

Minutes of the regular meeting of the Daggett County Commission/Redevelopment Agency Board Tuesday, May 19, 2015. Commissioners Karen Perry, Jack Lytle, and Clyde Slaugh were present. Niel Lund-County Attorney and Sue Olorenshaw-County Clerk were also present. The meeting was called to order at 9:05 a.m. by Commissioner Perry.

Also present were: Brian Raymond, Jerry Jorgensen-Sheriff, Chris Collett, Susie Potter, Keri Pallesen-Auditor/Recorder, Jean Dickinson, Paul McCoy, Darrin Brown-TriCounty Health, Thompson Davis, David Orr, Hank Gutz, Ellen Watkins, Gwena Slaugh, James Olsen, Josh Horrocks, Bart Smuin, Jody Jackson, Joe Wiseman, Jerry Kenczka-BLM, and Charles Card.

Mrs. Perry opened the scheduled Public Hearing at 9:10 a.m. The purpose for the hearing was to receive input from the public with respect to the issuance of the Bonds for the purpose of financing all or part of the cost of the Dutch John Water Tank Project and the potential economic impact that the Project will have. There is no one present with questions or comments. Commissioner Perry addressed Niel Lund regarding the documents that have been prepared. Mr. Lund stated that he had no questions or concerns. Commissioner Lytle stated that he wanted to clarify that this is a Revenue Bond and not a General Obligation Bond. Discussion regarding the public meeting held previously in Dutch John where this was discussed. Notice of this hearing was published as required and was also sent out with the utility bills to each of the users. With no further comment, the Commission closed the Public Hearing at 9:13 a.m.

Meeting moved in to regular session at 9:15 a.m. Sheriff Jorgensen is present to discuss the Dam Budget. Sheriff Jorgensen addressed the Commission regarding the turnover in employees and the effect it is having on the Dam Contract. Chris Collett addressed the Commission and presented a Dam Wage Comparison Chart for discussion. Mr. Collett stated that they would like to promote certain employees, but there is currently the moratorium in place regarding wage increases. The Sheriffs Office is asking the Commission to consider the approval of the employee action form for Rick Ellsworth as this would be considered a promotion. Commissioner Lytle addressed Mr. Collett regarding the existing contract. Susie Potter addressed the Commission regarding the contract and changes. Sheriff Jorgensen also addressed the current sick leave policy and how it is affecting his budget. Niel Lund addressed the Commission regarding labor requirements pertaining to leave. Discussion regarding the possibility of amending the existing County policy relating to sick leave. Mr. Lund suggested they address all types of leave. Commissioner Perry stated that she will work on wording to amend the policy. Discussion by the Commission regarding the request to approve this promotion and other similar requests that have been made. Jack Lytle addressed the Sheriff regarding the use of an assigned vehicle for travel to the dam. Mr. Collett stated that this is not allowed per the contract.

Kimberly Knorr-Utah State Tax Commission is present to discuss the Delta Plan Two / Dutch John Hospital property. Mr. Lund stated that this is appropriate for closed session and it was requested to be in closed. Motion by Jack Lytle to go in to closed session at 9:45 a.m. to discuss the Delta Plan Two, Hotel property. Seconded by Clyde Slaugh, all in favor. Those present at the closed session were Commissioners Perry, Slaugh, and Lytle, Niel Lund-County Attorney, Sue Olorenshaw-Clerk, Kimberly Knorr-USTC, Lesa Asay-Assessor, Keri Pallesen-Auditor/Recorder, and Brian Raymond.

Motion by Jack Lytle to go out of closed session at 10:10 a.m. Seconded by Clyde Slaugh, all in favor.

Darrin Brown-TriCounty Health is present to discuss wastewater issues. Mr. Brown addressed the Commission regarding current regulations and rules pertaining to onsite wastewater systems. TCHD has prepared a draft proposal and would like the Commission to review and make comments. Further discussion regarding current requirements and proposed changes. Once the proposal has been reviewed it will go out for public comment. Commissioner Perry suggested that Carrie Poulsen-Planning and Zoning Secretary meet with Mr. Brown regarding the Hand in Hand Outdoor yurt project.

The Commission would like to recess until 1:00 p.m. to attend the funeral of Gene Briggs. Motion by Clyde Slaugh to recess at 10:20 a.m. Seconded by Jack Lytle, all in favor.

Meeting was back in regular session. Motion by Jack Lytle to go in to the scheduled Public Hearing at 1:00 p.m. The purpose of the hearing is to receive comments and input regarding the Petition to Vacate Class D roads D60, D61 and D62 located in Daggett County. Motion was seconded by Clyde Slaugh, all in favor. James Olsen, Daggett County Road Department Supervisor stated the definition of a Class D Road. Josh Horrocks-Uintah Basin stated that he is in favor of what the McCoy/Boren family is petitioning for. Bart Smuin addressed the Commission and presented additional signatures of those who feel that by vacating the roads they would be losing public access. Mr. Smuin stated that this is the only access to Hoy Mountain, as there are no other roads in to this area. He also stated that there is a lot of landlocked property already. Joe Wiseman-addressed the Commission and also submitted signatures of those opposed to vacating these roads. Mr. Wiseman also submitted several pictures of the area to the Commission along with pictures of signage indicating "No Trespassing". Mr. Wiseman stated that these roads have been open for more than 80 years and there is a potential loss of approximately 6,100 acres of public ground. Niel Lund addressed Mr. Wiseman. Paul McCoy addressed the Commission and stated that the BLM made an access road at the corrals and they are not contesting access from there. One of the roads identified in the petition only goes to the gate at the Boren property. Mr. McCoy stated that he is only opposed to private roads being labeled as public roads and feels there are other ways to access public ground without going through the middle of his property. Commissioner Slaugh addressed the public regarding Mr. McCoy's concerns. Commissioner Lytle addressed the map. Mr. McCoy stated that there are gates located on the public land.

Jerry Kenczka-BLM addressed the Commission with his concerns and stated that there is a process to follow if the roads are located on BLM land. Mr. Kenczka stated that the main road the BLM Office has concerns with is the Dead Horse Draw Road as this is the only access to public lands. If the road were vacated, then users could potentially be cited for just being on that property. Mr. Kenczka stated that the BLM understands that the private owner has concerns. Commissioner Slaugh asked if the BLM had discussed any of this with the petitioners. James Olsen addressed the Commission. Commissioner Perry addressed alternative access possibilities. Jean Dickinson addressed the Commission and stated that there are maps that indicate there are roads that are missing. Mr. Wiseman addressed the Commission. Jean Dickinson asked if the County is considering engaging in the travel management process. Further

discussion by the Commission. Mr. McCoy indicated that he has maps from the initial contact when they began this process. Mr. McCoy indicated that the portion of D62 along the fence line does not need to be vacated and the rest of this road is a wagon track and is not used. D61 was identified as going to the end of property; the right-hand spur is also a wagon track that does not go anywhere. The Commission noted for the record that they have received comments from UDOT as well pertaining to road D60. Gwena Boren Slaugh addressed the Commission and stated that she agrees with Mr. McCoy. With there being no further comments, motion by Clyde Slaugh to go out of the public hearing at 1:52 p.m. Seconded by Jack Lytle, all in favor.

Meeting was back in regular session at 1:55 p.m. Based on discussion, the resolution that was prepared would need to be amended. The Commission would like to discuss this further with the BLM as well as the petitioners to determine what the best course of action is. Commissioner Perry would like to table this matter until they have a chance to research it further. Commissioner Lytle addressed Mr. McCoy to see if they would be willing to work together to come up with an alternate route. Matt Henry addressed the Commission and asked if it would be necessary to have another public hearing. Niel Lund indicated that they are not required to hold another hearing; however Commissioner Perry stated that she would like to consider holding another hearing based on public interest.

Motion by Jack Lytle to go in and out of the RDA portion of the meeting and in and out of closed session at 2:01 p.m. Seconded by Clyde Slaugh, all in favor. Present at the closed were Commissioners Perry, Lytle and Slaugh, Niel Lund-County Attorney, Sue Olorenshaw-Clerk, Brian Raymond, and Dennis and Linda Spencer.

Meeting went back in to regular session. Motion by Clyde Slaugh to accept the Spencer's offer on Lot 24, Block 6 located in Dutch John in the amount of \$24,000.00. Seconded by Jack Lytle, all in favor.

Commissioner Perry stated that she would like to go in to PLI discussions at this time. Commissioner Lytle presented a final copy of the resolution. Commissioner Perry stated for the record that another proposal was submitted at the public hearing. Mrs. Perry also noted for the record that Ross Catron has not officially resigned his position as Chairman of the PLAC. Commissioner Perry stated that she was willing to wait until the PLAC has reviewed the alternate proposal prior to going forward. Hank Gutz, a member of the Committee addressed the Commission and stated that similar proposals were presented to the Committee and the majority of the members were not in favor. The Advisory Committee had discussed these proposals and voted them down numerous times. Commissioner Perry addressed the river designation and stated that she does not feel there is adequate time to deal with the proper language in order to include this on the PLI but would like to address the river designation in the future, as well as the private residences. Jack Lytle stated that the County needs to stay involved in the planning processes. Review of Resolution #15-14. Commissioner Lytle addressed comments from Troy Ostler regarding the Deer Lodge Homes, and also stated that he does not feel the PLI Resolution is the best place to deal with this. Jean Dickinson commented on the RS2477 claims and Daggett County's involvement. Matt Henry addressed the Commission regarding Uintah and Duchesne Counties and their wilderness designation, stating it has language regarding winter travel and would like to make sure that the Daggett County language matches. Commissioner Lytle addressed Mr. Henry's

questions. After further discussion, motion by Jack Lytle to adopt Resolution #15-14. Seconded by Clyde Slaugh, all in favor.

The minutes of the May 5, 2015 meeting were presented for review and approval. Motion by Jack Lytle to approve the minutes as written. Seconded by Clyde Slaugh, all in favor.

The Invoice Register was presented by the Auditor's Office for review and approval. Motion by Jack Lytle to approve the Open Invoice Register in the amount of \$116,523.16. Seconded by Clyde Slaugh, all in favor.

The following business licenses were presented for review and approval: AT&T Corp., Spencer Black, DIRECTV, Dish Network, LLC, Igloo Ice, Inc., Josie's Snow Cones, Brian Kapaloski, Brenton Kuhn, Neal Lems, MFA Oil Co., / Basin Propane Systems, Eric Pietz, RDT, Inc., Rock Point Trucking, Rick Stone, Zerox Corp., Elite Outfitters, Sheryl Street, Koren Kapaloski, and Quick Dispense. Motion by Jack Lytle to approve the Business Licenses as submitted. Seconded by Clyde Slaugh, all in favor.

Consideration of Manila High School Most Improved Awards. Commissioner Perry stated that this is something that the Commission has supported in the past. The funds for the awards are donated by the Commissioners personally. Awards in the amount of \$200.00 were approved by the Commission.

EDCUtah has submitted a request for donations for their golf tournament. Brian Raymond addressed the Commission stating that the County has received grants from them in the past. Mr. Raymond stated that the Commission could use money from Daggett Designation. Dave McDonald asked what the benefit to the County would be from this organization. Mr. Raymond addressed the questions from Mr. McDonald. The Commissioners stated that at this time they would rather focus on other options.

Discussion regarding the ratification of the contract changes for the trail maintenance project. Commissioner Perry addressed the changes. After further discussion, motion by Clyde Slaugh to ratify the contract changes. Seconded by Jack Lytle, all in favor.

Commissioner Perry addressed the budget adjustment that will need to be made in the amount of \$2100.00 which will come out of general fund capital improvements. Motion by Jack Lytle to move the funds from capital improvements to trails. Seconded by Clyde Slaugh, all in favor.

Consideration of a Daggett County Selective Service Board Member. Discussion regarding the request. Commissioner Perry suggested putting a notice in the County newsletter to see if someone in the community may be interested in the appointment. Mrs. Perry will get the information to Linda Peterson.

Discussion and consideration of a County clean-up day. Commissioner Perry stated that she will write a letter to Mayor Long as well as Buddy Rogers to see if Dutch John and the Town of Manila would be interested in participating.

The Commission has received a recommendation from Planning & Zoning regarding an ordinance regulating the use of storage containers. Niel Lund will prepare and ordinance and if necessary a public hearing will be scheduled. Mr. Lund indicated he will advise the Clerk when this is ready to be placed back on the agenda. Brian Raymond addressed the requirement that they not be used as a dwelling unit, and suggested they may want to consider revising this in the future. Motion by Jack Lytle to accept the recommendation from Planning & Zoning. Seconded by Clyde Slaugh, all in favor.

Brian Raymond addressed the Commission regarding the Daggett/Sweetwater County Fair Booth. Commissioner Lytle wanted to know if the County still had members on the fair board. Keri Pallesen informed him that the County does have current board members. Mr. Raymond stated there will be no charge for a booth; however there may be minimal charge for a corner booth. Motion by Clyde Slaugh to approve a corner fair booth at the Daggett/Sweetwater County Fair. Seconded by Jack Lytle, all in favor. Commissioners suggested putting a sign-up sheet in all the offices for volunteers to man the booth.

Consideration of Western Energy Alliance Resolution #15-15. Commissioner Perry stated that she had made changes to the resolution and asked that this be put back on the agenda for next week.

Discussion regarding the Utah State Parks Cooperative Agreement. Motion by Jack Lytle to approve. Seconded by Clyde Slaugh, all in favor.

Consideration of Resolution #15-16 Amending Dutch John Utility Water and Sewer Rates. Commissioner Lytle addressed repairs that have already been made or are in the process of being done to take care of leaks, etc. Discussion regarding the effective date of the ordinance. Dave McDonald suggested the date remain as written and become effective immediately. Mr. McDonald addressed the Commission about prior rate increases and where the extra revenue is accounted for and where the additional amounts will go. Commissioner Lytle addressed Mr. McDonald's concerns. Mr. McDonald inquired about the municipal election and the cancellation of the June election. Mr. McDonald also wanted to know what the process will be for the transition. Discussion regarding the ordinance that will need to be prepared. Niel Lund addressed the Commission. After further discussion, motion by Jack Lytle to approve Resolution #15-16. Seconded by Clyde Slaugh, all in favor.

The consideration of Resolution #15-12 Establishing Property Tax Exemptions and Procedures will be tabled and placed back on the agenda for next week.

Discussion regarding the surplus of the 1979 White Western Star-Tandem Axel Dump Truck located in Dutch John. The Commission asked Mr. McDonald whether or not the Town of Dutch John may be interested in this truck. Mr. McDonald addressed the Commission. Based on the discussion, this item will be listed on the public surplus website. Commissioner Slaugh stated that he will have Jesse Slaugh contact the Clerk's office with an amount for a minimum bid.

The Codification Project will be placed back on the agenda for next week.

Consideration of the request for a variance from Charles Card. Mr. Card addressed the Commission regarding a power line that runs directly through the middle of the lot he purchased from the County and is asking for a variance to change the setback requirements due to the utility easement. Discussion regarding Bridger Valley Electric and whether or not they should be responsible to move the line. Mr. Card identified the existing utility line on the map. Commissioner Perry stated that she feels that if Bridger Valley Electric will not move the line, the County should grant a variance. Mrs. Perry indicated that she will research this further and will contact Randy Mair at BVE.

Discussion and consideration of the vehicle lease agreement with Zions Bank and the Daggett County Sheriff Office and Resolution #15-13 Vehicle Lease Agreement with Zions Bank. Motion by Jack Lytle to approve the vehicle lease purchase agreement and Resolution #15-13. Seconded by Clyde Slaugh, all in favor.

Brian Raymond addressed the Commission regarding the Play Unplugged Sponsorship. Discussion regarding the cost of participating and what would be involved. Mr. Raymond stated that the badges are \$1.00 each with a minimum order of 100. Three badges would be \$300.00. Commission selected Bird Watcher, Bike Rider, and Volunteer. Motion by Clyde Slauch to approve participation in the Play Unplugged Program with the money coming out of Daggett Designation. Seconded by Karen Perry, all in favor.

Keri Pallesen addressed the Commission regarding scheduling a budget hearing to deal with the adjustments that need to be made. Mrs. Perry stated that this will be put on the agenda for next week.

With nothing further, the meeting was adjourned at 4:15 p.m.

/s/ Sue Olorenshaw

/s/ Karen Perry

/s/ Jack Lytle

/s/ Clyde Slauch