WASHINGTON COUNTY RAP ADVISORY BOARD
MEETING MINUTES
August 2, 2025

Chair Glenn Webb called the RAP Advisory Board to order at 12:03 PM on Friday, August 2, 2024 in Conference Room 421- Washington County Administration Building, 111 E. Tabernacle St., St. George, UT. Those in attendance were: RAP Advisory Board members: Robert Schmidt, Glenn Webb, David Watson, Michael Lee, Tony Allen, Dimon McFerson and Ginger Nelson-Via Zoom. Others in attendance were Deputy County Attorney Steven Scott and Deputy Clerk Jayanne Lewis.

WELCOME

Chair Glenn Webb welcomed all in attendance and it was determined that a quorum existed for voting on action items.

MOTION: Motion by Robert Schmidt to move item number 5 up. Motion seconded by David Watson and carried by a unanimous vote

OTHER BUSINESS:

Mr. Webb also asked if the board has received a petition via email. (see attached) Many of the board members indicated they had. Mr. Webb asked if anyone else had received any communication they would like to share. Robert Schmidt shared an email he had received before the meeting regarding the RAP tax. (see attached). Mr. Schmidt also shared a list of questions he received from a community member. (see attached). After feeling like all correspondence relevant to the meeting had been shared and discussed. Mr. Webb recommended they move on to item #2 on the agenda.

APPROVAL OF MINUTES: July 30, 2024

MOTION: Motion by Mike Lee to Approve the Minutes of July 30, 2024. Motion seconded by Tony Allen and carried by a unanimous vote

Review and Consideration of St. George Musical Theater Application

Mr. Webb shared he had reached out to Bruce Bennett of St. George Musical Theater and requested he submit an updated application to the board. The board discussed various concerns each had regarding the application. Dimon McFerson speaking on behalf of the SGMT Board withdrew the application.

Review and Consideration of Washington County Daughters of Utah Pioneers Application

Mr. Webb informed the board this application was received on time. Due to a clerical error it was never reviewed. He asked the application be reviewed currently.

MOTION: Motion by Mike Lee to recommend the Washington County Daughters of Utah Pioneers Application for funding. Motion seconded by David Watson and carried by a unanimous vote

Having no other business, there was a motion to end the RAP Advisory Board Meeting at 1:09 pm

MOTION: Motion by Tony Allen to adjourn. Motion seconded by Robert Schmidt and carried by a unanimous vote

Minutes Prepared by Deputy County Clerk Jayanne Lewis

I have a friend at SUU who teaches Arts Administration classes. These are important questions that he feels should be asked and answered during Friday's meeting:

1. Does the existing policy have a process for additional distributions like this? Should there be an open application process? Why so quick and so close to the regular application cycle?

- [ ]

2. Does an organization's failure to plan constitute an emergency on our part?

3. How did this surplus get created? How much money is actually in the surplus? Why so little clarity for the board on this money up to now?

4. What is the board's conflict of interest policy as far as board members of the recipient organization being able to vote for the disbursement?

5. Why is this an urgent request? Does the request meet the qualifications of the county's purpose for these funds?

6. Is this a fair and equitable disbursement of funds? Shouldn't other organizations be allowed to apply and be considered as well? Would this disbursement jeopardize the RAP standing with the public, in a year that it is on the ballot?

- [x] ~~Julianne Skinner executive director of arts to Zion. AND on SU Art Guild~~
- [x] ~~Joseph Bott - chair of arts to zion~~
- [x] ~~Deborazh Laux - SUAG board~~
- [ ] Colleen Gianatiempo

Possible RAP tax misuse

1 message

Casey Jacobs <caseyjacobs10000@gmail.com> Fri, Aug 2, 2024 at 11:15 AM
To: "1glennwebb@gmail.com" <1glennwebb@gmail.com>, "robert.schmidt@washk12.org" <robert.schmidt@washk12.org>, mcfersd@yahoo.com

Good morning,

It's come to the attention of the general public and to several arts organizations that Washington County and the RAP Tax Advisory Board are considering giving $238,000 of RAP tax monies to only one entity: St. George Musical Theater (SGMT).

SGMT has submitted a second, special application to be considered for the monies out of the regular funding cycle. No other arts organization has ever been made such an offer from a County Commissioner or has been allowed to submit additional applications for additional monies.

Details of the proposal are below. Please take a few minutes to read, to listen, and if so inclined, to call or email members of the RAP Tax Advisory Board and the County to let them know your opinion of the situation.

This has also been forwarded to St. George News, radio outlets, Tuacahn, and other arts organizations who have received RAP monies in the past; however, please forward as you feel needed.

Commissioner Victor Iverson volunteers $238,000 of RAP tax funds to just one entity: St. George Musical Theater

In an unprecedented move that shocked both the Arts Commission and the RAP Advisory Board, and prompted debate among board members and representatives of SGMT, Commissioner Victor Iverson volunteered to open up a surplus segment of the RAP tax fund to just one recipient: St. George Musical Theater.

The amount in question? $238,000 of public tax money.

At the Community Arts Commission meeting, RAP board members and SGMT representatives argued against denying the $238,000 promised by the County. From the meeting minutes available online at https://www.utah.gov/pmn/files/1151509.MP3 starting at the 30-minute mark, SGMT argued that "We did not go seeking these funds. They were offered to us by Commissioner Iverson." Further explaining, SGMT noted that "the reason we did not expand auditoriums 4, 5, and 6 was we just ran out of money," and when "Commissioner Iverson took a tour [of the facility and the uncompleted auditoriums], he asked 'Why haven't you completed them yet?'"

Reportedly, at that point in the tour, Iverson "basically volunteered to provide $238,000 to complete the renovation of the three auditoriums." Telling SGMT to "get your application in ASAP," Bruce Bennet, President of SGMT, immediately completed and submitted the paperwork.

The problem? The Arts Commission, the recommending board to the County Commission for the equal and fair dispersal of RAP tax monies, had no idea that there was extra money laying around.

The extra money "shouldn't be going to one organization, it should be fairly available to all."

But there soon surfaced other concerns as noted from the meeting minutes:

- Commissioner Iverson had no authority to give SGMT a quarter of a million dollars
- SGMT was the only entity made privy to this set of RAP funds
-SGMT's application was submitted early with one board member noting "we haven't even released the application document for this year to other arts entities"
-SGMT had already submitted an application for RAP funding this year thus setting a precedent for a "second additional special application"
-An amount of this size "would devastate every other organization" noted Ginger Nelson, board member

-It "has the appearance of a back room deal" and would fuel [the public] to oppose the "continuation of RAP because it's not fair" noted Glenn Webb, the RAP board vice-chair.

And finally, in a moment that noted the obvious conflict of interest, "two of the RAP advisory board members work for SGMT." The two board members? Tony Allen and Dimon McFerson.

Starting in 2015, the Recreational, Arts, and Parks tax (the RAP tax) was designed to support non-profit organizations and cultural activities in their operating expenses or capital projects. Organizations are required to submit a copy of their 501(c)(3) status and submit extensive paperwork detailing organization goals, board member status, financial history, annual benchmarks, plans for marketing, details in attendance, and cultural merit.

Almost immediately, and unpublicized, a large section of the RAP tax was carved off to go directly to the Tuacahn Center of the Arts with no variation in awarded funds each year. No other organization was given such a deal. $125,000, 50% of the collected RAP tax funds in 2016, was given to Tuacahn. Each year after that, Tuacahn has received a check for $125,000. In 2022, 20% of the RAP tax funds went to Tuacahn. (https://portal.washco.utah.gov/rap/awarded-funds-list/) Reportedly, however, Tuacahn board members have privately expressed disappointment at how little funding they receive from the County and would like to see an increase of public monies granted to them.

Smaller arts organizations in the community, ranging from vocal groups and dance organizations to art galleries and writers' clubs are required to fill out extensive paperwork asking for portions of the collected tax monies (https://portal.washco.utah.gov/rap/).

As noted by the RAP board at this week's meeting, SGMT had already applied for monies this year and had been awarded $52,000 in 2024's allocation of the RAP funds, an amount far greater than many arts organizations receive. But the request of almost a quarter of a million dollars was unlike anything that had been brought before the board before. "This is a special request that's not part of the regular RAP cycle that we have," noted Webb. "I'm a little confused [...] if we're allowed to do it. Do other organizations know about this?"

County officials responded, emphatically at times, "it's a surplus. Not a special fund. It's just one bucket. We just set aside X percentage as a surplus from the last 10 years." However, Webb countered saying "unless all entities are eligible to submit and receive from the surplus, if we take this amount of money from the RAP tax, it would devastate all the other organizations. No other organization can pull from the fund."

RAP tax money collected each year varies depending on a number of factors, but recent numbers indicate that between $700,000 and $860,000 is collected each year. The amount that Washington County's Iverson promised SGMT would by roughly 34% of annual monies collected – a staggering amount for one organization. County representatives at the meeting pushed back saying that "we've saved some money from each year to finish out RAP projects [should RAP tax be discontinued]. So, there is a fund, RAP funds, that would come out of the bucket to pay for the $238,000 that Bruce is proposing."

The explanation didn't sit well with many. Ginger Nelson, RAP board member chimed in saying "since we as the board didn't have knowledge or fair understanding of these funds, it shouldn't be done unless everyone knows about it. If SGMT knows that the funds exist, but no other organization does, we're putting SGMT ahead of everyone else. It feels like a conflict of interest."

SGMT argued that the primary purpose of auditoriums 4, 5, and 6 would be to make them community accessible; however, they didn't expound on what "accessible" meant or if that meant free or discounted to other organizations. They also didn't address to whom rent would be paid if the auditoriums were used by the community. The RAP board painted a picture where the County gives $238,000 to SGMT only for SGMT to turn around and charge for use of the auditoriums. "The messaging is not clear to me as someone plugged into the Art scene and the chair of the RAP tax board this year," noted Webb.

Near the end of the meeting, it was noted that the SGMT's application was done out of compliance and was rushed to try to get it approved as quickly and quietly as possible. Tony Allen argued "There is some urgency because we have a contract and the contractor will complete the work on 1, 2, 3 so from an efficiency perspective, having the people and equipment there, there is urgency to say if we're going to do this, it's more economical to do it now rather than wait to do it in six months."

"But it doesn't matter what we say," noted Robert Schmidt," because they're [the County Commissioners] going to do it. That's where I get concerned with how people perceive it." Allen opposed the idea saying "It's a benefit to the community; if they don't understand that-" with Schmidt cutting in saying "But people are frustrated that we're playing favorites."

Heaton added that "It feels like it doesn't matter what we decide, which is unfortunate because I don't want to have a disconnect with the Commissioners, but there are other organizations that I work with, there's a mistrust of the suggesting committee. One organization that I work with didn't get any funding because the Commission didn't know the organization. That's my main concern. Whatever we suggest about SGMT, if it's decided in another way, arts organizations will question our validity and the RAP tax."

An explanation of why McFerson and Allen argued that the $238,000 was a "unique capital request" was not offered. Also, an explanation of why this particular project is a "benefit to the community" vs. other organizations that have applied for funding properly and have been denied or have received far less funding was not offered. SGMT started the remodel on the former Main Street Cinema 6 with no clear vision of how to complete it other than Allen's explanation that "All of the money spent has been raised by the community from private individuals." Other organizations in the Southern Utah area that have applied for operating expenses in previous years would almost surely submit for capital monies if the opportunity were made available to them.

No clear decision was made other than to meet and discuss the issue further. Steven Saline, County Attorney, listed a few options for the board to consider: "#1 - You could create an agenda item to consider the application and call for a vote. You take SGMT's second application as is. #2 - You could have them resubmit for 2025. #3 - You could deny them. #4 - You could consider an agenda item of when and if to receive applications outside the normal cycle as a general policy in the future, or you could take no action and assume the application is late."

But Saline's final recommendation: bypass the obvious problems with giving SGMT the $238,000, consider their application, and then make an agenda item to discuss how to handle capital projects out of the normal cycle in the future. "I would recommend [...] to consider the application, make a decision, and then consider how to respond properly to future requests" seemingly saying to allow Commissioner Iverson follow through with his unauthorized promise to award SGMT $238,000 of RAP tax monies that no other organization has access to and then shore up things in the future.

The RAP board consists of:

Tony Allen, Chair
Glenn Webb, Vice-Chair
Michael Lee
Robert Schmidt
Ginger Nelson
David Watson
Dimon McFerson

Terry Dickens • 4279 S 1095 E • Washington, UT 84780 • (435)429-1234

August 2, 2024

Washington County Recreation, Arts and Parks (RAP) Disbursement Advisory Board
111 East Tabernacle Street
St. George, CA

Re: Surplus Washington County RAP Tax

I am a resident of Washington. My wife and I are actively support the arts in this community. We have contributed financially to Tuachan, St. George Music Theatre, Encore, Lieto Voices, Southern Utah Symphony, and others. We have season tickets to Tuachan, St. George Music Theatre, and Southern Utah Symphony. I was formerly on the Board of Directors of Encore but no longer serve there. I sing with Lieto Voices, and have for several years.

I understand that there is over $200,000 available in RAP Tax funds that your Board is considering distributing to a single organization. I feel that those funds should not go to one group but should rather be distributed to all previous recipients of RAP Tax. Perhaps it could go to each group based upon the percent that they received this year of the previous total. That way the intent of the tax would be better reflected. That is, the tax is collected from the community at large. To distribute a large sum to just one group seems very inconsistent with the overall mission of the program. You have previously decided that some groups should receive more funding than others. Why not stay with that sharing plan?

For the RAP taxes to be concentrated in just one organization when there are so many worthy and highly contributing groups in our County seems to me simply wrong. Please consider and/or reconsider your decision and make a more equitable distribution to enhance our community broadly.

Thank you for your service to Washington County.

Sincerely,

Terry Dickens

Terry Dickens