

**MINUTES OF COMMISSION COMBINED WORKING SESSION AND REGULAR
SESSION MEETING HELD APRIL 18, 2011, BEGINNING AT 8:30 A.M. IN
CONFERENCE ROOM #1, IN DUCHESNE, UTAH**

Present

Commission Chairman Kirk J. Wood; Commissioner Ronald Winterton, Commissioner Kent R. Peatross, Deputy County Attorney Jonathan Stearmer, Deputy Clerk Auditor Connie Sweat, Deputy Clerk Auditor Leann Stewart, Uintah Basin Standard Reporter Steve Puro, and Commission Assistant BobbiJo Casper taking minutes of the meeting.

Consideration Of Payment Vouchers

The commission reviewed vouchers #117540 through #117606 dated April 18, 2011, in the amount of ninety two thousand four hundred fifty six dollars and sixteen cents (\$92,456.16) as presented by Deputy Clerk Stewart. *Commissioner Winterton motioned to approve the vouchers as presented by Deputy Clerk Stewart. Commissioner Peatross seconded the motion. All commissioners voted aye and the motion passed.*

Consideration Of A Business License Application For Captured By Ragen Photography LLC

Deputy Clerk Sweat stated that this is a photography company that will be working outside until her studio is completed in the basement of her home. *Commissioner Peatross motioned to approve the business license as presented. Commissioner Winterton seconded the motion. All commissioners voted aye and the motion passed.*

Consideration Of A Business License Application For Bio Green Of Northeastern Utah

Deputy Clerk Sweat stated that this is a commercial, agricultural, and residential fertilizer sales and service business, who has received a pesticide license. *Commissioner Peatross motioned to approve the business license as presented. Commissioner Winterton seconded the motion. All commissioners voted aye and the motion passed.*

Consideration Of A Business License Application For K&B Contracting

Deputy Clerk Sweat stated that this is a contract pumping business that will be working in the oil field. *Commissioner Peatross motioned to approve the business license as presented. Commissioner Winterton seconded the motion. All commissioners voted aye and the motion passed.*

Consideration Of A Business License Application For Olsen And Sons C-Store

Deputy Clerk Sweat stated that this application is for the Neola Store that is now under new ownership. *Commissioner Peatross motioned to approve the business license as presented. Commissioner Winterton seconded the motion. All commissioners voted aye and the motion passed.*

Consideration Of A Business License Application For Wire To Wire Inc.

Deputy Clerk Sweat stated that this is a low voltage cable company that is out of Denver, Colorado. *Commissioner Peatross motioned to approve the business license as presented. Commissioner Winterton seconded the motion. All commissioners voted aye and the motion passed.*

Consideration Of A Personnel Request

Personnel Director Carrie Mascaro joined the meeting at 8:41 A.M...

Director Mascaro stated that the request is out of the Sheriff's Department to replace the evidence custodian clerk at the jail. This position is budgeted for twenty (20) hours with benefits, but the previous employee only worked fifteen (15) hours and didn't take the benefits. Sheriff Travis Mitchell has requested that it be advertised for the twenty (20) hours with benefits. Chairman Wood suggested that it be advertised for nineteen (19) hours with no benefits. Director Mascaro stated that Sheriff Mitchell is concerned about getting the best job pool for this position due to the nature of the position in dealing with controlled substances and other things in the evidence room. Chairman Wood stated that the job could always be opened back up if we don't get any good candidates the first time around. The commission all agreed to advertise this position for nineteen (19) hours with no benefits.

Consideration Of A Fire Protection Agreement With The Town Of Tabiona

Emergency Management Director Mike Lefler joined the meeting at 8:47 A.M...

Commissioner Winterton stated that this fire protection agreement is the same contract we have had in the past with Tabiona Town. Commissioner Peatross stated that this agreement allows Duchesne County to go into Tabiona Town for fire services. Director Lefler stated that the current agreement expires May 1, 2011 and this will renew it for three (3) years for one thousand dollars (\$1,000.00) each year. We have seen one (1) major fire each year in the town of Tabiona. Commissioner Peatross also stated that Director Lefler and he have had some discussion on having the homeowner reimburse the county if they have fire protection insurance. Director Lefler stated that he attended the Tabiona Town Council Meeting and brought this up to them, but said that he would discuss this with the commission. Attorney Stearmer stated that there is nothing in this agreement that prohibits us from doing it already. The ordinance says if we provide fire service then we bill that out and feels we can proceed. *Commissioner Peatross motioned to approve this agreement and take into consideration implementing the county policy for the future as to recouping the cost when the home is covered by insurance. Commissioner Winterton seconded the motion. All commissioners voted aye and the motion passed.*

Consideration Of Berry Petroleum 19 Directional Wells Proposal, South Unit Of Ashley National Forest Draft Letter

County/Community Planning Administrator Mike Hyde joined the meeting at 8:56 A.M...

Administrator Hyde stated that Berry Petroleum has a proposal to directionally drill nineteen (19) wells from existing well pads in the South Unit of the Ashley National Forest. This letter gives our support to the Forest Service to move forward on this and recommend Berry Petroleum to coordinate with Public Works Director Glen Murphy to keep the county roads up to par.

Consideration Of Nine Mile Canyon Road Improvement Project EA Draft Letter

Administrator Hyde stated that this a draft letter to the Bureau of Land Management (BLM) field office in Price regarding the Nine Mile Canyon Road improvement project. Comments are due later this week; this project has been put together by Duchesne County, Carbon County, and Bill Barrett Corporation for twenty million dollars (\$20,000,000) of road improvements to apply a double chip seal from the end of pavement down by the Soldier Creek Mine and Northeasterly to Cottonwood Canyon and around one mile up Gate Canyon. This is one of the BLM's final approvals to allow a change in Title V agreements for both counties to allow the road improvements to happen.

Consideration Of A Tax Deferral

Treasurer Colene Nelson joined the meeting at 9:09 A.M...

Treasurer Nelson stated that Jamie O'Shay contacted her about a property that is owned by her father and is listed on the May Tax Sale. Her father has passed away and she is requesting three (3) months to get this paid. All commissioners were in agreement to allow three (3) months to get this paid.

Consideration Of Minutes For Working Commission Meeting Held April 11, 2011

Commissioner Winterton motioned to approve the minutes with the necessary corrections. Commissioner Peatross seconded the motion. All commissioners voted aye and the motion passed.

Consideration Of Minutes For Regular Commission Meeting Held April 11, 2011

Commissioner Winterton motioned to approve the minutes with the necessary corrections. Commissioner Peatross seconded the motion. All commissioners voted aye and the motion passed.

Discussion With Congressional Staffer JJ Brown From Senator Orrin Hatch's Office

Senator Hatch's Energy Policy Advisor JJ Brown joined the meeting at 9:09 A.M...

Commissioner Peatross stated that they will be going to Newfield today and invited El Paso to attend this meeting, but didn't get a response. Mr. Brown stated that he will share some of Senator Hatch's perspectives. Senator Hatch believes we can reduce CO2 without having to turn basic human activities over to the government. He is very interested in this and if this is a real problem he wants to find a way to resolve it. When it comes to energy policy, he has a large track record on passing legislations that helped formulate the nation's policy of the last decade. His philosophy is any energy policy of the United States needs to be based on making America stronger. He doesn't have much patience with alternative energy policy strategies. He thinks that America's greatness is based in

part on the fact that we have competitive low cost energy sources in this country. He is not willing to give up our competitive sources; any good energy policy should be able to stand on its own. An abundant source of energy that conserves our needs that's affordable, dependable, domestic, competitive, and something that the nation can rely on; he doesn't care what the energy source is. He doesn't think that every foreign energy source is evil, but he would consider our dependency on foreign oil right now to be a detriment to our country and a weakening for us. Senator Hatch was the author of the Oil Shale and Tar Sands Development Act of 2005, which didn't put out any incentives for oil shale development; it basically tried to reverse the laws that were stopping the production of oil sands and oil shale, because there were laws on federal lands that band the activity. To reverse that and make it the policy of the Department of Energy to go forward and actually test out and study this as a potential resource. He also funded the environmental studies that would need to be done and did a three part programmatic environmental statement that was part of his legislation, which is now complete. He created a task force at DOE to work with the labs and with county commissioners in the state to do a full analysis of this resource. There has been a very aggressive move against unconventional fuel development in congress in Washington, D.C. that is based on concerns that fossil fuels are a negative element of our society. The person, who fought us on the legislation before we passed it, was a Senator from Colorado named Ken Salazar. Ken Salazar and his staff fought hard against us allowing this thing to go commercial, always arguing that we didn't know enough to go commercial and our argument back was we weren't trying to get around any environmental laws, if the companies can do it, they can. We shouldn't put artificial barriers in and we shouldn't remove the possibility of moving forward. We over ruled them and we got it passed into law the way we thought it should and made a few compromises with them. That same Senator combined with Senator Udall of Colorado and Senator Udall of New Mexico who put up a moratorium against the commercial regulations that needed to come for the commercial development of oil shale. That Senator became the Secretary of The Interior and has done some funny stuff since then and jammed a stick in the eye of the commercial regulations.

The last time we had high prices and reached four dollars (\$4.00) a gallon of gas we were at the capacity of refining and that forced us to start importing refined product from other countries. It's more money overseas that we will never get back and doesn't go into our economy; it disappears and is the worst way to spend money. When the economy picks up we are going to reach capacity.

Senator Hatch believes in natural gas and feels it's a nice resource and is a good vehicle fuel because it's domestic, efficient, clean, abundant, american, and affordable. At one point we weren't so sure it was abundant, but where we were ten (10) years ago and where we are today, is a completely different story on natural gas. This is a very big part of his energy strategy and has pushed other things like vehicle technologies that reduce fuel use, because he feels it reduces our dependence on foreign oil.

In Utah, since President Obama took over, our leases are down eighty seven percent (87%). In the nation, they are down sixty seven percent (67%), so this administration is definitely pushing people off of the federal lands; we need that royalty.

Commissioner Peatross presented a map of Duchesne County and stated this map is to give an idea of what Duchesne County is. There is an oil field that is thirty to forty years old and El Paso is going back in reworking these wells that are mostly crude oil. Commissioner Winterton stated that they are assessing each hole. Commissioner Peatross also stated that El Paso is enlarging their compressor station by approximately one third. This is why he wanted a representative from El Paso to attend the meeting so they could discuss this.

Executive Session - Personnel And/Or Litigation

No discussion was necessary.

Discussion Of Afternoon Agenda Items

Commission Calendaring

Adjourn

Chairman Wood adjourned the meeting at 9:57 A.M...

Read and approved this 25th day of April 2011.

Kirk J. Wood

Commission Chairman

Diane Freston

Clerk/Auditor

Minutes of meeting prepared by BobbiJo Casper _____