

Minutes of the Meeting of the Daggett County Commission and the Daggett County Redevelopment Agency held on **Tuesday, September 14, 2021** in the Commission Chambers in the Daggett County Courthouse 95 N 1st West in Manila, Utah and through electronic means. Commissioners Randy Asay, Jack Lytle and Matt Tippetts were present in person. Attorney Niel Lund, Clerk Brian Raymond and Sheriff Erik Bailey were present in person. Auditor Keri Pallesen attended digitally? The meeting was called to order at 9:07 am by Commissioner Asay.

Present In Person: Brandi Pearson-Commission Assistant, Kurt Booher of USFS, Gage Bailey, Trevor Brooksby, Sgt. Isaacson

Present Online or by Phone: Mechelle Miller, Bret Reynolds, Corey Auger, Aaron Averett and Bryan Meier of Sunrise Engineering

Motion to Go In and Out of Redevelopment Agency (RDA): Commissioner Tippetts motioned to go in and out of the Redevelopment Agency (RDA). Commissioner Asay seconded the motion. Commissioners Tippetts and Asay were in favor, but Commissioner Lytle was not yet in attendance. With the two favorable votes the motion carried.

Approve Minutes: Minutes from the August 31, 2021 and September 7, 2021 Commission Meetings, plus the September 9, 2021 RDA meeting were available for review.

Commissioner Tippetts motioned to approve the minutes of the Daggett County Commission and RDA Meeting held on Tuesday, August 31, 2021. Commissioner Asay seconded the motion. Commissioners Tippetts and Asay were in favor, but Commissioner Lytle was not yet in attendance. With the two favorable votes the motion carried.

Commissioner Tippetts asked about the question marks on the Open Invoice register. Brian said he was uncertain of the amount, so he double checked the invoice amount and it was corrected. Commissioner Tippetts motioned to approve the minutes of the September 7th, 2021 Commission Meeting. Commissioner Asay seconded the motion. Commissioners Tippetts and Asay were in favor, but Commissioner Lytle was not yet in attendance. With the two favorable votes the motion carried.

Commissioner Lytle came into the meeting. Commissioner Tippetts motioned to approve the minutes of the Special Meeting of the RDA held on September 9th, 2021. Commissioner Lytle seconded the motion. All were in favor and the motion carried.

Issues Updates: Commissioner Asay said they are supposed to have a COVID Update Meeting tomorrow morning at 7:00 am, but he hasn't heard the details yet. Commissioner Asay said he had a discussion with the Uintah Basin Association of Governments (UBAOG) about workforce housing. If we could find the ground they would build up to two houses or a duplex for us at the jail in Duchesne. Commissioner Lytle asked what it would cost us but the amount was unclear as material prices have changed. Affordable Housing has connotations of being cheap, but they are workforce housing. They are willing to come and do a presentation at a future Commission meeting if the Commission wants. Commissioner Lytle asked about getting at least one three bedroom. That will have to be investigated. We just need to set a date and find some property. Commissioner Asay would like to not take any property out of agriculture production if possible. CARES funding could be used, but it was thought that we had used all that money and we haven't committed our ARPA money yet. Commissioner Lytle thought that the use for the Water system was the state's money and not ours. The land would need to be value for value even though the values might be difficult to come up with. Commissioner Asay liked the idea of using prisoners and teaching them skills is a good idea and using local contractors for the rest of the work would be good. We need to keep going forward on this.

Commissioner Tippetts said he had talked to NRCS about options for funding the washed out roads in the Browns Park area and there are some other funds that may be helpful, so that is being investigated as Duchesne County is using some of these funds for similar projects. Mechelle Miller was on virtually and was asked about the possibility of funding and there is a need to work with the mitigation team so the information needs to be gathered as quickly as possible. Search and Rescue is all that has been allocated and James went down and did a tour as did Trevor and he took pictures as well. Public Assistance through FEMA to help with these things. Commissioner Tippetts said the question came up at the Conservation District meeting if roads were infrastructure and Mechelle said it depends. Commissioner Lytle said that DWR is looking to get a drone to fly the area and offered to meet with Mechelle this afternoon and she said that might work or she could come up here. She needs the impacts and their locations. Commissioner Lytle will call her after the meeting and she can coordinate with the mitigation team through Google Drive.

Commissioner Asay said there has been discussion regarding the Road Closure onto the Forest. The road goes to the gate and the gate is on Private property. The Road is a D Road and Kurt said there is no documentation of a Forest Service or Easement with any of the property owners and so there is an issue as it may have been a handshake back in the day. The Forest Service could buy an easement if the owners were willing to grant one. County Road 101 would take people down there and the other way would be expensive to make work. Commissioner Lytle asked about something being removed through NEPA, but Kurt wasn't sure what that was all about. Seasonals had been sent down there to clean up and unless the property owners gave permission to allow access, they wouldn't try to get access through the property. Commissioner Tippetts said that it is showing on the map as a D Road, so we need to talk about this. The Forest Service can not find where an easement has been granted. The Forest Service would like a Yale lock on it for Emergency Use only. There are some new owners which brought this issue up again. The County believes he doesn't have a right to padlock it and there is a method to go through to do that if desired. The Sheriff was asked his thoughts and he thought that there should be access to public lands. Now that it has a public eye on it the Sheriff and Forest Service can do more patrols to eliminate the problems. The other access would take additional resources to get it up to speed. Niel was asked about the County D Road by Kyle Edwards house and Commissioner Tippetts said that the County maps show that it is a County D Road and therefore Mr. Edwards does not have a right to lock the gate and so what is the next step. Sending a letter or having the Sheriff deliver are options and so we just need to let him know the facts and potential consequences and how he can challenge the decision if desired. Niel was asked to write that letter and the Sheriff's Department will deliver the letter. Removing the lock is a second step, not the first step. Proper notification is the first step.

Kurt Booher has some additional issues to bring up including the museum out of Vernal in collecting a dinosaur specimen near Linwood Bay and it was an Ictosaur that was embedded in the rock and discovered by a fisherman and it will be prepared down at the museum. It is the first time this type of dinosaur has been found in Daggett County and the Flaming Gorge area and it's about 400 or 500 yards from the dinosaur tracks. The repaving projects are proceeding well and the public should be pleased with the end product. The bunkhouse in Dutch John is going through a rehab and part of it will be able to house a family due to the housing shortage. Ramp repairs have been looked at for Lucerne, but nothing has happened yet. The Greendale Water system is working and there is another \$3 or 4 million that needs to be put into the system in the future. They are trying to use local contractors and look at affordable housing. The AL&L contract will be up in 2023 and so they may make some changes after that. It has been difficult for AL&L to fill their staffing needs along with everyone else. The Spring at Little Hole is not producing the way it used to and treatment is more challenging. They are looking to hook into the Greendale system to help if needed. There are no people in Green River any more and Kurt said he is open to partnerships. The Park Service had 60 permanent employees and now he only has 10. He is open to partnerships. NRAs need to be

congressionally funded with specific budgets, but not sure that will happen, but Representative Moore seems to be supportive from what the Commissioners say. The boat ramp at Long's Park needs to be examined while the water is low. Kurt said there is a lot of funding on the NRA and the District, so it's not clear how the funding for that will work. Kurt said they are trying to revive the RAC. Commissioner Lytle had tried to sign up, but had not completed it yet. Don Jaques was collecting the applications, so he can be contacted to see where things are at. Commissioner Tippetts thought we should get someone to represent us. Several projects for this area have been suggested, but there is a lot of competition for the funding. Kurt was thanked for his efforts.

The Sheriff did not have any EMT Updates and Commissioner Tippetts said he is applying pressure to the Engineer on the Airport Plan. Trevor Brooksby said the Success in Education landed eight planes at the airport last week and it was tight, so some improvements would be nice. They had a good time and it went well and he said they are talking about doing 3 days next year, depending on guide availability. Trevor said an aerial picture was taken and he will get it to Brian.

Sheriff Bailey said there should be a purchase Order for dispatch Fees for \$11,000 and change and it went up but is less than budgeted, so we should be good. He has to leave but will check with Nancy Steib on this. Sgt. Isaacson asked if Mechelle had put out information about the Awareness meeting on September 23rd. Mechelle said it's important for people to attend, including: public works, water/sewer facilities, emergency response, etc. Anybody involved in incidents should be in attendance at the Training at the upcoming Community Awareness meeting as there will be a lot of good information presented.

Citizen Comments: No additional comments given.

Cash Summary And Expected Revenues Report Review: The Cash Summary and Expected Revenue Reports were provided by the Recorder/Treasurer's Office. Commissioner Lytle asked if there is anything that the water system needs to do to complete the reimbursement. Trevor did not think so as everything was in Brianne's court at the moment.

Commissioner Lytle motioned to accept the Cash Summary Report and Expected Revenue Report for all accounts as of September 13, 2021. The Expected Revenue Report was in the amount of \$166,174.11. Commissioner Tippetts seconded the motion. All were in favor, and the motion carried.

Approve Open Invoice Register: The Revised Open Invoice Register of September 9, 2021 was provided by the Auditor's Office.

Commission Tippetts motioned to approve the Open Invoice Register dated September 9, 2021 for normal invoices in the amount of \$16,166.24. Commissioner Lytle 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 Tippetts motioned to approve the Disbursement Listing dated September 2, 2021 through September 9, 2021 in the amount of \$174,502.79. The motion was seconded by Commissioner Lytle. All were in favor and the motion carried.

Purchase Request Approvals: There was a Purchase Request for the Department of Public Safety that was not in the packet. It is for Request #591 for Dispatch Services July 1, 2021 through June 30, 2022. Commissioner Tippetts motioned to approve the purchase request with the change of the date from 2012 to 2021 within the document for the request in the amount of 11,076.00. The motion was seconded by Commissioner Lytle. All were in favor and the motion carried.

Correspondence: Commissioner Asay said we have an agreement for the use of the Jail for that week. We already signed one but this is another agreement from them basically saying the same thing. Niel was asked to review it.

We petitioned Mitel to have the contract voided due to the lack of communication regarding the virtual leg to the Sheriff's Office, which was not communicated. They agreed to let us out of the contract. Niel said we should get more from them than the email Commissioner Asay shared with everyone. Niel will talk to Jesse about it.

Commissioner Tippetts said he had a good discussion with Representative Moore following last week's meeting. He also had some discussion with the Weed Board, the Conservation District, the road department and the weed department about combining the departments to solve some issues for both departments and it could create a new full-time position that would consolidate things and create efficiencies. Commissioner Asay asked if the grants would still be available and Commissioner Tippetts said Keri thought it would be okay, but there may be some details to flesh out still. The idea sounded good to the other commissioners.

Calendar Review: Commissioner Asay asked if we had BOE tomorrow and Commissioner Tippetts said it is scheduled for the 28th and 29th. Commissioner Lytle said there is a USACCC meeting Board meeting tonight and then UAC is the next two days and then SCIC on Friday. Commissioner Tippetts said he did not get his hay up this week, so he will try to attend on Thursday.

Policy and Legislation Items:

Discussion and Consideration Of Possible Application For American Rescue Plan Act (ARPA) Funding: Commissioner Lytle noted that it looks different on the computer and Trevor said that it did. What you have before you is the second or third draft and there are still some minor adjustments and the question was asked who would fill it out and submit the application. The items will be filed this afternoon and it is unclear if it needs a signature. Commissioner Lytle asked about the visitation increase as it's huge so that should be verifiable. We are asking for a 80/20 split or a grant of \$3,784,000 and the remaining \$946 would be our responsibility and we will go to CIB to fund that. Material costs are coming down, but they could go up again. This funding is through the Division of Drinking Water and Commissioner Lytle wasn't sure how to get into the funding portal, so Bryan Meier shared some information to help get him situated. Nobody has logged in yet

Commissioner Lytle motioned to approve making an application for COVID-19 Local Assistance Matching Grant program being administered through the Governor's Office of Planning and Budget. Commissioner Tippetts seconded the Motion. All were in favor and the motion carried. Trevor asked if Commissioner Lytle wanted to do it or if he wanted him and Bryan to finish it up? Commissioner Lytle asked Trevor to work with Bryan to get it completed and turned in.

Discussion and Consideration Of Transfer Of Property To Town Of Dutch John: Commissioner Asay asked if Niel had received a copy of the deeds and he had not heard back from Bart with Jones and DeMille to verify if the boundaries checked out. Commissioner Lytle asked if it included deeds for the fire station, conference Hall, Old Post Office/Courthouse, Big lawn, Cemetery and the purchased property. Niel said it should be for all of those and there is activity in both the County and RDA. He doesn't know if we have a signed copy of the contract and Brian couldn't

remember receiving one. Commissioner Asay asked about the \$10 sum and Niel explained that on most deeds that amount is a placeholder to show that there is consideration. Commissioner Lytle thought Mayor Kunkel had brought over the signed agreement and plat, but nobody seemed to know what had happened to them. We need to find those items and they may be in the Recorder's Office. The Town needs to make the payment and then the deeds can be signed. Commissioner Tippetts said we could communicate with Mayor Kunkel to bring the check and we will get it all finalized.

Commissioner Lytle motioned to finalize the transfer of the property to Dutch John contingent upon a review by the engineer/surveyor of the titles and receipt of payment and a copy of the signed contract. Commissioners Tippetts seconded the motion. All were in favor and the motion carried. Mayor Kunkel needs to provide the check and the signed contract and we will verify everything is ready to go through Bart. Commissioners asked about the cost of holding meetings in the Conference Hall and Council Member Brooksby said that charging had never come up in discussion, so he assumed that the same courtesy extended to them would be extended to the County. Commissioner Lytle thought that would be the case. Commissioner Asay brought up the lease agreement with Matt Lucas and it is in the agreement to honor that lease. We had given him two years or so. Matt Lucas came into the meeting and he was informed that the lease should be honored by the Town of Dutch John.

Discussion and Consideration Of Transfer Of Survey, Legal Description And Planned Settlement Of Land Being Sold To JRL Holdings #2, LLC: Brian Raymond said he had spoken with Jesse and there were a variety of items in the packet that should probably be approved. Brian had just received an email stating the closing will be electronic and everything will be signed digitally. Commissioner Lytle asked about costs and there is some title insurance that we are paying for out of the payment from Jesse.

Commissioner Asay noted there was a change of title companies. Their closing agent was off last week and it wasn't clear if they could have everything ready to close. Niel noted the agreement stated that the County is to share the cost of title insurance with the buyer. It wasn't clear if the earnest money had been paid. Uintah Basin Land and Title could be called to verify that payment was received. Brian brought up an easement issue that Jesse had asked about and Niel said that he had spoken with Jesse and there isn't a need to make any changes on that issue.

Commissioner Lytle motioned to allow a different title company to complete the sale to JRL Holdings #2 LLC and approve the closing documents as provided. Commissioner Tippetts seconded the motion. All were in favor and the motion carried. Commissioner Tippetts noted we need to let Brianne know she will be receiving a check, so she can verify it has been received.

Closed Session: Commissioner Lytle motioned to go into Closed Session at 11:21 am for the purpose of purchase, exchange or lease of real property. Commissioner Tippetts seconded the motion. A Roll Call vote was taken and Commissioner Jack Lytle voted "Aye", Commissioner Matt Tippetts voted "Aye," Commissioner Randy Asay voted "Aye" so the motion carried.

Commissioner Tippetts motioned to come out of Closed Session into Open Session at 12:36 pm. Commissioner Asay seconded the Motion. All were in favor and the motion carried.

With no further business Commissioner Tippets motioned to adjourn the meeting and Commissioner Asay seconded the motion and declared the meeting adjourned at 12:37 pm.

/s/ Randy Asay

Commissioner Randy Asay

/s/ Brian Raymond

Clerk/Treasurer Brian Raymond

/s/ Jack Lytle

Commissioner Jack Lytle

/s/ Matt Tippets

Commissioner Matt Tippets