

**MINUTES OF COMMISSION COMBINED WORKING SESSION AND REGULAR
SESSION MEETING HELD JULY 30, 2012, BEGINNING AT 9:00 A.M. IN
CONFERENCE ROOM #1, IN DUCHESNE, UTAH**

Present

Commissioner Ron Winterton was acting as Chairman Pro Tem; Commissioner Kent R. Peatross, Deputy County Attorney Marea A. Doherty, Public Works Director Glen Murphy, Jerry Anderson, and Commission Assistant BobbiJo Casper taking minutes of the meeting.

Absent

Commission Chairman Kirk J. Wood.

Public Works/Landfill Department Update

Attorney's Office Interns Dalaney & Hannah Mecham joined the meeting at 9:06 A.M...

Director Murphy stated that the Road Department is working on the Arcadia Road getting it ready for pavement. There are soft spots on this road and they are going to put a liner down, but first they have to dig down two feet and put drain rock in then cap it with road base.

Director Murphy reported that there were flash floods in Timber Canyon over the weekend. The Sheriff's Department was able to get everyone out safely. He may have to send out a grader to get it cleaned up depending on how bad it is.

Director Murphy reported that R. Chapman Construction was awarded the bid on the Bluebell Road and will start on this project next week.

Director Murphy stated that he received a call from a resident in Tabiona who lives a mile above the cemetery on Humphry Lane stating that their basement was flooded and that Duchesne County is responsible. He will go tomorrow with Commissioner Winterton to take pictures of the damage.

Annette Miller & Gerald & Carol Dye joined the meeting at 9:16 A.M...

Mrs. Miller stated that she has a petition from residents requesting the reopening of the Dye Dugway. There was a public hearing held last November where this road was discussed and the residents wanted to have the original road fixed. Commissioner Winterton stated that we turned this over to Special Service District #2 who paid for a feasibility study. This road is a liability issue and the county is not going to put any more money into it; the county doesn't have the money to do it. Director Murphy stated that there is no way to stabilize the slope, the canal isn't piped, and the irrigation on the top of the hill doesn't help. Every year the hill has moved about eight feet. Commissioner Winterton stated that he attended the public hearing where the majority of the thirty attendees wanted the road closed, so that's what happened. Mrs. Dye stated that she has to drive twenty miles around to get to the bottom of the Dye Dugway to get her mail. People are still going down that road and a property owner in the area has built up the road. Commissioner Peatross asked if the property owners are willing to help get different right-of-ways to put the road somewhere else. Mrs. Miller replied no, nobody wants the road on their property. Mrs. Dye requested a locked gate be put up on both ends and allow her and a few others have a key to it for access. Director Murphy stated that you can't have a locked gate on a county road; there is still the liability issue with people using it. Commissioner Peatross stated that we thought we had the issue resolved and we were going to build an alternative route. The core drilling results showed that the hill is unstable. We need to ask the engineering firm to hold another meeting. We can try to help with the mail box issue and ask the postal service to move your mail box. Mr. Dye stated that we would like to see the road that is already there fixed. Commissioner Peatross stated that he is concerned about the price it would cost to fix it.

Public Comments

Mr. Anderson stated that he is running for Utah House of Representatives District 69. He wants the rural areas and the industry in the Uintah Basin very well represented. He was born in Roosevelt, grew up in Salt Lake City, and was a teacher for three decades. He is now living in Price.

Discussion Of A Draft Letter Regarding Berry Petroleum Environmental Assessment

County/Community Planning Administrator Mike Hyde joined the meeting at 9:19 A.M...

Administrator Hyde stated that Berry Petroleum is seeking a permit from the Federal Government to upgrade a road over Mitigation Commission property east of Highway 208 and north of Highway 40. Mr. Mike Weland requested our comments on the Environmental Assessment (EA) that has been prepared. We feel they should be able to upgrade the road to get to the oil well. There is no significant impact. The EA has two options, one is to not let them in and the other is to let them do it. There is already an existing road; they just need to upgrade it. A pipeline will be buried along the road. Our letter supports Berry Petroleum's request to go in there. Both Commissioner Winterton and Commissioner Peatross agreed that they are in support of this and the letter looks good.

Update From Horrocks Engineers On The Hancock Cove Sewer Project

Byron Colton & Craig Ashby with Horrocks Engineers joined the meeting at 9:56 A.M...

Mr. Colton stated that we have made significant improvements on this project and is here to update the commission. There are three options, option one is to use Roosevelt City's sewer line down Pole Line Road. Option two is take the northern portion down to Top Stop which will be one hundred thousand dollars cheaper because it will save on pipe size and it is a shorter route. Option one and two is to use Roosevelt City's sewer ponds. Option three requires the construction of new sewer lagoons. The costs are accurate and have a fifteen percent contingency. The forty six acres of ground for sewer lagoons is included with the costs for option three. There are three hundred twenty one existing connects today. Within the next three years, the potential is one hundred fifty new connections. There is 12.5% growth in the cove and there are one thousand lots cut in the area so we know that the need is there. The benefit with going with option two is that it would allow us to phase the project, but it may be wiser to do the entire project at once. The disadvantage is that there is not soil study in Duchesne County. The magi for this area are fifty one dollars a month for sewer. We will apply to the CIB for five million dollars at fifty percent grant at 2.5 percent interest and a water quality loan for the balance of 2.7 million dollars at zero percent. There will be cash flow issues for the first couple of years. We have included the ability of micro loans to help people pay for the connection fees. We have proposed a connection fee at five hundred dollars if paid before they start, after that it will be three thousand dollars. We felt by offering this it will be a good stimulus to help with the cash flow issue. At this point, Roosevelt City has been noncommittal, but they want us to show them it's feasible, which we will do next. We wanted to show the commission first. One of the concerns Roosevelt City has is that it affects everything out there. It doesn't have anything to do with anything other than a bill. They aren't comfortable with this concept of the district. If there is a joined effort with Roosevelt City, the cost would go down. He is ready to put the final report together. Commissioner Peatross stated that there is enough information for the residents to vote then get the district organized. He wants to see this project happen. Commissioner Winterton stated that he likes the proposal and suggested that they go to Roosevelt City with it.

Consideration of Payment Vouchers

Deputy Clerk Auditor Connie Sweat joined the meeting at 9:56 A.M...

The commission reviewed vouchers # 122229 through 122290 dated July 30, 2012, in the amount of two hundred five thousand seven hundred sixty dollars and thirty four cents (\$205,760.34) as presented by Deputy Clerk Sweat. *Commissioner Peatross motioned to approve the vouchers as presented by the Clerk Auditor's Office. Commissioner Winterton seconded the motion. Both commissioners voted aye and the motion passed.*

Consideration Of Minutes For Working Commission Meeting Held July 23, 2012

Commissioner Peatross motioned to approve the minutes as presented. Commissioner

Winterton seconded the motion. Both commissioners voted aye and the motion passed.

Consideration Of Minutes For Regular Commission Meeting Held July 23, 2012

Assistant Casper stated that these will be ready for approval next week.

Entered Recess at 11:08 A.M.

Reentered Combined Commission Meeting at 11:13 A.M.

Closed Meeting -

Commissioner Peatross motioned to go into and out of closed session for the purpose of discussing pending or reasonably imminent litigation at 11:16 A.M.

Commissioner Winterton seconded the motion. Both commissioners voted aye and the motion passed.

Reentered Combined Commission Meeting at 11:55 A.M.

Commission Calendaring

Adjourn

Commissioner Winterton adjourned the meeting at 11:55 A.M...

Read and approved this 6th day of August 2012.

Kirk J. Wood

Commission Chairman

Diane Freston

Clerk/Auditor

*Minutes of meeting prepared by BobbiJo Casper*_____