

**MINUTES  
BOX ELDER COUNTY COMMISSION  
FEBRUARY 03, 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 **FEBRUARY 03, 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. New Justice Court Building/Update on Courthouse Remodel – Donnie Tarver

The work 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 JANUARY 27, 2009 WERE APPROVED AS WRITTEN ON A MOTION BY COMMISSIONER SHAFFER, SECONDED BY COMMISSIONER HARDY AND UNANIMOUSLY CARRIED.**

**AGENDA: ATTACHMENT NO. 1**

**FOLLOW-UP BUSINESS****Western Box Elder Soil Conservation District – Commissioner Shaffer**

Commissioner Shaffer said he has a meeting with the Western Box Elder Soil Conservation District in Grouse Creek and Park Valley this Friday. Commissioner Shaffer has received a letter from the Department of Natural Resources Division of Forestry, Fire and State Lands, and there is money available to do fire suppression. Commissioner Shaffer would like to involve this agency with the soil conservation plan that is being put together and help them enact a fire protection preventative plan with their conservation plan. The agency has a tool to assist communities to identify wildfire hazards. He feels it would be a very good tool in Western Box Elder County.

**INTERLOCAL AGREEMENT FOR ROAD MAINTENANCE WITH TOOELE – BILL GILSON**

Road Supervisor Bill Gilson said the Interlocal agreement for road maintenance with Tooele passed through the county commission and was signed but changes were made and the wrong agreement was signed. He then presented the commissioners with the correct Interlocal Agreement with all of the changes.

**MOTION:** A motion was made by Commissioner Shaffer to sign the revised Interlocal Agreement with Tooele County. The motion was seconded by Commissioner Hardy and unanimously carried.

**MOTION FOR SUPPORT FOR WESTERN COUNTIES ALLIANCE – COMMISSIONERS**

Commissioner Hardy said that Western Counties Alliance is a lobbying group that lobbies for counties throughout Utah on land issues such as PILT back in Washington, D.C.

**MOTION:** A motion was made by Commissioner Hardy to support and pay Box Elder County's share of the lobbying efforts in Washington, D.C. with Western Counties Alliance in the amount of \$7,500 for 2009. The motion was seconded by Commissioner Shaffer and unanimously carried.

Commissioner Shaffer said Box Elder County has been receiving support and representation from this group for several years and getting quite a good return and that is why he can support the annual fee.

Commissioner VanDyke said this strengthens our lobbying efforts in Washington, D.C., and this group has a different set of contacts other than our current lobbyist who is also excellent.

**LETTER OF AGREEMENT FOR HOUSING STUDY – KEVIN HAMILTON**

Director of Community Development Kevin Hamilton said last fall the county received a waiver for about \$16M worth of housing funds that the county would have had to put out in conjunction with the P&G EDA Project Area. One of the conditions of the waiver is that the county does some housing studies and puts together a plan for providing housing for 30% AMI, people that make 30% of the area median income or who earn \$20,000 a year or less. The housing study will tell Box Elder County what and where the need is and provide help to the cities in developing their moderate income housing plans. It will help the county meet the conditions on the waiver and better plan for future housing needs. Mr. Hamilton said the RDA has budgeted money to cover the cost of the study. The study will cost \$10,000 and James Wood will be doing the study. Mr. Hamilton said he has a good reputation, and the cost was very low.

MOTION: A motion was made by Commissioner Hardy to authorize the chair to sign the letter of agreement, subject to approval by County Attorney Hadfield. The motion was seconded by Commissioner Shaffer and unanimously carried.

**CONSIDERATION BY THE COUNTY COMMISSION ACTING AS THE GOVERNING BODY OF THE CENTRAL BOX ELDER FIRE SPECIAL SERVICE DISTRICT OF A RESOLUTION TO WITHDRAW CERTAIN UNINCORPORATED AREAS OF THE COUNTY FROM THE DISTRICT AND TO ANNEX PORTIONS OF HONEYVILLE, DEWEYVILLE AND SURROUNDING UNINCORPORATED COUNTY AS REQUESTED BY THE ADMINISTRATIVE CONTROL BOARD OF THE DISTRICT**

This item was cancelled.

**ROAD CLAIM ISSUES – GARY BAGLEY**

Gary Bagley, Realty Resource Specialist dealing with general issues in Box Elder County, Kim Christy, Assistant Director-Surface, Chris Fausett, Resource Specialist, and Nancy Koeber, Assistant Resource Specialist, came before the County Commissioners. The gentlemen all represent Trust Lands for the State of Utah. Mr. Christy said he appreciates the commissioners' time in piggybacking on our communications they had with the commission a year ago on the road claim issues that tie into Box Elder County. He said the state owns 178,000 of surface acres of Trust Land in Box Elder County. They have about 100,000 for the mineral estate. He said a big issue the commission faces in responsibilities is roads. Mr. Christy said trust lands are scattered with federal lands. He said POLITCO has asked Box Elder, Sevier and Uintah be the pilot counties for this process as it relates to Class B Road Claims. He said through the data they have received from the POLITCO Office; the Class B Roads have been identified. They now need to come up with a mechanism to establish how they can perfect the easement. The state has a funding source through a surcharge put on OHV registrations that occur each year. These funds can pay for the perfected easements. He then explained the process they would need to go through.

Mr. Christy said 30 miles of Class B Roads have been identified and out of the 30 miles of road about 13 qualify and would need to have a perfected easement. He brought a draft template easement document and a draft of their conditional disclaimer of interest and right-of-way for the county to review.

**MOTION:** A motion was made by Commissioner Shaffer to authorize Chad Montgomery and the GIS Department, along with the County Attorney to review the maps and documents presented by the State School Trust Lands and present it for approval on February 24<sup>th</sup>. The motion was seconded by Commissioner Hardy and unanimously carried.

### **WARRANT REGISTER – COMMISSIONERS**

The Warrant Register was signed and the following claims were approved for payment: Claims 61806 thru 61912, 990225 in the amount of \$144,076.79.

### **PERSONNEL ACTIONS – COMMISSIONERS**

SHERIFF:	Larry Blanchard, assignment change, effective 01/19/2009
FIRE DEPT:	Gregory Martz, compensation change, effective 01/09/2009
PERSONNEL:	Shirlene Larsen, compensation change, effective 01/18/2009
COUNTY LIBRARY:	Spring Martin, compensation change, effective 01/18/2009

### **OTHER BUSINESS**

Chairman VanDyke said the commissioners spent some time at the legislature last week and had the opportunity to receive some training and become acquainted with some bills relative to the fencing ordinance. The commissioners received information that some good tools were being developed to allow counties to resolve those issues on a more widely accepted basis. Initially this item was going to be scheduled for the Commission Meeting Agenda on February 17, but the Commissioners were asked to postpone the item until the end of March to see what might develop out of the legislature.

### **ADJOURNMENT**

A motion was made by Commissioner Shaffer to adjourn. Commissioner Hardy seconded the motion, and the meeting adjourned at 9:55 a.m.

**ADOPTED AND APPROVED** in regular session this 10th day of February 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

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

1. Personnel Policy Update
2. Personnel Matters

The Administrative/Operational Session adjourned at 11:58 a.m.