

**MINUTES**  
**BOX ELDER COUNTY COMMISSION**  
**JANUARY 06, 2021**

---

The Board of County Commissioners of Box Elder County, Utah met in an Administrative / Operational Session at the County Courthouse, 1 South Main Street in Brigham City, Utah at 4:45 p.m. on January 6, 2021. The following members were present:

Jeff Hadfield	Chairman
Stan Summers	Commissioner
Jeff Scott	Commissioners
Marla R. Young	Clerk

The Following items were discussed:

1. Agenda Review / Supporting Documents
2. Commissioners' Correspondence
3. Staff Report - Agenda Related
4. Correspondence

The Administrative / Operational Session adjourned at 4:55 p.m.

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

Jeff Hadfield	Chairman
Stan Summers	Commissioner
Jeff Scott	Commissioner
Marla R. Young	Clerk

The Prayer was offered by: Commissioner Summers.

The Pledge of Allegiance was led by Economic Development Director Mitch Zundel.

**APPROVAL OF MINUTES**

**THE MINUTES OF THE REGULAR MEETING OF DECEMBER 16, 2020 WERE APPROVED AS WRITTEN ON A MOTION BY COMMISSIONER SCOTT, SECONDED BY COMMISSIONER SUMMERS AND UNANIMOUSLY CARRIED.**

**ATTACHMENT NO. 1 - AGENDA**

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

**Mosquito Abatement Board Member - Commissioner Summers**

Commissioner Summers stated he has been serving on the Mosquito Abatement Board and his term expired on December 31, 2020. If anyone is interested in serving on this board, they may contact the Commissioners.

**Fiber Optics in Howell and Snowville - Commissioner Summers**

Commissioner Summers stated there is a photo opportunity in Snowville tomorrow to acknowledge the project to run fiber optics from Tremonton to the Idaho border. The new fiber optics will allow high speed internet for Howell and Snowville.

**FORMER AGENDA ITEMS, FOLLOW-UP - COMMISSIONERS**

There were no Former Agenda Items discussed.

**EMERGENCY MANAGEMENT ISSUES**

Commissioner Scott stated the Covid numbers are staying constant with 25-40 new cases per day. Vaccinations have started with front line workers and first responders.

**COMMISSIONERS**

**Appoint New Commission Chairman - Commissioners**

Chairman Hadfield stated with the new year comes a new Commission Chairman. He stated it would be Commissioner Summers turn to be chairman.

**MOTION:** Commissioner Scott made a motion to appoint Commissioner Summers as the Commission Chairman for 2021. The motion was seconded by Commissioner Summers and unanimously carried.

**Chairman Summers conducted the remainder of the meeting.**

**PUBLIC INTERESTS/PRESENTATIONS/CONCERNS**

**Request Assistance with Taxes on Parcel #03-138-0016 - Suzanne Renteria.**

Suzanne Renteria explained her hardship circumstances and stated she just got out of an assisted living facility. She requested assistance on her house taxes. She said she has been paying \$200.00 per month but is on a fixed income. Currently the taxes go back 10 years due to bankruptcy. She asked for forgiveness of the penalties and interest.

Auditor Tom Kotter explained, if the property is in bankruptcy, it does not go to tax sale.

**MOTION:** Commissioner Hadfield made a motion to forgive the penalties and interest on parcel #03-138-0016. The motion was seconded by Commissioner Scott and unanimously carried.

**Request for Adjustment of Delinquent Property Taxes on Parcel #03-102-0086 - Bryan Baron**

Bryan Baron explained he has acquired the Baron Woolen Mill property. There are back taxes owed. He explained the property has been sold a few times and then was bought by a non-profit entity. He stated the Woolen Mills was burned and the non-profit discontinued paying the taxes. After the fire, Brigham City Corporation took over management of the property and cleanup. He asked the Commission to forgive the taxes. He stated he has been working with Brigham City to remove their liens on the property. The deal with the property owner was to get the city lien off their backs. He plans to build a home on the property.

**MOTION:** Commissioner Scott made a motion to forgive the back taxes from 2015-2019 on parcel #03-102-0086. The motion was seconded by Commissioner Hadfield and unanimously carried.

**County Beekeeper - Martin James**

Martin James, Box Elder and Cache County Bee Inspector, gave a brief overview of what a bee inspector does. He said they inspect hives for foulbrood. He stated once the honey is collected then the health department is involved. He briefly discussed the ongoing contract and stated the contract does not expire.

The Commissioners thanked Mr. James for his service and for explaining his position.

**PUBLIC HEARING**

**Public Hearing CDBG 2021 Program Year Public Notice - Brian Carver**

Box Elder County Commission Meeting Minutes for January 6, 2021

Chairman Summers opened the public hearing at 5:15 p.m.

Commissioner Scott read the public notice for the Community Development Block Grant (CDBG) Small Cities Program. He stated there is mandatory training in November for the grant application awards.

**Brian Carver of Bear River Association of Governments** stated Julie Tanner of East Grouse Creek is interested in the grant for the Grouse Creek Pipeline.

**DeAnna Hardy Brigham City** stated, as a citizen, she opposes BRAG. The money comes from the citizens and feels it is a socialist program. It is not what the government should be involved in. Money is property and things like this should be through the free market.

**MOTION:** Commissioner Hadfield made a motion to close the public hearing. The motion was seconded by Commissioner Scott and the hearing was closed.

**ATTACHMENT NO. 2 - CDBG GRANT PUBLIC HEARING LIST**

**ECONOMIC DEVELOPMENT**

**Resolution #20-27 to Reinstate the Recycling Market Development Zone Program - Mitch Zundel**

Economic Development Director Mitch Zundel stated Resolution #20-27 regards renewing the Recycling Market Development Zone. It will extend it for five more years. The Recycling Market Development Zone encourages companies to recycle materials and to use recycled materials in their products.

**MOTION:** Commissioner Scott made a motion to approve Resolution #20-27 pending County Attorney approval. The motion was seconded by Commissioner Hadfield and unanimously carried.

**ATTACHMENT NO. 3 - RESOLUTION #20-27**

**HUMAN RESOURCES**

**COVID-19 Leave - Jenica Stander**

Diane Black, HR Secretary, explained Policy 25. It allows COVID-19 sick leave to continue through March 31, 2021.

**MOTION:** Commissioner Hadfield made a motion to approve extending COVID-19 leave through March 31, 2021 as stated in Policy 25. The motion was seconded by Commissioner Scott and unanimously carried.

### **COMMUNITY DEVELOPMENT**

#### ***Freedom One Subdivision; Phase 3 - 1 lot - Scott Lyons***

This item was canceled.

#### ***Wayne Firth Minor Subdivision Amendment - 1 Lot - Scott Lyons***

County Planner Marcus Wager explained the Wayne Firth Minor Subdivision Amendment is a one-lot subdivision, now being amended to two lots. It is located at 9980 N 10800 W and has been through the necessary review process by departments.

**MOTION:** Commissioner Scott made a motion to approve the Wayne Firth Subdivision Amendment. The motion was seconded by Commissioner Hadfield and unanimously carried.

### **ROAD DEPARTMENT**

#### ***Letter of Support for Utah Admin Rule R930-5-8 Railroad Crossing Maintenance - Bill Gilson***

Road Supervisor Bill Gilson asked the Commission to sign a letter of support regarding the Utah Admin Rule R930-5-8. The letter of support is to have the railroad pay for maintenance in the right of way as some municipalities are being approached to pay for it.

**MOTION:** Commissioner Hadfield made a motion to sign a letter of support regarding the payment of maintenance at railroad rights of way. The motion was seconded by Commissioner Scott and unanimously carried.

### **ATTACHMENT NO. 4 - LETTER OF SUPPORT**

### **CLERK'S DEPARTMENT**

#### ***Removal from Agriculture Protection for Lyle & Kathryn Holmgren by Resolution #20-21***

Box Elder County Commission Meeting Minutes for January 6, 2021

Skyler Chambers presented a petition on behalf of Lyle and Kathryn Holmgren to have property removed from an Agricultural Protection Area. He stated there is a combined 42.86 acres to be removed.

Clerk Marla Young stated the necessary petition has been filed with the Clerk's office.

**MOTION:** Commissioner Scott made a motion to approve Resolution #20-21 regarding the removal of property from an Agricultural Protection Area. The motion was seconded by Commissioner Hadfield and unanimously carried.

**ATTACHMENT NO. 5 - RESOLUTION #21-01**

**COMMISSION / COMMISSION SECRETARY**

***Indigent Burial Policy and Contract #20-60 - Chrisee Bennett & April Jones***

Commission Secretary Chrisee Bennett and Deputy Auditor April Jones stated they, along with Attorney Hadfield, are in the process of creating an Indigent Burial Contract. They have contacted several counties in Utah to see what they pay to mortuaries. They stated the average cost for a funeral home is \$1,400.00

***Indigent Burial - Chrisee Bennett***

Commission Secretary Chrisee Bennett stated there is a current indigent burial with Gillies Funeral Chapel. She stated the last indigent burial was allocated \$750.00.

**MOTION:** Commissioner Scott made a motion to approve \$750.00 for the indigent burial of Charles Thomas. The motion was seconded by Commissioner Hadfield and unanimously carried.

**WARRANT REGISTER**

The Warrant Register was signed on a motion and the following claims were approved. Claim numbers 114097 through 114166 in the amount of \$885,849.71 with claim number 113126 voided. Claim numbers 114167 through 114198 in the amount of \$746,225.33. Claim numbers 114199 through 114231 in the amount of \$548,423.29.

**PERSONNEL ACTION / VOLUNTEER ACTION FORMS / CELL PHONE ALLOWANCE**

Department	Employee	Action	Date
------------	----------	--------	------

Box Elder County Commission Meeting Minutes for January 6, 2021

Recorder's Office	Gloria Olsen	Compensation Change	01/13/2021
Road Department	Justin Barfuss	Compensation Change	01/01/2021
Road Department	Robert Barrow	Compensation Change	01/01/2021
Road Department	Jabez Barrow	Compensation Change	01/01/2021
Road Department	Chandler Christoffersen	Compensation Change	01/01/2021
Road Department	Jason Cook	Compensation Change	01/01/2021
Road Department	Robby Dilg	Compensation Change	01/01/2021
Road Department	Robby Dilg	Compensation Change	01/06/2021
Road Department	Chad Gatehouse	Compensation Change	01/01/2021
Road Department	Chad Gatehouse	Compensation Change	01/14/2021
Road Department	David Glade	Compensation Change	01/01/2021
Road Department	Thomas Hansen	Compensation Change	01/01/2021
Road Department	Jon Hawkes	Compensation Change	01/01/2021
Road Department	A. William Kimber	Compensation Change	01/01/2021
Road Department	Cody Kimber	Compensation Change	01/01/2021
Road Department	Bruce Morris	Compensation Change	01/01/2021
Road Department	Joel Newman	Compensation Change	01/01/2021
Road Department	Eddie Nicholas	Compensation Change	01/01/2021
Road Department	Eddie Nicholas	Compensation Change	12/23/2020
Road Department	Thomas Perkins	Compensation Change	01/01/2021
Road Department	Richard Ramirez	Compensation Change	01/01/2021
Road Department	Gerald Richins	Compensation Change	01/01/2021
Road Department	Gerald Richins	Compensation Change	01/01/2021
Road Department	Delbert Spackman	Compensation Change	01/01/2021
Road Department	Cindy Thompson	Compensation Change	01/01/2021

Box Elder County Commission Meeting Minutes for January 6, 2021

Road Department	Clark Weidman	Compensation Change	01/01/2021
Sheriff's Office	Austin Bowcut	Compensation Change	01/01/2021
Sheriff's Office	Kevin Koontz	Compensation Change	12/14/2020
Sheriff's Office	Kaylyne Ballard	Compensation Change	01/01/2021
Sheriff's Office	Christine Gerhardt	Compensation Change	01/01/2021
Sheriff's Office	Stephanie Gill	Compensation Change	01/01/2021
Sheriff's Office	Sylvia Greenhalgh	Compensation Change	01/01/2021
Sheriff's Office	Zachary Graves	Transfer	01/03/2021
Sheriff's Office	Caleb Martinez	Compensation Change	01/08/2021
Sheriff's Office	Phillip McCullam	Compensation Change	12/05/2020
Sheriff's Office	David Nicholls	Compensation Change	01/08/2021
Sheriff's Office	Eduardo Rodriguez	Compensation Change	01/08/2021
Sheriff's Office	Feliza Uman	New Hire	12/20/2020
Sheriff's Office	Bradley Whitley	Compensation Change	01/01/2021
Weed Department	Wyatt Freeze	Compensation Change	01/01/2021

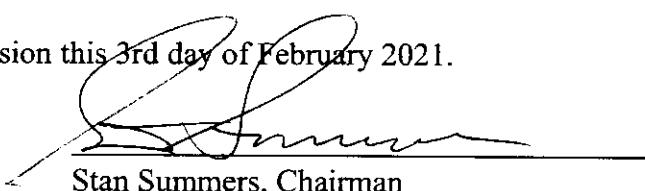
**CLOSED SESSION**

There was not a closed session.

**ADJOURNMENT**

A motion was made by Commissioner Scott to adjourn. Commissioner Hadfield seconded the motion, and the meeting adjourned at 6:15 p.m.

**ADOPTED AND APPROVED** in regular session this 3rd day of February 2021.

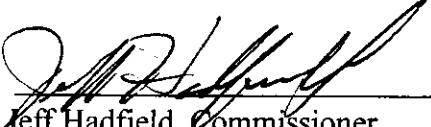


Stan Summers, Chairman

Box

County Commission Meeting Min

January 6, 2021

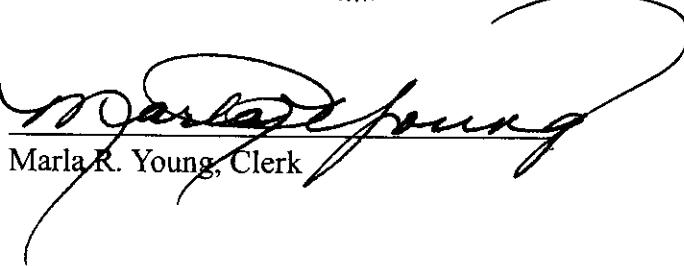
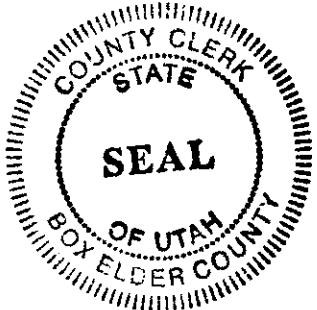


Jeff Hadfield, Commissioner



Jeff Scott, Commissioner

ATTEST:



Marla R. Young, Clerk

# **BOX ELDER COUNTY**

**Wednesday, January 6, 2021  
County Commission Meeting**

**BOX ELDER COUNTY CLERK  
01 South Main Street  
Brigham City, Utah 84302**

## **NOTICE AND AGENDA**

**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 January 6, 2021 in the Commission Chambers of the Box Elder County Courthouse, 01 South Main Street, Brigham City, Utah.**

### **1. ADMINISTRATIVE / OPERATIONAL SESSION**

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

### **2. CALL TO ORDER 5:00 P.M.**

- A. Invocation Given by: Commissioner Summers
- B. Pledge of Allegiance Given by: Economic Development Director Mitch Zundel
- C. Approval of Minutes from December 16, 2020

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

#### **4. FORMER AGENDA ITEMS**

#### **5. EMERGENCY MANAGEMENT ISSUES**

#### **6. COMMISSIONERS**

- A. 5:02 P.M. Appoint New Commission Chairman - Commissioners

#### **7. PUBLIC INTERESTS / PRESENTATIONS / CONCERNs**

- A. 5:04 P.M. Request Assistance with Taxes on Parcel #03-138-0016 - Suzanne Ranteria
- B. 5:09 P.M. Request for Adjustment of Delinquent Property Taxes on Parcel 03-102-0086-Bryan Baron
- C. 5:14 P.M. County Beekeeper - Martin James

#### **8. PUBLIC HEARING**

- A. 5:15 P.M. Public Hearing CDBG 2021 Program Year Public Notice - Brian Carver

**9. ECONOMIC DEVELOPMENT**

A. 5:20 P.M. Resolution #20-27 to Reinstate the Recycling Market Development Zone Program - Mitch Zundel

**10. HUMAN RESOURCES**

A. 5:25 P.M. COVID-19 Leave - Jenica Stander

**11. COMMUNITY DEVELOPMENT**

A. 5:27 P.M. Freedom One Subdivision; Phase 3 - 1 Lot - Scott Lyons

B. 5:29 P.M. Wayne Firth Minor Subdivision Amendment - 1 Lot - Scott Lyons

**12. ROAD DEPARTMENT**

A. 5:31 P.M. Letter of Support for Utah Admin rule R930-5-8 Railroad Crossing Maintenance - Bill Gilson

**13. CLERK'S OFFICE**

A. 5:33 P.M. Removal from Agriculture Protection for Lyle & Kathryn Holmgren by Resolution #21-01 - Marla Young

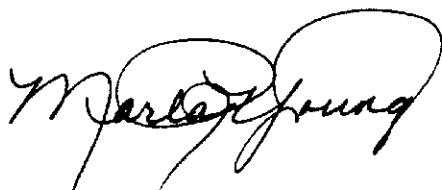
**14. COMMISSION / COMMISSION SECRETARY**

A. 5:35 P.M. Indigent Burial Policy and Contract #20-60 - Chrisee Bennett / April Jones

B. 5:37 P.M. Indigent Burial - Chrisee Bennett

**15. WARRANT REGISTER****16. PERSONNEL ACTIONS / VOLUNTEER ACTION FORMS / CELL PHONE ALLOWANCE****17. CLOSED SESSION****18. ADJOURNMENT**

Prepared and posted this 23rd day of December, 2020. Mailed to the Box Elder News Journal and the Leader on the 23rd day of December, 2020. 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 734-2247 or FAX 734-2038 for information or assistance.

CDBG 2021 Program Year January 6, 2021

Name

phone #

Christee Benzold

435-234-3393

DeAnna Hardy

April Jones

~~Mark~~ Martin James

(435) 760-0805

John R Kaiserman

Bill Johnson

Rd Dept

Marcus Wager

Community Development

Kevin Peltz

734-3818

Dale F. Ward

734-3805

Skater Chambers

(970) 646-2124

Steve Carver

435-952-7242

Mark Linder

435-734-3331

BOX ELDER COUNTY, UTAH  
BOARD OF COUNTY COMMISSIONERS

Resolution No. 20-27

**A RESOLUTION OF THE BOX ELDER COUNTY COMMISSION REINSTATING THE RECYCLING MARKET DEVELOPMENT ZONE PROGRAM.**

**WHEREAS**, the Utah Legislature has established a Recycling Market Development Zone program; and

**WHEREAS**, Box Elder County received Recycling Market Development Zone status in 1997; and

**WHEREAS**, the Recycling Market Development Zone requires reauthorization every five years; and

**WHEREAS**, the Recycling Market Development Zone program will provide certain incentives and benefits for businesses qualifying under the program; and

**WHEREAS**, there are existing businesses in Box Elder County that can and have benefitted from location in a Recycling Market Development Zone designated area; and

**WHEREAS**, Recycling Market Development Zone status is one of the incentives that Box Elder County can offer for new and existing businesses to locate in Box Elder County; and

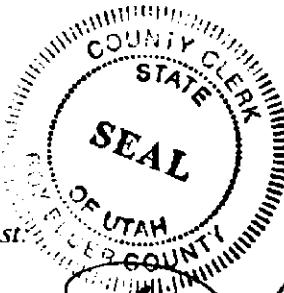
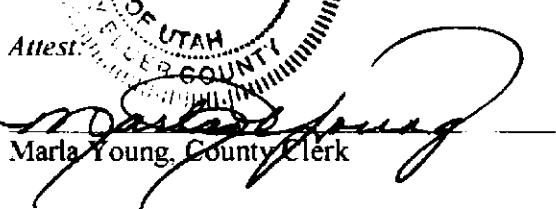
**WHEREAS**, The County Commission of Box Elder County finds that participation in the Recycling Market Development Zone program will enhance Box Elder County's ability to retain and recruit recycling and related businesses.

**NOW THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS, ACTING AS THE LEGISLATIVE BODY OF BOX ELDER COUNTY, UTAH WITH \_\_\_\_ MEMBERS PRESENT AND \_\_\_\_ MEMBERS VOTING IN FAVOR THEREOF AS FOLLOWS:**

1. The Commission Chair is authorized to sign the attached letter in behalf of the Box Elder County Commission, and forward it to the Governor's Office of Economic Development along with the map, shapefile, and application.

2. This Resolution shall take effect immediately upon its adoption.

**APPROVED AND ADOPTED** this January 6, 2021

  
Attest:  
  
Marla Young, County Clerk

  
Box Elder County Commission Chair



**RESOLUTION NO. 21-01**

**A RESOLUTION OF THE BOX ELDER COUNTY COMMISSION GRANTING THE  
PETITION OF LYLE N KATHRYN L HOLMGREN TRUST FOR REMOVAL OF LAND  
FROM THAT CERTAIN AGRICULTURAL PROTECTION AREA CREATED ON JUNE  
23, 1998 AND RECORDED IN THE OFFICE OF THE BOX ELDER COUNTY  
RECORDER AS ENTRY NO. 113177 IN BOOK 0682 AT PAGE 1251.**

**WHEREAS**, a "Petition for Removal from Agricultural Protection Area," dated December 29, 2020 was filed with the Box Elder County Commission by Lyle Holmgren, Trustee of Lyle N Kathryn L Holmgren Trust, for the purpose of removing land which it owns from an existing Agricultural Protection Area; and

**WHEREAS**, said petition was reviewed, with the ownership of the land having been verified as belonging to the petitioner, and the legal description of the land having been verified as being located within the boundaries of the Agricultural Protection Area; and

**WHEREAS**, pursuant to the provisions of Utah Code §17-41-306(2)(b)(i)(A)(I), which provides that upon the filing of a petition for removal by any owner of land within an agricultural protection area the County Commission "shall grant the petition for removal of land from an agricultural protection area"; and

**WHEREAS**, pursuant to the provisions of Utah Code §17-41-306(2)(b)(i)(A)(II), the County Commission is required to file a legal description of the revised boundaries of the Agricultural Protection Area (as adjusted for the removal of land which petitioner has requested to be removed) with the Box Elder County Recorder and the Box Elder County Planning Commission;

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

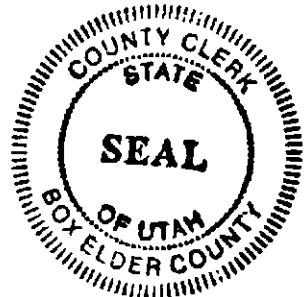
**SECTION 1: Removal of Land from Agricultural Protection Area**. The parcel of real property described in Exhibit "A" is removed from the Agricultural Protection Area created on June 23, 1998 and recorded in the Office of the Box Elder County Recorder as Entry No. 113177 in Book 0682 at Page 1251.

**SECTION 2: Revised Boundary of Agricultural Protection Area to be Recorded**. The revised boundary of the Agricultural Protection Area created on June 23, 1998 and recorded

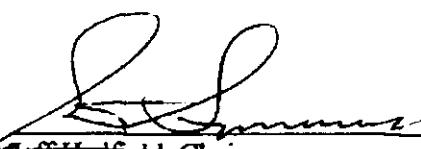
in the Office of the Box Elder County Recorder as Entry No 113177 in Book 0682 at Page 1251 is set forth in Exhibit "B" and shall be recorded in the Office of the Box Elder County Recorder as well as the Box Elder County Planning Commission as the revised boundary of this Agricultural Protection Area.

**SECTION 3: Effective Date.** This resolution shall become effective fifteen (15) days after its adoption.

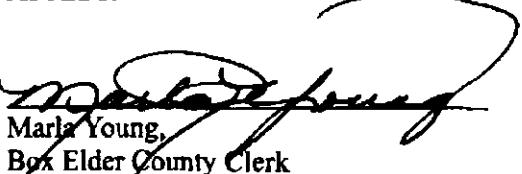
**ADOPTED, APPROVED and ORDERED** by majority vote at a duly called meeting of the Box Elder County Commission 6th day of January, 2020.



BOX ELDER COUNTY, UTAH

  
Stan Summers, Jeff Hatfield, Chairman  
Box Elder County Commission

ATTEST:

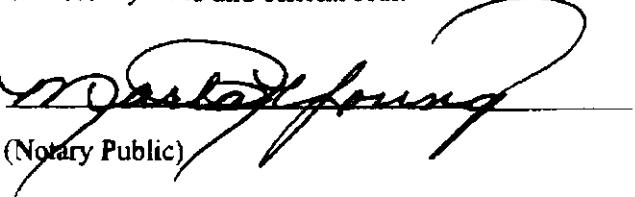
  
Marla Young,  
Box Elder County Clerk

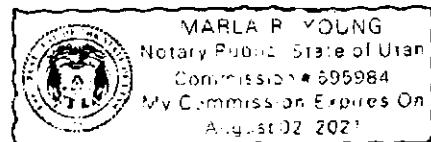
State of Utah

County of Box Elder

Subscribed and sworn before me this 6<sup>th</sup> day of January, in the year 2020, by  
Stan Summers, Commission Chairman.

Witness my hand and official seal.

  
(Notary Public)





## Exhibit A Legal Description(s)

### Box Elder County

---

Parcel No: 05-167-0029 Account No: R0084700

Legal: PART OF SE/4 OF SEC 02, T 11N, R 03W, SLM. BEGINNING AT A POINT ON THE WEST R/W OF THE BEAR RIVER CANAL R/W, LOCATED S 01°11'28" E 2638.49 FT ALONG EAST LINE OF SAID SEC & S 88°51'36" W 214.10 FT & S 08°30'15" W 443.69 FT & S 00°01'14" E 206.20 FT FROM NE CORNER OF SAID SEC. THENCE ALONG SAID CANAL R/W S 04°06'22" E 676.79 FT TO A LINE DESCRIBED OF RECORD AS BEING 1320.00 FT SOUTH OF NORTH LINE OF SAID SE/4, S 88°50'19" W 608.67 FT TO EAST SIDE OF HAWS DITCH; ALONG THE EAST SIDE OF SAID HAWS DITCH THE FOLLOWING THREE (3) COURSES: 1) N 24°20'01" E 153.29 FT; 2) N 26°14'03" E 287.26; 3) N 18°14'22" E 299.60 FT; N 88°51'36" E 276.22 FT TO THE POB.

---

Parcel No: 05-167-0036 Account No: R0084825

Legal: PART OF THE SE/4 OF SEC 02, T 11N, R 03W, SLM. BEGINNING AT A POINT ON WEST R/W LINE OF STATE HWY 191, LOCATED S 01°11'28" E 3283.34 FT ALONG EAST LINE OF SAID SEC & N 90°00'00" W 63.60 FT FROM NE CORNER OF SAID SEC. THENCE S 01°17'35" W 30.00 FT ALONG SAID R/W LINE; S 88°51'36" W 157.96 FT TO THE EAST R/W OF BEAR RIVER CANAL; ALONG SAID EAST R/W LINE THE FOLLOWING TWO (2) COURSES: 1) N 04°06'46" W 30.04 FT; 2) N 00°01'14" W 30.01 FT; N 88°51'36" E 158.77 FT TO SAID WEST R/W LINE STATE HWY 191; S 01°17'35" E 30.00 FT ALONG SAID R/W LINE TO POB.

---

Parcel No: 05-167-0037 Account No: R0084826

Legal: PART OF THE SE/4 OF SEC 02, T 11N, R 03W, SLM. BEGINNING AT A POINT INTERSECTION OF NORTH LINE OF SAID SE/4 & WEST R/W OF BEAR RIVER CANAL R/W, LOCATED S 01°11'28" E 2638.49 FT ALONG EAST LINE OF SAID SEC & S 88°51'36" W 214.10 FT FROM NE CORNER OF SAID SE/4. THENCE ALONG SAID CANAL R/W FOLLOWING TWO (2) COURSES: 1) S 08°30'15" W 443.69 FT; 2) S 00°01'14" E 206.20 FT; S 88°51'36" W 2347.63 FT TO WEST LINE OF SAID SE/4; N 01°18'55" W 643.59 FT ALONG SAID WEST LINE TO NW CORNER OF SAID SE/4; N 88°51'36" E 2427.96 FT ALONG NORTH LINE OF SD SE/4 TO POB.

---

Date: 12/29/20

Box Elder County Commission  
01 S. Main  
Brigham City, Utah 84302

**RE: Petition for Removal from Agriculture Protection Area**

Dear Commissioners:

We, the undersigned property owners of real property located in unincorporated Box Elder County, pursuant to *UCA § 17-41-306 (2)*, hereby petition the Box Elder County Commission to remove a parcel of real property, said real property being more particularly described in Exhibit "A" attached hereto for your convenience, from the Agriculture Protection Area created on or about June 23, 1998, entry #113177 Book 0682 Page 1281.

Please find the proposed Resolution #21-01, a copy of which is attached hereto as Exhibit "B" for your convenience, to be filed by the Box Elder County Commission with the Box Elder County Recorder's Office and the Box Elder County Planning Commission in accordance with *UCA § 17-41-301 (2)(b)(i)(B)* upon removal of real property from the Agriculture Protection Area.

Thank you for your assistance and consideration.

  
\_\_\_\_\_  
Jeff Hargren

PROPOSAL TO BE REMOVED FROM AN  
AGRICULTURE PROTECTION AREA

TO: County Legislative Body of Box Elder County, Utah  
Box Elder County Courthouse  
01 South Main  
Brigham City, UT 84302

The undersigned owners of land located in Box Elder County, Utah submit this proposal to be removed from an Agriculture Protection Area pursuant to Utah Code Annotated Title 17, Chapter 41 (Supp. 1994). The proposal sponsors respectfully request that the following lands in agriculture production be removed from an agriculture protection area:

Parcel 1: Owner (s): Lyle N Kathryn L Holmgren Trust  
Owner (s) Address: 762 E David Dr  
Tremonton UT

Box Elder County Tax Parcel No.: 05-167-0037

Legal description and number of acres in parcel as shown on Box Elder County tax records:

(see attached tax notice)

Present and proposed agriculture production use of parcel: Residential

---

Parcel 2: Owner (s): Lyle N Kathryn L Holmgren Trust  
Owner (s) Address: 762 E David Dr  
Tremonton UT

Box Elder County Tax Parcel No.: 05-167-0029

Legal description and number of acres in parcel as shown on Box Elder County tax records:

(see attached tax notice)

Present and proposed agriculture production use of parcel: Residential

---

*\*See Parcel #3*

Total acreage to be removed from agriculture protection area: 42.86 acres

Parcel 3: Owner (s): Lyle N Kathryn L Holmgren Trust

Owner (s) Address: 762 E David Dr  
Tremonton UT

Box Elder County Tax Parcel No.: 05-167-0036

Legal description and number of acres in parcel as shown on Box Elder County tax records:

(see attached tax notice)

Present and proposed agriculture production use of parcel: Road to residential

---

The undersigned propose that no limits be imposed on the type of agriculture production to be protected within the proposed agriculture protection area.

Filing date: 10/14/20

**Signature block for individual landowners:**

Owner Parcel 1 Dated

**Owner Parcel I** **Dated**

---

Owner Parcel 2 Dated

Owner Parcel 2 Dated

**Signature block for land owned by partnership:**

---

**Name of Partnership**

---

By: \_\_\_\_\_  
**General Partner** Dated \_\_\_\_\_

**Signature block for land owned by corporation:**

---

**Name of Corporation**

By: \_\_\_\_\_ Officer \_\_\_\_\_ Dated \_\_\_\_\_

Attest:

---

**Secretary**

**Signature block for land owned by Limited Liability Company:**

Lyle & Kathryn L Holmgren Trust  
Name of Limited Liability Company

By: Ted Schuyler 10/14/2020  
Authorized Agent Dated

**BOX  
ELDER  
COUNTY**

RE: Comments regarding rule change R930-5-8

Box Elder County has 18 railroad crossings on the B Road system within unincorporated areas of our County. Because of the increasing costs and liabilities associated with railroad crossings the Box Elder County Commission would be in support of the proposed rule change R930-5-8 that clarifies that Railroad operators are responsible to perform and pay for the maintenance of railroad crossings.



Box Elder County Commission Chairman