

**MINUTES
BOX ELDER COUNTY COMMISSION
JUNE 16, 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 **JUNE 16, 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 Chairman VanDyke.

APPROVAL OF MINUTES

THE MINUTES OF THE REGULAR MEETING OF JUNE 09, 2009 WERE APPROVED AS WRITTEN ON A MOTION BY COMMISSIONER SHAFFER, SECONDED BY COMMISSIONER HARDY AND UNANIMOUSLY CARRIED WITH THE FOLLOWING CHANGE: UNDER RIGHT-OF-WAY ACCESS ON BAMBERGER, NORTH AND SOUTH WAS CHANGED TO EAST AND WEST.

AGENDA: ATTACHMENT NO. 1

FOLLOW-UP BUSINESS**Authorization to Record Resolution 09-08 Previously Approved for Removal of Property from Ag Protection on 10/23/2007 - Stephen Hadfield**

County Attorney Hadfield said back in October 2007 there was a petition filed to remove certain property from an agriculture protection area. On October 23, 2007 the petition was reviewed by the county commission. It was decided to grant the petition and remove the property. It was also anticipated that a new legal description for the boundary, absentee that property, would be recorded and it was never recorded. We recently discovered that, and need to get it recorded. Attorney Hadfield prepared a resolution which recognizes the oversight and indicates that we would now like to record the revised agriculture protection boundary.

MOTION: A motion was made by Commissioner Hardy to pass Resolution 09-08 and to record the revised agriculture protection boundary and authorize the chair to sign the resolution. The motion was seconded by Commissioner Shaffer and unanimously carried.

(See Attachment No. 2 – Resolution 09-08.)

Grant – Tom Bennett

County Auditor Tom Bennett said about 2-3 weeks ago he received a letter from the Department of Energy requesting the county register with them in regards to the American Recovery and Investment Act of 2009 and particularly emergency efficiency and conservation block grant. His office looked into that to find out what it was and found out that we are eligible for a grant \$203,200. This is a grant to be used for energy efficiency. Some of the things they are looking for include: increased energy efficiency, reduced energy consumption, reduced energy costs through efficiency improvements, accelerated deployment of market-ready solar, wind, geothermal, hydropower, improved air quality and improved coordination of energy-related policies and programs, etc. He said they found out through this process that all we had to do was apply for the grant. Part of the process includes a lot of registration and paperwork. He said part of the assurance process for the grant package is to submit a letter of assurance that Mr. Bennett is an authorized representative of the county.

Mr. Bennett said Lee Beverly has been the lead man on the grant. He has been able to jump through all of the hoops and did all of the registration. He is going to a conference in Ogden which will also discuss this grant and there is also a competition grant where you compete for your project. The grant is retroactive. Mr. Bennett said it is a great opportunity for the county to receive money on energy efficient projects that the county has done over the last year on our building.

Chairman VanDyke said there is absolutely no question that the money the county has spent on the building has been well received by the public and has been a necessary improvement. He said it is difficult to walk the streets in just about any community in this county and not receive comments on

the accomplishments that we have achieved. He said now we have the opportunity to receive some financial assistance in some of the upgrades the county did. It is a good move.

Commissioner Shaffer expressed gratitude to Tom and his office for their dedication and work. He said it is above and beyond their required duties, and they have to do extra things to make these grants happen to receive monies that were never anticipated that the county would receive. He takes his hat off to them for going the extra mile and possibly getting these funds for the county.

MOTION: A motion was made by Commissioner Shaffer that we authorize County Auditor Tom Bennett to be the official representative of the county for the energy, efficiency and conservation block grant. The motion was seconded by Commissioner Hardy and unanimously carried.

Visit of a Geothermal Plant – Chairman VanDyke

Chairman VanDyke said he was invited by the Shoshone Tribe to visit a geothermal plant outside of Reno, Nevada last week. There were three representatives from Riverside, California who are representing the electric contract that the Shoshones have negotiated from the energy that will be produced at the Geothermal Plant in Honeyville. Chairman VanDyke said the tour was not lengthy but very informative, and he was impressed with what he saw. Chairman VanDyke explained the process. He said it was an interesting tour. The controls were handled in a single room where there were 3-4 technicians watching multitudes of water, pressure of the gas and pressure of the entire system. He said this is the same technology that will be used at the Honeyville facility which should be up and pumping by 2011. Chairman VanDyke said it was an educational trip and in addition there was discussion about the Shoshone's plans for the Promontory facility. He said Promontory is in the final stages, and they are waiting for a response from the Union Pacific Railroad. He said it is not a matter of if, but it is a matter of when. They anticipate the movement of ballast from the Promontory site is just around the corner.

Open House

Commissioner Shaffer said they had a very successful open house and he appreciates the efforts that everyone made to make it happen. It really showcased a beautiful renovation of the building. A lot of people did a lot of work to make that day come about.

Commissioner Hardy gave thanks for all of the employees that did so much for the open house, the contractors that renovated the building, the courthouse renovation committee and Donnie Tarver.

Chairman VanDyke said there was a great amount of effort that went into the renovation. He said not only are the employees and elected officials proud of what has been accomplished, but the comments the Commissioners receive on the streets of our beautiful county are very impressed with what has happened here. He said they take a lot of pride in what we have done.

LETTER TO SHOSHONE ECONOMIC DEVELOPMENT CORPORATION – STEPHEN HADFIELD/KEVIN HAMILTON

County Attorney Stephen Hadfield said the Shoshone Indians sent the county a letter of intent, and we were told if there is anything in the letter that we do not like, take it out. That is what Attorney Hadfield and Kevin Hamilton have done. The letter indicates Box Elder County is interested, we would like pursue further discussions and see what is available, but it does not commit either us or them to anything concrete at this point. It is a matter of saying yes we are interested and want to continue looking into this. Also indicated in the letter is Box Elder County is a governmental entity, and our documents are open to the public so if there is any expectation of us keeping things private, we may not be able to do that.

Director of Community Development Kevin Hamilton said there have been a lot of past issues in regards to Little Mountain and concerns. This does not mean that the county is going to sell Little Mountain. It means that we are going to discuss potentials for Little Mountain and possibilities for ways to reduce the footprint of Little Mountain and not expand it. There is a line in the letter that states we would need to protect the county's ownership interest and operational control exercised by the county at Little Mountain.

Chairman VanDyke said he has made it clear to the Tribe and the business arm of their organization that the people of Box Elder County have spoken with a very loud voice, and we are not going to sell our landfill. He stated again that we will give up no ownership of our publicly owned Box Elder County property.

MOTION: A motion was made by Commissioner Shaffer to approve the chair to sign the letter of intent to the Northwestern Band of Shoshone Nation for their review and hopefully acceptance of our interest in pursuing further discussions with them. The motion was seconded by Commissioner Hardy and unanimously carried.

(See Attachment No. 3 – Letter.)

BEAR RIVER MENTAL HEALTH AREA PLAN – REED ERNSTROM

Reed Ernstrom, Director of the Bear River Mental Health Department, and Dennis Kirkman, Corporate Compliance Officer and a member of executive committee and author of the area plan, came to the commission table.

Reed Ernstrom shared a letter that he received from Mr. Rick Hendy, Adult Program Administrator for the Utah Division of Substance Abuse and Mental Health. He said that the plan is the most organized, dynamic, relevant and up-to-date plan that he has read this year. He said the plan captures the most significant issue in the treatment of mental illness of our time. He said there is a strong clinical foundation, collaboration with other community partners along with a very real focus on the personalized recovery needs of the individual consumer and very detailed special attention to wellness which is an illness that is killing consumers of the mental health services. The letter said if

this plan is worked on as described within, it truly will be saving and extending lives and the quality of those lives of the people that they serve.

The area plan is an annual project that is mandated by statute. It describes the fulfillment of the mandated services that we are required to provide by the statute. It provides some scope in terms of its delivery of services.

Chairman VanDyke complimented Reed Ernstrom and Dennis Kirkman for their accomplishments. They think the program is one of the most beneficial in our times. Chairman VanDyke said with the economic times and stress, the role you play will increase. There are a lot of people going through a lot in these times.

Commissioner Hardy said we have one of the best mental health programs in the State of Utah, and we are proud of what you are doing for Box Elder County.

Commissioner Shaffer said he is impressed with the emphasis on wellness and preventative and maintenance which will save resources in the long-term if we can help these folks out.

MOTION: A motion was made by Commissioner Hardy to accept the Bear River Mental Health's Area Plan as presented. 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 64158 through 64308, 2009012 in the amount of \$284,124.35. Claim 64183 was voided.

PERSONNEL ACTIONS – COMMISSIONERS

COMMISSION: Lorna Ravenberg, separation, effective 06/15/2009
FAIRGROUNDS: Christopher Linford, rehire, effective 06/08/2009

ADJOURNMENT

A motion was made by Commissioner Hardy to adjourn. Commissioner Shaffer seconded the motion, and the meeting adjourned at 10:00 a.m.

ADOPTED AND APPROVED in regular session this 23rd day of June 2009.

Rich VanDyke, Chairman

Jay E. Hardy, Commissioner

Brian K. Shaffer, Commissioner

ATTEST:

LuAnn Adams, Recorder/Clerk