

**MINUTES OF COMBINED COMMISSION WORKING AND REGULAR SESSION
MEETING HELD JUNE 17, 2013 BEGINNING AT 1:00 P.M. IN COMMISSION
CHAMBERS OF THE DUCHESNE COUNTY ADMINISTRATION BUILDING, IN
DUCHESNE, UTAH**

Present

Commission Chairman Ronald Winterton; Commissioner Kirk J. Wood, Commissioner Kent R. Peatross, Deputy Clerk Auditor Connie Sweat, and Commission Assistant BobbiJo Casper taking minutes of the meeting.

Opening Comments

Commissioner Wood gave the prayer, there were no other comments.

Tax Adjustments- Assessor

The commission reviewed the attached tax adjustments presented by Deputy Clerk Auditor Sweat. Commissioner Wood motioned to approve the tax adjustments as recommended by the Auditor's Office. Commissioner Peatross seconded the motion. All commissioners voted aye and the motion passed.

Consideration Of Payment Vouchers

The commission reviewed voucher #1171 dated June 03, 2013, in the amount of nine thousand seven hundred fifty dollars (\$9,750) as presented by the Clerk Auditor's Office. The commission also reviewed vouchers # 125037 through 125132 dated June 10, 2013, in the amount of two hundred six thousand eight hundred thirty seven dollars and thirty cents (\$206,837.30) as presented by the Clerk Auditor's Office. The commission also reviewed vouchers # 125133 through 125198 dated June 17, 2013, in the amount of three hundred sixty nine thousand seven hundred sixty nine dollars and seventy nine cents (\$369,769.79) as presented by the Clerk Auditor's Office.

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 A+ Animal Control

Deputy Clerk Sweat stated that this company will take care of animal nuisances for domestic and wild animals. *Commissioner Wood 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 Eagles Food Court

Deputy Clerk Sweat stated that this is a food court business at Starvation Reservoir on weekends beginning June 1, 2013 through September 16, 2013. *Commissioner Wood 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 Eddies Mobile Diesel Service

Deputy Clerk Sweat stated that this business is a mobile mechanic. *Commissioner Wood 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 Nomadic Land Services

Deputy Clerk Sweat stated that this is land man business. *Commissioner Wood motioned to approve the business license application as presented. Commissioner Peatross seconded the motion. All commissioners voted aye and the motion passed.*

Consideration Of An Agreement With Architectural Nexus

Commissioner Peatross stated that this agreement is with Architectural Nexus who is the Architect work for the Justice Court Complex expansion project. They haven't received a copy of the agreement and suggested postponing this until they can discuss this further with Deputy County Attorney Marea Doherty. *The agenda item was postponed by general consent.*

Consideration Of Minutes For Combined Commission Meeting Held May 13, 2013

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

Consideration Of Minutes For Combined Commission Meeting Held May 20, 2013

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

Consideration Of Minutes For Combined Commission Meeting Held June 06, 2013

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

Commission Calendaring

Public Hearing 1:30 P.M. –

Consideration Of Resolution Ordinance No. 13-317, An Ordinance Amending The Duchesne County Zoning Map, Rezoning Described Property From Agriculture-Residential (A-5) To Industrial (I)

County/Community Planning Administrator Mike Hyde & Chuck Rich with Nielson Construction joined the meeting at 1:30 P.M...

Administrator Hyde stated that the rezone request comes from Nielson Construction who wants to build a facility in the county. They have a deal with Clinton Moon to purchase twenty (20) acres. Mr. Moon would like to rezone the entire fifty five acre parcel. The Planning Commission held a public hearing on June 5, 2013 to consider the rezone request and unanimously recommended the findings in approval of the request. There was no opposition at the hearing. This rezone request ties in well in this location with the business community. The Planning Commission has provided findings in the attached packet and recommended approval from the County Commission. Mr. Rick stated that he feels like this is great for the community and would like to be local. We take pride in hiring local and keep things local. We have outgrown our facility and is planning to start by building a shop and office and grow in the future.

Entered back in Combined Commission Meeting at 1:49 P.M...

ORDINANCE #13-317

AN ORDINANCE AMENDING THE DUCHESNE COUNTY ZONING MAP, REZONING DESCRIBED PROPERTY FROM AGRICULTURAL-RESIDENTIAL (A-5) TO INDUSTRIAL (I)

WHEREAS, Clinton & Donnette Moon and Nielson Construction have filed an application to rezone certain described property, approximately 55.9 acres in size, from Agricultural-Residential (A-5) to Industrial (I); and,

WHEREAS, after giving notice and conducting a public hearing on June 5, 2013, the Duchesne County Planning Commission has recommended approval of the rezone as requested for the subject lands; and,

WHEREAS, after giving notice and conducting a public hearing on June 17, 2013, the Duchesne County Commissioners have accepted the Planning Commission recommendation and adopted findings to approve the rezone request.

BE IT HEREBY ORDAINED BY THE BOARD OF COUNTY COMMISSIONERS that:

SECTION 1. *The lands described below are hereby rezoned on the official zoning map from Agricultural-Residential (A-5) to Industrial (I):*

*Those lands described in Book A0365, Page 445, Duchesne County Deed Records; also
Commission Working Meeting June 17, 2013
Page 2 of 3*

described as all parcels within the Nielson Construction Minor Subdivision survey recorded and on file at the Duchesne County Recorder's Office and Duchesne County Surveyor's Office (as depicted on Exhibit A attached hereto and incorporated herein).

SECTION 2. Severability.

If any court of competent jurisdiction declares any Section of this Ordinance invalid, such decision shall be deemed to apply to that Section only, and shall not affect the validity of the Ordinance as a whole or any part thereof other than the part declared invalid.

SECTION 3. Effective Date.

This Ordinance shall become effective fifteen (15) days after publication.

DATED this 17th day of June, 2013.

ATTEST:

DUCHESNE COUNTY
BOARD OF COMMISSIONERS

Diane Freston
County Clerk/Auditor

Ronald Winterton, Chairman

Kent R. Peatross, Commissioner

Kirk J. Wood, Commissioner

Commissioner Wood motioned to adopt Ordinance No. 13-317. Commissioner Peatross seconded the motion. All commissioners voted aye and the motion passed.

Other Business

Assessor Greg Garff & Deputy Assessor Ginger joined the meeting at 1:49 P.M...

Assessor Garff stated that they gave Nabors Lux Finance Company a value of fifteen million dollars on a rig and they want to appeal the value. They have thirty (30) days from the date of the statement to appeal. They are now beyond the appeal date and they had an appraisal done giving them a value of 7.68 million dated May 15, 2013.

Commissioner Peatross stated that he would be inclined to give leniency if they had appealed before the deadline, but we can't move the deadlines around. Assessor Garff stated that we will change the value for next year as long as the rig is still in our county. Commissioner Peatross motioned to deny the appeal based on the fact that they missed the thirty day appeal time frame allowed. Commissioner Wood seconded the motion. All commissioners voted aye and the motion passed.

Adjourn

Chairman Winterton adjourned the meeting at 2:15 P.M.

Read and approved this 1st day of July 2013.

Ronald Winterton
Commission Chairman

Diane Freston
Clerk/Auditor

Minutes of meeting prepared by BobbiJo Casper _____