

**MINUTES** of the public meeting of the Uintah County Commission held **September 24, 2024** in the Commission Chambers of the Uintah County Building at 147 East Main, Vernal, Utah. Meeting commenced at 3:03 pm.

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

**ATTENDANCE:** Mike Wilkins, Jeff Shoell, Troy Ostler, Dan Dilsaver, Troy Slaugh, Wendi Long, Melanie Silcox, Steve Labrum, DeeAnne Kazeck, Karina Valencia, Cindy Dilsaver, Gennie Bird, Zeke Atwood, Willis LeFevre, Matt Cazier, Nolan Jackson, Georgene Cook, Arden Cook, Jo Gardner, Wayne Simper, Teri Jorgensen, Nikki Batty, Ritchie Anderson, and Tammie Mecham.

Minutes recorded by Tai Duncan.

**WELCOME:** Commissioner Laursen welcomed everyone to the meeting.

**PRAYER** offered by Wendi Long.

**PLEDGE OF ALLEGIANCE** led by Charlene Gross.

**1. APPROVAL OF MINUTES** of the August 19, 2024 work session, August 20, 2024 meeting, August 26, 2024 work session, August 28, 2024 meeting and September 9, 2024 work session.

*Commissioner Horrocks moved to approve the minutes for the August 19, 2024 work session, August 20, 2024 meeting, August 26, 2024 work session, August 28, 2024 meeting and September 9, 2024 work session as presented. Motion passed unanimously.*

**2. REPORT OF WARRANTS**

Mike Wilkins presented warrants dated August 29, 2024 in the amount of \$326,957.45. These were all regular bills. Warrants dated September 6, 2024 in the amount of \$291,433.20. This check run included a check to Ken Garff in the amount of \$71,526.39 for the Meals on Wheels vehicle for the Golden Age Center. This is paid for by CDBG (Community Development Block Grant) funding; the Golden Age Center paid their \$10,000 match. Warrants dated September 12, 2024 in the amount of \$2,140,895.59. Of note is a payment to Caterpillar Financial for the final payment on the eight graders in the amount of \$1,386,400.00 as well as a payment in the amount of \$74,250.00 to Naples City for the Central Canal canal crossings. Warrants dated September 19, 2024 in the amount of \$900,112.11. This included a check to L&L Motor in the amount of \$59,100.00 for a Yukon for Travel and Tourism as per the bid; a check to Scott Allred Paving in the amount of \$101,617.89 as a partial payment for the paving project at the Western Park; and a check in the amount of \$337,000.00 to Utah State Division of Finance for a loan payment on the Rec Center, TriCounty Health and the Airport fence and snowplow. Commissioner Horrocks asked how much money was received from CIB (Community Impact Board) for the graders. Mike responded none, they were paid for with revitalization funds.

**3. REVIEW and COUNTER SIGNATURE of CERTIFIED LIST of CLAIMS –**

Mike presented several claims for approval. Check #394431 to Inked Threads in the amount of \$3,210.05 for the shirts purchased by Human Resources. The next several claims are from Phenomecon. We don't normally know exactly what the cost will be until the event happens so it is hard to plan ahead. Check #394435 to VistaPrint in the amount of \$3,798.84; check #394455 to Thomas Winterton in the amount of \$6,069.56; check #394425 to Travis Taylor in the amount of \$3,821.67; check #394362 to Dragon Security LLC in the amount of \$5,854.33; check #394335 to Erik C Bard in the amount of \$3,659.82; check #394340 to Kaleb Bench in the amount of \$2,812.57; and check #394234 to Grab N Growl Dutch Oven Catering in the amount of \$3,942.34. The next two are for the Balloon Festival. Check #394134 to High Country Sanitation in the amount of \$4,730.00 and check #394153 to Mountain West Propane in the amount of \$4,979.79.

*Commissioner Horrocks moved to approve the claims as presented. Motion passed unanimously.*

**4. TAX MATTERS - none**

**5. AWARD RFQ: COMPREHENSIVE SAFETY ACTION PLAN** – Zeke Atwood, Purchasing & Grants, stated the County received a grant in the amount of \$150,000.00 for a safety action plan. This is a prerequisite to apply for other funding for a trails system in Uintah County. Once we received the award for the grant to do a comprehensive safety action plan, a request for qualifications (RFQ) went out. One bid was submitted by Kimley-Horn. A three person committee reviewed their proposal and scored it. The minimum threshold for acceptance was 200 and they scored a total of 451. The committee would recommend approving the RFQ. Commissioner Laursen asked what the safety action plan entails. Zeke explained they will look at all the streets and where the accidents are happening to determine the areas that need to be focused on to develop trails to get individuals off busy roads.

*Commissioner Norton moved to approve the RFQ award for a safety action plan in the amount of \$150,000 to Kimley-Horn as presented. Motion passed unanimously.*

**6. UNTAH SCHOOL DISTRICT FEE WAIVER REQUEST:** minor subdivision application, includes fees from Community Development and County Surveyor – Matt Cazier, Community Development. This was discussed in a previous work session. The School District has submitted a minor subdivision application to divide the Maeser Elementary lot into three lots. Two smaller lots will be along 2500 W close to where the Maeser Kindergarten was located many years ago. The rest of the property will remain as is as the third lot. The fees include a \$50 application fee as well as \$55 per lot for the three lots and a \$20 fee to the County Surveyor to have the plat filed with his office.

*Commissioner Norton moved to approve the fee waiver request as presented. Motion passed unanimously.*

**7. DIVISION OF OUTDOOR RECREATION – OHV GRANT CONTRACT:** Trail Signs – Gennie Bird, Grants. Commissioner Laursen tabled the item.

**8. UBAOG REIMBURSEMENT AGREEMENT FOR REVITALIZATION GRANT 24-DWS-0509**  
**Lucky Acres** – Gennie Bird, Grants, presented the agreement for expenses related to the revitalization grant for the Lucky Acres project administered by UBAOG, Uintah Basin Association of Governments, for utilities on 27 lots for self-help housing. They will do the procurement and pay the invoices and then submit to the County for reimbursement. The contract lays out those details. The County has 30 days to reimburse if the expense is under \$10,000.00 and within 15 days if it exceeds \$10,000.00. The term is from the date of signature to December 31, 2027 or until the project is completed. Commissioner Norton confirmed Deputy County Attorney Jon Steamer drafted the agreement and reviewed it and UBAOG has approved it.

*Commissioner Norton moved to approve the UBAOG reimbursement agreement for revitalization grant 24-DWS-0509 Lucky Acres as presented. Motion passed unanimously.*

**9. BLM CONTRACT** – Steve Labrum, Sheriff

This is Option 2 which just means year two for this contract. The BLM will pay the county \$16,018.70 for wages to patrol BLM lands. The term is October 1, 2024 thru September 30, 2025. It only requires the Sheriff's signature.

*Commissioner Horrocks moved to approve the BLM Contract in the amount of \$16,018.70 as presented. Motion passed unanimously.*

**10. STATE OF UTAH HIGH VISIBILITY ENFORCEMENT MOU** - Steve Labrum, Sheriff

This MOU, memorandum of understanding, says the State will reimburse the overtime rate for officers to do some high visibility patrols such as DUI, seat belt, and crosswalk shifts. The terms are the same as

the BLM Contract, October 1, 2024 thru September 30, 2025. This does not include an amount. The reimbursement will depend on the number of shifts done. It only requires the Sheriff's signature.

*Commissioner Norton moved to approve the High Visibility Enforcement MOU as presented. Motion passed unanimously.*

**11. ICE RINK CONTRACTS** – Melanie Silcox, Western Park, presented both contracts.

The Oilers and Avaha hockey teams would like to use our facilities. The contracts are for three years. Last year neither paid a storage room fee but that has been added at \$500. The locker room fee is \$1,500 per season. The contract has also been amended to allow the teams, with the proper permits, to sell alcohol. Jon has reviewed the contracts and one motion is sufficient to approve both.

*Commissioner Horrocks moved to approve the Ice Rink contracts with the Oilers and Avaha as presented. Motion passed unanimously.*

**12. UNTAH COUNTY FAIR 2025 CARNIVAL CONTRACT** – Melanie Silcox, Western Park

This contract is roughly the same as the previous contract but this one is for five years instead of three. Five years is the most common and ensures we get priority for booking when the leap year throws scheduling out of normal rotation. The payment also changed. Previously, the County would get 10% to 15% of the Carnival's profit. This new contract is 20% of profit with a minimum of \$10,000.00. We have never received a payment lower than \$10,000.00 and Melanie expects that to continue. Mike took a moment to point out the ice rink contracts and the carnival contract are money being paid to the County not by the County. These groups are paying for use of our facilities. He questioned if the contracts had fiscal clauses in case the facility or event was suspended. Melanie explained there isn't such a clause with the Carnival. They will come even if we don't have a fair, if we allow it.

*Commissioner Horrocks moved to approve the 2025 County Fair Carnival contract as presented. Motion passed unanimously.*

**13. INTERLOCAL COOPERATIVE AGREEMENT for STORM WATER SYSTEM PRESERVATION & ENHANCEMENT, ROAD CROSSING, and ROAD SAFETY FUNDING AMENDMENTS** – Wayne Simper, Central Canal, began the discussion and asked Jon to address it as well.

This interlocal agreement is between Uintah County, Vernal City, Naples City and Central Canal for the road crossings and other items as needed for CIB (Community Impact Board) funding as discussed a few weeks ago. Jon and Mike Harrington have been working together to get this worded appropriately. Jon agreed, there has been discussion regarding the maximum contribution of each governmental entity involved. The County's maximum contribution is \$272,050. The only other change of substance would be the inclusion of a paragraph stating if the project were scaled back due to insufficient funds, the parties would work together to refund back to the entities proportional to the amount of contribution from each party. This is a protection clause that will ensure it is fair between the three governmental entities. Wayne noted they expect the work being done for this interlocal to go forward. Any scaling back would be done somewhere else in the project. This is for the CIB Funding. The CIB will take into consideration the loan and contributions before the grant funds are applied, so the interlocal agreement funding will be utilized first. However, this is a good protection clause in case the entire project flops. It was clarified that Mike Harrington represents both Vernal and Naples Cities. Matt noted the check of \$74,250.00 paid to Naples City is part of the maximum of \$272,050.00. Mike agreed. The remainder of 197,800 will be paid over twenty years at \$9,890 per year.

*Commissioner Horrocks moved to approve the interlocal cooperative agreement as presented. Motion passed unanimously.*

Wayne added they signed the notice to proceed with BHI and they plan to start October 1<sup>st</sup>. Jon also added the original agreement is with Mike Harrington and he will get it to us for signatures.

#### **14. PUBLIC COMMENT –**

Commissioner Laursen reminded attendees that the public comment period is a time for comments not debate. The Commission will listen to comments and take them into consideration but will not respond or answer questions. They may not have the power to act on any comments. The meeting is recorded, please be patient, wait for your turn at the microphone and state your name for the record. Be respectful and do not interrupt. A total of fifteen minutes will be allotted for public comment and each speaker will have up to three minutes to make their comments.

Dan Dilsaver had two questions and a comment; he understands they can't answer at this time but would like an answer in the future. When the County starts a project, such as the one at the watershed, is there a policy or procedure followed or do they rely on empirical knowledge? Was there a scoping meeting including all the stakeholders involved with this project held? Yesterday during the work session several County officials were acting in a condescending, adversarial, and unprofessional manner. We are better than that and what happened needs to be spoken of and addressed.

James Honert attended the work session yesterday. He is submitting his comment based on his conversations and participation but he is supported by many in attendance. The agenda item "Management and access of Uintah County's public property in Ashley Gorge" was his main interest. He is deeply concerned with any development plans within the Ashley Springs Protection zone. Jon Steamer led the discussion listing items of property maintenance to be addressed. The room was filled with citizens and stakeholders eager to address the ongoing development. Comments were made seeking answers to issues with a broader scope than property maintenance. He believes Steamer's behavior was reprehensible and disrespectful to the attending citizens and water professionals. His unprofessional bias and disregard for questions and concerns was bullying. Instead of focusing on stakeholder issues and engaging the Commission on serious access questions, he focused on maintenance issues. He was also disappointed in Commissioner Laursen's behavior in the disdain exhibited when presented with the petition signatures to move the development away from the Springs. He is also lacking in leadership as a Chairman in allowing Steamer to dominate the meeting. The entire process of planning and implementing recreation development has been handled poorly. The Commission needs to consider citizens and stakeholders. The concerns need a resolution before a new ordinance is enacted.

Jeff Shoell was representing the homes in the Maeser area that were recently flooded. They were told when they purchased their home it was in a 100 year flood zone and that it did flood occasionally but the County had secured funding for catch basins in the upstream valley which would eliminate risk of property damage once constructed. They experienced several flood events in 2021 resulting in nearly \$75,000.00 in damages to one particular neighbor. As part of the insurance settlement they had agreed to mitigate for future damage and constructed an eight inch retaining wall. They were told the catch basins would be completed by the end of 2022, which has not happened. Blame has been placed on the Flake family and the BLM who both argue they are not the reason the basins have not been completed. They had asked a contractor to increase the depth of the ditch which runs along 500 N to allow for more water flow. The neighbors were shocked to find out the County had allowed water, sewer, and utility lines to be installed in and along the sides of the ditch making it impossible to expand. They also don't understand why the County doesn't maintain the ditch keeping it free of debris. The County has been dragging their feet, fully aware of the severe flooding that is more frequent than the 100 year rating. While the Commissioners are arguing with Naples City over a hiking trail, real property damage is occurring in Maeser. Is it going to take a lawsuit to get the County to take action?

Mark Caldwell, concerned citizen and sponsor of Prop 12, wanted to make it clear Proposition 12 is not against the funding of the Sheriff's office and public safety. The sponsors greatly appreciate and fully support Sheriff Labrum and his employees and the safety they provide. The sponsors oppose the new sales tax for two reasons. 1. Lack of public process and input before the Commission approved a resolution imposing the sales tax. 2. Claims made by elected officials that the County has been running on financial deficits and using savings to fund deficit spending. If the County does not agree with what

he is going to say, he recommended a public hearing, held after 6 pm, so they can correct his information. The new sales tax will generate an estimated \$4.485 million annually. It will go to public safety but what happens to the money currently being spent? The \$4.485 million will be freed up and the County can spend it on anything. This could include raises for employees and elected officials, 401k contributions, even increasing the size of government and additional regulations. Last year we heard from the citizens regarding the property tax increase and were told the County is running on deficits. The 2023 audited financial statements show an additional \$8.23 million in cash and investment balances for a total of \$95 million. Additionally, the 2023 General fund had a \$2.275 million surplus. Municipal Service funds, which funds the Sheriff's office and public safety, had an increase of \$861,000.00. These are difficult times for many in the community. The County received more revenue last year than it could spend.

Tammie Mecham said, as she looks through the room, the "good ol' boys club" is alive and well. It makes her sad. Instead of supporting elected officials there are those that have gone after them. Whether it be the Commissioners, Mike Wilkins, or Wendi Long. Citizens of Uintah County need to know this group has gone after elected officials for seven years and it is disgraceful. She asked for a raise of hands to see who has actually talked to the Commissioners and there were a few hands raised.

Ritchie Anderson represents a lot of the agricultural community and is a member of the Public Lands Council. Regarding the Via Ferrata project, he has been doing some homework and spoke with SITLA about it today. There are alternative options for this project, such as the south face of Blue Mountain. There had been some concern that SITLA wouldn't allow rock drilling and that is not correct. SITLA is anxious to do leases, including for recreational use. They are also open to a petition to purchase. Leasing can be done in 60 days. He asked them how soon, theoretically, construction could start and they responded with early spring. He doesn't know if he's part of the "good ol' boys club" or not but he is not here to attack anyone. He's simply looking for options and solutions. He can't speak for the Public Lands Council as a whole as they haven't discussed it, but as the closest rancher to the south face of Blue Mountain, he doesn't see any reason not to support moving the Via Ferrata to this location. There is a spring close by that he has the file on and the project would not interfere with that spring. There are other options out there. The public lands committee should be reestablished to review the other options and get something done by spring.

Crystal Clark has been a member of the community for many years and is the IT Director for the County. Three cents for every \$100 dollars spent is a small amount to pay. Those with more money or have the liberty to spend, will get taxed a little more. Those struggling will get taxed less. This is a good model. The County is an organism, much like a human being. Each department has a function. The Sheriff's department is the immune system keeping us safe. The Commission is the heart. Facilities are the structure, the bones. IT is the blood that flows through each part keeping it going. When we look at what it takes to keep the organism going, we must work together. We are partners. She worked closely with the Sheriff's department for years. We need unity. You can't give one department money and say others don't deserve it. Just as you can't say I like my eyeball but not my foot. We must work together and share together. Whatever the heart determines is best, we should trust.

**ADJOURN:** The meeting adjourned at approximately 3:48 pm.

  
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JOHN LAURSEN, CHAIR

  
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MICHAEL W. WILKINS, CLERK – AUDITOR

