

**MINUTES FOR REGULAR COMMISSION MEETING HELD JULY 07, 2008
BEGINNING AT 1:00 P.M. IN THE COMMISSION BOARD ROOM IN DUCHESNE,
UTAH**

Present

Commission Chairman W. Rod Harrison, Commissioner Kent R. Peatross, Commissioner Kirk J. Wood, County Deputy Attorney Jonathan Stearmer, and Personnel Director Carrie Mascaro taking minutes of the meeting.

Opening Comments

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

Pledge of Allegiance

Any wishing to participate.

Consideration Of Payment Vouchers

Deputy Clerk Diane Freston joined the meeting at 1:06 P.M...

The commission reviewed vouchers #106371 through #106458 dated July 07, 2008 in the amount of four hundred twenty five thousand one hundred eighty eight dollars and sixty six cents (\$425,188.66). *Commissioner Peatross motioned to approve the vouchers as presented. Commissioner Wood seconded the motion. All commissioners voted aye and the motion passed.*

Consideration Of Business License Application For Altonah Yellow Ledge Trucking Inc.

Deputy Clerk Auditor Teresa Baker joined the meeting at 1:15 P.M...

Commissioner Wood motioned to approve the application as presented. Commissioner Peatross seconded the motion. All commissioners voted aye and the motion passed.

Consideration Of Utah Department Of Transportation (UDOT) Cooperative Agreement

Commissioner Peatross motioned to approve the cooperative agreement for weed control with UDOT as presented. Commissioner Wood seconded the motion. All commissioners voted aye and the motion passed.

***Consideration Of Utah Association Of Counties (UAC) Request To Support RS 2477
Litigation In The Tenth District Court***

Commissioner Wood motioned to appropriate ten thousand dollars (\$10,000.00) from discretionary fund to support RS 2477 litigation in the tenth circuit court naming Chairman Harrison as signer on the contribution form. Commissioner Peatross seconded the motion. All commissioners voted aye and the motion passed.

Consideration Of The Minutes For Regular Commission Meeting Held June 30, 2008

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

1:30 P.M. Public Hearing --

Consideration Of Ordinance No. 08-264, An Ordinance Amending The Duchesne County Zoning Map, Rezoning Described Property From Agricultural-Residential To Industrial

County Community Planning Administrator Mike Hyde & Property Owner Jim Nebeker joined the meeting at 1:30 P.M...

Administrator Hyde stated that Mr. Nebeker has an existing business on Ioka Lane and would like to expand across the highway, the only homeowner close is Aaron Manning who by letter is not opposing the zone change; this zoning request is uncontested and meets all requirements. Mr. Nebeker stated that there will be sumps on the property; but waste water will be hauled off to a disposal site. He also stated that Administrator Hyde has been great to work with no problems getting the process started; things have progressed very quickly.

ORDINANCE #08-264

**AN ORDINANCE AMENDING THE DUCHESNE COUNTY ZONING
MAP, REZONING DESCRIBED PROPERTY FROM AGRICULTURAL-
RESIDENTIAL TO INDUSTRIAL**

WHEREAS, JN Trucking, Inc. has filed an application to rezone property located at the southwest corner of 4000 West and Ioka Lane from Agricultural-Residential to Industrial; and,

WHEREAS, after giving notice and conducting a public hearing on July 2, 2008, the Duchesne County Planning Commission has recommended approval of the rezone from Agricultural-Residential to Industrial for the subject parcel; and,

WHEREAS, after giving notice and conducting a public hearing on July 7, 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 Agricultural-Residential to Industrial:*

Beginning at the Northeast corner of Section 2, Township 3 South, Range 2 West, USB&M; thence South 1°06'59" East 442.82 feet; thence South 88°55'21" West 689.11 feet; thence North 0°59'18" West 442.90 feet; thence North 88°55'21" East 688.12 feet to the point of beginning. Contains 7.0 acres.

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 7th day of July, 2008.

ATTEST:

DUCHESNE COUNTY
BOARD OF COMMISSIONERS

Diane Freston
County Clerk/Auditor

W. Rod Harrison, Chairman

Kirk J. Wood, Commissioner

Kent R. Peatross, Commissioner

Commissioner Peatross motioned to adopt Ordinance No. 08-264 as recommended by Administrator Hyde. Commissioner Wood seconded the motion. All commissioners voted aye and the motion passed.

Public Comment

Duchesne County Sheriff Travis Mitchell & Lieutenant Travis Tucker joined the meeting at 1:55 P.M...

Sheriff Mitchell stated that we need to get licensing and kennel fees ratified, people are asking about kennel licenses. He also stated that a new policy is in place that if a dog escapes out of its cage more than once they are taken to the Roosevelt facility.

Adjournment

Chairman Harrison adjourned the meeting at 2:05 P.M.

Read and approved this 21st day of July 2008.

W. Rod Harrison
Commission Chairman

Diane Freston
Clerk/Auditor

*Minutes of meeting taken by BobbiJo Bailey*_____