

MINUTES of the public meeting of the Uintah County Commission **June 7, 2021** in the Commission Chambers of the County Building at 147 East Main, Vernal, Utah. Meeting commenced at 11:00 am.

PARTICIPANTS: Commissioners Brad Horrocks, Bill Stringer, and Bart Haslem.

ATTENDANCE: Michael Wilkins, Rex Jorgensen, Steven Sroka, Jennifer Hall, Kirk Majors, Leslie Pearson, Jennilee Thompson, Jace Spencer, Darlene Reilley, Lance Dean, Sam Passey, Pam Clinch, Scott Hardman, Wendi Long, Wayne Simper, Greg Simmons, Doug Hammond, Lesha Coltharp, Barbara Simper, Sonja Norton, Tonya Craven, Ken Campbell, Carl Morton, Ron Winterton

Minutes recorded by Karina Valencia

PRAYER offered by Lesha Coltharp

PLEDGE OF ALLEGIANCE led by Jon Stearmer

APPROVAL OF MINUTES: May 24, 2021

APPROVAL OF WARRANTS: dated May 27, 2021 in the amount of \$646,291.51 and June 3, 2021 in the amount of \$151,684.79

CEMETERY CERTIFICATES: Michael Wilkins

Benjamin and Marcie Batty Block P17 Lot 1 Spaces 1&2 and Block P17 Lot 4 Spaces 2&3 located in the Vernal Memorial Park Cemetery.

John Prion Lot 864 Spaces 2&3 located in the Maeser Fairview Cemetery.

Annette Reynolds Lot 196 Space 1 located in the Maeser Fairview Cemetery.

Leon and Judy Roberts Lot 401 Spaces 1&2 located in the Maeser Fairview Cemetery.

Commissioner Stringer moved to approve the cemetery certificates as presented. Commissioner Haslem seconded. Motion passed unanimously.

TAX MATTERS: Barbara Simper

A refund was requested in the amount of \$80 in tax district 12 for Dale Winward. The reason for the refund is the vehicle was traded in October of 2020 and the registration was paid in error in December of 2020.

Commissioner Haslem moved to approve the refund as presented. Commissioner Stringer seconded. Motion passed unanimously.

RATIFICATION OF 2021 MAY TAX SALE: Michael Wilkins

The following are the parcels that were sold at the May tax sale held on May 27th at 10am.

05:016:0227	No Bids	Struck off in name of Uintah County
12:010:0025	Shevin C. Harrison	\$12,100.00
14:020:0014	Leon Ross	\$15,500.00
14:020:0053	Adam J. Kendall	\$38,700.00
14:020:0055	Wesley Rigby	\$40,500.00
14:020:0057	Wesley Rigby	\$71,100.00
14:048:0039	D.R. Horrocks	\$3,000.00
17:040:0007	Steven Judd	\$25,000.00
17:041:0021	Eli Lara	\$66,100.00

Commissioner Stringer moved to ratify the 2021 May tax sale. Commissioner Haslem seconded. Motion passed unanimously.

RATIFICATION OF SURPLUS PROPERTY SALE: Michael Wilkins

The following are parcels that were sold at the surplus public auction held at 11am on May 27th. There were also parcels that were landlocked that were offered to neighboring property owners. These were done by sealed bid, with the minimum bid starting at fair market value.

Public Auction

<u>Tax Serial No.</u>	<u>Sold to</u>	<u>Amount</u>
04:003:0226	Nichole Nelson	\$15,500.00
05:054:0116	NO BIDS	
05:054:0224	NO BIDS	
05:071:0301	Chad Hall	\$40,000.00
06:360:0089	NO BIDS	
12:010:0016	Jonathan McKee	\$750.00
15:047:0013	Dale Hatch	\$2,300.00
15:047:0017	Harold Glen McKee	\$1,000.00
16:016:0012	Dale Hatch	\$9,100.00

Sealed Bids

<u>Tax Serial No.</u>	<u>Sold to</u>	<u>Amount</u>
04:082:0039	Vincent Christensen	\$1,500.00
04:110:0019	Janice Gowen	\$4,000.00
06:052:0064	Cherie Porter	\$750.00
09:023:0003	Fair Market Value is \$750.00. Bids were due at 9:00 a.m. on May 27 th , 2021. 1 bid received on May 28 th , 2021 for less than the fair market value.	
13:014:0018	Glen R. Barney	\$850.00
13:025:0006	NO BIDS	
14:016:0018	NO BIDS	
14:019:0031	Richard James Brough Property Trust	\$1,000.00
14:048:0013	NO BIDS	
14:048:0018	NO BIDS	

14:048:0019	NO BIDS
14:048:0031	NO BIDS
15:006:0013	Fair Market Value is \$3,375.00, we received 1 bid for \$2000.00
17:004:0003	NO BIDS

Michael recommended turning down the bid that was less than fair market value. The bid that was submitted late was also turned down.

Commissioner Haslem moved to ratify the surplus sale held on May 27th as presented, accepting the bids that met the timeline criteria as well as the fair market value. Commissioner Stringer seconded. Motion passed unanimously.

BUSINESS LICENSES: Matt Cazier

Basin Pet Waste Removal is owned by Dalton Lamb located at 3296 W 1500 S (05:085:0011) in Vernal in the RA-1 zone. This is a home based business cleaning up pet waste at peoples property, with the home being used an office. All waste will be disposed of at the property where it is collected. Approval of the business license was recommended with the condition that they follow all home based business license regulations and that all waste collected is disposed of at the property in compliance with all applicable law.

Commissioner Stringer moved to approve the business license with conditions as presented. Commissioner Haslem seconded. Motion passed unanimously.

This is an update to a home based business license. Mountain Man Taxidermy DBA Basin Home Inspections is owned by Lance Hadlock located at 3802 S 500 W (06:060:0039) in Vernal in the A-1 zone. This is a conditional use business license for taxidermy. They are adding home inspections to this which is under the DBA Basin Home inspections. The home will be used as an office. Approval of the business license was recommended with the conditions that all home based business license regulations, A-1 zoning, and conditional use permit conditions for Mountain Man Taxidermy are followed. This is a home based business

Commission Haslem moved to approve and update the business license with conditions as presented. Commissioner Stringer seconded. Motion passed unanimously.

OIL AND GAS LEASE DISCUSSION:

Commissioner Haslem explained he had met with the Treasurer, Clerk-Auditor and Recorder regarding mineral leases. This came about due to a company coming in and visiting with the commission regarding some previous mineral leases. Upon looking into this he realized that as a county we do not know what the county owns in minerals or leases. He reviewed a revenue report trying to figure out which business had paid on their leases and to see if there were any checks and balances in place to make sure they do. He wanted to bring this today for discussion and make some decisions as to what we are going to do before doing another oil and gas lease. He felt we need to have something in place to keep track of this. He added Carl from the Clerk-Auditor's office has started putting together a spreadsheet with payments received and current leases, and felt this was a good start. In speaking with the Recorder, Brenda felt it would take a couple years to go through every section we have to identify what we have. He felt it is important to know what we have as these are assets we should keep track of from beginning to end like any other asset. He was open to suggestions on how to keep track of these and move forward. Michael noted, currently the oil and gas people are the ones doing all the research when they are looking into leasing from us. He agreed with Brenda that this would be a full time job to research what we have. He also added we need to be careful as if there are any excess funds it technically probably could become unclaimed properties and be sent to the state as unclaimed properties as most of these properties were received through tax sales. In the code it states we can lease properties out and anything above our cost of leasing and maintaining it goes to unclaimed properties. Commissioner Haslem asked if we have been doing this. Michael answered no; we have been keeping it because right now what our costs are, we have not gone into that detail. He added we have been receiving 20-40K per year sometimes less, other times more. Commissioner Haslem noted this is why he wanted to bring this for discussion to see if it would be worth it to look at the property we own that has minerals and marketing it and making sure to keep track

of the current leases. Commissioner Horrocks felt this is something that needs to be tracked and followed up on and would like to see a plan be put together.

ASPHALT BID AWARDING: Scott Hardman

These bids were opened on March 29th. Scott recommended going with Valkor from Park City in the amount of \$16.50 per ton. Scott noted this was the higher bid but due to the distance of transportation of the vehicles versus the other bid they elected to go with this bid.

Commissioner Stringer moved to accept and award the bid to Valkor for native asphalt with authorization of signatures. Commissioner Haslem seconded. Motion passed unanimously.

COLD PLANER/MILLING MACHINE BID AWARDING: Scott Hardman

These bids were opened on May 3rd. Scott recommended awarding the bid to Wheeler Machinery as it was the low bid that meets the criteria. There was a bid for a lower amount, but it did not meet the criteria.

Commissioner Haslem moved to award the bid to Wheeler Machinery as presented with authorization of signatures. Commissioner Stringer seconded. Motion passed unanimously.

BID OPENING AND POTENTIAL AWARD OF LEASES FOR OIL AND GAS EXTRACTION ON THE FOLLOWING PROPERTY: Township 3 South, Range 1 East, U.S.M. Section 5: SW/4NE/4, S/2NW/4. Township 3 South, Range 2 East, U.S.M. Section 31: NW/4SE/4 containing 160.00 gross acres, more or less:

A request was received for oil and gas extraction. One bid was received from Encore acting on behalf of CH4 Energy-Finely in the amount of \$500 per net mineral acre (total net acres 100 for a total of \$50,000) and 1/6th royalty, for a five year paid up oil and gas lease agreement. No verbal bids were received.

Commissioner Stringer moved to approve the issuance of the oil and gas lease in the amount of \$500 per net acres for 100 net acres and 1/6th royalty for a five year term as presented with authorization of signatures. Commissioner Haslem seconded. Motion passed unanimously.

JUVENILE COURT CONTRACT FORM AMENDMENTS: Lance Dean

CONFLICT COUNSEL CONTRACT FORM APPROVAL:

Currently there are three juvenile court contracts that the county holds for two different kinds of cases, delinquency for juveniles, and child welfare cases. The reason for the amendments is one of the contracted attorney's was selected to be the Duchesne County Juvenile Court Judge and the Indigent Defense Commission. Our grant provider, encouraged them to specialize our contracts where we will actually divide out the parental defense from the delinquency cases. In effort to do this they are seeking to turn these 3 contracts into four. This is within a few dollars of what the 3 currently cost. Currently the county provides \$168K toward these contracts per year and the IDC contributes another \$78,960. For the juvenile court contracts, primarily for child welfare and parental defense contracts will be for \$6K per month. This will also include conflict work if there happens to be co-defendants. The juvenile delinquency contract will be for \$4,250 per month. The changes to the contracts are that it incorporates the IDC's core principles on representing the indigent defendants, and it redistributes caseloads by specialization. Jon suggested adding in a funding clause as this is partially grant funded, which will be added to section 5.4.1. These are one year contracts that can go longer if approved.

Commissioner Haslem moved to approve the contracts for child welfare, juvenile delinquency, and the conflict case contracts with the changes to add in a funding clause as suggested. Commissioner Stringer seconded. Motion passed unanimously.

PUBLIC HEARING – Resolution No. 06-07-2021 R1- BUDGET INCREASE: Mark Caldwell

Commissioner Horrocks opened up the public hearing.

The following are budgets that will be increased and source of revenue to cover the increases.

Fund 10- General Fund: Justice Court; Salaries \$90,000, Use of Fund Balance (\$90,000). Roads; FIG Grant Trail Blade \$2,143, FIG Grant (\$2,143). Surveyor; AGRC Grant \$9,035.71, AGRC (\$9,035.71). Buckskin Hills; FIG Grant Motocross Sprinkler System \$149,200, FIG Grant (\$149,200). Fund 11- Municipal Service Fund: Sheriff's Department;

Equipment \$513,825, Equipment \$37,646, Use of Fund Balance (\$551,471). Fund 20- Library Fund: Library; ARPA Grant \$9,552, ARPA Grant (\$9,552). Fund 59- Landfill Fund. Landfill; County Clean-up/Dumpster Assistance \$1,000, Daily Gate Receipts (\$1,000). Fund 63- Self-Insurance Fund: Self Insurance; Extended Health/Cobra \$76,000, Extended Health/Cobra (\$76,000).

Mark noted the increase to the Justice Court budget was primarily due to 3 employees taking Policy 260 and also paying out their accumulated PTO. The increase to the self-insurance fund was for the employees that are on the extended health insurance, that were not previously budgeted for. The employees pay for it themselves, so it is no cost to the county.

No public comment was received. Public hearing was closed.

Commissioner Stringer moved to approve the resolution as presented. Commissioner Haslem seconded. Motion passed unanimously.

LIBRARY ARPA GRANT CONTRACT: Sam Passey

This is a State of Utah grant pass through money from the recovery funds. This is in the amount of \$9,552 that is a match of what we paid for the statewide eBook program the state library does. These funds will go toward purchasing digital content on the overdrive platform. Sam asked for authorization of signatures on the grant. He noted legal counsel has reviewed this and they made some adjustments to the indemnification clauses and is now ready for approval.

Commissioner Haslem moved to approve the grant contract with authorization of signatures. Commissioner Stringer seconded. Motion passed unanimously.

REGIONAL HISTORY CENTER PRESENTATION: Sam Passey

Last year the RHC received a grant from the state archives division to organize, catalog and make available its historic scrapbook collection. They have scrapbooks going back to the 1940's from groups like Current Topics as well as a variety of other groups. They will be hosting an open house this afternoon and invited those interested to come and see the amazing efforts of some of these civic groups and what they have done over the years. He added the RHC has also been working with the school district and a nonprofit from Oklahoma to digitize the early Uintah High School yearbooks.

XEROX LEASE AGREEMENT- CLERK-AUDITOR'S OFFICE: Michael Wilkins

Michael explained that the current Xerox lease is coming up for renewal and they will keep it at the same prices if we renew it now but if we wait until later on to renew it, it will hit another pricing schedule. They will also give us an additional free printer if we renew it now. This is a 60 month lease.

Commissioner Stringer moved to approve the lease agreement for 60 months as presented. Commissioner Haslem seconded. Motion passed unanimously.

PREDATOR CONTROL CONTRACT: Michael Wilkins

Michael explained the state of Utah has notified us it is time to renew our predator control contract. This contract is in the total amount of \$11,400, \$5,700 coming from the state of Utah and \$5,700 coming from local land owners. Although this is a county wide Commissioner Horrocks and Commissioner Haslem acknowledged that they own property that is part of the predation management. Michael noted this contract will need electronic signatures.

Commissioner Stringer moved to approve the contract including authorization of signatures, delegating to the Clerk-Auditor Michael Wilkins to be the signature on the contract. Commissioner Haslem seconded. Motion passed unanimously.

APPROVAL OF A MEMORANDUM OF UNDERSTANDING (MOU) WITH THE BUREAU OF LAND MANAGEMENT (BLM) REGARDING AN ALTERNATE ROUTE FOR THE GATEWAY SOUTH TRANSMISSION LINE AT THE UTAH COLORADO BORDER: Matt Cazier

This project was previously approved by the BLM looking at a realignment in parts of Colorado and Utah. Therefore there could be an adjustment within the boundaries of our county. This MOU would make it to where we would be a cooperating agency with the BLM, allowing us to review the drafts before they go to the public for comment.

Commissioner Haslem moved to approve the MOU as presented with appropriate signatures. Commissioner Stringer seconded. Motion passed unanimously.

FEE WAIVER- CARL MORTON REQUESTING A WAIVER OF THE \$50 LOT LINE ADJUSTMENT APPLICATION FEE: Matt Cazier

Matt explained Carl and his wife did a minor subdivision earlier this year. In the process of doing that minor subdivision they were in the Community Development office talking about what the setbacks were for the zone they were in. The information he was given for the setbacks was incorrect. Matt noted they're in a unique setback situation where they are on the corner of two major collector roads in the county, so there was a misunderstanding in his office of how those setbacks work. He was following the setbacks that were told to him for his lot and the dimensions for his house. When reviewing the application Matt noticed the setback was incorrect, causing him to have to get a lot line adjustment. He already paid the fee, so Matt recommended he be issued a refund.

Commissioner Stringer moved to approve the waiver and issue a refund as presented. Commissioner Haslem seconded. Motion passed unanimously.

NON-COMPLIANT STRUCTURES: Matt Cazier

1. Building Division- Requesting authorization to record a certificate of noncompliant building or structure on property located at 2908 E 5000 S Vernal, UT. Serial Number (06:061:0425).

This is a building being constructed out of pallets. The owners were notified they have to have a permit to build it and put a notice on the building. The owners did get some engineering and applied for a permit. The foundation system that is on the plans doesn't match what the building code requires. At this point the owners are looking at possibly removing the building or taking it down. Matt recommended giving the owners 30 days to decide whether they want to take down the building or obtain a permit before recording a certificate of noncompliance.

Commissioner Haslem moved to give the property owners 30 days to decide what they want to do and if nothing done authorize the recording of a certificate of noncompliance. Commissioner Stringer seconded. Motion passed unanimously.

2. Building Division- Requesting authorization to record a certificate of noncompliant building or structure on property located at 5798 E Ashley Creek Rd (4315 S) Vernal UT. Serial Number (Parcel 06:056:0008)

This is a man camp oil field structure that was purchased; a new roof has been installed. The property owner was notified that they needed to obtain proper permits. They did have some contact with the owner after the initial posting of the building but have not heard from the owner since. A certified letter was then sent to the owner, they still have not heard back from the owner. Matt recommended recording a certificate of noncompliance at this time.

Kirk Majors, the owner of the property explained he does not know what he is going to do with the man camp at this time. He noted when he went into the Community Development they did not say anything about the roof, all they told him was he needed a permit. He added he is not hooking power, sewer, or water to it. He wanted to buy a permit but they didn't say what he needed. They gave him some papers that had nothing to do with what he did. He wanted to know what permit he needed to obtain. Matt responded, a building permit for whatever the building is being used for. Kirk responded he does not know what he is going to use it for right now. He bought it because it was cheap. It's a kitchen model, so it has mostly equipment he can't use anyway. At this point he doesn't know if he's going to use it for anything other than storage. He added he also has two 40 foot trailers and a shipping container on the property right by it and asked what the difference was.

Matt responded it doesn't matter if they are hooked up to water, sewer, or power or not, once they are brought onto the property they require a permit. He added the county does have specific rules on shipping containers and as long as they are not modified they are allowed to be on the property as long as they meet the setback requirements. The semi-trailers are DOT vehicles therefore not handled under building code. If it's being used for storage he would need an outbuilding permit. Permit costs are based off use and square footage. Matt changed his recommendation to give the property owner 30 days to get this resolved before a certificate of noncompliance is recorded on the property.

Commissioner Stringer moved to authorize the recording of a certificate of noncompliance in 30 days unless something is worked out between the property owner and Community Development. Commissioner Haslem seconded. Motion passed unanimously.

PUBLIC COMMENT:

Lesha Coltharp gave an update of the events that took place this weekend. The ATV Jamboree was a great success, with a half a million dollar impact to the local economy. There were over 700 people here for the event. There was also the Zeco Gold Tournament and the Business Revival on Saturday. The Stock Show is going on this week. This coming weekend there will be a National Jeep Crawling contest, a baseball tournament, Paddle Fest and the Josie Shoot. Lesha encouraged people to go to thisisvernal.com to see what is going on in the area.

ADJOURN: meeting adjourned at 12:34 pm



BRAD HORROCKS, CHAIR



MICHAEL W. WILKINS, CLERK-AUDITOR

