

**MINUTES FOR REGULAR COMMISSION MEETING HELD MARCH 7, 2011  
BEGINNING AT 1:00 P.M. IN THE COMMISSION BOARD ROOM IN DUCHESNE,  
UTAH**

***Present***

Commission Chairman Kirk J. Wood; Commissioner Kent R. Peatross, Commissioner Ronald Winterton, Edith Larsen and Chief Deputy Clerk JoAnn Evans taking minutes of the meeting.

***Absent***

Deputy County Attorney Jonathan Stearmer was on assignment elsewhere.

***Opening Comments***

JoAnn Evans said the prayer.

***Pledge of Allegiance***

Any wishing to participate.

***Tax Adjustments***

None

***Consideration of Payment Vouchers***

*Clerk/Auditor Diane Freston joined the meeting at 1:04 P.M...*

The commission reviewed vouchers # 117124 through #117182 dated March 7, 2011, in the amount of one hundred ninety thousand, seven hundred thirty seven dollars and fifty nine cents (\$190,737.59) as presented by Clerk/Auditor Diane Freston.

*Commissioner Peatross moved to approve the vouchers presented by Clerk/Auditor Diane Freston. Commissioner Winterton seconded the motion. All commissioners voted aye and the motion passed.*

***Consideration of a Business License Application for Western Weed Control/Ken's Custom Spraying*** *Deputy Clerk/Auditor Connie Sweat joined the meeting at 1:06 P.M.. Chief Deputy Assessor Traci Herrera joined the meeting at 1:07 P.M... Clerk/Auditor Diane Freston re-joined the meeting at 1:10 P.M..*

Deputy Clerk/Auditor Sweat stated that Mr. Anderson is purchasing this business from Ken's Custom Spraying. He will change the name after the customers become accustomed to him. *Commissioner Winterton moved to approve the business application for Western Weed Control/Ken's Custom Spraying as presented by Deputy Clerk/Auditor Sweat. Commissioner Peatross seconded the motion. All commissioners voted aye and the motion passed.*

***Consideration of a Business License Application for Justice Trucking Inc..***

Deputy Clerk/Auditor Sweat stated this business has two (2) trucks and is good to go. *Commissioner Winterton moved to approve the business application Justice Trucking Inc. as presented by Deputy Clerk/Auditor Sweat. Commissioner Peatross seconded the motion. All commissioners voted aye and the motion passed.*

***Consideration of Bids for the Upgrade to the Control Room at the Duchesne County Justice Center***

Commissioner Winterton stated that this bid was for some improvements on a locking system for the jail. The bid from Cache Valley Electric Co. is in the amount of one hundred eleven thousand, nine hundred fifty one hundred dollars (\$111,951.00) without water controls. Sound Unlimited bid was in the amount of one hundred ninety five thousand, five hundred dollars (\$195,500.00) with water controls. *Commissioner Winterton moved to award the bid from Cache Valley Electric Co. Commissioner Peatross seconded the motion. All commissioners voted aye and the motion passed.*

***Consideration of Bids for Garbage Services at County Owned Facilities***

*Sam Kettle, Brett Kettle, David Kettle, and Mark Kettle joined the meeting at 1:05 P.M...*

Commissioner Peatross stated that there was an error on both bids. The dumpster at the jail for building and trades is paid for by UBAOG and should not be included in the bid process. The bid from K & K Sanitation was in the amount of six hundred seventy five dollars (\$675.00). The bid for Basin Wide Dumpster was in the amount of seven hundred twenty five dollars (\$725.00). *Commissioner Peatross moved to award the bid for K & K Sanitation. Commissioner Winterton seconded the motion. All commissioners voted aye and the motion passed.* Mr. Mark Kettle stated that he would like to thank the commission for awarding the contract to K & K Sanitation.

***Consideration of a Letter of Support of the SITLA Application to the BLM Relating to the Relinquishment and Selection of Mineral Lands Underlying the Uintah and Ouray***

***Reservation*** County Surveyor Jerry Allred joined the meeting at 1:15 P.M..... Planning Administrator Mike Hyde joined the meeting at 1:20 P.M....

Administrator Hyde stated that Cameron Cuch has requested another letter of support for the SITLA application. This will be the third letter since 2008. The hope is to have it move the process along a little faster. *Commissioner Peatross moved to send a letter of support. Commissioner Winterton seconded the motion. All commissioners voted aye and the motion passed.*

***Consideration of a Dedication of a Road Right of Way for 5500 West, South of 9000 South***

Administrator Hyde stated that this all started when Rancho Escondido proposed to sell some acreage to Bent and Diane Fenn for a home that would be accessed off the east side of 5500 West, South of 9000 South. Over the years the county had put some roto-mill on the road and somewhat maintained it. It showed up on the county "B" road maps; however there was no dedicated right of way. Rather than take care of this in court with a prescriptive easement, we asked the county surveyor to go survey the property in question. Mr. Bert Jensen rejected the first survey, so we sent our surveyor out again. There were questions about the cul-de-sac that is there. We then reached an agreement with the Jensen's to come up with the dedication of right of way. Now that Mr. Jensen understands that the fences were not on the property line he is agreeable to the dedication. The second issue to this is the Jensen's built there back in 1982 and paid approximately seventy nine hundred dollars (\$7900.00) to put in the road; they were hoping to get some of that money back. There were no provisions for that at the time. There were provisions put in place in 1997. Mr. Jensen asked for a variance for the road he built in 1982. Administrator Hyde would recommend that you do not approve the variance. Commissioner Wood stated that the maintenance for the road will end at the cul-de-sac. Surveyor Allred stated that he could add the language to the Mylar plat that stated the county will not maintain the road past the cul-de-sac. Administrator Hyde stated that it would be better if the commission did two (2) motions for this issue. *Commissioner Peatross moved to approve the plat with the condition that there will not be any county road maintenance past the cul-de-sac. Commissioner Winterton seconded the motion. All commissioners voted aye and the motion passed.*

*Commissioner Winterton moved to deny any county involvement for the variance of the request from the Jensen's for reimbursement from the county for the building of a road in 1982 as suggested by Administrator Hyde and support Administrator Hyde in this decision. Commissioner Peatross seconded the motion. All Commissioners voted aye and the motion passed. Commissioner Peatross also moved to approve the vacation process and give Administrator Hyde the authority to give proper notification to vacate this piece of property. Commissioner Winterton seconded the motion. All commissioners voted aye and the motion passed.*

***Consideration of the Minutes for Working Commission Meeting Held February 14, 2011***

*Commissioner Peatross moved to approve the minutes as corrected. Commissioner Winterton seconded the motion. All commissioners voted aye and the motion passed.*

***Consideration of the Minutes for Working Commission Meeting Held February 28, 2011***

*Commissioner Peatross moved to approve the minutes as corrected. Commissioner Winterton seconded the motion. All commissioners voted aye and the motion passed.*

***Consideration of the Minutes for Regular Commission Meeting Held February 28, 2011***

*Commissioner Peatross moved to approve the minutes as corrected. Commissioner Winterton seconded the motion. All commissioners voted aye and the motion passed.*

***Adjournment***

*Chairman Wood adjourned the meeting at 2:43P.M.*

*Read and approved this 14th day of March 2011.*

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*Kirk J. Wood  
Commission Chairman*

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*Diane Freston  
Clerk/Auditor*

*Minutes of meeting prepared by JoAnn Evans*

