

**MINUTES FOR REGULAR COMMISSION MEETING HELD DECEMBER 27, 2010
BEGINNING AT 1:00 P.M. IN THE COMMISSION BOARD ROOM IN DUCHESNE,
UTAH**

Present

Commission Chairman Kent R. Peatross; Commissioner Ronald Winterton, Deputy County Attorney Jonathan Stearmer, Clerk/Auditor Diane Freston, Commission Assistant BobbiJo Casper, and Chief Deputy Clerk JoAnn Evans taking minutes of the meeting.

Absent

Commissioner Kirk J. Wood.

Opening Comments

Assistant Casper gave the prayer. There were no other comments.

Pledge of Allegiance

Any wishing to participate.

Tax Adjustments

None.

Consideration Of Payment Vouchers

The commission reviewed vouchers #116428 through #116479 dated December 27, 2010 in the amount of three hundred twelve thousand, one hundred two dollars and ninety six cents (\$312,102.96). *Commissioner Winterton motioned to approve the vouchers presented by Auditor Freston. Chairman Peatross seconded the motion. Both commissioners voted aye and the motion passed.*

Consideration Of A Beer License Application For Bluebell Country Store

Deputy Clerk Auditor Connie Sweat joined the meeting at 1:08P.M...

Deputy Clerk Sweat stated that the application for Bluebell Store came back from the sheriff's department and it appears to be good. Chief Deputy Dave Boren signed off on the back ground check. *Commissioner Winterton motioned to approve the application as presented by Deputy Clerk Sweat. Chairman Peatross seconded the motion. Both commissioners voted aye and the motion passed.*

Consideration Of A Beer License Application For Hanna Cafe

Deputy Clerk Sweat stated that the application for Hanna Cafe came back from the sheriff's department and it appears to be good. Chief Deputy Dave Boren signed off on the back ground check. *Commissioner Winterton motioned to approve the application as presented by Deputy Clerk Sweat. Chairman Peatross seconded the motion. Both commissioners voted aye and the motion passed.*

Consideration Of Board of Vacancies

Chairman Peatross proposed they reappoint Mr. Kyle Snow and appoint Dr. Keith Evans to the Uintah Basin Medical Center Board. *Commissioner Winterton motioned to approve the appointment to the board of the Uintah Basin Medical Center. Chairman Peatross seconded the motion. Both commissioners voted aye and the motion passed.*

Chairman Peatross recommended that they appoint Mr. Bruce Guyman to Northeastern Counseling Center. *Commissioner Winterton motioned to approve the appointment to the board of the Northeastern Counseling Center. Chairman Peatross seconded the motion. Both commissioners voted aye and the motion passed.*

Chairman Peatross recommended that they postpone the Board of Adjustments. *Commissioner Winterton motioned to approve this motion, Chairman Peatross seconded the motion. Both commissioners voted aye and the motion passed.*

Chairman Peatross recommended that they reappoint Mr. Kent Olsen and Mr. Dean Burton; appoint Mr. Ken Moon to the Planning & Zoning Commission. *Commissioner Winterton motioned to approve the appointments to the Planning & Zoning Commission. Chairman Peatross seconded the motion. Both commissioners voted aye and the motion passed.*

Chairman Peatross recommended that they reappoint Mr. Ken Moon; appoint Mr. Clint Peatross to the Public Land Use Committee representing the area of natural resources. *Commissioner Winterton motioned to approve the appointments to the Public Land Use Committee. Chairman Peatross seconded the motion. Both commissioners voted aye and the motion passed.*

Chairman Peatross recommended that they reappoint Mr. Don Winterton and Mr. Terry Fieldstead to Special Service District #2. *Commissioner Winterton motioned to approve the appointments to Special Service District #2. Chairman Peatross seconded the motion. Both commissioners voted aye and the motion passed.*

Chairman Peatross recommended that they reappoint Mr. Herb Gillespie and Ms. Jane Gurr to the Children’s Justice Center. *Commissioner Winterton motioned to approve the appointments to the Children’s Justice Center. Chairman Peatross seconded the motion. Both commissioners voted aye and the motion passed.*

Consideration Of Public Defender Contracts

Deputy County Attorney Jonathan Stearmer and Public Defender Maria Doherty joined the meeting at 1:25 P.M....

Chairman Peatross stated that the commission had some discussion; we have come to the consensus that there are two (2) ways to go. We feel as a commission we have an A or B option. We would like to put on the table the proposal for sixty (60%) percent of one hundred and twelve (112) and you proposed an interest in the Justice Court contract. We do not want to accept the caps and limits you put in your proposal. We still like the idea of the Public Defender using the office by the library. This would only be in effect if we could find someone to take the other forty (40%) percent. Option B would be that we find someone to take fifty (50%) percent and stay at the status quo. Ms. Doherty stated that she is receptive to moving forward without the caps. She is more receptive to option A than to option B. Attorney Stearmer stated that we would like to have a ninety (90) day escape clause. Ms. Doherty stated she would prefer fourteen (14) days. Attorney Stearmer stated that the county would need time to find another attorney if she decided to leave. Chairman Peatross asked Ms. Doherty if she was acceptable to a three (3) year contract. Ms. Doherty stated she would be acceptable to it.

Consideration Of 2011 Commission Assignments

Chairman Peatross stated that he would like to accept the assignments as penciled in for the 2011 year.

**DUCHESNE COUNTY
COMMISSIONER ASSIGNMENTS 2011**

<i>Kirk J. Wood, Chairman</i>	
Board Appointments	Personnel Departments
Department of Workforce Services	Planning & Zoning – Mike Hyde
Aging	Information System-I.T.
Eastern Utah Television & Technology Board	Public Works/Landfill/GIS
County Library System	Public Lands
Northeastern Counseling	State Boards
Economic Development	UAC
Uintah Basin Association of Governments	SRS Task Force
Revitalization	
Revolving Loan Fund	
UBPCD	
UBARM	

<i>Kent R. Peatross, Member</i>	
Board Appointments	Personnel Departments
County Fair	Weeds – Ron Johnson
Uintah Basin Medical Center Board	Buildings & Grounds – Shane Jenkins
Rural Public Lands County Council	Commission Assistant – BobbiJo Casper
Utah Association of Counties Commission/Council	Public Works/Landfill/GIS
Uintah Basin Association of Governments	Public Lands
Western Counties Alliance	State Boards
	Weed Board
	CIB

<i>Ron Winterton, Member</i>	
Board Appointments	Personnel Departments
Animal Control	Personnel Director– Carrie Mascaro
Utah Counties Insurance Pool	Emergency Management- Michael Lefler
Tri County Health	Public Works/Landfill/GIS
Children’s Justice Center Board	Public Lands
Uintah Basin Association of Governments	Building Department- Karl Mott
Uintah Basin Narcotics Strike Force	State Boards
RAC	RAC

Commissioner Winterton motioned to accept the assignments for the 2011 year, Chairman Peatross seconded the motion. Both commissioners voted aye and the motion passed.

Consideration Of 2011 Commission Chairman
Commissioner Winterton motioned to nominate Commissioner Wood for Chairman, Chairman Peatross seconded the motion. Both commissioners voted aye and the motion passed.

Consideration Of Resolution No. 10-24, A Resolution Establishing Salaries For 2011

**DUCHESNE COUNTY RESOLUTION 10-24
 RESOLUTION ESTABLISHING SALARIES FOR 2011**

Ordinance establishing and affixing the salaries of elected and statutory officers
 of the County of Duchesne:

WHEREAS, Utah Code Annotated (1953 as amended), Section 17-16-14, provides for the establishment by the Board of County Commissioners of salaries for County Officers; and,

WHEREAS, it is appropriate that said salaries be set forth in the resolution form;

NOW THEREFORE, BE IT ORDAINED and resolved that the annual salaries of the elected and statutory officers of Duchesne County be fixed or established as follows:

Board of County Commission Chairperson	\$58,691.20
Board of County Commission Member	\$57,491.20
County Attorney	\$79,788.80
County Assessor	\$57,491.20
County Clerk-Auditor	\$57,491.20
County Recorder	\$57,491.20
County Treasurer	\$57,491.20
County Sheriff	\$64,251.20

The annual salaries set forth herein shall be effective from January 1, 2011 through December 31, 2011.

Dated this 27th Day of December, 2010.

Attest:

Diane Freston
County Clerk/Auditor

Kent R. Peatross
Chairman, Board of Duchesne
County Commissioners

Kirk J. Wood
Member

Ronald Winterton
Member

Commissioner Winterton motioned to accept Resolution No. 10-24, A Resolution Establishing Salaries for 2011, Chairman Peatross seconded the motion. Both commissioners voted aye and the motion passed.

Consideration Of Resolution No. 10-25, A Resolution Transferring 2010 Funds
Clerk/Auditor Freston stated there were two offices that were over budget. She has discussed with them the changes they need to make to come into compliance. It is just the line items that are out of balance.

DUCHESNE COUNTY RESOLUTION 10-25

WHEREAS the legislature of the State of Utah has granted legislation providing for the **transfer** of any unencumbered or unexpended appropriation balances from one department to another within the same fund, the said legislation being designated as Section 17-36-23 of the Utah Code annotated, 1953, and amended 1975; and

WHEREAS there exists a need to utilize this provision of the State Statutes to serve the best interest of the County and the residents thereof and to promote the most efficient and practical operation of county government.

The purpose of this resolution is to transfer expenditure monies of the 2010 Duchesne County Budget from one department to another within the various funds.

NOW THEREFORE, be it hereby resolved as follows;

WE, THE BOARD OF COUNTY COMMISSIONERS of Duchesne County, State of Utah as governing body of this county do enact this resolution to increase or decrease the following amounts to the listed departments within the same fund for the Budget year 2010.

Increase General Fund Departments

East Justice	8,500.00
Attorney	5,000.00
Assessor	60,000.00
Surveyor	1,000.00
Jail	110,000.00
Exhibits	22,000.00
	206,500.00

Decrease General Fund Departments

District Court	8,000.00
TV Recreation	25,000.00
Recorder	40,000.00
It Dept	15,000.00
Building & Grounds	33,500.00
Fire	40,000.00
Weeds	5,000.00
Extension	10,000.00
Animal Control	20,000.00
Building Inspector	10,000.00
	206,500.00

PASSED AND ADOPTED THIS 27th DAY OF DECEMBER, 2010 BY THE
FOLLOWING VOTE OF THE BOARD OF COUNTY COMMISSIONERS.

DUCHESNE COUNTY:

Attest:

Diane Freston
County Clerk/Auditor

Kent R. Peatross
Chairman, Board of Duchesne
County Commissioners

Kirk J. Wood
Member

Ronald Winterton
Member

Commissioner Winterton motioned to accept Resolution No. 10-25, A Resolution Transferring 2010 Funds. Chairman Peatross seconded the motion. Both commissioners voted aye and the motion passed.

Consideration Of The Minutes For Regular Commission Meeting Held December 20, 2010

Commissioner Winterton motioned to approve the minutes as presented. Chairman Peatross seconded the motion. Both commissioners voted aye and the motion passed.

Adjournment

Chairman Peatross adjourned the meeting at 2:05 P.M.

Read and approved this 3rd day of January 2011.

Kent R. Peatross
Commission Chairman

Diane Freston
Clerk/Auditor

*Minutes of meeting prepared by JoAnn Evans*_____