

MINUTES of the public meeting of the Uintah County Commission held **June 27, 2023** in the Commission Chambers of the Uintah County Building at 147 East Main, Vernal, Utah. Meeting commenced at 3 p.m.

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

ATTENDANCE: Mike Wilkins, JC Brewer, Erik Middleton, Lisa Middleton, Melanie Silcox, Delmer Hyde, Barbara Simper, Willis LeFevre, Tonya Craven, Tegan Troutner, Lance Dean, Nate Belliston, Deanna Nyberg, Oakliey Horrocks, Devereaux Horrocks, Susan Horrocks, Scott Hardman, Matt Cazier, Jon Stearmer, Rick May, Kelyn Beatty, and Sam Passey.
Minutes recorded by Tai Duncan.

WELCOME: Commissioner Horrocks welcomed everyone.

PRAYER offered by Mike Wilkins.

PLEDGE OF ALLEGIANCE led by Barbara Simper.

1. APPROVAL OF MINUTES of the June 12, 2023 work session and June 13, 2023 meeting.

Commissioner Norton moved to approve the Minutes of the June 12, 2023 work session and June 13, 2023 Commission meeting. Commissioner Laursen seconded. Motion passed unanimously.

2. REPORT OF WARRANTS – Mike Wilkins, Clerk-Auditor, presented warrants from June 14, 2023 in the amount of \$779,840.63. This included the monthly health insurance and a payment of \$132,356.21 to BHI for the construction at Western Park. Warrants from June 22, 2023 in the amount of \$176,539.42. This did not include any large purchases but there is one claim: check #386610 in the amount of \$286.61 to Source Receivables Management. This is for Judge Petry's cell phone services via Sprint that was canceled some time ago.

Commissioner Laursen moved to approve the claim as presented. Commissioner Norton seconded. Motion passed unanimously.

3. TAX MATTERS – none.

5. VOCA PRESENTATION for the ATTORNEY'S OFFICE – Angie Simper, Attorney's Office, was unable to attend the meeting.

6. INDIGENT DEFENSE COMMISSION GRANT CONTRACT – Lance Dean, Public Defender, asked for signatures for the grant they received from the Indigent Defense Commission. This grant runs from July 1, 2023 to June 30, 2024 for \$390,810.00. The County contributes \$651,170.00 for a total of \$1,041,980.00. This is a little less than a 40/60 split due to the generous raises from the Commission.

Commissioner Norton moved to approve the Indigent Defense Commission Grant as presented. Commissioner Laursen seconded. Motion passed unanimously.

7. DEFENSE SERVICE PROVIDERS CONTRACT AMENDMENT – Lance Dean, Public Defender, did not have a copy of the amendments with him. However, the contracts with Beau Blackley and Jessica Peterson had expired. These amendments will extend those original contracts through the end of the calendar year to match the other contracts. All other terms stay the same.

Commissioner Laursen moved to approve the Defense Service Providers Contract amendments as presented. Commissioner Norton seconded. Motion passed unanimously.

4. UINTAH/DAGGETT COUNTY CJC VOCA GOVERNING BOARD PRESENTATION – Kynl Beatty, Children’s Justice Center Director, was present to provide some statistics. The CJC covers both Uintah and Daggett Counties. The mission of the CJC is to provide a comfortable, neutral, child-friendly atmosphere for children to receive coordinated services during the child abuse investigative process. A variety of funding sources are utilized to provide services to the community. One such source is the VOCA grant. This funds the Victims Services Coordinator and the Clinical Coordinator positions. The grant also funds therapy services for victims and non-offending family members. These services are accomplished through a contract with local counseling agencies. The statistics provided cover July 1, 2022 through June 30, 2023; the contract period, though they are not complete and are expected to increase. 585 individuals, including primary and secondary victims and non-offending family members, received VOCA funded services. 261 were involved in child physical abuse or neglect, 238 child sexual abuse and assault cases, 76 domestic and/or family violence, and 11 teen dating victims. There were 21 others that did not fit in one of these categories. These numbers are allegation counts so one victim may be counted more than once; 40 had more than one victimization. Services are also broken down by category: 555 information and referral; 424 personal advocacy and accompaniment; 553 emotional support of safety; 99 criminal and civil justice system assistance; and 151 additional services. More than 109 individuals were referred to therapy and we have funded over 490 individual counseling sessions. This is a huge benefit for the community and she is extremely grateful for the VOCA grant, community partners, and employees. They have applied for the next two years and are optimistic. Commissioner Laursen asked if the statistics could be broken down between the two counties and she will do that next time.

8. RESOLUTION #06-26-2023 R1: Interlocal Agreement for Municipal Prosecution Legal Services with Naples City – Jon Stearmer, Deputy County Attorney, indicated this was discussed in yesterday’s work session. The County will provide prosecutor services for Naples City. The agreement is for one year at \$40,000 that will be paid in two equal installments; August 10th and February 10th.

Commissioner Norton moved to approve Resolution #06-26-2023 R1 for Municipal Prosecution Legal Services with Naples City in the amount of \$40,000 for one year. Commissioner Laursen seconded. Motion passed unanimously.

9. ADOPTION OF STRATEGIC PLAN TO UTAH’S COMMISSION ON CRIMINAL JUVENILE JUSTICE – Jon Stearmer, Deputy County Attorney, noted this has also been discussed at length in administrative meetings as well as work session yesterday. It does not address just the Opioid Crisis but many other criminal issues in Uintah County such as Drug Court and the Receiving Center.

Commissioner Laursen moved to adopt the Strategic Plan to Utah’s Commission on Criminal Juvenile Justice as presented. Commissioner Norton seconded. Motion passed unanimously.

10. FOREST SERVICE ROAD MAINTENANCE AGREEMENT – Scott Hardman, Road Department, presented the agreement for approval. Nothing has changed except for the administrative change in section 9. This is approved every year. Jon has reviewed it and did not have any concerns.

Commissioner Norton moved to approve the Forest Service Road Maintenance Agreement as presented. Commissioner Laursen seconded. Motion passed unanimously.

11. DINOSAUR ROUNDUP RODEO CONTRACT – Melanie Silcox, Western Park, presented the annual contract for approval. This is the standard contract and has been reviewed by Jon. Jonnie Miller, Utah Counties Indemnity Pool, asked that we include a statement that any claim over the \$5,000,000 provided by our general aggregate insurance be paid for by the Rodeo. The extra entertainment of Bubble Ball could be a liability but also very entertaining. The Rodeo Committee will pay the County \$21,000 for use of the facility.

Commissioner Laursen moved to approve the Dinosaur Roundup Rodeo Contract for \$21,000. Commissioner Norton seconded. Motion passed unanimously.

12. ORDINANCE #06-26-2023 O1: adding Title 2 Chapter 2.10 Appeal Authority of County Recorder – Brenda McDonald, Recorder, was unable to attend. Jon presented the Ordinance for approval. This was

reviewed in yesterday's work session and is required by the State. The Recorder must abide by the State Standards Board, once it is up and running. The ordinance must be adopted to ensure the Recorder is following the standards. He made the corrections as Brenda requested yesterday: clarifying the State Standards Board and removing two whereas clauses. Jon added they discussed correcting the date in yesterday's meeting to number the Ordinance correctly to reflect legislative history.

Commissioner Norton moved to approve Ordinance #06-26-2023 O1 adding Title 2 Chapter 2.10 Appeal Authority of County Recorder as presented. Commissioner Laursen seconded. Motion passed unanimously.

13. PUBLIC HEARING: VACATE UINTAH COUNTY RIGHTS-OF-WAY: Class "D" County Roads – Deanna Nyberg, Community Development, presented the information for the public hearing and approval of the Ordinances. One public hearing is sufficient to consider each road vacation.

a. Erik & Lisa Middleton – T5S R23E Sec 4; vacate a portion of County Road 090302K, located on private land in the Jensen area. The Simons are also part of this road vacation request and have property involved. To the north, this road leads into BLM. It travels south through the Simons and the Middleton property down through the Karren property. The vacation is for the length of the road from the BLM property to the Karren property line. Notification was sent to the neighbors, UDOT, and the owner of the pipeline. UDOT did not have any concerns and there were no other comments received. The pipeline has an easement so they have access to the pipeline via that easement and won't need the road. Two properties will be left without access to a county road though they are owned by the applicants so they are aware of the issue. The Simons can access from Beans Draw Road, which also accesses the BLM property. The Middletons access their home via another road and have access to their property that way.

b. Anne & Larry Bankston – T1N R1E Sec 36; vacate County Roads 53612 & 47471, located on private land in Tridell. The first road goes through the Bankston property going west and south. The second road starts halfway through the Bankston property continuing through property owned by McKee's and Durrants. They would like to vacate the two roads in their entirety as they are only on private property and each property has access via other Class B County Roads. #47471 does not appear to be used at all. Notices were sent to neighbors and UDOT. UDOT did not express any concerns.

Commissioner Horrocks opened the public hearing for comments on the road vacations. Jon clarified individuals need to state their name and which road they would like to comment on.

As there were no comments, the public hearing was closed.

14. ORDINANCE #06-26-2023 O3: vacating a portion of a certain Class D Road, 090302K, in Uintah County in T5S R23E Section 4, and revision to the Transportation Plan Map

15. ORDINANCE #06-26-2023 O4: vacating a certain Class D Road, 53612, in Uintah County in T1N R1E Section 36, and revision to the Transportation Plan Map

16. ORDINANCE #06-26-2023 O5: vacating a certain Class D Road, 47471, in Uintah County in T1N R1E Section 36, and revision to the Transportation Plan Map

Commissioner Laursen moved to approve Ordinances #06-26-2023 O3, O4, and O5 as presented. Commissioner Norton seconded. Motion passed unanimously.

17. HYDEAWAY LANE – FINAL PLAT APPLICATION APPROVAL for a 21-Lot subdivision at 1299 N 1500 W, Vernal, serial no. 04:082:0068 owned by Delmer Hyde and 1283 N 1500 W, Vernal, serial no. 04:082:0070 owned by Tory Anderson. – Matt Cazier, Community Development, presented the final plat for approval. This was started last year and they have been working diligently on the infrastructure. The road goes straight through the property and there are actually 22 lots. There will be a hammerhead turnaround at the end of the road that won't be necessary if the property beyond is developed in the future. These properties are zoned RA-1. The storm drain system is under the road; water will be caught and put under the road. Their system has been reviewed by the Road Department and it meets requirements. They wanted to do most of

the infrastructure before the bond was put in place. They will now need an \$80,000 bond for the warranty period, street signs and lights, the turnaround, and sidewalks. They will have six months to complete the items, except for the sidewalks which will be done as each house is built. The plat will not be recorded right away. There is a piece of curb missing around the storm inlet boxes in the curb but Scott felt it could be taken care of as part of the \$80,000 bond if necessary. The bond will be a cash bond and Delmer has the letter. The County will hold the bond and release the funds as items are completed. Once it is all completed, we can accept the road and obtain the warranty for two winter seasons. Scott will do another inspection and then release those bonds if no repairs are needed. Planning Commission recommended approval. This is the last plat approval to come before County Commission due to changes in State Code.

Commissioner Norton asked if an engineer drew plans for the storm drain, etc. and if that is checked with an engineer before approval to ensure all requirements and codes are met. Matt confirmed it is all checked by the necessary departments and individuals to ensure it does meet all codes and requirements. Even with the law change, these steps will be taken; plats just won't go before Planning Commission or Commissioners for approval. She also asked about determining the value of a bond. Matt responded this is often determined through an engineer's estimate, or in this case a bid from a contractor. They also add 10% to ensure the amount is sufficient. Generally, they have two years to complete items but could have more time if approved. Particularly when sidewalks are put in as homes are built. Commissioner Norton asked about increasing the bond more and Matt noted the State will not allow more than 110%. She explained her concerns with the County being left with a defaulted development and insufficient bonding to complete. Matt is confident there will not be any concerns with this development. Commissioner Laursen wanted to ensure the turnaround would be sufficient for fire trucks. Meeting fire code is a requirement and it will be inspected.

Commissioner Norton moved to approve the final plat application for Hydeaway Lane, 22 lots on serial numbers 04:082:0068 and 04:082:0070 as presented. Commissioner Laursen seconded. Motion passed unanimously.

18. STREET LIGHT AGREEMENT with ROCKY MOUNTAIN POWER – Matt Cazier, Community Development, indicated this was talked about in work session yesterday. Rocky Mountain Power would like to change all the lights, 142, to LED. This change will cost \$54,719.42. This conversion will save around \$15,385 per year so it would take around 3.5 years to recover the cost. Commissioner Norton added this will not actually be an expense to the County. Rocky Mountain Power has erroneously billed the County for lights that were not in place so we have a credit. This credit is enough to cover this change with excess being returned to the County.

Commissioner Norton moved to approve the Street Light Agreement with Rocky Mountain Power as presented. Commissioner Laursen seconded. Motion passed unanimously.

19. GOLDEN AGE SENIOR CENTER LEASE AGREEMENT AMENDMENT #1 - Tegan Troutner, Deputy County Attorney, was asked to review the lease agreement with the Golden Age Center dated August 1, 2011. The intent was to find a way to release the room we have set aside exclusively for our use. Tegan was able to release this in the amendment. Uintah Health Care Special Service District will continue to lease the building but will have exclusive use of the entire facility; we will not be responsible for one of the rooms. The amendment includes a few changes to ensure that takes place as well as ensuring the Golden Age Center will provide all janitorial and maintenance for the building. The Health Care SSD will have to approve the amendment as well.

Commissioner Laursen moved to approve the Golden Age Senior Center Lease Agreement Amendment as presented. Commissioner Norton seconded. Motion passed unanimously.

20. GRANT AGREEMENT with UTAH DEPARTMENT OF AGRICULTURE AND FOOD – Zeke Atwood, Purchasing & Grants was not present; Nate Belliston, Weeds, presented. This grant agreement is similar to the one approved around three years ago. It is a pass thru grant of around \$50,000 for weed control of Russian Olive, Salt Cedar and other invasive species along Ashley Creek near 500 North and in Jensen along Highway 40 and the Green River. Landowners have agreed to do the mechanical removal of plants and Nate will do the chemical treatment. These funds will pass through the County from

UDAF to the landowners. The County will retain 10% for administrative costs. The grant term is July 1, 2023 through June 30, 2024 as per the State fiscal year. Some of the funding will pass through this year and some next year. Mike and Nate will work together for budgeting purposes.

Commissioner Norton moved to approve the Utah Department of Agriculture and Food grant agreement as presented. Commissioner Laursen seconded. Motion passed unanimously.

21. BOARD APPOINTMENTS

a. LIBRARY

Sam Passey, Library Director, stated we have a seven-member Library Board appointed by the Commission. Susan Horrocks is here with us today. There are two positions open on the Board. Kym Robb has stepped down so her four-year term is open. Vail Batty's first term is over; she has applied for a second. Board members are allowed to serve two consecutive four-year terms. There were several quality applicants. Sam thanked all the board members for their service. It can be a heavy load at times but is generally a very rewarding and positive experience. The Board helps set policy, mission, goals, etc. at the Library to help children and adults obtain the materials they need to learn, grow, and discover.

Commissioner Norton moved to reappoint Vail Batty to a second four-year term running July 1, 2023 to June 30, 2027 and appoint Mary Fontes to the same four-year term on the Library Board. Commissioner Laursen seconded. Motion passed unanimously.

b. CHILDREN'S JUSTICE CENTER

Kylyn noted there is a vacant community at large seat on the CJC Advisory Board. This board helps with financial decisions, policy, etc. Corey Foley has applied and he would be a great fit and is passionate about what they do.

Commissioner Laursen moved to appoint Corey Foley to a two-year term running July 1, 2023 through June 30, 2025 on the CJC Board. Commissioner Norton seconded. Motion passed unanimously.

22. RECESS FOR BOARD OF EQUALIZATION

Commissioner Horrocks recessed for Board of Equalization and once business is completed, adjourn and reconvene Commission Meeting.

a. APPROVAL OF ASSESSOR STIPULATIONS – Mike Wilkins, Clerk-Auditor, presented the list of 20 parcels from the County Assessor. These are corrections to the original assessment roll. It would be best to make the changes before valuation notices are sent so the property owners have the correct numbers. These stipulations would change the value of all 20 parcels from \$486,651 to \$459,651 for a net decrease of \$27,000.

Commissioner Norton moved to approve the Assessor stipulations as presented changing the value of 20 parcels from \$486,651 to \$459,651. Commissioner Laursen seconded. Motion passed unanimously.

b. GREENBELT EXCEPTION WAIVER, serial no. 06:114:0035 – Mike Wilkins, Clerk-Auditor, presented the waiver for approval. Part of the parcel was sold leaving 5.19 acres. Greenbelt requires 5.5 acres unless you can prove 80% of your income comes from the acreage. They have proven this to his satisfaction as well as Barbara Simper, County Assessor's.

Commissioner Norton moved to approve the greenbelt exception waiver for serial no. 06:114:0035 as presented. Commissioner Laursen seconded. Motion passed unanimously.

23. ADJOURN B of E and RECONVENE COMMISSION MEETING

24. RECESS FOR MUNICIPAL BUILDING AUTHORITY

Commissioner Horrocks recessed for Municipal Building Authority and once business is completed, adjourn and reconvene Commission Meeting.

a. APPOINTMENT OF BOARD MEMBERS

Commissioner Horrocks moved to appoint Commissioner Laursen as MBA Chair, Commissioner Horrocks as Vice Chair, and Commissioner Norton as Secretary through their elected terms. Commissioner Norton seconded. Motion passed unanimously.

b. ADOPTION OF PURCHASING POLICY

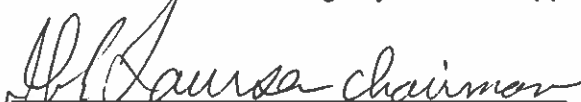
Commissioner Horrocks moved to adopt the County's Purchasing Policy. Commissioner Norton seconded. Motion passed unanimously.

25. ADJOURN MBA and RECONVENE COMMISSION MEETING

26. PUBLIC COMMENT –

Willis LeFevre took a moment to address the Commissioners. He is becoming more aware of what happens behind the scenes in the County and other boards that serve the community. Planning Commission, the Library Board, and others work really hard and we want to make sure they know how much the work is appreciated. There are a lot of ordinances created and it is important to remember and know that when ordinances are created it can feel like an infringement on the freedoms given by the Constitution and the Armed Forces that have served throughout our history. He encouraged all elected officials and board members to continue to be cautious and not tread on the rights and freedoms of citizens. He also thanked Matt Cazier for his efforts in making sure we all know what is going on and offering details and information.

ADJOURN: The meeting adjourned at approximately 4:00 pm.


~~BRAD HORROCKS, CHAIR~~


MICHAEL W. WILKINS, CLERK – AUDITOR

