

**MINUTES
BOX ELDER COUNTY COMMISSION
MAY 25, 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 25, 2010**. The following members were present:

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

EXCUSED: Jay E. Hardy Commissioner

The following items were discussed:

1. Agenda Review/Supporting Documents
2. Commissioners' Correspondence
3. Staff Reports
4. Correspondence
5. Assignment Review
6. Proposed Auction at the Road Shed – Bill Gilson
7. Opening of Willard Peak Gate – Bill Gilson
8. Culvert Maintenance Along County Roadsides/Irrigation Drain Water Issue – Bill Gilson

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
Brian K. Shaffer	Commissioner
LuAnn Adams	Recorder/Clerk

EXCUSED: Jay E. Hardy Commissioner

The prayer was offered by Chairman VanDyke

Chairman VanDyke excused Commissioner Hardy who is attending a WIR Conference in Billings, MT.

APPROVAL OF MINUTES

THE MINUTES OF THE REGULAR MEETING OF MAY 18, 2010 WERE APPROVED AS WRITTEN ON A MOTION BY COMMISSIONER SHAFFER, SECONDED BY COMMISSIONER VANDYKE AND UNANIMOUSLY CARRIED.

AGENDA: ATTACHMENT NO. 1

PROPOSED AUCTION AT THE ROAD SHED – BILL GILSON

Road Department Supervisor Bill Gilson is proposing an auction for used, antiquated equipment and supplies at the road shed. He is proposing this auction take place in the north end of the road shed facility the second weekend in July. Mr. Gilson would like to contact 2-3 auctioneering services. He will check with some of the departments in the county to see if they have anything to add to the auction. He will also see if any of the other departments can use his equipment.

MOTION: A motion was made by Commissioner Shaffer to authorize Bill Gilson to work with Jenica Baggs and also meet with the department heads throughout the county to see if there are items that can be used or other items from other departments that could be added to the list for the auction. The finalized list will be brought to the commission table before the auction is noticed and the auction is to take place sometime in July. The motion was seconded by Chairman VanDyke and unanimously carried.

OPENING OF WILLARD PEAK GATE – BILL GILSON

Road Department Supervisor Bill Gilson recommended to the Commissioners that the Willard Peak Gate be opened Thursday, May 27th. The gate has been closed all winter. He said it is dry up past Dock Flat, and you can make it to the Girl's Camp. He can't foresee any damage occurring on the new road base. Mr. Gilson is hoping in the future to set dates that get approved by the Commission as to when the gate will close in the fall and open in the spring so that people can make plans.

MOTION: A motion was made by Commissioner Shaffer to approve the opening of the gate on the Willard Peak Road on Thursday, May 27 at 9:00 a.m. for the season. The motion was seconded by Chairman VanDyke and unanimously carried.

CULVERT MAINTENANCE ALONG COUNTY ROADSIDES/IRRIGATION DRAIN WATER ISSUE – BILL GILSON

County Road Supervisor Bill Gilson said there have been some concerns in the road department on irrigation and drain water issues they have been dealing with. The county has incurred quite a bit of expense for a vactor truck through Val Kotter and they had a camera look at some of the drain lines that run along the roadways. Today Mr. Gilson would like to talk about the 13600 N Road (Don Hill Road) north of Garland. He said this road does not fall within the drainage district. In 2005 the road received severe flood damage. During that year the road department looked at some of the drainage

issues. They hired a vactor truck as well as looked with a camera. They dug up three locations and fixed broken pipe. The county spent \$3,500. They have had several issues with tree roots coming into the pipe. Vegetation and trees create a problem of getting into the old cement seals. He does not think it is the county's main responsibility to keep up with the maintenance on that drain system for years to come. He said we should take a serious look as far as cost to the county, and we should explore the idea of getting the residents on 13600 North into the Garland/Tremonton Drainage District.

Commissioner Shaffer said the district is a geographic district and within the area they have their ditches or pipes marked and identified. He thinks it would be a great advantage to those folks that live along the road to have some sense of comfort that the culverts could be opened at such a time instead of relying on an outside source.

MOTION: A motion was made by ~~Commissioner Shaffer~~ to investigate the possibility of having the 13600 North Road area included into the Garland/Tremonton Drainage District and to pursue that opportunity. The motion was seconded by ~~Chairman~~ VanDyke and unanimously carried.

CANCELLATION OF COMMISSION MEETINGS – COMMISSIONERS

Chairman VanDyke explained that on June 8th it is anticipated the Commission will not have a quorum and June 22nd is the primary election date.

MOTION: A motion was made by ~~Commissioner Shaffer~~ to cancel June 8 because there will not be a quorum available and to cancel June 22 because it is the primary election date. The motion was seconded by ~~Chairman~~ VanDyke and unanimously carried.

SET PUBLIC HEARING DATE/LEASING SURPLUS PROPERTY AT BRIGHAM CITY GUN CLUB – MAYOR DENNIS J. FIFE

Brigham City Mayor Fife came to the Commission concerning R.V. Parking for U.S. Pipeline workers to allow them to be able to be in Box Elder County. He said they have already contracted for several hotel rooms, R.V. spaces at Willard Bay and also 40-50 R.V. spaces in the Ogden area. Mayor Fife said knowing that it didn't work out for the R.V. Park in Tremonton, Brigham City has tried to work with U.S. Pipeline to get something in Brigham City. The R.V. parking would be for temporary living. They have worked with the pipeline company looking at the Indian School and other areas, but the race track is the place that works out the best and will add some benefit for the Golden Spike Gun Club. Mayor Fife said a small addition will need to be made to the club which is estimated at \$279,000. That does not include fully paved parking and curb and gutter. U.S. Pipeline is willing to pay the full amount to put it in place and then U.S. Pipeline is asking the gun club to lease the spaces to their people. U.S. Pipeline will provide income on the spaces for 7-12 months with the exception of utility costs which the city will furnish. Mayor Fife said there are three agreements that need to take place. The county will need to work out an agreement with the gun club. An agreement needs to be in place between the city and county on what is allowed in terms of

ordinances and an agreement between the gun club and U.S. Pipeline in terms of collection and allowing that use. Mayor Fife feels it would be a benefit to Brigham City and Box Elder County. It would allow the 40-50 people to purchase within our county rather than Ogden and anything that benefits the city and workers in the area would also benefit the county. All of the R.V. spots in the area have already been taken into consideration. He said they need to move quickly because U.S. Pipeline needs something in place in July so they can start using the facility. He said the agreements need to be in place as soon as possible to meet the schedule.

Chairman VanDyke said this truly would be a benefit to the area, but we are now facing some legal questions the county needs answered.

Commissioner Shaffer is concerned about who becomes a caretaker and collector of money. He said the county is not in the business of becoming a collector or business owner. There is no current contract in place; they have been unsuccessful in getting a good agreement with the trap club. He is concerned going forward if an agreement could come to pass. He noticed there is long-term R.V. storage on the property and that is probably a violation of the Brigham City Code. Commissioner Shaffer is worried about the liability issue of overnight parking with the shooting range, putting a group of residents and another use in the very close proximity which has no affiliation. He is wondering whether that would be compatible.

Mayor Fife said compatibility is not an issue with the pipeline people. They have said many of their men are gun club members and liked the idea of being able to shoot at the gun range. Mayor Fife agrees that the county should not get into the collecting of funds, and there needs to be some sort of agreement with the gun club.

Commissioner Shaffer has observed that there are 18 spots on the property and wondered if arrangements have been made to use them.

Mayor Fife said they do not have sewer connections; that would have to be a decision made with the gun club.

Commissioner Shaffer would propose 40 on the west in addition to the 18 to have sewer. He said they already have water and electricity.

Mayor Fife said part of the cost of the project is to bring sewer onto the property.

Commissioner Shaffer said government serves citizens' needs and citizens' needs are best met through free enterprise, private industry and volunteerism. The function of government is not to grant rights but to protect the unalienable rights. He feels our government should encourage free enterprise as much as possible.

Mayor Fife stated that is what the county will be doing by allowing the gun club to have this business. Mayor Fife is concerned about the city's ordinances and what would be allowed.

Chairman VanDyke said Box Elder County would not be involved in the operation of the park itself but would be assuming some kind of variance for the landscaping and roads and how long that exception would be in place and what can be allowed. He said the county would not be the one to participate in the upgrade of the park in the future.

Mayor Fife said if it can be done, he feels it would be a benefit to everyone concerned.

Commissioner Shaffer referenced that in 1996 the county tried to put a written lease together, but it was never signed. He said that helps us understand that there is enough history of someone wanting to have a signed lease agreement, but it was not put into place. Someone felt it was important and felt there is a need to have a written lease agreement.

County Attorney Hadfield said the county will need to formalize a lease that has been in place with some sort of a verbal agreement.

MOTION: A motion was made by ~~Commissioner Shaffer~~ to pursue getting a written lease agreement between Box Elder County and the Golden Spike Gun Club as to their use and expected use of the property. The motion was seconded by ~~Chairman VanDyke~~ and unanimously carried.

REPLACE TREMONTON LOCAL PHONE LINES WITH AN 800 NUMBER – LEE BEVERLEY/NATE HAMMER

Lee Beverley said the Auditor's Office has begun looking into the possibility of making some changes in our phone service. Currently the county has three trunk lines; they are Tremonton local lines (two to the courthouse and one to the jail) for residents in the county to be able to call without a long-distance call and for people in the county seat to be able to call the Tremonton area as a local call. Mr. Beverley said those three lines are costing \$300.00 per month and the county auditor thinks that might be a little excessive. Nathan Hammer has done some research and said we have a state contract with Qwest service. He said to add toll free lines, it is a monthly charge of \$1.00 per line with a 4.3 cent per minute charge for the call. Mr. Hammer looked up the call history for the three phone lines for January, February and March; if the county had used an 800 number there would have been a net savings of \$2,500-\$3,000 to the county per year. The citizens will be using an 800 number which will get them an automated service call.

Commissioner Shaffer likes the cost savings. He feels we should do everything we can to become better and more efficient.

Lee Beverley said the county could utilize a press release and the property tax evaluations to get the word out. He said the jail can get refrigerator magnets that could be distributed as well.

MOTION: A motion was made by **Commissioner Shaffer** to authorize Nathan Hammer and Lee Beverley to proceed forward to obtain a new 800 service for the Box Elder County phone system through Qwest. The motion was seconded by **Chairman VanDyke** and unanimously carried.

LAYNE JULANDER SUBDIVISION – TAMARA WRIGHT

County Planner Tamara Wright said the Layne Julander Subdivision is a subdivision located at 2655 West 4600 North. It is a one-lot subdivision with 5.5 acres. The subdivision fronts 4600 North and 2800 West. There is a note on the plat restricting the lot to a 250-foot setback access from the intersection. Ms. Wright also asked the Commissioners to approve a rural road agreement.

County Road Supervisor Bill Gilson said in 2008 there were several landowners that were concerned about this intersection. He explained this intersection is different than most. The main thoroughfare has a 50 mph speed limit, and it takes a hard 90 degree angle to the west. He said there is also another intersecting road coming in through the north to Honeyville. They had a traffic safety audit team look at it. The traffic safety team made a recommendation that 4600 North should come to a stop sign and it should be a T intersection and 2600 W should stay the main right-of-way. The intersection is now being studied by Jones and Associates, and if it is doable Mr. Gilson will put it in the budget for 2011 to realign the intersection and make it a T.

MOTION: A motion was made by **Commissioner Shaffer** to accept the Layne Julander Subdivision and to authorize the chair to sign the plat and to also approve the Rural Road Agreement and allow the Chair to sign the agreement. The motion was seconded by **Chairman VanDyke** and unanimously carried.

WARRANT REGISTER – COMMISSIONERS

The Warrant Register was signed and the following claims were approved for payment: Claims 70051 through 70184 in the amount of \$258,561.30. Claim 70058 was voided.

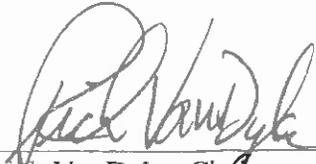
PERSONNEL ACTIONS – COMMISSIONERS

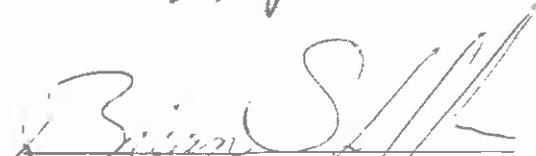
SHERIFF'S DEPT: Scott Womack, transfer to Patrol Division, effective 05/24/2010
SHERIFF'S DEPT: Cordell Thompson, transfer to Civil Division, effective 05/23/2010
LANDFILL: Daniel Tolman, separation, effective 05/15/2010

ADJOURNMENT

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

ADOPTED AND APPROVED in regular session this 1st day of June 2010.


Rich VanDyke, Chairman


Brian K. Shaffer, Commissioner



ATTEST:


LuAnn Adams, Recorder/Clerk

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

1. 800 Megahertz Radio Communication – Deputy Kevin Potter

The Administrative/Operational Session adjourned at 11:00 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 25, 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. Proposed Auction at the Road Shed – Bill Gilson
7. Opening of Willard Peak Gate – Bill Gilson
8. Culvert Maintenance Along County Roadsides/Irrigation Drain Water Issue –
Bill Gilson

***9:00 – 9:05** Call to Order: Chairman VanDyke
Invocation: Chairman VanDyke
Approval of Minutes of May 18, 2010

***9:05 – 9:10** Follow-Up Business

***9:10 – 9:20** Proposed Auction at the Road Shed – Bill Gilson

***9:20 – 9:30** Opening of Willard Peak Gate – Bill Gilson

***9:30 – 9:40** Culvert Maintenance Along County Roadsides/Irrigation Drain Water
Issue – Bill Gilson

- *9:40 – 9:45 Cancellation of Commission Meetings – Commissioners
- *9:45 – 9:55 Set Public Hearing Date/Leasing Surplus Property at Brigham City
Gun Club – Mayor Dennis J. Fife
- *9:55 – 10:00 Replace Tremonton Local Phone Lines with an 800 Number –
Lee Beverley/Nate Hammer
- *10:00 – 10:05 Layne Julander Subdivision – Tamara Wright
- *10:05 – 10:10 Warrant Register & Personnel Actions – Commissioners
- *10:10 – 10:15 Assignment Review – Commissioners

Adjournment

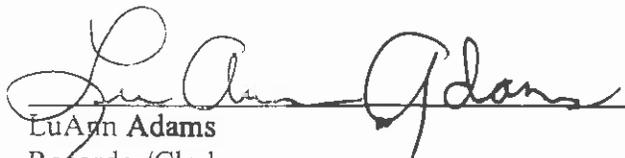
Work Session

1. 800 Megahertz Radio Communication – Deputy Kevin Potter

These assigned times may vary depending on length of discussion, cancellation of scheduled agenda items or agenda alteration. Therefore, the times are estimates of the agenda items to be discussed. If you have any interest in any topic, you need to be in attendance at 9:00 a.m.

Prepared and posted this 20th day of May 2010.

Mailed to the Box Elder News Journal, the Leader, and the Standard Examiner this 20th day of May 2010.



LuAnn Adams
Recorder/Clerk

NOTE: Please turn off or silence cell phones and pagers during public meetings

This facility is wheel chair accessible and accessible parking spaces are available. Requests for accommodations or interpretive services must be made three (3) working days prior to this meeting. Please contact the Commission Secretary's office at 734-3347 or FAX 734-2038 for information or assistance.