

**MINUTES OF COMBINED COMMISSION WORKING AND REGULAR SESSION  
MEETING HELD JULY 01, 2013 BEGINNING AT 10:00 A.M. IN COMMISSION  
CHAMBERS, IN DUCHESNE, UTAH**

***Present***

Commission Chairman Ronald Winterton; Commissioner Kirk J. Wood, Commissioner Kent R. Peatross, Deputy County Attorney Grant Charles, Public Works Director Glen Murphy, USU Extension Agent Troy Cooper, Livestock Committee Members Jerry Lisonbee, Mike Casper, and A.C. Rust, and Commission Assistant BobbiJo Casper taking minutes of the meeting.

***Public Works/Landfill Department Update***

*Deputy County Attorney Anthony Wilcox joined the meeting at 10:04 A.M...*

Director Murphy reported that the Road Department is working with a land owner regarding a fence line on the Strawberry River Road. We have a forty (40) foot right of way, and he has asked Surveyor Jerry Allred to survey it to make sure that the fence is put in the correct location. They are also working on the North Crescent Road (County Road # 80) with XTO and upgrading County Road #129 in Altamont.

Director Murphy also reported there is a meeting with Horrocks Engineers tomorrow in Roosevelt regarding the Cedarview Montwell water line and requested support from the commission if they are available.

***Consideration Of Resolution No. 13-10, A Resolution Amending Resolution No. 08-06, A Resolution Adopting A New Fee Schedule Concerning Road Crossing And Easement Encroachments***

Director Murphy stated that we recently discussed charging more for a permit when someone is barring a pipeline long distance and he has since reviewed Uintah County's resolution as suggested, but he would like to leave it the way it is on bonding. The only thing that needs to be improved on is the road cuts on paved cuts up to \$750 and \$25 per bore, so that more people will want to bore. The thing that is hurting us is the encroachments that run alongside the road for oil companies. Uintah County is charging \$500 plus \$.50 a foot; he thinks this is where we need to be because all we are charging is \$250. This would make them install them four foot off of the surface as close to the finish line as possible and cover them. Last time this was discussed, Weed Supervisor Ron Johnson requested adding language regarding weeds, but it still needs to be added. Chairman Winterton suggested putting this back on the agenda in a few weeks once we have all of the information requested.

***Discussion With The Livestock Committee***

*Livestock Committee Member Conley Moon joined the meeting at 10:43 A.M...*

Mr. Cooper stated that this year we decided that we need water in each pen for our pigs. They are still in the design process for the single nipple water drop system. He feels this will save money by serving two pens at a time.

Mr. Cooper also stated that he has the results from the survey that was sent out (see attached). We sent a survey to every family that showed an animal last year and we received sixty eight (68) responses which is a 62% return rate with the following results:

- 65% from Uintah County bring camp trailers & stay an average of 4 nights
- 33% from Duchesne County bring camp trailers & stay an average of 4 nights
- Uintah County eats an average of 7-8 times spending \$320 at the fair vendors
- Duchesne County eats an average of 6-7 times spending \$228 at the fair vendors
- 88% from Uintah County attend the carnival spending \$68
- 68% from Duchesne County attend the carnival spending \$75
- Overall rank of the fair 0 low 10 high: Uintah County 8, Duchesne County 7.6
- Livestock Show: Uintah County 8.3, Duchesne County 7.7
- Invite Uintah County to our Livestock Show: 10 low 1 high, Uintah County 1.2, Duchesne County 7.7

Commissioner Peatross stated that Uintah County residents are clearly spending about the same amount of time and money as Duchesne County residents. Mr. Lisonbee stated that the main purpose of this survey was for the sellers. How can it be fair if we kick out

Uintah County but allow those who live in Ballard? You can't support only half of their county and say that the kids that attend Union High School can come and the ones who attend Uintah County can't. Mr. Cooper stated that 15-20% of the animals that show are from Uintah County. Mr. Lisonbee stated that there are probably 30-40 families that come to our fair from Uintah County. Commissioner Peatross stated that means you have approximately 60 people that come from Uintah County and support our fair; he feels this is significant. Is there a compelling reason that we should leave them out? He is seeing that there is a compelling reason to invite them. Mr. Rust stated that you can't ignore the comments that are made from those that spend fifteen thousand dollars on animals, but we now have a response for those people who don't want Uintah County to be invited. Commissioner Wood stated that the reason people want Uintah County to stop showing animals in Duchesne County is because of the good competition. With this competitive edge and spirit, it makes it a better show. Mr. Moon stated that he would hate to discourage any youth who wants to be a part of the Livestock Show. Chairman Winterton stated that Uintah County has been very supportive and we share the same issues. To eliminate them would cause a rippling effect on other issues. Mr. Cooper stated that by having the survey results, they now have a reason to continue to invite Uintah County. We have done our best to get this information and invited all of the buyers to a meeting, but a lot of them didn't show up. He feels that a lot of the buyers are only there for the advertisement of their company. As a committee, we will leave the decision up to the commission. Commissioner Peatross stated that the consensus is that we leave things as is.

#### ***Discussion Of Travel Reimbursement And Per Diem Policy***

Chairman Winterton stated that this came up last week and it was noticed that this is not in our current policy book. Attorney Charles stated that he will look into this and put together a draft policy for the commission to review and consider next week.

#### ***Consideration Of An Agreement With Architectural Nexus, Inc.***

Chairman Winterton stated that this agreement is for the Justice Court Complex Expansion project. Attorney Charles stated that this is a boiler point contract and the cost is hourly. There are some deadlines that concern him and they have the signer as former Deputy County Attorney Marea Doherty. Attorney Charles suggested that they wait to approve the agreement until after the next meeting on the expansion project to discuss it and go from there.

#### ***Discussion Of After Hours Access To The Recorder's Office***

Attorney Charles stated that Recorder Carlyne Madsen has requested that the key be returned to her office that has been used to access her office for Tribal Litigation research. Recorder Madsen is willing to make accommodations so let's talk to her. All he cares about is getting the job done and it's going to take some time to get the job finished.

*Recorder Carlyne Madsen joined the meeting at 11:20 A.M...*

Attorney Charles stated that we had rulings last week in the Tribal Litigation case and there is a lot of information that we still need. We need to research roads and patented land in all of Duchesne County. Recorder Madsen stated that anytime the work will be done, she will make special accommodations and make the records availability by having someone from her office or herself there. There were problems before on this project and it was not done professionally. The records are the county's not hers, but they are her responsibility. She would like to set up a schedule of when people will be working on the project. Commissioner Peatross stated that this time it will be more structured than it was before with people who are knowledgeable of the records and know exactly what they are looking for. He also asked Recorder Madsen if she was willing to provide the research and information that Attorney Charles was talking about. Recorder Madsen replied by stating "No". He doesn't have a problem with giving the key back at this point. Recorder Madsen stated that she just wants to know when and she will make it available to have a grasp of what is going on. This is a very important project, but she just wants everyone to be on the same page. Attorney Charles stated that he will speak to CoraLee Sanchez who has the key and discuss a schedule and will return the key.

### **Consideration Of Ratification Of The Tax Sale**

*Clerk Auditor Diane Freston & Chief Deputy Clerk JoAnn Evans joined the meeting at 11:35 A.M...*

Deputy Clerk Evans presented the attached list of properties sold at the tax sale and stated that we only had one person who didn't pay, so it went to the second highest bidder. Other than that, there were no problems. Auditor Freston stated that we haven't heard any complaints, once this is approved by the commission, we will send the deeds. *Commissioner Wood motioned to ratify the Delinquent Tax Sale. Commissioner Peatross seconded the motion. All commissioners voted aye and the motion passed.*

### **Consideration Of A Business License Application For Finley Resources Inc**

*Deputy Clerk Auditor Connie Sweat joined the meeting at 11:40 A.M...*

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

### **Consideration Of A Business License Application For High Desert Water Service LLC**

Deputy Clerk Sweat stated that we gave them a temporary business license and they have complied with the requirements and received a conditional use permit. *Commissioner Peatross motioned to approve the business license application as presented. Commissioner Wood seconded the motion. All commissioners voted aye and the motion passed.*

### **Consideration Of A Business License Application For KB's Insulation & Oilfield Service**

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

### **Consideration Of A Business License Application For K.K Trenching**

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

### **Consideration Of A Business License Application For Transfuels LLC DBA BLU**

Deputy Clerk Sweat stated that this is a business was also issued a temporary business license and has also complied with the requirements. *Commissioner Peatross motioned to approve the business license application as presented. Commissioner Wood seconded the motion. All commissioners voted aye and the motion passed.*

*Commissioner Wood excused himself from the meeting at 11:47 A.M...*

### **Consideration Of Minutes For Combined Commission Meeting Held June 17, 2013**

Commissioner Peatross motioned to approve the minutes with the necessary changes. Chairman Winterton seconded the motion. Both commissioners voted aye and the motion passed.

### **Consideration Of Minutes For Special Commission Meeting Held June 18, 2013**

Commissioner Peatross motioned to approve the minutes with the necessary changes. Chairman Winterton seconded the motion. Both commissioners voted aye and the motion passed.

### **Consideration Of Minutes For Special Commission Meeting Held June 26, 2013**

Commissioner Peatross motioned to approve the minutes with the necessary changes. Chairman Winterton seconded the motion. Both commissioners voted aye and the motion passed.

### **Closed Meeting –**

*Lisa Henrie With HR Connections joined the meeting at 11:47A.M...*

*Commissioner Peatross moved to go into and out of closed session for the purpose of discussing personnel issues at 11:49 A.M. Commissioner Peatross seconded the motion. All commissioners voted aye and the motion passed.*

*-Re-entered Combined Commission Meeting at 12:38 A.M...*

***Consideration To Take Action Discussed Under Closed Meeting***

*No action was necessary.*

*Entered recess by general consent at 12:38 A.M...*

*Re-entered Combined Commission Meeting at 1:30 P.M...*

***Public Hearing 1:30 P.M. – Consideration Of A Request To Obtain A Lease For Oil & Gas Extraction On The Following Property Owned By Duchesne County:***

*Township 3 South, Range 3 West, USM*

*Section 11: Beginning at the North ¼ corner of Section, thence South 760 feet; thence West 4 feet; thence North 760 feet; thence East 4 feet to beginning.*

*Containing 0.06 acres, more or less.*

Chairman Winterton opened the public hearing and stated that there is no public present and we received one sealed bid from Newfield Production Company and opened the envelope. The bid is in the amount of five hundred twenty six dollars and seventy six cents (\$526.76).

*Entered back in Combined Commission Meeting at 1:43 P.M...*

*Commissioner Peatross motioned to accept Newfield Production Company's bid in the amount of five hundred twenty six dollars and seventy six cents (\$526.76) with an 18 ¾ royalty rate for the term of three (3) years.*

***Commission Calendaring***

***Adjourn***

*Chairman Winterton adjourned the meeting at 1:45 P.M.*

*Read and approved this 17<sup>th</sup> day of June 2013.*

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*Ronald Winterton  
Commission Chairman*

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*Diane Freston  
Clerk/Auditor*

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