

**MINUTES  
BOX ELDER COUNTY COMMISSION  
AUGUST 14, 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 **AUGUST 14, 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. COG Meeting

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 AUGUST 07, 2007 WERE APPROVED AS WRITTEN ON A MOTION BY COMMISSIONER DAVIS, SECONDED BY COMMISSIONER VANDYKE AND UNANIMOUSLY CARRIED.**

**AGENDA: ATTACHMENT NO. 1****CUP EXTENSION/PACIFIC WEST LLC – COMMISSIONERS**

Commissioner Davis said Pacific West asked for an extension on their conditional use permit for the Promontory Landfill. The current conditional use permit requires Pacific West to be in operation by July 22, 2007. Pacific West asked for a two-year extension.

MOTION: A motion was made by Commissioner Davis to grant the approval for extension of the conditional use permit to Pacific West LLC. The motion was seconded by Commissioner VanDyke and unanimously carried.

**NORTHERN UTAH REGIONAL LANDFILL AGREEMENTS – COMMISSIONER DAVIS**

Commissioner Davis said the Commissioners have a draft copy of two landfill agreements. Commissioner Davis said one provision that is not addressed in the agreement is do these agreements become effective if the NURLA does not acquire the Little Mountain Landfill Site. Commissioner Davis suggested instructing the County Attorney to place that provision on both the agreements in the event the Little Mountain Landfill Site is not acquired, this agreement becomes null and void. The purpose of the agreement is to allow the permitting process to go forward. He said right now we have a permit that is limited to 112 acre site. To have any type of regional consideration for locating at the Little Mountain Site the footprint would need to be expanded and the acreage available would need to be close to 1000 acres. With the Nicoli Nicholas lease there is access to over 1000 acres. These agreements assign Box Elder County's interest to NURLA so that NURLA can apply for the permits. If the permit is approved, the landfill is sold to NURLA, then NURLA could assume the lease agreement with Nicoli Nicholas. Commissioner Davis said the Nicholas Family is in favor of this because it would increase the volume. They would receive additional royalties based upon the volume increase. The tentative stage has not been finalized, and they are in the permitting process right now.

MOTION: A motion was made by Commissioner Davis to accept the language of the agreement with the following modification to be attached to each agreement: In the event that the Little Mountain Landfill Site is not acquired by NURLA, this agreement becomes null and void and once Chairman Hardy receives the final agreement that has been approved by our County Attorney, he be authorized to sign those agreements. The motion was seconded by Commissioner VanDyke and unanimously carried.

**CONSULTING CONTRACTS (2) – PEGGY MADSEN**

MOTION: A motion was made by Commissioner VanDyke to accept the consulting services contracts for Roger Handy and Dennis Sheffield as outlined in the agreements. The motion was seconded by Commissioner Davis and unanimously carried.

Dennis Sheffield will help the Auditor's Office with financial consulting on governmental accounting and procedures and Roger Handy will help the Personnel Office with statistical information for the budget. It was noted that there are sufficient resources in the budget to hire these consultants.

**FAMILY DAY PROCLAMATION – LORNA RAVENBERG**

Administrative Assistant Lorna Ravenberg read the attached proclamation from the National Center on Addiction and Substance Abuse:

*(See Attachment No. 2 – Proclamation.)*

The proclamation called for September 24 as Family Day, a day to eat dinner with your children. Studies have shown when teenagers eat with their family, they are less likely to smoke cigarettes, smoke marijuana and drink alcohol.

**MOTION:** A motion was made by Commissioner VanDyke to accept the proclamation declaring September 24 as Family Day – a day to eat dinner with your children. The motion was seconded by Commissioner Davis and unanimously carried.

**DEPARTMENT OF AIR FORCE LICENSE AGREEMENT – COMMISSIONERS**

**MOTION:** A motion was made by Commissioner Davis to table the discussion until the Commissioners receive further input on the issues they do not understand. The motion was seconded by Commissioner VanDyke and unanimously carried.

**TOWN OF MANTUA/LETTER OF AGREEMENT – COMMISSIONERS**

Mantua Mayor Kent Jeppesen said this is a letter replying to the County's request of an agreement between the County and the town of Mantua for the County to be able to maintain the part of the Rocky Dugway Road that is on the east side of Maple Creek to the east border of Mantua Town.

**MOTION:** A motion was made by Commissioner Davis to approve the letter of agreement dated June 19, 2007 from the town of Mantua and authorize the chair to sign, effective August 14. The motion was seconded by Commissioner VanDyke and unanimously carried.

**RECESS**

The Commissioner took a recess at 9:55 a.m. and reconvened at 10:00 a.m.

**PUBLIC HEARING: PROPOSED REZONING FROM MU-160 TO RR-20 – COMMISSIONERS**

*(See Attachment No. 3 – Attendance List.)*

Chairman Hardy declared the public hearing open on the proposed rezoning at 10:00 a.m.

County Planner Kevin Hamilton stated the proposed rezoning is located at 800 N 7200 W.

Commissioner Davis stated it makes more sense to rezone the area.

Chairman Hardy asked for comments from the audience. There were none.

**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 10:20 a.m.

**MOTION:** A motion was made by Commissioner Davis to approve the rezone from a MU-160 and A-20 to an RR-20 along 6800 West from 400 feet on either side of the road from the northeast corner of Section 21 and northwest corner of section 22 to the east quarter corner of Section 21 and west quarter corner of Section 22. 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 51738 thru 51857, 20070804 in the amount of \$457,912.62.

**PERSONNEL ACTIONS – COMMISSIONERS**

SHERIFF DEPT: Chuck Hoffman, compensation change, effective 07/17/2007  
ROAD DEPT: Delbert Spackman, compensation change, effective 08/10/2007

**ASSIGNMENT REVIEW – COMMISSIONERS**

The Commissioners reviewed the assignments.

**ADJOURNMENT**

A motion was made by Commissioner VanDyke to adjourn. Commissioner Davis seconded the motion, and the meeting adjourned at 11:10 a.m.

**ADOPTED AND APPROVED** in regular session this 28th day of August 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

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

1. Budget Preparation - Commissioners

The Administrative/Operational Session adjourned at 2:25 p.m.