

**MINUTES OF COMBINED COMMISSION WORKING & REGULAR SESSION
MEETING HELD MONDAY, JANUARY 08, 2024, BEGINNING AT 9:00 A.M. IN
DUCHESNE, UTAH**

Present –

Commissioner Irene Hansen, Commissioner Tracy Killian, Commissioner Greg Miles, Deputy Attorney Tyler Allred, Library Director Daniel Mauchley, Public Works Deputy Director Clint Curtis, Treasurer Stephen Potter, Clerk-Auditor Chelise Jessen, Human Resource Director Judy Stevenson, Community Development Assistant Becky Broadhead, Community Development Director Mike Hyde, Community Development Assistant Director Mike Gottfredson, Code Enforcement Officer Chris Floyd, Sheriff Travis Tucker, Attorney Stephen Foote, Recorder Shelley Brennan, Assessor Traci Herrera, Surveyor Jerry Allred, Jeffrey Baker with Jones & DeMille Engineering, Jason Blankenagel with Sunrise Engineering, Deputy Clerk-Auditor Lexi Young, Human Resource Payroll and Benefits Administrator Jamie Park, Duchesne County Residents Terry Nelsen and Curtis McCormick, and Commission Executive Assistant Melissa Hughes is taking the meeting minutes.

Opening Comments

(9:00 a.m.)

Chairperson Hansen welcomed everyone to the meeting.

Pledge of Allegiance

(9:01 a.m.)

Presentation of Employee of the Month

(9:02 a.m.)

Human Resource Director Judy Stevenson presented the Employee of the Month Award to Code Enforcement Officer Chris Floyd. Community Development Assistant Becky Broadhead read the nomination letter she submitted. Community Development Assistant Director Mike Gottfredson voiced his appreciation for Mr. Floyd's professional, kind, and trustworthy attitude toward his job and community. Each Commissioner expressed their gratitude to Mr. Floyd for his commitment and dedication to the County. Mr. Floyd thanked everyone for the award and recognition.

Award the Engineer of Record

(9:14 a.m.)

Commissioner Hansen explained the scoring process while reviewing the RFQs submitted by Civco Engineering Inc., Jones & DeMille Engineering, and Sunrise Engineering. The Commissioners communicated their appreciation to the firms and stated that awarding the engineer of record doesn't confine or obligate the county to use only the engineer of record. *Commissioner Miles made a motion to accept the proposal from Jones & DeMille Engineering and named them the County Engineer of Record. Commissioner Killian seconded the motion. Commissioner Miles voted aye, Commissioner Killian voted aye, and Commissioner Hansen voted aye. The motion passed.*

Public Works Update

(9:22 a.m.)

Public Works Assistant Director Clint Curtis gave an update on existing projects and upcoming work. They are preparing for the upcoming storms. There is a bridge in Fruitland that needs to be repaired. They cleaned up the old crusher pit. It looked like people were dumping there instead of taking them to the landfill. They will hang no dumping signs to help deter future dumping. The Forest Service is fixing the bridge by the Boys Ranch; he would like to widen the road to match the standard of the bridge.

Discussion & Consideration of the Approval of Road Approach Permits

(9:28 a.m.)

Public Works Assistant Director Clint Curtis presented a Residential/Commercial Approach Permit for the Lee and Paula Fausett Family Trust. Assistant Curtis stated he had been to the property and approved the approach. The parties discuss the permit. *Commissioner Miles made a motion to approve the road approach permit as presented and allow the chair to sign on behalf of the County. Commissioner Killian seconded the motion. Commissioner Miles voted aye, Commissioner Killian voted aye, and Commissioner Hansen voted aye. The motion passed.*

Discussion & Consideration of Board Appointments for the Johnson Water Improvement District Precincts 2 and 3

(9:35 a.m.)

Commissioner Hansen read the letter from the Johnson Water Improvement District. The Board of Trustees met on December 29, 2023, at the Johnson Water Improvement District office to discuss filling the two open trustee seats. The board came up with the following names for the Board of Trustees for Precinct #2 and Precinct #3: Precinct #3 Tom Henderson and Precinct #2 Drew Eschler.

Commissioner Miles shared his thoughts. He doesn't think the board vacancies were advertised on the Public Notice Website, so he would like to send a letter suggesting they hold a special election that is advertised correctly. The parties discussed the process and the need to verify the precincts for accuracy.

Terry Nelsen of Roosevelt, Utah, spoke and explained his experience with the previous elections that the district held. He thinks if it is advertised, there will be individuals interested in serving on the board. *Commissioner Miles made a motion to send a letter to the Johnson Water Improvement District asking them to identify the district boundaries and have the election advertised and completed by April 1, 2024. Commissioner Killian seconded the motion. Commissioner Miles voted aye, Commissioner Killian voted aye, and Commissioner Hansen voted aye. The motion passed.*

Recess 9:52 am to 10:10 am

Discussion & Consideration of the New Business Licenses

(10:10 a.m.)

Deputy Clerk-Auditor Lexi Young presented two new business licenses

- TK Onsite Welding LLC, owned by Tim Klenz, Duchesne, Utah.
- GTS Field Services, owned by Gatling Williams and Tristen Greene, Upalco, Utah.

The parties reviewed and discussed the new business licenses. *Commissioner Killian made a motion to ratify the business licenses issued by the Clerk-Auditors office as presented. Commissioner Miles seconded the motion. Commissioner Killian voted aye, Commissioner Miles voted aye, and Commissioner Hansen voted aye. The motion passed.*

Auditors Office – Vouchers

(10:14 a.m.)

Clerk-Auditor Chelise Jessen presented the January 08, 2024 vouchers, check numbers 163783 through 163881, for \$948,647.79. The parties review the vouchers submitted. *Commissioner Miles made a motion to approve the January 08, 2024 vouchers, as presented. Commissioner Killian seconded the motion. Commissioner Miles voted aye, Commissioner Killian voted aye, and Commissioner Hansen voted aye. The motion passed.*

Discussion & Consideration of Adding a New Duchesne County Position

(10:19 a.m.)

Commissioner Hansen explained the new position, which has been in the making for over five years. They have hired an attorney for indigent defense. This is a new position, but it will not add to the budget. The budgeted money will remain in the County instead of going to a contracted attorney. *Commissioner Killian made a motion to accept and add the Duchesne County position. Commissioner Miles seconded the motion. Commissioner Killian voted aye, Commissioner Miles voted aye, and Commissioner Hansen voted aye. The motion passed.*

Appoint a Duchesne County Representative to the UAC Board of Directors

(10:21 a.m.)

Commissioner Hansen reflected on her experiences while serving on the board. Commissioner Miles thanked Commissioner Hansen for her dedication and commitment to the UAC Board of Directors and would like to appoint her to the board to represent Duchesne County for her last year. *Commissioner Miles made a motion to re-appoint Commissioner Irene Hansen to serve on the UAC Board of Directors representing Duchesne County. Commissioner Killian seconded the motion. Commissioner Miles voted aye, Commissioner Killian voted aye, and Commissioner Hansen voted aye. The motion passed.*

Discussion & Consideration of the Agreements Pursuant to the Opioid Settlement

(10:24 a.m.)

Deputy Attorney Tyler Allred presented three agreements. Confidential Settlement Agreement and Release, Settlement Agreement and Release Utah Opioid Litigation, and Utah Subdivision Agreement to Allocate Opioid Settlement Funds. The parties discuss the settlements and the opioid crisis. *Commissioner Miles made a motion to approve the*

agreements as presented and authorize the chair to sign on behalf of the County. Commissioner Killian seconded the motion. Commissioner Miles voted aye, Commissioner Killian voted aye, and Commissioner Hansen voted aye. The motion passed.

HR Office – Payroll

(10:29 a.m.)

Human Resource Payroll & Benefits Administrator Jamie Park presented the payroll report ending December 23, 2023; 210 employees were paid. Commissioner Miles made a motion to approve the December 23, 2023 payroll, as presented. Commissioner Killian seconded the motion. Commissioner Miles voted aye, Commissioner Killian voted aye, and Commissioner Hansen voted aye. The motion passed.

Appoint the Commission Chair

(10:31 a.m.)

The parties discussed the Commission Chair position. Commissioner Killian made a motion to appoint Commissioner Irene Hansen as the Commission Chair for 2024. Commissioner Miles seconded the motion. Commissioner Killian voted aye, Commissioner Miles voted aye, and Commissioner Hansen voted aye. The motion passed.

Consideration of Minutes for Combined Commission Meeting held December 28, 2023

(10:34 a.m.)

Parties review the combined Commission meeting minutes held on December 28, 2023. Commissioner Killian made a motion to approve the minutes for December 28, 2023, as corrected. Commissioner Miles seconded the motion. Commissioner Killian voted aye, Commissioner Miles voted aye, and Commissioner Hansen voted aye. The motion passed.

Discussion of Possible Subjects for the Next Meeting

(10:43 a.m.)

Calendaring & Weekly Update on Events

(10:46 a.m.)

Closed Meeting – Strategy Session to Discuss: The Character, Professional Competence, or Physical or Mental Health of an Individual;

(11:00 a.m.)

Commissioner Miles made a motion to go in and out of a closed meeting for a strategy session to discuss: The Character, Professional Competence, or Physical or Mental Health of an Individual. Commissioner Killian seconded the motion. Commissioner Miles voted aye, Commissioner Killian voted aye, and Commissioner Hansen voted aye. The motion passed.

Back in Session

(12:15 p.m.)

No action is to be taken.

Recess 12:15 p.m. to 12:59 p.m.

Commissioner Killian made a motion to recess. Commissioner Miles seconded the motion. Commissioner Killian voted aye, Commissioner Miles voted aye, and Commissioner Hansen voted aye. The motion passed.

Public Hearing 1:00 p.m. – Larsen Springs Rezone Request

(12:59 p.m.)

Present -

Commissioner Irene Hansen, Commissioner Greg Miles, Commissioner Tracy Killian, Deputy Attorney Tyler Allred, Community Development Director Mike Hyde, Community Development Assistant Director Mike Gottfredson, Rick Giles and Rocky Giles of Spanish Fork, Utah via Zoom, Beth Iorg, Ken Bleak, and Sharon Bleak from the Larsen Springs Subdivision area Hanna, Utah, Mathew Bell from Stansbury Park, Utah, Steven Giles and Annalisa Giles of Taylorsville, Utah, Rex Giles of West Jordan, Utah, and Commission Executive Assistant Melissa Hughes is taking the meeting minutes.

Community Development Director Mike Hyde gave an update on the rezoning request. If the zoning map amendment is approved and the applicant hires a survey to prepare a plat amendment survey, the proposal will be submitted to the TriCounty Health Department (TCHD) for review. By the TCHD rule, any proposed parcels less than five acres are

considered a potential building site. TCHD will not approve the plat amendment if the soils on the proposed lot are unsuitable for an onsite wastewater disposal system. A well permit has already been issued to Mr. Bell on the proposed lot by the Utah Division of Water Rights. Through the building permit process, the county will ensure that a wastewater system has received an operating permit from TCHD before a home is occupied on the new lot. The well water will also be tested.

Concerns expressed at the December 18, 2023, public hearing prompted staff to request information from the Duchesne Ranger District of the Ashley National Forest, the TriCounty Health Department, the Utah Division of Water Rights, and the Rhoades Canal Company on December 19, 2023. The request asked if those agencies were concerned about the zoning map amendment.

Kristy Groves with the Duchesne Ranger District of the Ashley National Forest replied that the Forest Service is not concerned about water rights associated with the rezoning request. Ben Park, with the Rhoades Canal Company, emailed to request the hearing be recessed to give them time to evaluate their concerns and review the request.

To further alleviate the concerns of the surrounding property owners, the applicant has agreed to sign and record a Development Agreement that limits any further divisions of the subject lot west of the North Fork Road to the original five-acre minimum lot size that applies to all owners within the subdivision.

Ricky Giles of Spanish Fork, Utah, opposed the rezoning request. His family owns property in the Larsen Springs Subdivision. He worries about the spring on Mr. Bell's property becoming contaminated if a home is built on the proposed lot.

Rocky Giles of Spanish Fork, Utah, agrees with his brother Ricky Giles and would like to ask everyone to look at the entire area and consider the feelings of the other landowners.

Steven Giles of Taylorsville, Utah, also opposed the rezoning request. He will soon move into his father's home in the Larsen Springs Subdivision.

Kenneth Bleak, who lives in the Larsen Springs Subdivision in Hanna, Utah, has property that adjoins Mr. Bell's. He is opposed to the rezoning request.

Rex Giles of West Jordan, Utah, opposed the rezoning request and echoed the concerns of Rocky Giles, Ricky Giles, and Steven Giles.

Mathew Bell of Stansbury Park, Utah, is the proponent of the rezoning request. He said he thinks there is a fear of change. He has reached out to all his neighbors; he spoke to some of them, and others never called him back. He bought the property for his family and wants to sell the small portion divided by the North Fork Road to improve the other portion of his property.

Commissioner Miles asked when the subdivision was initially divided. Director Hyde stated the Larsen Springs Agriculture Subdivision created nine new lots on April 23, 2008. Director Hyde explained that Mr. Bell could sell a 5.0-acre lot bisected by the county road; however, that would require a variance to the county subdivision ordinance (lots less than 20 acres in size are not to be bisected by a road).

Steven Giles read a letter from Max and Carol Giles stating they are against the rezoning request.

Commissioner Miles made a motion to close the public hearing and re-enter the regular session. Commissioner Killian seconded the motion. Commissioner Miles voted aye, Commissioner Killian voted aye, and Commissioner Hansen voted aye. The motion passed.

Commissioner Miles stated that they get a lot of pressure from the general public to be able to do what they want with their property. They get pushback from the public, who want to see the preservation of green space, continued access, and protection of resources. How do they balance all of the requests?

The parties discussed the rezoning request and the request from the Rhoades Canal Company to recess the public hearing.

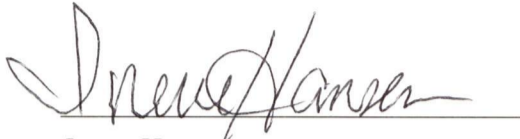
Commissioner Killian made a motion to recess the public hearing for the Larsen Springs Subdivision rezoning request until February 5, 2024, at 1:00 p.m. Commissioner Miles seconded the motion. Commissioner Killian voted aye, Commissioner Miles voted aye, and Commissioner Hansen voted aye. The motion passed.

Adjournment

(2:01 p.m.)

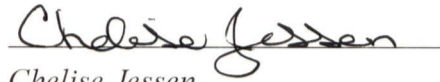
Commissioner Miles made a motion to adjourn the meeting at 2:01 p.m. Commissioner Killian seconded the motion. Commissioner Miles voted aye, Commissioner Killian voted aye, and Commissioner Hansen voted aye. The forum adjourned.

Read and approved this on the 22nd day of January 2024.



Irene Hansen

Commission Chair



Chelise Jessen

Clerk-Auditor

Minutes of the meeting prepared by Commission Executive Assistant Melissa Hughes