

**MINUTES OF COMBINED COMMISSION WORKING & REGULAR SESSION
MEETING HELD MONDAY, MAY 6, 2024, BEGINNING AT 9:00 A.M. IN
DUCHESNE, UTAH**

Present –

Commissioner Irene Hansen, Commissioner Tracy Killian, Commissioner Greg Miles, Attorney Stephen Foote, Deputy Attorney Tyler Allred, Clerk-Auditor Chelise Jessen, Public Works Director Mike Casper, Human Resource Director Judy Stevenson, Human Resource Generalist Nichole Cowley, Human Resource Payroll & Benefits Administrator Jamie Park, Surveyor Jerry Allred, Community Development Assistant Becky Broadhead, Library Director Daniel Mauchley, Assistant Librarian Julie Hewitt, Assistant Librarian Amy Crockett, Treasurer Stephen Potter, Sheriff Travis Tucker, Sheriff's Office Manager Cynthia Wardle, Deputy Clerk-Auditor Janet Jenkins, Duchesne County Residents Bryan Winterton, Daniel Lowe, Karson Lowe, and Paxton Mares, and Commission Executive Assistant Melissa Hughes is taking the meeting minutes.

Opening Comments

(9:02 a.m.)

Chairperson Hansen welcomed everyone to the meeting.

Pledge of Allegiance

(9:02 a.m.)

Presentation of Employee of the Month

(9:03 a.m.)

Human Resource Director Judy Stevenson presented Assistant Librarian Amy Crockett with the May Employee of the Month award. Library Director Daniel Mauchley described the projects and programs Ms. Crockett has implemented at the Duchesne branch. Ms. Crockett thanked everyone for the award and introduced her son and husband, Karson Lowe and Daniel Lowe. Each Commissioner commended her on her efforts and dedication.

Public Works Update

(9:12 a.m.)

Public Works Director Mike Casper gave an update on existing projects and upcoming work. The Bolt-a-Plate bridge on Koch Road (CR 377) and the Red Creek Road (CR15) projects are complete. They will start roto-milling Red Creek Road this week. The Mortenson Lane (CR 50) project will be starting. They rented a dozer for the project. There is also a mastic crew out working. The crack sealing is moving along; the company is doing great. The crusher is running well and producing chips. Director Casper reported that Poleline Road (CR 56) is open and will be striped. The bridge on Old River Road (CR 92) is a couple of weeks ahead of schedule. The graders are behind due to using them on other projects, but they are getting caught up.

Discussion & Consideration of the Modification of Grant or Agreement with the USDA Forest Service

(9:20 a.m.)

Sheriff Travis Tucker presented the Modification of Grant or Agreement with the USDA Forest Service. He explained that the County would be reimbursed for patrol activities on U.S. Forest Service roads, campgrounds, developed sites, and dispersed areas, up to \$4,500 plus a carryover of \$5,694.86 for a total operating plan of \$10,194.86. Unless modified during the annual review, the agreement is effective through September 30, 2025. The parties discuss the agreement and the staffing for the Sheriff's Department. *Commissioner Miles made a motion to approve the Modification of the Forest Service Agreement 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.*

Closed Meeting – Strategy Session to Discuss: The Purchase, Exchange, Sale, or Lease of Real Property;

(9:25 a.m.)

Commissioner Miles made a motion to go in and out of a closed meeting for a strategy session to discuss: The Purchase, Exchange, Sale, or Lease of Real Property. Commissioner Killian seconded the motion. Commissioner Miles voted aye, Commissioner Killian voted aye, and Commissioner Hansen voted aye. The motion passed.

Back in Session

(9:39 a.m.)

No action is to be taken.

Discussion of Updating the Fire Ordinance

(9:39 a.m.)

Commissioner Miles stated that the County's Fire Ordinance hasn't been updated since 2003. Deputy Attorney Tyler Allred stated that Duchesne County is the only county with no criminal penalty for negligent fire. The process of collecting the fines is inefficient and needs to be updated. The ordinance needs guidelines to follow. The parties discussed possible situations. Deputy Attorney Allred will continue to work on the update.

Discussion & Consideration of the Beer License Application

(9:53 a.m.)

This application is for a rodeo at the Events Center in May. The applicant and company have been thoroughly vetted and investigated. *Commissioner Killian made a motion to approve the Beer License as presented. Commissioner Miles seconded the motion. Commissioner Killian voted aye, Commissioner Miles voted aye, and Commissioner Hansen voted aye. The motion passed.*

Discussion & Consideration of the New Business Licenses

(9:55 a.m.)

Deputy Clerk-Auditor Janet Jenkins presented five new business licenses:

- Western Glow, owned by Baylee Clayburn, Duchesne, Utah.
- Elevated Auto Repair, LLC, owned by Devin Ross, Roosevelt, Utah.
- Sweet Treats Co., owned by Krystal Stradinger, Neola, Utah.
- Solomon Mobile Services, owned by Marshall E Solomon, Roosevelt, Utah.
- Fishes Rental Management LLC, owned by Kevin Fishes, Tabiona, Utah.

The parties reviewed and discussed the new business licenses. *Commissioner Killian made a motion to accept the business licenses that have been approved by the Clerk-Auditor's 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

(9:58 a.m.)

Clerk-Auditor Chelise Jessen presented the May 6, 2024, vouchers, check numbers 164931 through 165054, for \$894,951.02. The parties reviewed the vouchers submitted. *Commissioner Miles made a motion to approve the vouchers for May 6, 2024, as presented. Commissioner Killian seconded the motion. Commissioner Miles voted aye, Commissioner Killian voted aye, and Commissioner Hansen voted aye. The motion passed.*

Assessor's Office – Tax Adjustments

(10:02 a.m.)

Treasurer Stephen Potter presented the tax adjustments for the Assessor's Office. For parcel 5050, the owner turned in the primary declaration, and it was never sent in for a refund; it qualified for 2023 for a credit of \$1,289.20. Parcel 1652, the mobile home value was doubled in the appraisal, and we need to refund the difference for a credit of \$679.77. Parcel 0851, the mobile home, has been double taxed for the last three years for a credit amount of \$2,690.16. Parcel 8893, the personal property value, was being taxed in the home appraisal for a credit of \$954.86. Parcel 8826, the personal property value, was being taxed in the home appraisal for a credit of \$1,003.22. Parcel 1750, the improvement value was doubled in coins for a credit of \$300.39. Parcel 2772, the cabin value doubled in coins for a credit of \$923.96. The parties discussed the tax adjustments. *Commissioner Killian made a motion to approve the tax adjustments 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 – Surplus

(10:09 a.m.)

Clerk-Auditor Chelise Jessen presented a piano from the Events Center to be placed on the surplus website. Commissioner Miles explained that the piano was obtained for the County talent show during the fair. It is now out of tune and not needed. *Commissioner Miles made a motion to approve the surplus item as presented. 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

(10:10 a.m.)

HR Office – Payroll

(10:11 a.m.)

Human Resource Payroll & Benefits Administrator Jamie Park presented the payroll report ending April 27, 2024; 245 employees were paid. *Commissioner Killian made a motion to approve the April 27, 2024 payroll, as presented. Commissioner Miles seconded the motion. Commissioner Killian voted aye, Commissioner Miles voted aye, and Commissioner Hansen voted aye. The motion passed.*

Calendaring & Weekly Update on Events

(10:14 a.m.)

Discussion & Consideration of Volunteers

(10:18 a.m.)

Human Resource Generalist Nichole Cowley presented a list of four new volunteers for the County Fair. The parties discussed the fair and how they appreciate all volunteers' commitment to it. *Commissioner Miles made a motion to approve the volunteers as presented. Commissioner Killian seconded the motion. Commissioner Miles voted aye, Commissioner Killian voted aye, and Commissioner Hansen voted aye. The motion passed.*

Consideration of Minutes for Combined Commission Meeting held April 22, 2024

(10:20 a.m.)

The parties reviewed the combined Commission meeting minutes for April 22, 2024. *Commissioner Killian made a motion to approve the minutes for April 22, 2024, as presented. Commissioner Miles seconded the motion. Commissioner Killian voted aye, Commissioner Miles abstained, and Commissioner Hansen voted aye. The motion passed.*

Recess 10:23 a.m. to 10:33 a.m.

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

Discussion & Consideration of Policy 629: Fitness for Duty

(10:33 a.m.)

Human Resource Director Judy Stevenson presented policy 629: Fitness for Duty and explained its possible scenarios. The parties discussed the policy and decided to postpone the approval until a later date.

Human Resource Update

(10:38 a.m.)

Human Resource Director Judy Stevenson gave an update on the department. She listed the open positions with the County and the interviews they will conduct this week.

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

(10:44 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

(11:41 a.m.)

No action is to be taken.

Recess 11:41 a.m. to 1:00 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 PM: Amending the Zoning Ordinance Regarding Flare Gas Power Generation, Ordinance #24-407

Present –

Commissioner Irene Hansen, Commissioner Tracy Killian, Commissioner Greg Miles, Deputy Attorney Tyler Allred, Community Development Director Mike Hyde, Community Development Deputy Director Mike Gottfredson, Duchesne County Resident Paxton Mares, and Commission Executive Assistant Melissa Hughes is taking the meeting minutes.

Via Zoom – Rikki Hrenko-Browning with Utah Petroleum Association and Teisha

Commissioner Killian made a motion to go into a public hearing. Commissioner Miles seconded the motion. Commissioner Killian voted aye, Commissioner Miles voted aye, and Commissioner Hansen voted aye. The motion passed.

Community Development Director Mike Hyde explained that in response to citizen complaints, Duchesne County proposes to amend its zoning ordinance to include regulations governing flare gas power generation.

The proposed ordinance amendment was reviewed during a public hearing conducted by the County Planning Commission on May 1, 2024. Upon hearing numerous concerns and requests for an extension of time to review and comment on the ordinance, the Planning Commission voted to recess their public hearing until June 26, 2024, to allow for further study of the regulatory options. If the Planning Commission makes a recommendation after that hearing, the Commissioners could conduct their hearing in July.

Director Hyde recommended recessing the public hearing until after the June 26, 2024, Planning Commission meeting.

Public Comments

(1:02 p.m.)

No public comments.

Commissioner Miles makes a motion to recess the public hearing associated with Ordinance #24-407 until July 8, 2024, at 2:00 pm. Commissioner Killian seconded the motion. Commissioner Miles voted aye, Commissioner Killian voted aye, and Commissioner Hansen voted aye. The motion passed.

Commissioner Miles made a motion to close the public hearing and 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.

Public Hearing 1:15 PM: Amending the Zoning Ordinance Regarding Labor Camps

Present –

Commissioner Irene Hansen, Commissioner Tracy Killian, Commissioner Greg Miles, Deputy Attorney Tyler Allred, Community Development Director Mike Hyde, Community Development Deputy Director Mike Gottfredson, Duchesne County Resident Paxton Mares, and Commission Executive Assistant Melissa Hughes is taking the meeting minutes.

Via Zoom – Rikki Hrenko-Browning with Utah Petroleum Association and Teisha

Commissioner Killian made a motion to go into a public hearing. Commissioner Miles seconded the motion. Commissioner Killian voted aye, Commissioner Miles voted aye, and Commissioner Hansen voted aye. The motion passed.

Community Development Director Mike Hyde explained Duchesne County proposes to amend its zoning ordinance to change the zoning districts in which labor camps are permitted. Labor camps are currently permitted with a conditional use permit in the A-10, A-5, and A-2.5 zones, permitted outright in the Industrial and Commercial zones, and prohibited in the R-1 and R-1/2 zones. The proposed amendment would require a conditional use permit for proposed labor camps in the Industrial and Commercial zones. The zoning ordinance defines labor camps as: “One or more buildings, structures, recreational vehicles, modular units or related facilities together with surrounding grounds set aside for use as living quarters for groups of migrant laborers or temporary housing facilities intended to accommodate construction, mining energy, utility or

demolition workers. This definition shall not include facilities located on individual oil and gas well pads.

The proposed ordinance amendment was reviewed during a public hearing conducted by the County Planning Commission on May 1, 2024. The Planning Commission voted unanimously to recommend approval of Ordinance 24-408.

Public Comments

(1:17 p.m.)

Rikki Hrenko-Browning with the Utah Petroleum Association expressed her appreciation for the Planning Commission. She doesn't have any concerns with the ordinance.

Commissioner Hansen closed the public hearing at 1:20 pm.

Discussion & Consideration of Ordinance #24-408; An Ordinance Amending Title 8, Chapter 7 of the Duchesne County Ordinance Regarding Labor Camps

(1:20 p.m.)


The parties discussed the changes to the ordinance and expressed their appreciation to the Planning Commission for their work on the ordinance. *Commissioner Killian made a motion to adopt the findings recommended by the Planning Commission and approve Ordinance # 24-408, amending the labor camp regulations in the Duchesne County Zoning Ordinance. Commissioner Miles seconded the motion. Commissioner Killian voted aye, Commissioner Miles voted aye, and Commissioner Hansen voted aye. The motion passed.*

Adjournment

(1:25 p.m.)

Commissioner Miles made a motion to adjourn the meeting at 1:25 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 13th day of May 2024.



*Irene Hansen
Commission Chair*



*Chelise Jessen
Clerk-Auditor*

Minutes of the meeting prepared by Commission Executive Assistant Melissa Hughes