MINUTES OF COMBINED COMMISSION WORKING & REGULAR SESSION MEETING HELD MONDAY, AUGUST 26, 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, Economic Development Director Deborah Herron, Human Resource Director Judy Stevenson, Emergency Management Director Joshua Phillips, State Fire Warden Brandon Peck, Clerk-Auditor Chelise Jessen, Community Development Assistant Director Mike Gottfredson, Treasurer Stephen Potter, USU Extension Director Brooke Holgate, Duchesne Librarian Lori Ann Potter, Duchesne Library Assistant Amy Crockett, Community Development Zoning Specialist Shon McKinnon, Electronic Records Director Cristina Neilson, Assessor Traci Herrera, Deputy Clerk-Auditor Becky Broadhead, Human Resource Payroll and Benefits Administrator Jamie Park, Deputy Treasurer Connie Sweat, Recorder Shelley Brennan, Duchesne County Resident Jeff Chugg, and Commission Executive Assistant Melissa Hughes is taking the meeting minutes.

Present via Zoom –

Eric Major with Jones & DeMille Engineering and Cody Deeter with EFG Consulting

Opening Comments

(9:01 a.m.)

Chairperson Hansen welcomed everyone to the meeting.

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 widening the shoulder on North Crescent (CR 177) and replacing some culverts. They are also cleaning up Lower Red Creek (CR 15), which flooded two weeks ago. The mastic crew is out as weather permits. The parties discussed double chip sealing on a road to test its durability. The school district would like the County's help creating bus turn-outs. The crusher is doing well, but they must conduct some maintenance, so it will be down soon.

Discussion & Consideration for the Purchase of a Roller

(9:08 a.m.)

Public Works Director Mike Casper presented quotes for new and used rollers from Wheeler Machinery Co.

- 2018 CW16 with 1,200 hours, $75,000
- 2018 CW16 with 745 hours, $88,000
- 2022 CW16 with 550 hours, $103,000
- 2024 CW16 with no hours, $116,600

The parties discussed the cost and rebates of the new roller vs. a used roller. *Commissioner Killian made a motion to approve the purchase of a new roller from Wheeler Machinery Co. for $116,600. Commissioner Miles seconded the motion. Commissioner Killian voted aye, Commissioner Miles voted aye, and Commissioner Hansen voted aye. The motion passed.*

Discussion & Consideration of Parking Lot Pavement Bids

(9:11 a.m.)

Public Works Director Mike Casper presented bids for paving the South Building alley, parking lot, and Sheriff's Department storage yard.

South Building Alley and Parking Lot

- Burdick Materials $64,175.00
- Eckles Paving $90,550.00

Sheriff's Dept Storage Yard

- Burdick Materials $61,358.00
- Eckles Paving $98,250.00

The parties discussed the bids and the completion time expectations. *Commissioner Miles made a motion to accept the bids from Burdick Materials for the South Building alley and*

parking lot for $64,175.00 and the Sheriff's Dept storage yard for $61,358.00. Commissioner Killian seconded the motion. Commissioner Miles voted aye, Commissioner Killian voted aye, and Commissioner Hansen voted aye. The motion passed.

(12:43 p.m.)

A bid was missed in the earlier discussion. This bid is for the 3000 South roadway widening and overlay to accommodate large trucks.

- Burdick Materials $56,187.00
- Eckles Paving $89,080.38

The parties discussed the bid. *Commissioner Miles made a motion to accept the bid from Burdick Materials for $56,187.00. Commissioner Killian seconded the motion. Commissioner Miles voted aye, Commissioner Killian voted aye, and Commissioner Hansen voted aye. The motion passed.*

Emergency Management and Fire Weather Update

(9:16 a.m.)

Emergency Management Director Joshua Phillips and State Fire Warden Brandon Peck gave an update on the fire weather. The state is considering lifting the fire restrictions, which would take a week or two to complete. The parties discussed the fire in Tooele County. Commissioner Hansen asked if the heat peaked again, would this cause concern for a fire resurgence? The moisture content would be a factor for fire resurgence.

Discussion & Consideration of Purchasing a Used Brush Truck

(9:23 a.m.)

Emergency Management Director Josh Phillips presented pictures of a type 6 brush truck from Roosevelt City. They have replaced their brush trucks and will surplus the existing trucks. Director Phillips has driven the truck. It has A/C, new tires, and 10,412 miles. The parties discussed the truck and the need for an additional brush truck. *Commissioner Miles made a motion to approve the purchase of the used type 6 brush truck from Roosevelt City for $20,000. Commissioner Killian seconded the motion. Commissioner Miles voted aye, Commissioner Killian voted aye, and Commissioner Hansen voted aye. The motion passed.*

Discussion & Consideration of Website Options

(9:32 a.m.)

Commissioner Miles explained that the County website is dated. The various departments use different websites; they all need to be in one place. Information Technology Director Matt Yergensen will present options at a future meeting.

Discussion & Consideration and Final Approval of the 24/25 Rural Grant Application as Presented by Duchesne County Economic Advisory Board Deborah Herron

(9:43 a.m.)

Economic Development Director Deborah Herron presented the 24/25 Rural County Grant application, which describes the scope of work for the proposed projects. The grant application is for $200,000 and focuses on four priorities: Business Expansion and Retention (BEAR), Matching Grant Program, Business Training Support, and Thompsen House of Hope Community Project. The parties discuss the application and priorities. *Commissioner Killian made a motion to approve the scope of work for the 24/25 Rural Grant as presented. Commissioner Miles seconded the motion. Commissioner Killian voted aye, Commissioner Miles voted aye, and Commissioner Hansen voted aye. The motion passed.*

Recess 9:55 a.m. to 10:12 a.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.

Discussion & Consideration of the Board of Equalization (BOE) Adjustments

(10:13 a.m.)

Clerk-Auditor Chelise Jessen presented a list of ten BOE adjustments. The list is stored in the Clerk-Auditors office with the minutes. The parties discussed the adjustments. *Commissioner Killian made a motion to approve the BOE adjustments as presented. Commissioner Miles seconded the motion. Commissioner Killian voted aye, Commissioner Miles voted aye, and Commissioner Hansen voted aye. The motion passed.*

(1:02 p.m.)

Clerk-Auditor Chelise Jessen presented a BOE adjustment from an appeal to the State Tax Commission - parcel number 00-0034-8736 for a refund of $248.21. *Commissioner Miles made a motion to approve the BOE adjustment 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 – Vouchers
(10:16 a.m.)

Deputy Clerk-Auditor Becky Broadhead presented the August 26, 2024, vouchers, check numbers 166317 through 166421, for $734,413.92. The parties reviewed the vouchers submitted. *Commissioner Miles made a motion to approve the vouchers for August 26, 2024, as presented. Commissioner Killian seconded the motion. Commissioner Miles voted aye, Commissioner Killian voted aye, and Commissioner Hansen voted aye. The motion passed.*

HR Office – Payroll
(10:22 a.m.)

Human Resource Payroll & Benefits Administrator Jamie Park presented the payroll report ending August 17, 2024; 222 employees were paid. *Commissioner Killian made a motion to approve the August 17, 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.*

Discussion & Consideration of a Transportation Impact Fee Study
(10:25 a.m.)

Cody Deeter, the president of EFG Consulting, presented a scope of work to assist the County with creating a Transportation Mitigation Fee. Truck traffic from the oil industry highly impacts the roadways, above the general impact from other users of the County roadways. Jones & DeMille Engineering has developed an analysis of the physical and consequential financial implications of such an excessive impact from the oil industry. EFG believes the county has the authority to charge a Transportation Mitigation Fee to recoup the financial impact from the oil industry and this inordinate impact. This fee cannot be classified as an impact fee under Utah Code 11-36a because that fee is charged upon development at plat recordation or building permit. EFG suggests the fee be called a Mitigation Fee similar to a user fee to recover costs. He offered two options to implement the fee:

1) an annual fee charged to the industry as a Transportation Mitigation Fee. This fee would be updated annually to reflect changing construction costs, or

2) a one-time Transportation Fee that would cover a specific period of time – likely the average useful life of roadways in the County.

In coordination with the County Attorney, EFG would recommend the implementation of either option in one of two ways:

A) a contractual agreement between the oil industry participants and the County, or

B) a general fee charged by the County to all oil industry participants.

The parties discuss the study and completion time. Mr. Deeter will work with Jones & DeMille Engineering using their completed study. *Commissioner Miles made a motion to engage EFG Consulting to give us a Transportation Mitigation Fee Study. Commissioner Killian seconded the motion. Commissioner Miles voted aye, Commissioner Killian voted aye, and Commissioner Hansen voted aye. The motion passed.*

Discussion for a Moratorium of Dry Subdivisions Over Four Parcels
(10:45 a.m.)

Commissioner Hansen started the discussion by raising concerns about new subdivisions, water quality and availability, and septic systems near water sources. Community Development Assistant Director Mike Gottfredson explained the County Ordinance 9-7-3: Improvements Required:

B. Lot Sizes Forty Acres Or Larger: All subdivisions with lot sizes forty acres or larger shall have a potable water source, which may include hauled water and cistern storage, as approved by the culinary water authority.

C. Lot Sizes Less Than Forty Acres: All subdivisions with lot sizes less than forty acres shall have an approved water source and/or an approved water system. Hauled water and cistern storage is not allowed.

The parties discuss the cost of drilling a well and the chance of it being dry or the water not being potable.

Recorder Shelley Brennan has researched other counties' ordinances, and Duchesne County's is very different from others. From January 1, 2024, 177 minor subdivisions have been approved, with an average of 10 lots per subdivision.

Commissioner Miles suggested restrictions on new minor subdivisions being built next to existing minor subdivisions.

Assessor Traci Herrera explained the Greenbelt requirements and restrictions.
The parties discussed responsible development and possible health issues aside from the water.
Deputy Attorney Tyler Allred recommended changing the ordinance. The process for creating a moratorium and changing the ordinance is the same.

Closed Meeting – Strategy Session to Discuss: Pending or Reasonably Imminent Litigation
(11:46 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
(12:03 p.m.)

No action is to be taken.

Recess 12:04 p.m. to 12:42 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.

Discussion & Consideration of New Surveillance Software and Devices
(12:44 p.m.)

Postponed by General Consent

Consideration of Minutes for Combined Commission Meeting held August 19, 2024
(12:45 p.m.)

The parties reviewed the combined Commission meeting minutes for August 19, 2024. *Commissioner Miles made a motion to approve the minutes for August 19, 2024, as corrected. Commissioner Killian seconded the motion. Commissioner Miles voted aye, Commissioner Killian voted aye, and Commissioner Hansen voted aye. The motion passed.*

Calendaring & Weekly Update on Events
(12:54 p.m.)

Discussion of Possible Subjects for the Next Meeting
(12:59 p.m.)

Human Resource Update
(1:04 p.m.)

No update at this time.

Closed Meeting – Strategy Session to Discuss: The Caracter, Professional Competence, or Physical or Mental Health of an Individual
(1:05 p.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
(1:46 p.m.)

No action is to be taken.

Adjournment
(1:47 p.m.)

Commissioner Miles made a motion to adjourn the meeting at 1:47 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 9th day of September 2024.

Irene Hansen
Commission Chair

Chelise Jessen
Clerk-Auditor

Minutes of the meeting prepared by Commission Executive Assistant Melissa Hughes