



Regular City Council Meeting

Tuesday, October 22, 2024 at 6:00 pm

AGENDA

A regularly scheduled meeting of the Duchesne City Council will be held at the Duchesne City Office Building, 500 East Main, Duchesne, UT at the above date and time. The agenda will be as follows:

1. Roll Call, Prayer, Pledge
2. Minutes
3. Bills
4. Business License

- Cobble Rock Construction LLC - Alan & Katrina Spencer

5. Planning And Zoning
6. 15-Minute Open Session

The City of Duchesne welcomes you and thanks you for your time and concerns. If you wish to address the City Council, this is the time set on the agenda for you to do so. When you are recognized, please step to the podium, state your name and address then address the Council. Your comments will be limited to three (3) minutes. The Council may not respond to your comments this evening, rather they may take your comments and suggestions under advisement and provide direction to the appropriate member of City Staff for follow-up. Thank you.

7. Book Of Complaints, Concerns And Comments
8. Mayor And Council Review Of Old Business
9. Work Session
10. Executive Session
11. Adjournment

Attest:

Myra Young, Recorder: _____

Myra Young

Contact: Myra Young (myoung@duchesnecity.com 435-738-2464) | Agenda published on 10/18/2024 at 6:10 AM



Regular City Council Meeting

Minutes

Tuesday, October 8, 2024 at 6:00 pm

AGENDA

A regularly scheduled meeting of the Duchesne City Council will be held at the Duchesne City Office Building, 500 East Main, Duchesne, UT at the above date and time. The agenda will be as follows:

1. Roll Call, Prayer, Pledge

Minutes:

Mayor Rowley conducted the meeting. City Recorder, Myra Young, took minutes. City Council Members present were Bryce Hamilton, Tom Bruton, Jenny Adams, Jason Baker, and Cody Ivie. Council Member Bruton offered the prayer. Mayor Rowley led the Pledge of Allegiance. Public Attendees: Kim Hanson, Lane Genereuax, Cole Harris, Susan Hamilton.

2. Minutes

Minutes:

MOTION by Council Member Bruton, seconded by Council Member Adams to approve the minutes from September 24, 2024.

- Council Member Hamilton – Aye
- Council Member Bruton - Aye
- Council Member Adams - Aye
- Council Member Ivie – Aye
- Council Member Baker – Aye

Motion carried by unanimous vote.

3. Bills

Minutes:

MOTION by Council Member Ivie, seconded by Council Member Bruton to pay the bills.

- Council Member Hamilton– Aye
- Council Member Bruton - Aye
- Council Member Adams - Aye
- Council Member Ivie – Aye
- Council Member Baker – Aye

Motion carried by unanimous vote.

4. Charges and Credits

Minutes:

The Council reviewed the Charges and Credits Report.

5. Business License

Minutes:

No business licenses brought before the Council.

6. Planning And Zoning**Minutes:**

Nothing to report.

7. 15-Minute Open Session**Minutes:**

- Mayor Rowley indicated for over a month there have been dog issues at a residence located on 400 N. This resident has been issued a warning for having multiple dogs over the 3-limit maximum. On Monday he received notification from the North Carolina Human Society who had received an anonymous complaint including photos of dead and emaciated dogs. He returned to the residence to issue a second warning. The resident requested to surrender the dogs. The shelters are not accepting any dogs currently as they are at capacity. The thirteen dogs are currently at the city shop in a fenced area and are being cared for by the city employees. Surrounding shelters have been contacted and they are reaching out to rescuers to see about getting the dogs fostered or adopted, before their stay hold is up. There will be a mandatory hold for five business days before the dogs are euthanized. Liability issues were discussed.

There was discussion about the signed contract with the sheriff's department and why they have refused to take in these dogs. The understanding was they would take dogs to the county facilities and help us enforce our dog ordinances. There are still more dogs in the home that will need to be removed. Mayor Rowley will contact the sheriff's department to have them remove the excess dogs and speak with the county about enforcing the contract.

8. Book Of Complaints, Concerns And Comments**Minutes:**

There were no new entries in the book.

9. Mayor And Council Review Of Old Business**Minutes:**

- Council Member Bruton presented a draft report he compiled on the Hogan Park issue, highlighting key areas for review and discussion. He requested that the Council and Mayor take the time to go through the document. While he is happy to continue handling the administrative aspects, he expressed his preference for Council Member Hamilton, as Mayor Pro Tempore, to take the lead on the matter.
- Council Member Bruton is currently working on revising the Peddler/Solicitor ordinance and has been reviewing Ballard City's Code, which spans 8 pages and 15 detailed sections. He sought input from the Council on the direction they would like to take with the ordinance. Following a discussion on which provisions to retain or discard, the Council agreed to review both ordinances and provide suggestions. Council Member Bruton will then draft a revised version for further review.
- Council Member Adams requested an update on the issue of the water's unusual smell and taste. Council Member Bruton shared that he had spoken with Jesse Hyde at Central Utah

Water (CUW), who extended an open invitation to tour their treatment facility and see the process. The issue stems from an algae bloom, which prompted CUW to add more ozone to the treatment process, causing the unpleasant odor and taste. The time it takes for the affected water to pass through the system varies depending on a resident's location and water flow, which is why not everyone is experiencing the same issue.

- Lane reported that he receives regular updates from Central Utah Water. In today's update, CUW stated that they have increased chlorine levels to address the taste and odor issues, reaffirming that the water remains safe to drink. They are also preparing for potential challenges related to the current fire, and the aqueduct is functioning properly. Lane tested the city's water today and found it to be nearly identical in quality to that at the fill station.
- Council Member Adams wanted to know if the Johnson Water Contract wording has been changed. Mayor Rowley will follow up on this.
- Council Member Ivie requested an update on the water fill station moratorium. Lane reported that while he has an older map, Brian is working to provide a more recent one. Brian is coordinating with Brandon Miller to obtain their updated map, which should be available this week. This will help clearly define the service area in question. There was also discussion about Tri-County Health's requirement that any hauled water must be transported by an approved commercial hauler. Additionally, new regulations from Tri-County Health are complicating the process, including a rule that a permit cannot be obtained without proof of access to drinkable water or a commercial contract.
- Susan Hamilton expressed her concerns about the water situation and requested a solution from the city. She asked for confirmation that water from the Victory Pipeline is being sold to Johnson Water, who in turn marks it up and sells it to the oilfield, which was confirmed to be true. Susan feels that while the city has enough water for the oilfield, it is not prioritizing the residents. Mayor Rowley explained the issue isn't a lack of water but rather water districts mismanaging the situation by not adhering to regulations. She questioned why the city is refusing to sell water to Fruitland residents. It was explained that Tri-County Health is trying to impose regulations for its own benefit, while the city waits to see if the Fruitland Water District can secure water, leaving Duchesne City caught in the middle. Tri-County Health requires a lifetime water commitment for building permits, which led to the city's decision to impose a moratorium until these issues are resolved. Lane pointed out that Fruitland Water District is not the city's responsibility, as they have their own water supply. The Victory Pipeline was originally intended to serve the county, and it should be Duchesne County Water Conservancy District's responsibility, not Duchesne City's. Previous discussions included the idea of Fruitland finding the funds to pipe water from Hanna to their area. It was emphasized that Duchesne City does not have an unlimited water supply. Fruitland Water District needs to work with the Duchesne County Water Conservancy District and Clyde Watkins, as this is not a Duchesne City issue. The city is focused on developing a water fee schedule to cover operational costs, but it will take time.
- Mayor Rowley reported on recent discussions with Sunny Street regarding her new home, which is being built on the west side of Highway 87. There seems to be a natural water flow from the hill on the east side which then crosses Highway 87 and runs into the nearby fields, a situation that has occurred for many years, typically starting in September. Sunny Street

believes this is a city issue and that the city should address it. The Council discussed how the situation could affect local roadways, specifically mentioning the road to Dennis Grant's home on 800 N, which is problematic due to the lack of an easement on the opposite side of the road. Many have attempted to place the blame on Rocky Point Ditch Company, but proving their responsibility would require extensive testing. Council Members discussed the importance of conducting due diligence when purchasing or building on property. They emphasized that the water issue is not the city's responsibility but the property buyer/owner. Council Member Hamilton shared that he experiences a similar issue on the east side of Highway 87, with a persistent wet spot near his house that he believes is caused by a natural spring. The Council reiterated that, while building permits were issued, the risks associated with purchasing certain properties are not the city's responsibility.

10. Work Session

Minutes:

There was no work meeting.

11. Executive Session

Minutes:

There was no executive session held.

12. Adjournment

Minutes:

MOTION by Council Member Bruton seconded by Council Member Baker to adjourn the regular City Council meeting at 7:10 pm.

- Council Member Hamilton – Aye
- Council Member Bruton - Aye
- Council Member Adams - Aye
- Council Member Ivie – Aye
- Council Member Baker – Aye

Motion carried by unanimous vote.

Attest:

Myra Young, Recorder: _____

**Duchesne City
Open Invoice Listing**

10/18/2024

<u>Vendor Id</u>	<u>Vendor Name</u>	<u>Invoice No.</u>	<u>PO#</u>	<u>Invoice Date</u>	<u>Due Date</u>	<u>Amount</u>
4515539	Airgas USA, LLC	5511356590		9/30/2024	9/30/2024	\$201.19
95	Basin Builders Supply	19220		9/27/2024	9/27/2024	\$89.70
4516148	Basin Code Consultants, LLC	2428		10/9/2024	10/9/2024	\$97.50
4515477	Browning, Dawnette	10172024		10/17/2024	10/17/2024	\$193.30
150	Central Utah Water Conservancy Dist	13715		9/30/2024	9/30/2024	\$23,638.14
4517291	DHHS-Unified State Laboratories	25L0000437		10/2/2024	10/2/2024	\$37.00
3118500	Horrocks.	89136		10/7/2024	10/7/2024	\$5,741.57
4516869	Johnson, Jashaun	10162024		10/15/2024	10/15/2024	\$160.00
4517001	Mountainland Power Equipment	150466		10/8/2024	10/8/2024	\$137.17
4516868	Shaffer, Treyson	10162024		10/15/2024	10/15/2024	\$120.00
4516135	Spectra LLC	INV13080		10/11/2024	10/11/2024	\$1,161.80
765	Utah State Division of Finance	3S233		8/23/2023	8/23/2023	(\$231.85)
4517465	Venable LLP	2570978		9/30/2024	9/30/2024	\$297.50
4517465	Venable LLP	2692927		9/30/2024	9/30/2024	\$507.50
	Vendor Total:					\$805.00
4517467	Vernal Youth Football League	10102024		10/10/2024	10/10/2024	\$157.00
4515930	WorkforceQA	161353		10/18/2024	10/18/2024	\$42.00
4515930	WorkforceQA	167813		10/18/2024	10/18/2024	\$42.00
4515930	WorkforceQA	INV101402		2/29/2024	2/29/2024	\$42.00
4515930	WorkforceQA	INV106123		7/31/2024	7/31/2024	\$84.00
4515930	WorkforceQA	INV108942		9/30/2024	9/30/2024	\$42.00
	Vendor Total:					\$252.00
	Report Total:					\$32,559.52



500 E Main St. Duchesne, Utah 84021
PO Box 974, Duchesne, Utah 84021
phone (435) 738-2464
fax (435) 738-5394
office@duchesnecity.com

BUSINESS LICENSE APPLICATION

Application and all other items must be completed on the attached checklist BEFORE a business license is issued.

BUSINESS LICENSE # _____

(OFFICE USE ONLY)

APPLICANT INFORMATION

Applicant Name: Alan N & N Katrina Spencer

Date of Birth: 12/21/1970 07/26/1973

Home Address: 162 W 200 N

City, State and Zip Code: Duchesne, Utah 84021

Mailing Address: PO BOX 854 Duchesne Ut 84021

Home Telephone: 435-823-2707 Alan **Cell Phone:** 435-822-2133 Katrina

Email Address: cobblerockconstruction@gmail.com

BUSINESS INFORMATION

Legal Name of Business: Cobble Rock Construction LLC

Home Based ☒ Commercial Based ☒ Unknown ☐

Business Address: 162 W 200 N

City, State and Zip Code: Duchesne, Ut 84021

Business Telephone: 435-823-2707 **Business Fax:** none

Business Email: cobblerockconstruction@gmail.com

Professional License #: 14185194-5501 Contractor
(Contractor, Real Estate, Federal Firearms, Cosmetology, etc.)

Utah Entity #: 14138895-0160
(you must register your business with the Utah Department of Commerce)

Utah Sales and Use Tax #: none
(if you are selling goods you must file for a sales tax number with the Utah State Tax Commission)



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BUSINESS INFORMATION CONT'D

Describe the nature of your business:

Home Builder and construction

Please list the location of where your equipment, tools, and supplies to conduct your business will be stored.

162 W 200 N Duchesne, Ut 84021

If storage is located at home, what percentage will be stored and where?

100 %

Out of our truck in our Driveway

LICENSE STIPULATIONS

Please initial next to each item

KS All Business Licences are issued for a period of one year, which extends from July 1st to June 30th.

KS License fees are due and payable July 1st, or upon approval of application.

To engage in the business for which this license is issued, you must comply with all City Ordinances and County Health and Safety Codes. These include zoning, building codes, accessibility codes, health and fire safety. If now, or in the future, you do not comply with these codes, this license may be revoked upon the majority vote of Duchesne City Council.

KS

KS I am responsible to read and understand the requirements of Duchesne City's Business License Ordinance and agree to comply with the same.

(Note: To read about Duchesne City Business and License requirements visit Duchesne City Offices or go to Title 3 of the Municipal Code found at https://duchesnecity.com/government/municipal_code.php)

KS Duchesne City requires at least 20 days after application submittal for investigative purposes.

KS Business License Certificate, once issued, shall be posted in a conspicuous place on the wall of the building, room or office of the place of business so that the same may be easily seen.

AFFIDAVIT

I, Cobble Rock Construction BEING DULY SWORN, DEPOSE AND SAY THAT I AM THE ABOVE NAMED APPLICANT AND THAT THE STATEMENTS CONTAINED IN THIS APPLICATION ARE TRUE AND CORRECT.

Applicant Signature:

Dated:

Katrina Spencer
10/8/24



500 E Main St. Duchesne, Utah 84021
PO Box 974, Duchesne, Utah 84021
phone (435) 738-2464
fax (435) 738-5394
office@duchesnecity.com

BUSINESS LICENSE CHECKLIST

All items listed below must be completed BEFORE a business license is issued. Application fees will be due and payable upon successful completion of the application process.

X Completed Application

N/A Letter of Permission (if you are not the property owner)

X Copy of Required State License (contractor, cosmetology, real estate, daycare, etc.)

Department of Commerce (801) 530-4849 or visit
www.corporations.utah.gov

X Copy of Entity Registration

Utah State Tax Commission (801) 530-4849 or visit
www.tax.utah.gov/sales

N/A Copy of Sales Tax License (if applicable)

Cody Fisher, Inspector
(801) 719-9337

N/A Building Inspection (if applicable)

Russ Young, Fire Marshall
(435) 630-4113

N/A Fire Inspection, \$50 Fee

Board of Health
(435) 722-6300

N/A Health Inspection (if applicable)

 Appear before Duchesne City Council to present your business and application

OSBR Registration Information

Preregistration Questions

Have Federal Employer Identification Number: **No**

Have Sales and Use Tax License: **No**

Have Employer Withholding Account: **No**

Have you filed your Articles of Incorporation, Articles of Organization, Partnership or Business Name Registration: **No**

Have Unemployment Insurance Employer Identification Account: **No**

Have Streamlined Sales Tax (SST) Number: **No**

Business involves motor vehicle dealerships or vehicle sales, body shops, transporting, dismantling, manufacturing, distributing or crushing vehicles: **No**

Declared Entity Type

Entity Type: **Limited Liability Company (LLC)**

Entity Subtype: **Domestic (in Utah)**

This LLC will be managed by: **Member**

This LLC will file with the IRS as a: **Partnership**

Business Name

The business name you chose to register is: **Cobble Rock Construction LLC**

Primary Physical Business Address - Business Headquarters

Utah Business Name: **Cobble Rock Construction LLC**

Address 1: **162 W 200 N**

Address 2: **PO Box 854**

City, State, Zip: **Duchesne, UT , 84021**

Business Phone: **435-823-2707**

Fax:

> Please select from the list below, the **basic nature/purpose** of your business:

23 Construction

> Please select from the list below a **more detailed nature/purpose** of your business:

236 Construction of Buildings

> Please select from the list below a **more detailed nature/purpose** of your business:

23611 Residential Building Construction

Primary Physical Business Address - Business Headquarters

> In the box below, please describe, in detail, the purpose or nature of your business:

Build homes and other structures

> What is the date you will start or did start doing business? **September 01, 2024**

> What is the closing month of this business' accounting year? **December**

> Will you use, treat, store, sell, emit, manufacture, or dispose of any chemical, combustible, or hazardous materials? Also, answer yes to this question if you are a dry cleaning business, or if you are going to have x-ray equipment in any of your offices. **No**

> Do you currently have or will you have employees performing services for this business in Utah? Employees include anyone you pay for services including officers of a corporation or members of an LLC electing to file with the IRS as a corporation. If so, choose Yes to apply for an Unemployment Insurance account. **No**

> Do you need a Utah income tax withholding account? If you don't currently have one and are going to pay Utah wages to employees working for this business, you must choose Yes. If you are not going to have employees or if you already have a withholding account, choose No. **No**

> Will you sell, lease, rent or repair any kind of tangible personal property or physical product? If selecting "No", a sales tax license will not be issued. **No**

> Have you ever owned, operated, or been part of any business in the state of Utah in the position of owner, officer, director, incorporator, manager, member, partner, or registered agent? **No**

Business Addresses and Locations

This is a list of your business locations and mailing addresses.

Physical Business Locations

Address	City, State, Zip	County	Address Type
162 W 200 N	Duchesne, UT 84021	Duchesne	Headquarters
162 W 200 N	Duchesne, UT 84021	Duchesne	Primary Utah Location

Primary Utah Location

Address Line 1:162 W 200 N

Address Line 2:PO Box 854

City, State, Zip:Duchesne, UT 84021

County:Duchesne

Business Phone:435-823-2707

Fax:

> Is the business doing business as (DBA) under any assumed (alias'/DBA) names?

Business Addresses and Locations

No

> If this location's basic nature/purpose differs from the business as a whole, please select from the list below:

23 Construction

> If this location's basic nature/purpose differs from the business as a whole, please select from the list below:

236 Construction of Buildings

> If this location's specific nature/purpose differs from the business as a whole, please select from the list below:

23611 Residential Building Construction

> In the box below, please describe, in detail, the purpose or nature of your business at this location if it differs from the following:

Build homes and other structures

- | | |
|---|------------------------|
| > What are your expected hours of operation? | Start: 08:00 AM |
| | End: 04:00 PM |
| > When will this outlet start selling or making purchases? | 09/01/2024 |
| > Will your business be based in a Home or Commercial location? | Home |
| > If Home-based, are you going to have clients in your home? | No |
| > Will you use, treat, store, sell, emit, manufacture, or dispose of any chemical, combustible, or hazardous materials? Also, answer yes to this question if you are a dry cleaning business, or if you are going to have x-ray equipment in any of your offices. | No |
| > Are you providing motel, hotel, trailer court, campground or other lodging services ? | No |
| > Will you have restaurant sales, or sales of prepared foods and beverages? | No |
| > Will your business involve the sale of second-hand merchandise excluding vehicles? For example, pawn shops, auctions houses, second-hand store, etc. | No |
| > Will your business include an auction house or involve an auctioneer? | No |
| > Will your business involve transportation, i.e., taxicab, special transportation for the handicapped, horse drawn carriage, auto towing, etc.? | No |
| > Will your business sell any type of fireworks, inside or outside? | No |
| > Will your business sell and/or serve alcoholic beverages? | No |
| > Are you a sexually explicit business? | No |
| > Will your business sell tobacco products? | No |

Mailing Addresses

Business Addresses and Locations

Address	City, State, Zip	County
PO Bo 854	Duchesne, UT 84021	

Correspondence & Communication

Listed below are types of mailings that will be sent to you.

Mailing Type	Address Selection
Sales/Use Tax	
State Withholding Tax	
Business Mailing	PO Bo 854
Unemployment Insurance Tax	
Unemployment Insurance Claims	

Ownership and Management Information

Position	Principal's Name	Principal Type	Address	SSN / FEIN
Member	Alan Spencer	INDIVIDUAL	PO Box 854	*****6213
Registered Agent	Nancy Spencer	INDIVIDUAL	162 W 200 N	*****7441
Member	Nancy Spencer	INDIVIDUAL	162 W 200 N	*****7441

Existing Account Information for this Business

You indicated that you already have accounts set up for this business or you are registering a foreign entity.

Internal Revenue Service

Federal Employer Identification Number (FEIN): **99-4479815**

Utah State Tax Commission

Sales and Use Tax or Use Tax Only Number:

Employee Income Tax Withholding Number:

Streamlined Sales Tax (SST) Registration Number:

Utah Department of Commerce, Division of Corporations and Commercial Code

Business Registration Number: **14138895-0160**

Department of Workforce Services

Unemployment Insurance Employer Identification
Account Number:

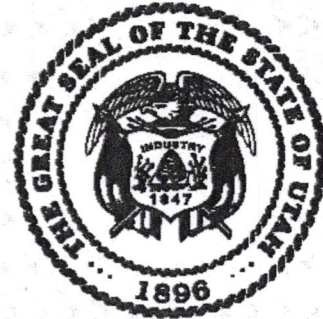
Electronic Signatures

Member: **Alan Niel Spencer**

Registered Agent, Member: **Nancy Katrina Spencer**

**STATE OF UTAH
DEPARTMENT OF COMMERCE
DIVISION OF PROFESSIONAL LICENSING
ACTIVE LICENSE**

EFFECTIVE DATE: 09/30/2024
EXPIRATION DATE: 11/30/2025
ISSUED TO: Cobble Rock Construction LLC
PO BOX 854
Duchesne UT 84021



REFERENCE NUMBER(S), CLASSIFICATION(S) & DETAIL(S)

14185194-5501 Contractor With LRF DBAs: None Associated
B100, S350