

**MINUTES OF COMMISSION COMBINED WORKING SESSION AND REGULAR
SESSION MEETING HELD APRIL 23, 2012, 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 Marea A. Doherty, and Commission Assistant BobbiJo Casper taking minutes of the meeting.

Public Works/Landfill Department Update

Commissioner Peatross stated that Public Works Director Murphy had a personal issue this morning that he had to attend to and that Mr. Jerry Lisonbee will not be attending either, so there will not be an update.

Report From The Attorney's Office And Consideration Of Hiring A Contract Attorney

Attorney Stephen Foote joined the meeting at 9:13 A.M...

Attorney Foote reported the following District Court felony filings:

	<u>YEAR</u>	<u>CASES</u>
-	2001	167
-	2002	240
-	2003	243 (Attorney Foote started for Duchesne County)
-	2004	242
-	2005	223
-	2006	280
-	2007	296 (Attorney Foote became County Attorney)
-	2008	329
-	2009	471
-	2010	370
-	2011	410
-	2012	140 (First Quarter)

Attorney Foote stated that in the last 2 ½ weeks, there were 25 felony cases, 4 drug cases, 6 criminal mischief/property damage cases, 2 personal crime cases, 6 theft/fraud cases, 1 sexual abuse case, and 2 weapons cases. This shows that drugs are not the predominant crime. If we continue to go at this rate, the filings will be over 560 cases this year. He feels this is a direct reflection on the Sheriff's Department. We have not increased an attorney since 2001 and there is a 282% increase in cases since then. We don't have the man power to cover 400 plus cases and we also have to go through previous years cases.

Attorney Foote reported that in the 1st Quarter, Justice Court had 640 traffic cases and 237 misdemeanor cases and stated that they are involved in about 25% of these cases. 73% of the cases that are given to us are filed, the other 27% we screen to see if they need to be filed and charges made if we have enough evidence.

Attorney Foote also reported that in the 1st Quarter, Juvenile Court has 110 misdemeanor cases and 43 felony cases and stated that Attorney Doherty handles Juvenile Court and fills in for Justice and District Court. The national average on felony cases is 10 hours per case to get a plea; trial is a whole lot more.

Attorney Foote stated that we really need another attorney and feels that the numbers justify two new attorneys. His philosophy on the prosecution is three things, make sure society is taken care of, see what we can do for the victim, and determine what the defendant really needs. When you have so many cases, you can't handle them all and you can't do all three things. We don't have the time, ultimately our numbers have increased. We need a Duchesne County judge assigned here, but he doesn't see anything happening for a while. His recommendation is to hire an entry level attorney in the forty to fifty thousand dollar (\$40,000-\$50,000) range to handle Juvenile and Justice Court and be able to assist in District Court to free up Attorney Doherty. There is an attorney who worked for us for a summer for free who is Anthony Wilcox who passed the bar and will be sworn in on May 10, 2012. He would like to hire Mr. Wilcox full time for the rest of the year. *Commissioner Peatross motioned to authorize Attorney Foote to expend up to fifty*

thousand dollars (\$50,000.00) for additional attorney's services for the remainder of the year with a contract if possible for the Attorney's Office. Commissioner Winterton seconded the motion. All commissioners voted aye and the motion passed.

Discussion And Consideration Of Property Tax Deferrals

Treasurer Colene Nelson & Property Owner Kristy Wilde joined the meeting at 9:44 A.M...

Treasurer Nelson stated that Mrs. Wilde moved into her father in laws home and was unaware that the 2007 taxes were behind because the tax notices go to her father in law. This is a primary residence and the amount due is eight hundred six dollars (\$806.00). *Commissioner Winterton motioned to approve a twelve (12) month deferral for Kristy and Eric Wilde. Commissioner Peatross seconded the motion. All commissioners voted aye and the motion passed.* Chairman Wood stated that if the Wilde's default, this will be sold.

Treasurer Nelson stated there is another deferral is for Medina Miguel/Socorro who is from Mexico and her husband got deported. The place is really run down, but Medina wants to save it. She works at the motels and says she will make the payments. The balance is one thousand one hundred dollars and thirty three cents (\$1,100.33). *Commissioner Peatross motioned to approve a twelve (12) month deferral for this property as recommended by the Treasurer's Office. Commissioner Winterton seconded the motion. All commissioners voted aye and the motion passed.*

Discussion And Consideration Of A Request For A Waiver Of Delinquent Personal Property Taxes

County/Community Planning Administrator Mike Hyde joined the meeting at 9:57 A.M...

Administrator Hyde stated that Robert Yack and his family own a trailer park in Roosevelt on 550 North. One mobile home has been abandoned and Mr. Yack has taken title of the trailer and he wants to dispose of it using the County's Trailer Removal Program. There are two (2) years of personal property taxes that haven't been paid in the amount of one hundred sixty four dollars and sixty three cents (\$164.63). Commissioner Peatross stated that this trailer park is in Roosevelt City and only approximately ten dollars (\$10.00) of the taxes belong to Duchesne County. You have other entities that this money goes to like Roosevelt City, Mosquito Abatement, Central Utah Water, plus several others. Administrator Hyde stated that Mr. Yack has the title to the single wide trailer and wants it moved out. The county will pay up to seven hundred fifty dollars (\$750.00) for a single wide through the program. Commissioner Peatross proposed allowing this to happen under the trailer removal program less the one hundred sixty four dollars and sixty three cents (\$164.63). This is the cost of owning a trailer court and the costs of doing business; he doesn't know why any of the taxing entities should eat those costs. *Commissioner Peatross motioned to authorize Mr. Yack to get rid of the trailer under the Trailer Removal Program deducting the one hundred sixty four dollars and sixty three cents (\$164.63) of property taxes owed to various entities throughout the county including Roosevelt City and deduct this amount from the seven hundred fifty dollars (\$750.00). Commissioner Winterton seconded the motion. All commissioners voted aye and the motion passed.*

Discussion Of Compressed Natural Gas Filling Station

Gordon Larsen with Questar Gas Company, Duchesne City Mayor RoJean Rowley, Duchesne County School District Dee Miles, & Ashley National Forests Kim Bartel joined the meeting at 10:08 A.M...

Mr. Larsen stated that Questar started converting their vehicles to natural gas in 1981. We use our vehicles as the anchor chain and we use all sizes of vehicles. Since 1988, we have been between \$.50 a gallon to \$1.50 a gallon. Most of the vehicles are bi-fuels so you can switch it. The power of these vehicles is within 2% and some are more depending on the vehicle. We see between three thousand dollars (\$3,000) to seven thousand dollars (\$7,000) more on the residual when we resale because the vehicles have natural gas. His truck has paid for its self over three times in fuel savings. There is a \$2,500 tax credit for energy savings for going the natural gas route in a vehicle; this is through the energy office. Road taxes are \$.18 of federal and \$.8½ for state. It costs up to ten thousand dollars (\$10,000) additionally for a natural gas vehicle depending on the tanks and incentives you choose. President Obama said that every class "A" truck/tractor running on natural gas creates six (6) United States jobs because of all of the drilling, exploration, and everything involved. Right now, natural gas is regulated by law, so as long as it is, you can charge a ten percent (10%) parch. If it becomes an issue he thinks it will get readdressed. Ninety two percent (92%) of what is in natural gas is methane; the rest is

propane, butane, and CO2. Eighty percent (80%) of what you burn in natural gas is hydrogen and the only byproduct of burning hydrogen is water, that's why it's so much cleaner. Duchesne County could buy natural gas at \$1.00-\$3.00 a decatherm and sell it if they want. You can make money or be a retailer. Natural gas vehicles run a lot quieter, so if garbage trucks use it, you won't hear them coming down the road. If you look at your oil, it's the carbon in the fuel that turns it black. With natural gas, you don't have that, so your engine can easily go a lot longer. You can go longer between oil changes also; you will save a lot of money on maintenance. Right now, there is EPA money if you replace a diesel engine with natural gas engines, but they want the diesel engine destroyed to eliminate those emissions. If we are going to do a big public station here, we need other partners. There are incentives to help and Questar will do whatever we can do with the economics. For police cars, there is an issue with space because they have to haul so much equipment; they are the biggest user, but a tough sell. You have to have room for the tank and you will be fueling up a lot more often. If you are running dual fuel or bi-fuel you are adding range to what you already have; it just depends on how you do it. He met with Newfield Production Company last week who expressed interest in the Myton area. They are doing their own fleet and putting in a station. We are getting a lot of infrastructure and a lot of vehicles because of these big fleets. Every auto manufacturer makes natural gas vehicles; they just don't sell a lot of them in the United States because of the infrastructure. The whole thing is an education process, we do tours on natural gas and answer questions. The cost to put a starter station in is from one hundred thousand dollars (\$100,000) to a million dollars (\$1,000,000) depending on the number of hoses etc. There are different ways to do it, it's all about load and volume. We will have to work as a team. Commissioner Peatross stated that he would like to set up something and have Roosevelt City, The Forest Service, SSD #2, all cities, and all departments involved to look at the vehicles and do a tour. Mr. Larsen stated that we have tours called "Ride and Drive" you can contact Robin Ericson who is the coordinator for these tours to get it set up.

Consideration Of Payment Vouchers

Deputy Clerk Auditor Connie Sweat joined the meeting at 11:28 A.M... Clerk Auditor Diane Freston joined the meeting at 11:30 A.M...

The commission reviewed vouchers # 121373 through 121441 dated April 23, 2012, in the amount of one hundred eighty thousand twelve dollars and ten cents (\$180,012.10) as presented by Deputy Clerk Sweat. *Commissioner Peatross motioned to approve the vouchers as presented by the Clerk Auditor's Office. Chairman Winterton seconded the motion. All commissioners voted aye and the motion passed.*

Consideration Of A Business License Application For Bruns Welding Inc.

Deputy Clerk Sweat stated that this is a welding business and has been signed off by the Building Department and the Planning and Zoning Department. *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 D And K Plumbing And Heating Co.

Deputy Clerk Sweat stated that this is a plumbing and heating business that has been signed off by the Planning and Zoning Department. *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 The Kutting Korner

Deputy Clerk Sweat stated that this business is inside the Neola Store and is a beauty salon. This has been signed off by the Building Department and the Planning and Zoning Department. *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 Minutes For Working Commission Meeting Held April 16, 2012

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

Consideration Of Minutes For Regular Commission Meeting Held April 16, 2012

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

Discussion And Consideration Of A Duchesne County Password Policy

IS Department Head Kenyon Abbott joined the meeting at 12:07 P.M...

Department Head Abbott stated that he sent the draft policy to all department heads and elected officials. Most everyone is okay with the policy, but they don't like the idea of having to remember long passwords. He will look into enforcing vendor passwords to meet our requirements. Chairman Wood stated that we need to have an agreement with the vendors on our large copy machines because they have hard drives. We need to make sure they are wiped clean when they are traded. Department Head Abbott stated that he doesn't think that any of the machines that we have disposed of had a hard drive. He would like to discuss this issue in the next staff meeting. He will put this item back on the agenda for approval after he speaks to the vendors. We can put this policy under policies and procedures under communications according to Personnel Director Carrie Mascaro.

Closed Meeting -

No discussion was necessary per Attorney Doherty.

Commission Calendaring

Adjourn

Chairman Wood adjourned the meeting at 12:29 P.M...

Read and approved this 7th day of May 2012.

Kirk J. Wood

Commission Chairman

Diane Freston

Clerk/Auditor

*Minutes of meeting prepared by BobbiJo Casper*_____