MINUTES OF COMBINED COMMISSION WORKING & REGULAR SESSION MEETING HELD MONDAY, MARCH 10, 2025, BEGINNING AT 9:00 A.M. IN DUCHESNE, UTAH

Present –

Commissioner Greg Miles, Commissioner Jeff Chugg, Commissioner Tracy Killian, Deputy Attorney Tyler Allred, Public Works Director Mike Casper, Public Works Deputy Director Clint Curtis, Economic Development Director Deborah Herron, Deputy Clerk-Auditor Lexie Young, Treasurer Stephen Potter, Human Resource Director Judy Stevenson, Human Resource Generalist Tommi Mascaro, Clerk-Auditor Chelise Stewart, Human Resource Payroll & Benefits Administrator Jamie Park, Jeff Baker, Eric Rube, and Brock Harrison with Jones & DeMille Engineering, Kelly Goodrich with Hales Sand & Gravel, Library Director Daniel Mauchley, Duchesne Library Branch Manager LoriAnn Potter, USU Director Brooke Holgate, Weed Control Director Braxton Spenser, Weed Control Assistant Mathew Skewes, Community Development Director Mike Hyde, Building & Inspection Assistant Glenna Mayhew, Community Development Specialist Josh Felter, Duchesne County Residents Dick Timothy and Ray Snyder, and Commission Executive Assistant Melissa Hughes is taking the meeting minutes.

Opening Comments

(9:00 a.m.)

Chairman Miles welcomed everyone to the meeting.

Pledge of Allegiance

(9:01 a.m.)

Open & Award the 2025 Roadway Maintenance Bids for Surfacing

(9:02 a.m.)

The parties opened the four bids received:

- Hales Sand and Gravel - $1,197,217.50
- CPCO dba Consolidated Paving - $1,207,853.40
- Advanced Paving and Construction - $1,281,281.00
- Geneva Rock Products - $1,521,030.00

The parties allowed Jones & DeMille Engineering and staff time to review the bid documents.

(10:06 a.m.)

Brock Harrison with Jones & DeMille Engineering recommended that Hales Sand & Gravel be awarded the bid at $1,197,217.50, contingent on supplying the qualification documents. *Commissioner Chugg made a motion to accept the recommendation of Jones & Demille contingent upon receiving qualification documents from Hales Sand & Gravel for $1,197,217.50 for surfacing. Commissioner Killian seconded the motion. Commissioner Chugg voted aye, Commissioner Killian voted aye, and Commissioner Miles voted aye. The motion passed.*

Open & Award the 2025 Roadway Maintenance Bids for Paving

(9:02 a.m.)

The parties opened the three bids received:

- Burdick Material - $130,252.50 w/ alternate 1 - $721,500, or w/ alternate 2 - $684,500
- CPCO - $246,600.70 w/ alternate 1 - $975,838.00 w/ alternate 2 - $592,148.00
- BHI - $233,102 w/ alternate 1 - $695,415.00 w/ alternate 2 - $589,410.00

The parties allowed Jones & DeMille Engineering and staff time to review the bid documents.

(10:07 a.m.)

Brock Harrison with Jones & DeMille Engineering recommended that Burdick Materials be awarded the bid of $130,252.50 with alternate 1 - $721,500.00, for a total bid of $851,752.50. *Commissioner Chugg made a motion to accept the recommendation of Jones & DeMille and award the 2025 Roadway Maintenance Bid for Paving to Burdick Materials with the base amount of $130,252.50 and alternate one amount of $721.500. Commissioner Killian seconded the motion. Commissioner Chugg voted aye, Commissioner Killian voted aye, and Commissioner Miles voted aye. The motion passed.*

Open & Award the 2025 Roadway Maintenance Bids for Asphalt Emulsions

(9:02 a.m.)

The parties opened the bid received:

- Peak Asphalt - $371,400.00

The parties allowed Jones & DeMille Engineering and staff time to review the bid documents.

(10:08 a.m.)

Brock Harrison with Jones & DeMille Engineering recommended that Peak Asphalt be awarded the bid for $371,400.00. *Commissioner Killian made a motion to accept the recommendation and award the Asphalt Emulsions bid to Peak Asphalt for $371,400.00. Commissioner Chugg seconded the motion. Commissioner Killian voted aye, Commissioner Chugg voted aye, and Commissioner Miles voted aye. The motion passed.*

Open & Award the 2025 Roadway Maintenance Bids for Crack Seal

(9:02 a.m.)

The parties opened the seven bids received:

- Superior Asphalt, LC - $161,360.00
- Bonneville Asphalt & Repair - $203,500.00
- C & B Asphalt - $193,600.00
- Asphalt Preservation - $176,000.00
- M & M Asphalt Services - $230,145.60
- Advanced Paving and Construction LLC - $217,750.00
- Morgan Pavement Maintenance - $216,305.00

The parties allowed Jones & DeMille Engineering and staff time to review the bid documents.

(10:09 a.m.)

Brock Harrison with Jones & DeMille Engineering recommended that Superior Asphalt be awarded the bid for $161,360.00. *Commissioner Killian made a motion to accept the recommendation from Jones & DeMille and award the crack seal bid to Superior Asphalt for $161,360.00. Commissioner Chugg seconded the motion. Commissioner Killian voted aye, Commissioner Chugg voted aye, and Commissioner Miles voted aye. The motion passed.*

Presentation of Employee of the Month

(9:06 a.m.)

Human Resource Generalist Tommi Mascaro presented the March Employee of the Month Award to Duchesne Library Branch Manager LoriAnn Potter. Library Director Daniel Mauchley read the nomination letter he submitted and thanked Ms. Potter for her work during the remodel. The branch was closed for seven months. During that time, Ms. Potter kept the outreach program going, answered calls, promoted the reading challenge and digital media, and hosted an offsite book club, all while keeping staff morale up. Each Commissioner congratulated her on the award and thanked her for her hard work and dedication to the County.

Public Works Update

(9:27 a.m.)

Public Works Director Mike Casper updated the public on existing projects and upcoming work. Last week, there was a snow event. Fruitland received about 18 inches of snow, and Rock Creek received about 14 inches. The moisture is causing issues on the gravel roads. There is a crew out working on the problems of the gravel roads. The Bluebell Road project is going well. It should be completed in a few weeks. They are working on paving an approach and patching roads. They will start working on the new building location. UDOT would like to partner with the County on Cobblehollow Road (CR 55) to widen an approach. The parties discussed the irrigation lines in the area. Wasatch Energy Management would like to partner with the County to repair County Road 29.

(10:10 a.m.)

Ray Snyder, a County resident, is concerned about the condition of Uintah Canyon Road. The road needs to be repaired; it is a safety issue. The parties discussed the road and how it is a Tribal Route.

Discussion & Consideration of Ostler's Right of Way

(9:36 a.m.)

Public Works Director Mike Casper explained that there is some traffic confusion and safety concerns at the corner of 3000 West and 200 North. He proposed purchasing a right-of-way from Troy Ostler for $300.00. The parties discussed the area's problems and the right-of-way. *Commissioner Killian made a motion to purchase the right-of-way for $300.00. Commissioner Chugg seconded the motion. Commissioner Killian voted aye, Commissioner Chugg voted aye, and Commissioner Miles voted aye. The motion passed.*

Recess 9:40 a.m. to 10:00 a.m.

Commissioner Chugg made a motion to recess. Commissioner Killian seconded the motion. Commissioner Chugg voted aye, Commissioner Killian voted aye, and Commissioner Miles voted aye. The motion passed.

Discussion & Consideration of the Application from a Local Business for the Utah Rural Matching Grant

(10:15 a.m.)

Economic Development Director Deborah Herron presented an application from Rejuvenate Red Light Therapy. She explained that the equipment they purchased was to provide additional services that were synergistic with their existing Red Light Therapy services. They are requesting $4,500. Director Herron read the thank you letter from Cade and Kelsey Kowallis. The parties discussed the business and application. *Commissioner Killian made a motion to approve the matching grant application from Rejuvenate Red Light Therapy for $4,500. Commissioner Chugg seconded the motion. Commissioner Killian voted aye, Commissioner Chugg voted aye, and Commissioner Miles voted aye. The motion passed.*

Discussion & Consideration for the 2025 Cooperative Agreement for Utah State University Extension Services Duchesne County

(10:24 a.m.)

USU Director Brooke Holgate presented the agreement and explained the budget, which is shown in Appendix A. The parties discussed the agreement and budget. *Commissioner Chugg made a motion to approve the agreement pending the budget check by the Clerk-Auditor and authorize the chair to sign on behalf of the County. Commissioner Killian seconded the motion. Commissioner Chugg voted aye, Commissioner Killian voted aye, and Commissioner Miles voted aye. The motion passed.*

Discussion & Consideration of the BLM Contract Amendment for Noxious Weed Control

(10:43 a.m.)

Weed Control Director Braxton Spencer presented the BLM contract amendment. He explained that the contract had ended, and they were amending it for funds that weren't used. He is meeting with them tomorrow to discuss another possible contract for noxious weed control on BLM property. The parties discussed the agreement. *Commissioner Killian made a motion to approve the amendment contract modification as presented. Commissioner Chugg seconded the motion. Commissioner Killian voted aye, Commissioner Chugg voted aye, and Commissioner Miles voted aye. The motion passed.*

Discussion & Consideration of the Master Services Agreement with Rodeo Logistics, LLC

(10:50 a.m.)

Centennial Event Center Coordinator & Fair Assistant Jayden Sillert presented the agreement for the software Open Stalls at the previous Commission Meeting. The parties discussed the software and agreement. *Commissioner Killian made a motion to approve the agreement with Open Stalls and authorized the chair to sign on behalf of the County. Commissioner Chugg seconded the motion. Commissioner Killian voted aye, Commissioner Chugg voted aye, and Commissioner Miles voted aye. The motion passed.*

Discussion & Consideration of the Ashley National Forest February 2025 West Zone Projects Scoping Comments

(10:58 a.m.)

Community Development Director Mike Hyde presented the letter to Ms. Lesley Tulis, the Ashley National Forest's environmental coordinator. He explained how the projects align with the Duchesne County General Plan and Resource Management plan policies. *Commissioner Chugg made a motion to sign the letter with the addition of the Fuel Break Comments. Commissioner Killian seconded the motion. Commissioner Chugg voted aye, Commissioner Killian voted aye, and Commissioner Miles voted aye. The motion passed.*

Discussion & Consideration of the Mickelson Building Lease Agreement

(11:02 a.m.)

The lease agreement for the Mickelson Building is with Duchesne City. The parties discussed the agreement and the terms. *Commissioner Chugg made a motion to approve the lease agreement with Duchesne City for the Mickelson Building as presented and authorize the chair to sign on behalf of the County. Commissioner Killian seconded the motion. Commissioner Chugg voted aye, Commissioner Killian voted aye, and Commissioner Miles voted aye. The motion passed.*

Discussion & Consideration of the Wellness Program Proposals
(11:07 a.m.)

Human Resource Payroll & Benefits Director Jamie Park completed the employee survey about the VEST EAP App, the cost of each tier, and a voucher program presented at a February meeting. The results showed great interest from the employees. The parties discussed the app's benefits and the criteria for the vouchers. The Commissioners would like an outline of items for the voucher program. *Commissioner Killian made a motion to approve the VEST EAP app at the better tier. Commissioner Chugg seconded the motion. Commissioner Killian voted aye, Commissioner Chugg voted aye, and Commissioner Miles voted aye. The motion passed.*

Human Resource Office – Payroll
(11:39 a.m.)

Human Resource Payroll & Benefits Administrator Jamie Park presented the payroll ending March 01, 2025, with 235 employees paid. The parties reviewed the payroll. *Commissioner Killian made a motion to approve the payroll ending March 01, 2025, as presented. Commissioner Chugg seconded the motion. Commissioner Killian voted aye, Commissioner Chugg voted aye, and Commissioner Miles voted aye. The motion passed.*

Auditors Office – Vouchers
(11:41 a.m.)

Deputy Clerk-Auditor Lexie Young presented the March 10, 2025, vouchers, check numbers 168338 through 168454, for $766,612.81. The parties reviewed the vouchers submitted. *Commissioner Chugg made a motion to approve the vouchers for March 10, 2025, as presented. Commissioner Killian seconded the motion. Commissioner Chugg voted aye, Commissioner Killian voted aye, and Commissioner Miles voted aye. The motion passed.*

Auditors Office – Surplus
(11:46 a.m.)

Clerk-Auditor Chelise Stewart presented a list of items from the Library for Surplus. The parties reviewed and discussed the items. *Commissioner Killian made a motion to approve the surplus as presented. Commissioner Chugg seconded the motion. Commissioner Killian voted aye, Commissioner Chugg voted aye, and Commissioner Miles voted aye. The motion passed.*

Consideration of Minutes of the Combined Commission Meeting held February 24, 2025
(11:43 a.m.)

The parties reviewed the combined Commission meeting minutes for February 24, 2025. *Commissioner Killian made a motion to approve the minutes for February 24, 2025, as amended. Commissioner Chugg seconded the motion. Commissioner Killian voted aye, Commissioner Chugg voted aye, and Commissioner Miles voted aye. The motion passed.*

Discussion of Possible Subjects for the Next Meeting
(11:54 a.m.)

Closed Session – Strategy Session to Discuss: Pending or Reasonably Imminent Litigation
(11:56 a.m.)

Commissioner Chugg made a motion to go in and out of a Closed Session to discuss: Pending or Reasonably Imminent Litigation. Commissioner Killian seconded the motion. Commissioner Chugg voted aye, Commissioner Killian voted aye, and Commissioner Miles voted aye. The motion passed.

Consideration to take action during the closed session
(12:13 p.m.)

No action is to be taken.

Discussion & Consideration of County Volunteers
(12:20 p.m.)

Human Resource Generalist Tommi Mascaro presented a County Fair and general volunteers list. They have passed the background check. The parties reviewed the list of volunteers. *Commissioner Killian made a motion to approve the volunteers as presented. Commissioner Chugg seconded the motion. Commissioner Killian voted aye, Commissioner Chugg voted aye, and Commissioner Miles voted aye. The motion passed.*

Human Resource Update
(12:21 p.m.)

Human Resource Director Judy Stevenson gave an update for her department. They have added another class for the discrimination and harassment training on Wednesday, March 19th. The classes start at 7:30 a.m., 10:00 a.m., and 1:00 p.m. The classes will be recorded, and there will also be a virtual attendance option.

Closed Session – Strategy Session to Discuss: The Character, Professional Competence, or Physical or Mental Health of an Individual
(12:26 p.m.)

Commissioner Killian made a motion to go in and out of a Closed Session to discuss: The Character, Professional Competence, or Physical or Mental Health of an Individual. Commissioner Chugg seconded the motion. Commissioner Killian voted aye, Commissioner Chugg voted aye, and Commissioner Miles voted aye. The motion passed.

Consideration to take action during the closed session
(12:59 p.m.)

No action is to be taken.

Public Hearing 1:00 pm
Present:

Commissioner Greg Miles, Commissioner Tracy Killian, Commissioner Jeff Chugg, Deputy Attorney Tyler Allred, Community Development Director Mike Hyde, Nathan Hall, Keith Goodspeed, Economic Development Director Deborah Herron, Deputy Treasurer Connie Sweat, Brad Wardle, Carrie Cayard, Treaven Grant, and Commission Executive Assistant Melissa Hughes is taking the meeting minutes.

Present via Zoom:

Recorder Shelley Brennan and Brenden VanDerStappen.

Ordinance #25-418; An Ordinance Amending the Duchesne County Subdivision Ordinance Sections Associated with Minor Subdivisions and Water Requirements
(1:01 p.m.)

Community Development Director Mike Hyde explained that Duchesne County proposes to amend its subdivision ordinance to address the concerns and findings of the Duchesne County Commissioners that led to the passage of Ordinance #24-415 on September 23, 2024. This ordinance paused the processing and approval of new subdivisions greater than four lots/parcels in size for six months. The Planning Commission conducted public hearings on February 5, 2025, and March 5, 2025.

Following is a summary of the Ordinance amendments by the Planning Commission:

Section 1.

Reduces the maximum number of lots or parcels created via the minor subdivision process from ten to four.

It continues and clarifies the requirement that new lots or parcels (except for a remainder or lots/parcels designated solely for agricultural use) must be deemed suitable by the sanitary sewer authority (TriCounty Health) for future on-site wastewater disposal systems.

All new lots or parcels created via the minor subdivision process are required to have legal access to an officially designated Class B or Class D road or a state highway.

It continues and clarifies the requirement for a culinary water source for each new lot or parcel approved by the culinary water authority (TriCounty Health) and the Utah Division of Water Rights (if private water wells or spring sources are proposed).

The waiting period to apply for another minor subdivision of the same parent parcel if a culinary water system does not serve the parcel is increased from one year to three years.

It continues and clarifies the requirement that land divisions requiring the construction of public roads, public water lines, or public sewer lines be processed via the standard subdivision process.

It continues and clarifies current practice that lots or parcels in a proposed minor subdivision can be designated as agriculture lots or parcels only if lands proposed to be divided receive the greenbelt assessment.

It clarifies that lots or parcels designated on the subdivision plat for agriculture use are only for agriculture purposes (no residential, commercial, industrial, or recreational use is permitted). Historically, many lots have been designated on surveys for agricultural use to avoid soil tests and water source requirements, but they were immediately marketed for non-agriculture (recreation) use.

Section 2.

Stipulates that water hauling is not allowed for new lots or parcels created under the exemption in Section 17-27a-605 of the Utah Code, which allows one new parcel, at least one acre in size, to be created from a parcel of at least 100 acres in size, without a survey and approval of the land use authority.

Section 3.

Clarifies that lots or parcels in a proposed minor subdivision can be designated as agricultural lots or parcels only if the lands proposed to be divided are receiving the greenbelt assessment and are actively devoted to agricultural use with a reasonable expectation of profit (per Section 59-2-502 of Utah Code). Such agricultural lots are to be used for agricultural purposes only (no residential, commercial, industrial, or recreation use is permitted), and a recorded agreement will document such. The minor subdivision plat and the recorded agreement can be amended if an owner decides to pursue non-agricultural use in the future.

Section 4.

It clarifies that roads intended for private maintenance shall be constructed according to the Wildland Urban Interface Code standards in a subdivision or minor subdivision. That code requires a 20-foot wide, all-weather road, approved by the Fire Warden as adequate to support emergency vehicles. Developers may also choose to construct roads according to county B-road standards in areas where the Road Department is willing to assume additional maintenance responsibilities.

Section 5.

Continues the current standards that all new lots or parcels less than forty acres in size must have an approved water source. It also requires the subdivision plat to depict a 100-foot radius well protection zone around proposed water wells and a spring protection zone around spring water sources (as currently required by TriCounty Health and the Utah DEQ).

Continues the forty-acre minimum lot size if the culinary water authorities (TriCounty Health or the Utah Division of Water Rights) cannot verify that there is sufficient water (either from culinary connections, water wells, spring sources, or hauled water) available to serve all new lots or parcels in a proposed subdivision.

This clarifies that water hauling is allowed per the TriCounty Health Department water hauling rule. TCHD continues to allow individuals to haul water if there are no other feasible options; however, if they want water delivered, it has to come from a company that has had its equipment tested and approved for hauling water.

The Planning Commission recommended approving Ordinance #25-418.

Public Comments

(1:22 p.m.)

Treaven Grant with Mountains West Ranches mentioned the county-by-county comparison provided to the Commissioners. It shows that the average number of lots per minor subdivision for the counties in Utah is six. He would like clarification on

guaranteed easement for roads. He suggested that the County start in sections for the road map update. He would also like the parameters of a Class D County Road.

(1:28 p.m.)

Brad Wardle said the ordinance isn't ready to be passed, and there are still holes that need to be researched. He said the ordinance gives TriCounty Health the power to decide when it should be the County. He is concerned with the ordinance. He suggested changing the acreage from 100 to 50 because of the recently passed legislation bill.

(1:34 p.m.)

Keith Goodspeed explained that the State oversees TriCounty Health for the health and welfare of the public. He believes that TriCounty Health is doing a good job. He was concerned about not allowing water hauling, but it has been changed.

(1:38 p.m.)

Treaven Grant said that water hauling is a viable water solution. He suggested to make a decision based on the science of the studies.

(1:40 p.m.)

Recorder Shelley Brennan thanked the Commissioners, the Planning Commission, and the Community Development for their work on the ordinance.

(1:41 p.m.)

Brad Wardle asked if the Commissioners could make recommendations to TriCounty Health, and if so, he recommended getting a permit or permission from them for water hauling.

Commission Discussion

(1:44 p.m.)

Commissioner Killian said the ordinance was reviewed and updated because TriCounty Health expressed concern about the lack of water in some county areas. He appreciates the comments made and the Planning Commission's input.

Commissioner Chugg said that he has seen everything that has gone on in all parts of the county. We need to align ourselves with the expectations of when someone moves in and expects utilities. He is concerned about water hauling equipment and the safety on the roads.

Commissioner Miles stated that TriCounty Health serves the county and plays a vital role. Anytime there is a water source, a source protection plan needs to be attached to the property's deed. The county will enforce what they propose. He thanked the Planning Commission for their work on the ordinance.

Commissioner Killian made a motion to reenter regular session. Commissioner Chugg seconded the motion. Commissioner Killian voted aye, Commissioner Chugg voted aye, and Commissioner Miles voted aye. The motion passed.

Regular Session

(2:04 p.m.)

Commissioner Killian made a motion to approve Ordinance #25-418 as recommended by the Planning Commission. Commissioner Chugg seconded the motion. Commissioner Killian voted aye, Commissioner Chugg voted aye, and Commissioner Miles voted aye. The motion passed.

Calendaring & Weekly Update on Events

(2:07 p.m.)

Adjournment

(2:14 p.m.)

Commissioner Chugg made a motion to adjourn the meeting at 2:14 p.m. Commissioner Miles stated that the motion was not contestable. The forum adjourned.

Read and approved this on the 17th day of March 2025.

Greg Miles
Commission Chairman

Chelise Stewart
Clerk-Auditor

Minutes of the meeting prepared by Commission Executive Assistant Melissa Hughes