

**MINUTES  
BOX ELDER COUNTY COMMISSION  
NOVEMBER 02, 2022**

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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 **November 02, 2022**. The following members were present:

Jeff Scott	Chairman
Stan Summers	Commissioner
Jeff Hadfield	Commissioner
Marla Young	Clerk

The following items were discussed:

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

The Administrative / Operational Session adjourned at 4:48 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
Jeff Hadfield	Commissioner
Marla Young	Clerk

The prayer was offered by Commissioner Summers.

The Pledge of Allegiance was led by Community Development Director Scott Lyons.

**APPROVAL OF MINUTES**

**THE MINUTES OF THE REGULAR MEETING OF OCTOBER 19, 2022 WERE APPROVED AS WRITTEN ON A MOTION BY COMMISSIONER HADFIELD, SECONDED BY COMMISSIONER SUMMERS, AND UNANIMOUSLY CARRIED.**  
**ATTACHMENT NO. 1 - AGENDA**

**ADMINISTRATIVE REVIEW / REPORTS / FUTURE AGENDA ITEMS - COMMISSION**

There were no Administrative Review items discussed.

**FORMER AGENDA ITEMS, FOLLOW UP - COMMISSIONERS**

**2023 Retirement Incentive - Commissioners**

Chairman Scott explained at the last Commission meeting they tabled the retirement incentive for further information. He explained the retirement incentive allows those close to retirement a small incentive to retire. If the incentive is taken there is a cost savings to the county. The Commission had concerns of offering an incentive when the current job market is hard to get replacement workers, but he felt like the incentive should be given.

**MOTION:** Commissioner Hadfield made a motion to approve the retirement incentive for 2023. The motion was seconded by Commissioner Summers and unanimously carried on a roll call vote of Chairman Scott voting Yea, Commissioner Hadfield voting Yea, and Commissioner Summers voting Yea.

**EMERGENCY MANAGEMENT ISSUES**

There were no Emergency Management Issues discussed.

**ARPA**

**Boys & Girls Club Community Campus - Monica Holdaway**

Box Elder Chamber of Commerce Executive Director Monica Holdaway presented information on behalf of JeuneElle Jeffries, Boys & Girls Club of Northern Utah Executive Director. She gave some rough numbers of donations that have been received for the Community Campus Project. She reported they have received an estimated \$250,000.00-\$400,000.00 in donations and are still currently working on others from private businesses and citizens. Brigham City Corporation is doing the parking lot.

Chairman Scott stated after looking at the organizations included in the project and the number of people impacted, this will be the ARPA project that will have the potential to impact the most people.

**MOTION:** Commissioner Summers made a motion to approve \$1,000,000.00 for the Community Campus Project. The motion was seconded by Commissioner Hadfield and unanimously carried on a roll call vote of Chairman Scott voting Yea, Commissioner Hadfield voting Yea, and Commissioner Summers voting Yea.

**COMMISSIONERS**

**Willard Annexation-Commissioners**

Chairman Scott explained they have received a notice of annexation by Willard Land LLC. He explained they are wanting to annex land into Willard City but because the remaining parcels are not contiguous and leave islands or gaps, approval of the annexation is required by the county.

**MOTION:** Commissioner Summers made a motion to approve the proposed annexation by Willard Land LLC. The motion was seconded by Commissioner Hadfield and unanimously carried on a roll call vote of Chairman Scott voting Yea, Commissioner Hadfield voting Yea, and Commissioner Summers voting Yea.

**COMMUNITY DEVELOPMENT**

**Clark Subdivision (1 lot)-Scott Lyons**

Community Development Director Scott Lyons explained the Clark Subdivision is a 1-lot subdivision located in Grouse Creek at approximately 11495 N Grouse Creek Road. He stated they are subdividing the existing home from a larger parcel. The plat has been through all the applicable department reviews. He mentioned the home is being transferred in ownership to a teacher for the Grouse Creek School.

**MOTION:** Commissioner Hadfield made a motion to approve the Clark Subdivision (1 lot). The motion was seconded by Commissioner Summers and unanimously carried on a roll call vote of Chairman Scott voting Yea, Commissioner Hadfield voting Yea, and Commissioner Summers voting Yea.

**17200 North Roadway Dedication Plat and Improvement Agreement-Scott Lyons**

Community Development Director Scott Lyons explained the road in discussion is located heading west from 3600 W and is northeast of Fielding. He said the road is newly constructed. He gave some background explaining there are eight newly created agricultural parcels. He explained the subdivision was required to provide access to each parcel. He said some of the owners of the parcels are going to want to develop them in the future and it made sense to make the roadway to the county standards. The road dedication plat has been reviewed and approved by all the necessary departments and there is an improvement agreement.

**MOTION:** Commissioner Summers made a motion to approve the 17200 North Roadway Dedication Plat and Improvement Agreement. The motion was seconded by Commissioner Hadfield and unanimously carried on a roll call vote of Chairman Scott voting Yea, Commissioner Hadfield voting Yea, and Commissioner Summers voting Yea.

**Corridor Preservation Fund-Tremonton City Reimbursement Request-Scott Lyons**

Community Development Director Scott Lyons explained the reimbursement request is from Tremonton City for Project CPF21-05. He stated the original request approved of the project was around \$250,000.00 and they have saved a substantial amount as their request is for \$106,768.43.

**MOTION:** Commissioner Hadfield made a motion to approve the reimbursement of Corridor Preservation Funds for Project CPF 21-05 to Tremonton City in the amount of \$106,768.43. The motion was seconded by Commissioner Summers and unanimously carried on a roll call vote of Chairman Scott voting Yea, Commissioner Hadfield voting Yea, and Commissioner Summers voting Yea.

**Orchards Development Agreement and Rezone from R-1-20 to MPC-Scott Lyons**

Community Development Director Scott Lyons explained this request is to rezone property from the R-1-20 zone to the MPC zone. He stated this item came before the Commission a couple of months ago and a decision was made to hold a meeting to review the development plan. Chairman Scott attended the meeting and they went through details with the developer and revised the proposal. A consultant and the County Attorney reviewed suggestions. There are still a couple of things that need to be updated. At the last Commission meeting there were concerns regarding access to sewer and needing both Willard City and Perry City to agree to provide access to the sewer facility. Both Perry and Willard have now agreed.

There was discussion regarding sewer, encumbrances on the property, the process after rezone, and street trees and lighting in the development.

**MOTION:** Commissioner Summers made a motion to approve the rezone and Orchards Development Agreement subject to the necessary edits. The motion was seconded by Commissioner Hadfield and unanimously carried on a roll call vote of Chairman Scott voting Yea, Commissioner Hadfield voting Yea, and Commissioner Summers voting Yea.

The Commissioners directed staff to prepare the necessary ordinance.

**ROAD DEPARTMENT**

**Water Purchase Agreement #22-35-Darin McFarland**

Road Supervisor Darin McFarland explained Agreement #22-35 is with Standlee Forage and allows the road department to purchase water for their projects in the Snowville Flats and Curlew Junction.

**MOTION:** Commissioner Hadfield made a motion to approve Water Agreement #22-35. The motion was seconded by Commissioner Summers and unanimously carried on a roll call vote of Chairman Scott voting Yea, Commissioner Hadfield voting Yea, and Commissioner Summers voting Yea.

**ATTACHMENT NO. 2 - Agreement #22-35**

**HUMAN RESOURCES**

**Agent of Record Change-Jenica Stander**

Chairman Scott explained the county is changing their benefits broker.

**MOTION:** Commissioner Summers made a motion to authorize the Agent of Record Change for benefits. The motion was seconded by Commissioner Hadfield and unanimously carried with a roll call vote of Chairman Scott voting Yea, Commissioner Hadfield voting Yea, and Commissioner Summers voting Yea.

**The Commissioners recessed to hold RDA meeting**

**WARRANT REGISTER - COMMISSIONERS**

The Warrant Register was signed and the following claims were approved: Claim numbers 119117 through 119164 in the amount of \$1,410,300.80, with voided claims 117634, 118025 and 119073. Claim numbers 119165 through 119204 in the amount \$265,114.45.

**PERSONNEL ACTIONS / VOLUNTEER ACTION FORMS - COMMISSIONERS**

<b>Employee Name:</b>	<b>Department:</b>	<b>PA Type:</b>	<b>Effective Date:</b>
BARROW, ROBERT	ROADS	SEPARATION	10/05/2022
BROWN, NATALIE	BUILDINGS/GROUNDS	NEW HIRE	10/31/2022
STEED, KATELYN	BUILDINGS/GROUNDS	SEPARATION	10/14/2022
RANSOM, MICHAEL	ELECTIONS	NEW HIRE	11/1/2022
CHRISTENSEN, MARY KATE	ELECTIONS	NEW HIRE	11/1/2022
SMITH, DICKSON	ELECTIONS	NEW HIRE	11/1/2022
MILLER, SHARLYN	TREASURER	COMPENSATION CHANGE	10/21/2022
ROPER, DEBORAH	TREASURER	REHIRE	10/24/2022
THOMPSON, TERRY	SHERIFF'S OFFICE	STATUS CHANGE	11/06/2022
WESTERGARD, KELLI	BOOKMOBILE	NEW HIRE	10/25/2022
STAATS, RYAN	VICTIM ADVOCATE	COMPENSATION CHANGE	10/12/2022
CRAPSE, CINDY	SHERIFF'S OFFICE	STATUS CHANGE	11/06/2022
MACFARLANE, TERRY	ROADS	SEPARATION	10/27/2022
RAMIREZ, RICHARD	ROADS	SEPARATION	11/03/2022
SULLY, OAKLEE	RECORDER	COMPENSATION CHANGE	11/1/2022
LLOYD, KEVIN	FIRE MARSHAL	NEW HIRE	11/09/2022

**CLOSED SESSION**

**Strategy session to discuss pending or reasonably imminent litigation and the discussion of the character, professional competence, or physical or mental health of an individual.**

**MOTION:** At 6:01 p.m. a motion was made by Commissioner Summers to move into a closed session. The motion was seconded by Commissioner Hadfield and unanimously carried

**MOTION:** At 6:32 p.m. a motion was made by Commissioner Hadfield to reconvene into regular commission meeting. Commissioner seconded the motion. The motion carried unanimously and regular Commission meeting was reconvened.

**ADJOURNMENT**

A motion was made by Commissioner Hadfield to adjourn. Commissioner Summers seconded the motion, and the meeting adjourned at 6:33 p.m.

**ADOPTED AND APPROVED** in regular session this 22nd day of November, 2022.

  
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Jeff Scott, Chairman

  
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Stan Summers, Commissioner

  
\_\_\_\_\_  
Jeff Hadfield, Commissioner



ATTEST:

  
\_\_\_\_\_  
Marla R. Young, Clerk



## COUNTY COMMISSION MEETING

Commission Chambers, 01 South Main Street, Brigham City, Utah 84302

Wednesday, November 02, 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 November 2, 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 Summers
- B. Pledge of Allegiance Given by: Scott Lyons
- C. Approve Minutes 10-19-2022

#### 3. ADMINISTRATIVE REVIEW / REPORTS / FUTURE AGENDA ITEMS

#### 4. FORMER AGENDA ITEMS

#### 5. EMERGENCY MANAGEMENT ISSUES

#### 6. ARPA

#### 7. COMMISSIONERS

- A. 5:08 Willard Annexation-Commissioners

#### 8. COMMUNITY DEVELOPMENT

- A. 5:10 Clark Subdivision (1 lot)-Scott Lyons
- B. 5:12 17200 North Roadway Dedication Plat and Improvement Agreement-Scott Lyons
- C. 5:17 Corridor Preservation Fund-Tremonton City Reimbursement Request-Scott Lyons
- D. 5:19 Orchards Development Agreement and Rezone from R-1-20 to MPC-Scott Lyons

#### 9. ROAD DEPARTMENT

- A. 5:21 Water Purchase Agreement #22-35-Darin Mcfarland

#### 10. HUMAN RESOURCES

- A. 5:23 Agent of Record Change-Jenica Stander

#### 11. WARRANT REGISTER

#### 12. PERSONNEL ACTIONS / VOLUNTEER ACTION FORMS / CELL PHONE ALLOWANCE



**13. CLOSED SESSION**

**14. ADJOURNMENT**

Prepared and posted this 28th day of October, 2022. Mailed to the Box Elder News Journal and the Leader on the 28th of October, 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.

A handwritten signature in black ink that reads "Marla R. Young". The signature is written in a cursive style with large, flowing loops.

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.



# WATER PURCHASE AGREEMENT

This Water Purchase Agreement is made and entered into by and between Standlee Forage (hereinafter referred to as "Supplier") and (Property Owner(s))

Box Elder County, a political subdivision of the State of Utah (hereinafter referred to as "Purchaser").

## RECITALS

WHEREAS, Supplier is the legal owner of the water resources located upon real property situated in Snowville, Utah, Tax ID #08-008-0090; and  
(City) (State) (Property Tax ID #)

WHEREAS, Purchaser desires and has a need to purchase water from Supplier's water resources for the purpose of using such water on Box Elder County road projects located in the area; and

WHEREAS, both parties have agreed and intend to abide by the terms specified in this document, including the purchase price for the water.

NOW THEREFORE, based upon the above recitals and the consideration set forth below, Supplier and Purchaser do hereby agree as follows:

1. Supplier shall provide water to Purchaser as follows:
  - a. Supplier shall provide Purchaser with physical access to Supplier's water, and
  - b. Purchaser shall fill its own water tankers and trucks. Purchaser will provide advanced notice to Supplier prior to pumping.
  - c. Purchaser shall keep and maintain records of each load of water taken from Supplier's water.
  - d. Purchaser shall pay to Supplier the sum of thirty dollars. (\$30.00) per 4,000-gallon water truck or sixty dollars (\$60.00) for each 9,000-gallon tanker, filled by Purchaser using the Supplier's pump.
2. Purchaser shall provide Supplier with a spreadsheet showing the total loads of water used, provide an invoice, and provide a check for payment for these loads.
3. This agreement is effective until September 30, 2022. Parties may renew the agreement in writing to extend the agreement end date, subject to Box Elder County Commission approval.

4. Supplier and Purchaser shall indemnify and hold each other harmless of and from any and all actions, suits, costs, damages, claims and demands whatsoever arising by reason of any act of omission of the other part or the other party's employees or agents while on Supplier's property and in connection with the loading and hauling water from the Supplier's water site.

**"Supplier"**

DATED this 1 day of August, 20 22.

Stetson Booth (Seller Printed Name)      [Signature] (Seller Signature)

DATED this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_.

\_\_\_\_\_  
(Seller Printed Name)      \_\_\_\_\_  
(Seller Signature)

**"Purchaser"**

DATED the 2nd day of November, 20 22.



By: [Signature]  
Jeff Scott, Chairman  
Box Elder County Commission

[Signature]  
Marla Young  
Box Elder County Clerk