

Minutes of the regular meeting of the Daggett County Commission/Redevelopment Agency Board, Tuesday, November 26, 2013. Commissioners Steglich and Perry were present and Commissioner Blanchard was excused. Vicky McKee, County Clerk, was present as board secretary. The meeting was called to order at 9:00 A.M. by Chairman Steglich.

Also present were: Niel Lund-County Attorney, Tammy Twitchell, Keri Pallesen-County Auditor/Recorder, Brian Raymond, Guy Durrant and Kenny Hardy.

There was no one present with old business nor citizens comments. Mr. Steglich questioned the matter of Travis Dupaix attending a Grant School on December 12th and 14th. The cost for the school will be \$425.00 and he would stay at his Grandmother's house so there would not be an expense for a room. Deputy Dupaix had approached Sheriff Jorgensen about attending and due to budget constraints, the Sheriff had declined. Mr. Steglich was questioning the use of the Rural Hospital tax fund to be used for the funds for him to attend. The matter was discussed and determined that this was training that would be a benefit for the EMT Organization.

The minutes of the November 19, 2013 meeting were provided by the County Clerk's office for review and approval. Mr. Steglich stated that with regards to his comments on the November 10, 2013 meeting, it needs to be clarified that the minutes for the November 10, 2013 meeting were NOT changed. Mr. Lund provided a couple of changes for revision. Motion by Mrs. Perry to approve the minutes as revised. Seconded by Mr. Steglich, all in favor.

The Open Invoice Report was provided by the County Auditor's office for review and approval. Upon review and discussion, motion by Mrs. Perry to approve the Open Invoice in the amount of \$33,262.67 as presented. Seconded by Mr. Steglich, all in favor.

With regards to correspondence, the county had received an unsigned letter addressing their concern with the condition of some of the lots in Flaming Gorge Lake Meadows Subdivision (Chettyville). Mrs. McKee stated that Mr. Blanchard had provided her information on mailing a letter to the property owners of some of the lots in question.

The county had received the documents from Zion's First National Bank for the Lease Purchase Agreement for a 2014 K8BF Ford Explorer Base 4WD and a 2013 F151 Ford 4x4 Supercrew. Upon review and discussion, motion by Mrs. Perry to approve the Lease Purchase Agreement for the vehicles as listed. Seconded by Mr. Steglich, all in favor

Motion by Mrs. Perry to approve Resolution #13-20. A RESOLUTION APPROVING THE FORM OF THE EQUIPMENT LEASE AGREEMENT WITH ZION'S FIRST NATIONAL BANK. Seconded by Mr. Steglich, all in favor

Motion by Mrs. Perry to approve to surplus the following vehicles as requested by the Sheriff's Office: 1. 2011 Ford Explorer – VIN#1FMHK8K81BGA88378 and 2. 2011 Ford F-150 – VIN#1FTFW1ET88FC77741. Seconded by Mr. Steglich, all in favor. The vehicles will be used as a trade-in for the new leases.

Motion by Mrs. Perry to approve to recess the meeting at 9:15 A.M. until the 10:30 A.M. for the scheduled Public Hearing. Seconded by Mr. Steglich, all in favor.

Motion by Mrs. Perry for the regular meeting to reconvene at 10:30 A.M. and to go into the Public Hearing scheduled at that time to obtain comments from the public for

the Zoning Change Application submitted by Marge Kushida. Those present for the Public Hearing were Guy Durrant and Kenny Hardy.

Mr. Steglich provided information regarding the Kushida application rezone and stated that the matter was open for comments.

Guy Durrant was present to provide comments regarding the zoning change. He stated the following reasons why he was not in favor of rezoning the parcel and requested that the Commission deny the zoning request. 1. Rezoning should be undertaken only with good reason and only when the existing inventory of buildable parcels are nearing depletion. 2. The soil in the valley is hard pack clay and drought has rendered the soil hydrophobic so the moisture does not percolate and is subject to sheeting action which causes erosion and land movement as well as severe runoff problems. Since there is no longer a ditch, there must be provisions for runoff containment to prevent damage to property owners downhill. 3. The Commission should not allow any subdivision development unless the parcels are to be connected to the Town of Manila Sewer System. 4. He was advised that Ms. Kushida and Mr. Kent have already constructed roads, extended the water line and installed fire hydrants which is in violation of the subdivision ordinance and is grounds for refusal of the subdivision. And 5. He has occupied his home and land for 23 years and the appeal of their property is the rural, isolated environment which offers peace and tranquility. He also stated that the home was put on the brow of the hill which is an impairment to the visual landscape.

Mr. Hardy, Ms. Kushida's attorney, stated that he did not want to rehash the Wildcat Development which was claimed. Some of the neighboring properties have already been rezoned and Ms. Kushida's request is consistent with that rezone and consistent with the county's goals. Manila Ranches is zoned R-R-5 so her request will not distract from the neighbors. He understands the neighbors concerns but they have done the perc tests and all the things that the ordinance requires. Mr. Steglich commented that with regards to development being held off until other lots for sale are nearing depletion, everyone has the right to develop their properties. They are not basing development in Daggett County upon the number of vacant lots. Mr. Durrant comments were reviewed and discussed. Mrs. Perry stated that the county cannot make Ms. Kushida have different rules than what other residents have been required to follow. The improvements that were made were based upon a misunderstanding by the Planning & Zoning Board and that the zone change will not change the matter of run off. An email was received from Matt Slate which Mr. Steglich read in open meeting. Mr. Steglich questioned if there were any further questions or comments.

With there being no further comments, motion by Mrs. Perry to go back into the regular session at 10:45 A.M. Seconded by Mr. Steglich, all in favor.

Upon review of the information provided, motion by Mrs. Perry to approve the recommendation from the Planning & Zoning Board and the application as submitted by Ms. Kushida to change the zoning on the 40 Acre Parcel #A229, NE1/4NE1/4, Sec. 25, T3N, R19E SLM from A-20 to R-R-5. Seconded by Mr. Steglich, all in favor. Mr. Harvey requested that since the rezone had come after the approval of the subdivision the Commission re-affirm that approval. Mr. Steglich read portions of the minutes from the November 5, 2013 meeting which stated as follows: All commissioners were present and that a Public Hearing took place to obtain comments regarding the application for the Kushida Subdivision. After the Public Hearing a motion was made by Mrs. Perry to

approve the Minor Subdivision application as recommended by the Planning & Zoning Board and seconded by Mr. Blanchard. The comments made during that Public Hearing are available on the county's website in the audio section. The Public Hearing adjourned at 10:12 A.M.

There was nothing provided for the Real Estate proposal for Dutch John property so this matter will be continued.

With no further business, the meeting adjourned at 10:50 A.M.

/s/ Vicky McKee_____

/s/ Jerry Steglich_____

/s/ Karen Perry_____