

MINUTES of the public meeting of the Uintah County Commission held **March 7, 2023** in the Commission Chambers of the Uintah County Building at 147 East Main, Vernal, Utah. Meeting commenced at 3 p.m.

PARTICIPANTS: Commissioners John Laursen and Brad Horrocks.

ATTENDANCE: Dana Haslem, Brock Slauch, Nathan Belliston, Tegan Troutner, Caleb Hall, Michael Wilkins, Kylyn Beatty, Bruce McKee, Wendi Long, Monea Mathews, Vernie Heeney, Davey Jensen, Deanna Nyberg, Kirk Benge, Gennie Bird, Sam Passey, Cindy Scott, Tonya Craven, Scott Hardman, Barbara Simper, Rick May, Michael Cook, Willis LeFevre, Susan Horrocks, and Jon Stearmer.

Minutes recorded by Tai Duncan.

WELCOME: Commissioner Horrocks welcomed everyone and excused Commissioner Norton.

PRAYER offered by Davey Jensen.

PLEDGE OF ALLEGIANCE led by Caleb Hall.

1. APPROVAL OF MINUTES from February 27, 2023

Commissioner Laursen moved to approve the Minutes from February 27, 2023 Commission Meeting Commissioner Horrocks seconded. Motion passed.

2. REPORT OF WARRANTS – Michael Wilkins, Clerk-Auditor, presented warrants from March 2, 2023 in the amount of \$393,299.62. They were all created, modified and deleted in his office. An emergency payment was paid to CD Electric in the amount of \$975.00 for a situation at the tubing hill. It was all taken care of. A payment in the amount of \$63,677.14 was made to FFKR Architects for the Ice Rink / Amphitheater remodel as per a contract with UELS. Everything else looked normal.

3. CEMETERY CERTIFICATES – Michael Wilkins, Clerk-Auditor
Melanie Thompson and Jason Ward Thompson, JT, purchased Block 132 Lot A Spaces 1-8 and Block 132 Lot D Spaces 4 & 5 in the Lapoint Cemetery.
Thoral R. Bodily and Ruth Bodily, JT, purchased Block 336 Lot D Space 29 and Block 336 Lot C Space 40 in the Rockpoint Cemetery Phase 2.
Andrew Franciscus and Maci Zeininger, JT, purchased Lot 205 Space 21 in the Vernal Memorial Park Cemetery.

Commissioner Laursen moved to approve the Cemetery Certificates as presented. Commissioner Horrocks seconded. Motion passed.

4. TAX MATTERS – Michael Wilkins, Clerk-Auditor
Michael presented a one-year tax deferral for approval. The homeowner has made a \$500 payment for parcel 12:010:0032. This would allow them one more year to bring taxes up to date and keep the home off the May tax sale.

Commissioner Laursen moved to approve the tax deferral for parcel 12:010:0032 as presented. Commissioner Horrocks seconded. Motion passed.

5. WEED CONTROL CHEMICAL BID OPENING – Michael Wilkins, Clerk-Auditor
Two bids were received on time from Steve Regan Co. of Salt Lake City, Utah and Nutrien Solutions of Pocatello, Idaho. There are a lot of details regarding different chemicals and their prices that will need to be reviewed and awarded at a later date.

6. 2023 BUDGET TRANSFER APPROVAL – Michael Wilkins, Clerk-Auditor

As per the Financial Ordinance, if a transfer from one department to another is necessary, the Commission needs to approve creating a resolution to do the transfer and then approve the resolution. \$45,400 in Emergency Services is also budgeted in salaries so it needs to be removed. The Jensen Welcome center was budgeted an excess of \$14,400 and that needs corrected to match the contract. The \$7,100,000 needs moved from Western Park to Western Park Capital Projects.

Commissioner Laursen moved to approve the creation of a resolution to address transfers to be considered at the next Commission meeting as presented. Commissioner Horrocks seconded. Motion passed.

7. EVENT FUNDING THANK YOU: STORYTELLING FESTIVAL – Vernie Heeney

Vernie thanked the County for participating in the Storytelling Festival. They would like to grow the audience this year so they can continue in the future. They bring in nationally known storytellers and is a great opportunity for our community. The School Foundation is a big sponsor and anyone interested in being a sponsor is more than welcome. They changed the dates to March 20th and 21st, a Monday and Tuesday hoping to get more attendance. Fridays and Saturdays have had too many conflicts. This is the 19th year. Commissioner Horrocks thanked Vernie and those who help, it is a great opportunity and would not happen without them.

8. TRICOUNTY ANNUAL REPORT – Kirk Bengel, TriCounty Health

The annual report is available on their website. Kirk briefly reviewed the second page of the annual report regarding finances; pie charts for 2022 Revenue and Expenses. About 48.85% of the revenue comes from federal sources; 19.23% fees for services; 17.32% County tax contributions; 11.61% state grants; and the remaining 2.92% from other sources. 44.63% of expenses are salaries and wages; 24.82% employee benefits; 18.07% current expenses; 6.39% capital expenditures; 3.57% are pass through funds and 2.52% goes to travel. TriCounty will be releasing a funding opportunity announcement soon. They receive around \$150,000 to \$200,000 from the State vaping and tobacco tax that is required to go to other agencies for prevention of addictive substances. Kirk introduced Bruce McKee. They are both available at any time to answer any questions – they strive to be completely transparent. Commissioner Horrocks asked about COVID. Kirk responded they are tracking hospitalizations and it has been relatively quiet. There was a week a few weeks ago with a small increase; four hospitalized with flu like symptoms and eight with COVID. We are nowhere near the scenario we faced three years ago. Additionally, the new variants have been mild compared to the original. He anticipates this will be a part of our seasonal respiratory issues that we deal with, like the flu. He also foresees the FDA will eventually obtain enough data to recommend an annual booster but they are not there yet.

9. CJC CONTRACT Amendment #1 – Kylyn Beatty, Children's Justice Center

This amendment of the Contract with the State Attorney General's office will add \$202.81 to the budget from monies not spent from last year's budget.

Commissioner Laursen moved to approve Amendment #1 to the CJC Contract as presented. Commissioner Horrocks seconded. Motion passed.

10. MEMORANDUM OF AGREEMENT regarding the mitigation of adverse effects to the Ashley Canal Piping Project – Deanna Nyberg, Community Development

This is an agreement between the County, USSD1 (Uintah Special Service District 1), NRCS (Natural Resource Conservation Services), Ashley Central Canal, and the State Historic Preservation Office. It only addresses the Kids Canal portion, 500 North to Main St. The County will sponsor the project, NRCS will provide technical and financial assistance. This agreement will modify the canal piping project so this portion can be piped in the west bank of the canal leaving this area open and minimizing the impact to the trees. USSD1 will purchase water shares to flow in the canal. It will be collected at Main Street and used by USSD1 as needed. The agreement does not specify who is purchasing the shares so they have asked NRCS to change that in the final draft. There will also be a Kiosk at Kids

Canal and the Library short film. Jon Stearmer, Deputy County Attorney, asked Deanna and Sam if there were any ongoing concerns. Sam Passey, Library, responded no. There are a number of items in the Environmental Impact Statement (EIS) that NRCS intends to include in the agreement to ensure each party understands exactly what their part is and what they are agreeing to rather than finding it in the EIS document. He would like to suggest the Commission table the agreement to ensure every comment and concern by all parties is addressed; they were still conversing via email just before the meeting. Sam also expressed his appreciation to NRCS and all the entities involved that have been so good to respond to the local citizens' concerns and comments. There has been a lot of support from the community – it is important to be aware and involved in your community. Commissioner Laursen asked if there was a move to make it a national historic site. Sam responded it is eligible so when a federal entity is involved, they treat it as if it is. A nomination to be placed on the list could be submitted and it is a good idea but would not affect this current project. Jon took a moment to clarify a few points from yesterday's work session. The last email regarding this agreement did come in at 2:44 pm today so it would be a good idea to wait and see the changes before approval. A motion does not have to be made to do so. The work session brought up a question about the number of shares that will be purchased. Tara Hoffman, NRCS, has clarified via email that there are 15 shares earmarked by Ashley Central and two shares were requested to be purchased; all would be added to the USSD1 account.

11. BACKHOE LEASE AGREEMENT from Wheeler Cat – Scott Hardman, Road Department

Scott noted this has been listed as a lease agreement because most of their equipment is, however, this is actually a one-year rental. It will be used and then returned to Wheeler Cat, the County is not leasing it to keep. They will be renting a 2018 430F2 backhoe loader for this year. They have been doing so for the last five years.

Commissioner Laursen moved to approve the backhoe rental agreement with Wheeler Cat not to exceed \$14,000 for the year. Commissioner Horrocks seconded. Motion passed.

Commissioner Horrocks thanked the Road Department for their excellent efforts.

12. MARY CASHEN CANYON LITIGATION UPDATE – Tegan Troutner, Deputy County Attorney

A little background information was provided: last June a Quiet Title was filed by Simplot regarding ownership of roads on Simplot property. There was some discussion in closed session last Monday and they decided to do a nonbinding agreement between the County and Simplot. Many of the details are not yet worked out and they will have to keep working on it. This is nonbinding so neither party is obligated. The first item is to reroute the Mary Cashen Canyon road onto BLM property. Simplot will file that application and the County will be co-sponsor. It starts at Independence Canyon Ridge Junction and winds north and east across Simplot and BLM properties meeting up at Searle Ranch Road. The goal and intention of all parties is to leave the southern portion open to the public and if the BLM grants the application, the rest can be rerouted. Simplot agrees with leaving the southern portion open to the public with the condition the County provide the materials to fence that stretch, approximately one mile. Simplot will build and maintain the fence. The gates will be kept locked but any citizen that calls Simplot can get the access code. The code will be the same for each gate and will be changed regularly, but we are not sure how often. There are gates at the northern end of the road as well. Once the fence is completed, they will no longer lock the gates. Commissioner Laursen agreed that was all his understanding as well. A lot of work has gone into this nonbinding agreement and Tegan is doing a great job. The plan is to get this completed sooner rather than later.

13. UINTAH BASIN REVITALIZATION FUND CONTRACT AMENDMENT 22-DW-0139 – Gennie Bird, Grants. They are changing the end date on the contract to December 31, 2024. This is an eighteen-month extension from October as the funds have not yet been spent. They just recently paid the first invoice for 2022. This will need an e-signature.

Commissioner Laursen moved to approve the Contract Amendment as presented. Commissioner Horrocks seconded. Motion passed.


14. UTAH HIGHWAY SAFETY OFFICE GRANT CONTRACT – Gennie Bird, Grants

Gennie just received notification that we have been awarded a grant in the amount of \$17,165.00 to purchase a speed alert message sign and trailer for the Sheriff's office. There is no match required. They simply make the purchase and submit for reimbursement. This also requires an e-signature.


Commissioner Laursen moved to approve the Grant Contract as presented. Commissioner Horrocks seconded. Motion passed.

15. PUBLIC COMMENT - None

ADJOURN: The meeting adjourned at approximately 3:37 pm.



BRAD HORROCKS, CHAIR
Acting Chair Sonja Norton



MICHAEL W. WILKINS, CLERK – AUDITOR

