

**MINUTES OF COMMISSION COMBINED WORKING SESSION AND REGULAR
SESSION MEETING HELD MAY 07, 2012, BEGINNING AT 9:00 A.M. IN
CONFERENCE ROOM #1, IN DUCHESNE, UTAH**

Present

Commission Chairman Kirk J. Wood; Commissioner Kent R. Peatross, Commissioner Ron Winterton, Deputy County Attorney Marea A. Doherty, Public Works Director Glen Murphy, Property Owner Bill Wall, and Commission Assistant BobbiJo Casper taking minutes of the meeting.

Public Works/Landfill Department Update

Director Murphy stated that he met with Surveyor Jerry Allred last week regarding the Rozanne Ellis Road (5000 South) that is located on the Blue Bench. Moon Lake Electric is going to move their power poles and Surveyor Allred will get a plot map for the property owners to sign. If this all works out, we should be able to start this project this fall. We will be moving to the north and will need thirty six (36) feet. He has asked all property owners to have their fence lines moved back at least that far.

Director Murphy also reported that the Road Department finished putting shale on County Road 213 on the Red Dugway.

Director Murphy stated that on the pivot road (10000 South) in Pleasant Valley, he was told that if we build the road, the pivot won't be able to climb the road. He has raised the road up almost a foot and is ready to oil it. Commissioner Peatross stated that they could build a shoulder so that's it's a slope not and not straight up and down. Chairman Wood suggested building a three foot walkway. Director Murphy stated that he will contact the owner and discuss these ideas.

Director Murphy reported that at the Landfill, Roy Van Os with DEQ has approved the North Slope and he now needs to put down a seed mixture on the slope. After that is done, he will fence it. On the financial assurance, Mr. Van Os said that there should be a million and a half. If the board can come up with something different with the people we are meeting with on Wednesday that would be fine. Mr. Van Os said that he has done everything he possibly can for us. They think that we can keep it lower if we agree to raise our \$.50 assurance on tippage fees to \$1.00. We can discuss this at the Landfill meeting. Chairman Wood stated that we need to discuss the liner. If we didn't have the liner, we could run it like Uintah County and wouldn't have this mess.

Discussion Of Greenbelt

Assessor Greg Garff joined the meeting at 9:25 A.M...

Mr. Wall stated that he has property that was deeded to him on June 7, 2007, got recorded, but the name was not changed; it's still in the previous owner's name. Assessor Garff stated that the property got rolled off of Greenbelt but the name was never changed in the Recorder's Office showing that Mr. Wall is the owner and the tax notices went to the previous owner. Mr. Wall never received the Greenbelt information and he didn't realize that this had happened until it got listed for this year's May tax sale where the research was done that discovered that Mr. Wall is the current owner. Mr. Wall stated that he has other properties on Greenbelt near this property, so he didn't realize that he hadn't received the notices. Commissioner Peatross stated that we need to prove it's our error before we can make adjustments.

Recorder Carolyn Madsen joined the meeting at 9:29 A.M...

Recorder Madsen stated that she is aware of this issue. She will take the responsibility of the property name not being changed and the owner has the responsibility of making sure their taxes are paid. Assessor Garff stated that five thousand ninety nine dollars and seventy two cents (\$5,099.72) is what is past due and the reason this came about is because this is going to be on the tax sale. The research was done that found out Mr. Wall is the actual owner so he received a letter from the Treasurer's Office. This property is being grazed and he feels it would have been on Greenbelt had it been done correctly

when the deed was recorded back in 2007. Recorder Madsen stated that in this case, the information was not changed so the Assessor's Office was never notified of the change to send Mr. Wall the Greenbelt application. Assessor Garff stated that if it's our error, in the past we have tried to make it right. Mr. Wall stated that if we could get it on Greenbelt, he would pay the penalty fees and other charges; he would appreciate it. Assessor Garff stated that he can go back and figure out how much it would have been if it were on Greenbelt. Commissioner Peatross stated that he feels that we should allow Assessor Garff to go back because in this situation the name didn't get changed and charge the appropriate penalties and fees.

Discussion Of A Property Tax Issue

Treasurer Colene Nelson joined the meeting at 9:40 A.M...

Treasurer Nelson stated that currently personal property is being attached to real property. She has reviewed the law book and we shouldn't be doing that. The owner should post a bond in the amount of the taxes as we don't collect the privilege use taxes anymore. Assessor Garff stated that we should be seizing the equipment when the taxes aren't paid. Treasurer Nelson stated that she will bring an adjustment for the commission to consider and suggested that they re-evaluate our policy on tax deferrals. Our policy is for primary residences only and we have been doing deferrals on businesses and secondary homes.

Discussion Of A Proposed Moon Lake Boat Ramp And Parking Area Draft Letter

County/Community Planning Administrator Mike Hyde joined to meeting at 10:09 A.M...

Chairman Wood stated that he has read the letter and it looks good. Commissioner Winterton agreed. Commissioner Peatross stated that they have needed this for around eighty (80) years.

Discussion Of A Notice Of Application From Western Water Solutions For A Permit To Operate A Land Farm In Section 10, Township 4 South, Range 1 West, In Duchesne County, Utah

Administrator Hyde discussed a draft letter to the Utah Division of Oil, Gas, & Mining regarding an application of Western Water Solutions for a permit to operate a land farm near the county line southeast of Myton. We only deal with odor, we don't regulate land farms but he is in the process of creating a zoning ordinance so that we would regulate them. We want these located in spots that are not near homes and this area appears to be a good spot that is bare and desolate. The State of Utah would deal with the environmental issues. The commission consensus was to send the letter as written.

Consideration of Payment Vouchers

Deputy Clerk Auditor Connie Sweat joined the meeting at 10:22 A.M...

The commission reviewed vouchers # 121495 through 121560 dated May 07, 2012, in the amount of three hundred sixty four thousand nine hundred twenty six dollars and eighty seven cents (\$364,926.87) as presented by Deputy Clerk Sweat. *Commissioner Winterton motioned to approve the vouchers as presented by the Clerk Auditor's Office. Commissioner Peatross seconded the motion. All commissioners voted aye and the motion passed.*

Tax Adjustment –Assessor

Commissioner Peatross motioned to approve the Tax Adjustment 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 Amos Geological Consulting

Deputy Clerk Sweat stated that this business is a geological consultant in the petroleum industry and the application has been approved by the Planning and Zoning Department. *Commissioner Winterton motioned to approve the business license as presented 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 Bateman Trucking

Deputy Clerk Sweat stated that this business is classified as a trucking/transportation and shuttle business that hauls crews to oilfield locations. *Commissioner Winterton motioned to approve the business license as presented 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 S&T Consulting

Deputy Clerk Sweat stated that this is a home business that does consulting.

Commissioner Winterton motioned to approve the business license as presented 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 Thatta Kid Land Consulting

Deputy Clerk Sweat stated that this business does land consulting and will be working in the Recorder's Office. *Commissioner Winterton motioned to approve the business license as presented 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 Willow Bottom LLC

Deputy Clerk Sweat stated that this is an oilfield service business that will be doing flow back, pumping, gauging oil, and gas wells. *Commissioner Winterton motioned to approve the business license as presented by the Clerk Auditor's Office. Commissioner Peatross seconded the motion. All commissioners voted aye and the motion passed.*

Consideration Of Minutes For Combined Commission Meeting Held April 23, 2012

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

Consideration Of Minutes For Combined Commission Meeting Held April 30, 2012

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

Commission Calendaring

Closed Meeting -

Commissioner Winterton motioned to go into and out of closed session for the purpose of discussing pending or reasonably imminent litigation at 11:16 A.M. Commissioner Peatross seconded the motion. All commissioners voted aye and the motion passed.

Reentered Combined Commission Meeting at 11:45 A.M.

Adjourn

Chairman Wood adjourned the meeting at 11:45A.M...

Read and approved this 14th day of May 2012.

*Kirk J. Wood
Commission Chairman*

*Diane Freston
Clerk/Auditor*

Minutes of meeting prepared by BobbiJo Casper
