

Minutes of the Meeting of the Daggett County Commission and the Daggett County Redevelopment Agency held on **Tuesday, March 12, 2024** in the Commission Chambers in the Daggett County Courthouse at 95 North 1st West in Manila, Utah and through electronic means. Commissioners Matt Tippetts, Randy Asay and Jack Lytle attended in person. Attorney Kent Snider, Auditor Keri Pallesen and Clerk Brian Raymond attended in person. The meeting was called to order at 9:00 am by Commissioner Matt Tippetts. The invocation was given by County Attorney Kent Snider. Commissioner Tippetts then led those in attendance in the Pledge of Allegiance.

Present In Person: Peggy White, Bret Reynolds of CIVCO Engineering, Sergeant Leonard Isaacson, Steven Wood, Jesse Platt, Donald Pallesen

Present Online or by Phone: Bart Jensen and Martin Pierce of Jones and DeMille Engineering

Motion to Go In and Out of Redevelopment Agency (RDA): Commissioner Asay motioned to go in and out of the Redevelopment Agency (RDA) Meeting Agenda. Commissioner Lytle seconded the motion. The Commissioners voted as follows on the motion:

	Yes	No	Abstained	Absent
Commissioners Tippetts:	X			
Commissioner Lytle:	X			
Commissioner Asay:	X			

The motion carried.

Approve Minutes: Commission meeting minutes for the Tuesday, February 20, 2024 and February 27, 2024 meetings were available for review and approval. Clerk Brian Raymond noted the minutes from the 20th had already been approved.

Commissioner Lytle motioned to approve the minutes for the Tuesday, February 27, 2024 RDA and Daggett County Commission Meeting. Commissioner Asay seconded the motion. The Commissioners voted as follows on the motion:

	Yes	No	Abstained	Absent
Commissioner Tippetts:	X			
Commissioner Lytle:	X			
Commissioner Asay:	X			

The motion carried.

Issue Updates: Commissioner Lytle had some questions for the Attorney about the MBA. Commissioner Tippetts asked about the Federal Money we received for the bike path and if that would affect PILT and neither Commissioner Lytle or Bret Reynolds believed it would.

Peggy reported that she had sent an email to Kym Deiter regarding affordable housing. Peggy said Uintah County has this set up; however, she is not sure how it is funded or where the funds come from. Peggy had not heard back from Kym, and will try contacting her again this afternoon.

Sergeant Isaacson reported that the Sheriff Department has one person in POST now and another slated to attend in May.

Bret Reynolds and Sgt. Isaacson were asked about the Fire and EMS District. There was discussion about hiring an EMS Director and the District is moving forward on developing a position for a full-time employee. They will talk more about it at tomorrow's District meeting.

The airport fencing project is moving forward and should be completed in 4 weeks. The issue that needs to be addressed is the culvert and contact is being made with the neighboring property owners for some details on the gates. Bret Reynolds had some invoices that needed signing.

Commissioner Tippetts said he, Peggy White and Troy Ostler of CIVCO represented us last week at the Joint Highways meeting regarding non urban trail grants. They made a strategic change in the request since we are hoping to receive additional money from the state. We ended up receiving a \$1.078 million award due to that move. We also heard from Jake of Representative Curtis' office that a minibus bill was going to pass with funding for the bike path to take us to \$4 million. The bad news is that we are being held up in the wetlands from the Army Corps of Engineers. They haven't declared jurisdiction, but want a lot more information. The wetlands engineers think we can reduce, but not eliminate all wetlands. Bret said that Larry Montoya of UDOT had solicited UDOT's wetlands people who are involved to provide assistance. Mitigation can go from between 10 to 1 or as low as a 2 to 1 and we might be able to get it down to $\frac{3}{4}$ of an acre. The question is whether there is a nexus from the water down to the Flaming Gorge or does it sit in some places before slowly making its way into the Gorge. It also needs to be determined how often the water exists and other questions. There were questions as to the engineering and there is a change order and it is for an additional \$15,000 for the wetland work by the contractor and Bret Reynolds. The wetland contractor will be coming up this week or next. UDOT recommended we respond to the Corps to reduce the impact, but we will have to do some kind of permit. There are two types of permits, one for under a half acre and one for over a half acre. Commissioner Lytle asked if anyone else at CIVCO was working on this with Bret and he said there are other employees involved. The project is hoped to be completed in 2025 and some of the money will be available later this year. There was discussion of separating the projects by a couple of weeks to keep State and Federal money separate and allow for multiple bids. Commissioner Asay couldn't understand why there were wetlands in the highway right of way. Commissioner Tippetts agreed and thought the highway has created the problem and Commissioner Lytle said that the highway runs across the drainage and that should have been taken care of when the highway was put into place. Bret noted that regulations have changed and court cases have created precedence that needs to be addressed. Commissioner Tippetts said that the Supreme Court had a ruling last year so they need to take that into account. UDOT said this is not unusual. Commissioner Lytle asked where this money being requested is coming from. Commissioner Tippetts thought that we had received some of the money already, but there are funds coming in, we are just not sure when. The trail could be moved, but it would create even more costs. Commissioner Lytle asked if there was an issue with highway expansion and it may be an issue for the future. Another option would be the Stateline Road, but there would also be considerable expenses involved with that option. Commissioner Tippetts thought that if they widen the road at some point in the future they would need to expand the trail. Bret said that once we get a Wetlands determination there will need to be a plan to deal with wetlands, which will create additional funding needs. Commissioner Lytle asked if there was a maximum amount that would be expended to solve the issue. Bret said that is not known at this point and originally we thought there would not be a designation. Once we know the determination then we can determine the costs to get the easements, ground and then protecting/maintaining the wetland. One piece of wetland that might be useful is around the airport, but it is not good to mix birds and wetlands with an airport, so that's a last resort. Expanding the shoulder and using that for a pathway has its own challenges and expenses. The future of the water and sewer lines and expansion were also discussed. Commissioner Asay thought we have more funding coming, but doesn't want to see it boiled down to a mile long path that is so short due to the wetlands that should have been addressed years ago. It had to be done in Wyoming and also in Brown's Park.

Peggy White said she had called Brandon Fugal about the Jail and he hasn't responded and neither has Thomas Winterton. Senator Winterton was trying to get some information before the end of the meeting today.

Attorney Snider was asked about the progress of the Airport property. Kent said he had not seen the legal description. Commissioner Tippetts said the Contractor is anticipating being done in 4 weeks, so we need to get on this. James Olsen asked Commissioner Tippetts if we would be interested in hiring the fencing contractor to fence the County's agricultural piece of property. There is a cross fence, but it is between Bob Slagowski's parcels. It doesn't appear that we have a lease agreement and it seems we are not getting paid, so fencing it would make it easier to control it. Bob is providing the water to keep it as pasture and grass. It was noted that we should have a conversation with Chad Reed to see what the original agreement was between Bob and the County. It's a more valuable use now than putting in a ditch and keeping the water and cattle off of it.

Peggy White said that she had received a call from Cody Ivie, who is on the City Council in Duchesne County. He knows a gentleman that is interested in doing some development in Dutch John of about 100 acres and he is associated with the U of U for environmental benefits of lower water use and electricity. Commissioner Asay said it would be best if they came and made a presentation to the Commission. Commissioner Lytle asked if the parcel map was updated and Jesse Platt said that he had heard from Clerk Raymond that there were some issues, so he met with Brianne yesterday and got some updates that have been fixed on GIS, but it appears there are others not updated. This will be a process. Commissioner Asay asked what our process is for following up on the property that we've sold and the other Commissioners thought that needs to be addressed. We need to follow through on these things and make sure. Commissioner Tippetts asked Mr. Raymond to add "Participation Agreement" to the RDA line item in issue updates. Jesse was asked if we could add the data for the parcels on GIS that could be added to a layer or something. Jesse said if it's duplicated we might be able to do it, but we don't want the original info out there. A short recess was taken at 10:28 am.

Citizen Comments: Steven Wood was present with some updates from Jones and DeMille and questions regarding the grandstands. Martin Pierce was still in the meeting virtually but Bart Jensen was gone. The first question was the roofing material. Do we want shingles or wood? Commissioner Asay also brought up the possibility of removing some of the supports, because of the sight lines. They would be metal posts enclosed in wood. Steven asked if they wanted the overhang to copy the existing bleachers if they wanted to cover the ADA ramps or not. It was thought that the overhang could match the current overhang, but it wasn't clear if there was a requirement to cover the ADA platform and ramps. Commissioner Asay asked if the ADA seating was low enough for the people behind to see? Commissioner Lytle asked about the railing and the line of sight. The rise might be slightly off for commercial use, according to Commissioner Tippetts. There was discussion of 10 rows of seating and adding a row of steps to put the first row above the ADA seating. Bart joined the meeting and was asked about the steps and he said in the Delta Center they are steep and do 2 steps per row. We could also do this, but the roof is too low already. The question was asked about the roof supports and Bart did not think much could be done about that due to the roof and possible crowd action. Handrails are going to be needed in this and maybe even in the existing bleachers. It was asked if we need to add handrails can we increase the slope? Martin stated that you can not increase the slope without adding steps. The sign board would be helpful although it's a challenge to get signs up according to Commissioner Lytle. The other Commissioners agreed to add a sign board. It was unclear what the height is of the existing sign boards.

According to Jesse Platt, there are 11 rows of seating in the current bleachers. The roofing materials were discussed again and the metal roof could alleviate the need for wood substrate, which could save some money. It will be wider and so could seat 200+ people and maybe around 225 max.

This is exciting and we will continue to design to have something to put out to bid. It was asked if the platform could be dropped down lower to make it easier for people to see? Jesse thought that we could drop it one step level and maybe change the fencing for better visibility for those in a wheelchair. The requirement of a 42" fence could work, but maybe a welded mesh or chain link could also be used. Martin thought chain link would be the cheapest, but the aesthetic doesn't match. Welded wire mesh or Hog wire would not obstruct your view and it's more agriculture related. There are other options that could also be considered.

Cash Summary Report & Aging Report Review: The Cash Summaries and Accounts Receivable Reports were provided by the Recorder/Treasurer's Office. Commissioner Lytle noted that Zions Checking General is at \$168,000 and the Fund 10 pull on it is \$74,000. So things are a little tighter than usual.

Commissioner Lytle motioned to accept the Cash Summary Report dated March 11, 2024 for all bank accounts and the accounts receivable report. Commissioner Asay seconded the motion. The Commissioners voted as follows on the motion.

	Yes	No	Abstained	Absent
Commissioner Tippets:	X			
Commissioner Lytle:	X			
Commissioner Asay:	X			

The motion carried.

Open Invoice Register: The Open Invoice Register was provided by the Auditor's Office. Commissioner Lytle motioned to approve the Open Invoice Register dated March 7, 2024 for all standard invoices in the amount of \$149,825.89. Commissioner Asay seconded the motion. The Commissioners voted as follows on the motion.

	Yes	No	Abstained	Absent
Commissioner Tippets:	X			
Commissioner Lytle:	X			
Commissioner Asay:	X			

The motion carried.

Disbursement Listing: The Disbursement Listing was provided by the Auditor's Office. Commissioner Lytle motioned to accept the Disbursement Listing from Zions Checking from February 23, 2024 to March 7, 2024 in the amount of \$107,197.64 with no void amount. Commissioner Asay seconded the motion. The Commissioners voted as follows on the motion.

	Yes	No	Abstained	Absent
Commissioner Tippets:	X			
Commissioner Lytle:	X			
Commissioner Asay:	X			

The motion carried.

Purchase Requests: Sgt. Isaacson had a purchase request for 2 sets of combi tools known as Jaws of Life. This will go to Search and Rescue Natural Disaster (which includes car accidents) We were granted \$40,000 out of the SHSP grant. Weidner and Associates, which has just become a State bid, quoted us \$36,000 so he requested cribbing and cases to protect and lift. This was last year's bid and they will honor it. It is a good deal for us.

Commissioner Asay motioned to approve the purchase request for Weidner and Associates in the amount of \$40,000 for the equipment based on the information provided by Sgt. Isaacson.

Commissioner Lytle seconded the motion. The Commissioners voted as follows on the motion.

	Yes	No	Abstained	Absent
Commissioner Tippetts:	X			
Commissioner Lytle:	X			
Commissioner Asay:	X			

The motion carried. Sgt. Isaacson warned that there will be an invoice sent from Uintah County in the amount of \$4,668.57. This is because of an agreement that was entered into with Region 5. All 3 Counties participated in this agreement. This is an Emergency Operation Plan (EOP) and has to be readdressed every 5 years and there is also a Mitigation Plan and this invoice will be for the contractor to prepare the Mitigation Plan. It was originally \$6,250 but did come in under budget for \$4,668.57. Uintah County will pay it and then invoice us our portion which was \$4,668.57.

Jesse Platt had a Purchase Request for consideration for the ESRI license and there has been a slight change that bumps us over the minimum requirement for a purchase request and it is a sole source as they offer everything and are the industry standard, whereas other vendors only offer bits and pieces. We are utilizing ESRI services in ways we've never done before and Sunrise is a partner on this and when they are done creating, Trevor Brooksby will be a field worker licensee.

Commissioner Lytle motioned to approve the purchase request for ESRI as a sole Source in the amount of \$5,349. Commissioner Asay seconded the motion. The Commissioners voted as follows on the motion.

	Yes	No	Abstained	Absent
Commissioner Tippetts:	X			
Commissioner Lytle:	X			
Commissioner Asay:	X			

The motion carried. A short recess was taken and the Commission came back into session at 11:34 am.

Correspondence: Commissioner Tippetts said he had some information to report on the Ski Resort as there was a meeting yesterday that was well attended. There was discussion of the requirements of the Grant contract for \$300,000 and what the obligation is. Is there a consensus that we want to involve the Seven County Infrastructure Coalition (SCIC)? They will be meeting on Thursday and would like to know if we want them involved. Commissioner Lytle said an MOU will probably need to be generated. The total for the NEPA will probably be \$1.2 million, but an EIS may require more funding. We were willing to support them to the tune of \$600,000. The CEOAB board said yesterday that they will put in another \$120,000 and we can also apply for another grant. Peggy White said the contract was not requiring the NEPA to be done, but we would need to spend ours first and then Mr. Chadwick could spend his matching funds. It's a two year contract and NEPA could take at least 3 years. Commissioner Lytle stated that the Forest Service has not received an application and it is presumptuous to spend money without that. There were thoughts that once the application is turned in it generates some tight deadlines. We also want to own the NEPA in case he opts out of the project. Commissioner Lytle said that before we pay anything we want a strong agreement. SCIC has had strong conversations with the developer. SCIC may be the public part because this will benefit more than just Daggett County. Responsibilities will need to be delineated very carefully in the planning process. Commissioner Tippetts will not be able to attend the SCIC meeting on Thursday as he has a CDBG meeting in Richfield. Commissioner Tippetts is leaning towards turning it over to SCIC as they have an interest in this project, but they are open to other options. SCIC staff seems to feel like it's a good fit. Peggy provided some information from the Forest Service showing what information they need to keep this moving forward. Commissioner Tippetts didn't think the County needs to own an interest, but would like to help the right people get together to help it happen. There are some groups that possibly might fight us on the proposal, so it is not a slam dunk. Kathi Knight brought up that there is a misconception in the public regarding the

size. This will not be a Park City or anything that large. It will be a 3 run hill. Peggy was asked to send the handout to SCIC and John Chadwick. Is SCIC willing to have the project handed off to them? Is \$1.2 million enough with potential legal fights. It's going to be a big step. Commissioner Asay thought it's good to have other entities involved that have more pull than Daggett County alone has. Having this available could turn some of our secondary homeowners into primary homeowners and the traffic in the winter even with a resort will be less than the summertime traffic. Commissioner Tippets will contact Keith Heaton of SCIC if Commissioner Lytle will send him his contact information.

Uintah County is having a meeting tomorrow and everyone is invited as there are more restrictions coming to federal lands in Emery County that will eventually come to our area. Commissioner Tippets will be unable to attend so the others were encouraged to attend at 2:30 pm.

Clerk Brian Raymond had included a bunch of correspondence. Blue Stakes moved their annual meeting and Steven Wood and/or Trevor Brooksby should attend if possible. The Forest Service has their Forest Plan Open House here on Thursday, but two Commissioners are already out of town. The Flaming Gorge Working Group meeting is on the 21st and Commissioner Lytle said it conflicts with the CLG meeting, but as important as both are, the BOR meeting is really important. Brian was asked to forward the CIB request to Trevor Brooksby and Sunrise and he agreed to do so. There was a potential PLPCO meeting on Monday, May 6. Brian had requested that they move it to Tuesday, but if he can't, can we meet on Monday? Commissioner Lytle thought maybe he can and said PLPCO is working on a lawsuit on roads and Sears Canyon is a big one they are looking at and it is not on our road map, so we need to get it added. Brian thought it might be on a private map not released to the BLM, but Commissioner Lytle thought that it was just a goof and never got done? Commissioner Tippets asked what the process is for developing a map. PLPCO should be able to help, James Olsen needs to be involved and so does Jones and DeMille. We may need to review and approve our road map annually. Uintah County also might be able to help. This will involve GIS and Kym Slagowski was involved when she worked for the county. Jesse Platt was requested to get into this discussion and came into the meeting. Jesse said there is a feature layer of GIS that shows "B" and "D" roads. He was requested to check and see if the Sears Canyon Road is on there and Commissioner Lytle said it is not there. Jesse said the Roads map has not been changed for a while. Commissioner Lytle suggested that the roads be placed on an official county road map and show the different types of roads in different colors. Jesse said it could be done. They want to review it and ensure that it is accurate. Sears Canyon should be part of our RS2477 map as it was used long before RS2477, so we need to get it on the system. Uintah County has a natural area on their side of it so BLM is saying it can't happen. Jesse has worked with James on roads and funding every year and that should be reviewed by the Commission. Jesse said he could make that happen. There are some road issues in Chettyville and Taylor Flat among others that need to be discussed.

Calendar: Commissioner Lytle said there is a 1:00 pm meeting today that can't be changed. Commissioner Tippets has a Conservation District meeting and a Weed Board meeting tomorrow. Tomorrow night he goes to Richfield for the CDBG meeting. The Forest Plan meeting is here on Thursday, but they didn't run the date past the Commission. Commissioner Lytle will leave tomorrow night for the SCIC meeting on Thursday and he will be on the call with Uintah county tomorrow afternoon. When is the next UBAOG meeting? They'll be here next week and Peggy White thought there was a UBAOG meeting on March 28th in the Uintah County building. Commissioner Tippets will not be available for that meeting. It will start at 9 or 10 am. Peggy was planning on going and Commissioner Lytle was going to try and go.

POLICY AND LEGISLATION

Discussion And Consideration Of Facilities Use & Ambulance Fees For Cow Country Junior Rodeo(CCJR): Commissioner Tippetts stated that this needs to be for the PRCA Rodeo and the Cow Country Rodeo as well. Commissioner Asay stated if we do one we do them all. Commissioner Tippetts stated that he spoke to the Fire and EMS District in their last meeting and they are of a like mind to continue not billing for the ambulance as has been done in the past.

Commissioner Asay motioned to approve the facilities use and have no ambulance fees for the Cow Country Rodeo, Cow Country Junior Rodeo and the PRCA Rodeo. Commissioner Lytle seconded the motion. The Commissioners voted as follows on the motion:

	Yes	No	Abstained	Absent
Commissioner Tippetts:	X			
Commissioner Lytle:	X			
Commissioner Asay:	X			

The motion carried.

Discussion And Consideration Of Cow Country Junior Rodeo(CCJR) Sponsorship:

Commissioner Asay motioned to provide the \$900 to cover a saddle sponsorship for the Cow Country Junior Rodeo (CCJR) this year. Commissioner Lytle seconded the motion. The Commissioners voted as follows on the motion.

	Yes	No	Abstained	Absent
Commissioner Tippetts:	X			
Commissioner Lytle:	X			
Commissioner Asay:	X			

The motion carried. The money will come from Daggett Designation in Fund 23. The meeting was recessed at 1 pm for an Administrative meeting.

Returned from recess at 2:19

Discussion And Consideration Of Approval Of Planning & Zoning Recommendation Of Conditional Use Permit For Short Term Rental For Flaming Gorge Getaways Rental:

Commissioner Lytle asked why this was on again. Clerk Raymond said that it needs to be ratified as it was not on the agenda properly last time.

Commissioner Lytle motioned to approve the Business License in conjunction with the Conditional Use Permit for A Short Term Rental for Flaming Gorge Getaways, LLP. Commissioner Asay seconded the motion. The Commissioners voted as follows on the motion.

	Yes	No	Abstained	Absent
Commissioner Tippetts:	X			
Commissioner Lytle:	X			
Commissioner Asay:	X			

The motion carried.

Discussion And Consideration Of Union Internet Contract: Commissioner Tippetts turned the time over to Jesse Platt and he explained that the five year contract was expiring and so we need to renew and the cost has gone down, but nothing else has changed. Jesse was listed as the signer and he wanted to know who it should be. Commissioner Lytle said normally it is the Commission Chair. It is another five year contract.

Commissioner Asay motioned to approve the five year Union Internet Service Provider Contract at less cost than before due to the diligence of Annie, the Representative from Union. Commissioner Lytle seconded the motion. The Commissioners voted as follows on the motion.

Yes	No	Abstained	Absent
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Commissioner Tippetts:	X
Commissioner Lytle:	X
Commissioner Asay:	X

The motion carried.

Discussion And Consideration Of Surplusing & Disposal Of Non Functional Intoxilyzers:

Commissioner Tippetts asked how they tested them and Clerk Raymond did not know.

Commissioner Asay motioned to approve the surplus and disposal of the non functional intoxicilyzers. Commissioner Lytle seconded the motion. The Commissioners voted as follows on the motion.

	Yes	No	Abstained	Absent
Commissioner Tippetts:	X			
Commissioner Lytle:	X			
Commissioner Asay:	X			

The motion carried.

Discussion And Consideration Of Updates For CIB List:

Commissioner Lytle asked about the pages and talked about the meeting on April 11, 2024. Peggy White has the Utah One Summit in Salt Lake that day, but could probably do both. If not, she was asked to let the commissioners know.

We need to keep number 1 on. Number 2 should stay on. Did we ever go to CIB for Airports and we have not. The Rodeo grounds came up and there are plenty more improvements needed. The Bike and Pedestrian Path should stay on the list. The Dutch John Airport should stay on the list also. The Water Treatment plant can come off as we are fully into it. The Shooting Range still has work to do, but establishing it is different than completion. Daggett County Jail should stay. The Ski resort would need to be changed to SCIC because it's a study and not the actual project. The other would be \$1,100,000 and our ask would be another 90,000. Commissioner Lytle will bring it up at the SCIC meeting later this week. On the instrument approach we are still waiting for info from the FAA to complete that project. The Brown's Park Road is on the District and so that was all that was on the County list. There was nothing else to add.

The 2-5 year list needs more attention to see if anything needs to move up to the 1 year list. The Broadband could stay. The Firehouse could go to the District. The others could all stay on the 2-5 year list for the County. Commissioner Tippetts said his emphasis is on the bike path, the ski resort and paving Stateline Rd. Commissioner Asay has some big things to keep going and the property acquisition needs to get going with more conversation with the property owner. There were no further projects to discuss. Commissioner Lytle asked about the Water District and there was discussion that we need to get with Chad Reed to see what is the relationship between the District and the Town. Commissioner Tippetts had talked with Mayor Knight about considering a Water and Sewer District for the whole valley. She wasn't opposed to it. There was discussion that the District is now getting their tax revenue and they are keeping it for possible litigation and to pay off bonds, but it was unclear if that was correct or not. Keri Pallesen and Brian Raymond provided some input during this discussion.

Closed Session: Commissioner Tippetts said he had some things that might be necessary to discuss in Closed, but it wasn't clear if Attorney Kent Snider was still around. Keri Pallesen went to find him. Kent said there are several issues needing a Closed session. Commissioner Lytle motioned to go into Closed Session for the purpose of Litigation and Personnel at 2:57 pm. The Commissioners voted as follows on the motion.

	Yes	No	Abstained	Absent
Commissioner Matt Tippetts	X			
Commissioner Jack Lytle:	X			
Commissioner Randy Asay:	X			

Commissioner Asay motioned to come back into Open Session at 3:37 pm. Commissioner Lytle seconded the motion. The Commissioners voted as follows on the motion.

	Yes	No	Abstained	Absent
Commissioner Jack Lytle:	X			
Commissioner Randy Asay:	X			
Commissioner Matt Tippetts:	X			

The motion carried.

With no further business, Commissioner Tippetts adjourned the meeting by acclamation at 3:38.

/s/Matt Tippetts
Commissioner/Matt Tippetts

/s/Brian Raymond
Clerk/Brian Raymond

/s/Randy Asay
Commissioner/Randy Asay

/s/Jack Lytle
Commissioner/Jack Lytle