

**MINUTES FOR REGULAR COMMISSION MEETING HELD JUNE 27, 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, Duchesne City Mayor RoJean Rowley, Deputy Clerk Auditor Leann Stewart, Deputy Clerk Auditor Connie Sweat, and Commission Assistant BobbiJo Casper taking minutes of the meeting.

Opening Comments

Chairman Wood said the prayer. There were no other comments.

Pledge Of Allegiance

Any wishing to participate.

Consideration Of Payment Vouchers

Deputy County Attorney Jonathan Stearmer joined the meeting at 1:05 P.M...

The commission reviewed vouchers # 118253 through #118308 dated June 27, 2011, in the amount of fifty nine thousand two hundred fifty six dollars and fifty three cents (\$59,256.53) 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 Wild Mountain Outfitter's

Deputy Clerk Sweat stated that this is a hunting guide outfitter. *Commissioner Peatross motioned to approve the business license application as presented. Commissioner Winterton seconded the motion. All commissioners voted aye and the motion passed.*

Consideration Of Disclaimer Of Civil/Regulatory Authority, Cooperative Agreement For Mutual Assistance In Law Enforcement, And Cooperative Agreement To Refer Tribal Members Charged With Misdemeanor Offenses To Tribal Court For Prosecution

Attorney Stearmer stated that there has been a lot of negotiations going back and forth between the various entities on these agreements and closed sessions discussing the language. The agreements as they stand now have been negotiated between the parties and there has been additional language inserted in the final agreements that was recommended from Sheriff Travis Mitchell and County Attorney Steven Foote dealing with domestication of warrants and credentials that need to be carried by officers. It is County Attorney Stephen Foote's recommendation that these agreements be signed and sent over to the Ute Indian Tribe and other entities for signatures. Attorney Stearmer understands that Sheriff Travis Mitchell is okay with these agreements. *Commissioner Winterton motioned to approve the agreements with the Ute Indian Tribe contingent upon them continuing the disclaimer. Commissioner Peatross seconded the motion. All commissioners voted aye and the motion passed.*

Consideration Of Mutual Aid Agreement With Duchesne City

Emergency Management Director Mike Lefler joined the meeting at 1:20 P.M...

Attorney Stearmer stated that this is dealing with an emergency that is greater than the resources of an entity, they can call another entity to help. When reviewing the mutual agreement earlier, he noticed that it didn't seem to be mutual; it appears to be one sided. It is his understanding that Commissioner Peatross spoke to Mayor Rowley to change it to be mutual. Attorney Stearmer is making the changes to the agreement, but it's not ready. He suggested that we approve with Mayor Rowley's signature, and then readdress the issue with mutual language inserted at a later date. Mayor Rowley stated that the agreement does need to be both ways, but they are good with how it is. *Commissioner Winterton motioned to authorize the signature of the Mutual Aid Agreement with Duchesne City as presented. Commissioner Peatross seconded the motion. All commissioners voted aye and the motion passed.*

Consideration Of Local State Of Emergency Declaration

Director Lefler read the attached declaration out loud and stated this declaration is going to be updated almost daily because of costs and won't be finished until the water levels are down to a certain level. This just lets the State of Utah know that this is what is happening and what we are doing. We had to meet a certain amount of money which

we have exceeded. The commission is the only ones who can declare this. He spoke with the State to find out if we needed signatures from Duchesne City and Myton City in order for them to be included, and was told that by Duchesne County declaring this, it will include both of them and no other signature than the County Commission is necessary. *Commissioner Peatross moved to approve the declaration declaring Duchesne County, Duchesne City, and Myton City in the state of emergency. Commissioner Winterton seconded the motion. All commissioners voted aye and the motion passed.*

Consideration Of Minutes For Combined Commission Meeting Held June 20, 2011

Carbon County Deputy Attorney Christian Bryner, Public Lands Director & B & D Roads Administrator for Carbon County Rex Sacco, & Jones & DeMille Engineering Project Engineer Brian Barton joined the meeting at 1:20 P.M...

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

Consideration Of LTD Benefit Protection Contracts Covering Tier 2 Members

Personnel Director Carrie Mascaro joined the meeting via telephone at 1:54 P.M...

Director Mascaro stated that tier two is the retirement system that all new employees with go into after July 1, 2011. We have a long term disability benefit protection plan, so this would allow tier two employees that same benefit. This is a cost to the county, which is the only down side is paying the retirement while an employee is on disability, but we have the option to do it or not and recommends that we do go with this. With the Family Medical Leave Act (FMLA), we only have to hold jobs for twelve (12) weeks, so it's not something that would go on for years and years if an employee goes on this disability. *Commissioner Winterton motioned to approve the benefit protection contract coverage for tier two employees. Commissioner Peatross seconded the motion. All commissioners voted aye and the motion passed.*

Adjournment

Chairman Wood adjourned the meeting at 1:58 P.M.

Read and approved this 11th day of July 2011.

*Kirk J. Wood
Commission Chairman*

*Diane Freston
Clerk/Auditor*

*Minutes of meeting prepared by BobbiJo Casper*_____