

**MINUTES
BOX ELDER COUNTY COMMISSION
APRIL 03, 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 4:45 p.m. on **April 3, 2024**. The following members were present:

Lee Perry	Chairman
Boyd Bingham	Commissioner
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 4:50 p.m.

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

Lee Perry	Chairman
Boyd Bingham	Commissioner
Stan Summers	Commissioner
Marla Young	County Clerk

The prayer was offered by Commissioner Bingham.

The Pledge of Allegiance was led by Attorney Stephen Hadfield.

APPROVAL OF MINUTES

THE MINUTES OF THE REGULAR MEETING OF MARCH 19, 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

Benefits of the Bear River - Commissioner Bingham

Commissioner Bingham asked to have a follow-up report on the benefits of the Bear River on the next agenda.

FORMER AGENDA ITEMS FOLLOW-UP – COMMISSIONERS

There were no Former Agenda Items discussed.

EMERGENCY MANAGEMENT ISSUES

Preparation for Snow Run-Off - Mark Millett

Emergency Manager Mark Millett stated they are checking snowpack levels to prepare for runoff and flooding.

ARPA/LATCF

There were no ARPA/LATCF items discussed.

PUBLIC INTERESTS / PRESENTATIONS / CONCERNS

Presentation on new Economic Dashboard on Chamber Website-Monica Holdaway

Box Elder Chamber of Commerce Executive Director Monica Holdaway gave a presentation of a new feature on their website. She showed the website and the economic statistics it gives for employment, population, and types of industry.

For more information visit boxelderchamber.com.

Main Street Co-op is Requesting Permission to use Court house During the 3rd Friday Live Events-Celeste Muhlestein

Celeste Muhlestein gave the Commissioners an event agenda. She said she wasn't aware that in the last meeting the approval for using the courthouse parking lot had already been approved. She thanked the Commission for their support.

Use of Fairgrounds and Fee Waiver for Fundraiser Roping Benefit-Benjamin Smith

Benjamin Smith of Thatcher explained they are holding a fundraiser event on April 11, 2024. He stated many cowboys will be coming for the event to raise money to help Tanner Haviland who needs a life saving surgery for his kidneys and pancreas. He asked the Commission to waive the fees for the use of the fairgrounds.

MOTION: Commissioner Bingham made a motion to waive the fees associated with the fairgrounds for the fundraiser. The motion was seconded by Commissioner Summers 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

Fraud Risk Assessment-Shirlene Larsen

Auditor Shirlene Larsen presented the annual Fraud Risk Assessment for a signature from the Commission. She stated there were two items suggested for improvement which included statements of ethical behavior by the employees and forming an audit committee. She reported even with the recommendations the county is at low risk of fraud.

COMMISSIONERS

Scheduling Changes To the May Commission Meeting Dates-Commissioners

Chairman Perry stated there is a need to change the May Commission meeting due to UAC meetings. The suggestion was made to hold the meetings on May 15th and May 29th.

MOTION: Commissioner Summers made a motion to change the May meetings to May 15, 2024 as the daytime meeting and May 29, 2024 as the evening meeting. 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.

COMMUNITY DEVELOPMENT

Corridor Preservation Fund-Perry City Reimbursement CPF23-01 1200 South-Scott Lyons

Community Development Director Scott Lyons stated Perry City has requested reimbursement for Corridor Preservation Funds for project #CPF23-01. He explained it is for the 1200 South project to acquire property to extend to HWY 89. Funding was approved in April of 2023 for

\$1,786,000.00 and has come under budget. They are requesting \$1,773,804.50 for reimbursement.

MOTION: Commissioner Summers made a motion to approve the reimbursement for CPF23-01 for Perry City. 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.

County Water Master Plan-Kickoff Meeting April 11th-Scott Lyons

Community Development Director Scott Lyons stated they have scheduled a kickoff meeting on April 11, 2024 to discuss the County Water Master Plan. Providers, Cities, and other stakeholders have been invited to attend. He said the goal is to provide a regional blueprint to work to protect water resources and best management practices. This will help the county and cities incorporate and add the Water Plan to their General Plans. Anyone is invited to attend.

WEED DEPARTMENT

Approval of new Board member Steve Jeppsen to the County Weed Board-Wyatt Freeze

Weed Supervisor Wyatt Freeze explained Brett Selman's term has expired on the County Weed Board. He introduced Steve Jeppsen and stated the board voted to appoint him.

MOTION: Commissioner Bingham made a motion to appoint Steve Jeppsen to the Weed Board for a term of four years. The motion was seconded by Commissioner Summers and unanimously carried on a roll call vote of Chairman Perry voting Yea, Commissioner Bingham voting Yea, and Commissioner Summers voting Yea.

SHERIFF'S OFFICE

Amended Forest Service Agreement #24-14-Sheriff Kevin Potter

Chief Deputy Sheriff Cade Palmer stated in a prior meeting the Commission approved an agreement that initially funded \$3,000.00 for patrol in the Cache and Sawtooth National Forests. The amendment adds the additional \$3,000.00 appropriated by congress.

MOTION: Commissioner Summers made a motion to approve Agreement #24-14. 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 - Agreement #24-14

TREASURER'S OFFICE

Back Taxes Owed by Bonneville Quarry-Tristina Bown

Tristina Bown stated the amount of taxes due is \$38,000.00 and the interest is \$46,000. She said they can never get ahead because of the back interest, nothing gets applied to the principle. She asked for forgiveness of the interest and they would make larger payments toward the principle.

Attorney Stephen Hadfield gave a brief history of the prior request for relief of interest. He stated that in 2017 the Commission granted a one year freeze on the interest. The county did their part and credited the amount from the freeze.

Treasurer Shaun Thorney explained the bulk of the amount is due to penalties and interest dating back to 2005. He said it is a centrally assessed tax and they don't own the ground, they are taxed on the mining product. He said it would be a hard thing for a small business to pay when it goes back that many years. He explained payments are applied to the current year first and the current stuff is mostly paid.

MOTION: Commissioner Bingham made a motion to waive the penalty and interest up to 2015 contingent upon the payment being increased to \$1,000.00 per month and if not paid it will revert back to include the penalty and interest. The motion was seconded by Commissioner Summers and unanimously carried on a roll call vote of Chairman Perry voting Yea, Commissioner Bingham voting Yea, and Commissioner Summers voting Yea.

HUMAN RESOURCES

Update to Policy 6 - Grievances-Jenica Stander

Human Resource Manager Jenica Stander explained the update to Policy 6 includes a retaliation clause added to the grievance policy.

MOTION: Commissioner Summers made a motion to approve the update to Policy 6. 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.

TOURISM OFFICE

Commission Approval of Tourism Tax Advisory Board Grant Recommendations-Joanie Hammer

Tourism Director Joan Hammer and Board Member Matt Hansen presented the recommendations for the TTAB grant. Mr. Hansen stated there were \$250,000.00 in requests with \$180,000.00 to spend. He explained the money for the grant comes from hotel and restaurant taxes..

MOTION: Commissioner Bingham made a motion to approve the TTAB Board recommended grants. The motion was seconded by Commissioner Summers 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 - TTAB Grants

ATTORNEY'S OFFICE

Request for On Call Pay for County Victim Advocates - Cheryl Burgan

Cheryl Burgan, Victim Advocate, explained the state is requiring an on-call on-scene response for some situations. She explained they will need an increase of \$3,456.00 in their budget to cover the costs associated.

MOTION: Commissioner Bingham made a motion to approve the requested increase of \$3,456.00 for the Victim Advocates. The motion was seconded by Commissioner Summers and unanimously carried on a roll call vote of Chairman Perry voting Yea, Commissioner Bingham voting Yea, and Commissioner Summers voting Yea.

Public comment period

Chairman Perry read the guidelines for Public Comment Period.

DeAnna Hardy of Brigham City said when Van Jones was in President Obama's administration, he stated that he wanted everyone connected to broadband. She said she questioned why. She stated it is clear now that it was to bring China's social credit score to America. She spoke about

how people did not want smart meters on their homes as they are an invasion of privacy. She feels broadband is another way for the government to control the masses through tyrannical social credit scoring. She said the Box Elder Committee of Liberty opposes the government controlled broadband and using tax dollars to fund it.

The Commissioners recessed to hold an MBA meeting.

MOTION: Commissioner Bingham made a motion to move into an MBA meeting. The motion was seconded by Commissioner Summers and an MBA meeting convened.

WARRANT REGISTER – COMMISSIONERS

The Warrant Register was signed and the following claims were approved: Claim numbers 123274 through 123337 in the amount of \$666,909.56 and 123338 through 123348 and 123357 through 123383 in the amount of \$231,089.38.

PERSONNEL ACTIONS/VOLUNTEER ACTION FORMS – COMMISSIONERS

Employee Name:	Department:	PA Type:	Effective Date:
ESTES, JOSHUA	SHERIFF'S OFFICE	SEPARATION	03/13/2024
DERRICOTT, DAVID	FIRE MARSHAL	VOLUNTEER	04/03/2024
BILLINGS, CHARLOTTE	FIRE MARSHAL	VOLUNTEER	04/03/2024
GIDDINGS, DANIEL	FIRE MARSHAL	VOLUNTEER	04/03/2024
GIDDINGS, JENNIFER	FIRE MARSHAL	VOLUNTEER	04/03/2024
JEPPSEN, MATTHEW	FIRE MARSHAL	VOLUNTEER	04/03/2024
KELLER, BRENT	FIRE MARSHAL	VOLUNTEER	04/03/2024
HODKINS, WILLIAM	FIRE MARSHAL	VOLUNTEER	04/03/2024
BUXTON, RYAN	FIRE MARSHAL	VOLUNTEER	04/03/2024
BODILY, FLOYD LEON	FIRE MARSHAL	VOLUNTEER	04/03/2024
RISER, MALINA	FIRE MARSHAL	VOLUNTEER	04/03/2024
SORENSEN, VON	FIRE MARSHAL	VOLUNTEER	04/03/2024
TOONE, CARSON	FIRE MARSHAL	VOLUNTEER	04/03/2024
RISER, KARSON	FIRE MARSHAL	VOLUNTEER	04/03/2024
DAVENPORT, JUSTIN	FIRE MARSHAL	VOLUNTEER	04/03/2024
ANDERSEN, RYAN	FIRE MARSHAL	VOLUNTEER	04/03/2024
BODILY, KATELYN	FIRE MARSHAL	VOLUNTEER	04/03/2024
BRAMMER, CASSIDY LEE	FIRE MARSHAL	VOLUNTEER	04/03/2024
NORMAN, CLINT	FIRE MARSHAL	VOLUNTEER	04/03/2024
RICHEY, JOSEPH	FIRE MARSHAL	VOLUNTEER	04/03/2024
STRATTON, CHASE	ATTORNEY'S OFFICE	STATUS CHANGE	03/25/2024
BRIMBERRY, TAYLOR	FIRE MARSHAL	STATUS CHANGE	02/15/2024
RICHARDS, TODD	FIRE MARSHAL	STATUS CHANGE	02/15/2024
RICHARDS, CHRISTOPHER	FIRE MARSHAL	STATUS CHANGE	02/15/2024
RICHARDS, JESSICA	FIRE MARSHAL	STATUS CHANGE	02/15/2024
GIBBS, RENO	FAIRGROUNDS	COMPENSATION CHANGE	03/10/2024
CAPELL, JOSHUA	AUDITOR'S OFFICE	CELL PHONE ALLOWANCE	04/01/2024
MUND, JORDAN	TREASURER'S OFFICE	SEPARATION	03/29/2024
MADSEN, RICHARD	LANDFILL	SEPARATION	03/29/2024
HENDRICKS, JULIE	JUSTICE COURT	STATUS CHANGE	03/27/2024
HENDRICKS, JULIE	ELECTIONS	STATUS CHANGE	03/29/2024

8

DELEON, ASHLEY	TREASURER'S OFFICE	NEW HIRE	04/09/2024
BURGAN, CHERYL	VICTIM SERVICES	COMPENSATION CHANGE	04/08/2024
CLUFF, MICHELLE	VICTIM SERVICES	COMPENSATION CHANGE	04/08/2024
TALLANT, TAMIE	VICTIM SERVICES	COMPENSATION CHANGE	04/08/2024
GORDON, KATIE	FIRE MARSHAL	STATUS CHANGE	02/15/2024

CLOSED SESSION

Strategy session to discuss pending or reasonably imminent litigation.

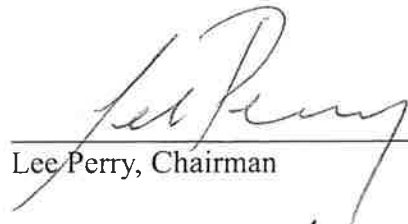
MOTION: At 6:06 p.m. a motion was made by Commissioner Summers to move into a closed session. The motion was seconded by Commissioner Bingham and unanimously carried.

MOTION: At 6:40 p.m. a motion was made by Commissioner Summers to reconvene into regular commission meeting. Commissioner Bingham seconded the motion. The motion carried unanimously and regular commission meeting was reconvened.

ADJOURNMENT

A motion was made by Commissioner Bingham to adjourn. Commissioner Summers seconded the motion, and the meeting adjourned at 6:40 p.m.

ADOPTED AND APPROVED in regular session this 17th day of April 2024.



Lee Perry, Chairman



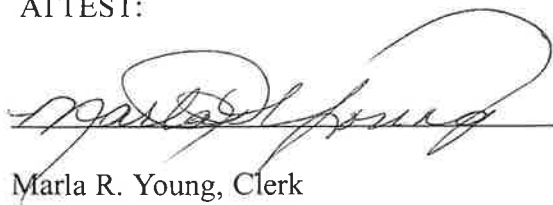
Boyd Bingham, Commissioner



Stan Summers, Commissioner



ATTEST:



Marla R. Young, Clerk



COUNTY COMMISSION MEETING

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

Wednesday, April 03, 2024 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 April 3, 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 5:00 P.M.

- A. Invocation Given by: Commissioner Bingham
- B. Pledge of Allegiance Given by: County Attorney Steve Hadfield
- C. Approve Minutes March 19, 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. 5:08 Presentation on new Economic Dashboard on Chamber Website-Monica Holdaway
- B. 5:18 Main Street Co-op is Requesting Permission to use Court house During the 3rd Friday Live Events-Celeste Muhlestein
- C. 5:23 Use of Fairgrounds and Fee Waiver for Fundraiser Roping Benefit-Benjamin Smith

8. AUDITOR'S OFFICE

- A. 5:28 Fraud Risk Assessment-Shirlene Larsen

9. COMMISSIONERS

- A. 5:31 Scheduling Changes To the May Commission Meeting Dates-Commissioners

10. COMMUNITY DEVELOPMENT

- A. 5:34 Corridor Preservation Fund-Perry City Reimbursement CPF23-01 1200 South-Scott Lyons
- B. 5:36 County Water Master Plan-Kickoff Meeting April 11th-Scott Lyons

11. WEED DEPARTMENT

- A. 5:41 Approval of new Board member Steve Jeppsen to the County Weed Board-Wyatt Freeze

12. SHERIFF'S OFFICE

- A. 5:43 Amended Forest Service Agreement #24-14-Sheriff Kevin Potter

13. TREASURER'S OFFICE

- A. 5:45 Back Taxes Owed by Bonneville Quarry-Tristina Bown

14. HUMAN RESOURCES

- A. 5:50 Update to Policy 6 - Grievances-Jenica Stander

15. TOURISM OFFICE

- A. 5:52 Commission Approval of Tourism Tax Advisory Board Grant Recommendations-Joanie Hammer

16. ATTORNEY'S OFFICE

- A. 5:57 Request for On-Call Pay for the County Victim Advocates -Cheryl Burgan

17. 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.

18. WARRANT REGISTER

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

20. CLOSED SESSION

21. ADJOURNMENT

Prepared and posted this 29th day of March, 2024. Mailed to the Box Elder News Journal and the Leader on the 29th 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 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.



MODIFICATION OF GRANT OR AGREEMENT

1. U.S. FOREST SERVICE GRANT/AGREEMENT NUMBER: 21-LE-11041914-005	2. RECIPIENT/COOPERATOR GRANT or AGREEMENT NUMBER, IF ANY:	3. MODIFICATION NUMBER: 004
4. NAME/ADDRESS OF U.S. FOREST SERVICE UNIT ADMINISTERING GRANT/AGREEMENT (unit name, street, city, state, and zip + 4): U.S. Forest Service, Region 4 324 25 th Street Ogden, UT 84401	5. NAME/ADDRESS OF U.S. FOREST SERVICE UNIT ADMINISTERING PROJECT/ACTIVITY (unit name, street, city, state, and zip + 4): U.S. Forest Service 1405 Hollipark Drive Idaho Falls, ID 83401	7. RECIPIENT/COOPERATOR'S HHS SUB ACCOUNT NUMBER (For HHS payment use only):
6. NAME/ADDRESS OF RECIPIENT/COOPERATOR (street, city, state, and zip + 4, county): County of Box Elder 1 S Main ST Brigham City, Utah 83402-2548		

8. PURPOSE OF MODIFICATION

CHECK ALL THAT APPLY:	This modification is issued pursuant to the modification provision in the grant/agreement referenced in item no. 1, above.
<input type="checkbox"/>	CHANGE IN PERFORMANCE PERIOD:
<input checked="" type="checkbox"/>	CHANGE IN FUNDING: Increase Obligations by \$3,000.00
<input checked="" type="checkbox"/>	ADMINISTRATIVE CHANGES: Add Program Contact see Box 9.
<input type="checkbox"/>	OTHER (Specify type of modification):

Except as provided herein, all terms and conditions of the Grant/Agreement referenced in 1, above, remain unchanged and in full force and effect.

9. ADDITIONAL SPACE FOR DESCRIPTION OF MODIFICATION (add additional pages as needed):

Provisions of the Agreement are modified as follows:

Update Exhibit A for 2024 Operating and Financial Plan

Remove Martin Budzynski as Program Contact.

Add
Tawney Lynn Myers, Captain
Ogden Ranger District
507 25TH ST, STE 103
Ogden, Utah 84401-2485
(801) 625-5835
Email tawnylynn.myers@usda.gov



10. ATTACHED DOCUMENTATION (Check all that apply):

<input type="checkbox"/>	Revised Scope of Work
<input type="checkbox"/>	Revised Financial Plan
<input checked="" type="checkbox"/>	Other: Operating and Financial Plan and Addendum A

11. SIGNATURES



AUTHORIZED REPRESENTATIVE: BY SIGNATURE BELOW, THE SIGNING PARTIES CERTIFY THAT THEY ARE THE OFFICIAL REPRESENTATIVES OF THEIR RESPECTIVE PARTIES AND AUTHORIZED TO ACT IN THEIR RESPECTIVE AREAS FOR MATTERS RELATED TO THE ABOVE-REFERENCED GRANT/AGREEMENT.

11.A. BOX ELDER COUNTY SIGNATURE  (Signature of Signatory Official)	11.B. DATE SIGNED 4/5/24	11.C. U.S. FOREST SERVICE SIGNATURE DAVID WHITTEKIEND <small>Digitally signed by DAVID WHITTEKIEND Date: 2024.04.04 16:31:57 -06'00'</small> (Signature of Signatory Official)	11.D. DATE SIGNED
11.E. NAME (type or print): LEE PERRY, Chairman		11.F. NAME (type or print): DAVE WHITTKIEND	
11.G. TITLE (type or print): County Board of Commissioners		11.H. TITLE (type or print): Forest Supervisor, Unita-Wasatch-Cache National Forest	
11.I. BOX ELDER COUNTY SHERIFF SIGNATURE  (Signature of Signatory Official)	11.J. DATE SIGNED 4/3/24	11.K. U.S. FOREST SERVICE SIGNATURE LARRY HALL <small>Digitally signed by LARRY HALL Date: 2024.04.08 09:04:50 -06'00'</small> (Signature of Signatory Official)	11.L. DATE SIGNED
11.M. NAME (type or print): KEVIN POTTER		11.N. NAME (type or print): LARRY HALL	
11.O. TITLE (type or print): Sheriff		11.P. TITLE (type or print): Special Agent in Charge	

12. G&A REVIEW

12.A. The authority and format of this modification have been reviewed and approved for signature by: ROBERT BUTLER <small>Digitally signed by ROBERT BUTLER Date: 2024.03.20 23:57:44 -06'00'</small> ROBERT BUTLER U.S. Forest Service Grants & Agreements Specialist	12.B. DATE SIGNED
--	--------------------------

Burden Statement

According to the Paperwork Reduction Act of 1995, an agency may not conduct or sponsor, and a person is not required to respond to a collection of information unless it displays a valid OMB control number. The valid OMB control number for this information collection is 0596-0217. The time required to complete this information collection is estimated to average 30 minutes per response, including the time for reviewing instructions, searching existing data sources, gathering and maintaining the data needed, and completing and reviewing the collection of information.

The U.S. Department of Agriculture (USDA) prohibits discrimination in all its programs and activities on the basis of race, color, national origin, age, disability, and where applicable, sex, marital status, familial status, parental status, religion, sexual orientation, genetic information, political beliefs, reprisal, or because all or part of an individual's income is derived from any public assistance. (Not all prohibited bases apply to all programs.) Persons with disabilities who require alternative means for communication of program information (Braille, large print, audiotape, etc.) should contact USDA's TARGET Center at 202-720-2600 (voice and TDD).

To file a complaint of discrimination, write USDA, Director, Office of Civil Rights, 1400 Independence Avenue, SW, Washington, DC 20250-9410 or call toll free (866) 632-9992 (voice). TDD users can contact USDA through local relay or the Federal relay at (800) 877-8339 (TDD) or (866) 377-8642 (relay voice). USDA is an equal opportunity provider and employer.



FS Agreement No. 21-LE-11041914-005

Cooperator Agreement No. _____

EXHIBIT A

**COOPERATIVE LAW ENFORCEMENT OPERATING & FINANCIAL PLAN
Between The
County of Box Elder
And the
USDA, FOREST SERVICE
UINTA-WASATCH-CACHE NATIONAL FOREST**

2024 OPERATING AND FINANCIAL PLAN

This Financial and Operating Plan (Operating Plan), is hereby made and entered into by and between the County of Box Elder, hereinafter referred to as “the cooperator,” and the United States Department of Agriculture (USDA), Forest Service, Uinta-Wasatch-Cache National Forest,, hereinafter referred to as the “U.S. Forest Service,” under the provisions of Cooperative Law Enforcement Agreement # #21-LE-11041914-005. This Operating and Financial Plan is made and agreed to as of the last signature date on the Cooperative Law Enforcement Agreement and is in effect through , September 30, 2025, unless modified during the annual review.

Previous Year Carry-over: \$15,000.00
Current FY2024 Year Obligation: \$3,000.00
FY2024 Total Available: \$18,000.00
Mod 004

I. GENERAL:

- A. The following individuals shall be the designated and alternate representative(s) of each party, so designated to make or receive requests for special enforcement activities.

Principal Cooperator Contacts:

Cooperator Program Contact	Cooperator Administrative Contact
Kevin Potter Sheriff Box Elder County Sheriff’s Office 52 South 1000 West Brigham City, Utah 84302-0888 (435) 734-3818 Email: kbpotter@boxeldercounty.org	Cade Palmer 52 South 1000 West Brigham City, Utah 84302-0888 435-734-3880 Email: cpalmer@boxeldercounty.org

Principal U.S. Forest Service Contacts:



U.S. Forest Service Program Manager Contact	U.S. Forest Service Administrative Contact
Ragan Hall, Supervisory Administrative Specialist 324 25th Street Ogden, UT 84401 Telephone: (801) 625-5780 Email: ragan.hall@usda.gov	Robert Butler 324 25 th ST Ogden, Utah 84401 Email: Robert.butler@usda.gov
Tawny Myers Law Enforcement Officer Ogden Ranger District 507 25th Street, Suite 103 Ogden, Utah 84401-2485 Telephone: (801) 625-5835 Email: tawnylynn.myers@usda.gov	

B. Reimbursement for all types of enforcement activities shall be at the following rates unless specifically stated otherwise:

Vehicle mileage will be paid at the prevailing rate.

Wages at the prevailing rate plus applicable fringe benefits.

Please send an invoice that displays actual expenditures to date of the invoice, displayed by separate costs elements, with documentation to support the number of hours worked along with patrol logs or other supporting information.

II. PATROL ACTIVITIES:

A. Time schedules for patrols will be flexible to allow for emergencies, other priorities, and day-to-day needs of both Cooperator and the U.S. Forest Service. Ample time will be spent in each area to make residents and visitors aware that law enforcement officers are in the vicinity.

1. Patrol on following U.S. Forest Service roads:

Patrol areas on the Uinta-Wasatch-Cache National Forest within Box Elder County with emphasis on Box Elder Canyon, Willard Basin/Dock Flat area and the Wasatch Front area between Deweyville and Willard.

Patrol areas on the Sawtooth National Forest within Box Elder County with emphasis on Clear Creek and One Mile camping and recreation areas in the Raft River Division of the Forest.



2. Patrol in the following campgrounds, developed sites, or dispersed areas:

All campground and developed sites, and dispersed areas in the Uinta-Wasatch-Cache and Sawtooth National Forest areas within Box Elder County.

Total reimbursement for this category shall not exceed the amount of: **\$18,000.00**.

III. TRAINING:

See Cooperative Law Enforcement Agreement Provision IV-K for additional information.

Total reimbursement for this category shall not exceed the amount of: **\$0.00**

IV. EQUIPMENT:

See Cooperative Law Enforcement Agreement Provisions IV-K, IV-L, and IV-M for additional information.

Total reimbursement for this category shall not exceed the amount of: **\$0.00**

V. SPECIAL ENFORCEMENT SITUATIONS:

A. Special Enforcement Situations include but are not limited to: Fire Emergencies, Drug Enforcement, and certain Group Gatherings.

B. Funds available for special enforcement situations vary greatly from year to year and must be specifically requested and approved prior to any reimbursement being authorized. Requests for funds should be made to the U.S. Forest Service designated representative listed in Item I-A of this Operating Plan. The designated representative will then notify the cooperator whether funds will be authorized for reimbursement. If funds are authorized, the parties will then jointly prepare a revised Operating Plan.

1. Drug Enforcement: This will be handled on a case-by-case basis. The request will normally come from the patrol Captain; however, it may come from the Special Agent in Charge or their designated representative. Reimbursement shall be made at the rates specified in Section I-B. Deputies assigned to the incident will coordinate all of their activities with the designated officer in charge of the incident.

2. Fire Emergency: During emergency fire suppression situations and upon request by the U.S. Forest Service pursuant to an incident resource order, the Cooperator agrees to provide special services beyond those provided under Section II-A, within the Cooperator's resource capabilities, for the enforcement of State and local laws related to the protection of persons and their property. The Cooperator will be compensated at the rate specified in Section I-B; the U.S. Forest Service will specify times and schedules. Upon concurrence of the local patrol Captain or



their designated representative, an official from the Incident Management Team managing the incident, Cooperator personnel assigned to an incident where meals are provided will be entitled to such meals.

Addendum A (attached) provides the specific information on the procedures and requirements for requesting Fire Reimbursements from the U.S. Forest Service. Any questions or clarifications necessary concerning incident/fire emergencies should be directed to the Grants Management Specialist listed under the U.S. Forest Service Administrative Contacts.

3. **Group Gatherings:** This includes but is not limited to situations which are normally unanticipated, or which typically include very short notices, large group gatherings such as rock concerts, demonstrations, and organization rendezvous. Upon authorization by a U.S. Forest Service representative listed in Section I-A for requested services of this nature, reimbursement shall be made at the rates specified in Section I-B. Deputies assigned to this type of incident will normally coordinate their activities with the designated officer in charge of the incident.

This includes but is not limited to situations which are normally unanticipated, or which typically include very short notice, large group gatherings such as rock concerts, demonstrations, and organizational rendezvous.

VI. BILLING FREQUENCY:

See Cooperative Law Enforcement Agreement Provisions II-H and III-B for additional information.

- A. Billing frequency is no more than quarterly and no longer than annually. Cooperator is approved to submit lump sum billing once all expenditures are complete for the annual operating period. The U.S. Forest Service will make payment for project costs upon receipt of an invoice and completed Form FS-5300-5, Cooperative Law Enforcement Activity Report. Each correct invoice shall display Cooperator actual expenditures to date. The invoice should be forwarded as follows, with preference on e-mail:

Submit original invoice(s) for payment to:

Copy to: Ragan Hall at
USDA, Forest Service
ragan.hall@usda.gov

Albuquerque Service Center
Payments – Grants & Agreements
4000 Masthead St. NE
Albuquerque, NM 87109
Fax 877-687-4894
E-Mail: sm.fs.asc_ga@usda.gov



- B. The following is a breakdown of the total estimated costs associated with this Operating Plan.

Category	Estimated Costs	Not to Exceed by %
Patrol Activities	\$18,000.00	
Training		
Equipment		
Special Enforcement Situations		
Total	\$18,000.00	

- C. Any remaining funding in this Operating Plan may be carried forward to the next f year and will be available to spend through the term of the Cooperative Law Enforcement Agreement, or deobligated at the request of the U.S. Forest Service. *See Cooperative Law Enforcement Agreement Provision IV-C.*

Addendum A

**U.S. Forest Service Fire Emergency Language & Billing Protocol
Coop Law Enforcement Agreements / Operating & Financial Plan**

Fire Emergencies:

During fire emergencies, the U.S. Forest Service will reimburse the County for actual costs incurred while the County is providing assistance requested by either the Agency Administrator or Incident Commander.

Reimbursement for personnel wages and services are based upon the information in the resource order and must identify the number of roadblocks, number of personnel required, hours and time frame required and must be ordered by the Incident Commander or Agency Administrator. A copy of the resource order generated for the request for assistance will be provided by the U.S. Forest Service dispatch to the County. It is critically important that the Incident Management Team, Agency Administrator, and the Sheriff /County Official agree to what emergency services are needed and listed in the Resource Order and Incident Action Plans for each day until this resource is no longer required.

Upon request of the Agency Administrator or Incident Commander, a County designated Liaison(s) to the fire incident(s) may be established. The liaison will be requested via an incident resource order. The liaison(s) primary duties, on behalf of the County Sheriff, will be to attend public meetings, planning and Incident Command meetings. Eligible costs for reimbursement will include personnel time.

If meals and lodging are required for county officials, authorization must be documented using the standard fire meals and lodging authorization forms provided by the host fire unit. Cooperator personnel directly assigned to the incident by a resource order will be entitled to meals that are provided on the incident.

Administrative support (e.g. posting incident time, delivering meals, bill preparation, etc.) will be reimbursed on an actual cost basis. The County will prepare and submit an itemized accounting of actual cost as part of the reimbursement request.

What is not eligible for reimbursement?

1. Law enforcement duties that are within the normal jurisdictional responsibilities such as enforcement, patrols, evacuation. 2. Automotive repairs, tires, and services are covered in the prevailing wage rate as identified in the OP Provision I. B.

Billing Protocol:

Documentation required to be submitted by the County to the FS for payment processing:

- Resource Order. Resource order will state what kind of assistance is ordered, how many people requested, and the time period for the services as ordered by the IC or Agency Administrator.
- Copy of Cooperative Law Enforcement Agreement and Operating & Financial Plan.
- UEI number.
- Active status in System for Award Management (SAM).
- Tax ID number.
- Breakout of actual costs:
 - Salary – Daily Crew Time Reports, Payroll summary by hours per day or timesheets of personnel.
 - Supplies – Copies of receipts with date and description of items purchased and FS authorization (S# or FS Signature) for purchase.
 - Mileage – Summary by day by vehicle and personnel using the vehicle.

- Incident Action Plans – copies of plans that document assignment to that incident.
- Map of roadblock locations.

**BILLINGS ARE NOT TO BE SUBMITTED TO THE EMAIL
(SM.FS.ASC_GA@USDA.GOV) UNDER THE OBLIGATION ESTABLISHED THROUGH
THE COOPERATIVE LAW ENFORCEMENT AGREEMENT.**

Please coordinate remittance of billings to the Albuquerque Service Center, Incident Finance Branch through the local Fire Incident Business Manager:

**Name: Kimberly Whalen,
Deputy Regional Incident Business Coordinator
c/o Great Basin Coordination Center**

Location/Address: 401 Jimmy Doolittle Road, Suite 202, Salt Lake City, UT 84116.
Email: Kimberly.whalen@usda.gov .

Invoices must include the information identified above in the Billing Protocol section in order to be processed in a timely manner.

Burden Statement

According to the Paperwork Reduction Act of 1995, an agency may not conduct or sponsor, and a person is not required to respond to a collection of information unless it displays a valid OMB control number. The valid OMB control number for this information collection is 0596-0217. The time required to complete this information collection is estimated to average 3 hours per response, including the time for reviewing instructions, searching existing data sources, gathering and maintaining the data needed, and completing and reviewing the collection of information.

The U.S. Department of Agriculture (USDA) prohibits discrimination in all its programs and activities on the basis of race, color, national origin, age, disability, and where applicable, sex, marital status, familial status, parental status, religion, sexual orientation, genetic information, political beliefs, reprisal, or because all or part of an individual's income is derived from any public assistance. (Not all prohibited bases apply to all programs.) Persons with disabilities who require alternative means for communication of program information (Braille, large print, audiotape, etc.) should contact USDA's TARGET Center at 202-720-2600 (voice and TDD).

To file a complaint of discrimination, write USDA, Director, Office of Civil Rights, 1400 Independence Avenue, SW, Washington, DC 20250-9410 or call toll free (866) 632-9992 (voice). TDD users can contact USDA through local relay or the Federal relay at (800) 877-8339 (TDD) or (866) 377-8642 (relay voice). USDA is an equal opportunity provider and employer.

2024 TTAB Standard Grant Applications

Organization	Grant Description	Amount Requested	Amount Awarded
Bear River Town Corp	Bear River City Park Safety Lighting Project	\$ 50,000.00	\$25,000.00
Box Elder Junior Livestock	TV monitors for displaying sales order in two arenas	\$ 3,299.94	\$1,500.00
Box Elder United FC	Golden Spike Classic Tournament	\$ 10,000.00	\$ 10,000.00
Brigham City Corp	Historic Downtown Lighting Attraction	\$ 60,000.00	\$ 50,000.00
Corinne City	Golden Spike Gateway Trail	\$ 30,000.00	\$ 15,000.00
Heritage Community Theatre	Light and Sound Support	\$ 10,000.00	\$ 10,000.00
Historic Downtown Brigham City	Art on Main	\$ 7,500.00	\$ 5,500.00
Idaho District Nine High School Rodeo Association	District 9 High School Rodeos held at BECF during April	\$ 5,800.00	\$ 5,800.00
Main Street Playhouse	Sound equipment, new computer, and handheld mics	\$ 10,000.00	\$ 10,000.00
Mautua Town Parks & Trails	Phase 3 Pickleball courts, tennis courts and a pavilion with playground equip	\$ 30,000.00	\$ 15,000.00
Mountain Valley Ranch Horse Shows	Mountain Valley Ranch Horse Shows	\$ 5,000.00	\$ 2,500.00
Old Barn Community Theatre	Updating failing cables, lights microphones, etc.	\$ 26,554.61	\$ 26,000.00
Professional Miniature Bull Rider Association	Children from 11 states compete at BECF at the PMBR during November. Participants use local hotels, restaurants and rv parks.	\$ 3,500.00	\$ 3,500.00
		\$ 251,654.55	\$ 179,800.00