

**MINUTES
BOX ELDER COUNTY COMMISSION
JULY 07, 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 **JULY 07, 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. Proposal for National Engine – Greg Martz

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 Shaffer.

APPROVAL OF MINUTES

THE MINUTES OF THE REGULAR MEETING OF JUNE 23, 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**AG Protection**

MOTION: A motion was made by Commissioner Shaffer to adopt Resolution No. 09-09 to authorize an amendment to Resolution No. 09-08 to revise the boundary descriptions of the Agriculture Protection Area. The motion was seconded by Commissioner Hardy and unanimously carried.

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

Box Elder County Fair Parade

Commissioner Shaffer stated he received a parade entry application for the Box Elder County Commissioners. There was discussion on how the Commissioners wanted to enter themselves in the Box Elder County Fair Parade.

NEW BOOKMOBILE TRAILER – BRAD RHODES

Brad Rhodes, County Library Director, presented a proposal to the Commissioners from a company out of Massachusetts for a new bookmobile trailer. He said the Library Board worked for many months trying to narrow down a company that could provide a bookmobile. He said the money has been allocated in the CIP Fund. He presented a proposal for a new bookmobile trailer in the amount of \$189,700. He said the Library Board proposal is to build a new bookmobile 36' trailer from a company that has been in the business for 69 years. The estimated delivery time is 4 ½ months.

Commissioner Shaffer said Brad Rhodes has painstakingly looked at this for a long time. He has considered the patrons that have to step into the trailer to get a book and taken into consideration the children as they are in the bookmobile to be able to have access to the books on the shelves and have a space that is conducive to a library within the confined space of a trailer. He has taken a very comprehensive look and tried to make the best use of our funds and get the most desirable options. This bookmobile will have a generator that can provide power for itself. It will have air conditioning and a better heating system than anything we have now. It will provide as close to a library atmosphere as you could get when you are outside in unincorporated Box Elder County. Commissioner Shaffer said Brad Rhodes has done his homework very well, and this bookmobile will be in service for a very long time.

MOTION: A motion was made by Commissioner Shaffer to approve the proposal and authorize Brad Rhodes to order the new bookmobile in the amount of \$189,700. The motion was seconded by Commissioner Hardy and unanimously carried.

Commissioner Hardy said if the trailer lasts 20 years, it will cost less than \$10,000 a year. It will be well worth it to put the books out to the people.

CONTRACTOR CONTRACTS AND SNOWVILLE FIRE CONTROL CONTRACT –G REG MARTZ

County Fire Marshal Greg Martz stated this contract was the same contract that was presented last year, but Snowville requested a rewrite and will renegotiate for next year.

MOTION: A motion was made by Commissioner Hardy to accept the Snowville Fire Control Contract, effective January 1, 2009-December 31, 2009. The motion was seconded by Commissioner Shaffer and unanimously carried.

County Fire Marshal Greg Martz stated he did not know the procedure to go through regarding the Katrina trailers. The state told Mr. Martz he had 14 days to pick up Katrina trailers valued \$12,000-\$24,000. They are 30' camper trailers pulled by a ball. Mr. Martz said the trailers were in mint condition and some had never been used. The state had a contract that they could pick up 273 trailers. Greg Martz took five people to Mississippi. They drove 16-20 hours a day and then drove the trailers home. They got the trailers for \$1,950 vs. \$3,100 a piece by driving them home. The contracts that Fire Marshal Martz presented were for a \$500.00 stipend for each of the five individuals who went to Mississippi to pick the trailers up. He said the money will be taken out of MOU money, not the county coffers. The trailers will be used as follows: one with the Sheriff's Department, one in Park Valley, one in Yost, one in Grouse Creek and they are thinking about converting the fifth camper into a shower unit.

MOTION: A motion was made by Commissioner Shaffer to accept the consultant service contracts for five drivers to travel to Mississippi to pick up and deliver trailers to Box Elder County and authorize the chair to sign the contracts. The motion was seconded by Commissioner Hardy and unanimously carried.

MODIFICIATIONS U.S. FOREST SERVICE AGREEMENT/WILLARD PEAK – BILL GILSON

Commissioner Hardy said the modifications to the agreement are for clean-up purposes to be in compliance with the new federal regulations, and there is a change on some of the dates.

MOTION: A motion was made by Commissioner Hardy to accept Modification No. 01 to Recovery Act Road Project Agreement No. 09-RO-110482B1-009 with the U.S. Forest Service for the Willard Mountain Road and Mantua Church Camp Road. The motion was seconded by Commissioner Shaffer and unanimously carried.

BIDS FOR LEASE PROPERTY – DONNIE TARVER

This item was cancelled.

SET PUBLIC HEARING DATE FOR MASTER PLAN COMMUNITY ZONING ORDINANCE – KEVIN HAMILTON

Community Development Director Kevin Hamilton requested a date of August 4 be set for a public hearing to be held on the master plan community zone. He said this would allow developers to be more creative in their development and provide mixed uses and also provide a better use of the land. He said it also places the cost of development back on the developer instead of the county.

MOTION: A motion was made by Commissioner Hardy to set the public hearing for the Master Plan Community Zone Ordinance for August 4 at 10:00 a.m. The motion was seconded by Commissioner Shaffer and unanimously carried.

SET PUBLIC HEARING DATE FOR AMENDING THE GENERAL PLAN TO INCLUDE THE RUBY PIPELINE CORRIDOR – TAMARA WRIGHT

County Planner Tamara Wright is requesting a public hearing be set on August 4 to amend the general plan to include the Ruby Pipeline Corridor in the general plan.

MOTION: A motion was made by Commissioner Hardy to set a public hearing date for amending the general plan to include the Ruby Pipeline Corridor for August 4 at 10:15 a.m. The motion was seconded by Commissioner Shaffer and unanimously carried.

NO SMOKING ORDINANCE – COMMISSIONER HARDY

Commissioner Hardy said the Federal Clean Air Act allows for no smoking inside a public building. The County's non smoking ordinance does not allow smoking on the premises of the courthouse or the fairgrounds.

MOTION: A motion was made by Commissioner Shaffer to adopt Ordinance No. 314, an ordinance prohibiting smoking at various county-owned facilities. The motion was seconded by Commissioner Hardy and unanimously carried.

(See Attachment No. 3 – Ordinance No. 314.)

ALAN MCEWAN CONTRACT – TOM BENNETT

County Auditor Tom Bennett said historically Box Elder County has been using an independent auditor to do our internal auditing and external auditing. Mr. Bennett feels it was best to go a new direction and have a person do our internal audit and have the independent auditor do our external auditing. Mr. Bennett said the law requires the county to have an independent auditor to make sure we are in compliance with the state laws and codes and to give an assurance that everything is materially stated correctly, that the books and things the county claims for expenditures and revenues are correct because it is the public's money. He said we are striving to make sure everything is in compliance, and that everything is as transparent as it can be, and that we are following all the laws

and regulations. He said the county is moving towards doing our own internal audit and preparing our own financial statements. The Auditor's Office has hired Alan McEwan Jr. who is a CPA with extensive experience with our software system and governmental accounting to do our internal auditing. He said this is a transition year, which means the Auditor's Office will use Mr. McEwan more this year than they anticipate using him in the future. Originally his estimate was 200 hours to complete the preparation of the financial statements for the independent auditor. The Commission decided to back down to 150 hours and once he reached the 150 hours to come back if more hours were needed. Mr. Bennett said Mr. McEwan needs the original estimate and asked the Commissioners for an additional 50 hours to finish the audit preparation.

MOTION: A motion was made by Commissioner Shaffer to renew the Alan McEwan contract for an additional 50 hours to finish up his services for the independent auditor work he is doing for Box Elder County. 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 64547 through 64637, 990275, 990285 in the amount of \$99,992.57. Claims 64422 through 64546, 990272 through 990274, 990276 through 990284, 2009013 in the amount of \$583,916.61 Claim 64549 was voided.

PERSONNEL ACTIONS – COMMISSIONERS

COMMISSION:	Lorna Ravenberg, re-hire, effective 06/23/2009
ROAD DEPT:	Bret Flint, separation, effective 06/30/2009
SHERIFF:	Jackie Potter, transfer to Detective Division, effective 07/05/2009
SHERIFF:	Bradley J. Nelson, step increase, effective 06/28/2009
SHERIFF:	Sylvia Lynn Greenhalgh, separation, effective 07/03/2009
SHERIFF:	Sylvia Lynn Greenhalgh, re-hire, effective 07/05/2009
SHERIFF:	Bradley Whitley, new hire, effective 06/22/2009
SHERIFF:	Lisa Naef, step increase, effective 06/02/2009
SHERIFF:	Kenneth Chugg, step increase, effective 06/11/2009

ASSIGNMENT REVIEW – COMMISSIONERS

The Commissioners reviewed the assignments.

ADJOURNMENT

A motion was made by Commissioner Hardy to adjourn. Commissioner Shaffer seconded the motion, and the meeting adjourned at 10:07 a.m.

ADOPTED AND APPROVED in regular session this 14th day of July 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. Jail Site Justice Court Location – Chairman VanDyke
2. Personnel Policies/Issues – Peggy Madsen

The Administrative/Operational Session adjourned at 11:20 a.m.