

**MINUTES
BOX ELDER COUNTY
PLANNING COMMISSION
MARCH 16, 2006**

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The Board of Planning Commissioners of Box Elder County, Utah met in the County Commission Chambers at 7:00 p.m. The following members were present constituting a quorum:

Richard Kimber	Chair
Jon Thompson	Member
Richard Day	Member
David Tea	Member
Clark Davis	Excused
Theron Eberhard	Member
Chad Munns	Excused

The following Staff was present:

Garth Day	County Planner	Amy Hugie	County Attorney
Elizabeth Ryan	Secretary	Donnie Tarver	County Inspector

Chairman Richard Kimber called the session to order at 7:00 p.m.

The *Minutes* of the regular meeting held on February 16, 2006 were made available to the Planning Commissioners prior to their meeting (March 16, 2006). Two minor errors were pointed out for correction and a motion was made by Commissioner David Tea to accept the Minutes with correction as written. Commissioner Theron Eberhard seconded the motion and it passed unanimously.

Citizen Present for the Planning Commission Meeting

Jon Bunderson/I-Care	45 North 100 East; Brigham City
Scott Ferin/I-Care	PO Box 902, Welton, AZ
Debbie Andreasen	Tremonton Leader, 119 East Main St.; Tremonton, UT

PUBLIC HEARING

I-CARE CONDITIONAL USE PERMIT AND SITE PLAN REVIEW LOCATED IN THE LUCIN VALLEY

The Public Hearing was opened at 7:08 p.m. by Chairman Kimber to receive any comments. Staff reviewed this Conditional Use Permit to be located in the southwest desert approximately six miles southwest of Lucin. The area is zoned as MU160 and this type of use is permitted within the area.

Access will be by a private road off of the Little Pigeon Road. In order for the I-Care facility to receive a CUP there are conditions that need to be met. Those include: 1) Bear River Health Department approval for all culinary water and septic systems; 2) Box Elder County Building Department to approve all construction at the site; 3) approval from the Box Elder County Fire Marshall; 4) secure all permits needed from the State of Utah within a 180 day time-frame; 5) a business license from Box Elder County within 180 days also. It is also recommended that the number of residents at the facility be limited 300 (which would include residents and staff); also there needs to be someone that is CPR certified on site at all times. Questions and concerns from the planning commissioners included:

- **Chairman Kimber** asked about the location of the Sun Tunnels in conjunction to this facility. It was thought to be between three and four miles south and east.
- **Commissioner David Tea** asked about periodical reviews of the CUP. It was suggested that perhaps each phase of the facility could be presented to the Commission for an update/report.

Attorney Jon Bunderson responded to these questions/concerns and *Mr. Scott Ferin* of I-Care stated the facility that is currently in Arizona has four phases; from incarceration into the program . . .to training all the way through to the end of the two years and they are ready to enter into the job market and use the education that they have acquired while with I-Care. There is also a prevention part of the program that will work with the local high schools. Job training, social skills, character development and ultimate job placement are the ultimate goals of the program. Those that are currently being sent to the program are domestic violence cases, DUI cases, and some meth related cases.

- **Chairman Kimber** again asked about the definition of “non-violent” cases.

Jon Bunderson stated that the inmates are recommended by the courts through the judge and also the prosecutors. Most of those that are put into the program will probably be in jail for a time before they are able to go into the program. Once they are recommended for the program, the personnel from I-Care will be able to determine whether or not that person is suited for the program. No one will be forced upon them. Probably a violent offender would be someone that used a weapon in a violent crime; beyond that they would be looking at the individual and the recommendation of the judge and the prosecutor and those in charge at I-Care.

- Donnie Tarver asked about the building of the various phases. Would there be qualified builders . . . in state or out of state contractors. Because of the distance of the location it would be difficult to visit the site on a daily basis for inspection.

Scott Ferin stated that there would be local contractors hired to help with the building, but the clients will be actively involved in the construction of the facility. All of the buildings will be built to the necessary specifications and proper inspection done. Inspections will be done by those with licenses able to do so for electrical and other necessary utilities.

MOTION: A motion was made by **Commissioner Theron Eberhard** to close the Public Hearing. The motion was seconded by **Commissioner David Tea** and passed unanimously.

MOTION: A motion was made by **Commissioner Theron Eberhard** to recommend to the County Commission granting the Conditional Use Permit for the I-Care facility with the following conditions:

1. Bear River Health Department approval for all culinary water and septic systems
2. Box Elder County Building Department to approve all construction at the site
3. Approval from the Box Elder County Fire Marshall
4. Secure all permits needed from the State of Utah within a 180 day time-frame
5. Obtaining a business license from Box Elder County within 180 days also.
6. Also recommended that the number of residents at the facility be limited to 300 (which would include residents and staff); also there needs to be someone that is CPR certified on site at all times.
7. Update the Planning Commission at the beginning of each phase of the development of the facility.

The Motion was seconded by **Commissioner David Tea** and passed unanimously.

COMMON CONSENT

A Public Hearing will be held on April 20, 2006 at 7:00 p.m. for the **LISH, One-Lot Subdivision**, located at or about 5440 West 6400 North in the Tremonton area and the **STAN CLARK 3-Lot Subdivision** located at or about 14900 North 6000 West in the Garland area. A Motion was made by **Commissioner Richard Day** and seconded by **Commissioner Jon Thompson** to set the Public Hearing for April 20, 2006. The Motion passed unanimously.

NEW BUSINESS -- None

UNFINISHED BUSINESS

WORKING REPORTS

The South Willard Planning Committee will be presenting their recommendations and findings to the Planning Commission at a work session on Tuesday, April 11, 2006.

The Planning & Zoning Conference will be held on Thursday, April 6, 2006 from 8:30 a.m. to 4:30 p.m. at Utah County's New Health & Justice Building in Provo. **Commissioners Richard Kimber, David Tea** and (possibly) **Richard Day** indicated interest in attending.

PUBLIC COMMENTS



The Planning Commission meeting was adjourned with a motion by Commissioner Theron Eberhard at approximately 7:50 p.m.

Passed and adopted in regular session this 20th day of April 2006.

Richard Kimber, Chairman
Box Elder County
Planning Commission