

**MINUTES
BOX ELDER COUNTY COMMISSION
MARCH 30, 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 30, 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. Central BE Fire District – Robert Thayne, Dave Forsgren, Richard Holmgren

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 Commissioner Hardy.

APPROVAL OF MINUTES

THE MINUTES OF THE REGULAR MEETING OF MARCH 23, 2010 WERE APPROVED AS WRITTEN ON A MOTION BY COMMISSIONER SHAFFER, SECONDED BY COMMISSIONER HARDY AND UNANIMOUSLY CARRIED.

AGENDA: ATTACHMENT NO. 1

FOLLOW-UP BUSINESS - COMMISSIONERS

EWP Funding For Hansel Valley Watershed District & NRCS Contract – Commissioner Shaffer

MOTION: A motion was made by ~~Commissioner Shaffer~~ to bring the tabled motion off the table. The motion was seconded by ~~Commissioner Hardy~~ and unanimously carried.

Commissioner Shaffer said last week there was some concern with the cooperative agreements between NRCS and Box Elder County. He said since last commission meeting there has been discussion with our County Attorney, Eric Johnson, Hansel Valley Watershed District and the Howell Irrigation Company and there have been a couple of changes to the agreement. Commissioner Shaffer reviewed the changes.

MOTION: A motion was made by ~~Commissioner Shaffer~~ to accept the Cooperation Agreements between Box Elder County and NRCS and approve the chair to sign. The motion was seconded by ~~Commissioner Hardy~~ and unanimously carried.

Carl Roberts thanked the Commissioners and NRCS. He said this is a great benefit for the county and the landowners.

Commissioner Shaffer said it has been a huge effort on a lot of people.

Commissioner Hardy gave thanks to NRCS and wished the service districts good luck moving forward.

REAPPOINTMENT/JAY CHRISTENSEN & LAURIE MUNNS TO PLANNING COMMISSION – ELIZABETH RYAN

County Planner Tamara Wright stated that Laurie Munns and Jay Christensen were filling unexpired terms of Planning Commission Members who had resigned. She asked the Commissioners to accept their reappointment.

Chairman VanDyke said the Planning Commission is one of the most responsible committees in the county. They add a lot more citizen involvement and are very important to the managed growth in Box Elder County. He said the Commissioners have a very high degree of respect for those serving.

MOTION: A motion was made by ~~Commissioner Hardy~~ to reappoint Jay Christensen and Laurie Munns to another term on the Planning Commission. The motion was seconded by ~~Commissioner Shaffer~~ and unanimously carried.

ECONOMIC DEVELOPMENT LETTER OF SUPPORT – KEVIN HAMILTON

Director of Community Development Kevin Hamilton said he would like to include a letter of support with the request for information packet he is sending to the Economic Development Corporation of Utah. He said the letter would welcome potential business to Box Elder County and express the Commissioner's support for the project.

Commissioner Shaffer said he feels the county should be aggressive with economic development and a letter would be in the best interest.

MOTION: A motion was made by **Commissioner Hardy** to allow the Director of Community Development to give letters of support as needed to support projects and allow the Commission Chair to sign. The motion was seconded by **Commissioner Shaffer** and unanimously carried.

LETTER OF SUPPORT – NASA/CONSTELLATION PROGRAM – COMMISSIONERS

Chairman VanDyke said in a meeting that representatives of the county attended last week for BRAG. a letter of support was issued by the BRAG organization in support of the NASA Constellation Project. He feels Box Elder County should be issuing a letter of support and requested that Kevin Hamilton put a letter together.

Commissioner Shaffer said the Constellation Project not only supports space but has a great deal to do with national defense as well as things gained for industry and private every day use. He said our county is dependent for economic well being on this program and ATK is important to our county.

MOTION: A motion was made by **Commissioner Shaffer** to send a letter of support for the Constellation Program back to Washington, D.C. to make it known that the Box Elder County Commissioners are concerned about this topic. The motion was seconded by **Commissioner Hardy** and unanimously carried.

SET PUBLIC HEARING/SANDALL RANCHES ROAD VACATE – TAMARA WRIGHT

County Planner Tamara Wright said the county made a road agreement with some landowners in the 1960's, and the agreement never got recorded. She said the road is located north of a gate that runs north and south in T11N R06W Sections 28 and 29. She said the road used to have two 90 degree turns and the county traded land so the county road would have a smoother traffic way. The Planning Commission recommends approval.

MOTION: A motion was made by **Commissioner Shaffer** to set a public hearing for the Sandall/Moulding Road on May 4 at 10:00 a.m. The motion was seconded by **Commissioner Hardy** and unanimously carried.

SET PUBLIC HEARING/COUNTY ROAD VACATE – TAMARA WRIGHT

County Planner Tamara Wright asked the Commissioners to set a public hearing to vacate a section of road in the Mantua Canyon. She said it used to be the old road before the new highway was built. The three abutting property owners are Young Resources LTD, June Baxter and Michael Nelsen. The Planning Commission recommends approval.

MOTION: A motion was made by ~~Commissioner Shaffer~~ to set a public hearing for May 4 at 10:15 regarding a road vacation on the old county road east of SR-91. The motion was seconded by **Commissioner Hardy** and unanimously carried.

DOUG WEST CONTRACT 2010 – PEGGY MADSEN

Personnel Director Peggy Madsen requested a contract with Doug West for a small project with the CIP Committee. She said the request is for up to 30 hours.

MOTION: A motion was made by ~~Commissioner Hardy~~ to accept the contract with Doug West not to exceed 30 hours at a rate of \$85.00 per hour and allow the chair to sign the contract. The motion was seconded by ~~Commissioner Shaffer~~ and unanimously carried.

REQUEST FOR TAX DEFERRAL – DAVID AND GERRI MERRILL

David and Gerri Merrill asked the Commissioners for an extension on their tax deferral and feel confident they will be caught up by the end of 2010.

Commissioner Hardy said the Commissioners do everything in their power to help residents keep their home under the state guidelines. He said if the Commission makes an extension and a payment plan is set up, the minute you miss a payment, your house goes on the tax roll. They reviewed the payments and terms and County Auditor Tom Bennett was asked to write a contract.

MOTION: A motion was made by ~~Commissioner Shaffer~~ to set up a payment plan for \$300 per month until December 31, 2010 for a total of \$2,700 with the option to pay more if possible. The 2010 taxes are to be paid on time and the balance due on the back taxes by December 31, 2010. The motion was seconded by ~~Commissioner Hardy~~ and unanimously carried.

Commissioner Shaffer encouraged David and Jerry Merrill to visit the BRAG Office to receive additional help.

WARRANT REGISTER – COMMISSIONERS

The Warrant Register was signed and the following claims were approved for payment: Claims 69118 through 69230, 990369 through 990377 in the amount of \$214,902.50.

PERSONNEL ACTIONS – COMMISSIONERS

ROAD DEPT: Mike Udy, compensation change, effective 03/15/2010
ROAD DEPT: Mike Hoskins, compensation change, effective 03/20/2010

PUBLIC HEARING/RE-ZONE PROPERTY IN SOUTH WILLARD – COMMISSIONERS

Chairman VanDyke declared the public hearing regarding re-zoning property in South Willard open at 10:00 a.m.

County Planner Tamara Wright explained Michael K. Munsey has petitioned to rezone property at 8823 South Hwy 89 in South Willard from an R120 to a Commercial Enterprise (CE) Zone for storage bays. The Planning Commission has recommended approval.

Chairman VanDyke asked for comments from those in attendance. There were no comments.

MOTION: A motion was made by Commissioner Hardy to close the public hearing. The motion was seconded by Commissioner Shaffer and the public hearing was closed at 10:06 a.m.

MOTION: A motion was made by Commissioner Hardy for approval to rezone to a Commercial Enterprise (CE) Zone. The motion was seconded by Commissioner Shaffer and unanimously carried.

EXECUTIVE SESSION

Strategy session to discuss the purchase, exchange, or lease of real property when public discussion of the transaction would disclose the appraisal or estimated value of the property under consideration or prevent the public body from completing the transaction on the best possible terms.

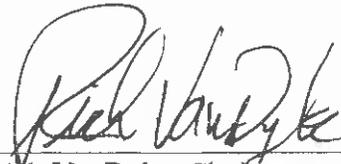
MOTION: At 10:33 a.m. a motion was made by Commissioner Shaffer to move into an executive session to discuss property issues. The motion was seconded by Commissioner Hardy and unanimously carried.

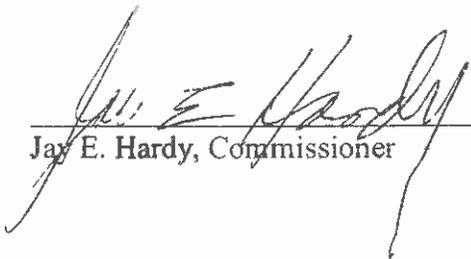
MOTION: At 11:10 a.m. a motion was made by Commissioner Shaffer to reconvene into regular commission meeting. Commissioner Hardy seconded the motion, and regular commission meeting was reconvened.

ADJOURNMENT

A motion was made by Commissioner Shaffer to adjourn. Commissioner Hardy seconded the motion, and the meeting adjourned at 11:11 a.m.

ADOPTED AND APPROVED in regular session this 6th day of April 2010.


Rich VanDyke, Chairman


Jay E. Hardy, Commissioner


Brian K. Shaffer, Commissioner

ATTEST:


LuAnn Adams, Recorder/Clerk

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

1. Burning at Bird Refuge

The Administrative/Operational Session adjourned at 11:25 a.m.

BOX ELDER COUNTY RECORDER/CLERK
Box Elder County Courthouse
01 South Main Street
Brigham City, Utah 84302

NOTICE and AGENDA

Public Notice is hereby given that the Box Elder County Board of County Commissioners will hold an **Administrative/Operational Session** commencing at **8:00 a.m.** and a regular **Commission Meeting** commencing at **9:00 a.m. TUESDAY, MARCH 30, 2010** in the Commission Chambers of the Box Elder County Courthouse, 01 South Main Street, Brigham City, Utah.

Administrative/Operational Session

***8:00 a.m.**

1. Agenda Review/Supporting Documents
2. Commissioners' Correspondence
3. Staff Reports – Agenda Related
4. Correspondence
5. Assignment Review

***8:20 a.m.**

6. Central BE Fire District – Robert Thayne, Dave Forsgren, Richard Holmgren

- *9:00 – 9:05** Call to Order: Chairman VanDyke
Invocation: Commissioner Hardy
Approval of Minutes of March 23, 2010
- *9:05 – 9:10** Follow-Up Business
- *9:10 – 9:15** Reappointment/Jay Christensen & Laurie Munns to Planning Commission –
Elizabeth Ryan
- *9:15 – 9:20** Economic Development Letter of Support – Kevin Hamilton
- *9:20 – 9:30** Letter of Support - NASA/Constellation Program - Commissioners
- *9:30 – 9:35** Set Public Hearing/Sandall Ranches Road Vacate – Tamara Wright
- *9:35 – 9:40** Set Public Hearing/County Road Vacate – Tamara Wright

- *9:40 – 9:45 Doug West Contract 2010 – Peggy Madsen
- *9:45 – 9:50 Request for Tax Deferral – David and Jerry Merrill
- *9:50 – 9:55 Warrant Register & Personnel Actions – Commissioners
- *9:55 – 10:00 Assignment Review – Commissioners
- *10:00 – 10:05 Public Hearing/Re-Zone Property in South Willard - Commissioners

Executive Session

1. Strategy session to discuss the purchase, exchange, or lease of real property when public discussion of the transaction would disclose the appraisal or estimated value of the property under consideration or prevent the public body from completing the transaction on the best possible terms.

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 March 2010.

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