

**MINUTES
BOX ELDER COUNTY COMMISSION
MAY 18, 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 **MAY 18, 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. Discuss Sale of One Acre to West Corinne for a City Building & Shed – Commissioner Hardy

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 Shaffer.

APPROVAL OF MINUTES

THE MINUTES OF THE REGULAR MEETING OF MAY 11, 2010 WERE APPROVED AS WRITTEN ON A MOTION BY COMMISSIONER HARDY, SECONDED BY COMMISSIONER VANDYKE AND UNANIMOUSLY CARRIED.

AGENDA: ATTACHMENT NO. 1

FOLLOW-UP BUSINESS – COMMISSIONERS**Meals-On-Wheels – Chairman VanDyke**

Chairman VanDyke distributed Meals-on-Wheels meals last week in conjunction with Older Americans Month. He said it was an interesting experience and believes it is a good service for the elderly and homebound.

Commissioner Shaffer commented that recently a refrigerator fell over on a lady, and the person delivering the meals-on-wheels found the lady with the refrigerator on top of her and saved her life. He said not only do they deliver the meals, but there is a person coming into the house daily who can check on the person living in the home.

MODIFICATIONS TO NEW JUSTICE COURT BUILDING – DONNIE TARVER

Buildings and Grounds Supervisor Donnie Tarver stated that last week in work session an upgrade was suggested in lieu of having a full-time security staff member. Mr. Tarver said they have readjusted the procedure of how people will enter the justice court building. In order to do that and maintain the integrity and safety for the clerks, the glass, the speakers and the additional plate installed on the clerk's door will help protect the court staff during hours the court is not open but people are coming in to pay fines. He said the upgrade is \$7,903.45. This upgrade met the standards that the Sheriff's Department requested.

MOTION: A motion was made by Commissioner Shaffer to approve the additional security upgrade for the justice court receiving area. The motion was seconded by Commissioner Hardy and unanimously carried.

ADOPTION OF COMPUTER ASSISTED MASS APPRAISAL SYSTEM RESOLUTION – MONTE MUNNS

Assessor/Treasurer Monte Munns said there is a group of people at the legislature that are fascinated with property tax and trying to tweak it and make the value closer. One of the things that has been a concern is that counties have the proper appraisal software to do the job that is needed. They are most concerned with 1st and 2nd Class Counties. The Computer Assisted Mass Appraisal System is able to come up with better values. In this last legislative session a bill was passed requiring First, Second and Third Class Counties to go to the CAMA System. The multi-county trust is in charge of putting the RFP out to bid, and CCI was awarded the bid. The county's implementation date is August 2011. Mr. Munns said when the county purchased our county-wide system from Tyler Technologies, one of the selling points was that Tyler has the ability to interface with CCI. We were not charged for the software, only the training package. The levy on the assessing and collecting was changed to create the fund for the software.

Chairman VanDyke has had frustration with the level of involvement the state has had in terms of the multiplicity, yet we all have to answer to the state and there has not been anything uniform that would supply the state with what they wanted. He said hopefully this is a move in that direction.

Monte Munns said at least the appraisal software will be more standard throughout the state.

MOTION: A motion was made by **Commissioner Hardy** to adopt Resolution No. 10-07, a resolution regarding the implementation schedule for the Multi-County Appraisal Trust (MCAT) Computer Assisted Mass Appraisal System (CAMA). The motion was seconded by **Commissioner Shaffer** and unanimously carried.

(See Attachment No. 2 - Resolution No. 10-07.)

LETTER REQUESTING WATER TAP FROM WEST CORINNE WATER FOR U.S. PIPELINE – COMMISSIONER HARDY

Commissioner Hardy said he met with the West Corinne Water Company a week ago regarding a water tap. They are concerned with the amount of water and what the use would be and what would happen to the tap after Ruby Pipeline and U.S. Pipeline go away. Commissioner Hardy then read the following letter:

(See Attachment No. 3 - Letter.)

MOTION: A motion was made by **Commissioner Shaffer** to authorize Commissioner Hardy to sign the letter and send it to the West Corinne Water Company. The motion was seconded by **Commissioner Hardy** and unanimously carried.

ORDINANCE #336/VACATING ABANDONED PORTIONS OF 400 WEST ALONG HWY 30 NEAR BEAVER DAM – KEVIN HAMILTON

Director of Community Development Kevin Hamilton said it was discovered there would not be a quorum on June 8th, so the public hearing regarding surplus property in Garland needs to be rescheduled.

MOTION: A motion was made by **Commissioner Hardy** to reschedule the public hearing for surplus property in Garland on June 15 at 10:00 a.m. The motion was seconded by **Commissioner Shaffer** and unanimously carried.

Director of Community Development Kevin Hamilton said in preparing for this ordinance they were double checking, and the state has some notice requirements that were not met. There were some technicalities found and it was determined that we need to re-notice this public hearing. He said the same technicality was found on three other public hearings. Mr. Hamilton said to make sure we fulfill every detail in the state code, he recommended rescheduling the public hearings.

MOTION: A motion was made by **Commissioner Shaffer** to set a public hearing regarding a road vacation on 400 West along Hwy 30 near Beaver Dam for June 29 at 10:00 a.m. The motion was seconded by **Commissioner Hardy** and unanimously carried.

MOTION: A motion was made by **Commissioner Hardy** to set a public hearing regarding the vacation of alleyways in Riverside for June 29 at 10:01 a.m. The motion was seconded by **Commissioner Shaffer** and unanimously carried.

MOTION: A motion was made by **Commissioner Shaffer** to set a public hearing regarding a portion of the old county road located within the SW/4 of Section 10 Township 09 North Range 01 West in the Mantua on June 29 at 10:03 a.m. The motion was seconded by **Commissioner Hardy** and unanimously carried.

MOTION: A motion was made by **Commissioner Hardy** to set a public hearing regarding the vacation of a portion of the Sand Hollow Road extending northerly from the intersection of 22000 West Street and Sunset Pass Road, portions of which may be located in Sections 28 and 29 on June 29 at 10:05. The motion was seconded by **Commissioner Shaffer** and unanimously carried.

ANNUAL PRESENTATION OF BEAR RIVER MENTAL HEALTH AREA PLAN – REED ERNSTROM

Reed Ernstrom, CEO, reviewed the plan and services Bear River Mental Health provides. He mentioned they were jointly working with the Bear River Health Department to get a facility in Tremonton. He told the Commissioners he appreciates their support. He said there are tendencies to just look at charts and statistics, but behind the statistics are people and with a little bit of support, they are able to lead productive lives.

Chairman VanDyke said the bulk of the public does not understand a lot of the problems being dealt with on a daily basis. He said as a Commissioner sitting on the Mental Health Board he has been able to see people progress through the system and to be able to provide for themselves. He said it is heartwarming. He has seen the benefits of the mental health and drug courts. People have been able to go through those courts and avoid jail and their outcome is far better. He said being involved on the Mental Health Board has been a pleasant assignment.

PUBLIC HEARING/TEXT AMENDMENT GENERAL INDUSTRIAL ZONE – COMMISSIONERS

Chairman VanDyke opened the public hearing regarding a text amendment to the county zoning ordinance at 10:00 a.m.

(See Attachment No. 4 – Attendance List.)

Director of Community Development Kevin Hamilton said this is an amendment to the county zoning ordinance. He said in our commercial or general manufacturing zone, it doesn't list exploration wells for geothermal uses or geothermal power plants as a use. Mr. Hamilton said the county received a petition from Procter & Gamble to allow for geothermal exploration as a permitted use and as a conditional use to allow for the use of geothermal energy for production of power. The Planning Commission had a unanimous recommendation.

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

MOTION: A motion was made by Commissioner Shaffer to close the public hearing. The motion was seconded by Commissioner Hardy and unanimously carried. The public hearing was closed at 10:02 a.m.

MOTION: A motion was made by Commissioner Shaffer to authorize our Box Elder County Planner to prepare an ordinance amending the zoning ordinance to allow exploration of geothermal resources as a permitted use and the production and the use of those resources as a conditional use. The motion was seconded by Commissioner Hardy and unanimously carried.

Chairman VanDyke is excited because Box Elder County has an abundance of this energy resource and it needs to be tapped.

Commissioner Shaffer appreciates the partner that P&G has been. He likes the way they interact with our community. He thanked them for being a good neighbor.

RECESS

A motion was made by Commissioner Hardy to take a recess. The motion was seconded by Commissioner Shaffer and unanimously carried. The Commissioners took a recess at 10:03 a.m. and reconvened at 10:10 a.m.

PUBLIC HEARING/AG LEASE AGREEMENT/MCKAY ALLRED – COMMISSIONERS

Chairman VanDyke opened the public hearing regarding an agriculture lease agreement with McKay Allred at 10:10 a.m.

(See Attachment No. 5 – Attendance List.)

Director of Community Development Kevin Hamilton said the county owns a piece of property near the Plymouth area and McKay Allred would like to lease the property as an agricultural use. One of the requirements before granting an agriculture lease is to hold a public hearing.

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

MOTION: A motion was made by **Commissioner Shaffer** to close the public hearing. The motion was seconded by **Chairman VanDyke** and unanimously carried. The public hearing was closed at 10:15 a.m.

MOTION: A motion was made by **Commissioner Shaffer** to accept the agriculture lease with McKay Allred, subject to review by Attorney Stephen Hadfield. The motion was seconded by **Chairman VanDyke** and unanimously carried.

WARRANT REGISTER – COMMISSIONERS

The Warrant Register was signed and the following claims were approved for payment: Claims 69899 through 70050 in the amount of \$235,839.48. Claims 69576, 69750 and 69899 were voided.

PERSONNEL ACTIONS – COMMISSIONERS

SHERIFF'S DEPT: Jennifer Noble, separation, effective 05/12/2010
SHERIFF'S DEPT: Spencer Smith, compensation change, effective 04/10/2010
SHERIFF'S DEPT: Todd Hurd, compensation change, effective 05/10/2010

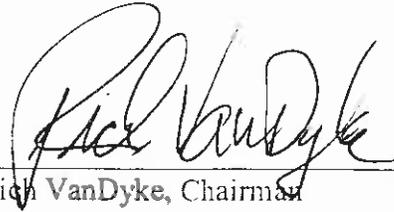
ASSIGNMENT REVIEW – COMMISSIONERS

Commissioner Hardy commented on a non-conforming business in Beaver Dam. He said it has gone through the court, and in the judgment the property owner has agreed to move the stuff off the property.

ADJOURNMENT

A motion was made by **Commissioner Shaffer** to adjourn. **Commissioner Hardy** seconded the motion, and the meeting adjourned at 10:30 a.m.

ADOPTED AND APPROVED in regular session this 25th day of May 2010.


Rich VanDyke, Chairman

Jay E. Hardy, Commissioner


Brian K. Shaffer, Commissioner



ATTEST:


LuAnn Adams, Recorder/Clerk

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

County Visit from UCIP – Monte Munns/ Peggy Madsen

The Administrative/Operational Session adjourned at 11:18 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, MAY 18, 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. Discuss Sale of One Acre to West Corinne for a City Building & Shed –
Commissioner Hardy

- *9:00 – 9:05** Call to Order: Chairman VanDyke
Invocation: Commissioner Shaffer
Approval of Minutes of May 11, 2010
- *9:05 – 9:10** Follow-Up Business
- *9:10 – 9:20** Modifications to New Justice Court Building – Donnie Tarver
- *9:20 – 9:30** Adoption of Computer Assisted Mass Appraisal System Resolution –
Monte Munns
- *9:30 – 9:40** Letter Requesting Water Tap from West Corinne Water for U.S. Pipeline –
Commissioner Hardy
- *9:40 – 9:45** Ordinance #336/Vacating Abandoned Portions of 400 West Along Hwy 30
Near Beaver Dam – Kevin Hamilton

- *9:45 – 10:00 Annual Presentation of Bear River Mental Health Area Plan – Reed Ernstrom
- *10:00 – 10:10 Public Hearing/Text Amendment General Industrial Zone – Commissioners
- *10:10 – 10:20 Public Hearing/Ag Lease Agreement/McKay Allred – Commissioners
- *10:20 – 10:25 Warrant Register & Personnel Actions – Commissioners
- *10:25 – 10:30 Assignment Review – Commissioners

Adjournment

Work Session

1. County Visit from UCIP – Monte Munns/Peggy Madsen

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 13th day of May 2010.

Mailed to the Box Elder News Journal, the Leader, and the Standard Examiner this 13th day of May 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.

**Multi-County Appraisal Trust (MCAT)
Computer Assisted Mass Appraisal System (CAMA)**

Introduced by: Art Partridge, President
Subject: Implementation Schedule Resolution
County: Box Elder

WHEREAS, the State Legislature has mandated that all counties shall annually update property values based on a systematic review of current market data using a mass appraisal system over the next five years; and

WHEREAS, a county faces a significant loss of revenue from the multi-county assessing and collecting levy if it fails to comply with the statistical measures of appraisal performance related to 59-2-303.1(4)(c); and

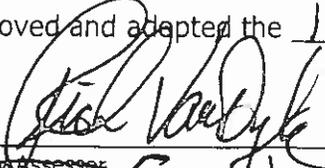
WHEREAS, funding to implement the statewide CAMA system used to accurately value property, establish and maintain a uniform level of assessment among counties, and to insure the efficient administration of the property tax system has been provided to counties through the multi-county assessing and collecting funds allocated to MCAT in 59-2-1606(3)(a); and

WHEREAS, MCAT has been granted authority to determine which projects shall be funded and to oversee the administration of the statewide CAMA system;

THEREFORE BE IT RESOLVED that the governing body and the county assessor:

1. Seek approval to participate in the funding for the statewide CAMA system from MCAT;
2. Request funding to be provided in the year 2011;
3. Agree that MCAT will pay for the acquisition of the following software: RealWare, Marshall & Swift cost module, Apex sketching module, up to two SPSS licenses, services, conversions and customization as defined in the UAC contract with CCI, training as defined in the UAC contract with CCI, and annual maintenance and support costs for RealWare, Marshall & Swift cost module, and Apex; and
4. Certify that the county will have sufficient funds and other resources to implement and operate the CAMA system after it is installed.

Approved and adopted the 18 day of May, 2010



County Assessor

County Commission Chair

RealWare Installation Schedule

COUNTY	Total	Class	System	Section	CCI Parcel	Project	MCAT	Annual	Group	Year
IRON	43,690	3	Tyler	5	43,690	\$267,383	\$267,383	\$31,457	0	2010
MILLARD	15,364	4	Tyler	3	35,000	\$214,200	\$214,200	\$25,200	0	
BOX ELDER	43,486	3	Tyler	1	43,486	\$266,134	\$266,134	\$31,310	1	August 2011
TOOELE	25,204	3	Tyler	1	40,000	\$244,800	\$244,800	\$28,800	1	
SUMMIT	35,797	3	Tyler	2	40,000	\$244,800	\$244,800	\$28,800	1	
SEVIER	16,569	4	Tyler	3	35,000	\$214,200	\$214,200	\$25,200	2	December 2011
JUAB	8,996	5	Tyler	3	30,000	\$183,600	\$183,600	\$18,000	2	
KANE	19,344	5	Tyler	5	30,000	\$183,600	\$183,600	\$21,600	2	
WASATCH	19,838	4	Pams	2	35,000	\$214,200	\$214,200	\$25,200	3	June 2012
MORGAN	6,494	5	Pams	2	30,000	\$183,600	\$183,600	\$18,000	3	
SANPETE	28,819	4	Pams	3	35,000	\$214,200	\$214,200	\$25,200	3	
CACHE	40,614	3	In House	1	40,614	\$248,558	\$248,558	\$29,242	4	December 2011
CARBON	14,523	4	Pams	4	35,000	\$214,200	\$214,200	\$25,200	4	
EMERY	9,088	5	Pams	4	30,000	\$183,600	\$183,600	\$18,000	4	
GRAND	6,503	5	Pams	4	30,000	\$183,600	\$183,600	\$18,000	4	
SAN JUAN	7,786	4	Pams	6	35,000	\$214,200	\$214,200	\$25,200	4	
GARFIELD	9,447	5	Pams	6	30,000	\$183,600	\$183,600	\$18,000	4	
DUCHESNE	32,219	4	M&S Singer	2	35,000	\$214,200	\$214,200	\$25,200	5	June 2013
RICH	9,545	6	M&S Singer	2	20,000	\$122,400	\$122,400	\$18,000	5	
DAGGETT	3,051	6	M&S Singer	2	20,000	\$122,400	\$122,400	\$18,000	5	
BEAVER	8,086	5	M&S Singer	3	30,000	\$183,600	\$183,600	\$18,000	6	December 2013
PIUTE	2,747	6	M&S Singer	3	20,000	\$122,400	\$122,400	\$18,000	6	
WAYNE	4,009	6	M&S Singer	4	20,000	\$122,400	\$122,400	\$18,000	6	
UTAH	162,202	2	CCI	1	162,202	\$1,000,000	\$0	\$116,785		Completed
DAVIS	92,029	2	CCI	1	92,029	\$563,217	\$217,798	\$66,261		
WEBER	91,716	2	CCI	1	91,716	\$561,302	\$361,302	\$66,036		
SALT LAKE	430,000	1	CCI	1	430,000	\$0	\$0	\$258,000		
UINTAH	21,568	4	CCI	2	35,000	\$214,200	\$214,200	\$25,200		
WASHINGTON	75,501	2	CCI	5	75,501	\$462,066	\$0	\$54,361		

COUNTY COMMISSIONERS
JAY HARDY
RICH VANDYKE
BRIAN K. SHAFFER



OFFICERS
THOMAS H. BENNETT, AUDITOR
LUANN ADAMS, RECORDER-CLERK
J. LYNN YEATES, SHERIFF
STEPHEN R. HADFIELD, ATTORNEY
MONTE R. MUNNS, ASSESSOR-TREASURER
KEVIN R. CHRISTENSEN, JUSTICE COURT JUDGE

May 12, 2010

West Corinne Water Company
% Curtis Marble
178 North 6800 West
Corinne, UT 84307

Dear West Corinne Water Company Board Members:

We, the Box Elder County Commissioners, are requesting the right to purchase a water tap on 40 acres located in the Corinne area, more specifically described in Exhibit "A". The County intends to temporarily lease the tap to U.S. Pipeline for use in a construction yard located on the property. The tap will be utilized for up to 14 months, with the bulk usage for approximately seven (7) months, during the construction of the Ruby Pipeline.

The water tap usage would be for 30,000 gallons per month strictly for potable water for the filling of containers for the work force and use of the office, which is to be located on site. It will NOT be used for the washing of vehicles; another source of non-potable water will be used for this.

Following the construction, the County will maintain ownership of the tap and will not use it without first going to the Corinne Water Company Board.

Thank you, board members, for your consideration.

Respectfully yours,

A handwritten signature in black ink, appearing to read "Jay Hardy", is written over a printed name.

Jay Hardy
Box Elder County Commission

EXHIBIT A

Parcel # 04-069-0016

Beginning at the Southeast Corner of the Northeast Quarter of Section 24, Township 10 North, Range 3 West, SLM, thence South 89 degrees 42'20" West 2595 feet to the East line of Highway 84; thence North along said line, 654.2 feet, thence North 89 degrees 41'20" East 2280 feet to the Bank of Malad River, thence following the Bank of River Southeasterly to a point 210 feet North of point of beginning, thence South 210 feet to the point of beginning.

PUBLIC HEARING
BOX ELDER COUNTY

Date: 5-18-2010

Text Amendment General Industrial Zone

NAME (Please Print)

ORGANIZATION

ADDRESS/TELEPHONE

Lori Hunsaker News Journal

BILL ARMSTRONG P+G

Joe Toman P+G

MATTHEW DENTONIER P+G

Amy Macaranta Standard.

PUBLIC HEARING
BOX ELDER COUNTY

Date: 5-18-2010

Ag lease Agreement / McKay Allred

NAME (Please Print)

ORGANIZATION

ADDRESS/TELEPHONE

<u>NAME (Please Print)</u>	<u>ORGANIZATION</u>	<u>ADDRESS/TELEPHONE</u>
Lori Munsaker	BENV	
BILL ARMSTRONG	P+G	
JOE TAMON	P+G	
Amy Macaninta	Standard Ex	