MINUTES OF COMBINED COMMISSION WORKING & REGULAR SESSION MEETING HELD MONDAY, APRIL 17, 2023, BEGINNING AT 1:00 P.M. IN DUCHESNE, UTAH

Present -

Commissioner Irene Hansen, Commissioner Greg Miles via Zoom, Commissioner Tracy Killian, Deputy Attorney Tyler Allred, Public Works Director Mike Casper, Public Works Supervisor Clint Curtis, Clerk-Auditor Deputy Janet Jenkins, Emergency Management Director Mike Lefler, Human Resource Director Judy Stevenson, Sheriff Travis Tucker, Deputy Attorney Grant Charles, Library Director Daniel Mauchley, Erik Rube with Jones & DeMille, Duchesne Arts Council Members: Mona Farnsworth, Deborah Herron, and Danita Hinton, Duchesne County Resident Orlan Anderson, and Commission Executive Assistant Melissa Hughes is taking the meeting minutes.

Opening Comments

(1:00 p.m.)

Chairperson Hansen welcomed everyone to the meeting.

Pledge of Allegiance

(1:01 p.m.)

Award the 2023 Pavement On-Call Services Bid

(1:02 p.m.)

Commissioner Miles joined the meeting at 1:03 p.m.

Erik Rube with Jones & DeMille presented a tabulation of bids report that breaks down the bid schedule for the two bidders. The total bid for CKC Operations, LLC is $358,780.00, and Burdick Materials is $501,610.00. Mr. Rube recommends the lowest bidder CKC Operations, LLC. *Commissioner Killian makes a motion to accept the bid from CKC Operations, LLC, for $358,780.00. Commissioner Miles seconds the motion. Commissioner Killian votes aye, Commissioner Miles votes aye, and Commissioner Hansen votes aye. The motion passes.*

Public Works Update

(1:05 p.m.)

Public Works Director Mike Casper and Public Works Supervisor Clint Curtis give an update on existing projects and upcoming work. Rip-Rap was hauled from the rock quarry to Duchesne, Arcadia, and Altamont. The crusher will be up and running in about a week. Large rocks were removed from the road in the Promisedland area. A mastic crew is out working today to start chip sealing. Supervisor Curtis reports that the Bolt-a-plate bridge is delayed due to needing the angle degrees of the wing walls. Fabrication will take about three months to complete. The box culvert will be installed within the next few weeks. Graders are out grading the dirt roads in the County. They received a request from a crew member to use grout versus powder concrete in the concrete-treated base process the County uses. Mr. Rube with Jones & DeMille stated he could get the cost for both options.

Emergency Management Update

(1:11 p.m.)

Emergency Management Director Mike Lefler gave an update on the current flooding mitigation. He is looking for a location in the Tabiona area to place the rip-rap.
Director Lefler explained the FEMA/SBA Housing Programs.

FEMA Individual Assistance (IA) Program – Individuals and Households Program (IHP) Grants Threshold requirements. Approx. 25-30 primary residences meeting the 'major' damage or being 'destroyed.' Homes must be primary residences, not secondary homes, vacation homes, etc. Only the house structure is included in the damage categories. FEMA does not calculate personal property, landscaping, fencing, or other items into the threshold. Residential damages are categorized as follows:

- Affected: a home is considered affected if the damage to the home is mostly cosmetic.
- Minor: a home with repairable non-structural damage.
- Major: a home with structural damage or other significant damage that requires extensive repairs.
- Destroyed: the home is a total loss.

Damages must occur within a single incident period. If more than 72 hours pass between damaging events, they are considered separate incidences, and each event must meet the threshold separately.

FEMA's Individuals and Households Program (IHP) provides financial assistance and direct services to eligible individuals and households affected by disasters who have uninsured or underinsured necessary expenses and serious needs. Disaster assistance is not a substitute for insurance and cannot compensate for all losses caused by a disaster. It is intended to meet the survivor's basic needs and supplement disaster recovery efforts.

FEMA financial housing assistance may include the following types of assistance: rental assistance, lodging expense reimbursement, home repair assistance, or home replacement funds. Currently, the maximum amount of financial housing assistance available to homeowners is $41,000 (for all types together). The amount received depends on many factors, including the levels of damage to the home, insurance coverage, etc. On average most disaster applicants receive an average of about $3,500 (between $1,300 - $7,000).

SBA Disaster Loan Program Threshold requirements – If a FEMA IA declaration is approved, then the SBA loan program will be authorized along with the IHP grants. If the FEMA thresholds cannot be met, SBA thresholds and declarations may be met outside of the FEMA programs.

For an SBA Physical Damage Declaration Request, at least 25 homes and/or businesses must sustain major damages and suffer an uninsured loss of more than 40 percent. For a major damage classification, a home must have vital living spaces damaged with at least 18"+ of water (covering electrical outlets and destroying contents). SBA takes content loss, personal property damage, number of occupants/households in the home, and vehicles into consideration in their damage assessments and thresholds.

SBA Loan Program Loans

- Homeowners: up to $200,000 to repair or replace real estate damage and up to $40,000 to replace personal property.
- Renters: up to $40,000 to repair or replace personal property.
- Business Property Damage: up to $2,000,000 to repair or replace real estate, machinery and equipment, inventory, and other assets that were damaged or destroyed. Available to businesses of any size and private, non-profit organizations.
- Business Economic Injury Disaster Loan (EIDL): only for small businesses and most private non-profit organizations suffering adverse financial impacts of the disaster, with or without property loss, up to $2,000,000 for working capital to help pay obligations until normal operations resume. 5 Businesses in a county must fill out the Economic injury form during the damage assessment process for the program to be declared and approved for the county.

Erik Rube with Jones & DeMille presented Flood Preparations & Permitting Scenarios for three bridges in the County. For each bridge, they have included the background and how to approach the project, and what permits are required. He also reports that the NRCS has accepted the East Fork EWP Project change order. Perco Rock has been working to clear the snow in the area and was able to start working on the project last week. They are starting the weekly onsite meetings tomorrow at 9:00 a.m. Mr. Rube stated he is confident the project will be completed in time.

Commissioner Hansen exited the meeting at 1:22 p.m

Commissioner Hansen re-entered the meeting at 1:25 p.m

Discussion & Consideration of the Release Agreement with Dominion Energy
(1:25 p.m.)

Commissioner Hansen stated that Dominion Energy installed an 8" High-Pressure Natural gas pipeline running through Duchesne, including a section of replacement along East River Road, between 563 E Main St. and East River Road Highway 40 intersection in Duchesne County west of Duchesne City. During the construction of the project, Dominion Energy disturbed the pavement on East River Road, and the parties agreed that in lieu of Dominion Energy doing repair work, they would pay Duchesne County to restore the pavement disturbed as part of the County's planned road construction project that encompasses the project area. *Commissioner Miles makes a motion to authorize the*

Release Agreement with Questar Gas Company dba Dominion Energy Utah and authorize the chair to sign on behalf of the County. Commissioner Killian seconds the motion. Commissioner Miles votes aye, Commissioner Killian votes aye, and Commissioner Hansen votes aye. The motion passes.

Appoint Board Members to the Open Library Board Seat
(1:31 p.m.)

Library Director Daniel Mauchley stated that two resumes had been received for the open position. He asked the Commissioners if they would like to set up interviews to meet the candidates before making the appointment. The Commissioners agreed that conducting interviews would be in the board's best interest. They will appoint a board member at a later Commission meeting after the interviews are conducted.

Director Mauchley gave an update on the new Roosevelt Library and the grand opening on Saturday, April 22, 2023, from 10:00 a.m. to 2:00 p.m.

Auditors Office – Vouchers
(1:42 p.m.)

Clerk-Auditor Deputy Janet Jenkins presented the vouchers for April 17, 2023, check numbers 160798 through 160865, for $342,920.64. The parties review the vouchers submitted. *Commissioner Miles makes a motion to approve the vouchers for April 17, 2023, as presented. Commissioner Killian seconds the motion. Commissioner Miles votes aye, Commissioner Killian votes aye, and Commissioner Hansen votes aye. The motion passes.*

Discussion of Possible Subjects for the Next Meeting
(1:46 p.m.)

Auditor's Office – Tax Deferrals
(1:47 p.m.)

Treasurer Stephen Potter presented a tax deferral for the Treasurer's office. He explained the reason for the tax deferral. *Commissioner Killian makes a motion to approve the minute from the Treasurer's Office regarding Steve Daniels. Commissioner Miles seconds the motion. Commissioner Killian votes aye, Commissioner Miles votes aye, and Commissioner Hansen votes aye. The motion passes.*

Closed Meeting – Strategy Session to Discuss: The Character, Professional Competence, or Physical or Mental Health of an Individual;
(1:55 p.m.)

Commissioner Killian makes 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 seconds the motion. Commissioner Killian votes aye, Commissioner Miles votes aye, and Commissioner Hansen votes aye. The motion passes.

Back in Session
(2:29 p.m.)

No action is to be taken.

Discussion of Indigent Defense
(2:29 p.m.)

Deputy Attorney Grant Charles stated that the indigent attorneys had given notice. As a result, there will be a completely new defense team. The attorney we have just contracted is willing to complete the contract for this year only and would like to negotiate the terms for 2024 going forward. The rate is lower than other counties are currently paying. They discuss the need for indigent defense and the difficulty in obtaining them. Deputy Attorney Charles will present new contracts at a future meeting for approval.

Calendaring & Weekly Update on Events
(2:43 p.m.)

Consideration of Minutes for Combined Commission Meeting held April 10, 2023
(2:47 p.m.)

Parties review the combined Commission meeting minutes held on April 10, 2023. *Commissioner Killian makes a motion to approve the minutes for April 10, 2023, as corrected. Commissioner Miles seconds the motion. Commissioner Killian votes aye, Commissioner Miles votes aye, and Commissioner Hansen votes aye. The motion passes.*

Commissioner Miles left the meeting at 2:56 p.m

Recess 2:56 p.m. to 3:17 p.m.

Duchesne Arts Council Update
(3:17 p.m.)

Deborah Harron, the President of the Duchesne Arts Council, introduced herself and Mona Farnsworth, the Secretary, and Danita Hinton, the Executive Director. They presented a video for the 2022 year in review from their website, www.duchesneartscouncil.com. The footage showed the Spring, Summer, Fall, and Winter activities. They discussed the 2023 goals and the plan to use the old bowling alley for their new home. They are applying for funding to remodel the building. Ms. Harron expressed her appreciation to the County for the resources and the room in the old County Building provided to them.

Adjournment
(3:52 p.m.)

Commissioner Killian makes a motion to adjourn the meeting at 3:52 p.m. Commissioner Hansen seconds the motion. Commissioner Killian votes aye, and Commissioner Hansen votes aye. The forum adjourns.

Read and approved this on the 24th day of April, 2023.

Irene Hansen
Commission Chair

Chelise Jessen
Clerk-Auditor

Minutes of the meeting prepared by Commission Executive Assistant Melissa Hughes