

Minutes of the Commission Meeting of the Board of Commissioners, Carbon County, State of Utah, held Wednesday, December 18, 2024 in the Commission Room of the Administration Building, Price, Utah, commencing at 4:30 p.m.

Those present: Casey Hopes, Commission Chair
Tony Martines, Commissioner
Larry Jensen, Commissioner

Also present: Lyn Hansen, Deputy Attorney
Geni Hawk, Commission Secretary
Seth Marsing, Clerk/Auditor
Lori Perez, Chief Deputy Clerk
Kellie Payne, HR Director
Adam Cox, Deputy Sheriff

Commissioner Hopes said there are two issues we need to address before we get into the agenda. The first is notification that vandals at the ice-skating pond are throwing rocks out on the ice which causes us to close the ice rink in order to clear rocks and reset the ice. This increases the cost, time, energy and effort to fix. If you know who is doing this, please tell them to stop. It is ruining the opportunity for everyone else and it is not fair that a handful of people are ruining this activity. We only have a limited time to have an ice rink. If this is you, please stop for the benefit of everyone else.

On a lighter note, Randy Edwards was invited to the microphone. Randy said they would like to honor the services provided to our veterans in our community. The Patriot Award is given by the Secretary of Defense. The National Guard and Reserve do 50% of all of the missions throughout the world. Without the Guard and Reserve, we would not be able to do active duty missions. We want to thank our employers, supervisors and directors for their support of our veterans when they are on active duty. We understand that HR Director, Kellie Payne wrote a special policy for Carbon County just for veterans so that they have more time to provide their services and get the needed training.

Randy said on behalf of the Office of the Secretary of Defense and from the Department of Defense we would like to present Patriot Awards to Carbon County Employees, Kellie Payne, Human Resource Director, and Jail Commander, Adam Cox, and to Sheriff Jeff Wood and Deputy Sheriff Cletis Steele who were not in attendance. The Patriot Awards were awarded and the commissioners thanked Randy for his presentation.

1) Approval of Minutes

Commissioner Jensen made a motion to approve the December 4, 2024 Commission Meeting minutes. Commissioner Martines seconded. Motion carried

2) Consideration and possible approval of the Memorandum of Understanding for the Property Lease and Testing Agreement between Carbon County and Clean Development International – Shanny Wilson

Shanny said the County just purchased property on Ridge Road and as a part of that we have been working with Clean Development International who want to move onto 40 acres of property. They would like to lease the property to begin with and maybe purchase it down the road. They are ready to move in and would like to start doing some land prep and research to make sure that it complies with what they need. This is what this MOU is about, it is a nonbinding agreement to allow them to go onto the property.

Commissioner Jensen said there are several parts to this including environment clearances and testing the soils to see how much bearing capacities they have. Shanny said this allows them 30 days to get this done.

Commissioner Martines said he has no questions and it is exciting to see the interest in the property. Commissioner Martines made a motion to approve the Memorandum of Understanding for the property lease and testing agreement between Carbon County and Clean Development International. Commissioner Jensen seconded. Motion carried.

3) **Review and possible approval of Colvita Creative Scope of Work for 2025 – Tina Grange**

Commissioner Hopes said the budget for this is a little larger than last year but in reality, it is not. Last year we paid Colvita \$70,000 and this year we will pay them \$83,000. But some of the grant money is from the Utah Office of Tourism and County match funds we receive from TRT and Restaurant tax. Colvita will be managing all of that for us and do all of our media purchases and advertising for the County. This will remove a lot of back and forth exchanges of invoices and we will still be able to track it. They will manage paying all of the media bites and other things we do through them.

Tina said this just came to our attention right before the meeting. She recalculated the total scope of work and found some discrepancies. She is requesting that if this is approved we do not sign this copy because in some of the areas the fees are listed as a monthly fee when it is actually an annual fee. It is correct in some places on the document. She has reached out to Colvita and has asked them to make these corrections in the final version.

Commissioner Jensen made a motion to approve the agreement between Colvita Creative Scope of Work and Carbon County with the corrected changes that were recommended. Commissioner Martines seconded. Motion carried.

4) **Consideration and possible approval of the Memorandum of Understanding for the Utah State University Extension and Carbon County – Steve Price**

Steve said the Extension Office is the public service side of Utah State University. Every county in the State has an extension office to improve lives and knowledge of the people being served. This can be anything from helping farmers, gardeners, teaching workshops for cooking for low income, for people with diabetes etc. The Memorandum of Understanding codifies this association. We have had a multi-year agreement in the past but moving forward the County felt that it would be good to have an annual MOU. Which is what they are here to do.

Commissioner Martines said one of the previous terms was 50 years which is uncommon for a contract. Steve said he hopes the annual MOU works for everyone. Commissioner Jensen said the Extension Office is a critical part of the community and we appreciate them. There is no reason to not continue. Commissioner Martines said it is a needed service and they do a great job.

Commissioner Martines made a motion to approve the Memorandum of Understanding with Utah State University Extension and Carbon County. Commissioner Jensen seconded. Motion carried.

5) **Consideration and possible approval of Ordinance 582 the annual updates to the Carbon County Development Code – Todd Thorne**

Todd said annually we do updates to the development code. This year there are bigger updates that the State requires in division changes.

There are no updates in Section 1-4 and in Section 5 there is a slight change in conditional uses. When the planning commission or Todd issues a conditional use permit that needs an extension, it goes to the designated land use authority who issued the conditional use permit for that extension.

Section 6 is the Subdivision section and this is where there are significant changes. One of the biggest changes is that the legislative bodies, such as the commission or the city council, cannot approve subdivisions anymore, the State took that ability away. The process now is that it can be preliminarily reviewed by the Planning Commission but they cannot approve it. Todd is designated as the final approval for subdivisions now. The State took away the option to have a concept approval. There are only two steps now – the preliminary and the final approval. Within that process there are four review cycles that are allowed. The Planning Commission can review it after the forth one if they do not have everything in there. The developer may move forward. This is because there have been issues with developers and planning commissions reviewing it and making changes and taking too long to get the subdivision to go through. These are the biggest changes. We have made these updates so we are compliant with city code.

There were no changes in Sections 7 and 8. In Section 9 they added a definition for substantial action. There were no changes in Sections 10 or 11. There is one change to our engineering, design and construction standards. There are issues when doing road construction where some utilities are not deep enough. Most utilities have a requirement on how deep they are. In certain cases, there is no requirement so we added that they have to be a minimum of 24" below finished grade so we do not run into any other conflicts. This is a back up in case the utility did not have any depth requirements. Todd said these are the changes to our development code for the year.

Commissioner Jensen said he appreciates Todd, the Planning Commission and the staff. A lot goes on behind the scenes and you all work really hard.

Commissioner Martines said in Section 6, will a developer need to bring that to Planning and Zoning or just to the director? How does the process work? Todd said they will bring in their preliminary application. We define when the preliminary application is 90% complete. They bring that to the Planning Commission, and the Planning Commission will review it with all of the standards and make comments. Once all of the changes are made then the last final 10%, which is usually the bonding or maybe the drainage/hydrology things that has to be fine-tuned, then it will go to Todd. This is where it will stop and it will no longer be finalized in Planning and Zoning.

Commissioner Jensen made a motion to approve Ordinance 582, the Annual Updates to the Carbon County Development Code. Commissioner Martines seconded. Motion carried.

6) **Consideration and possible approval to apply for the Utah Outdoor Community Parks and Recreation Grant – Geri Gamber**

Geri Gamber from SERDA said the Community Parks and Recreation has a brand-new grant which is called the Utah Outdoor Community Parks and Recreation grant and which opens on January 13. This is an opportunity to get funding for shade structures at the ball fields. If approved this will be a highly competitive grant. They are here asking for approval to apply for this grant.

Commissioner Martines said these shade structures are also for the safety of the spectators from foul balls. Geri said they are applying for \$200,000 and there is a 20% match.

Commissioner Martines said there are others who want to participate in the upgrades. If this is approved we could ask them for help as well. Geri said it covers so much and we may not receive it every year but this is a start. Geri expressed her gratitude to the commission for their help.

Commissioner Martines made a motion to approve that SERDA apply for the Utah Outdoor Community Parks and Recreation Grant. Commissioner Jensen seconded. Motion carried.

7) **Consideration and possible approval of Master Professional Services Agreement (Aviation Services) between Woolpert, Inc and Carbon County**

Commissioner Hopes said every five years we are required to get bids for engineering professional services at the airport. We received two bids in November and reviewed them. Woolpert was one of them. They have been performing this service and were again the strongest candidate to provide this service.

Commissioner Martines made a motion to approve the Master Professional Services Agreement (Aviation Services) between Woolpert, Inc and Carbon County. Commissioner Jensen seconded. Motion carried.

8) **Consideration and possible approval of Resolution #2024-04 Appointments to the Scofield Special Service District, Housing Authority and Tax Advisory boards for 2025**

Commissioner Hopes said these boards have now received applications.

Carbon County Tax Advisory Board – We had one vacancy and one application was received from Mequelle Woodruff who now serves on this board. This would be a reappointment.

Commissioner Jensen made a motion to approve Mequelle Woodruff to serve on the Carbon County Tax Advisory Board. Commissioner Martines seconded. Motion carried.

Scofield Special Service District – These seats are set by areas where they serve. Jerry Zumbrunnen would represent Clear Creek Homeowners Association, Scott Olsen would represent Forester Subdivision which would be a reappointment, and Rudy Metelko would represent Scofield West and would be a reappointment.

Commissioner Jensen said this board takes care of the sewer system around Scofield Reservoir, in Scofield Town and in Clear Creek. They have a system that collects it into a large drain field so that it no longer affects the lake.

Commissioner Martines made a motion to approve Jerry Zumbrunnen for Clear Creek, Scott Olsen for Forester, and Rudy Metelko for Scofield West to the Special Service District Board. Commissioner Jensen seconded. Motion carried.

Housing Authority Board – Two applications were received from Jack Riddle and Douglas Newell. Commissioner Jensen made a motion to approve both Jack Riddle and Douglas Newell to the Housing Authority Board. Commissioner Martines seconded. Motion carried.

9) **Consideration and possible approval of Ordinance #583 for the 2025 Carbon County Commission Meeting Schedule**

Commissioner Hopes said this sets the dates for the County Commission meetings for 2025. We have to do this in an open public meeting and the dates have to be passed by ordinance. Geni said the first meeting in January falls on January 1st, New Year's Day so no meeting will be held.

Commissioner Martines made a motion to approve Ordinance 583, the 2025 Carbon County Commission Meeting Schedule. Commissioner Jensen seconded. Motion carried.

10) **Consideration and possible approval of Engineering Services Agreement between Carbon County and Horrocks LLC Regarding the Carbon County Inland Port Rail Planning**

Commissioner Jensen said the property that was purchased on Ridge Road located on the east side of the railroad spur leading to Savage Trucking, has a critical need for us to understand how rail will service the area. Horrock's Engineering group is the only engineering firm in the State of Utah that the Union Pacific will accept drawings from and we need their help. We had a Memorandum of Understanding in a previous meeting to get them started. This is an agreement to their cost of \$9,000 to do various tasks. They have already been helpful with the two parties that want to move out there.

Commissioner Martines said three of the four companies will need rail. Commissioner Jensen said we took ownership of the property three weeks ago and already have four interested companies. Some are large projects and will bring value to our tax base. We are encouraged by what we are seeing. Hopefully announcements are forth coming.

Commissioner Jensen made a motion to approve the engineering service agreement between Carbon County and Horrocks LLC regarding the Carbon County Inland Port Rail Planning. Commissioner Martines seconded. Motion carried.

11) **Consideration and possible approval of a lease agreement with Price River Watershed Conservation District for Parcel Number 02-2275-0000 – Bill Butcher**

Commissioner Hopes said we had an agreement with the Livestock Association to oversee and lease this property and they provided a service to the community. There are some corrals and sheds on the property that store equipment that the community, farmers or ranchers, can borrow. There are scales that can be used to weigh livestock as well. The Livestock Association is no longer in place. They have written a letter

expressing their desire that it be turned over to the Price River Watershed Conservation District. We have received a letter from the Conservation District requesting the lease on the property.

Commissioner Jensen said this property is owned by the County and it is on Upper Miller Creek Road. It has been used for a long time by the Cattleman Association. This would be a good thing.

Bill Butcher said there is a set of corrals there and the scales are certified by the State. The Conservation District intends to keep them that way and make the corrals usable. They do not want to make a profit. If 4-H kids want to use them they would not charge. If a local producer wants to use them, there would be a nominal fee. This would help pay for the \$200 fee to have the scales certified. There is a shed of equipment that is rented out to local users. It will be a good thing and the District is willing to step up and keep up the maintenance on that property.

Commissioner Jensen said the lease is \$1 a year. It is to be used for community service.

Commissioner Martines made a motion to approve the lease agreement with the Price River Watershed Conservation District on parcel #02-2275-0000. Commissioner Jensen seconded. Motion carried.

Bill said the Conservation District would like to apply for a water smart grant from the Bureau of Reclamation funding which is 100% grant and no match is required. They want to put this towards our Lower Basin Project. They are asking for it in a couple of phases in case they can't get the whole amount. Phase one is for 50 million dollars. Phase 2 is for 51 million dollars. They are hoping for \$101 million dollars to put towards building the new reservoir wherever it ends up being built either Garley or Consumers. They will need a letter of support by January 8, 2025. Horrock's Engineering is working on putting this together and they think there is a chance of funding. Currently the funding for the reservoir is coming from the NRCS at 75% with a cost share of 25%. This funding cannot be used as the match but can be used in other places.

Attorney Lyn Hanson said we cannot act upon this today because it was not on the agenda but they can offer a letter of support.

12) Consideration and possible approval of land sales agreement with CO2-Sync for Lot 1 in the Industrial Park

Commissioner Jensen said this is one of the companies interested in development along Ridge Road. They are anxious to purchase two units by April. They want to negotiate a couple of items. Commissioner Jensen recommends approving this and if there are changes then it would have to come back to commission meeting.

Commissioner Martines asked about the amount of land wanted. Commissioner Jensen said part of the reason for requesting ten acres is for environmental clearance. They want to start with ten acres with possible future growth but we are not able to provide more until we expand the subdivision. This lot can be approved by the County Planner, Todd Thorne. An additional subdivision would require more work.

Commissioner Jensen made a motion to approve the land sales agreement for CO2-Sync for Lot 1 in the Carbon Industrial Park. Commissioner Martines seconded. Motion carried.

13) Consideration and possible approval of a Carbon County credit card for Jared Haddock, Commission Department and Amy Schmidt-Peters, Assessor Department

Commissioner Hopes said these cards are for Assessor Amy Schmidt-Peters and Commissioner Jared Haddock. Amy needs to pay for training at the first of the year that she will be attending.

Commissioner Martines made a motion to approve a credit card for Commissioner Jared Haddock and Assessor Amy Schmidt-Peters. Commissioner Jensen seconded. Motion carried.

14) Consideration and possible approval of Tony Martines as Carbon County Commission Chair beginning January 1, 2025

Commissioner Hopes said he would like to take a moment to thank his family for allowing him to serve. It has not been easy for them over the past twelve years. He thanked the great County employees and it has been a pleasure to serve with them, not over them but with them, because they are good employees. They have the County's best interest at heart. He was given a great opportunity by the voters and he is grateful for what he has accomplished while being a commissioner. We made some hard decisions and a lot of them were not favorable by the community. The future will let us know if they were the right decisions. We have good things going on and a bright future. We have companies who are interested in us and it is because the various communities are pushing in the same direction. It is easy to find fault in anything that happens and it is hard to work together. The community has decided to work together and it is making a difference. The State has taken note of what is happening because the entire community is pushing together. He is thankful for the opportunity and it is bitter sweet to say goodbye.

Commissioner Jensen said he has been here long enough to watch Casey and he has always thought highly of him and his family. Few people would understand what he has gone through. Those who have better insight will be able to understand. The commissioners are compensated a little, the pay is terrible, considering the amount of work required but it is about public service. We are here to serve the public. It has been a goal and they have been united from day one. There are no personal agendas that have gotten in the way of decisions. We make decisions carefully and based on the 21,000 people in the County, not just for the few that complain. Those negative things have no weight on their decisions and Casey has always stood strong. We will miss him.

Commissioner Martines said Casey deserves the complements. We understand that the commission is fare game. A lot that we have done were things we had to deal with quickly. When Commissioner Jensen and he were elected they had to deal with three million dollars of debt and twenty projects. Now four projects are paid off and in the near future ten projects will be paid off. A lot of this is because of the leadership of Commissioner Hopes. We have done a lot of good things contrary to what you see on Facebook that are not true. If you have an issue, come to these meetings and talk to the commissioners. Commissioner Martines and Commissioner Hopes ran against each other in 2015 and Commissioner Hopes won by 247 votes. Through the process, Commissioner Hopes was always positive, optimistic and asked what he could do to help. Commissioner Hopes' heart is about this community. He is not self-serving and the impact Casey has had on the community will not be realized by the people. He is a good person and it has been a privilege to work with Commissioner Hopes and Commissioner Jensen. The criticism is the small part. We are headed in the right direction. Commissioner Martines thanked Casey's family, daughters and grandchildren. It is not easy.

Commissioner Hopes said thank you to all and he has learned a lot over his years of service. He thanked the Commissioners, past and present, and those he has worked with in the County for their leadership and to allow him to grow as a person. He thanked the community for allowing him to serve.

Commissioner Hopes stepped down and made a motion to approve Commissioner Martines as the Commission Chair beginning on January 1, 2025. Commissioner Jensen seconded. Motion carried.

15) Review and approval of departmental reports

Commissioner Jensen made a motion to adjourn the meeting.

The meeting adjourned at 5:26 p.m.

ATTEST:


Seth Marsing, County Clerk/Auditor

