

CONSENT AGENDA ITEMS

LUELLA A. PIERSON (REBECCA HODGE) ONE-LOT SUBDIVISION, LOCATED AT OR ABOUT 13435 NORTH EAST GARLAND ROAD IN THE GARLAND AREA.

This one-lot subdivision is located in an area of the County that is currently un-zoned and consists of approximately one half acre. The petitioner has provided proof of all utilities with water being supplied by UKON Water Company. Mr. Day recommended that this subdivision be granted preliminary and final approval as the petition was in accordance with the existing subdivision ordinances and Zoning requirements.

MOTION: A motion was made by Commissioner Davis to grant **preliminary and final** approval for the Luella A. Pierson One-Lot Subdivision and submit to the County Commission for their approval. The motion was seconded by Commissioner Thompson and passed unanimously.

SHERIE H. GORING TWO-LOT SUBDIVISION, LOCATED AT OR ABOUT 15200 NORTH IN THE FIELDING AREA (ON THE HAMPTON FORD ROAD).

This subdivision is located in an area of the County that is currently un-zoned and each lot consists of one half acre. The petitioner has provided proof of all utilities with water being supplied by the UKON Water Company. As this petition appears to be in accordance with the existing subdivision ordinances and Zoning requirements, Mr. Day recommended that the Planning Commission grant preliminary and final approval at this time.

MOTION: A motion was made by Commissioner Davis to grant **preliminary and final** approval for the Sherie H. Goring Two-Lot Subdivision and submit to the County Commission for their approval. The motion was seconded by Commissioner Thompson and passed unanimously.

LEONARD SEVERSON ONE-LOT SUBDIVISION, LOCATED AT OR ABOUT 5810 WEST 16800 NORTH IN THE FIELDING AREA.

This one-lot subdivision is located in an area of the County that is currently un-zoned and consists of 4.10 acres. The petitioner has established proof of all utilities as there is an existing home located on the property. As the petition was in accordance with the existing subdivision ordinances and Zoning requirements, Mr. Day recommended granting preliminary and final approval for this subdivision.

MOTION: A motion was made by Commissioner Davis to grant **preliminary and final** approval for the Leonard Severson One-Lot Subdivision and submit to the County Commission for their approval. The motion was seconded by Commissioner Thompson and passed unanimously.

NEW BUSINESS

TenDances, LLC, CONDITIONAL USE PERMIT, LOCATED EAST OF PARK VALLEY

Mr. Day told the commissioners that his office had received this petition for a conditional use permit and a rock quarry from TenDances, LLC. The current zoning where this quarry will be located is MU-160 and this petition falls within the conditional use requirements for the MU-160 zone. The quarry is located east of Park Valley at milepost 61. Mr. Day stated that this petition is in compliance with the current zoning provisions as a conditional use and recommended granting approval with the following conditions:

- The proposal must continuously meet all current ordinance requirements relating to safety of persons and property, health and sanitation and environmental concerns; and
- **The operation must meet all Federal, State and Local environmental regulations;* and
- A re-vegetation and re-grading plan be submitted prior to any excavation; and
- The operation must obtain a County Business License within 30 days of the CUP approval.

Commissioner Eberhard asked who would receive a copy of the re-vegetation and re-grading plan; Mr. Day noted that the Planning Office would receive a copy prior to any excavation. Commissioner Thompson asked if any [monetary] guarantee was required through the County, but Mr. Day stated that it is usually held through the State by a secured bond. Chairman Kimber asked how close this facility was to the highway and the petitioner, Mr. Dance, stated that the highway cuts right through the property (after which time Mr. Dance circulated a picture of the property among the Commissioners). The Planning Commissioners discussed the proposed petition, after which time the following motion was made.

MOTION: A motion was made by Commissioner Thompson to recommend approval for the Conditional Use Permit for TenDances, LLC with Mr. Day's recommendations and submit to the County Commission for their approval. Commissioner Davis made the following amendment to Mr. Day's recommendations to state that "*The operation must *continue to meet all Federal, State and Local environmental regulations.*" Commissioner Eberhard seconded the amendment, and then the entire Motion was seconded by Commissioner Eberhard and passed unanimously.

AG-PROTECTION AREA, J & N PROPERTIES

Mr. Day stated that due to an administrative issue there was not information available for the Commissioners to look at in considering this ag-protection petition. As there is no GIS person with the County at this time Mr. Day was unable to compile a map showing the proposed property locations for this ag-protection, nor was he able to do the calculations required. Therefore, he suggested that this motion be tabled at this time.

MOTION: A motion was made by Commissioner Davis to **table** the petition for the J & N Properties Ag-Protection Area at this time. The Motion was seconded by Commissioner Holmgren and passed unanimously.

UNFINISHED BUSINESS

PROMONTORY LANDFILL, LLC, APPROXIMATELY 2000 ACRES LOCATED ON PROMONTORY POINT

In bringing this issue before the Planning Commission, Chairman Kimber stated that the Commission would not receive any public comments at this time as there had been a Public Hearing regarding this issue and sufficient time (two months) had been allowed for any written comments to be submitted.

Mr. Day presented this conditional use permit for a landfill located at Promontory Point (west of Plain City and south of Brigham City) to the Commissioners and stated that the purpose of this meeting was whether or not to recommend granting this CUP to the County Commission and to forward to them for their approval. Mr. Day presented the background and summary of issues relating to this conditional use permit.

BACKGROUND

The petition consists of approximately 2000 acres proposed as a commercial landfill, with one thousand acres for the actual site, and an additional one thousand acres to be used as a buffer zone. The area is currently un-zoned. The actual location is on the west side of the peninsula. The purpose of this Conditional Use Permit process of the County is to promote the health, safety, convenience, and general welfare of the present and future inhabitants of the County. The land use code provides sufficient flexibility to allow this type of use. The overall goal of the process is to protect the County and the neighboring uses. [It is important to remember this area is un-zoned.] Conditional uses may be approved by the County Commission upon recommendation of the Planning Commission. Before approval is granted, a report to the County Commission by the Planning Commission shall find that the proposed development will meet the requirements of the Code

SUMMARY OF ISSUES:

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| 1. Access and public safety | 3. Performance and viability of the project |
| 2. Environmental concerns | 4. Site Plan review separate from the CUP. |

(Mr. Day stated that typically a conditional use permit and site plan are grouped together in an effort to expedite the petition; however concerning this permit, since it also requires a permit from the State, it seemed appropriate to separate the site plan issues from the conditional use permit issues. The site plan issues include building location, access, road construction, etc. As the permit from the State could have an impact on the site plan, having the CUP and site plan grouped together could result in having to amend the site plan due to State regulations. The site plan will come before the Planning Commission at a later date for its approval.)

Mr. Day went over the issues with the Planning Commissioners that he had identified to assist the Commissioners in formulating their findings to present to the County Commission.

Access and Public Safety:

- * A guarantee of sufficient water to serve the intended land use and a water delivery system meeting standards adopted by the County Commission.
- * A wastewater disposal system meeting standards adopted by the County Commission as determined by the BRHD. *(Mr. Day stated that his office had received a letter from the Health Department stating that it would be feasible in install a septic system for the facility)*
- * Some indication of the preferred access route to the site. The specifics could be part of the site plan approval. Any route to the site will need to be fully improved to ensure a safe access. *(The two access routes being considered are 1) preferred route along the railroad causeway; 2) through the GSL dike. The primary means of transporting the solid waste to the facility will be by rail.)*

Environmental concerns (the bulk of the environmental concerns will be handled through the State Department of Environmental Quality)

- * Limitations and/or restrictions on the use and/or location of uses in sensitive areas due to soils capabilities, wildlife and plant life.
- * Processes for the control, elimination or prevention of land, water, or air pollution; the prevention of soil erosion; and the control of objectionable odors.
- * The planting of ground cover or other surfacing to prevent dust and erosion.
- * The site must be covered daily to prevent flowing debris and other problems.
- * Restructuring of the land and planting of the same as directed by the Planning Commission when the conditional use involves cutting and/or filling the land and where such land would be adversely affected if not restructured.
- * All requirements from the State Department of Environmental Quality must be continuously met.
- * A liner to the site must be approved by all applicable state and federal agencies. *(The liner is probably the most technical part of the project and how the liner will work)*

Performance and viability of the project

- * The petitioner has agreed to provide a business plan and Performa for the project to the County Commission

Mr. Day stated that once any garbage goes to the site it remains a landfill, at which time Commissioner Davis asked if there were some way that the land could be reclaimed. Mr. Mark Easton made the following comment regarding this question.

“There are guidelines under CIRCLA and EPA guidelines, as well as DEQ for the final disposition of a landfill and they call that the closure and post-closure procedures. So very much like a sand and gravel pit, there is final grading and then there is a period of time called post-closure . . . it’s thirty years . . . and in that thirty year period the solid waste does stabilize and then it changes designation . . . so there is a period of time.”

Mr. Day then said that he believed that the Commissioner was asking about the possibility of starting the landfill with one truckload and then closing it, could the land go back to not being a landfill? The garbage could be taken back out and property reclaimed [according the Mr. Easton], but that would not be economically feasible. Commissioner Davis commented that unless the landfill is economically feasible, it would probably not even get started in the first place. There have been a number of questions raised regarding the economic feasibility of this project. Chairman Kimber stated that the closure procedures would remain the same, regardless of the time that the landfill is in operation. Mr. Easton answered by saying that they [his company] are required “*to have all the funding in place to be able to accomplish that.*” Commissioner Thompson asked what would happen after the thirty-year period. Mark Easton answered by saying:

“At the thirty-year point it is considered stabilized . . . there is testing that goes with that. That means that the decomposition has sufficiently taken place and it becomes stable. You fall under the guidelines forever and ever . . . you have to continue to monitor, but its designation changes as a stabilized landfill . . . at least in our Performa, all of the lands, by the time it’s completed, will have transferred to the municipalities and there wouldn’t be anything that would take place on that ground.”

At this point, Mr. Day said that in considering an issue like this, he would recommend the following findings [whether positive or negative]:

1. the project is in compliance with existing county land use ordinances
2. the project complies with the guidelines contained in the General Plan
3. the location is appropriate for such a use
4. the environmental impacts can be mitigated to ensure an environmentally safe operation
5. the project is financially viable

The Commissioner discussed the findings and recommendations that had been made by Mr. Day and also viewed pictures [taken by Commissioner Davis] of the site that were taken during a visit to Promontory. Mr. Easton, along with others, made the following comments during their discussion to help in answering some of the concerns that the Commissioners voiced.

Regarding the time-line for the project and accepting garbage within the two year period:

Mr. Easton: "When you say operational . . . you (*the commissioners*) began the discussion by significant development. Does that mean accepting garbage; does that mean the total facility built? If you plan us accepting garbage, I don't see a problem. There would have to be significant development to accept garbage."

Regarding blowing debris:

Commissioner Eberhard stated that on the occasions that he had gone to the County Landfill there was very little trash blowing out of the site. He assumed that this proposed landfill at Promontory would be operated under the same type of strict conditions, perhaps even more strict. He stated that he had also seen a significant difference between "the operation of the County Landfill from when it first started and now, as far as that's concerned; it's much cleaner and covered much better than it was originally."

Mr. Easton: "The prevailing winds, out there, actually blow up the valley towards the mountains . . . and that is the prevailing wind in that area. We are planning to have a fifty foot fence that goes around the unload area and also a fifty foot fence at the base, where we're working. The equipment that we will be moving the garbage with . . . we're not dumping the garbage ever . . . garbage is never loose on the ground. We're using a piece of equipment with a bucket and a thumb that can actually grab the waste and reset it in the back of a truck that has eighty-five yard capacity. It's an articulated rock truck. When the rock truck is filled, it will be covered and then it drives out to the face. One of the differences between this kind of a landfill and a regular landfill like you have, is we're not taking any over-the-road vehicle out to the face; so where you have over-the-road vehicles you may have to have a three hundred foot face that is open at any one time so that trucks can maneuver around. We'll be able to have about a hundred and twenty-five foot face open because of the maneuverability of the equipment; so we're able to limit the size that's ever open where we're dumping and then we have a fifty foot fence around the area that the trucks actually have to enter as we work that face and we are covering every day. The time period that the face is open becomes critical. In a regular landfill, like the Box Elder County, you have hours that you stay open so that people can come out at their convenience. The only time that our face will be open is during the time that we are actually transporting our garbage; so there'll be no time that the face will be opened that it's not being worked and covered; so there'll be no time where there's fugitive garbage that we're not there, both handling it, observing it, and controlling it; so from a covering standpoint, Theron [Eberhard] said at your landfill it's a lot cleaner now because of the way they are operating, and our operation, because it's closed to the public and it's only handling the waste that we move to it, is much tighter controls and it's those controls that help us to be able to be make sure that we don't have fugitive blowing. The hours of operations for us are much shorter . . . there are shorter periods of time that we actually will be moving trash; and so if there are inordinate winds . . . now if there for two days . . . we certainly will have to work within that two day period, but if we have inordinate winds for short periods of time, we'll be able to accommodate that and actually that's being contemplated with DEQ in our operational standards. If there are microburst winds . . . that we work around those times and we limit our operation." *Commissioner Tea asked: "So then, with a hundred and twenty-five foot face, then to fly over in a plane at a couple thousand feet, really we shouldn't even be able to tell there's a landfill . . . is that correct."* Mr. Easton: "If you were to get right over it and point it out . . . a hundred and twenty-five feet this way, it's probably about -- less than two hundred feet the other

way, not the face that we're working, so the enclosed area of operation is an area of about a hundred and twenty-five feet by around two hundred feet, so it is very, very limited where any of the operations take place, and it's because of the type of equipment, the articulated truck actually will pinch like a loader, so they can turn very tight radiuses, and they have low ground pressure tires, so we don't have the problem of having to build large roads on the landfill itself for over-the-road trucks . . . these trucks really can handle the same kinds of low ground pressure that tract equipment can handle, so what we're able to do is we're able to utilize the best technologies for this kind of an operation because it's not open to the public. If it were opened to the public, it would be a whole different game."

Commissioner Eberhard asked if some of the concern about the blowing waste toward the lake could be mitigated by a double fence.

Mr. Easton: "We have a second fence. The two fences I talked about are simply around the working area. There is an additional fence that goes around the whole site. In the unload area they are very close; in the finish area, there'll be time when you're closer and times when you're further. The furthest would be about a mile and a half from one fence to the other. The closest would be when you're working right next to a fence."

Regarding the location of the proposed site:

Mr. Easton: "We actually worked with DEQ in determining this site. We took DEQ to Promontory to look at Little Valley and they said that's nice, but that's really not where you want to put a landfill, and they brought us around to the place we're at and they said this is the place for a number of reasons. It's close proximity to the transportation of rails and not needing to drive it over the roads. Second was the predominate winds away from the lake. Third was the topography going up the slope, contained in a valley and being able to not have to excavate large sections of ground where you're worried about different aquifers that you go through. And the geology of the site . . . and these would be the four main elements that they came up with. The geology of the site is there's bedrock under the whole valley at between thirteen and twenty feet deep. So there's no chance for us to have settlement. The real problem in a landfill that's lined - is if you have differentials settlement, if one place it settles, you'll create pressures on that liner that may cause you problems, and one of the advantages to this is we have a consistent geology up the valley - which is bedrock. Also, there's only one aquifer that we're dealing with and it runs right on the bedrock, so our monitoring wells at the bottom and our upgrade monitoring well, the bottom ones are thirty feet deep, the upgrade ones, which you saw, is about two hundred and eight feet, and it's the same aquifer and it is essentially is very close, it does slope down, but it is in line with the Great Salt Lake. Now, the TDS, the Total Dissolved Solids, are about 5700 parts per million, and that is extremely high, and from a water quality stand point, it's very low quality water, in fact we precipitate compounds out of it. We precipitate the heavy metals out of it; we precipitate other elements like salts and potassium and other elements out of the water because it's so dense. So, DEQ -- really the site was their choice, not ours. We thought going around to a valley around the corner was our first option."

Regarding whether or not DEQ addresses the covering of the waste during the transport to the site:

Mr. Easton: "It is addressed, for any transporter of solid waste; whether it's us or someone else, the Department of Transportation actually has regulations in addition

to DEQ. The Federal Department of Transportation, under the FRA, which is the Federal Railroad Act, controls the rail. They have, through the FRA; they have a visual inspection program. Any car that goes through a rail yard must be inspected by the railroad whose yard it goes through. If there are problems with the suspension, with the brakes, with the car itself, if anything is leaking out of the car – the car is not permitted to leave the rail yard. And through the association called the AAR, which is the American Association of Railroads, they have an Interlocal agreement or an agreement between the railroads. No matter whose car it is, you repair it – railroad “X” repairs it. And they submit the bills to the AAR and the AAR pays for it and collects monies from whosever car it was. In addition to that, DEQ is requiring us to have an inspection procedure where we inspect each car or container that comes out and we inspect it after we have unloaded it and made sure that it’s in good condition. We also have an inspection required at the transfer station once they’re loaded to make sure that there’s no leaking or damage to the cars. In fact, in the contracts that are being worked out, if there’s damage that takes place at the transfer station, the member, or the municipality, would be responsible to pay for it. If the damage takes place at our facility we would be responsible to take care of it; so there are economics that are going to force us to be looking at these things to make sure that there are always no leakage – and everything always covered.”

Regarding the guidelines contained in the General Plan:

Mr. Day read the following from the Box Elder County General Plan.

“Future land use decisions will consider the following:

- **maintaining the current quantity and quality of public services and facilities through balancing growth and development with facility/service capacity e.g. water, sewer, waste disposal, transportation and roads, law enforcement, emergency services;**
- **protecting rural, agricultural, mineral, wildlife and other County interests of traditional land uses;**
- **promoting development patterns consistent with, and sensitive to, resident preferences, and**
- **balancing private property rights with public interests.”**

As far as the specifics of a landfill being located in the County, other than what currently exists as a public service, the General Plan really doesn’t address that specifically according to Mr. Day.

Regarding the project being financially viable:

Mr. Easton: “We will not be able to accept one iota or one ounce of garbage unless, until it is commercially, financially, physically viable. Because no city, no county is going to sign up in an Interlocal agreement, and it is their contracts that become the revenue generation. I have in my possession tonight and I have brought with me a contract that we have currently signed with Tooele County. The importance from our Performa in creating the Interlocal agreement is critical and it is very appropriate for you, meaning Box Elder County, to want to understand that we are really delivering on what we say we are doing. There are going to be some checks and balances, because of the Interlocal agreement and the governing board made up by the municipalities having oversight. There is both financial as well as technical reporting that goes to that board. Through that you are going to have the ability to have that information on an ongoing basis – so all of the information that you are talking about is going to be readily available to you through that organization. Any member

participating in the operation will have someone sitting on the board. The Interlocal agreement agency . . . the agency itself . . . the agency will determine that within itself -- we don't get to be a member of the agency . . . the agency are the governments and the government, your government would determine how you do it. Tooele's government would determine how they do it, to appoint a person; very much like every other board appointment."

Commissioner Tea: "Once a county puts waste in the landfill, they become liable. So even if you guys (the petitioner) financially couldn't, didn't make it, then we have these counties that are liable?"

Regarding the ownership of the property:

Commissioner Davis: *"One of the comments in the request for additional information (letter dated February 18, 2003) talks about the ownership of the landfill (page one). 'Ownership of Landfill': The permit application indicates that the landfill will be owned by Promontory LLC; the property is owned by Promontory Point Land Resources, LLC but is to be purchased by the landfill owner, and the landfill will be operated by Pacific.' I suggest for Mark to review those relationships with us, for just a second, just to refresh our memories, because he refers to the owner and making that statement that the owner/operator."*

Mark Easton: "I can do that. The property is going to be owned by Promontory Landfill, LLC . . . and Pacific West, as the company is one of the members of Promontory Landfill and Pacific West will be the operator, actually operate the landfill. *(The property)* has been purchased from the Chournos' and the Young's' and it is going into Promontory Landfill, LLC. There is another LLC called Promontory Point Resources, LLC, and they will be a party to the Promontory Landfill. The Promontory Landfill, LLC that is the owner and that's the organization that is obtaining the permit. The ownership of the landfill will ignore to the counties as cells are closed. So during the operational phase, the landfill itself, will own and operate it, but the ground actually transfers when the agency, meaning the counties, spend the money to close it. They actually get the money every month in tipping fees, so they will control the money that gets to close it, and the transfer of title will take place as sales close. So, ultimately they end up owning the whole thing, but there's a relationship between the operator and the owner where we work together. So there'll be points at which we own more, and then there'll points at which they own more, and there's transfers of title. In the letter from DEQ, they want us to define, as Commissioner Davis has, what those relationships are and how they work. The Interlocal agreement is a process, in the operating agreement that works with the Interlocal agreement, is actually being hammered out between counties involved right now; and it's best that I probably not name who those counties are, but there literally are counties that are working on the agreements as we speak. That's not that they have determined the contract, but they are willing to help us put the agreements in a form that is acceptable to them . . . and that's critical for us . . . we don't want to create something that doesn't work for people. All of the nine northern counties are seeking a solution to their solid waste and they're interested in working on a process that helps them get to the point where it's viable for them; if we don't ever get a permit, it's not viable for them, and so as we're working towards the permit, they are involved in the development of the organization so it's an acceptable organization to them."

At the conclusion of this discussion, Chairman Kimber asked the Planning Commissioners if they felt that they had reached a point where they could make a decision on this petition.

MOTION: A motion was made by Commissioner Eberhard that the Planning Commission make a recommendation to the County Commission to approve the Conditional Use Permit for the landfill located at Promontory Point based on the stipulations specified during the discussion and read back to the Planning Commissioners by Mr. Day.

- ⇒ **The petitioner continuously meet all DEQ, State, Federal, and Local ordinances as they relate to the siting of the landfill and must continue to comply with all Box Elder County ordinances;**
- ⇒ **The petitioner submit to all requirements of the Site Plan review prior to final approval of the project;**
- ⇒ **The BRHD approve the culinary water and septic system feasibility for the area;**
- ⇒ **The inter-local agreement and/or DEQ agency (or governing body) that will oversee the proposed project be established prior to issuance of the CUP**
- ⇒ **If ALL conditions are not met within two (2) years, and the site is [not] accepting solid waste, the CUP will be void. (The two year period starts when the County Commission acts upon the petition [meaning approval of the CUP])**
- ⇒ **That access be restricted to the existing railroad access, or the GSL access, and does not include county roads.**
- ⇒ **That it (the landfill) be limited to a class one solid waste landfill only and not as class five commercial solid waste landfill.**

The Motion, with is amendments, was seconded by Commissioner Holmgren and passed unanimously.

At this point the Planning Commission took a ten-minute break and reconvened at 8:35 p.m.

KRYS OYLER RE-ZONE, BOTHWELLPOCKET AREA FROM ABOUT 12800 NORTH INCLUDING SECTIONS 21, 22, 23, 26, 27, 28, PART OF SECTION 14 WEST OF I84, SECTIONS 9 AND 10 WEST OF I 84

Mr. Day explained that at the last meeting (May 2003) of the Planning Commission this petition regarding a request for a re-zone in the Bothwell pocket area was considered. Last month a motion was made to set a public hearing and due to some administrative problems that was not done. Therefore, Mr. Day recommended that the Commission postpone that public hearing until their July 17th meeting. However, since there were a few interested parties at this meeting, Chairman Kimber, stated that this was **NOT** a public hearing, but public comment would be accepted. Commissioner Eberhard was also concerned with the description of the proposed zone, whether it is **RR-5** or **RR-5 Modified** and that would need to be cleared up before the adoption of the zone area. The application is for RR-5, but Commissioner Eberhard felt that the intent of the applicant was to have this zoned

the same as the existing zone in the area, which is **RR-5 Modified**. (The difference between the two zones needs to be clarified.) There was some informal discussion between those present with the Commissioners and the matter was tabled until the July 17, 2003 meeting, at which time a public hearing would be scheduled.

WORKING REPORTS

Marble Hill Subdivision update: Mr. Day stated that several residents from the Marble Hill Subdivision first approached the Planning Commission in August of 2002. The concern from the residents was the condition of the roads in the area of this subdivision. A Special Improvement District is being considered to help with the rebuilding of the roads and the County would take over the maintenance of those roads in the future; conditioned upon the County Commission's approval of the establishment of the SID. Each resident would then pay a portion of the cost, which would be based on the size of his or her lot. The road will not be re-constructed, but overlaid, crack sealed, fabric laid, and an inch and a half of asphalt put down and then chip seal [the road]. The residents will have the opportunity to comment on the establishment of this SID either at the (County Commission) July 1st public hearing or written comments before June 27, 2003. If less than fifty percent were opposed to the SID it would [probably] be roved.

South Willard Community Plan update: Mr. Day said that the process was moving forward and most likely would be ready for a Town Meeting in that area in the fall (2003).

A motion was made to adjourn the meeting at 9:25 p.m. by Commissioner Eberhard and seconded by Commissioner Tea; all concurred.

Passed and adopted in regular session this 28th day of August 2003.


Richard Kimber, Chairman
Box Elder County
Planning Commission