



# Duchesne City Council Work Meeting

## Minutes

Tuesday, July 29, 2025 at 6:00 pm

A specially scheduled work meeting of the Duchesne City Council will be held at the Duchesne City Office Building, 500 E Main, Duchesne, UT 84021. The agenda will be as follows:

## AGENDA

### 1. Roll Call, Prayer, Pledge

#### **Minutes:**

Mayor Rowley conducted the meeting. City Recorder, Myra Young took minutes. City Council Members present were, Matt Skewes, Jenny Adams, Cody Ivie, and Jason Baker. Council Member Bryce Hamilton was absent. City Treasurer Stephanie Skewes offered the prayer. Mayor Rowley led the Pledge of Allegiance.

Duchesne City Employee Attendees: Stephanie Skewes, Cana Ivie, Jessica North

Public Attendees: Olivia Baker, Dea Skewes, Nate Zilles, Taylee Wilson, Janice Shipman

### 2. Independence Day Committee Process and Procedures

#### **Minutes:**

Cana Ivie and Olivia Baker with the Independence Day Committee began by thanking the City for its support. Cana stated the Fourth of July celebration has outgrown a “small-town” event and now functions at a “medium town” scale. The IDC estimated roughly 2,000 people attended the parade.

Despite rain, vendors reported sales comparable to last year, and the number of vendors increased. The talent show went well with added features. IDC reported less “begging” for help this year, and three individuals have already offered to volunteer next year. Public feedback indicated the parade route was improved; staging caused some confusion but worked overall. The community breakfast was well attended and ran out of food.

Janice Shipman, who manages craft vendors, reported that when she took over four years ago there were seven craft vendors; this year there were twenty-four. She noted space is now tight enough that she may have to start declining additional vendors. She looks forward to continuing in the role.

IDC expressed appreciation for next year’s City donation and said if they can double their funds, they would consider investing more in the concert and expanding the fireworks display. IDC is committed to making the 250th anniversary celebration the largest yet. Cana explained that the committee began with a ten-year plan; they are entering year eight, still have dreams, including a parachute drop and a hot air balloon, and want to finish strong. She emphasized the volunteers’ fatigue after seven years and

the importance of a transition plan, so the event does not die if current leaders step away.

IDC outlined three concerns raised by the City staff that require decisions: (1) financial oversight and accountability, how expenses are approved, checks deposited, funds accessed, and transparency ensured for both the IDC and the City, (2) liability and insurance, recognizing the event's larger scale, and (3) personnel/legal requirements, how volunteers are managed, when and how people are compensated, and compliance.

Cana explained that the committee's priority is to establish a process that eliminates confusion, ensures nothing is lost, and provides a consistent way of doing things. At this point, the committee is leaning toward operating under the City's umbrella rather than forming a 501(c). She acknowledged there are pros and cons to both options and welcomed questions or discussion from the Council.

She added that the City's structure offers important advantages, including liability insurance coverage and the assurance that elected officials who represent the community would provide oversight and continuity. That continuity would be carried forward with future elected officials, allowing the celebration to remain a city supported event. For these reasons, the committee currently favors working under the City, though they remain open to Council input and direction.

Council Member Baker asked the committee to explain their main concerns with continuing under the City's umbrella. He also asked what advantages they saw in operating under the City, and what was motivating their interest in that arrangement. Cana responded that the committee understands that they cannot continue under the current setup, as neither she nor Olivia should be writing checks from the account. She explained that working under the City provides greater transparency, where both the committee and City staff can view the same financial records, with receipts available to match each transaction. This removes guesswork and ensures accountability. Cana also noted that she values having others review the details, as she often focuses on larger goals and relies on Olivia to help track specifics.

Council Member Ivie stated that one of the problems is that City staff currently cannot view transactions from the IDC's bank account. Cana was surprised and noted that she believed it was a City account. It was then confirmed that city staff do not have access to the account, which has created transparency issues.

Deputy Recorder Jessica North explained that the office staff have not been able to see all deposits and transactions, they do not have access to the account. For example, some donations have been dropped off directly at the bank or received through ACH deposits without being made out to Duchesne City. Because of this, not all transactions are visible to staff, which is what raises concerns about accountability.

Cana added that at one point, all deposits were routed through the City, but when she could not view certain transactions, she had to come into the office to track down a missing check. She expressed that her goal is for everyone including the committee and the City to have full visibility of the account.

City Recorder Myra Young asked Nate Zilles with UBAOG to advise on remedies.

Nate began by commending the IDC's effort and acknowledging how many hours are required to put on an event of this size. He outlined two viable structures: (1) bring the event fully under the City and follow all City financial, Human Resources, and insurance rules; or (2) form an independent nonprofit, obtain its own EIN, adopt bylaws and a succession plan, and handle finances outside the City.

He cautioned that donors, especially larger companies, often prefer giving to nonprofits rather than directly to a city, which can affect fundraising if the city fully takes over. He noted the present arrangement, IDC signing checks on a bank account using the City's EIN puts the City at risk: only bonded City officials, typically the Mayor and designated administrators should be signers on accounts tied to the City's EIN, and auditors would be concerned about funds outside normal controls.

On insurance, he said events now typically need \$2 million in liability coverage; parade coverage often requires naming UDOT because of state roads. He estimated typical event coverage around \$400, and with UDOT added the total might be near \$1,000, this is per event.

Nate explained that if IDC becomes a nonprofit, bylaws will establish officers (president, vice president, treasurer, secretary), define terms and succession, and describe how board members are selected. Finances would be held and managed by the nonprofit; the City could support the event as a donor. If desired, bylaws could allow the City to suggest or help appoint board members, but the nonprofit board would govern operations.

Council Member Adams asked whether IDC would be covered by City insurance if under the City. Nate said that if IDC is independent, it would secure its own event policy naming Duchesne City and UDOT for parades as additional insureds; that structure protects the City, UDOT, and IDC. It is an event liability insurance only purchased for a specific event.

Mayor Rowley asked Nate to address the EIN/bank account complication directly. Nate likened it to someone using another person's Social Security number: checks are being written and expenses paid under the City's EIN by individuals who are not authorized City signers. In a municipal context, signers are bonded and limited; auditors would flag "thousands of dollars" being held without proper City oversight.

Cana wondered what the cost is to set up a 501(c). On nonprofit setup options, Nate said he researched local umbrella entities. Duchesne County Development Corporation houses nonprofits but generally only those serving children, so IDC may not fit.

Charitable Friends of Ashley Valley in Uintah County sometimes provides fiscal sponsorship and may help pro bono with obtaining an EIN and incorporation, but they do not always work outside Uintah County. Annual maintenance costs for nonprofits were described as minimal, about \$150 to renew registration. Nate offered to provide links and assist with help setting up the 501(c) and bylaws if IDC chooses that path.

Council discussion focused on duration of the current IDC Committee and office staff workload. Council Member Ivie said that if IDC expects to continue only one more year, operating under the City could work; if IDC intends to continue beyond that, a nonprofit likely serves them better. Cana agreed and said she is willing to stay two to three more years, and that could be reflected in bylaws. IDC reported difficulty recruiting new long-term volunteers; running the event is far more demanding now than "growing it from the ground up."

Nate explained that the future of the committee comes down to two main options. The volunteers could establish a nonprofit organization with bylaws and a succession plan, ensuring the event continues by recruiting new volunteers, potentially with suggestions or support from the City Council. Alternatively, the City could take over the event directly by forming a subcommittee to manage it. In that scenario, the responsibility would likely shift to City employees to carry out much of the work. Ultimately, the decision depends on how the committee wants the event to operate and whether the

City has sufficient budget and staff resources to assume that role.

Compensation practices were discussed. Council Member Baker stated last time IDC's biggest concern was paying people on the spot, and they would not be able to continue to do that. Cana said they addressed that this year by paying one person who then paid her workers. Nate explained that under a city-run model, individuals who are paid must either be hired through HR or set up as vendors with a W-9 on file and tracked for tax reporting. Paying minors directly is not permissible. As an alternative, IDC could purchase gift cards from local businesses and provide those to youth volunteers; that approach is allowable as a purchase, not payroll. Cana asked whether "slide police" or similar helpers could be vendors; Nate said yes, if they are not treated as employees. Cana asked whether she herself could be a vendor; Nate said yes, with proper legal documentation (e.g., DBA) and setup in the City's system if under the City model. He emphasized volunteer waivers should be signed and retained regardless of structure.

Governance and approvals were addressed. Nate stated that if IDC functions as a City subcommittee, ultimate decisions rest with the Mayor and Council; IDC would bring ideas, but spending authority must follow the City's purchasing policy and thresholds, with City staff as account signers if any City-EIN account exists.

Council Member Baker noted timing problems with "need this now" purchases sometimes cannot wait two weeks for a Council meeting.

Council Member Ivie mentioned the election we are in and having a new governing body and the uncertainty of the future of the IDC if there was a subcommittee.

Council Member Adams and Nate stated the City's accounting workload would increase substantially if every IDC transaction ran through the City. Council Member Ivie added that the accounting load cannot be spread outside the office; staff must reconcile the account and every transaction. Janice invited City participation on the committee to help with paperwork, but Council Member Baker responded that existing staff already have full workloads. Nate described his prior experience doing accounting for Charitable Friends of Ashley Valley: during peak event months, the volume of small donations and entries (Venmo, Square, etc.) can become a near full-time job if not posted daily.

There was discussion about the origin and control of the current bank account. Cana asked whether the City had set up the IDC account; City Recorder Myra Young said no, because City staff are not on the account and cannot access it. Treasurer Stephanie Skewes said she could not move a donation into that account because she is not an authorized signer. Council Member Ivie commented that it is a "City account"; staff clarified that while the City's EIN is attached, the account is not a City account in practice because it was not established and controlled through City processes with proper signers and policies.

On donations and budgeting under a City-run approach, Nate explained that municipalities operate on a zero-sum basis at year-end; a specific line item would be required and budgeted annually. Mayor Rowley said that requirement complicates matters; the City currently budgets only its annual donation to IDC, and a decision must be made either fully under City rules or fully independent.

On insurance costs, Council Member Adams suggested the City pay for IDC's insurance; Mayor Rowley said the City could consider a donation to cover it, but did not support the City directly carrying the policy.

As to legal compliance, Nate reiterated that even as a nonprofit IDC must follow state

labor laws (e.g., cannot “hire” 10- or 12-year-olds). Volunteers may receive donated gift cards, but volunteer waivers should be signed and retained.

With proper bylaws, officer changes are straightforward once a president’s term ends or the board acts, signature cards are updated and control moves to successors.

Nate offered his help to set this up and believes it is in everyone’s best interest to go with the 501(c), and if they do it now, they would have plenty of time to complete the process.

Olivia asked, if the committee were to decide that next year would be its final year, what course of action would be recommended. Council Member Ivie responded that if the committee plans to step away after next year, his opinion would be to work with the City to ensure everything is handled properly. He acknowledged it would likely be a difficult transition and a significant adjustment but emphasized the importance of having the accounting done correctly if the committee is preparing to conclude its role. Council Member Baker stated the event “doesn’t happen without the committee” and recommended pursuing the nonprofit path now, citing reduced government interference, continuity for future volunteers, and less pressure on City staff. He noted that moving toward this option would ease the burden on the current committee and create a smoother transition for future volunteers. He added that City staff are already stretched thin with core responsibilities and cannot realistically take on organizing the community’s largest annual event.

Council Member Ivie and Mayor Rowley both agreed that less government involvement is better in this case.

Mayor Rowley emphasized the significant benefit the celebration brings to the community and surrounding area and expressed his hope that the IDC committee continues its work well beyond next year.

Nate suggested that stronger partnerships with local utilities and businesses could help fill volunteer shifts, and Mayor Rowley noted that many businesses are willing to allow employees time off to volunteer.

Mayor Rowley concluded by asking IDC whether they wanted the Council to set a timeline for a decision. At the end of August was decided to have a decision made.

Nate offered to assist with either path drafting bylaws and helping with nonprofit setup or advising on compliance steps if the event operates under the City.

### **3. Mickelson Building Blueprints**

#### **Minutes:**

The Council and Mayor Rowley reviewed the drawings of the Mickelson Building and discussed potential changes. Mayor Rowley and Council Member Ivie agreed that the jog in the building should be removed, relocating it to the outside of the structure, possibly with a porch, noting that this adjustment should not significantly impact parking. The layout of the kitchen was also considered, with suggestions to simplify the design to include only a refrigerator, sink, and plug-in units, making the space primarily for serving rather than cooking. The possibility of two serving areas was raised. The Council discussed removing the sliding door but also considered retaining it to allow larger equipment to be moved into the building or to accommodate vendor space during the Fourth of July celebration. Additional improvements discussed included installing insulation and weather stripping. Questions were raised about the piano, whether it could be tuned and whether Bryce had removed it. Concerns about the roof were also discussed, as several spots were leaking, possibly from roof vents. The



Council agreed a roofer should be brought in to address the issue. The doors were also noted as needing repairs. The Council determined the first priority is to clean out the building and then assess the extent of needed repairs. City Recorder Myra Young confirmed that the building is currently insured for \$300,000. Mayor Rowley and the Council directed her to increase the coverage to \$600,000 to better reflect anticipated improvements and costs.

#### **4. Cemetery Ordinance Discussion**

##### **Minutes:**

The Cemetery Ordinance was reviewed, with particular attention given to Section 7-5-6(D), Resale Restrictions. The ordinance currently states that beginning August 15, 1978, lots sold by the City may not be resold, transferred, conveyed, or assigned to any person other than the City. The City agrees to buy back any lot it sells at either the original purchase price or the current selling price, whichever is less. The Council agreed the ordinance needs to be updated, particularly to address inheritance issues. While heirs should be able to inherit plots, the existing language is outdated and creates difficulties. Staff explained that heirs are currently required to provide notarized letters of agreement, which often causes conflict. Council Member Baker noted that when he purchased plots, he was issued both a receipt and certificate; however, in recent cases, families have been unable to locate certificates, and in some older cases, no records exist in City files. This has created situations where heirs are frustrated, but the City has no proof of ownership. Mayor Rowley and Council Member Ivie discussed the buyback provision, noting that in some cases, plots purchased decades ago for \$25 are now valued at \$600. Questions were raised about whether the City should continue repurchasing lots at the original price or adjust based on the year of purchase. Council Member Baker pointed out that the ordinance does not require buybacks, but if allowed, it should be done at the current price or according to a schedule. He stressed that inheritance issues should ideally have been addressed in wills. City staff shared additional complications. Myra Young, City Recorder, reported a recent case where two different people claimed ownership of the same plot. Jessica North, Deputy Recorder, shared a case where a certificate was provided, but the physical space had been mismeasured years ago, leaving no room for the intended burials. Fortunately, the family agreed to relocate plots, but Jessica emphasized that such cases are rare to resolve so smoothly. Council Member Baker suggested using ground-penetrating radar to map the cemeteries and confirm grave locations. The service costs approximately \$2,200 per acre. While the total property is 40 acres, the usable area is estimated at 3.5–5 acres. Mayor Rowley asked Council Member Baker to forward links for the service. Council Member Ivie noted that cemetery records need to be reconciled between the existing books and the City's computer system, as past measurements and records are inconsistent. Jessica explained that staff had previously walked the cemetery and attempted to reconcile records, but one of the notebooks is missing. Council Member Ivie confirmed that errors exist in his own family's plots, showing how unreliable older records can be. The Council also briefly discussed the possibility of "stacking graves" to address space shortages, though Mayor Rowley raised concerns about the safety of such practices during excavation. In conclusion, Mayor Rowley emphasized the need to continue requiring notarized letters from heirs to establish ownership, while Council Member Ivie noted this is consistent with other forms of inheritance. The Council agreed to begin developing a buyback pricing schedule based

on purchase year to provide fairness and consistency. Stephanie Skewes was directed to pull cemetery records as far back as possible from Pelorus to assist in developing the pricing schedule and updating the ordinance.

## **5. Short-Term Rental Ordinance & Checklist Discussion**

### **Minutes:**

The Council discussed the Short-Term Rental Ordinance and Checklist. Council Member Ivie raised concerns regarding item #3 on the approval checklist, Operational Compliance – No Temporary Structures. He questioned whether this restriction is practical and how it could be effectively regulated. The Council discussed that tents would not be desirable, but noted that nearby communities, such as Tabiona and Hanna, allow glamping setups like teepees. It was suggested that examples be added for clarity. Council Member Ivie proposed that if temporary structures are permitted, they should require a conditional use permit, which would allow the City to maintain oversight. The Council also discussed the health and safety implications of temporary structures. The discussion then shifted to comments previously submitted by Bryce regarding short-term rentals. Council Member Adams shared an example of a person she knows who rents a room to a mother and daughter for \$400 per month and Council Member Ivie questioned whether situations like that should fall under short-term rental regulations and require a business license. Council Member Baker expressed that his greatest concern with short-term rentals is the impact on sewer, water, and parking. The Council reviewed the parking requirements, with Ivie agreeing that public and on-street parking should not be counted toward required spaces, though he questioned whether the City has the legal authority to prohibit parking on public streets. Council Member Skewes noted that if the City cannot enforce such a restriction, it should not be included. The Council agreed to revise the language so that on-street or public parking “shall not be relied upon to meet parking requirements” for short-term rentals. Council Member Ivie also noted that the State of Utah recently passed legislation allowing municipalities to use booking websites and similar platforms as evidence to prove a property is being used as a short-term rental. He then asked whether the ordinance should strike room rentals altogether or retain them as a regulated category. The Council also discussed the appeals process outlined in the draft. Council Member Adams raised the question of who would serve as the appeals officer. Council Member Baker suggested it should be the Mayor, while Ivie pointed out that Bryce’s comments referenced appeals being directed to the City Council. After discussion, the Council agreed to designate the City Council as the appeals authority. Finally, the Council emphasized the importance of maintaining a short-term rental registry, both to comply with potential state law requirements and to ensure accurate tracking for enforcement and public safety purposes. Under section 7. iv of the draft ordinance, the language will be revised to reflect appeals going to the City Council.

## **6. Land Use Application and Fee Review**

### **Minutes:**

Mayor Rowley explained that the Council was reviewing the City’s current Land Use Application alongside a sample application obtained from Roosevelt City. He noted that Duchesne City’s existing application is lacking and does not cover all of the items the City typically addresses. He recommended transitioning to a format similar to

Roosevelt's. Council Member Baker agreed that the Roosevelt version was more comprehensive and observed that the additional information would be beneficial. While he noted that the Roosevelt application included some fee increases, he felt they were minimal and reasonable. The Council also reviewed application fees. It was decided to set the preliminary plat fee at \$100 and the final plat fee at \$150, with an additional \$25 per lot. Minor subdivisions will remain at \$100, while vacated plats will stay at \$200. For variance requests, the hearing officer designation will be replaced with the City Council as the appeals authority, and the fee will remain at \$150.

## **7. 15-Minute Open Session**

### **Minutes:**

Council Member Adams reported that Becky Muir had inquired about the new river trail being developed by Wes Hanberg. She asked whether garbage cans would be placed along the trail or if there would be regular litter pickup, and also raised concerns about dogs running loose. Becky mentioned an incident where two dogs approached her while she was walking the trail. The Council discussed the matter and clarified that City ordinance requires all dogs to be leashed, and at this time, garbage cans will not be placed along the trail.

Mayor Rowley reported that Ray Herrera recently lost three sheep to dogs, and another resident lost a goat. Council Member Baker added that Kristy Wilde had informed him the dogs involved live in the Hogan Trailer Park and have been roaming freely on multiple occasions. She noted the sheriff's office has responded three times but no action appears to have been taken. Council Member Ivie questioned what the City is paying the Sheriff's Department for under the animal control contract, expressing concern about the lack of enforcement. Council Member Baker suggested there may be a disconnect since Hunter, the former animal control officer, was very effective, but training may not have been adequately passed on to the new officer. Mayor Rowley confirmed he has been working with Officer Green on these issues. It was asked if the dogs belonged to tenants of Mayor Rowley's property, since he has a no-dog policy there. He clarified tenant Roger, currently has five dogs that need to be dealt with. Stephanie Skewes reported that Marnie had called the office regarding ongoing dog problems, she complained about the Bushman's dogs being out constantly, defecating in her yard, and showing aggression. Stephanie said she advised Marnie to call Mayor Rowley, though he has not received a call. She also directed Marnie to contact dispatch, but Marnie reported she has already done so twice without response. Mayor Rowley indicated that the initial calls should go to dispatch, with escalation to the Mayor if needed. Council Member Adams suggested that the Mayor and Council schedule a meeting with the Sheriff's Department to address these ongoing animal control concerns.

Council Member Ivie raised concerns about the recent striping at the stoplight near the swimming pool. He shared photos showing the newly painted lines extending in front of the pool and continuing down the entire street. Ivie expressed concern that the changes eliminate on-street parking and could create traffic issues. He noted that he personally observed a bus attempting to turn in the area and that, with the new striping, the turn could not be made legally. Mayor Rowley discussed that this work was part of a UDOT bid project and the council questioned whether UDOT has the authority to make such changes without coordination with the City. It was suggested that the City reach out to UDOT for clarification.



Council Member Ivie discussed the Notice of Intent letter that must be provided to the County Commissioners regarding the RAP Tax reauthorization. He reported that he had spoken with Commissioner Greg Miles, who indicated the county is more than willing to move forward with it. Ivie emphasized that someone needs to communicate the urgency of the matter to ensure it progresses without delay. Mayor Rowley will plan to get on the County Commission's agenda for Monday to formally present the request.

#### 8. Work Session

**Minutes:**

There was no work session.

#### 9. Executive Session

**Minutes:**

There was an executive session held to discuss personnel.

#### 10. Adjournment

**Minutes:**

MOTION by Council Member Adams seconded by Council Member Baker to adjourn the regular City Council meeting at 8:26 pm and go into executive session to discuss personnel.

- Council Member Hamilton – Absent
- Council Member Skewes - Aye
- Council Member Adams - Aye
- Council Member Ivie – Aye
- Council Member Baker – Aye

Motion carried by unanimous vote.

**Attest:**

Myra Young, Recorder

