

**MINUTES FOR REGULAR COMMISSION MEETING HELD FEBRUARY 12, 2007
BEGINNING AT 1:00 P.M. IN THE COMMISSION BOARD ROOM IN DUCHESNE,
UTAH**

Present

Commission Chairman Kent R. Peatross, Commissioner W. Rod Harrison (absent), Commissioner Kirk J. Wood, Road Supervisor Glen Murphy and Commission Assistant Andrea Arnold taking minutes of the meeting.

Opening Comments

Commissioner Peatross gave prayer. There were no other comments.

Pledge of Allegiance

Any wishing to participate.

Road Department Items

Mr. Glen Murphy stated that they have been repairing County Road #43 in the Myton area and doing some edging. He stated there was nothing else to report.

... Deputy Clerk/Auditor JoAnn Evans joined the meeting...

Consideration Of Tax Adjustments – Assessor

<u>Account</u>	<u>Year</u>	<u>Credit - / + Debit</u>	<u>Comments</u>
Personal Exmp.	2007	-150.00	Truck was apportioned.
00-0004-5116	2006	-179.04	Residential Exemption.
00-0004-5116	2005	-127.73	Residential Exemption.
00-0004-5116	2004	-135.14	Residential Exemption.
00-0004-5116	2003	-133.02	Residential Exemption.
00-0004-5116	2002	-135.12	Residential Exemption.

Commissioner Wood motioned to approve the tax adjustment. Commissioner Peatross seconded the motion. Both commissioners voted aye and the motion passed.

Consideration Of Tax Adjustments – Treasurer

<u>Account</u>	<u>Year</u>	<u>Credit - / + Debit</u>	<u>Comments</u>
00-0011-9556	2006		Remove penalty/interest.

Commissioner Wood motioned to approve the tax adjustment. Commissioner Peatross seconded the motion. Both commissioners voted aye and the motion passed.

Consideration Of Payment Vouchers

The commission reviewed vouchers #100423 through #100523 in the amount of four hundred thirty-nine thousand, sixteen dollars and eighty-nine cents (\$439,016.89). Commissioner Wood motioned to approve payments. Commissioner Peatross seconded the motion. Both commissioners voted aye and the motion passed.

Consideration Of Business License Applications For Getchell Salon and Blue Spruce Express and Wills Trucking

The commission reviewed the applications. Deputy Clerk/Auditor Evans asked that the application for Wills Trucking be withdrawn at this time. Commissioner Wood motioned to approve the applications excluding Wills Trucking. Commissioner Peatross seconded the motion. Both commissioners voted aye and the motion passed.

...Lorie Womack, Christy and Gerald Leavitt, Mike Hyde and Connie McCurdy joined the meeting...

1:30 p.m. Public Hearing – Consideration Of An Amended Plat Of Cedar View Properties, Unit 3, Phase 2, Lot 41

Mr. Hyde provided the following statement: “The Cedar View Properties, Unit 3, Phase 2, Subdivision was approved by the county in 1979. The original plat has 59 lots that are ten acres in size, except for one, which is 14.7 acres. This is the first plat amendment proposed in the subdivision. Since there is a five-acre minimum lot size in the area, all of these lots have the potential to be divided. The subdivision is located along the Bluebell Highway about 8 miles NW of Roosevelt. The lot under consideration is located 500 feet south of the highway, just east of “Butcher knife Mountain.” The subdivision has a private road system.

Health Department approval of the lot split has been received and the state engineer has issued well permits. The lots have legal access and the plat dedicates right of way for potential county road improvements in the long term. The fire department has approved the proposal recognizing that compliance with the urban-wildland interface code will occur through the building permit process.

The Planning Commission conducted its public hearing on the request on February 7, 2007 and has recommended approval, subject to the applicant’s surveyor providing the County Recorder with an electronic copy of the plat amendment map. Jeanne and Leonard Lilienthal appeared at the Planning Commission meeting to express concerns about more wells and smaller lots being created in this area.”

Commissioner Peatross asked for the public’s comments. Mrs. Christy Leavitt stated that she and her husband own this subdivision and that every lot they sell they keep a 33’ right of way for future use. The commission appreciates this practice. *Commissioner Wood motioned to approve the amended plat of Cedar View Properties, Unit 3, Phase 2, Lot 41 as recommended by the planning commission. Commissioner Peatross seconded the motion. Both commissioners voted aye and the motion passed.*

Consideration Of 2007 Community Library Enhancement Funds Contract

This item was tabled.

Duchesne County Library Annual Report

Mrs. Lorie Womack presented the annual report to the commission (see attached). The commission thanked Mrs. Womack for her good work.

...Attorney Roland Uresk, Jim Lindsay, Alice and Lynn Taylor...

Public Hearing - Consideration Of A Request To Vacate The Public’s Interest In A Certain Road In The Following Location, To Wit: Township 1 South, Range 4 West, USM

Mr. Jim Lindsay stated that the county needs to condemn both sides of the road or there will be more issues further on. Commissioner Peatross stated that they could only discuss the section of the road that was advertised publicly. Mr. Lindsay stated that another issue is that 700’ of the road has never been completed. Commissioner Peatross stated that they could only discuss the issue of vacating the loop. Mr. Lindsay stated that he opposes the vacating of the loop unless the other side is vacated also. Commissioner Peatross stated the county could look into that but it could not be considered at this hearing. He asked if Cindy Barton-Coombs was his attorney. Mr. Lindsay replied that she was not anymore.

Consideration Of A Request To Vacate The Public’s Interest In A Certain Road In The Following Location, To Wit: Township 1 South, Range 5 West, USM

Commissioner Peatross stated that interested property owners, Bailey’s, have asked that the decision be postponed until they have a chance to verify their right of way.

...Deputy Clerk/Auditor Leann Stewart joined the meeting...

Consideration Of Ordinance No. 07-253 An Ordinance Vacating A Certain Road In Township 1 South, Range 4 West, USM

This item has been tabled until February 26, 2007.

Consideration Of Ordinance No. 07-254 An Ordinance Vacating A Certain Road In Township 1 South, Range 5 West, USM

This item has been tabled until February 26, 2007.

Department Head Time Sheets

All were approved.

Consideration Of A Tax Adjustment – Auditor

Deputy Stewart stated that she has received a late application for tax abatement for Property #00-0001-2470. She stated that the owner is two years behind in taxes. The commission agreed to forgive one year of the taxes.

Consideration Of Amendments To Oil And Gas Leases With El Paso E&P Located In Township 3 South, Range 5 West, USM and Township 3 South, Range 4 West, USM

Ms. Arnold stated that these lease agreements have previously been approved with an incorrect address listed for the county. She stated the amendments to the leases are to correct the county's address. *Commissioner Wood motioned to approve the amendments. Commissioner Peatross seconded the motion. Both commissioners voted aye and the motion passed.*

Consideration Of The Minutes For Regular Commission Meeting Held February 5, 2007

Commissioner Wood motioned to approve the minutes as is. Commissioner Peatross seconded the motion. Both commissioners voted aye and the motion passed.

Adjournment

Commissioner Wood motioned to adjourn the meeting at 2:50 p.m. Commissioner Peatross seconded the motion. Both commissioners voted aye and the motion passed.

Read and approved this 26th day of February 2007.

*Kent R. Peatross
Commission Chairman*

*Diane Freston
Clerk/Auditor*

Minutes of meeting taken by Andrea Arnold _____