

Minutes of the regular meeting of the Daggett County Commission/Redevelopment Agency Board Tuesday, November 24, 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 9:00 a.m. by Commissioner Perry.

Also present were: Brian Raymond, Keri Pallesen-Auditor/Recorder, Dave McDonald, Thompson Davis, and David Orr,

Old business: Commissioner Lytle stated that the Drinking Water Board approved the request for additional funds for the Dutch John Water Tank Project. Mr. Lytle indicated that the Commissioners will need to set up a meeting with Chris Clark-Uintah Engineering on December 1st to discuss. Mr. Lytle addressed two leaking fire hydrants in Dutch John that need to be repaired and also stated that he attended the council meeting in Dutch John last night. Commissioner Perry stated that she had a discussion with Brian Raymond and Layne Ferrin regarding the possibility of holding a farmers market, and doing an open air theatre during the summer months. Mrs. Perry also addressed the project management training that she has been trying to coordinate and advised Mr. McDonald that the mayor, town council members, and Doug Sands may want to attend. Commissioner Perry indicated that she has been advised by Jordan Mathis with the TriCounty Health Department that they are still not receiving all of the information that they need from the American Heroes project. Mrs. Perry stated that she will work with the parties to make sure this gets done.

The minutes of the regular commissioner meeting held on November 17, 2015 were presented for review and approval. Commissioner Perry noted one correction and stated that the UBAOG meeting was on Thursday. Motion by Clyde Slaugh to approve the minutes as corrected. Seconded by Jack Lytle, 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 \$33,685.04 . Seconded by Clyde Slaugh, all in favor.

Correspondence: Commissioner Perry discussed the email from John Erickson-USFS and Commissioner Lytle stated the he spoke with Kathy Paulin. Commissioner Lytle also stated that he had informed the Dutch John officials that the request for additional funds for the water tank project has been approved. Mr. Lytle addressed Planning and Zoning and discussion regarding the Ruble property. Mr. Lund indicated that he was also present at the Planning and Zoning meeting and stated that the mortgage company has requested a letter stating that if the existing home burned down it could be replaced. Mr. Lund stated that the property is not in compliance and addressed nonconforming uses however; the ordinance is not very clear. Planning and Zoning has agreed to send a letter stating that that the property is in non-compliance and include a copy of the ordinance and let the mortgage company decide how they would like to proceed. Mr. Lund also stated that he spoke with Paul Sawyer, who is buying the property and indicated that in order to be in compliance they would need to purchase 20 acres as it is currently zoned A-20 or subdivide the property.

Commission Calendar Review: Commissioner Lytle stated the Six County Coalition meeting will be held on December 4th. Mr. Lund addressed the Commissioners regarding their holiday schedule. The Commissioners stated that they currently have no conflicts and would like to hold the regular meetings due to budget discussions, etc.

Commissioner Lytle stated that there will be a CRM writing workshop on January 13th and 14th.

Discussion regarding the business license application for Cove Storage. Mrs. Olorenshaw stated that they had not renewed for 2015 and had included the late penalty as well as the fee for the 2016 license. With no further questions, motion by Clyde Slaugh to approve the 2015 business license for Cove Storage. Seconded by Jack Lytle, all in favor.

Consideration of the removal of the 1971 water tank trailer from surplus and putting it back in to inventory. Commissioner Slaugh stated that this was the trailer that did not receive any bids. The road department had to use it during the summer and has decided to keep it. Motion by Jack Lytle to put the 1971 water tank trailer back in to inventory. Seconded by Clyde Slaugh, all in favor.

Discussion regarding the replacement board member for the Flaming Gorge Road and Transportation Special Service District. Commissioner Slaugh stated that Sean Hughes has indicated that he is interested in this position however; Mr. Hughes has been out of town and has not submitted a letter. Commissioner Lytle stated that he will make the recommendation to appoint Sean Hughes as a board member for the road district conditionally upon receipt of letter of interest from Mr. Hughes. Motion was seconded by Clyde Slaugh, all in favor.

Motion by Jack Lytle to go in and out of the RDA portion of the meeting and in to a closed session at 9:25 a.m. Seconded by Clyde Slaugh, all in favor. Commissioner Perry stated that the purpose of the closed session is to discuss possible real estate transactions. Those present for the closed session were: Commissioners Perry, Slaugh, and Lytle. Clerk Olorenshaw, Niel Lund-County Attorney, Keri Pallesen-Auditor/Recorder, and Brian Raymond.

Motion by Clyde Slaugh to go back in to regular session at 10:27 a.m. Seconded by Jack Lytle, all in favor.

The regular meeting reconvened at 10:34 a.m. with all parties previously mentioned present.

Discussion regarding the consideration and approval to amend the participation agreement with DP2 regarding the hospital property. Commissioner Perry addressed the agreement that is being proposed and wanted to let each of the Commissioners respond. Commissioner Lytle stated that he is not comfortable with allowing DP2 to deviate from the original contract, and feels that they are in breach and would like the County to maintain the contract and for DP2 to live up to the agreement and to deal with the repercussions of the breach of contract. Mr. Lytle stated that he felt the parties had previously come to an amicable amendment to the participation agreement however; that did not happen. Commissioner Lytle also addressed the liens that have been placed on the property. Commissioner Slaugh stated that he agrees with Commissioner Lytle on a number of these issues however; he does not want the County to be back in this same situation a year from now and would like to proceed with the agreement that has been discussed. Commissioner Perry stated that she understands Commissioner Lytle's feelings however; she feels there is no advantage to the County to continue with the participation agreement and that by moving forward with the proposed agreement it will give the Town if Dutch John control over the development as they will be the governing agency. Mrs. Perry stated that the County wants the asbestos removed and feels it is in

the best interest of the County to amend the participation agreement. The County will be done and the future of this property lies with the owners and the Town of Dutch John. Commissioner Lytle indicated that the property still has nuisance issues that will need to be dealt with. Mr. Lund stated that due to additional discussion regarding this matter, an agreement has not been prepared. Mr. Lund indicated that the new agreement will include language regarding the nuisance issues as well as language stating that the County will be held harmless and the owners will be responsible for all taxes. Mr. Lund stated that he will have the agreement prepared for next week. Mrs. Pallesen addressed additional tax issues which Mr. Lund stated would not be enforceable as it would be a legislative issue. Commissioner Perry asked if anyone present would like to comment. Mr. McDonald stated that he had no comment. Commissioner Perry wanted to state for the record that no one on the current Commission had anything to do with the original participation agreement and the current Commission only wants to do what they feel is best for the County. Commissioner Lytle commented on allowing the original agreement to expire. David Orr addressed the Commission. Commissioners Perry and Lytle responded to Mr. Orr's comments. Thompson Davis addressed the Commission.

With nothing further, the meeting adjourned at 10:52 a.m.

/s/ Sue Olorenshaw

/s/ Karen Perry

/s/ Jack Lytle

/s/ Clyde Slaugh