

**MINUTES  
BOX ELDER COUNTY COMMISSION  
JANUARY 08, 2008**

The Board of County Commissioners of Box Elder County, Utah met in an Administrative/Operational Session at the County Courthouse, 01 South Main Street in Brigham City, Utah at 8:00 a.m. on **JANUARY 08, 2008**. The following members were present:

Jay E. Hardy	Chairman
Clark N. Davis	Commissioner
Rich VanDyke	Commissioner
LuAnn Adams	Recorder/Clerk

The following items were discussed:

1. Agenda Review/Supporting Documents
2. Commissioners' Correspondence
3. Staff Reports
4. Correspondence
5. Assignment Review
6. COG Meeting

The work session adjourned at 8:59 a.m.

The regular session was called to order by Chairman Hardy at 9:00 a.m. with the following members present, constituting a quorum:

Jay E. Hardy	Chairman
Clark N. Davis	Commissioner
Rich VanDyke	Commissioner
LuAnn Adams	Recorder/Clerk

The prayer was offered by Chairman Hardy.

**APPROVAL OF MINUTES**

**THE MINUTES OF THE REGULAR MEETING OF DECEMBER 18, 2007 WERE APPROVED AS WRITTEN ON A MOTION BY COMMISSIONER VANDYKE, SECONDED BY COMMISSIONER DAVIS AND UNANIMOUSLY CARRIED.**

**AGENDA: ATTACHMENT NO. 1**

**FOLLOW-UP BUSINESS**

Commissioner VanDyke said he had a meeting with the fairgrounds manager and fairboard president on January 7 and discussed the tractor lease. Greenline had submitted a quote. Commissioner VanDyke will contact each of the tractor dealers in the county and go out for bid.

**APPOINTMENT OF COMMISSION CHAIR – CHAIRMAN HARDY**

**MOTION:** A motion was made by Commissioner Davis to appoint Jay Hardy to serve as Commission Chair for 2008. The motion was seconded by Commissioner VanDyke and unanimously carried.

**TRANSFER OF PROPERTY & SETTING OF PUBLIC HEARING – COMMISSIONERS**

Commissioner Davis said there is a building adjacent to the Tremonton City Municipal Offices that is currently used as the Bear River Health Department in Tremonton. The health department has been in the process of negotiating a trade with Tremonton City for other property within the corporate city limits for the construction of a new Box Elder Health Department to be located in Tremonton. This transfer of property is approving the negotiated exchange that has been proposed by the Bear River Health Department (a three-county coalition) who has negotiated with Tremonton City for this exchange. The property is owned in the name of Box Elder County, but it is for the beneficial use of all three counties who are part of the Bear River Health Department District. That is why Box Elder County has not been involved directly in the negotiated exchange. The proposal is to exchange the existing building for acreage that is available from Tremonton City and to pay an additional amount for additional acreage in the amount of \$81,000. The Commission will set up a public hearing for that discussion.

**MOTION:** A motion was made by Commissioner Davis to set a public hearing for January 22 at 9:30 a.m. to consider the transfer of property as previously discussed by the Bear River Health Department and Tremonton City. The motion was seconded by Commissioner VanDyke and unanimously carried.

**WASHAKIE GRAVE YARD – BRUCE G. PARRY**

Mark Bedel, Executive Director for the Northwestern Band of Shoshone Tribe, showed maps of the Washakie Reservation and the Washakie Cemetery. Mr. Bedel pointed out that currently the county owns the cemetery. Mr. Bedel said they are here to ask the county to transfer the cemetery to the Tribe.

**MOTION:** A motion was made by Commissioner Davis to refer this to the County Recorder for researching the history of the property and to evaluate the proper time for a public hearing in regards to the county surplus property policy. The motion was seconded by Commissioner VanDyke and unanimously carried.

**OCS SPECIAL SERVICE DISTRICT – GIL OLGUIN/ROSCOE WOODS**

Gil Olguin, Chairman OCS Capital Group, and Roscoe Woods, Chief Counsel, came before the Commissioners. Mr. Olguin said they are before the Commissioners to revive the petition filed on September 22, 2007 on behalf of their client Majestic Properties and Development LLC. The petition has been amended. The district will not be rezoned. It will remain zoned one-half-acre lots and will remain that way with or without the district. Mr. Olguin said it will be self-sustaining because of the fact there is no land issue. He said the state code allows the County Commission to create the district if 100% of the owners of the private property within the proposed district have signed the petition, and the County Commission does not need a public hearing. The public hearing can be waived because the public hearing is for the property owners. Mr. Olguin said they are talking about tax increment financing to provide the necessary infrastructure and this will not impose a tax burden on the people of Box Elder County. The only people to provide the taxes will be the residents of the proposed district itself. They asked to take the land use petition off the table because there is not going to be any rezoning. The Commissioners have the authority to create the district. The district will be 651 acres and roughly 800 homes. It will be the district's responsibility to provide its own services without having to overburden Box Elder County. They are not asking for one red cent from the Commissioners.

County Planner Kevin Hamilton said it is not necessary to go to the Planning Commission, but he feels it is a huge land use issue. He said creation of a special district may encourage growth before surrounding infrastructure is ready. He is concerned how it will impact the roads between the freeway and the development. He said studies need to be done to see the impact outside of the development.

Mr. Olguin said with economic development growth, the people are going to need a place to live. He said it is important to keep the employees in Box Elder County.

The Commissioners want to know more about what is going to be developed. They would like to see a concept plan.

Mr. Olguin said the group cannot provide a conceptual plan until the studies are complete. He said a conceptual plan today is only Fantasyland. It will change tomorrow.

Roscoe Woods said that within the resolution the County can specify the covenants and conditions the developers must meet. They cannot build houses today and create the district later. They will be taking the economic growth studies to JPMorgan Chase.

Kevin Hamilton said his office would want to provide the Commissioners with information from the counties that have special service districts and also from our special service district consultant.

The Commissioners expressed a desire to get input from the surrounding community.

County Planner Kevin Hamilton made the suggestion the group draft a resolution and the County will have someone review it and come back with their recommendations.

Commissioner Davis explained this was going to take a while. The county will want to do their homework and move cautiously. He said it will also take some time to get input from the community.

Mr. Olguin said they will provide a draft resolution and will pay the bill for a consultant to review the resolution.

**FINANCIAL POLICY & PROCEDURES UPDATE – TOM BENNETT**

County Auditor Tom Bennett stated that by law the Commission sets the financial policy for the county. Mr. Bennett has had a year to go through the policy, and he presented some clarifications and simplifications of the policy. Mr. Bennett asked the Commissioners to review the policy.

**CADASTRAL GRANT/STATE OF UTAH – CHAD MONTGOMERY**

Chad Montgomery presented an agreement between the State of Utah, Department of Technology Services, Automated Geographic Reference Center for an AGRC grant. The funding reimbursement is for the collection and delivery of corner coordinates, and/or construction of digital parcel database. The grant value is \$16,000.

MOTION: A motion was made by Commissioner VanDyke to give approval for the chair to sign the contract with AGRC along with the county's match requirement of \$4,800.00. The motion was seconded by Commissioner Davis and unanimously carried.

**UCIP CONTRACT #08-03 & RESOLUTION #08-01- MONTE MUNNS**

MOTION: A motion was made by Commissioner VanDyke to approve UCIP Contract #08-03 and Resolution #08-01. The motion was seconded by Commissioner VanDyke and unanimously carried.

*(See Attachment No. 2 – UCIP Contract #08-03 & Resolution #08-01.)*

**SET PUBLIC HEARING/PROCTOR & GAMBLE – KEVIN HAMILTON**

Kevin Hamilton and LuAnn Adams were asked to get in touch with representatives from Lewis & Young.

**RENEW CONTRACT #08-01/DOUG WEST – PEGGY MADSEN**

**MOTION:** A motion was made by Commissioner Davis to renew Contract #08-01 with Doug West and to authorize the Commission to sign. The motion was seconded by Commissioner VanDyke and unanimously carried.

**WARRANT REGISTER – COMMISSIONERS**

The Warrant Register was signed and the following claims were approved for payment: Claim 54506 thru 54692 and 200717 in the amount of \$767,725.48. Claims 54348 thru 54505 in the amount of \$276,532.62. Claims 40063, 42083, 43383, 44621, 46129, 47008, 48184, 48723, 49741, 51366, 51050, 53377, 54314, 54428 were voided.

**PERSONNEL ACTIONS – COMMISSIONERS****SHERIFF:**

J. Lynn Yeates, compensation change, Effective 01/01/2008  
Patricia Boham, separation, Effective 12/20/2007  
Lisa Naef, compensation change, Effective 12/02/2007  
Riley Riser, compensation change, Effective 11/30/2007  
Brandon Fuller, compensation change, Effective 12/17/2007  
Paulene, Duran, new hire, Effective 12/17/2007  
James Salvesen, compensation change, Effective 12/25/2007  
Bradley J. Nelson, compensation change, Effective 12/28/2007  
Joseph Curfew, separation, Effective 12/17/2007  
Douglas Spencer, compensation change, Effective 12/23/2007  
Sandra Huthman, compensation change, Effective 12/23/2007

**ASSESSOR:**

Monte Munns, compensation change, Effective 1/1/2008  
Shaun Thornley, compensation change, Effective 1/1/2008  
Robert Tanner, separation, Effective 12/09/2007  
Saundra McNeeley, separation, Effective 12/4/2007

**ATTORNEY:**

Stephen R. Hadfield, compensation change, Effective 1/1/2008

**IT:**

Keith Keller, compensation change, Effective 1/1/2008

**WEED DEPT**

Richard Kent, compensation change, Effective 12/18/2007

**ROAD DEPARTMENT:**

Sterling Robbins, separation, Effective 12/14/2007  
Michael Hoskins, compensation change, Effective 12/11/2007  
E. Shawn Nicholas, re-hire, Effective 12/23/2007

**COMMISSION:**

Clark Davis, compensation change, Effective 1/1/2008  
Jay E. Hardy, compensation change, Effective 1/1/2008  
Richard VanDyke, compensation change, Effective 1/1/2008

**RECORDER/CLERK:**

LuAnn Adams, compensation change, Effective 1/1/2008  
Chad Montgomery, compensation change, Effective 1/1/2008

**FAIRGROUNDS:**

Marie McKinnon, compensation change, Effective 1/1/2008  
Gerald Smith, compensation change, Effective 12/01/2007

**SURVEYOR:**

Brice Lucas, re-hire, Effective 12/31/2007

**AUDITOR:**

Thomas Bennett, compensation change, Effective 1/1/2008

**JUSTICE COURT:**

Kevin Christensen, compensation change, Effective 1/1/2008

**ADJOURNMENT**

A motion was made by Commissioner Davis to adjourn. Commissioner VanDyke seconded the motion, and the meeting adjourned at 12:02 p.m.

**ADOPTED AND APPROVED** in regular session this 15<sup>th</sup> day of January 2008.

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Jay E. Hardy, Chairman

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Clark N. Davis, Commissioner

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Rich VanDyke, Commissioner

ATTEST:

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LuAnn Adams, Recorder/Clerk

The following items were discussed in Administrative /Operational Session after Commission Meeting had adjourned:

1. Personnel Policy – Peggy Madsen

The Administrative/Operational Session adjourned at 3:38 p.m.