

**MINUTES  
BOX ELDER COUNTY COMMISSION  
MARCH 20, 2007**

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 **MARCH 20, 2007**. The following members were present:

Jay E. Hardy	Chairman
Clark N. Davis	Commissioner
Rich VanDyke	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. Re-Write Update – Keith Keller
7. Resolution for Building Permits and Fees – Donnie Tarver
8. Military Leave Policy – Peggy Madsen
9. Personnel Staffing – Peggy Madsen
10. Jones & Associates Contract – Kevin Hamilton

The work session adjourned at 8:59 a.m.

The regular session was called to order by Chairman Hardy at 9:00 a.m. with the following members present, constituting a quorum:

Jay E. Hardy	Chairman
Clark N. Davis	Commissioner
Rich VanDyke	Commissioner
LuAnn Adams	Recorder/Clerk

The prayer was offered by Commissioner VanDyke.

**APPROVAL OF MINUTES**

**THE MINUTES OF THE REGULAR MEETING OF MARCH 13, 2007 WERE APPROVED AS WRITTEN ON A MOTION BY COMMISSIONER VANDYKE, SECONDED BY COMMISSIONER HARDY AND UNANIMOUSLY CARRIED.**

Commissioner Davis was excused from Commission Meeting. He was attending another meeting for the County.

**AGENDA: ATTACHMENT NO. 1**

**FOLLOW-UP BUSINESS**

**Courthouse Front Grounds**

Commissioner VanDyke said the project to renovate the front courthouse grounds is underway. He said after we get some confirmations from our partners, we will move ahead. A couple of different plans have been linked to the County website by our ITS Department. The public can now view the different plans. An open house was held last Thursday evening.

**RESOLUTION FOR BUILDING PERMITS & FEES – DONNIE TARVER**

**MOTION:** A motion was made by Commissioner VanDyke to approve Resolution No. 07-04, relative to the International Building Code. The motion was seconded by Chairman Hardy and unanimously carried.

*(See Attachment No. 2 – Resolution No. 07-04.)*

**BIDS FOR ROAD OIL & CHIPPING OIL – JOHN COLLOM**

This item was canceled.

**SEED UTAH PROGRAM – PAUL LARSEN**

This item was canceled.

**ALTERNATE SEPTIC SYSTEMS – DAVE NEELEY**

Dave Neeley said he serves on the Bear River Board of Health along with James Bingham. During the month of February the Board of Health had Mr. Richard Worley come to the board meeting to discuss alternate septic systems that can be approved by the State of Utah to use in areas where there are high water tables. He gave the Commissioners a handout on how to move forward to approve an alternate system. He suggested the County might want to proceed with an investigation to see if the alternate systems are something the County wants. The next process would be to get with the Board of Health and get an application to the state. Mr. Neeley said this is a local issue and needs to be decided in terms of how we want to develop in Box Elder County.

The Commissioners recommended Dave Neeley get on the Planning Commission agenda.

**WARRANT REGISTER – COMMISSIONERS**

The Warrant register was signed and the following claims were approved for payment: Claim 48858 in the amount of \$2,816.07. Claims 48880 thru 48887 in the amount of \$12,999.95. Claim 48888 in the amount of \$222,295.09. Claim 49035 thru 49037 in the amount of \$64,498.22. Claims 49147 thru 49150 in the amount of \$130,642.62. Claims 49325 thru 49354 in the amount of \$48,390.30. Claims 49355 thru 49356 in the amount of \$393.05. Claims 49357 thru 49399 in the amount of \$32,926.55. Claims 48729, 48886, 48855 and 49234 were voided.

**PERSONNEL ACTIONS – COMMISSIONERS**

SHERIFF:	Ken L. Sheridan, compensation change, effective 03/07/2007
SHERIFF:	James Summerill, compensation change, effective 03/02/2007
SHERIFF:	Spencer Smith, compensation change, effective 03/18/2007
SHERIFF:	Cordell Thompson, compensation change, effective 03/16/2007
COMM DEV:	Kevin Hamilton, new hire, effective 03/05/2007
COUNTY ATTY:	Shelby Stephensen, compensation change, effective 02/15/2007
COUNTY ATTY:	Cindy Lorrigan, new hire, effective 03/05/2007
COUNTY ATTY:	Janet Gustafson, new hire, effective 03/20/2007
ROAD DEPT:	Sterling Robbins, re-hire, effective 03/26/2007

**ASSIGNMENT REVIEW – COMMISSIONERS**

The Commissioners reviewed their assignments.

**RECESS**

The Commissioners took a recess at 4:56 p.m. and reconvened at 5:00 p.m.

**PUBLIC INPUT SESSION**

Laura Selman commented about the public meeting. She could not find the notice in the Leader. She said it was in the Brigham paper. She said a lot of people would come to a public meeting if they knew they could make a comment. Ms. Selman said there has got to be a way to let people know there is a public meeting going on.

Laura Selman wanted to know why law enforcement people don't patrol the roads out in the County. She has never seen anyone. She is also wondering why the County is working on state roads. Ms. Selman feels that should be left up to the highway patrol. Deputy Sheriff Kevin Potter explained the County only has three patrolmen on at a time, and they travel some state roads to get to the unincorporated parts of the County.

Arthur Douglas asked about an assistant auditor. Peggy Madsen explained what the position was and that it was replacing a vacancy. Arthur Douglas wanted to know where the County is with the

fencing ordinance. He highly recommends that when you put a committee together, you go with the recommendations of the committee. The Commissioners said it was still with the Planning Commission.

Commissioner Davis explained the Committee worked on the ordinance for three years. The ordinance was adopted and within 1-2 years the Commissioners had a few people unhappy. It was then referred to the Planning Commission because it related to LUDMA. The Planning Commission has worked on evaluating the fence ordinance for almost a year. In December they came to the County Commission with a conceptual plan. The presentation was to have fence-out county-wide with the exception of a central corridor which was composed of eight or nine townships. It was by township that the Planning Commission was making recommendations there be a core to be excluded from the County ordinance and refer back to the state code which is fence-in. Commissioner Davis explained there has been no progress made since December. County Planner Garth Day terminated and our new planner has only been with the County two weeks. The Planning Commission has been working with the County Attorney on getting wording in place. There will be subsequent public hearings. The fence-out, county-wide still applies. There have been no changes to the fence ordinance at this time.

Commissioner Hardy commented there are 24 counties currently under the jurisdiction of the state law which is fence-in.

Dan Davidson, Bear River Canal Company, is looking for clarification on the burn ordinance. He said the burn ordinance was amended with Ordinance 254 which adds there will be no permits issued on Sunday or Monday or during the week of the County Fair. Mr. Davidson said burning the weeds along the canal is much different than burning a stubble field.

Charles Holmgren said they have to pay their employees time and one-half to burn on Saturday instead of Monday.

(The Commissioners will take a look at the ordinance.)

(The Commissioners will get a copy of the state code regarding fence-in to Laura Selman.)

Bret Selman said something needs to be done about the illegal motorized recreation he sees from the desert mountains on private and public land. He said on the weekends the whole place is a playground, and they are tearing up the range out there. He has not seen an enforcement officer, and it is a definite problem. He said there is no way you can identify the four-wheelers.

Harriet Ritter said if the Sheriff is called and a ticket is issued, the fine is not even \$100.00. She said the penalty is not high enough to keep people from doing this. She said we do not protect the private property owners at all.

Commissioner Hardy said we need to do some education and add on to the license plates.

Ron Germer is sympathetic to both sides. He owns a four-wheel ATV and enjoys riding it. He has ridden the Piute Trail year after year. There is 400-500 miles on the trail. He pointed out the people in those counties promote the trail, and they have learned something about enforcement and wonders if we could meet with their enforcement people to see how they are doing it. Control needs to be enforced.

Charlie Taylor said if you are able to raise a little extra revenue, how about putting a resident deputy in Park Valley. A lot of the people giving problems are not from our county.

Charlie Holmgren wonders how the County is handling the roads at Little Mountain. He said there seems to be quite a bit of trash. He also mentioned there is a lot of construction waste dumped along the Malad River.

Jan Douglas asked if the County has thought of looking into sales tax. Commissioner Hardy explained the ¼ of a cent sales tax was adopted a few years ago.

**ADJOURNMENT**

A motion was made by Commissioner VanDyke to adjourn. Commissioner Davis seconded the motion, and the meeting adjourned at 6:20 a.m.

**ADOPTED AND APPROVED** in regular session this 27 day of March 2007.

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Jay E. Hardy, Chairman

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Clark N. Davis, Commissioner

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Rich VanDyke, Commissioner

ATTEST:

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LuAnn Adams, Recorder/Clerk

