

**MINUTES OF COMBINED COMMISSION WORKING & REGULAR SESSION  
MEETING HELD DECEMBER 24, 2012 BEGINNING AT 10:00 A.M. IN  
CONFERENCE ROOM #1, IN DUCHESNE, UTAH**

***Present***

Commission Chairman Kirk J. Wood, Commissioner Ronald Winterton, Commissioner Kent R. Peatross, Clerk Auditor Diane Freston, Uintah Basin Standard Reporter Steve Puro, and Commission Assistant BobbiJo Casper taking minutes of the meeting.

***Via Telephone***

Deputy County Attorney Marea Doherty.

***Consideration Of Payment Vouchers***

The commission reviewed vouchers # 123686 through 123750 dated November 21, 2012, in the amount of three hundred fifty thousand one hundred fifty six dollars and ten cents (\$350,156.10) as presented by Auditor Freston. *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 Adjustments – Auditor***

The commission reviewed the attached tax deferrals presented by the Clerk/Auditor's Office. *Commissioner Peatross motioned to approve the tax deferrals as recommended by the Auditor's Office. Commissioner Winterton seconded the motion. All commissioners voted aye and the motion passed.*

***Consideration Of A Business License Application For Lazy C Trucking Inc.***

*Deputy Clerk Auditor Connie Sweat joined the meeting at 10:28 A.M...*

Deputy Clerk Sweat stated that this is trucking business. *Commissioner Peatross motioned to approve the business license application 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 Integrated Production Services Inc.***

Deputy Clerk Sweat stated that this is an oilfield service business. *Commissioner Peatross motioned to approve the business license application as presented by the Clerk Auditor's Office. Commissioner Winterton seconded the motion. All commissioners voted aye and the motion passed.*

***Consideration Of A Commercial Lease Agreement With Cedarview-Montwell Special Service District***

Attorney Doherty stated that we are waiting for proof of liability coverage. They are going to make application for coverage from UCIP under us. Commissioner Winterton stated that he has a problem with paying for their internet that is a part of the contract. Chairman Wood stated that we need to ask the IS Department if this is unlimited access where it doesn't affect us or if we are limited in any way and this is an added bill. Attorney Doherty stated that we can change the agreement if that's what needs to be done. *Commissioner Peatross motioned to approve the agreement with Cedarview-Montwell Special Service District subject to attorney review and appropriate insurance in place; however, as a caveat we will allow them to move their equipment into the office space without them taking occupancy. Commissioner Winterton seconded the motion. All commissioners voted aye and the motion passed.*

***Consideration Of Resolution No. 12-17, A Resolution Increasing Revenue And Expense For 2012***

Auditor Freston stated that we held a public hearing on December 17, 2012 and has since added Transient Room Tax (TRT).

**DUCHESNE COUNTY RESOLUTION 12-17**

WHEREAS the legislature of the State of Utah has granted legislation providing for the **increase** in unencumbered or unexpended appropriations from one department to another within the same fund, the said legislation being designated as Section 17-36-26 of the Utah Code annotated, 1953, and amended 1975; and

WHEREAS there exists a need to utilize this provision of the State statutes to serve the best interest of the County and the residents thereof and to promote the most efficient and practical operation of county government. The purpose of this resolution is to increase the 2012 Duchesne County Budget by revenue and expenses and free up said monies spent;

NOW THEREFORE, be it hereby resolved as follows;

WE, THE BOARD OF COUNTY COMMISSIONERS of Duchesne County, State of Utah as governing body of this county do enact this resolution to increase the following amounts to the listed departments within the following funds for the Budget year 2012

INCREASES			
GENERAL FUND		Revenue	Expense
PROPERTY TAXES-NEW GROWTH		500,000.00	
ASSESSING AND COLLECTING		374,000.00	
PUBLIC LANDS		52,000.00	
	JUVENILE COURT		40,000.00
	ELECTION		20,000.00
	ATTORNEY		52,000.00
	PUBLIC LANDS		52,000.00
	COUNTY SEAT PROGRAM		10,000.00
	DISTRICT COURT----		
	INVESTIGATIVE SERVICES		20,000.00
	INFORMATION SYSTEMS		40,000.00
	MICROFILM		6,000.00
	DELINQUENT TAX SALE		10,000.00
	POSTAGE-CLERK		6,000.00
	ANIMAL CONTROL		10,000.00
	COUNTY FAIR		25,000.00
	FAIRGROUNDS/HORSE BARN		5,000.00
	TELEPHONE		15,000.00
	DISCRETIONARY FUND BALANCE		565,000.00
	TRT-DUCHESNE CHAMBER		50,000.00
		<b>926,000.00</b>	<b>926,000.00</b>
LIBRARY FUND			
PROPERTY TAXES-NEW GROWTH		65,000.00	65,000.00
	MISCELLANEOUS ALL OTHER		
B ROAD FUND			
B ROAD ALLOTMENT		300,000.00	
	CAPITAL EXPENSES		300,000.00
MUNICIPAL BUILDING AUTHORITY			
JAIL COMPLEX IMPROVEMENTS		150,000.00	
	JAIL COMPLEX IMPROVEMENTS		150,000.00
DEDICATED FUND			
PILT BAILOUT	78,000.00	PILT BAILOUT	78,000.00

USDA PAYMENTS	400,000.00	400,000.00
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	400,000.00	
FEES TO LANDFILL		400,000.00

PASSED AND ADOPTED THIS 24<sup>th</sup> DAY OF DECEMBER, 2012 by the following vote of the Board of County Commissioners:

DUCHESNE COUNTY:

Attest:

Diane Freston  
County Clerk/Auditor

Kirk J. Wood  
Chairman, Board of Duchesne  
County Commissioners

Kent Peatross  
Member

Ronald Winterton  
Member

*Commissioner Winterton motioned to adopt Resolution No. 12-17 increasing revenue and expense for 2012. Commissioner Peatross seconded the motion. All Commissioners voted aye and the motion passed.*

***Consideration Of Resolution No. 12-18, A Resolution Adopting The 2013 County Budget***

Auditor Freston stated that there have not been any changes to this resolution since the public hearing was held.

## DUCHESNE COUNTY RESOLUTION NO. 12-18

## CERTIFICATION OF BUDGET

**DUCHESNE COUNTY**  
**Calendar Year Ending December 31, 2013**

**ADOPTION OF BUDGET INFORMATION:**

In compliance with Title 17, Chapter 36, Section 15, Utah Code, which states:

“On or before the last day of each fiscal period, the governing body by resolution shall adopt the budget which, subject to further amendment, shall thereafter be in effect for the next fiscal year. A copy of the final budget, and of any subsequent amendment thereof, shall be certified by the budget officer and filed with the state auditor not later than thirty days after its adoption. A copy, similarly certified, shall be filed in the office of the budget officer for inspection by the public during business hours.”

WHEREAS the legislature of the State of Utah has granted legislation providing for the adoption of said county annual budgets and;

***WHEREAS there exists a need to utilize this provision of the State statutes to serve the best interest of the County and the residents thereof and to promote the most efficient and practical operation of county government. The purpose of this resolution is to adopt the 2013 Duchesne County Budget by revenue and expenses;***

NOW THEREFORE, be it hereby resolved as follows;

***WE, THE BOARD OF COUNTY COMMISSIONERS of Duchesne County, State of Utah as governing body of this county do enact this resolution to adopt said budget for the year 2013.***

***PASSED AND ADOPTED THIS 24<sup>th</sup> DAY OF DECEMBER, 2012 by the following vote of the Board of County Commissioners:***

Attest:

DUCHESNE COUNTY:

\_\_\_\_\_  
Diane Freston  
County Clerk/Auditor

\_\_\_\_\_  
Kirk J. Wood  
Chairman, Board of Duchesne  
County Commissioners

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Kent R. Peatross  
Member

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Ronald Winterton  
Member

*Commissioner Peatross motioned to adopt Resolution No. 12-18 certification of the budget. Commissioner Winterton seconded the motion. All commissioners voted aye and the motion passed.*

***Consideration Of Resolution No. 12-19, A Resolution Transferring 2012 Funds***  
Auditor Freston stated that after further review, there is no need to make a transfer.

***Consideration Of Ordinance No. 12-311, An Ordinance Establishing Salaries For 2013***  
Chairman Wood stated that this is adopting elected officials salaries for 2013.

**DUCHESNE COUNTY ORDINANCE NO. 12-311  
AN ORDINANCE ESTABLISHING SALARIES FOR 2013**

Ordinance establishing and affixing the salaries of elected and statutory officers  
of the County of Duchesne:

WHEREAS, Utah Code Annotated (1953 as amended), Section 17-16-14, provides for the establishment by the Board of County Commissioners of salaries for County Officers; and,

WHEREAS, it is appropriate that said salaries be set forth in the resolution form;

NOW THEREFORE, BE IT ORDAINED and resolved that the annual salaries of the elected and statutory officers of Duchesne County be fixed or established as follows:

Board of County Commission Chairperson	\$66,720.00
Board of County Commission Member	\$65,520.00
County Attorney	\$87,817.60
County Assessor	\$65,520.00
County Clerk-Auditor	\$65,520.00
County Recorder	\$65,520.00
County Treasurer	\$65,520.00
County Sheriff	\$72,280.00

The annual salaries set forth herein shall be effective from January 1, 2013 through December 31, 2013.

Dated this 24<sup>Th</sup> Day of December 2012

DUCHESNE COUNTY:

Attest:

Diane Freston  
County Clerk/Auditor

Kirk J. Wood  
Chairman, Board of Duchesne  
County Commissioners

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Kent R. Peatross  
Member

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Ronald Winterton  
Member

*Commissioner Winterton motioned to adopt Ordinance No. 12-311 establishing salaries for elected officials for 2013. Commissioner Peatross seconded the motion. All Commissioners voted aye and the motion passed.*

***Consideration Of Minutes For Regular Commission Meeting Held November 19, 2012***

Assistant Casper stated that these minutes are not ready for approval.

***Consideration Of Minutes For Combined Commission Meeting Held December 17, 2012***

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

***Closed Session***

Attorney Doherty stated that there is no need for a closed meeting.

***Discussion of Afternoon Agenda Items***

***Commission Calendaring***

***Adjourn***

*Chairman Wood adjourned the meeting at 10:49 A.M.*

*Read and approved this 14<sup>th</sup> day of January 2013.*

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*Kirk J. Wood*  
*Commission Chairman*

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*Diane Freston*  
*Clerk/Auditor*

*Minutes of meeting prepared by BobbiJo Casper*\_\_\_\_\_