

MINUTES of the work session of the Uintah County Commission held **August 19, 2024** in the large Commission Conference Room of the Uintah County Building at 152 East 100 North, Vernal, Utah. Meeting commenced at 9:00 a.m.

PARTICIPANTS: Commissioners John Laursen and Brad Horrocks; Sonja Norton, excused.

ATTENDANCE: Mike Wilkins, JC Brewer, Mike Davis, Devin Cobb, Willis LeFevre, Wendi Long, Wayne Simper, Zeke Atwood, Scott Hardman, Jo Gardner, Jon Stearmer, Barbara Simper, Paul Chacon, Tammie Mecham, Ken Campbell, Dan Mortensen, Travis Campbell, Lana Fulbright, Matt Cazier, Keith Despain, Quinn Bennion, and Jeff Shoell.
Minutes recorded by Tai Duncan.

WELCOME: Commissioner Laursen welcomed everyone to the meeting.

1. RFQ: SAFE STREETS FOR ALL comprehensive safety action plan for Uintah County
Mike Wilkins, Clerk-Auditor, noted we received one RFQ, request for qualifications, in the office and another electronically. The bids had to be submitted into the Clerk-Auditor's office by 5 pm on Friday, August 16th. Zeke Atwood, Purchasing & Grants, noted the County applied for a grant and was awarded \$150,000 for the project. The submitted RFQ will not contain a price, instead it is what they can offer the County for the project amount of \$150,000. The received electronic bid is not responsive.

2. IFB: RECORDER BINDERS

Zeke noted the IFB, invitation for bid, will be awarded to the lowest bidder. He suggested we not read the price so if we cannot award the bid and have to redo it, their price is not public record. Mike opened the one bid received from Plainsman of Sheridan, Wyoming. It was anticipated we would receive a bid from them as they are one of few vendors with the product needed.

The RFQ and IFB will be reviewed and addressed at the Commission meeting next week. Commissioner Laursen noted the regular meeting on Tuesday the 27th will be rescheduled to Wednesday the 28th, still at 3 pm.

3. DEACCESSION – Lana Fulbright, Western Heritage Museum

Lana presented a few items they would like to rehome. There are three latex molds from the First Ward Chapel, once standing where the hospital is now. They are not relevant to the mission of the Museum and have a different institution to go to. The thrasher that sat in front of the 4H building at the Western Park has to be moved. We no longer have space for it and a new home is needed. There is also replica of the Salt Lake Temple that was used in parades and other events and is not relevant to the mission but has found another home.

4. ROCKY MOUNTAIN POWER EASEMENT – underground utility lines at 53 N 100 E (County parking lot) – Quinn Bennion, Vernal City

The first project with Zions Bank and that parking lot has been completed. The Cobble Rock project is now under construction as is Vernal Avenue. This requested easement is part of the effort to bury powerlines downtown. BHI is the contractor and they are starting preparations to work on the 7-11 block. They need an easement across County property for the underground line to an island in the middle. Quinn is requesting the easement on behalf of Rocky Mountain Power. They recognize we just did a slurry seal and they will replace it and repaint it as necessary. Brock Slauch, Surveyor, has done the easement and will have the final ready for tomorrow's meeting. They are attempting to bore a powerline under Vernal Avenue as per UDOT, Utah Department of Transportation, requirements. If that is successful, they will bore under the parking lot but it is likely we will have a trench instead. Commissioner Laursen questioned settling and was told the trench will have a one year construction warranty with BHI. Quinn added, as they continue plans for the 7-11 block, scheduled for 2026, there will be more discussion.

5. COUNTY FAIR CARNIVAL CONTRACT RENEWAL – Melanie Silcox - TABLED

6. COMMUNITY DEVELOPMENT FEE WAIVERS: Matt Cazier, Community Development

a. UINTAH ANIMAL CONTROL & SHELTER SSD: building permit and plan check fees for a small addition

They have requested building permit fees and plan check fees for a total of \$481.44 be waived. Commissioner Laursen asked if it was typical to waive requests for Special Service Districts. Matt responded it is typically approved.

b. VERNAL CITY: building permit fees for electrical meter for a SCADA repeater

Keith Despain explained the current radio signal at Merkley Park is intermittent. This repeater will allow the data to be relayed more continuously. Matt said the building permit would be \$202.

c. UINTAH SCHOOL DISTRICT: lot line adjustment and applicable fees from Community Development and County Surveyor

The fee for Community Development would be \$50 and the Surveyor fee is \$20. Matt spoke with Brock and he didn't have any issue with waiving the fee. They want to adjust the property line at the high school to ensure the softball or baseball fields are included in the property of the high school.

7. CENTRAL CANAL

a. ROAD CROSSINGS – Mike Davis, Naples City

Mike began by noting this project started before he did at Naples City. The canal system is to be piped but the canal itself is to be left open for flood control, this leaves the road crossings to be taken care of. The County and Cities agreed to assist with the road crossings. At that time, the estimated cost was \$810,000. Naples City chose to add a project to enclose their storm drain, from 2500 south to the end of the canal. The cost of their project was estimated at \$1.735 million. He presented cost breakdown sheets to the Commissioners. The County would be responsible for \$74,000; Vernal City \$25,000; UDOT \$150,000; NRCS \$561,000; and Naples City \$10,204.80 for a total of \$820,204.80. Naples City went to CIB, Community Impact Board, to get funding for this project in conjunction with theirs based on the above commitments from the entities. CIB approved a loan in the amount of \$473,000 and a grant in the amount of \$1,262,000. However, the actual bid came in at \$3,069,379.20 just for the road crossings as compared to the original estimate of \$810,000. Mike has asked the engineers to review the requirements. He is also willing to go back to CIB to see if there is any additional funding available. If not, we have to get the additional funding from the involved entities. UDOT has made it clear they will not be providing any additional funding. The County's responsibility would jump from \$74,000 to nearly \$1 million. Wayne Simper, Central Canal, noted NRCS does not have more funding available this year and they do not know about next year. They have far too many variables to be able to offer an opinion on next year's funding. They were able to fund the original estimates. Commissioner Horrocks is concerned CIB is out of funding as well. He also noted two bids were received for the canal piping: BHI at \$19 million and WW Clyde at \$33 million. If CIB can't offer any additional funding we are \$2 million down on road crossings.

Jon Stearmer, Deputy County Attorney, expressed his frustration. The County is getting hit hard regarding the Via Ferrata trail from agencies such as Central Canal, Ashley Valley Water and Sewer Improvement District (AVWSID), and Naples City and yet entities are asking for more money. He doesn't understand how Naples City, specifically, could be asking for more money when they are completely opposing a County project that would not hinder the drinking water source. We need to keep discussion and communication open on all sides. We need to work together, not opposing projects in demeaning ways. Wayne clarified the Central Canal Board did not openly oppose the Via Ferrata project, they merely supported whatever stand AVWSID chose to take and signed their letter. Jon noted AVWSID completely locked the County off its own property because of the support. We can work towards a solution without shutting down communication. Vernal City has not openly taken a stand but has provided safety concerns and issues to be addressed, which is actually very helpful. Wayne stated their Board felt it inappropriate to go against AVWSID. He also noted their Board has only heard what was available in public meetings, they have not been a part of closed meetings. Jon noted the Naples City Mayor, who also sits on the AVWSID Board, has been the largest antagonist and now Naples City needs more money for a project; he doesn't understand the rationale. Mike Davis noted Naples City had a meeting and the Mayor didn't

allow public comment. The Council did not come to a vote, they did not make a decision as a whole. The individuals themselves signed the letter and took a stand but not as a Council. Jon added the horrible things being said about the Via Ferrata project have come from people in this room and it is not acceptable. Why should the County support a project if their own cannot get any support. Paul Chacon expressed concern with the Via Ferrata project as well. They say there is no impact on the water source but what about the environment. Everywhere one goes in the County, there is garbage left by those using the area, including downtown. Adding public use to such an area will have an impact, particularly with litter. Commissioner Laursen agreed there is a garbage concern everywhere in the County. He also noted, the type of individuals who utilize such a trail as the Via Ferrata are very clean – they want it in pristine condition as well. It is a legitimate concern and it is being addressed in the plans. This plan has been presented in meetings and includes fencing and cameras. Jon explained the absolute “no”, with no option for discussion, has been the problem. We can work out concerns and differences and come to a compromise if people are willing to talk. Uintah County has not done anything disparaging to the other entities. Wayne reiterated the Canal Board has not done anything disparaging, they have only supported AVWSID’s position and they knew little about the project at the time. Jon appreciated his clarification but they have signed the letter opposing the project.

Wayne also noted the Interlocal Agreement that was signed by the Cities and County when the project started, states the entities will cover costs if they exceed the funding available. The entities have chosen to participate and must see it through to the end. The estimates are from 2020 and the intention was to slip-line the culverts for the road crossings. Since then, the County has requested road cuts, flow-fill from the bottom to the top, as well as cold patch in the winter for these road crossings. They are legitimate requirements but Central Canal shouldn’t bear that cost; the slip-line in their easement would be far cheaper. The cold patch cost is around \$180,000 just for the materials. These additional requirements are not part of the canal’s plan and they are not responsible for the additional cost. Quinn asked for a timeframe for the road crossing projects. Wayne stated the contract was awarded to BHI and they want to start ordering materials as soon as possible. They also plan to start clearing and grubbing October 1st. CIB will meet again in September. Mike will start the application today. Commissioner Horrocks stated NRCS won’t know where their funding is for another year. Quinn noted Vernal City has not spoken about this but they have a meeting on Wednesday and he will add it to the agenda. The Council could understand an increase from \$25,000 to \$40,000 or \$50,00 but not a jump to \$600,000, it’s just not something the City can commit to. The jump is not reasonable for any of the entities. Before any entity can offer any additional commitment, we need to know what other funding is available. Commissioner Horrocks also noted CIB is usually more open to additional funding, if they have any available, if there is commitment from other entities. He wondered if it would be possible to readdress the requirements. Wayne has spoken with Scott Hardman, Road Department, about some of the issues. They will cut where they can but it’s not a large amount. Typically, once it goes to bid, it is hard to get the contractors to change and rescind any costs. Scott clarified they are not required to flow-fill for the entire canal, just from the pipe up. CIB will want to see what has already been committed and approved, as well as bid documents and cost breakdowns. Mike will do his best to secure additional funding. The entities cannot commit to more funding than they already have until we know if more funding is available. Mike Wilkins asked if Central Canal can help with the costs, it is their project. Wayne responded Central Canal has to come up with an additional \$3.5 million for the piping of the canal. The road crossings are no longer their responsibility, the Cities and County chose to take on that project. Mike Wilkins also asked if we took the same stand as UDOT and said we have committed to this much and no more, what would be the option. Wayne responded they would slip-line all the culverts. Matt noted a study was done to determine how much room would be needed for flood water under the roads. The study determined two or three could be slip-lined but most were not large enough. The Highline and Ashley Upper canals did similar projects and the water flow went over the canal, it was too restricted. That is why the requirements were increased for this project; we do not want additional issues. Wayne understood there were nine that were large enough for slip-lining but those issues with other canals caused the County to hesitate. Quinn restated we do not know if more funding is available. We can ask for more, but it is an unknown. He asked what the County’s role was as a sponsor. Jon responded we are a pass-thru. All bids follow the Central Canal procurement policy. We approve as a sponsor but are a pass-thru. Quinn would like to take the time to

visit with Wayne more this week regarding the project as a whole. With the additional costs, it would be cheaper for the City to put in 12 sumps in their drainage spots. They want to participate and be good neighbors but funding is a big concern. Commissioner Laursen agreed we do need to discuss it more. The entire project for all entities has increased in costs from the original estimates; it has taken five years to get to this point.

b. CLEARING AND GRUBBING – Wayne Simper

The bid has come in for clearing and grubbing the existing canal as discussed a month or so ago. The bid is \$906,315 and NRCS will cover 75%. That leaves the County with a responsibility of \$226,579. This is about double the estimate done before when they anticipated just cleaning out the channel. The discussion about a month ago added requirements. The size of the tree was not discussed, but the change included removing dead or dying trees and those leaning. Jon noted, as discussed in previous meetings, he and Scott suggested the changes in an attempt to piggy-back on work already being done and make ongoing maintenance easier. The County can decide to do the extra at a later date but it will not be as cheap as it is now; it has to be done at some point. Commissioner Horrocks asked if the project will indeed move forward. Wayne responded they will move forward with the piping of the canal and will get the additional funding they need to get it completed. The issues now are the little pieces of the puzzle that involve the other entities. Commissioner Horrocks asked if NRCS was comfortable with where their funding is going. Wayne responded the project was set up as a flood control grant and that is why they can use the funding the way they are. The County will have to deal with the debris basins above, which are paid for 100% as well, but are a different project. It was questioned if the County approved the bid for the clearing and grubbing. The County is a sponsor and part of the pass-thru and have had to approve things as needed. Jon agreed and noted the County is not approving the bid, it is in Ashley Central's name.

Mike was asked how much funding was available in the flood control budget. He responded around \$1.4 million. The County used to collect \$100,000 a year for this budget but the previous Commissioners chose to reduce that to \$20,000 a year. Therefore, there is little available for such projects. Non-callable loans, at 2% interest, were paid off using funds that could have been used for these canal projects as well. This is an example of how important it is to look forward five years and beyond, not just what is satisfying this year. Commissioner Laursen is not confident this project will move forward; we feel that it will but it is not certain. The County is attempting a sales tax increase so everyone pays, not just an increase in property taxes, so funding is available for projects. There is potential that the County will follow the path others have taken and go through bankruptcy. We do not want to do that. Wayne was certain the canal will be piped. The funding for the clearing and grubbing from NRCS is here and they are ready to begin October 1st. The road crossings are more questionable. Wayne is confident they will be able to secure a loan for their needed additional funding.

The road crossings will not be addressed tomorrow but the clearing and grubbing will. Wayne also asked to address the NRCS Grant NOA, notice of award, tomorrow.

8. BUDGET INCREASE/OPENER DISCUSSION

Mike noted there will be a Resolution presented tomorrow for the budget increase for several grants.

Fund 10 General Fund

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| Public Defender | \$6,000. |
| Recorder | \$175,000. |
| IDC Grant | (\$6,000.) |
| Fund Balance | (\$175,000.) |

Fund 20 Library

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| Library | \$1,500. |
| UEN Grant | (\$1,500.) |

Fund 55 Western Park

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|-------------------------|--------------|
| County Fair | \$3,000. |
| Capital Projects | \$300,000. |
| Western Heritage Museum | \$1,500. |
| Museum Grant | (\$1,500.) |
| Concert Sponsorship | (\$3,000.) |
| Fund Balance | (\$300,000.) |

Ken Campbell will discuss his contract for the Airport in Commission meeting tomorrow.

9. CLOSED SESSION for the purpose of discussing pending or imminent litigation

At 10:14 am Commissioner Horrocks moved to go into Closed Session for the purpose of discussing pending or imminent litigation in the small conference room and when discussion is complete, adjourn and reconvene Commission meeting in order to adjourn.

Closed Session began at 10:40 am with the following in attendance: Barbara Simper, Wendi Long, Mike Wilkins, Jon Stearmer, and Tom Peters via phone.

Closed Session adjourned at 11:12 am.

ADJOURN: The meeting adjourned at approximately 11:13 am



JOHN LAURSEN, CHAIR



MICHAEL W. WILKINS, CLERK – AUDITOR

