

**MINUTES FOR REGULAR COMMISSION MEETING HELD DECEMBER 05, 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 County Attorney Marea Doherty, Deputy Clerk Auditor Connie Sweat, and Commission Assistant BobbiJo Casper taking minutes of the meeting.

Opening Comments

Commissioner Peatross said the prayer. There were no other comments.

Pledge Of Allegiance

Any wishing to participate.

Tax Adjustments – Assessor

The commission reviewed the attached tax adjustments presented by Clerk Auditor Sweat. *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 – Auditor

Deputy Clerk Auditor Sweat stated that last week the commission approved a tax adjustment for the Utah Housing Authority that was bought and the amount was already paid. *Commissioner Winterton motioned to rescind the tax adjustment for the Utah Housing Authority as recommended by the Auditor's Office. Commissioner Peatross seconded the motion. All commissioners voted aye and the motion passed.*

Consideration Of Payment Vouchers

The commission reviewed vouchers # 119949 through #120076 dated December 05, 2011, in the amount of five hundred eighty seven thousand eight hundred two dollars and seven cents (\$587,802.07) as presented by Deputy Clerk Sweat. *Commissioner Peatross motioned to approve the vouchers as presented by the Clerk Auditor's Office. Commissioner Winterton seconded the motion. All commissioners voted aye and the motion passed.*

Consideration Of A Business License Application For PTI Group USA

Deputy Clerk Sweat stated that this company will be doing oil field rental and sales. *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 Pioneer Drilling Services

Deputy Clerk Sweat stated that this business is a drilling company that has oil and gas wells in our county. *Commissioner Winterton motioned to approve the business license application as presented. Commissioner Peatross seconded the motion. All commissioners voted aye and the motion passed.*

Commissioner Peatross excused himself at 1:22 P.M.

Consideration Of Surplus Property

Attorney Stearmer stated that it is his understanding that this is surplus property collected by different offices and will be put on the surplus website. Our ordinance requires the surplus property be approved by the commission. *Commissioner Winterton motioned to approve the sale of the surplus items listed on the attached sheet. Chairman Wood seconded the motion. Both commissioners voted aye and the motion passed.*

Consideration Of Defense Attorney Contract

Commissioner Peatross re-joined the meeting at 1:25 P.M...

Chairman Wood stated that we discussed this at length this morning in the working meeting. *Commissioner Winterton motioned to release Mad Law/Marea Doherty from her contract with the county as a defense attorney, waive the forty five (45) day notice requirement, and appoint Morrison and Morrison to take over Mrs. Doherty's contract beginning January 1, 2012 for a term of three (3) years, and pay Mrs.*

Doherty for the first week in December for defense work performed. Commissioner Peatross seconded the motion All commissioners voted aye and the motion passed.

Consideration Of Ordinance No. 11-291, An Ordinance Amending The County's Disposition Policy For Oil And Gas Leases

Attorney Stearmer stated this was discussed earlier in the working meeting where Commissioner Peatross requested giving the industry another week to review and make comments. He will send out a reminder to the industry and let them know that this will be considered by the commission next week. *This item was postponed by general consent.*

Consideration Of Resolution No. 11-10, A Resolution Establishing The Dr. Larsen Fund For Children Within The Uintah Basin Healthcare Foundation And Governing Principles In Its Administration

Brent Hales, Kyle Snow, & Brad LeBaron with Uintah Basin Healthcare joined the meeting at 1:29 P.M...

Attorney Stearmer stated that this resolution is to deal with the Dr. Larsen fund that the county has had for around sixteen (16) years without any changes and hasn't been managed properly. This resolution has been drafted to deal with the wishes of Dr. Larsen established this fund to benefit the health of children. It has become apparent that Duchesne County does not have the resources to carry out the intent of this fund. We will zero out as much as we can to benefit children who need assistance with healthcare. Mr. LeBaron stated that this will be outside of the governmental assistance that they could qualify for. We will never spend more than the principal balance. Commissioner Peatross stated that he really likes the way that this is going to be administered. Chairman Wood stated that he would like to see the principal stay put and the interest be used for the intent for which the fund was created. Mr. LeBaron stated that they are viewing this as a menu of things that we would offer to prospective donors to participate in philanthropy here in our community. Attorney Stearmer stated that the original discussion was this is to be offered as seed money to hopefully spur more donations so that people could donate to a specific fund. We could add to the resolution that one hundred thousand dollars (\$100,000.00) will be viewed as principal amount so that will be governed and will have historical reference.

RESOLUTION NO. 11-10

A RESOLUTION ESTABLISHING THE DR. LARSEN FUND FOR CHILDREN WITHIN THE UINTAH BASIN HEALTHCARE FOUNDATION AND GOVERNING PRINCIPLES IN ITS ADMINISTRATION

WHEREAS, in 1978, the Larsen Memorial Fund (the "Fund") was created, within the Uintah Basin District Health Department, from several years of accumulated immunization clinic fees; and

WHEREAS, the Fund was created for the purpose of assisting with the special medical needs of children who otherwise lacked other funds to offset medical costs; and

WHEREAS, in 1990, the Duchesne County Commission passed a Resolution outlining parameters to oversee the expenditure of the Fund; and

WHEREAS, it has become readily apparent that Duchesne County does not have the proper staff and resources to carry out the intent of the Fund; and

WHEREAS, the County is currently the sole member of Uintah Basin Healthcare, which operates the Uintah Basin Healthcare Foundation; and

WHEREAS, the County has received from the Uintah Basin Healthcare Foundation sufficient assurances that the Fund will be managed according to best practices and in a way to insure the perpetuation of the Fund to the benefit of the children residing in Duchesne County.

BE IT HEREBY RESOLVED by the Board of Duchesne County Commissioners that:

1. \$119,766.00 shall be transferred to the Uintah Basin Foundation and be placed into the Dr. Larsen Fund For Children, to be managed and administered as outlined in Exhibit A, incorporated herein by reference.
2. \$100,000.00 will be considered as principal for purposes of management of the fund within the Uintah Basin Foundation.

3. Any other nominal assets still held in the Dr. Larsen Capital Fund and the Dr. Larsen Medical Expense Fund shall be assimilated into the Duchesne County General Fund and the accounts closed.

Dated this 5th day of December, 2011

ATTEST:

THE BOARD OF DUCHESNE COUNTY
COMMISSIONERS:

Diane Freston
County Clerk/Auditor

Kirk Wood, Chairman

Ronald Winterton, Member

Kent Peatross, Member

Commissioner Peatross motioned to adopt Resolution No. 11-10 dealing with the Dr. Larsen Fund For Children with the changes discussed. Commissioner Winterton seconded the motion. All commissioners voted aye and the motion passed.

Annual Update From Uintah Basin Healthcare

Mr. LeBaron reported that there is a recommendation for a change in the bylaws that requires approval from the member that is requested from the board. We have come through this past year in improved shape and continue to grow. We just completed our medical office building #2 and will be occupied within the next couple months with administration staff and doctors' offices. Eighty three (83%) percent of Uintah Basin citizens used a Uintah Basin Healthcare service at some point during the year. One hundred thousand (100,000) visits were made to our primary care clinics. Six hundred (600) babies were delivered. Seventy five (75) total knees, hips, and shoulder replacements. Three thousand (3,000) surgical procedures were performed. Ten thousand (10,000) dialysis treatments were performed. One thousand (1,000) visits were made to our emergency department. We have six hundred eighty (680) employees with a seventeen million dollar (\$17,000,000) payroll on an annual basis and we continue to grow and move from bad debt. We are moving more and more of what would have been bad debt into charity care and we think that shows dignity and understandings of circumstances that people can find themselves in. We will have two (2) more doctors joining us this next summer. We are the fifth (5th) lowest charging hospital in the state of Utah. Those who are under us, don't do anywhere near the services nor do they have size and scope of campus facility that we do. Mr. Hales presented the commission with the attached financial statement and stated that it was completed just over a month ago by an independent auditor. This was a clean audit and what they called an unqualified opinion. We purchased the long term care facility and found a window of opportunity to expand the number of beds to have a greater capacity and support the future needs of the community and felt that it was necessary to get additional licenses from the state. This allowed us to build the new facility and ninety is the capacity but found that having under eighty two (82) patients we found that there is a net loss, but the board and administration feels that this is a need for the residence of our area and have set goals. We are depreciating the building and assets over a period of time that equates to seven hundred thousand dollars (\$700,000.00) annually. We are projecting a five hundred thousand dollar (\$500,000.00) loss for this year. We do have to subsidize at times but still be able to have the means to continue to grow and have the services. Commissioner Peatross stated that the trustees have decided that if we are going to provide complete healthcare for the basin in a geographically isolated setting, this is something that we need to provide. Mr. Snow stated that the recommendation on the bylaws is to change the annual meeting in October, because we never get it done by then and recommended changing it to the end of the year.

Consideration Of Minutes For Combined Commission Meeting Held November 28, 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.

Adjournment

Chairman Wood adjourned the meeting at 2:28 P.M.

Read and approved this 19th day of December 2011.

Kirk J. Wood
Commission Chairman

Diane Freston
Clerk/Auditor

Minutes of meeting prepared by BobbiJo Casper
