MINUTES OF COMBINED COMMISSION WORKING & REGULAR SESSION MEETING HELD MONDAY, MARCH 18, 2024, BEGINNING AT 9:00 A.M. IN DUCHESNE, UTAH

Present –

Commissioner Irene Hansen, Commissioner Greg Miles, Commissioner Tracy Killian, Deputy Attorney Tyler Allred, Public Works Director Mike Casper, Public Works Deputy Director Clint Curtis, Deputy Clerk-Auditor Janet Jenkins, Human Resource Director Judy Stevenson, Economic Development Director Deborah Herron, Jeff Baker and Brock Harrison with Jones & DeMille Engineering, Surveyor Jerry Allred, Building & Grounds Director Shane Jenkins, Community Development Director Mike Hyde, Community Development Deputy Director Mike Gottfredson, Deputy Attorney Grant Charles, Senator Ron Winterton, Kirk Benge, Bruce McKee, and Sydnee Lamb with TriCounty Health, Duchesne County Residents Jeff Chug, Bryan Winterton, Tracy Ross, and Marcie Tucker, 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.)

Open & Award the 2024 Crack Seal Bids

(9:02 a.m.)

Commissioner Hansen opened the six bids received for the 2024 Crack Seal project.

- Advanced Paving & Construction, LLC - $308,730.00
- Morgan Industries, Inc. - $300,099.00
- Asphalt Preservation, LLP - $272,900.00
- Bonneville Asphalt & Repair, LLC - $290,500.00
- M&M Asphalt Services, Inc. - $359,548.00
- CKC Operations, LLC - $229,699.55

The parties need time to review all bids thoroughly. *Commissioner Miles made a motion to postpone awarding the bid until the March 25, 2024 meeting. Commissioner Killian seconded the motion. Commissioner Miles voted aye, Commissioner Killian voted aye, and Commissioner Hansen voted aye. The motion passed.*

Public Works Update

(9:12 a.m.)

Public Works Director Mike Casper gave an update on existing projects and upcoming work. They are downrigging trucks to prepare for the upcoming projects. They are wiring the crusher today and will start it soon. A crew has the zipper repairing a road in Cedar View. They will begin the project on Koch Road (CR22) tomorrow, where a culvert will be replaced. The complaints about muddy roads are being addressed. There are graders out repairing the gravel roads. Commissioner Killian asked about XCL Resources' work on South State Street. The road was cut, and he wants to ensure it is repaired to the standard. Trucks are hauling material; they will need about 3,000 tons of backfill.

Discussion & Consideration of Approach Permits

(9:16 a.m.)

Deputy Director Clint Curtis presented five approach permits for approval. The parties reviewed the approach permits. *Commissioner Miles made a motion to approve the road approach permits as presented. Commissioner Killian seconded the motion. Commissioner Miles voted aye, Commissioner Killian voted aye, and Commissioner Hansen voted aye. The motion passed.*

Building & Grounds Update

(9:26 a.m.)

Building & Grounds Director Shane Jenkins gave an update on existing projects and upcoming work. So far this year, 607 preventative and non-preventative work orders have been submitted, and 545 have been completed. They will be hiring for the seasonal and janitorial positions. The South Building remodel is underway, and bids for the windows, doors, and kitchen equipment are being received. Bids for the Neola Fire Station and tree trimming at the Administration Building are also being accepted. The roof and stucco need

to be repaired at the Neola Fire Station. The fence around the new Weed Control Building has been installed. The crack sealing at the Event Center was completed, and the parties discussed the seal coat options. They are aerating and fertilizing the grounds of the County Buildings. The carpet replacement at the admin building is mostly complete. On March 26th, his department will be attending defensive driving training. Each Commissioner appreciated Director Jenkins and his department for their hard work. Director Jenkins helped design the new Weed Control Building, saving the County a lot of money on engineering designs. He has also been the administrator of the South Building remodel.

Discussion & Consideration of Duchesne County Comments to the EPA about the Proposed Waste Emissions Charge for Petroleum and Natural Gas Systems

(9:39 a.m.)

Community Development Director Mike Hyde presented a twelve-page letter to the U.S. Environmental Protection Agency (EPA) Docket Center, Office of Air and Radiation Docket. The EPA proposes to impose and collect an annual charge on methane emissions that exceed specified waste emissions thresholds from an owner or operator of a facility that reports more than 25,000 metric tons of carbon dioxide equivalent of greenhouse gas emissions per year. The letter comments on 26 areas of the proposed rule. 1. The Effectiveness of Incentives vs. Penalties. 2. Calculation of the Waste Emissions Charge (WEC). 3. Where will the WEC revenue go? 4. Determining the Facility-Level Waste Emissions Threshold. 5. Emissions Eligible for the Permitting Delay Exemption. 6. Regulatory Compliance Determinations. 7. Emissions Year in Which Exemption Takes Effect. 8. Approach for Regulatory Compliance Determinations. 9. Resumption of WEC Under Clean Aire Act Section 136 (f) (6) (B). 10. Plugged Well Exemption. 11. Closure Requirements for Obtaining the Plugged Well Exemption. 12. Conversion to Barrels of Oil Equivalent. 13. WEC Reporting Deadlines. 14. WEC Filing Revisions. 15. Interest, Handling, and Penalty Charges. 16. Revised WEC Filings – Refunds and Interest Charges. 17. Third-Party Audits. 18. Designated Representatives. 19. On-Site Audits of Facilities. 20. Emission Data Calculation Methodology. 21. Impacts of the Proposed Amendments – Cost/Benefit Analysis and Environmental/Social Justice Concerns. 22. Paperwork Reduction Act (PRA). 23. Regulatory Flexibility Act (RFA) 24. EO 13211: Actions that Significantly Affect Energy Supply, Distribution or Use. 25. EO 12898: Effects on Environmental Justice Communities. 26. Administrative Penalty for Non-Submittal of WEC Filings.

Commissioner Killian left the meeting at 9:48 a.m.

The Conclusion reads: In summation, the citizens of Duchesne County, the State of Utah, and the United States as a whole will continue to benefit as the EPA fulfills its mission to protect the environment. As an overarching goal, Duchesne County "supports the wise use, conservation, and protection of public lands and their resources, including well-planned management prescriptions." Thus, it is Duchesne County's position "that public lands be managed for multiple-uses, sustained yields, prevention of waste of natural resources, and to protect the health, safety, and welfare of the public. It is important to the county and state economy that public lands be properly managed for fish, wildlife, livestock production, timber harvest, recreation, energy production, mineral extraction, water resources, and the preservation of natural, scenic, scientific, and historical values.

On that note, the County encourages the EPA to revise the Proposed Rule to address the comments and concerns expressed in this letter and avoid the negative consequences predicted.

The parties discussed the letter and thanked Director Hyde for his excellent work. *Commissioner Miles made a motion to approve the letter prepared for the U.S. Environmental Protection Agency EPA Docket Center regarding the Proposed Waste Emissions Charge for Petroleum and Natural Gas Systems. Commissioner Hansen seconded the motion. Commissioner Miles voted aye, and Commissioner Hansen voted aye. The motion passed.*

Recess 9:54 a.m. to 10:05 a.m.

Commissioner Killian re-entered the meeting at 10:03 a.m.

TriCounty Health Annual Update

(10:05 a.m.)

TriCounty Health Director Kirk Benge introduced himself and his staff—Bruce McKee, their Finance Director, and Sydnee Lamb, their Public Information Officer. Director Benge then presented their annual report. It covered the financial summary, the department's highlights and concerns, the health indicator report on suicide, smoking in the 3rd trimester

of pregnancy, obesity among adults, adolescent births, and the community health improvement plan. This information will be available on TriCounty Health's website.

Closed Meeting – Pending or Reasonably Imminent Litigation;
(10:35 a.m.)

Commissioner Miles made a motion to go in and out of a closed meeting for a strategy session to discuss: Pending or Reasonably Imminent Litigation. Commissioner Killian seconded the motion. Commissioner Miles voted aye, Commissioner Killian voted aye, and Commissioner Hansen voted aye. The motion passed.

Back in Session
(10:50 a.m.)

Action to be taken –

Consideration of the MOU with the Ute Tribe
(10:50 a.m.)

Commissioner Miles made a motion that as we have discussed the MOU between the State Parties and Tribal Parties we agree to sign with confidentiality the agreement as proposed and authorize the chair to sign. Commissioner Killian seconded the motion. Commissioner Miles voted aye, Commissioner Killian voted aye, and Commissioner Hansen voted aye. The motion passed.

Discussion & Consideration of Applications from Local Businesses for the Utah Rural Grant
(10:52 a.m.)

The Economic Development Advisory Board has approved three applications, two of which are ready for payment. The Utah Rural Grant is an improvement matching grant to assist businesses with improvements. They can request between $2,500 and $10,000. Frontier Grill is asking for $10,000, and Larsen-Haslem Dental Roosevelt is asking for $8,009.96. The parties discussed the grant and some of the requirements. *Commissioner Miles made a motion to approve the applications from the local businesses for the Utah Rural Grant. 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 Support Letter for UB-Tech
(10:55 a.m.)

The Uintah Basin Technical College (UBTech) is applying for Community Project Funding (CPF). The funds will support UBTech's heavy equipment operator education and training program, increasing training accessibility and the local workforce pool of skilled professionals to fill urgently needed positions. *Commissioner Miles made a motion to ratify and approve signing the support letter for UBTech. Commissioner Killian seconded the motion. Commissioner Miles voted aye, Commissioner Killian voted aye, and Commissioner Hansen voted aye. The motion passed.*

Auditors Office – Vouchers
(10:58 a.m.)

Deputy Clerk-Auditor Janet Jenkins presented the March 18, 2024, vouchers, check numbers 164484 through 164565, for $301,302.32. The parties reviewed the vouchers submitted. *Commissioner Killian made a motion to approve the vouchers for March 18, 2024, as presented. 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 March 11, 2024
(11:03 a.m.)

Parties review the combined Commission meeting minutes held on March 11, 2024. *Commissioner Miles made a motion to approve the minutes for March 11, 2024, as amended. Commissioner Killian seconded the motion. Commissioner Miles voted aye, Commissioner Killian voted aye, and Commissioner Hansen voted aye. The motion passed.*

Discussion of Possible Subjects for the Next Meeting
(11:08 a.m.)

Calendaring & Weekly Update on Events
(11:09 a.m.)

Human Resource Update
(11:20 a.m.)

Human Resource Director Judy Stevenson gave an update on the department. The blood-borne pathogen training on March 13th and the customer service training last Thursday at the Roosevelt Library went very well. The County had several employees attend. HR is over the upcoming staff meeting; they will provide a Zoom link for those who cannot attend in person.

Closed Meeting – Strategy Session to Discuss: The Character, Professional Competence, or Physical or Mental Health of an Individual;
(11:26 a.m.)

Commissioner Killian 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 Miles seconded the motion. Commissioner Killian voted aye, Commissioner Miles voted aye, and Commissioner Hansen voted aye. The motion passed.

Back in Session
(12:29 p.m.)

No action is to be taken.

Adjournment
(12:30 p.m.)

Commissioner Miles made a motion to adjourn the meeting at 12:30 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 25th day of March 2024.

Irene Hansen
Irene Hansen
Commission Chair

Chelise Jessen
Chelise Jessen
Clerk-Auditor

Minutes of the meeting prepared by Commission Executive Assistant Melissa Hughes