

**MINUTES OF COMBINED COMMISSION WORKING & REGULAR SESSION
MEETING OF THE DUCHESNE COUNTY COMMISSION HELD FEBRUARY 25, 2013
BEGINNING AT 9:00 A.M. IN CONFERENCE ROOM #1, IN DUCHESNE, UTAH**

Present

Commission Chairman Ronald Winterton, Commissioner Kirk J. Wood, Commissioner Kent R. Peatross, Public Works Director Glen Murphy, Deputy County Attorney Marea A. Doherty, Kathryn Larsen representing Bridgeland, and Commission Assistant BobbiJo Casper taking minutes of the meeting.

Public Works/Landfill Update

Director Murphy reported that the Road Department finished County Road #43 in Myton. They are now working with Duchesne City on the Blue Bench connecting Highway 87 and County Road 293. According to Jones & DeMille Engineering, this is not a county road, it's a city road. Jones & DeMille is still researching this information.

Director Murphy also reported that the Pariette Road in Pleasant Valley will be closed to put box culverts in. There will be a detour route, but it will be a mess for about a month. Nielson's Construction is paving the county's portion and Burdick Paving is paving the portion on Highway 40.

Lisa Henrie with Arnold & Crook PLLC joined the meeting at 9:13 A.M...

Mrs. Larsen stated that the new bridge in Bridgeland creates ice in a trench and it all needs to be engineered. When it melts, it doesn't have enough of a slope to run anywhere but to her front porch. The ice is very dangerous and there have been several people who have fallen on it. Commissioner Peatross stated that unless it's trenched to go another way it's going to continue to go towards the Larsen's property. He suggested that the Road Department stake out the right of way. What worried him is that the right of way is going to be very close to the front porch. If we can get the water to drain back to the river, it's going to take a deep trench that will be in front of your house. We need to come up with a couple of alternatives and see what we can do. Director Murphy stated that he will have Clint Curtis determine where the right of way is and determine what to do and get back with the commission.

Mrs. Larsen stated that there are people who stop at the bridge to take pictures and feels that a sign with the history of the bridge should be put up along with benches for people to sit on. She also stated that someone ran the stop sign by her house hitting the fence and suggested flashers be put on the stop sign and the speed limit be reduced to 35 MPH. Director Murphy stated that the speed limit is 50 MPH right now, and if someone ran the stop sign, there may have been brake issues on the vehicle.

Assessor's Department Update

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

Attorney Doherty asked Assessor Garff how the record retention impacts his performance of his statutory duties. Assessor Garff stated that they are now fully staffed and they are waiting for August work from the Recorder's Office. Because of this, Board of Equalization (BOE) is going to be ugly; it's going to create a lot of work for us at the end of the year. We have been going out and doing building permits, but we don't have a parcel to put them on because it's not in the system yet; we have nothing to tie it into. The information has not been put into the system as a recordable form. The information is written in the book, but not in the system that he needs, it's not in the system electronically. His office can't do anything with it until it happens in the Recorder's Office. He is unable to put a value on property until it gets put in the system. It is his statutory responsibility to generate the value and tax roll that he is required to have done by May 22, 2013, but he is unable to do this due to the information not being provided from the Recorder's Office. He will ask the Tax Commission to extend that date for two (2) weeks, but it affects the other entities. Once the value has been computed, the Auditor's Office will send that information to the entities so they can prepare their budget. In most counties, the Assessor's Office has everything that hits the Recorder's counter in two (2) weeks such as Emery County and Carbon County who uses the same system we do. Even if the documents are scanned in, they need to be indexed to help him.

Recorder Carolyn Madsen pulled everyone off of their duties in her office and had them all writing in the books, nothing else got done for three (3) months.

Assessor Garff reported that there are new requirements for a certified appraiser; they will have to have their bachelors' degree beginning in 2015. We could create a separate licensing track to be exempted. Attorney Doherty suggested that a document trail be established for all of Assessor Department employees in the event that they don't meet the requirements and have been notified of this requirement taking effect in 2015.

Consideration Of Two (2) Appointments To Serve On The Board of Appeals Filling A General Contractor Seat And A Plumber Seat

Assistant Casper stated that we advertised for these positions in November and we didn't receive a applications. Building Official Karl Mott has since then spoken to Casey Giles who is a plumber and he is willing to serve on the board. Official Mott has also spoken to Dean Johnson who was on the plumber seat but was unable to reapply due to the term limitations, but is willing to serve on the board filling the contractor seat. These are the recommendations from Official Mott. *Commissioner Wood motioned to appoint Casey Giles and Dean Johnson to the Board of Appeals as recommended by the Building Official. Commissioner Peatross seconded the motion. All commissioners voted aye and the motion passed.*

Discussion And Consideration Of Personnel Requests

Closed Session

Commissioner Wood moved to enter into and out of executive session for the purpose of discussing Personnel issues at 10:05 A.M. Commissioner Peatross seconded the motion. All commissioners voted aye and the motion passed. Assistant Casper was excused from the meeting.

Reconvened to Combined Commission meeting at 11:16 A.M... Assistant Casper rejoined the meeting.

IS Department Director Kent Ogletree joined the meeting at 11:18 A.M... Recorder Carolyn Madsen joined the meeting at 11:20 A.M...

Attorney Doherty stated that she met with Recorder Madsen and IS Director Ogletree last week. It is her understanding that Recorder Madsen is requesting a full time position to replace Joani Reyburn (who is part time, but is leaving) and someone to do data entry. Mrs. Henrie has drafted a job description that Recorder Madsen has not had a chance to review. It is also her understanding that Recorder Madsen is also requesting a full time temporary position to help with the El Paso documents. We also discussed having someone under the IS Director to scan documents, but to satisfy approval from Recorder Madsen for data entry to comply with records retention requests. Recorder Madsen stated that when we discussed the suggestion, she was not happy with it. Primarily because a suggestion was to bring someone from Uintah County for entry and feels that there are people from our county who can do this quite well. She feels that Director Ogletree shouldn't have been involved with the financial aspect of her office. This money will come out of her office and she presented a financial spreadsheet to the commission. There is a difference of almost thirty five hundred documents from 2009-2012 that we recorded. There has been a tremendous increase in the work load and she has only three part time people which is one and a half more now than in 2009. She feels that her request is justifiable and if someone comes in to assist with data input, it should be her decision. To hire someone in the building would require that we pay overtime. Commissioner Peatross stated that our motive is to try to help you out and develop a process. Recorder Madsen stated that eighty five percent (85%) of her data entry is mineral and she is in compliance with the State of Utah and our records retention ordinance. Her job primarily is the taxing process. She pulled Deputy Recorder Bunny Young off of it when she shouldn't have; this was a mistake. We will meet the May 22, 2013 deadline, if we don't, Deputy Recorder Young will be working overtime. She appreciates the concerns and all of the help she can get. Chairman Winterton stated that we are most concerned with getting the Assessors Department the necessary information before the deadline. Recorder Madsen stated that we are working on the data entry and recording is a process. The taxing data is the most important that needs to be entered. Any help she can get is going to be beneficial. Commissioner Peatross stated that the bottom line is that you need a new full time position. We need someone who can hit the

floor running and who doesn't need much training and a full time temporary person for the El Paso documents. Attorney Doherty asked if we perceive that with these new positions that we will be able to timely close the gap. Recorder Madsen stated absolutely not, you know that. Attorney Doherty stated that there was a suggestion for someone from the IS Department and she knows that Recorder Madsen felt attacked by this. It is her obligation to look at the county as a whole and reduce the liability risks. Chairman Winterton stated that we need someone to get us up to date that is what we need. Director Ogletree is trying to do that. Attorney Doherty stated that we know the Recorder's Office is bombarded. The commission is trying to assess whether it would be appropriate to spend money to hire someone for catch up on data entry and abstracting. They want to know if there is another avenue where the IS Department, in fulfilling its mandate to be in compliance with the records retention ordinance, could assist. Director Ogletree stated that we discussed having John Singer come out and to have everything scanned in, but we can't due to the back log. Recorder Madsen stated that as an elected official, the code says it can be electronic or not and she has the option. Commissioner Peatross stated that if there is a better way of doing it or a better idea are you saying no to it. We want you to do your statutory authority. Recorder Madsen stated that she is not against a better idea and she wants to get caught up. Commissioner Peatross asked what the proposal is from Recorder Madsen to get her office caught up. Recorder Madsen replied by stating that the one and a half people are not going to help, she needs another person on top of that. *Commissioner Peatross motioned to approve a regular full time person and a full time temporary person. Commissioner Wood seconded the motion. All commissioners vote aye and the motion passed.*

Director Ogletree stated that we have the Microfilm Office working on historical documents; he feels that they will all be long retired before we are ever caught up with all of the old records. Attorney Doherty stated that what we are trying to resolve is that if under the IS Department, there is someone to draft abstracts and legal descriptions to satisfy Recorder Madsen to share the information to the other county offices and be provided in CTxMS. We want to fill a temporary position to close that gap. Commissioner Peatross asked if we can get the quality and skill set needed in a part time person. Mrs. Henrie stated that as an HR Person, she is here to help each department manage their existing talent and determine needs for additional talent and get what is needed. With the job description, you can help reduce the risk and continue the oversight. Regardless of data entry, we want someone who can read, verbally understand directions, and basic grammar. You can reduce time and tax payer dollars to get someone with all of those talents and can do more than a clerk typist. She wants quality people not just warm bodies. What is the return on investment by adding someone to the Recorder's Office is what needs to be determined. *Commissioner Wood motioned to approve a full time temporary position for the IS Department if we can get a job description. The purpose of this position is to help with the catch up of the back log. Commissioner Peatross seconded the motion. All commissioners voted aye and the motion passed.*

Entered recess at 12:17 P.M...

Reconvened Combined Meeting at 12:43 P.M...

Director Ogletree stated that scanning documents is easy, indexing it the tough part. He would like to leave the Personnel Department alone for the time being and work on getting the applications available online. He would like to get Attorney Doherty some help and thought about a paralegal. Attorney Doherty suggested getting Project Management Software. She was told by Attorney Stephen Foote to do nothing unless it's a written request. Mrs. Henrie stated that we could demo it and see if it would work for Attorney Doherty's needs.

Discussion Of Employee Recognition Programs

Mrs. Henrie stated that people are concerned about the culture here and concerns about being valued as an employee and also the morale issues. She met with Assistant Casper and we came up with a few ideas like an employee recognition program, monthly birthday cake, and a newsletter. Assistant Casper stated that Chief Deputy Clerk JoAnn Evans said that there is money in the Risk Management budget that we could use. Attorney Doherty stated that if we can improve morale, we can improve performance.

Commissioner Peatross suggested that we get in contact with the local fitness centers and see if there are corporate memberships that we could look into.

Consideration Of Resolution No. 13-03, A Resolution To Purchase Property In Indian Canyon

Attorney Doherty stated that this is a draft resolution and she needs to iron out the numbers. She also needs to speak to Wayne Klein who contemplated the closing costs being split. An obligation she has is to know what else is out there and find out what is connected to this property. We need to make sure we know what we are buying.

Consideration Of A Purchase Agreement For Property In Indian Canyon

Attorney Doherty stated that the Real Estate Purchase Contract (REPSY) is not done, but she plans to have it finished. Title insurance also needs to be discussed. Generally the seller is required to provide the title insurance coverage. Commissioner Peatross suggested that we hire a title company to look into it and run the numbers past Mr. Klein to see if he is okay with it. *Commissioner Peatross motioned to authorize counsel to move ahead with negotiations to purchase the Indian Canyon Property for the amount not to exceed one hundred forty eight thousand two hundred twenty two dollars (\$148,222) exclusive of closing costs and title insurance. Commissioner Wood seconded the motion. All commissioners voted aye and the motion passed.*

Consideration Of Modification #5 For The Annual Operating And Financial Plan And Schedule For Cooperative Road Agreement With Ashley National Forest

Commissioner Peatross motioned to approve the agreement with the Forest Service. Commissioner Wood seconded the motion. All commissioners voted aye and the motion passed.

Tax Adjustments – Clerk/Auditor

Deputy Clerk Auditor Connie Sweat joined the meeting at 1:48 P.M...

Commissioner Wood motioned to approve the tax adjustments as recommended by the Clerk/Auditor's Office. Commissioner Peatross seconded the motion. All commissioners voted aye and the motion passed.

Consideration Of Payment Vouchers

The commission reviewed vouchers # 124055 through 124131 dated February 11, 2013, in the amount of seventy six thousand four hundred fifty five dollars and seventy two cents (\$76,455.72) as presented by Deputy Clerk Sweat. The commission also reviewed vouchers # 124132 through 124143 dated February 13, 2013, in the amount of one hundred thirty eight thousand eight hundred sixty six dollars and seventy seven cents (\$138,866.77) as presented by Deputy Clerk Sweat. *Commissioner Wood 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.*

Consideration Of A Business License Application For Hagman Enterprise

Deputy Clerk Sweat stated that this application is for a man camp. *Commissioner Wood motioned to approve the business license application 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 High Peak Plumbing

Deputy Clerk Sweat stated that this is a plumbing business. *Commissioner Wood motioned to approve the business license application 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 Kit's Welding, LLC

Deputy Clerk Sweat stated that this is a mobile welding business. *Commissioner Wood motioned to approve the business license application 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 February 11, 2013

Attorney Doherty stated that she has not reviewed these minutes and would like to review them before they are approved.

Closed Session

Commissioner Wood motioned to enter into and out of executive session for the purpose of discussing pending or reasonably imminent litigation at 2:02 P.M. Commissioner Peatross seconded the motion. All commissioners voted aye and the motion passed

Reconvened to Combined Commission meeting at 2:45 P.M...

Closed Session

Commissioner Wood moved to enter into and out of executive session for the purpose of discussing Personnel issues at 2:45 P.M. Commissioner Peatross seconded the motion. All commissioners voted aye and the motion passed. Assistant Casper was excused from the meeting.

Reconvened to Combined Commission meeting at 3:45 P.M... Chief Deputy Clerk JoAnn Evans joined the meeting.

Consideration To Take Action Discussed Under Closed Meeting

No action was necessary.

Commission Calendaring

Adjourn

Chairman Winterton adjourned the meeting at 3:56 P.M.

Read and approved this 11th day of March 2013.

*Ronald Winterton
Commission Chairman*

*Diane Freston
Clerk/Auditor*

Minutes of meeting prepared by BobbiJo Casper _____