

**MINUTES
BOX ELDER COUNTY COMMISSION
MARCH 19, 2024**

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 11:15 a.m. on **March 19, 2024**. The following members were present:

Lee Perry	Chairman
Boyd Bingham	Commissioner (Via Telephone)
Stan Summers	Commissioner
Marla R. Young	Clerk

The following items were discussed:

1. Agenda Review/Supporting Documents
2. Commissioners' Correspondence
3. Staff Reports – Agenda Related
4. Correspondence

The Administrative/Operational Session adjourned at 11:19 a.m.

The regular session was called to order by Chairman Perry at 11:30 a.m. with the following members present, constituting a quorum:

Lee Perry	Chairman
Boyd Bingham	Commissioner (Via Telephone)
Stan Summers	Commissioner
Marla Young	County Clerk

The prayer was offered by Commissioner Summers.
The Pledge of Allegiance was led by Sheriff Kevin Potter.

APPROVAL OF MINUTES

THE MINUTES OF THE REGULAR MEETING OF MARCH 06, 2024 WERE APPROVED AS WRITTEN ON A MOTION BY COMMISSIONER SUMMERS, SECONDED BY COMMISSIONER BINGHAM AND UNANIMOUSLY CARRIED.

ATTACHMENT NO. 1 - AGENDA

ADMINISTRATIVE REVIEW/REPORTS/FUTURE AGENDA ITEMS – COMMISSION

Thank you to Legislators - Commissioner Summers

Commissioner Summers expressed appreciation to local representatives Tom Peterson, Matt Guinn, and Senator Scott Sandall for their work in this last legislative session. He acknowledged the hard work and sacrifices by them and their families.

Retirees from the Road Department - Darin McFarland

Road Supervisor Darin McFarland stated they had two retirees last thursday. They held a little party for Cindy Thompson. He thanked her for her service to their department. He said Clark Weidman retired the same day but did not want a party or anything special. He publicly thanked him for serving the county for 44 years and tens of thousands of miles on Box Elder County roads.

The Commissioners thanked Cindy Thompson and Clark Weidman for their service to the county.

FORMER AGENDA ITEMS FOLLOW-UP – COMMISSIONERS

There were no Former Agenda Items discussed.

EMERGENCY MANAGEMENT ISSUES

There were no Emergency Management Issues discussed.

ARPA/LATCF

There were no ARPA/LATCF items discussed.

PUBLIC INTERESTS / PRESENTATIONS / CONCERNS

Proclaim April as Child Abuse Prevention Month-Sterling Marx

Sterling Marx, Director of the Children’s Justice Center, introduced his wife Jennifer as a board member for the CJC.

Jennifer Marx stated she is the board member over fundraising and awareness. She read a proclamation to declare the month of April as Child Abuse Prevention and Awareness Month.

MOTION: Commissioner Summers made a motion to proclaim the month of April as Child Abuse Prevention and Awareness Month. The motion was seconded by Commissioner Bingham and unanimously carried on a roll call vote of Chairman Perry voting Yea, Commissioner Bingham voting Yea, and Commissioner Summers voting Yea.

ATTACHMENT NO. 2 - Proclamation

Fee Waiver for use of Fairgrounds-Sterling Marx

Children's Justice Center Director Sterling Marx stated they are doing another open house for the center on April 18, 2024 from 4:00 p.m. to 7:00 p.m. He invited the public to attend.

Jennifer Marx , CJC Board Member, stated they are holding a pickleball tournament as a fundraiser April 26-27, 2024. She said the proceeds go toward the Children’s Justice Center. She asked the Commission to waive the fees for the use of the fairgrounds for the fundraiser.

MOTION: Commissioner Summers made a motion to approve a fee waiver for the use of the fairgrounds for the the Children’s Justice Center Fundraiser. The motion was seconded by Commissioner Bingham and unanimously carried on a roll call vote of Chairman Perry voting Yea, Commissioner Bingham voting Yea, and Commissioner Summers voting Yea.

Reclassification of 7325 S. Willard Road to a County Road-Nathan Rose

Nathan Rose stated he was representing the residents on 7325 South in South Willard. He explained a few issues with the road pertaining to access and condition. He gave an example of a house fire. He explained the fire fighting efforts were tough due to the narrow and unpaved road. He gave another example of another time in 2021 when there were severe winds and some residents were stuck for a week. He asked about the process in getting their road classified as a county road.

The Commissioners felt they needed more time and additional information.

MOTION: Commissioner Summers made a motion to table this item for a future agenda to obtain more information. The motion was seconded by Commissioner Bingham and the motion carried unanimously to table the item on a roll call vote of Chairman Perry voting Yea, Commissioner Bingham voting Yea, and Commissioner Summers voting Yea.

Annual Permission to Use County Courthouse Parking Lot and Grounds for Historic District Events-David Walker

David Walker, volunteer for Downtown Brigham City, asked for permission to use the courthouse grounds again for the annual arts festival and the Third Friday Night Live events from April to October. He stated they want to include the Memorial Day holiday to honor veterans. He introduced Jenny Taylor who is a Gold Star Widow and Director of the Brent Taylor Foundation.

Jenny Taylor gave a brief history of her husband, Major Brent Taylor, who was killed in action in Afghanistan. She explained the Brent Taylor Foundation and the free flying flag. She stated they will be bringing the free flying flag for Memorial Day events to honor the men and women who live among us who are veterans as well as those who have fallen and the living of the fallen. She said they are working to put a Gold Star Family Monument in Box Elder County.

MOTION: Commissioner Summers made a motion to allow the use of the courthouse grounds for the events. The motion was seconded by Commissioner Bingham and unanimously carried on a roll call vote of Chairman Perry voting Yea, Commissioner Bingham voting Yea, and Commissioner Summers voting Yea.

AUDITOR'S OFFICE

Mobile Home 50% County Abatement-Deborah Lee and Shirlene Larsen

Auditor Shirlene Larsen stated they received a request for a county abatement for Deborah Lee. She explained it is a mobile home so it is considered personal property. Ms. Lee is over the income limit by \$797.00 and she has asked for the 50% county abatement.

MOTION: Commissioner Summers made a motion to approve the 50% county abatement. The motion was seconded by Commissioner Bingham and unanimously carried on a roll call vote of Chairman Perry voting Yea, Commissioner Bingham voting Yea, and Commissioner Summers voting Yea.

Fee Updates-Shirlene Larsen

Auditor Shirlene Larsen presented adjustments to the fees charged at the fairgrounds. She explained the fee adjustment for the museum building and the fine arts building.

MOTION: Commissioner Summers made a motion to approve the updated fee adjustments for the fairgrounds. The motion was seconded by Commissioner Bingham and unanimously carried on a roll call vote of Chairman Perry voting Yea, Commissioner Bingham voting Yea, and Commissioner Summers voting Yea.

Clerk Marla Young explained the marriage license fee used to be \$50.00 and then the displaced homemakers fee was removed. At that time she chose to reduce the fee to \$30.00. She said research shows that the current fees are one of the lowest in the state and expenses such as paper and postage have gone up significantly. She recommended the new fee be raised from \$30.00 to \$50.00 to be in line with other counties. She stated it would be best for the new fee to go into effect April 1, 2024 since there are outstanding appointments made with the lower fee.

MOTION: Commissioner Summers made a motion to approve the adjustment to the marriage license fee beginning April 1, 2024. The motion was seconded by Commissioner Bingham and unanimously carried on a roll call vote of Chairman Perry voting Yea, Commissioner Bingham voting Yea, and Commissioner Summers voting Yea.

COMMISSIONERS

Ratify Signature on Beer Tax Funds Annual Report-Commissioners

Chairman Perry explained the Beer Tax Funds Annual Report came due between meetings. He suggested the Commission ratify the signature on the report.

MOTION: Commissioner Summers made a motion to ratify the signature on the Beer Tax Annual Report. The motion was seconded by Commissioner Bingham and unanimously carried on a roll call vote of Chairman Perry voting Yea, Commissioner Bingham voting Yea, and Commissioner Summers voting Yea.

ATTACHMENT NO. 3 - Beer Tax Annual Report

COMMUNITY DEVELOPMENT

Lookout Mountain Subdivision Phase 1- Improvement Agreement-Scott Lyons

Community Development Director Scott Lyons presented an improvement agreement for Lookout Mountain Subdivision Phase 1. He mentioned the plat has been reviewed by the development review committee and the improvement agreement outlines the improvements that will take place. He stated even with the new subdivision guidelines, the Commission still approves the improvement agreement.

MOTION: Commissioner Summers made a motion to approve the improvement agreement for Lookout Mountain Subdivision Phase 1. The motion was seconded by Commissioner Bingham and unanimously carried on a roll call vote of Chairman Perry voting Yea, Commissioner Bingham voting Yea, and Commissioner Summers voting Yea.

FIRE DEPARTMENT

Hill Airforce Base MOU #24-13-Kevin Lloyd

Fire Marshal Kevin Lloyd stated MOU #24-13 is with Hill Air Force base.

Attorney Stephen Hadfield said there are a few things that need to be changed.

MOTION: Commissioner Summers made a motion to approve MOU#24-13 with Hill Airforce Base subject to attorney approval. The motion was seconded by Commissioner Bingham and unanimously carried on a roll call vote of Chairman Perry voting Yea, Commissioner Bingham voting Yea, and Commissioner Summers voting Yea.

ATTACHMENT NO. 4 - MOU #24-13

FEPP Contract #24-12 to Allow County to Utilize Federal Excess Personal Property (FEPP) Equipment-Kevin Lloyd

Fire Marshal Kevin Lloyd stated Contract #24-12 is a renewal contract to be able to utilize federal equipment when needed.

MOTION: Commissioner Summers made a motion to approve FEPP Contract #24-12. The motion was seconded by Commissioner Bingham and unanimously carried on a roll call vote of

Chairman Perry voting Yea, Commissioner Bingham voting Yea, and Commissioner Summers voting Yea.

ATTACHMENT NO. 5 - Contract #24-12

TREASURER'S OFFICE

Back Taxes owed by Bonneville Quarry-Tristina Bown

Tristina Bown, Secretary and Part Owner of Bonneville Quarry, stated they came to the Commission a couple of years ago and the Commission waived interest. She stated the interest is not coming down.

MOTION: Commissioner Summers made a motion to table the item to look into the matter and obtain further information. The motion was seconded by Commissioner Bingham and the item was tabled on a unanimous vote of Chairman Perry voting Yea, Commissioner Bingham voting Yea, and Commissioner Summers voting Yea.

HUMAN RESOURCES

Early H.S.A. Payment Agreements-Jenica Stander

Human Resource Manager Jenica Stander stated there is an employee needing an early distribution of the HSA payment due to medical expenses.

MOTION: Commissioner Summers made a motion to approve the early HSA payment for an employee. The motion was seconded by Commissioner Bingham and unanimously carried on a roll call vote of Chairman Perry voting Yea, Commissioner Bingham voting Yea, and Commissioner Summers voting Yea.

Updates to the following sections of the Employee Handbook - 5-2 (Discipline Procedures), Section 3 - Job Classification and Wage Scale, and Section 7 - Employee Benefits-Jenica Stander

Human Resource Manager Jenica Stander stated she has been working with Anne in the Attorney's office to make some updates to policies. She said in Section 5-2 they needed to add a level of discipline and add a suspension category which allows a three day suspension without a pre-determination hearing.

MOTION: Commissioner Summers made a motion to approve the policy updates to Section 5-2 regarding discipline procedures. The motion was seconded by Commissioner Bingham and unanimously carried on a roll call vote of Chairman Perry voting Yea, Commissioner Bingham voting Yea, and Commissioner Summers voting Yea.

MOTION: Commissioner Summers made a motion to approve Employee Handbook Section 3 regarding job classification and wage scale. The motion was seconded by Commissioner Bingham and unanimously carried on a roll call vote of Chairman Perry voting Yea, Commissioner Bingham voting Yea, and Commissioner Summers voting Yea.

MOTION: Commissioner Summers made a motion to approve Section 7 regarding employee benefits. The motion was seconded by Commissioner Bingham and unanimously carried on a roll call vote of Chairman Perry voting Yea, Commissioner Bingham voting Yea, and Commissioner Summers voting Yea.

PUBLIC COMMENT (No action will be taken at this time)

Chairman Perry went over the guidelines for the public comment period.

DeAnna Hardy of Brigham City expressed concern that the minutes do not reflect what she says. She said they did not say that the voting electronic sign in pads are easily manipulated and the signatures are distorted. She said the Box Elder Committee of Liberty requests the county go back to a sign in book. She stated she had concerns regarding combining precincts. She said she opposes the Rural Economic Board because they are appointed and not elected. It creates an unfair system and the government should not be involved in business. She suggested nullification to end the board as it is facism and contrary to a republic. She said we need to get rid of socialism in the county.

WARRANT REGISTER – COMMISSIONERS

The Warrant Register was signed and the following claims were approved: Claim numbers 123174 through 123230 in the amount of \$942,439.72 and 123231 through 123273 in the amount of \$323,626.37.

PERSONNEL ACTIONS/VOLUNTEER ACTION FORMS – COMMISSIONERS

Employee Name:	Department:	PA Type:	Effective Date:
BALLARD, CARSON	LANDFILL	NEW HIRE	03/18/2024
YOUNGER, AMELIA	BUILDINGS/GROUNDS	NEW HIRE	02/22/2024
CHRISTENSEN, KELSEY	BUILDINGS/GROUNDS	SEPARATION	02/03/2024
MEIER, SARA	FIRE	CELL PHONE ALLOWANCE	04/01/2024
RHEES, JOSH	FIRE	VOLUNTEER	03/19/2024
BREITENBUECHER, TRICA	FIRE	VOLUNTEER	03/19/2024
HOSKINS, ELSHA	FIRE	VOLUNTEER	03/19/2024
BREITENBUECHER, MONTY	FIRE	VOLUNTEER	03/19/2024
STOCKS, JUSTIN	FIRE	VOLUNTEER	03/19/2024
RICHARDS, KAYCEE	SHERIFF'S OFFICE	COMPENSATION CHANGE	02/15/2024
LOGHRY, ASHLIE	FIRE	NEW HIRE	03/04/2024
GIBBONS, ALEXIS	FIRE	NEW HIRE	03/04/2024
MUNNS, SINTHIA	ELECTIONS	REHIRE	02/29/2024
PETERSEN, JANETTE	ELECTIONS	REHIRE	02/27/2024
MILLER, AMY	ELECTIONS	REHIRE	02/27/2024
BUSBY, MARIA	JUSTICE COURT	SEPARATION	03/15/2024
THOMPSON, CINDY	ROAD DEPARTMENT	SEPARATION	03/15/2024
ROUNDY, KIERSTYN	SHERIFF'S OFFICE	COMPENSATION CHANGE	03/09/2024
OLSEN, JUSTIN	SHERIFF'S OFFICE	SEPARATION	03/12/2024
STANLEY, TRAVIS	SHERIFF'S OFFICE	VOLUNTEER	03/19/2024
PEREZ, SANDY	JUSTICE COURT	NEW HIRE	03/11/2024
WEIDMAN, CLARK	ROAD DEPARTMENT	SEPARATION	03/14/2024

CLOSED SESSION

There was not a closed session.

ADJOURNMENT

A motion was made by Commissioner Summers to adjourn. Commissioner Bingham seconded the motion, and the meeting adjourned at 12:34 p.m.

ADOPTED AND APPROVED in regular session this 3rd day of April 2024.



Lee Perry, Chairman




Boyd Blingham, Commissioner



Stan Summers, Commissioner



ATTEST:



Marla R. Young, Clerk



COUNTY COMMISSION MEETING

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

Tuesday, March 19, 2024 at 11:30 AM

AGENDA

NOTICE: *Public notice is hereby given that the Box Elder County Board of County Commissioners will hold an Administrative/Operational Session commencing at 11:15 A.M. and a regular Commission Meeting commencing at 11:30 A.M. on Tuesday March 19, 2024 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 11:30 A.M.

- A. Invocation Given by: Commissioner Summers
- B. Pledge of Allegiance Given by: Sheriff Kevin Potter
- C. Approve Minutes March 6, 2024

3. ADMINISTRATIVE REVIEW / REPORTS / FUTURE AGENDA ITEMS

4. FORMER AGENDA ITEMS

5. EMERGENCY MANAGEMENT ISSUES

6. ARPA/LATCF

7. PUBLIC INTERESTS / PRESENTATIONS / CONCERNS

- A. 11:38 Proclaim April as Child Abuse Prevention Month-Sterling Marx
- B. 11:43 Fee Waiver for use of Fairgrounds-Sterling Marx
- C. 11:48 Reclassification of 7325 S. Willard Road to a County Road-Nathan Rose
- D. 11:58 Annual Permission to use County Courthouse Parking lot and Grounds for Historic District Events-David Walker

8. AUDITOR'S OFFICE

- A. 12:08 Mobile Home 50% County Abatement-Deborah Lee and Shirlene Larsen
- B. 12:10 Fee Updates-Shirlene Larsen

9. COMMISSIONERS

- A. 12:12 Ratify Signature on Beer Tax Funds Annual Report-Commissioners

10. COMMUNITY DEVELOPMENT

- A. 12:14 Lookout Mountain Subdivision Phase 1- Improvement Agreement-Scott Lyons

11. FIRE DEPARTMENT

- A. 12:16 Hill Airforce Base MOU #24-13-Kevin Lloyd
- B. 12:18 FEPP Contract #24-12 to Allow County to Utilize Federal Excess Personal Property (FEPP) Equipment-Kevin Lloyd

12. TREASURER'S OFFICE

- A. 12:20 Back Taxes owed by Bonneville Quarry-Tristina Brown

13. HUMAN RESOURCES

- A. 12:25 Early H.S.A. Payment Agreements-Jenica Stander
- B. 12:27 Updates to the following sections of the Employee Handbook - 5-2 (Discipline Procedures), Section 3 - Job Classification and Wage Scale, and Section 7 - Employee Benefits-Jenica Stander

14. PUBLIC COMMENT (No action will be taken at this time)

- A. Those wishing to make a public comment shall sign the comment roll and will be responsible for following the rules outlined in the County Commission Rules and Procedures.
- B. Speakers will have one, three (3) minute opportunity to speak regardless of the number of items they wish to address.
- C. Speakers shall address their comments to the County Commission only. This is a time to be heard, there will not be a back and forth dialogue with the Commissioners.
- D. Speakers may file copies of their remarks or supporting information with the County Clerk. The County Clerk will make the information available to the County Commission.

15. WARRANT REGISTER

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

17. CLOSED SESSION

18. ADJOURNMENT

Prepared and posted this 15th day of March, 2024. Mailed to the Box Elder News Journal and the Leader on the 15th of March, 2024. 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 11:30 a.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.

PROCLAMATION

WHEREAS, April is National Child Abuse Prevention Month, a time to recommit to strengthening homes and giving every child a chance to succeed; and

WHEREAS, children are vital to the current and future wellbeing of our County and world; and

WHEREAS, addressing child abuse and neglect is an effort we must undertake as a community; and

WHEREAS, child abuse is a complex issue and ongoing in every community, including in Box Elder County; and

WHEREAS, the Box Elder County Children's Justice Center leads in collaborative efforts to protect each child, advance justice, promote healing, and educate our community; and

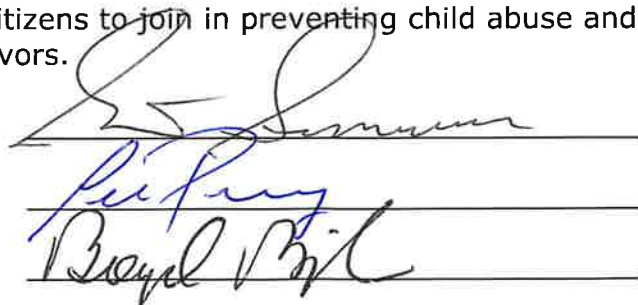
WHEREAS, in 2023 in the Box Elder County Children's Justice Center:

- *Conducted 140 forensic interviews of children reporting abuse*
- *Performed 21 medical exams of children disclosing abuse*
- *Provided 165 hours of trauma focused mental healthcare to aide in healing*

NOW, THEREFORE, we recommit to ensuring that every child grows up in a safe, nurturing environment that is free from abuse and neglect. We, the County Commissioners of Box Elder County, Utah, do hereby proclaim the month of April 2024 as

CHILD ABUSE PREVENTION MONTH

in Box Elder County and urge our citizens to join in preventing child abuse and providing ongoing support for survivors.



The image shows three handwritten signatures in blue ink, each written over a horizontal line. The signatures are cursive and appear to be of the same person or a related group. The top signature is the most prominent, followed by two more below it.



BEER TAX FUNDS ANNUAL REPORT

Report due no later than October 1 following the end of the fiscal year. The Utah Substance Abuse Advisory Council may suspend future payments to an agency for not filing a completed report or failing to use the monies in compliance with UC § 32B-2-4 et seq.

Reporting period: July 1, 2022 - June 30, 2023

Entity Details

<input type="radio"/> Individual municipality	Municipality name
<input checked="" type="radio"/> Multiple municipalities	List included municipalities ¹
Contact Person	Box Elder County; Bear River; Corinne; Deweyville; Elwood; Fielding; Honeyville; Howell; Plymouth; Portage; Snowville
Name Cade	
Title Palmer	
Phone 4357343880	
Email cpalmer@boxeldercounty.org	
Street Address 52 S 1000 W (PO Box 888)	
City Brigham City	
Zip Code 84302	County Box Elder

Funds Available During Reporting Period

Unspent Funds Carried Forward	\$114,748.15	Must match amount on "Carry-over" spreadsheet ²
Reporting Period Distribution	\$68,141.52	Must match amount on "Distribution" spreadsheet ³
Total Available Funds	\$182,889.67	Amount available during reporting period

Amount Spent During Reporting Period ⁴

Prevention	\$0	Evidence-based alcohol-related programs
Treatment	\$0	For offenders with alcohol-related problems
Law Enforcement	\$53,076.00	Alcohol-related
Prosecution	\$0	For alcohol-related cases
Confinement	\$0	For alcohol law offenders
Total Funds Expended	\$53,076.00	

Balance at End of Reporting Period

Total Balance	\$129,813.67	Funds carried over to next reporting period
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Performance Indicators ⁵

All funds spent were on Motorola dash cameras and body worn cameras that will assist deputies in the documentation and prosecution of alcohol related offenses.

Chief Executive Officer

Name Lee B Perry	Phone 4357343347
Title Chairman; County Commission	Email lbperry@boxeldercounty.org

Signature

Lee B Perry
Lee B Perry (Mar 13, 2024 17:12 MDT)

As Chief Executive Officer, I hereby attest the Beer Tax Funds received were used exclusively for programs and projects outlined in UC § 32B-2-4 et seq., and were utilized to supplement any monies otherwise appropriated or available for local government's use for programs and projects described in UC § 32B-2-4 et seq., and were not used to supplant existing funds.

Notes

- 1 List the name(s) of each municipality electing to have funds defaulted to the reporting entity. This information is listed on the "Distribution" spreadsheet. Grouped municipalities are highlighted with a combined total distribution listed. If distribution information has changed, please notify Morgan Williams as soon as possible via email at mvwilliams@utah.gov.
- 2 Any unspent Beer Tax funds can be carried forward from prior reporting periods. This information is listed on the "Carry-over" spreadsheet. Enter \$0 if necessary.
- 3 Funding allocated to the reporting period. This information is listed on the "Distribution" spreadsheet. A separate account code/restricted line item should be listed on the entity's budget showing the amount that was distributed.
- 4 Report *only* Beer Tax funds expended in each category during the reporting period. Enter \$0 if necessary. ***IMPORTANT NOTE: Only include the amounts spent from Beer Tax funds. Any amount spent from the entity's overall budget in excess of the Beer Tax funds distribution should not be reported. If there is a negative amount in the "Total Balance" section below then funding outside of Beer Tax funds has been reported and entries must be revised.
- 5 Provide a short (1-3 sentences) description of how the funds assisted in the efforts to find a balanced approach to reducing the harmful effects of substance abuse, overconsumption of alcoholic products by adults, and alcohol consumption by minors

**CUSTODIAL AGREEMENT FOR LOAN AND USE
OF FEDERAL EXCESS PERSONAL PROPERTY**

In accordance with the regulations set forth in the Participating Agreement between The Utah Division of Forestry, Fire and State Lands (Division) and Box Elder County Fire Service Organization (FSO) both parties mutually agree to abide by the following requirements regarding the provision of Federal Excess Personal Property (FEPP) to the Fire Service Organization by the Division.

A. The Division agrees:

- 1. To screen and acquire equipment for the Fire Service Organization mutually determined to be beneficial to the fire service.
- 2. To loan to the Fire Service Organization FEPP for use in fire protection.
- 3. To carry out the initial licensing and registration for FEPP placed with the FSO. Subsequent annual registration(s) will be the responsibility of the Fire Service Organization.
- 4. To provide an inventory of FEPP equipment the FSO has on record with FFSL, to the FSO by June 1 of each year.
- 5. To provide Federal Excess Property tags and a state identification decal.
- 6. To reimburse the county for FFSL approved usage on lands outside of their FSO jurisdiction at a rate of 66% of the annual published rates identified in the FFSL "Fire Department Manual".

B. The Fire Service Organization agrees:

- 1. To have FEPP in operational condition to function in fire management program assignments within one year of its acquisition.
- 2. To obtain written approval from the Division prior to altering or taking parts (cannibalizing) from any FEPP provided by this agreement. Understanding that the Division must first obtain written permission from the Federal Property Management Officer before granting approval to the FSO for major alterations and cannibalization.
- 3. To notify the Division when any FEPP is no longer needed for fire protection. The Division will make the determination of how disposal will be carried out based on the established procedures of the Federal Government.
- 4. To ensure that all FEPP acquired on loan as provided by this agreement is properly maintained in safe operational condition for response to fires. No FEPP will be equipped or altered to preclude fire suppression from its primary use.
- 5. To ensure that the property is properly stored to prevent freezing and other weather related damage.
- 6. To ensure that all FEPP on loan under this agreement is provided with liability insurance, equal to at least the minimum levels required by Utah State Law.
- 7. To ensure that FEPP on loan under this agreement is identified as Federal Excess Property with property tags and a state identification decal provided by the Division.
- 8. To make available to the Division the equipment provided to the FSO for fires on State, Federal and other lands outside of the Fire Service Organization jurisdiction when requested by FFSL.
- 9. To ensure that FEPP equipment is painted to clearly distinguish it from military equipment within one year of placement.

- 10. To pick up and transport FEPP equipment from the facility where it is located when notified by the Division to do so. If the property is not picked up and transported during the time specified, it may no longer be available to the FSO.
- 11. To return FEPP to a location designated by the Division within 30 days of when it is no longer useful to the FSO or when requested to do so in writing by the Division.
- 12. To allow FFSL access to the FEPP equipment for annual inspection and compliance review.

C. It is mutually agreed:

- 1. The primary use of FEPP loaned to the Fire Service Organization is for use in the fire management program. This property is acquired under regulations which limit non-fire use to less than 10%. Non-fire use will not be planned on a regular basis. If the Division determines the non-fire use to be excessive, the equipment may be reassigned or withdrawn from the Fire Service Organization. Fire use must account for at least 90% of the average annual use of the property.
- 2. Pursuant to federal regulations, the FEPP is owned by and title held by the Federal Government. Title to all FEPP through this agreement remains with the Federal Government and is not transferable.

D. Expiration

This agreement shall be in effect for five (5) years, and must be renewed if the Fire Service Organization signing representative is no longer a representative of the organization.

Box Elder County Fire
FIRE SERVICE ORGANIZATION OFFICIAL NAME

[Signature]
FIRE SERVICE ORGANIZATION OFFICIAL SIGNATURE 4/8/2024
DATE

Kevin Lloyd, Box Elder County Fire Marshal
FIRE SERVICE ORGANIZATION GOVERNING BODY NAME AND TITLE

[Signature]
GOVERNING BODY SIGNATURE 3/19/24
DATE

DIVISION OF FORESTRY, FIRE & STATE LANDS AREA MANAGER NAME

DIVISION OF FORESTRY, FIRE & STATE LANDS AREA MANAGER SIGNATURE _____
DATE

DIVISION OF FORESTRY, FIRE & STATE LANDS DEPUTY FMO NAME

DIVISION OF FORESTRY, FIRE & STATE LANDS DEPUTY FIRE MANAGEMENT OFFICER SIGNATURE _____
DATE

APPROVED AS TO FORM: _____ **DATE** _____
ASSISTANT ATTORNEY GENERAL