MINUTES OF COMBINED COMMISSION WORKING & REGULAR SESSION MEETING HELD MONDAY, SEPTEMBER 23, 2024, BEGINNING AT 9:00 A.M. IN DUCHESNE, UTAH

Present –

Commissioner Irene Hansen, Commissioner Greg Miles, Commissioner Tracy Killian, Deputy Attorney Grant Charles, Public Works Deputy Director Clint Curtis, Surveyor Jerry Allred, Community Development Director Mike Hyde, Deputy Clerk-Auditor Becky Broadhead, Economic Development Director Deborah Herron, Sheriff Travis Tucker, Centennial Event Center Director Mindi Crowley, Community Development Director Mike Hyde, Attorney Stephen Foote, Community Development Zoning Specialist Shon McKinnon, Human Resource Generalist Tommi Mascaro, Duchesne County Residents Jeff Chugg and Leah Jimenez, and Commission Executive Assistant Melissa Hughes is taking the meeting minutes.

Opening Comments

(9:01 a.m.)

Chairperson Hansen welcomed everyone to the meeting.

Pledge of Allegiance

(9:02 a.m.)

Public Works Update

(9:04 a.m.)

Public Works Deputy Director Clint Curtis gave an update on existing projects and upcoming work. The chipping projects are almost complete. The Rock Creek area will be chipped this week. The widening project on North Crescent (CR 177) is underway, and some soft spots are being repaired. Dirt work needs to be completed this year on the Boys Ranch Dugway. Heavy Truck traffic has damaged the newly paved East River Road (CR 79). The extra traffic may have been caused by the construction on Highway 40. Each Commissioner thanked the Public Works Department for the projects completed this year. They have finished their ninety-ninth project.

Discussion & Consideration of the Interlocal Agreement for Animal Control with Duchesne City

(9:10 a.m.)

Sheriff Travis Tucker presented the Interlocal Agreement between Duchesne City and Duchesne County for Animal Control Services. He explained that Duchesne City wants a safe and secure environment for its citizens, businesses, and all others within its boundaries. Duchesne City doesn't have the resources for animal control, so the County, through the Duchesne County Sheriff's Office, agrees to furnish services and enforce the City's animal control ordinances within the corporate limits of Duchesne City. This agreement will be effective from January 1, 2025, through December 31, 2028. The City agrees to pay the County an annual amount of $7,500. The parties discussed the agreement. *Commissioner Killian made a motion to approve the Interlocal Agreement for Animal Control with Duchesne City and authorize the chair to sign on behalf of the County. Commissioner Miles seconded the motion. Commissioner Killian voted aye, Commissioner Miles voted aye, and Commissioner Hansen voted aye. The motion passed.*

Discussion & Consideration of Purchasing a Compact Track Loader for the Event Center

(9:17 a.m.)

Centennial Event Center Director Mindi Crowley presented four quotes for a Compact Track Loader.

- Wheeler Cat - $107,300.00
- Intermountain Bobcat - $102,275.86
- AG Equipment - $91,354.13
- Bonneville Equipment Company $77,692.63

Director Crowley explained the need for the track loader. The machines that they currently have are very limited in weight and maneuverability. With the limited staff, it is challenging to complete jobs because entering and exiting the machine with a load on it is difficult. She will contact AG Equipment, the local dealer, to see if they will match Bonneville Equipment Company's quote. The parties discussed the equipment and capabilities. *Commissioner Miles made a motion to approve the compact track loader from Bonneville Equipment for $77,692.63 and allow Director Crowley to check with AG Equipment to see if they can match or come closer to Bonneville Equipment's quote.*

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

Discussion & Consideration of Ordinance #24-415
(9:30 a.m.)

Commissioner Hansen explained that the ordinance was passed during last week's Commission Meeting. It has not been published in the Uintah Basin Standard, so it will not be in effect until then. Deputy Attorney Grant Charles gave an overview from the attorney's office and how the grandfather laws would apply to the existing subdivisions. Community Development Director Mike Hyde said there are nearly a hundred files of subdivision applications. As of January 1, 2024, subdivisions have an application fee. The parties discussed the existing projects and the ordinance being passed as is for all subdivisions, not just minor subdivisions.

The Commissioners want to declare their concerns and findings regarding the temporary land use regulations prohibiting subdivisions over four parcels or lots.

Water Discussion -

The Commissioners met with Joe Hadlock with TriCounty Health, to which several water districts were invited. The Fruitland Special Service District has to hold a large amount of water reserve for each connection. At this point, they don't have any more availability for additional water connections. Mr. Hadlock asked other water districts if they could provide water to customers.

Commissioner Hansen is seeing fragile people move to the county and live on their property meant for recreation. Many are living in camp trailers, hauling water, and without a proper septic system, which is also concerning.

Commissioner Killian is on the TriCounty Health Board of Directors. During the meetings, the issue of water and septic systems is usually the topic of conversation. To be approved for a subdivision, the developer has to prove there is a well or water rights. TriCounty Health verifies this information before the County approves the permit. It has been seen on the news and social media that Fruitland is out of water connections. Duchesne City may not approve new hauling accounts as of January 1, 2025.

Road Discussion –

Commissioner Miles said emergency vehicle access is an issue. During the last major wildland fire event, there were issues with egress. Some residents are using private roads to access their property.

Commissioner Hansen said there are issues with residents making their own roads or using the oil field roads. Winter access is also a concern. Residents off the main roads have had problems getting out of their driveways after heavy snowfall. The county does not maintain private roads.

Fire Discussion –

The state fire warden does a good job inspecting the roads for the base course but doesn't account for defensible space on routes to support fire trucks and emergency vehicles. The County Road Department has rescued stranded motorists due to flooding from the burn scar.

Law Enforcement Discussion –

Theft has increased since 2020, making it nearly impossible to investigate and solve all cases appropriately. Most subdivisions are not on County Roads, and the county doesn't have the staff or equipment to maintain private roads for the new subdivisions.

The Commissioners are concerned for residents' safety and security. Given the listed concerns, there is a compelling and countervailing reason for the ordinance.

Recess 10:14 a.m. to 10:21 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 the Board of Equalization (BOE) Adjustments
(10:21 a.m.)

No BOE adjustments this week.

HR Office – Payroll
(10:22 a.m.)

Human Resource Generalist Tommi Mascaro presented the payroll report ending September 14, 2024; 216 employees were paid. *Commissioner Miles made a motion to*

approve the September 14, 2024 payroll, 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
(10:24 a.m.)

Deputy Clerk-Auditor Becky Broadhead presented the September 23, 2024, vouchers, check numbers 166593 through 166661, for $682,977.53. The parties reviewed the vouchers submitted. *Commissioner Miles made a motion to approve the vouchers for September 23, 2024, 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
(10:31 a.m.)

Clerk-Auditor Chelise Jessen presented the items for surplus: a 2019 Ford F250 Pickup with 100,944 miles and fire trucks from the Fruitland and Neola Fire Departments. Commissioner Miles would like to place the vehicles in the auction in mid-October. *Commissioner Miles made a motion to approve the three vehicles for surplus 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
(10:38 a.m.)

Calendaring & Weekly Update on Events
(10:39 a.m.)

Consideration of Minutes for Combined Commission Meeting held September 16, 2024
(10:49 a.m.)

The parties reviewed the combined Commission meeting minutes for September 16, 2024. *Commissioner Miles made a motion to approve the minutes for September 16, 2024, as corrected. Commissioner Killian seconded the motion. Commissioner Miles voted aye, Commissioner Killian voted aye, and Commissioner Hansen voted aye. The motion passed.*

Recess 11:00 a.m. to 1:00 p.m.

Commissioner Killian made a motion to recess until the 1:00 Public Hearing. 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 – Consideration of Ordinance #24-410 Amending the Duchesne County Zoning Ordinance to add an Airport Overlay Zone to Protect the Duchesne Municipal Airport

Present –

Commissioner Irene Hansen, Commissioner Greg Miles, Community Development Director Mike Hyde, and Commission Executive Assistant Melissa Hughes is taking the meeting minutes.

Present via Zoom – None

Absent – Commissioner Tracy Killian

Consideration of Ordinance #24-410 Amending the Duchesne County Zoning Ordinance to add an Airport Overlay Zone to Protect the Duchesne Municipal Airport
(1:03 p.m.)

Community Development Director Mike Hyde explained in response to House Bill 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 and Roosevelt City will need to consider a similar ordinance pertaining to lands within the city limits.

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 August 7, 2024, to allow for further study of the regulatory options. However, the Planning Commission could not muster a quorum on August 7th, which moved this agenda item to their September 4, 2024 meeting. During the September 4th hearing, additional opposition forced a continuation of the public hearing until October 2, 2024. It is recommended that the County Commissioners recess their public hearing until October 7th or October 21st, 2024, to allow the Planning Commission to complete its hearing process.

Public Hearing
(1:10 p.m.)

Commissioner Hansen opened the public hearing.

Public Comments
(1:10 p.m.)

There were no public comments.

Commission Discussion
(1:11 p.m.)

Commissioner Miles made a motion to recess the public hearing associated with Ordinance # 24-410 until October 7, 2024, at 1:30 p.m. Commissioner Hansen seconded the motion. Commissioner Miles voted aye, and Commissioner Hansen voted aye. The motion passed.

Adjournment
(1:16 p.m.)

Commissioner Miles made a motion to adjourn the meeting at 1:16 p.m. Commissioner Hansen seconded the motion. Commissioner Miles voted aye, and Commissioner Hansen voted aye. The forum adjourned.

Read and approved this on the 30th day of September 2024.

Irene Hansen
Commission Chair

Chelise Jessen
Clerk-Auditor

Minutes of the meeting prepared by Commission Executive Assistant Melissa Hughes