

**MINUTES
BOX ELDER COUNTY COMMISSION
MAY 29, 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 **MAY 29, 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

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 VanDyke.

APPROVAL OF MINUTES

THE MINUTES OF THE REGULAR MEETING OF MAY 22, 2007 WERE APPROVED ON A MOTION BY COMMISSIONER VANDYKE, SECONDED BY COMMISSIONER DAVIS AND UNANIMOUSLY CARRIED WITH THE FOLLOWING CORRECTION: UNDER COUNTY LEASED WATER/BEAR RIVER CANAL COMPANY, THE WORD IN THE MOTION SHOULD BE CHANGED FROM "OBTAIN" TO "MAINTAIN".

AGENDA: ATTACHMENT NO. 1

FOLLOW-UP BUSINESS**Greenbelt Issue – Kimble Blackburn/Tyler Jensen**

Commissioner Davis said Kimble Blackburn and Tyler Jensen came to the Commissioners petitioning for a rollback waiver of the greenbelt provision which constituted \$10,000-\$12,000. Commissioner Davis said the property had changed hands and in the exchange of property, the new property owners are responsible for signing up for greenbelt participation. They did not and said they were not properly notified. Internally the County went through everything possible to attempt to notify the property owner. The business had a change in address, a change in ownership and management. There were some grounds for considering the petition for waiver. The previous Commission had not supported a petition for waiver and had basically denied that petition. They came back last week and made a presentation to the new Commission and gave more background. Their attorney and a representative for the subsequent owner were in attendance.

Commissioner VanDyke said based on the idea that the actual use of the ground had never changed, it was previously used as agriculture and continued to be used as agriculture; the surrounding circumstances indicated that maybe this ought to be considered for waiver.

MOTION: A motion was made by Commissioner VanDyke to grant a petition for waiver of the rollback. The motion was seconded by Chairman Hardy. The motion carried 2-1 with Commissioner Davis voting nay.

Chairman Hardy said the County did everything under the law to make the proper notification, but the notification didn't get to the right place. They had changed addresses and a few things and were never notified at the proper time; although the County had made the proper notifications and gone the extra mile trying to get that one taken care of.

PUBLIC TRANSPORTATION SALES TAX REFERENDUM FOR BRIGHAM CITY, PERRY AND WILLARD – MAYOR CHRISTENSEN

Councilmember Reese Jensen and Mayor LouAnn Christensen came before the Commissioners to inform them about the initiative that Brigham City, Willard and Perry have taken in regards to public transportation. It is the issue of the second ¼ cent sales tax. Councilmember Jensen said they want the Commissioners to be aware as to what the three cities have done and to take into consideration when the County is looking at the third ¼ cent increase.

Councilmember Jensen said the three cities contracted with Interplan in September of last year to do a corridor study which consisted of the area from Weber County north. The purpose of that study was to evaluate transportation needs. He said they now have preliminary results, and the final results will come out next month. The preliminary results indicate there is a need for some formal form of public transportation to connect us along the Wasatch Front. The study indicated that while the population right now may not justify bringing the Front Runner as far as Brigham City, it would justify bringing a Diesel Multiple Unit (DMU) as far as Brigham City. The DMU would still run on

the same tracks the Front Runner would run on. This is an interim step to satisfy the immediate needs until the population in the County grows to the point where running the Front Runner can be justified. The Utah Transit Authority would buy an easement to run on the U&P Tracks. The capital investment to support the DMU Units and the rails would be upgraded, but after that is done, the front-runner could use the same rails. There will only be one capital investment upfront.

Councilmember Jensen said the benefits for commuter rail would be:

- (1) Provide a transportation option that will assist in reducing auto dependency
- (2) Provide high-quality transportation that meets the needs of commuters
- (3) Promote economic development by providing opportunities to expand local markets
- (4) Provide fast and efficient linkage to the Wasatch Front
- (5) Improve the quality of life.

Councilmember Jensen said UTA is currently planning to bring commuter rail to Brigham City in 2030. If funding is available this could be moved up to as early as 2015. Counties that take the initiative to move forward will get priority for future state funding. He said we must begin now to meet future transportation needs. The funding is a 1/4 cent increase in sales tax that would generate approximately \$800,000/year. This tax would be used specifically for local transit needs including commuter rail. Councilmember Jensen said the issue will be placed on the November ballot, and if successful the 1/4 cent sales tax revenue will be placed in an escrow account which earns interest.

Councilmember Jensen said they are proceeding with a referendum and have contracted with Exoro to manage a campaign. Brigham City Chamber is the sponsoring and contracting agency. The Chamber will coordinate all financial transactions. The Campaign Oversight Committee will have ultimate authority on budget, administration of finances, spending decisions, etc. It requires no financial commitment from the Chamber or Cities. Councilmember Jensen also presented letters of endorsement from Box Elder County businesses and the Cache County Mayors' Association.

Mayor Christensen and Councilmember Jensen asked the County Commissioners to be supportive. Duncan Murray from Perry and Mitch Zundel from Willard were also in attendance.

Commissioner Davis asked Brigham City, Perry and Willard to be supportive when the County goes for the third 1/4 cent sales tax.

MAY TAX SALE ITEMS TO APPROVE – TOM BENNETT

MOTION: A motion was made by Commissioner Davis to approve two additional items to the previous approved list to pull from the May Tax Sale based on the discretion of County Auditor at the time of the Tax Sale. The motion was seconded by Commissioner VanDyke and unanimously carried.

MOTION: A motion was made by Commissioner Davis to accept the results of the May Tax Sale conducted May 24 as represented by County Auditor Tom Bennett. The motion was seconded by Commissioner VanDyke and unanimously carried.

(See Attachment No. 2 – May Tax Sale Results.)

APPOINTMENT TO EAST GARLAND CEMETERY DISTRICT – COMMISSIONERS

MOTION: A motion was made by Commissioner Davis to appoint Craig Sorensen to the East Garland Cemetery District to fill the unexpired term of Cleon Hess and to send a letter of appreciation to Cleon Hess expressing gratitude to him for all of his service to the County. The motion was seconded by Commissioner VanDyke and unanimously carried.

TOURISM AWARDS PRESENTATION – JOAN HAMMER

Tourism Director Joan Hammer said she recently attended the Tourism State Conference in Price, and received a lot of good training. At the end of the conference the Governor spoke and awards were given. Box Elder County was the recipient of several awards. Box Elder County received the marketing award for the best logo in the state, best brochure for Top of Utah, and best print ads. Beth Gurrister received Utah's Tourism Hall of Fame Award. Ms. Hammer said Beth Gurrister continues to help with tourism.

Chairman Hardy stated Beth Gurrister has donated all of her hours to Box Elder County for her years of service with no compensation and her hours of service are unbelievable. Chairman Hardy thanked Ms. Gurrister.

Beth Gurrister said there are such treasures in Box Elder County. She thanked the Commissioners for always being supportive of the tourism efforts.

Commissioner VanDyke said Beth Gurrister's passion, enthusiasm and energy never ceases to amaze him.

Commissioner Davis said Beth Gurrister came to Brigham City in 1959 and since that time she has shared herself with Brigham City and Box Elder County. She has done community service as part of her life.

VARIOUS SUBDIVISIONS FOR COMMISSION APPROVAL – KEVIN HAMILTON

County Planner Kevin Hamilton said the Planning Commission gave approval on two subdivisions: The David John One-Lot Subdivision located at 7200 West 6800 North in the Bear River Area and the Benjamin Brough Two-Lot Subdivision located at 5000 West 12000 North just east of the Tremonton area.

MOTION: A motion was made by Commissioner Davis to approve the David John One-Lot Subdivision and the Benjamin Brough Two-Lot Subdivision. The motion was seconded by Commissioner VanDyke and unanimously carried.

INTERLOCAL COOPERATION AGREEMENT/HONEYVILLE CITY AND BOX ELDER COUNTY SHERIFF'S OFFICE FOR LAW ENFORCEMENT – KEVIN B. POTTER

Chief Deputy Kevin Potter asked the Commissioners to sign an Interlocal Cooperation Agreement with Honeyville City to provide an equivalent of one (1) hour per day for law enforcement at a cost of \$9,682.00.

MOTION: A motion was made by Commissioner Davis to approve the Interlocal Agreement for Law Enforcement Services with Honeyville City in the amount of \$9,682.00, effective July 1, 2006-June 30, 2007. The motion was seconded by Commissioner VanDyke and unanimously carried.

SUNRISE ENGINEERING/SOUTH WILLARD FEASIBILITY SEWER STUDY – COMMISSIONERS/KEVIN HAMILTON

MOTION: A motion was made by Commissioner Davis to approve the South Willard Feasibility Sewer Study with Sunrise Engineering in the amount of \$23,500 and authorize Chairman Hardy to sign. The motion was seconded by Commissioner VanDyke and unanimously carried.

WARRANT REGISTER – COMMISSIONERS

The Warrant Register was signed and the following claims were approved for payment: Claim 50551 thru 50652 in the amount of \$71,064.94. Claims 49949 and 50561 were voided.

PERSONNEL ACTIONS – COMMISSIONERS

SHERIFF:	Charles Hoffman, change of status, military leave, effective 05/15/2007
SHERIFF:	Carson Ferrin, separation, effective 05/24/2007
SHERIFF:	James Salvesen, compensation change, effective 05/08/2007
SHERIFF:	Nathan Stowell, compensation change, effective 05/12/2007
WEED DEPT:	Nicholas Esplin, compensation change, effective 05/28/2007
EXTENSION:	Lacy Pope, new hire, effective 05/23/2007
AUDITOR:	Stephanie Millaway, new hire, effective 05/23/2007
AUDITOR:	Carol Duncan, compensation change, effective 05/28/2007

ASSIGNMENT REVIEW – COMMISSIONERS

The Commissioners reviewed their assignments.

ADJOURNMENT

A motion was made by Commissioner VanDyke to adjourn. Commissioner Davis seconded the motion, and the meeting adjourned at 11:00 a.m.

ADOPTED AND APPROVED in regular session this 5th day of June 2007.

Jay E. Hardy, Chairman

Clark N. Davis, Commissioner

Rich VanDyke, Commissioner

ATTEST:

LuAnn Adams, Recorder/Clerk

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

1. Policy 19/Vehicle Allowance and Transportation Policy – Commissioner VanDyke
2. Staff Discussion/Growth Policy – Commissioners/Kevin Hamilton

The Administrative/Operational Session adjourned at 1:50 p.m.