

**MINUTES OF COMMISSION COMBINED WORKING SESSION AND REGULAR  
SESSION MEETING HELD OCTOBER 17, 2011, BEGINNING AT 9:00 A.M. IN  
CONFERENCE ROOM #1, IN DUCHESNE, UTAH**

***Present***

Commission Chairman Kirk J. Wood; Commissioner Ronald Winterton, Commissioner Kent R. Peatross, Public Works Director Glen Murphy, Uintah Basin Standard Reporter Steve Puro, and Commission Assistant BobbiJo Casper taking minutes of the meeting.

***Public Works/Landfill Department Update***

*Deputy County Attorney Jonathan Stearmer joined the meeting at 9:12 A.M...*

Director Murphy stated that the Road Department put in two (2) new culverts on the Ioka Road, because a culvert gave out and blocked people in. We were able to open one lane allowing people access in and out while we were waiting for Mountain Fuel to lower their gas line. It was a two day project that is now finished and opened; we will try to oil it before it gets too cold. We finished the driveways on the Uresk Road and County Road 36 by John Price's, so we will start edging. We are edging the road behind IFA in Roosevelt and the Northtown Subdivision in Roosevelt today.

Commissioner Winterton stated that he and Clint Curtis are meeting on the Neola sidewalk project tomorrow.

Commissioner Peatross stated that at the Joint Highway meeting last week, they discussed the Stip Program and have until the 20<sup>th</sup> of January to get the applications turned in to add bridges to it. UDOT has changed their construction practices and have gone to a two engineer philosophy. They feel that there are potential conflicts of interest if they hire the same engineer to design and construct a project. This may be something we should look at and he will contact Clint Curtis.

Director Murphy reported that the Dye Dugway fell two (2) feet in some areas a few weeks ago and presented the commission a map proposing a new road. He feels this new route would be better, because there is no water on the hill. The Special Service District #2 is willing to take this project on. It will cost approximately two million dollars (\$2,000,000.00). We could have the Dye's fence off the dugway to illuminate the danger on that road during the winter. We have fixed that dugway every year for the past few years and the last couple wet years have been bad on it.

Director Murphy stated that the county is going to lose a lot of roads the next few years due to the oil field truck traffic and suggested charging a fee to be able to pay to repair the roads. Rio Blanco is doing this and charge eighteen to twenty thousand dollars (\$18,000 – \$20,000) per location to cover the cost of road repairs. Chairman Wood stated that at a meeting they attended with Rio Blanco County, Rio Blanco told trucking companies that if they want to use their roads they need to build them up to standards or keep the trucks small enough that they won't tear up the roads. Commissioner Peatross stated that we have a different scenario than Rio Blanco. Their county isn't dealing with the Utero issues and things like that. Oil companies are already facing lots of tariffs and extra charges. He feels that this is still something that they can bring producers together to discuss and pursue. They may not like the fee schedule as much as just a cooperative annual agreement.

Director Murphy reported that at the Landfill, he is waiting for a time to get the one monitoring well closed. He has not been able to make contact with Roy VanOs.

***Discussion With Miss Duchesne County Brittani Reinhardt***

*Miss Duchesne County Brittani Reinhardt & Mrs. Jodi Reinhardt joined the meeting at 9:28 A.M...*

Miss Reinhardt stated that being Miss Duchesne County has been an honor and a pleasure. She was involved in the Duchesne County Fair and had a lot of fun. She was able to be a part of the dedication of the Duchesne City Office and got to cut the ribbon. She recently started a blog to promote her platform which is "Let's Move", it's an initiative started by the First Lady to encourage people to get more active and eat healthier. She would like to meet with elementary students this winter, to talk to them about the importance of eating healthy. She is organizing a dance camp for girls in the community to teach dances and techniques. She would like to organize a 5K in the

spring and encourages everyone to bring their families. Being Miss Duchesne County has opened so many doors and holding this title makes her eligible to compete in the Miss Utah Pageant next summer where she would be able to represent Duchesne County and is a scholarship opportunity. The fees are seventeen hundred dollars (\$1,700.00). She has raised five hundred dollars (\$500.00) so far and asked the commission for their support and help in any amount. Commissioner Peatross stated that we have supported the request in the past and we have not had a lot of girl's tryout for the Miss Utah Pageant. Chairman Wood stated that we have given one thousand dollars (\$1,000.00) in the past and feels comfortable with giving that amount again this year. Commissioner Peatross stated that he feels we could raise that to twelve hundred dollars (\$1,200.00) this year due to inflation. Commissioner Winterton stated that he is okay with raising the amount to twelve hundred (\$1,200.00). Commissioner Peatross stated that we need a voucher in order to send the money and suggested that they work with Assistant Casper.

### ***Discussion Of Lexipol Policies And Procedures***

*Sheriff Travis Mitchell & Lieutenant Dave Boren joined the meeting at 9:39 A.M...*

Sheriff Mitchell stated that we have a proposal from Lexipol to provide us with policies and procedures that you subscribe to; once they are set, Lexipol keeps then up to date as far as court cases, legislation, and things like that go. The cost is six thousand nine hundred fifty dollars (\$6,950.00) upfront; that sets the policy up and a year of service. The cost per year is two thousand eight hundred fifty dollars (\$2,850.00). Utah Counties Insurance Pool (UCIP) is really pushing this. One of the advantages is that it will get us out ahead of problems before they happen. Lieutenant Boren stated that there are federal court cases that we aren't aware of and can potentially be a problem for us, but by having Lexipol, they will keep all those cases updated. Sheriff Mitchell stated that this is why UCIP is pushing this because it could prevent liability issues. Commissioner Peatross stated that he thinks this is a good idea and feels we are all about risk management; this is the biggest piece of it. Commissioner Winterton stated that he feels this is a good thing. Chairman Wood suggested that Sheriff Mitchell get a contract from Lexipol so that they can discuss it and find out if it's something that can be funded through Revitalization Funds. All commissioners agreed that this is necessary for the Sheriff's Department.

### ***Discussion Of The Hancock Cove Sewer Project***

*Craig Ashby joined the meeting at 9:55 A.M...*

Mr. Ashby stated that they held a public hearing in August and it was well attended by almost seventy (70) people and was a community meeting. We put out the question to ask if we should move ahead with the study and everyone was for it. We did a door to door survey and received one hundred eighty signatures with eighty (80%) percent positive response to the study. The study should be done by January and would have to create a special service district beforehand.

### ***Discussion Of A Personnel Request***

*Personnel Director Carrie Mascaro joined the meeting at 10:09 A.M...*

Director Mascaro stated that the request is in the Maintenance Department to replace Bill Mutton who is retiring at the end of the month, we will open the position in house first before putting it out to the public. Chairman Wood stated that the posting this announcement sounds good.

### ***Discussion Of A Letter To The Utah Air Quality Board Regarding El Paso Midstream Group, Inc., Altamont Gas Plant***

*County/Community Planning Administrator Mike Hyde joined the meeting at 10:06 A.M...*

Administrator Hyde stated that this letter supports El Paso's request through DEQ to put in equipment to increase capacity and reduce emissions. Both Chairman Wood and Commissioner Winterton agreed that the letter looks good.

### ***Discussion Of Property Taxes***

*Treasurer Colene Nelson joined the meeting at 10:48 A.M... Property Owner Darrell Wesendorf joined the meeting via telephone at 10:50 A.M...*

Mr. Wesendorf stated that he made arrangements years ago with his brother to pay the taxes and found out last year that his brother hadn't paid the taxes. He was involved in an accident and now has large medical bills and has been off work for a while. He wants to request doing a lien or something through the county to secure his property and has exhausted all of his resources. He will be getting a medical settlement at some point.

Chairman Wood stated that it looks like this property will go to tax sale next year. Commissioner Peatross stated that in a tax sale, traditionally the land goes for less than what it's worth and the county only keeps what is owed in taxes so whatever is over that amount goes to the property owner. You may want to look into subdividing the property and selling some of it. He feels we should wait until it gets closer to the tax sale to have a better feel for what the reality is. Mr. Wesendorf may get his settlement before then and be able to pay it in full. Chairman Wood stated that unless this gets paid off in full, this will go to tax sale. We appreciate the situation you are in, but there is nothing we can do.

***Consideration Of Payment Vouchers***

The commission reviewed vouchers #119460 through #119462 dated October 06, 2011, in the amount of one million three hundred twelve thousand one hundred ninety six dollars and eight cents (\$1,312,196.08). The commission also reviewed vouchers #119237 through #119459 dated October 07, 2011, in the amount of two hundred seventy thousand ninety five dollars and thirty three cents (\$270,095.33). The commission also reviewed vouchers #119464 through #119485 dated October 12, 2011, in the amount of one hundred sixty five thousand six hundred fifty eight dollars and two cents (\$165,658.02). *Commissioner Peatross motioned to approve the vouchers as presented. Commissioner Winterton seconded the motion. All commissioners voted aye and the motion passed.*

***Tax Adjustments– Assessor***

*Commissioner Peatross motioned to approve the tax adjustments as recommended by the Assessor's Office. Commissioner Winterton seconded the motion. All commissioners voted aye and the motion passed.*

***Consideration Of A Business License Application For Double L Enterprises***

*Deputy Clerk Auditor Connie Sweat joined the meeting at 10:14 A.M...*

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

***Consideration Of A Business License Application For Frac Tech Services, LLC***

Deputy Clerk Sweat stated that this company is an oil and natural gas industry out of Vernal. *Commissioner Winterton motioned to approve the business license application as presented. Commissioner Peatross seconded the motion. All commissioners voted aye and the motion passed.*

***Consideration Of A Business License Application For JP Steel***

Deputy Clerk Sweat stated that this company is a rebar vendor and has a shop in Ballard. *Commissioner Winterton motioned to approve the business license application as presented. Commissioner Peatross seconded the motion. All commissioners voted aye and the motion passed.*

***Consideration Of A Business License Application For Morts Consulting***

Deputy Clerk Sweat stated that this company is an oil field consulting company that is a home based business. *Commissioner Winterton motioned to approve the business license application as presented. Commissioner Peatross seconded the motion. All commissioners voted aye and the motion passed.*

***Consideration Of A Business License Application For Officially Clean***

Deputy Clerk Sweat stated that this company will be doing office cleaning and janitorial service. *Commissioner Winterton motioned to approve the business license application as presented. Commissioner Peatross seconded the motion. All commissioners voted aye and the motion passed.*

***Consideration Of A Business License Application For Rocky Mountain Crane Service LLC***

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

**Consideration Of A Business License Application For Stinger Wellhead Protection Inc.**

Deputy Clerk Sweat stated that this company supplies wellhead isolation services out of Oklahoma City. *Commissioner Winterton motioned to approve the business license application as presented. Commissioner Peatross seconded the motion. All commissioners voted aye and the motion passed.*

**Consideration Of A Business License Application For Water Recovery LLC**

Deputy Clerk Sweat stated that this company is a disposal facility and has ponds outside of Myton. *Commissioner Winterton motioned to approve the business license application as presented. Commissioner Peatross seconded the motion. All commissioners voted aye and the motion passed.*

**Consideration Of A Business License Application For Western Chemical LLC**

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

**Consideration Of Ratification Of Quit Claim Deeds**

Commissioner Peatross stated that this has to do with the exchange of the two properties one at the fair grounds and the other by the Justice Center. We had to complete this to get the CIB Board to release the property for Duchesne City who is going to be moving their water facility from the fair grounds to property by the Justice Center on the Blue Bench. This is something that we have been working on for a while and has been over a year process. He feels this exchange is a win-win. *Commissioner Peatross motioned to ratify the Chairman's signature of the Quit Claim Deeds. Commissioner Winterton seconded the motion. All commissioners voted aye and the motion passed.*

**Consideration Of Minutes For Regular Commission Meeting Held October 03, 2011**

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

**Executive Session - Personnel And/Or Litigation**

*Commissioner Winterton motioned to enter into and out of executive session for the purpose of discussing purchasing land at 11:23 A.M. following a recess. Commissioner Peatross seconded the motion. All commissioners voted aye and the motion passed.*

*Executive session began at 11:44 A.M...*

*Reconvened to Working Commission meeting at 11:54 A.M...*

**Executive Session - Personnel And/Or Litigation**

*Commissioner Peatross motioned to enter into and out of executive session for the purpose of discussing Litigation issues at 11:54 A.M. Commissioner Winterton seconded the motion. All commissioners voted aye and the motion passed.*

*Reconvened to Working Commission meeting at 12:07 P.M...*

**Commission Calendaring**

**Adjourn**

*Chairman Wood adjourned the meeting at 12:20 P.M...*

*Read and approved this 24<sup>th</sup> day of October 2011.*

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Kirk J. Wood

Commission Chairman

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Diane Freston

Clerk/Auditor

*Minutes of meeting prepared by BobbiJo Casper*\_\_\_\_\_