

State board rejects jail funding request

Rudy Herndon Moab Sun News | Posted: Thursday, August 13, 2015 9:27 am

Grand County's request for financial help to upgrade its aging jail fell victim last week to the perception that the county is soundly opposed to oil, gas and mineral development in the region.

Lynn Jackson

[Moab Sun News file photo]

The Utah Permanent Community Impact Fund Board (CIB) rejected a proposal that would have given the county more than \$3 million in grant funding, along with a loan for nearly \$2 million, to renovate the facility.

Uintah County Commissioner Mike McKee and San Juan County Commissioner Bruce Adams, who serve on the board, spoke out on Grand County's behalf during the CIB's meeting on Thursday, Aug. 6. But Grand County Council member Lynn Jackson said that virtually every board member expressed a "great deal of disgust" toward Grand County, based on the shared sense that the county stands against hydrocarbon development that funds CIB projects.

"Not one of the CIB board members who chastised us mentioned anything about (mineral lease) revenues going down, and we all know they're going to go down," Jackson said on Tuesday, Aug. 11. "They were blunt and frank and the message was, 'You people don't play ball. Why should we play?' They didn't say it quite that succinctly, but that's what the message was, so we're in a pretty tough row here."

A majority of CIB members subsequently approved a motion that would offer Grand County a 30-year loan and \$400,000 in grant funding to pay for the project, but Jackson called the outcome "exceptionally frustrating."

"I don't know what we're going to do," he said. "This jail is literally falling down around our ears."

Grand County Council chair Elizabeth Tubbs said the latter offer from Sanpete County Commissioner and CIB member Claudia Jarrett would loan the county \$4.38 million at a 2.5 percent interest rate over three decades.

"(It) pretty much puts it out of reach for us," Tubbs told the Moab Sun News. "We don't have the means at this point to pay it back."

Moving forward, she said, county officials must get together as a group and see what else they can do to come up with another funding proposal.

"The jail clearly needs this rehab, and we don't have this kind of money," she said.

Jackson said he heard from people who kept saying that CIB has rules and procedures to follow.

“And yeah, they do,” he said.

But at the end of the day, he said, politics played a role in the CIB's decision.

The change in tone during the meeting could be jarring at times, according to an audio recording of the hearing.

At one point, Grand County Sheriff Steve White was making a joke at his own expense when Duchesne County Commissioner and CIB member Ron Winterton abruptly changed the subject.

"Excuse me, but Grand County has not been very favorable to the counties in the fact that this money comes from mineral lease, and every time that there is a protest and people from your county comes up and try to stop that (sic)," he said. "I have a hard time really getting behind the project, that the next time something comes up, they're there to stop the (mineral lease) revenues coming in."

Carbon County Commissioner and CIB member Jae Potter expanded on that criticism by asking Tubbs a rhetorical question: Why are “you” are so opposed to mineral extraction in the county?

“And yet here you are with an open hand saying, 'Help us now at this moment in time,'" he said, adding that he is troubled by “your” stance.

"You are severely handicapping a community that has some good potential to grow, and I think you're basically thumbing your nose at the board," he said.

Adams later countered that mineral development in Grand County has actually increased, and he told the board that Tubbs, Jackson and other county officials who were present support extractive industries.

“You need to understand that they represent the people who would like to see mineral development in Grand County,” he said.

Tubbs, who later said she believes Potter was referring to Grand County as a whole, told the board that she herself is not opposed to mineral extraction.

"I am one voice," she said. "Our citizens are divided, very clearly, on those issues, and all we can do is keep on working (on them), and we are."

Jackson agreed.

“As Liz said, it's a very diverse and divided community – I would say roughly half and half, so I would hate for the citizens in Grand County who do appreciate mineral development ... to be penalized because we have a very loud and vocal other side of the political spectrum down there,” he said.

Jackson's next remarks drew some of the only laughter that arose during the hearing.

“Even though at times it appears that all of Grand County is a bunch of – I should be careful here – 'interesting characters,' there are normal people who live there still," he said. "I've probably said way too much. I'm going to sit back down.”

All of the talk about the county's alleged hostility toward mineral development may have ultimately overshadowed White's case that there is a pressing need to upgrade the jail.

The facility was last remodeled more than two decades ago. But full funding for the project was not available at the time, so it was scaled back in half, and the plans were never redesigned, he said.

Over the years, he said, inspectors and sheriff's employees have found numerous flaws at the jail, including sections of the facility that were not built up to code.

"This remodel does not meet all of our needs, but with the current crisis, we're coming under some pretty heavy safety issues and security issues in the jail," White said. "That's why we're here, because we feel like we need to push this as quickly as we can."

The upgrade would address problems with its electrical and plumbing systems, as well as major security issues and maintenance nightmares, including a roof that has leaked water down into the emergency dispatchers' room.

“We've been lucky that we haven't electrocuted somebody,” White said.

More recently, he said, the county's 911 emergency system was shut down for about 15 minutes because the backup generators did not come on.

White said the facility has tried to keep certain aspects of its security system up to date. But it's simply too expensive to continue in the same vein, he said.

“They're not a standard system,” he said. “They're out of date, and nobody will make them, so that's what we've dealt with. It's just been progressively worse issue over the years.”

Given the current state of the jail, White said that Utah officials have raised concerns about the health and safety of its inmates.

For instance, White said the jail's isolation cells pull “bad air” in, instead of pushing it out.

Utah Department of Corrections inspector-auditor James Chipp told the board that the facility is compliant with all but one of 253 measured standards, and said that local officials have been responsive to the concerns that his office identified.

"Once we brought that to the attention of the sheriff and his jail administrator, they have taken some immediate action," he said. "They understand the legal ramifications of being deliberately indifferent."

Even so, Chipp said, potential fire and life safety issues remain.

"There is potentially a serious risk of violating prisoners' constitutional rights with the current physical conditions," he said.

Adams ultimately joined McKee in urging CIB to support Grand County's plans.

"It's hard as a board member not to try to micromanage what is going on with the application, but these people will be the ones that we can trust," Adams said. "So I would encourage the board to be supportive of the project."

But Winterton appeared to mock the county's request for financial help.

"You know, there's no potable comment here," he said. "Where are the citizens saying, 'Yeah this is a great idea. Let's go beg for money from the people that we're protesting.'"