

**MINUTES  
BOX ELDER COUNTY COMMISSION  
APRIL 17, 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 **April 17, 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 11:22 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
Stan Summers	Commissioner
Marla Young	County Clerk

The prayer was offered by Chairman Perry.

The Pledge of Allegiance was led by Treasurer Shaun Thornley.

**APPROVAL OF MINUTES**

**THE MINUTES OF THE REGULAR MEETING OF APRIL 03, 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**

**TRUECORE Ribbon Cutting - Commissioner Summers**

Commissioner Summers reported that TRUECORE, which is the tenth division of Nucor, held a ribbon cutting. He stated they are a great addition to the community.

**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**

Auditor Shirlene Larsen shared a report of the projects and funding from ARPA. She recommended reviewing it quarterly.

**BOX ELDER COUNTY EMPLOYEE RECOGNITION**

Chairman Perry stated they received several recommendations for Randy Petersen, Kirk Ward, and Tyson Green as employees of the month. He read recommendations for how they quickly responded to a potential safety issue in the courthouse and found solutions. The Commissioners presented Randy Petersen, Kirk Ward, and Tyson Green with certificates.

**PUBLIC INTERESTS / PRESENTATIONS / CONCERNS**

**Use of Courthouse Parking Lot for the Spade and Hope Garden Club for May 11, 2024**

**-Jodi Peterson**

Jodi Peterson, representing the Spade and Hope Garden Club, stated their annual plant sale is scheduled for May 11, 2024 from 7:00 a.m. to 11:00 a.m. She asked the Commission for permission to use the courthouse parking lot for the event.

**MOTION:** Commissioner Summers made a motion to allow the Spade and Hope Garden Club to use the courthouse parking lot for their plant sale. 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'S OFFICE**

**Willard Cemetery Service District Resolution #24-02 Increasing the Size of the Board-Marla Young**

Clerk Marla Young stated the Willard Cemetery District has gone through the process to increase the size of their board from three members to five. She stated the board advertised for the two new board member positions and they received two applicants. She suggested Rew Wiley and Marsha Christopherson be appointed to the board.

**MOTION:** Commissioner Bingham made a motion to approve Resolution #24-02 to increase the size of the Willard Cemetery Board and appoint Rew Wiley and Marsha Christopherson to the board. 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. 2 - Resolution #24-02**

**Resolution #24-03 Reappointing Members to Special Service Districts in Box Elder County-Marla Young**

Clerk Marla Young presented the names of board members from multiple special service districts to be appointed and reappointed. She thanked the board members for being willing to serve.

**MOTION:** Commissioner Bingham made a motion to approve Resolution #24-03 appointing and reappointing board members to special service districts. 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 - Resolution #24-03**

**COMMISSIONERS**

**Report on the Economic Benefits of the Bear River System-Nathan Daug**

Nathan Daug, Manager of Cache Water District, stated they have done a study similar to the study done on the Great Salt Lake collecting data of the benefits of the Bear River. He reported the biggest generator monetarily is agriculture. Other benefits include dairy, power, and recreation. He gave statistics of job salaries, direct crop sales, and goods exported from the tri-counties. He said the Bear River is the greatest inflow to the Great Salt Lake. On an annual basis it is 30% to 40% of the inflow. He stated when we hit drought again, the legislature will want to implement ways to save the lake and hopefully this study will help them to see the need and benefits of the Bear River.

Commissioner Bingham expressed the need to have enough water and products to take care of the needs of the people who live here.

**Forgiveness of Taxes on Parcel #03-115-0053-Mark Bradley**

Mark Bradley, City Planner for Brigham City Corporation, explained the situation on parcel #03-115-0053. He said a subdivision was dedicated and a protection strip was created, but wasn't dedicated. The owner has passed away and there are some other unusual circumstances. He asked the Commission to forgive the back taxes in the amount of \$133.42.

**MOTION:** Commissioner Summers made a motion to grant forgiveness of taxes on parcel #03-115-0053. 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.

**Juneteenth Holiday-Commissioners**

Chairman Perry stated the State of Utah was potentially going to be closed on June 19th for the Juneteenth holiday and it was posing an issue with Motor Vehicles for support. It turns out the state will be observing the holiday on June 17, 2024 so the county does not need to change their holiday schedule.

## **COMMUNITY DEVELOPMENT**

### **Corridor Preservation Fund-Amend 2024 Priority List-Scott Lyons**

County Planner Marcus Wager explained the Corridor Preservation Fund Priority List was approved in a prior Commission meeting. The COG recently approved an amendment for Elwood Town adding a construction project on 10400 N 5200 W to 5950 W.

**MOTION:** Commissioner Summers made a motion to approve the amended 2024 Priority List for the Corridor Preservation Fund. 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.

### **CPF24-03 Tremonton & Box Elder County Transportation Planning-Scott Lyons**

County Planner Marcus Wager stated they received an application from Tremonton City and Box Elder County as part is in the city and part is in the unincorporated area. The original bid was in 2022 and they requested \$40,000, but due to inflation and the scope of work, the request has increased to \$60,000.00. It is for a Transportation Master Plan.

**MOTION:** Commissioner Bingham made a motion to approve Project CPF24-03. 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.

## **BUILDINGS & GROUNDS**

### **Discussion of the Quote for Restroom and Ticket Building at the Fairgrounds and the Quote for only the Restrooms-Codey Illum**

Chief Building Official Codey Illum stated the original design for the restroom and ticket building was cinder block. NUCOR gave a discounted bid for a steel building. The bid with the NUCOR building would require interior finishes and erecting the structure. He stated that once you do a shell of a building it will be hard to get someone else to come and finish the project and could be more costly to add to it in the future. The cinder block bid was \$177,00.00 and the steel building would be approximately \$288,000.00.

There was discussion regarding completing the building in multiple years, extending the current restrooms, and moving the gas and sewer lines.

The Commissioners directed Codey Illum to get more numbers and return for further discussion.

## **ROAD DEPARTMENT**

### **Relocation of a Gate on the Short Divide Road-Darin McFarland**

Road Supervisor Darin McFarland explained there is an issue with the gate on the Short Divide Road and has received a request to relocate it. He explained they have posted signs saying no trucks, but they continue having big trucks go up the road and there is no place to turn around. The suggestion was made to relocate the gate further down, which would give more room for the trucks. He said he will work with the Attorney's office regarding the seasonal road closure.

Commissioner Bingham explained the road is steep and trucks are turning around in a field and leaving ruts in the field.

**MOTION:** Commissioner Summers made a motion to relocate the gate on the Short Divide Road as suggested. 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 Period**

Chairman Perry reviewed the guidelines for the Public Comment Period.

**DeAnna Hardy of Brigham City** stated the minutes of March 19, 2024 again failed to correct the minutes of January 3, 2024 and February 21, 2024 regarding the electronic sign in pads used at the polling locations for elections. She feels the signatures are distorted and easily manipulated or erased. She said the Box Elder Committee of Liberty requests a sign in book for auditing purposes. She urged the Commission to encourage counties at their UAC meetings to stop regionalism that is happening in our state. She noted that the United Nations goal is to get rid of borderlines between counties, cities, and states and put all into regions. She feels they should ask the question if being a member of UAC is beneficial to the citizens of the county. She stated the government should be restored back to its limited and proper role.

**WARRANT REGISTER – COMMISSIONERS**

The Warrant Register was signed and the following claims were approved: Claim numbers 123349 through 123356 and 123384 through 123458 in the amount of \$1,121,116.05 with voided claim number 122775, and 123462 through 123500 in the amount of \$110,995.31 with voided claim number 123068.

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

<b>Employee Name:</b>	<b>Department:</b>	<b>PA Type:</b>	<b>Effective Date:</b>
Kendal Jones	4162 Fairgrounds	New Hire	4/29/2024
Cory Frew	4955 Landfill	New Hire	4/17/2024
Ashley Deleon	4143 Motor Vehicle	New Hire	4/09/2024
Anson Nelson	4235 Corrections	Separation	4/09/2024
Kierstyn Roundy	4235 Corrections	Separation	4/14/2024
Michelle Cluff	4148 Victim Services	Compensation Change	4/08/2024
Cheryl Burgan	4148 Victim Services	Compensation Change	4/08/2024
Bruce Morris	4414 Roads	Change of Position	4/08/2024
G Ray Manning	Emergency Management	Volunteer	4/17/2024
Michael Trush	Emergency Management	Volunteer	4/17/2024
Joshlyn Jaggi	Search and Rescue	Volunteer	4/17/2024
Kevin Jaggi	Search and Rescue	Volunteer	4/17/2024
Nicole Whitaker	Search and Rescue	Volunteer	4/17/2024
Dorene Stever	Emergency Management	Volunteer	4/17/2024
Janet Bass	Emergency Management	Volunteer	4/17/2024
R'lynn Gardner	Emergency Management	Volunteer	4/17/2024
April Larsen	EMS	Volunteer	4/17/2024
David Morris	Fire - Park Valley	Volunteer	4/17/2024
Kellie Kunzler	Fire - Park Valley	Volunteer	4/17/2024
Danielle Kunzler	Fire - Park Valley	Volunteer	4/17/2024
William Dee Kunzler	Fire - Park Valley	Volunteer	4/17/2024
Emilie Westmoreland	BE County Fire	Volunteer	4/17/2024
Flint Rex Pugsley	BE County Fire	Volunteer	4/17/2024
Bruce Pugsley	Fire - Park Valley	Volunteer	4/17/2024
Kay Kunzler	BE County Fire	Volunteer	4/17/2024
Valynn Kunzler	BE County Fire	Volunteer	4/17/2024

**CLOSED SESSION**

**Strategy session to discuss pending or reasonably imminent litigation**


**MOTION:** At 12:35 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 12:43 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 Summers to adjourn. Commissioner Bingham seconded the motion and the meeting adjourned at 12:45 p.m.

**ADOPTED AND APPROVED** in regular session this 15th day of May 2024.


  
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Lee Perry, Chairman

  
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Boyd Bingham, Commissioner

  
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Stan Summers, Commissioner

ATTEST:



  
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Marla R. Young, Clerk





## COUNTY COMMISSION MEETING

Commission Chambers, 01 South Main Street, Brigham City, Utah 84302  
Wednesday, April 17, 2024 at 11:30 AM

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### 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 Wednesday April 17, 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 Perry
- B. Pledge of Allegiance Given by: Treasurer Shaun Thornley
- C. Approve Minutes April 3, 2024

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

#### 4. FORMER AGENDA ITEMS

#### 5. EMERGENCY MANAGEMENT ISSUES

#### 6. ARPA/LATCF

#### 7. BOX ELDER COUNTY EMPLOYEE RECOGNITION

#### 8. PUBLIC INTERESTS / PRESENTATIONS / CONCERNS

- A. 11:40 Use of Courthouse Parking Lot for the Spade and Hope Garden Club for May 11, 2024 - Jodi Peterson

#### 9. CLERK'S OFFICE

- A. 11:42 Willard Cemetery Service District Resolution #24-02 Increasing the Size of the Board- Marla Young
- B. 11:44 Resolution #24-03 Reappointing Members to Special Service Districts in Box Elder County-Marla Young

#### 10. COMMISSIONERS

- A. 11:46 Report on the Economic Benefits of the Bear River System-Nathan Daugs
- B. 11:51 Forgiveness of Taxes on Parcel #03-115-0053-Mark Bradley
- C. 11:54 Juneteenth Holiday-Commissioners

#### 11. COMMUNITY DEVELOPMENT

- A. 11:56 Corridor Preservation Fund-Amend 2024 Priority List-Scott Lyons
- B. 11:58 CPF24-03 Tremonton & Box Elder County Transportation Planning-Scott Lyons

**12. BUILDINGS & GROUNDS**

- A. 12:00 Discussion of the Quote for Restroom and Ticket Building at the Fairgrounds and the Quote for only the Restrooms-Codey Illum

**13. ROAD DEPARTMENT**

- A. 12:10 Relocation of a Gate on the Short Divide Road-Darin McFarland

**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 12th day of April, 2024. Mailed to the Box Elder News Journal and the Leader on the 12th of April, 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.

RESOLUTION NO. ~~24~~ 03

A RESOLUTION APPOINTING AND REAPPOINTING MEMBERS TO SPECIAL SERVICE DISTRICTS IN BOX ELDER COUNTY

WHEREAS, it has become necessary for the governing board of Box Elder County to make appointments and reappointments to the various special service districts within the County and


WHEREAS, the appointment and reappointment procedures have been followed according to 1999 Utah Code Unannotated 20A-1-512,

NOW, THEREFORE, BE IT RESOLVED by the Board of County Commissioners of Box Elder County, Utah as follows:


1. Brian Hardy, and Dale Barnett, and Mike Rudd are hereby reappointed to the **Box Elder County Special Service District (Mineral Lease)** for a term of four (4) years to expire on December 31, 2027.
2. Lyle Nessen and Bradly Hawkes are hereby reappointed to the **Box Elder Service District No. 1 (Howell)** for a term of four (4) years to expire on December 31, 2027.
3. Blake Larsen are hereby reappointed to the **Box Elder County Service Area No. 2 (Park Valley)** for a term of four (4) years to expire on December 31, 2027.
4. Joseph Stuart and Joel Murray are hereby reappointed to the **Box Elder County and Willard City Flood Control and Drainage District** for a term of four (4) years to expire on December 31, 2027.
5. Ike Thomas is hereby reappointed to the **Grouse Creek Special Service District** for a term of four (4) years to expire on December 31, 2027.
6. Bud Munns is hereby reappointed to the **Hansel Valley Watershed District** for a term of four (4) years to expire on December 31, 2027.
7. Brent MacFarlane, and Josi Hinkle are hereby reappointed to the **Riverside Community Special Service District** for a term of four (4) years to expire on December 31, 2027.
8. Dale Barnett is hereby reappointed to the **South Willard Bay Municipal Special Service District** for a term of four (4) years to expire on December 31, 2027.
9. Ben Ferry is hereby reappointed to the **Corinne Cemetery District** for a term of four (4) years to expire on December 31, 2027.
10. Linda Garn is hereby reappointed to the **Fielding Cemetery District** for a term of four (4) years to expire on December 31, 2027.
11. Clint Munns is hereby reappointed to the **Garland Cemetery District** for a term of four (4) years to expire on December 31, 2027.

12. Susan Wirick is hereby reappointed to the **Grouse Creek Cemetery District** for a term of four (4) years to expire on December 31, 2027.
13. Shawn Hillis is hereby reappointed to the **Penrose Cemetery District** for a term of four (4) years to expire on December 31, 2027.
14. Kelly Lucas and Dusty Allen are hereby reappointed to the **Portage Cemetery District** for a term of four (4) years to expire on December 31, 2027.
15. Tricia Brown and Susan Burnett are hereby reappointed to the **Riverside Cemetery District** for a term of four (4) years to expire on December 31, 2027.
16. Roger Lee is hereby reappointed to the **Willard Cemetery District** for a term of four (4) years to expire on December 31, 2027.
17. Van Bingham and Dan Norman are hereby reappointed to the **Corinne Drainage District** for a term of four (4) years to expire on December 31, 2027.
18. Rondell Anderson and Bary Roderick are hereby reappointed to the **Plymouth Drainage District** for a term of four (4) years to expire on December 31, 2027.
19. Tom Munns and Michael Dale Allen are hereby reappointed to the **Tremonton Garland Drainage District** for a term of four (4) years to expire on December 31, 2027.
20. Michael Rudd is hereby reappointed to the **Belmont Drainage District** for a term of four (4) years to expire on December 31, 2027.
21. Travis Nelson and Gina Marble are hereby reappointed to the **Elwood Drainage District** for a term of four (4) years to expire on December 31, 2027.
22. Shanna Thomas and LaNette Anderson are hereby reappointed to the **Grouse Creek Solid Waste Special Service District** for a term of four (4) years to expire on December 31, 2027.

**ADOPTED AND APPROVED** in regular session this 17<sup>th</sup> day of April 2024.

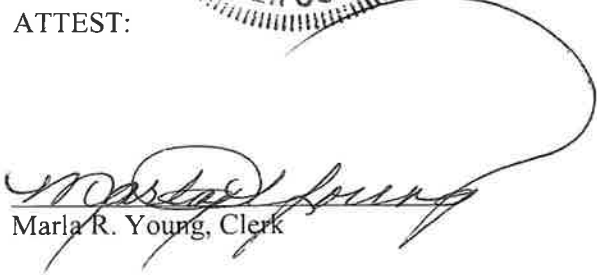
  
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Lee Perry, Chairman

  
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Boyd Bingham, Commissioner

  
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Stan Summers, Commissioner



ATTEST:

  
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Marla R. Young, Clerk

RESOLUTION NO. 24-04

**A RESOLUTION OF THE BOX ELDER COUNTY COMMISSION INCREASING THE NUMBER OF BOARD MEMBER POSITIONS ON THE WILLARD PRECINCT CEMETERY MAINTENANCE DISTRICT BOARD FROM THREE BOARD MEMBERS TO FIVE BOARD MEMBERS, AND APPOINTING TWO INDIVIDUALS TO FILL THESE ADDITIONAL BOARD MEMBER POSITIONS**

WHEREAS, the board of trustees of the Willard Precinct Cemetery Maintenance District has requested that the number of members of its board be changed from three (3) members to five (5) members; and

WHEREAS, in accordance with the provisions of §17B-1-302(6)(a) of the Utah Code, during a proper meeting the current board of trustees of the Willard Precinct Cemetery Maintenance District voted, with a two-thirds vote, to increase the number of members of its board from three (3) members to five (5) members; and

WHEREAS, in accordance with the provisions of §17B-1-302(6)b) this increase in the number of members does not violate any other provisions of the statute or serve to shorten the term of any current members of the board; and

WHEREAS, in accordance with the provisions of 17B-1-304 of the Utah Code, the Box Elder County Commission, acting as the appointing authority, properly published notice of vacancy for the two newly created board member positions and thereafter selected two individuals to serve as board members in the newly created board member positions, each for a term of four (4) years; and

WHEREAS, the two individuals selected to serve as board members in the newly created board member positions are Marsha Christopherson and Rew Wiley;

NOW THEREFORE, BE IT RESOLVED by the Board of County Commissioners of the Box Elder County Commission, acting as the legislative body of Box Elder County, State of Utah, with 3 members present and 3 members voting in favor thereof, as follows:

1. That the number of members of the board of trustees of the Willard Precinct Cemetery Maintenance District be increased from three (3) members to five (5) members, with each of the two new member positions to serve a terms of four (4) years each.
2. That MARSHA CHRISTOPHERSON and REW WILEY are hereby appointed as board members of the Willard Precinct Cemetery Maintenance District, to

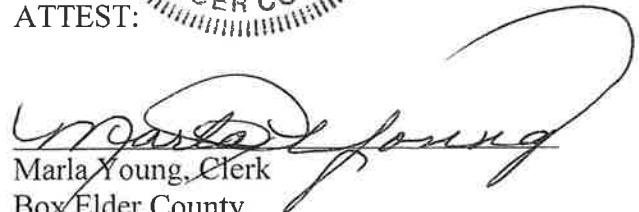
serve as the initial board members of the two newly created board member positions, with each to serve a term of four (4) years.

ADOPTED AND APPROVED in regular session of the Box Elder County Commission this 17<sup>th</sup> day of April, 2024.



  
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Lee Perry, Chairman  
Box Elder County Commission

ATTEST:

  
Marla Young, Clerk  
Box Elder County