

**MINUTES FOR REGULAR COMMISSION MEETING HELD FEBRUARY 11, 2008  
BEGINNING AT 1:00 P.M. IN THE COMMISSION BOARD ROOM IN DUCHESNE,  
UTAH**

***Present***

Commission Chairman W. Rod Harrison, Commissioner Kirk J. Wood, Deputy County Attorney Jonathan Stearmer, and Commission Assistant BobbiJo Bailey taking minutes of the meeting.

***Opening Comments***

Commissioner Harrison gave the prayer. There were no other comments.

***Pledge of Allegiance***

Any wishing to participate.

***Consideration Of Payment Vouchers***

*Deputy Clerk Auditor Leann Stewart and Clerk Auditor Diane Freston joined the meeting at 1:10 P.M...*

The commission reviewed vouchers #104613 through #104787 dated February 11, 2008 in the amount of two hundred fifty eight thousand five hundred eight dollars and thirty three cents (\$258,508.33). *Commissioner Wood motioned to approve the vouchers as presented. Chairman Harrison seconded the motion. Both commissioners voted aye and the motion passed.*

***Consideration Of Tax Adjustments – Assessor***

Clerk/Auditor Freston presented the attached list of tax adjustments from the Assessor for personal property exemptions. *Commissioner Wood motioned to approve the tax adjustments. Commissioner Harrison seconded the motion. Both commissioners voted aye and the motion passed.*

***Consideration Of Utility Crossing On County Roads***

Attorney Stearmer stated that he would like to get feedback on the changes purposed from the Commission as well as Public Works Director Glen Murphy. *Commissioner Wood motioned to postpone until further notice. Chairman Harrison seconded the motion. Both commissioners voted aye and the motion passed.*

***Consideration of Resolution No. 08-06 A Resolution Adopting A New Fee Schedule Concerning Road Crossing And Easement Encroachments***

*Commissioner Wood motioned to postpone until further notice. Chairman Harrison seconded the motion. Both commissioners voted aye and the motion passed.*

***Consideration Of Duchesne County Animal Control Special Service District Board Member***

*Commissioner Wood motioned to appoint Dave Boren to represent the Duchesne area. Chairman Harrison seconded the motion. Both commissioners voted aye and the motion passed.*

***Consideration Of Tri-County Health Board Member***

*Commissioner Wood motioned to appoint Ilene Jensen to Tri-County Health board with the stipulation of her attendance. Chairman Harrison seconded the motion. Both commissioners voted aye and the motion passed.*

***Consideration Of Revision Of Poll Workers For The Duchesne County Western States Presidential Primary Election, February 05, 2008***

Commissioner Wood stated that there were changes of poll workers due to sicknesses and their unavailability to attend; the new poll workers were Scott Riser, Sanna Rae Draper, Elaine Meyer, and Franklin Meyer. *Commissioner Wood motioned to approve all new poll workers. Chairman Harrison seconded the motion. Both commissioners voted aye and the motion passed.*

***Consideration of Forest Road Agreements Between The U.S. Department Of Agriculture, Forest Service, And Duchesne County, Utah***

Attorney Stearmer stated that he is awaiting the approval of the revised agreement from the Forest Service. *Commissioner Wood motioned to postpone the agreement until further notice. Chairman Harrison seconded the motion. Both commissioners voted aye and the motion passed.*

***Consideration Of The Minutes For Regular Commission Meeting Held February 04, 2008***

*Commissioner Wood motioned to approve the minutes with the correction necessary. Commissioner Peatross seconded the motion. Both commissioners voted aye and the motion passed.*

***1:30 P.M. Public Hearing –***

***Consideration Of Ordinance #08-260 An Ordinance Amending The Duchesne County Subdivision Ordinance***

*County Community Planning Administrator Mike Hyde along with property owners John Swasey, Kellee Grant, Bennie Mitchell, and Matt Mitchell joined the meeting at 1:30 P.M...*

*County Community Planning Administrator Mike Hyde stated that at the Planning and Zoning meeting held February 06, 2008 there were issues that were brought up and recommended recess until March 17, 2008. Mr. Swasey stated that there is no real sound description of a one hundred year flood anywhere and didn't like the flooding proposal. He also stated that there is need for variance but feels the commission has developed a no growth policy. Wood motioned to recess Ordinance #08-260 until the Public Hearing on March 17, 2008. Chairman Harrison seconded the motion. Both commissioners voted aye and the motion passed.*

***Consideration Of Ordinance #08-261 An Ordinance Amending The Duchesne County Zoning Map, Rezoning Described Property From Industrial to Residential (R-1)***

*Administrator Hyde stated that Kirk and Kelly Grant bought five acres of industrial zoned land but would like to have it rezoned to build a home. Mr. Mitchell who owns a business on a nearby plot stated that people who do buy in this area should be aware that this is industrial. Commissioner Wood questioned if all the property owners have taken into consideration the fact that there will be big trucks going through that area. Mrs. Grant stated that it is a risk she is willing to take and feels this is a good place to expand.*

**ORDINANCE #08-261**

**AN ORDINANCE AMENDING THE DUCHESNE COUNTY ZONING MAP, REZONING DESCRIBED PROPERTY FROM INDUSTRIAL TO RESIDENTIAL (R-1)**

WHEREAS, Kirk and Kellee Grant have filed an application to rezone property north of Duchesne City and west of the Duchesne County Jail from Industrial to Residential (R-1); and,

WHEREAS, other property owners in the vicinity have elected to join in this rezone request, with some expressing a preference to retain the existing Industrial zoning; and,

WHEREAS, after giving notice and conducting a public hearing on February 6, 2008, the Duchesne County Planning Commission has recommended approval of the rezone from Industrial to Residential for lands depicted in Exhibit A attached hereto and incorporated herein by reference; and,

WHEREAS, after giving notice and conducting a public hearing on February 11, 2008, the Duchesne County Commissioners have accepted the Planning Commission recommendation and adopted findings to approve the rezone request.

BE IT HEREBY ORDAINED BY THE BOARD OF COUNTY COMMISSIONERS that:

**SECTION 1.** *The following described property is hereby rezoned on the official zoning map from Industrial to Residential (R-1):*

*Those lands depicted on Exhibit A, attached hereto and incorporated herein by reference.*

**SECTION 2.** ***Severability.***

*If any court of competent jurisdiction declares any Section of this Ordinance invalid, such decision shall be deemed to apply to that Section only, and shall not affect the validity of the Ordinance as a whole or any part thereof other than the part declared invalid.*

**SECTION 3.** ***Effective Date.***

*This Ordinance shall become effective immediately upon passage.*

DATED this 11<sup>th</sup> day of February, 2008.

ATTEST:

DUCHESNE COUNTY  
BOARD OF COMMISSIONERS

\_\_\_\_\_  
Diane Freston  
County Clerk/Auditor

\_\_\_\_\_  
W. Rod Harrison, Chairman

\_\_\_\_\_  
Kirk J. Wood, Commissioner

\_\_\_\_\_  
Kent Peatross, Commissioner

*Commissioner Wood motioned to adopt Ordinance 08-261 as recommended by the Planning Commission. Chairman Harrison seconded the motion. Both commissioners voted aye and the motion passed.*

*At 1:56 P.M. Regular Commission Meeting reconvened...*

***Adjournment***

*Chairman Harrison adjourned the meeting at 1:57 P.M.*

*Read and approved this 25<sup>th</sup> day of February 2008.*

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*W. Rod Harrison*  
*Commission Chairman*

\_\_\_\_\_  
*Diane Freston*  
*Clerk/Auditor*

*Minutes of meeting taken by BobbiJo Bailey*\_\_\_\_\_