

**MINUTES  
BOX ELDER COUNTY COMMISSION  
MARCH 13, 2007**

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 **MARCH 13, 2007**. The following members were present:

Jay E. Hardy	Chairman
Clark N. Davis	Commissioner
Rich VanDyke	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. West Corinne Cemetery District – Commissioner Davis
7. Perry Flood Control – Commissioner Davis

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
Clark N. Davis	Commissioner
Rich VanDyke	Commissioner
LuAnn Adams	Recorder/Clerk

The prayer was offered by Commissioner Hardy.

**APPROVAL OF MINUTES**

**THE MINUTES OF THE REGULAR MEETING OF FEBRUARY 27, 2007 WERE APPROVED ON A MOTION BY COMMISSIONER VANDYKE, SECONDED BY COMMISSIONER DAVIS AND UNANIMOUSLY CARRIED WITH THE FOLLOWING ADDITION: UNDER PHOTO CONTEST PEOPLE CAN SUBMIT THEIR PICTURES IN BOTH HARD COPY AND DIGITAL FORMAT.**

**AGENDA: ATTACHMENT NO. 1**

*(See Attachment No. 2 – Attendance List.)*

**IHC HEALTH SERVICES, INC. PUBLIC HEARING:** Conducting a public hearing with respect to the proposed issuance by The City of Riverton, Utah (the “Issuer”) of its hospital revenue bonds (the “Bonds”) in one or more series and in an aggregate principal amount not to exceed \$25,000,000 with respect to certain health care facilities of IHC Health Services, Inc. located in Box Elder County, Utah for the purpose of financing, refinancing or providing reimbursement for the acquisition, improvement and equipping of such health care facilities and considering for adoption a resolution approving the issuance of the Bonds for purposes of Section 147 (f) of the Internal Revenue Code of 1986, as amended. **INTERLOCAL AGREEMENT:** Considering for adoption a resolution authorizing the execution and delivery by Box Elder County, Utah (the “County”) of an Interlocal Cooperation Agreement, which will authorize the Issuer to issue a portion of the Bonds on behalf of the County and certain other counties located in the State of Utah.

Chairman Hardy opened the public hearing at 9:00 a.m.

Jim Matsumori, Financial Advisor, said Intermountain Healthcare would like to construct, renovate and /or equip several different health care facilities located throughout the state. The Utah Interlocal Cooperation Act permits the financing for such facilities to be accomplished through one conduit municipal issuer. This eliminates the duplication of effort and results in economies of scale, larger and more marketable bond block sizing, etc. Riverton City has agreed to be the conduit bond issuer for and on behalf of Intermountain because a sizable amount of the financing will be designated for a new hospital to be located in Riverton; however, in order for some of the bond proceeds to be spent in Box Elder County, it is necessary for the County to hold a hearing where public comment would be received and to adopt two resolutions: (1) allowing authorization for Riverton City to issue \$25,000,000 which would be ear-marked for a facility in Box Elder County and (2) enter into an interlocal cooperation agreement.

Chairman Hardy opened the meeting up to public comment. There were no comments.

**MOTION:** A motion was made by Commissioner Davis to close the public hearing. The motion was seconded by Commissioner VanDyke and the public hearing was closed at 9:07 a.m.

Chairman Hardy explained the need and importance of a hospital in the Tremonton area. Chairman Hardy said the Tremonton Hospital was built 20+ years ago and the citizens put up a lot of the money. It was a community hospital. IHC has been running the hospital for the past 10 years. IHC purchased a portion of the hospital and have a joint facility with the hospital and nursing home. Chairman Hardy said the hospital was built pretty cheap. Some of the materials came out of an old school and some of the plumbing was put back into the hospital which has come back to bite them. IHC would like to build a new facility in Tremonton. The property is already located in Tremonton on 40 acres south of Malt-O-Meal. It has good access to the freeway and has been a great asset to Northern Box Elder County.

**MOTION:** A motion was made by Commissioner Davis to approve Resolution 07-01, a resolution approving the proposed issuance by the City of Riverton, Utah of its hospital revenue bonds in one or more series, in an aggregate principal amount not to exceed \$25,000,000 with respect to facilities in Box Elder County, Utah. The motion was seconded by Commissioner VanDyke and unanimously carried.

*(See Attachment No. 03 – Resolution 07-01.)*

**MOTION:** A motion was made by Commissioner Davis to approve the Interlocal Cooperation Agreement 07-16 dated April 1, 2007 by and among the cities and counties which have, from time to time, become parties hereto in accordance with the provisions hereof, each being a city or county and a political subdivision of the State of Utah and each acting through its duly constituted governing body and to approve Resolution 07-02, a resolution approving and authorizing the executing and delivery of the Interlocal Cooperation Agreement dated April 1, 2007 between Box Elder County and Riverton City. The motion was seconded by Commissioner VanDyke and unanimously carried.

*(See Attachment No. 04 – Resolution 07-02.)*

### **FOLLOW-UP BUSINESS**

Commissioner Davis informed the public of Kevin Hamilton, Box Elder County's new full-time planner. Commissioner Davis said an extensive interview was conducted and the Commissioners were unanimous in their selection of Kevin Hamilton who has previously been working as a planner in Weber County. A testament came from a couple of the Weber County Commissioners who were pretty upset that Box Elder County had hired their planner away. Commissioner Davis said the Commission appreciates having Mr. Hamilton on board and looks forward to a long-lasting relationship.

Kevin Hamilton said he wanted to be able to work in a rural area and lead a department. He is excited to be in Box Elder County. Mr. Hamilton is married and has four children.

### **West Corinne Cemetery Board Appointment – Commissioner Davis**

Commissioner Davis said he was asked to follow-up with the State on the potential of combining West Corinne Cemetery District with Corinne City. He contacted Van Christensen, State Auditor's Office, who walked him through the process and gave a couple of codes: 17A 2-101.3 and 17B-2-703. The bottom line is West Corinne Cemetery District is an independent Special Service District and in order to dissolve the district, it would require the vote of 100% of private real property located within the district or 100% of registered voters residing within the local district. The 100% is impractical to proceed, and Commissioners Davis recommends proceeding with the appointment.

**MOTION:** A motion was made by Commissioner Davis to appoint Kipp Hansen to fill the unexpired term of Whitney Young which is December 31, 2009. The motion was seconded by Commissioner VanDyke and unanimously carried.

The Commissioners will follow-up with a letter to Mayor Nimori, Whitney Young and Cap Ferry.

**RESOLUTION PROPOSING THE ESTABLISHMENT OF THE SOUTH WILLARD SPECIAL SERVICE DISTRICT, BOX ELDER COUNTY, UTAH – COMMISSIONERS**

Attorney Eric Johnson said the idea is to create a Special Service District for the South Willard Area. This would allow the South Willard area to have independence in how it proceeds with things. It will give the people within the area a little bit greater voice in the development that happens there. The special service district would have the following powers: sewerage, drainage, garbage, health care, transportation, recreation, fire protection and emergency medical and ambulance, street lighting, animal shelter and control and snow removal. Attorney Johnson did not include water because the Bear River Water Conservancy District has already been granted that responsibility. Attorney Johnson did not include flooding because of the County Flood District. The Commissioners would like to have water added. Attorney Johnson said the resolution calls for a public hearing on April 10 at 9:00 a.m. in which both written and verbal comments can be received.

**MOTION:** A motion was made by **Commissioner Davis** to approve Resolution 07-03, a resolution proposing the establishment of the South Willard Special Service District in Box Elder County with the services as discussed and the amended boundaries included. The motion was seconded by **Commissioner VanDyke** and unanimously carried.

*(See Attachment No. 5 – Resolution 07-03.)*

**RURAL ECONOMIC DEVELOPMENT AMENDMENT – SUSAN THACKERAY**

Economic Development Director Susan Thackeray presented a contract amendment Box Elder County has with the state called “Disadvantaged Rural Communities”. She said there was a certain amount of money the state had put aside to help start some entrepreneurial centers in conjunction with Utah State University, Brigham. The contract was for \$50,000. The first part was the County use \$45,000 to put together a plan for the entrepreneurial center. The contract amendment extends the term of the contract to June 30, 2007. There is another \$5,000 they are holding for the County until the whole part of the plan is completed.

**MOTION:** A motion was made by **Commissioner Davis** to approve contract amendment No. 2 to contract #061783 and authorize the chair to sign. The motion was seconded by **Commissioner VanDyke** and unanimously carried.

**NORTH LEGACY PROJECT – BETHANY MATSUMORI/VERN KEESLAR**

Vern Keeslar and Bethany Matsumori invited the Commissioners or a representative of the County to attend the North Legacy Study. They have been asked as a consultant team to form a transportation corridor study for North Legacy which would come up out of Davis County into Weber County and then connect back into I-15 somewhere around the Box Elder County line. The transportation corridor is a supplemental study that was done in 2001 and in 2001 the counties could not come to a

consensus and agreement, not only where the alignment of North Legacy ought to be, but also where it ought to tie back into I-15. Mr. Keeslar noted that Box Elder County Planner Kevin Hamilton has served on the steering committee as a representative from another county. The meeting will be held Friday, March 16 at 10:30 a.m. in Hooper. The consultants wanted the Commissioners to be aware of the study and attend the meeting.

Chairman Hardy is over the roads, and he will have Kevin Hamilton represent the County at the meetings and Chairman Hardy will coordinate with Mr. Hamilton to see where he needs to be.

### **BID OPENING/FIFTH WHEEL TRUCKS – JOHN COLLOM**

Road Supervisor John Collom said he sent out three bids and only received one. He then opened the bid from Kenworth in the amount of \$104,329 for each truck. Mr. Collom needs to purchase two trucks.

**MOTION:** A motion was made by Commissioner Davis to approve the bid from Kenworth contingent upon John Collom checking with the state bid to see if it is within reason and give John Collom the authorization to make that call and to go ahead with the purchase of those two trucks. The motion was seconded by Commissioner VanDyke and unanimously carried.

### **SHOSHONE INDIAN PLAN INTERFACE – JON MANTON**

This item was canceled.

### **SUPPRESSION BUDGET – BLAIN HAMP**

Blain Hamp said in the last Commission Meeting he presented the Commissioners with a MOU. The MOU states the suppression budget will be paid next year.

Roger Lewis gave a history of the fund. He said it was set up by the legislature 10-12 years ago to help counties pay the suppression costs. About three years ago Mr. Lewis went out and asked how the counties are doing on paying the costs. He sent a letter out to all the counties asking them to show him how costs are calculated to make sure it was being done according to the way the statute was. He got very little response. Box Elder did respond and said they did not know how to get the information Mr. Lewis wanted. He visited 17 counties and got 17 different answers so he set up a method to get all the counties on equal par. He talked to the Tax Commission asking for a way to get the information he needed. The Tax Commission told him there was, and gave that information to him. The formula is based on the taxable value of real property in the unincorporated areas of the County times a rate plus the total number of acres in the unincorporated area of the County.

Commissioner Davis said going forward the Commissioners would like the state to coordinate with Box Elder County Assessor Monte Munns and would like a list of the counties and what their original participation was and what they lost or gained.

MOTION: A motion was made by Commissioner Davis to approve the Memorandum of Understanding between Utah Division of Forest, Fire and State Lands and Box Elder County and authorize Chairman Hardy to sign the agreement. The motion was seconded by Commissioner VanDyke and unanimously.

Commissioner VanDyke was excused to attend another meeting.

**SOUTH CHERRYWOOD LOT 2 DIVISION – KEVIN HAMILTON**

County Planner Kevin Hamilton said the South Cherrywood Subdivision is located in South Willard. Mr. Hamilton said this is a flag lot, a one lot split which will be an amendment to the Cherrywood Subdivision. The County Planning Commission recommended approval unanimously.

MOTION: A motion was made by Commissioner Davis to approve the South Cherrywood Lot 2 Division as recommended by the County Planning Commission creating Parcel A and Parcel B. 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: Claims 49057 thru 49324 in the amount of \$524,658.94.

**PERSONNEL ACTIONS – COMMISSIONERS**

SHERIFF: Crystal Blasi, new hire, effective 02/20/2007  
SHERIFF: Scott Young, compensation change, effective 02/25/2007  
SHERIFF: Colter Whiteley, compensation change, effective 02/25/2007  
SHERIFF: Austin Bowcutt, compensation change, effective 02/18/2007  
EXT. SERV: Samantha Nicholas, separation, effective 02/28/2007  
EXT. SERV: Brandee Silva, separation, effective 03/02/2007

**OTHER BUSINESS**

**Fee Waiver at Fairgrounds**

Nikki Anderson, Bear River Valley Chamber of Commerce Director, explained on May 5 they would like to have a health/safety and business expo free to the public. The hospital will be offering health screenings and businesses are invited to set up a booth to advertise their business. Ms. Anderson asked the Commissioners if the \$400.00 rental fee at the fairgrounds could be waived. Ms. Anderson said this will be a day to showcase Box Elder County and provide an opportunity for the businesses to advertise. The only exchange of money would be if someone is selling a craft.

Nikki Anderson was directed to coordinate with Commissioner VanDyke, and it is the Commission's intent to forgive the fee this year.

**ADJOURNMENT**

A motion was made by Commissioner Davis to adjourn. Chairman Hardy seconded the motion, and the meeting adjourned at 11:30 a.m.

**ADOPTED AND APPROVED** in regular session this 20th day of March 2007.

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Jay E. Hardy, Chairman

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Clark N. Davis, Commissioner

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Rich VanDyke, Commissioner

ATTEST:

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LuAnn Adams, Recorder/Clerk