

MINUTES of the public meeting of the Uintah County Commission held **May 23, 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, James Blair Johnson, Alvaretta Johnson, Heidi Lundberg, Debbie Cook, Pam Clinch, Autumn Hancock, Bud Allen, Madonna Allen, Wendi Long, Steve Labrum, Susan Horrocks, Sam Passey, Jon Stearmer, Jeremy Raymond, Tegan Troutner, Matt Cazier, Lydia Eaton, Tina Palmer, Janet Kloeppel, Brenda McDonald, Juliann Jamison, Lisa Glines, Barbara Simper, Steve Cook, Jerry Kloeppel, MiShelle Rowell, Kelly Boren, Lisa Evans, Linda Murray, Janice Van Tassell, LaRae Perry, Willis LeFevre, and Deanna Nyberg.
Minutes recorded by Tai Duncan.

WELCOME: Commissioner Horrocks welcomed everyone.

PRAYER offered by Sam Passey.

PLEDGE OF ALLEGIANCE led by Sheriff Steve Labrum.

1. APPROVAL OF MINUTES of the May 8, 2023 work session and May 9, 2023 meeting.

Commissioner Laursen moved to approve the Minutes of the May 8, 2023 work session and May 9, 2023 Commission meeting. Commissioner Norton seconded. Motion passed unanimously.

2. REPORT OF WARRANTS – Mike Wilkins, Clerk-Auditor, presented warrants from May 11, 2023 in the amount of \$663,484.07 and May 18, 2023 in the amount of \$564,723.75. May 11th included a payment for a semi in the amount of \$26,332.00 to Williamsen-Godwin and a payment to Wheeler Machinery in the amount of \$57,819.00, which is paid by a grant. May 18th included a payment to Ag Equipment for a gator for the Cemetery in the amount of \$16,952.08 and a payment to Heritage Ford in the amount of \$50,300.72 for a pickup for Planning and Zoning.

3. TAX MATTERS – none

4. UTAH EDUCATION AND TELEHEALTH AGREEMENT – Sam Passey, Library, explained the Library provides public internet through the Library computer labs and wireless throughout the building via this agreement. The internet services are required to be filtered by the State as per the Federal Children’s Internet Protection Act; similar to filtering for schools. Utah Education manages this federal program for us to provide a discount to the cost of our internet. The universal service charge you see on your phone bill goes towards this program and offers the Library a discount of 70%. We pay the balance; which varies from year to year based on the free and reduced lunch numbers. For the next five years, Utah Education has received funding to pay 100%. At approximately \$972.99 per month, this totals \$58,379.40.

Commissioner Norton moved to approve the Utah Education and Telehealth agreement as presented and authorize Sam to sign as necessary. Commissioner Laursen seconded. Motion passed unanimously.

5. James Blair Johnson APPEAL OF NOTICE AND ORDER issued at 1642 East 1500 North, Vernal; serial number 05:119:0112; for an outbuilding constructed without a permit – Matt Cazier, Community Development found out about a building erected without a building permit. The building in question was posted with the violation notice, referred to as a red tag. They have had contact with Mr. Johnson. The building is too close to the road, it doesn’t meet current setback requirements for the area. This building is approximately 42 – 47 feet from the center of the road. The setback requirement for this area is 83

feet from the center of the road. The home is approximately 60 feet so that setback would apply to the other building as well. Mr. Johnson is unable, physically and financially, to move the building. The time has elapsed so the Notice and Order has been recorded on the property. Mr. Johnson is appealing the Notice and Order. They cannot move the building to meet the setback requirements. Matt is not aware of a solution at this point. The ordinances are in place and should be followed. Once the Notice is recorded, Community Development will not pursue the matter further. It would have to be rectified if the property was to be refinanced or sold, the Notice would be found in a title search. The building is a carport; a roof and one side of a pole barn type structure. Commissioner Norton asked when it was built. Matt indicated it is not present in aerial photos in the spring of 2018 but is later that summer. The property has had the same owner.

James Blair Johnson and Alvaretta Johnson spoke on the subject. They were not aware they were required to obtain a building permit to put a carport on their own property. It has been in place for five years. It would be harmful to take it down due to its construction. It is summer shade and winter shelter for vehicles. He was not aware of any setback rules until this matter came forward. Alvaretta added it is a dead-end street. They do not feel this is a high-volume road as they were told it was by someone in the Community Development office. Approximately a third of a mile down the road from their home, is a dead-end. The traffic includes those that live there, delivery vehicles, buses and the occasionally lost citizen looking for the landfill. Their driveway is large and often used by those that realize their mistake and need to turn around. They are willing to pay any fees necessary and resolve the problem without removing the building. There isn't another place on the property that is reasonable for it to be rebuilt. Alvaretta noted she sees other buildings on their street that are close to the road as well. They are elderly and Blair is a disabled veteran, they would have to hire someone to take it down. They would prefer to pay the penalties and be done with it. Commissioner Horrocks clarified if the Johnson's take no further action, nothing will happen until they decide to sell it or refinance it. Matt agreed and added they would have to resolve the issue if they were to apply for any other permitting on their property as well. Commissioner Horrocks asked if penalties would continue to accrue. Matt stated the penalties accrue until a maximum of \$600, which takes about a month and this has been nearly that long. There is a one-time penalty as well. The Johnson's will not be harassed or cited any further if they do not take action. If they were to apply for a building permit, conditional use permit, or something else, they would have to come into compliance and pay all the fees and penalties. For clarification, typical setback requirements are 56 feet from the center of the road. The Future Land Use Plan indicates this road, 1500 North as a high-volume road because it has been foreseen to eventually connect this road to others, it won't always be a dead-end. This plan for additional traffic increases the setback requirements. They cannot obtain a building permit with the building's current location. However, if they try to cut the building back to meet the setback, the building would essentially be useless. They can leave the building as it is knowing they would not have to do anything about it or pay any fees unless something changes with the property in the future. Blair noted if they try to relocate the building it would be damaged and it would be useless if they cut it back to meet setback requirements. Commissioner Norton noted they make a good point. They are not alone; many people do not know there are such requirements. She encouraged individuals to contact the entity where they are located to ask such questions to ensure they meet codes. Matt responded to Commissioner Norton's question that he does need a motion denying the appeal of the Notice and Order. It would not change anything discussed today. Commissioner Laursen asked if the code has changed since 2018 regarding setbacks and Matt responded no.

Commissioner Laursen moved to deny the Appeal of Notice and Order for the Johnson's. Commissioner Norton seconded. Motion passed unanimously.

6. ADVANCED EMERGENCY MANAGEMENT TECH for Region 5 Operation Cross Boundaries Exercise Contract – Heidi Lundberg, Emergency Management, presented requesting approval. The Region will be doing a full-scale exercise in April 2024. This contractor, Advanced Emergency Tech, will assist to ensure we have the knowledge and ability to meet all FEMA and Homeland Security guidelines. There are a lot of requirements and steps to follow in a full-scale emergency. They will help walk us through these requirements so we are prepared in case of a real emergency. They will charge \$9,000 which will be paid for by a grant. Each Emergency Manager will need to sign it so she is asking for

authorization to do so. Jon Stearmer, Deputy County Attorney, noted the contract is for an event in the future. Advanced Emergency Management Tech has asked for documents to complete their task and possibly use for future training. We will need to be careful with what we provide so as not to disclose confidential information. Heidi added she has a purchase order requisition for Commissioner signatures.

Commissioner Norton moved to approve the Advanced Emergency Management Tech contract for Region 5 Operation Cross Boundaries Exercise in April 2024 in the amount of \$9,000 and authorize Heidi to sign as Emergency Manager. Commissioner Laursen seconded. Motion passed unanimously.

7. BAILIFF AND SECURITY CONTRACTS – Steve Labrum, Sheriff, is required by Statute to provide security and bailiff services to 8th District Court. The State of Utah allows little to no negotiation regarding the compensation. The contract runs from July 1, 2023 through June 30, 2024 in the amount of \$157,998.30. We have four staff, required, and this almost pays for three. This is a problem throughout the state. The Sheriff's Association argues with the legislature each year about this shortcoming. If it is going to be required, there should be enough compensation to cover the costs.

Commissioner Laursen moved to approve the Bailiff and Security Contract with the State in the amount of \$157,998.30 as presented. Commissioner Norton seconded. Motion passed unanimously.

8. SURVIVING SPOUSE – Steve Labrum, Sheriff, provided information regarding the Trust Fund. The Fund was set up in 2005 for local public safety and firefighter families. We pay \$100 each year for each eligible deputy. Currently, we have 84. These funds go into the Trust Fund. If a deputy were to be killed in the line of duty, their spouse and dependents would continue to be eligible for the County's medical insurance at no cost to them. The Trust Fund reimburses the County for the premium. Spouses are eligible for the duration of their life and dependents to the age of 26. Mike clarified the contract, signed years ago, was backdated to cover previous family members but the premiums were not covered prior to the signing of the contract. Steve added this is part of his benefits budget. Jon added the contract was approved years ago; we are now certifying to the State how many eligible employees we have participating. We could opt out of participating in the Trust Fund but we are still required to provide the benefit to the surviving family. Commissioner Horrocks expressed his support, this is a good deal for the County and Deputies. Jon also added the contract has been signed so we don't need approval for that but the Commission should acknowledge the number of eligible individuals to report to the State.

Commissioner Norton moved to acknowledge the 84 individuals at \$100 each per year to support the Surviving Spouse Trust Fund as presented. Commissioner Laursen seconded. Motion passed unanimously.

9. DEPARTMENT OF JUSTICE CONTRACT– Steve Labrum, Sheriff, indicated they have been working on this contract for a long time. The Jail is now able to house federal prisoners. As of July 1, the State will reimburse the County for housing state inmates at \$67.71 per day per inmate. The Department of Justice will reimburse the County for housing federal inmates at \$82 per day per inmate. If transportation is needed to a health facility or court, the County will be reimbursed \$46 per hour per employee needed, a minimum of two. They will also pay mileage at the GSA travel rate. We have been approved for up to 70 male inmates. Commissioner Horrocks thanked them for their hard work on this contract. Steve noted Commander Brown was instrumental.

Commissioner Laursen moved to approve the Department of Justice Contract as presented and authorize the appropriate signatures. Commissioner Norton seconded. Motion passed unanimously.

10. INTERN CONTRACT FORM – Tonya Craven, Human Resources, was unable to attend so Jon Stearmer led the discussion. This is the form required with the Department of Workforce Services (DWS) for Worksite Learning Work Experience and Youth Unpaid Internship Employer Agreement. It allows HR to work with DWS to provide internship experience for adults and those under 18. Under this contract, DWS would cover medical as needed for any workplace injuries. We are prohibited from providing wages. There is no financial impact to the County. DWS will refer individuals to us. This has been used

in the past and is a great way to improve our workforce and applicants for the County. Commissioner Norton asked if this was a general intern contract form for any intern. Jon clarified it is used through Department of Workforce Services specifically; in order for them to place an intern with the County.

Commissioner Norton moved to approve the Intern Contract Form with the Department of Workforce Services as presented. Commissioner Laursen seconded. Motion passed unanimously.

11. OPIOID SETTLEMENT PAYMENT EXPENDITURE PLAN – Jon Stearmer, Deputy County Attorney, noted this has been discussed in work session. We are required by the State of Utah to provide an expenditure plan of the settlement funds the County has been receiving since July or August of last year. The settlement has a term of 18 years. Jon provided an update from the last work session. Mike has been helping zero in on the costs for the employee that will be hired and housed in the Jail as per the plan. Sharmane Gull has updated the numbers based on the anticipated salary. She has recently received information from Northeastern Counseling, Human Resources, and the individual doing the wage compression survey. The numbers were spread out, which makes sense. Jon recommended we keep Sharmane's anticipated salary because it is the highest. It is reasonable to plan for the worst-case scenario, showing the plan in the red at the end. If we can hire for less, then the deficit will be less than planned. Mike expressed his support but questioned who will be responsible for submitting the paperwork to the State. Jon responded his office will take care of that as they are required by law to represent the County. That can be modified as the year progresses if it fits better with another office. The cycle of reporting will get easier as the plan progresses. Jon thanked everyone involved. It has been a lot of work but will be a massive benefit for our community.

Commissioner Laursen moved to approve the Opioid Settlement Payment Expenditure Plan with the appropriate signatures as needed. Commissioner Norton seconded. Motion passed unanimously.

12. PUBLIC COMMENT – Commissioner Horrocks reminded attendees that the public comment period is a time for comments not debate. The Commission will listen to comments and take them into consideration but will not respond or answer questions. They may not have the power to act on any comments. The meeting is recorded, please be patient, wait for your turn at the microphone and state your name for the record. Be respectful and do not interrupt. A total of ten minutes will be allotted for public comment and each speaker will have up to three minutes to make their comments.

Brenda McDonald, Recorder, took a moment to encourage the public to sign up for the Property Watch program through the Recorder's office. A lot of fraud is starting to happen with property. This program is free. If something is recorded on your property, you are notified immediately so you can take action if necessary. This won't stop fraud but will help catch it quickly. Brenda passed out information but noted it is available on the County Recorder website to sign up. Your name has to be on the property, however, if you would prefer someone like a child to receive the notifications, that is perfectly acceptable. This is similar to services regarding your real property, but it is free. Please spread the word.

Juliann Jamison thanked the Commissioners for being elected officials and for what they do for the County. There is a large group of moms that are concerned with the drag queen story hour, particularly the material planned to be read at the event compared to community standards, which are vague. They would like to have the community standards clarified for the future. This will continue to be a problem. These are inappropriate books and they have contacted the individual involved with the event asking them to consider not reading them in the public library or to children. They have also contacted Representative Scott Chew and others to consider legislation to prevent such issues. There are many other counties putting measures in place. There is an outcry from the community and they feel they are not being listened to. She urged the Commission to make changes. They do not want to stop freedom of speech but we need a clear plan regarding what will be allowed with community standards.

Autumn Hancock was here at a previous meeting and was told to set up a meeting with the Attorney's office, which she did. At that meeting, she learned the books had not been read nor had the content of the event been reviewed before advising the Commissioners and she feels that is irresponsible. She

was frustrated as she felt they had no rights in the matter. She took the initiative and met with the organizer and tried to get a feeling of why they are doing this event. The organizer told her they want a place to be accepted and a place to go. Autumn asked why they chose the Library and she was told they are tired of hiding. She also asked her to consider not reading the books but find something else. The organizer was willing to talk to other individuals putting on the event regarding this request. Additionally, the woman said, in hindsight, they would have chosen something other than the drag queen. Content should be vested before approval. Autumn had not thought of it at the time but has since and suggests they find a different public place to hold their event. Perhaps this room would be just as well, it would hold the same number of individuals. They plan on putting on quite the spectacle and Autumn feels it would be better to do so in another location rather than subjecting children attending the Library. Commissioner Horrocks asked if there would be a problem with asking them to move to another location. Jon stated he would not make a comment on the matter.

Kelly Boren addressed the meeting as a member of the community and a grandmother. She is concerned with what is allowed to happen in our community; we should have standards. We don't allow strip shows on the corners and other events have been turned away. Last July or August, TriCounty Health had a children's safety fair and they allowed a rainbow booth that was obviously targeting children by giving away toys. She has spoken to legislative representatives. She doesn't push her values on others and expects others to do the same. The State, County, and community have been patient, tolerant, and compassionate. We are all different in different ways. It is not her place to say what is right or wrong for everyone else. What others do in the privacy of their own home is their choice but it should not be pushed on others. We should be sharing appropriate, and age appropriate, books.

Sam Passey, Library, failed to make an important announcement earlier. This August, the Library has plans for an upgrade, including a new audio-visual system. Many had wondered why the last Library Board meeting was held in this room and not the Library. The Library does not currently have the capacity to stream meetings or even a sufficient recording system. It has been 11 years and it is time for the upgrade. He noted that all reservations will cease during the upgrades. This will be a problem for those that use the space on a regular basis and will need to find different accommodations. They do not know how long the upgrade will take. Additionally, he wishes that more events held at the Library received the kind of attention this one is.

Susan Horrocks addressed the meeting as a Library Board member. Her last meeting is in June. They will be replacing her on the Board. She encouraged the public to obtain an application in the Commission office or online. It is an opportunity to get your voice heard and make decisions.

ADJOURN: The meeting adjourned at approximately 4:04 pm.



BRAD HORROCKS, CHAIR



MICHAEL W. WILKINS, CLERK – AUDITOR

