

**MINUTES
BOX ELDER COUNTY COMMISSION
JUNE 05, 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 **JUNE 05, 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 Davis.

APPROVAL OF MINUTES

THE MINUTES OF THE REGULAR MEETING OF MAY 29, 2007 WERE APPROVED ON A MOTION BY COMMISSIONER VANDYKE, SECONDED BY COMMISSIONER DAVIS AND UNANIMOUSLY CARRIED WITH THE FOLLOWING CHANGE: COUNCILMEMBER JENSEN SAID THE ISSUE WILL BE PLACED ON THE NOVEMBER BALLOT, AND IF SUCCESSFUL THE ¼ CENT SALES TAX REVENUE WILL BE PLACED IN AN ESCROW ACCOUNT WHICH EARNS INTEREST.

AGENDA: ATTACHMENT NO. 1**FOLLOW-UP BUSINESS****Photography Award**

Commissioner VanDyke informed the public there will be an event taking place at the County Fair entitled the "Commissioners' Choice Award". This award is under the direction of Brent MacFarlane, Director of Photography for the County Fair, but the Commissioners will judge the winner. The winners' photos will be displayed in the courthouse, at the fair and on the county website. Commissioner VanDyke said this gives the people of Box Elder County a chance to take pictures of our wonderful county. The photographs can be scenic, people, activities or anything showing the diversity of the county. Each entry can be one photograph or a series up to four photographs. Each entry must include an 8 x 10 photograph along with a high resolution digital file and copyright release.

Courthouse Renovation

Commissioner VanDyke said a letter of appreciation will go to the following people thanking them for their part in the renovation of the front area of the historic courthouse: ABC Construction, Jack B. Parson Company, Rick Reber Construction, Bob Gardner, Matthew Checketts, Alan Jensen Construction, Brigham City Road, Power and Light Departments, David Tea, Sonny Gilbert, Mountain View Engineering, Box Elder County Road, Fairgrounds, Sheriff's and Landfill Departments. A letter will also go out to the following people that served on the Courthouse Renovation Committee: Monica Holdaway, Eileen Buchanan, Allen Jensen, Nikki Anderson, Donna Pullan, Cathy Wood and D.J. Bott.

Commissioner VanDyke also expressed a special congratulations and appreciation to Buildings and Grounds Supervisor Donnie Tarver for putting things together very expertly and under a time constraint.

Commissioner VanDyke said the responses on the appearance of the front grounds have been for the most part very positive. The results will be even more impressive as everything is finalized.

Commissioner Davis said Commissioner VanDyke deserves credit for chairing this responsibility. He stood up to the challenge and did an excellent job of seeing it through to completion. Commissioner Davis said the County will continue to make improvements on the façade of the building and the grounds. The public will be grateful there was some foresight in going ahead with the project.

County Weed Foreman

Chairman Hardy announced that Rick Kent accepted the position as the County Weed Foreman, effective June 18.

BEAR RIVER MENTAL HEALTH AREA PLAN – REED ERNSTROM

Reed Ernstrom, Chief Executive Officer, said by law the Bear River Mental Health is required to present an area plan to the state. The Bear River Mental Health provides mental health services in Rich, Cache and Box Elder Counties. Mr. Ernstrom then reviewed the revenues. Bear River Mental Health receives \$4,991,000 from Medicaid. The state general fund provides \$1,448,026 and \$289,605 is local county match. The other revenue is from grants and interest income. He said they have a budget of \$6,466,990. He then reviewed the Mental Health's continuum of services. He said they received about \$65,000 from a CDBG grant and Bear River Mental Health will match \$70,000 to remodel the Day Center. The state legislature appropriated \$2.7M for Mental Health Services through the state. Bear River Mental Health received \$170,000. The proposal is petitioned to the state on how they would use the \$170,000. They have elected to hire two new full-time master degree therapists and make them available to the schools in Box Elder, Cache and Rich Counties to get services to the children to deter them and take some pressure off the Sheriff and others.

Reed Ernstrom said they are interested in a Mental Health Court. They visited the Juvenile Mental Health Court in Salt Lake City and the Third District Court. He said some of the citizens who are incarcerated have serious mental health issues and could potentially be better served outside the jail system. This has been a coordination of efforts between the judge, law enforcement, mental health providers, prosecuting attorneys and public defenders. They all got together to make a decision on how they will help these particular people. Senator Hillyard got \$75,000 of ongoing funding to provide this service. Judge Larry Jones will participate as the juvenile judge and Bear River Mental Health will do their part. It has proven to be very successful in Salt Lake and along the Wasatch Front, and hopefully this will be initiated in July.

MOTION: A motion was made by Commissioner Davis to accept the Bear River Mental Health Plan for the State Fiscal Year of 2008 with the County's endorsement of that plan. The motion was seconded by Commissioner VanDyke and unanimously carried.

Reed Ernstrom said there will be a day-treatment program in Box Elder County in the future that will comply with Medicaid Funding. He feels it is medically necessary.

DIVISION OF WILDLIFE RESOURCES LETTER OF SUPPORT – AARON WEBBER

Aaron Webber, Biologist for DWR, explained the Least Chub is a 2" fish that is only found in Utah and is considered a state conservation species. Historically the Least Chub occupied several springs and stream systems in the Bonneville Basin, including the Bear River System in Box Elder County. Least Chub populations and distribution have declined due to introduction of non-native fish and habitat degradation. Mr. Webber said the DWR has been successful in putting Least Chub in the

Lucin Pond and are working to put them in the Bovine Mountain Ponds. Mr. Webber said the number one priority for Least Chub management in Utah is to establish two backup/refuge populations for each of the six natural populations remaining. He said more sites are needed to ensure that the Least Chub do not get added to the federal extinction list. DWR is working with private landowners and land management agencies in Box Elder County to identify additional locations for Least Chub. He explained they are developing agreements with willing private landowners.

MOTION: A motion was made by Commissioner Davis that as a Commissioner to sign a letter of support for the Division of Wildlife Resources for the Least Chub Management Program in Box Elder County. The motion was seconded by Commissioner VanDyke and unanimously carried.

(See Attachment No 2 – Letter.)

APPROVAL FOR HANSEN ONE-LOT SUBDIVISION – KEVIN HAMILTON

This item was canceled.

NISH ROCK PRODUCTS GRAVEL PIT EXPANSION – KEVIN HAMILTON

Commissioner Davis said he had a conflict of interest with Nish Rock Products, and recused himself from participation.

County Planner Kevin Hamilton said Nish Rock Products current operation of the pit consists of 109 acres and is planning on expanding with 80 more acres over the next ten to twenty years. The gravel pit is located in an un-zoned area of the county and requires a conditional use permit to operate. The County Engineer has reviewed the petition and issued a letter outlining conditions for this project which the petitioner has accepted and will meet. The Planning Commission has recommended the granting of the conditional use permit.

MOTION: A motion was made by Commissioner VanDyke to issue the conditional use permit to Nish Rock Products for the expansion of the gravel pit. The motion was seconded by Chairman Hardy and the motion carried 2-1 with Commissioner Davis abstaining from the vote due to a conflict of interest.

WARRANT REGISTER – COMMISSIONERS

The Warrant Register was signed and the following claims were approved for payment: Claim 990012 – 990017, 50653 thru 50749 in the amount of \$304,957.51.

PERSONNEL ACTIONS – COMMISSIONERS

WEED DEPT: Nathan Warburton, new hire, effective 06/02/2007
WEED DEPT: Dallin Fukui, new hire, effective 06/02/2007
LANDFILL: Kellen M. Cook, re-hire, effective 05/30/2007
ROAD DEPT: Ida Cannon, compensation change, effective 06/07/2007
PERSONNEL: Peggy Madsen, compensation change, effective 05/28/2007
JUSTICE COURT: Andrea Shipley, compensation change, effective 06/01/2007

RECESS

The Commissioners took a short recess as Chairman Hardy tested the security button. It worked and security arrived.

ASSIGNMENT REVIEW – COMMISSIONERS

The Commissioners reviewed their assignments.

EXECUTIVE SESSION

MOTION: At 10:07 a.m. a motion was made by Commissioner Davis to move into an executive session to discuss ongoing litigation. The motion was seconded by Commissioner VanDyke, and the motion was unanimously carried.

MOTION: At 11:37 a.m. a motion was made by Commissioner VanDyke to reconvene into regular commission meeting. Commissioner Davis seconded the motion, and regular commission meeting was reconvened.

Chairman Hardy explained that ongoing litigation was discussed.

ADJOURNMENT

A motion was made by Commissioner VanDyke to adjourn. Commissioner Davis seconded the motion, and the meeting adjourned at 11:38a.m.

ADOPTED AND APPROVED in regular session this 12th 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. Rewrite Update – Keith Keller
2. South Willard Administrative Control Board
3. Surplus Property Policy – Kevin Hamilton
4. Justice System Coordinating Committee Report
5. Staff Discussion on Growth Policy

The Administrative/Operational Session adjourned at 3:34 p.m.