

Minutes of the regular meeting of the Daggett County Commission/Redevelopment Agency Board held on **Tuesday, January 23, 2018** in the Commissioner Chambers at the Daggett County Courthouse. Commissioners Jack Lytle, Randy Asay and Clyde Slaugh were present. Attorney Neil Lund, Auditor/Recorder Keri Pallesen, Assessor Lesa Asay, Sheriff Erik Bailey and Clerk/Treasurer Brian Raymond were also present. The meeting was called to order at 9:03 a.m. by Commissioner Lytle.

Also present: Dutch John Town Councilman David McDonald, Chuck & Tina Bennington, Matt Tippets, Bret Reynolds of CIVCO Engineering, Jerry and Darla Steglich, David Orr, Thompson Davis, Joni Crane, John Weaver, Sergeant Travis Dupaix, James Olsen, and Butch & Pam Johns, plus Skip McDonnell and Jaron Reay of Electrical Consultants, Inc.

Old Business: Thompson Davis of the Dutch John Resort addressed the commission about some concerns he has with the length of time its taking to resolve his issues. The issues with water/sewer billing and the easement across his property were discussed with some input from Attorney Niel Lund and Commissioner Lytle. Adding this issue to next week's agenda was brought up. In order for motions to be made, this item needs to be added to the agenda. Commissioner Asay shared some of his thoughts and made a recommendation to add it to next week's agenda. Mr. Davis would like to see a conclusion before an agreement is made with Dutch John. Clerk/Treasurer Brian Raymond was tasked with adding this discussion to next week's agenda.

Citizen Comments: Audience member Jerry Steglich addressed the commission as the Central Republican Committee Chair and introduced Joni Crane. Ms. Crane is running for Kevin VanTassell's seat on the Utah State Senate. Ms. Crane introduced herself and shared her experience in politics and working with Daggett County.

Approve Minutes: The minutes for January 3, 2018 and January 9, 2018 were provided by the Clerk/Treasurer's Office for review and approval. Commissioner Slaugh moved to approve the minutes of January 3, 2018 and Commissioner Asay seconded the motion. All were in favor and the motion carried. Commissioner Asay moved to approve the minutes of January 9, 2018 and Commissioner Slaugh seconded the motion. All were in favor and the motion carried.

The Open Invoice Register was presented for review and approval: The open invoice register of \$13,289.43 was presented by the Auditor/Recorder's Office for review and approval. Commissioner Slaugh made the motion to approve the invoice register of January 23, 2018 in the amount of \$13,289.43 and Commissioner Asay seconded the motion. All were in favor and the motion carried.

Correspondence: Commissioner Lytle was contacted by Candace Powers, Director of CIB about hosting the CIB meetings June 13, 2018 through June 15, 2018. Commissioner Lytle stated that he has found lodging for attendees, and is still looking for a venue for the meetings. Locations were discussed. For information purposes, Representative Wilde is working on some funding to help Daggett County with losses incurred by the closure of the jail. On another note, Representative Logan Wilde and Senator Kevin Van Tassell can make themselves available to meet with the commission on Saturday, January 27, 2018 at 10:00 a.m. to discuss legislation. Commissioner Slaugh cannot be in attendance, but gave his approval for the meeting to happen without him. Clerk/Treasurer Brian Raymond addressed the commission regarding the GOED Rural Day on the Hill taking place on February 2, 2018. GOED is asking for the commission to select a business in

Daggett County to be the “County Rural Business of the Year,” and there was some further discussion.

Commission Calendar Review: Commissioner Lytle stated that there is a UAC meeting to discuss legislation on January 25, 2018 at 10:30 a.m. There is a CIB meeting on February 1, 2018. Elected officials training will take place on February 6, 2018. Commissioner Asay has a Tri-County Health meeting January 24, 2018 and a CJC meeting on January 29, 2018. Mr. Lytle stated that his plan is to attend as many UAC meetings on Thursdays and most of the rural caucus meetings on Friday to stay informed on legislation.

Weekly Budget Review: The cash summary and disbursement list were not presented by the Clerk/Treasurer’s Office for review and approval.

Policy and Legislation Items from the Posted Agenda:

Discussion And Consideration Of Switching Propane Vendor to State Contract Vendor: Commissioner Asay stated that after some negotiations with MFA Oil, he feels that Daggett County should stay with them. Auditor/Recorder Keri Pallesen concurred and provided some explanation regarding options and made a recommendation to enter into an agreement. Commissioner Asay motioned for Daggett County to stay with MFA Oil with MFA Oil composing a contract with Daggett County mirroring what was offered in their correspondence. Commissioner Slaugh seconded the motion. All were in favor and the motion carried.

Discussion And Consideration Of the Surplus of 2-14’ and 2-12’ Used Cattle Guards: It was discussed with recommendations made by James Olsen to auction the cattle guards with set minimum bids of \$280.00 for the 14’ guards and \$240.00 for the 12’ guards. Cattle guards are to be sold “as is.” Commissioner Slaugh motioned that Daggett County surplus 2-14’ and 2-12’ used cattle guards, which was seconded by Commissioner Asay. All were in favor and the motion carried.

Discussion And Consideration Of Upgrading The Playground Equipment: Commissioner Slaugh and James Olsen are working on this and there is a resident that is looking to install new equipment this spring as part of an eagle project and there was further discussion. Commissioner Lytle recommended working the Daggett School District to make sure that the equipment is installed in compliance to avoid liability. Mr. Olsen stated that he will look into seeing if it can be installed. Commissioner Slaugh motioned to move forward with upgrading the playground equipment as long as it is installed in compliance as part of an eagle project. Commissioner Asay seconded the motion. All were in favor and the motion carried.

Discussion And Consideration Of Vote By Mail For 2018 Election: Clerk/Treasurer Brian Raymond addressed the commission regarding his plans to go to vote by mail, and provided some further explanation. He feels that this will minimize costs and make voting easier. There has been no input from the public or any of the parties. Mr. Raymond put some information in the newsletter, and hasn’t had any response. There was some further discussion including some information provided by audience member Joni Crane. Commissioner Slaugh thinks that it’s a good idea and motioned to go ahead with vote by mail ballot based on the results of discussions with poll workers. Commissioner Asay seconded the motion. All were in favor and the motioned carried.

Discussion And Consideration Of Presentation On Application To CIB For Possible Energy Development Feasibility Study: Jerry Steglich was given the floor to address the commission and presented a quick update for those that didn't know. Mr. Steglich is looking to create an energy development in Daggett County. Mr. Steglich, other business owners, and Western Land Management are looking to construct a 650 Mega Watt (MW) gasification plant in Clay Basin. Mr. Steglich provided some history of the project and made the request for Daggett County to take the lead on adding the feasibility study to the CIB list. According to Mr. Steglich the county has agreed to provide \$25,000.00 on good faith. Some questions have come up, which Mr. Steglich addressed including the lease of SITLA lands, working with Dominion Energy, and the EPA study. He went on to explain the three different types of gasification plants and marketing the power to California. Because of California's stringent laws, Western Land Management is looking to sell the power to Las Vegas, NV, New Mexico, and possibly Salt Lake City, UT. Mr. Steglich went on to discuss projections made regarding the size of the plant, land area, construction, and the creation of jobs. Commissioner Slaugh expressed his excitement. Commissioner Lytle asked about any issues Mr. Steglich could see that could make or break the project. Mr. Steglich answered and spoke about water, gas storage, SITLA land, and environmental issues. Other items were discussed. Mr. Steglich requested the commission contact him with any questions or concerns about the project so that it could be worked out before going before CIB. Sheriff Erik Bailey addressed emergency services in that area and there was further discussion. Audience member John Weaver addressed the commission regarding emergency services on site during construction and after construction and how it will benefit Daggett County. Mr. Steglich posed the idea of selling the jail, paying off the bond, and using that money toward EMS. Mr. Steglich, for disclosure purposes, stated that he is a partner in Western Land Management. The design of the plant was discussed as well.

Discussion And Consideration Of UDOT Road Project in Dutch John-Need For Easements & Possible Sewer Line Improvements: Commissioner Lytle provided some information regarding options for the sewer line project on US Highway 191 in Dutch John. Bret Reynolds of CIVCO Engineering who is contracted by UDOT spoke to the project. According to Mr. Reynolds, CIVCO Engineering will prepare the application for CIB funding at no cost. Commissioner Lytle brought up PILT issues and the possibility of doing a joint grant application with Dutch John. Mr. Reynolds provided some information and made a recommendation to possibly enter into an agreement with UDOT. There was further discussion regarding costs for the project as well as the time schedule. The start of the sewer line is on Redevelopment Agency (RDA) property. With that being disclosed, Commissioner Slaugh made a motion to go in and out of RDA. Commissioner Asay seconded the motion and all were in favor. The motion carried, and Mr. Reynolds asked if the County or RDA has received any notice from UDOT's right of way acquisition group. Dutch John Town Councilman David McDonald was asked for his input. Mr. McDonald refused to make comments on behalf of the town, but provided his input as a resident. The type of grant was discussed further as well as the need for more meetings. Mr. McDonald then went on to ask Mr. Reynolds if the termination point could be left in the road right of way as to leave it out of RDA lands. Mr. Reynolds stated that is one thing that he could work on. With that idea being discussed, Auditor/Recorder Keri Pallesen stated that if the RDA is taken out of the scenario, then they potentially lose a place to put the money if the Town of Dutch John can't do it and there was further discussion. Clerk/Treasurer Brian Raymond was tasked with adding this to next week's (January 30, 2018) agenda for further discussion. Mr. McDonald said the Dutch John Town Council will set up a meeting for Thursday, January 25, 2018 although he will be out of town. Mr. McDonald can be available by phone. Commissioner Lytle then requested a commitment to keep two lanes open between the July 4, 2018 and July 24, 2018 holiday as that is our high season. Signage and lighting for the project were also brought up and discussed. A motion to go forward with CIVCO

Engineering preparing a collaborative CIB application between Daggett County and Dutch John for the sewer line at US 191-Dutch John Intersection was made by Commissioner Slaugh and seconded by Commissioner Asay. All were in favor and the motion carried.

Discussion And Consideration Of Capital Improvements List For 2018: The Dutch John sewer line project was once again discussed between Commissioner Lytle and Clerk/Treasurer Brian Raymond. Options on how to add the project to the list were discussed. Audience member Jerry Steglich addressed the commission about which funding cycle the sewer line project falls under as it may take away from the energy project. It was answered that it is a suspend and fund project and Commissioner Lytle provided further information. Auditor/Recorder Keri Pallesen was the next to address the commission regarding the sewer line project and asked what happens if the Town of Dutch John chooses not to take it, what is the alternative. Mr. Lytle answered that if the Town of Dutch John does not take it, the county will look at the RDA or the Municipal Building Authority (MBA) to be the funding mechanism so it doesn't affect PILT. Commissioner Asay and Commissioner Slaugh inquired about the sewer line and Bret Reynolds of CIVCO Engineering answered and there was some more conversation. Mr. Raymond went on to discuss changes and additions that he has made to the CIB list. The next item for discussion is the Brown's Park Road and in an effort to push forward one of the commissioners will plan to attend a joint highway meeting on February 6, 2018 at 10:00 a.m. in Richfield, UT and there was some further discussion. Collecting letters of support for moving the Brown's Park Road project were discussed. There were other items on the list that were talked about. Commissioner Asay motioned to accept the Community Impact Board 2018-2019 Consolidated Local Capital Improvement List with changes as a preliminary effort to provide it at the public hearing. Commissioner Slaugh seconded, and all were in favor and the motion carried.

Discussion And Consideration Of Options With RAAM Power: Commissioner Slaugh stated that he and Commissioner Asay met with RAAM Power on Thursday, January 18, 2018 about some ideas. One of RAAM Power's ideas was to install windmills on the property where the jail sits, according to Mr. Slaugh, which was discussed further. Planning and zoning, contracts, and permits were discussed by Attorney Niel Lund and RAAM Power will need the same permits whether they put the towers on county or on private property. The MET tower was discussed and whether the MET tower will be considered permanent or temporary (portable). Working with Daggett County's Building Inspector Matt Tate was brought up and conversed. Commissioner Slaugh was tasked with contacting RAAM Power. Commissioner Asay stated that RAAM Power was interested in using the jail facility as a man camp during the construction phase and there was further discussion of the idea.

Discussion And Consideration Of Employee Gift Cards: Commissioner Lytle addressed this item. When gift cards are given as gifts, they are considered taxable to the staff. Commissioner Asay stated that this involves two fiscal years. Mr. Lytle stated that gift cards are a tool to show appreciation to employees. Commissioner Slaugh shared his thoughts and stated that it's the Sheriff's budget and doesn't feel like it is a problem. Sheriff Erik Bailey wanted to share a small token of his appreciation for the deputies for keeping the department afloat. Mr. Asay stated that all of the county offices are underpaid and there were comments made between Mr. Asay and Sheriff Bailey. The topic then turned into the jail contract with Uintah County, and Sheriff Bailey believes that it has been approved. If somebody is arrested in Daggett County, they will be booked into the Uintah County Jail and he discussed billing. The Sheriff budgeted \$25,000.00 to house inmates in Uintah County, but stressed that if there is a capital type crime, then other funding sources will need to be looked at.

Discussion And Consideration Of Engineer of Record For Future Airport Projects:

Commissioner Lytle stated that there needs to be an engineer of record for upcoming projects and Bret Reynolds of CIVCO Engineering was given the floor to address the commission. Mr. Reynolds and Mr. Lytle gave the audience a quick update on what was going on for Manila Airport. The current project is AWOS and lighting and Mr. Reynolds provided further explanation. An engineer of record needs to be selected to move forward with the projects and to work with the division of aeronautics. Mr. Reynolds explained that according to UDOT's code professional services have to be qualification based selection, not cost based. Mr. Reynolds stated that if the county's procurement policy allows, CIVCO Engineering would like to be Daggett County's engineer of record for not only the airports, but other projects as well. Mr. Lytle asked Auditor/Recorder Keri Pallesen what the rules are for procurement. Mr. Reynolds answered and shared his opinion and asked Attorney Niel Lund for comment. Audience member Jerry Steglich spoke up and asked as a point of interest there's going to be legislation introduced in the upcoming session about procurement and it could afford different options for counties. There was further discussion regarding the selection of an engineer of record with input from Mr. Lund. Daggett County's policy regarding professional services was brought up and discussed. Splitting design and construction into two separate contracts was brought up and Mr. Lund was asked for his recommendation and there was some further discussion. Clerk/Treasurer Brian Raymond was tasked with adding an item to the agenda for January 30, 2018 about a potential engineer of record for future airport projects and/or assigning a design engineer in the event that it's within Daggett County's procurement policy.

Discussion And Consideration Of Dutch John Position Statement And A Potential Dutch John Agreement: Commissioner Lytle discussed the special commission meeting that occurred on Friday, January 19, 2018 between Daggett County and Dutch John. Any motions made by the commission were subsequently followed up with a motion by the Dutch John Town Council. Mr. Lytle summarized agreements for the following: Daggett County agreed to deed 1500 acre feet of water to Dutch John; a 60%-40% split in favor of Daggett County for potential water lease revenues; the buildings, equipment, and land under the buildings as previously agreed on between Commissioner Slaugh and Mayor Buddy Rogers; the water/sewer plant along with the bond and any pertinences thereto would be transferred to Dutch John; the RDA lands were not settled and will require further negotiation. The airport was not part of the discussion short of the hangar/maintenance building which will go to Dutch John. It is tasked to the attorneys to provide what that looks like in an agreement format. Attorney Niel Lund discussed how the motions made will be a framework for a formalized MOU that will require signatures. There is a stipulation regarding the fire department that Dutch John will provide fire protection for the unincorporated portion of that side of Daggett County. Audience Chuck Bennington addressed the commission and Mr. Lund regarding the expediency of getting the letter signed and options to gather the signatures were talked about. In regards to the fire department, Commissioner Lytle brought up outdated equipment and there was some discussion regarding vehicles and other equipment. Audience member Butch Johns is working with Sergeant Travis Dupaix on EMS issues. The conversation turned to the water/sewer plant and personnel. It is up to Dutch John to decide who they will employ.

Commissioner Asay moved to go out of regular commission and RDA and into municipal building authority (MBA) at 12:45 p.m. Commissioner Slaugh seconded the motion. All were in favor and the motion carried.

Discussion And Consideration Of Chairman For Municipal Building Authority:
Discussion centered on appointing a chairman. Randy Asay made the motion to share the

responsibility of the chairmanship for the MBA and that the three gentlemen will be involved equally. If sharing the responsibility doesn't work, a chairman will be decided. Clyde Slaugh seconded the motion and all were in favor. The motion carried.

Clyde Slaugh motioned to go back into regular session, seconded by Randy Asay. All were in favor the motion carried at 12:49 p.m.

Skip McDonnell and Jaron Reay of Electrical Consultants, Inc. were in the audience and introduced themselves to the commission before the meeting was adjourned. Mr. McDonnell and Mr. Reay wanted to present some ideas to the commission in regards to power-hydro possibilities.

Commissioner Slaugh motioned to adjourn at 12:51 p.m.

/s/ Brian Raymond

/s/ Jack Lytle

/s/ Clyde Slaugh

/s/ Randy Asay