

**MINUTES FOR REGULAR COMMISSION MEETING HELD JUNE 21, 2010
BEGINNING AT 1:00 P.M. IN THE COMMISSION BOARD ROOM IN DUCHESNE,
UTAH**

Present

Commission Chairman Kent R. Peatross, Commissioner Kirk J. Wood, Commissioner Ronald Winterton, Clerk Auditor Diane Freston, and Commission Assistant BobbiJo Bailey taking minutes of the meeting.

Absent

Deputy County Attorney Jonathan Stearmer was on assignment elsewhere.

Opening Comments

Chairman Peatross gave the prayer. There were no other comments.

Pledge of Allegiance

Any wishing to participate.

Tax Adjustments – Treasurer

The commission reviewed the attached tax adjustment presented by Auditor Freston. *Commissioner Wood motioned to approve the tax adjustment as recommended by the Treasurer’s Office. Commissioner Winterton seconded the motion. All commissioners voted aye and the motion passed.*

Consideration Of Payment Vouchers

The commission reviewed vouchers #114192 through #114259 dated June 14, 2010 in the amount of three hundred eighty six thousand seventy three dollars and ninety one cents (\$386,073.91). The commission also reviewed vouchers #114260 through #114318 dated June 21, 2010 in the amount of four hundred thousand nine hundred twenty six dollars and five cents (\$400,926.05). *Commissioner Winterton motioned to approve the vouchers presented by Auditor Freston. Commissioner Wood seconded the motion. All commissioners voted aye and the motion passed.*

Consideration Of A Business License Application For JD Auction Company LLC

Deputy Clerk Auditor Teresa Baker joined the meeting at 1:20 P.M...

Deputy Clerk Baker stated that this business has been approved by Planning and Zoning; this is a mobile business and no business will be done at their physical address. *Commissioner Winterton motioned to approve the application as presented by Deputy Clerk Baker. Commissioner Wood seconded the motion. All commissioners voted aye and the motion passed.*

Consideration Of A Business License Application For Hickam Chainsaw Carving & Etc.

Deputy Clerk Baker stated that this application has been approved by the Planning and Zoning Department with a conditional use permit approved June 2, 2010. The permit gives details of what hours the chainsaw can be used and limits how many logs can be processed at a time; things of that sort. *Commissioner Wood motioned to approve the application as presented by Deputy Clerk Baker. Commissioner Winterton seconded the motion. All commissioners voted aye and the motion passed.*

Consideration Of A Business License Application For Tabby Mountain Ranch

Deputy Clerk Baker stated that this application has been approved by Planning and Zoning. *Commissioner Winterton motioned to approve the application as presented by Deputy Clerk Baker. Commissioner Wood seconded the motion. All commissioners voted aye and the motion passed.*

Consideration Of Participating Agreement Between The Utah Division Of Forestry, Fire, And State Lands And Duchesne County

Commissioner Winterton stated that this contract is in regards to the contract that the State of Utah and Special Service District Number Three (3) had and now the county has taken responsibility over for the district’s payments, so the contract has been written showing that the county is the responsible entity and makes the contract official with the county. *Commissioner Winterton motioned to approve the contract. Commissioner Wood seconded the motion. All commissioners voted aye and the motion passed.*

Consideration Of COPS Hiring Program (CHP) Grant For Law Enforcement

Cynthia Wardle from the Sheriff's Office joined the meeting via telephone at 1:30 P.M...

Chairman Peatross stated that we discussed this earlier in the working meeting and that this is a grant application from the Sheriff's Office. Mrs. Wardle stated that this grant will retain a current position and is one hundred percent (100%) financing for three (3) years and we have to pay for the fourth (4th) year; there is no match on this grant. *Commissioner Winterton motioned to approve the grant application with the stipulation that the Sheriff's Department doesn't come back after the third year to fill a position. Commissioner Wood seconded the motion. All commissioners vote aye and the motion passed.*

Consideration Of Ordinance No. 10-283, An Ordinance Amending Title 3 Chapter 3.01 Of The Duchesne County Code Establishing Rules And Regulations To Comply With Utah Law Requiring The Use Of A Status Verification System In Awarding Contracts

Assistant Bailey stated that we recently received a letter from the Attorney General Mark Shurtleff reminding us of this law to have verification requirements in place (see attached). Commissioner Wood stated that he spoke to Attorney Stearmer about this last week and that this has already been in effect; but was not formally adopted.

ORDINANCE NO. 10-283

**AN ORDINANCE AMENDING TITLE 3 CHAPTER 3.01
OF THE DUCHESNE COUNTY CODE
ESTABLISHING RULES AND REGULATIONS TO COMPLY WITH UTAH LAW
REQUIRING THE USE OF A
STATUS VERIFICATION SYSTEM IN AWARDING CONTRACTS**

WHEREAS, U.C.A. §63G-11-103 sets forth specific rules regarding the awarding of contracts by public employers (including, but not limited to, political subdivisions of the state); and

WHEREAS, Duchesne County is a political subdivision of the State of Utah; and

WHEREAS, U.C.A. §63G-11-103 requires all public employers to “not enter into a contract for the physical performance of services within the state with a contractor unless the contractor registers and participates in the Status Verification System to verify the work eligibility status of the contractor's new employees that are employed in the state;” and

WHEREAS, it is in the best interest of Duchesne County to come into compliance with U.C.A. §63G-11-103.

NOW THEREFORE, The County Legislative Body of Duchesne County ordains as follows:

SECTION I. Title 3 Chapter 3.01 of the Duchesne County Code shall be amended and adopted to include the following subsection:

3.01.010(F) Every Request for Proposal or contract entered into under the provisions of this Title for the physical performance of services shall include a provision requiring the contractor to register and participate in the Status Verification System and comply with Utah Code Annotated Section 63G-11-103 of the Identity Documents and Verification Act. Contractor shall by contract require its contractors, subcontractors, contract employees, staffing agencies, or any contractors regardless of their tier to register and participate in the Status Verification System and comply with Utah Code Annotated Section 63G-11-103 of the Identity Documents and Verification Act. Further, failure of contractor to comply with U.C.A. §63G-11-103 shall be viewed as a material breach of contract.

SECTION II. Effective Date.

This ordinance shall take effect, fifteen (15) days after enactment, and after depositing of a copy in the Clerk-Auditor's Office and publication in a newspaper having general circulation in the County, as required by Utah Code Annotated section 17-53-208.

Dated this 21st day of June, 2010

ATTEST:

BOARD OF DUCHESNE
COUNTY COMMISSIONERS:

Diane Freston
County Clerk/Auditor

Kent R. Peatross, Chairman

Kirk J. Wood, Member

Ronald Winterton, Member

Commissioner Wood motioned to adopt Ordinance No. 10-283. Commissioner Winterton seconded the motion. All commissioners voted aye and the motion passed.

Consideration Of Minutes For Working Commission Meeting Held June 7, 2010

Chairman Peatross stated that he would like these Working Meeting minutes to be made available to the commission, but rather than getting into one more formality that we review these on our own, then if we have an issue we can bring it up at the next meeting. Commissioner Wood suggested speaking to Attorney Stearmer about this for advisement.

Consideration Of The Minutes For Regular Commission Meeting June 7, 2010

Commissioner Winterton motioned to approve the minutes as presented. Commissioner Wood seconded the motion. All commissioners voted aye and the motion passed.

Consideration Of The Minutes For Special Commission Meeting Held June 8, 2010

Commissioner Winterton motioned to approve the minutes as presented. Commissioner Wood seconded the motion. All commissioners voted aye and the motion passed.

Consideration Of The Minutes For Special Commission Meeting Held June 14, 2010

Commissioner Winterton motioned to approve the minutes as presented. Commissioner Wood seconded the motion. All commissioners voted aye and the motion passed.

Consideration Of The Minutes For Special Commission Meeting Held June 17, 2010

Chairman Peatross suggested that we have Attorney Stearmer review these minutes before they are approved. Assistant Bailey stated that they will be forwarded over to next week for approval.

Adjournment

Chairman Peatross adjourned the meeting at 1:44 P.M.

Read and approved this 28th day of June 2010.

Kent R. Peatross
Commission Chairman

Diane Freston
Clerk/Auditor

*Minutes of meeting prepared by BobbiJo Bailey*_____