

**MINUTES OF COMMISSION COMBINED WORKING SESSION AND REGULAR
SESSION MEETING HELD OCTOBER 31, 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, , Deputy County Attorney Jonathan Stearmer, Public Works Director Glen Murphy, and Commission Assistant BobbiJo Casper taking minutes of the meeting.

Public Works/Landfill Department Update

Director Murphy stated that the Road Department is putting rock and gravel down on County Road 46 in Myton going towards the Uintah County line and will pave this road at a later date. We dug up the Bluebell Road and put pit run and gravel where the wet spot was that was buckling that road. We were able to get the water to drain off and will go back and pave this road also. He met with Jones & DeMille Engineering and Special Service District #2 last week discussing the Dye Dugway. Jones & DeMille is going to aerial photograph the new road on the Dye Dugway this week. We walked where the new road will be, and then traveled to Nine Mile Canyon where Nielson Construction has a little over a mile paved and hopes to get over three (3) miles down within the next few weeks. Joe Summarell and Ralph Stansfield had their inmate crews put up snow fence for the winter and only have a few pieces left to do.

Attorney Stearmer stated that he and Personnel Director Carrie Mascaro went through road maps at the Uintah Basin Association of Government (UBAOG) Office in Roosevelt and were looking specifically for information on the Minnie Maud Road. They found a 1969 map which was pretty beneficial that was approved in 1970; he isn't sure who approved it, the county or Utah Department of Transportation (UDOT). Julia Potter has been researching minutes for vacated roads and so now we will have her research the minutes of 1968-1971. Whoever did this map kept track of the maintenance that was being done and was very specific on each road. It also shows what condition the roads are in and found all of the quadrangles, which is great for historical reference. If we are unable to find any information in the minutes, he will ask UBAOG to go through their documents to see if they can find any information and thinks that UBAOG may have been the entity that put the maps together because he found letters with UBAOG letterhead. Commissioner Peatross stated that Miss Potter is going to go through all of the information she has found so far with GIS Director Stoney Monks; as soon as that is done, he thinks we will be ready to put together the County 'B' Road Map. Attorney Stearmer stated that if the county never vacated the roads, then they are still there. We are checking on roads that have been dedicated to the public and roads that have been vacated by the county. If the county never went through and vacated the Minnie Maud road then it doesn't matter what it says on the subsequent maps because the public never gave up their right to that road.

Discussion Of Form Of Leases On Oil And Gas Leases

Jake Woodland representing Bill Barrett Corporation, Alex Keeler & Brandon Oaks representing El Paso, & Lynn Casterline representing Newfield joined the meeting at 9:24 A.M... Uintah Basin Standard Reporter Geoff Laisek joined the meeting at 9:34 A.M...

Attorney Stearmer stated that the purpose of this discussion is to discuss the procedures that the county wants to use on oil and gas leases. During the last public hearing on leasing oil and gas, there was discussion on what form the county wanted to use and procedures such as bid or by proposal. He received a copy of leases from the State of Utah and the Bureau of Land Management (BLM), but likes the State of Utah's form better. As far as the Attorney's Office goes, he doesn't care what is in the lease, as long as it's the same form. This would save a lot of time on review and thinks it would also be better for the industry. The county is acting as a private entity when we are leasing, we aren't acting as the state or federal government. He will take the State of Utah's form and trim it down to what the county's needs are. If this is the direction that the commission would like to go, he will prepare a draft form of lease to review next week and have another discussion, and then adopt a resolution the following week. It would be great to get other companies that are interested involved and get their input. Chairman Wood suggested getting everyone's email addresses so that we could send them a draft version of the lease and they wouldn't have to come back next week, we could get their comments and recommendations by email. Mr. Keeler stated that if the

language is going to stay within the frame of the form, our comments are going to be very few because we are familiar with the state form and so are the other companies. If the negotiation factors are going to be the fill in the blanks, we just need to understand how the process is going to take place in the county for us to come in and start the negotiations. Attorney Stearmer stated that it is his opinion and what he would like to see is that the public notice gets sent out and the interested parties submit their sealed bids and we open them up and the highest bid is accepted. The most streamline we can get is great. He would build in an exception where all parties want to have an open bid and have a chance to counter whatever is presented, and then the commission can grant that ability. Mr. Woodland stated that allowing the county that flexibility is important and it's easy as specifying that the county has the option and put it in the public notice of what type of bid is going to be accepted. We need to know what we are bidding on and feels the royalty rate needs to be established and whether it can change due to market fluctuation. It's up to the county to decide and can be stated in the public notice where to pick up the forms showing the certain things that are set. Mr. Keeler stated that if you put all of the parcels on an open public form that shows all of the parcels that are coming up to bid this year, it gives people time to prepare for that meeting. The way things are now creates the county more work because we are bringing parcels to the county with a proposal, but not everyone is going to want the same acreage. As you see leases coming up, you may want to keep track of them in a database; it's your discretion to hire a mineral guy. Commissioner Peatross stated that since he has been a commissioner, the only way that they have done the leases is by request and interest. Mr. Keeler stated that the public notice creates certain issues out there for people like us, because if you go to this public form we start getting back lash because surrounding property owners may have gotten a lot less than what the county got. These are going to be case by case situations, but everyone has the right to do what they want with their minerals. This may be something that the county wants to look at and think about. Mr. Woodland stated that he feels that these problems are already out there, it comes down to negotiating ability of the person negotiating the lease and we are dealing with a government agency instead of a private agency. He can see that an established time frame be set to have this once a quarter or twice a year. You can start building a sales list as they come in and keep track of it. Commissioner Peatross stated that he likes the thought of dealing with this all at one time. Chairman Wood stated that we could have Assistant Casper compile the data. Mr. Keeler suggested that the county contact other counties to see how they do things and what issues they have had. Chairman Wood stated that we have tried to get the most money for the citizens and that's our trust but if it doesn't work for the oil companies then it doesn't work for the county either. Attorney Stearmer stated that we have the responsibility of treating everyone the same under the law and requested contact information of other colleagues and companies so that we could get all input possible. He wants to make sure that every business feels that they are welcome to be part of this discussion.

Discussion Of Redistricting Maps

Chief Deputy Clerk JoAnn Evans joined the meeting at 10:00 A.M...

Deputy Clerk Evans presented a new house map to the commission and stated that she is concerned about having to re-precinct every place. Attorney Stearmer stated after looking at the new redistricting map "what a freaking mess". Deputy Clerk Evans stated that they didn't follow the precinct lines, they followed the Census maps. We have done everything in our power to make sure everyone could vote for their school board members and this throws all that out the window. We are the only county facing this problem and requested direction on what to do since we only have until January 1, 2012 to get this done. The Vista program which is a State of Utah program is not set up to be able to split a city or a precinct, the State of Utah expects us to make the change. The Census lines don't make any sense for us in a rural county. Chairman Wood stated that we need to throw this back at the State of Utah, it's their program. Commissioner Peatross suggested that Chairman Wood contact Lt. Governor Greg Bell. Deputy Clerk Evans stated that she has contacted his office and is waiting for a return phone call, but the reason she is getting the commissioner's involved is so that they can back her on whatever decision she makes. Commissioner Peatross stated that he will back her up, but would like to know what she is going to do first.

Consideration Of Payment Vouchers

Deputy Clerk Auditor Connie Sweat joined the meeting at 10:11 A.M...

The commission reviewed vouchers #119659 through #119708 dated October 31, 2011, in the amount of one hundred ninety three thousand sixty nine dollars and three cents (\$193,069.03). *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 Winterton motioned to approve the tax adjustments as recommended by the Assessor’s Office. Commissioner Peatross seconded the motion. All commissioners voted aye and the motion passed.

Tax Adjustments– Clerk/Auditor

Commissioner Winterton motioned to approve the tax adjustments as recommended by the Clerk Auditor’s Office. Commissioner Peatross seconded the motion. All commissioners voted aye and the motion passed.

Consideration Of A Business License Application For Bandit Recovery Services

Deputy Clerk Sweat stated that this company is doing auto repossession and collections. This application has been signed off by County/Community Planning Administrator Mike Hyde and is not allowed to have outside storage. *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 Minutes For Regular Commission Meeting Held October 17, 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

No discussion was necessary per Attorney Stearmer.

Commission Calendaring

Adjourn

Chairman Wood adjourned the meeting at 10:39 A.M...

Read and approved this 7th day of November 2011.

Kirk J. Wood

Commission Chairman

Diane Freston

Clerk/Auditor

*Minutes of meeting prepared by BobbiJo Casper*_____