

Minutes of the Commission Meeting of the Board of Commissioners, Carbon County, State of Utah, held June 17, 2015 at the Courthouse Building, Price, Utah, commencing at 4:30 p.m.

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

Also present: Seth Oveson, Clerk/Auditor
Lori Perez, Deputy Clerk
Sandy Lehman, Commission Secretary
Jeff Wood, Sheriff
Christian Bryner, Attorney
Rose Barnes, HR
Alma Fister, Assessors Office

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

Commissioner Hopes welcomed everyone and led the Pledge of Allegiance. The meeting began at 4:35 p.m.

Commissioner Potter made a motion to convene as the Carbon County Municipal Building Authority. Commissioner Mellor seconded. Motion carried.

1) **Convene as Carbon County Municipal Building Authority**

A. **Open Sealed bids for the Nine Mile Canyon – Ph II – Bridges and Salt Shed project**

Four bids were received:

Gerber Construction	\$2,854,766	All documents in order
Wadsworth Brothers	\$2,841,522	All documents in order
Dry Creek Structures LLC	\$3,138,213	All documents in order
COP Construction	\$3,248,135	All documents in order

Commissioner Potter made a motion to acknowledge all the bids and refer them to Curtis Page and Jones and DeMille for review, to determine the low bid and award it. It was noted that Wadsworth is the lowest bid received. Commissioner Mellor seconded. Motion carried.

B. **Adjourn as Municipal Building Authority – Reconvene as Board of Commissioners**

Commissioner Potter made a motion to adjourn as the Municipal Building Authority and reconvene as the Board of Commissioners. Commissioner Mellor seconded. Motion carried.

Commissioner Potter made a motion to acknowledge the MBA directive and move forward in regards to the Nine Mile project. Commissioner Mellor seconded. Motion carried.

2) **Present Retirement Plaque to Alma Fister**

Rose presented Alma Fister with a retirement plaque and said this is an honor and bitter sweet at the same time. Alma always has a smile on her face and is kind and considerate. She has been a good employee and is retiring in order to follow her passion in another career. She will be missed.

The Commissioners thanked her for her years of service.

3) **Approval of Minutes**

Commissioner Mellor made a motion to approve the minutes from the May 20, 2015 Commissioner Meeting with the following corrections. Page 3, Item 10 change "in" to "it" on file and on Page 5, Item 15 half way down change "leveling" to "levying" the tax. Commissioner Potter seconded. Motion carried.

4) **Four Corners Community Behavioral Health, Inc FY 2016 Area Plan – Karen Dolan**

Karen Dolan and Carrie Cunningham presented the Four Corners Community Behavioral Area plan for 2016 that has been approved by the board of trustees. This is Four Corners grant for the year and pays for the services they provide. The interlocal agreement states that every commissioner in all three counties has to sign off on the plan. She is here to answer any questions.

Commissioner Potter asked about the funding, what it means to our community and those who receive the services. Karen explained that the counties are the local authorities for the safety net services. Each county puts in a percentage based on population and that money is matched with Federal and State funds which pay for therapist, doctors and nurses. They also provide housing, five drug courts, substance abuse services and twenty-four hour a day crisis service.

Commissioner Mellor sits on this board and said that Karen works hard informing the communities.

Commissioner Mellor made a motion to approve the 2016 area plan for Four Corners Community Behavioral Health Inc., Commissioner Potter seconded. Motion carried.

5) **Public Hearing to consider and possibly approve a recommendation from the Planning Commission for a change to the zoning district for Dale King, from RR-2.5 to I-1, Parcel #2-2205-5, located on Ridge Road**

Dave Levanger said Mr. King is currently operating the old saw mill on Ridge Road and would like to move his log mill to a new parcel further west and on the other side of the road near the Carbon Canal. The adjacent property owners have been notified of this zone change to light industrial use. The access has been approved by Daniel Campbell and Curtis Page and everything is in order. This zone change received a positive recommendation from the Planning Commission and has been advertised.

Commissioner Hopes opened the public hearing at 4:55 p.m. Seeing no action, the public hearing was closed at 4:56 p.m.

Commissioner Potter made a motion to approve the rezoning of Parcel #2-2205-5 from RR-2.5 to I-1. Commissioner Mellor seconded. Motion carried.

6) **Discussion concerning soccer fields**

Dr. Matt Brady representing the Price Youth Soccer said they are here to discuss the construction of new soccer fields. In conjunction with Carbon County Rec, they are having a hard time finding fields to play on due to the increased popularity of soccer. They feel that the time is at hand where sport fields are needed. His group feels that the Fairgrounds would be a better place for a three field complex. It also became apparent that the Special Service District is in favor of the Fairgrounds location. They are looking for support from the County.

This would also be beneficial for the College in order to attract collegiate games. There are now over 500 kids playing soccer in our area. There are seven teams enrolled in competitive programs who are participating in leagues. Hosting games here is hard because existing fields are not in the best shape. The increasing popularity is creating better players.

Commissioner Potter is in favor of new soccer fields and his first interest is to build fields at the College on the old Durrant property. A twenty year lease is in place and the College is willing to extend that for a longer period of time. This property could contain two full size fields; the College is changing the old football/track field to a full size regulation field and there is the practice field at the high school which could be improved. This would give you four fields in close proximity to the center of town. These fields could facilitate nine junior fields and the opportunity for four full fields for the growing college, high school and youth programs. The College has an interest in the fields and the community's needs. The College is willing to take on the responsibility of operation and maintenance of the fields. The County would help maintain the restrooms, storage and irrigation system.

Commissioner Mellor asked if the Special Service District refuses to fund the project at the College then would it be important to settle for the Fairgrounds or do we continue to work with the Special Service

District and try to fund at the College location or find different funding. The need is now and finding another funding source will take time.

Matt Brady said that concerning locations - the College is a great location but the Fairground could be a good location as well. The downside at the College is the Durrant field is in a residential neighborhood and games could run late and the lights may be a bother. There will be an increase in children walking around the traffic could increase. The site at the Fairgrounds is more open. Tournaments can be costly to attend and having the benefit of camping right in the parking area at the Fairgrounds would be beneficial.

Matt questioned the contract length with the College. The contract is for a 20 year lease but if the College decides to move in a different direction they can assume that facility within ten years.

Commissioner Hopes said it is also a guaranteed ten years and if the College decides to take the property back, there is a payout of a prorated amount. Matt said the second issue is the scheduling of the fields. The College has a ninety day right to schedule the fields. The youth programs may know their schedule six months in advance but the contract says if you schedule more than ninety days in advance a schedule has to be submitted to the College for approval. The scheduling would be done through the College. He believes building at the Fairgrounds would give the community more say in the scheduling. Both are great locations. He thinks three grass fields at the Fairgrounds and a couple of turf fields in the middle of town would work. He is willing to serve on a committee to make something happen, involving the county, cities and college. There are soccer grants. He wants to see the Fairground's project go through because it is ready and the fields would be ready next year.

Commissioner Potter asked about the conflict of scheduling at the College. Matt said the events all run at the same time. The College is willing to work with everyone. But ultimately the College would decide what happens. Commissioner Potter said practice at the College is in the early afternoon and most of the community programs are later on. Any collegiate play would be scheduled a year in advance. So conflicts are minimized.

Frank Ori said he has worked with the College in scheduling fields and they have been supportive in everything that Carbon County Rec does. He is not worried about scheduling problems with the College.

Commissioner Mellor said the current contract with the College is still negotiable. He suggested organizing a committee with representation from Price City, Carbon County, PYSA and other groups to do a short survey to see what the communities think of the options.

Coach Amber Smith represents the high school soccer team. This summer they have no fields to play on. They have used Castle Valley Center and Creekview's fields but there are conflicts with PYSA. She asked when the new fields could be ready. Commissioner Hopes said it could be a year before anything is completed. She explained her schedule and the issues involved.

Gary Baker attended a school board meeting and the update on the school fields. The Durrant field can be used for future growth of the College. The Spring Glen School needs to be torn down and would fit two fields. He suggested moving the Sheriff's Posse from the Toy Atwood Baseball complex to the Fairgrounds and build soccer fields near these baseball fields. He also suggested leveling the property around the High School to make room for more fields. The grassy areas at the Fairgrounds could be leveled and completed this season.

Jeremy Humes said his family spends a lot of time on soccer fields. His oldest son is on a competitive team and their home field is in Spanish Fork because teams won't come to Price to play. He would rather have them come here to our community then have to travel to Spanish Fork. He would like to see events hosted here so people can see what our community has to offer. He feels both the Fairgrounds and the Durrant property should be utilized. It would be great to have tournaments here in nice facilities.

Commissioner Hopes thanked everyone for their comments. He said there is a need for multiple types of fields and this discussion should not just be centered on the County but should give notice to the cities and School District to maintain their fields so everyone has access to them. The fields we have need to be usable. We need to bring people to our community. It takes an entire community to host a tournament on all kinds of fields. The Commission will take all of the comments into advisement.

7) **Consideration and possible approval of ASCAP License – Christian Bryner**

Christian said this contract allows county facilities to play music that is licensed through ASCAP. If music is going to be played this license needs to be in place for copyright purposes. The cost is \$335.00 and if an event grosses over \$25,000 there is an additional royalty fee. Christian recommends this license so that we are not in copyright violation. This particle agreement applies to governmental entities. Commissioner Potter asked if it would also cover our cities. Christian thinks the cities would have to have their own agreement.

Commissioner Potter made a motion to approve the ASCAP License, Commissioner Mellor seconded. Motion carried.

8) **Review and possible approval of a copyright purchase agreement for promotional videos produced for Carbon County Tourism Department**

Christian said in the past a videographer, Mr. Maughan, was hired to produce videos for the County that highlighted our venues. Shalee would like to purchase the copyright to these videos. There are fourteen different videos and Mr. Maughan is asking for \$300 per video. The Office of Tourism could then use them any way they wanted and have the right to control who could use them in the future. Christian has drawn up a very broad copyright transfer agreement with Mr. Maughan.

Commissioner Hopes asked that in the future we buy everything up front so that it doesn't come back to the Commission. He would like the County to own all of it, in the end.

The discussion continued concerning what the grant would cover and the current cost to do this type of video.

Commissioner Potter made motion to accept the agreement for the purchase of the copyright and raw footage of the promotional videos. Commissioner Mellor seconded. Motion carried.

9) **Grant update: Search and Rescue ConocoPhillips grant application GPS Units – Jason Llewelyn**

Jason Llewelyn, Emergency Services and Kyle Fox, Commander of Search and Rescue presented. This grant is through Conoco Phillips and is a non-matching noncontributory grant. It funds up to \$7,000 to purchase items for Search and Rescue based on a means assessment. Commander Fox would like to purchase GPS units to replace the aging hand held units each member of Search and Rescue is sent out in the field with.

Jason explained that the matching funding does not come from Carbon County but from donations received through Search and Rescue even though Carbon County is the facilitator.

They have not decided on which GPS units to purchase but will make sure they integrate with GIS. Jason and Kyle are asking for permission to apply for this grant. Permission was given.

10) **Review and approval of letter from County Commissioners to Utah Congressional Delegation urging a funding moratorium on greater sage-grouse amendments and modifications to Federal resource management plans**

Christian said this is a letter drafted by Mark Ward asking Congress to not fund the new sage-grouse regulations. He also thanks Congress for protecting the State of Utah from unilateral action on sage-grouse issues. This is endorsed by UAC.

Commissioner Potter made a motion to approve the letter as a policy of the County urging a moratorium on the greater sage-grouse proposal and to send the letter to the Utah Congressional Delegation. Commissioner Mellor seconded. Motion carried.

11) **Agreement with Castleview Hospital for payment of wireless service for use of Carbon County Ambulance**

Christian said this agreement provides the Carbon County ambulance with a wireless service so that they can transmit and receive patient information while in route to the hospital.

This payment is different from the past; the hospital now wants to pay the cellular service bill directly to the provider. This agreement says we will send the bill to the hospital and they will pay the bill each month to the provider. Commissioner Hopes said this will provide better service for the patient being transported.

Commissioner Potter made a motion to approve the payment of the wireless service, Commissioner Mellor seconded. Motion carried.

12) **Interlocal Agreement for Ambulance Mutual Aid – D. Marrelli, C. Bryner**

Christian said state regulations require county entities that have exclusive geographic service areas to enter into and sign a mutual aid agreement with neighboring counties and jurisdictions. This agreement says if one county needs aid because of geography, one county can call another county to respond. No county is required to send more aid than they can without putting their own county in danger. This agreement can be signed by all bordering agencies including East Carbon/Sunnyside's ambulance and North Sanpete. Each ambulance service can bill for the service it provides within another county and can seek insurance proceeds for reimbursements. Each county's ambulance service will pay its own costs in providing the service.

Don Marrelli said this mutual aid agreement is a statewide agreement. If Carbon County responds to an adjoining county we agree to pay all costs but we are able to bill as if they were in our county. It is the same if another county responds in our county. We can only respond if we are invited in by the neighboring county.

Commissioner Hopes asked if this will put our employees in a dangerous situation by being under a different jurisdiction. Don said this would fall under the unified command, the same as in any emergency where you would respond to a staging area. Christian further explained by reading paragraph four which says "shall operate under its own established and contracted medical control protocols".

Commissioner Mellor made a motion to approve the Mutual Aid Agreement. Commissioner Potter seconded. Motion carried.

Commissioner Hopes clarified that if the other counties are not in agreement it will be brought back to the Commission.

13) **Approval of Utah State Retirement Systems new rate change as of July 1, 2015 through June 30, 2016 – S. Oveson**

Seth presented the rates for the 2014-15 Utah State Retirement Systems in comparison to the new rates for 2015-16 year.

Commissioner Potter made motion to approve the new rate. Commissioner Mellor seconded. Motion carried.

14) **Acknowledgement of Bailiff Services Agreement between 7th District Court and Charles Watkins**

Christian said Charles Watkins has been the bailiff for 7th District Court for many years. He is not an employee of the Sheriff's office. This document acknowledges that Charles will provide bailiff services and that the County has no objections or concerns with him doing that. He is a private contractor but wears the County uniform.

Commissioner Potter made a motion to approve this agreement between 7th District Court and Charles Watkins for Bailiff Services, Commissioner Mellor seconded. Motion carried.

15) **Agreement with Administrative Office of the Courts (AOC) to provide Bailiff and Security Services to Carbon county Seventh district and Juvenile Courts**

Christian said this contract is approved every year to allow the Sheriff's office to provide bailiff and security services to 7th District Court. One change was made on attachment B paragraph D which says "the county recognizes that the AOC will be executing the individual service contracts directly with county approved providers who will assist with the statutory responsibilities" this is in direct reference to the agenda item previously approved.

Commissioner Potter made a motion to approve the agreement for Bailiff and Security Services to 7th District Court, Commissioner Mellor seconded. Motion carried.

16) **Consideration and possible approval of Capital Project Administration MOU with State of Utah for new District and Juvenile court Complex project**

Christian said that the AOC requested that we enter into a Memorandum of Understanding with them in regards to constructing a new District and Juvenile Court building. They are contemplating that the Division of Facilities Construction and Management would be in charge, oversee and supervise the construction of the building and DFCM would coordinate with the County and the Administrative Office of the Courts with respect to the construction.

Christian understands that the County would be building, owning and leasing the complex to the AOC. The County would own the building. DCFM would approve the plans, change orders and keep the County informed.

Barry said we do have County employees in these buildings 90% of the time, who would connect to county resources via the computer network. For the Attorney's paperless project, it would be beneficial to have a direct connection to our network. Barry would need to have the ability to connect our network into the building.

Seth said it would make sense to put in a server room or other communication in order to make the process work better. This is something we need in place in the MOU.

Commissioner Hopes asked if anything needed to be added. Commissioner Potter sees a need for our input. They are looking to build a two story, four courtroom building on the site of the old County administration building. DCFM has built other buildings and knows what and how to build. They are looking at a cost of 8 to 10 million dollars. Commissioner Potter has mixed feelings as far as continuing to own the building or being free of it. The net cost to the citizens is zero because it is paid for by the State of Utah. DFCM is highly qualified to save the County money in the long run. They want to begin building by spring. Commissioner Potter thinks they should pick the architect, manage and build the project.

Christian said we could put something in that this is subject to further discussion. We should be notified of change orders and construction change directives and the right to sign off on the final plan. We simply say everything else would be at the direction of DCFM.

Commissioner Potter asked that the contract be modified and then brought back to the next Commission meeting. Christian said he could have it ready by the next meeting with these recommendations. Seth is listed as the county representative because he will be processing all of the financial information. He will keep track of the change orders.

Commissioner Potter made a motion to table this and send it back to Christian to make the changes discussed in regards to potential space, communications, approval of the final plans and bring it back to the next meeting. Commissioner Mellor seconded. Motion carried

17) **Agreement with Administrative Office of the Courts for CORIS and database access by Carbon County Justice Court**

Christian said the Administrative Office of the Courts has a data base where they keep their records and files. This agreement provides access to this database. It will allow the County system to communicate with CORIS so that we can take on-line and credit card payments. Barry said it opens a door into the database by

using web service communications. It allows submitting these web services to a third party who will handle the credit card transactions. The transaction is automatically credited to a case so that any associated fees can be recognized by the court.

Commissioner Potter made a motion to approve the agreement with the Administrative Office of the Courts for CORIS and database access. Commissioner Mellor seconded. Motion carried.

18) Rotate Chair position to Commissioner Jake Mellor

Commissioner Potter made a motion to rotate the chair to Commissioner Mellor effective July 1, 2015. Commissioner Hopes stepped down and seconded. Motion carried.

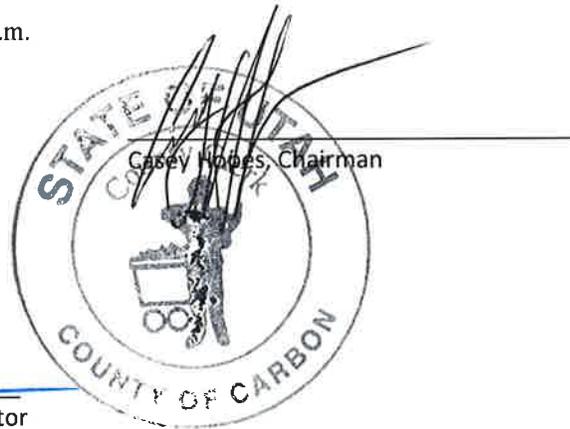
19) Review and approval of County Warrant Edit Reports

Commissioner Potter made a motion to adjourn. Commissioner Mellor seconded. Motion carried.

Meeting adjourned at 6:25 p.m.

ATTEST:


Seth Oveson, County Clerk/Auditor



Casey Hopes, Chairman

