

**MINUTES
BOX ELDER COUNTY COMMISSION
OCTOBER 12, 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 **OCTOBER 12, 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

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 OCTOBER 05, 2010 WERE APPROVED AS WRITTEN ON A MOTION BY COMMISSIONER HARDY, SECONDED BY COMMISSIONER SHAFFER AND UNANIMOUSLY CARRIED.

AGENDA: ATTACHMENT NO. 1

NATIONAL DOMESTIC VIOLENCE AWARENESS MONTH – ANNETTE MACFARLANE

New Hope Crisis Center Executive and Program Director Annette MacFarlane said October is National Domestic Violence Awareness month. She then read the following proclamation:

(See Attachment No. 2 – Proclamation.)

Ms. MacFarlane believes the Crisis Center will see over 2000 people in 2010. She said the next trend is an increase in violence. She said it used to be that about 85% came in without injuries and now 40% come in with injuries. Nine women required hospitalization. The Center is not only seeing increased numbers, the unemployment factor is a contributor for the level of violence. She said dating violence is also a real problem. She applauded the support she has received from the Sheriff's Department and said they have been great partners.

MOTION: A motion was made by **Commissioner Shaffer** to declare October as Domestic Violence Awareness Month and authorize the Commissioners to sign the proclamation. The motion was seconded by **Commissioner Hardy** and unanimously carried.

(See Attachment No. 3 – Domestic Violence Statistics.)

RPLCC CONTRACT RENEWAL – CHAIRMAN VANDYKE

This item was cancelled.

APPOINTMENT TO CIP COMMITTEE – COMMISSIONER HARDY

This item was cancelled.

INDUSTRIAL PROTECTION AREA – COMMISSIONERS

MOTION: A motion was made by **Commissioner Shaffer** to adopt Ordinance No. 347, an ordinance creating an Industrial Protection Area Advisory Board, adopting procedures for filing and consideration of proposals to create industrial protection areas and providing for filing fees and related matters. The motion was seconded by **Commissioner Hardy** and unanimously carried.

(See Attachment No. 4 – Ordinance No. 347.)

INDUSTRIAL PROTECTION AREA/APPOINT BOARD MEMBERS – COMMISSIONERS

MOTION: A motion was made by **Commissioner Hardy** to appoint Dave Gosen, ATK; Bill Armstrong, P&G; Scott Keyes, Nucor; Paul Glauser, Staker/Parson; and Mike Quayle, Autoliv as board members to the Industrial Protection Board. The motion was seconded by **Commissioner Shaffer** and unanimously carried.

SET PUBLIC HEARING/CDBG PROJECTS – COMMISSIONER SHAFFER

Commissioner Shaffer said the Bear River Health Department has applied for CDBG Grant monies to help with the cost of their new Health Department Building in Tremonton and there may be other groups that apply. Commissioner Shaffer said the county needs to set a public hearing to gain citizen input.

MOTION: A motion was made by **Commissioner Shaffer** to set the first public hearing to hear CDBG Grant proposals on November 9th at 10:00 a.m. The motion was seconded by **Commissioner Hardy** and unanimously carried.

SET PUBLIC HEARING/VACATE FOUR MILES OF SAND HOLLOW ROAD – KEVIN HAMILTON

Director of Community Development Kevin Hamilton made a request to set a date for a public hearing to vacate about four miles of the Sand Hollow Road in Western Box Elder County. He said the road does not access any public lands.

MOTION: A motion was made by **Commissioner Hardy** to set a public hearing for the vacation of the Sand Hollow Road on November 23 at 10:00 a.m. The motion was seconded by **Commissioner Shaffer** and unanimously carried.

BEAR RIVER HEALTH SUBDIVISION – KEVIN HAMILTON

Director of Community Development Kevin Hamilton said about three years ago the county created a subdivision at the old hospital in Tremonton. The property was broken into two pieces. There was approximately five acres in the back and the rest of the acreage in the front. The county and health department are going to get part of the property given back to them in order to put a health department facility on the property. Mr. Hamilton is asking for the chair to sign the plat as a property owner.

MOTION: A motion was made by **Commissioner Shaffer** to authorize the chair to sign the plat after it goes through Tremonton City's Subdivision process. The motion was seconded by **Commissioner Hardy** and unanimously carried.

Chairman VanDyke stated that County Attorney Hadfield has reviewed the subdivision and given his approval.

WARRANT REGISTER – COMMISSIONERS

The Warrant Register was signed and the following claims were approved for payment: Claims 72507 through 72614 in the amount of \$690,242.68. Claim 72365 was voided.

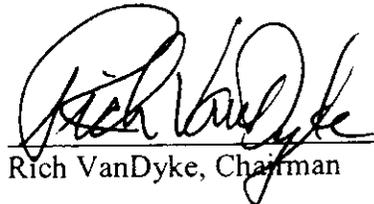
PERSONNEL ACTIONS – COMMISSIONERS

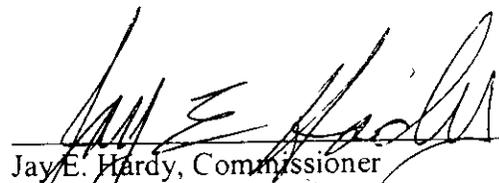
SHERIFF'S DEPT:	Maggie Fitzgerald, compensation change, effective 08/25/2010
SHERIFF'S DEPT:	Sherie Isaacson, compensation change, effective 09/24/2010
SHERIFF'S DEPT:	Scot Lewis, compensation change, effective 09/30/2010
LANDFILL:	Gina Allen, compensation change, effective 10/04/2010

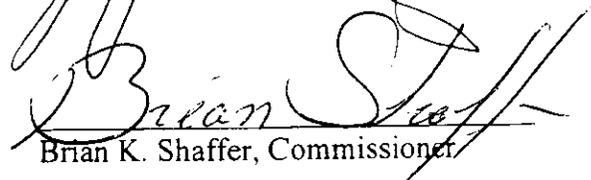
ADJOURNMENT

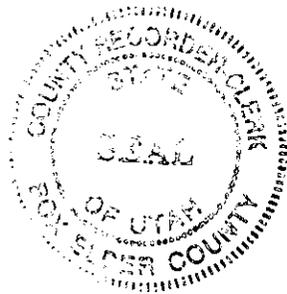
A motion was made by **Commissioner Hardy** to adjourn. **Commissioner Shaffer** seconded the motion, and the meeting adjourned at 10:20 a.m.

ADOPTED AND APPROVED in regular session this 19th day of October 2010.


 Rich VanDyke, Chairman


 Jay E. Hardy, Commissioner


 Brian K. Shaffer, Commissioner



ATTEST:


 LuAnn Adams, Recorder/Clerk

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, OCTOBER 12, 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.

- *9:00 – 9:05 Call to Order: Chairman VanDyke
Invocation: Commissioner Shaffer
Approval of Minutes of October 5, 2010
- *9:05 – 9:10 Follow-Up Business
- *9:10 – 9:15 National Domestic Violence Awareness Month – Annette Macfarlane
- *9:15 – 9:25 RPLCC Contract Renewal – Chairman VanDyke
- *9:25 – 9:30 Appointment to CIP Committee – Commissioner Hardy
- *9:30 – 9:40 Industrial Protection Area – Commissioners
- *9:40 – 9:45 Industrial Protection Area/Appoint Board Members – Commissioners

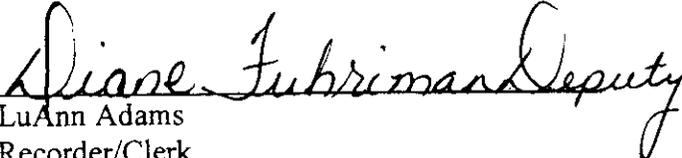
- *9:45 – 9:50 Set Public Hearing/CDBG Projects – Commissioner Shaffer
- *9:50 – 9:55 Set Public Hearing/Vacate Four Miles of Sand Hollow Road–Kevin Hamilton
- *9:55 – 10:00 Bear River Health Subdivision – Kevin Hamilton
- *10:00 – 10:05 Warrant Register & Personnel Actions – Commissioners
- *10:05 – 10:10 Assignment Review – Commissioners

Adjournment

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 7th day of October 2010.

Mailed to the Box Elder News Journal, the Leader, and the Standard Examiner this 7th day of October 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.

DOMESTIC VIOLENCE
AWARENESS MONTH
OCTOBER 2010

Whereas, domestic violence negatively impacts individuals, families and communities, which makes securing resources for eliminating domestic violence a priority; and

Whereas, domestic violence is not confined to any one group, nor does it distinguish between any culture or socioeconomic barriers; it is a crime that violates an individual's privacy, dignity, security, and humanity through the systematic use of physical, emotional, sexual, psychological, and economic control; and

Whereas, it is important to recognize this issue and the many victims of this terrible crime, and to likewise support, inform, and involve our communities in appropriately responding to domestic violence; and

Whereas, the Utah Governor's Domestic Violence Cabinet Council, the Utah Domestic Violence Council, New Hope Crisis Center, and CADVA, Box Elder County's Domestic Violence Coalition, are joining forces with the Utah community and the nation to observe Domestic Violence Awareness Month;

Now, therefore, we, commissioners for the County of Box Elder, Utah, do hereby declare October 2010 as

DOMESTIC VIOLENCE AWARENESS MONTH IN
BOX ELDER COUNTY, UTAH


Rich Van Dyke


Jay Hardy


Brian Shaffer

NEW HOPE CRISIS CENTER FACT SHEET 2009

Staff members responded to 3,990 crisis calls

Served 911 women, 858 children and 22 males who were impacted by domestic violence and child abuse, dating violence, stalking, and other types of abuse (1,791 total)

Advocates assisted with 192 protective orders and stalking injunctions

Staff members gave 1,340 community referrals and assisted 889 adults with walk up services such as transportation tokens, food, clothing, bedding, and diapers

Advocacy was provided in the Justice Court to 524 victims of crime

Shelter housed 216 women & 133 children for a total of 1,887 bed days

Shelter clients are provided with food during & on occasion after shelter stay

Our two counselors, one on site and one in Tremonton, completed 579 follow-up or group counseling sessions

Counselor-facilitated, twice-monthly, support groups for clients & community members

Twice-monthly, children's, support groups (while moms are in their support group)

8-week, Life Skills classes for female clients & others referred by community agencies

Young Mom's support group or Life Skills classes (for teen or early twenty-age moms)

Transitional housing (rent subsidies) for 91 women & children (2,208 days)

Educational outreach 513 presentations to 14,287 students in grades K - 12

Education outreach 43 presentations TO 1,953 student & adult community groups

Monthly legal nights where local attorneys provide pro bono legal advise

Partnership with local, church-run, thrift shops to provide clothing & household needs

Process donations of food and new clothing, blankets, personal and household items

Volunteers donated 7,383 hours to New Hope Crisis Center

ALL SERVICES ARE FREE

COMPARISON DATA

	2005-2006	2006-2007	2007-2008	2008-2009	2009-2010	% Increase 2005 - 2009	% Increase 2009-2010
Shelter							
Adults	17	55	75	119	172	1012%	145%
Days Sheltered	422	558	477	641	1032	245%	161%
Children	16	66	69	96	163	1019%	170%
Days Sheltered	200	880	227	594	883	442%	149%
Transitional Housing							
Adults	36	25	58	79	75	208%	95%
Children	39	10	122	137	112	287%	82%
Days in Program	2281	2562	2433	2583	3304	145%	128%
Other Services							
Protective Orders/Sis	76	49	48	177	342	450%	193%
Non-Shelter Clients	184	355	294	563	1649	896%	293%
Crisis Calls	1144	1827	1977	3657	4025	352%	110%
Total Victims Served	218	391	430	968	2123	974%	219%

	2007-2008-2008-2009	% Increase 2007 - 2008	2009-2010	% Increase 2009--2010
Rape*	4	175%	26	371%
Sexual Assault*	29	155%	175	389%
Stalking*	59	107%	160	254%
Domestic Violence	120	110%	268	203%
Child Sexual Abuse	19	147%	66	236%
Child Physical Abuse	39	362%	191	135%

* Includes violence associated with a dating relationship

Since we began collecting data on Dating Violence, we have discovered that 86% of the women coming to NHCC for services were involved in a dating violence relationship prior to their DV.

ORDINANCE NO. 347

AN ORDINANCE OF BOX ELDER COUNTY CREATING AN INDUSTRIAL PROTECTION AREA ADVISORY BOARD, ADOPTING PROCEDURES FOR FILING AND CONSIDERATION OF PROPOSALS TO CREATE INDUSTRIAL PROTECTION AREAS, AND PROVIDING FOR FILING FEES AND RELATED MATTERS

WHEREAS, Box Elder County has received an inquiry into the potential creation of an Industrial Protection Area within the unincorporated are of Box Elder County; and

WHEREAS, pursuant to §17-41-201 of the Utah Code, Box Elder County is required to establish and create an Industrial Protection Area Advisory Board, either before or after a proposal to create an Industrial Protection Area is received, for the purpose of evaluating proposals to create Industrial Protection Areas, providing expert advice to both the Planning Commission and the County Commission, and performing all of the functions required by state statute; and

WHEREAS, in addition to creating an Industrial Protection Area Advisory Board, Box Elder County is authorized by §17-41-101 thru §17-41-406 of the Utah Code to create acreage limitations, establish fee schedules and other procedures for the review and consideration of proposals to create Industrial Protection Areas; and

WHEREAS, the Box Elder County Commission finds and determines that the creation of an Industrial Protection Area Advisory Board, creation of acreage limitations and establishment of fee schedules and other procedures is in the best interests of and will promote the health, safety and general welfare of the residents of Box Elder County.

NOW THEREFORE, the Box Elder County Commission, acting as the legislative body of Box Elder County, does hereby ordain as follows:

SECTION 1: INDUSTRIAL PROTECTION AREA ADVISORY BOARD.

The Box Elder County Industrial Protection Area Advisory Board is hereby established in accordance with §17-41-201 of the Utah Code. This board shall perform all of the duties, functions and responsibilities set forth in §17-41-101 thru §17-41-406 of the Utah Code, (as it now exists or may be subsequently amended), and function as follows:

- A. Appointment of Board Members. The Box Elder County Commission shall appoint five (5) members to serve on the Box Elder County Industrial

Protection Area Advisory Board. Said members shall be appointed at the discretion of the Box Elder County Commission.

- B. Term in Office, Removal of Board Members. Each board member appointed to the Box Elder County Industrial Protection Area Advisory Board shall serve for a term of five (5) years. The Box Elder County Commission may remove and/or replace any board member for any reason, and at any time.
- C. Officers. The members of the Box Elder County Industrial Protection Area Advisory Board shall select a chairman, vice chairman and secretary. The chairman and vice chairman shall be selected from among the members of the Industrial Protection Area Advisory Board. The secretary may be either a member of the Industrial Protection Area Advisory Board, or an employee of Box Elder County. Any selection of a Box Elder County employee to serve as secretary must be approved by the Box Elder County Commission.
- D. Quorum and Rules of Operation. Any three (3) members of the Box Elder County Industrial Protection Area Advisory Board shall constitute a quorum of that board. All actions of that board, except to adjourn a meeting at which there is not a quorum present, must be made in a meeting at which a quorum is present. Any actions of the Box Elder County Industrial Protection Area Advisory Board must be approved by at least three (3) members of that board. All meetings shall be conducted in accordance with the Utah Open and Public Meetings Act. The Box Elder County Industrial Protection Area Advisory Board may adopt additional rules of operation as it deems necessary to govern its affairs.
- E. Salary of Board Members. The members of the Box Elder County Industrial Protection Area Advisory Board shall serve without salary, but may be reimbursed by Box Elder County for expenses incurred in the performance of their duties.

SECTION 2: MINIMUM SIZE FOR INDUSTRIAL PROTECTION AREA.

The minimum number of continuous acres that must be included within any Industrial Protection Area established in Box Elder County is five and one-half (5 ½) acres. (See §17-41-301(5) of the Utah Code).

SECTION 3: SUBMISSION AND PROCESSING OF PROPOSALS FOR INDUSTRIAL PROTECTION AREAS.

All proposals to create Industrial Protection Areas within the unincorporated areas of Box Elder County shall conform to the requirements set forth in §17-41-101 thru §17-41-406 of the Utah Code, (as it now exists or may be subsequently amended), and shall be filed in the office of the Box Elder

County Clerk, accompanied by the applicable filing fee established by the Box Elder County Commission.

SECTION 4: FEES. Any proposal to create an Industrial Protection Area within the unincorporated area of Box Elder County in accordance with §17-41-101 thru §17-41-406 of the Utah Code, (as it now exists or may be subsequently amended), shall be accompanied with the applicable fee. The amount of the fee shall be Two Hundred Dollars (\$200.00). No application shall be processed without payment in full of the applicable fee. The amount of the fee established by this section may be subsequently amended by resolution of the Box Elder County Commission.

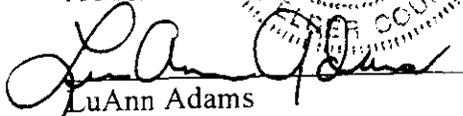
SECTION 5: SEVERABILITY. In the event that any provision of this ordinance less than the entire ordinance is held invalid by a court of competent jurisdiction, this ordinance shall be deemed severable and such finding of invalidity shall not affect the remaining portions of this ordinance.

SECTION 6: REPEAL OF CONFLICTING ORDINANCES. To the extent that any ordinances, resolutions or policies of Box Elder County conflict with the provisions of this Ordinance, they are hereby amended to comply with the provisions hereof.

SECTION 7: EFFECTIVE DATE. This ordinance has been passed, adopted and enacted as of the date hereof, shall be published upon the next available publishing date thereafter and shall become effective fifteen (15) days after its adoption and publication as required by law.

PASSED, ADOPTED A SYNOPSIS ORDERED PUBLISHED this 12 day of October, 2010.



ATTEST:

LuAnn Adams
Box Elder County Recorder/Clerk

Commissioner VanDyke voting yea
Commissioner Hardy voting yea
Commissioner Shaffer voting yea


Richard VanDyke Chairman
Box Elder County Commission