MINUTES
BOX ELDER COUNTY COMMISSION
MAY 18, 2010

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 18, 2010. The following members were present:

Rich VanDyke                   Chairman
Jay E. Hardy                   Commissioner
Brian K. Shaffer               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. Discuss Sale of One Acre to West Corinne for a City Building & Shed – Commissioner Hardy

The Administrative/Operational Session adjourned at 8:59 a.m.

The regular session was called to order by Chairman VanDyke at 9:00 a.m. with the following members present, constituting a quorum:

Rich VanDyke                   Chairman
Jay E. Hardy                   Commissioner
Brian K. Shaffer               Commissioner
LuAnn Adams                    Recorder/Clerk

The prayer was offered by Commissioner Shaffer.

APPROVAL OF MINUTES

THE MINUTES OF THE REGULAR MEETING OF MAY 11, 2010 WERE APPROVED AS WRITTEN ON A MOTION BY COMMISSIONER HARDY, SECONDED BY COMMISSIONER VANDYKE AND UNANIMOUSLY CARRIED.

AGENDA: ATTACHMENT NO. 1
Adoption of Computer Assisted Mass Appraisal System Resolution

MOTION: A motion was made by Commissioner Munnns that the specification, design, and construction of the new administrative building for the planning, designing, and construction of the new administrative building, including all the engineering and architectural work.

Monte Munnns

Modifications to New Justice Court Building - Donnie Tarver

Check on the person living in the home. He said, not only do they deliver the meals, but there is a person coming into the house daily who can deliver the meals on wheels. The staff at the center on top of their duties deliver the meals. The meals on wheels is a good service for the elderly and homebound. He said it was an interesting experience and believes it is a good service for the community. Meals on Wheels - Chairman Vandake

Commission Meeting

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Commission Meeting 3 May 18, 2010

Chairman VanDyke has had frustration with the level of involvement the state has had in terms of the multiplicity, yet we all have to answer to the state and there has not been anything uniform that would supply the state with what they wanted. He said hopefully this is a move in that direction.

Monte Munns said at least the appraisal software will be more standard throughout the state.

**MOTION:** A motion was made by Commissioner Hardy to adopt Resolution No. 10-07, a resolution regarding the implementation schedule for the Multi-County Appraisal Trust (MCAT) Computer Assisted Mass Appraisal System (CAMA). The motion was seconded by Commissioner Shaffer and unanimously carried.

*(See Attachment No. 2 - Resolution No. 10-07.)*

**LETTER REQUESTING WATER TAP FROM WEST CORINNE WATER FOR U.S. PIPELINE – COMMISSIONER HARDY**

Commissioner Hardy said he met with the West Corinne Water Company a week ago regarding a water tap. They are concerned with the amount of water and what the use would be and what would happen to the tap after Ruby Pipeline and U.S. Pipeline go away. Commissioner Hardy then read the following letter:

*(See Attachment No. 3 – Letter.)*

**MOTION:** A motion was made by Commissioner Shaffer to authorize Commissioner Hardy to sign the letter and send it to the West Corinne Water Company. The motion was seconded by Commissioner Hardy and unanimously carried.

**ORDINANCE #336/VACATING ABANDONED PORTIONS OF 400 WEST ALONG HWY 30 NEAR BEAVER DAM – KEVIN HAMILTON**

Director of Community Development Kevin Hamilton said it was discovered there would not be a quorum on June 8th, so the public hearing regarding surplus property in Garland needs to be rescheduled.

**MOTION:** A motion was made by Commissioner Hardy to reschedule the public hearing for surplus property in Garland on June 15 at 10:00 a.m. The motion was seconded by Commissioner Shaffer and unanimously carried.

Director of Community Development Kevin Hamilton said in preparing for this ordinance they were double checking, and the state has some notice requirements that were not met. There were some technicalities found and it was determined that we need to re-notice this public hearing. He said the same technicality was found on three other public hearings. Mr. Hamilton said to make sure we fulfill every detail in the state code, he recommended rescheduling the public hearings.
Chairman Vanderveer opened the public hearing regarding a text amendment to the county zoning ordinance.

The Mental Health Board has been a pleasant assignment. They have improved those courts and avoided jail and their outcome is far better. He said bringing involved on better treatment, he has seen the benefits of the mental health and drug courts. People have been able to see people progress through the system and to be able to provide for themselves. He said if he is able to see people progress through the system, he can be able to help others with a different basis. He said as a commissioner, he is on the Mental Health Board, he has been able to help others with a different basis. He said they have been able to lead productive lives. Just look at courts and statistics, but behind the statistics are people, and with a little bit of support, they can become productive citizens. He said he appreciated the support and the help they received. His conclusion was that they were working with the Bear River Health Department to get a facility in the area. He said Commissioner, CEO, received the plan and services from the Bear River Mental Health Institute. He said the plan was received.

ANNUAL PRESENTATION OF BEAR RIVER MENTAL HEALTH AREA PLAN – REECE

Commissioner Reece seconded by Commissioner Shaffer, and unanimously carried. And 29 on June 29 at 10:05 a.m. The motion was seconded by Commissioner Shaffer, and unanimously carried.

Commissioner Shaffer seconded by Commissioner Hardy, and unanimously carried. The motion was seconded by Commissioner Hardy, and unanimously carried.

Commissioner Hardy seconded by Commissioner Shaffer, and unanimously carried. The motion was seconded by Commissioner Shaffer, and unanimously carried.

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Commissioner Hardy seconded by Commissioner Shaffer, and unanimously carried. The motion was seconded by Commissioner Shaffer, and unanimously carried.

Meeting:

May 18, 2010
Director of Community Development Kevin Hamilton said this is an amendment to the county zoning ordinance. He said in our commercial or general manufacturing zone, it doesn’t list exploration wells for geothermal uses or geothermal power plants as a use. Mr. Hamilton said the county received a petition from Procter & Gamble to allow for geothermal exploration as a permitted use and as a conditional use to allow for the use of geothermal energy for production of power. The Planning Commission had a unanimous recommendation.

Chairman VanDyke asked for comments from those in attendance. There were no comments.

**MOTION:** A motion was made by Commissioner Shaffer to close the public hearing. The motion was seconded by Commissioner Hardy and unanimously carried. The public hearing was closed at 10:02 a.m.

**MOTION:** A motion was made by Commissioner Shaffer to authorize our Box Elder County Planner to prepare an ordinance amending the zoning ordinance to allow exploration of geothermal resources as a permitted use and the production and the use of those resources as a conditional use. The motion was seconded by Commissioner Hardy and unanimously carried.

Chairman VanDyke is excited because Box Elder County has an abundance of this energy resource and it needs to be tapped.

Commissioner Shaffer appreciates the partner that P&G has been. He likes the way they interact with our community. He thanked them for being a good neighbor.

**RECESS**

A motion was made by Commissioner Hardy to take a recess. The motion was seconded by Commissioner Shaffer and unanimously carried. The Commissioners took a recess at 10:03 a.m. and reconvened at 10:10 a.m.

**PUBLIC HEARING/AG LEASE AGREEMENT/MCKAY ALLRED – COMMISSIONERS**

Chairman VanDyke opened the public hearing regarding an agriculture lease agreement with McKay Allred at 10:10 a.m.

*(See Attachment No. 5 – Attendance List.)*

Director of Community Development Kevin Hamilton said the county owns a piece of property near the Plymouth area and McKay Allred would like to lease the property as an agricultural use. One of the requirements before granting an agriculture lease is to hold a public hearing.
A motion was made by Commissioner Sherrer to adjourn. Commissioner Hardy seconded the motion, and the meeting adjourned at 10:30 a.m.

**ADJOURNMENT**

Property

through the court and in the judgment the property owner has agreed to move the sugar off the
Commissioner Hardy commented on a non-comforming business in Beaver Dam. He said he has gone

**ASSIGNMENT REVIEW - COMMISSIONERS**

Todd Hurd, commissioner change, effective 05/10/2010
Spencer Stilh, commissioner change, effective 04/10/2010
Jennifer Noble, separation, effective 05/12/2010

**PERSONNEL ACTIONS - COMMISSIONERS**

6999 through 70050 in the amount of $233,839.48. Claims 69976, 69970 and 6999 were voided.

The Warrant Register was signed and the following claims were approved for payment:

**WARNANT REGISTER - COMMISSIONERS**

By Chairman Vanderve and unanimously carried.

Motions: A motion was made by Commissioner Sherrer to accept the sugar line lease with
Mckay Hilder, subject to review by Attorney Stephen Haddick. The motion was seconded

was closed at 10:15 a.m.

Motions: A motion was made by Chairman Vanderve and unanimously carried. The public hearing
motion was seconded by Chairman Vanderve asked for comments from those in attendance. There were no comments.

Commission Meeting

May 18, 2010

6
ADOPTED AND APPROVED in regular session this 25th day of May 2010.

Rich VanDyke, Chairman

Jay E. Hardy, Commissioner

Brian K. Shaffer, Commissioner

ATTEST:

LuAnn Adams, Recorder/Clerk

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

County Visit from UCIP – Monte Munns/ Peggy Madsen

The Administrative/Operational Session adjourned at 11:18 a.m.
BOX ELDER COUNTY RECORDER/CLERK
Box Elder County Courthouse
01 South Main Street
Brigham City, Utah 84302

NOTICE and AGENDA

Public Notice is hereby given that the Box Elder County Board of County Commissioners will hold an Administrative/Operational Session commencing at 8:00 a.m. and a regular Commission Meeting commencing at 9:00 a.m. TUESDAY, MAY 18, 2010 in the Commission Chambers of the Box Elder County Courthouse, 01 South Main Street, Brigham City, Utah.

Administrative/Operational Session
*8:00 a.m.
1. Agenda Review/Supporting Documents
2. Commissioners' Correspondence
3. Staff Reports – Agenda Related
4. Correspondence
5. Assignment Review
*8:20 a.m.
6. Discuss Sale of One Acre to West Corinne for a City Building & Shed – Commissioner Hardy

*9:00 – 9:05 Call to Order: Chairman VanDyke
Invocation: Commissioner Shaffer
Approval of Minutes of May 11, 2010

*9:05 – 9:10 Follow-Up Business

*9:10 – 9:20 Modifications to New Justice Court Building – Donnie Tarver

*9:20 – 9:30 Adoption of Computer Assisted Mass Appraisal System Resolution – Monte Munns

*9:30 – 9:40 Letter Requesting Water Tap from West Corinne Water for U.S. Pipeline – Commissioner Hardy

*9:40 – 9:45 Ordinance #336/Vacating Abandoned Portions of 400 West Along Hwy 30 Near Beaver Dam – Kevin Hamilton
NOTE: Please turn off all cell phones and pagers during public meetings.
Multi-County Appraisal Trust (MCAT)
Computer Assisted Mass Appraisal System (CAMA)

Introduced by: Art Partridge, President
Subject: Implementation Schedule Resolution
County: Box Elder

WHEREAS, the State Legislature has mandated that all counties shall annually update property values based on a systematic review of current market data using a mass appraisal system over the next five years; and

WHEREAS, a county faces a significant loss of revenue from the multi-county assessing and collecting levy if it fails to comply with the statistical measures of appraisal performance related to 59-2-303.1(4)(c); and

WHEREAS, funding to implement the statewide CAMA system used to accurately value property, establish and maintain a uniform level of assessment among counties, and to insure the efficient administration of the property tax system has been provided to counties through the multi-county assessing and collecting funds allocated to MCAT in 59-2-1606(3)(a); and

WHEREAS, MCAT has been granted authority to determine which projects shall be funded and to oversee the administration of the statewide CAMA system;

THEREFORE BE IT RESOLVED that the governing body and the county assessor:

1. Seek approval to participate in the funding for the statewide CAMA system from MCAT;

2. Request funding to be provided in the year 2011;

3. Agree that MCAT will pay for the acquisition of the following software: RealWare, Marshall & Swift cost module, Apex sketching module, up to two SPSS licenses, services, conversions and customization as defined in the UAC contract with CCI, training as defined in the UAC contract with CCI, and annual maintenance and support costs for RealWare, Marshall & Swift cost module, and Apex; and

4. Certify that the county will have sufficient funds and other resources to implement and operate the CAMA system after it is installed.

Approved and adopted the 18 day of May, 2010

County Commission Chair
## RealWare Installation Schedule

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May 12, 2010

West Corinne Water Company
% Curtis Marble
178 North 6800 West
Corinne, UT 84307

Dear West Corinne Water Company Board Members:

We, the Box Elder County Commissioners, are requesting the right to purchase a water tap on 40 acres located in the Corinne area, more specifically described in Exhibit “A”. The County intends to temporarily lease the tap to U.S. Pipeline for use in a construction yard located on the property. The tap will be utilized for up to 14 months, with the bulk usage for approximately seven (7) months, during the construction of the Ruby Pipeline.

The water tap usage would be for 30,000 gallons per month strictly for potable water for the filling of containers for the work force and use of the office, which is to be located on site. It will NOT be used for the washing of vehicles; another source of non-potable water will be used for this.

Following the construction, the County will maintain ownership of the tap and will not use it without first going to the Corinne Water Company Board.

Thank you, board members, for your consideration.

Respectfully yours,

Jay Hardy
Box Elder County Commission
EXHIBIT A

Beginning

2+0 feet North of point of beginning. Thence South 2+0 feet to the point of

of Mead River. Thence following the Bank of River Southeasterly to a point

line 664.2 feet. Thence North 68 degrees 41'20" East 2280 feet to the Bank

West 2280 feet to the East line of Highway 64. Thence North along said

Township to North. Range 3 West, 6th SW, thence South 68 degrees 42'20"

Beginning at the Southeast Corner of the Northeast Quarter of Section 24,

PARCEL 1

BOOK 561 PAGE 564
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