

**MINUTES
BOX ELDER COUNTY COMMISSION
JANUARY 29, 2008**

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 **JANUARY 29, 2008**. The following members were present:

Jay E. Hardy	Chairman
Rich VanDyke	Commissioner
LuAnn Adams	Recorder/Clerk

EXCUSED: Clark N. Davis Commissioner

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 Hardy at 9:00 a.m. with the following members present, constituting a quorum:

Jay E. Hardy	Chairman
Rich VanDyke	Commissioner
LuAnn Adams	Recorder/Clerk

EXCUSED: Clark N. Davis Commissioner

The prayer was offered by Chairman Hardy.

APPROVAL OF MINUTES

THE MINUTES OF THE REGULAR MEETING OF JANUARY 22, 2008 WERE APPROVED AS WRITTEN ON A MOTION BY COMMISSIONER VANDYKE, SECONDED BY COMMISSIONER HARDY AND UNANIMOUSLY CARRIED.

AGENDA: ATTACHMENT NO. 1

FOLLOW-UP BUSINESS

President Hinckley

The Commissioners mentioned the great service President Hinckley made to the church and the State of Utah. Chairman Hardy said his life touched all of us whether you are a member of the Church of Jesus Christ of Latter Day Saints or not.

BUILDING PRESERVATION – JENICA CHILD/DONNIE TARVER

Jenica Child, Human Resource Assistant, said last week there was a building preservation meeting with Don Hartley, State of Utah Historic Preservation. Mr. Hartley went around the building and tried to decide what changes could be made and what should be presented. The following is an outline of the meeting:

(See Attachment No. 2 – Courthouse Preservation Meeting.)

Chairman Hardy said the next step is to put a committee together.

FACILITIES USE POLICY – COMMISSIONERS

Commissioner VanDyke said there has been quite a bit of focus on the courthouse building itself, and the Commission is trying to get things nailed down so the focus is on county activities.

MOTION: A motion was made by Commissioner VanDyke to accept Resolution 08-03, formalizing existing policy relating to use of the Box Elder County Historic Courthouse. The motion was seconded by Chairman Hardy and unanimously carried.

(See Attachment No. 3 – Resolution No. 08-03.)

PUBLIC HEARING/BRHD & TREMONTON PROPERTY EXCHANGE – COMMISSIONERS

(See Attachment No. 4 – Attendance List.)

Chairman Hardy opened the public hearing up at 9:30 a.m.

Chairman Hardy said this is a public hearing for surplus property owned by Box Elder County that houses the Bear River Health Department in Tremonton. There will be a property exchange with the Bear River Health Department and Tremonton City. The Bear River Health Department will exchange the property that their building sits on for property in Tremonton City's Industrial park and pay a difference of \$81,000. By holding this public hearing, the County is complying with our surplus property policy.

He asked if there were any comments from those in attendance. There were none.

MOTION: A motion was made by Commissioner VanDyke to close the public hearing. The motion was seconded by Chairman Hardy, and the public hearing was closed at 9:50 a.m.

RESOLUTION #08-02-APPROVING PROPERTY EXCHANGE – COMMISSIONERS

MOTION: A motion was made by Commissioner VanDyke to approve Resolution 08-02, a resolution authorizing the transfer of surplus real property from Box Elder County to Tremonton City in connection with building a new Bear River Health Department Facility. The motion was seconded by Chairman Hardy and unanimously carried.

(See Attachment No. 5 – Resolution No. 08-02)

BID OPENING/LANDFILL APPLIANCE EVACUATION – GINA ALLEN

This item was cancelled.

EAP CONTRACT – PEGGY MADSEN

Personnel Director Peggy Madsen said she has a new EAP Contract with Behavior HealthCare Options out of Las Vegas, Nevada. They have the same providers and a few more. The contract is for less money, and the change becomes effective February 1.

County Attorney Stephen Hadfield discussed several of his concerns.

MOTION: A motion was made by Commissioner VanDyke to approve the contract with Behavior Health Care Options, subject to the revisions and concerns the County Attorney has brought to the surface and to authorize Chairman Hardy to sign the contract. The motion was seconded by Chairman Hardy and unanimously carried.

CONSULTING SERVICES CONTRACT/SCOTT ERICSON – PEGGY MADSEN

Personnel Director Peggy Madsen presented the Commissioners with a contract for Scott Ericson to do public relations work and consulting on the landfill.

MOTION: A motion was made by Commissioner VanDyke to authorize Chairman Hardy to sign the consulting services contract with Scott Ericson. The motion was seconded by Chairman Hardy and unanimously carried.

FAMILY INSTITUTE OF NORTHERN UTAH CONTRACT – SHERIFF YATES

Chief Deputy Kevin Potter said the Family Institute of Northern Utah provides counseling services at the jail. They provide the following classes throughout the year: anger management, substance abuse, job skills and money management. Deputy Potter said it is mandatory the County has this program in order to house state inmates.

MOTION: A motion was made by Commissioner VanDyke to authorize Chairman Hardy to sign the Family Institute Contract, an agreement between the Family Institute of Northern Utah and Box Elder County Sheriff's Department for services at the Box Elder County Jail. The motion was seconded by Chairman Hardy and unanimously carried.

RECESS

The Commissioners took a recess at 10:05 a.m. and reconvened at 10:28 a.m.

LIBRARY BOARD DECISION – CHAIRMAN HARDY

Teresa Garrett, Chairman of the Library Board, said a meeting was held on January 24 with the State Library Committee. She said several years ago the State Library Committee had encouraged our county to begin looking at separating and taking over our own services. She said there was a change of leadership with the new governor a couple of years ago and new people were put in the library system, and they changed the things the county could do. She said prior to that time the Library Board approved the schedules and the budget; the new leadership at the state told them they had no authority to do those things; it had to be done through the County Commission. The board did not hold a meeting for a year because the state told them the only thing they could do was get volunteers to do a children's hour. Over time things continued to happen that the board was not very happy with in our county. Ms. Garrett said they felt the bookmobiles were the County's, but they are actually the states. They have to be parked at Willard which is an unsafe situation. There have been problems with the parking and the safety of the children at the school area. It has added 6,000 miles to one bookmobile and just about that many to the other. The state has controlled everything that happens. The board had a meeting and Commissioner Hardy had talked to Casey Benedict who is over the bookmobiles over the state. Commissioner Hardy asked her to come up with some information at our last library meeting. She came and presented the information of what would happen if we did separate. She brought information on what would happen from the state's end if we were to separate. At the end of her statement, she told us she was speaking for her two supervisors and the head of the state library department, and they encouraged Box Elder County because of the growth in our county and our financial ability to support the library system, that we should separate. They continued to discuss all of the things that would need to happen that they could foresee in the near future.

Royal Norman made the motion that was seconded by Devon Smith and passed unanimously by the Library Board Thursday evening, January 24, 2008. The recommendation is with much discussion between the County Library Board and the state library bookmobile director. Box Elder County

Library Board recommends termination of the State Library Contract for bookmobile services. The Library Board further recommends the county assume all operating responsibilities of county bookmobile services through the Library Board of Directors under County Ordinance No. 268. The bookmobile employees would become county employees. The proposed transitions should be completed as soon as possible at the discretion of the County Commission.

Royal Norman said it appears like it is a special district in that it has its own taxing authority, but it is not. It is not the special district that we are acquainted with. Consequently it is going to have to have some new bylaws put in place. Our recommendation is that the County Commission still controls the taxes. If there are taxes raised, it comes under the direction of the County Commission. He said our employees were a big concern. There are three full-time employees and one half-time employee. The Board is asking the Commission to approve this change, and then work out the details as fast as we can. Royal Norman's main concern is that we have a good bookmobile service, and the employees are not hurt in the transition.

MOTION: A motion was made by Commissioner VanDyke that Box Elder County terminates the contract with the State Library for bookmobile services and the county assumes all control of those services, effective as soon as possible at the discretion of the County Commission but no later than March 31, 2008. The motion was seconded by Chairman Hardy and unanimously carried.

WARRANT REGISTER – COMMISSIONERS

The Warrant Register was signed and the following claims were approved for payment: Claim 54931 thru 55081, 990080 thru 990089 in the amount of \$245,965.89.

MOTION: A motion was made by Commissioner VanDyke to sign the warrant register subject to review by him. The motion was seconded by Chairman Hardy and unanimously carried.

PERSONNEL ACTIONS – COMMISSIONERS

SHERIFF:	Larry Blanchard, assignment change, effective 02/03/2008
FAIRGROUNDS:	Richard Kent, compensation change, effective 01/01/2008
WEED DEPT:	Nicholas Esplin, separation, effective 01/11/2008

EXECUTIVE SESSION

- 1. 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**

2. **DISCUSSION OF CHARACTER, PROFESSIONAL COMPETENCE OR PHYSICAL OR MENTAL HEALTH OF AN INDIVIDUAL**

3. **STRATEGY SESSION FOR “IMMINENT” LITIGATION**

This item was cancelled.

ADJOURNMENT

A motion was made by Commissioner VanDyke to adjourn. Commissioner Hardy seconded the motion, and the meeting adjourned at 11:02 a.m.

ADOPTED AND APPROVED in regular session this 12th day of February 2008.

Jay E. Hardy, Chairman

Rich VanDyke, Commissioner

ATTEST:

LuAnn Adams, Recorder/Clerk

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

1. Personnel Issues - Policies – Peggy Madsen

The Administrative/Operational Session adjourned at 12:10 p.m.