MINUTES OF COMBINED COMMISSION WORKING & REGULAR SESSION MEETING HELD MONDAY, SEPTEMBER 30, 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, Emergency Management Director Josh Phillips, State Fire Warden Brandon Peck, Surveyor Jerry Allred, Deputy Clerk-Auditor Becky Broadhead, Economic Development Director Deborah Herron, Treasurer Stephen Potter, Assessor Traci Herrera, Deputy Assessor JR Hyde, Deputy Assessor Cheryl Fabrizio, Deputy Assessor Brandi Winterton, Deputy Assessor Michelle Lewis, Deputy Assessor Cory Luttrell, Human Resource Director Judy Stevenson, Human Resource Payroll & Benefits Administrator Jamie Park, Electronic Records Director Cristina Neilson, 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.)

Fire Update
(9:02 a.m.)

Emergency Management Director Josh Phillips and State Fire Warden Brandon Peck updated the parties of the Yellow Lake Fire on Wolf Creek. The fire is currently in Wasatch County, six miles from the Duchesne County line. Highway 35 is closed to the public for safety. The closure is expected to remain for at least 48 hours until the fire activity decreases and the road can be cleared of debris. It has burned 1,500 to 2,000 acres and is 0% contained. Today is considered a critical fire day with high winds.

Presentation of Employee of the Month
(9:08 a.m.)

Human Resource Director Judy Stevenson presented Deputy Assessor Cheryl Fabrizio with the September Employee of the Month award. Assessor Traci Herrera read the nomination letter submitted by Deputy Assessor Ginger Johnson and herself. Deputy Assessor Fabrizio thanked everyone for the award. Each Commissioner commended her for genuinely caring about the public and being a kind and sincere person.

Public Works Update
(9:18 a.m.)

Public Works Director Mike Casper gave an update on existing projects and upcoming work. The North Crescent (CR 177) widening project is underway; they have prepped about 1.5 miles. The crusher crew attended a crusher conference last week. The Wells Draw project should be completed this week. They will start striping the roads. Some culverts are being replaced on County Road 11 in Tabiona. They are preparing trucks for the winter season. The parties discussed patching and dust suppressant needing to be applied in the Red Creek area.

Discussion & Consideration of Approach Permits
(9:26 a.m.)

Public Works Director Mike Casper presented four Residential/Commercial Approach Permits with aerial pictures of the property and approach location. The parties discussed the permits. *Commissioner Miles made a motion to approve the residential/commercial approach permits as presented 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 the Board of Equalization (BOE) Adjustments
(9:40 a.m.)

No BOE adjustments this week.

Auditors Office – Vouchers
(9:41 a.m.)

Deputy Clerk-Auditor Becky Broadhead presented the September 30, 2024, vouchers, check numbers 166662 through 166735, for $1,707,645.56. The parties reviewed the vouchers submitted. *Commissioner Miles made a motion to approve the vouchers for September 30, 2024, for the presented amount. Commissioner Killian seconded the motion. Commissioner Miles voted aye, Commissioner Killian voted aye, and Commissioner Hansen voted aye. The motion passed.*

Auditors Office - Surplus
(9:47 a.m.)

Clerk-Auditor Chelise Jessen presented the items for surplus from the Emergency Management Department. The parties reviewed the items. *Commissioner Miles made a motion to approve the surplus items as presented. Commissioner Killian seconded the motion. Commissioner Miles voted aye, Commissioner Killian voted aye, and Commissioner Hansen voted aye. The motion passed.*

Recess 9:49 a.m. to 9:59 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.

Consideration of Minutes for Combined Commission Meeting held September 23, 2024
(10:00 a.m.)

The parties reviewed the combined Commission meeting minutes for September 23, 2024. *Commissioner Miles made a motion to approve the minutes for September 23, 2024, as corrected. 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
(10:09 a.m.)

Calendaring & Weekly Update on Events
(10:12 a.m.)

Human Resource Update
(10:20 a.m.)

Human Resource Director Judy Stevenson gave an update for her department. The health fair went very well. The parties discussed manager training and benefit renewals. The Road Department is fully staffed. They are conducting interviews for Correction Officers, and the RN position is still open.

Closed Meeting – Strategy Session to Discuss: The Character, Professional Competence, or Physical or Mental Health of an Individual
(10:22 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
(11:30 a.m.)

No action is to be taken.

Recess 11:31 a.m. to 2:00 p.m.

Commissioner Killian made a motion to recess until the 2:00 p.m. working session. Commissioner Miles seconded the motion. Commissioner Killian voted aye, Commissioner Miles voted aye, and Commissioner Hansen voted aye. The motion passed.

WORKING SESSION 2:00 PM – Ordinance #24-409; An Ordinance Amending Title 8, Chapters 2, 6, and 13 of the Duchesne County Zoning Ordinance Oil & Gas Drilling and Production Facilities

Present –

Commissioner Greg Miles, Commissioner Tracy Killian, Deputy Attorney Tyler Allred, Community Development Director Mike Hyde, Zane Lay with Ovintiv, Mike Hawley with Jones & DeMille Engineering, Cody Deeter with EFG Consulting, Scott Duncan, Allan Smith, Kelsey Carter, Rikki Hrenko-Browning with UPA, Don Bromley, Lisa Sagers, Jerald Sagers, Bart Kettle, Leslie Pearson-Rich, Jake Woodland, Corie Miller, and Commission Executive Assistant Melissa Hughes is taking the meeting minutes.

Present via Zoom –

Community Development Zoning Specialist Shon McKinnon, Brock Harrison with Jones & DeMille Engineering, Frank Jimenez, Mandie Crozier, Mick Thomas OGM Director, JD Kesler, Dan Brooks with Javelin, Heather Ivie with Kinder Morgan, Macey Wallace with Ovintiv, Spencer Turnbow with Humbolt, Cody McNeece.

Absent – Commissioner Irene Hansen

Commissioner Greg Miles welcomed everyone to the meeting and excused Commissioner Hansen, who was obligated elsewhere.

Cody Deeter with EFG Consulting presented a PowerPoint presentation for the Transportation Mitigation Fee Study. He explained Governmental Funding, the Utah Supreme Court Ruling, and the Fee Analysis.

Governmental Funding –

The general fund is inefficient, with no clear link between revenue and services. The example is Sales Tax and Police.
An Enterprise Fund is efficient and links revenues and services. An example is a water fee and water services.

Utah Supreme Court Ruling -

It was determined that a transportation utility fee is legal through county authority 17-50-302. A clear link must be established, and then the County can create a transportation utility fee fund for repair, replacement, and maintenance.

Fee Analysis –

All taxpayers fund roadways through the general and class B funds. Heavy trucks have a disproportionate impact on the roads compared to other users. The Jones & DeMille Engineering study demonstrates this disproportionate impact.

Mike Hawley with Jones & DeMille Engineering explained the AASHTO 1993 Road Test Pavement Design Method and how heavy trucks deteriorate the road faster than low-impact vehicles. He also covered the road study completed with Vialytics to determine the life left on the roads. He worked with the industry to determine the number and nature of the trucks. It was determined that the traffic generated by the average well would remove 2.3 percent of the original life from the average county road. The formula determining the impact cost is the same as previously presented, except for adding 1.5 years for the weighted average of impact from one oil well over five years.

The parties discussed the study conducted by EFG Consulting and Jones & DeMille Engineering. Some oil and gas industry representatives are against the proposed cost. They discussed options that would be acceptable for all involved. Another working meeting will be held on October 7, 2024, at 2:30 p.m.

Commissioner Killian made a motion to hold a working session for Ordinance 24-409. Commissioner Miles seconded the motion. Commissioner Killian voted aye, and Commissioner Miles voted aye. The motion passed.

[redacted] [redacted] [redacted]

Adjournment
(3:40 p.m.)

Commissioner Miles made a motion to adjourn the meeting at 3:40 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 7th day of October 2024.

Greg Miles
Commission Proteome Chair

Chelise Jessen
Clerk-Auditor

Minutes of the meeting prepared by Commission Executive Assistant Melissa Hughes