

Minutes of the Meeting of the Daggett County Commission and the Daggett County Redevelopment Agency held on **Tuesday, June 22, 2021** in the Commission Chambers in the Daggett County Courthouse in Manila, Utah and through electronic means. Commissioners Randy Asay and Jack Lytle were present in person. Commissioner Matt Tippetts was excused. Clerk Brian Raymond and Sheriff Erik Bailey were present in person. Attorney Niel Lund and Auditor Keri Pallesen attended digitally and Recorder/Treasurer Brianne Carter attended both digitally and in person. The meeting was called to order at 9:22 am by Commissioner Asay.

Present In Person: Brandi Pearson-Commission Assistant, Steve Feragen, Guy Cox, Mayor Dave Coombs, Jeff Darr, Kym Slagowski

Present Online or by Phone: Bret Reynolds, Ron Winterton, Jesse Lassley

Motion to Go In and Out of Redevelopment Agency (RDA): Commissioner Lytle motioned to go in and out of the Redevelopment Agency. Commissioner Asay seconded the motion. All were in favor and the motion carried.

Approve Minutes: Minutes from the June 8th, June 15th Regular Commission Meeting and the June 15, 2021 Special Commission Meeting minutes were available for review. Clerk Brian Raymond said that the minutes are done but they are to be signed and posted within three days and with Matt gone that will be difficult. Attorney Niel Lund was consulted and the meeting which Commissioner Lytle did not attend should wait for Commissioner Tippetts but the others can be approved. Commissioner Lytle motioned to approve the June 8th Commission Meeting Minutes. Commissioner Asay seconded the motion. All were in favor and the motion carried.

Commissioner Lytle motioned to approve the June 15, 2021 Regular Commission Meeting Minutes. Commissioner Asay seconded the motion. All were in favor and the motion carried.

Commissioner Lytle was not in attendance at the June 15 Afternoon Special Commission Meeting so those minutes were tabled until Commissioner Tippetts could be available.

Issues Updates: Commissioner Asay said the COVID spike is winding down in Daggett, but Uintah County is still having issues. Sheriff Bailey said Casey Olsen is fully certified now and has been on some calls. We need to look at requiring people to run on the ambulance after we pay for their training. Attorney Niel Lund said that he had prepared something in the past, but he wasn't sure if it was ever used. Sheriff Bailey asked if we could add this to the agenda next week or it could be done administratively. Commissioner Lytle thought we could have them pay up front and reimburse them or have an agreement if they can't afford it. There is one person ready for the next class and maybe the new deputy depending on when he completes POST. Commissioner Lytle said that he is in the process of getting his First Responder Trainer certification in the near future. The Sheriff said there are no applicants yet for his new position and there is a new seasonal deputy starting July 1st. He will probably live in the barracks if the showers get done and Jesse did get the a/c fixed last week and that is really appreciated by the Sheriff's Department!

Bret said that the Dutch John airport will be closed down June 28th through the 30th for work on the runway. Brian will get that posted.

Brandi Pearson said that she, Commissioner Asay and Commissioner Lytle met with Dr. Breitenbach and Monique the office manager for the Clinic and it went well and they will look at the hours and some of the maintenance. It was a good meeting. Commissioner Asay thought they were very responsive to the concerns expressed and they are working on their website. They will have a suggestion box at the Clinic in the near future and they want people to put their comments good and bad into the box. They need to post who is running the Clinic, so they will be working on that and a

lot of good solutions were offered. Sheriff Bailey said he had heard from citizens that privacy is an issue with people, so hopefully that is being addressed. The Commissioners said it was a big item and the Admins from out of the area will be the only ones that have access to the suggestion box.

Citizen Comments: Steve Feragen said they are making a new approach into Captain's Cove and Mt. View Subdivisions and he has had a wreck already on his property and now it will point the traffic straight at his house and he would like the Board to consider an alternative option. Bret said that his company was involved in the project and he shared a picture of the proposed changes. The changes were shown on the map and Steve said the accident took out a 100' of fence, so he is worried this is going to be even worse. Steve also asked if there was a way that the Road Department can be paid to work on the road, but Commissioner Tippets is over them and not in attendance today. They would have to pay all the costs. Mr. Fereagen also thought it looked like they didn't make it big enough and would have to enlarge it as the area continues to grow. Bret said a trailer will be able to pull in and out of there without any problems, and he wasn't sure what to say about the light situation. Rainbow Way is part of District 1 and not part of the County Road system.

Cash Summary And Expected Revenues Report Review: The Cash Summary and Expected Revenue Reports were provided by the Recorder/Treasurer's Office. Recorder/Treasurer Brianne Carter said we had received the airport money and are still waiting for the corner monumentation and EMPG grant monies and another grant. Commissioner Lytle asked about the disbursement of Taxes and Brianne said the Sales Tax was received this morning, but is not showing on this form and tax disbursement will be in early July. Commissioner Lytle asked about Fund 28 and Brianne said that those required amounts were dealt with earlier this month and will be done again in early July. Commissioner Lytle motioned to acknowledge receipt of the Cash Summary Report for all accounts as of June 21, 2021 and the Expected Revenue Report also dated June 21, 2021 of \$25,451.93. At some point we will see the closing out of the Water Tank project. Commissioner Asay seconded the motion. All were in favor and the motion carried.

Approve Open Invoice Register: The Open Invoice Register of June 17, 2021 was provided by the Auditor's Office. Commissioner Lytle motioned to approve the Open Invoice Register dated June 17, 2021 in the amount of \$24,303.08. Commissioner Asay seconded the motion. All were in favor and the motion carried.

Disbursement Listing: The Disbursement Listing was provided by the Auditor's Office for review. Commissioner Lytle motioned to accept the Disbursement Listing from Zions Checking for June 10 - June 17, 2021 in the amount of \$129,273.18. The motion was seconded by Commissioner Asay. All were in favor and the motion carried.

Purchase Request Approvals: There were no purchase requests to consider.

Correspondence: Commissioner Asay said we have a fire adjacent to us in Colorado. Commissioner Lytle said it is up to 2,700 acres on Little Mountain in heavy timber and a modified Type 2 command is in place to keep it contained and is adjacent to the Wyoming line and about 2 or 3 miles from the Utah line. There was an issue with water used to fight the fire as there was other water that would have been easier to use and not affect cattle. Sheriff Bailey said that we need to incorporate that issue into the County Emergency plan.

Brian said there was a notice in the packet from Uintah Basin Association of Governments (UBAOG) regarding the presentation of the CIB application on the Water project. Commissioner Lytle said that he has a court case that day, but it may get continued. Commissioner Lytle said Trevor

and the Engineers can present at the UBAOG meeting and he may be able to attend by phone. The engineers can present at the UBAOG meeting, but not at the actual CIB meeting.

Commissioner Lytle said the Energy Advisor for the Governor will be attending the meeting and was going to meet with the Commissioners afterwards, but it may have been postponed since Commissioner Lytle couldn't attend. Lt. Governor Deidre Henderson is trying to set up an opportunity to meet with the County Staff and he tried to get her working with the Clerk.

Commissioner Lytle noted that we will get packets of tickets for the staff for the rodeo due to the County's significant participation. The donations are looking good for the PRCA Rodeo and it might be live streamed on the Cowboy Channel and be available through an app, so that is exciting.

Calendar Review: Commissioner Asay said the UBAOG meeting is here on Thursday the 24th. Commissioner Lytle said the Fire and EMS District is tomorrow night and he will try to attend. He will be out of town most of the week. Next Thursday is the CIB meeting in Salt Lake, which is in person. The Seven County Infrastructure meeting went well last week and the railroad and road to I-70 are moving forward. The NEPA work is being done.

Policy and Legislation Items:

Discussion and Consideration Of Contract Between Daggett County & Quantum Spatial To Complete The Manila Airport Flight Procedures Survey for the Instrument Landing Approach (ILA): Bret said this was the proposal received several weeks ago and the State has concurred and this is the contract that needs to be finalized. It needs to be approved and then they can be given a notice to proceed. The state has approved it and the contractor has signed it.

Commissioner Lytle motioned to approve the Contract between Daggett County and Quantum Spatial to complete the Manila Airport Flight Procedures Survey for the Instrument Landing Approach (ILA). Commissioner Asay seconded the motion. All were in favor and the motion carried. Bret asked for the signed version to be emails so he can get the project going.

Discussion and Consideration Of Amended Region V Response Planning Committee Bylaws: Commissioner Lytle asked if the Sheriff wanted to talk about this and he said that Sgt. Isaacson said the bylaws are supposed to be reviewed annually but it's been a few years and there weren't any substantial changes from the past version. Commissioner Lytle wasn't worried about the deletions, just wanted to make sure that there weren't any new additions.

Commissioner Lytle motioned to approve the amended Region V Response Planning Committee Bylaws amended June 16, 2021. Commissioner Asay seconded the motion. Commissioner Lytle said they are trying to be pretty strict with attendance. Brian thought it had been in there for a while, but maybe they are trying to enforce it. Sgt. Isaacson is our representative and he has been doing a good job. All were in favor and the motion carried. The Sheriff was wished a Happy Birthday! and exited the meeting.

Discussion and Consideration Of Conditional Business License For Gas It Up (Wade Briggs): Clerk Raymond said this came in last week and he failed to notice that it didn't have the zoning approval checked off. It can be approved conditionally or tabled. Commissioner Asay motioned to table this until the paperwork is completed with Planning and Zoning. Commissioner Lytle seconded the motion. All were in favor and the motion carried.

Discussion and Consideration Of Proposed SITLA Land Purchase For Shooting Range

- **Jeff Darr:** Commissioner Asay turned the time over to Jeff Darr. Jeff said that Bret has done some extensive revisions on the layout and we are down from 40 acres to 12.5 acres and he spoke with Scott Bartleet of SITLA and they are willing to consider it, but were not interested in getting the 5 acres on the other side of the road back. The Layout was put up on the screen and Bret explained the changes and said the ranges will be stepped down to take advantage of the land contours. The inside width is 40'. Commissioner Lytle asked if it has been run past the NRA and DWR. Jeff said they used the Department of Energy specifications which is what NRA uses, but this is just preliminary. This no longer shoots toward the dump so it alleviates that problem. It was asked about the estimated cost and Brian said the hope is that it is similar to the previous 40 acres, but it depends on what happens, so it might be more. Commissioner Lytle asked for an estimate on the cost of the dirt work and Bret had not calculated the new configuration, but the previous configuration was \$290,000, so this might be half of that. Commissioner Asay reviewed the process outlined in the SITLA email. Commissioner Lytle asked about the capacity of the committee to get the funding. Jeff said there is a new retiree in Washam that has some contacts in Wyoming and he has been working with NRA, but their challenges have made it hard to find the right person. Mayor Coombs said they would like to see the County participate and then the Town will consider participation. Commissioner Lytle asked about the land already owned and Jeff said they want to turn that into an Archery range and Shotgun shooting location. The question is whether to go forward with SITLA and have them start doing their work. Commissioner Lytle asked if anyone had talked with the grazer as it seems less impactful to them? Are there thoughts of having a fence around the range to keep the cattle out? Jeff said it hadn't been considered, but it could be.

Commissioner Lytle started a motion and then asked if we would have to pay any fees if we didn't get the property. Jeff said originally when we started the process we were looking at \$4,000 in closing costs and it may be a little less, since it is a smaller package, but it would be the purchaser's responsibility. Guy Cox asked if the Federal Gov't would help and it could be something that should be investigated. Commissioner Asay said that he thought it would be good to have a range so that people wouldn't shoot up the electrical facilities around the county. He was good going forward.

Commissioner Lytle motioned to start the process and see what the purchase price is for the proposed SITLA property before we make a final commitment. Dave Ure could be contacted and the plan explained. Commissioner Asay seconded the motion. All were in favor and the motion carried. Jeff was also asked to check on the ordering of the signs and Keri Pallesen was asked about the status. Keri said Commissioner Tippetts had signed the Purchase Order yesterday. Keri was planning on making the order this afternoon.

Discussion and Consideration Of Planning and Zoning Commission Recommendations:
Rezone of Don Allphins Parcel #01-01090308 to all R-R-1: A short recess was taken while Vicky Nelson of Planning and Zoning was brought into the meeting. The meeting started again at 10:52 am. Vicky Nelson addressed the first item and Don Allphin had asked that the entire parcel be zoned R-R-1. The public hearing was held and no issues were brought up and Matt Tippetts voiced support. Neighbors were sent notice of the hearing. The Planning Commission approved it and is

recommending the County approve it. Commissioner Lytle motioned to approve the zone change on the previously mentioned parcel owned by DOA LLC-Don Allphin to change the zone from A-20 to R-R-1 and he then asked about the location of the entire 69 acres and the 17 acres that are proposed for rezoning and it didn't make sense, so the parcel map was reviewed. Kym Slagowski was asked to come into the meeting to try and help figure out what was going on. It was thought part of what is shown as being owned by Mark James is now owned by Don, but the map has not been updated. Kym said she has not had any zoning updates. Commissioner Asay pointed out that the paper shows 69 acres, but its not clear what that entails. Captains Cove has some acreage that may be part of it that is supposed to be part of the Homeowners Association, but it is being shown as owned by someone else. It might be that she hasn't received some updates yet, so she will check on that and the Recorder can be consulted. While that was going on the next item was discussed.

Discussion and Consideration Of Planning and Zoning Commission Recommendations: Amendment of Lot 10 to Combine Lots K-1-10 and K-1-11 of Flaming Gorge Lake Meadows Subdivision: Guy Cox was asked what he was trying to do. He said he had an old septic but it was not too old and too small, so Tri -County Health was requiring him to put in a bigger system and so he needed to combine his lots. He has gotten the water approved from the Town and his location was found on the map.

Discussion and Consideration Of Planning and Zoning Commission Recommendations: Rezone of Don Allphins Parcel #01-01090308 to all R-R-1 (Cont'd): Kym Slagowski said that Brianne Carter said the property was purchased from Mark James. Matt Tippetts was called and he confirmed that. Brianne was able to come into the meeting and clarify that land was purchased by Don from Mark James and combined it into a 69 acre parcel and Chris Balling purchased the remaining portion of Mark's property. The lot split went through in April, but hasn't been updated on the County map yet, as Brianne is in the process of recording now. The DOA LLC is in ownership contrary to the map. The parcel number on the sheet is the correct number as the 17 acres purchased is now part of that parcel. Commissioner Lytle motioned to approve the Planning and Zoning Commission Recommendations: Rezone of Don Allphins Parcel for the 17 acres added to parcel #01-01090308 to R-R-1 to be consistent with the other 52 acres of the parcel. Commissioner Asay seconded the motion. All were in favor and the motion carried. The Plat was signed.

Discussion and Consideration Of Planning and Zoning Commission Recommendations: Amendment of Lot 10 to Combine Lots K-1-10 and K-1-11 of Flaming Gorge Lake Meadows Subdivision: Commissioner Asay brought the meeting back to the agenda item and motioned to approve the amendment of Lot 10 to Combine Lots K-1-10 and K-1-11 of Flaming Gorge Lake Meadows Subdivision. Commissioner Lytle seconded the motion. All were in favor and the motion carried. The Plat was signed.

Discussion and Consideration Of Planning and Zoning Commission Recommendations: Combination of Lots 1, 2, and 3 of Plat "A" of Captains Cove For the Town of Manila: Mayor Coombs was present and pointed out that there are a couple of parcels missing in the agenda item,

lots 10 and 11. Niel was asked about that and the original recommendation from the Planning and Zoning Commission. Brian said you might be able to approve them and ratify it next week, and Niel was consulted and said it could be done that way as it is in the Zoning meeting minutes.

Commissioner Lytle motioned to approve the Planning and Zoning Commission Recommendations to combine lots 1, 2 and 3 of Plat "A" and also lots 10 and 11 also of Plat "A" to be consistent with what was approved in the Planning and Zoning Meeting. Commissioner Asay seconded the motion. All were in favor and the motion carried. The Plat was signed and Mayor Coombs said that the Town acquired these from people who did not pay their water fees.

Ratification Of Vicky Nelson As An Alternate Member To The Planning And Zoning Commission: Commissioner Lytle motioned to ratify the approval of Vicky Nelson as an Alternate Member of the Planning and Zoning Commission. Commissioner Asay seconded the motion. All were in favor and the motion carried.

Discussion and Consideration Of Ratification Of Right-Of-Way Certification For Sheep Creek FLAP Project With U.S. Forest Service: Commissioner Lytle asked about this and Brian said that James brought this forward. Niel said he had been sent the info and had reviewed it. The thought was it was for the private ground and then after further research and discussion it was the Forest Service that was giving the right-of-way on U. S. Forest Service a land on Sheep Creek Geological Loop. The project is in the County's name and so it needs to be in our control, but we won't own it, we would just have a right-of-way. Commissioner Lytle motioned to ratify the Right-Of-Way Certification For Sheep Creek FLAP Project With U.S. Forest Service. Commissioner Asay seconded the motion. All were in favor and the motion carried.

Discussion and Consideration Of Approval To Accept The Deed And Associated Conditions For The Right-Of-Way Certification From U.S. Department Of Transportation On Behalf Of The U.S. Forest Service: Commissioner Asay said Niel is working on this based on previous discussion. Commissioner Lytle motioned to accept the deed and associated Conditions for the Right-Of-Way Certification From the U.S. Department Of Transportation On Behalf Of The U.S. Forest Service. Commissioner Asay seconded the motion with the understanding that the Attorney will prepare the letter that it is legally sufficient. It would be helpful if there was a map as that was not included in the information given to the Clerk. Commissioner Lytle amended his motion that a map be included for the record before. Commissioner Asay accepted that stipulation with his second. All were in favor and the motion carried.

Discussion and Consideration Of The Possibility Of Having The County Run The Tower Rock Run in 2021: Commissioner Asay turned the time over to Amber Kelly and she explained that the School District was willing to provide busses for the Tower Rock Run, but only to another government agency, and not the Chamber. Historical bus uses were discussed and to do this Brian talked with Keri Pallesen yesterday and there are three stipulations and at least two need to be met for the County to be covered by UCIP. The event should be on County property, which it is not, so the County needs to have control of the event through their staff and also have control of the

finances. Brian said he was willing to be the County representative and he had talked with Brandi Pearson and she would consider being involved in a limited manner, but has not given a final response. Brianne said she was okay with the money coming through the County and was willing to be involved to some degree. The question is if the County is willing to run the event or if the Chamber needs to find busses somewhere else. Keri was asked to comment and she did not respond. Niel was asked to give additional input and he was not part of the conversation and couldn't really discuss that portion. Commissioner Lytle was willing to have it come back to the County if the Chamber met Keri's needs and especially that the volunteer's have their paperwork submitted. The question is also if the Chamber will make the County whole if there is a deficit. Brian said he would have to talk with Mark about that and there may be additional funds available, but more research will need to be done. We will need to do a budget adjustment as neither the revenues or expenses are currently in the County's Budget for 2021. Commissioner Lytle motioned to go forward with the recommendation that the County go forward with participation in the Tower Rock contingent upon working everything out with the Auditor and Treasurer's Office. Commissioner Asay seconded the motion. All were in favor and the motion carried. Amber thought that sounded good and Brian said he would be in touch with her.

Closed Session For Possible Purchase, Exchange Or Lease Of Real Property: There is a need for a closed session at 1 pm and it was thought there was another meeting at 2 pm. Commissioner Lytle motioned to recess at 12:02 pm. The Meeting came back into session at 12:56 pm. Commissioner Lytle motioned to go into Closed Session at 12:57 pm for the purpose of discussing the Purchase, Exchange or Lease of Real Property as stated in Utah Code Title 52 Section 4-205. The motion was seconded by Commissioner Asay. A Roll Call vote was taken: Randy Asay voted "Aye," and Jack Lytle voted "Aye", Matt Tippetts was excused from today's meeting. The motion carried and the meeting went into Closed Session in the Commission Chambers of the Daggett County Courthouse at 12:58 pm on June 22, 2021. Also attending were Jesse Lassee, Attorney Niel Lund, Clerk Brian Raymond and Commission Assistant Brandi Pearson.

The motion to go back into Regular Session was made by Commissioner Lytle at 1:29 pm. The motion was seconded by Commissioner Asay. All were in favor and the motion carried.

Commissioner Lytle motioned to adjourn at 1:30 pm. All were in favor and Commissioner Asay adjourned the meeting.

/s/ Brian K Raymond
County Clerk

/s/ Randy Asay
Commissioner Randy Asay

/s/ Jack Lytle
Commissioner Jack Lytle

Excused
Commissioner Matt Tippetts