

**MINUTES
BOX ELDER COUNTY COMMISSION
MARCH 24, 2009**

The Board of County Commissioners of Box Elder County, Utah met in an Administrative/Operational Session at the Box Elder County Roadshed, 5370 W. 8800 N, in Tremonton, Utah at 4:00 p.m. on **MARCH 24, 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

The work session adjourned at 4:59 p.m.

The regular session was called to order by Chairman VanDyke at 5:00 p.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 Chairman VanDyke.

APPROVAL OF MINUTES

THE MINUTES OF THE REGULAR MEETING OF MARCH 17, 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**Fire Trucks**

Commissioner Hardy said the CIP Committee reviewed the request for two fire trucks and recommended approval so the fire trucks could be ordered. These two fire trucks are part of a rotation of equipment in the fire department.

MOTION: A motion was made by Commissioner Hardy to transfer funds out of the CIP fund for two fire trucks in the amount of \$61,376.70. The motion was seconded by Commissioner Shaffer and unanimously carried.

ORDINANCE REGULATING THE LOCATING OF LANDFILLS, LAND EXCAVATIONS, MINES, QUARRIES, GRAVEL PITS AND SIMILAR USES IN BOX ELDER COUNTY – KEVIN HAMILTON

Director of Community Development Kevin Hamilton said we do not have an ordinance in place to regulate landfills, land excavations, mines, quarries, gravel pits and similar uses in Box Elder County. He said half of the county is un-zoned right now. He suggested an ordinance creating a special zone for these uses and eliminating them in other zones.

Commissioner Shaffer said it is his opinion the public has asked us to protect our county from landfills, gravel pits, etc. He thinks it is a proactive approach that doesn't exclude these things but gives the public an opportunity to have their voice and their opinion if we get these things in place. He feels it is a good move on the county's part to control these kinds of things in the future.

MOTION: A motion was made by Commissioner Shaffer to direct the planning staff and the planning commission to move forward with these ordinance amendments and the creation of new ordinances regulating and allowing landfills, and excavations, mine, quarries, gravel pits and similar uses, and to not accept or approve any new applications for these uses in any area of the county whether zoned or un-zoned in conformance with the county's pending ordinance, ordinance. The motion was seconded by Commissioner Hardy and unanimously carried.

FOREST SERVICE RECOVERY ACT PROJECT AGREEMENT – BILL GILSON/KEVIN BOURNE

Road Supervisor Bill Gilson said the Forest Service put in for some stimulus money, and it was accepted in Box Elder County for the Willard Peak Road and a small section of the Devil's Gate Road. The County will receive \$500,000 of funding to do some rehabilitation and maintenance on the two roads.

Commissioner Hardy said the Forest Service asked Box Elder County to be the sponsor and recipient of the \$500,000 that is coming through stimulus funds to address some needs on the 12-miles of forest service roads in our county. We would like to accept the agreement with Box Elder County and the Forest Service. He said Box Elder County will act as the general contractor, but will bid most of the work out to contractors, and this will help contractors throughout our county that would like to bid on these projects. Commissioner Hardy said the county has enough work, and we are understaffed with the projects that we have. This will give us an opportunity to bring \$500,000 for contract work that some of the local contractors may want to bid on.

MOTION: A motion was made by Commissioner Hardy to accept the Forest Service Act Project Agreement #09-RO-110482B1-009 between Box Elder County and the Forest Service and authorize Chairman VanDyke to sign the agreement. 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 62683 thru 62819 in the amount of \$579,214.26.

EXECUTIVE SESSION

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 5:28 p.m. a motion was made by Commissioner Shaffer to move into an executive session to discuss the purchase, exchange, or lease of real property. The motion was seconded by Commissioner Hardy and unanimously carried.

MOTION: At 5:40 p.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 a discussion on the purchase, exchange or lease of real property regarding the justice court.

PUBLIC COMMENT FORUM REGARDING NURLA – COMMISSIONERS

(See Attachment No. 2 – Attendance List.)

Chairman VanDyke said decisions cannot be made without public support. The Commissioners have received a letter from NURLA requesting a response to them within 60 days, and they requested we state our position and intentions relative to the Little Mountain Landfill site. He said the public

has spoken very clearly they do not want Box Elder County to sell our landfill. He said there are some other opportunities coming up relative to our landfill operation. We have had redistribution of responsibilities. We have looked into many of the areas that have been in question over the last 6-8 months. We have acquired some replacement equipment for our landfill which has recently arrived. The landfill is still operating. We are in better shape, and we are not having the problems that we have had in the past with equipment so we do not have those expenses anymore; however, we did have to spend some of our reserve funds that we had put away. We have major decisions to make about the landfill, and those decisions need to be based on the public input.

Chairman VanDyke said another option has come to light recently regarding another landfill site in Box Elder County located in Promontory. This was an issue early on in the landfill challenge. That landfill has been purchased by the Northwestern Band of the Shoshone Indian Tribe. They fully intend on going into a three-phase operation. They are operating the sale and transportation of ballast to be used by the railroads as well as the creation of a landfill whose waste will be used in the production of energy. They have made their intentions known to the county, and they are in the process of maybe offering us something as things develop. Chairman VanDyke said it is an opportunity for Box Elder County. He said regarding the Little Mountain site itself, the primary question is as we see it, is the choice of dealing with NURLA at Little Mountain or not. We have a choice of dealing with the entities of NURLA which are Weber County, Wasatch Integrated Waste Management District (Davis, Morgan) and Logan City (Cache County) on an individual basis or not. He said we have decisions to make if we deal with NURLA as an entity. All of the issues that were brought up during the referendum need to be addressed because we are still dealing with NURLA. The landfill will not be sold, but if NURLA is in agreement to bring their waste to the Little Mountain site as a leasee, (they have indicated a desire to implement a long-term lease) then we have all of the issues that came up during the referendum to deal with in terms of road use, traffic and all of the other things. These are the issues the people have been concerned about. If we deal with the entities of NURLA on an individual basis, there are some advantages. The entities themselves may not all collectively go to Little Mountain. Some may go and some may not. He thinks there is a fairly good chance if we were to secure the waste from one of the larger entities of NURLA, Weber County in particular, that it may take some of the pressure off of the development of landfills any further north than that. He said we do not know for sure. There is the Whites Valley site. He said the commission is not in favor of the development of Whites Valley as a landfill and have indicated to NURLA in no uncertain terms that if this is the way the NURLA group goes, Box Elder County will not be a part of it.

Chairman VanDyke said the Promontory Site has also come to the commissioners and indicated they would be willing to put a waste-to-energy facility at Little Mountain which would be in addition to the one in Promontory. Their objective there is they want to protect the site as much as they can and would be in a position with the waste-to-energy facility to reduce the footprint of the Little Mountain Site. They are using technology that is not only new, but becoming newer every day. Chairman VanDyke said we are here to hear from you. There will be another meeting held next week in Brigham City for the southern end of the county, and the commissioners will take input from that meeting also. A decision will be made based on the input we get from these two meetings.

Commissioner Hardy said the Shoshone Indians would like to enter into contracts and partnership with Box Elder County on both Promontory and their operation there, and if an energy recovery site is put in at Little Mountain, they would also like us to be involved in that operation for two reasons. He said it has to do with cap and trade. It deals with green energy waste and capping the amount being used and trading. By partnering with Box Elder County, we can double the trade on it. We get two credits instead of one. We both would benefit from that. The other reason they would make a good partner is because they have funding to fund the energy recovery on their own. They do not want to see the footprint of Little Mountain grow beyond what it is today. They want to protect the rest because of the Indian sites they think are surrounding the area. By putting a recovery system at Little Mountain, the size of that footprint would never grow more than what it is today.

Chairman VanDyke said this is a very unique opportunity, and we are looking into it in depth. He said we are being presented with the possibility of partnering and receiving financial benefit without giving up our values and character of our county. This is a unique opportunity. The potential of the energy side is probably as unlimited as anything we have dealt with.

Commissioner Shaffer thanked everyone for being in attendance tonight. He wanted them to understand and know that the commission is committed to hearing your point of view tonight, and our purpose is to hear and understand what you would like us to do going forward. He said we have not made any decision at all, and we are going to base our decision on what we hear for the next two weeks. He said this is our landfill and not the commissioners' landfill, and we want to take direction from you tonight. Commissioner Shaffer said this is a great opportunity to hear your comments.

Russ Howe, Thatcher, asked how many groups are in NURLA. Commissioner VanDyke said Wasatch Integrated Waste Management consists of Davis and Morgan, Weber County, Cache County or Logan City and Box Elder County. Box Elder County would have two votes.

Mike Tennn, Bothwell, needs to understand the value and proceeds of the lease. How does it affect the community? Is there opportunity for the community to receive these payments? He wants to understand why NURLA is so interested in our landfill. He wonders why Box Elder County doesn't want to manage one of their resources, which is the landfill. He said from his view point, the landfill creates jobs and revenue for Box Elder County and it looks like it is very well managed. He believes that Box Elder County should maintain control of our own resources.

Laura Selman, Deweyville, said she appreciates the commissioners holding these meetings. She appreciates the time and feels like the commissioners were elected to serve the people and to listen to the people. In the last year and four months, the people have spoken. They have spoken loud and clear. They spoke once with a number of signatures on petitions. They spoke again at an election that said we do not desire to be the garbage dump of Northern Utah. She said we spoke. She just wonders what part of NO we don't understand. She said we are willing to have resources, but does it have to be garbage. She said our landfill is ours. We can go ahead the way we are, and we can have it for a long time. Why on earth would we want to be the house for other counties' garbage?

Kit Crozier, seconds what Sister Selman said. He can't believe that when we have said no already, why we want to do this again. Can you guys answer that? Commissioner VanDyke said we are not in a position to do anything. We have just been requested to respond to NURLA as to what our position is. Kit Crozier said just say no to NURLA. He said if you are getting money from them, you go buy the ground because Box Elder has already bought it once. We do not want to buy the ground again for at least another 100 years because that is how long it is suppose to last. He said please listen to what the people have said. They have said no, period.

David John said the people told you how we felt, and what we wanted from this. He said you better take that to heart and not try to go around the back door and make this work another angle. He said whether it was selling or leasing, we said no to it. It will come to that again if we need to. You have Procter and Gamble, and they have totally ruined two roads, and they don't seem to be getting fixed. We are going to be the ones fixing them. The companies in it aren't going to fix it. He said it is going to be the county people. The taxes pay for all of this. He said everyone reaps the benefits, and we pay for the problems. He said you need to remember that it was voted no.

Ron Germer, Brigham City, said he had a couple of questions and comments. He said we did speak, and we told the commissioners how we felt about NURLA as a group. We have not changed our minds. It is still stuck in his craw that after we won with a vast margin, they come along and sued us with our own money. The ashes have hardly been rolled yet, and they are back at us with something. He does not know why they are back at us. Nobody has said this is the proposal. This is what they want to do. This is what we want to do. How much do we want to be involved? How much is going on at Promontory with the Shoshone Tribe. Doesn't that make sense to some of the members of NURLA to go out there and be involved? He can see on a county-to-county thing, Little Mountain makes a lot more sense than going clear to Promontory. He said there is something about this he does not understand that makes it so attractive. He said we have not heard a proposal. He said there should be something that says we have this for you. This is a whole new ballgame. Now we have this to offer. He has not heard anything. He asked is there anything forthcoming regarding the proposal.

Bruce Zundel agrees with those that are opposed. If there is not a proposal from NURLA, let them make a proposal, and then come and talk to us. He said you are talking if, ands and whats, and there is nothing there. He could care less what the Indians are doing. He said until they make you an offer, there is nothing to bring to the county. Until you have something to say—this is what they want to do. I do not think you should waste our time. The citizens have spoken with a vote that they do not want it. You do not have any new proposals. What do we care where Logan goes with their trash. He said we take care of ourselves here. He said when you have a proposal from NURLA or the Indians come and tell us and let us debate it. Otherwise, quit stirring the pot until you have something for us to look at. We have already said the plan you had is no good. We did not like it. He said until you have something to present to us, he does not see the point.

Bonnie Germer said when you talk about the tipping fee, if the tipping fee is reduced to the haulers, does that mean that our monthly bill would go down. She said that depends on the city council. They determine the fees we pay. The tipping fee goes down to the haulers, not to the residents. She said that would not make a difference on our monthly statements. Ms. Germer said if we have so many millions of dollars coming into the county, does that mean none of us will pay taxes anymore. Does that mean we are tax free and living high? She understands the numbers from the landfill in Idaho are not what were told to us, and it is not going well. How will NURLA be good for us where it does not work in Cassia County? How does that compare being the numbers are not right?

Commissioner Hardy said he got his information from the Cassia County Commissioners.

Kris John said she wonders if all of the people remember that NURLA wanted to sue Box Elder County after the referendum went through, and why would we still want to do business with NURLA after they pursued a lawsuit against us. She does not recall any of us wanting to rent. We did a referendum, and we got enough votes to vote no. She is sorry our referendum didn't state that we didn't want to sell the landfill; we did not want to lease the landfill. We don't want other people's garbage in our landfill. She said maybe we should have worded it a little bit by bit so that you as county commissioners would understand we do not want other county's garbage in our landfills. She said we put a lot of work in this referendum. They wanted to sue us. We had to fight it. We had to get an attorney to fight the lawsuit they were going to file against us. The Voice for the People had to pay the attorney costs to stop it. She just wants the commissioners to know that no means no and everyone she talks to can't believe we are even considering doing business with someone that wanted to sue us as a county.

Tim O'Shaughnessy, resident of Bear River City and Box Elder County, said it is not the landfill that he objects to. What he objects to is it being a five-county landfill. He thinks certain issues have not been addressed properly. He does not know what the population currently is of Box Elder County. He would also like to know what the population is of Morgan, Cache, Weber and Davis Counties. He said we are talking about a lot of people, and we are talking five counties. He said we are also talking about Little Mountain, and it is called Little Mountain for a reason. He believes it is adequate for the purpose that it has been used for, and it will serve us for more years to come if properly used. He also wants to ask about other impacts that have not been addressed: Insects, rodents, other pests such as skunks. They love landfills. Seagulls. He likes seagulls, but they are a problem, especially if they are near an airport. Odor—he has been near landfills and you can smell landfills. He wants to know what steps are going to be taken to mitigate the odor. Diesel Fumes—He said we are talking 33,000 trucks a year, maybe more. Is the population of Cache, Morgan, Davis and Weber counties going down or is it going up? He said with those diesel fumes, the air pollution or air quality is obviously going to degrade and the federal government is probably going to mandate that everybody in Box Elder County have additional smog control on their vehicle just because we have trucks crossing the county with their trash bringing all of this trash to the landfill. You cannot mitigate that.

The thing he is really concerned about is the visible pollution. He has seen landfills in operation. He has seen one county landfill in operation, and he has seen the diesel fumes. He can tell you it is not a pretty site. What really surprises him is that the Box Elder County Commission would want to have a landfill or consider a landfill when in fact Little Mountain is clearly visible not only from Bear River City but also from Tremonton and Brigham City. Most of Brigham City can actually see Little Mountain. He asked why we want this. He said please answer these questions.

Bill Myers said we have an item of trust. He attended the landfill meeting that was held last December, and he also questioned on how it went in Brigham. From what he observed and was told, he was totally appalled that we sold the landfill. The opposition at that time was overwhelming; almost angry, but it was sold. The trust thing was quite a deal and the lawsuits with NURLA. He said the trust with NURLA is not there at this point. He said actions say a lot. He is amazed the commissioners would again put us in this position after what has transpired the last 15 months. He asked someone where they have been for the last 15 months. He said it is like they just dropped onto the planet. He learned that we paid in January, not two months after the vote, \$30,000 in membership fees to be a part of NURLA. He said the trust is in the pot. He said there is no trust with NURLA. He thinks our commissioners are going to have to work to get that trust back.

Scott Hansen said he was in the early stages of this discussion as a commissioner. He said it is interesting how it went through the system. He is disappointed. He said most of the hits are because of the way the thing has been handled. Society is going to make trash. He said trash has to go some place. Realistically in this area of Utah, it can go to Box Elder County or Tooele County. He said you cannot go out to Carbon County and make it efficient. The question is do we want it or do we not want it. He said something that has not been discussed is that there are hundreds and millions of dollars involved in taking care of someone else's trash. He said how do you want to do it? If you do it yourself, it takes a great deal of management. That management has to come from the county commission. If you don't want to do it yourself, then you farm it out to an association like NURLA or someone like that and let them make the money on it, but guess who gets to be responsible for the waste, the roads and those kinds of things. He said you put that kind of heavy traffic over the 14 miles that goes out to the main road; it will tear the road up. The road should last 20 years. That is a light-duty road. It will not last 20 years. You are going to have to keep redoing it. Part of that road was covered in the NURLA proposal, part of it was not. There is a \$1.50 tipping fee that went to Box Elder County. That looked like pure profit. You did not hear that from the commissioners or anyone else. He said it would go to cleanup and all those kinds of things that are involved out there. He said it was not indexed for inflation. The profit the county should have wasn't there. He was told by a commissioner they could not sell it to the NURLA Board. His response was "don't get involved with that". That is not a good deal. The other counties will get the profits from it. They will split it out and guess who gets to take care of the leftovers—that is us. We had one proposal, when in fact there are a number of proposals that could have been on the table. One was either up or down. The word that came thru the backdoor from the commission was to heck with it; we are not going to do it anymore. Now we are going to get back into this. He said there are several different ways to do it.

Early on it was said that our landfill could not operate efficiently over a prolonged period of time. His solution was let's take the best partner we can and put them in there with us. He had early discussions with the Cache County Commissioners. They were all for discussing. They did not buy off. You could put Cache's and our trash together in our landfill, and that would create money forever. What do you do with Morgan, Weber and Davis? Let them go out to Promontory Point. He doesn't know what is going on. He said it is hard to get information out in a county like this. It can be done, especially on a sensitive subject. He does not know if we have fallen back to first base or how far back they are going to start on this thing. Scott Hansen suggested you have several different proposals, and you have the people in the county involved in it. He said they need to see both sides to it or all sides. He said you can't mispublish the distances that were published in the paper this last go around. He said people went out and measured these distances. They weren't even close. The times were not even close. He said the commissioners' credibility went to zero as far as landfills are concerned. He would like to see it managed properly. There is a lot of money and a need involved here. It has to be managed properly. You have gotten the people of the county involved; keep them involved. There is a reservoir of information there. He said you need to get that information out. He said you have a hard row to hoe right now.

Richard Kent said NURLA gave you a letter to write a proposal. He asked is it an "if or else" proposal? If we don't do this, they are going to Whites Valley. Chairman VanDyke said all they requested is that we tell them what our intent is. We as citizens appreciate the commissioners. This is just doing business. You need to do business in a business way and listen to the people. We have elected you to manage the county's business and all these things that are coming in are well and good, but it is confusing because he does not have a clue of what the proposal is and where we are spending money, where we are making money. He does not really care if we make a lot of money. He would not work for the county if he did. All this money is well and good but the lifestyle and quality of life is what means more to him than anything. When you talk about tipping fees he talked to Brent Wood who called the people that had a fuel surcharge which was put on when fuel was high. He has called them to remove it. They removed it, but now they put on an environmental charge. They are going to get the money one way or another. He appreciates the commissioners' diligence and time to follow thru. He understands some of the pressures that you are under trying to make decisions, but you have to have all of the information on the table. You commissioners make the decisions, and come and tell the public what your decision is.

Bud Theurer asked if the Shoshones have a permit. It was explained that they have a permit to take municipal waste in Utah, and they are in the process of obtaining a permit to take waste from other states.

Lisa O'Shaughnessy said there was no phone number or address regarding this meeting. She drove by the Elwood City Hall and it was not there. She is new and there are many new people in this county that drove by the Elwood City Hall hoping to find the meeting and never did. She said this is where the problem with NURLA is coming from. We do not know what is going on. What is NURLA's desire to have this five-county landfill? It will be one of the biggest in the United States.

Why are they pushing it so hard on us? You have to think seriously about this, somewhere, someone is going to make a lot of money. You could say maybe it is Box Elder County, but it may not be necessarily Box Elder County because we could do the same thing by having one Wal-Mart paying taxes. Something is missing. Whether any one knows it or not, you have to realize somebody is going to make money. That scares her that they keep coming back, coming back and coming back. That is where the secret is. Somehow or other they have money tied up here somewhere already. This is what they are pushing. We have to look at why they are going to come to us. They have plans; they have got proposals or whatever it takes. We are supposed to look at this and make decisions. We have half the people here that should be here to hear about this and to know about this. We are missing out on the fact that this is a great area to move to. This is a growing area. It is going to be a place that is desirable to live in. Do we seriously want to pass every day 30,000 trucks a year going to a landfill back and forth? Do we want that in our area? If we look at people moving from Salt Lake, what do they move up here for? They move to get away from it all. They are going to pay the money to buy up in a nice area, and that is what they want. The people that live here like the quality of life. That is where the difference is. If we open this gate, if we do have all this happen, our quality of life will change. There is no way. Once we get a SUPER DUMP in here, we are going to get SUPER COMPANIES. That is more money coming into the county. She said that is good news, but is that what we want? When it comes right down to it that is the story, why here, why now and where is the money coming from and where is it going, and how much is it going to cost us in the long-run? This dump is not supposed to last all that long. They said at the very beginning, this dump could last as long as 80 years. If you read the more current writing on this, it is supposed to last 15 years. After that, some of us are still alive, and I want you to know we are going to have to send our trash to somewhere because our landfill is going to be filled. It gets down to what do we want?

Scott Newman said the meeting was noticed as public comment about NURLA. He said we have heard a lot about the Indians, and he does not see their name on the notice. There was a meeting last Thursday down in Brigham City, and some NURLA people were at it. Where are they tonight? They didn't want to come and see us. They already got their butt chewed once. Where are they?

Jay Argyle wants the commission to know the confidence in them from the county is lacking for the reasons just like tonight. He said we show up 10 minutes early and 15 minutes of the meeting that we were here to attend is over with. We are here because we need confidence in our commission and in their decisions. That is one reason why we did not go along with the sale of Little Mountain, why we wanted the referendum, and why we got it. We need the communication, and it is not there. He has been here, and it was re-explained the purpose why we are here. We have heard nothing of NURLA's intentions. We were told that this meeting was because NURLA wanted to lease Little Mountain. Why wasn't it addressed when the commissioners were talking about it? How long is the lease that they want? Chairman VanDyke said we do not know. He said why are we even here then. Chairman VanDyke said we do not want to waste our time going and talking to them if the people are not going to accept it. Jay Argyle asked how are you going to make a decision representing us, if we do not know.

Commissioner Shaffer said that was the whole premise of our meeting tonight. He has sat pretty quiet tonight and taken in a lot of comments. He appreciates all the comments that have been given, and they will be heard. He felt this meeting would be very beneficial to the commissioners if we ask you if you would like us to make negotiations with NURLA to lease Little Mountain on a contract basis. If you do not, then we will not proceed forward, and we will not have to worry about any negotiation. We can just send the letter back to them and say that is it, we are done. If that is what the people would like us to do tonight, he is sure the commission will go back and pencil a letter and send it to NURLA. He said this meeting was an attempt on the commissioners' side, to hold a meeting when people could attend it, to hear what they had to say. This was an attempt tonight to bring our community together. It is not an attempt to try and tell you something that we want to do; it was an attempt to bring you information and gather information from you. I hope we haven't turned it into something that it is not.

Jay Argyle said what really got to him was the explanation of why we were here? We received a letter of intent. What is our intent, which is fine? We did not receive any information about a lease or anything else. It was almost like it was being fogged over.

Commissioner Shaffer said this is his first experience of sitting in a meeting like this. He said we have made mistakes, and he will commit to doing better in the future. He is sorry if we brought you here on a premise that we didn't quite make clear.

Commissioner Hardy said some of the information we were trying to get out tonight, came after the meeting was set up. He said NURLA sent us a letter of what we wanted to do moving forward. Before we did anything with that letter, we brought this meeting out here to the local people in Tremonton. He said we are trying to do what is best for Box Elder County and we are trying to get input from the citizens to help us make these decisions.

Jay Argyle said he appreciates all the work that the commissioners do. He said the question that he still has is, why when we were being informed about this letter of intent, were we not told anything about a lease, buying or anything else.

Dave Spackman, Tremonton, is not a long-time local. His wife's family is. He does know where this facility is. He also read in the Standard-Examiner this meeting notice, with this proper address. Anyone in the room can pick up the phone and call the county number in the phone book and find out where this address is. He said there were plenty of opportunities to know the correct facts about the meeting. This county will change. It is changing and will change and has changed. His wife regrets the number of blue collar jobs that have come to Box Elder County. A lot of people may have a different perspective, but things will change. He suggested that some people prefer to not have another Wal-Mart in Box Elder County. Everybody needs to understand that it is impossible for these three gentlemen to keep everyone happy. We are a very large county, and the reason people want to come here to dump their trash, is because we have a lot of land. A lot of it is not worth much except to put a dump in. There are areas of this county that don't have a great deal of potential use.

As has been pointed out trash is coming. There will be trash that comes. There is the Promontory Site, the Whites Valley Site, and there is probably very little the commissioners and any of us can do to completely stop trash from coming here. He would like to suggest that we not hobble our elected officials by taking options off the table. He does not know if leasing the Little Mountain Landfill to NURLA is a good idea. He does not know, and he does not think those in the audience know. He said do not tie their hands. Let them go explore these options. He said the contracts are complicated, and there are a lot of studies that need to be done and a lot of legal stuff. Things are not always black and white, but good contracts try to negotiate win-win negotiations for all parties. That doesn't mean that every party gets everything they want. He said that is a bad contract when one party gets everything they want, and the other party doesn't. Mr. Spackman said you all give up something; you all gain something, and that is a good contract. He suggested the three gentlemen that we elected to be our representatives, be allowed to go and look at the options, come back to us with some information on what looks favorable, keep us informed, and move ahead. Not everyone is going to be happy, no matter what the outcome is. He personally has never found these guys to be intentionally deceitful, or withhold information, or the former commissioners. He said communication is life's biggest problem for all of us. It is really hard, as it has been pointed out, when we only have weekly papers; Standard-Examiner covers some things. He said let them do their job and keep the information flowing the best we can, and we can find some win-win solutions that are good for Box Elder County that makes use of our resources in a responsible way.

Greg Madsen, Tremonton, said he runs the Leader Newspaper, and the address of this meeting was in the Leader paper. He told the commissioners he appreciates greatly coming up here because even though he runs the newspaper, he does not get a chance to come to the commission meetings. He said it does mean a lot to him that the commissioners are here and taking a beating. He is not in favor of the Little Mountain facility. He said there are many things that we brought up today such as roads, odor, etc. He is 100% in favor of the Promontory Site. He has editorialized that, and personally feels that as a taxpayer he would urge and encourage the commissioners to tell NURLA that we would rather move on. They can pursue the Promontory Site, but please don't allow the Whites Valley Site to materialize.

Charles Holmgren appreciates the three commissioners and the efforts they are making to expose themselves to public comment and to be educated on this particular subject. He believes of all the comments that he has heard here tonight, he agrees with Scott Hansen's proposal. He can support Weber, Davis and Morgan Counties going to Promontory and keeping Box Elder County as it is at Little Mountain and not expanding Little Mountain. He understands the proposal of converting trash to power. He is a little bit skeptical of that working. He would not want the county to hang its hat on being able to make a great deal of money on it. He personally feels like he could support the Promontory project for those counties south of us, and nothing south of Box Elder County coming to Little Mountain.

Scott Hansen said in the long-term, look at what the state is requiring counties to do. He said long-term it is not good. The state takes more and more issues to the county that the state does not want to deal with, and they do not add any more money. We still get sales tax and property tax and that runs about 25% of what we have to pay for. Over 50% goes to the jails and 10-14% goes to the roads and about 2/3 goes to the jail and roads and 1/4 comes in. These folks have to figure out how to do that. He said it is extremely tough. In the five years he was a county commissioner, for every \$40.00 they get to fix a patch, the county having exactly the same proportion, will get \$1.00. That is what we had, when he took over as commissioner. When he retired as a commissioner that 40-1 had gone to 100-1. That means the county has to pay more and more for nothing just to cover what the state is doing. He said these folks have a tremendous problem on their hands. Can you make more money off of garbage? He said, darn right you can. He said it is not easy and will take a lot of time and a lot of effort and a lot of promises to do it. He said you can give it to somebody else and let them do it, and then you have to play cleanup. He does not like that part. The state is not a good partner in this. The state is charging you more and more to do the things that you are doing, and they are taking the extra money. In the last 10-12 years the amount of money the state gets has tripled, and the county certainly has not tripled or even doubled. He said this is the problem that these gentlemen have to face, and it is not easy, not one bit. They have to raise taxes every year to maintain a level tax. The state has to drop taxes every year to maintain a level of tax. Every time these guys raise taxes, they end up with threats to go to court. Every time the state does, they look like good guys because they drop it. It is the pits. It is a bad system, but that is what our representatives are ordered to do.

Gina Allen, Brigham City, said she is not here to promote any idea with the landfill or against it. She just wants to stress that she supports these three commissioners, and what they decide. She also agrees that we should keep some options open. She said we should not close the door on anything until we know for certain that is what we want to do. She said other doors might open that we don't feel good about. The garbage is probably going to come regardless of whether we want it to or not. We would like to have some say as to where the garbage goes, whether it is Promontory, Little Mountain or Whites Valley. Give the commissioners some input, but give them some credit for a lot of the homework, time and research they have put into this. There is a lot more information out there that is not being shared at this time. She said be open to different options and try not to get too emotional over it and stay open to different ideas and let them do their job.

Commissioner VanDyke said he hopes you understand how important your comments have been to each of us individually and collectively. You have brought some points very close to home and hit on some things. Even though it may look or act like we may have forgotten, it is not true. We knew exactly what we were getting ourselves into.

ADJOURNMENT

A motion was made by Commissioner Shaffer to adjourn. Commissioner Hardy seconded the motion, and the meeting adjourned at 7:45 p.m.

ADOPTED AND APPROVED in regular session this 31st day of March 2009.

Rich VanDyke, Chairman

Jay E. Hardy, Commissioner

Brian K. Shaffer, Commissioner

ATTEST:

LuAnn Adams, Recorder/Clerk