

MINUTES of the public meeting of the Uintah County Commission held **May 23, 2022** in the Commission Chambers of the Uintah County Building at 147 East Main, Vernal, Utah. Meeting commenced at 11:00 a.m.

PARTICIPANTS: Commissioners Bill Stringer, Chair Bart Haslem, Commissioner Brad Horrocks

ATTENDANCE: Doug Hammond, John Rtlter, Steve Labrum, Rick Bell, Brenda Halbert, Darlene Reilley, JC Brewer, T Mecham, Wendi Long, Gabby Hawks Blackburn, Tegan Troutner, Scott Gessell, John Laursen, Steve Huber, Jeremy Raymond, Willis Lefevre, Pam Clinch, Cindy Scott, Susan Horrocks, Wayne Simper, Barbara J Simper, Joel Brown, Brenda McDonald, Sonja Norton, Tonya Craven.

Minutes recorded by: Becky Richards

WELCOME

PRAYER offered by: Chery Bolton

PLEDGE OF ALLEGIANCE: led by Tegan Troutner

APPROVAL OF MINUTES – May 16, 2022

Commissioner Stringer moved to approve the Minutes for May 16, 2022. Commissioner Horrocks wanted it noted that he was not at this meeting. Commissioner Horrocks seconded the motion. The motion passed unanimously.

APPROVAL OF MINUTES: May 12, 2022 Special Work Meeting

Commissioner Horrocks moved to approve the Minutes for May 12, 2022 Special Work Meeting. Commissioner Stringer seconded the motion. The Motion passed unanimously.

REPORT OF WARRANTS: Mike Wilkins presented the warrants that were printed May 19, 2022 in the amount of \$875,885.42. There was a pass-through amount of \$776.99 from Tri-County Health Department for a Medicare Grant making the total amount of the warrants \$876,662.41.

REVIEW AND COUNTER SIGNATURE OF CERTIFIED LIST OF CLAIMS: Mike Wilkins stated that there are no claims to present at this time and that these entries were not created, added or modified in the county Clerk-Auditor's office.

CEMETERY CERTIFICATES: Mike Wilkins presented the cemetery certificates.

1. Eldon Danny Anderton and Linda Anderton, Block 334 Lot D Spaces 41&42 located in the Rockpoint Cemetery Phase 2.
2. Donald Ivyl DeCamp and Rayann DeCamp, Block 332 Lot B Spaces 23&24 located in the Rockpoint Cemetery Phase 2.

Commissioner Stringer moved to approve the Cemetery Certificates as presented. Commissioner Horrocks seconded the motion. The motion passed unanimously.

TAX MATTERS: No tax matter presented at this time.

BUSINESS LICENSES: Gabby Hawks Blackburn presented the business licenses.

1. Magnolia Nail Co. Located at 473 North 2500 West, Vernal. Serial No. 04:118:0036. This nail company will provide nail salon services and nail apprenticeship programs. This business is located in the Maeser shopping plaza by 7-11 which had prior approval by the Building Department so an inspection was not

done for this business license. The business will have tables, chairs and nail supplies etc. The conditions for this business is to follow all County Fire, Tri County Health Department and Uintah County Building Department rules and regulations.

2. Supcolo, LLC DBA Adrift Rafting located at 9500 East 6000 South Jensen, UT. Serial No. 06:099:0026. This is a rafting company that will be storing rafts, cars and trailers. There will be customers meeting at the business location. Community Development is asking the County Commission to place the following conditions upon approval of the business license to follow all Uintah County Building requirements including but not limited to no use of the kitchen, no sleeping in the building, second floor can only be used for storage and only use the approved bathrooms.

Commissioner Horrocks moved to approve the business licenses for Magnolia Nail Co and Supcolo, LLC DBA Adrift Rafting with the conditions to follow all Uintah County Fire, TriCounty Health Department and Uintah County Building Department rules and regulations. Commissioner Stringer seconded the motion. The motion passed unanimously.

3. Little Mountain Repair located at 5630 South 8500 East Jensen, UT Serial No. 06:095:0028. This request is for a home-based business where the owner will perform mobile mechanic services. The business owner will be performing work on heavy equipment at the customer's location, not at his home. Community Development is asking the County Commission place the following conditions upon approval that no commercial vehicles are parked at the property without first obtaining an approved Conditional Use Permit, work is not done at the home, the home is only used for a home office and storage and to follow all home-based business rules and regulations.

Commissioner Stringer moved to approve the home-based business license for Little Mountain Repair provided that they comply with all of the home-based business requirements. Commissioner Horrocks seconded the motion. The motion passed unanimously.

4. Reese Cleaning located at 346 West 2100 South Vernal Serial No. 05:108:0317. This is for a mobile cleaning service. This is a home-based business that will be using the home for an office and storage. The business will go to houses, apartments and commercial businesses to clean the interior or exterior of surfaces. The only condition upon approval is to follow all home-based business rules and regulations.

Commissioner Horrocks moved to approve the business license for Reese Cleaning with the condition to follow all home-based business rules and regulations. Commissioner Stringer seconded the motion. The motion passed unanimously.

BOARD APPOINTMENTS: Commissioner Stringer explained that there is a vacancy for an alternate on the Uintah County Planning Commission for a term starting today through December 31, 2022. There was some confusion of where to turn in the applications, but both of these applicants sent the information to a private email where they were not noticed until later. Jon Stearmer clarified that both applicant's information was sent to the wrong email, both were sent prior to the closing date establishing that applicants were handled and received the same.

Commissioner Stringer would like to present Robert H. (Bobby) Oostveen for an alternate for the Uintah County Planning Commission Board effective today through December 31, 2022. Commissioner Horrocks seconded the motion. The motion passed unanimously. The motion is to reflect the name of Mr. Oostveen as on the application.

BID OPENING & POSSIBLE BID AWARDING – SOUND & LIGHT EQUIPMENT AT THE WESTERN PARK: Mike Wilkins stated that two bids were received at the Clerk-Auditor's office and on time.

1. Sweetwater located out of Fort Wayne Indiana in the amount of \$117,884.72.
2. Clearwing Systems Integration located out of Denver Colorado in the amount of 109,990.00.

Chair Bart Haslem stated because of the time sensitivity of this item he is moving the bid awarding to the end of the agenda so Jon Stearmer can converse with the Western Park to review the two bids that were received.

Commissioner Horrocks moved to acknowledge that the two bids that were presented were received on time. Commissioner Stringer seconded the motion. The motion passed unanimously.

STATE OF UTAH COURT SECURITY CONTRACT – SHERIFF’S OFFICE. Sheriff Steve Labrum explained that this contract is to provide security to District Court and Juvenile Court. By statute the County must provide this security to these Courts. The contract’s term runs from July 1, 2022 to June 30, 2023 in the amount of 143,255.82. Jon Stearmer has reviewed the contract.

Commissioner Stringer moved to approve the contract for the State of Utah Court Security through the Sheriff’s office as presented including authorization of signatures in the amount of \$143,255.82. Commissioner Horrocks seconded the motion. The motion passed unanimously.

REZONE-Stephen Styler-Requesting a rezone from RA1 to R2 on the property owned by Susan L. Haws Trust, located at 3370 W Pit Road, Vernal, UT, Serial Number 05:085:0033. Gabby Hawks Blackburn displayed the rezone map on the monitor. This is located near Hidden Hollow and Air Village. This rezone was recommended for approval by the Planning Commission. The county commissioners have authority for the final decision regarding the rezone. The plan presented has approximately 20 acres of vacant land requesting rezoned to R2. The 20 acres is the inside portion of the plan represented by the shaded black area. The outside portion of the plan will remain RA1 zone. The outside area of land is the buffer between the edge of the property and the rezone, this area is approximately 175 feet. The minimum dimension for a RA1 lot is 12,000 square feet, a minimum would be 90 feet by 133.3 feet. The future land map shows this as moderate density. Moderate density designation allows residential uses within an average density of up to five units per gross acre. That’s roughly equivalent to our R1 designation. The request is for R2 which is roughly equivalent to medium density. Medium density is for residential uses with a density of up to eight dwelling units per gross acre. The Planning Commission deemed this application close enough to the future land use map. Gabby explained the surrounding area of the rezone and explained the road that would be accessing this area is roughly 18 feet of asphalt with no paint which is not really adequate for medium density housing. Gabby stated there will need to be infrastructure changes in order to handle more residential. The applicant at the planning commission meeting stated that he was aware of this and planned on doing those improvements at the time they are doing the housing. Gabby displayed and discussed the comparison of the zones. The R2 zone allows for smaller lots. Some of the land uses were discussed. The differences between a R2 zone and a RA1 zone was discussed. R2 use differences that are controlled by conditional use permits include a bus station and hotel or motel. Another difference is R2 allows a Multifamily 4 use. Gabby listed the uses for both of the zones. Gabby read the items of concern. Concerns include; General plan states that R2 and R3 should be approved in pockets. This will be 20 acres. There is no definition of what a small pocket is, the planning commission will need to determine if this fits. Access road is small and not suited to high traffic. Depending on use the road could need updated. There are only single-family homes and agriculture surrounding, this would be the only multifamily and high density in the area. The owner only wants the rezone if the property is sold and the applicant only wants to buy the property if the property is rezoned. The vote of the Planning Commission was 4 to 1 in favor of the rezone. There was a brief discussion regarding what roads are stripped and how long until the road turns into a multiple lane road. The total acres for the lot is 32.9 and the 20-acre portion is the requested rezone. Hidden Hollow and Air Village are located in a RA1 zone. Gabby explained the public comments in the Planning Commission meeting were regarding a lack of infrastructure and water pressure concerns. The general consensus from the public comments were against the rezone. Commissioner Haslem stated that he also received phone calls with these same concerns. Commissioner Haslem asked Gabby if there are any duplexes or fourplexes in this area. Gabby answered that there are not. The outside buffer zone will allow duplexes and single-family homes. The inside rezone area, if changed to R2 will allow up to fourplexes. Commissioner Haslem expressed his concern regarding 1500 south being heavy enough to pack that kind of traffic. Matt Cazier explained that during the Planning Commission meeting the developers expressed that they were looking at doing townhomes with four units attached, this is different than a fourplex because townhomes are individually owned. A discussion took place regarding the process and how to ensure that the buffer zone gets developed and not just the larger inside area with higher density. The applicant, John Potter stated that he is the CEO of Tomko Energy, which owns Greenfield Energy that is developing the mine site. This plan is key

because the number of employees that this company will bring to the area is over 150 within the next 18 months. There is a housing shortage in the area. The jobs that are going to be created are around \$35.00 per hour and John feels like this wage will attract families. This plan is looking to develop the side by side fours which are pretty big houses furthermore develop community services for things like childcare. Just supporting family stuff around the outside area. The plan is to put the single-family homes in first. An alternative route to the subdivision is being looked at. The plan is to put additional resources, infrastructure down the road to support those houses as well as improve the road itself. Rick Bell, property owner expressed his concerns regarding the rezone. His biggest concern is water. Rick stated that he has been in contact with the engineering company that handles the water for Ashley Valley and they told him that there is no way that the current water system can handle that large of a situation if developed it would need a new tank higher up which would require it to be pumped to the tank to get enough gravity to supply that number of homes that they are talking about placing on this property. Rick stated that he is not opposed to the rezone but feels like it is a foot in the door to develop the rest of the property farther north. This property north has a lot of problems with a lot of runoff and retention ponds would need to be built. Rick stated that he is aware of at least 10 companies that have come in and tried to make the asphalt ridge successful. He is not sure if there has ever been a penny taken out of that area. Before you start with a project this size Rick thinks the company should prove up on the business and see if it's actually going to work. Rick said "I don't think it's going to be a bit different in the last time it's been in there." He has seen properties all over the county that are left in a mess. Rick Bell stated that the sewer does run down 1500 South and there is a water line that runs north on the west property line which is the line that already has 11 families on it. It will not handle another house or the water will be down to a trickle. This property is located so high that it is almost level with the tank that is there now and the engineers said that they would never even consider allowing them to hook onto the water or run another water from that tank. Pam Clinch mentioned that she has attended some of the Ashley Valley Water and Sewer District meetings where it was mentioned that they have a lot of building and they were talking about the buyers, the builders supplying water shares to put into the system. If there is water that comes with this property it may require the owner to turn over some of the shares to the Water District. Commissioner Haslem stated that they could not get a building permit if there was not enough water. Matt Cazier affirmed that yes, if certain water pressures on the fire hydrants and things like that do not meet the requirements then the developer would have to do something to get that pressure and volume to where it needs to be in order to build a project. Commissioner Haslem stated that he would like to make sure that everything is in order, before we change the zoning to make sure that we can actually use the property for what was intended. He would hate to change the zoning and then see a hotel put in this location. Matt Cazier stated that you could keep the rezone application active, have the developers submit a development plan and then the rezone can move in conjunction with those development plans because that is where they're going to have to show that they meet all of these requirements that you are concerned about. This option provides a way to move forward without the developer paying another rezone fee and the plan would come back to the Commissioners to see if the criteria has been met. Commissioner Horrocks is concerned about this rezone. Commissioner Stringer stated that he thinks the future zoning map is there for a reason. If there was more of a concrete plan that addressed some of these difficulties that have been discussed today then Commissioner Stringer would be more inclined to consider the rezone.

Commissioner Stringer made a motion to deny the rezone. Commissioner Horrocks seconded the motion.

Commissioner Haslem stated that the County needs affordable homes and we need the growth of the businesses. He does not want to see what has happened in the past with some of the other subdivisions that never got finished in our area. Commissioner Stringer stated his concern with it being already into May and it seems like it would almost be impossible to have this housing in place by late summer or the fall. Furthermore, there are items that are not within the ability of the applicant to control and for those reasons he is not comfortable with the rezone.

Motion is on the table, Commissioner Haslem asked for a vote. Commissioner Stringer yes, Commissioner Horrocks yes, Commissioner Haslem nay. The motion passed.

NONCOMPLIANT BUILDINGS:

1. Building Division- Requesting authorization to record a certificate of noncompliant building or structure on property located at 1552 E Goose Ranch RD Vernal, Serial Number 06:063:0016

Matt Cazier explained that this is a single wide manufactured home that did obtain a building permit. A permanent foundation is required around the exterior of the manufactured home. The owner skirted and set the home, connected it to all the utilities and the only inspection that has been done is for an electrical meter. Matt did talk to the property owners last week about where they were at in this process and they are not sure when they're going to get the problem taken care of. There is no time line mentioned so at this point Matt is recommending to go ahead and record the certificate of noncompliance on this property.

Commissioner Horrocks moved to record a certificate for a noncompliant building located at 1552 East Goose Ranch Road Vernal, Serial Number 06:063:0016. Commissioner Stringer seconded the motion. The motion passed unanimously.

2. Building Division- Requesting authorization to record a certificate of noncompliant building or structure on property located at 10547 N 9500 E Tridell, Serial Number 12:010:0051

Matt explained that this permit was for an addition to an existing home. The property owner was sent several notices and the permit was going to expire. No contact was made by the property owner so the permit was voided. The property owner did call and wanted to schedule an inspection, but was advised that the permit had been voided because of inactivity and so in order to reinstate the permit there would be a reinstatement fee and then they could get whatever inspection that was left. The property owner said he would call and let the building department know when he was ready for an inspection and at that time pay the reinstatement fee. At this point there is no timeline, but Matt is recommending to record a certificate of noncompliant building or structure.

Commissioner Stringer moved to authorize a recordation of a certificate of noncompliant building or structure of the property located at 10547 North 9500 East Tridell, Serial Number 12:010:0051 effective immediately. Commissioner Horrocks seconded the motion. Motion passed unanimously.

PUBLIC COMMENT: Commissioner Haslem opened the meeting for a public comment period.

John Laursen stated that he has been to different departments within the county to educate himself and the community, but is has been brought to his attention that there are concerns from some of the employees that they might be disciplined. John stated that he feels like nothing negative has been placed on his campaign page but asked the Commissioners if he continues to do this will it get employees disciplined? Commissioner Haslem stated that this is a great thing that John is putting out to the public to show what great employees the County has but the concern lies because you are doing it on company time when the employees are supposed to be working and by code if you are using it on a political stage then it violates code. These interviews need to take place off premises and on their own time. John stated that he was not aware that it was political. Commissioner Haslem stated that if these interviews are located on your campaign page then this is where the problem lies. John Laursen answered yes these were on his campaign page.

Jenny Thompson, citizen of Vernal spoke regarding the Constitution and the Declaration of Independence. The information that she mentioned was regarding some statistics from Texas stating that 95% of elected officials don't know what the constitution says. Jenny contacted Mike Wilkins and asked him if the County Commissioners take an oath to defend and uphold the Constitution. Mike answered yes. Jenny questioned the Commissioners if they understand the 5 God given rights / freedoms that the First Amendment to the constitution guarantee the people. There was a brief discussion about the five freedoms these include, freedom of religion, freedom of speech, freedom of the press, freedom to peaceably assemble, and freedom to petition the government. Jenny openly pleaded with the elected officials, government employees and all of the citizens to learn the Declaration of Independence and the US Constitution that we all uphold and defend these documents. Jenny thanked the commissioners for bringing back the public comment period. Sonja Norton mentioned the ATV Jamboree June 2-4 and the Dynamites are serving breakfast. Darlene Riley mentioned that Memorial Day is coming up and it is a day that we honor those who have passed and those who have given their lives in order for us to be able to be free. Darlene Riley had the opportunity to interview the mother and father of Daniel Gurr, this article will be in the next publication of the paper. Cindy Scott is confused because up until

a couple of weeks ago when the warrants and counter signatures and all that was done because you voted on it. Cindy asked the Commissioners when they stopped voting to accept the warrants. Commissioner Haslem answered about one year ago. Mike Wilkins stated that ballots will go in the mail on June 7. You can register to vote up until June 17. Early vote will start June 14-June 24th. The primary election is June 28th. You cannot change parties again until the day after the primary election on June 29th. The Primary Election is only a Republican Party ballot, so if you are another party you will not receive a ballot and unaffiliated voters will not receive a ballot, but they can come in, affiliate and receive a ballot. The tax sale is this Thursday at 10:00 there will be probably be seven parcels. There are some surplus properties, two of them are in the Haven Estate and the other is on 4000 South. There is a fourplex with four units, two of them share a kitchen. These will close this Thursday. As long as the bids keep coming in the sale will continue. By code these properties must be sold at fair market value. The Turning Point is actually an apartment complex and people can inspect this property, they need to contact the Clerk-Auditors office.

Commissioner Haslem closed the public comment portion of the meeting.

BID AWARDING – SOUND & LIGHT EQUIPMENT AT THE WESTERN PARK. Jon Stearmer had time to review the bids with Traci and Melanie from the Western Park and based off the price Clearwing came in at the lowest price and does appear that it is responsive to all the points that were in the published bid for the equipment that is needed. Some of the names don't match up but the functionality and the quantity size are all met and matching in the bid. The bid from Clearwing did not have the shipping information in the bid, so they did call them. Clearwing said that the shipping cost fluctuates on a daily basis. Sweetwater did have shipping in their bid at a price point of \$2,926.71. Clearwing did give a verbal estimate shipping cost of \$2,000 to \$3,000. Clearwing's bid with the shipping on the high end would bring it to a total of 112,990.00. The other issue is that there are shipping and stock issues. Jon is recommending to seek a motion for qualified approval of Clearwing bid with the shipping cost added to that which brings it to an amount of 112,990.00 based on availability of the items and being able to ship them out in a timely fashion. The reason that Jon is suggesting this is because if we can get enough of the equipment to help us with our summer shows this year, great, but if not, it will come back to the County Commission and be placed out for bid again. Jon clarified that if Clearwing could not get what is needed to benefit the project then the county could fall on the second bid to see if they could get the equipment in time.

Commissioner Stringer moved to approve the motion for qualified approval of Clearwing Systems Integration in the bid amount was \$109, 990.00 with the additional shipping amount of \$2,000 to \$3,000 based on availability and shipping of the equipment. Commissioner Horrocks seconded the motion. The motion passed unanimously.

Jon stated that the company should be contacting us by this afternoon with an answer regarding shipping and availability.

Bill Stringer wanted it clarified regarding the reason why the Commission is looking at bids for a new software system? As they went back through it, it started actually alarming him a little bit that it had so many particular issues. He wants to make this very clear. This is not on a person. It's on our county organization as a whole. Because of what's been happening we've been uncovering problems one at a time. One of the first things we found is we had improper access into the system by non-employees. And we even have cases where an A machine that is signed out to a person should be for that person. And if that machine accesses confidential or protected data, it shouldn't be a general use machine. But we're finding places where numerous people have the same access, or have access to that machine simply because that's where the software resides. We can do better than that. We can put the software wherever it belongs, so that there's a primary and a backup. We are managing a ton of programs that I'm not sure why we're managing. Bill stated that he had to ask IT to say what exactly are we supporting out of IT, and IT answered it was three pages of stuff, those are the kinds of things that should never be allowed to happen. Every one of those surfaces that every one of those pieces of software that accesses the internet is another place for failure. It's basically because we didn't have any controls. People ordered the software, it came in IT supported it. But IT has more important things to do than to continue to

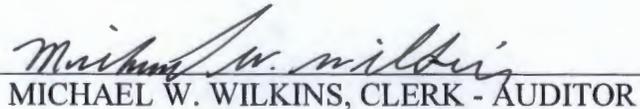
operate all of those or support all of those programs. We also have other issues, this one is kind of troubling. It's also embarrassing that the county exposed years' worth of highly sensitive data, and not because somebody wanted to say I'm going to release this data and see what happens. The failing was internally with the hardware and of vigilance, more or less, us not checking what's going on. Part of it again, because we have so many different systems and this was a system that was an enterprise system that came into place in 2005, this issue is a big problem and will always be a big problem. You find the software you like somebody else buys it out and they don't give you much choice. They just say, well, we bought your system. Now here's what you're going to have. This is exactly what happened with some systems that we had and that was operating our IT. Our records for the county was replaced. When the system was replaced, it started posting close sessions, we still have no idea how much money this cost the County and we may never find out how much it cost us, but it was on things where we were discussing negotiations for settlements on taxes, etc. We do know it was accessed, we do know it was accessed illegally on the outside, but we have no way of finding out who accessed it and we have no idea of finding out how far the information traveled. We also have another problem that is really kind of sticky and then once again is not to cast a stigma on any individual elected or otherwise in this county. We run our own system, we program our own system, we troubleshoot our own system and that means our administrators can get into any part of that system. In some of our investigations from the outside, our auditors found places where they said information changed after the fact. This is not the end of the world if there is proper documentation. The problem was the documentation wasn't probably where it should have been. The commissioners cannot blockchain for everything because we cannot afford it, so we came up with an aftermarket fix of audit tables. But what that means is the user has to have special access to see those tables, the general user can't look at it and see who changed it and who and what they changed. The other problem is if there is a person who works with elected officials, might sometimes feel the pinch to be responsive or to be helpful or maybe even working for the commissioners. No Commissioner, no elected officials should be in a position to put pressure on an IT professional to change a piece of information because it might be embarrassing, or because it might have been an error. This pressure on anyone one person should not be happening. By obtaining a new software, these types of problems will not happen. We still have control and we have access to the system, but in order to go in and change a financial record that is supported by a third party, they have to be told to change it and as soon as they do, there's a record. A new software will help so things cannot be changed without leaving a decent fingerprint. The fact is that time marches on technology marches on. Having more protection is the key and that's why we're going to be looking at the system.

Commissioner Horrocks made a motion to adjourn.

ADJOURN:12:27p.m.



BART HASLEM, CHAIR



MICHAEL W. WILKINS, CLERK - AUDITOR

