

**MINUTES
BOX ELDER COUNTY COMMISSION
JANUARY 13, 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 13, 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. Contract Overview/Alan McEwan – Tom Bennett

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 Hardy.

APPROVAL OF MINUTES

THE MINUTES OF THE REGULAR MEETING OF JANUARY 06, 2009 WERE APPROVED AS WRITTEN ON A MOTION BY COMMISSIONER HARDY, SECONDED BY COMMISSIONER SHAFFER AND UNANIMOUSLY CARRIED.

AGENDA: ATTACHMENT NO. 1

APPROVAL OF CONSULTANT SERVICES CONTRACT/CINDY LORRIGAN – STEPHEN HADFIELD

County Attorney Stephen Hadfield presented a contract with Cindy Lorrigan for consulting services. Cindy Lorrigan was hired with grant money to be a victim advocate for 40 hours a week. She is willing to write two grants (arrest grant and Rural VAWA grant) to try and get more help in the attorney's office. Attorney Hadfield said this will take place after Ms. Lorrigan has worked her 40 hours a week and something she will do at home.

Personnel Director Peggy Madsen said Cindy Lorrigan should only get paid if she gets 40 hours a week. She would like to see Ms. Lorrigan turn in her hours above the grant and pay her overtime and also pay FICA on those wages. Ms. Madsen feels that is a cleaner way, and she is not sure that Cindy Lorrigan meets the contract requirements. She said it is hard to be an employee and get a W-2 and also get a 1099. She said there is a conflict.

MOTION: A motion was made by Commissioner Shaffer to pay Cindy Lorrigan overtime in lieu of a contract for her services rendered towards applying for additional grant money. The motion died for lack of a second.

TAX PENALTY APPEAL – JAY PATEL

Jay Patel stated that the wrong address was on his property. He said the taxes are paid, but because of the wrong address on his notice they were paid late. Mr. Patel would like the Commissioners to forgive his interest and penalties.

Commissioner Hardy said we have these kinds of issues come before the Commission all the time, and people have different reasons why they have not paid their taxes. Commissioner Hardy said Mr. Patel received his tax notice and on the tax notice it states that taxes are due by November 30.

MOTION: A motion was made by Commissioner Hardy to deny the appeal for interest and penalties. The motion was seconded by Commissioner Shaffer and unanimously carried.

CONTRACT/ALAN MCEWAN – TOM BENNETT

County Auditor Tom Bennett presented a contract with Alan McEwan to do consulting work in the Auditor's Office. Mr. Bennett said because of Mr. McEwan's expertise in governmental accounting and the Casselle Software Program he would be able to help with specific projects like year-end account balances and give the county a good picture of where we are going along with making sure revenues are in place for the CIP Projects.

Chairman VanDyke said the Auditor's Office has experienced an increased workload due to the additional RDA creations and the creation of the largest EDA in the state. The Auditor's Office has also had some employee turnover and fallen behind. Chairman VanDyke said Alan McEwan is a very professional gentleman who has an impressive list of government clients, and he will be a real asset in assisting the Auditor's Office to provide the necessary financial information that the Commission needs.

MOTION: A motion was made by Commissioner Hardy to approve the contract between Alan McEwan and Box Elder County. The motion was seconded by Commissioner Shaffer and unanimously carried.

RELEASE OF CAPITAL PROJECT FUNDS – COMMISSIONERS

Commissioner Hardy reported the CIP Committee recommended an emergency release of six vehicles for the Sheriff's Department, a snow plow if it is still available from the state, a chip spreader that was already agreed upon and a piece of equipment was traded in.

MOTION: A motion was made by Commissioner Hardy to release capital project funds for six vehicles for the Sheriff's Department. The motion was seconded by Commissioner Shaffer and unanimously carried.

MOTION: A motion was made by Commissioner Hardy to release capital project funds for the chip spreader in the amount of \$89,331.86 that was already agreed upon. The motion was seconded by Commissioner Shaffer and unanimously carried.

MOTION: A motion was made by Commissioner Hardy to release capital project funds for a snow plow if it is available. The motion was seconded by Commissioner Shaffer and unanimously carried.

LETTER OF SUPPORT FOR ROAD IMPROVEMENT GRANT – KEVIN HAMILTON

Road Supervisor Bill Gilson said he contacted Kevin Hamilton's office to help him with some letters of support for a grant he submitted to the Joint Highway Commission. The Joint Highway Commission handles federal highway funds. The application was for non-urban road projects and for the funding year of 2014. The project he submitted was to take 6800 North (Iowa String) to SR-83 and do a three-inch overlay of asphalt to help with the new loads the county will be seeing from Procter and Gamble. Mr. Gilson said the grant application asked for a three-inch lift, a new bridge, and some guard rails which will come to approximately \$1.9M. The application was submitted and right now Mr. Gilson has been speaking with Representative Ronda Menlove's Office and also trying to get in contact with Matheson's Office to get letters of support. Kevin Hamilton has drafted a letter of support.

Bill Gilson said they are doing a Band-Aid job on the road for now and are hoping to get the grant.

MOTION: A motion was made by Commissioner Hardy to allow Chairman VanDyke to sign a letter of support from Kevin Hamilton for the road improvement grant. 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 61370 thru 61486 in the amount of \$566,905.60.

PERSONNEL ACTIONS – COMMISSIONERS

SHERIFF: Clark Weston Richards, compensation change, effective 01/12/2009
SHERIFF: Spencer E. Smith, compensation change, effective 10/10/2008
SURVEYOR: Megan F. Cardon, new hire, intern, effective 01/12/2009

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

MOTION: At 9:54 a.m. a motion was made by Commissioner Hardy to move into an executive session to discuss the purchase, exchange or lease of real property. The motion was seconded by Commissioner Shaffer and unanimously carried.

MOTION: At 10:30 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 there was discussion on the purchase, exchange or lease of real property.

MOTION: A motion was made by Commissioner Hardy to not accept the offer on the lease of a building located on 1100 South. The motion was seconded by Commissioner Shaffer and unanimously carried.

ADJOURNMENT

A motion was made by Commissioner Shaffer to adjourn. Commissioner Hardy seconded the motion, and the meeting adjourned at 10:32 a.m.

ADOPTED AND APPROVED in regular session this 20th day of January 2009.

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:

1. STAFFING
2. PERSONNEL POLICIES

The Administrative/Operational Session adjourned at 12:32 p.m.