

**MINUTES
BOX ELDER COUNTY COMMISSION
APRIL 21, 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 **APRIL 21, 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 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 APRIL 14, 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**Update on Courthouse Grounds**

Commissioner Hardy said construction on the courthouse grounds will be done in a few days. They are starting work on the front steps and they have almost completed inside the building. The building and grounds will be done in time for the open house which is June 12-13. Commissioner Hardy said he hopes people will look at the building going forward and try to maintain it as a landmark. He said the best way to do that is to keep it as a functioning building.

Elected Officials Meetings

Chairman VanDyke said a Rural Business Conference was held in Brigham City last Friday. A lot of people and businesses in the county were introduced. He said the conference was designed to collect ideas and give input to the public on some of the programs that are in place. Senator Bennett was at the Conference and the main speaker was Bob Harris, founder of Chem-Dry. Mr. Harris was born and raised in Portage and graduated from Bear River High School.

Chairman VanDyke said he and other county officials attended the UAC Management Conference in Richfield, Utah. He explained the conference gave guidance and information to government officials. Senator Hatch attended and gave a report on what is happening in Washington.

RESOLUTION #09-05/WITHDRAWAL FROM NURLA ORGANIZATON – COMMISSIONERS

County Attorney Stephen Hadfield said there are 3-4 different requirements that must be followed in order to withdraw from NURLA. He said the withdrawal must be done by a formal resolution

MOTION: A motion was made by Commissioner Hardy to enter into Resolution 09-05 requesting Box Elder County's withdrawal from NURLA, to waive the 180 days, waive the 2009 dues and request any unexpended funds and allow Chairman VanDyke to sign the resolution. The motion was seconded by Commissioner Shaffer and unanimously carried.

(See Attachment No. 2 – Resolution #09-05.)

LETTER/B.R.H.D. TO RECEIVE DUI FEES – COMMISSIONER SHAFFER

Commissioner Shaffer presented a letter addressed from Box Elder County to the State Division of Substance Abuse and Mental Health regarding distribution of Intoxicated Driver Rehabilitation Account Funds to the Bear River Health Department. Commissioner Shaffer said the county collects DUI fees. The state has specific requirements that the money be used for treatment and education of substance abuse users. In order to use the money, the county must have in place a certified teacher to administer the program. At the current time, we do not have anyone certified, and we cannot use this money in the way the state has outlined. It is in Box Elder County's best interest to have the state

send the money directly to the Bear River Health Department which has in place a certified teacher and training system for the DUI offenders. The Sheriff's Department is working with the Health Department to utilize the classes and other things offered. He said the letter tells the state instead of sending the DUI fees to the county, send them directly to the Bear River Health Department. This puts the Health Department directly responsible for the money.

MOTION: A motion was made by Commissioner Shaffer to sign the letter and pass it onto the state. The motion was seconded by Commissioner Hardy and unanimously carried.

(See Attachment No. 3 – Letter.)

NATIONAL BENEFIT SERVICES, LLC – PEGGY MADSEN

Personnel Director Peggy Madsen said Box Elder County employees have had a flex-spending cafeteria plan since 1995. She said National Benefit Services LLC has been the county's administrator for the Cafeteria Plan since 2006. The county does not have to sign a contract unless there are changes made by the IRS. She said this year there are some changes. She then explained. Ms. Madsen said the Cafeteria Plan helps the employee and the county save money on FICA. The savings to the county last year was \$6,636.00. There are 62 participants this year. She explained it is a use it or lose it program. The employees can access the money the first pay period of January and continue taking out the rest of the year. If they do not use all of their money, they lose it and their money stays in the plan. Last year the county had a balance of \$11.17 left over.

MOTION: A motion was made by Commissioner Shaffer to authorize the chair to sign the contract for the Cafeteria Program and to also sign Resolution #09-06. The motion was seconded by Commissioner Hardy and unanimously carried.

(See Attachment No. 4- Resolution #09-06.)

WARRANT REGISTER – COMMISSIONERS

The Warrant Register was signed and the following claims were approved for payment: Claims 63221 thru 63331, 2009008 in the amount of \$471,456.68.

PERSONNEL ACTIONS – COMMISSIONERS

SHERIFF:	Juan Trujillo, compensation change, effective 04/25/2009
ROAD DEPT:	Thomas A. Hansen, compensation change, effective 04/18/2009
FIRE DEPT:	Shawn L. Jensen, re-hire, effective 04/08/2009
FIRE DEPT:	Blair N. Westergard, re-hire, effective 04/08/2009
FIRE DEPT:	Dustin R. Richards, re-hire, effective 04/08/2009
JUSTICE COURT:	Bonnie Griggs, new hire, effective 04/15/2009
LIBRARY:	Jody Wood, new-hire, effective 04/08/2009

EXECUTIVE SESSION

MOTION: At 9:55 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 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. The motion was seconded by Commissioner Shaffer and unanimously carried.

MOTION: At 10:55 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 on land negotiations of real property.

ADJOURNMENT

A motion was made by Commissioner Shaffer to adjourn. Commissioner Hardy seconded the motion, and the meeting adjourned at 11:55 a.m.

ADOPTED AND APPROVED in regular session this 28th day of April 2009.

Rich VanDyke, Chairman

Jay E. Hardy, Commissioner

Brian K. Shaffer, Commissioner

ATTEST:

LuAnn Adams, Recorder/Clerk