

**MINUTES
BOX ELDER COUNTY COMMISSION
DECEMBER 18, 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 **December 18, 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 11:20 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 Commissioner Summers.
The Pledge of Allegiance was led by Sheriff Kevin Potter.

APPROVAL OF MINUTES

The minutes of December 4, 2024 were postponed to the next meeting.

ATTACHMENT NO. 1 - AGENDA

ADMINISTRATIVE REVIEW/REPORTS/FUTURE AGENDA ITEMS – COMMISSION

Chairman Perry presented a plaque to Commissioner Stan Summers and Assessor Rodney Bennett for their service to the county as they are retiring at the end of the month. He thanked them for the many hours and dedication they have provided to the county.

FORMER AGENDA ITEMS FOLLOW-UP – COMMISSIONERS

Commissioner Bingham explained they recently appointed two boardmembers to the Bear River Water Conservancy District Board and they need to appoint the third. He recommended they appoint Mike Braegger from the Willard City Council to represent the Willard, Perry, and Mantua area.

MOTION: Commissioner Bingham made a motion to appoint Mike Braegger to the Bear River Water Conservancy District 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.

EMERGENCY MANAGEMENT ISSUES

ARPA/LATCF

There were no ARPA/LATF items discussed.

BOX ELDER COUNTY EMPLOYEE RECOGNITION

Chairman Perry announced the Employee of the Month as County Auditor Shirlene Larsen. He recognized the amount of hours put in for the budget. She is doing what she is supposed to be doing. She makes sure the county is fiscally responsible.

The Commissioners presented a certificate to Shirlene Larsen.

PUBLIC INTERESTS / PRESENTATIONS / CONCERNS

Present the Utah Division of Wildlife PILT Payment-Blair Stringham

Blair Stringham, Utah Division of Wildlife Northern Region Supervisor, presented the Commission with an \$11,400.61 check. He explained the money comes from fishing and hunting license sales. He explained they manage properties, wildlife habitats, and access to 50,000 acres of waterfowl and big game. He thanked the Commission for their support.

Bear River Valley Hospital Total Gift to the Community Report-Brendon Vonk

Brendon Vonk of Bear River Valley Hospital thanked the Commissioners for their time and service. He explained it is a requirement to report to the county to retain their non-profit status. He stated their mission statement is to help people live the healthiest life possible. They help people regardless of their ability to pay. He presented statistics of people served, types of services offered, and goals moving forward.

AUDITOR'S OFFICE

Contract #24-48 for BOE Hearing Officer-Shirlene Larsen

Auditor Shirlene Larsen stated Contract #24-48 is for a new BOE Officer. She explained the Hearing Officer represents the Commissioners and listens to appeals for property values.

MOTION: Commissioner Summers made a motion to approve Contract #24-48. 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- Contract #24-48

Resolution #24-24 Obligating ARPA funds for Fairgrounds Improvements-Shirlene Larsen

Auditor Shirlene Larsen explained Resolution #24-24 obligates funds for the remainder of the county fairgrounds restroom project and other projects at the fairgrounds in the amount of \$308,251.28.

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

Resolution #24-23 Obligating ARPA Funds for Employee Recognition-Shirlene Larsen

Auditor Shirlene Larsen explained Resolution #24-23 obligates ARPA funds for employee recognition for the 2025 and 2026 calendar years in the amount of \$71,743.16.

MOTION: Commissioner Summers made a motion to approve Resolution #24-23. 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 - Resolution #24-23

Public Hearing for 2024 Budget Amendment-Shirlene Larsen

Auditor Shirlene Larsen explained the amendment to the 2024 budget including state grants, pass through funding for broadband, and LATCF funds for EMS storage building. She said there was an increase to the budget of \$24,500.

Chairman Perry opened the public hearing.

DeAnna Hardy of Brigham City stated the Box Elder Committee of Liberty opposes using any money from ARPA. She said it is not constitutionally principled. She urged the county to step up and say no. She asked them to uphold their oath of office and support and defend the Constitution.

MOTION: Commissioner Summers made a motion to close the public hearing. The motion was seconded by Commissioner Bingham and the hearing was closed.

ATTACHMENT NO. 5 - Attendance Roll

Resolution #24-22 Amending 2024 Budget-Shirlene Larsen

Auditor Shirlene Larsen explained Resolution #24-22 amends the 2024 budget.

MOTION: Commissioner Bingham made a motion to approve Resolution #24-22. 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. 7 - Resolution #24-22

RDA

The Commissioners recessed to hold an RDA meeting.

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

CLERK'S OFFICE

Renewal of Beer Licenses for the 2025 Year-Marla Young

Clerk Marla Young stated there are three beer license renewals to approve. They are for Fast Stop in South Willard, Fast Stop in Plymouth, and Riverside Corner in Riverside. She stated the Sheriff has signed off on them.

MOTION: Commissioner Bingham made a motion to approve the beer licenses for the mentioned businesses. 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.

COMMISSIONERS

Reappoint Kevin Hall to the Bear River Health Department Board-Commissioner

Chairman Perry recommended the Commission reappoint Kevin Hall to the Bear River Health Department Board. The term is for three years.

MOTION: Commissioner Summers made a motion to reappoint Kevin Hall to the Bear River Health Department 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.

Recognition of William Myers for his Service on the Sheriff's Merit Commission-Commissioners

Chairman Perry recognized William Myers for his service on the Sheriff's Merit Commission. He thanked him for his thirty years of service.

Appoint a Member to the Sheriff's Deputy Merit Commission-Commissioners

Chairman Perry recommended Danny Earl, a former Brigham City Police Officer, to serve on the Sheriff's Merit Commission beginning February 1, 2025.

MOTION: Commissioner Bingham made a motion to appoint Danny Earl to serve on the Sheriff's Merit Commission. 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.

Requesting a fee Waiver for use of Indoor Arena at Fairgrounds for a Fundraiser-Jessica Warr

Jessica Warr of Grouse Creek explained they are holding a fundraiser to assist Dee and Lynette Anderson. Lynette was just diagnosed with stage 4 Non Hodgkins Lymphoma. They are wanting to hold a roping event and use the indoor arena at the fairgrounds. She asked the Commission for a fee waiver for the use of the building.

Fairgrounds Manager Jan Rhodes stated they have an agreement to use the facility and the date is on the calendar.

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

Appoint Members to the Boundary Commission-Commissioners

Clerk Marla Young explained it has been a long time since there has been an active Boundary Commission. He stated they recently received a protest to an annexation and so the Boundary Commission needs to be available to review the protest.

Chairman Perry suggested Commissioner Bingham and Recorder Chad Montgomery serve as the county representatives on the Boundary Commission.

MOTION: Commissioner Summers made a motion to appoint Commissioner Bingham and Recorder Chad Montgomery to the Boundary Commission. 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.

Contract Amendment #24-44 for the Crown Castle Tower Lease-Commissioners

Attorney Stephen Hadfield stated Contract Amendment #24-44 is with Crown Castle for a cell tower. He said there has been a lot of back and forth but it is ready for Commission approval and then will be sent to Crown Castle for their approval.

MOTION: Commissioner Summers made a motion to approve Contract Amendment #24-44. 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. 8 - Contract #24-44

TREASURER'S OFFICE

Forgiveness on Greenbelt Taxes Parcel # 01-041-0043 and #01-041-0044-Bob Davis

Bob Davis asked for forgiveness of greenbelt taxes on two parcels. He gave details that the property was subdivided in 2019. The property was taken from greenbelt and then rolled it back in. He thought the lot line adjustment should have been made at that time and it wasn't. He said he was confused about the lot line adjustment and the mistake was not found until he went to pay his taxes.

Assessor Rodney Bennett clarified that a quit claim deed was recorded on 4-20-2023 and the property was divided into two parcels. He gave a timeline of when several notices were sent. He said there was not an application for greenbelt.

MOTION: Commissioner Summers made a motion to table this item for further information. The motion was seconded by Commissioner Bingham and the item was tabled.

Forgiveness for Late Fee on Property Tax Parcel #03-121-0105-Steven Bennion

This item was canceled.

Forgiveness of Penalty and Interest on Late Tax Payment Parcel #03-283-0017-George Schnurle

George Schnurle stated he lives in Perry. He said he did not receive a tax bill for 2024. He said he has always paid on time. He explained he has had some postal issues with cluster mailboxes.

MOTION: Commissioner Summers made a motion to waive the penalties and interest on parcel #03-283-0017. 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

Yearly Tourism Council Report-Joan Hammer

Tourism Director Joanie Hammer presented a review of tourism in 2024. She stated they operate on strict guidelines of state code. Tourism benefits Box Elder County. She gave statistics such as hotel tax being down about 5%, but spending is up 5%. Tourism is improving each year. She highlighted some of the partners in Box Elder County including The Golden Spike, Willard Bay, and the Bird Refuge and thanked them for their hard work and dedication. She stated they are using social media to boost the exposure of the county and keep people informed of what is going on. She stated the 100th year celebration of the County Fair will be in 2025 and they are gearing up for that. The event will be impactful for everyone.

She thanked her Tourism Council and the Commissioners for their support.

FIRE DEPARTMENT

Upgrading Ambulance Service License-Kevin Lloyd

Chairman Perry explained they are upgrading the ambulance service for the county, upgrading from an advanced EMT to include Paramedic When Available level.

MOTION: Commissioner Bingham made a motion to approve the upgrade in ambulance services. 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 (No action will be taken at this time)

Chairman Perry reviewed the guidelines for public comment period.

DeAnna Hardy of Brigham City stated the Box Elder Committee of Liberty has filed thirty three petitions for redress of grievances since August 2023. Only one petition of grievance has been addressed and solved. She asked the Commission to address each grievance that has come before the Commission. She quoted from the Declaration of Independence and stated we are repeating the mistakes of the past and the people are suffering. She stated if the Commissioners do not wish to respond to their petitions, then step down so they can find constitutional representatives that will.

WARRANT REGISTER – COMMISSIONERS

The Warrant Register was signed and the following claims were approved: Claim numbers 125478 through 125576 in the amount of \$1,004,247.77.

PERSONNEL ACTIONS/VOLUNTEER ACTION FORMS – COMMISSIONERS

Employee Name:	Department:	PA Type:	Effective Date:
ATKINSON, JEANNETTE	CLERK	SEPARATION	11/10/2024
BIERER, JOHN	CLERK	SEPARATION	11/10/2024
BIERER, MCKENZIE	CLERK	SEPARATION	11/10/2024
BURGON, KELLY	CLERK	SEPARATION	11/10/2024
CURTIS, DAVID	CLERK	SEPARATION	11/10/2024
EDDINGTON, JOLENE	CLERK	SEPARATION	11/10/2024
GARDNER, KIMBERLY	CLERK	SEPARATION	11/10/2024
GIBSON, BENJAMIN	CLERK	SEPARATION	11/10/2024
HAMMONS, AMANDA	CLERK	SEPARATION	11/10/2024
HAMMONS, JAMES	CLERK	SEPARATION	11/10/2024
HAYCOCK, MARCI	CLERK	SEPARATION	11/10/2024
HOLDAWAY, MONICA	CLERK	SEPARATION	11/10/2024
JACKLIN, JAMIE	CLERK	SEPARATION	11/10/2024
JENSEN, GAY	CLERK	SEPARATION	11/10/2024
JEPPESSEN, CINDY	CLERK	SEPARATION	11/10/2024
LANCASTER, LYNZIE	CLERK	SEPARATION	11/10/2024
LANCASTER, MAX	CLERK	SEPARATION	11/10/2024
LARSEN, SARAH	CLERK	SEPARATION	11/10/2024
MACKLEY, ARTHUR	CLERK	SEPARATION	11/10/2024
MANNING, ROGER	CLERK	SEPARATION	11/10/2024
MAY, JANESSA	CLERK	SEPARATION	11/10/2024
MCLELLAN, JOHN	CLERK	SEPARATION	11/10/2024
MILES, NAOMI	CLERK	SEPARATION	11/10/2024
MILLER, AMY	CLERK	SEPARATION	11/10/2024
MORGAN, TAMARA	CLERK	SEPARATION	11/10/2024
MUNNS, SINTHIA	CLERK	SEPARATION	11/10/2024
NELSON, KRISTINE	CLERK	SEPARATION	11/10/2024
PEBLEY, GAYLENE	CLERK	SEPARATION	11/10/2024
PETERSEN, JANETTE	CLERK	SEPARATION	11/10/2024
PETERSEN, JIMMY	CLERK	SEPARATION	11/10/2024
PHILLIPS, JUDY	CLERK	SEPARATION	11/10/2024

RANSOM, MIKE	CLERK	SEPARATION	11/10/2024
RASMUSSEN, JILL	CLERK	SEPARATION	11/10/2024
RISER, LARRAINE	CLERK	SEPARATION	11/10/2024
SELMAN, LORAINE	CLERK	SEPARATION	11/10/2024
SHIRES, BONNIE	CLERK	SEPARATION	11/10/2024
SMITH, SANDRA	CLERK	SEPARATION	11/10/2024
TAYLOR, MICHELE	CLERK	SEPARATION	11/10/2024
THOMPSON, SHAUNA	CLERK	SEPARATION	11/10/2024
TILLEY, NATASHA	CLERK	SEPARATION	11/10/2024
WAYMENT, SHERRIE	CLERK	SEPARATION	11/10/2024
WEIGHT, RENAE	CLERK	SEPARATION	11/10/2024
WRIGHT, CHERSTEN	CLERK	SEPARATION	11/10/2024
YATES, BEVERLY	CLERK	SEPARATION	11/10/2024
YOUNG, KERRIE	CLERK	SEPARATION	11/10/2024
FERRIN, CARSON	SHERIFF'S OFFICE	TRANSFER	12/2/2024
MCCULLAM, PHILLIP	SHERIFF'S OFFICE	PROMOTION	10/29/2024
GALAVIZ, DANIEL	SHERIFF'S OFFICE	PROMOTION	10/29/2024
ALLEN, KATHY	CLERK	SEPARATION	11/10/2024

CLOSED SESSION

There was not a Closed Session.

ADJOURNMENT

A motion was made by Commissioner Summers to adjourn. Commissioner Bingham seconded the motion, and the meeting adjourned at 12:39 p.m.

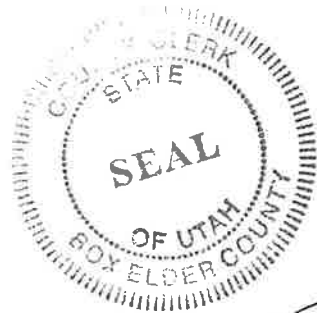
ADOPTED AND APPROVED in regular session this 22nd day of January 2025.


Lee Perry, Chairman


Boyd Bingham, Commissioner & Chairman


Tyler Vincent, Commissioner

ATTEST:




Marla R. Young, Clerk



COUNTY COMMISSION MEETING

Commission Chambers, 01 South Main Street, Brigham City, Utah 84302
Wednesday, December 18, 2024 at 11:30 AM

AGENDA

NOTICE: Public notice is hereby given that the Box Elder County Board of County Commissioners will hold an Administrative/Operational Session commencing at 11:15 A.M. and a regular Commission Meeting commencing at 11:30 A.M. on Wednesday December 18, 2024 in the Commission Chambers of the Box Elder County Courthouse, 01 South Main Street, Brigham City, Utah.

1. ADMINISTRATIVE / OPERATIONAL SESSION

- A. Agenda Review / Supporting Documents
- B. Commissioners' Correspondence
- C. Staff Reports

2. CALL TO ORDER 11:30 A.M.

- A. Invocation Given by: Commissioner Summers
- B. Pledge of Allegiance Given by: Sheriff Kevin Potter
- C. Approve Minutes December 4, 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 Present the Utah Division of Wildlife PILT Payment-Blair Stringham
- B. 11:45 Bear River Valley Hospital Total Gift to the Community Report-Brendon Vonk

9. AUDITOR'S OFFICE

- A. 12:00 Contract #24-48 for BOE Hearing Officer-Shirlene Larsen
- B. 12:02 ^{Res.} ~~MOU~~ #24-²⁴~~47~~ Obligating ARPA funds for Fairgrounds Improvements-Shirlene Larsen
- C. 12:04 ^{Res.} ~~MOU~~ #24-²³~~46~~ Obligating ARPA Funds for Employee Recognition-Shirlene Larsen
- D. 12:06 Public Hearing for 2024 Budget Amendment-Shirlene Larsen
- E. 12:16 Resolution #24-22 Amending 2024 Budget-Shirlene Larsen

10. CLERK'S OFFICE

- A. 12:18 Renewal of Beer Licenses for the 2025 Year-Marla Young

11. COMMISSIONERS

- A. 12:20 Reappoint Kevin Hall to the Bear River Health Department Board-Commissioner

- B. 12:22 Recognition of William Myers for his Service on the Sheriff's Merit Commission-Commissioners
- C. 12:24 Appoint a Member to the Sheriff's Deputy Merit Commission-Commissioners
- D. 12:26 Requesting a fee Waiver for use of Indoor Arena at Fairgrounds for a Fundraiser-Jessica Warr
- E. 12:28 Appoint Members to the Boundary Commission-Commissioners
- F. 12:30 Contract Amendment #24-44 for the Crown Castle Tower Lease-Commissioners

12. TREASURER'S OFFICE

- A. 12:32 Forgiveness on Greenbelt Taxes Parcel # 01-041-0043 and #01-041-0044-Bob Davis
- B. 12:37 Forgiveness for Late Fee on Property Tax Parcel #03-121-0105-Steven Bennion
- C. 12:42 Forgiveness of Penalty and Interest on Late Tax Payment Parcel #03-283-0017-George Schnurle

13. TOURISM OFFICE

- A. 12:47 Yearly Tourism Council Report-Joan Hammer

14. FIRE DEPARTMENT

- A. 12:57 Upgrading Ambulance Service License-Kevin Lloyd

15. 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.

16. WARRANT REGISTER

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

18. CLOSED SESSION

19. ADJOURNMENT

Prepared and posted this 13th day of December, 2024. Mailed to the Box Elder News Journal and the Leader on the 13th of December, 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.

A handwritten signature in black ink, appearing to read "Marla R. Young". The signature is fluid and cursive, with the first name "Marla" being the most prominent part.

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.

24-24
RESOLUTION NO. ~~24-47~~

RESOLUTION OF THE BOX ELDER COUNTY COMMISSION DESIGNATING THE USE OF AMERICAN RESCUE PLAN ACT (ARPA) FUNDS FOR FAIRGROUND FACILITY IMPROVEMENTS IN THE 2025 & 2026 BUDGET YEARS.

WHEREAS, the American Rescue Plan Act of 2021 Public Law 117-2 provided funds to local government including county governments to assist in recovering from the economic, and public health impacts of COVID-19; and

WHEREAS, the County Commission desires to officially designate the remaining ARPA funds provided by the U.S. Department of Treasury for recovery following the COVID pandemic within the deadline established by the federal law; and


WHEREAS, the County Commission has approved several projects to improve the facilities at the county fairgrounds, including a restroom project that will assist in providing opportunities for residents to use and enjoy the fairgrounds, and to host successful events, creating a positive impact on the local economy in the county, which is aligned with ARPA's objectives for improving the economy and public health by enhancing public infrastructure; and

WHEREAS, the County Commission desires to designate \$308,251.28 of ARPA funds to be used to improve the fairground facilities including on a scheduled restroom projects in the 2025 and 2026 budget years, in accordance with the federal requirements.

NOW THEREFORE, BE IT RESOLVED that the Board of County Commissioners of Box Elder County, in accordance with Public Law 117-2, establishes that the aforementioned funds will be designated for use in supporting improvements to the county fairground facilities as outlined above.

ADOPTED AND APPROVED by the County Legislative Body of the Box Elder County, State of Utah, with 3 members present and 3 members voting in favor thereof in regular session of the Box Elder County Commission this the 18th day of December, 2024.

ATTEST:


Marla Young
Marla Young
COUNTY CLERK


Lee Perry
COUNTY COMMISSION CHAIRMAN

CONTRACT 24-48

AN AGREEMENT BETWEEN BOX ELDER COUNTY AND ESTHER E. MARTINEZ TO SERVE AS THE BOARD OF EQUALIZATION HEARING OFFICER

THIS AGREEMENT made and entered into on this 20th day of November 2024, by and between Box Elder County, a political subdivision of the State of Utah ("County") and Esther E. Martinez dba A.P.A.F. (Hearing Officer).

WHEREAS, the Box Elder County Commission is the Box Elder County Board of Equalization and has the statutory duty to adjust and equalize the valuation and assessment of real property within Box Elder County; and

WHEREAS, under Utah State law, a taxpayer dissatisfied with the valuation or equalization of his/her real property may make an application to appeal that evaluation or equalization to the Box Elder County Board of Equalization; and

WHEREAS, the Box Elder County Board of Equalization is authorized by statute to appoint hearing officers for the purpose of examining applicants and witnesses and transmitting findings to the Box Elder County Board of Equalization; and

WHEREAS, the County needs competent and qualified consultants with adequate and appropriate appraisal skills and experience to act as hearing officers; and

WHEREAS, the Hearing Officer has adequate and appropriate appraisal skills and experience regarding the valuation of real property and is competent and qualified to act as a hearing officer for Box Elder County according to the minimum requirements established by the Utah State Tax Commission, and is willing to undertake the responsibility pursuant to the Agreement.

NOW THEREFORE, in consideration of the mutual covenants and promises contained hereafter, the parties hereby agree as follows:

1. **Scope of Services.** Hearing Officer shall serve on an as needed basis as a hearing officer for the County in accordance with the provisions of UCA 59-2-1001(3) and other applicable laws, for the purpose of examining applicants, witnesses, relevant documents and information for the purpose of transmitting findings and recommendations regarding the assessed valuation of real property to the Box Elder County of Board of Equalization.
2. **Term.** This agreement commences on the date indicated above and shall terminate one year from that date. This Agreement may be renewed for an additional one- or two-year period upon the mutual written consent of both parties.
3. **Compensation.** County shall pay the Hearing Officer as follows:
 - a. \$75.00 per hour for non-commercial hearings (typically residential).

- b. \$100.00 per hour for commercial hearings.
 - c. County will notify the hearing officer of any hearing date cancellations at least two days in advance. If cancellation happens within one day of the pre-arranged hearing date, the County will guarantee the hearing officer's compensation for that time slot to account for any preparation or opportunity cost related to the canceled hearing(s).
 - d. Compensation will include mileage reimbursement at the current Federal reimbursement rate. Hearing Officer shall submit a monthly statement to the County itemizing services for the month and County shall pay Hearing Officer within 30 days of receipt of such statement.
4. **Confidentiality.** Hearing Officer shall comply with applicable laws, rules, policies, and provide confidentiality of documents and records reviewed.
 5. **Independent Contractor.** Hearing Officer shall perform the services described in this Agreement as an independent professional contractor. Neither Hearing Officer nor any of his/her employees, agents or representatives shall be deemed to be employees of the County. Neither Hearing Officer nor any of his/ her employees shall be entitled to any employee benefits such as withholding tax, unemployment compensation, workers compensation coverage or other benefits.
 6. **Unassignable.** This agreement shall not be assigned by the Hearing Officer to any other party without specific written approval by the County.
 7. **Indemnifications.** The Hearing Officer shall indemnify and hold harmless Box Elder County, its officer, officials, agents, servants and employees, from all claims, actions, lawsuits, judgments, costs of litigation, including reasonable attorney's fees and punitive damages, or liabilities of any kind whatsoever, arising from Hearing Officer's failure to provide such services as agreed to in this Agreement, and any negligent or wrongful acts. Such acts include, but are not limited to, malpractice, its agents, servants or employees in providing services hereunder. To the fullest extent possible under the law, both Hearing Officer and County agree to indemnify the other party against claims and costs related thereto (including attorney's fees) resulting from injury of any kind arising out of the negligence, wrongful act, or omission of the party. Box Elder County is a governmental entity and nothing in this Agreement shall be interpreted as waiving any rights of Box Elder County and its employees under the Governmental Immunity Act of Utah, Utah Code 63G, Chapter 7.
 8. **Governing Laws.** This agreement is governed by the State of Utah. Any disputes arising under or in connection with this agreement shall be resolved in accordance with the laws of the State of Utah.
 9. **Severability.** Should any provision of this Agreement be found invalid or unenforceable by any court of competent jurisdiction, such nullity or unenforceability shall be limited to those provisions. All other provisions herein not affected by such nullity or unenforceability shall remain valid and binding and shall be enforceable to the full extent allowed by law.

10. Termination. Either party may terminate this Agreement at any time with or without cause upon 30 days written notice to the other party.

IN WITNESS WHEREOF, the parties have caused this agreement to be duly executed with the effective date written above.

Esther E Martinez dba A.P.A-F.
A Professional Appraisal Firm, LLC




Lee Perry
Box Elder County Commission Chair

DATE : _____

DATE: 12-18-2024

ATTEST:



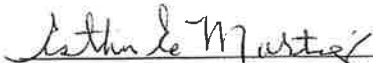


Marla Young
Box Elder County Clerk

DATE: Dec. 18, 2024

10. Termination. Either party may terminate this Agreement at any time with or without cause upon 30 days written notice to the other party.

IN WITNESS WHEREOF, the parties have caused this agreement to be duly executed with the effective date written above.



Esther E Martinez dba A.P.A.F.
A Professional Appraisal Firm, LLC

DATE : 12-19-2024

Lee Perry
Box Elder County Commission Chair

DATE: _____

ATTEST:

Marla Young
Box Elder County Clerk

DATE: _____

24-23
RESOLUTION NO. ~~24-46~~

RESOLUTION OF THE BOX ELDER COUNTY COMMISSION DESIGNATING THE USE OF AMERICAN RESCUE PLAN ACT (ARPA) FUNDS FOR EMPLOYEE RECOGNITION IN THE 2025 & 2026 BUDGET YEARS.

WHEREAS the American Rescue Plan Act of 2021 Public Law 117-2 provided funds to local government including county governments to assist in recovering from the economic, and public health impacts of COVID-19; and

WHEREAS the County Commission desires to officially designate the remaining ARPA funds provided by the U.S. Department of Treasury for recovery following the COVID pandemic; and

WHEREAS the County Commission has created an employee recognition program to improve the culture of the organization by acknowledging the dedication and efforts of public employees following the difficult circumstances of working through the COVID pandemic, which is aligned with ARPA's objectives; and

WHEREAS the County Commission desires to designate \$71,743.16 of ARPA funds to be used to support the Employee Recognition program for the 2025 and 2026 budget years, to be spent in accordance with the federal requirements.

NOW THEREFORE, BE IT RESOLVED that the Board of County Commissioners of Box Elder County, in accordance with Public Law 117-2, establishes that the aforementioned funds will be designated for use in supporting the county's Employee Recognition program as outlined above.

ADOPTED AND APPROVED by the County Legislative Body of the Box Elder County, State of Utah, with 3 members present and 3 members voting in favor thereof in regular session of the Box Elder County Commission this the 18th day of December, 2024.

ATTEST:


Marla Young
COUNTY CLERK




Lee Perry
COUNTY COMMISSION CHAIRMAN

RESOLUTION NO. 24- 22

**A RESOLUTION AMENDING A BUDGET FOR BOX ELDER COUNTY
FOR FISCAL YEAR 2024 (JANUARY 1, 2024 - DECEMBER 31, 2024).**

WHEREAS, Box Elder County Commission previously adopted a budget for Fiscal Year 2024

WHEREAS, a public hearing was scheduled and notice thereof published as a Class A notification, at least seven (7) days prior to the time of said hearing, describing the proposed budget amendment and providing the time and place for such public hearing; and

WHEREAS, a public hearing was duly held at the time and place provided in said notice; and

WHEREAS, since the adoption of the budget for Fiscal Year 2024, amendments to the budget have been made and the budget is hereby amended as set forth on Attachment "A" attached hereto and shall be declared the final amended budget for Fiscal Year 2024; and

WHEREAS, a public meeting was duly held by the Box Elder County Commission to consider adoption of the amended budget as the proposed final budget for Fiscal Year 2024; and

WHEREAS, the County Commission received all competent evidence offered in support of and opposed to said proposed budget amendment and it appearing that the proposed budget is in accordance with the provisions of Section 17-36-26 et seq., Utah Code Annotated and it also appearing that the adoption of said amended budget for Fiscal Year 2024 will promote the health, safety and the general welfare of the community; and

WHEREAS, all of said proceedings were duly and regularly conducted;

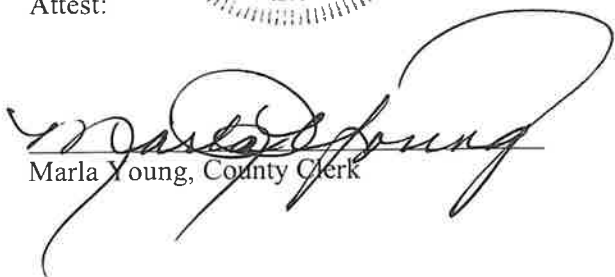
NOW, THEREFORE, be it hereby resolved by the Board of Commissioners of Box Elder County, Utah, that the Box Elder County Commission adopts the amendments as identified in Attachment A.

This resolution shall take effect on December 18th, 2024.

PASSED AND ADOPTED by the Box Elder County Commission on this 18th day of December 2024.

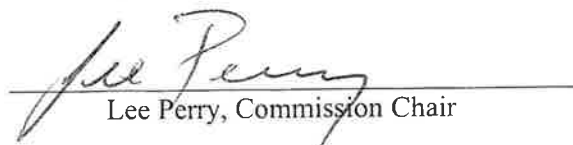


Attest:


Marla Young, County Clerk

VOTE:

Boyd Bingham	<input checked="" type="checkbox"/>	Yes	<input type="checkbox"/>	No	<input type="checkbox"/>	Absent
Stan Summers	<input checked="" type="checkbox"/>	Yes	<input type="checkbox"/>	No	<input type="checkbox"/>	Absent
Lee Perry	<input checked="" type="checkbox"/>	Yes	<input type="checkbox"/>	No	<input type="checkbox"/>	Absent


Lee Perry, Commission Chair

ATTACHMENT A

Budget Amendment #2 - December 2024	12/18/2024					
Account Title	Account Type	Current Budget	Adjustment	New Budget	Explanation	
10-4200-24012 10-3990-99900 Supplies & Mat-SWAT-Ammunition Appropriated Fund Balance	Expenditure Revenue	5,500.00 (2,377,066.00)	5,500.00 (5,500.00)	5,500.00 (2,382,566.00)	Did not have a separate budget identified previously. They would like to separate SWAT ammunition expense and give it a separate budget.	
10-4152-25000 10-3990-99900 Professional & Technical Appropriated Fund Balance	Expenditure Revenue	95,000.00 (2,382,566.00)	15,000.00 (15,000.00)	110,000.00 (2,397,566.00)	Cost of the Vehicle Camera/monitoring maintenance has increased with increased number of devices.	
10-4152-25200 10-361036470 Prof & Tech-State ARPA Grant State Grants-ARPA	Expenditure Revenue	775,000.00 (1,000,000.00)	3,800,000.00 (3,800,000.00)	4,575,000.00 (4,800,000.00)	Was not aware of additional amount of broadband award to be processed by Box Elder County in 2024 BRAC was managing the state monies and did not communicate budget needed to be reflected. Additional proposed Box Elder County funds were also authorized by the RDA board for \$615,000 match to the state for the state to cover a percent of remaining expenses of Beehive to install broadband to the northern areas of the county. State reimbursement will match the expenditures that will be reimbursed if the county receives amended contract.	
10-4152-88800 10-3610-36460 Transfer to Capital Projects Federal Grants-LATCF	Expenditure Revenue	180,000.00 (1,000,000.00)	180,000.00 (180,000.00)	180,000.00 (1,180,000.00)	Transfer of LATCF Funds to cover Emergency Management Storage Building. Creating Budget	
10-4201-21200 10-3990-99900 Travel Appropriated Fund Balance	Expenditure Revenue	3,600.00 (2,397,566.00)	3,600.00 (3,600.00)	3,600.00 (2,401,166.00)	Trainings provided to Search and Rescue not budgeted for	
10-4234-25670 10-3990-99900 Prof & Tech-Inmate-Inmate Work Appropriated Fund Balance	Expenditure Revenue	25,000.00 (2,401,166.00)	10,000.00 (10,000.00)	35,000.00 (2,411,166.00)	Usage of inmate work crews exceeded requested budget to cover payments to inmate workers	
10-4215-27100 10-3600-36400 10-3990-99900 Telecommunications - Dispatch 911 Service Charge Appropriated Fund Balance	Expenditure Revenue	490,000.00 (480,000.00) (2,401,166.00)	60,000.00 (70,000.00) 10,000.00	550,000.00 (550,000.00) (2,391,166.00)	911 Monies are collected and passed to the state for costs but we need to reflect the revenue and expense in our budget Higher than anticipated funds collected.	
21-4256-24000 21-4256-24140 Supplies & Materials Supplies & Mat-Weed-Chemicals	Expenditure Expenditure	50,000.00 175,000.00	(15,500.00) 15,500.00	34,500.00 190,500.00	Weed Supervisor requested budget be moved from Supplies and Materials to Chemicals line for outstanding order	
28-4620-25960 28-3990-99900 Contract Services - Rodeo Appropriated Fund Balance	Expenditure Revenue	330,000.00 (255,557.00)	40,000.00 (40,000.00)	370,000.00 (295,557.00)	Cost of Rodeo Stock has increased and cost for cowboy prize monies has increased more than anticipated. Along with cost for travel.	
28-4620-25990 28-3990-99900 Fair Meal Coupons Appropriated Fund Balance	Expenditure Revenue	13,500.00 (295,557.00)	13,500.00 (13,500.00)	13,500.00 (309,057.00)	Needed to establish a budget for fair meal coupons provided to volunteers and employees	
40-4851-70200 40-3999-99999 Buildings Transfer from Other Funds	Expenditure Revenue	160,000.00 (1,905,960.00)	180,000.00 (180,000.00)	340,000.00 (2,085,960.00)	Emergency Mgt Storage Building initially budgeted at \$160,000. Remainder covered by LATCF. We need to reflect full cost in the expenditure line.	

Overall expenditure over revenues seen as an increase in budget expenditures of \$24,100

Contract Amendment

This Contract Amendment (“Amendment”) is made and entered into as of December 18, 2024, by and between Box Elder County (“Lessor”), and Crown Castle International Corp. (“Lessee”). This Amendment amends the existing agreement dated November 2, 1999, (the “Original Agreement”) between the parties concerning the lease of certain premises and associated rights, including the use of a cell tower located at 900 West 350 North, Tremonton, Box Elder County, Utah 84337, (the “Premises”).

WHEREAS, the parties wish to modify certain provisions of the Original Agreement in accordance with the terms and conditions set forth herein.

NOW, THEREFORE, for and in consideration of the mutual covenants and promises contained herein, the parties agree as follows:

1. Lease Rate Increases

The parties agree that, effective on each anniversary of the commencement date of the lease, the lease rate for the Premises shall increase on each five-year renewal term for six additional terms as follows:

- **Now until 2030:** \$966.00 a month.
- **Year 2030 to Year 2035:** \$1800.00 a month.
- **Year 2035 to Year 2039:** Increase of 10% a month, unless otherwise negotiated.
- **Year 2040 to Year 2044:** Increase of 10% a month, unless otherwise negotiated.
- **Year 2045 to Year 2049:** Increase of 10% a month, unless otherwise negotiated.
- **Year 2050 to Year 2054:** Increase of 10% a month, unless otherwise negotiated.
- **Year 2055 to Year 2059:** Increase of 10% a month, unless otherwise negotiated.

2. Right of First Refusal

The Lessee shall have a Right of First Refusal (“ROFR”) to extend the lease or enter into a new lease agreement with the Lessor upon expiration of the new termination date, and before the Lessor offers or contracts with any other provider for the use of the cell tower located on the Premises. If the Lessor receives an offer to lease or grant rights to the cell tower from a third party, the Lessor must provide written notice of such offer to the Lessee. The Lessee shall have 45 days from the receipt of the notice to exercise the ROFR on the same terms and conditions as the third-party offer.

3. Co-location Provision for Security Cameras and Devices

The Lessee grants the Lessor the right to co-locate security cameras and other devices critical to the county’s operations on the cell tower, subject to the following terms:

- The Lessor may install security cameras and other devices on the cell tower, provided that such devices do not interfere with the Lessee's or any other sub-lessee's use of the tower.

- The Lessor shall bear all costs associated with the installation, maintenance, and operation of such devices.
- The Lessor agrees that no other installations or devices shall be placed on the tower in a manner that interferes with the Lessee's use of the tower for colocation purposes.

4. Additional Term of 30 Years

The term of the Original Agreement shall include the option for extension in 5-year increments for an additional thirty (30) years, such that the new termination date shall be February 1, 2035, unless earlier terminated in accordance with the terms of the Original Agreement, as amended by this Amendment.

5. Signing Bonus

Upon execution of this Amendment, the Lessee agrees to pay the Lessor a one-time signing bonus in the amount of **Fifteen Thousand Dollars (\$15,000)**, which shall be due and payable within 60 days from the effective date of this Amendment.

6. General Provisions


6.1 Entire Agreement: This Amendment modifies the Original Agreement as described above. Except as specifically modified herein, all other terms and conditions of the Original Agreement shall remain in full force and effect.

6.2 Governing Law: This Amendment shall be governed by and construed in accordance with the laws of the state of Utah.

6.3 Counterparts: This Amendment may be executed in counterparts, each of which shall be deemed an original, and all of which shall constitute one and the same instrument.

IN WITNESS WHEREOF, the parties hereto have executed this Amendment as of the date first above written.

Box Elder County

By: 
Name: Lee Perry
Title: County Commission Chair
Date: 12/18/2024

ATTEST:





Marla Young, County Clerk

Crown Castle International Corp.

By: _____

Name:

Title:

Date: