Minutes of the Meeting of the Daggett County Commission and the Daggett County Redevelopment Agency held on **Tuesday, April 18, 2023** in the Commission Chambers in the Daggett County Courthouse at 95 North 1st West in Manila, Utah and through electronic means. Commissioners Randy Asay, Jack Lytle and Matt Tippets attended in person. Attorney Kent Snider, Clerk Brian Raymond, Auditor Keri Pallesen and Sheriff Erik Bailey attended in person. The meeting was called to order at 9:09 am by Commissioner Matt Tippets. The invocation was given by Commission Assistant Peggy White and then Commissioner Matt Tippets led those in attendance in the Pledge of Allegiance.

Present In Person: Peggy White, Jeanette Hileman, Sgt. Leonard Isaacson, Jerry Steglich, James Olsen, Don Worthington, Brad Lovejoy

Present Online or by Phone: Martin Pierce of Jones and DeMille Engineering, Bret Reynolds of CIVCO Engineering, Jesse Platt, Senator Ron Winterton, HD Sanderson of Representative John Curtis' Office

Motion to Go In and Out of Redevelopment Agency (RDA): Commissioner Asay motioned to go in and out of the Redevelopment Agency (RDA) Meeting Agenda. Commissioner Lytle seconded the motion. The Commissioners voted as follows on the motion:

	Yes	No	Abstained	Absent
Commissioners Tippets:	X			
Commissioner Lytle:	X			
Commissioner Asay:	X			

The motion carried.

Approve Minutes: The minutes from Tuesday, April 11, 2023 were available for review. Commissioner Lytle motioned to approve the minutes for the Tuesday, April 11, 2023 Daggett County Commission Meeting and RDA Meeting. Commissioner Asay seconded the motion. The Commissioners voted as follows on the motion:

	Yes	No	Abstained	Absent
Commissioners Tippets:	X			
Commissioner Lytle:			X	
Commissioner Asay:	X			

The motion carried.

Issues Updates: Commissioner Lytle said we are still on hold until Dutch John gets an attorney. Kent said that he had spoken with Dennis Judd and was working on tweaking some language that could be approved by him with a recommendation for their Planning and Zoning. He will then get it to Jones and DeMille. Martin Pierce was able to hear this conversation so he is aware of the delay and that he will be contacted soon.

Commissioner Lytle said he had spoken with Jesse Lassley and Lincoln Berthold and asked them to contact the Clerk. Brian Raymond said he has Lincoln scheduled for next week's meeting.

Commissioner Lytle brought up the lot creation for the MBA and Martin Pierce said it has been submitted to Planning and Zoning for conceptual approval and they are waiting for the verbiage on the Dutch John Airport to come back, as it will probably need to be the same.

Jeanette Hileman said May 20th is a Community Awareness Day and they are looking to do some CPR training and have Search and Rescue do something fun for the kids, plus have the Fire Departments participate. She asked to have the park reserved and Clerk Raymond scheduled that for her.

Jeanette Hileman said the meeting with Sweetwater County Commission is tomorrow and she has been working with Wyoming to get our ambulance service licensed in Wyoming and get everything ready. There was an issue where Jeanette was told that all employees need to be licensed in Wyoming however, upon further investigation from Jeanette, this is not so. They can be through reciprocity which needs to be renewed every 3 months. All Jeanette's employees, except one, are already licensed with Wyoming. Sweetwater County wants the boundary to go to Anvil Draw and then also up past Dutch John. We don't have a problem serving this area in winter because Wyoming just can't get through the snows but in the summer these distances are too far for us to respond. The attorney was invited to attend the meeting, but wasn't sure he could due to a Planning and Zoning meeting that night, but he'll try. Commissioner Asay said that there is a medical clinic meeting tomorrow and he will not be available for the meeting with the Sweetwater County Commission.

James Olsen was here and said there were some road issues with the double chip seal being washed out in places on the Clay Basin Road. The road on Linwood Lane has been washed out and a new culvert is being put in place. There is also a problem with Harper's Landing. There was a ditch dug on the West side of Harper's Landing that was more recently dug than the original, but Broadbent's are not going to maintain it. Commissioner Tippets stated there may be a place for the HOA to do something. James said one of the residents had tapped into a drain ditch with a 12 inch culvert and head gate. This runs down the south side of his property to the subdivision street. There was supposedly a pond dug by the Broadbent's, but it is just a natural low spot, but it could be built up to help. A lot of the ditches on private property have been filled in, some have been kept open, but not all. Commissioner Lytle suggested that a letter could be sent to people. James brought in a map and showed where things should be, but people have built on top of their easements which is causing some of the problems. The drainage was messed up with the filling in of the canal, but with the sprinklers it has eliminated much of the problem. James has talked with Vicky Nelson and Chad Reed of Planning and Zoning, but more research and discussion needs to take place. James said Jordan Holmberg of Dutch John will start soon as a new member of the road crew. Commissioner Lytle and the others thanked the Road Department for their efforts this winter. Commissioner Tippets asked if we needed to get an engineer to look at this, but James was comfortable letting the water run down hill. Attorney Kent Snider said the homeowners could get an engineer to dispute James' experience.

Kent finished his wording for the plat in Dutch John and read it to the Commissioners. Commissioner Lytle had some questions about the easement vs. roads and our responsibility which were answered by Kent.

Code Enforcement may have some issues coming up and Kent said he would talk with Planning and Zoning.

Legislation, there wasn't much discussion, but there was mention of the road money and how it was going to be distributed and Commissioner Lytle said it was disappointing.

Citizen Comments: No public comments were given.

Cash Summary And Aging Report Review: The Cash Summary Reports and Aging Report were provided by the Recorder/Treasurer's Office. There was a question on some invoices for snow removal. Brianne said it was not a payable, so it won't appear on the Aging Report.

Commissioner Lytle motioned to acknowledge receipt of the Cash Summary report for April 14, 2023 for all bank accounts and the aging report, which shows a balance of $36,439.02. Commissioner Asay seconded the motion. The Commissioners voted as follows on the motion.

	Yes	No	Abstained	Absent
Commissioners Tippets:	X			
Commissioner Lytle:	X			

Commissioner Asay:	X			

The motion carried.

Approve Open Invoice Register: The Open Invoice Register was provided by the Auditor's Office. Commissioner Lytle asked Brianne Carter if the ESRI program was an annual payment and she wasn't sure. Keri Pallesen said it was.

Commissioner Asay motioned to approve the Open Invoice Register for normal invoices as of April 13, 2023 in the amount of $79,644.09. Commissioner Tippets seconded the motion. Commissioner Lytle noted $66,000 of that was for health insurance for March and April. The Commissioners voted as follows on the motion:

	Yes	No	Abstained	Absent
Commissioners Tippets:	X			
Commissioner Lytle:	X			
Commissioner Asay:	X			

The motion carried.

Disbursement Listing: The Disbursement Listing was provided by the Auditor's Office for review. Commissioner Lytle motioned to approve the Disbursement Listing for Zion's Bank checking dated April 7, 2023 to April 13, 2023 in the amount of $112,593.17 and a void amount of $5,428.19. Commissioner Asay seconded the motion. The Commissioners voted as follows on the motion:

	Yes	No	Abstained	Absent
Commissioners Tippets:	X			
Commissioner Lytle:	X			
Commissioner Asay:	X			

The motion carried.

Purchase Request Approvals: There were no purchase requests to consider except for the items on the agenda.

Correspondence: Commissioner Asay said Governor Cox was in town yesterday. Commissioner Tippets said there was some good conversation with him and those who attended with him including Lori Haslem, who is now in the Governor's Office of Economic Opportunity.

Bret Reynolds has been helping prepare an RFP for the Bike path and hopefully that will be on the agenda next week. The contract with the state is on the agenda for today. Brian said the Dutch John Resolution adopting the EOP is in the packet. The notice for the Ashley National Forest Plan is also in the packet along with another Forest Service Notice.

Calendar: Commissioner Tippets said we had already mentioned the EMS and Sweetwater County meeting tomorrow and the Clinic meeting as well. EMS and the Sheriff were given an opportunity for further comment, but did not have any. Commissioner Lytle thought that tomorrow morning at 8 am is the Public Lands meeting in Vernal. County planning and zoning is tonight and Dutch John Planning and Zoning is tomorrow.

Commissioner Tippets wanted to welcome Kathy Knight who was appointed as Mayor of Manila and we look forward to working with her.

POLICY AND LEGISLATION:

Discussion And Consideration Of Completed Business Licenses For Forbes Family Farm, LR Communications, Bridger Valley Electric, US Foods Inc, American Land & Leisure,

Bonnie's Acre, Searle Gas/Sav On Propane and Dinosaur River Expeditions: Commissioner Tippets read though the list of business licenses and Commissioner Asay asked if we had all the paperwork. Clerk Brian Raymand stated that we are only putting those businesses who are completely ready on the agenda and won't do any conditional licenses until we get to the deadline.

Commissioner Lytle motioned to approve the Business Licenses For Forbes Family Farm, LR Communications, Bridger Valley Electric, US Foods Inc, American Land & Leisure, Bonnie's Acre, Searle Gas/Sav On Propane, Dinosaur River Expeditions as stated. Commissioner Asay seconded the motion. The Commissioners voted as follows on the motion:

	Yes	No	Abstained	Absent
Commissioners Tippets:	X			
Commissioner Lytle:	X			
Commissioner Asay:	X			

The motion carried.

Discussion And Consideration Of Contract Rebid For Daggett County For Dutch John Airport Apron Construction Project Plan, Specifications & Bid Documents: Commissioner Lytle asked Bret Reynolds if he had any District comments or other airport comments and he did not.

Commissioner Asay motioned to approve the Contract Rebid For Daggett County For Dutch John Airport Apron Construction Project Plan, Specifications & Bid Documents with Burdick Materials. Commissioner Lytle seconded the motion. The Commissioners voted as follows on the motion:

	Yes	No	Abstained	Absent
Commissioners Tippets:	X			
Commissioner Lytle:	X			
Commissioner Asay:	X			

The motion carried.

Discussion And Consideration Of Daggett County Emergency Operations Plan (EOP): Commissioner Tippets turned the time over to Sgt. Leonard Isaacson. Sgt. Isaacson stated that the EOP is a living document and said we look at this every so often and the last time that we show signatures for it is 2009, but we have done upgrade work since then due to the Fire and EMS District. There will need to be more if and when the Towns join the District. He asked the attorney and the Commissioners to look at it. Commissioner Lytle brought up the Clerk/Auditor signature line. Some counties have that, but we have separate elected officials. Sgt. Isaacson said he could make that change.

Commissioner Lytle motioned to approve the updated Daggett County Emergency Operations Plan (EOP) for the April 2023 date with the amendment discussed. Commissioner Asay seconded the motion. The Commissioners voted as follows on the motion:

	Yes	No	Abstained	Absent
Commissioners Tippets:	X			
Commissioner Lytle:	X			
Commissioner Asay:	X			

The motion carried.

Discussion And Consideration Of 2023 Flood Mitigation Funding Agreement: Sgt. Isaacson said we had access to some grant money and so he applied for a connex box and some shovels and other equipment for the East Side of the County. There will be a bill and once that gets paid, we will get reimbursed. It is for $6,000 or $7,500. It wasn't totally clear if that was a match, but Sgt. Isaacson did not think so.

Commissioner Lytle motioned to approve the 2023 Flood Mitigation Funding Agreement up to $7,500. Commissioner Asay seconded the motion. The Commissioners voted as follows on the motion:

	Yes	No	Abstained	Absent
Commissioners Tippets:	X			
Commissioner Lytle:	X			
Commissioner Asay:	X			

The motion carried.

Discussion And Consideration Of Flood Mitigation Options: Commissioner Lytle asked if this was different than what was already discussed. He wondered if we had any FEMA money to help with the Chip seal on the Brown's Park Road. Sgt. Isaacson said our requirement is minimal for FEMA to pay, but it has to be reported in a timely manner and so James would need to get a GPS reading, information and pictures. The Road District could maybe get this information together as the State may meet their guideline. Commissioner Tippets has directed the Road Department to keep good records on these types of things. Commissioner Tippets can talk with Bret Reynolds or the District. There is a meeting on Thursday and Bret was asked to pass the question along on damages so that we could request any funding. Bret has helped with this in the past and is willing to do so again. Commissioner Tippets will ask James Olsen to attend the Transportation District meeting on Thursday evening..

Discussion And Consideration Of Chevy Silverado Bancorp Lease For EMS: Commissioner Tippets said he had received some information on this item that was briefly discussed last week. Auditor Keri Pallesen had sent information from other Counties and the IRS, etc to Attorney Kent Snider to review. Kent has reviewed several different counties policies and feels that we can write a policy that will allow for the truck to be used by EMS. Jeanette Hileman said she was not looking for a vehicle for personal use and that she responds from home and she is an administrator that is on call most of the time. The truck will be fully responding and the vehicle will have a backboard and other equipment in case she beats the ambulance there or the ambulance can't reach the site. Commissioner Asay asked if the truck could pull a boat or other things. The Sheriff said that all that is available through bancorp is a ¾ ton, which can tow the boat and other trailers like Search and Rescue, since Jeanette would need to be there anyway. Commissioner Lytle brought up the Investigator and all the things he does for us, so he may need to use this and so an appropriate radius needs to be in the policy that needs to be developed. Keri asked which grant it was on and if it could be done before the grant starts. It's a guaranteed grant to cover wages and the truck. Commissioner Lytle asked if the budget would cover this if the grant did not come through and if fuel was covered. Commissioner Asay asked what type of fuel and where the fuel expenses would come from? The fuel is regular unleaded and is not covered, but the Sheriff's office thought it could be covered under their budget if needed. Commissioner Lytle said his ¾ ton gets about 11 mpg and so it will use fuel.

Commissioner Lytle motioned to go forward with this conditionally based on the condition that the Sheriff and Jeanette work with Keri to ensure that the budget is able to support this. Kent said he thought a conditional approval could work. Commissioner Asay asked about using one of the other vehicles and it was not as convenient to come in and switch out vehicles. Commissioner Lytle motioned again to go forward with this conditionally based on the condition that the Sheriff and Jeanette work with Keri to ensure that the budget is able to support this. Commissioner Asay seconded the motion. Commissioner Asay thought we needed to do this the most efficient way. The Commissioners voted as follows on the motion:

	Yes	No	Abstained	Absent
Commissioners Tippets:	X			

Commissioner Lytle:	X	
Commissioner Asay:	X	

The motion carried. The Sheriff was good with it as motioned.

Closed Session: There was a need for a Closed session today. Commissioner Asay motioned to go into Closed Session for the purpose of litigation or the possible purchase, exchange or lease of real property at 11:10 am. The motion was seconded by Commissioner Lytle with the caveat that we have a short break. A Roll Call Vote was taken:

	Yes	No	Abstained	Absent
Randy Asay:	X			
Matt Tippets:	X			
Jack Lytle:	X			

The motion carried and the meeting went into Closed session at 11:20 am after the recess.

Commissioner Lytle motioned to go back into Open Session at 1:17 pm. The motion was seconded by Commissioner Asay. A Roll Call Vote was taken:

	Yes	No	Abstained	Absent
Randy Asay:	X			
Matt Tippets:	X			
Jack Lytle:	X			

The motion carried.

Discussion And Consideration Of Toyota RAV4 SUV Bancorp Lease For Dutch John Water/Sewer System: Commissioner Tippets turned the time over to Trevor Brooksby and he said that he needs a vehicle, but not necessarily a truck. The RAV4 will help with keeping the existing truck running longer and save money on fuel. The discussion earlier was that the RAV4 is not an emergency vehicle, but Trevor thought if it is an emergency, the first thing to do would be to shut off the water and those water shut off tools can be held in the RAV4. There was more discussion and Trevor was trying to avoid driving the RAV4 on the dirt roads. Commissioner Asay asked about the mileage if he got more than 12,000 and that is all that's on the lease and Trevor estimated 10,000 to 12,000 per year and if it gets close he will use the truck. There were questions about the cost of delivering water samples to the lab and if there was another method of getting it back and forth. Kent Snider offered to help, but the consistency and time constraints make that challenging. Trevor said Keri Pallesen thought that as long as we were transferring within budgets we would not have to open the budget to accomplish this. The funds will come 70% from fuel and 30% will come from travel per diem.

Commissioner Lytle motioned to approve the lease agreement for the Toyota RAV4 with a termination value of $31,300 and annual payment of $2,749.92. Trevor will need to work with Commissioner Lytle and the Attorney to work on the take home aspects. Commissioner Asay seconded the motion. The Commissioners voted as follows on the motion:

	Yes	No	Abstained	Absent
Commissioners Tippets:	X			
Commissioner Lytle:	X			
Commissioner Asay:	X			

The motion carried.

Discussion Of Consideration Of Memorandum Of Understanding (MOU) Between The Department Of The Interior, Bureau Of Land Management And Daggett County As Cooperating Agencies For Development Of The Programmatic Environmental Impact

Statement And Associated Resource Management For Utility-Scale Solar Energy Development On Public Lands: Commissioner Tippets asked Kent Snider if he had a chance to read through this MOU and he had. There was discussion about the term cooperator. Commissioner Asay noted that Utility scale takes a lot of land and then that land is not available for grazing.

Commissioner Tippets motioned to sign the MOU and approve the Memorandum Of Understanding (MOU) Between The Department Of The Interior, Bureau Of Land Management And Daggett County As Cooperating Agencies For Development Of The Programmatic Environmental Impact Statement And Associated Resource Management For Utility-Scale Solar Energy Development On Public Lands. Commissioner Lytle seconded the motion. The Commissioners voted as follows on the motion:

	Yes	No	Abstained	Absent
Commissioners Tippets:	X			
Commissioner Lytle:	X			
Commissioner Asay:			X	

The motion carried.

Discussion And Consideration Of Framing The National Nature Assessment And The Discussion And Consideration Of CEQ Guidance On Greenhouse Gases: Commissioner Lytle had asked Peggy White to write a letter supporting Duchesne County and so she did that and provided those documents for the Commissioners to review. Peggy did a bunch of research and said she wrote the letters to support the Duchesne County Commissioners. The Commissioners thought the letters were well written. Peggy said the CEQ guidance will slow down NEPA and end projects.

Commissioner Lytle motioned to approve and send the letters written by Peggy for the National Nature Assessment and the CEQ Guidance on Greenhouse Gases. Commissioner Asay seconded the motion. The Commissioners voted as follows on the motion:

	Yes	No	Abstained	Absent
Commissioners Tippets:	X			
Commissioner Lytle:	X			
Commissioner Asay:	X			

The motion carried.

Discussion And Consideration Of UDOT Agreement For Bike and Pedestrian Trail Development: Commissioner Tippets clarified that we are proposing to use the money from UDOT to build a 10 ft detached bike path along HWY 43 from the main intersection in town to Stateline Road and then we will use the additional money from Representative Curtis' office from Stateline Road to Airport Road. Commissioner Lytle asked about the match and Commissioner Tippets said that we are still working on that with Representative Curtis' Office and by signing this we are committing to find the money from other sources like more Community Economic Opportunity funds or general fund, the Town of Manila, etc. Bret commented that we have broken the project into two projects. The first being from the town of Manila to Stateline Rd. The second being from Stateline Rd. to Airport Rd. This contract will get us to the Stateline Rd. Commissioner Tippets said that we are committing that we have the money. The grant is for $1.2 and the county has a match of $320,000. Bret said this is good money and UDOT will turn this over to the County with not all the strings normally attached with UDOT. There is an 8 or 9% contingency built in but prices are high at the moment. Manila was on board with this, but they have not gotten the check book out yet. It has been a priority for many years, and Bret said that they could go to CIB. The RFP is being worked on this spring and summer and construction will begin next spring. There were questions on the payments and the match and Bret thought they were proportional. The big chunk of money will not be due until next year.

Commissioner Asay asked about the need for additional water lines and then the paving would need to be replaced at our cost? Bret said that the separation is a good thing and wasn't sure how that would work for the water and sewer improvements. There will be a permit needed from UDOT, so that could ensure that whoever damages the pavement would also have to go through the same permitting process and fix it. Commissioner Lytle asked if it is a livestock right-of-way and the Commissioners thought that livestock could use the right of way. They are planning a sewer line in Chettyville, so the phone company and broadband easements also have to be taken into consideration. We don't want it to get torn up right after going in so we need to check with the utility companies. Commissioner Lytle was a little nervous about committing the county.

Commissioner Lytle motioned to approve the contract for use of the Transportation Improvement Funds (TIF) for the Bike and Pedestrian Trail Improvements. Commissioner Asay seconded the motion with the stipulation that we need more research before we start building it. The Commissioners voted as follows on the motion:

	Yes	No	Abstained	Absent
Commissioners Tippets:	X			
Commissioner Lytle:	X			
Commissioner Asay:	X			

The motion carried.

With no further business the meeting was adjourned by acclamation by Commissioner Tippets at 2:17 pm.