

**MINUTES  
BOX ELDER COUNTY COMMISSION  
OCTOBER 05, 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 **OCTOBER 05, 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. Reclassification Request – Peggy Madsen
7. Geneva Rock Products – 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 Hardy.

**APPROVAL OF MINUTES**

**THE MINUTES OF THE REGULAR MEETING OF SEPTEMBER 28, 2010 WERE APPROVED AS WRITTEN ON A MOTION BY COMMISSIONER SHAFFER, SECONDED BY COMMISSIONER HARDY AND UNANIMOUSLY CARRIED WITH THE FOLLOWING CHANGE: THE WORD "AGAINST" TO BE ADDED TO THE FIRST SENTENCE OF THE SECOND PARAGRAPH ON PAGE 4.**

**AGENDA: ATTACHMENT NO. 1****FOLLOW-UP BUSINESS – COMMISSIONERS****Tourism Board Report – Commissioner Shaffer**

Commissioner Shaffer said the Tourism Board met yesterday, and they have been petitioned to help with improvements on the Spiral Jetty Road so it could improve access to a tourism point in our county. Commissioner Shaffer said there were some remaining funds in this year's grant monies. They were asked to review the idea of participating in the upgrade or repair of the road to allow tourists access to the Spiral Jetty. The Tourism Board approved \$18,000 of tourism grant money to go towards the grinding and building up of the Spiral Jetty Road which will enable the road department to put a thin layer of road base over the top.

**Emergency Watershed Grant Project – Commissioner Shaffer**

Commissioner Shaffer reported that we are getting to the point of awarding contracts for the Emergency Watershed Grant Project and finalizing comments to the service districts. He said we have gotten many easements and hope to get a few more to accomplish the project in an organized and timely manner. Commissioner Shaffer presented an agreement. Box Elder County had to enter into an agreement with NRCS in order to access federal monies for this project. He said we have two special service districts in place, and it was Box Elder County's intent to have them be responsible for the operation and maintenance of these structures once they are repaired.

**MOTION:** A motion was made by **Commissioner Shaffer** that we authorize the chair to sign the Box Elder County Special Service District No. 1 Operation and Maintenance agreement between Box Elder County and Box Elder County Special Service District No. 1, which will pass the liability from the county to the service district. The motion was seconded by **Commissioner Hardy** and unanimously carried.

**AWARD NRCS PACKAGE E – BRENT SLATER**

County Surveyor Brent Slater said on September 28 bids were opened for the Hansel Valley Watershed Improvements Package E. Five bids were received. Mr. Slater said they checked all of the bids and found one error in the AAA Excavation bid, but it did not affect the outcome of the bids. He recommended awarding the contract to Staker Parson Company in the amount of \$569,941.20.

**MOTION:** A motion was made by **Commissioner Shaffer** to accept the recommendation of Brent Slater, Jones and Associates, to award the Hansel Valley Watershed Improvements Package E to Staker Parson Company in the amount of \$569,941.20. The motion was seconded by **Commissioner Hardy** and unanimously carried.

**APPLICATION FOR CLASS C BEER LICENSE – LUANN ADAMS**

**MOTION:** A motion was made by **Commissioner Shaffer** to approve the Class C Beer License for Grouse Creek Gone County. The motion was seconded by **Commissioner Hardy** and unanimously carried.

**DAVIS RANCH SUBDIVISION – KEVIN HAMILTON**

Director of Community Development Kevin Hamilton presented the Davis Ranch Subdivision which is a one-lot subdivision located at 4120 North 2800 W. He also asked for the approval of a rural road agreement.

**MOTION:** A motion was made by **Commissioner Hardy** to accept the Davis Ranch Subdivision and rural road agreement and allow the chair to sign. The motion was seconded by **Commissioner Shaffer** and unanimously carried.

**WARRANT REGISTER – COMMISSIONERS**

The Warrant Register was signed and the following claims were approved for payment: Claims 72378 through 72506 in the amount of \$568,428.19. Claim 72228 was voided.

**EXECUTIVE SESSION**

**Strategy session to discuss the sale of real property when: value would be disclosed, notice of sale had been given, terms of sale are disclosed.**

**Discussion of character, professional competence or physical or mental health of an individual.**

**Strategy sessions for “imminent” litigation.**

**MOTION:** At 9:40 a.m. a motion was made by **Commissioner Shaffer** to move into an executive session to discuss the sale of real property, pending litigation and personnel issues. The motion was seconded by **Chairman VanDyke** and unanimously carried.

**MOTION:** At 11:20 a.m. a motion was made by **Commissioner Hardy** to reconvene into regular commission meeting. **Commissioner Shaffer** seconded the motion, and regular commission meeting was reconvened.

Chairman VanDyke explained that there was a discussion of the sale of real property, pending litigation and personnel matters.

**ADJOURNMENT**

A motion was made by **Commissioner Hardy** to adjourn. **Commissioner Shaffer** seconded the motion, and the meeting adjourned at 11:21 a.m.

**ADOPTED AND APPROVED** in regular session this 12th day of October 2010.

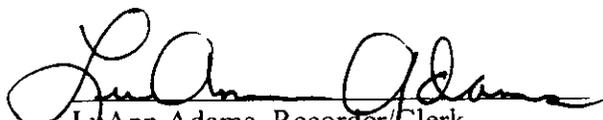
  
\_\_\_\_\_  
Rich VanDyke, Chairman

  
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Jay E. Hardy, Commissioner

  
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Brian K. Shaffer, Commissioner



ATTEST:

  
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LAnn Adams, Recorder/Clerk

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, OCTOBER 5, 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. Geneva Rock Products – Commissioner Hardy

- \*9:00 – 9:05      Call to Order: Chairman VanDyke  
Invocation: Commissioner Hardy  
Approval of Minutes of September 28, 2010
- \*9:05 – 9:10      Follow-Up Business
- \*9:10 – 9:15      Award NRCS Package E – Brent Slater
- \*9:15 – 9:20      Application for Class C Beer License – LuAnn Adams
- \*9:20 – 9:25      Davis Ranch Subdivision – Kevin Hamilton
- \*9:25 – 9:30      Warrant Register & Personnel Actions – Commissioners
- \*9:30 – 9:35      Assignment Review – Commissioners

Executive Session

1. Strategy session to discuss the sale of real property when: value would be disclosed, notice of sale had been given, terms of sale are disclosed.

**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 30<sup>th</sup> day of September 2010.

Mailed to the Box Elder News Journal, the Leader, and the Standard Examiner this 30<sup>th</sup> day of September 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.**