

**MINUTES
BOX ELDER COUNTY COMMISSION
JUNE 26, 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 26, 2007**. 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
Clark N. Davis	Commissioner
Rich VanDyke	Commissioner
LuAnn Adams	Recorder/Clerk

The prayer was offered by Chairman Hardy.

APPROVAL OF MINUTES

THE MINUTES OF THE REGULAR MEETING OF JUNE 19, 2007 WERE APPROVED AS WRITTEN ON A MOTION BY COMMISSIONER VANDYKE, SECONDED BY COMMISSIONER HARDY AND UNANIMOUSLY CARRIED.

AGENDA: ATTACHMENT NO. 1

SURPLUS PROPERTY RESOLUTION – CAROL DUNCAN

This item was canceled.

CONTESTED TAX SALE – TOM BENNETT, STEPHEN HADFIELD

County Attorney Stephen Hadfield stated the owner of one of the parcels sold at the tax sale was never notified of the tax sale, and he was not aware of delinquent taxes. In doing some research the County learned that the address was changed, and there was no address change card at that address documented. County Recorder LuAnn Adams said she thought it was an error that occurred during the conversion process of the ACT Software. Attorney Hadfield said the notice did not get to the owner, and the property was sold at the County's May Tax sale but no deed was issued. The person that purchased the property was notified of what happened. He wasn't happy but is o.k. According to the County ordinance for the sale of tax sale property any objections need to be reviewed by the County Commission.

MOTION: A motion was made by Commissioner Davis to set aside the tax sale and refund the money to the successful bidder. The motion was seconded by Commissioner VanDyke and unanimously carried.

RENEWAL OF QUESTAR FRANCHISE – STEPHEN HADFIELD

MOTION: A motion was made by Commissioner VanDyke to adopt Ordinance No. 293, an ordinance granting to Questar Gas Company a franchise for the construction, operation and maintenance of a gas distribution system in Box Elder County. The motion was seconded by Commissioner Davis and unanimously carried.

Commissioner Davis was excused for part of the meeting.

CANCELLATION OF COMMISSION MEETING – COMMISSIONERS

MOTION: A motion was made by Commissioner VanDyke to cancel Commission Meeting on July 3 and July 24. 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 20070615, 51033 thru 51162, 50962 in the amount of \$354,631.67

PERSONNEL ACTIONS – COMMISSIONERS

ASSESSOR/TREAS: Suzanne Bowcutt, separation, effective 06/26/2007
FAIRGROUNDS: Westin Shaffer, re-hire, effective 06/26/2007

ROCKET ROAD (HANSEN) ONE-LOT SUBDIVISION – KEVIN HAMILTON

County Planner Kevin Hamilton said the Hansen One-Lot Subdivision is a lot split for an existing home. The subdivision is located in an un-zoned area on Rocket Road.

MOTION: A motion was made by Commissioner VanDyke to accept final approval on the Hansen One-Lot Subdivision subject to final review from the County Attorney and subject to meeting the requirements of the zoning ordinance. The motion was seconded by Chairman Hardy and unanimously carried.

TRANSPORTATION CORRIDOR – LYLE MCMILLAN, UDOT

This item was canceled.

OTHER BUSINESS

Disposition of Property

MOTION: A motion was made by Commissioner VanDyke to hold a public hearing for the disposition of County property in Tremonton on July 17 at 10:00 a.m. The motion was seconded by Chairman Hardy and unanimously carried.

EXECUTIVE SESSION

1. Strategy sessions for “imminent” litigation
2. Discussion of character, professional competence or physical or mental health of an individual.

MOTION: At 9:40 a.m. a motion was made by Commissioner Davis to move into an executive session to discuss personnel issues. The motion was seconded by Commissioner VanDyke and unanimously carried.

MOTION: At 11:07 a.m. a motion was made by Commissioner Davis to reconvene into regular Commission Meeting. Commissioner VanDyke seconded the motion, and regular Commission Meeting was reconvened.

Chairman Hardy explained that pending litigation and personnel issues were discussed.

ADJOURNMENT

A motion was made by Commissioner VanDyke to adjourn. Commissioner Davis seconded the motion, and the meeting adjourned at 11:08 a.m.

ADOPTED AND APPROVED in regular session this 10th day of July 2007.

Jay E. Hardy, Chairman

Clark N. Davis, Commissioner

Rich VanDyke, Commissioner

ATTEST:

LuAnn Adams, Recorder/Clerk