

Minutes of the Commission Meeting of the Board of Commissioners, Carbon County, State of Utah, held Wednesday, January 18, 2023 in the Commission Room of the Administration Building, Price, Utah, commencing at 4:30 p.m.

Those present: Tony Martines, Commission Chair - excused  
Casey Hopes, Commissioner – Acting Chair  
Larry Jensen, Commissioner

Also present: Kellie Payne, HR  
Seth Marsing, Clerk Auditor  
Geni Hawk, Commission Secretary  
Lori Perez, Chief Deputy Clerk  
Jeff Wood, Sheriff

Commissioner Hopes welcomed everyone and led the Pledge of Allegiance. The meeting began at 4:30 p.m. Commissioner Martines was excused from the meeting.

1) **Approval of Minutes**

Commissioner Jensen made a motion to approve the December 21, 2022 Commission Meeting minutes. Commissioner Hopes stepped down and seconded. Motion carried.

2) **Employee of the Month – Kellie Payne**

Kellie said our January Employee of the Month is Mileena Clark from the Clerk/Auditor's office. She has been employed with the county since August 2020. She has been doing a great job. She was nominated by Tina Grange.

Tina said everyone in the clerk's office is amazing. She nominated Mileena because she assists her with her grants and tracks payments received for the Tourism office. She also creates invoices for the State office in order to receive funding. Mileena helps with PO's and is good to work with. Tina really appreciates her.

The commissioners thanked Mileena for all she does.

3) **Super Service Award – Shanny Wilson**

Shanny said she nominated this individual from the college. Karl Burnside is the Accessibility Consultant for the Disability Resource Center at the college and has helped many students over the years. He continually goes beyond the call of duty and helps students find their purpose and succeed academically. He is a great student advocate, he is a great friend and listener, he is easy to talk to and would give the shirt off his back if you needed it. Shanny highly recommends him for this award and is glad he was chosen. She invited Karl to the microphone.

Carl said this was not expected. It is awesome to be noticed and nominated. He knows a lots of people who do great things who are not recognized. He thanked all.

4) **Consideration and possible approval of the GeoTour agreement with Carbon County – Tina Grange**

Tina said all tourism contracts are presented to the commission. This contract is with GeoTour. This is part of the SPX grant that was received from the Utah Office of Tourism. SPX stands for Stewardship, Preservation and Exploration. Last year we worked in conjunction with the Nine Mile Coalition and highlighted Stewardship Day making it a three-day event. When we reapplied for funds this year we were unable to do it in conjunction with the Stewardship Day time frame. With the help of our ad agency, we have created a whole new idea. Carbon County, with your approval, will be creating a new GeoTour that will have 30 Geo tags in Carbon County focusing on stewardship, preservation and exploration. This will teach our visitors how to be good stewards of the land. This is the agreement with GeoTour to launch the program.

Commissioner Hopes said there are a lot of people who follow geocaching and these geo tours. This will be a good thing for the community.

Commissioner Jensen made a motion to approve the GeoTour agreement for the county. Commission Hopes stepped down and seconded. Motion carried.

5) **Recognition of Carbon High School mountain bike team at State – Coach Mark Jespersen**

Commissioner Hopes said he received a message from Coach Jespersen who asked that this item be moved to the next meeting. This item was tabled to the next meeting.

6) **Consideration and possible approval of the updated Professional Service Agreement between Children’s Justice Center and National Children’s Alliance – Shelley Wright**

Shelley said this is our county project. This is money that was given to the National Children’s Alliance. The NCA had to select a state to be the recipient of this funding. The funding started in 2021 with the idea to provide trauma therapy to children in rural communities, specifically for children dealing with trauma related to child sexual abuse, child physical abuse, domestic violence etc.

We have a new professional service agreement to update. Initially, we contracted for a therapist and now we are hiring a therapist to be funded with this money. It is broken up into six month sections and this will be for the first six months. The next six months will go from July to December. We will probably have to sign this twice and may have to come back to a commission meeting. It is not a contract but a professional service agreement.

Attorney Lyn Hansen said we can approve both now so you do not have to come back. Shelley said the funding amount would not change just the time frame.

Shelley said Utah was the only state in the nation selected to use this funding source. We used it to pay Sandy Regruto who was the on staff therapist. She resigned in April and decided to come on as a contracted therapist. Some of the funding was used for that. Due to VOCA funding being cut, this is going to replace some of that. This is a good thing for us.

Commissioner Jensen made a motion to approve the updated professional service agreement between the Children’s Justice Center and the National Children’s Alliance and adding that when the second contract comes due to approve it as well without coming back before the commission.

Shelley said they have her name listed as the signer and asked if that needed to be changed to someone else? Attorney Hansen said Shelley is okay to sign it.

Commissioner Jensen added to the motion that Shelley is authorized to sign the contract. Commissioner Hopes stepped down and seconded. Motion carried.

7) **Price River Watershed Conservation District Update – Bill Butcher**

Bill Butcher invited the commission to attend the Conservation District meetings, which are held on the second Wednesday of the month at 7 p.m. at the NCRS office in the conference room. Commissioner Jensen attended last month and asked that a commissioner be assigned to attend. The Conservation District looks forward to a better relationship with the county government. Commissioner Jensen asked him to explain what the conservation district is and what they do.

Bill said until recently they were an elected board. Utah code changed and now they are appointed by the Utah Department of Agriculture. They are a board that supports all things conservation throughout this area. They are called a watershed conservation district and cover the entire Price River watershed. They do all kinds of things including Russian Olive removal and they have equipment that local producers can rent. They are moving to a “no till” of ground to promote soil health. They support the youth in the community by sending them to Range Camp where they work on projects like placing sage grouse markers on fences. They have a crop school coming up that is well attended at the college. They talk about all kinds of conservation things like soil health, rotational grazing, no till farming plus more. It was suggested by the Department of Agriculture that a better relationship be established with local governments.

Commissioner Jensen thanked those who sit on this board and spend a lot of personal time serving the community.

Bill said he has talked to Commissioner Hopes about a corral in Miller Creek whose ownership needs to be transferred into their name. It is in the name of the Castle Valley Livestock Association which is defunct and someone needs to take care of the corral and the conservation district would be a good fit for that. Commissioner Jensen told Bill that if he needs help with that, to talk to the county attorney's office.

8) **Review and approval of Resolution No. 2023-01A, authorizing the Commission Chair to sign the Mutual Inducement Agreement with SCS Energy and related matters**

Commissioner Hopes said we have a legislative ask as well as a funding ask from the Community Impact Board. We have several companies, along with SCS Energy, Wellington Microtech, and Blue Sky Energy, that we may have an agreement with in the future. These companies have all indicated that they want to locate on Ridge Road but there are infrastructure needs that need to be put in place first. Our legislative ask is to be able to put in infrastructure for these companies. In return, the inducement agreement says that they will pay back the cost of the infrastructure which includes power, water, sewer and potentially a natural gas line if that is not done by a private party. There are several different things that need to go in to help these companies. There is not enough power on Ridge Road for all of these companies so a new substation needs to be installed that would provide a higher volume of power.

Commissioner Jensen said these agreements are only binding if the county receives the funding from the CIB or the state. This agreement says we will try and find the money to put in these infrastructure needs and that these companies agree that this is where they will locate their facility. It will be a win win if we can get help from the state.

Commissioner Hopes said all of these companies are committed to be here. Blue Sky has already announced their plans and have equipment on the way.

Commissioner Jensen made a motion to approve Resolution No. 2023-01A authorizing the Commission Chair to sign the Mutual Inducement Agreement with SCS Energy and related matters. Commissioner Hopes stepped down and seconded. Motion carried.

9) **Review and approval of Resolution No. 2023-01B, authorizing the Commission Chair to sign the Mutual Inducement Agreement with Wellington Microtech and related matters**

Commissioner Hopes said this item is similar to agenda item 8 with a different company. All of the same things apply.

Commissioner Jensen made a motion to approve Resolution 2023-01B, authorizing the Commission Chair to sign the Mutual Inducement Agreement with Wellington Microtech and related matters. Commissioner Hopes stepped down and seconded. Motion carried.

10) **Review and approval of Resolution No. 2023-01C, authorizing the Commission Chair to sign the Mutual Inducement Agreement with Blue Sky Energy and related matters**

Commissioner Hopes said again everything applies to this one as well.

Commissioner Jensen made a motion to approve Resolution No. 2023-01C, authorizing the Commission Chair to sign the Mutual Inducement Agreement with Blue Sky Energy and related matters. Commissioner Hopes stepped down and seconded. Motion carried.

11) **Consideration and possible approval of a Carbon County credit card for Rebecca Taylor, Senior Center Director**

Commissioner Hopes said in December in the last commission meeting, we said our goodbyes to the Senior Center Director, Robbie Jensen, who left to focus on Emery County. We have hired Rebecca Taylor to replace him. This is the approval of a credit card for her to make some of the purchases needed for the center.

Commissioner Jensen made a motion to approve a county credit card for Rebecca Taylor, the new Director at the Senior Center. Commissioner Hopes stepped down and seconded. Motion carried.

12) **Review and possible approval of revised public defender contracts**

Commissioner Hopes said we have three public defender contracts to look at today for Travis Blackburn, William Milton and Shane Clifford.

Attorney Lyn Hansen said these are contracts for the public defenders in Carbon County. These contracts cover what services they will provide and what they will be paid. Commissioner Hopes said public defenders are attorneys provided to indigent people who cannot pay for a defense.

Lyn said we are required to provide defense for anyone who is accused of a crime who cannot pay for an attorney. This is accomplished by public defenders who we contract with.

Commissioner Jensen made a motion to approve the revised public defender contracts for Travis Blackburn, William Melton and Shane Clifford. Commissioner Hopes stepped down and seconded. Motion carried.

**13) Consideration and possible approval of appointing a county representative to sit on the Utah Association of Counties Board of Directors for calendar year 2023**

Commissioner Jensen said Seth Marsing has been serving on this board and is willing to continue.

Commissioner Jensen made a motion to appoint Seth Marsing to sit on the Utah Association of Counties Board of Directors. Commissioner Hopes stepped down and seconded. Motion carried.

**14) Review and possible approval of an Addendum to the contract between Carbon County and EFG Consulting disclosing a conflict of interest in the contract fee structure**

Commissioner Jensen said this comes from Cody Deeter who is the President CEO of EFG Consulting. This is a letter we have to acknowledge and sign indicating that there may be times when there is a conflict of interest. Cody has to let us know when there is a conflict of interest where he may not represent and help us.

Attorney Hansen said the Municipal Securities Rule Making Board requires notice of a conflict of interest. In the fee structure with EFG, Cody gets more money for larger transactions. This is a conflict between what he might want and what the county wants. The best way to deal with that is to make it known to everyone so we can be aware that his interests are not necessarily completely our interests. Commissioner Hopes said in those instances Cody will represent the county's interests over his own even though he may get less money. Attorney Hansen said Cody is still obligated to represent the county's interests over his own and part of doing that is disclosing that he may be getting less money and make everyone aware of that conflict.


Commissioner Jensen made a motion to approve the addendum to the contract between Carbon County and EFG Consulting disclosing a conflict of interest in the contract fee structure. Commissioner Hopes stepped down and seconded. Motion carried.

**15) Review and approval of departmental reports**

Commissioner Jensen made a motion to adjourn.

The meeting adjourned at 4:57 p.m.

ATTEST:

  
Seth Marsing, County Clerk/Auditor



  
Casey Hopes, Acting Chairman