

**MINUTES**  
**BOX ELDER COUNTY COMMISSION**  
**JULY 9, 2025**

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 **July 9, 2025**. The following members were present:

Boyd Bingham	Chairman
Lee Perry	Commissioner
Tyler Vincent	Commissioner
Tammy Gibson	Deputy Clerk

Excused: 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 4:52 p.m.

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

Boyd Bingham	Chairman
Lee Perry	Commissioner
Tyler Vincent	Commissioner
Tammy Gibson	Deputy Clerk

Excused: Marla Young, Clerk.

The prayer was offered by Chairman Bingham.

The Pledge of Allegiance was led by Fire Marshall Kevin Lloyd.

**APPROVAL OF MINUTES**

**THE MINUTES OF THE REGULAR MEETING OF JUNE 11, 2025 AND JUNE 25, 2025  
WERE APPROVED AS WRITTEN ON A MOTION BY COMMISSIONER PERRY,  
SECONDED BY COMMISSIONER VINCENT AND UNANIMOUSLY CARRIED.**

**ATTACHMENT NO. 1 - AGENDA**

**ADMINISTRATIVE REVIEW/REPORTS/FUTURE AGENDA ITEMS – COMMISSION**

There were no Administrative Review/Reports/Future Agenda 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**

**Prepare for the Fair-Laura Selman**

Laura Selman wanted to come and thank the Commissioners for what they do. It is easy to find fault with public officials, but she wanted to say thank you. She stated that the branding party was an amazing way to kick off the “100 Year Love a Fair.” She described some additional planned activities for the fair. She stated that Jan Rhodes is an amazing Fair Director and wanted to thank all the policemen, firemen, the rodeo committee, and posse for all their efforts.

The Commissioners stated that they appreciate Laura for all she has done.

### **ATTORNEY'S OFFICE**

#### **Settlement and Forbearance Agreement (Golden Spike Heritage Foundation vs Box Elder County, et al. litigation)-Stephen Hadfield**

**MOTION:** Commissioner Perry made a motion to approve the Settlement and Forbearance Agreement. The motion was seconded by Commissioner Vincent and unanimously carried on a roll call vote of Chairman Bingham voting Yea, Commissioner Perry voting Yea, and Commissioner Vincent voting Yea.

### **COMMISSIONERS**

#### **Peach Days Schedule Change for Select County Buildings-Commissioner Perry**

Commissioner Perry stated the Peach Days festivities creates a bottle neck for employees and customers at the Historic Courthouse, DMV, BRAG and the County Attorney's Office. He recommended that we have a shortened business day for Friday, September 5, 2025 closing the Brigham City County Offices at 3:00 pm.

**MOTION:** Commissioner Perry made a motion to approve the Peach Days Schedule change for Friday, September 5, 2025 at select Brigham City County buildings, closing at 3:00 pm. The motion was seconded by Commissioner Vincent and unanimously carried on a roll call vote of Chairman Bingham voting Yea, Commissioner Perry voting Yea, and Commissioner Vincent voting Yea.

### **COMMUNITY DEVELOPMENT**

#### **Ordinance #627 - Text Amendment-Scott Lyons**

Community Development Director Scott Lyons stated Ordinance #627 addresses slopes in the code. They noticed that slope codes were different percentages throughout the code. After speaking with engineers and other professionals they determined a good consistent slope would be 20%. Agricultural workforce housing would also have the same slope requirements of 20%. The amendment has been reviewed by the Planning Commission and they forwarded a recommendation of approval to the Commission.

**MOTION:** Commissioner Vincent made a motion to approve Ordinance #627 Text Amendment for slopes. The motion was seconded by Commissioner Perry and unanimously carried on a roll call vote of Chairman Bingham voting Yea, Commissioner Perry voting Yea, and Commissioner Vincent voting Yea.

**ATTACHMENT NO. 2 Ordinance #627 Text Amendment**

**Ordinance #628 - Text Amendment-Scott Lyons**

Community Development Director Scott Lyons stated ordinance #628 is an amendment to the Land Use and Development Code which creates a new chapter 3-10. It creates a new Agricultural Heritage Zone. The Planning Commission held multiple work sessions. Ultimately, the Planning Commission implemented feedback from the public and the work sessions to draft Ordinance #628 for an Agricultural Heritage Zone, which is a flexible zone primarily for the unzoned areas in the county. The Planning Commission has recommended approval.

Scott Lyons stated that as a follow up to the meeting held at the fairgrounds, people are interested in zoning their land and participating in an Agricultural Protection Area. The plan is to have a booth at the fair.

**MOTION:** Commissioner Vincent made a motion to approve Ordinance #628, a Text Amendment to the Land Use and Development Code. The motion was seconded by Commissioner Perry and unanimously carried on a roll call vote of Chairman Bingham voting Yea, Commissioner Perry voting Yea, and Commissioner Vincent voting Yea.

**ATTACHMENT NO. 3 Ordinance #628 Text Amendment**

**Ordinance #629 - Annexation Policy Amendment-Scott Lyons**

Community Development Director Scott Lyons stated Ordinance #629 is a text amendment to the Annexation Policy. The goal is to streamline the process of an Agricultural Protection Area for those within the future annexation areas, or for properties with a single family dwelling. The policy will provide exemptions for specific scenarios within the Annexation Policy.

**MOTION:** Commissioner Vincent made a motion to approve Ordinance #629. The motion was seconded by Commissioner Perry and unanimously carried on a roll call vote of Chairman Bingham voting Yea, Commissioner Perry voting Yea, and Commissioner Vincent voting Yea.

**ATTACHMENT NO. 4 Ordinance- #629 Annexation Policy Amendment**

**SHERIFF'S OFFICE**

**Perimeter Security and Bailiff Services Contract #25-58-Kevin Potter**

Sheriff Kevin Potter stated that Contract #25-58 is between the State and Box Elder County to provide Bailiff and Perimeter Security at the courts. They keep track of the hours and turn them into the state for reimbursement.

**MOTION:** Commissioner Perry made a motion to approve Contract #25-58 for Perimeter Security and Bailiff Services. The motion was seconded by Commissioner Vincent and unanimously carried on a roll call vote of Chairman Bingham voting Yea, Commissioner Perry voting Yea, and Commissioner Vincent voting Yea.

**ATTACHMENT NO. 5 Contact #25-<sup>5</sup>8 Perimeter Security and Bailiff Services**

## **HUMAN RESOURCES**

### **Policy 1 Change-Jenica Stander**

Human Resource Manager Jenica Stander stated they have made a change to Policy 1, applying all local, state and federal laws regarding personnel.

**MOTION:** Commissioner Perry made a motion to approve the change to Policy 1 as described by Jenica Stander. The motion was seconded by Commissioner Vincent and unanimously carried on a roll call vote of Chairman Bingham voting Yea, Commissioner Perry voting Yea, and Commissioner Vincent voting Yea.

### **Policy 7 Change-Jenica Stander**

Human Resource Manager Jenica Stander explained the changes to Policy 7 adds a bereavement policy to the county policies. She further explained that the policy mimics the state's policy for bereavement leave for up to three paid days off for certain family members.

She also added that employees are eligible on the first day of the new month after being hired.

**MOTION:** Commissioner Vincent made a motion to approve the changes to Policy 7. The motion was seconded by Commissioner Perry and unanimously carried on a roll call vote of Chairman Bingham voting Yea, Commissioner Perry voting Yea, and Commissioner Vincent voting Yea.

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

Chairman Bingham reviewed the guidelines for the public comment period.

**Deanna Hardy of Brigham City**, expressed the importance of protecting Americas Republic and Constitutional principals. She referenced the founding wisdom behind the Constitution, expressed concern over government overreach and cultural influence by socialism, and called on citizens to stand up and restore proper constitutional limits. Her message was that preserving freedom requires active participation and a recommitment to the original intent of the U.S. and State Constitutions, which are meant to restrain government not the people.

**Janene Beal of Riverside**, expressed her frustration with the idea that agricultural protection areas seem to come at a cost, requiring farmers to pay an application fee. She questioned the fairness of a system where protection appears to depend on payment comparing it to organized extortion. She feels all citizens should have equal rights to protection without fees and she called for changes to make farming more affordable. She also expressed concern of committee appointments being based on insider relationships and a general lack of transparency from local representatives.

#### **WARRANT REGISTER – COMMISSIONERS**

The Warrant Register was signed and the following claims were approved: Claim numbers 127016 through 127017 in the amount of \$155,339.42 and 126906 through 127015 in the amount of \$2,331,351.04 with voided claim numbers 125981 and 126657.

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

<b>Employee Name:</b>	<b>Department:</b>	<b>Change:</b>	<b>Effective Date:</b>
SMITH, BRANDON	SHERIFF'S OFFICE	SEPARATION	7/2/2025
JAMES, KAREEM	SHERIFF'S OFFICE	NEW HIRES	6/30/2025
WALKER, KELLY	ROAD DEPARTMENT	REHIRE	7/14/2025
DE LEON, ASHLEY	FIRE MARSHALL	REHIRE	6/30/2025
MALONE, CALEB	WEED DEPT.	SEPARATION	6/26/2025
BROWN, CHRISTINA	JUSTICE COURT	REHIRE	6/16/2025
GEE, JEREMY	WEED DEPT.	SEPARATION	6/26/2025

#### **CLOSED SESSION**

**Strategy session to discuss pending or reasonably imminent litigation and the discussion of the character, professional competence, or physical or mental health of an individual.**

**MOTION:** At 5:31 pm a motion was made by Commissioner Perry to move into a closed session. The motion was seconded by Commissioner Vincent and unanimously carried.

**MOTION:** At 5:39 pm a motion was made by Commissioner Perry to reconvene into regular commission meeting. Commissioner Vincent seconded the motion. The motion carried unanimously and regular commission meeting was reconvened.

**ADJOURNMENT**

A motion was made by Commissioner Perry to adjourn. Commissioner Vincent seconded the motion, and the meeting adjourned at 5:43 pm.

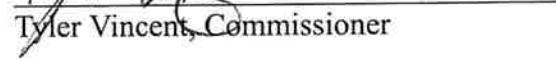
**ADOPTED AND APPROVED** in regular session this 23rd day of July 2025.



Boyd Bingham, Chairman



Lee Perry



Tyler Vincent, Commissioner



ATTEST:



Marla R. Young

Marla R. Young, Clerk



**COUNTY COMMISSION MEETING**  
Commission Chambers, 01 South Main Street, Brigham City, Utah 84302  
Wednesday, July 09, 2025 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 July 9, 2025 in the Commission Chambers of the Box Elder County Courthouse, 01 South Main Street, Brigham City, Utah. Please be advised that a member of the Board of Commissioners may not be present at the upcoming meeting in person, but may participate via phone or other electronic means.*

**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: Fire Marshall Kevin Lloyd
- C. Approve Minutes for June 11, 2025 and June 25, 2025

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

**4. FORMER AGENDA ITEMS**

**5. EMERGENCY MANAGEMENT ISSUES**

**6. ARPA/LATCF**

**7. PUBLIC INTERESTS / PRESENTATIONS / CONCERNS**

- A. 5:08 Prepare for the Fair-Laura Selman

**8. ATTORNEY'S OFFICE**

- A. 5:13 Settlement and Forbearance Agreement (Golden Spike Heritage Foundation vs Box Elder County, et al. litigation)-Stephen Hadfield

**9. COMMISSIONERS**

- A. 5:15 Peach Days Schedule Change for Select County Buildings-Commissioner Perry

**10. COMMUNITY DEVELOPMENT**

- A. 5:17 Ordinance 627 - Text Amendment-Scott Lyons
- B. 5:19 Ordinance 628 - Text Amendment-Scott Lyons
- C. 5:21 Ordinance 629 - Annexation Policy Amendment-Scott Lyons

**11. SHERIFF'S OFFICE**

- A. 5:23 Perimeter Security and Bailiff Services Contract #25-58-Kevin Potter

## **12. HUMAN RESOURCES**

- A. 5:25 Policy 1 Change-Jenica Stander
- B. 5:27 Policy 7 Change-Jenica Stander

## **13. 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.

## **14. WARRANT REGISTER**

## **15. PERSONNEL ACTIONS / VOLUNTEER ACTION FORMS / CELL PHONE ALLOWANCE**

## **16. CLOSED SESSION**

## **17. ADJOURNMENT**

Prepared and posted this 3rd day of July, 2025. Mailed to the Box Elder News Journal and the Leader on the 3rd of July, 2025. 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. 627**

**AN ORDINANCE OF BOX ELDER COUNTY AMENDING THE TEXT TO VARIOUS  
SECTIONS OF CODE REGARDING BUILDABLE SLOPES AND AGRICULTURAL  
WORKFORCE HOUSING, IN THE BOX ELDER COUNTY LAND USE MANAGEMENT &  
DEVELOPMENT CODE.**

**WHEREAS**, a proposal has been made to amend the text to various Sections of Code regarding buildable slopes and agricultural workforce housing, in the Box Elder County Land Use Management & Development Code; 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 June 19, 2025 to allow the general public to comment on this proposed text amendment; and

**WHEREAS**, after providing for public comment from the general public, the Box Elder County Planning Commission has found and determined that the proposed text amendment 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 property 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 text as has been requested; and

**WHEREAS**, the Box Elder County Commission, after appropriate notice, held a public meeting on July 9, 2025, 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 text as set forth in Exhibit B 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 property 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: Ordinance Text Amendment** Amending the text to various Sections of Code regarding buildable slopes and agricultural workforce housing, in the Box Elder County Land Use Management & Development Code is hereby amended to read in its entirety as set forth in Exhibit A.

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

PASSED, ADOPTED AND A SYNOPSIS ORDERED PUBLISHED this 9th day of  
July, 2025, by the Board of County Commissioners of Box Elder County, Utah,

Commissioner Bingham  
Commissioner Perry  
Commissioner Vincent

Voting Aye  
Voting Aye  
Voting Aye

Boyd Bingham  
Box Elder County Commission Chair

Attest:

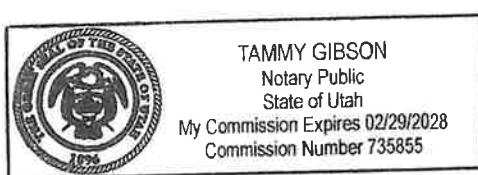
Tammy Gibson  
Marla Young Tammy Gibson  
Box Elder County Clerk



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

On this 9th day of July, 2025, personally appeared before me, the undersigned notary public, Boyd Bingham, 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 **Commission Chairman 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: 2/29/2028



Tammy Gibson  
Notary Public

## EXHIBIT A

### 1-3-040 - Definitions

**Agricultural Workforce Housing:** Agricultural workforce housing means a place, area, or piece of land where sleeping places or housing sites are provided by an agricultural employer for agricultural employees.

**Density:** A measure of the number of dwelling units per acre of area. It shall be expressed dwelling units per acre (DU/acre). Unbuildable land is land with a slope greater than 20% or subject to inundation, or other geological hazards.

**Lot, Restricted:** A lot having an average slope of 20 percent or more; a lot which does not contain at least 75 feet by 100 feet, or the minimum size of a lot permitted in the zoning district where located, with an average slope of less than 20 percent; and/or a lot which has vehicular ingress to the main building or structure which, upon completion of construction on the site, has a slope of 20 percent or greater; or a lot subject to geologic hazards.

**Lot, Unrestricted:**

- A. A lot having an average slope of less than 20 percent and containing a buildable area of at least 75 feet by 100 feet, or
- B. the minimum size of a lot permitted in the zoning district in which it is located, with an average slope of less than 20 percent, or
- C. as a buildable area designated as such on the subdivision plat in which the lot is located, if the average slope of the lot is greater than 20 percent.

### 4-2-040 - General

The “Sensitive Area District, SA” zoning district if not marked on the zoning map per se, shall nonetheless include areas of Box Elder County designated as:

- B. geological hazards including earthquake areas, unstable soil conditions, slopes in excess of 20%, and areas subject to flooding;

### 6-1-130 - Large Subdivision Preliminary Plat

**C. Plat Preparation and Required Information.** The applicant shall submit a preliminary plan to the Zoning Administrator. One (1) 24" X 36"pdf file shall be submitted along with a pdf of any other documents, forms, studies and supporting plans. All required fees shall be paid and all documentation shall be submitted at least twenty (20) business days (i.e., the third Friday of each calendar month) prior to the Planning Commission meeting and at any time for an administrative review for a small subdivision. The following information is required:

5. A contour map at intervals of no more than 2 feet, showing all unusual topographic features, such as depressions, hills, wetlands, floodplain, drainages, springs, rock outcroppings, slopes over 20%, etc., with verification by a qualified engineer or land surveyor.

## EXHIBIT B

### 1-3-040 - Definitions

**Agricultural Workforce Housing:** Agricultural workforce housing means a place, area, or piece of land where sleeping places or housing sites are provided by an agricultural employer for agricultural employees.

**Density:** A measure of the number of dwelling units per acre of area. It shall be expressed dwelling units per acre (DU/acre). Unbuildable land ~~(as defined by the Planning Commission)~~ is land with a slope greater than 250% or subject to inundation, or other geological hazards.

**Lot, Restricted:** A lot having an average slope of +520 percent or more; a lot which does not contain at least 75 feet by 100 feet, or the minimum size of a lot permitted in the zoning district where located, with an average slope of less than +520 percent; and/or a lot which has vehicular ingress to the main building or structure which, upon completion of construction on the site, has a slope of +520 percent or greater; or a lot subject to geologic hazards.

**Lot, Unrestricted:**

- A. A lot having an average slope of less than 320 percent and containing a buildable area of at least 75 feet by 100 feet, or
- B. the minimum size of a lot permitted in the zoning district in which it is located, with an average slope of less than 320 percent, or
- C. as a buildable area designated as such on the subdivision plat in which the lot is located, if the average slope of the lot is greater than 320 percent.

### 4-2-040 - General

The "Sensitive Area District, SA" zoning district if not marked on the zoning map per se, shall nonetheless include areas of Box Elder County designated as:

- B. geological hazards including earthquake areas, unstable soil conditions, slopes in excess of +520%, and areas subject to flooding;

### 6-1-130 - Large Subdivision Preliminary Plat

**C. Plat Preparation and Required Information.** The applicant shall submit a preliminary plan to the Zoning Administrator. One (1) 24" X 36"pdf file shall be submitted along with a pdf of any other documents, forms, studies and supporting plans. All required fees shall be paid and all documentation shall be submitted at least twenty (20) business days (i.e., the third Friday of each calendar month) prior to the Planning Commission meeting and at any time for an administrative review for a small subdivision. The following information is required:

5. A contour map at intervals of no more than 2 feet, showing all unusual topographic features, such as depressions, hills, wetlands, floodplain, drainages, springs, rock outcroppings, slopes over 320%, etc., with verification by a qualified engineer or land surveyor.

**ORDINANCE NO. 628**

**AN ORDINANCE OF BOX ELDER COUNTY AMENDING THE TEXT BY ADDING CHAPTER 3-10, AGRICULTURAL HERITAGE ZONE, IN THE BOX ELDER COUNTY LAND USE MANAGEMENT & DEVELOPMENT CODE.**

**WHEREAS**, a proposal has been made to amend the text by adding Chapter 3-10, Agricultural Heritage Zone, in the Box Elder County Land Use Management & Development Code; 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 June 19, 2025 to allow the general public to comment on this proposed text amendment; and

**WHEREAS**, after providing for public comment from the general public, the Box Elder County Planning Commission has found and determined that the proposed text amendment 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 property 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 text as has been requested; and

**WHEREAS**, the Box Elder County Commission, after appropriate notice, held a public meeting on July 9, 2025, 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 text as set forth in Exhibit B 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 property 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:

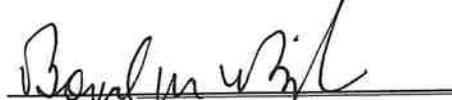
**SECTION 1: Ordinance Text Amendment**. Amending the text by adding Chapter 3-10, Agricultural Heritage Zone, in the Box Elder County Land Use Management & Development Code is hereby amended to read in its entirety as set forth in Exhibit A.

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

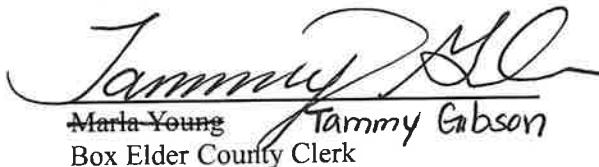
PASSED, ADOPTED AND A SYNOPSIS ORDERED PUBLISHED this 9th day of July, 2025, by the Board of County Commissioners of Box Elder County, Utah,

Commissioner Bingham  
Commissioner Perry  
Commissioner Vincent

Voting Aye  
Voting Aye  
Voting Aye

  
Boyd Bingham  
Box Elder County Commission Chair

Attest:

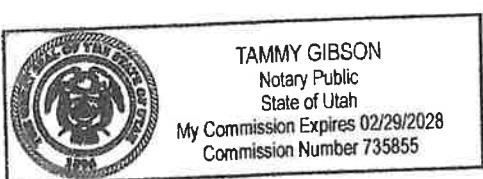
  
Marla Young Tammy Gibson  
Box Elder County Clerk



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

On this 9th day of July, 2025, personally appeared before me, the undersigned notary public, Boyd Bingham, 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 **Commission Chairman 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: Feb 29, 2028



  
Tammy Gibson  
Notary Public

## EXHIBIT A

### Chapter 3-10 Agricultural Heritage Zone (AHZ)

- 3-10-010. Purpose.**
- 3-10-020. Enabling.**
- 3-10-030. Definitions.**
- 3-10-040. Permitted and Conditional Uses.**
- 3-10-050. Area, Width, and Setback Requirements.**
- 3-10-060. Special Regulations.**

#### **3-10-010 Purpose**

The Agricultural Heritage Zone (AHZ) has been established for the primary purpose of supporting and reinforcing agriculture, through a flexible zoning district. Areas where the cultivation of crops and the raising and keeping of livestock and related uses can be carried on and where such uses can be protected and encouraged, were identified in the Box Elder Together General Plan. While dwellings and certain other uses not related to agriculture are permitted, non-agricultural related uses are not encouraged in the AHZ due to the conflict which occurs between farm and non-farm uses. However, residential dwellings may be constructed in harmony with agricultural.

#### **3-10-020 Enabling**

The extent of the AHZ zone is shown on the official zoning map of Box Elder County. All properties covered by this zone shall be subject to the requirements found herein, as well as other relevant requirements of the Box Elder County Land Use Management and Development Code. In the case of any conflicts concerning standards or uses within this zone and other Sections of the Box Elder County Land Use Management and Development Code, the AHZ shall prevail.

Existing uses not allowed in Section 3-10-040, shall become legal non-conforming and are subject to Chapter 2-3.

#### **3-10-030 Definitions**

Certain words or phrases in this Chapter, including uses, are defined in Chapter 1-3 of this Code.

#### **3-10-040 Allowed, Permitted, and Conditional Uses**

In order to accomplish the objectives and purposes of this title and to stabilize and protect the essential agricultural characteristics, the following uses are allowed in the AHZ:

- A. Table of Land Use Regulations.** Allowed, Permitted and Conditional Uses. Allowed, permitted and conditional uses allowed in the agricultural heritage area zone shall be as set forth pursuant to Section 3-10-040 in this Chapter. Allowed uses (any land use not requiring approval by a land use authority) are indicated by an "A" in the appropriate column. Uses that may be permitted by a permitted use review issued by the zoning

administrator are indicated by a "P" in the appropriate column. Uses that may be permitted by a conditional use permit are indicated by a "C" in the appropriate column. Uses that may be permitted by an administrative conditional use permit issued by the zoning administrator are indicated by a "C1" in the appropriate column. If a use is not allowed in a given district, it is either not named in the use list or it is indicated in the appropriate column by a dash, "-."

B. If a use is not specifically designated below, then it is prohibited.

<b><u>LAND USES</u></b>	<b>Permit Type</b>	<b><u>Limitations</u></b>
Agriculture	A	
Agricultural Sales & Service	C1	Site plan required
Agritourism	C1	Site plan required
Agricultural Industry	C	Site plan required, Only allowed on agricultural lots
Animals and Fowl for Recreation and Family Food Production	A	Only allowed on Residential Lots
Produce Stand	P	Site plan required
Small Butcher Shop	C1	Site plan required
Single Family Dwelling	A	
Accessory Dwelling Unit	C1	
Internal Accessory Dwelling Unit	P	
Agricultural Workforce Housing	P	At least 20 acres of land being farmed.
Group Homes	C	Site plan required
Home Occupation	C1	As regulated in Section 5-1-290
Household Pets	A	
Sportman's Ranch	C	Site plan required
Public or quasi-public facilities, essential service facilities, airports, and railroad.	C	Site plan required
Equestrian Facility	P	Site plan required
Home-Based Kennel	C1	Site plan required
Animal clinic	C1	Site plan required
Water System	C	Site plan required
Educational Facility	P	Site plan required
Church or Place of Worship	C1	Site plan required
Small Power Generation	P	
Large Power Generation, including Solar Farms	C	Site plan required

Above ground gas distribution structures less than 200 square feet	P	
Above ground gas distribution structures > 200 square feet	C1	Site plan required
Cannabis Production Establishment (must be State licensed and permitted)	C1	Site plan required
Swimming Pool	P	As regulated in Section 5-1-380
Wireless telecommunication towers, radio and television transmitting stations or towers (including repeating towers)	P	As regulated in Chapter 5-7

### 3-10-050 Area, Width, and Setback Requirements

**Lot Standards Table**

Zone	Minimum Lot Area	Width & Depth	Setbacks for uses with Structures	Height
AHZ Residential	20,000 sq. ft. unless the lot is on a well.	100'	<b>Front:</b> 30' from property line or 63' from the road centerline whichever is greater <b>Side:</b> 15'/30' side setback for a corner lot or 63' from the road centerline whichever is greater <b>Rear:</b> 30'	35' Max. main bldg. or 2.5 stories. Minimum 1 story
AHZ Agricultural	N/A	N/A	<b>Front:</b> 30' from property line or 63' from the road centerline whichever is greater <b>Side:</b> 10'/30' side setback for a corner lot or 63' from the road centerline whichever is greater <b>Rear:</b> 30'	N/A

### 3-10-060 Special Regulations

- Base Density:** The base density for the AHZ shall be 5 acres if the lots will be connected to a culinary tap from a water company and is located along a paved road. The base density for lots that are connected to a well or that are along a gravel road shall be 10 acres.
- Residential Lots on Existing Roads:** To increase flexibility for agricultural parcels while leaving at least a 30' access to the interior of the parcel, a minimum 20,000 square foot lot

for a single family dwelling or workforce housing, using the standards of the RR-20 zone, may be allowed pursuant to:

1. Development must follow Chapter 6-1, Subdivision Regulations, unless explicitly different in the AHZ. There shall be no remainder parcels (all land of the original parcel(s) shall be included);
2. Access point(s) must adhere to drawings shown on Exhibit A.
  - i. All new roads shall be built to Box Elder County Public Works Standards.
3. Streets where allowed:
  - i. State Routes with UDOT approval for access
  - ii. Existing County B Roads
  - iii. New roads will be allowed only if they fit the 1320 grid pattern system existing in the County

**C. Buildable Area:** The buildable area of land shall not include the following:

1. FEMA flood Zone A;
2. wetlands;
3. Slopes in excess of twenty percent (20%);

**D. Maximum Developable Area:** The maximum developable area is determined by dividing the buildable area of land by the base density. (ex. if you start with a 40 acre parcel - you would get 8 - ½ acre lots or 4 - 1 acre lots or 2 - 2 acre lots or 1 - 4 acre lot...)

**E. Agricultural Lot:** Agricultural lot, after meeting the base density maximum the remainder parcel shall be left in place and not be further subdivided for a minimum of twenty (20) years.

1. After 20 years, the Agricultural Lot's eligibility to subdivide will reset and may be subdivided according to the regulations of this Chapter.

## EXHIBIT B

### Chapter 3-10 Agricultural Heritage Zone (AHZ)

- 3-10-010. Purpose.
- 3-10-020. Enabling.
- 3-10-030. Definitions.
- 3-10-040. Permitted and Conditional Uses.
- 3-10-050. Area, Width, and Setback Requirements.
- 3-10-060. Special Regulations.

#### 3-10-010 Purpose

The Agricultural Heritage Zone (AHZ) has been established for the primary purpose of supporting and reinforcing agriculture, through a flexible zoning district. Areas where the cultivation of crops and the raising and keeping of livestock and related uses can be carried on and where such uses can be protected and encouraged, were identified in the Box Elder Together General Plan. While dwellings and certain other uses not related to agriculture are permitted, non-agricultural related uses are not encouraged in the AHZ due to the conflict which occurs between farm and non-farm uses. However, residential dwellings may be constructed in harmony with agricultural.

#### 3-10-020 Enabling

The extent of the AHZ zone is shown on the official zoning map of Box Elder County. All properties covered by this zone shall be subject to the requirements found herein, as well as other relevant requirements of the Box Elder County Land Use Management and Development Code. In the case of any conflicts concerning standards or uses within this zone and other Sections of the Box Elder County Land Use Management and Development Code, the AHZ shall prevail.

Existing uses not allowed in Section 3-10-040, shall become legal non-conforming and are subject to Chapter 2-3.

#### 3-10-030 Definitions

Certain words or phrases in this Chapter, including uses, are defined in Chapter 1-3 of this Code.

#### 3-10-040 Allowed, Permitted, and Conditional Uses

In order to accomplish the objectives and purposes of this title and to stabilize and protect the essential agricultural characteristics, the following uses are allowed in the AHZ:

- C. Table of Land Use Regulations. Allowed, Permitted and Conditional Uses. Allowed, permitted and conditional uses allowed in the agricultural heritage area zone shall be as set forth pursuant to Section 3-10-040 in this Chapter. Allowed uses (any land use not requiring approval by a land use authority) are indicated by an "A" in the appropriate column. Uses that may be permitted by a permitted use review issued by the zoning

administrator are indicated by a "P" in the appropriate column. Uses that may be permitted by a conditional use permit are indicated by a "C" in the appropriate column. Uses that may be permitted by an administrative conditional use permit issued by the zoning administrator are indicated by a "C1" in the appropriate column. If a use is not allowed in a given district, it is either not named in the use list or it is indicated in the appropriate column by a dash, "-."

D. If a use is not specifically designated below, then it is prohibited.

LAND USES	Permit Type	Limitations
Agriculture	A	
Agricultural Sales & Service	C1	Site plan required
Agritourism	C1	Site plan required
Agricultural Industry	C	Site plan required. Only allowed on agricultural lots
Animals and Fowl for Recreation and Family Food Production	A	Only allowed on Residential Lots
Produce Stand	P	Site plan required
Small Butcher Shop	C1	Site plan required
Single Family Dwelling	A	
Accessory Dwelling Unit	C1	
Internal Accessory Dwelling Unit	P	
Agricultural Workforce Housing	P	At least 20 acres of land being farmed.
Group Homes	C	Site plan required
Home Occupation	C1	As regulated in Section 5-1-290
Household Pets	A	
Sportman's Ranch	C	Site plan required
Public or quasi-public facilities, essential service facilities, airports, and railroad.	C	Site plan required
Equestrian Facility	P	Site plan required
Home-Based Kennel	C1	Site plan required
Animal clinic	C1	Site plan required
Water System	C	Site plan required
Educational Facility	P	Site plan required
Church or Place of Worship	C1	Site plan required
Small Power Generation	P	
Large Power Generation, including Solar Farms	C	Site plan required

<u>Above ground gas distribution structures less than 200 square feet</u>	<u>P</u>	
<u>Above ground gas distribution structures &gt; 200 square feet</u>	<u>C1</u>	<u>Site plan required</u>
<u>Cannabis Production Establishment (must be State licensed and permitted)</u>	<u>C1</u>	<u>Site plan required</u>
<u>Swimming Pool</u>	<u>P</u>	<u>As regulated in Section 5-1-380</u>
<u>Wireless telecommunication towers, radio and television transmitting stations or towers (including repeating towers)</u>	<u>P</u>	<u>As regulated in Chapter 5-7</u>

### 3-10-050 Area, Width, and Setback Requirements

**Lot Standards Table**

<u>Zone</u>	<u>Minimum Lot Area</u>	<u>Width &amp; Depth</u>	<u>Setbacks for uses with Structures</u>	<u>Height</u>
<u>AHZ</u> Residential	<u>20,000 sq. ft. unless the lot is on a well.</u>	<u>100'</u>	<u>Front: 30' from property line or 63' from the road centerline whichever is greater</u> <u>Side: 15'/30' side setback for a corner lot or 63' from the road centerline whichever is greater</u> <u>Rear: 30'</u>	<u>35' Max. main bldg. or 2.5 stories.</u> <u>Minimum 1 story</u>
<u>AHZ</u> Agricultural	<u>N/A</u>	<u>N/A</u>	<u>Front: 30' from property line or 63' from the road centerline whichever is greater</u> <u>Side: 10'/30' side setback for a corner lot or 63' from the road centerline whichever is greater</u> <u>Rear: 30'</u>	<u>N/A</u>

### 3-10-060 Special Regulations

F. **Base Density:** The base density for the AHZ shall be 5 acres if the lots will be connected to a culinary tap from a water company and is located along a paved road. The base density for lots that are connected to a well or that are along a gravel road shall be 10 acres.

G. **Residential Lots on Existing Roads:** To increase flexibility for agricultural parcels while leaving at least a 30' access to the interior of the parcel, a minimum 20,000 square foot lot

for a single family dwelling or workforce housing, using the standards of the RR-20 zone, may be allowed pursuant to:

1. Development must follow Chapter 6-1, Subdivision Regulations, unless explicitly different in the AHZ. There shall be no remainder parcels (all land of the original parcel(s) shall be included);
2. Access point(s) must adhere to drawings shown on Exhibit A.
  - i. All new roads shall be built to Box Elder County Public Works Standards.
3. Streets where allowed:
  - i. State Routes with UDOT approval for access
  - ii. Existing County B Roads
  - iii. New roads will be allowed only if they fit the 1320 grid pattern system existing in the County

H. **Buildable Area:** The buildable area of land shall not include the following:

1. FEMA flood Zone A;
2. wetlands;
3. Slopes in excess of twenty percent (20%);

I. **Maximum Developable Area:** The maximum developable area is determined by dividing the buildable area of land by the base density. (ex. if you start with a 40 acre parcel - you would get 8 - 1/2 acre lots or 4 - 1 acre lots or 2 - 2 acre lots or 1 - 4 acre lot...)

J. **Agricultural Lot:** Agricultural lot, after meeting the base density maximum the remainder parcel shall be left in place and not be further subdivided for a minimum of twenty (20) years.

1. After 20 years, the Agricultural Lot's eligibility to subdivide will reset and may be subdivided according to the regulations of this Chapter.

**ORDINANCE NO. 629**

**AN ORDINANCE OF BOX ELDER COUNTY AMENDING THE TEXT TO SECTION 5-1-360, ANNEXATION POLICY, IN THE BOX ELDER COUNTY LAND USE MANAGEMENT & DEVELOPMENT CODE.**

**WHEREAS**, a proposal has been made to amend the text to Section 5-1-360, Annexation Policy, in the Box Elder County Land Use Management & Development Code; 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 June 19, 2025 to allow the general public to comment on this proposed text amendment; and

**WHEREAS**, after providing for public comment from the general public, the Box Elder County Planning Commission has found and determined that the proposed text amendment 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 property 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 text as has been requested; and

**WHEREAS**, the Box Elder County Commission, after appropriate notice, held a public meeting on July 9, 2025, 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 text as set forth in Exhibit B 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 property 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: Ordinance Text Amendment**. Amending the text to Section 5-1-360, Annexation Policy, in the Box Elder County Land Use Management & Development Code is hereby amended to read in its entirety as set forth in Exhibit A.

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

PASSED, ADOPTED AND A SYNOPSIS ORDERED PUBLISHED this 9<sup>th</sup> day of July, 2025, by the Board of County Commissioners of Box Elder County, Utah,

Commissioner Bingham  
Commissioner Perry  
Commissioner Vincent

Voting Aye  
Voting Aye  
Voting Aye

Boyd Bingham  
Box Elder County Commission Chair

Attest:

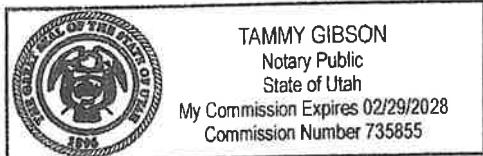
Tammy Gibson  
Marla Young Tammy Gibson  
Box Elder County Clerk



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

On this 9<sup>th</sup> day of July, 2025, personally appeared before me, the undersigned notary public, Boyd Bingham, 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 **Commission Chairman 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: Feb 29, 2028



Tammy Gibson  
Notary Public

## EXHIBIT A

### **5-1-360. Annexation Policy. (Ordinance 573)**

#### **A. Requirements.**

1. The Box Elder County Commission, Planning Commission, or Community Development Office shall not take action on any proposed Land Use Application or Zoning Map Amendment within unincorporated Box Elder County (except building permits that are not using municipal utilities) if the Land Use Application or Zoning Map Amendment is:
  - a. Located within  $\frac{1}{2}$  mile of a municipality's largest (by area) incorporated boundary, or
  - b. If a development, improvement, or building lot will be using two or more utilities provided by a municipality.
2. If the proposed Land Use Application or Zoning Map Amendment meets any of the above criteria, the applicant shall petition the applicable municipality for annexation of the property associated with the Land Use Application or Zoning Map Amendment pursuant to the requirements set forth in Title 10, Chapter 2 of the Utah State Code as currently existing or subsequently modified. If the municipality(ies) rejects the petition for annexation, the applicant shall provide signed documentation to the Community Development office from the municipality(ies) showing the municipality's rejection of an annexation petition. After such documentation is received, the Land Use Application or Zoning Map Amendment may move forward.
3. If a municipality accepts the petition for annexation, and it is an island annexation, the county and annexing municipality must agree to the annexation. This agreement shall come in the form of both entities approving the annexation. The annexation proposal must be presented to the County Commission through the County Community Development Department with input from affected county departments and stakeholders.
4. If the County Commission does not agree to the island annexation the petitioner may move forward with the Land Use Application or Legislative Application within unincorporated Box Elder County.
5. Any Land Use Application or Legislative Application using a municipality's utilities cannot have a higher density than that allowed by the municipality providing the utilities.
6. All applications shall be subject to the time limits set forth in Section 2-2-040(K), Substantial Action Required and Section 2-2-040(L), Expiration of Application of the Box Elder County Land Use Management & Development Code.

#### **B. Exemptions.**

1. The following Land Use Applications and Legislative Applications are exempt from the requirements listed in subsection “A” of this section and are NOT required to go through the annexation petition process with a municipality:
  - a. 1-Lot Subdivisions that are not adjacent to a municipal boundary and are not using municipal utilities.
  - b. Accessory Dwelling Units (internal and detached) in which there are no municipal utility services to the parcel or lot.
  - c. Home Occupations
  - d. Swimming Pools
  - e. Home-Based Kennels
  - f. Conditional Use Permits for temporary buildings and mobile homes for uses incidental to construction work or temporary living quarters in which there are no municipal utility services to the parcel or lot.
  - g. Zoning Map Amendments in conjunction with Agriculture Protection Area applications.
  - h. Agricultural Subdivisions with a Single Family Dwelling

## EXHIBIT B

### **5-1-360. Annexation Policy. (Ordinance 573)**

#### **A. Requirements.**

1. The Box Elder County Commission, Planning Commission, or Community Development Office shall not take action on any proposed Land Use Application or Zoning Map Amendment within unincorporated Box Elder County (except building permits that are not using municipal utilities) if the Land Use Application or Zoning Map Amendment is:
  - a. Located within ½ mile of a municipality's largest (by area) incorporated boundary, or
  - b. If a development, improvement, or building lot will be using two or more utilities provided by a municipality.
2. If the proposed Land Use Application or Zoning Map Amendment meets any of the above criteria, the applicant shall petition the applicable municipality for annexation of the property associated with the Land Use Application or Zoning Map Amendment pursuant to the requirements set forth in Title 10, Chapter 2 of the Utah State Code as currently existing or subsequently modified. If the municipality(ies) rejects the petition for annexation, the applicant shall provide signed documentation to the Community Development office from the municipality(ies) showing the municipality's rejection of an annexation petition. After such documentation is received, the Land Use Application or Zoning Map Amendment may move forward.
3. If a municipality accepts the petition for annexation, and it is an island annexation, the county and annexing municipality must agree to the annexation. This agreement shall come in the form of both entities approving the annexation. The annexation proposal must be presented to the County Commission through the County Community Development Department with input from affected county departments and stakeholders.
4. If the County Commission does not agree to the island annexation the petitioner may move forward with the Land Use Application or Legislative Application within unincorporated Box Elder County.
5. Any Land Use Application or Legislative Application using a municipality's utilities cannot have a higher density than that allowed by the municipality providing the utilities.
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#### **B. Exemptions.**

1. The following Land Use Applications and Legislative Applications are exempt from the requirements listed in subsection "A" of this section and are NOT required to go through the annexation petition process with a municipality:
  - a. 1-Lot Subdivisions that are not adjacent to a municipal boundary and are not using municipal utilities.
  - b. Accessory Dwelling Units (internal and detached) in which there are no municipal utility services to the parcel or lot.
  - c. Home Occupations
  - d. Swimming Pools
  - e. Home-Based Kennels
  - f. Conditional Use Permits for temporary buildings and mobile homes for uses incidental to construction work or temporary living quarters in which there are no municipal utility services to the parcel or lot.
  - g. Zoning Map Amendments in conjunction with Agriculture Protection Area applications.
  - h. Agricultural Subdivisions with a Single Family Dwelling



## 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. LIABILITY: 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. The parties do not waive and 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. CONTINUTITY 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 the CONTRACTOR the annual amounts listed on page one (1) of this contract, not to exceed the total contract amount.
2. The CONTRACTOR will invoice the AOC once every month, within thirty (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 AOC will remit payment to the CONTRACTOR within thirty (30) days of receipt of the invoice.
4. The invoice shall include the total hours of security services provided for the invoiced period, as well as the vendor's number. (located on the Cover Page)
5. Any invoice submitted in connection with this agreement shall be sent (USPS or electronically) to the Contact Information for Courts listed below.

**Please send payment to:**

Administrative Office of the Courts (AOC)  
Attn: Security Department  
Address: 450 South Main Street, N231B  
City/Zip: Salt Lake City, UT 84111  
Phone: 801-578-3841  
E-mail: [courtsecurity@utcourts.gov](mailto:courtsecurity@utcourts.gov)

Contract # 25-58

## STATE OF UTAH CONTRACT

1. CONTRACTING PARTIES: This contract is between the State of Utah, Administrative Office of the Courts, referred to as STATE, and the following CONTRACTOR:

Box Elder County Sheriff

Name

52 South 1000 West

Address

Brigham City

UT

84302

City

State

Zip

## LEGAL STATUS OF CONTRACTOR

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

Contact Person: Kevin Potter

Phone: 435-734-3818

Email: kbpotter@boxeldercounty.gov

Vendor #: 65305E

Commodity Code #: 96480

2. GENERAL PURPOSE OF CONTRACT: To provide court perimeter and bailiff services at the courthouse/s in this county.  
(Required by Statute 17-22-27 Paragraph 2. Sheriff – Assignment of court bailiffs – Contract and Costs

3. PROCUREMENT: This contract is entered into as a result of: **No procurement required (Government Agency)**.

4. CONTRACT PERIOD: Effective Date: 07/01/25 Termination Date: 06/30/26 unless terminated early or extended in accordance with the terms and conditions of this contract. RENEWALS: NONE

5. CONTRACT AMOUNT: CONTRACTOR will be paid based on the following for this Contract Period:

Maximum Contract Hours: 10,920 at Rate: \$26.20 Maximum Budget: \$286,104.00

6. ATTACHMENT A: Terms and Conditions

ATTACHMENT B: Scope of Work

ATTACHMENT C: Costs/Payment

**Any conflict between Attachment A and other Attachments will be resolved in favor of Attachment A.**

7. DOCUMENTS INCORPORATED INTO THIS CONTRACT BY REFERENCE BUT NOT ATTACHED:

a. All other governmental laws, regulations, or actions applicable to the goods and/or services authorized by this contract.  
b. Utah State Procurement Code

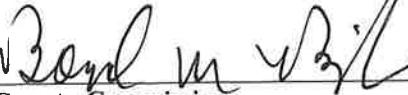
IN WITNESS WHEREOF, the parties sign and cause this contract to be executed.

CONTRACTOR:

STATE:

 7/9/25  
County Sheriff

Court Security Director or AOC Designee Date

 7/9/25  
County Commission

Keisa Williams 5/12/25  
Approved as to Form Date

 7/9/25  
County Attorney

Approved as to Availability of Funds Date

State Division of Finance Date