

**MINUTES
BOX ELDER COUNTY COMMISSION
OCTOBER 16, 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 **October 16, 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. Board of Equalization Follow-up Tom Bennett/Monte Munns

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 OCTOBER 09, 2007 WERE APPROVED AS WRITTEN ON A MOTION BY COMMISSIONER DAVIS, SECONDED BY COMMISSIONER VANDYKE AND UNANIMOUSLY CARRIED.

AGENDA: ATTACHMENT NO. 1

FOLLOW-UP BUSINESS

Commissioner Davis announced that Proctor & Gamble notified the County of their intent to invest \$540,000,000 to build a new manufacturing facility in Box Elder County.

County Ranking Report – Commissioner Davis

Commissioner Davis reported that in terms of ranking, out of 29 counties Box Elder County is ranked 22nd in property taxes, 8th in population, 4th in land area, 23rd in general fund revenue and 29th in general fund expenditures. Commissioner Davis said we are a pretty lean county. Chairman Hardy said that is a compliment to the citizens of Box Elder County to have this kind of financial strength.

COOPERATIVE AGREEMENT FOR CONSOLIDATED DISPATCH – SHERIFF YEATES

Sheriff Yeates presented the Commissioners with a cooperative agreement for consolidated dispatch for the next six months. Sheriff Yeates said the agreement includes a \$46,000 increase for an additional employee in dispatch.

MOTION: A motion was made by Commissioner Davis to approve the Cooperative Agreement for Consolidated Dispatch from July 1, 2007-December 31, 2007 and an additional employee for an increase of \$46,000. The motion was seconded by Commissioner VanDyke and unanimously carried.

FOREST SERVICE CONTRACT – SHERIFF YEATES

Sheriff Yeates said the annual payment is \$4,500 for law enforcement to patrol the Sawtooth and Cache National Forest. The rate is \$25.00 an hour for the deputy.

MOTION: A motion was made by Commissioner Davis to approve the Forest Service Contract for law enforcement patrol in the Sawtooth and Cache National Forests. The motion was seconded by Commissioner VanDyke and unanimously carried.

WARRANT REGISTER – COMMISSIONERS

The Warrant Register was signed and the following claims were approved for payment: Claim 53106 thru 53203 in the amount of \$420,991.31. Claim 52654 was voided.

PERSONNEL ACTIONS – COMMISSIONERS

SHERIFF: Philip Bugher, separation, effective 10/12/2007
SHERIFF: Philip Bugher, re-hire on-call, effective 10/14/2007
SHERIFF: Juan Trujillo, leave of absence, effective 10/12/2007
SHERIFF: Alyson Bodily, separation, effective 05/12/2007

BLDG INSP: John Rausch, re-hire, effective 10/04/2007
ROAD DEPT: A. William Kimber, new hire, effective 10/02/2007
EXTENSION SERV: Donna Tracy, compensation change, effective 10/20/2007

ASSIGNMENT REVIEW – COMMISSIONERS

The Commissioners reviewed assignments.

EXECUTIVE SESSION

MOTION: At 9:37 a.m. a motion was made by Commissioner Davis to move into an executive session to discuss “imminent” litigation and the sale of real property when: value would be disclosed, notice of sale had been given, terms of sale are disclosed. The motion was seconded by Commissioner VanDyke and unanimously carried.

MOTION: At 11:16 a.m. a motion was made by Commissioner Davis to reconvene into regular Commission Meeting. The motion was seconded by Commissioner VanDyke and unanimously carried.

Chairman Hardy said there was a discussion on the landfill citing and an update on the Selman Litigation.

LANDFILL OPERATIONS – BRETT MICKELSON/COMMISSIONERS

Brett Mickelson, independent engineering consultant with Intermountain Geo-Environmental Services, gave the Commission a synopsis of where the County is with solid waste. Mr. Mickelson also told the Commissioners he has worked on solid waste projects for 20 years. He has been working with Box Elder County over the last seven years. He does not have an agenda and is neutral to what happens.

Mr. Mickelson gave a brief history. He said studies have been conducted. Zions was hired to assess the true cost of the landfill with an eye towards providing landfill space to outside interests, in essence Weber County. The basis for the cost was what profit could be made to Box Elder County if Weber County brought garbage. After the study was completed Box Elder County contacted the Northern Utah Regional Landfill Association to see what their interest would be to participate in a regional landfill located in Box Elder County. There was a JBR study to site the landfills in Box Elder County. The study eliminated areas of conflict and the study found that in Box Elder County there are large tracts of land on the west side of the County that meet all the citing criteria. He said it became evident the biggest factor was transportation. The study ranked Little Mountain as the number one site. He said the second Zions study had two parts. It was a study to do a financial analysis to look at the numbers.

In 2007 the Northern Utah Regional Landfill Association (NURLA) was formally formed. Commissioners Davis and Hardy were appointed to the Board. The Association will service Davis,

Morgan, Weber, Cache and Box Elder Counties. The Board has done three things: (1) Valuation of what the current Little Mountain site is worth (2) Ranking and rating of all potential sites (3) Update the tipping fee analysis based on waste streams. The NURLA Board has ranked Little Mountain as the number one site with Whites Valley as number two. Weber County has been shown how they can have a savings by shipping their waste to Little Mountain. Mr. Mickelson said it may be possible that NURLA is being used as leverage in Weber County's contract negotiations with Allied. The third Zions study was about the tipping costs at Little Mountain. Right now the County's tipping cost is \$26.25 at the landfill. The waste is leaving Box Elder County from Perry, Willard and South Willard and going to Tooele. The County has lost 6,000 tons. If NURLA comes into play at Little Mountain the cost drops down to \$11.00 a ton with Weber and \$8.00 a ton with the rest of the players. The possibility exists to decrease the tipping fee to local hauls and the amount will decrease with the amount of volume. The promise to Box Elder County residents is by having a regional landfill, it will reduce tonnage fees. If the other counties bring their waste to Little Mountain \$900,000 would go directly to the general fund. The life of the landfill would increase from 47 years to 80 years. It will bring in \$140M over 80 years. All of the waste would be moved to a lined facility and NURLA would help with the closure costs.

Commissioner Davis said when NURLA was formed in the Interlocal Agreement it states NURLA will be obligated to pay for road upgrades.

Mr. Mickelson talked about future alternatives for Box Elder County: (1) Sell Little Mountain Landfill to NURLA and do everything to capture Weber County's waste. This will eliminate the County's \$1.7M debt. (2) Weber County's Commission is using NURLA and Box Elder County as leverage to get better rates with Allied. Allied is pushing for commitments of 25 years. NURLA could tie the waste up long term with Wasatch Integrated and Cache. It will not help the County's immediate shortfall. (3) Do nothing. Allied keeps creeping north and taking the County's waste stream. If they take Brigham City's waste, it will put Box Elder County's landfill out of business. The County will have to serve all the other communities in Box Elder County. Allied has a huge volume and they are trying to pick off communities to commit to their landfill. (4) Buy Promontory Landfill at a cost of \$10M and pay royalties to the folks at Promontory for the waste delivered. That facility has no guaranteed access. There are no long-term agreements of access to the facility. Other entities are saying they cannot commit taxpayer's money without an access.

Mr. Mickelson feels it is in the County's best interest to haul waste directly to a NURLA operated landfill and maintain access to Little Mountain. The County will not have to build a waste transfer station. If the County sells the landfill, they can take advantage of economics of sale.

ADJOURNMENT

A motion was made by Commissioner Davis to adjourn. Commissioner Hardy seconded the motion, and the meeting adjourned at 12:17 p.m.

ADOPTED AND APPROVED in regular session this 23rd day of October 2007.

Jay E. Hardy, Chairman

Clark N. Davis, Commissioner

Rich VanDyke, Commissioner

ATTEST:

LuAnn Adams, Recorder/Clerk