

**MINUTES OF COMBINED COMMISSION WORKING & REGULAR SESSION  
MEETING HELD DECEMBER 23, 2012 BEGINNING AT 9:00 A.M. IN CONFERENCE  
ROOM #1 OF THE DUCHESNE COUNTY ADMINISTRATION BUILDING, IN  
DUCHESNE, UTAH**

***Present***

Commission Chairman Ronald Winterton; Commissioner Kent R. Peatross, Deputy County Attorney Tyler Allred, Public Works Director Glen Murphy, Building Official Karl Mott, Uintah Basin Standard Reporter Steve Puro, and Commission Assistant BobbiJo Casper taking minutes of the meeting.

***Absent***

Commission Chairman Kirk J. Wood.

***Consideration Of Resolution No. 13-24, A Resolution Establishing A New Fee Schedule For Building And Construction Within Duchesne County***

Official Mott stated that this resolution will update our annual fee calculations based off of last year's numbers. This year, the fee amounts have gone down. We get the calculation by entering in the percent of what you want to cover your budget. There have been a lot of people upgrading their homes and the majority of applications came from the east end of the county. We only had one commercial application this year.

**RESOLUTION NO. 13-24**

**A RESOLUTION ESTABLISHING A NEW FEE SCHEDULE FOR  
BUILDINGS AND CONSTRUCTION WITHIN DUCHESNE COUNTY**

WHEREAS, Duchesne County Code Title 7 establishes rules and regulations for buildings and construction within Duchesne County; and

WHEREAS, Duchesne County Code § 7-1E-2 authorizes the county to establish permit fees for building and construction; and

WHEREAS, said code also authorizes the fees to be set by resolution; and

WHEREAS, Duchesne County desires to amend said fees commencing January 1, 2014.

NOW, THEREFORE, be it resolved by the Board of County Commissioners for Duchesne County that the valuation table for the Duchesne County building and construction enforcement in Exhibit A attached hereto and hereby incorporated by reference, is adopted.

IT IS FURTHER RESOLVED that the method used to calculate the fees on the individual projects shall be that as set forth in the Building Department Fee Schedule in Exhibit B attached hereto and hereby incorporated by reference.

IT IS FURTHER RESOLVED that an existing fee amounts contrary to this resolution are changed to reflect this new fee schedule, and that this fee schedule shall be effective January 1, 2013.

APPROVED AND ADOPTED by a duly constituted quorum of the Board of County Commissioners of Duchesne County this 16<sup>th</sup> day of December, 2013.

ATTEST:

DUCHESNE COUNTY:

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Diane Freston  
County Clerk/Auditor

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Ron Winterton  
Chairman

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Kent R. Peatross  
Member

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Kirk J. Wood  
Member

*Commissioner Peatross motioned to adopt Resolution No. 13-24. Chairman Winterton seconded the motion. Both commissioners voted aye and the motion passed.*

***Public Works Department Update***

Director Murphy reported that with the holiday this week, he is down to five employees working. The Road Department was able to get Mortensen Lane cleaned up, this road will be one of our biggest projects next year to get paved. He also reported that there was an ice problem on the Old River Road due to frozen culverts, but they were able to get them thawed out.

Chairman Winterton stated that they will be reconstructing four miles of road next year on the North Cove Road, Kelsey Corner, and Olsen Corner. Gate Canyon is scheduled to be done in 2015. Commissioner Peatross stated that the North Cove Road will be a big project that will be an interruption to traffic while it's being built.

***Consideration Of A Request From Owl And The Hawk LLC For The Commission's Endorsement Of The Sale Of 1, 148.18 Acres Of Land NW Of Starvation Reservoir To The Utah Department Of Natural Resources (UDWR)***

*County/Community Planning Administrator Mike Hyde joined the meeting at 9:19 A.M... Randall Thacker, Boyd Blackwell and Miles Hanberg joined the meeting at 9:39 A.M...*

Administrator Hyde stated that they received a letter from Mary Stanley with Owl and the Hawk LC stating that she was interested in selling property to the DWR for a habitat area elk and deer. They are all aware of the county's no-net-loss of private land policy. We also received a letter from Mr. Thacker with the DWR.

Commissioner Peatross stated that the no-net-loss policy is a concern to him and politically they get hammered over that.

Mr. Blackwell stated that the no-net-loss policy means a lot to them also and they have been discussing the purchase of this property for several years. That is the reason that they have said no every time that they were approached to purchase this property.

Commissioner Peatross stated that the reality of it is that we make more money off of it through State ownership than through greenbelt, but the problem is that the State doesn't seem to ever sell anything. You guys know what our issues are.

Mr. Blackwell stated that the commission needs to keep in mind that they are looking to have SITLA put on the auction block in Lake Canyon without any easements. This is something that he is adamant about however, we had a commitment to sell that property. That commitment may not be in writing but he knows it's there and he will stand behind it.

Mr. Thacker stated that the proposed purchase site is where they have had to feed elk during hard winters to keep them from coming into Duchesne City and on the river bottoms. Most of this property has cliffs and is very steep where the elk like to hide out and come out at night to feed.

Commissioner Peatross stated that he isn't 100% against the purchase and thinks that the no net policy may be a little harsh where there is a need of give and take. If we are going to have wildlife the harsh winters is something that needs to be addressed.

Mr. Hanberg stated that with the auction of the Lake Canyon property, it might be the only way we can purchase this property.

Commissioner Peatross stated that if this property has been for sale for years, he finds comfort in the fact that the public has had a chance to purchase it. The property is on greenbelt.

Administrator Hyde stated that he has prepared a findings sheet for the commission to review and it talks about the no-net-loss. Ultimately, Owl and the Hawk have the right to sell to whomever they desire; they don't need to coordinate with us like they are. The amount of property tax revenue that we are receiving is around seventy eight dollars (\$78) a year and this is not a good area for recreation. Our findings show that it would make sense that this be used as a habitat area.

Mr. Thacker stated that there won't be seasonal closures on existing roads; if there are any, it will be on roads that we will add.

Commissioner Peatross stated that the heartburn in the past has been based on lost grazing and recreational values. This property doesn't have those same values where there aren't utilities or a good recreational area. Administrator Hyde has identified all of those issues and he would like to see an operation plan from DWR to see what their intent is. We still have a net loss because the Lake Canyon property isn't compensating for the purchase of this property due to a prior agreement. He is fine with the concept and where the DWR is headed, he would like to see an operational letter along with the findings to give us justification if we sign off on it.

Mr. Blackwell stated that we need to do our diligence before we move forward and this is a step. We need to hold our auction on the Lake Canyon property before we can purchase this land.

#### ***Consideration Of Duchesne County Board Appointments***

Commissioner Peatross motioned to appoint Roger Ames to the Weed Board filling the Upper Country seat, Ken Richins to the Weed Board filling the Pleasant Valley seat and Chet Hansen filling the Myton/Arcadia seat. Chairman Winterton seconded the motion. Both commissioners voted aye and the motion passed.

#### ***Consideration Of Tax Adjustments - Assessor***

*Deputy Clerk Auditor Connie Sweat joined the meeting at 9:27 A.M...*

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

#### ***Consideration Of Vouchers***

The commission reviewed vouchers # 126931 through 127011 dated December 23, 2013, in the amount four hundred two thousand thirty four dollars and fifty four cents (\$402,034.54) as presented by the Clerk Auditor's Office. *Commissioner Peatross motioned to approve the vouchers as presented by the Clerk Auditor's Office. Chairman Winterton seconded the motion. Both commissioners voted aye and the motion passed.*

#### ***Consideration Of A Beer License Application For Hanna Country Store LLC***

*Commissioner Peatross motioned to approve the business license application as presented by the Clerk Auditor's Office. Chairman Winterton seconded the motion. Both commissioners voted aye and the motion passed.*

#### ***Consideration Of A Beer License Application For Rock Creek Store B/B***

*Commissioner Peatross motioned to approve the business license application as presented by the Clerk Auditor's Office. Chairman Winterton seconded the motion. Both commissioners voted aye and the motion passed.*

#### ***Closed Meeting –***

*Commissioner Peatross moved to go into and out of closed session for the purpose of discussing pending or reasonably imminent litigation issues at 10:17 A.M. Chairman Winterton seconded the motion. Both commissioners voted aye and the motion passed.*

*-Re-entered Combined Commission Meeting at 10:47 A.M...*

*-Entered recess at 10:47 A.M...*

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

*No action was necessary*

***Consideration Of Minutes For Combined Commission Meeting Held October 28, 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 Combined Commission Meeting Held December 9, 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 Combined Commission Meeting Held December 16, 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.*

***Commission Calendaring***

***Adjourn***

*Chairman Winterton adjourned the meeting at 2:39 A.M.*

*Read and approved this 30<sup>th</sup> day of December 2013.*

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*Ronald Winterton*

*Commission Chairman*

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*Diane Freston*

*Clerk/Auditor*

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