

MINUTES of the work session of the Uintah County Commission held **May 14, 2025** in the large Commission conference room of the Uintah County Building at 152 East 100 North, Vernal, Utah. The meeting commenced at 12:00 p.m.

PARTICIPANTS: Commissioners Sonja Norton, John Laursen, and Willis LeFevre.

ATTENDANCE: Mike Wilkins, Travis Campbell, Dean Baker, Ryan Goodrich, Max Haslem, Brad Grammer, Tammie Mecham, JC Brewer, Jo Gardner, Curt Smuin, Gennie Bird, Trinna Gardner, Becky Richards, Matt Cazier, Nolan Jackson, Trudy Wheeler, Wendi Long, Deanna Nyberg, Lesha Coltharp, Darrin Brown, Aaron Averett, Boyd and Elaine Workman, Parker Boyack, Amber Toler, Keith Despain, Lance Dean, David Hatch, Ryan Mattson, Mike Cook, and Loren Anderson.
Minutes recorded by Tai Duncan.

WELCOME: Commissioner Laursen welcomed everyone to the meeting. He noted that agenda items three and four will be tabled. He emphasized that the discussion on agenda items seven and eight will be strictly limited to the proposed Via Ferrata rules. Comments regarding the general concept of the Via Ferrata itself have already been addressed and not subject to further discussion.

1. OPENING REQUEST FOR PROPOSALS: Mike Wilkins, Clerk-Auditor

a. UC25-6: McCoy Flat Road Professional Engineering Services

Two bids have been received: CMT of Sandy, Utah and Jones and Demille Engineers of Vernal, Utah.

b. UC25-7: Purchase Native Asphalt (Oil Sands)

One bid has been received: Valkor of Woodcross, Utah.

Both will be reviewed by their committees for responsiveness and potentially awarded at a later date.

2. DISTRICT COURT CHILD WELFARE REPRESENTATION - Lance Dean, Public Defender

Jordan Van Oostendorp was recently appointed as an 8th District Court Judge specifically handling Juvenile Court. Jordan had a contract with the Public Defender's Office for defense work in the Uintah County Justice Court. Lance proposed that he would take over the child welfare representation work, and the office was in the process of finding another attorney to fill the Justice Court Defense role, with a candidate expected to start in mid-June. He also noted the need for potential future funding requests related to this transition and to bolster conflict attorney resources. In response to Commissioner Norton's inquiry about increased state funding for indigent defense, Lance stated that the current grant from the Indigent Defense Commission, \$390,000 for the year, was not changing and had remained relatively consistent since 2019. His office would not be able to function without said funding.

3. TRAVEL TIME REIMBURSEMENT - Lance Dean, Public Defender - TABLED

4. CONFLICT HOURLY RATE INCREASE - Lance Dean, Public Defender - TABLED

5. ASHLEY GORGE EASEMENT AGREEMENT between Uintah County, Vernal City, and Ashley Valley Water & Sewer Improvement District – Loren Anderson, Attorney & Matt Cazier, Community Development

Matt explained the proposed 2.7-acre easement around the water infrastructure on the Ashley Gorge property was requested by Vernal City and Ashley Valley Water and Sewer Improvement District (AVWSID). He noted existing easements from the BLM (prior to the County acquiring the property) and a 30-foot public utility easement approved more recently by the County. The County would like to make two changes to the original request: the easement would be perpetual and non-exclusive and include a provision allowing the County, as grantor, official use of the pedestrian bridge as needed, with the County indemnifying the grantees, AVWSID and Vernal City, for such use and prohibiting public access to the bridge. These changes were emailed to Vernal City and AVWSID. Vernal City was scheduled to discuss it on May 7th but had to reschedule for a future meeting. Matt spoke with Quinn Bennion from

Vernal City, who indicated the City was okay with the County moving forward with the suggested changes. Matt suggested a timeline for approval, 90-180 days. Mike Harrington, Attorney for Vernal City, saw no issue with a timeline. Matt personally sees no problem with the easement, noting the County's long-standing intent to preserve the area for water infrastructure. Ryan Goodrich, AVWSID, expressed concerns about the bridge access being tied to the infrastructure easement, suggesting it should be a separate agreement. Matt asked Ryan if he was aware of the bridge being mentioned in existing easements and he was not aware of any formal easement for the bridge itself.

6. COOPERATIVE FUNDING AGREEMENT WITH ACCESS UTAH FOR THE VIA FERRATA - Travis Campbell, Economic Development

Access Utah is the non-profit organization that received a state grant for the Via Ferrata project, including installation and match for the Outdoor Recreation Grant. The agreement ensures proper use of public funds, maintenance, and public accessibility for ten years. If the County permanently closes or restricts access, all funds from Access Utah must be repaid within 90 days. Loren has reviewed the agreement. Commissioner LeFevre inquired about temporary closures. Travis believed seasonal closures and maintenance shutdowns were expected but not explicitly detailed, with the "permanent closure" language being key. Loren noted the language for a "reasonable time period" for temporary closures should cover such situations. Commissioner LeFevre clarified that permanent closure within ten years triggers repayment. Maintenance costs were also discussed; Ouray has stated their costs are approximately \$2,000 annually, with a maximum of \$5,000. No inspection is needed this year as it's part of construction. Curt Smuin suggested the amount to be repaid be included in the funding agreement. Matt replied the total project cost would be finalized upon completion; it may not be the grant amount of \$241,550, it could be more or less. It was also clarified that this funding is state funding and potentially tax payer dollars.

7. VIA FERRATA RULES - Matt Cazier, Community Development

Rather than reinventing the wheel, we utilized the rules used in Ouray, Colorado. They have been successfully operating for six years. The general rules for the Ashley Gorge property that have previously been adopted will apply for any and all users, including Via Ferrata users. Matt reviewed the rules listed under section 1, A through Q:

- A. The user assumes all risk and liability from use.
- B. A waiver must be completed before starting the Via Ferrata, and it must be on your person while climbing on the Via Ferrata. The waiver must be signed by the user, if an adult, or by a parent or legal guardian, if not an adult. If a county official asks to see the waiver, the waiver must be shown.
- C. Climbers under the age of 16 must be accompanied by an adult.
- D. The following equipment is required on the Via Ferrata
 - 1. Certified Via Ferrata Energy Absorbing System (EAS)
 - 2. Certified Helmet – Mountaineering
 - 3. Certified Harness – Mountaineering
- E. All equipment must be in a usable and functional condition.
- F. Climbing slings, tethers, and other improvised "leash" connections are not allowed and are dangerous.
- G. Climbers outside the weight limits of the certified equipment, generally those weighing less than 90lbs or more than 265lbs, must be with a professional guide and must utilize a supplemental belay system on sections with significant vertical climbing. Belaying anchored to the cable is prohibited.
- H. A minimum of one leash must be attached to the safety cable at all times on the Via Ferrata from beginning to end. Never unclip both leash leads at the same time.
- I. Any individual attempting the route must have a minimum reach of 62" from the ground.
- J. No more than two users are allowed on a single span of safety cable between anchors. Proper spacing must be maintained.
- K. The route is one-way, as marked and designated on site. Designated passing areas are available on the route. Slower parties are encouraged to allow faster parties to pass at appropriate and easy to manage locations along the route. All parties shall remain clipped to the cable as they go around.
- L. The Via Ferrata is closed when it is raining or snowing. Those on the Via Ferrata should make their

way to the closest bail-out point.

M. The Uintah County Trails Manager will set the open dates and times for the Via Ferrata each year after consultation with the Board of County Commissioners.

N. The Dino Trails Committee will act as an advisory board to the Board of County Commissioners with respect to the Via Ferrata. The Dino Trails Committee will help monitor the management and use of the Via Ferrata and make recommendations to the Board of County Commissioners of needed changes.

O. Professional guides must be permitted by Uintah County prior to performing any guiding services on the Via Ferrata.

P. Professional Guides for the Via Ferrata that have been permitted by Uintah County shall report any observed violation(s) of all the rules and regulations for the Ashley Gorge property and this executive order to the Uintah County Trails Manager as soon as reasonable, but within 12 hours of observing such violation(s).

Q. Professional Guides for the Via Ferrata that have been permitted by Uintah County shall follow, and ensure that all participants in their group(s) follow, all the rules and regulations for the Ashley Gorge property and this executive order.

Matt also had a suggestion for two additional rules: requiring closed-toe shoes and prohibiting impaired persons. Section two outlined penalties for rule violations: loss of use up to 24 months and a Class B misdemeanor.

Brad Grammer, Uintah Water Conservancy District (UWCD), requested language to protect public water system employees accessing the area. Matt stated this was covered under the general property rules. Brad and Parker Boyack requested public education about the sensitivity of the water source area. Matt stated these rules and explanation of the sensitivity of the area would be posted at the Via Ferrata, on the waiver and the website, also suggested by Amber Toler. Jo Gardner raised concerns about the 90-pound minimum weight without a guide, citing Ouray's policy of no children under 90 pounds due to safety risks. Matt clarified that anyone under 90 pounds requires a professional guide tethered to the individual in dangerous sections and there is a reach requirement of 62 inches. Boyd Workman inquired about the Dino Trails Committee's role and if there would be on-site staff. Matt indicated there will not be dedicated rangers initially though that can be considered if there is a need. Enforcement will be done by County employees. The Dino Trails Committee, open to the public, would advise the Commissioners. Brad reiterated the need for a dedicated public drinking water system committee. Curt Smuin inquired about bathroom facilities, individuals may not see the need to wait until they reach a restroom. Matt stated this concept was covered by the general property rules. Jo questioned the number of rangers and guides. Matt clarified that guides would be permitted businesses, with no limit. Rangers are not planned. Concerns were raised about self-inspection of personal equipment and enforcement; Parker said there were existing violations. Amber, Dino Outfitters Guide Services, stated their company would inspect equipment daily and follow insurance requirements. It will be necessary to rely on individual accountability for personal users.. Commissioner LeFevre inquired about equipment inspection and tagging processes similar to OSHA. Matt stated no such program is planned. This is similar to vehicle safety inspections being the owner's responsibility. Dave Hatch commented regarding user error in equipment even among experienced climbers, emphasizing "climb at your own risk." Loren and Amber commented on the feasibility of County employees inspecting personal gear, highlighting the need for specialized knowledge and the reliance on individual responsibility and visual checks.

8. VIA FERRATA GUIDE RULES - Matt Cazier, Community Development

Guide rules from Ouray, Colorado were also used to create our rules; Section 1, A through F:

A. Professional guides must be permitted annually by Uintah County prior to performing any guiding services on the Via Ferrata.

B. An application and process for permitting professional guiding services will be developed by the Uintah County Trails Manager in consultation with the Community Development Director.

C. Professional guides must provide proof of comprehensive general liability insurance against claims occasioned by actions or omissions of the Contractor in carrying out the activities and operations

authorized hereunder. The limits of liability shall not be less than \$1,000,000 per occurrence covering both bodily injury and property damage and \$2,000,000 aggregate. If claims reduce or threaten to reduce contractor's available insurance below the required per occurrence limits, the contractor shall obtain additional insurance to restore the required limits. An umbrella or excess liability policy, in addition to a comprehensive general liability policy, may be used to achieve the required limits.

D. All of the liability policies shall specify that the insurance company shall have no right of subrogation against the County and shall provide that Uintah County is named as an additional insured entity. The policy shall provide that the insurance company shall have no recourse against Uintah County or any of its employees for payment of any premium or assessment.

E. Professional Guides for the Via Ferrata shall follow, and ensure that all participants in their group(s) follow all the rules and regulations associated with the Via Ferrata and the Ashley Gorge property.

F. Professional Guides for the Via Ferrata shall report any observed violation(s) of all the rules and regulations associated with the Via Ferrata and the Ashley Gorge property to the Uintah County Trails Manager as soon as reasonable, but within 12 hours of observing such violation(s).

Section two outlines enforcement by the Trails Manager or designee along with the County Attorney's Office, potential permit loss of up to 24 months and a Class B misdemeanor. Once the rules are approved, the application process will be developed. Jo asked if they will be subject to a background check. Amber noted the background check will be done with the guide's company so the County shouldn't need to add that to the process.

ADJOURN: The meeting adjourned at approximately 12:59 pm


JOHN LAURSEN, CHAIR


MICHAEL W. WILKINS, CLERK - AUDITOR

