

**MINUTES  
BOX ELDER COUNTY COMMISSION  
SEPTEMBER 11, 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 **SEPTEMBER 11, 2007**. The following members were present:

Jay E. Hardy	Chairman
Clark N. Davis	Commissioner
Diane Fuhriman	Deputy Recorder/Clerk

EXCUSED:	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
Diane Fuhriman	Deputy Recorder/Clerk

EXCUSED:	Rich VanDyke	Commissioner
	LuAnn Adams	Recorder/Clerk

The prayer was offered by Chairman Hardy.

**APPROVAL OF MINUTES**

**THE MINUTES OF THE REGULAR MEETING OF SEPTEMBER 04, 2007 WERE APPROVED AS WRITTEN ON A MOTION BY COMMISSIONER DAVIS, SECONDED BY CHAIRMAN HARDY AND UNANIMOUSLY CARRIED.**

**AGENDA: ATTACHMENT NO. 1**

**FIRE CONTRACTS – GREG MARTZ**

This item was cancelled.

**COMMUNITY DEVELOPMENT FEE SCHEDULE – KEVIN HAMILTON**

County Planner Kevin Hamilton reviewed the costs of what is involved in creating a subdivision. He has compared Box Elder County's current rates with Weber and Cache counties. Mr. Hamilton analyzed the costs involved including time spent at the subdivision, costs for the Administrative Staff and Planning Commission approval, time spent by the Fire Marshall, County Attorney and the in-house review of surveying. He feels he has been very conservative with these cost estimates.

*(See Attachment No. 2 – Zoning and Subdivision Fees.)*

Commissioner Davis directed Mr. Hamilton to compile the proposed fee schedule and present it next week to the Commission.

**BOWCUTT AMENDED SUBDIVISION/BLUE GRASS ESTATES ONE-LOT – KEVIN HAMILTON**

Kevin Hamilton recommends granting final approval to the Bowcutt Amended and Blue Grass Estates One-Lot subdivisions subject to a final signature from the County Attorney's Office and to the conditions set forth by the Planning Commission.

**MOTION:** A motion was made by Commissioner Davis to approve the Blue Grass Estates in Bothwell subject to the railroad agreement. The motion was seconded by Chairman Hardy and unanimously carried.

**MOTION:** A motion was made by Commissioner Davis to approve the Scott Bowcutt Amended Subdivision as recommended by the Planning Commission. The motion was seconded by Chairman Hardy and unanimously carried.

**DEPARTMENT OF AIR FORCE LICENSE AGREEMENT – LORNA RAVENBERG**

Loni Johnson and Ron Short from the Department of Air Force came before the Commission to clarify some items in the agreement. Mr. Short showed the Commissioners on a map how the road works. Ms. Johnson clarified there are no actual annual rentals. The verbiage of annual rentals in the contract is just language copied from other agreements.

Mr. Short invited the Commissioner to come out and watch a detonation of a large rocket motor. He said it is an experience that will not be forgotten.

MOTION: A motion was made by Commissioner Davis to approve supplemental agreement No. 01 with the Department of the Air Force, License No. AFMC-HL-7-02-372, for a term of one year beginning September 15, 2007 thru September 14, 2008 with four additional one year options to be exercised by the Air Force, running thru but not beyond September 15, 2012. 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 52438 thru 52558, 200708, and 200709 in the amount of \$503,537.79. Claims 52021, 52253, and 50789 were voided.

### **PERSONNEL ACTIONS – COMMISSIONERS**

SHERIFF:	Monica DeCarlo, separation, effective 09/07/2007
SHERIFF:	Brandon Yates, compensation change, effective 08/05/2007
SHERIFF:	David Freeze, compensation change, effective 09/17/2007
SHERIFF:	Paul James Tittensor, separation, effective 09/08/2007
JUSTICE COURT:	Whitney Larsen, separation, effective 09/07/2007
WEED DEPT:	Betty Jo Spencer, separation, effective 08/30/2007
REC/CLERK:	Paul Lyon, separation, effective 09/07/2007
REC/CLERK:	Ryan Lym, separation, effective 09/05/2007

### **OTHER BUSINESS**

### **EXECUTIVE SESSION**

#### 1. Strategy sessions for “imminent” litigation

MOTION: At 10:05 a.m. a motion was made by Commissioner Davis to move into an executive session to discuss “imminent” litigation. The motion was seconded by Chairman Hardy and unanimously carried.

MOTION: At 10:25 a.m. a motion was made by Commissioner Davis to reconvene into regular Commission Meeting. Chairman Hardy seconded the motion, and regular Commission Meeting was reconvened.

Chairman Hardy explained that pending litigation was discussed.

**ADJOURNMENT**

A motion was made by Commissioner Davis to adjourn. Chairman Hardy seconded the motion, and the meeting adjourned at 10:35 a.m.

**ADOPTED AND APPROVED** in regular session this 18th day of September 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. Budget Preparation - Commissioners

The Administrative/Operational Session adjourned at 11:50 a.m.