to do both. We have paid for 2020, but have not finalized the MOU. There were two options in the packet and one is for this year and the other is for this year and next year and automatic renewal was discussed, but nothing has been prepared. Mr. Dean's position is based on the funding coming from grant funds; a review is probably a good idea. For today Mr. Lund recommended approving the version that covers 2020-2021 and then come back to this next year for the following year. Commissioner Lytle motioned to approve the Memorandum of Understanding between Uintah and Daggett Countys for Indigent Defense Services that covers January 1, 2020 through December 31, 2021. Commissioner Tippetts seconded the motion. All were in favor and the motion carried.

Discussion And Consideration Of Contract For Sale of Land and Facilities To Town Of Dutch John: Commissioner Tippetts motioned to table this until next week and Commissioner Lytle seconded the motion. All were in favor and the motion carried. There was discussion and Mr. Lund did not think a contract would be ready for next week. Has a starting point been discussed and it has not. Do we have examples we can build from? The attorney thought we could probably come up with something. It could be relatively collaborative. Commissioner Tippetts said he was okay with Dennis drafting something. Commissioner Lytle asked about reversionary language or other language that keeps it in public use in the future. There will probably need to be two contracts as the 10 acres is part of the RDA and the rest is in the County's name. Commissioner Tippetts thought the two could be separated as one might be easier and the other would require more work as a survey needs to be done.

There was no known need for a Closed Session or RDA.

Commissioner Lytle motioned to adjourn the meeting at 11:40 am.