

**MINUTES
BOX ELDER COUNTY COMMISSION
APRIL 07, 2009**

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 **APRIL 07, 2009**. The following members were present:

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

The following items were discussed:

1. Agenda Review/Supporting Documents
2. Commissioners' Correspondence
3. Staff Reports
4. Correspondence
5. Assignment Review
6. NURLA Letter Discussion - Commissioners

The work 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 MARCH 31, 2009 WERE APPROVED AS WRITTEN ON A MOTION BY COMMISSIONER SHAFFER, SECONDED BY COMMISSIONER HARDY AND UNANIMOUSLY CARRIED.

AGENDA: ATTACHMENT NO. 1

FOLLOW-UP BUSINESS**Capital Projects Fund Plan – Commissioner Hardy**

MOTION: A motion was made by Commissioner Hardy to approve the following expenditures from the County Landfill Fund: \$460,000 compactor; \$170,000 bulldozer in the total amount of \$630,000. The motion was seconded by Commissioner Shaffer and unanimously carried.

Capital Projects Fund Plan for Future Projects

MOTION: A motion was made by Commissioner Hardy to set aside the following future capital projects: \$2,500,000 for a justice court building, \$1,000,000 for USU Extension Building, \$500,000 for fleet purchases, \$32,900 for inspection software, \$350,000 for a roads department snow plow and \$127,239 for a roads department roller in the total amount of \$4,510,139. The motion was seconded by Commissioner Shaffer and unanimously carried.

County Auditor Tom Bennett said in the capital projects fund is money set aside for future possible projects. By code, there cannot be a rainy-day fund without specific plans for those funds. Those funds and plans can change according to the needs and what the Commission decides. Mr. Bennett said what they are trying to do with this \$4.5M is designate possible uses of that fund so if the need arises, those funds would be set aside, and wouldn't have to be pulled out of some other fund. He said it is subject to if we ever need the USU Extension Building built or if the bids are less and the same thing with the Justice Court and the other items. It is not a commitment to purchase or build. It is a plan designating the money because Box Elder County cannot keep the money in there unless there is some type of a plan. It is always subject to change.

Chairman VanDyke said during these difficult times, we do not want to give the impression that we are spendthrifts.

Tom Bennett said the county is trying to be prudent with the money that we have. Rather than spending our reserves and then eventually having to bond or have a significant tax increase, we are saying we are not going to spend it. We are going to hold onto the money and get interest on it and continue to make future plans. He feels it is good that we are holding onto the money to see what happens. Mr. Bennett said there is a possibility that we will not spend the money on any of the identified items. He reiterated again that the county does need to have a plan.

Commissioner Hardy said these items will have to go through the CIP Committee again, and it will still have to come back for the Commission's approval. He said this is a plan, and these funds can be moved.

Fence Ordinance

Chairman VanDyke said the County Commission made a promise to the public that we would have some kind of announcement regarding the fence ordinance in the month of March. We missed it by a week, but we have some very good news.

Commissioner Shaffer said Representative Menlove, in conjunction with Senator Pete Knudson and Representative Ben Ferry, put together some legislation that will make it possible for the county to make a county fencing ordinance easier to have in place that would allow the dividing of our county so that one law could exist in one part of the county, and another law could exist in the other part of the county. The bill which passed was HB413. Commissioner Shaffer then read the following changes that were added: "A county legislative body is authorized to adopt a fence ordinance, lawful fence to be specified by ordinance, and also divide the county into divisions for different fencing regulations." This bill will make it possible for Box Elder County to put in place an ordinance for western Box Elder County and a different ordinance for eastern Box Elder County which will accommodate the ranching lifestyle in the western part of the county and help with the urbanization of the eastern part of the county. People are working to help bring a proposal to the table by July (this is when the bill will be signed into law) that will be acceptable to both the eastern and western parts of Box Elder County. He said it is an exciting thing that has happened with the county working with our state representatives.

Chairman VanDyke said we are very thrilled that Representative Menlove was able to take this to the level that she did. She has lightened the Commission's burden quite a bit. It will make it easier for our Sheriff's Department to enforce the code.

Commissioner Hardy said this bill that Representative Menlove took charge of was specific to Box Elder County.

CIP BUILDING COMMITTEE APPOINTMENT – COMMISSIONER HARDY

MOTION: A motion was made by Commissioner Hardy to make the following changes to the CIP Building Committee: to appoint Jon Thompson to the committee and to be the chair of the committee, and to also appoint a Zions Bank representative, Donnie Tarver, Tom Bennett, Jay Hardy as members and Shirlene Larsen as a staff member. The motion was seconded by Commissioner Shaffer and unanimously carried.

PLANNING COMMISSION APPOINTMENTS FOR VACANCIES – COMMISSIONER HARDY

Commissioner Hardy said there are three vacancies on the Planning Commission. Two Planning Commissioners served over 20 years and one served for over 10 years. He said it is hard to replace that kind of longevity and experience.

MOTION: A motion was made by Commissioner Hardy to appoint Desiray Larsen, Lorie Munns and Jay Christensen to the Planning Commission Board. The motion was seconded by Commissioner Shaffer and unanimously carried.

Director of Community Development Kevin Hamilton said they advertised in the newspaper for people to participate. He said his office sent them an information form they could fill out. The county got over 40 applicants. There was not a person that was not capable and couldn't have contributed to the process.

Chairman VanDyke said that the Planning Commission gets involved on almost every level of activity in the county. It is a very important committee. He said we are happy to have the commitment to the committee that we have had in the past and would like to commend the members of the committee that are leaving for their service and dedication.

Commissioner Hardy said the people that were not placed on the Planning Commission will be considered to become a member of the Board of Adjustments. Commissioner Hardy said the Planning Commission Board has seven individuals seated on the board. They serve graciously without compensation of travel or time. They must also take classes. He said out of a board of seven, there are three existing members and four new ones. It will be a big change to the board.

DEPUTY SHERIFF MERIT COMMISSION APPOINTMENT – PEGGY MADSEN

Personnel Director Peggy Madsen said counties with a population of 20,000 are required to have a Deputy Sheriff Merit Commission. She said this commission is made up of three people. The make-up depends on the political environment of the county. Right now we must have two Republicans and one Democrat. They help when we determine the classifications for the deputy sheriffs and meet when the Sheriff does interviews and establishes rosters. They also meet when people appeal certain aspects of their employment. Ms. Madsen said Tim Munns was appointed in December 2007 to fill the unexpired term of Larry Howell who is deceased. She recommended reappointing Tim Munns to serve with his term ending February 1, 2015.

MOTION: A motion was made by Commissioner Shaffer to reappoint Tim Munns to the Deputy Sheriff Merit Commission for a term ending February 1, 2015. The motion was seconded by Commissioner Hardy and unanimously carried.

CHILD ABUSE PREVENTION MONTH – KATIE BONDS

Katie Bonds, President of U.S. Department of Health and Human Services Children's Bureau has dedicated April as Child Abuse Prevention Month to raise awareness about child abuse and neglect. No child is immune from abuse and tragically an average of three children in our country die each day as a result of abuse and neglect. She said they have placed 190 shoes on the courthouse steps which represents each case of substantiated or supported child abuse cases in Box Elder County last year. This has gone down 23% since 2003. Some of the efforts that they are doing are paying off. She said that translates into a lot of money saved for the county. Ms. Bonds said many of those

people were abused or neglected as children. If we can prevent child abuse, we are going to save the county a great deal of money in correctional facilities and legal issues which costs our county a lot of money.

Katie Bonds said they have the three-prong approach at the Family Support Center. The biggest draw for a lot of the county is our crisis respite nursery. It is a safe place to bring children 0-11 years old. Anyone in the county can bring the children. They do not have any requirements for money, income or status. They can bring their kids up to 72 hours in a crisis and have safe, dedicated childcare, and then they can take care of any crisis that they need to. They believe that families are able to take care of themselves; they just need a little bit of support sometimes. They have family-life education and teach parents how to handle their kids prior to the stresses that come with parenting, and they also have a family therapy program to address more intense needs the family might have. They are also a referral service so if someone does not know where to get housing assistance or something, they can call their office and they will direct them to the places they need to go. They are a buffer for DCFS in having to take the children out of the home. They provide the little bit of support and assistance for families so they don't have to be removed from the home.

Katie Bonds said prevention efforts help parents develop their parenting skills and understand the benefits of nonviolent discipline techniques so they can also come to meet their child's emotional, physical and developmental needs. They can also help parents identify other needs that may require their assistance. They can send them to the food pantry; help them get some diapers or assistance with heating. Child Abuse Prevention Month is an opportunity to highlight the role that we can all do as a county. She said one of the things that we can do to help stop child abuse is to give a parent a break and sometimes relatives are the best support systems. She said we can also be a good listener to a family or friend and encourage that family or friend to get education or just take a break in the respite center. You can become a volunteer or give a financial contribution, and if you suspect child abuse, report it.

Ms. Bonds gave the Commissioners an invitation to attend an open house on April 18 from 10:00 a.m.-2:00 p.m. She also asked them to participate in the 5K race to raise money for child abuse prevention. It is called the fun run. The theme this year is called, "Walk a Mile in a Child's Shoes". They are also going to have a mile walk.

Ms. Bonds then read the following proclamation:

(See Attachment No. 2 – Proclamation.)

MOTION: A motion was made by Commissioner Shaffer to authorize Chairman VanDyke to sign the Proclamation designating April as Child Abuse Prevention Month. The motion was seconded by Commissioner Hardy and unanimously carried.

RECESS

The Commissioners took a recess at 9:38 a.m. and reconvened at 9:49 a.m.

WARRANT REGISTER – COMMISSIONERS

The Warrant Register was signed and the following claims were approved for payment: Claims 62960 thru 63065, 2009007 in the amount of \$560,588.32. Claims 62215, 62263. 62303 were voided

PERSONNEL ACTIONS – COMMISSIONERS

WEED DEPT: Betty Jo Spencer, re-hire, effective 03/25/2009
ROAD DEPT: Sterling Robbins, re-hire, effective 03/24/2009
TOURISM: Joan Hammer, compensation change, effective 04/04/2009

ASSIGNMENT REVIEW – COMMISSIONERS

The Commissioners reviewed their assignments.

ADJOURNMENT

A motion was made by Commissioner Hardy to adjourn. Commissioner Shaffer seconded the motion, and the meeting adjourned at 10:03 a.m.

ADOPTED AND APPROVED in regular session this 14th day of April 2009.

Rich VanDyke, Chairman

Jay E. Hardy, Commissioner

Brian K. Shaffer, Commissioner

ATTEST:

LuAnn Adams, Recorder/Clerk