

**MINUTES FOR REGULAR COMMISSION MEETING HELD JANUARY 09, 2012
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 Marea Doherty, Uintah Basin Standard Reporter Steve Puro, Brian Barton with Jones & DeMille Engineering, Darin Robinson with Jones & DeMille Engineering, Property Owner Babbett Rynes, Property Owner Jesse Rynes, and Commission Assistant BobbiJo Casper taking minutes of the meeting.

Opening Comments

Attorney Doherty 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 Assistant Casper. *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.*

Consideration Of Payment Vouchers

Clerk Auditor Diane Freston joined the meeting at 1:07 P.M...

The commission reviewed voucher # 120376 dated January 04, 2012, in the amount of twenty thousand dollars (\$20,000.00) as presented by Auditor Freston. The commission also reviewed vouchers # 120377 through #120414 dated January 09, 2012, in the amount of forty seven thousand four hundred ninety dollars and ninety nine cents (\$47,490.99) as presented by Auditor Freston. *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 Emergency Watershed Protection (EWP) Project

Commissioner Winterton stated that this is regarding the flood mitigation from this past spring and NRCS funds. Mr. Robinson stated that last week they met with the NRCS and reviewed the project scope and their damage survey report that has been completed so far. We also discussed the twenty five percent (25%) match of the four million dollars (\$4,000,000.00) with rock. If you could obtain the rock from public ground, Forest Service, or BLM ground and could convince them to waive the fee that would be a source of match from the county. In addition to that, if there is not enough rock for the project, you could use a percentage of employee's time to come up with the match. The quarry site needs to fit the categorical exclusion of environmental criteria, but there are a few places such as Blind Stream, and the Upper Stillwater Dam that we are looking at. We will meet with the Forest Service to try to nail down some other potential sites, that's what will make this project feasible. We are looking at two (2) months for the Forest Service to prepare the document, then, a thirty (30) day public comment period, then another forty five (45) day public comment period. We need to nail down the rock source, and then proceed with that. Commissioner Winterton stated that the damage survey report was done last week during the meeting with the NRCS. Commissioner Peatross stated that he doesn't feel all warm and fuzzy about the county trying to do the entire one million dollar (\$1,000,000.00) match. A lot of these projects are specifically beneficial to private property owners. He questioned how long it would take to get to the point of having a priority system together that they can go to private property owners and let them know what we can do if they do their part. If they choose not to cooperate, we just scratch them off the list. Mr. Robinson stated that we need specific site scopes with costs of each site. We will need a week or two to figure all of that out and establish property ownership. The county will have to sign agreements with each property owner. Commissioner Peatross stated that he doesn't want to see the county get into a position where people are coming in saying that we fixed other peoples damages on their property and they want theirs fixed also. It's going to be a lot easier to say yes we did it with grant money and the property owner paid their portion of the match to get it fixed. A lot of sites people can fix on their own such as head gates or do some preventative maintenance. He doesn't want us to become a fix all for all private property owners. Mr. Robinson stated that no

matter how you go with this, they are not cut and dry projects, but you just have to do what you can and try not to set precedence to the degree but it really comes down to education. You are not held to the full amount, it's an up to amount. This will work best if we can identify all sites up front. There may be some land issues that will take some time to get finalized, but sites can be added as long as we avoid unnecessary change orders. Commissioner Winterton stated that this project is doable as long as we can get the rock. Mr. Robinson stated that there will be an agreement that will come from the NRCS after the paperwork is submitted and then another agreement from Jones & DeMille Engineering.

Consideration Of An Agreement With Jones & DeMille Engineering, Inc.

Commissioner Winterton stated that this agreement is for Jones & DeMille Engineering to provide engineering services for the Emergency Watershed Project stated above. We have felt that we are over our heads and they have expertise in dealing with the NRCS and have already been through the process and feel that this is the best way to go. The NRCS generally provides the engineering services on projects like this, but because of the scope of this project, it's beyond what they can handle in house and they suggested that we hire Jones & DeMille to do it for us. They will help us with the grants and administer the funds along with all of the paperwork required during the process. Mr. Robinson stated that the NRCS sets the engineering fee and is not to exceed ten percent (10%) of the total amount. We have a lump sum amount for design services then an hourly amount for construction. We can make adjustments as needed to stay within the budget. *Commissioner Winterton motioned to approve the agreement with Jones & DeMille Engineering, Inc. and authorize Chairman Wood to sign it subject to Attorney Doherty's approval. Commissioner Peatross seconded the motion. All commissioners voted aye and the motion passed.*

Consideration Of A Beer License Application For The Patch Country Stores

Deputy Clerk Auditor Connie Sweat joined the meeting at 1:33 P.M...

Deputy Clerk Sweat stated that this is the same owner as the Bluebell Country Store and has been approved by the Sheriff's Department. *Commissioner Peatross motioned to approve the beer license application as presented. Commissioner Winterton seconded the motion. All commissioners voted aye and the motion passed.*

Consideration Of A Business License Application For Gas Drive Global (US) Inc.

Deputy Clerk Sweat stated that this is a gas compressor equipment and sales 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 JK Welding, Inc.

Deputy Clerk Sweat stated that this is a mobile welding 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.*

Discussion & Photo With Phase V Junk Car Removal Program Winner Daniel Taylor

County/Community Planning Administrator Mike Hyde joined the meeting at 1:36 P.M... Daniel, Kayla, Brody, & Tylee Taylor joined the meeting at 1:38 P.M...

Administrator Hyde stated that we had one hundred sixty (160) vehicles removed and the Taylor's won first place in the drawing which is eight hundred dollars (\$800.00). Chairman Wood presented the check to the family.

Consideration Of Resolution No. 12-01, A Resolution Authorizing Continuation Of The Trailer Removal Program in 2012

Administrator Hyde stated that every year since 2004, we have proposed having the trailer removal program in the upcoming year. In 2011, we had sixteen (16) trailers removed costing the county around sixteen thousand dollars (\$16,000.00). This is a popular program that helps with the cleanup around the county and recommended continuing this program.

RESOLUTION NO. 12-01

A RESOLUTION AUTHORIZING CONTINUATION OF THE TRAILER REMOVAL PROGRAM IN 2012

WHEREAS, Duchesne County has offered a junk trailer removal program since the fall of 2004 to encourage property owners to dispose of derelict trailers; and

WHEREAS, the trailer removal program has resulted in the removal of 179 trailers from private property in the county (16 in 2011) and contributed to aesthetic improvements in those areas; and

WHEREAS, the Duchesne County General Plan calls for beautification of the county and incentive programs to encourage property owners to participate.

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

1. The Trailer Removal Program will be continued for calendar year 2012, funded by the Solid Waste operations budget and be administered by the Community Development Department. Trailers located inside cities and towns within the county and in unincorporated areas are eligible for the program.
2. Property owners applying for the program will be free to choose their own contractor or conduct the trailer removal work themselves.
3. Duchesne County will reimburse applicants up to \$750.00 for each single-wide trailer (up to \$500.00 for trailers under 40 feet long exclusive of hitch) and up to \$1,000.00 for each double-wide trailer removed (with no payment to exceed the actual cost of the removal) upon submittal of:
 - a. An application and waiver form;
 - b. Before, during and after photos of the trailer site (before, during and after site visits by county personnel may be substituted).
 - c. Receipt from Blue Bench Landfill demonstrating delivery of trailer debris. Burning of trailers is not permitted unless approved by county fire and state air quality authorities.
 - d. Receipt from a contractor indicating completion of work and payment having been made (unless the work is completed by the property owner).
 - e. A Movable Structure Tax Clearance issued by the Duchesne County Assessor's Office.

PASSED this 9th day of January 2012 by the Board of County Commissioners. Members: Kirk J. Wood, Kent R. Peatross and Ronald Winterton. All present and voting in favor thereof.

THE BOARD OF DUCHESNE COUNTY COMMISSIONERS

Kirk J. Wood, Commissioner

Attest:

Kent R. Peatross, Commissioner

Diane Freston
County Clerk/Auditor

Ronald Winterton, Commissioner

Commissioner Peatross motioned to adopt Resolution No. 12-01 continuing the trailer removal program. Commissioner Winterton seconded the motion. All commissioners voted aye and the motion passed.

Consideration & Review Of Kennel License Application For Fur Ever Buddies Rescue

Commissioner Winterton stated that in August of 2011, we held a hearing and set a review date for today. Since then, the animals have not been there and we have not received any complaints and they do not need their kennel license at this time and suggested tabling this item. If there are any violations, we will pursue it at that time. Assistant Casper stated that she has spoken to the applicant Melissa Stevenson and she

is not planning on having any dogs until this spring at this location. Mrs. Rynes stated that they have been enjoying the peace. Attorney Doherty stated that the application for renewing the kennel license has not been submitted yet so this is not an issue right now and is not ready for review by the commission. *This agenda item was tabled by general consent.*

Consideration Of A Board Appointment On The Public Land Use Committee

Commissioner Peatross stated that he needs to make a few phone calls and suggested continuing this agenda item until next week.

Consideration Of Board Appointment On The Pinion Forest Special Service District

Attorney Doherty stated that she had a brief follow up with Commissioner Peatross and has decided that the commission needs to meet with the board. She will look further into the policies.

Consideration Of 2012 Commission Chairman

Commissioner Peatross motioned to leave Chairman as is, retaining Commissioner Wood. Commissioner Winterton seconded the motion. Both Commissioner Peatross and Commissioner Winterton motioned aye. Chairman Wood abstained and the motion passed.

Consideration Of 2012 Commission Assignments

**DUCHESNE COUNTY
COMMISSIONER ASSIGNMENTS 2012**

<i>Kirk J. Wood, Chairman</i>	
Board Appointments	Personnel Departments
Department of Workforce Services	Planning & Zoning – Mike Hyde
Aging	Information System-I.T.
Eastern Utah Television & Technology Board	Public Works/Landfill/GIS
County Library System	Public Lands
Northeastern Counseling	State Boards
Economic Development	UAC
Uintah Basin Association of Governments	SRS Task Force
Revitalization	Indigent Defense Council
Revolving Loan Fund	UAC Generally Assessed Committee
UBPCD	
UBARM	

<i>Kent R. Peatross, Member</i>	
Board Appointments	Personnel Departments
County Fair	Weeds – Ron Johnson
Uintah Basin Medical Center Board	Buildings & Grounds – Shane Jenkins
Rural Public Lands County Council	Commission Assistant – BobbiJo Casper
Utah Association of Counties Commission/Council	Public Works/Landfill/GIS
Uintah Basin Association of Governments	Public Lands
	State Boards
	Weed Board
	CIB

<i>Ron Winterton, Member</i>	
Board Appointments	Personnel Departments
Animal Control	Personnel Director– Carrie Mascaro
Utah Counties Insurance Pool	Emergency Management- Michael Lefler
Tri County Health	Public Works/Landfill/GIS
Children’s Justice Center Board	Public Lands
Uintah Basin Association of Governments	Building Department- Karl Mott
Uintah Basin Narcotics Strike Force	State Boards
SSD#3	RAC-DWR
	Federal Boards
	RAC-National Forest Service

Commissioner Peatross motioned to approve all commission assignments for 2012 as presented. Commissioner Winterton seconded the motion. All commissioners voted aye and the motion passed.

Consideration Of Minutes For Special Commission Meeting Held December 30, 2011

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

Adjournment

Chairman Wood adjourned the meeting at 2:12 P.M.

Read and approved this 23rd day of January 2011.

*Kirk J. Wood
Commission Chairman*

*Diane Freston
Clerk/Auditor*

Minutes of meeting prepared by BobbiJo Casper _____