

**MINUTES
BOX ELDER COUNTY COMMISSION
MAY 29, 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 **May 29, 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 4:53 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 Clerk Marla Young.

ATTACHMENT NO. 1 - AGENDA

ADMINISTRATIVE REVIEW/REPORTS/FUTURE AGENDA ITEMS – COMMISSION

There were no Administrative Review items discussed.

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

Purchase Project from Lease Agreement 07-01-2008 Between Box Elder County and Bear River Water Conservancy District-Chance Baxter and DJ Bott

Brigham City Mayor and Bear River Water Conservancy District Chairman DJ Bott along with Bear River Water Conservancy District Interim Manager Chance Baxter read a letter from 2008 when the county agreed to issue bonds to Bear River Water Conservancy District to finance the development of water infrastructure in the Bothwell area. He gave a bit of history on the project. He read a letter drafted by their counsel that gave notice that the district would like to pay off the bonds and take ownership of the project. He stated it is roughly \$106,000.00. They requested an additional meeting to identify what organizations, additional contacts, institutions, or agencies need to be involved in the process. They thanked the Commissioners past and present for their support in this project.

Attorney Stephen Hadfield recommended they should consult with the original legal counsel to verify the numbers are correct.

The Commissioners directed Mr. Bott and Mr. Baxter to work with the County Attorney and Auditor for the exact numbers and proposal.

AUDITOR'S OFFICE

Presentation of 2023 Audited Financial Reports for Box Elder County- Jon Haderlie, Larson and Co, and Shirlene Larsen

Jon Haderlie of Larson and Company presented the county audit. He explained their process and what they are tasked to look for. He went over various reports. He stated they look at risk, internal controls, and that the county is in compliance with governing audit standards. He stated their opinion is that the county is in compliance. He said anything from the prior year findings has been corrected. He commended the Auditor's Office and other departments for their assistance and cooperation. He said they found no compliance issues and no material weaknesses.

MOTION: Commissioner Bingham made a motion to accept and approve the 2023 Audit. 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.

Planning Outpost Fee Study-Fred Turnier

This item was canceled.

COMMISSIONERS

Commission Meeting Date Changes-Commissioners

Chairman Perry stated since the Commission meeting was changed around in May there is not a need to hold a meeting on June 5, 2024. He suggested they hold one Commission meeting on June 19, 2024. He said they need to move the July 3, 2024 meeting to July 9, 2024 to accommodate the election canvass.

MOTION: Commissioner Summers made a motion to cancel the June 5, 2024 meeting and hold one meeting on June 19, 2024 and move the July 3, 2024 to July 9, 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 Commission Summers voting Yea.

Appoint Members to the Economic Opportunity Board-Shawn Milne

Shawn Milne of Bear River Association of Governments explained they appointed some board members for the Economic Opportunity Board in a previous meeting and have reached out to other individuals and recommended the Commission appoint Drew Anderson representing the public, a representative from Northrup Grumman, Stephanie Tugaw Madsen representing the realty industry, and Tori Martinez of Procter and Gamble.

MOTION: Commissioner Summers made a motion to add Drew Anderson, a representative from Northrup Grumman, Stephanie Tugaw Madsen, and Tori Martinez to the Economic Opportunity Board. 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 Reimbursement - CPF 17-02 Box Elder County-Scott Lyons

Community Development Director Scott Lyons stated a project was approved by the COG and Commission in 2017 for Box Elder County to conduct a drainage study. The study was bid and completed at \$83,777.00 and is now ready for reimbursement.

MOTION: Commissioner Bingham made a motion to approve the reimbursement on Project CPF 17-02. 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.

Calder Family Rezone from Unzoned to A-1/2 Ordinance #599-Scott Lyons

Community Development Director Scott Lyons stated they received a request for a rezone in the East Garland area to rezone one parcel that contains 19.75 acres from the unzoned to A-1/2 zone. He said the surrounding areas are listed as unzoned property. This went before the Planning Commission earlier this month and they recommended approval. There was quite a bit of opposition at the public hearing. Most were unaware that it was unzoned. They are opposed to the idea of a ½ acre development. The land owner is restricted to no commercial or industrial, just residential.

Commissioner Bingham commented that if the General Plan is to preserve agriculture, it seems the A-½ is directly adverse to the plan. When zoned A- ½ acre, there would be homes surrounded by agriculture and could create havoc with virtually everything around it. He asked why we don't have a discussion with the Planning Commission for the exact needs. He spoke about the roads and bridges and how the county would not be making the improvements on the roads. He said he drove down the lane and the road is a narrow farm road and there would be issues and problems to widen the road.

Commissioner Summers stated they had a similar situation in Bothwell and the landowners came together and discussed things. The citizens felt better when they were heard.

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

Losee Farm Rezone A-20 to RR-2 Ordinance #598-Scott Lyons

Community Development Director Scott Lyons explained Ordinance #598 is a rezone request in Collinston and is 110 acres. The applicant is interested in building a home in the middle of the property and for financing reasons the parcel needs to be zoned for smaller lots. He stated they have received some public input and feedback but not like the East Garland rezone.

Commissioner Bingham stated that there is a general distrust in the agricultural community that if people come in and make smaller lots that it will make changes to their community.

MOTION: Commissioner Bingham made a motion to approve Ordinance #598. 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 - Ordinance #598

Willard City- Willard Canyon Non-residential Subdivision- Scott Lyons

Community Development Director Scott Lyons explained the Willard City-Willard Canyon Non-residential Subdivision is located on the mountainside with 170.85 acres. The city of Willard has requested to split the parcel into two parcels one being 159.76 and the other 11.09 acres. The 11.09 acres are adjacent to the Wells Family/ Granite Construction Gravel Pit at the mouth of Willard Canyon. The following agenda item is to rezone this property. The upper portion would be the MU80 zone and the lower portion would be MGEX.

Commissioner Bingham asked if there would be an increase for potential flooding.

Mike Braegger, Willard City Councilman, stated there is not any potential for increased flooding. He stated it has passed the Willard City Council.

MOTION: Commissioner Summers made a motion to approve the Willard City-Willard Canyon Non-residential Subdivision. 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.

Willard City Rezone MU-160 to MU-80 and MG-EX Ordinance #597-Scott Lyons

Community Development Director Scott Lyons stated there is a request for rezone for the previously discussed property to zone 159.76 acres as MU80 and 11.09 as MGEX. A public hearing was held at the December Planning Commission meeting. The Planning Commission tabled the item as they felt Willard City was not on the same page. Earlier this month Willard City asked for it to go back to the Planning Commission and action be taken. He stated they have received several emails and have done some research on why the city thinks it is beneficial. There are those in opposition, as there is concern of trucks, dust, and other issues.

MOTION: Commissioner Summers made a motion to approve the Willard City rezone by Ordinance #597. 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 - Ordinance #597

BUILDINGS & GROUNDS

Fairgrounds Restroom Project-Codey Illum

Chief Building Official Codey Illum and Auditor Shirlene Larsen explained the bids received for the project and the amount of tourism and budgeted monies for the project. They discussed the difference between a new ticket booth and concessions building and just a restroom remodel.

Commissioner Summers expressed he felt they should do the whole project.

MOTION: Commissioner Bingham made a motion to do a remodel on the restrooms. The motion was seconded by Chairman Perry. The motion passed on a roll call vote of Chairman Perry voting Yea, Commissioner Bingham voting Yea, and Commissioner Summers voting Nay.

SHERIFF'S OFFICE

Contract #24-21 Amendment for 2024 Bailiff Security and Perimeter Security-Kevin Potter

Sheriff Kevin Potter stated Contract #24-21 is an amendment to the original contract for Bailiff and Perimeter Security. He reported it addresses additional money for the services.

MOTION: Commissioner Summers made a motion to approve Contract #24-21. 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 - Contract #24-21

Renewal of State of Utah Contract #24-20 for Bailiff Security and Perimeter Security-Kevin Potter

Sheriff Kevin Potter and Chief Deputy Sheriff Cade Palmer presented Contract #24-20 for Bailiff and Perimeter Security. It is a renewal of the prior contract for security at the District Court.

MOTION: Commissioner Summers made a motion to approve Contract #24-20. 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 - Contract #24-20

HUMAN RESOURCES

URS Tier 2 Public Safety Pick-up - Resolution #24-05-Jenica Stander

Human Resource Manager Jenica Stander explained Resolution #24-05 refers to picking up an additional 2.14 percent for public safety per URS requirements. She explained it is good practice for recruiting and retaining public safety employees.

MOTION: Commissioner Summers made a motion to approve Resolution #24-05. 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 - Resolution #24-05

Box Elder County Employee Handbook Update to Policy 20 - Timeclock Guidelines-Jenica Stander

Human Resource Manager Jenica Stander explained the update to Policy 20 refers to timeclock guidelines and having overtime approved in advance.

MOTION: Commissioner Bingham made a motion to approve the updates to Policy 20 in the Employee Handbook. 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 reviewed the guidelines for Public Comment Period.

Diana Baker of Willard said the Planning Commission tabled the Willard Canyon rezone issue because of concerns six months ago. She asked if there shouldn't be another meeting to revisit the issue since it had been six months. She was concerned the public was not informed.

Jeanine Beal of Riverside said she has been observing Commission meetings and said she does not question the good intentions of the Commission, but is discouraged that with all the grievances that have been submitted to the Commission and there has not been any responses. She feels they have a right for a response. If they were getting responses it would educate the citizens and help the Commission understand what their authority is. She said they are representatives and should be keeping things in proper balance by only granting what they have the right to grant by the constitution.

DeAnna Hardy of Brigham City stated the Box Elder Committee of Liberty opposes the visioning process of Agenda 21 that is being used for the Water Master Plan and was used for the General Plan of the county. She noted that Brigham City also uses this plan. She said the School District also used the visioning process. The visioning process is designed to give the appearance of public participation, yet before the process begins the facilitator has already decided the plan. She said she gave the Commission booklets explaining Agenda 21 and how it violates the U.S. Constitution and Utah Constitution. She said the Legislature passed SJR11 forbidding implementation of Agenda 21, but the resolution is being ignored.

Clyde Westley of Willard said he spoke with Commissioner Bingham about the Willard Gravel Pit. He said in part of their conversation he told Commissioner Bingham that the Willard City Council had not voted on the gravel pit issue. Tonight the council member said they had voted on it last year, but the current city council has not.

WARRANT REGISTER – COMMISSIONERS

The Warrant Register was signed and the following claims were approved: Claim numbers 123721 through 123789 in the amount of \$721,232.16 and 123790 through 123828 in the amount of \$386,460.40.

PERSONNEL ACTIONS/VOLUNTEER ACTION FORMS – COMMISSIONERS

Employee Name:	Department:	PA Type:	Effective Date:
PEART, NOAH	SHERIFF'S OFFICE	COMPENSATION CHANGE	05/11/2024
CRAGUN, BRYSON	WEED DEPARTMENT	NEW HIRE	05/20/2024
CRAGUN, BRYSON	WEED DEPARTMENT	CELL PHONE ALLOWANCE	05/20/2024
BLANTHORN, TAWNI	WEED DEPARTMENT	NEW HIRE	05/21/2024
BLANTHORN, TAWNI	WEED DEPARTMENT	CELL PHONE ALLOWANCE	05/21/2024
SHERIDAN, KENNETH	SHERIFF'S OFFICE	COMPENSATION CHANGE	12/17/2023
HINDBERG, BRIAN	ROAD DEPARTMENT	NEW HIRE	05/28/2024
ANDERSON, THOMAS	AUDITOR'S OFFICE	REHIRE	05/20/2024
FULLMER, BRANDON	SHERIFF'S OFFICE	COMPENSATION CHANGE	12/17/2023
LARSEN, JONATHAN	SHERIFF'S OFFICE	COMPENSATION CHANGE	12/17/2023
CORDOVA, MADISON	VICTIM SERVICES	COMPENSATION CHANGE	04/16/2024
CLUFF, MICHELLE	VICTIM SERVICES	CELL PHONE ALLOWANCE	01/01/2024
BOYCE, AARON	SHERIFF'S OFFICE	COMPENSATION CHANGE	12/17/2023
HURST, ANDREW	SHERIFF'S OFFICE	COMPENSATION CHANGE	12/17/2023
WHITAKER, SAM	WEED DEPARTMENT	CELL PHONE ALLOWANCE	05/13/2024
RISER, JASEN	FAIRGROUNDS	VOLUNTEER	05/29/2024
HINKLE, NICHOLE	FAIRGROUNDS	VOLUNTEER	05/29/2024
HATCH, TRUDI	FAIRGROUNDS	VOLUNTEER	05/29/2024
MACFARLANE, ROBERT BRENT	FAIRGROUNDS	VOLUNTEER	05/29/2024
KING, JOSH	FAIRGROUNDS	VOLUNTEER	05/29/2024
HOWE, CHERYL	FAIRGROUNDS	VOLUNTEER	05/29/2024
PEBLEY, JEREMY	FAIRGROUNDS	VOLUNTEER	05/29/2024
EARL, WAYNE	FAIRGROUNDS	VOLUNTEER	05/29/2024
EARL, LINDA	FAIRGROUNDS	VOLUNTEER	05/29/2024
PURRINGTON, DOLORES	SEARCH AND RESCUE	VOLUNTEER	05/29/2024
HECKERT, DENISE	SHERIFF'S OFFICE	PROMOTION	06/02/2024
COX, ANTHONY	FIRE MARSHAL	VOLUNTEER	05/29/2024
FREITAS, JOAO	FIRE MARSHAL	VOLUNTEER	05/29/2024
PHILLIPS, TIMAREE	FIRE MARSHAL	VOLUNTEER	05/29/2024

HERMANN, TANNER	FIRE MARSHAL	VOLUNTEER	05/29/2024
MUNNS, T. JOSH	FIRE MARSHAL	VOLUNTEER	05/29/2024
JOHNSON, ROB	FIRE MARSHAL	VOLUNTEER	05/29/2024
MYERS, MIKE	FIRE MARSHAL	VOLUNTEER	05/29/2024
SORENSEN, LANETTE	FIRE MARSHAL	VOLUNTEER	05/29/2024
HARRINGTON, STEVE	FIRE MARSHAL	VOLUNTEER	05/29/2024
SPENCER, TEGAN	FIRE MARSHAL	VOLUNTEER	05/29/2024
MCBRIDE, ANDREW	FIRE MARSHAL	VOLUNTEER	05/29/2024
ANDERSON, ALAN	FIRE MARSHAL	VOLUNTEER	05/29/2024
HALES, STEVE	FIRE MARSHAL	VOLUNTEER	05/29/2024
WEAVER, SHANE	ATTORNEY'S OFFICE	VOLUNTEER	05/29/2024
HINDBERG, BRIAN	WEED DEPARTMENT	NEW HIRE	06/11/2024
		CELL PHONE ALLOWANCE	06/01/2024

CLOSED SESSION

There was not a closed session.

ADJOURNMENT

A motion was made by Commissioner Bingham to adjourn. Commissioner Perry seconded the motion, and the meeting adjourned at 6:45 p.m.

ADOPTED AND APPROVED in regular session this 19th day of June 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, May 29, 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 May 29, 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: Clerk Marla Young

3. ADMINISTRATIVE REVIEW / REPORTS / FUTURE AGENDA ITEMS

4. FORMER AGENDA ITEMS

5. EMERGENCY MANAGEMENT ISSUES

6. ARPA/LATCF

7. PUBLIC INTERESTS / PRESENTATIONS / CONCERNS

- A. 5:10 Purchase Project from Lease Agreement 07-01-2008 Between Box Elder County and Bear River Water Conservancy District-Chance Baxter and DJ Bott

8. AUDITOR'S OFFICE

- A. 5:15 Presentation of 2023 Audited Financial Reports for Box Elder County- Jon Haderlie, Larson and Co, and Shirlene Larsen
- B. 5:25 Purchasing Card Policy Update-Shirlene Larsen
- C. 5:30 Planning Outpost Fee Study-Fred Turnier

9. COMMISSIONERS

- A. 5:40 Commission Meeting Date Changes-Commissioners
- B. 5:42 Appoint Members to the Economic Opportunity Board-Shawn Milne

10. COMMUNITY DEVELOPMENT

- A. 5:47 Corridor Preservation Fund Reimbursement-CPF17-02 Box Elder County-Scott Lyons
- B. 5:49 Calder Family Rezone from Unzoned to A-1/2 Ordinance #599-Scott Lyons
- C. 5:55 Losee Farm Rezone A-20 to RR-2 Ordinance #598-Scott Lyons

- D. 5:57 Willard City- Willard Canyon Non-residential Subdivision- Scott Lyons
- E. 5:59 Willard City Rezone MU-164 to MU-80 and MG-EX Ordinance #597-Scott Lyons

11. BUILDINGS & GROUNDS

- A. 6:01 Fairgrounds Restroom Project-Codey Illum

12. SHERIFF'S OFFICE

- A. 6:05 Contract #24-21 Amendment for 2024 Bailiff Security and Perimeter Security-Kevin Potter
- B. 6:08 Renewal of State of Utah Contract #24-20 for Bailiff Security and Perimeter Security-Kevin Potter

13. HUMAN RESOURCES

- A. 6:10 URS Tier 2 Public Safety Pick-up - Resolution #24-05-Jenica Stander
- B. 6:15 Box Elder County Employee Handbook Update to Policy 20 - Timeclock Guidelines-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 24th day of May, 2024. Mailed to the Box Elder News Journal and the Leader on the 24th of May, 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.

ORDINANCE NO. 598

AN ORDINANCE OF BOX ELDER COUNTY AMENDING THE BOX ELDER COUNTY ZONING MAP BY REZONING 110 ACRES LOCATED AT APPROXIMATELY 12800 NORTH 4000 WEST FROM A-20 (AGRICULTURE 20 ACRES) AND RR-2 (RURAL RESIDENTIAL 2 ACRES) TO RR-2 (RURAL RESIDENTIAL 2 ACRES) ZONE.

WHEREAS, the applicant is requesting that the property described herein be zoned from A-20 (Agriculture 20 acres) and RR-2 (Rural Residential 2 acres) to RR-2 (Rural Residential 2 acres) zone; and

WHEREAS, the Box Elder County Planning Commission scheduled a public hearing on the proposal to amend the text of the Box Elder County Land Use Management & Development code and provided a Class B notice in accordance with Section 2-2-050(B) of the Box Elder County Land Use Management and Development Code and Section 63G-30-102 of the Utah Code; and

WHEREAS, the Box Elder County Planning Commission, after appropriate notice, held a public hearing on May 16, 2024, to allow the general public to comment on this proposed rezone and amendment of the zoning map; and

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

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

WHEREAS, the Box Elder County Commission, after appropriate notice, held a public meeting on May 29, 2024 to review and discuss this proposed amendment; and

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

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

SECTION 1: Zoning Map Amendment. The Zoning Map of Unincorporated Box Elder County is hereby amended by classifying the following described parcels in unincorporated Box Elder County from A-20 (Agriculture 20 acres) and RR-2 (Rural Residential 2 acres) to RR-2 (Rural Residential 2 acres) zone:


PARCEL 06-041-0015

BEG AT A PT LOC S 33 FT FRM NE COR NW/4 OF SEC 31 T12N R02W SLM, S 1293 FT TO SE COR NE/4 NW/4 OF SD SEC 31, W TO BEAR RIVER, NWLY ALG RIVER TO N LINE OF SEC 36 T12N R03W SLM, E ALG SEC LINE TO A PT LOC 453.2 FT W OF NE COR OF SD NW/4 OF SEC 31, S 33 FT, E 188.2 FT, N 33 FT, E 16.5 FT, S 25 FT, TH TO LEFT ALG ARC OF A CURVE WHOSE RADIUS IS 50 FT, A DISTANCE OF 126.14 FT (NOTE: TANGENT TO SD CURVE AT ITS POB BEAR S) TH TO RIGHT ALG ARC OF A CURVE WHOSE RADIUS IS 50 FT A DISTANCE OF 47.60 FT, E 117.04 FT TO POB. BEING IN SECS 31 & 36, T12N R02W & 3W.

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

PASSED, ADOPTED AND A SYNOPSIS ORDERED PUBLISHED this 29th day of May, 2024, by the Board of County Commissioners of Box Elder County, Utah,

Commissioner Summers Voting [Signature]
Commissioner Bingham Voting [Signature]
Commissioner Perry Voting [Signature]

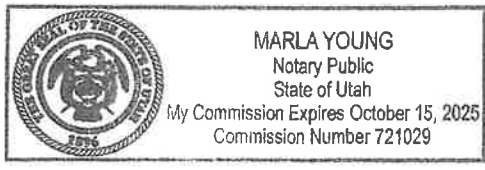
Attest:

[Signature]
Marla Young
Box Elder County Clerk

[Signature]
Box Elder County Commission - Chair

State of Utah)
.ss)
County of Box Elder)

On this 29th day of May, 2024, personally appeared before me, the undersigned notary public, Lee Perry, whose identity is personally known to me (or proved on the basis of satisfactory evidence) and who by me duly sworn (or affirm), did say he is the **Commissioner for Box Elder County** and said document was signed by him in behalf of said Corporation and acknowledged to me that said Corporation executed the same.

My Commission Expires: Oct 15, 2025



[Signature]
Notary Public



ORDINANCE NO. 597

AN ORDINANCE OF BOX ELDER COUNTY AMENDING THE BOX ELDER COUNTY ZONING MAP BY REZONING 170.85 ACRES LOCATED ON PARCEL NUMBER 02-006-0020 FROM MU-160 (MULTIPLE USE 160 ACRES) TO MG-EX (MINING, QUARRY, SAND & GRAVEL EXCAVATION) ZONE AND MU-80 (MULTIPLE USE 80 ACRES) ZONE.

WHEREAS, the applicant is requesting that the property described herein be zoned from MU-160 (Multiple Use 160 acres) TO MG-EX (Mining, Quarry, Sand & Gravel Excavation) zone and MU-80 (Multiple Use 80 Acres) zone; and

WHEREAS, the Box Elder County Planning Commission scheduled a public hearing on the proposal to amend the text of the Box Elder County Land Use Management & Development code and provided a Class B notice in accordance with Section 2-2-050(B) of the Box Elder County Land Use Management and Development Code and Section 63G-30-102 of the Utah Code; and

WHEREAS, the Box Elder County Planning Commission, after appropriate notice, held a public hearing on November 16, 2023, to allow the general public to comment on this proposed rezone and amendment of the zoning map; and

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

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

WHEREAS, the Box Elder County Commission, after appropriate notice, held a public meeting on May 29, 2024 to review and discuss this proposed amendment; and

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

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

SECTION 1: Zoning Map Amendment. The Zoning Map of Unincorporated Box Elder County is hereby amended by classifying the following described parcels in unincorporated Box Elder County from MU-160 (Multiple Use 160 acres) TO MG-EX (Mining, Quarry, Sand & Gravel Excavation) zone and MU-80 (Multiple Use 80 Acres) zone:

THENCE SOUTH 05°25'01" WEST 69.49 FEET; TO THE POINT OF BEGINNING. CONTAINING 11.905 ACRES.

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

PASSED, ADOPTED AND A SYNOPSIS ORDERED PUBLISHED this 29th day of May, 2024, by the Board of County Commissioners of Box Elder County, Utah,

Commissioner Summers	Voting <u>Aye</u>
Commissioner Bingham	Voting <u>Aye</u>
Commissioner Perry	Voting <u>Aye</u>

[Signature]
Box Elder County Commission - Chair



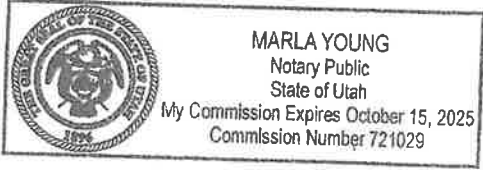
Attest:

[Signature]
Marla Young
Box Elder County Clerk

State of Utah)
).ss)
County of Box Elder)

On this 29th day of May, 2024, personally appeared before me, the undersigned notary public, Lee Perry, whose identity is personally known to me (or proved on the basis of satisfactory evidence) and who by me duly sworn (or affirm), did say he is the **Commissioner for Box Elder County** and said document was signed by him in behalf of said Corporation and acknowledged to me that said Corporation executed the same.

My Commission Expires: Oct 15, 2025



[Signature]
Notary Public

PART OF PARCEL 02-006-0020

A PART OF THE NORTHWEST QUARTER OF SECTION 24, TOWNSHIP 8 NORTH, RANGE 2 WEST OF THE SALT LAKE BASE AND MERIDIAN.

BEGINNING AT A POINT ON THE SOUTH LINE OF SAID NORTHWEST QUARTER LOCATED 691.44 FEET NORTH 88°51'47" WEST FROM THE CENTER CORNER OF SAID SECTION 24 (BASIS OF BEARING IS THE EAST LINE OF SAID NORTHWEST QUARTER WHICH BEARS NORTH 00°22'24" EAST);

RUNNING THENCE NORTH 88°51'47" WEST 610.98 FEET ALONG SAID SOUTH LINE TO THE SOUTHWEST CORNER OF THE SOUTHEAST QUARTER OF SAID NORTHWEST QUARTER; THENCE NORTH 00°17'53" EAST 1154.11 FEET ALONG THE WEST LINE OF THE SOUTHEAST QUARTER OF SAID NORTHWEST QUARTER; THENCE SOUTH 46°59'20" EAST 13.95 FEET; THENCE SOUTH 78°55'10" EAST 32.47 FEET; THENCE SOUTH 79°13'10" EAST 55.83 FEET; THENCE NORTH 53°29'01" EAST 32.49 FEET; THENCE SOUTH 44°29'13" EAST 30.72 FEET; THENCE SOUTH 04°26'36" WEST 119.59 FEET; THENCE SOUTH 55°56'21" WEST 34.86 FEET; THENCE SOUTH 30°19'46" EAST 71.43 FEET; THENCE SOUTH 82°06'19" EAST 37.73 FEET; THENCE SOUTH 36°38'59" EAST 41.36 FEET; THENCE SOUTH 58°12'48" EAST 66.93 FEET; THENCE NORTH 70°00'08" EAST 20.36 FEET; THENCE SOUTH 40°17'48" EAST 88.38 FEET; THENCE NORTH 87°32'48" EAST 135.76 FEET; THENCE SOUTH 18°15'37" EAST 287.82 FEET; THENCE SOUTH 25°32'03" WEST 109.51 FEET; THENCE SOUTH 34°35'10" EAST 171.00 FEET; THENCE SOUTH 13°17'41" EAST 103.52 FEET; THENCE SOUTH 11°34'31" WEST 128.55 FEET; THENCE SOUTH 05°25'01" WEST 69.49 FEET; TO THE POINT OF BEGINNING. CONTAINING 11.905 ACRES.

PART OF PARCEL 02-006-0020

WILLARD PLANT LAND. LOTS 1 & 2, W/2 OF NE/4, SE/4 OF NW/4 OF SEC 24 T8N R2W SLM.

LESS: A PART OF THE NORTHWEST QUARTER OF SECTION 24, TOWNSHIP 8 NORTH, RANGE 2 WEST OF THE SALT LAKE BASE AND MERIDIAN.

BEGINNING AT A POINT ON THE SOUTH LINE OF SAID NORTHWEST QUARTER LOCATED 691.44 FEET NORTH 88°51'47" WEST FROM THE CENTER CORNER OF SAID SECTION 24 (BASIS OF BEARING IS THE EAST LINE OF SAID NORTHWEST QUARTER WHICH BEARS NORTH 00°22'24" EAST);

RUNNING THENCE NORTH 88°51'47" WEST 610.98 FEET ALONG SAID SOUTH LINE TO THE SOUTHWEST CORNER OF THE SOUTHEAST QUARTER OF SAID NORTHWEST QUARTER; THENCE NORTH 00°17'53" EAST 1154.11 FEET ALONG THE WEST LINE OF THE SOUTHEAST QUARTER OF SAID NORTHWEST QUARTER; THENCE SOUTH 46°59'20" EAST 13.95 FEET; THENCE SOUTH 78°55'10" EAST 32.47 FEET; THENCE SOUTH 79°13'10" EAST 55.83 FEET; THENCE NORTH 53°29'01" EAST 32.49 FEET; THENCE SOUTH 44°29'13" EAST 30.72 FEET; THENCE SOUTH 04°26'36" WEST 119.59 FEET; THENCE SOUTH 55°56'21" WEST 34.86 FEET; THENCE SOUTH 30°19'46" EAST 71.43 FEET; THENCE SOUTH 82°06'19" EAST 37.73 FEET; THENCE SOUTH 36°38'59" EAST 41.36 FEET; THENCE SOUTH 58°12'48" EAST 66.93 FEET; THENCE NORTH 70°00'08" EAST 20.36 FEET; THENCE SOUTH 40°17'48" EAST 88.38 FEET; THENCE NORTH 87°32'48" EAST 135.76 FEET; THENCE SOUTH 18°15'37" EAST 287.82 FEET; THENCE SOUTH 25°32'03" WEST 109.51 FEET; THENCE SOUTH 34°35'10" EAST 171.00 FEET; THENCE SOUTH 13°17'41" EAST 103.52 FEET; THENCE SOUTH 11°34'31" WEST 128.55 FEET;



STATE OF UTAH
CONTRACT AMENDMENT

24-21

ADDENDUM # 9

To CONTRACT # 152211

TO BE ATTACHED TO AND MADE A PART OF the above-numbered contract by and between the State of Utah, Administrative Office of the Courts, referred to as STATE, and Box Elder County Sheriff, referred to as CONTRACTOR.

THE PARTIES AGREE TO AMEND THE CONTRACT AS FOLLOWS:

1. Contract period:

07/01/2023 (original starting date)

06/30/2024 (current ending date)

No Change new ending date

2. Contract amount:

\$232,206.00 (original contract amount)

\$ 30,000.00 Amendment Additional Amount

* Total contract amount - \$262,206.00 (original + amendment)

3. Other changes: N/A

4. Effective Date of Amendment: 05/01/2024

All other conditions and terms in the original contract and any previous amendments remain the same.

IN WITNESS WHEREOF, the parties sign and cause the amendment to be executed.

CONTRACTOR

STATE

Authorized Contractor Signature Kevin Potter Date Agency Signature Date

Kevin Potter Contractor: Type/ Print Name & Title Approved as to Form Date

AOC Purchasing Date

Approved as to Availability of Funds Date

State Finance Date

STATE OF UTAH CONTRACT

CONTRACT # 152211 AMENDMENT # 9

Vendor #	65305E	CommCd	00000
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TO BE ATTACHED TO AND MADE PART OF the above numbered contract by and between the State of Utah, Administrative Office of the Courts, referred to as State and Box Elder County Sheriff.

THE PARTIES AGREE TO THE CONTRACT AS FOLLOWS:

1. **Contract period:** 07/01/24 Effective Date
06/30/25 Termination Date unless terminated early or extended in accordance with the terms and conditions of this contract.

Renewal options: Unlimited (they are required by statute to provide these services). All payments under this contract will be completed within 90 days after the Termination Date.

2. **Contract amount:**

	Hrs Allotted	Hrly Rate	Contract Amt	Total
Bailiff Security	2000	\$32.75	\$65,500.00	
Perimeter Security	5800	\$32.75	\$189,950.00	\$255,450.00

3. **Attachment A: Terms & Conditions**
Attachment B: Scope of Work
Attachment C: Sample Invoice (removed); (inserted) **Payment**

4. **Contact Information:**

Courts: First District & Juvenile Court
 Attn: Brett Folkman
 Addr: 43 N. Main
 City/Zip: Brigham City 84302
 Phone: 435 734-4600
 E-mail: brett@utcourts.gov

County: Box Elder County Sheriff
 Attn: Kevin Potter
 Addr: 52 S. 1000 W.
 City/Zip: Brigham City 84302
 Phone: 435 734-3818
 E-mail: kbpotter@boxeldercounty.org

IN WITNESS WHEREOF, the parties sign and cause the contract to be executed.

COUNTY [Signature]
 County Commission
[Signature]
 County Sheriff
[Signature]
 County Attorney

AOC

 Court Security Director or AOC Designee

 District Court Executive

 Juvenile Court Executive
Keisa Williams 5/8/24
 Court Counsel

LEGAL STATUS OF CONTRACTOR

- Sole Proprietor
- Non-Profit Corporation
- For-Profit Corporation
- Partnership
- Government Agency

 Availability of Funds

 State Division of Finance

ATTACHMENT A: TERMS AND CONDITIONS – Bailiff and Security Contracts

1. **AUTHORITY:** Provisions of this contract are pursuant to the authority set forth in 11-13-101 commonly referred to as the Inter-local Cooperation Act, 17-22-2, 17-22-27 and UC78A-2-602.
2. **SEPARABILITY CLAUSE:** A declaration by any court, or any other binding legal source, that any provision of this contract is illegal, and void shall not affect the legality and enforceability of any other provision of this contract, unless the provisions are mutually dependent.
3. **RENEGOTIATION OR MODIFICATIONS:** This contract may be amended, modified, or supplemented only by written amendment to the contract, executed by the same persons or by persons holding the same position as persons who signed the original agreement on behalf of the parties hereto, and attached to the original signed copy of the contract. Automatic renewals will not apply to this contract.
4. **TERMINATION:** This contract may be terminated in advance of the specified expiration date, by either party, upon ninety (90) days written notice being given the other party. On termination of this contract, all accounts and payments will be processed according to the financial arrangements set forth herein for approved services rendered to date of termination. Termination shall not affect the rights and duties of either party as may be required by law.
5. **NONAPPROPRIATION OF FUNDS:** The provision of this contract placing an obligation upon the State to compensate the Sheriff for services is contingent upon, and limited to the extent that, funds are appropriated and available for this purpose by the Legislature. The State will actively seek adequate funding from the Legislature to fulfill the obligations of this contract. In the event that funds are not appropriated or otherwise available to honor the terms of this contract, the State may renegotiate the agreement or may terminate the agreement without penalty upon 30 days written notice to the Sheriff.
6. **INDEMNIFICATION:** The State shall be responsible for all damages to persons or property that occurs as a result of the negligence or fault of State employees in connection with the performance of this contract. The County shall be responsible for all damages to persons or property that occurs as a result of the negligence or fault of the County in connection with the performance of this Contract. Each party shall indemnify and hold the other free and harmless from all claims that arise as a result of the negligence or fault of the other, its officers, agents and employees. The obligation of a party to indemnify the other pursuant to any provision of this agreement is subject to the terms and conditions of the Governmental Immunity Act of Utah, UCA 63G-7-101 *et. seq.*, including, but not limited to, the liability limits contained therein.
7. **EMPLOYMENT STATUS:** All persons performing duties under the terms of this Contract shall be County employees and shall have no right to any state pension, civil service, workers' compensation, unemployment or any other state benefit for services provided hereunder. The County will have full supervision authority, subject to the Scope of Work, over all persons employed to carry out the requirements of this Contract.
8. **PAYMENT:** Payments are normally made within 30 days following the date a correct invoice is received. All invoices must be submitted in an approved format.
9. **COMPENSATION:** The compensation paid by the State to the County pursuant to this Agreement shall be used only for the services provided pursuant to the Agreement, and County shall not have the authority or right to use such funds for other purposes. The State shall compensate the County for salary and benefits of sworn officers in conformance with the provisions of Sections 17-22-2, 17-22-23, 17-22-27 and UC78A-2-602, and Rule 3-414 of the Code of Judicial Administration. This agreement shall not serve to compensate County for costs related to security administration, supervision, travel, equipment and training.
10. **EQUIPMENT:** The equipment used by County personnel shall be provided and maintained by the County except for elements of the security systems (i.e. magnetometers, surveillance and other monitoring devices) provided by the State.
11. **NOTICE:** The Sheriff shall respond to a request for assistance with additional law enforcement personnel and services, without compensation, upon the occurrence of a breach of peace or when a security

problem is anticipated.

12. **PROBLEM RESOLUTION:** The State's designated representative or representatives shall have the right, upon request, to meet and confer with the Sheriff, and/or his designated contract representatives, to discuss any problems arising from the Sheriff's performance or the individual deputies performing services under this Agreement, the costs for future periods under this contract, or any other issues related to this contract.

13. **CONTINUITY OF COURT OPERATIONS:** The Sheriff shall continue to provide bailiff and security services to the State if a natural disaster or other disruption forces the Court to modify its operations or convene at an alternate site(s) within the County.

14. **SECURITY INCIDENT REPORTING:** The Sheriff shall report all breaches of security, criminal acts, or threats to the Court or court personnel to the Local Security Coordinator. Such incidents include, but are not limited to: threats, suspicious incidents, vandalism, theft/burglary/robbery, medical assists and assaults. The Sheriff further agrees to provide a written report of the incident to the Local Security Coordinator on the Sheriff's standard departmental report form or on a Court Security Incident form provided by the local Security Coordinator. This will be completed as soon as is reasonably possible after the incident.

15. **SECURITY REVIEWS:** The Sheriff will cooperate with the Court Security Director and Court Facilities Manager in conducting periodic court security reviews to determine compliance with physical and procedural security standards and will assist in correcting any deficiencies identified. To the extent possible, the Sheriff will implement the standards set forth in the Model Post Orders document (as applicable) dated March, 2014, and provided by the Courts.

16. **TRAINING:** The Sheriff agrees to send bailiffs and court security officers to the 16 hours of basic court security training provided free-of-charge by the Court, as soon as possible after their appointment.

17. **ENTIRE CONTRACT:** This Contract, including all Attachments and documents incorporated hereunder, constitutes the entire agreement between the parties with respect to the subject matter, and supersedes any and all other prior and contemporaneous agreements and understandings between the parties, whether oral or written.

Revised (04/24/2024)

ATTACHMENT B: SCOPE OF WORK

Bailiff Services:

A. County shall assign such law enforcement or special function officers as bailiffs in each courtroom when court is in session in the First District, District and Juvenile Courts in Box Elder County.

B. County and AOC through their designees shall coordinate the staffing, scheduling and service levels at the various court locations with the goal of promoting efficiency and quality. The County is hiring authority for all officers assigned under this contract; however, the appointment or reassignment of a courtroom bailiff is subject to the concurrence of the judges with whom the bailiff will work/works.

Security Service:

Sheriff agrees to provide court security services and such other duties as may be required by law for the First District, District and Juvenile Courts in Box Elder County. The Sheriff agrees to provide sufficient security staff of qualified law enforcement officers to provide security according to the Court Security Plan. The Sheriff agrees to provide security staff sufficient to provide full-time door access security. Court security services will be provided from Monday through Friday of each week, excepting legal holidays or other days the court is closed, during the hours of 7:30 a.m. to 5:30 p.m. and any hour that the court is open before or after those times.

Court Security Plan:

In accordance with Rule 3-414, *Utah Code of Judicial Administration*, the court executive in consultation with the Sheriff, has developed a court security plan. The plan outlines the responsibilities of the Sheriff and a written copy of that plan has been provided to the Sheriff. The Court Security Plan is hereby incorporated by reference into this contract.

Revised (04/24/2024)

ATTACHMENT C: PAYMENT

1. The AOC agrees to pay to the County the annual amounts listed on page 1 of this amendment # 9, not to exceed the total contract amount.
2. The County will invoice the AOC once every month, within 30 days after the end of the month; however, the last invoice for the fiscal year will be due no later than July 10.
3. The invoice will contain the total hours of Bailiff and Perimeter security hours provided.
4. Any invoice submitted in connection with this agreement shall be sent (USPS or electronically) to the Contact Information for Courts listed on page 1 or as below.

Courts: First District & Juvenile Court

Attn: Brett Folkman

Addr: 43 N. Main

City/Zip: Brigham City 84302

Phone: 435 734-4600

E-mail: brettf@utcourts.gov

Revised (04/24/2024)

**RESOLUTION AUTHORIZING BOX ELDER COUNTY PICK-UP OF TIER 2 PUBLIC SAFETY EMPLOYEE
RETIREMENT CONTRIBUTIONS**

WHEREAS, the Governing Body of Box Elder County, Utah, is the proper authority to authorize the pick-up of Tier II Public Safety employee retirement contributions; and

WHEREAS, the Governing Body of Box Elder County, Utah employs employees who are eligible for and participate as members in the Public Safety and Firefighter Tier II Contributory Retirement System administered by the Utah Retirement Systems; and

WHEREAS, in accordance with federal and state law, including Section 414(h)(2) of the Internal Revenue Code, employers may take formal action to pick up required employee contributions, which will be paid by the employer in lieu of employee contributions; and

WHEREAS, Box Elder County desires to formally pick up a portion of the employee contributions required to be paid under Subsection 49-23-301(2)(c), as enacted in S.B. 56, Public Safety and Firefighter Tier II Retirement Enhancements (2020 General Session) and modified by S.B. 140, Utah Retirement System Amendments (2024 General Session), for all County employees participating in the Public Safety and Firefighter Tier II Contributory Retirement System; and

WHEREAS, the Governing Body of Box Elder County, Utah is duly authorized to take this formal action on behalf of the county as a participating employer in the Utah Retirement Systems:

NOW, THEREFORE, be it resolved that the Governing Body of Box Elder County, Utah, declares that beginning July 1, 2024, the county shall prospectively pick up and pay required employee contributions for all county employees who are members of the Public Safety and Firefighters Tier II Contributory Retirement System, subject to maximum of 4.73% of compensation for each employee (an increase of 2.14% per employee in July 2024).

BE IT FURTHER RESOLVED that the picked up contributions paid by the employer, even though designated as employee contributions for state law purposes, are being paid by the county in lieu of the required employee contributions.

BE IT FURTHER RESOLVED that picked up contributions will not be included in the gross income of the employees for tax reporting purposes, that is, for federal or state income tax withholding taxes, until distributed from the Utah Retirement Systems, so that the contributions are treated as employer contributions pursuant to Section 414(h)(2) of the Internal Revenue Code.

BE IT FURTHER RESOLVED that the picked up contributions are a supplement and not a salary reduction to the county employees who are eligible for and participating members in the Public Safety and Firefighter Tier II Contributory Retirement System.

BE IT FURTHER RESOLVED that from and after the date of this pick up, a county employee may not have a cash or deferred election right with respect to the designated employee contributions,

including that the employees may not be permitted to opt out of the pick up and may not be entitled to any option of choosing to receive the contributed amounts directly instead of having them paid by the county on behalf of its employees to the Utah Retirement Systems.

RESOLVED ADOPTED AND ORDERED this 29 day of May.

GOVERNING BODY
BOX ELDER COUNTY, UTAH



[Handwritten Signature]

ATTEST:

By: [Handwritten Signature]

APPROVED AS TO FORM:

By: [Handwritten Signature]