

**MINUTES FOR REGULAR COMMISSION MEETING HELD MAY 16, 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, Deputy County Attorney Jonathan Stearmer, Deputy Clerk/Auditor Connie Sweat, Deputy Clerk/ Auditor Leann Stewart, IS Department Head Jessica Purcell, IS Department Technician Kenyon Abbott, and Commission Assistant BobbiJo Casper taking minutes of the meeting.

Opening Comments

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

Pledge of Allegiance

Any wishing to participate.

Consideration Of Payment Vouchers

The commission reviewed vouchers #117800 through #117882 dated May 16, 2011 in the amount of two hundred fifty two thousand six hundred forty two dollars and forty five cents (\$252,642.45). *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 Angler Welding

Deputy Clerk Sweat stated that this company will be a mobile welding service in the oil field and has been signed off by the Planning and Zoning Department. *Commissioner Peatross motioned to approve the application as presented by Deputy Clerk Sweat. Commissioner Winterton seconded the motion. All commissioners voted aye and the motion passed.*

Consideration Of A Business License Application For Big B Equipment, Inc.

Deputy Clerk Sweat stated that this company is a John Deere Dealer. *Commissioner Peatross motioned to approve the application as presented by Deputy Clerk Sweat. Commissioner Winterton seconded the motion. All commissioners voted aye and the motion passed.*

Consideration Of A Business License Application For Intermountain Weed & Wildlife

Deputy Clerk Sweat stated that this is a weed management business that has been approved by the Planning and Zoning Department and the Building Department. *Commissioner Peatross motioned to approve the application as presented by Deputy Clerk Sweat. Commissioner Winterton seconded the motion. All commissioners voted aye and the motion passed.*

Consideration Of A Business License Application For Little D's Truckin

Deputy Clerk Sweat stated that this is a trucking company that will be leasing his truck to Iowa Tanlines Inc. and will leave the truck in Iowa Tanklines yard. *Commissioner Peatross motioned to approve the application as presented by Deputy Clerk Sweat. Commissioner Winterton seconded the motion. All commissioners voted aye and the motion passed.*

Consideration Of A Business License Application For Loco Solutions, Inc.

Deputy Sweat stated that this company is a hosting site doing software and web design out of their home. *Commissioner Peatross motioned to approve the application as presented by Deputy Clerk Sweat. Commissioner Winterton seconded the motion. All commissioners voted aye and the motion passed.*

Consideration Of A Business License Application For Red Dog Photography

Deputy Sweat stated this is a mobile photography business. *Commissioner Peatross motioned to approve the application as presented by Deputy Clerk Sweat. Commissioner Winterton seconded the motion. All commissioners voted aye and the motion passed.*

Consideration Of Sex Offender Registry Equipment Grant

Commissioner Winterton stated that Sheriff Travis Mitchell discussed this grant earlier in the commission working meeting. This is to be able to continue providing services

that is already being rendered. This will be updating their equipment to be able to do this electronically. The county will pay the initial cost for the equipment, and then will get reimbursed, costing the county twenty four dollars (\$24.00). *Commissioner Winterton motioned to approve the Sex Offender Registry Equipment Grant. Commissioner Peatross seconded the motion. All commissioners voted aye and the motion passed.*

Consideration Of Homeland Security Grant Purchase

Commissioner Winterton stated that this is a grant for securing funds to provide a mobile scanning unit and badge for emergencies out on site. This will include licenses for the region, which is Daggett County, Uintah County, Duchesne County, and the Ute Indian Tribe. Emergency Management Director Mike Lefler is the Chairman of the committee and is requesting this grant. *Commissioner Winterton motioned to authorize Chairman Wood to sign the Homeland Security Grant. Commissioner Peatross seconded the motion. All commissioners voted aye and the motion passed.*

Consideration Of The Minutes For Working Commission Meeting Held May 09, 2011

Commissioner Peatross motioned 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 May 09, 2011

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

Entered Public Hearing @ 1:30P.M...

1:30 P.M. Public Hearing –

County/Community Planning Administrator Mike Hyde, Lana Berrett, Loreen Montgomery, & Dennis Montgomery joined the meeting at 1:30 P.M...

Consideration of Ordinance No. 11-288, An Ordinance Amending The Duchesne County Zoning Map, Rezoning Described Property From Agricultural-Residential (A-2.5) To Industrial (I)

Administrator Hyde stated that he is here representing the planning commission, which had a public hearing on May 4, 2011, after a request to rezone about eighty (80) acres of land north of the Roosevelt Airport from agricultural-residential to industrial. The applicants are present today and they apparently have someone of interest to use this property for industrial type purposes. At the public hearing there was no one from the area that spoke to or against this. We did receive a comment from Darrin Brown at Tri County Health Department. The health department generally discourages industrial zoning in areas where there is no sanitary sewer service because being on a septic system can limit the types of industrial uses that can go on a property; the property owners are aware of this. The Planning Commission unanimously recommend the approval of the rezone, subject to there being a deed restriction placed on any sale of the property letting future users and owners know they cannot establish junk yard, landfill, feed lot, or composting facility on the property; even though the zoning ordinance would allow that.

ORDINANCE #11-288

AN ORDINANCE AMENDING THE DUCHESNE COUNTY ZONING MAP, REZONING DESCRIBED PROPERTY FROM AGRICULTURAL-RESIDENTIAL (A-2.5) TO INDUSTRIAL (I)

WHEREAS, S&M Homestead Enterprises LLC has filed an application to rezone property described as the South ½ of the SW ¼ of Section 19, Township 2 South, Range 1 West, USM from Agricultural-Residential (A-2.5) to Industrial (I); and,

WHEREAS, after giving notice and conducting a public hearing on May 4, 2011, the Duchesne County Planning Commission has recommended approval of the rezone as requested for the subject parcel subject to the property owners placing a deed restriction on the property prohibiting its use as a junk yard, landfill, feed lot or composting facility; and,

WHEREAS, after giving notice and conducting a public hearing on May 16, 2011, the

Duchesne County Commissioners have accepted the Planning Commission recommendation and adopted findings to approve the rezone request.

BE IT HEREBY ORDAINED BY THE BOARD OF COUNTY COMMISSIONERS that:

SECTION 1. *The following described property is hereby rezoned on the official zoning map from Agricultural-Residential (A-2.5) to Industrial (I):*

The South 1/2 of the SW 1/4 of Section 19, Township 2 South, Range 1 West, USM. Contains 79.38 acres.

SECTION 2. Severability.

If any court of competent jurisdiction declares any Section of this Ordinance invalid, such decision shall be deemed to apply to that Section only, and shall not affect the validity of the Ordinance as a whole or any part thereof other than the part declared invalid.

SECTION 3. Effective Date.

This Ordinance shall become effective fifteen (15) days after publication.

DATED this 16th day of May, 2011.

ATTEST:

DUCHESNE COUNTY
BOARD OF COMMISSIONERS

Diane Freston
County Clerk/Auditor

Kirk J. Wood, Chairman

Kent R. Peatross, Commissioner

Ronald Winterton, Commissioner

Entered Back Into Regular Commission Meeting At 1:39 P.M...

Commissioner Peatross motioned to adopt Ordinance No. 11-288. Commissioner Winterton seconded the motion. All commissioners voted aye and the motion passed.

Adjournment

Chairman Wood adjourned the meeting at 1:40 P.M. after there was no other business.

Read and approved this 23rd day of May 2011.

Kirk J. Wood
Commission Chairman

Diane Freston
Clerk/Auditor

Minutes of meeting prepared by BobbiJo Casper _____