

**MINUTES OF COMMISSION COMBINED WORKING SESSION AND REGULAR
SESSION MEETING HELD OCTOBER 15, 2012, BEGINNING AT 1:00 P.M. IN
COMMISSION CHAMBERS, IN DUCHESNE, UTAH**

Present

Commission Chairman Kirk J. Wood, Commissioner Kent R. Peatross, Deputy County Attorney Marea A. Doherty, Public Works Director Glen Murphy, and Chief Deputy Clerk JoAnn Evans taking minutes of the meeting.

Absent

Commissioner Ron Winterton.

Opening Comments

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

Public Works/Landfill Department Update

Director Murphy reported that the Road Department is finishing edging and paving this week. They have started to prepare the trucks for the winter and will haul salt for the next three (3) weeks. Commissioner Peatross stated that he has been asked if there will be snow removal at the top of Gate Canyon. Director Murphy stated that they will be doing snow removal there, but it will be after the school bus routes have been plowed. He will then send two (2) trucks out to take care of the Gate Canyon area.

Consideration of Payment Vouchers

Deputy Clerk Auditor Connie Sweat joined the meeting at 1:06 P.M...

The commission reviewed vouchers #123005 through 123100 dated October 9, 2012, in the amount of one hundred sixty one thousand four hundred eighty nine dollars and twenty one cents (\$161,489.21) and vouchers #123101 through 123164 dated October 15, 2012 in the amount of one hundred seventy three thousand five hundred and four dollars (\$173,504.00) as presented by Deputy Clerk Sweat. *Commissioner Peatross motioned to approve the vouchers as presented by the Clerk Auditor's Office. Commissioner Wood seconded the motion. Both commissioners voted aye and the motion passed.*

Consideration Of Proposed County Policies And Procedures Manual And Safety Manual

Attorney Doherty stated that she gave a copy of the revised policy and procedures manual and the safety manual to all elected officials and department heads. There were a few revisions and it is ready to be presented to the commissioners for adoption. Commissioner Wood asked if the questions concerning the career council had been resolved. Attorney Doherty stated that she had some discussion with the attorneys who helped her with the manual and she believes it is better to leave the career council policy as they suggested. *Commissioner Peatross motioned to approve the policies and procedures manual and safety manual as presented by Attorney Doherty. Commissioner Wood seconded the motion. Both commissioners voted aye and the motion passed.*

Consideration Of Minutes For Working Commission Meeting Held October 1, 2012

Commissioner Peatross motioned to approve the working meeting minutes as corrected for October 1, 2012. Commissioner Wood seconded the motion. Both commissioners voted aye and the motion passed.

Consideration Of Minutes For Regular Commission Meeting Held October 1, 2012

Commissioner Peatross motioned to approve the regular meeting minutes as corrected for October 1, 2012. Commissioner Wood seconded the motion. Both commissioners voted aye and the motion passed.

Public Hearing 1:30 P.M. – Consideration Of Ordinance # 12-304, An Ordinance Vacating A Public Street Right Of Way In Plat B Of the Neola Plat

County/Community Planning Administrator Mike Hyde, Dan Ross, Karly Ross, Deborah Alexander, Neil Wilkerson, Liisa Hancock, Anne-Marie Hancock, Ben Hancock, Jone Wells, Paul Wells, Jason Wells, & Kent Wilkerson entered the meeting at 1:30 p.m.

Planning Director Mike Hyde stated that Dan and Karen Ross have applied for a street vacation of 2160 West between 8950 North and 9000 North, in Neola. All three abutting

property owners have signed notarized statements agreeing to the vacation. One (1) letter was submitted after the Planning Commission meeting disagreeing with the vacation. The planning commission voted four (4) to one (1) to recommend that this street be vacated. State law requires that the Commission make findings that there is good cause for the vacation and that no private property interests would be detrimentally impacted before passing a vacation ordinance. Findings recommended by the Planning Commission were presented.

Chairman Wood opened the public hearing. Karen Ross testified in favor of the vacation. The letter in opposition to the vacation, signed by Carol Powell and Gary & Larue Lujan, was read.

After discussion, Commissioner Peatross stated that he would like to recess this hearing so that he and the other commissioners could have a site visit so they understand things a little better before voting.

Reconvened Combined Commission Meeting at 1:58 P.M.

Commissioner Peatross motioned to recess the hearing until November 5, 2012 at 1:30 p.m. Chairman Wood seconded the motion. Both commissioners voted aye and the motion passed.

Re-entered Public Hearing at 1:59 P.M.

Public Hearing

Consideration Of An Appeal Of Garden Brook Subdivision, Lot 4, Plat Amendment, Continued From August 27, 2012

Chairman Wood re-opened the public hearing regarding this appeal. Mr. Hyde presented a background on the case and draft findings of fact and conclusions of law that would enable the Commission to grant the appeal and deny the minor subdivision/plat amendment based on the fact that the proposed lots are less than a full one acre in size.

Liisa Hancock, attorney representing the appellant, Neil Wilkerson, spoke. She stated that the appeal should be granted based not only on the deficient lot size; but also due to the other points they have raised on appeal.

Jason Wells spoke and requested that the public hearing be recessed to allow their attorney to review the draft findings.

Reconvened Combined Commission Meeting at 2:23 P.M.

Commissioner Peatross motioned to recess the hearing until November 19, 2012 at 1:30 p.m. Chairman Wood seconded the motion. Both commissioners voted aye and the motion passed.

Closed Meeting -

Commissioner Peatross motioned to go into and out of closed session for the purpose of discussing litigation issues at 2:28 P.M. Commissioner Wood seconded the motion. Both commissioners voted aye and the motion passed.

Reentered Combined Commission Meeting at 3:38 P.M.

Closed Meeting -

Commissioner Peatross motioned to go into and out of closed session for the purpose of discussing personnel issues at 3:39 P.M. Commissioner Wood seconded the motion. Both commissioners voted aye and the motion passed.

Reentered Combined Commission Meeting at 4:17 P.M.

Commission Calendaring

Adjourn

Chairman Wood adjourned the meeting at 4:18 P.M...

Read and approved this 29th day of October 2012.

Kirk J. Wood
Commission Chairman

Diane Freston
Clerk/Auditor

Minutes of meeting prepared by JoAnn Evans
