

Minutes of the Work Meeting of the Board of Commissioners, Carbon County, State of Utah, held June 17, 2015 at the Courthouse Building, Price, Utah, commencing at 3:00 p.m.

Those present: Casey Hopes, Commission Chair
Jae Potter, Commissioner
Jake Mellor, Commissioner

Also present: Seth Oveson, Clerk/Auditor
Lori Perez, Deputy Clerk
Christian Bryner, Attorney
Daniel Campbell, Roads
Tom Matthews
Jordan Leonard, Emery County Economic Developer
Ann Evans, Chamber of Commerce
Tami Ursenbach, Carbon County Economic Developer
Nick Tatton, Price City Manager
Mayor Joe Piccolo, Price City
Victoria Marchello, BEAR Project Outreach specialist

Clerk's Certificate of Compliance with Open Meeting Law was filed.

Commissioner Hopes welcomed everyone. The meeting began at 3:05 p.m.

1) **Spring Glen Cemetery ownership discussion**

Tom Matthews explained that the Spring Glen Cemetery is owned by the LDS church and contains the burial of the oldest veteran in the County (Harmon Zufelt, Indian Wars). The title to the property was held by the current bishop of the Spring Glen Ward. Tom owns the property surrounding the cemetery. The church would like the ownership of the cemetery transferred to the County and Tom is in favor of County ownership. The original plat shows his property as part of the cemetery.

Commissioner Hopes asked about the right of way and Tom explained. The road to the cemetery is a County road with a deeded right of way. The property lines are off and would need to be corrected.

Commissioner Potter has talked to Bishop Mark Morley, who said the LDS church would like to donate the cemetery to the County and have the County work with Tom to straighten out the boundaries and get the proper property descriptions. The road would need to have joint tenancy. Commissioner Potter said if the County took the property it would be up to the County to straighten out the boundary line. The upside is the responsibility to preserve the historic cemeteries and the downside is upkeep and roads. The cemetery has been sprayed and has very few weeds.

Commissioner Mellor asked about the property lines. Tom said his property corners need to be designated because one row of graves is on his property. Christian explained how the boundary agreement could be written with a quit claim to Tom for what is his property and vice versa for what is actually the cemetery.

The Commission asked that Ben Grimes be allowed to survey the cemetery in order to get the lines correct or at least go up and look at the cemetery and review what Evans did. Tom has a legal description but it was never recorded. Both Mark Morley and Jed Morley have a copy of the legal description.

Tom said that maintenance would be relatively simple as long as the County sprays for weeds occasionally. If they wanted to sterilize the ground Tom would sign a release because it would run off into a corral and not impact his property.

Commissioner Hopes asked that Ben be directed to survey the property, write up a description for the deed and then bring it back to a Commission Meeting to finalize any agreements.

Christian said the property could be accepted in one commission meeting and amending the property deeds in another as that is accomplished. Or the motion could include accepting the property, making the corrections and recording the deed all at the same time. Tom is the only other property owner involved.

Commissioner Hopes asked if we need an official letter of request from the LDS church. Jed Morley is already working on getting a formal letter from the LDS Church requesting the County receive the property. Once the documents are all received then it can be put on an agenda and the land can be formally accepted and then go forward with the boundary issues.

2) **BEAR RFP discussion**

A new proposal was brought forward by the BEAR executive board. Commissioner Hopes asked if everyone had read the proposal. Nick Tatton said he would be happy to answer any procedural questions.

Commissioner Potter said in the opening section on page 1, the RFP asks for letters from everyone and only Wellington and Price City have submitted them. These are due on Friday and he asked if the other entities involved were ready to submit letters.

Nick said letters have not ever been received from every single entity, just a sample of them. Commissioner Potter recommends that we do get these so that the application is complete. Nick can call Linda at the State Office and verify that all the letters are required.

Commissioner Potter said it also asks for letters of commitment from the BEAR team and the articulation of the role of each board member. We will need to submit these letters from each individual. Nick said he was not on the committee that prepared the response.

Commissioner Hopes noted that the first page lists certain businesses individually but not all of them. On the second page it specifies all the cities in Carbon County but not in Emery County. To make it look right we should do one or the other, list them all or generalize them all.

Mayor Piccolo was asked for his opinion and favors stating all the cities and towns and business entities in Carbon and Emery counties and business associations to have an equal opportunity to apply or participate. Then you could identify those with specific support. He believes we should be as inclusive as possible.

Commissioner Potter said that Linda's suggestion was to use the same wording throughout the document and the better and cleaner the proposal the greater the chance of getting the funding. Commissioner Potter asked Tami Ursenbach to reach out and gather the letters missing from Carbon County and have Jordan Leonard gather them from Emery County. Those in attendance noted the changes needed on page 1.

On Page 2, Commissioner Hopes said under "List BEAR team members and the roles they play and perform" the application should say all cities, municipalities in Carbon and Emery Counties or interested businesses, and take the specifics out.

The discussion continued concerning the roles of the committee for the RFP. The management group should include the economic development directors, the private business person, the executive of the ALG, the director of the small business development center, and Nick from Price City. Commissioner Potter asked how the private business individual will be chosen and is one enough. Nick said it's a matter of finding someone who is interested in volunteering, who is willing to spend the time and effort.

Commissioner Mellor said the position needs to stay flexible. It is not designated who votes for or appoints this person. Victoria Marchello explained the history of the board. Commissioner Mellor asked what if five or six people wanted to be appointed, do you keep them all or how are they eliminated. Nick said why not keep several on board. The amount of work that Karl Kraync is doing for BEAR is a lot, so you need someone who is willing to do the work.

Tami asked if the private business person is always going to be the director. Nick said Karl was willing to do it. He has been leading the meetings but currently there isn't a group to chair. The director could be anyone.

Commissioner Potter said there are specific things that the RFP requires and that is the reason for our discussion today. We need to focus on the RFP and most of the components are there. We need an MOU between the counties and the cities addressing how the group will be managed.

Nick thinks the program is operating effectively and that it is measured differently from year to year. There is not an organization on the other end of this; they are volunteers. He asked who should sign the MOU. Nick or Karl are not going to sign it. Why does it need to be signed if this is how it's going to be operated? He stated there is misinformation and ego that overrides the core element of the project. BEAR is all of us or none of us. We get out of it what we put in it.

Commissioner Hopes explained that the State has certain stipulations in order to for us to receive funds; they want accountability for the money they are giving. So somebody has to be accountable for the money. Commissioner Potter said the answer for that is in #3 on the application which says "a physical agent who will receive the funds must be designated. This agent will remain responsible for the accounting and reporting for the life of the contract unless changed through written addendum" and the way this is set up it is through the CDC. So the first letter has Mayor Piccolo's signature on it, because he is the chair of the CDC, who is the responsible party for this program. The Counties are not the applicant.

Nick said technically the CDC is the applicant. Mayor Piccolo said the board would suggest the programs, contracts or agreements that are appropriate to be signed by that facility.

Mayor Piccolo said the volunteers do not have access to the State funds. You don't want to make it so rigid that the volunteers don't want to participate. If you do you will create an excessive amount of work for the management team which may make it hard for the program to function. You want entities to be involved in a MOU but the program needs to retain its volunteerism to capture the essence of the program.

Seth said you need minimal guidelines but allow them to operate loosely. Mayor Piccolo agreed and commented that what we have is a project that is trying to mature into a program without structure.

Ann Evans from the Chamber of Commerce said if it's not broken don't fix it. If the CDC is still willing and legal according to the RFP, for this time around because of time constraints, let's put it back through the CDC and work out the issues after the application has been submitted. Going back to how many businesses should be listed, if it's going to be a joint application between the two counties, her suggestion is to invite three businesses from each county and hopefully you will get one from each who will come and volunteer their time to be there.

Commissioner Potter said the application being submitted is by the CDC and it doesn't have either County's name on it.

Commissioner Hopes said we are having this discussion because the RFP is asking for specific items to be written out. We want this in place this year so that when the next RFP comes out we are ahead of the game. Because the County has to sponsor the RFP, let's put in some of the structure so that it fits the way it's supposed to be written in the RFP. Nick said the history has set the tone on how this functions and feels that our program is operating very effectively in that regard. Nick explained some of the historical details of the program.

Commissioner Potter said because of the history with BEAR and its success and the changes the State is proposing in the RFP, they are hoping that we might become the pioneer on how to implement and perform. This is a compliment to us; that whatever we hammer out will lead the way.

Nick agrees but also thinks that the apprehensions and bruised feelings in the last thirty days have done harm to the volunteers and their willingness to put forth effort and stay on the committee. This is where we are failing. Volunteers are tired of the bickering. We have an opportunity but we have dug ourselves a bit of a hole.

Commissioner Potter said on last page in regards to outreach personal; it was decided that it should say management committee.

Concerning Elwood Staffing - Ann stated this is a payroll service not a temp service. (Clerk/Auditor Seth Oveson subsequently verified that Elwood Staffing is a temp service.) Her understanding is that these people are employees of the CDC but the payroll is handled by Elwood Staffing. Commissioner Potter needs to see

this because he doesn't want anyone in a situation where they are construed as employees of the City or County. We need to be clear. Nick said his concern is with efficiency in employing the outreach people. The core mission of the project is to go out and visit businesses and get them in touch with funding for special projects or equipment. This is to help the businesses.

Commissioner Potter said we need to see a final draft of the RFP, collect the letters and submit the application. Commissioner Hopes said this proposal was written up by Delynn Fielding. The applicant is the CDC's, but who should complete and submit it. It has to be in by Friday.

The discussion concluded and it was decided that Tami Ursebach and Jordan Leonard would work together to make the changes and submit it by Friday.

The meeting adjourned at 4:30 p.m.

ATTEST:


Seth Oveson, County Clerk/Auditor


Casey Hopes, Chairman