

**MINUTES OF COMBINED COMMISSION WORKING & REGULAR SESSION
MEETING HELD MONDAY, MAY 13, 2024, BEGINNING AT 9:00 A.M. IN
DUCHESNE, UTAH**

Present –

Commissioner Irene Hansen, Commissioner Tracy Killian, Commissioner Greg Miles, Deputy Attorney Tyler Allred, Clerk-Auditor Chelise Jessen, Public Works Director Mike Casper, Human Resource Director Judy Stevenson, Human Resource Payroll & Benefits Administrator Jamie Park, Community Development Deputy Director Mike Gottfredson, Economic Development Director Deborah Herron, Emergency Management Director Joshua Phillips, Duchesne County Residents Bryan Winterton and Jeff Chugg, and Commission Executive Assistant Melissa Hughes is taking the meeting minutes.

Opening Comments

(9:01 a.m.)

Chairperson Hansen welcomed everyone to the meeting and commented on the tree trimming around the admin building.

Pledge of Allegiance

(9:02 a.m.)

Public Works Update

(9:03 a.m.)

Public Works Director Mike Casper gave an update on existing projects and upcoming work. They are working on the shoulder of Red Creek Road (CR15), and then they will chip the road. The Mortenson Lane (CR 50) project is going well. Commissioner Killian suggested looking at some corners where the truck traffic is causing them to fail. The crack sealing is almost complete; the company is doing great, and he has extended the project area. The crusher is running well and producing chips. Director Casper has received a call from Reeds Ranch; they want the road opened. He will send a crew to grade the road and fix the sluff off. Commissioner Miles said the Talmage Road (CR 99) past the cemetery needs to be repaired.

Director Casper presented a proposition for Barney Trucking to backhaul salt. This proposition arose because Director Casper noticed the trucks were returning to the basin empty. He called the company to see what they would charge for the backhaul. The parties discussed the proposal. Deputy Attorney Tyler Allred will look at the County Procurement to determine if it needs to go out to bid.

Discussion & Consideration of Applications from Local Businesses for the Utah Rural Grant

(9:17 a.m.)

Economic Development Director Deborah Herron presented an application for Fabrizio Artistry, requesting \$10,000. They had to install a new roof on the building. The parties discussed the application. *Commissioner Killian made a motion to approve the application for Fabrizio Artistry for \$10,000. Commissioner Miles seconded the motion. Commissioner Killian voted aye, Commissioner Miles voted aye, and Commissioner Hansen voted aye. The motion passed.*

An application from Precision Tire Services Inc. for \$3,933.17 was presented. They repaired some electrical work and purchased equipment and tools. The parties discussed

the application. *Commissioner Miles made a motion to approve the application from Precision Tire Services Inc. for \$3,933.17. Commissioner Killian seconded the motion. Commissioner Miles voted aye, Commissioner Killian voted aye, and Commissioner Hansen voted aye. The motion passed.*

An application for The Big G on 40 for \$10,000 was presented. They installed new fridge doors on the drink fridge. They had to be custom-fitted. The parties discussed the application. *Commissioner Miles made a motion to approve the application from The Big G on 40 for \$10,000. Commissioner Killian seconded the motion. Commissioner Miles voted aye, Commissioner Killian voted aye, and Commissioner Hansen voted aye. The motion passed.*

Director Herron stated that she is working on three more applications, which will be submitted for approval soon.

Personal Privilege

(9:26 a.m.)

Commissioner Miles took a moment for Mother's Day and expressed his gratitude to women for their dedication to their families, work, and community. He quoted, "A mother is she who can take the place of all others, but whose place no one else can take."

Discussion & Consideration for the Letter of Support for Moon Lake Electric Grant Application

(9:28 a.m.)

Commissioner Miles explained the request from Moon Lake Electric. The letter is addressed to the Honorable Jennifer M. Granholm, U.S. Department of Energy Secretary. Moon Lake is seeking federal funding through PacifiCorp's TREAT grant application. The grant would be used for an 8.1 MV AR, 69 kV mobile capacitor bank. The capacitor bank will provide energy voltage support during transmission outages. Moon Lake cannot wholly give this support through alternate transmission paths. To complete the required rebuilds, Moon Lake must perform a voltage conversion for alternate/backup transmission lines that are out of service. It is the county's honor to support our region, and they fully endorse Moon Lake and its application. This application offers a transformational opportunity: investments in clean energy expansion through stabilization and improvement of existing transmission lines and energy equity for underserved communities and American workers. The parties discuss the application and project. *Commissioner Killian made a motion to approve the letter 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 Comment Letter to the Utah Department of Environmental Quality, Division of Waste Management and Radiation Control, Regarding the Proposed Rules

(9:33 a.m.)

Community Development Deputy Director Mike Gottfredson presented the letter submitted last week and explained its purpose. The comments are for the R315-321 and R315-322 Proposed Rules for Class VII Exploration and Production Waste Facilities and Solid Waste Surface Impoundments. A portion of the letter reads: We applaud and appreciate all efforts throughout this transition to avoid regulatory overburden. We have seen firsthand the innovation and efficient response the oil and gas industry has taken in addressing waste generated from operations, precisely regarding escaped gas, NOx, and VOCs. Recently, our industry partners have taken on methane with positive results.

We must state our concern over some of the proposed rule changes and new rules as part of the transition to your Division's oversight of oil and gas production waste. Specifically, our concern is that the regulations proposed in their current form are not explicit enough to mitigate the potential impacts of regular or improper disposal or impoundment of EP waste to both surface and groundwater quality and quantity in Duchesne County. We take any perceived threat to our water and population seriously.

Deputy Director Gottfredson covered the ten recommendations in the new rules and rule changes. The parties discussed the comments and the proposed rules. *Commissioner Killian made a motion to ratify the comment letter 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 County Fair Concert Contract

(9:46 a.m.)

Commissioner Miles stated that Chancey Williams, a western singer, has been contracted for the Duchesne County Fair Concert this year. He played a portion of one of the artist's songs for the audience to hear. *Commissioner Miles made a motion to approve the public engagement offer with Chancey Williams for the Duchesne County Fair Concert. Commissioner Killian seconded the motion. Commissioner Miles voted aye, Commissioner Killian voted aye, and Commissioner Hansen voted aye. The motion passed.*

Auditors Office – Vouchers

(9:50 a.m.)

Clerk-Auditor Chelise Jessen presented the May 13, 2024, vouchers, check numbers 165055 through 165143, for \$403,263.17. The parties reviewed the vouchers submitted. *Commissioner Miles made a motion to approve the vouchers for May 13, 2024, as presented. Commissioner Killian seconded the motion. Commissioner Miles voted aye, Commissioner Killian voted aye, and Commissioner Hansen voted aye. The motion passed.*

Recess 9:56 a.m. to 10:14 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.

Assessor's Office – Tax Adjustments

(10:14 a.m.)

Treasurer Stephen Potter presented the tax adjustments for the Assessor's Office. Parcels 0084 and 0085 are townhome sites. There is no land or improvements associated with them. The plats had two extra parcels that were never built. The owner never came in to fix the plats. A credit of \$158.66 will be issued. *Commissioner Miles made a motion to approve the tax adjustments as presented. Commissioner Killian seconded the motion. Commissioner Miles voted aye, Commissioner Killian voted aye, and Commissioner Hansen voted aye. The motion passed.*

Auditors Office – Surplus

(10:18 a.m.)

Clerk-Auditor Chelise Jessen presented pictures of the surplus items from the Building and Grounds department. The parties reviewed the items. *Commissioner Killian made a motion to approve the surplus items 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 May 6, 2024

(10:21 a.m.)

The parties reviewed the combined Commission meeting minutes for May 6, 2024. *Commissioner Killian made a motion to approve the minutes for May 6, 2024, as presented. 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

(10:28 a.m.)

(10:30 a.m.)

Commissioner Miles introduced the new Emergency Management Director, Joshua Phillips. Director Phillips described his background. The Commissioners welcomed him to the County.

Calendaring & Weekly Update on Events

(10:35 a.m.)

Discussion & Consideration of the Utah Retirement Systems (URS) Employer Election to Pick-Up Member Contributions

(10:50 a.m.)

Human Resource Payroll & Benefits Administrator Jamie Park presented the form and explained its purpose. The county passed a resolution to pay for tier 2 public safety employees' contributions a few years ago. The rate has increased from 2.59% to 4.73%. The parties discussed the URS member contributions for the certified officers. *Commissioner Miles made a motion to approve the Employer Election to pick up member contributions of 4.73% Tier 2 Public Safety 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.*

Discussion & Consideration of Policy 629: Fitness for Duty

(10:58 a.m.)

Human Resource Director Judy Stevenson presented policy 629: Fitness for Duty and explained its purpose. The parties discussed the policy. *Commissioner Killian made a motion to approve Policy 629: Fitness for Duty as presented. Commissioner Miles seconded the motion. Commissioner Killian voted aye, Commissioner Miles voted aye, and Commissioner Hansen voted aye. The motion passed.*

Human Resource Update

(11:00 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;

(11:03 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

(12:23 p.m.)

No action is to be taken.

Recess 12:24 p.m. to 1:00 p.m.

Commissioner Miles made a motion to recess until the 1:00 pm Public Hearing. Commissioner Killian seconded the motion. Commissioner Miles voted aye, Commissioner Killian voted aye, and Commissioner Hansen voted aye. The motion passed.

Public Hearing 1:00 PM: Ordinance #24-410 Amending the Duchesne County Zoning Ordinance to add an Overlay Zone to Protect the Duchesne Municipal Airport

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 Residents Cynthia Poulson, Craig Poulson, and Brendette Mecham, and Commission Executive Assistant Melissa Hughes is taking the meeting minutes.

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 House Bill (HB) 206, passed in the 2023 Utah General Legislative Session, Duchesne County proposes to amend its zoning ordinance to establish an airport overlay zone to protect the Duchesne Municipal Airport from incompatible development on lands under County jurisdiction. HB 206 establishes a deadline of December 31, 2024, for this to be completed. Duchesne City will need to consider a similar ordinance pertaining to lands within city limits. A similar ordinance will also be required to protect the Roosevelt Municipal Airport. 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 the hearing until August 7, 2024, to allow for further study of the regulatory options. Director Hyde recommended that this hearing be recessed until after the August 7, 2024, Planning Commission meeting. Deputy Director Mike Gottfredson stated this ordinance will strongly impact the Oil & Gas industry.

Public Comments

(1:14 p.m.)

Craig Poulson of Duchesne County said he lives about a half mile from the airport runway and is concerned and would like a copy of the proposal and restrictions so he will know how it will affect his land.

Brendette Mecham introduced herself and stated she owns property in the area. She is concerned that the city will have nowhere else to expand if they buy everyone out in the area.

Commissioner Miles made a motion to recess the public hearing associated with Ordinance #24-410, Amending the Duchesne County Zoning Ordinance to add an Airport Overlay Zone to Protect the Duchesne Municipal Airport until August 19, 2024, at 1:00 p.m. Commissioner Killian seconded the motion. Commissioner Miles voted aye, Commissioner Killian voted aye, and Commissioner Hansen voted aye. The motion passed.

Adjournment

(1:24 p.m.)

Commissioner Killian made a motion to adjourn the meeting at 1:24 p.m. Commissioner Miles seconded the motion. Commissioner Killian voted aye, Commissioner Miles voted aye, and Commissioner Hansen voted aye. The forum adjourned.

Read and approved this on the 20th day of May 2024.

Irene Hansen

Commission Chair

Chelise Jessen

Clerk-Auditor

Minutes of the meeting prepared by Commission Executive Assistant Melissa Hughes