

**MINUTES  
BOX ELDER COUNTY COMMISSION  
MARCH 25, 2008**

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 25, 2008**. 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. Discuss Resolution for Cities on Rocky Mountain Power – Chairman Hardy

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 Davis.

**APPROVAL OF MINUTES**

**THE MINUTES OF THE REGULAR MEETING OF MARCH 18, 2008 WERE APPROVED AS WRITTEN ON A MOTION BY COMMISSIONER VANDYKE, SECONDED BY COMMISSIONER DAVIS AND UNANIMOUSLY CARRIED.**

**AGENDA: ATTACHMENT NO. 1**

**ROCKY MOUNTAIN POWER/UPDATE ON PROCTER & GAMBLE – GEORGE HUMBERT**

George Humbert said Procter & Gamble is going really well from the electrical supply standpoint. He said the project has three major parts: (1) temporary power for construction (2) construction of transmission line (3) construction of substation to serve Procter and Gamble.

Mr. Humbert said the temporary service has been installed. They have built almost three miles of three-phase line in the public right-of-way down 6400 North and down on the east side of Iowa String Road. Those are temporary and will be taken out. The drainage pipe has been repaired. Procter and Gamble is using that to a small extent right now.

A substation will be located on Procter & Gamble property. It will be 13.5 megawatts for Phase I. They hope to start building around September.

Rocky Mountain Power will tap from the 138,000 volt-line that runs to the Lampo Substation. They will tap off at 6400 North for two miles to the south, and this will feed the substation for P&G. The transmission line is currently being designed, and Rocky Mountain Power will use private rights-of-way. They need a 60 foot right-of-way. They will obtain 40 feet of private right-of-way and 20 feet of the county right-of-way for the overhang for the arms of the transmission lines.

**ROCKY MOUNTAIN POWER/TRANSMISSION LINES – STEVE RUSH**

Steve Rush explained that 345KV lines and 230KV lines connect to the power plants and other utilities which are sources of power to bring into the area. He said the 345KV lines they are going to build will be connecting to Wyoming, Idaho and the northwest. At the macro level it allows them to serve at any level are the transmission lines. He said what is driving this project and the ones going along the back side of the Wasatch Front are constraints. Rocky Mountain Power has constraints everywhere. The timeline to have those lines in service is June 2010 because of the load growth in Utah in their service territory. The immediate problem is the growth and load in Box Elder County. There is a new substation going into Perry called White Rock which is to serve the residential growth that is taking place in the Willard and Perry area. He explained the substations and transmission lines serving the load. The constraints show up in 2010 for all of us. The immediate problem is the reliability issue.

Commissioner Rich VanDyke said residents understand the growth and need for a new line, but they are having a problem with the location of the line.

Rod Fisher said Rocky Mountain Power understands what they are doing is not popular. As a regulated utility Rocky Mountain Power is charged with providing safe, reliable and efficient service to its customers. They have an absolute obligation to provide service to their customers, and that is why they are looking for a new route for a transmission line. It is basically two lines on one set of structures. It is a double circuit 345KV line. They are very interested in the cost of that line. They are doing everything to analyze the project from a cost prospective: land cost, foundation cost due to

soils or the environment they are placing the structures in, the terrains, the long-term operations and maintenance costs. They are looking for available access roads to get into these facilities to not only construct but maintain them. There is a balancing of all of the criteria they have to look at to try and come up with a line route they believe has the least impact on the overall environment and the people that are impacted. They try and find a route that minimizes their impact on existing and planned residential. The route they proposed does a very reasonable job of doing that. There is only one home that is under construction that had a direct conflict with the route that was chosen. Rocky Mountain Power has entered into conversations with the landowner to do the right thing and find some solution to keep them whole. They aren't looking at having to relocate families or tearing down existing residential buildings with the selected route. One of the things they built into their citing criteria is reliability. They have some oversight from the western electricity coordinating council. This is the federal entity that oversees the reliability of the integrated transmission network that serves the western 14 states, Mexico, Alberta and British Columbia. Their parent company owns over 17,000 miles of high voltage line in the six western states that they serve. They are interconnected with dozens of other utilities and dozens of generators. The WEC's role is to manage and put into place standards that insure the reliable operation of the system so that if there is some type of a constraint or a line failure, there won't be a cascading event that takes out the entire western United States network. One of the factors in WEC standards are they try and gain some separation from existing high voltage transmission lines. They need to diversify the risk that their facilities are subjected to.

Commissioner Davis asked what the distance of the new line is. Rod Fisher said it was 90 miles.

Commissioner Davis asked what the difference is between FERK and WEC. FERK oversees the commercial operations or trading that happens on the high voltage network so every company does not have to have their own set of lines, and WEC is responsible for granting a rating for the line.

Steve Rush said the reason they chose not to stay on the East Bench is there is already an existing 345KV line, and their job is to separate the lines. If they don't get the full rating, we will have to build another line sooner.

Commissioner Davis said Box Elder County has a council of mayors that meets on a regular basis. Max Weese is chairman of that group. Box Elder County also has a separate committee that Denton John is taking an interest in trying to increase the dialogue. The COG met last week, and they are trying to come up with the options.

Rod Fisher said they would be willing to listen, but Rocky Mountain Power is the expert in designing and running electric utility. They would be willing to listen and understand what their issues are. They have met with all of the jurisdictions. He explained their experience in Oneida County.

Commissioner Davis said as a County Commission they have not wanted to move the alignment from Willard to Corinne, but the COG is addressing the issue, and the Commission will end up endorsing the Council of Mayors.

Chairman Hardy said when Rocky Mountain Power was designing the line, it would have been good to have involved the landowners and the people, and maybe they could have helped in the planning process. Chairman Hardy said instead you did the entire process without including them.

Steve Rush said they have cited many transmission lines and followed a variety of models. He said all are straightforward until it affects the property owners. He said when you start talking to individual property owners that is when you get the most resistance.

Commissioner VanDyke said he would like to see Rocky Mountain Power demonstrate a spirit of cooperation.

Tremonton Mayor Max Weese said they met last Wednesday, and there were ten mayors in attendance. The mayors felt like they are having something shoved down their throats. They knew nothing about it until it was in place. The place was picked for the lines, and the mayors were caught by surprise. Mayor Weese said Tremonton, Elwood and Willard are really the only three communities that are really impacted as it stands now. The Mayors that attended the meeting listened and all agreed that if the lines were in their communities, they would feel the same way. Mayor Weese mentioned that all of the industries are paying to have the lines run to them.

Steve Rush agreed and said if a customer builds far enough away from their facilities, there is an impact fee to connect.

Commissioner Davis said part of the concern as a Commission is we not only have Rocky Mountain Power, but there is the Ruby Pipe Line. The Planning Commission gets requests in the unzoned areas of the county where people are being forced out from Salt Lake, Davis and Weber Counties. He said our county looks more attractive because we don't have the same restrictive requirements in terms of zoning. Our existing general plan does not have a requirement for the designation of utility corridors. He said we are unprepared for the growth that is happening in our county. He hopes to have a cooperative effort going forward, that we are representing our residents and our property owners well and working with Rocky Mountain Power or Ruby Pipe Line. He said we know the utilities long-term are going to benefit our residents. Commissioner Davis said we are not trying to draw lines in the sand; we hope there will be dialogue going forward so we can get our people better informed and that we make the right decisions both for Rocky Mountain Power and for our residents because that is who we represent.

Rod Fisher said they have worked with Salt Lake in developing their master plan for the next 75-100 years. He said it is a critical part of any master planning effort that the utilities are not taken as an afterthought. He said they outlined what it would take to serve Kennecott's planned development along the West Bench. They had 75,000 acres they were looking to develop. They got their planners involved, and they routinely do this with counties and cities as they are going through master plan efforts. He feels like this type of cooperative effort is very critical so there can be as much predictability as possible when growth occurs. He said George Humbert is the main point of contact to get involved with the master plan.

Rod Fisher said the transmission line is to be in place by June 2010. He said Rocky Mountain Power is now zeroing in on what the center line is for the 150' wide right-of-way. He said with that information the surveyors are going out and looking to establish some control points and public section corners so they can have a good basis to work up individual landowner documents. They will then sit across somebody's kitchen table and have the conversation on what is the appropriate compensation for their piece of property. They have several appraisers giving some base-line data on the 90 miles. They work off an appraised fair-market value. Rocky Mountain Power has a very good long-standing reputation for treating people fair and working through these issues. They do have the power of exercising eminent domain if necessary. That is the last course option.

Rod Fisher said the timeline with the landowners will be within the next 45 days. They will be bringing their engineer, procurement and construction contractor on board to award the contract by late May early June. They will be gearing up to finalize any design issues and begin some type of preparatory construction as early as September. Depending on weather conditions, they will be moving forward on the 90 miles of construction. Mr. Fisher said for the most part the route will not be changed. He said there are some areas that as they get into more final design issues, they may discover something they hadn't anticipated.

Commissioner VanDyke encouraged Rocky Mountain Power to go the extra mile by listening, cooperating and talking to the people.

Rod Fisher said Rocky Mountain Power realizes they messed up out of the gate, and they apologize. He said they could have and should have done a better job proactively in communicating about this with all of the elected officials. He said they have a pretty long experience of trying a lot of models, and they will not be using this model again.

Commissioner Davis said we have had a long-standing relationship with Rocky Mountain Power. He said they have been very good to work with. They have supported our county in lots of ways. We always go to them for contributions for the county fair and other things. The Commissioners appreciate Rocky Mountain Power coming and giving an update so that we can relay the information to our residents. We are on the hot seat where we realize this power line is needed, not only for our county but for the state's growth. He said we also realize that it impacts our residents, and we are trying to stand up for their interests and the interest of the communities that are being impacted.

Steve Rush said the county passed a new ordinance that has caused Rocky Mountain Power a huge concern.

County Planner Kevin Hamilton said the county adopted a pending ordinance. He said we have initiated the process to deal with corridors. He then explained what the procedures will be.

Steve Rush said he is concerned that the plan as outlined has a lot of processes, and they are on a very tight timeline. He said Rocky Mountain will need to press on to do their job and they want to work with the county as best they can.

Chairman Hardy said the county wants to help Rocky Mountain Power so they can provide the service.

### **HERITAGE ARTS FESTIVAL – PAUL LARSEN/JOLENE CROCKETT**

Brigham City Economic Development Director Paul Larsen said for the last five years Brigham City has held a Heritage Arts Festival, and Brigham City appreciates the support of the county. Mr. Larsen then asked the Commissioners for permission to use some of the county's facilities. The theme this year is "A Patchwork of Cultures". The theme will highlight the various cultures and diversities of cultures, and the patchwork relates to quilting. He said you have different patches that look very different on a quilt, yet they all come together. The event is scheduled for Saturday, June 14.

Jolene Crockett said this year Thurl Bailey will perform. They have tried to build around the different cultures: Celtic, Native American, Japanese and European. There will be all different types of vocals and diverse entertainment. The Calvary Baptist Men's Chorus will perform for the closing. A quilting lady from out-of-state will do a trunk show. This will bring ladies from all over the state. The Utah Art Guild will attend. Ms. Crockett said they will need more space in the courthouse, and they will have additional displays in City Hall. Quilting is a really big part of the festival. People seem to like the event because it is a very small community-based festival.

**MOTION:** A motion was made by Commissioner Davis to support the Heritage Arts Festival to be conducted June 14 and to provide access to county grounds and facilities for that day. The motion was seconded by Commissioner VanDyke and unanimously carried.

### **RESOLUTION APPOINTING MEMBERS TO SPECIAL SERVICE DISTRICTS – LUANN ADAMS**

**MOTION:** A motion was made by Commissioner Davis to adopt Resolution 08-04, a resolution appointing and reappointing members to special service districts in Box Elder County. The motion was seconded by Commissioner VanDyke and unanimously carried.

*(See Attachment No. 2 – Resolution No. 08-04.)*

### **REPORT ON OUT-OF-STATE TRAVEL/LETTER TO UDOT – BILL GILSON**

Road Supervisor Bill Gilson said the Commission made a motion last week to draft a letter to UDOT requesting the State of Utah take over the Iowa String road. He said the Iowa String Road has a high regional significance and commercial importance due to the new industries within the area of Procter & Gamble and Wal-Mart Distribution Center. Because of the high volume and heavy commercial loads used on this road, the Box Elder County Commission believes UDOT would be better equipped to provide the appropriate attention and resources to this road. Mr. Gilson said they are working with Parsons to help with the road base problem, and they have lowered the speed limit.

Bill Gilson was asked to set up a meeting with UDOT, Rocky Mountain Power, Procter & Gamble, Representatives Menlove and Ferry, Senator Knudson, Kevin Hamilton, and BRAG Representative for April 8.

Road Department Supervisor Bill Gilson said he and Clark Weidman attended a construction expo March 11-14 in Las Vegas. He said they went through areas of improving crusher performance, safety training, standards of essential safety for traffic control, learning internal traffic plans to put into action when construction needs to be done on some of the county roads. They trained for theft in construction areas. They also went out to the Goodfellow Corporation. They are the company the County is purchasing a rock crusher from. They are within one week from delivery. Mr. Gilson said they came away with a lot of good ideas that the county can put into current operations.

### **WARRANT REGISTER – COMMISSIONERS**

The Warrant Register was signed and the following claims were approved for payment: Claims 55867 thru 55871, 80307, 56141 thru 56289 and 80321 in the amount of \$570,906.08. Claims 55941 and 55375 were voided.

### **PERSONNEL ACTIONS – COMMISSIONERS**

SHERIFF'S DEPT:	Janea Vandehei-Veibell, compensation change, effective 03/16/2008
SHERIFF'S DEPT:	Kent S. Wiggins, compensation change, effective 03/13/2008
BLDG INSPECTION:	Donnie Tarver, compensation change, effective 03/23/2008
COMMUNITY DEV:	Tamara Wright, new hire, effective 03/17/2008

### **ASSIGNMENT REVIEW – COMMISSIONERS**

The Commissioners reviewed assignments.

### **OTHER BUSINESS**

#### **Perry Murder**

County Attorney Stephen Hadfield said the Supreme Court has told the County not to do anything until they have heard the appeal. He said they will find out on April 10.

#### **Landfill Title Report**

County Attorney Stephen Hadfield said the title report seems to be good. They have not gathered all of the exhibits. He said there are 47 exceptions to the report, and the title is held by the Municipal Building Authority.

**Cancellation of Commission Meeting**

MOTION: A motion was made by Commissioner Davis to cancel Commission Meeting on April 15. The motion was seconded by Commissioner VanDyke and unanimously carried.

**ADJOURNMENT**

A motion was made by Commissioner Davis to adjourn. Commissioner VanDyke seconded the motion, and the meeting adjourned at 12:13 p.m.

**ADOPTED AND APPROVED** in regular session this 1st day of April 2008.

---

Jay E. Hardy, Chairman

---

Clark N. Davis, Commissioner

---

Rich VanDyke, Commissioner

ATTEST:

---

LuAnn Adams, Recorder/Clerk