

**MINUTES
BOX ELDER COUNTY COMMISSION
MARCH 02, 2010**

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 **MARCH 02, 2010**. The following members were present:

Rich VanDyke	Chairman
Jay E. Hardy	Commissioner
Brian K. Shaffer	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. Fire Service Coverage Outside of Tremonton Boundaries – Shawn Warnke
7. R.V. Park – Commissioner Hardy/Donnie Tarver

The Administrative/Operational Session adjourned at 8:59 a.m.

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

Rich VanDyke	Chairman
Jay E. Hardy	Commissioner
Brian K. Shaffer	Commissioner
LuAnn Adams	Recorder/Clerk

The prayer was offered by Chairman VanDyke.

APPROVAL OF MINUTES

THE MINUTES OF THE REGULAR MEETING OF FEBRUARY 23, 2010 WERE APPROVED AS WRITTEN ON A MOTION BY COMMISSIONER HARDY, SECONDED BY COMMISSIONER SHAFFER AND UNANIMOUSLY CARRIED WITH THE FOLLOWING CORRECTION: UNDER NRCS GRANT IT SHOULD READ, "THE \$6.7M IS 75% OF THE TOTAL GRANT. THE MATCH CONTRIBUTION WOULD BE \$2.5M FOR A TOTAL COST OF \$8.98M.

AGENDA: ATTACHMENT NO. 1**FOLLOW-UP BUSINESS - COMMISSIONERS****R.V. Park – Commissioners**

Chairman VanDyke said when the Commissioners first started looking at the construction of an RV Park, it appeared to be a good deal for Box Elder County. The cost suddenly doubled, and the project either needs to be approved or disapproved.

Commissioner Hardy said U.S. Pipeline was going to give Box Elder County \$175,000 to put an RV Park at the fairgrounds. With the \$175,000 guaranteed, the Commissioners thought it would more than pay for the RV Park. After the hard costs were put together, they came up with a figure of \$450,000 for the first phase and second phase. It is Commissioner Hardy's recommendation to drop the project.

Commissioner Shaffer said when this project was brought before the Commission, it looked like a viable opportunity, but since then the Commissioners have found out that additional costs have been added to make the project cost unprofitable going forward. He said we have learned something from this project and hopefully the county can use our committees and follow the projects in a better order than we approached this project and move on. He is sorry the project has become out of reach for Box Elder County. He said there were some aspects that could have been good, but at the current price, it is too high and we should not go forward.

Chairman VanDyke said this is a heartbreaker. The excitement was there for the creation and a huge benefit for attracting additional venues. There were benefits for the surrounding communities, but in these difficult times, economic difficulties need to be considered.

Buildings and Ground Supervisor Donnie Tarver said one of the reasons this particular situation came about was an opportunity for the county to move on with something that was really positive without knowing all of the numbers. He said going through the process was enlightening and depressing. He said the opportunity is perhaps there to go back and forth with Tremonton City and spread the completion time out; however, the problem is because of the time frame with Ruby Pipeline we must make a decision of moving forward or not. We cannot take a lot of time making the decision or we have lost our opportunity with Ruby Pipeline.

MOTION: A motion was made by Commissioner Hardy to discontinue the RV Park Project. The motion was seconded by Commissioner Shaffer and unanimously carried.

NRCS Meeting – Commissioner Shaffer

Commissioner Shaffer met yesterday with the NRCS regarding grant money available to the Box Elder County Service District No. 1 and the Hansel Valley Watershed District. The NRCS contribution to the emergency watershed project would be \$6.735M. The cash or in-kind contribution would be \$2.245M for a total project cost of \$8.98M. Commissioner Shaffer learned they will cover 100% of the administration costs plus cover the cost of the one-time audit. They also advised them to look at a project manager which would provide income for someone in the county. He said it is not an all or nothing-type thing. Commissioner Shaffer said 100% of the engineering costs will be provided by NRCS and that includes our roads. There was some discussion on how individual farmers could share in the cost. He said 25% of their portion could come from work they do with their equipment or they could provide cash and pay a contractor to do the excavation on their property. The project is going to include mostly cleaning and building levies. Commissioner Shaffer said they will clean a large sediment pond at the head of the Howell Reservoir and maybe some structural work in a place or two that has washed out.

Director of Community Development Kevin Hamilton said he is excited NRCS will pay for all of the engineering costs including the roads. He said one of the benefits is they know what costs can be covered by the grant, and the grant is not all or nothing. The county has about \$900,000 worth of road work that could be covered by this grant and this would equal the county's 25%. Each of the individual farmers will have work on their properties. He said we won't know what the farmers' best solution is until they have done some of the engineering. They will come back and tell us what those costs are, and we can look at the different options for the individual property owners as far as their 25% match. He feels this is the best grant deal he has ever seen.

RESOLUTION #2010-04 APPOINTING BOARD MEMBERS TO SPECIAL SERVICE DISTRICT – LUANN ADAMS

MOTION: A motion was made by Commissioner Shaffer to approve Resolution #2010-04, a resolution appointing and reappointing members to special service districts in Box Elder County. The motion was seconded by Commissioner Hardy and unanimously carried.

(See Attachment No. 2 – Resolution #2010-04.)

SNOW PLOW AGREEMENT/NATIONAL PARK SERVICE – BILL GILSON

Road Supervisor Bill Gilson said the Golden Spike National Monument has submitted an agreement allowing the Golden Spike to take their small snowplow truck during snow storms and come off the hill at the visitor's center and plow down to the Y intersection approximately one-half mile west of the Thiokol Highway. He said part of the county's snowplow plan is to take care of the residential area first, and once the snow plow driver gets done, he goes out to the Spike and hits East Promontory and up to the Visitor's Center. Sometimes they would like to be able to respond to it and get the snow removed a little quicker. Mr. Gilson is all for sharing resources and allowing

people to do a little self-help. He does not see anything wrong with the agreement; it does not take anything away from our right to have say-so over our county roadway. It is only allowing the Park Service to bring their small snowplow truck and knock the slush off. He said they still end up responding out there and salting the road to make sure it is safe and up to our standards. There would be no charge to the county.

MOTION: A motion was made by **Commissioner Hardy** to accept the snowplow agreement between the National Park Service and Box Elder County, subject to final approval by County Attorney Hadfield. The motion was seconded by **Commissioner Shaffer** and unanimously carried.

INTRODUCTION/WILLARD BAY STATE PARK MANAGER – WAYNE MONROE

Wayne Monroe, Willard Bay Park Manager, introduced himself to the Commissioners. He has worked with the state parks for 15 years and was transferred to Willard Bay last year. He said last year was a good year for the Willard Bay Park. Visitation was up approximately 200,000 visitors from previous years. Mr. Monroe said six years prior to last year there was not a lot of water in the bay. He said water looks good this year. They don't have to worry about runoff, and they are expecting another good year with visitors. Mr. Monroe has not heard about the budget for Willard Bay, but the state keeps whittling it down. Admission is \$10.00 for day use and a seasonal pass is \$70.00. It is \$5.00 for seniors. They have three campgrounds, and Mr. Monroe mentioned the park might be interested in working something out with Ruby Pipeline. Mr. Monroe sits on the Box Elder County Tourism Council and has been working with Joan Hammer on an out-of-state marketing program enticing tourists to stay several days. He said there are over 100 volunteers helping to clean up the park. They are putting in dry storage at the park so people won't have to haul their boats back and forth. They are putting in a lot of trees and cleaning up the beach areas.

Chairman VanDyke said Willard Bay is an excellent garden spot for Box Elder County. He said the county has always had a great relationship with the park, and he is anxious to continue that relationship.

Wayne Monroe said they are willing to work with the county.

ACCEPTANCE OF RURAL ROAD IMPROVEMENT AGREEMENT – TAMARA WRIGHT

Director of Community Development Kevin Hamilton said the property has a legal non-conforming lot and two adjoining property owners have homes accessed from it. Instead of a subdivision, they were required to do a Conditional Use Permit in order to build on a lot that is accessed by a private drive. One of the conditions of the CUP is that they enter into a rural road agreement with the county to participate in the cost of improvements, should the county ever need to put the improvements in. Mr. Hamilton said it is in the Beaver Dam area.

MOTION: A motion was made by Commissioner Shaffer to accept the rural road improvement agreement for David C. and Robyn H. Richards Conditional Use Permit. The motion was seconded by Commissioner Hardy and unanimously carried.

SET PUBLIC HEARING/RE-ZONING SOUTH WILLARD PROPERTY – TAMARA WRIGHT

Director of Community Development Kevin Hamilton said they had a request by a property owner in the South Willard area regarding some existing storage sheds that are in a residential zone along Hwy 89. The property owners want to upgrade their site and in order to do that, they will need to rezone the property.

MOTION: A motion was made by Commissioner Hardy to set a public hearing for March 30 at 10:00 a.m. for the re-zoning of the South Willard Property. The motion was seconded by Commissioner Shaffer and unanimously carried.

PROFIT SHARE ADDENDUM – PEGGY MADSEN

Personnel Director Peggy Madsen said with open enrollment came a proposal that Altius would put a cap on raising their insurance rates at 12% for 2011 and if Box Elder County has a good year, they will profit share 50%. Ms. Madsen said the agreement she is presenting is finalizing these stipulations.

MOTION: A motion was made by Commissioner Hardy to accept the profit share addendum between Altius and Box Elder County and allow Chairman VanDyke to sign. The motion was seconded by Commissioner Shaffer and unanimously carried.

Ms. Madsen said a health fair has been scheduled in April for Box Elder County.

WARRANT REGISTER – COMMISSIONERS

The Warrant Register was signed and the following claims were approved for payment: Claims 68574 through 68688 in the amount of \$150,063.96.

PERSONNEL ACTIONS – COMMISSIONERS

SHERIFF DEPT:	Mark Jordan, compensation change, effective 02/12/2010
SHERIFF DEPT:	Scott Young, compensation change, effective 02/25/2010
ROAD DEPT:	Kim Richins, compensation change, effective 02/14/2010
FAIRGROUDS:	Gerald Smith, compensation change, effective 12/01/2009

ADJOURNMENT

A motion was made by Commissioner Hardy to adjourn. Commissioner Shaffer seconded the motion, and the meeting adjourned at 10:03 a.m.

ADOPTED AND APPROVED in regular session this 16th day of March 2010.

Rich VanDyke, Chairman

Jay E. Hardy, Commissioner

Brian K. Shaffer, Commissioner

ATTEST:

LuAnn Adams, Recorder/Clerk

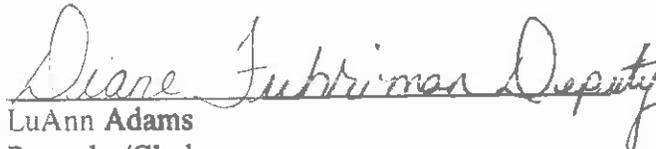
- *9:35 – 9:40 Set Public Hearing/Re-Zoning South Willard Property – Tamara Wright
- *9:40 – 9:45 Profit Share Addendum – Peggy Madsen
- *9:45 – 9:50 Warrant Register & Personnel Actions – Commissioners
- *9:50 – 9:55 Assignment Review – Commissioners

Adjournment

These assigned times may vary depending on length of discussion, cancellation of scheduled agenda items or agenda alteration. Therefore, the times are estimates of the agenda items to be discussed. If you have any interest in any topic, you need to be in attendance at 9:00 a.m.

Prepared and posted this 25th day of February 2010.

Mailed to the Box Elder News Journal, the Leader, and the Standard Examiner this 25th day of February 2010.


LuAnn Adams
Recorder/Clerk

NOTE: Please turn off or silence cell phones and pagers during public meetings

This facility is wheel chair accessible and accessible parking spaces are available. Requests for accommodations or interpretive services must be made three (3) working days prior to this meeting. Please contact the Commission Secretary's office at 734-3347 or FAX 734-2038 for information or assistance.

RESOLUTION NO. 2010-04

A RESOLUTION APPOINTING AND REAPPOINTING MEMBERS TO SPECIAL SERVICE DISTRICTS IN BOX ELDER COUNTY

WHEREAS, it has become necessary for the governing board of Box Elder County to make appointments and reappointments to the various special service districts within the County and

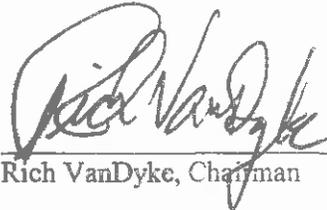
WHEREAS, the appointment and reappointment procedures have been followed according to 1999 Utah Code Unannotated 20A-1-512,

NOW, THEREFORE, BE IT RESOLVED by the Board of County Commissioners of Box Elder County, Utah as follows:

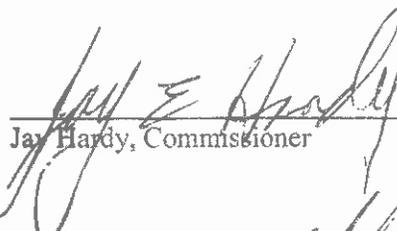
1. Michael Moss and Bruce Pugsley are hereby reappointed to the **Box Elder County Special Service District (Mineral Lease)** for terms of four (4) years to expire on December 31, 2013.
2. Kent Nebeker and Joel Murray are hereby reappointed and Zeke Marshall is appointed to the **Box Elder County and Willard City Flood Control and Drainage District** for terms of four (4) years to expire on December 31, 2013.
3. Guy Ballard and Thayne Hupp are hereby reappointed to the **Hansel Valley Watershed District** for terms of four (4) years to expire on December 31, 2013.
4. Jerry Hirschi, Mark Richards and David Burnett are hereby reappointed to the **Riverside Community Special Service District** for terms of four (4) years to expire on December 31, 2013.
5. Scott Giles and Steve Young are hereby reappointed to the **South Willard Special Service District** for terms of four (4) years to expire on December 31, 2013.
6. Mellonee Wilding, Richard Day and Kent Davis are hereby reappointed to the **South Willard Bay Municipal Special Service District** for terms of four (4) years to expire on December 31, 2013.
7. Roger Burt is hereby reappointed and Randy Winchester is hereby appointed to the **Corinne Cemetery District** for four (4) years to expire on December 31, 2013.
8. Kirk B. Oyler and Craig Sorensen are hereby reappointed to the **East Garland Cemetery District** for terms of four (4) years to expire on December 31, 2013.

9. Jerry Richards and Craig Garn are hereby reappointed to the **Fielding Cemetery District** for a term of four (4) years to expire on December 31, 2013.
10. Larry Pierce and Margaret Ann Udy are hereby reappointed to the **Garland Cemetery District** for terms of four (4) years to expire on December 31, 2013.
11. Jay Tanner and Delma Smith are hereby reappointed to the **Grouse Creek Cemetery District** terms of four (4) years to expire on December 31, 2013.
12. Reggie Petersen is hereby reappointed and Spencer Petersen is hereby appointed to the **Penrose Cemetery District** for a term of four (4) years to expire on December 31, 2013.
13. Dennis Udy is hereby reappointed to the **Plymouth Cemetery District** for a term of four (4) years to expire on December 31, 2013.
14. Robert Gibbs and Todd Gibbs are hereby reappointed to the **Portage Cemetery District** for terms of four (4) years to expire on December 31, 2013.
15. Susan Burnett and Jay Capener are hereby reappointed to the **Riverside Cemetery District** for terms of four (4) years to expire on December 31, 2013.
16. Shirleen Farley and Edwin Summers are hereby reappointed to the **Willard Cemetery District** for terms of four (4) years to expire on December 31, 2013.
17. Wayne Jenson is hereby reappointed to the **Belmont Drainage District** for a term of four (4) years to expire on December 31, 2013.
18. Newell Norman is hereby reappointed to the **Corinne Drainage District** for a term of four (4) years to expire on December 31, 2013.
19. Carl Roberts is hereby reappointed to the **Elwood Drainage District** for a term of four (4) years to expire on December 31, 2013.
20. Chris Barfuss is hereby appointed to the **Iowa String Drainage District** for a term of four (4) years to expire on December 31, 2013.
21. A. Lynn Stander is hereby appointed to the **Tremonton-Garland Drainage District** for a term of four (4) years to expire on December 31, 2013.

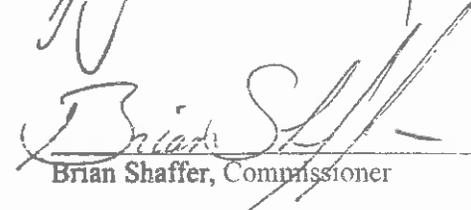
ADOPTED AND APPROVED in regular session this 2nd day of March, 2010



Rich VanDyke, Chairman



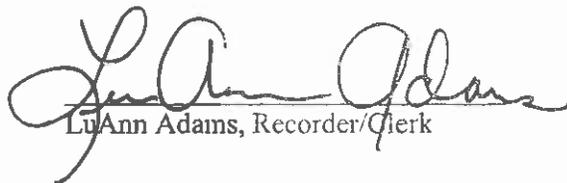
Jay Hardy, Commissioner



Brian Shaffer, Commissioner



ATTEST:



LuAnn Adams, Recorder/Clerk