

Minutes of the regular meeting of the Daggett County Commission, Redevelopment Agency Board and Board of Adjustments, Tuesday, August 26, 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: Thompson Davis, Matt and Amanda Lucas, Bret Reynolds-Civco Engineering, Brian Raymond, Niel Lund-County Attorney, Tammy Twitchell, Keri Pallesen-County Auditor/Recorder, Jack Lytle, David Orr and Ken Rasmussen.

Mrs. McKee provided a notice that will be posted and published for the Dutch John Incorporation Election to be held on November 4, 2014 which will provide information to the registered voters in Dutch John. Mr. Steglich suggested to attach a map reflecting the legal description for posting and Mrs. McKee stated that she would do that.

Mrs. Twitchell stated that she does not have the newsletter completed as she is waiting on a couple of notices but she will pass it around to the Commission for them to review and approve. The newsletter will be printed on Wednesday so it will be out in time for the Labor Day events.

Bret Reynolds stated that he had met with Mr. Blanchard this morning and they will be going over the information needed for the grant application on the Dutch John water tanks. This matter will need to be on the agenda for either of the next two meetings for review and approval of the application as it is due on September 10, 2014. The project will be around \$200,000.00 to refurbish the old tanks to over \$1/2M to build a new tank. The Town of Dutch John will be at capacity in 20 years in the existing tanks so there will be a need to look at larger tank capacity. Mr. Reynolds questioned if the county wanted to approach the Community Impact Board to request help with the 50% match. Mr. Steglich recommended for Mr. Blanchard to take this matter to the Six County Coalition and they will support Daggett County at CIB. Mr. Blanchard stated that the Coalition Board will be meeting in a couple of weeks. Mr. Reynolds stated that Neola has bids out for a 500,000 gallon tank with the due date of September 3 which will provide a good cost estimate for Daggett County.

Mr. Reynolds also reported that through the Special Road District, the north end of Bear Paw Lane has been paved and the District has contracted with Wilkinson Construction to double chip seal a couple of miles in Browns Park from Red Creek almost to the turn off at Frankie Meyer's place and in the Clay Basin area. The project was to be done by the end of August so if the weather allows the first couple of weeks in September they will complete the double chip seal after Labor Day. The BLM biologist has completed their work on the curve realignment so it will be out for review and the District should be hearing shortly. Once it is approved a bid package will go out. Mr. Steglich questioned if anyone had heard back on the Federal Highways monies and it was determined that they had not heard anything yet. There was discussion regarding the flood damage to the BLM's jeep trail which is the south side road from Crouse to Taylor Flat.

There was no one present with citizen's comments.

The minutes of the August 19, 2014 were provided by the County Clerk's office for review and approval. Mrs. Perry addressed the following items needing to be revised: Commissioner Steglich was listed as present and he was not. Third paragraph needs to state current manager "at" SW Health Department. Last paragraph on page one – 55

gallon rather than 60 gallon. Mr. Lund stated that on Page 1, Paragraph 4 needs to state that the Commission wants to support the appeal. Motion by Mr. Blanchard to approve the minutes as revised. Seconded by Mrs. Perry, all in favor.

The Open Invoice Report in the amount of \$70,499.86 was provided by the County Auditor's Office for review and approval. Mr. Steglich questioned the invoice submitted by Joe Jacobs in the amount of \$212.80 and Mrs. Pallesen stated that was to pick up materials for desks and that expense was set up in the Capital Improvement Fund. Motion by Mr. Steglich to approve the Open Invoice Report as provided. Seconded by Mr. Blanchard, all in favor.

Mrs. McKee provided correspondence to the Commission from Ken Brown on a Wild Horse/Burro Advisory Board Meeting, Mark Ward on the Annual PILT Fly-In at Washington D.C. and RS2477 roads and the BLM on Travel Management Planning. Mr. Blanchard addressed his concerns with the county working with SUWA and the matter was discussed. Mr. Steglich stated that he has been invited to meet with SUWA at the Capital on Thursday and will pass on Mr. Blanchard's concerns.

The following business license applications were provided by the County Clerk's office for review and approval: William Christopher Herpin, Horseless Carriage and HC Fabrication. Motion by Mr. Blanchard to approve the business license as listed "a" through "c". With Mr. Steglich refraining from voting due to a conflict of interest, seconded by Mrs. Perry, all in favor.

Motion by Mr. Steglich to go into the RDA portion of the meeting at 9:30 A.M. Seconded by Mr. Blanchard, all in favor.

Mr. Lund noted that the matter for the Planning & Zoning recommendation was listed in the RDA portion of the agenda and it should only be a regular Commission matter not RDA.

Mrs. Perry questioned Mr. Lund if there was an easier way to subdivide the two unusable lots on Block 7 adjacent to the real property owned by Bill Schwartz and Tracy Henline. Mr. Lund replied that the code states that division of two or more lots needs to be subdivided with the exclusion of a county planning to put certain types of facilities on the property as listed in the code. Mrs. Pallesen stated that Block 7 was already a subdivision so the plat map will need to be amended. Mr. Blanchard was given permission to proceed with splitting the property into two lots and work with Mr. Lund in including this property in the RDA.

The matter before the board is a proposal to amend the contract to purchase vacant land with Delta Plan One for the 40 acres. Mr. Steglich stated that he had found a problem with the closing date of January 18, 2014 while reviewing the contract and requested that the date needs to be moved forward. There was discussion as to an appropriate date for closing and Mr. Davis stated that the proposed zoning change on the agenda today will take care of their concerns. Mr. Lund stated that the contract needs to be amended as it is out of date as both parties are in default according to the dates. Mr. Davis provided a date of October 1, 2014 for the new closing date and he will provide a revised contract working with Mr. Lund. Daggett County has completed the survey on the property and that will also be included in the revised contract. Mr. Blanchard requested that an additional 1 acre be added to the property and it was determined that matter will be handled at a later date since it had not been discussed in Planning & Zoning.

Matt and Amanda Lucas were present regarding their request to purchase property in Dutch John. Motion by Mr. Steglich to go into closed session for negotiations for purchase of real property at 9:45 A.M. as there was a new proposal for the RDA Board's consideration. Seconded by Mr. Blanchard, all in favor. Those present for the Closed Session were Brian Raymond, Jack Lytle, Matt & Amanda Lucas, County Attorney Lund, Commissioner Blanchard, Steglich and Perry and Clerk McKee.

The regular meeting reconvened at 10:20 A.M. with those previously mentioned present.

Motion by Mr. Steglich to approve the sale of five acres located near the Dutch John Airport Road to Matt and Amanda Lucas with the processes that have to be followed and there will be some amendments regarding the water line added to the contract with all being contingent upon Planning & Zoning. Seconded by Mr. Blanchard, with discussion. Mr. Blanchard requested clarification of the additions to the contract: The buyer is responsible for the pipeline as well as the pumping and all controls associated in getting water to the property and as suggested by Mr. Lund this will be added to the addendum. All in favor. Mr. Blanchard stated that this matter will need to be submitted to Planning & Zoning at their next regular meeting scheduled for September 17, 2014 for a Public Hearing. It was determined that Mr. Lucas will provide maps and surveys to Mr. Blanchard to be submitted to Planning & Zoning for completion.

The matter of the proposed subdivision for the property located near the Dutch John Airport Road had been discussed with the sale of property to Matt and Amanda Lucas.

Motion by Mr. Blanchard to go out of the RDA portion of the meeting at 10:25 A.M. Seconded by Mr. Steglich, all in favor.

Mr. Blanchard stated that the Planning & Zoning Board had provided a letter of recommendation to approve a zone change and minor subdivision in Dutch John for Parcel A, Section 11, NWNW. Mrs. Perry read the recommendation to those present for revising the zoning from MU-40 and light industrial to commercial. Motion by Mr. Steglich to approve the zone change as recommended by Planning & Zoning for the 40 acre parcel. Seconded by Mr. Blanchard with discussion. He stated that he would like to take the recommendation from Planning & Zoning and to build on that recommendation by increasing the area to be rezoned. The Ordinance allows for the Commission to accept, reject and build on recommendations from Planning & Zoning to change zoning. Mr. Blanchard provided a copy of the proposed change to Mr. Lytle. Mr. Lytle stated that he does not necessarily like the method of doing this without having the P&Z Board involved and knowledgeable. Mr. Blanchard stated that he is using the same justification they used for their recommendation to add the additional area. Mr. Lytle questioned why it is important to do this without P&Z and Mr. Blanchard questioned why not if the county will be doing it at a later time. Recommendation by Mr. Blanchard to extend the area due to negotiations to sell the property and the need to make the additional area commercial in a short period. Mr. Steglich amended his earlier motion to include the area as requested by Mr. Blanchard. Seconded by Mr. Blanchard, all in favor.

Mrs. Perry also read the second recommendation from the Planning & Zoning Board for Lot #2 and remaining, Section 11, T2N, R22E. Motion by Mr. Blanchard to accept the recommendation from the Planning & Zoning Board for the Minor Subdivision named The Draw. Seconded by Mr. Steglich with discussion. Mr. Steglich asked for

clarification of the area for the subdivision. Upon clarification the second stands, all in favor.

Motion by Mr. Steglich to go into the Board of Adjustments as requested by an application submitted by Delta Plan One, LLC for a variance from the Dutch John sign ordinance. Seconded by Mr. Blanchard, all in favor. Draft minutes of the Planning & Zoning Public Hearing held on August 13, 2014 regarding this application were provided for review. Jack Lytle reviewed the minutes as provided as a board member. The minutes of the Public Hearing were reviewed and discussed by the Board of Adjustments. Mr. Steglich requested a copy of the plans for the proposed sign which was reviewed and discussed. The proposal for the sign is to be 35' high. Mr. Lytle stated that there had been discussions during the P&Z Public Hearing that is not included in the Draft minutes regarding the WYDOT sign being important public information so the new sign cannot detract from that. Mr. Blanchard stated that the Planning & Zoning board had accepted the variance and that there are five standards listed in Chapter 16, Variances that need to be met in order to approve the variance. The standards were reviewed and discussed and it was determined that all five standards were met. Mr. Lund stated according to the Dutch John Zoning Regulations this matter did not need to go before the Planning & Zoning Board. Mr. Rasmussen questioned where the sign will be located and if it will remain on their property and Mr. Orr provided the information. Motion by Mr. Blanchard to approve the variance for the sign as applied for by Delta Plan One as each of the standards were met. Seconded by Mr. Steglich, all in favor.

Motion by Mr. Steglich to go out of Board of Adjustments and back into the regular session at 10:50 A.M. Seconded by Mr. Blanchard, all in favor.

The matter before the board is for reversal of the fire restrictions and/or drought declaration. Mrs. Perry stated that she felt that the county was not out of the drought but the fire restrictions could be rescinded. Mr. Steglich stated that in order for the ranchers to get drought assistance the declaration needs to remain in place. Motion by Mr. Steglich to rescind the fire restrictions as noted in Resolution #12-11 but for the drought declaration to remain in effect. Seconded by Mr. Blanchard, all in favor.

Mr. Raymond had submitted a final revised letter to Representative Ken Ivory for approval. Motion by Mr. Steglich to approve the revised letter with additional grammar revisions to be made by Mr. Lund. Seconded by Mrs. Perry, all in favor. Mr. Blanchard has not had a chance to review the letter and will provide any concerns.

The matter of the Manila Airport Scoping for 2015 State Funded Airport Projects was on the agenda for information and determination. Mr. Raymond addressed the Commission stating that they had approved going forward with the project and now the county needs to complete the scoping for the project with the project completion date of June 30, 2015. The scope needs to be completed and sent back to the State for their approval. Uintah Engineering has done the scoping in the past but it is up to the Commission on who they want to use. Mr. Blanchard stated that awhile back the county had picked their surveyor. Mr. Steglich suggested for the county to turn this over to Civco Engineering for the Scope of Work for the Manila Airport. Motion by Mr. Steglich to get Civco Engineering involved with this project. Seconded by Mr. Blanchard, all in favor.

Mrs. Perry stated that the Flaming Gorge Chamber of Commerce has requested that they be allowed access to the Burbot Bash Website which was on the agenda for

discussion and approval. There was discussion regarding the Chamber being allowed the use of the domain name without transferring ownership of the website address as the Commission cannot give away county assets. The actual cost to the county is \$300.00+ for the use each year plus the registration of the name. Mr. Lund suggested for the county to charge the Chamber a nominal fee and make sure they pay for the upkeep. Upon review and discussion, motion by Mr. Steglich to allow the Chamber of Commerce use of burbotbash.com and to be responsible for all fees associated with it. Seconded by Mr. Blanchard, all in favor.

With nothing further, the meeting adjourned at 11:00 A.M.

/s/ Vicky McKee

/s/ Karen Perry

/s/ Jerry Steglich

/s/ Warren Blanchard