

Minutes of the Commission Meeting of the Board of Commissioners, Carbon County, State of Utah, held January 6, 2016 at the Courthouse Building, Price, Utah, commencing at 4:30 p.m.

Those present: Jae Potter, Commission Chair
 Casey Hopes, 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

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

Commissioner Potter welcomed everyone and Scout Gideon Wilkinson led the Pledge of Allegiance. The meeting began at 4:30 p.m.

1) County Employee of the Month Award – Rose Barnes

Rose Barnes presented Janice Drolc as Employee of the Month. Janice has worked for the County for thirty-six years, three years in the Clerk's Office and thirty-three years at the Sheriff's Office. She is well deserving of this award. Sheriff Jeff Wood said Janice started in November of 1979. She is a key employee at the sheriff's office; she keeps the office running smoothly and makes it fun, she is very knowledgeable and is a great employee. The Commissioners thanked her.

Commissioner Potter reminded everyone that this meeting needs to end by 5:20 p.m. so that the Commissioners can get to the public hearing in Wellington concerning the Price River Terminal.

2) Parents Empowered Presentation

Tiffany Van Sickle is the prevention coordinator for Four Corners Community Behavioral Health. She brought information to the Commission concerning the Parents Empowered program, which is a statewide campaign funded through the Utah Division of Alcohol and Beverage Control for underage drinking prevention. There is a \$10,000 grant that will be available in the spring to community coalitions. Tiffany handed out brochures and goodie bags to the Commission.

Commissioner Potter asked where to refer people for more information. Tiffany said to her at Four Corners or the website: www.parentsempowered.org. They will also be partnering with USU Eastern to host a parent night on Monday evening at the Event Center to discuss and promote positive mental health. The information is also available on Four Corner's Facebook page or contact Four Corners directly.

3) Discussion and possible approval of a motion to have Tami Ursenbach, Carbon County Economic Development Director, create an informal economic development committee for the purpose of making recommendations to the County's Economic Development Department.

Tami said the purpose of this committee is to bring businesses and other organizations together to discuss the different needs of our community whether it be marketing, networking, finding new businesses, looking at infrastructure and promoting international trade. One concern mentioned is job training and retraining displaced workers. Commissioner Potter clarified that this would be an ad hoc committee by invitation with no terms.

Christian said this would not be a public body, it would not be a group that would be required to have open and public meetings, it can be filled by invitation, members can come and go as needed and technically they would not report to the Commission but to Tami and Tami could then bring the best of the ideas to the Commission. This would give her a flexible sounding board rather than a formal body. Commissioner Potter said it would be a good way to communicate with what is going on in the community.

Commissioner Hopes made a motion to approve the creation of an informal economic development committee for the purpose of developing County government plans. Commissioner Mellor seconded. Motion carried.

4) **Review and approval of Assignment Order to Jones & DeMille Engineering for Soccer Field project.**

Christian explained that we signed a general agreement with Jones & DeMille a couple of years ago for favorable terms with respect to contracts. The assignment order is an agreement that says we are going to use Jones & DeMille pursuant to the terms of the contract in place. The assignment order sets out the scope of the work to be done and invokes the terms of the general agreement.

Commissioner Potter asked about other engineering options using the sprinkling system at the Senior Center as an example. Christian said he could write language as an addendum simply stating that value added contracts will be considered with vendors who can provide that service and make it an addendum to the assignment order.

Commissioner Potter said they would need approval from the commissioners concerning the steps before they do any work. Christian said that could be included and make it contingent.

Commissioner Mellor made a motion to approve, subject to those conditions mentioned. Commissioner Hopes seconded. Motion carried.

5) **Continuation of Public Hearing to consider written protests filed and to hear all comments and objections relating to proposed improvements of a roadway which includes pavement of the Hilltop Road from the end of the current pavement around West Gordon Creek Road to the end of Hilltop Road and also regarding the creation of a Special Tax Assessment Area to be known as Carbon County, Utah Special Tax Assessment Area No. 2015-1 (Hill Subdivision).**

Commissioner Potter said over a month ago a public hearing was opened and comments were heard in regards to this project. At that time specific directions were given for the information needed before the Commission can act. The information is not gathered at this point and the Commission should consider continuing the public hearing for another thirty days until the first meeting in February.

Gina Gagon said at the meeting a month ago there was a list of items given to the Homeowners Association. The priority item was the new information presented by Price River Water Improvement District for the need of a three foot leeway between their water line and the edge of the pavement. The Association has done a lot of work but it is not completed yet. They have a letter from PRWID that was sent to Curtis Page on December 7 to provide clarification. They took that letter and did some additional work with Johansen & Tuttle and laid out the waterline. They did identify some areas where it will be difficult to give PRWID what they requested, primarily along the hill, because of the drop off on the south side. Gina met with Jeff Richens today and he said there is room for compromise in areas where this is an issue. Time is needed to work this out and be approved by the PRWID board. The Association is asking for a 90 days continuation but they may be back earlier.

Commissioner Potter said it's in the best interest of the property owners to have all the information up front. He asked Christian if this is a problem to set the date so far out. Christian said you could extend the public hearing indefinitely or until they are ready.

Commissioner Hopes made a motion to extend the public hearing until all of the information is gathered and brought back to the Commission. The public hearing can be finalized at that time. Commissioner Hopes amended his motion to address this at the first meeting in April 2016 with the option to move that date forward or backward as needed. Commissioner Mellor seconded. Motion carried.

6) **Appointments to fill vacancies on County Boards and Committees and Confirmation of Housing Authority Board.**

Commissioner Potter said these vacancies were re-advertised in December.

Board of Adjustments – There were four vacancies and two applications received. Commissioner Hopes made a motion to appoint Cheryl Lupo and Norm Hansen to this board and advertise again for the two remaining positions. Commissioner Mellor seconded. Motion carried.

Water Conservation District – Commissioner Mellor made a motion to appoint Roger Koss to this board, Commissioner Hopes seconded. Motion carried.

Scofield Special Service District – no one has applied.

Sheriff Merit Board – This board needs one more member and will be re-advertised.

Tourism Tax Advisory Board – This board needs one more board member from the industry. The Commission received an email from Jana Olson who owns Sherald's but it came in after the deadline, she does qualify for the board. Christian said since she was the only applicant there is no harm to appoint her and waive the deadline under the circumstances. Commissioner Potter asked if two others can be appointed from the other applications received who are not from the industry which would complete this board. The other applicants are: Rick Shaw, Nick Tatton, Jim Boyd, Dan Allen, Jennifer Jenson, and Rhonda Peterson who are not from the industry. Commissioner Potter said we could appoint two and appoint the others at the next meeting.

Commissioner Hopes said he talked to Shalee who would like to get more people from industry in order to create a larger board. Commissioner Potter said if we did not appoint the others and ask for additional applications from those in the industry could we advertise again and appoint then? Christian said that would be okay to do.

Commissioner Mellor made a motion to accept Jana Olson from industry and Jennifer Jenson and Nick Tatton from the non-industry. Commissioner Hopes seconded. Motion carried.

Commissioner Potter said we would advertise again specifically for industry people in order to expand the board.

Weed Board – There are four vacancies and no applications were received. This will need to be advertised again.

Housing Authority of Carbon County – Christian looked at statute 35A-A-404 Section 2 which says that commissioners first appointed shall serve for terms of 1, 2, 3, 4, 5 years respectively from the date of their appointment. Then it says after the first commissioners are appointed, commissioners are appointed for a term of office of four years. Christian said we were supplied with a list of six names that are currently on the board. Our records do not reflect that they were ever appointed by the County Commission. Statute says that the housing authority should be a body politic to be appointed by the County Commissioners. We want to make sure that this is completed correctly. The records kept by the Housing Authority indicate that they have six members on the board right now, four of these members were appointed in 2012 to serve through 2017. Since they are not original commissioners, they can't serve a full five years. We are not in compliance with the statute, and Christian contemplates that we are going to be appointing a new housing authority commissioner every year. That is how it is supposed to run. Christian suggests that the Commission reopen the board and reconstitute it from the beginning and appoint commissioners to serve 1, 2, 3, 4, 5 years so we get back on track and follow the statute. Currently they have six members and they must have no less than five members and no more than seven. Christian recommends that the Commission decides how many members to have on the board and stagger those terms. Then all positions are opened up and applications can be accepted right now.

Commissioner Mellor made a motion to publicize the five positions and open them for applications and that the positions are dissolved and recreated. Commissioner Hopes seconded. Motion carried.

Commissioner Potter clarified that we will appoint 1, 2, 3, 4, 5 year terms with a four year term appointed after each of those going forward which would give us the rotation of one a year.

- 7) **Approval of Carbon County making an unsecured loan to the Carbon County Economic Development Agency in the amount of approximately \$250,000 for the purpose of facilitating development within the County and for the purchase of property within the proposed Price River Terminal Community Development Project Area.**

Seth said this is to facilitate a purchase of property. When transferring money from one fund to another, it requires public notice but not a public hearing. The repayment would come from tax increment from the proposed project area which would repay the County instead of obtaining the money from another source. We would repay the County so it would come out of Fund 21 and back into Fund 10. It will facilitate the purchase of property in the proposed project area. It does require a motion and approval.

Commissioner Hopes thinks this is a good opportunity for development in our County and made a motion to approve the transfer of funds from Carbon County to Carbon County Economic Development Agency in the amount up to \$250,000. Commissioner Mellor seconded. Motion carried.

8) **Consideration and possible approval of an agreement with East Carbon City for the contribution of operating costs by East Carbon City for the East Carbon Senior Center.**

Commissioner Hopes said there were changes made at the Senior Centers in the County. Not all are favorable but necessary because of budget constraints that we are facing this year. The Senior Centers went to a four day operating system for Price and East Carbon was going to a three day operating system with the fourth day being bused to Price. When East Carbon City was approached with this proposal, they had some questions and problems with that decision. East Carbon came up with solutions in order to keep the East Carbon Senior Center open four days a week and the fifth day open but not serving a hot meal. This will allow them to have five days a week use at the East Carbon Senior Center. East Carbon City is proposing to pay for employees and meals for the 4th day.

Commissioner Hopes made a motion to approve the contract with East Carbon City. Commissioner Potter accepted the motion but wanted the Meals on Wheels program addressed. Commissioner Hopes said there are two aspects involved at senior centers; the first is the meals which are served at the center or delivered to the homebound. These meals will still be delivered to the homebound to cover seven days a week. This is unchanged at both centers. The other aspect of the Senior Program is socialization which allows for those who are living at home alone an opportunity to come to the Senior Centers for visiting, playing games, tying quilts, doing crafts or playing pool. These activities are funded with the help of East Carbon City and Price City.

Commissioner Potter clarified that the motion to approve the contract with East Carbon is for \$51,000 a year paid in monthly payments to the County. The employees would still be employed by the County even though East Carbon City is contributing.

Commissioner Mellor seconded. Motion carried.

Commissioner Potter thanked Mayor Parsons for being in attendance and stated that very few Federal dollars go towards Senior Programs and the County's budget is over a million dollars for senior services.

9) **Review and Approval of Departmental Reports**

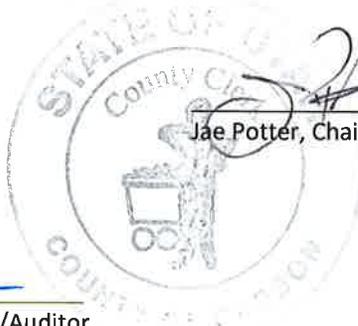
10) **Possible Closed Session to discuss the character, professional competence, or physical or mental health of an individual pursuant to U.C.A. §52-4-205.**

Commissioner Hopes made a motion to go into closed session. Commissioner Mellor seconded. Motion carried. The Commission retired to closed session at 5:06 p.m.

Commissioner Hopes made a motion leave the closed session and to resolve the issue as proposed in the closed session. Commissioner Mellor seconded. Motion carried.

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

The meeting ended at 5:30 p.m.

The seal of Carbon County, Utah, is circular and features a central figure holding a scale of justice. The text "STATE OF UTAH" is at the top, "County of Carbon" is in the middle, and "COUNTY OF CARBON" is at the bottom. A signature is written over the seal.

Jae Potter, Chairman

ATTEST:



Seth Oveson, County Clerk/Auditor