

**MINUTES  
BOX ELDER COUNTY COMMISSION  
JANUARY 06, 2009**

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 **JANUARY 06, 2009**. 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. Courthouse Outside Property – Donnie Tarver
7. iWorq Software/Fleet Management – Jenica Child
8. Capital Improvement Committee – Peggy Madsen

The work session adjourned at 8:59 a.m.

The regular session was called to order by Chairman Hardy 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 VanDyke.

**APPROVAL OF MINUTES**

**THE MINUTES OF THE REGULAR MEETING OF DECEMBER 16, 2008 WERE APPROVED AS WRITTEN ON A MOTION BY COMMISSIONER VANDYKE, SECONDED BY CHAIRMAN HARDY AND UNANIMOUSLY CARRIED.**

**AGENDA: ATTACHMENT NO. 1**

**APPOINT COMMISSION CHAIRMAN – CHAIRMAN HARDY**

MOTION: A motion was made by Chairman Hardy to appoint Commissioner VanDyke to be the new chair. The motion was seconded by Commissioner Shaffer and unanimously carried.

Commissioner VanDyke said he was humbled and would be honored to be the chair and wanted to recognize the efforts of Chairman Hardy and the direction he has taken the commission over the last two years.

**DISCUSSION OF ASSIGNMENTS – CHAIRMAN HARDY**

This item was cancelled.

**PRESENTATION OF PILT CHECK – RON HODSON**

Ron Hodson said he is before the commission on behalf of the Division of Wildlife to present the annual PILT payment. Mr. Hodson said the state owns a lot of land in Box Elder County which is removed from the tax rolls. The land is important to the wildlife and to the many hunters and anglers in Box Elder County. He then presented the commissioners with a check in the amount of \$11,049.88.

MOTION: A motion was made by Commissioner Hardy to accept the 2008 contractual in-lieu of tax payment on land the Division of Wildlife Resources owns in Box Elder County and allow Chairman VanDyke to sign the document of acceptance. The motion was seconded by Commissioner Shaffer and unanimously carried.

**FAST STOP & RIVERSIDE CORNER/CLASS C BEER LICENSE RENEWAL – LUANN ADAMS**

MOTION: A motion was made by Commissioner Shaffer to renew Class C Beer Licenses for the Fast Stop in Plymouth and the Riverside Corner in Riverside. The motion was seconded by Commissioner Hardy and unanimously carried.

**2009 FIRE PROTECTION CONTRACT/BRIGHAM CITY - STEPHEN HADFIELD**

County Fire Marshall Greg Martz presented the 2009 Fire Protection Contract with Brigham City. He said both he and Attorney Hadfield have reviewed the contract and recommended approval.

MOTION: A motion was made by Commissioner Hardy to accept the 2009 Fire Contract with Brigham City. The motion was seconded by Commissioner Shaffer and unanimously carried.

**IWORQ SOFTWARE CONTRACT – JENICA CHILD**

Fleet Manager Jenica Child said the iWorQ software, a fleet management program, would cost the county \$900.00 a year. The amount would cover training, data conversion, free support, free data back-up and free updates. There is also a 30-day cancellation notice. The county's current fleet management program contract fees are \$7,500. With the iWorQ Software there will be \$6,000 plus in savings.

Chairman VanDyke said this fleet management program will make it extremely easy to track maintenance on the county's vehicles, and the program will provide more accurate information and help the county to make better decisions.

**MOTION:** A motion was made by Commissioner Shaffer to accept the iWorQ Software Contract which was recommended by Fleet Manager Jenica Child and reviewed by County Attorney Hadfield. The motion was seconded by Commissioner Hardy and unanimously carried.

**INDIGENT BURIALS – LORNA RAVENBERG**

Administrative Assistant Lorna Ravenberg said the county has received a request by Myers Mortuary for assistance with the cremation of two individuals that were traveling through our county. Both individuals were truckers. One died at a truck stop and the other was found dead in a truck. Greg Myers has researched the financial status on both individuals. The older man had a widow and the younger man had a high school student. Neither man had any money.

**MOTION:** A motion was made by Commissioner Shaffer to pay \$1,000 for the two indigent burials. The motion was seconded by Commissioner Hardy and unanimously carried.

**WORKER'S COMPENSATION AGREEMENT – PEGGY MADSEN**

Personnel Director Peggy Madsen said the county is on a yearly contract with Worker's Compensation. The amount for 2009 is \$109,024.55.

**MOTION:** A motion was made by Commissioner Hardy to approve the Worker's Compensation Agreement for 2009 in the amount of \$109,024.55 and allow Chairman VanDyke to sign the agreement. The motion was seconded by Commissioner Shaffer and unanimously carried.

**INTERNET CONTRACT – KEITH KELLER/STEPHEN HADFIELD**

ITS Director Keith Keller said the county has a communication tower on the landfill property. Digis is a wireless internet company who would like to co-locate on the county's tower and in return provide services to all of the county's remote sites for free. Mr. Keller said the county will realize a savings of close to \$8,000 a year and have high-speed communications between all the sites.

Chairman VanDyke said this will open some doors and is going to begin the process of dealing with other upgrades and 21<sup>st</sup> Century issues regarding internet and computer activity.

**MOTION:** A motion was made by Commissioner Hardy to allow Chairman VanDyke to sign the Internet Lease Agreement with Digis. The motion was seconded by Commissioner Shaffer and unanimously carried.

**PROPOSED MASTER PLANNED COMMUNITY ORDINANCE – KEVIN HAMILTON**

Bruce Beard said he is counsel for the proposed master planned community project. The plan is to build a 2,000 home subdivision in South Willard. Mr. Beard explained he has done a lot of development work up and down the Wasatch front. He said because of the size of this project, it needs long-term flexibility. Mr. Beard informed the commissioners they would like to create a master planned community zone. He said this has a development agreement and the development agreement has the zone. Mr. Beard said he would like to work as a team with the planning department and planning commission. They would like to move forward and get this done in the next 2-3 months.

**SET PUBLIC HEARING DATE FOR ORDINANCE CHANGES – TAMARA WRIGHT**

County Planner Tamara Wright asked the commissioners to set a public hearing for some ordinance changes to clear up site plans, conditional use permits and the definition of a subdivision.

**MOTION:** A motion was made by Commissioner Hardy to set the public hearing date for ordinance changes on January 20 at 9:30 a.m. The motion was seconded by Commissioner Shaffer and unanimously carried.

**AMENDED MOTION:** An amended motion was made by Commissioner Hardy to set the public hearing for ordinance changes on January 27 at 10:00 a.m. 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 61283 thru 61369 in the amount of \$118,253.06. Claims 61167 thru 61282, 990205 thru 990215 in the amount of \$408,156.09. Claims 990205 thru 990207, 61058 thru 61166 in the amount of \$364,884.89. Claim 60077 was voided.

**PERSONNEL ACTIONS – COMMISSIONERS**

SHERIFF: Mark H. Jordan, new hire, effective 12/29/2008  
SHERIFF: Kenneth S. Chugg, compensation change, effective 12/11/2008  
SHERIFF: Jeremy Dale McKenzie, new hire, effective 12/08/2008  
SHERIFF: Andrew K. Hurst, new hire, effective 12/18/2008  
SHERIFF: Brandon Michael Fullmer, compensation change, effective 12/17/2008  
SHERIFF: Cathy Connell, compensation change, effective 12/18/2008  
SHERIFF: James H. Salvesen, compensation change, effective 12/25/2008  
COMMISSION: Brian Shaffer, elected official, effective 01/05/2009  
COMMISSION: Clark Davis, term ended, effective 12/31/2008  
AUDITOR: Laurie Barsuhn, new hire, effective 12/23/2008  
FAIRGROUNDS: Barry L. Johansen, separation, effective 11/21/2008  
FIRE DEPT: Dustin R. Richards, separation, effective 10/25/2008  
FIRE DEPT: Shawn L. Jensen, separation, effective 10/26/2008  
SURVEYOR: Grant Skeen, compensation change, effective 12/27/2008

**EXECUTIVE SESSION****1. DISCUSSION OF CHARACTER, PROFESSIONAL COMPETENCE OR PHYSICAL OR MENTAL HEALTH OF AN INDIVIDUAL**

**MOTION:** At 10:05 a.m. a motion was made by Commissioner Hardy to move into an executive session to discuss personnel issues. The motion was seconded by Commissioner Shaffer, and the motion was unanimously carried.

**MOTION:** At 11:43 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 said there was discussion on personnel issues and land negotiations in the executive session.

**ADJOURNMENT**

A motion was made by Commissioner Hardy to adjourn. Commissioner Shaffer seconded the motion, and the meeting adjourned at 11:45 a.m.

**ADOPTED AND APPROVED** in regular session this 13<sup>th</sup> day of January 2009.

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Rich VanDyke, Chairman

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Jay E. Hardy, Commissioner

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Brian K. Shaffer, Commissioner

ATTEST:

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LuAnn Adams, Recorder/Clerk