

MINUTES
BOX ELDER COUNTY PLANNING COMMISSION
AUGUST 17, 2000

The Board of Planning Commissioners of Box Elder County, Utah met in a Public Hearing and regularly scheduled meeting, at the County Courthouse, 01 South Main Street in Brigham City, Utah at 7:00 p.m., on **AUGUST 17, 2000.**

The following members were present constituting a quorum:

Richard Kimber	Chairman
Jon Thompson	Vice-Chairman
David Tea	Member
Stan Reese	Member
Royal Norman	Member
Deanne Halling	Member

The following members were excused:

Theron Eberhard	Member
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The following Staff were present:

Garth Day	County Planner
Marla Liljenquist	Department Secretary

The **regular session** was called to order by Chairman Kimber at 7:04 p.m.

APPROVAL OF MINUTES

THE MINUTES OF THE REGULAR MEETING HELD ON JUNE 15, 2000 WERE APPROVED ON A MOTION BY COMMISSIONER NORMAN, SECONDED BY COMMISSIONER REESE AND UNANIMOUSLY APPROVED.

SUBDIVISIONS FOR APPROVAL

Crillo Subdivision at or about 2400 N. 6800 W.

Mr. Day presented the Crillo 1 lot subdivision. The property is currently un-zoned. The petitioner has established proof of all utilities, including availability of water through West Corinne Water. The Planning Commission granted Preliminary approval to this Subdivision at the June meeting. Mr. Day discussed the drain lines noting a restriction of building above the drain lines. Mr. Singh asked if the drain has been checked and if it will be maintained; stating the part in front of the house has not been maintained in the past. Commissioner Norman stated the drain has been checked, is flowing and will be maintained by the County. Mr. Singh asked who he can go to if he has problems in the future. Chairman Kimber stated that once that property is dedicated over, it becomes an issue between the County and the property owner. Commissioner Norman stated that the standard has been that if you put in the pipes, the County will cover it. In this case, the property owner put in the pipes but covered it himself. Mr. Singh stated that he put in 12" pipes noting that the drain may be flowing but it is partially plugged. Mr. Singh asked if his property description will change. Mr. Day stated that it will be changed once recorded. Commissioner Norman added that Mr. Singh will be responsible to pay the recording fees. Mr. Singh asked when that will take place and Mr. Day stated one week from this coming Tuesday. Mr. Day stated that the petition is in accordance with existing subdivision ordinances and zoning requirements. All County staff signatures, health department and owner's dedications have been obtained. Open ditches are to be filled in. 33' road dedication to the County is required. Mr. Day recommends to the Commission to grant final approval of this subdivision.

MOTION: A motion was made by Commissioner Thompson to grant final approval of the Crillo Subdivision and authorizing the Chairman to sign and refer to the County Commission for approval. The motion was seconded by Commissioner Reese and unanimously approved.

Whipple Subdivision, at or about 8000 S. Hwy 89

Mr. Day reviewed the Whipple subdivision noting that this is the initial 3 lot subdivision which will become Phase I. This was approved previously by the Planning Commission and the developer wanted to look at some other options before it went to the County Commission. However, the required 45 days has lapsed and the developer would like to now go ahead with the prior approval making it Phase I and noting that Phase II will be coming. Mr. Day stated this property is currently R-1-20. The petitioner has established proof of all utilities, including availability of water through South Willard Water. The petition is in accordance with existing subdivision ordinances and Zoning Requirements. Lot 1 is a flag lot. Staff has recommended a minimum width of 20 ft. for the stem. Also fencing in the following locations; between lots 1 and 2 and adjacent to Hwy 89. The access to the subdivision (8000 so.) is private. A Home Owners Association has been established. This will be required to be recorded at the time of subdivision recording. Planning Staff recommends granting final approval of the Whipple Subdivision (Phase I). Commissioner Norman asked how we

mitigated the storm drains. Mr. Day explained to go ahead through drainage sump. Commissioner Norman asked what will happen when Phase II kicks in? Mr. Day stated that any storm water will be retained on site. Commissioner Norman asked about tar on roads and Commissioner Halling stated that it is a private street. Chairman Kimber revisits the issue of the Flood Control District asking if they have had the opportunity to go back and see the changes. Mr. Day explained that no changes have been made since they reviewed it.

MOTION: A motion was made by Commissioner Thompson to grant final re-approval of the Whipple Subdivision as (Phase I) authorizing the Chairman to sign and refer to the County Commission for approval. The motion was seconded by Commissioner Reese and unanimously approved.

Wesley Wilcox Subdivision, at or about 17135 N. 4000 W.

Mr. Day reviewed the Wesley Wilcox two (2) acre, 1 lot subdivision in the North Fielding area. The property is currently un-zoned. The petitioner has established proof of all utilities, including availability of water through UKON Water Co. The petition is in accordance with existing subdivision ordinances and Zoning Requirements. All County staff signatures, health department and owner's dedications have been obtained with the exception of the County Surveyor, as he has been out of town. Open ditches are to be filled in. Planning staff recommends granting Preliminary and Final approval of the above mentioned subdivision.

MOTION: A motion was made by Commissioner Norman to grant Preliminary and Final approval for the Wesley Wilcox Subdivision and authorizing the Chairman to sign and refer to the County Commission for approval. Chairman Kimber noted that he will sign, once all appropriate signatures have been obtained. The motion was seconded by Commissioner Reese and unanimously approved.

Anderson Subdivision, at or about 11600 N. 9985 W.

Mr. Day reviewed the Anderson 1 lot subdivision in the Bothwell area. This property is currently RR-5. The petitioner has established proof of all utilities, including availability of water through a private well located on the lot. The State has approved and authorized the well and it is deeper than 100 ft. The petition is in accordance with existing subdivision ordinances and Zoning Requirements. Mr. Day noted that due to some minor changes made recently, we have been unable to obtain all of the required signatures. There is a well protection zone which has been established, where no septic system is allowed. Planning Staff recommends granting Preliminary and Final approval of the Anderson Subdivision. Commissioner Tea asked if it is a 33 ft. right-of-way in the back of this lot. Mr. Day concurred and Mr. Anderson noted that it is east of his house.

MOTION: A motion was made by Commissioner Reese to approve the Anderson Subdivision for preliminary and final phases, authorizing the Chairman to sign and refer to the County Commission for approval. Chairman Kimber noted that he will sign, once all

appropriate signatures have been obtained. The motion was seconded by Commissioner Thompson and unanimously approved.

Burton Subdivision, at or about 10700 N. 10800 W. Mr. Day reviewed the Burton 1 lot Subdivision. The property is currently un-zoned and is a little more than ½ acre just south of Bothwell. The petitioner has established proof of all utilities, including availability of water through the Thatcher-Penrose service district. The petition is in accordance with existing subdivision ordinances and Zoning Requirements. Mr. Day discussed the existing irrigation ditch and the remnant of land on the initial plan, stating that the subdivision was recently redrafted. Due to the recent changes, the staff has been unable to obtain some of the required signatures. There is a 16.5 ft access drive located on the south boundary of the subdivision. Staff recommends shifting the subdivision to the south and placing an access easement along the south boundary. Planning Staff recommends granting Preliminary and Final approval of the Burton Subdivision.

MOTION: A motion was made by Commissioner Thompson to approve the Burton Subdivision for preliminary and final phases authorizing the Chairman to sign and refer to the County Commission for approval. Chairman Kimber noted that he will sign, once all appropriate signatures have been obtained. The motion was seconded by Commissioner Reese and unanimously approved.

Subdivision Amendment to The Beginning Subdivision, at or about 7365 S. 625 W. Mr. Day reviewed the Subdivision Petition to vacate a utility easement along the North boundary of The Beginning Subdivision. The land petitioned for is located in the South Willard area and is zoned R-1-20. The subdivision was approved in August 1993. The owner of lot 4 has started construction on an accessory building which has been located on approximately 5 ft of the existing 10 ft utility easement. The owner has petitioned for vacation of the utility easement. The petition is in accordance with section 17-27-808 of the Utah State Code and the Box Elder County Land Use Management and Development Code. The Planning Commission should make a finding that it is in the County/Property Owner's best interest to clear up this situation by vacating a portion of said subdivision. This subdivision vacation will not financially harm any land owner or effect any existing streets, utilities etc. The Planning Staff recommends vacating a portion of The Beginning Subdivision. Commissioner Halling raises the question of is Mr. Day *sure* that there are no utilities in this easement? Mr. Day states that letters were sent to all utility providers and no response was received back. Chairman Kimber states that we can proceed with approval based on stipulation.

MOTION: A motion was made by Commissioner Tea to approve the Subdivision amendment to vacate a utility easement along the north boundary of The Beginning Subdivision contingent upon verification of utilities and authorizing the Chairman to sign and refer to the County Commission for approval. The motion was seconded by Commissioner Thompson and unanimously approved.

CONSIDERATIONS FOR APPROVAL

Jack's Airport, Creation of an Airport Overlay Zone, at or about 7320 W. 12400 N.

Mr. Day reviewed recent Commission actions in regards to the public hearing held in June to receive public input on the proposal. The item was subsequently tabled to allow adjacent property owners some time to research and gather additional information. The earliest public record of the airport is found on the U.S. topographical quadrangle map, dated 1962. The airport is located at 7320 W. 12400 North and is currently un-zoned. Section 17.2.2 defines an airport as:

AIRPORT shall mean any landing area, runway, or other facility designed, used, or intended to be used either publicly *or by any person or persons for the landing or taking off of aircraft including all necessary taxiways*, aircraft storage and tie-down areas, hangars, and other necessary buildings and open spaces as permitted by local zoning ordinances.

VISUAL RUNWAY shall mean a runway intended *solely for the operation of aircraft using visual approach procedures* with no straight-in instrument approach procedures with no straight-in instrument approach procedure and no instrument designation indicated on an FAA approved airport layout plan or on any planning document submitted to the FAA by competent authority.

On August 21, 1998 the FAA wrote a letter to Mr. Pierce, in which it stated:

"An **airspace analysis** of the proposed public use Jack's Airport has been **completed**. Based on this study, **the Federal Aviation Administration has no objection**. This determination is for **VFR (Visual Flight Rules)** use only." (*Intended use is now private use*)

"We do recommend however that clear 20:1 approaches, and a safety area 120' wide and extending 240' off both runway ends be established and maintained. (Recommended runway length would be 6000")" *This is only a recommendation by the FAA and is not required for private use.*

"determination *does not mean FAA approval or disapproval* of the *physical development* involved in the proposal."

On April 18, 2000 UDOT wrote in a letter to Mr. Pierce:

"UDOT Aeronautical Operations Division no longer licenses private airports and has no jurisdiction over them..... We do urge you to follow the recommendations set by the FAA in the airspace analysis, Case No. 98-DEN-144-NRA."

In reviewing with the County Attorney a prescriptive use or right of way may have been established.

The petition does not meet a public purpose in protecting the safety of surrounding uses and neighbors.

Development may occur in an Airport Overlay Zone, but certain height requirements must be maintained at a 20:1 scale, and will be addressed as specific development occurs.

The planning staff recommends to approve or deny to the County Commission the creation of an Airport Overlay Zone for Jacks Airport. Mr. Day stated that a lot of public comment has been received noting this action was tabled at the June meeting following the public hearing to allow Spring Acres to consult their attorney. Mr. Day stated there is new information in that the owners are going to petition for annexation into Tremonton City; which raises a jurisdiction issue. Mr. Day states the Planning Commission has the right to change by reducing or increasing an area. Stating that this has been drawn to a minimum. Chairman Kimber noted this action was tabled for the owner to obtain legal counsel or advice and asked if anyone present would like to come forward and give an update. Mr. Louis Christensen of 925 South 137 West, Garland, Utah came forward and stated that he did not get legal advice but did receive other county zoning advice. He noted a misinterpretation in reading the lines. Stating it is actually **150 ft.** Stating he is in the process of annexing portion in question with Tremonton City. Chairman Kimber asked Mr. Christensen what other individuals other than municipalities were contacted. Mr. Christensen stated, "an individual in Willard". Chairman Kimber asked Mr. Christensen what responsibility would this commission have if a home were built and an airplane ran into it? Mr. Christensen stated he does not know, that he would need to hire an Attorney to determine that. Commissioner Thompson stated that Mr. Pierce is not restricted to landing planes and continues to use as he has for the last 50 years. Chairman Kimber stated that we are not changing zoning for the airport; petition is regarding an overlay zone only. Commissioner Norman stated this zone is there to inform people that there is an airport there and asked Mr. Day, "How restrictive are the contingencies on Mr. Pierce and how restrictive are the contingencies on homeowners? Mr. Day stated, "the impact is here, that is listed as part of the zone." Noting that the FFA is very loose on standard of private airports. Commissioner Halling asked Mr. Christensen what are the chances of annexation? Mr. Christensen responded that, "he feels the chances are very high." Chairman Kimber opens the floor to Mr. Larry Pierce, 967 Fishburn Drive, Brigham City, Utah. Mr. Pierce stated that the airport has been used constantly since 1956 and feels there is one item at issue: Safety. Noting that after 45 years of use, there is probably an easement by prescription. Mr. Pierce stated the importance to remember the noise involved and expressed concern of fairness as to the homebuilder in safety and noise aspects. Commissioner Thompson asked where the legal responsibility falls when a petition is filed and the commission does nothing. In the event of an accident, would Box Elder County be held responsible. Chairman Kimber stated he felt it would but to what extent is not known. Commissioner Tea asked Mr. Day if the County Attorney has been contacted. Mr. Day stated that there may be a prescriptive use already there. Chairman Kimber noted "this is a prescriptive issue" and asked the commissioners what questions are unanswered? Commissioner Norman stated the petition is for an overlay zone stating that there is an airport here. Chairman Kimber noted that if you put signs up to obey when using the road to inform the public that there is an airport nearby it would help. Chairman Kimber stated he feels there are real pluses in having an overlay zone in place. Mr. Day stated some options available: 1. Leave as is and let homeowners build at their peril. 2. Approve what you see before you. 3. If Tremonton annexes, change grading to alleviate impact but, this would require additional zoning. Mr. Day stated, "Your motion tonight is only to the County Commission. They have the obligation

to hold a public hearing. Commissioner Thompson suggests another option to restrict a "hand" (whether ingress or egress and make the air traffic turn away from the population.) Commissioner Kimber stated if Tremonton City annexes and if developed; what we have right here is still in the county. Chairman Kimber asked for any further questions and stated he is read to entertain a motion.

MOTION: A motion was made by Commissioner Tea to approve the Petition for Airport Overlay as recommended and refer to the County Commission for approval. The motion was seconded by Commissioner Reese and unanimously approved.

8:20 p.m. 5 minute break

Re-Zone Petition for Property currently zoned RR-5 to R-1-20 in South Willard

The property is located south of the Willard City limits and east of I-15 and west of Hwy 89 and consists of about 811 acres. Currently zone RR-5. There are two Comerica zones located in the petitioned area. They will remain as CG. A definite edge should be established between types of uses to protect the integrity of each use. Mr. Garth Day stated that a definite edge could be Interstate 15. Another definite edge could be Hwy 89. Zoning should reflect the existing use of the property to the largest extent possible, unless the area is in transition. Mr. Garth Day stated that one could make the argument that the South Willard area is in transition; transition in terms of agricultural use. Where possible, properties which face each other across a local street should be the same or similar zones. Collector and arterial roads may be sufficient buffers to warrant different zones. Zoning boundaries should not cut across individual lots or developments (i.e., placing the lot into two separate zones). Illogical boundaries should be redrawn to follow along property or established geographical lines. Mr. Day noted that the boundary has been expounded. The primary frontage and land uses should be considerations when establishing zoning boundaries on corner lots. To draw edges on types of uses (e.g., commercial), the Planning Commission may choose to use multiple family or professional office zoning as a buffer to the commercial, transitioning the neighborhood from commercial to apartments to single family developments. Mr. Garth Day explained the buffer of some zones may minimize certain impacts to certain areas. An example being: in Agricultural Protection Zones may be zoned at 1 acre with a proximity to buffer that 1/2 acre. The Land Use Element of the General Plan outlines the following findings for land use decisions: maintaining the current quality of public services through balanced growth and development; protecting rural, agricultural, mineral, wildlife and other traditional land uses; promoting development patterns consistent with, and sensitive to resident preferences; Mr. Garth Day noted services will be a big issue with this, the availability for septic systems, water supply, drainage. Mr. Garth Day stated this is a very large petition involving several property owners. He noted that Bob Wilson from the Bear River Health Department was contacted and stated it would be "OK" if it stays in 1/2 acres cannot go smaller. However, if there were to be sewer trunklines involved that would change. Mr. Garth Day noted that the Willard Flood Control is represented here tonight but that we haven't noticed anyone of the meeting tonight and there are several people to be noticed. Planning staff recommends the following: Set a date for Public Hearing to receive public comment regarding the request. Since this

involves a major shift in public land use, it may be well to hold a public hearing. One thing we are looking at is running a sewer trunkline which would change the dynamic of this. Intent would be to establish a transportation and a capital facilities plan for the area. Commissioner Halling expressed concern of doing away with the General Plan; not watching out for agriculture. Mr. Richard E. Day came forward to address the Commission stating that agriculture is almost non-existing. He stated that we have an Agricultural Protection Plan in place for those who want to continue to farm noting there is not a lot of difference in land itself. He noted the feeling that it will be a gradual phase-in process. There is a petition on file that 25 people have signed in agreement with this re-zone. He stated they (South Willard as a group) went that route rather to piece meal. Chairman Kimber noted appreciation to that approach. Commissioner Norman asked how many landowners are involved. Mr. Richard Day stated twenty (20), there are 2 that chose not to sign the petition. Commissioner Norman asked what other group of people Mr. Richard Day thinks would oppose. Mr. Richard Day stated that he does not think there are any and noted he is on the South Willard Water and the Willard Flood Control Board and feels that they are realizing growth is coming. Mr. Garth Day discussed annexation, planning and zoning stating that zoning is already there on the east side. Chairman Kimber stated growth will be there, it is just a matter of staying ahead of the game and asked if there is any other input. Mr. Garth Day stated that there could be exclusive issues; traffic and sewer but stated a possibility of getting a grant for those.

MOTION: A motion was made by Commissioner Thompson to set a public hearing at 6:30 p.m. on September 21, 2000. The motion was seconded by Commissioner Halling and unanimously approved.

Conditional Use Permit - Sunrise Leadership Academy

Mr. Day reviewed the petition requesting a CUP for the establishment of a group home for boys. The current zoning is A-20.

The staff has the following concerns that should be addressed:

- Have the Health Department requirements, as listed in the letter dated Aug. 3rd 2000, been completed?
- Has the building inspector authorized occupancy base on the new use of the facility?
- Is the facility ADA compliant? Will it be brought ADA standards? If not, why?
- What Federal and State requirements are necessary for such a facility?
- What licences does the management have to run this facility? - Staff qualifications

- Are there medical facilities available on site?
- How many staff members will be on-site?
- What type of reporting is required to the State?
- What impacts to the neighborhood?
- What parking facilities are available for the site?
- What type of buffering will be used to; protect the neighborhood? the children from the Bear River?

Mr. Day noted that this is a public facility - correctional - and is zoned A-20. Stating this is a private school for boys not offenders or violent types. Bear River Health Department has reviewed the issue - see letter dated August 3rd, 2000. Mr. Day reviews the items listed in the findings above. He noted that the Fire Marshall has inspected and with little effort it can reach fire code. Mr. Day reads the questions to the Planning Commission (page 2). Jackie Allred Director of Sunrise Academy comes forward with Dr. Paul Daines and Dr. Richard West to address the questions raised. She noted that the Health Department issues are very minor and have not yet been addressed. Ms. Allred stated that she is very familiar with the ADA standards and they are not required in this case. She noted that Federal and State requirements are being worked on right now. Ms. Allred noted that she holds a business license/ administration license. Richard West, Ph.D. is Executive Director of Center for the School of the Future; Professor Special Education and Rehabilitation, USU is on staff as well as, Dr. Paul Daines M. D. and Frank White, Ph.D. Assistant Professor, Department of Health, Physical Education and Recreation, USU. Mr. Day noted that a County Business License has not yet been issued. Commissioner Halling asked what circumstances bring the boys to the facility. Ms. Allred stated they accept boys who are just beginning to experience problems and notes the program is expensive and therefore attracts the most affluent. The maximum number of boys that could be housed is fourteen (14) with a ratio of 3 staff to 1 (rotating). She stated that there would be no impact as it is a large property. Goal is to improve the property to have sheep and chickens, greenhouse so the boys will be able to grow things and learn to shear sheep etc. They will have chores and learn to use primitive tools. They will learn skills from their wilderness experience. Ms. Allred stated that the boys will not be there all the time. They will be learning skills such as mountain biking, kyacking, repelling, but they will be there for education. They will be helping the Community Theater. Commissioner Reese asked if this is a year-round program. Ms. Allred responded that it is; family setting with "(2) parent situation. Commissioner Rees asked what type of buffering surrounds the property? Ms. Allred stated there are trees, fenced, hedges saying that most people don't even know there is a home there. She noted that their clinical director is a chef. Ms. Allred has been working with Dr. Menlove of the School District to get their credits to obtain a high school certificate. Commissioner Norman asked if this is State funded? Ms. Allred said, "No, private monies only." Noting that an important reason for private funding is so to remain within the category of child they want to work with not just any child sent to you. Commissioner Norman asked what happens if a child becomes unhappy and runs away. Ms. Allred stated that the staff runs

with them. Mr. Day noted that he calculates the staff number to be "70" with the ration given of 3 to 1. Ms. Allred noted that full capacity with 14 boys, 6 in the office and the parents would be gone during day and there at night. Noting that some of the staff will go home during the day so, at one time probably 25 to 30 people there. Mr. Day addressed the parking issue. Ms. Allred noted there is ample parking as they are leasing the entire property including the theater. Commissioner Thompson asked if it is just the home the conditional use permit is being issued for. Mr. Day noted that it is for the entire property, not just the home. Chairman Kimber stated that he is impressed with the quality of presentation and staff noting that it sounds like a great program. Commissioner asked what the cost is? Ms. Allred stated for a year program it is \$5200 per month; wilderness program only is \$7500 for 45 days. Commissioner Thompson asked if the kids enrolled would actually receive a High School certificate. Chairman Kimber asked for any other questions. Commissioner Thompson asked if the Health Department is aware that there will be 25 people at the facility? Todd Lish noted that there are 3 septic tanks, shower facilities to accommodate that number of people. Mr. Day noted that the Commission may choose to hold a public hearing or if they are satisfied with the answers given that the Commission may approve now. He stated that the Commission is not required to hold a public hearing noting that they have done in the past to get input on the impact to the community. Mr. Day stated that he feels they have done a good job in answering the questions given them but, does have a list of conditions to be met if your (Commission) intent is to approve to the County Commission:

CONDITIONS SET FORTH:

- Bear River Health Department approval; and
- Box Elder County Building Inspection Department approval; and
- Meet all State requirements and secure all required Licenses within sixty (60) days; and
- Must obtain a Box Elder County Business License within sixty (60) days; and
- Total number of students shall be limited to 14; and
- At least one resident staff member must be CPR or first aid certified.

Chairman Kimber stated that these are good recommendations and asked Ms. Allred if the limit of 14 is a problem. She stated that it is not. Commissioner Tea suggests holding a public hearing. Ms. Allred asked if Mr. Goring could address that issue? Commissioner Tea stated that we have had boys schools apply before and have met with real ugly opposition. Stating that if that is the mentality of the people in the communities, it would probably do "you" more justice to notify them and educate

them on the issue. Ms. Allred stated that the Gorings, know the neighbors and there are no objections. She stated she does not see a public hearing as a problem other than that time is an issue.

Mr. Day noted we would probably need to advertise in the newspaper, if a public hearing is to be held. Chairman Kimber stated that he recognizes that time is of the issue and we need to determine whether or not to issue the conditional use permit.

MOTION: A motion was made by Commissioner Thompson to approve the conditional use permit conditionally upon the six items as set forth authorizing the Chairman to sign and refer to the County Commission for approval. The motion was seconded by Commissioner Rees and unanimously approved. Question is raised as to yes or no to public hearing. Chairman Kimber stated that the County Commission will decide that on August 29th at 9:00 a.m.

Conditional Use Review for Telecommunication Tower Locations

Mr. Day presented the request for three (3) sites to locate communication facilities: Site #1 is located at Sardine Summit at US 89 on the County line. This request is to co-locate with the existing tower and facilities. Site #2 is located at Mt. Pisgah overlooking Wellsville. This facility is new facility. Site #3 is located at Weldon Peak at Beaver Dam. This request is to co-locate with the existing tower and facilities. Findings: the petition is in accordance with existing Land Use ordinances and Zoning Requirements. Based on the findings, the staff recommends the following: To recommend to the County Commission approval of a Conditional Use Permit for the location of the telecommunication towers in three locations. Commissioner Halling asked the difference between Site 1 and Site 2. Mr. Day noted that these are cell towers and we do not have an ordinance set-up in the county regarding this issue.

MOTION: A motion was made by Commissioner Thompson to approve the conditional use permits authorizing the Chairman to sign and refer to the County Commission for approval. The motion was seconded by Commissioner Rees and unanimously approved.

Surplus Property Review

Mr. Day noted recently the County Commission adopted a policy regarding county owned surplus property. There are two (2) county owned properties located at about 10400 N. 11600 W near Bothwell. The staff recommends to recommend to the County Commission adding the above mentioned properties to the surplus property list for disposal by the County Commission. Commissioner Thompson asked if it goes to the highest bidder? Mr. Day stated there are 4 methods: 1. Sealed Bid 2. Public Auction 3. Amount determined by County Assessor 4. Amount determined by other sources.

MOTION: A motion was made by Commissioner Thompson to approve the submittal of surplus property as stated above; authorizing the Chairman to sign and refer to the County

Commission for approval. The motion was seconded by Commissioner Halling
unanimously approved.

ADJOURNMENT

A motion was made by Commissioner Rees and seconded by Commissioner Halling to adjourn the
meeting at 9:52 p.m. and Unanimously approved.

Passed and adopted in regular session this 21 day of Sept., 2000.


Richard Kimber
Box Elder County
Planning Commission Chairman