

**MINUTES FOR REGULAR COMMISSION MEETING HELD AUGUST 09, 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, Deputy County Attorney Jonathan Stearmer, and Commission Assistant BobbiJo Bailey taking minutes of the meeting.

Opening Comments

Commissioner Wood gave the prayer. There were no other comments.

Pledge of Allegiance

Any wishing to participate.

Consideration Of Payment Vouchers

Deputy Clerk Auditor Leann Stewart joined the meeting at 1:04 P.M...

The commission reviewed vouchers #114788 through #114897 dated August 09, 2010 in the amount of one hundred fifty seven thousand four hundred seventy four dollars and thirty five cents (\$157,474.35). *Commissioner Wood motioned to approve the vouchers presented by Deputy Clerk Stewart. Commissioner Winterton seconded the motion. All commissioners voted aye and the motion passed.*

Consideration Of A Business License Application For North Land Power Services, LLC

Deputy Clerk Auditor Connie Sweat joined the meeting at 1:09 P.M...

Deputy Clerk Sweat stated that this business will be renting out large generators and has been approved by the Planning and Zoning Department. *Commissioner Winterton motioned to approve the application as presented by Deputy Clerk Sweat. Commissioner Wood seconded the motion. All commissioners voted aye and the motion passed.*

Consideration Of Appointment To The Duchesne County Water Conservancy District

Chairman Peatross stated that the commission interviewed Don Richards and Larry Ross earlier in the Working Meeting, and there are two very good candidates. Commissioner Winterton agreed that both are very good applicants and he is grateful for their interest. Commissioner Wood stated that Mr. Ross has an extensive background and knowledge and history of things around the county. He doesn't have a private interest and feels that he would represent us very well. *Commissioner Winterton motioned to appoint Larry Ross to the Duchesne County Water Conservancy District, to fulfill the unexpired term until December 31, 2012, representing the Combined Cities Division. Commissioner Wood seconded the motion. All commissioners voted aye and the motion passed.*

Consideration Of Predator Control Contract – Fiscal Year 2010

Randy Freston with Epic Engineers joined the meeting at 1:15 P.M...

Chairman Peatross stated that it appears that the commitment by the county remains the same as it has been in the past. Assistant Bailey stated that she left a message with Kyle Stephens at the Department of Agriculture. She pulled last year's payment and five thousand dollars (\$5,000.00) was what was paid, so she is waiting to hear back from Mr. Stephens on how much the contract amount is, because it's not clear as shown. Commissioner Wood suggested that a motion be made approving the contract for twenty five hundred dollars (\$2,500.00), if it's a different amount it's to come back to the commission for consideration. *Commissioner Wood motioned to accept the Predator Control Contract in the amount of two thousand five hundred dollars (\$2,500.00). Commissioner Winterton seconded the motion. All commissioners voted aye and the motion passed.*

Consideration Of Ordinance No. 10-284, An Ordinance Adopting The Duchesne County Code

Attorney Stearmer stated that this ordinance is the formal adoption of the new county code that we have been working with Sterling Codifiers for the past year. This is the final version with all of the changes that were requested by departments. This new county code will be in effect August 24, 2010.

ORDINANCE NO. 10-284

**AN ORDINANCE ADOPTING THE COUNTY CODE
FOR DUCHESNE COUNTY, UTAH**

BE IT ORDAINED by the county commissioners of the county of Duchesne, Utah, as follows:

Section 1: From and after the date of passage of this ordinance, the county code of the county of Duchesne, Utah prepared by Sterling Codifiers, Inc. containing the compilation of all ordinances of a general nature together with the changes made to said ordinances, under the direction of the governing body of the county, shall be accepted in all courts without question as the official code and law of the county as enacted by the Board of Duchesne County Commissioner.

Section 2: There is hereby adopted, as a method of perpetual codification, the loose-leaf type of binding together with the continuous supplement service, provided by Sterling Codifiers, Inc., whereby each newly adopted ordinance of a general and permanent nature amending, altering, adding or deleting provisions of the official county code is identified by the proper catchline and is inserted in the proper place in each of the official copies, one copy of which shall be maintained in the office of the county clerk, certified as to correctness and available for inspection at any and all times that said office is regularly open.

Section 3: All ordinances of a general nature included in this official county code shall be considered as a continuation of said ordinance provision and the fact that some provisions have been deliberately eliminated by the governing body shall not serve to cause any interruption in the continuous effectiveness of ordinances included in said official county code. All ordinances of a special nature, such as tax levy ordinances, bond ordinances, franchises, vacating ordinances and annexation ordinances shall continue in full force and effect unless specifically repealed or amended by a provision of the county code. Such ordinances are not intended to be included in the official county code.

Section 4: It shall be unlawful for any person, firm or corporation to change or amend by additions or deletions, any part or portion of such code, or to insert or delete pages or portions thereof, or to alter or tamper with such code in any manner whatsoever which will cause the law of the county to be misrepresented thereby.

Section 5: All ordinances or parts of ordinances in conflict herewith, are, to the extent of such conflict, hereby repealed.

Section 6: This ordinance and the code adopted by the same shall be recorded and shall be in full force and effect from and after its passage, approval and publication as provided by law.

PASSED and APPROVED this 9th day of August, 2010.

DUCHESNE COUNTY:

Attest:

Diane Freston
County Clerk/Auditor

Kent R. Peatross
Commission Chairman

Kirk Wood
Commission Member

Ron Winterton
Commission Member

Roll Call Vote:

AYES:

NAYS:

ABSENT:

Commissioner Winterton motioned to adopt Ordinance No. 10-284. Commissioner Wood seconded the motion. All commissioners voted aye and the motion passed.

Consideration Of Approval Of Letter To Uintah County

Chairman Peatross stated that this letter is in response to a letter that was received by the Duchesne County Commission from the Uintah County Commission concerning the Uintah Basin Medical Center (UBMC) and the possibility that they may need to enter into an interlocal agreement with Uintah County as a result of house bill 307. We discussed this in an executive session in the working commission meeting earlier today because of possible litigation. *Commissioner Winterton motioned to approve the letter to Uintah County. Commissioner Wood seconded the motion. All commissioners voted aye and the motion passed.*

Consideration Of Minutes For Working Commission Meeting Held August 02, 2010

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

Consideration Of The Minutes For Regular Commission Meeting Held August 02, 2010

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

Adjournment

Chairman Peatross adjourned the meeting at 1:28 P.M.

Read and approved this 16th day of August 2010.

*Kent R. Peatross
Commission Chairman*

*Diane Freston
Clerk/Auditor*

*Minutes of meeting prepared by BobbiJo Bailey*_____