MINUTES
BOX ELDER COUNTY COMMISSION
JUNE 01, 2022

The Board of County Commissioners of Box Elder County, Utah met in an Administrative / Operational Session at the Historic County Courthouse, 1 South Main Street in Brigham City, Utah at 4:45 p.m. on June 01, 2022. The following members were present:

Jeff Scott  Chairman
Stan Summers  Commissioner
Marla Young  Clerk

EXCUSED:  Jeff Hadfield  Commissioner

The following items were discussed:

1. Agenda
2. Commissioners’ Correspondence
3. Staff Reports - Agenda Related
4. Correspondence

The Administrative / Operational Session adjourned at 4:50 p.m.

The regular session was called to order by Chairman Scott at 5:00 p.m. with the following members present, constituting a quorum:

Jeff Scott  Chairman
Stan Summers  Commissioner
Marla Young  Clerk

EXCUSED:  Jeff Hadfield  Commissioner

The prayer was offered by Commissioner Summers.
The Pledge of Allegiance was led by Chief Deputy Auditor Nate Adams.

APPROVAL OF MINUTES
THE MINUTES OF THE REGULAR MEETING OF MAY 18, 2022 WERE APPROVED AS WRITTEN ON A MOTION BY COMMISSIONER SUMMERS, SECONDED BY COMMISSIONER SCOTT, AND UNANIMOUSLY CARRIED.

ATTACHMENT NO. 1 - AGENDA

ADMINISTRATIVE REVIEW / REPORTS / FUTURE AGENDA ITEMS - COMMISSION

Safety Summit - Commissioner Summers

Commissioner Summers stated the Commissioners and Sheriff Potter have discussed things after the shooting in Texas. He said they would like to put together a safety summit. More discussion will be had at a future meeting.

Campaign Finance Disclosures - Chairman Scott

Chairman Scott stated they are looking into adopting a campaign finance ordinance. Currently the county follows state code which only requires candidates to disclose their contributions and expenditures after a Primary Election.

FORMER AGENDA ITEMS, FOLLOW UP - COMMISSIONERS

Exchange of Property with Brigham City - Stephen Hadfield

Attorney Stephen Hadfield stated the Quit Claim Deed has been prepared for the Commission to sign for the exchange of property with Brigham City. He explained the exchange of property gives Brigham City property on West Forest and the county receives property in close proximity to the new DMV building.

MOTION: Commissioner Summers made a motion to approve the signature on the Quit Claim Deed for the property the county is giving to Brigham City. The motion was seconded by Chairman Scott and unanimously carried with a roll call vote of Commissioner Summers voting Aye, Chairman Scott voting aye, and Commissioner Hadfield was absent.

EMERGENCY MANAGEMENT ISSUES

There were no Emergency Management Issues discussed.
Box Elder County Commission Meeting, June 01, 2022

**ARPA**

*Formal Review of Applications - Commissioners*

Chairman Scott stated there are three applications to be reviewed from the Boys and Girls Club for a combined resource center in the amount of $1,000,000.00, BRAG for Veterans Support in the amount of $300,000.00, and USA Rehab Centers in the amount of $593,019.00. He said they will review the applications. He stated the USA Rehab Center is not a local facility but based out of Reno Nevada. He said they need to have a discussion with the Auditors office to know how much is left to allocate.

**PUBLIC INTERESTS / PRESENTATIONS / CONCERNS**

*Gun Range Contract #22-19 with Wildlife Federation-Alan Smart*

Alan Smart of the Box Elder Wildlife Federation stated they have had an agreement with the county leasing property for the gun range in the Tremonton area. The agreement has expired and they would like to renew it. He stated many local law enforcement use the range for training.

Attorney Stephen Hadfield brought up some concerns with the agreement such as high risk or liability, copies of liability insurance, and other agreements that are similar that have other requirements.

**MOTION:** Commissioner Summers made a motion to approve Contract #22-19 with the Wildlife Federation upon attorney approval. The motion was seconded by Chairman Scott and unanimously carried with a roll call vote of Commissioner Summers voting Aye, Chairman Scott voting aye, and Commissioner Hadfield was absent.

**ATTACHMENT NO. 2 - Contract #22-19**

**ATTORNEY'S OFFICE**

*Resolution #22-06 Establishing the Bereavement Employee Policy Change-Anne Hansen*

Chairman Scott stated Resolution #22-06 is formalizing the policy the Commission passed regarding bereavement in the last meeting.

**MOTION:** Commissioner Summers made a motion to approve Resolution #22-06. The motion was seconded by Chairman Scott and unanimously carried with a roll call vote of Commissioner Summers voting Aye, Chairman Scott voting aye, and Commissioner Hadfield was absent.
ATTACHMENT NO. 3 - Resolution #22-06

Division Wildlife Resources Contract #22-20 for PILT-Anne Hansen

Attorney Stephen Hadfield stated this is a renewal contract with the Division of Wildlife Resources for payment in lieu of taxes. He stated he has reviewed the contract and it is consistent with state statute.

MOTION: Commissioner Summers made a motion to approve Contract #22-20. The motion was seconded by Chairman Scott and unanimously carried with a roll call vote of Commissioner Summers voting Aye, Chairman Scott voting aye, and Commissioner Hadfield was absent.

ATTACHMENT NO. 4 - Contract #22-20

COMMISSIONERS

ERR CDBG Extension-Commissioner Summers

Chairman Scott explained the ERR CDBG Extension is for a grant for high speed internet fiber. The extension is anticipated to September 1, 2022.

MOTION: Commissioner Summers made a motion to approve the ERR CDBG Extension. The motion was seconded by Chairman Scott and unanimously carried with a roll call vote of Commissioner Summers voting Aye, Chairman Scott voting aye, and Commissioner Hadfield was absent.

Tax Sale Bids that wereRejected for Being on Noncompliant Parcels-Chairman Scott

This item was canceled.

Contract #22-16 with Wiggins & Co for the Audit.-Commissioners

Chairman Scott explained Contract #22-16 is with Wiggins & Co to perform the external audit for the county.

MOTION: Commissioner Summers made a motion to approve Contract #22-16. The motion was seconded by Chairman Scott and unanimously carried with a roll call vote of Commissioner Summers voting Aye, Chairman Scott voting aye, and Commissioner Hadfield was absent.

ATTACHMENT NO. 5 - Contract #22-16
Willard Annexation-Commissioners

Clerk Marla Young explained they received a request for annexation to Willard City. The appropriate mailings have been done and she received the certificate from Willard City. The county needs to approve the annexation because it is not contiguous to the city and leaves an island.

MOTION: Commissioner Summers made a motion to approve the annexation request for Willard Land LLC. The motion was seconded by Chairman Scott and unanimously carried with a roll call vote of Commissioner Summers voting Aye, Chairman Scott voting aye, and Commissioner Hadfield was absent.

COMMUNITY DEVELOPMENT

Ordinance #561-Rezone from R-1-20 (Residential District-20,000 sq. ft) to C-G (General Commercial)-Scott Lyons

Community Development Director Scott Lyons explained Ordinance #561 is regarding a request to rezone from R-1-20 to the C-G zone at 7125 S Highway 89 in South Willard. They are wanting to use a garage as a bay to operate a repair shop. The request has gone through review of the Planning Commission and public hearing was held. The Planning Commission has forwarded a recommendation of approval as it meets the requirements of the area.

MOTION: Commissioner Summers made a motion to adopt Ordinance #561. The motion was seconded by Chairman Scott and unanimously carried with a roll call vote of Commissioner Summers voting Aye, Chairman Scott voting aye, and Commissioner Hadfield was absent.

ATTACHMENT NO. 6 - Ordinance #561

Ordinance #562-Scott Lyons

Community Development Director Scott Lyons explained Ordinance #562 amends section 3-2-080-2.2 of the Land Use Management Code. It affects the frontage in lots along cul de sacs. A public hearing was held at the Planning Commission meeting. The Planning Commission was highly in favor as it supports the General Plan.

MOTION: Commissioner Summers made a motion to approve Ordinance #562. The motion was seconded by Chairman Scott and unanimously carried with a roll call vote of Commissioner Summers voting Aye, Chairman Scott voting aye, and Commissioner Hadfield was absent.


**ATTACHMENT NO. 7 - Ordinance #562**

**Brown Estates Subdivision (1lot)-Scott Lyons**

Community Development Director Scott Lyons explained the Brown Estates Subdivision (1lot) is located at approximately 4400 N 5513 W in West Corinne. It is a one lot subdivision containing 7.624 acres. It was previously part of an agricultural subdivision. It has been through the review process and has been approved by all applicable departments.

**MOTION:** Commissioner Summers made a motion to approve the Brown Estates Subdivision (1lot). The motion was seconded by Chairman Scott and unanimously carried with a roll call vote of Commissioner Summers voting Aye, Chairman Scott voting aye, and Commissioner Hadfield was absent.

**RWH Subdivision-Scott Lyons**

Community Development Director Scott Lyons explained the RWH Subdivision consists of two lots. It is located between Tremonton and Dewyville. It has been through all applicable departments and is recommended for approval.

**MOTION:** Commissioner Summers made a motion to approve the RWH Subdivision. The motion was seconded by Chairman Scott and unanimously carried with a roll call vote of Commissioner Summers voting Aye, Chairman Scott voting aye, and Commissioner Hadfield was absent.

**Ordinance Text Amendment- Proposal to Change #1 Road Standard-Scott Lyons**

Community Development Director Scott Lyons stated they received a proposal to make changes to #1 Road Standards. It would amend the minimum requirements for residential access. A public hearing was held at Planning Commission and they have forwarded a recommendation of denial as expanding the number of homes allowed on a smaller road does not make sense from a development standpoint and does not adhere to the General Plan.

**MOTION:** Commissioner Summers made a motion to deny the text amendment. The motion was seconded by Chairman Scott and unanimously carried with a roll call vote of Commissioner Summers voting Aye, Chairman Scott voting aye, and Commissioner Hadfield was absent.

**WEED DEPARTMENT**
Noxious Weed Grant Contract #22-15-Wyatt Freeze

Weed Supervisor Wyatt Freeze explained Contract #22-15 is a grant contract for the purpose of compensating the county on combating noxious weeds. He said the total of the grant is $14,500.00.

MOTION: Commissioner Summers made a motion to approve the Noxious Weed Grant Contract #22-15. The motion was seconded by Chairman Scott and unanimously carried with a roll call vote of Commissioner Summers voting Aye, Chairman Scott voting aye, and Commissioner Hadfield was absent.

ATTACHMENT NO. 8 - Contract #22-15

BUILDINGS AND GROUNDS

Discussion of Waterline and Pump House Replacement-Kirk Ward

Kirk Ward of the Buildings and Grounds Department presented the Water Line Project at the landfill. He gave a history of the problems that have occurred with the line. He stated the engineers estimated cost was $689,000.00. They received five bids with the lowest bid being from L&M Farm Industries from Grace Idaho. The engineer has looked over the bid and it falls into the required specs. He stated they want to add in the fiber conduit for internet service while putting in the line upgrade.

Attorney Hadfield asked if the fiber conduit needed to go out for bid. There was some discussion on the inability to get the supplies and conduit.

HUMAN RESOURCES

Employee Work Agreement-Jenica Stander

HR Manager Jenica Stander stated they have a draft of an agreement for an employee.

MOTION: Commissioner Summers made a motion to approve the Employee Work Agreement pending review of the County Attorney. The motion was seconded by Chairman Scott and unanimously carried with a roll call vote of Commissioner Summers voting Aye, Chairman Scott voting aye, and Commissioner Hadfield was absent.

The Commissioners recessed to hold an RDA meeting.
WARRANT REGISTER - COMMISSIONERS

The Warrant Register was signed and the following claims were approved: Claim numbers 117997 through 118047 in the amount of $223,830.06. With voided claim numbers 117861, and 117997, and claim numbers 118048 through 118100 in the amount of $2,325,477.21.

PERSONNEL ACTIONS / VOLUNTEER ACTION FORMS - COMMISSIONERS

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<tr>
<th>Employee Name</th>
<th>Department</th>
<th>PA Type</th>
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<td>05/20/2022</td>
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<td>Auditor's Office</td>
<td>Re-hire</td>
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<td>Promotion</td>
<td>05/23/2022</td>
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<td>Roadshed</td>
<td>Cell Phone Allowance</td>
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<td>New Hire</td>
<td>06/02/2022</td>
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<td>Petty, Cutler</td>
<td>Weed Department</td>
<td>New Hire</td>
<td>06/02/2022</td>
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</tbody>
</table>

CLOSED SESSION

Strategy session to discuss the character, professional competence, or physical or mental health of an individual, pending or reasonably imminent litigation and the purchase, exchange, or lease of real property, including any form of a water right or water shares, if public discussion of the transaction would disclose the appraisal or estimated value of the property under consideration or prevent the public body from completing the transaction on the best possible terms.
**MOTION:** At 6:15 p.m. a motion was made by Commissioner Summers to move into a closed session. The motion was seconded by Chairman Scott and unanimously carried.

**MOTION:** At 6:47 p.m. a motion was made by Commissioner Summers to reconvene into regular commission meeting. Chairman Scott seconded the motion. The motion carried unanimously and regular Commission meeting was reconvened.

**ADJOURNMENT**

A motion was made by Commissioner Summers to adjourn. Chairman Scott seconded the motion, and the meeting adjourned at 6:47 p.m.

**ADOPTED AND APPROVED** in regular session this 6th day of July 2022.

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Jeff Scott, Chairman

Stan Summers, Commissioner

Jeff Hadfield, Commissioner

Marla R. Young, Clerk
COUNTY COMMISSION MEETING
Commission Chambers, 01 South Main Street, Brigham City, Utah 84302
Wednesday, June 01, 2022 at 5:00 PM

AGENDA

NOTICE: Public notice is hereby given that the Box Elder County Board of County Commissioners will hold an Administrative/Operational Session commencing at 4:45 P.M. and a regular Commission Meeting commencing at 5:00 P.M. on Wednesday June 1, 2022 in the Commission Chambers of the Box Elder County Courthouse, 01 South Main Street, Brigham City, Utah.

1. ADMINISTRATIVE / OPERATIONAL SESSION
   A. Agenda Review / Supporting Documents
   B. Commissioners' Correspondence
   C. Staff Reports

2. CALL TO ORDER 5:00 P.M.
   A. Invocation Given by: Commissioner Hadfield
   B. Pledge of Allegiance Given by: Shirlene Larsen
   C. Approve Minutes 05-18-2022

3. ADMINISTRATIVE REVIEW / REPORTS / FUTURE AGENDA ITEMS

4. FORMER AGENDA ITEMS

5. EMERGENCY MANAGEMENT ISSUES

6. ARPA
   A. Formal Review of Applications

7. PUBLIC INTERESTS / PRESENTATIONS / CONCERNS
   A. 5:08 Gun Range Contract #22-19 with Wildlife Federation-Alan Smart

8. ATTORNEY'S OFFICE
   A. 5:13 Resolution # 22-06 Establishing the Bereavement Employee Policy Change-Anne Hansen
   B. 5:16 Division Wildlife Resources Contract #22-20 for PILT-Anne Hansen

9. COMMISSIONERS
   A. 5:18 ERR CDBG Extension-Commissioner Summers
   B. 5:20 Tax Sale Bids that were Rejected for Being on Noncompliant Parcels-Chairman Scott
   C. 5:22 Contract #22-16 with Wiggins & Co for the Audit.-Commissioners
   D. 5:26 Willard Annexation-Commissioners

10. COMMUNITY DEVELOPMENT
    A. 5:28 Ordinance #561-Rezone from R-1-20 (Residential District-20,000 sq. ft) to C-G (General Commercial)-Scott Lyons
B. 5:30 Ordinance #562-Scott Lyons
C. 5:32 Brown Estates Subdivision (1lot)-Scott Lyons
D. 5:34 RWH Subdivision-Scott Lyons
E. 5:36 Ordinance Text Amendment- Proposal to Change #1 Road Standard-Scott Lyons

11. WEED DEPARTMENT
   A. 5:41 Noxious Weed Grant Contract #22-15-Wyatt Freeze

12. BUILDINGS AND GROUNDS
   A. 5:43 Discussion of Waterline and Pump House Replacement-Kirk Ward

13. HUMAN RESOURCES
   A. 5:47 Employee Work Agreement-Jenica Stander

14. WARRANT REGISTER

15. PERSONNEL ACTIONS / VOLUNTEER ACTION FORMS / CELL PHONE ALLOWANCE

16. CLOSED SESSION
17. ADJOURNMENT

Prepared and posted this 27th day of May, 2022. Mailed to the Box Elder News Journal and the Leader on the 27th of May, 2022. These assigned times may vary depending on the length of discussion, cancellation of scheduled agenda times and agenda alteration. Therefore, the times are estimates of agenda items to be discussed. If you have any interest in any topic you need to be in attendance at 5:00 p.m.

Marla R. Young - County Clerk
Box Elder County

NOTE: Please turn off or silence cell phones and pagers during public meetings. This facility is wheelchair accessible and accessible parking spaces are available. Requests for accommodations or interpretive services must be made three (3) working days prior to this meeting. Please contact the Commission Secretary's office at (435) 734-3347 or FAX (435) 734-2038 for information or assistance.
RESOLUTION NO. 22-06

RESOLUTION OF THE BOX ELDER COUNTY COMMISSION ADOPTING A POLICY TO COMPLY WITH UTAH STATE HOUSE BILL 449 FROM THE 2022 GENERAL LEGISLATIVE SESSION REQUIRING THE IMPLEMENTATION OF A BEREAVEMENT POLICY FOR EMPLOYEES IMPACTED BY A MISCARRIAGE OR STILLBIRTH.

WHEREAS, Utah State House Bill 449 enacted during the 2022 General Legislative Session requires employers of government agencies to provide three days of bereavement leave to employees impacted by a miscarriage or stillbirth; and

WHEREAS, Box Elder County is a government agency employer; and

WHEREAS, Box Elder County is required to comply with State laws; and

WHEREAS, Box Elder County Commission has previously approved an administrative update to the Box Elder County Employee Handbook meeting the requirements of House Bill 449, but now must adopt the policy by resolution as required by the bill; and

WHEREAS, Box Elder County Commission has determined that it is in the best interests of the residents of Box Elder County and will promote the safety, health, morals, and general welfare of the employees, and employees’ families to comply by implementing this mandated policy.

NOW THEREFORE, BE IT RESOLVED that the Box Elder County adopts by resolution a personnel policy complying with Utah State House Bill 449 as follows:

7-9. Other Forms of Leave

Bereavement Leave

Sick or vacation leave may be used by employees to attend funerals. The amount of time granted shall be governed by the individual circumstances at the discretion of the elected official or department head.

Three paid days of bereavement leave will be provided for an employee;
a) Following the end of the employee's pregnancy by way of a miscarriage or stillbirth; or
b) Following the end of another individual's pregnancy by way of miscarriage or stillbirth, if:
   a. the employee is the individual's spouse or partner; or
   b. the employee is the individual's former spouse or partner, and the employee would have been a biological parent of a child born as a result of the pregnancy; or
   c. The employee is able to provide documentation that they were the intended adoptive parent of a child born as a result of pregnancy; or
   d. The employee would have been a parent of child born as a result of pregnancy under a valid gestational agreement in accordance with UCA 78B-6-103.

ADOPTED AND APPROVED by the County Legislative Body of Box Elder County, State of Utah, this 1st day of June 2022. This policy shall be effective as of the date of prior approval, May 04, 2022, but is now hereby adopted and approved by resolution.

Jeff Scott, COMMISSION CHAIRMAN
Stan Summers, COMMISSIONER
Jeff Hadfield, COMMISSIONER

ATTEST:

Marla Young
COUNTY CLERK
This agreement is made and entered into this 1st day of June, 2022, between the State of Utah, Division of Wildlife Resources, 1596 West North Temple, Salt Lake City, Utah hereinafter referred to as the Division and Box Elder County, a body politic, with its principal office of Government located at 01 South Main Street, Brigham City, Utah hereinafter referred to as the “County”.

WHEREAS, section 23-21-2 of the Utah Code Annotated requires the Division to make payments in lieu of property taxes on certain Division lands; and

WHEREAS, section 23-21-2 of the Utah Code Annotated requires a contractual agreement between the Division and the respective counties wherein private lands are acquired; and

WHEREAS, the Division and the above stated county desire to enter into a contractual agreement to specify the terms and conditions of such in lieu of tax payments; now

THEREFORE, such terms and conditions are mutually agreed to as follows:

1. The Division will pay to the County an amount of money annually on all lands acquired at any time from private ownership and owned during that year as payment in lieu of taxes determined at a rate of 50 cents per acre. The County will send to the Division a billing based upon Division lands within the County as of December 31 of the previous year.

2. The Division and the County mutually agree to resolve on an annual basis any discrepancies that may arise as to the number of acres of land owned by the Division and acquired from private ownership.

3. All acreage for which the Division pays to the County money in lieu of taxes shall be treated as if such land were in private ownership so far as the benefits and privileges afforded by the County to private land are concerned.

4. Nothing in this Agreement shall excuse the Division from the statutory responsibility of timely submitting to the County Commission in a regular public meeting any proposition to purchase real property located within the County.
5. Payments under this Contract are subject to legislative appropriation. Moreover, the Division agrees to seek in good faith from the Legislature those funds necessary to meet the obligations under this Contract.

6. This Contract may be terminated by either party only on December 31, annually by written notice to the other party delivered to that party no later than September 30, of that year. Payments due to the County for the current calendar year will not be cancelled by the Division upon termination of this Contract. This Contract automatically terminates if the statute, pursuant to which this Contract is consummated, is substantially amended, invalidated or repealed so as to render this Contract inconsistent with the state of law then in existence.

7. This Agreement shall supersede any previous or existing contract between the parties for any payments under section 23-21-2 of Utah Code Annotated.

STATE OF UTAH
DEPARTMENT OF NATURAL RESOURCES

By _______________________________________
Executive Director

DIVISION OF WILDLIFE RESOURCES

By _______________________________________
Division Director

BOX ELDER COUNTY

By ________________
Commission Chairman

APPROVED AS TO FORM:
Utah Attorney General

By __________________________
Asst. Attorney General

APPROVED
Utah State Division of Finance

By __________________________
May 16, 2022

To the Board of County Commissioners
Box Elder County
Brigham City, Utah

We are pleased to confirm our understanding of the services we are to provide Box Elder County for the year ended December 31, 2021.

Audit Scope and Objectives

We will audit the financial statements of the governmental activities, the business-type activities, the aggregate discretely presented component units, each major fund, and the aggregate remaining fund information, including the disclosures, which collectively comprise the basic financial statements of Box Elder County as of and for the year ended December 31, 2021. Accounting standards generally accepted in the United States of America (GAAP) provide for certain required supplementary information (RSI), such as management’s discussion and analysis (MD&A), to supplement Box Elder County’s basic financial statements. Such information, although not a part of the basic financial statements, is required by the Governmental Accounting Standards Board who considers it to be an essential part of financial reporting for placing the basic financial statements in an appropriate operational, economic, or historical context. As part of our engagement, we will apply certain limited procedures to Box Elder County’s RSI in accordance with auditing standards generally accepted in the United States of America (GAAS). These limited procedures will consist of inquiries of management regarding the methods of preparing the information and comparing the information for consistency with management’s responses to our inquiries, the basic financial statements, and other knowledge we obtained during our audit of the basic financial statements. We will not express an opinion or provide any assurance on the information because the limited procedures do not provide us with sufficient appropriate evidence to express an opinion or provide any assurance. The following RSI is required by GAAP and will be subjected to certain limited procedures, but will not be audited:

1) Management’s Discussion and Analysis.

2) Pension related RSI

We have also been engaged to report on supplementary information other than RSI that accompanies Box Elder County’s financial statements. We will subject the following supplementary information to the auditing procedures applied in our audit of the financial statements and certain additional procedures, including comparing and reconciling such information directly to the underlying accounting and other records used to prepare the financial statements or to the financial statements themselves, and other additional procedures in accordance with GAAS, and we will provide an opinion on it in relation to the financial statements as a whole, in a separate written report accompanying our
auditor's report on the financial statements OR in a report combined with our auditor's report on the financial statements:

1) Schedule of Expenditures of Federal Awards;

2) Statement of Revenues, Expenditures, and Changes in Fund Balances Budget and Actual-for any major fund per GASB 34 requirements;

3) Combining Financial Statements;

4) Individual Fund Statements

5) Nonmajor Fund Financial Statements

6) Schedule of Taxes Charges and Collected – Current and Prior Year.

The objectives of our audit are to obtain reasonable assurance about whether the financial statements as a whole are free from material misstatement, whether due to fraud or error, and issue an auditor's report that includes our opinions about whether your financial statements are fairly presented, in all material respects, in conformity with GAAP, and report on the fairness of the supplementary information referred to in the second paragraph when considered in relation to the financial statements as a whole. Reasonable assurance is a high level of assurance but is not absolute assurance and therefore is not a guarantee that an audit conducted in accordance with GAAS and Government Auditing Standards will always detect a material misstatement when it exists. Misstatements, including omissions, can arise from fraud or error and are considered material if there is a substantial likelihood that, individually or in the aggregate, they would influence the judgment of a reasonable user made based on the financial statements. The objectives also includes reporting on—

- Internal control over financial reporting and compliance with the provisions of laws, regulations, contracts, and award agreements, noncompliance with which could have a material effect on the financial statements in accordance with Government Auditing Standards.

- Internal control over compliance related to major programs and an opinion (or disclaimer of opinion) on compliance with federal statutes, regulations, and the terms and conditions of federal awards that could have a direct and material effect on each major program in accordance with the Single Audit Act Amendments of 1996 and Title 2 U.S. Code of Federal Regulations (CFR) Part 200, Uniform Administrative Requirements, Cost Principles, and Audit Requirements for Federal Awards (Uniform Guidance).

- Compliance and internal control over compliance in accordance with the State Compliance Audit Guide, issued by the Office of the Utah State Auditor.

**Auditor's Responsibilities for the Audit of the Financial Statements and Single Audit**

We will conduct our audit in accordance with GAAS; the standards for financial audits contained in Government Auditing Standards, issued by the Comptroller General of the United States; the Single Audit Act Amendments of 1996; and the provisions of the Uniform Guidance, and will include tests of the accounting records, a determination of major program(s) in accordance with the Uniform Guidance, and other procedures we consider necessary to enable us to express such opinions. As part of an audit in accordance with GAAS and Government Auditing Standards, we exercise professional judgment and maintain professional skepticism throughout the audit.
We will evaluate the appropriateness of accounting policies used and the reasonableness of significant accounting estimates made by management. We will also evaluate the overall presentation of the financial statements, including the disclosures, and determine whether the financial statements represent the underlying transactions and events in a manner that achieves fair presentation. We will plan and perform the audit to obtain reasonable assurance about whether the financial statements are free of material misstatement, whether from (1) errors, (2) fraudulent financial reporting, (3) misappropriation of assets, or (4) violations of laws or governmental regulations that are attributable to the government or to acts by management or employees acting on behalf of the government. Because the determination of waste and abuse is subjective, Government Auditing Standards do not expect the auditors to perform specific procedures to detect waste or abuse in financial audits nor do they expect auditors to provide reasonable assurance of detecting waste or abuse.

Because of the inherent limitations of an audit, combined with the inherent limitations of internal control, and because we will not perform a detailed examination of all transactions, there is an unavoidable risk that material misstatements or noncompliance may not be detected by us, even though the audit is properly planned and performed in accordance with GAAS and Government Auditing Standards. In addition, an audit is not designed to detect immaterial misstatements or violations of laws or governmental regulations that do not have a direct and material effect on the financial statements or major programs. However, we will inform the appropriate level of management of any material errors, any fraudulent financial reporting, or misappropriation of assets that come to our attention. We will also inform the appropriate level of management of any violations of laws or governmental regulations that come to our attention, unless clearly inconsequential. We will include such matters in the reports required for a Single Audit. Our responsibility, as auditors, is limited to the period covered by our audit and does not extend to later periods for which we are not engaged as auditors.

We will also conclude, based on the audit evidence obtained, whether there are conditions or events, considered in the aggregate, that raise substantial doubt about the government’s ability to continue as a going concern for a reasonable period of time.

Our procedures will include tests of documentary evidence supporting the transactions recorded in the accounts, tests of the physical existence of inventories, and direct confirmation of receivables and certain other assets and liabilities by correspondence with selected individuals, funding sources, creditors, and financial institutions. We will request written representations from your attorneys as part of the engagement.

We have identified the following significant risk(s) of material misstatement as part of our audit planning:

1) Employee turnover of key personnel and a shortage of staff.

2) Conversion to a new accounting system (Caselle)

We may from time to time, and depending on the circumstances, use third-party service providers in serving your account. We may share confidential information about you with these service providers, but remain committed to maintaining the confidentiality and security of your information. Accordingly, we maintain internal policies, procedures, and safeguards to protect the confidentiality of your personal information. In addition, we will secure confidentiality agreements with all service providers to maintain the confidentiality of your information and we will take reasonable precautions to determine that they have appropriate procedures in place to prevent the unauthorized release of your confidential
information to others. In the event that we are unable to secure an appropriate confidentiality agreement, you will be asked to provide your consent prior to the sharing of your confidential information with the third-party service provider. Furthermore, we will remain responsible for the work provided by any such third-party service providers.

Our audit of financial statements does not relieve you of your responsibilities.

Audit Procedures—Internal Control

We will obtain an understanding of the government and its environment, including internal control, sufficient to identify and assess the risks of material misstatement of the financial statements, whether due to error or fraud, and to design and perform audit procedures responsive to those risks and obtain evidence that is sufficient and appropriate to provide a basis for our opinions. The risk of not detecting a material misstatement resulting from fraud is higher than from one resulting from error, as fraud may involve collusion, forgery, intentional omissions, misrepresentation, or the override of internal control. Tests of controls may be performed to test the effectiveness of certain controls that we consider relevant to preventing and detecting errors and fraud that are material to the financial statements and to preventing and detecting misstatements resulting from illegal acts and other noncompliance matters that have a direct and material effect on the financial statements. Our tests, if performed, will be less in scope than would be necessary to render an opinion on internal control and, accordingly, no opinion will be expressed in our report on internal control issued pursuant to Government Auditing Standards.

As required by the Uniform Guidance, we will perform tests of controls over compliance to evaluate the effectiveness of the design and operation of controls that we consider relevant to preventing or detecting material noncompliance with compliance requirements applicable to each major federal award program. However, our tests will be less in scope than would be necessary to render an opinion on those controls and, accordingly, no opinion will be expressed in our report on internal control issued pursuant to the Uniform Guidance.

An audit is not designed to provide assurance on internal control or to identify significant deficiencies or material weaknesses. Accordingly, we will express no such opinion. However, during the audit, we will communicate to management and those charged with governance internal control related matters that are required to be communicated under AICPA professional standards, Government Auditing Standards, and the Uniform Guidance.

Audit Procedures—Compliance

As part of obtaining reasonable assurance about whether the financial statements are free of material misstatement, we will perform tests of Box Elder County’s compliance with provisions of applicable laws, regulations, contracts, and agreements, including grant agreements. However, the objective of those procedures will not be to provide an opinion on overall compliance and we will not express such an opinion in our report on compliance issued pursuant to Government Auditing Standards.

The Uniform Guidance requires that we also plan and perform the audit to obtain reasonable assurance about whether the auditee has complied with applicable federal statutes, regulations, and the terms and conditions of federal awards applicable to major programs. Our procedures will consist of tests of transactions and other applicable procedures described in the OMB Compliance Supplement for the types of compliance requirements that could have a direct and material effect on each of Box Elder County’s major programs. For federal programs that are included in the Compliance Supplement, our compliance and internal control procedures will relate to the compliance requirements that the Compliance Supplement identifies as be subject to audit. The purpose of these procedures will be to
express an opinion on Box Elder County’s compliance with requirements applicable to each of its major programs in our report on compliance issued pursuant to the Uniform Guidance.

Other Services

We will also assist in preparing the financial statements, GASB 34 conversion entries, schedule of expenditures of federal awards, and related notes of Box Elder County in conformity with U.S. generally accepted accounting principles and the Uniform Guidance based on information provided by you. These nonaudit services do not constitute an audit under Government Auditing Standards and such services will not be conducted in accordance with Government Auditing Standards. We will perform the services in accordance with applicable professional standards. The other services are limited to the financial statements, GASB 34 conversion entries, schedule of expenditures of federal awards, and related notes services previously defined. We, in our sole professional judgement, reserve the right to refuse to perform any procedure or take any action that could be construed as assuming management responsibilities.

You agree to assume all management responsibilities relating to the financial statements, GASB 34 conversion entries, schedule of expenditures of federal awards, and related notes and any other nonaudit services we provide. You will be required to acknowledge in the management representation letter our assistance with preparation of the financial statements, GASB 34 conversion entries, schedule of expenditures of federal awards, and related notes and that you have reviewed and approved the financial statements, schedule of expenditures of federal awards, and related notes prior to their issuance and have accepted responsibility for them. Further, you agree to oversee the nonaudit services by designating an individual, preferably from senior management, with suitable skill, knowledge, or experience; evaluate the adequacy and results of those services; and accept responsibility for them. Additionally, you will hire an outside accounting firm to help accept responsibility on your behalf for the financial statements and any journal entries we propose.

Responsibilities of Management for the Financial Statements and Single Audit

Our audit will be conducted on the basis that you acknowledge and understand your responsibility for (1) designing, implementing, and maintaining effective internal controls relevant to the preparation and fair presentation of financial statements that are free from material misstatement, whether due to fraud or error, including internal controls over federal awards, and for evaluating and monitoring ongoing activities, to help ensure that appropriate goals and objectives are met; (2) following laws and regulations; (3) ensuring that there is reasonable assurance that government programs are administered in compliance with compliance requirements; and (4) ensuring that management and financial information is reliable and properly reported. Management is also responsible for implementing systems designed to achieve compliance with applicable laws, regulations, contracts, and grant agreements. You are also responsible for the selection and application of accounting principles; for the preparation and fair presentation of the financial statements, schedule of expenditures of federal awards, and all accompanying information in conformity with U.S. generally accepted accounting principles; and for compliance with applicable laws and regulations (including federal statutes), rules and the provisions of contracts and grant agreements (including award agreements). Your responsibilities also include identifying significant contractor relationships in which the contractor has responsibility for program compliance and for the accuracy and completeness of that information.

You are also responsible for making drafts of the financial statements, schedule of expenditures of federal awards, all financial records and related information available to us and for the accuracy and
completeness of that information (including information from outside of the general and subsidiary ledgers). You are also responsible for providing us with (1) access to all information of which you are aware that is relevant to the preparation and fair presentation of the financial statements, such as records, documentation, identification of all related parties and all related party relationships and transactions, and other matters; (2) access to personnel, accounts, books, records, supporting documentation, and other information as needed to perform an audit under the Uniform Guidance; (3) additional information that we may request for the purpose of the audit; and (4) unrestricted access to persons within the government from whom we determine it necessary to obtain audit evidence. At the conclusion of our audit, we will require certain written representations from you: about financial statements; schedule of expenditures of federal awards; federal award programs; compliance with laws, regulations, contracts and grant agreements; and related matters.

Your responsibilities include adjusting the financial statements to correct material misstatements and confirming to us in the management representation letter that the effects of any uncorrected misstatements aggregated by us during the current engagement and pertaining to the latest period presented are immaterial, both individually and in the aggregate, to the financial statements taken as a whole.

You are responsible for the design and implementation of programs and controls to prevent and detect fraud, and for informing us about all known or suspected fraud affecting the government involving (1) management, (2) employees who have significant roles in internal control, and (3) others where the fraud could have a material effect on the financial statements. Your responsibilities include informing us of your knowledge of any allegations of fraud or suspected fraud affecting the government received in communications from employees, former employees, grantees, regulators, or others. In addition, you are responsible for identifying and ensuring that the government complies with applicable laws, regulations, contracts, agreements, and grants. You are also responsible for taking timely and appropriate steps to remedy fraud and noncompliance with provisions of laws, regulations, contracts, and grant agreements that we report. Additionally, as required by the Uniform Guidance, it is management’s responsibility to evaluate and monitor noncompliance with federal statutes, regulations, and the terms and conditions of federal awards; take prompt action when instances of noncompliance are identified including noncompliance identified in audit findings; promptly follow up and take corrective action on reported audit findings; and prepare a summary schedule of prior audit findings and a separate corrective action plan. The summary schedule of prior audit findings should be available for our review on May 30, 2022.

You are responsible for identifying all federal awards received and understanding and complying with the compliance requirements and for the preparation of the schedule of expenditures of federal awards (including notes and noncash assistance received, COVID-19-related concepts, such as lost revenues, if applicable) and in conformity with the Uniform Guidance. You agree to include our report on the schedule of expenditures of federal awards in any document that contains and indicates that we have reported on the schedule of expenditures of federal awards. You also agree to include the audited financial statements with any presentation of the schedule of expenditures of federal awards that includes our report thereon: OR make the audited financial statements readily available to intended users of the schedule of expenditures of federal awards no later than the date the schedule of expenditures of federal awards is issued with our report thereon. Your responsibilities include acknowledging to us in the written representation letter that (1) you are responsible for presentation of the schedule of expenditures of federal awards in accordance with the Uniform Guidance; (2) you believe the schedule of expenditures of federal awards, including its form and content, is stated fairly
in accordance with the Uniform Guidance; (3) the methods of measurement or presentation have not changed from those used in the prior period (or if they have changed, the reasons for such changes); and (4) you have disclosed to us any significant assumptions or interpretations underlying the measurement or presentation of the schedule of expenditures of federal awards.

You are also responsible for the preparation of the other supplementary information, which we have been engaged to report on, in conformity with U.S. generally accepted accounting principles (GAAP). You agree to include our report on the supplementary information in any document that contains and indicates that we have reported on, the supplementary information. You also agree to include the audited financial statements with any presentation of the supplementary information that includes our report thereon OR make the audited financial statements readily available to users of the supplementary information no later than the date the supplementary information is issued with our report thereon. Your responsibilities include acknowledging to us in the written representation letter that (1) you are responsible for presentation of the supplementary information in accordance in accordance with GAAP; (2) you believe the supplementary information, including its form and content, is fairly presented in accordance with GAAP; (3) the methods of measurement or presentation have not changed from those used in the prior period (or, if they have changed, the reasons for such changes); and (4) you have disclosed to us any significant assumptions or interpretations underlying the measurement or presentation of the supplementary information.

Management is responsible for establishing and maintaining a process for tracking the status of audit findings and recommendations. Management is also responsible for identifying and providing report copies of previous financial audits, attestation engagements, performance audits or other studies related to the objectives discussed in the Audit Scope and Objectives section of this letter. This responsibility includes relaying to us corrective actions taken to address significant findings and recommendations resulting from those audits, attestation engagements, performance audits, or studies. You are also responsible for providing management’s views on our current findings, conclusions, and recommendations, as well as your planned corrective actions, for the report, and for the timing and format for providing that information.

Engagement Administration, Fees, and Other

We understand that your employees will prepare all cash, accounts receivable, or other confirmations we request and will locate any documents selected by us for testing.

At the conclusion of the engagement, we will complete the appropriate sections of the Data Collection Form that summarizes our audit findings. It is management’s responsibility to electronically submit the reporting package (including financial statements, schedule of expenditures of federal awards, summary schedule of prior audit findings, auditors’ reports, and corrective action plan) along with the Data Collection Form to the federal audit clearinghouse. We will coordinate with you the electronic submission and certification. The Data Collection Form and the reporting package must be submitted within the earlier of 30 calendar days after the receipt of the auditors’ reports or nine months after the end of the audit period.

We will provide copies of our reports to the Board of County Commissioners of Box Elder County; however, management is responsible for distribution of the reports and the financial statements. Unless restricted by law or regulation, or containing privileged and confidential information, copies of our reports are to be made available for public inspection.
The audit documentation for this engagement is the property of Wiggins & Co., P.C. and constitutes confidential information. However, subject to applicable laws and regulations, audit documentation and appropriate individuals will be made available upon request and in a timely manner to grantor agencies or its designee, a federal agency providing direct or indirect funding, or the U.S. Government Accountability Office for purposes of a quality review of the audit, to resolve audit findings, or to carry out oversight responsibilities. We will notify you of any such request. If requested, access to such audit documentation will be provided under the supervision of Wiggins & Co., P.C. personnel. Furthermore, upon request, we may provide copies of selected audit documentation to the aforementioned parties. These parties may intend, or decide, to distribute the copies or information contained therein to others, including other governmental agencies.

The audit documentation for this engagement will be retained for a minimum of five years after the report release date or for any additional period requested by the grantor agencies. If we are aware that a federal awarding agency, pass through entity, or auditee is contesting an audit finding, we will contact the party(ies) contesting the audit finding for guidance prior to destroying the audit documentation.

We expect to begin our audit on approximately May 31, 2022 and to issue our reports no later than June 30, 2022. Kolton Bragger, CPA is the engagement partner and is responsible for supervising the engagement and signing the reports or authorizing another individual to sign them.

Our fee for these services will be at our standard hourly rates plus out-of-pocket costs (such as report reproduction, word processing, postage, travel, copies, telephone, etc.) except that our gross fee, including expenses, will not exceed $31,500. Our standard hourly rates vary according to the degree of responsibility involved and the experience level of the personnel assigned to your audit. Our invoices for these fees will be rendered each month as work progresses and are payable on presentation. In accordance with our firm policies, work may be suspended if your account becomes sixty days or more overdue and may not be resumed until your account is paid in full. If we elect to terminate our services for nonpayment, our engagement will be deemed to have been completed upon written notification of termination, even if we have not completed our report(s). You will be obligated to compensate us for all time expended and to reimburse us for all out-of-pocket costs through the date of termination. The above fee is based on anticipated cooperation from your personnel and the assumption that unexpected circumstances will not be encountered during the audit. If significant additional time is necessary, we will keep you informed of any problems we encounter and our fees will be adjusted accordingly.

In the event that a dispute shall occur between the parties to this engagement letter, the parties agree to participate in at least four hours of mediation in accordance with the mediation procedures of the United States Arbitration & Meditation (USA&M). The parties agree to share equally in the costs of the mediation. The mediation shall be administered by a local USA&M office to be designated by USA&M National Headquarters. Mediation involves each side of a dispute sitting down with an impartial person, the mediator, to attempt to reach a voluntary settlement. Mediation involves no formal court procedures or rules of evidence, and the mediator does not have the power to render a binding decision or force an agreement on the parties.

Reporting

We will issue written reports upon completion of our Single Audit. Our reports will be addressed to Commissioners of Box Elder County. Circumstances may arise in which our report may differ from its expected form and content based on the results of our audit. Depending on the nature of these circumstances, it may be necessary for us to modify our opinions, add a separate section, or add an
emphasis-of-matter paragraph to our auditor’s report, or if necessary, withdraw from this engagement. If our opinions are other than unmodified, we will discuss the reasons with you in advance. If, for any reason, we are unable to complete the audit or are unable to form or have not formed opinions, we may decline to express opinions or issue reports, or we may withdraw from this engagement.

The *Government Auditing Standards* report on internal control over financial reporting and on compliance and other matters will state that (1) the purpose of the report is solely to describe the scope of testing of internal control and compliance and the results of that testing, and not to provide an opinion on the effectiveness of the entity’s internal control or on compliance, and (2) the report is an integral part of an audit performed in accordance with *Government Auditing Standards* in considering the entity’s internal control and compliance. The Uniform Guidance report on internal control over compliance will state that the purpose of the report on internal control over compliance is solely to describe the scope of testing of internal control over compliance and the results of that testing based on the requirements of the Uniform Guidance. The State of Utah report on compliance and internal control over compliance will state the results of that testing based on the requirements of Utah State laws and regulations. All reports will state that the report is not suitable for any other purpose.

We appreciate the opportunity to be of service to Box Elder County and believe this letter accurately summarizes the significant terms of our engagement. If you have any questions, please let us know. If you agree with the terms of our engagement as described in this letter, please sign the enclosed copy and return it to us.

Very truly yours,

Wiggins & Co., P.C.

Wiggins & Co., P.C.

Acceptance:

This letter correctly sets forth the understanding of Box Elder County and the Board of Board of County Commissioners of Box Elder County.

*Signature*

Management Signature / Title  

Date

Date

*Signature*

Governance Signature / Title / Chair  

Date
ORDINANCE NO. 561

AN ORDINANCE OF BOX ELDER COUNTY AMENDING THE BOX ELDER COUNTY ZONING MAP BY REZONING .37 ACRES LOCATED AT 7125 SOUTH HWY 89 FROM R-1-20 (RESIDENTIAL DISTRICT-20,000 SQ. FT.) TO C-G (GENERAL COMMERCIAL) ZONE.

WHEREAS, the applicant is requesting that the property described herein be zoned from R-1-20 (Residential District-20,000 sq. ft.) to C-G (General Commercial) zone; and

WHEREAS, the Box Elder County Planning Commission scheduled a public hearing on the petition to rezone the property and amend the Box Elder County zoning map and provided notice of the public hearing by mailing notice to each affected property owner and each adjacent property owner, and each affected entity at least 10 calendar days before the public hearing, and by posting it on the county’s official website; and by publishing it on the Utah Public Notice Website at least 10 calendar days before the public hearing; and

WHEREAS, the Box Elder County Planning Commission, after appropriate notice, held a public hearing on May 19, 2022, to allow the general public to comment on this proposed rezone and amendment of the zoning map; and

WHEREAS, after providing for public comment from the general public, the Box Elder County Planning Commission has found and determined that the proposed rezone and amendment to the zoning map is in conformity with the General Plan of Box Elder County, that the uses allowed by the proposed change are harmonious with the overall character of the existing development in the vicinity of the property, that it will not adversely affect adjacent properties, that the facilities and services intended to serve the property to be rezoned are adequate, and will provide for the health, safety, and general welfare of the public and protect the environment; and

WHEREAS, based upon these findings, the Box Elder County Planning Commission has recommended that the Box Elder County Commission amend the zoning map as has been requested; and

WHEREAS, the Box Elder County Commission, after appropriate notice, held a public meeting on June 1, 2022 to review and discuss this proposed amendment; and

WHEREAS, after reviewing and discussing, the Board of County Commissioners of Box Elder County, Utah finds that the amendment to the zoning map as set forth below is in conformity with the General Plan of Box Elder County, that the uses allowed by the proposed change are harmonious with the overall character of the existing development in the vicinity of the property, that it will not adversely affect adjacent properties, that the facilities and services intended to serve the property to be rezoned are adequate, and that it will be in the best interest of and promote the health, safety and general welfare of the residents of Box Elder County;

NOW THEREFORE, the County Legislative Body of Box Elder County, ordains as follows:

SECTION 1: Zoning Map Amendment. The Zoning Map of Unincorporated Box Elder County is hereby amended by classifying the following described parcels in unincorporated Box Elder County from R-1-20 (Residential District-20,000 sq. ft.) to C-G (General Commercial) zone:
PARCEL 02-055-0046

PART SE/4 SEC 35, T 08N, R 02W SLBM. BEGINNING AT A POINT LOCATED N 87°49'17" W 1321.31 FT & N 00°48'00" E 475.95 FT & N 89°03'12" W 430.09 FT FROM SE CORNER SAID SE/4, N 05°33'15" E 163.53 FT, N 89°03'12" W 98.62 FT TO EAST R/W LINE OF STATE HWY, S 05°33'15" W ALONG SAID R/W 163.53 FT, S 89°03'12" E 98.62 FT TO POINT OF BEGINNING.

SECTION 2: Effective Date. This ordinance shall become effective fifteen (15) days after its passage.

PASSED, ADOPTED AND A SYNOPSIS ORDERED PUBLISHED this 1st day of June, 2022, by the Board of County Commissioners of Box Elder County, Utah,

Commissioner Summers
Commissioner Scott
Commissioner Hadfield

Voting
Voting
Voting

Box Elder County Commission - Chair

Attest:
Marla Young
Box Elder County Clerk

State of Utah

County of Box Elder

On this 1st day of June, 2022, personally appeared before me, the undersigned notary public, Jeffrey D. Scott, whose identity is personally known to me (or proved on the basis of satisfactory evidence) and who by me duly sworn (or affirm), did say he is the Commissioner for Box Elder County and said document was signed by him in behalf of said Corporation and acknowledged to me that said Corporation executed the same.

My Commission Expires: Oct 15, 2025

Notary Public

[Stamp: MARLA YOUNG, Notary Public, State of Utah, My Commission Expires October 15, 2025, Commission Number 721029]
ORDINANCE NO. 562

AN ORDINANCE OF BOX ELDER COUNTY AMENDING SECTION 3-2-080-2.2, MINIMUM WIDTH ALONG THE RADIUS FOR CUL-DE-SAC LOTS, OF THE BOX ELDER COUNTY LAND USE MANAGEMENT & DEVELOPMENT CODE.

WHEREAS, a recommendation has been made to amend the Box Elder County Land Use Management & Development Code, Section 3-2-080-2.2, Minimum Width Along the Radius for Cul-de-sac Lots; and

WHEREAS, the Box Elder County Planning Commission scheduled a public hearing on the recommendation to amend the text of the Box Elder County Land Use Management & Development code and provided notice of the public hearing by mailing notice to each affected entity at least 10 calendar days before the public hearing, and by posting it on the County’s official website; and by publishing it on the Utah Public Notice Website at least 10 calendar days before the public hearing; and

WHEREAS, the Box Elder County Planning Commission, after appropriate notice, held a public hearing on May 19, 2022 to allow the general public to comment on this proposed text amendment; and

WHEREAS, after providing for public comment from the general public, the Box Elder County Planning Commission has found and determined that the proposed text amendment is in conformity with the General Plan of Box Elder County, that the uses allowed by the proposed change are harmonious with the overall character of the existing development in the vicinity of the property, that it will not adversely affect adjacent properties, that the facilities and services intended to serve property are adequate, and will provide for the health, safety, and general welfare of the public and protect the environment; and

WHEREAS, based upon these findings, the Box Elder County Planning Commission has recommended that the Box Elder County Commission amend the text as has been requested; and

WHEREAS, the Box Elder County Commission, after appropriate notice, held a public meeting on June 1, 2022, to review and discuss this proposed amendment; and

WHEREAS, after reviewing and discussing, the Board of County Commissioners of Box Elder County, Utah finds that the amendment to the text as set forth in Exhibit B is in conformity with the General Plan of Box Elder County, that the uses allowed by the proposed change are harmonious with the overall character of the existing development in the vicinity of the property, that it will not adversely affect adjacent properties, that the facilities and services intended to serve property are adequate, and that it will be in the best interest of and promote the health, safety and general welfare of the residents of Box Elder County;

NOW THEREFORE, the County legislative body of Box Elder County ordains as follows:

SECTION 1: Ordinance Text Amendment. Section 3-2-080-2.2, Minimum Width Along the Radius for Cul-de-sac Lots, of the Box Elder County Land Use Management & Development Code is hereby amended to read in its entirety as set forth in Exhibit A.

SECTION 2: Effective Date. This ordinance shall become effective fifteen (15) days after its passage.
PASSED, ADOPTED AND A SYNOPSIS ORDERED PUBLISHED this 1st day of June, 2022, by the Board of County Commissioners of Box Elder County, Utah.

Commissioner Hadfield                    Voting  Absent
Commissioner Summers                    Voting  Age
Commissioner Scott                      Voting  Age

Box Elder County Commission Chair

Attest:

Marla Young
Box Elder County Clerk

State of Utah  )
    ss             )
County of Box Elder  )

On this 1st day of June, 2022, personally appeared before me, the undersigned notary public, Jeffrey Scott, whose identity is personally known to me (or proved on the basis of satisfactory evidence) and who by me duly sworn (or affirm), did say he is the Commission Chairman for Box Elder County and said document was signed by him in behalf of said Corporation and acknowledged to me that said Corporation executed the same.

My Commission Expires: Oct. 15, 2025

MARLA YOUNG
Notary Public
State of Utah
My Commission Expires October 15, 2025
Commission Number 721029

Notary Public
# EXHIBIT A

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<th>MU 80</th>
<th>MU 40</th>
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<th>A 1/2</th>
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# EXHIBIT B

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<th>RR 5</th>
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General Purpose of the Contract:
Authority: Noxious Weed Act, Chapter 17 SAE 4443 7303
Cooperative control of noxious weeds and invading weeds through USDA Forest Service Grant Money.

Scope of Work:
Box Elder County agrees to complete the following work as proposed:
• Continue efforts to monitor and control all EDDMaps points and mapped locations of projects/specified high priority weeds. Current EDDMaps photo projects that have been implemented will continue to be updated.

• Continue to work with the Bear River Canal Co. personnel to monitor for goatsrue in the County's extensive canal system, as well as hold a cooperative spray day along the Bear River with Forestry, Fire, and State Lands and Cache County Weed Department.

• Plan and implement a Cooperative Spray Day and project for Elongated Mustard near the Cache and Box Elder County boundary including Franklin and Oneida County Weed Departments.

• Continue to monitor and map the Spotted Knapweed which is being treated by UDOT from the Idaho state line to Riverside along the I-15 right-of-way.

• Maintain the Weed Department fair booth at the Box Elder County Fair held in late August. Educational opportunities are plentiful at this event.

• Work will continue to control noxious weeds in the major gravel pits which border the USFS on the western edge of the Wellsville Mountains Wilderness Area.

• Continue to monitor and treat all of the outlying points from this projects SIIPA analysis and mapping tool, as well as marking in EDDMaps any new locations.

UWSA funds will be used only for projects on state, local or private lands, excluding all Federal lands.

If publications are produced using grant funding, the UWSA must be contacted for additional documentation. The USDA Forest Service must be given credit on any publication.

Budget:
Box Elder County agrees to comply with the following use of grant funds, not varying more than 10 percent per category. If it appears the project use of funds or costs will vary more than 10 percent and a new budget is required, the Utah Weed Supervisor’s Association must approve the changed budget before changed costs are incurred.
Qualifying Expenses | Explanation | Requested Funds
---|---|---
Herbicide | Milestone, 2 4-D, LV6, Picloram, Garlon 3A, Surfactants (Jackhammer, Trend,) | $11,000.00
Supplies (Biocontrol, seed, fertilizer) |  | 
Labor |  | $2,500.00
Contracts |  | 
Other (Sprayers, emergency maintenance, education materials, insectary supplies) | Noxious Weed Books, Noxious Weed Brochures, Noxious Weed Calendars, Printing & Mailing materials | 1,000

Total Amount Awarded | $14,500.00

Grant funds may not be used to purchase food or to rebuild equipment.

Financial Administration and Reporting:
The fiscal agent may provide the Utah Weed Supervisors Association with intermittent reports and invoices, as work progresses. Using intermittent reports, reimbursements may be requested monthly. All such requests must be sent by the third Friday of the month.

A final report is required, and is due before November 1, 2022. The reports will consist of a completed form, reimbursable receipts, and matching documentation, before and after photographs of the project and a link to EDDMaps where project GIS data is posted. Send all documentation in a digital format, by email. Send all information by email to <rosann@etv.net>. Send any necessary hard copy to Rosann Fillmore, P.O. Box 429, Orangeville, UT 84537.

To assist with record keeping, an example in-kind log and expenditure tracking sheet is enclosed. Similar documentation and copies of invoices clearly marked as UWSA reimbursable costs or matching costs must accompany all requests for reimbursement. (See examples.)

The Utah Weed Supervisors (UWSA):
The UWSA agrees to reimburse Box Elder $14,500.00 for treatment costs authorized by this contract after receiving the necessary reports (quarterly cost-share numbers, treated acres, reimbursement requests and annual and final reports).
The contractor will only be able to receive 75% of the grant amount until the final grant report has been submitted.

The UWSA also agrees to submit an annual report of the grantee’s activities funded by this grant to the USDA Forest Service.

**Contract Period:**
- **Effective date:** Date of the award notification
- **Termination date:** November 1, 2022

**IN WITNESS WHEREOF THE PARTIES SIGN AND CAUSE THE CONTRACT TO BE EXECUTED:**

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<tr>
<th>Print Name of CWMA Chair</th>
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<tbody>
<tr>
<td>Jeffrey D. Scott</td>
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