

CRAIG W BUTTARS
COUNTY EXECUTIVE / SURVEYOR

199 NORTH MAIN
LOGAN, UTAH 84321
TEL: 435-755-1850



COUNTY COUNCIL
KARL B. WARD, COUNCIL CHAIR
GINA H. WORTHEN, VICE CHAIR
PAUL R. BORUP
DAVID L. ERICKSON
BARBARA Y. TIDWELL
JON WHITE
GORDON A. ZILLES

March 22, 2019

PUBLIC NOTICE is hereby given that the Cache County Council of Cache County, Utah will hold a **REGULAR MEETING** at **5:00 p.m.** in the **Cache County Historic Courthouse Council Chambers**, 199 North Main Street, Logan, Utah 84321, **TUESDAY, MARCH 26, 2019**

AGENDA

5:00 p.m. REGULAR MEETING

1. **CALL TO ORDER**
2. **OPENING / PLEDGE** – Barbara Tidwell
3. **REVIEW AND APPROVAL OF AGENDA**
4. **REVIEW AND APPROVAL OF MINUTES** (March 12, 2019)
5. **MINUTES FOLLOW-UP**
6. **REPORT OF COUNTY EXECUTIVE**
 - a. **Appointments:**
 - b. **Financial Reports:** February 2019 Financial Statements
 - c. **Other Items:** Logan City Request for County to take over billing unincorporated residences for garbage disposal Event Center Concessionaire ▪ Council Members Tour of Children’s Justice Center – April 23rd @3:00 p.m.
7. **CONSENT AGENDA**
8. **ITEMS OF SPECIAL INTEREST**
 - a. 2019 Legislative Session Summary Report – Representative Casey Snider
9. **UNIT OR COMMITTEE REPORTS**
10. **BOARD OF EQUALIZATION MATTERS**
 - a. Property Tax Exemption Requests
11. **PUBLIC HEARINGS**
 - a. **Set Public Hearing for April 9, 2019 at 5:30 p.m. – Resolution 2019-10**
Authorizing Conveyance of Real Property in Logan Canyon

6:00 p.m.

12. **PENDING ACTION**
 - a. **Resolution 2019-08** – Amending 2019 Budget

13. **INITIAL PROPOSALS FOR CONSIDERATION OF ACTION**
 - a. **Resolution 2019-10** – Authorizing Conveyance of Real Property in Logan Canyon
 - b. **Discussion** – Intersection Realignment Options for 3200 South and Highway 89/91
 - c. **Discussion** – Road Shop Facility Relocation and Expansion

14. **OTHER BUSINESS**
 - a. **UAC Management Conference** – April 11-12, 2019 at the Utah Valley Convention Center
Craig, Gina, Barbara
 - b. **Tax Exemption Hearing – Logan Regional Hospital** – April 16, 2019 at 2:00 p.m.
Gina, Paul
 - c. **Smithfield Health Days Parade** – Saturday, May 11, 2019 at 10:00 a.m.

 - d. **Richmond Black & White Days Parade** – Saturday, May 18, 2019 at 5:00 p.m.

15. **COUNCIL MEMBER REPORTS**

16. **EXECUTIVE SESSION** – Utah Code 52-4-205(1)(e) – Discussion of the sale of real property

17. **ADJOURN**


Karl B. Ward, Chairman

RESOLUTION NO. 2019 – 08

A RESOLUTION INCREASING THE BUDGET APPROPRIATIONS FOR CERTAIN COUNTY DEPARTMENTS.

The Cache County Council, in a duly convened meeting, pursuant to Sections 17-36-22 through 17-36-26, Utah Code Annotated, 1953 as amended, finds that certain adjustments to the Cache County budget for 2019 are reasonable and necessary; that the said budget has been reviewed by the County Executive with all affected department heads; that a duly called hearing has been held and all interested parties have been given an opportunity to be heard; that the County Council has given due consideration to matters discussed at the public hearing and to any revised estimates of revenues; and that it is in the best interest of the County that these adjustments be made.

NOW THEREFORE, it is hereby resolved that:

Section 1.

The following adjustments are made to the 2019 budget for Cache County:

See attached

Section 2.

Other than as specifically set forth above, all other matters set forth in the 2019 budget shall remain in full force and effect.

Section 3.

This resolution shall take effect immediately upon adoption and the County Executive and other county officials are authorized and directed to act accordingly.

This resolution was duly adopted by the Cache County Council on the 26th day of March, 2019.

ATTESTED TO:

CACHE COUNTY COUNCIL

Jill N. Zollinger, Cache County Clerk-Auditor

Karl Ward, Council Chair



BUDGET AMENDMENT

EXECUTIVE SUMMARY FOR RESOLUTION 2019-08

March 12, 2019 at 6:00 PM

GENERAL FUND	Budget: \$30,489,000	Proposed: \$30,936,100
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Revenues

Intergovernmental Revenue		Budget: \$789,800	Proposed: \$844,500
100-33-14100	FEDERAL GRANT - VOCA: Additional grant funding for VOCA		55,000
100-33-14105	FEDERAL GRANT - VOCA - SAS: Correct budget for actual amount of grant funding for the VOCA - SAS		-400
100-33-14110	FED GRANT - VAWA - PROSECUTION: Correct budget amount to match the award for VAWA Prosecution. These grants were the same in the past, but are not being treated as separate grants.		-98,500
100-33-14115	FED GRANT - VAWA - INVESTIGATR: Establish grant amount for VAWA Investigator grant.		98,600
Total Change			54,700

Contributions and Transfers		Budget: \$645,100	Proposed: \$1,037,500
100-38-90000	APPROPRIATED FUND BALANCE: Provide assistance to the Chamber of Commerce for an economic development project through Composites & Aerospace of Northern Utah.		2,000
100-38-90000	APPROPRIATED FUND BALANCE: Provide support for a county wagon train participating in the 150 Year Celebration of the Golden Spike.		1,200
100-38-90000	APPROPRIATED FUND BALANCE: 2018 RAPZ Funding to Re-roof Maint Bldg		13,800
100-38-90000	APPROPRIATED FUND BALANCE: Provide funding to install soffit on the Event Center.		17,000
100-38-90000	APPROPRIATED FUND BALANCE: Provide funding to update the wayfinding signs on County Block campus		7,000
100-38-90000	APPROPRIATED FUND BALANCE: Provide County match for Victim Services grants.		1,400
100-38-90000	APPROPRIATED FUND BALANCE: Provide funding for the purchase of the Davenport Road right of way.		350,000
Total Change			392,400

Total General Fund Revenues	\$447,100
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Expenditures

Victim Services - VOCA		Budget: \$321,800	Proposed: \$375,200
100-4148-230	TRAVEL: Funding for additional conference expenses		10,300
100-4148-235	TRAVEL - SAS: Funding for additional conference expenses		1,800
100-4148-240	OFFICE EXPENSE & SUPPLIES: Funding for new computer monitors, cell phones, chairs, and a refrigerator		6,300
100-4148-245	OFFICE SUPPLIES - SAS: Funding for cell phones, chairs, portable DVD player, and a space heater		1,200
100-4148-250	EQUIP SUPPLIES & MAINT: Additional funding to purchase 3 Microsoft Surface Pro devices		3,000
100-4148-250	EQUIP SUPPLIES & MAINT: Additional funding for software upgrade and website development		17,000
100-4148-250	EQUIP SUPPLIES & MAINT: Funding for special projects regarding case research and process improvements		12,000



BUDGET AMENDMENT

EXECUTIVE SUMMARY FOR RESOLUTION 2019-08

March 12, 2019 at 6:00 PM

100-4148-255	EQUIP SUPPLIES/MAINT - SAS: Additional funding to purchase 2 Microsoft Surface Pro devices	2,000
100-4148-450	SPEC DEPT-EMERG ASSISTANCE: Correct the budget for emergency funds for victims	-200
Total Change		53,400

Victim Services - VAWA		Budget: \$195,800	Proposed: \$198,500
100-4149-230	TRAVEL: Additional funding for mileage, conferences, etc.		500
100-4149-235	TRAVEL - INVESTIGATOR: Provide funding for mileage reimbursements and conference expense.		3,100
100-4149-240	OFFICE EXPENSE: Correct budgeted amount to match the amount in the grant program.		-1,800
100-4149-245	OFFICE EXPENSE - INVESTIGATOR: Provide funding according to the grant program for office supplies.		200
100-4149-280	COMMUNICATIONS: Correct budgeted amount to match the amount in the grant program.		-300
100-4149-285	COMMUNICATIONS - INVESTIGATOR: Provide funding according to the grant program for cell phone reimbursements.		1,000
Total Change			2,700

Economic Development		Budget: \$46,000	Proposed: \$48,000
100-4193-620	MISC SERVICES: Provide assistance to the Chamber of Commerce for an economic development project through Composites & Aerospace of Northern Utah.		2,000
Total Change			2,000

Fairgrounds		Budget: \$919,900	Proposed: \$950,700
100-4511-740	CAPITALIZED EQUIPMENT: 2018 RAPZ Funding to Re-roof Maintenance Building.		13,800
100-4511-740	CAPITALIZED EQUIPMENT: Funding to install soffit on the Event Center.		17,000
Total Change			30,800

Transfers Out		Budget: \$1,756,600	Proposed: \$2,115,600
100-4810-400	TRANSFER OUT - CAPITAL PROJECT: Transfer funding for the purchase of the Davenport Road right of way.		350,000
Total Change			30,800

Miscellaneous Expense		Budget: \$375,300	Proposed: \$383,500
100-4960-600	MISCELLANEOUS EXPENSE: Provide support for a county wagon train participating in the 150 Year Celebration of the Golden Spike.		1,200
100-4960-600	MISCELLANEOUS EXPENSE: Funding to update the wayfinding signs on County Block campus		7,000
Total Change			8,200

Total General Fund Expenditures	\$447,100
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MUNICIPAL SERVICES FUND	Budget: \$10,714,900	Proposed: \$11,320,200
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Revenues



BUDGET AMENDMENT

EXECUTIVE SUMMARY FOR RESOLUTION 2019-08

March 12, 2019 at 6:00 PM

Intergovernmental		Budget:	\$3,114,500	Proposed:	\$3,591,700
200-33-44310	STATE AWARDS - UDOT - TRAILS: UDOT TAP Awards				477,200
Total Change					477,200

Miscellaneous Revenue		Budget:	\$310,500	Proposed:	\$445,500
200-36-51100	SALE OF CAPITAL ASSETS - ROAD: Funds from the sale of the grader. These funds will be used toward the purchase of a new grader, instead of rebuilding the old one.				135,000
Total Change					135,000

Contributions and Transfers		Budget:	\$1,819,200	Proposed:	\$1,812,300
200-38-92500	APP FUND BAL - MSF - PO: Reverse the amount carried forward into the 2019 budget in the last budget opening with PO, but it was actually spent in 2018.				-6,900
Total Change					-6,900

Total Municipal Services Fund Revenues				\$605,300
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Expenditures

Zoning		Budget:	\$782,300	Proposed:	\$782,300
200-4180-110	FULL TIME EMPLOYEES: Provide funding for computers, monitors and software. Salary for new full time positions is funded for 12 months, but we won't hire until May.				-6,800
200-4180-250	EQUIPMENT SUPPLIES & MAINT: Computers, monitors and software for new hires				6,800
Total Change					0

Road		Budget:	\$6,374,500	Proposed:	\$6,509,500
200-4415-740	CAPITALIZED EQUIPMENT: Additional funding needed to purchase a replacement for the grader.				135,000
Total Change					135,000

Trails Management		Budget:	\$158,300	Proposed:	\$628,600
200-4780-730	IMPROVEMENTS: Funding for 800 West Connector Trail				470,300
Total Change					470,300

Total Municipal Services Fund Expenditures				\$605,300
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CAPITAL PROJECTS FUND		Budget:	\$31,000	Proposed:	\$381,000
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Revenues

Contributions and Transfers		Budget:	\$31,000	Proposed:	\$381,000
400-38-10100	TRANSFER IN - GENERAL FUND: Funding transferred from the General fund for the purchase of the Davenport Road right of way.				350,000
Total Change					350,000

Total Capital Projects Fund Revenues				\$350,000
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BUDGET AMENDMENT

EXECUTIVE SUMMARY FOR RESOLUTION 2019-08

March 12, 2019 at 6:00 PM

Expenditures

Road Construction		Budget:	\$0	Proposed:	\$350,000
400-4415-760	NEW ROAD CONSTRUCTION: Provide funding for the purchase of the Davenport Road right of way.			350,000	
Total Change				350,000	
Total Capital Projects Fund Expenditures				\$350,000	

**CACHE COUNTY
RESOLUTION 2019 - 10**

RESOLUTION AUTHORIZING CONVEYANCE OF REAL PROPERTY IN LOGAN CANYON

WHEREAS, Cache County owns a .17 acre parcel of real property identified by tax ID number 18-065-0006 and Cache County does not have a future interest in this real property; and

WHEREAS, Cache County has previously declared by Resolution, the property as “Surplus Property” pursuant to Cache County Ordinances 3.40.010, 3.40.020, and 3.40.040, and

WHEREAS, an interested party has submitted an acceptable bid to purchase the property; and

WHEREAS, the County Executive intends to execute a quit claim deed conveying all rights, title, and interest in the real property described in this resolution and attached as Exhibit A to the purchaser; and

WHEREAS, Utah Code Ann. Section 17-50-312 provides that the county legislative body shall provide by ordinance, resolution, rule or regulation for the manner in which property shall be acquired, managed, and disposed of and requires the County to provide reasonable notice of the proposed disposition at least 14 days before the opportunity for public comment and allow an opportunity for public comment on the proposed disposition; and

WHEREAS the Cache County Council must hold a public hearing before the Surplus Property can be disposed of by conveyance to the purchaser, A&M Cache Properties, LLC.; now

THEREFORE, the Cache County Council finds as follows:

1. That the parcel identified by tax ID number 18-065-0006 was declared “Surplus Property” by the County Council on February 26, 2019, at a public hearing, by Resolution 2019-04, and
2. That pursuant to Cache County Ordinance 3.40.020, the property is being sold for not less than fair market value to A&M Cache Properties, LLC., for \$1,800.00.

THEREFORE, the Cache County Council, after holding a public hearing, resolves that the Property, better described in “Exhibit A” has been declared surplus, and that such surplus property may be disposed of by the Cache County Executive by executing an appropriate deed to A&M Cache Properties, LLC. This resolution takes effect immediately upon adoption.

Dated this _____ day of April, 2019.

ATTESTED TO:

CACHE COUNTY COUNCIL

Jill N. Zollinger
Cache County Clerk/Auditor

Karl B. Ward
Council Chair

Exhibit A

18-065-0009

18-065-0014

18-065-0008

18-065-0016

18-065-0012

18-065-0013

18-065-0007

**18-065-0006
CACHE
COUNTY CORP**

18-065-0010

18-065-0015

N US 89

18-065-0006
BEG 120 RDS N OF CENTER OF SEC 36 T 14N R 3E &
TH N 20 RDS TH W 84 RDS 4 FT M/L TO W BANK OF LOGAN RIVER
TH S 11 RDS ALG W BANK OF RIVER TH E 15 RDS 6 INCHES
TO TRUE POB TH S 9 RDS TH W 50 FT TH N 9 RDS TH E 50 FT
TO TRUE POB CONT 0.17 AC

**CACHE COUNTY
RESOLUTION 2019 - 04**

**RESOLUTION DECLARING COUNTY INTEREST IN REAL PROPERTY LOCATED IN
LOGAN CANYON INCLUDING PARCEL NUMBER 18-065-0006 AS SURPLUS PROPERTY**

WHEREAS, Cache County intends to sell the County interest in real property described in Exhibit “A”; and

WHEREAS, Utah Code Ann. Section 17-50-312 provides that the county legislative body shall provide by ordinance, resolution, rule or regulation for the manner in which property shall be acquired, managed, and disposed of; and

WHEREAS, prior to the sale of said Property, Cache County Ordinance Section 3.40.010 requires the Cache County Council to declare said property as “Surplus Property”; and

WHEREAS Cache County Ordinances Sections 3.40.020 and 3.40.040 establish the procedures and protocols that must be followed prior to declaring the property as “Surplus Property” before it can be conveyed to a purchaser; and

WHEREAS the Cache County Council must hold a public hearing pursuant to Cache County Ordinance Section 3.40.040(B) before, by motion and vote, the Cache County Council can declare the Property as “Surplus Property” so that it can be conveyed to a purchaser; now

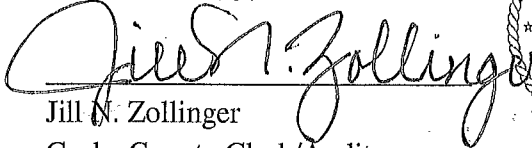
THEREFORE, the Cache County Council finds as follows:

1. That it is in the public interest that the subject real property be disposed of as surplus property. In determining whether the property shall be declared surplus, the County Council has taken into consideration:
 - a. Whether the county has, or anticipates that it will have, no practical, economical, efficient or appropriate use for the property currently or in the reasonably foreseeable future.
 - b. Whether the purpose served by the property can be better accomplished by other alternatives or property.
 - c. Whether the purpose served by the property or its use either no longer exists or has significantly changed because of the needs and demands of the county or as may be determined by a change of policy evidenced by an ordinance or resolution of the county council.
 - d. Whether the property is so damaged, depreciated or worn that it is inoperable or limited in operation without repairs and the cost of such repairs is unreasonable, excessive or impractical.
 - e. Whether the purposes and interests of the county would be better served by the declaration of the property as surplus and the disposition of that property.

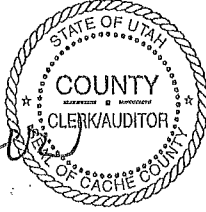
THEREFORE, the Cache County Council, after holding a public hearing, resolves that the Property, better described in "Exhibit A" shall be declared surplus, and that such surplus property may be disposed of by the County Executive subject to the provisions of Cache County Code Chapter 3.40. This resolution takes effect immediately upon adoption.

Dated this 26th day of February 2019.

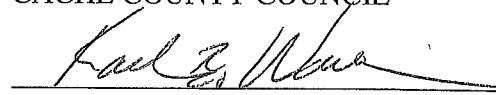
ATTESTED TO:



Jill N. Zollinger
Cache County Clerk/Auditor



CACHE COUNTY COUNCIL



Karl B. Ward
Council Chair

Exhibit A

18-065-0009

18-065-0014

18-065-0008

18-065-0016

18-065-0012

18-065-0013

18-065-0007

**18-065-0006
CACHE
COUNTY CORP**

18-065-0010

18-065-0015

N US 89

18-065-0006
BEG 120 RDS N OF CENTER OF SEC 36 T 14N R 3E &
TH N 20 RDS TH W 84 RDS 4 FT M/L TO W BANK OF LOGAN RIVER
TH S 11 RDS ALG W BANK OF RIVER TH E 15 RDS 6 INCHES
TO TRUE POB TH S 9 RDS TH W 50 FT TH N 9 RDS TH E 50 FT
TO TRUE POB CONT 0.17 AC

When Recorded Mail To:
A&M Cache Properties, LLC.
209 Winding Way
Logan, Utah 84321

QUITCLAIM DEED

CACHE COUNTY, a corporation organized and existing under the laws of the State of Utah, grantor, with its principal office at **179 North Main Street, Logan, UT 84321**, of Cache County State of Utah, hereby quitclaims to A&M Cache Properties, LLC., grantee, for the sum of \$10.00 dollars, the following described tract of land in Cache County, Utah, to wit:

Parcel Number 18-065-0006, also described as

BEG 120 RDS N OF CENTER OF SEC 36 T 14N R 3E & TH N 20 RDS TH W 84 RDS 4 FT M/L TO W BANK OF LOGAN RIVER TH S 11 RDS ALG W BANK OF RIVER TH E 15 RDS 6 INCHES TO TRUE POB TH S 9 RDS TH W 50 FT TH N 9 RDS TH E 50 FT TO TRUE POB CONT 0.17 AC

Pursuant to Utah Code Ann. §17-20-4(3)

A quitclaim deed when executed as required by law shall have the effect of a conveyance of all rights, title, interest, and estate of the grantor in and to the premises therein described and all rights, privileges, and appurtenances thereunto belonging, at the date of the conveyance.

In witness whereof, the grantor has caused its corporate name and/or seal to be hereunto affixed by its duly authorized officers this _____ day of April, 2019.

Cache County, a Municipal Corporation

Jill N. Zollinger
Cache County Clerk / Auditor

Craig W Buttars
Cache County Executive

State of UT)
County of Cache) §

On April _____, 2019, personally appeared before me **Jill N. Zollinger** and **Craig W Buttars**, who, being duly sworn, did say that he/she is the **Cache County Clerk/Auditor** and **Cache County Executive** (respectively) of Cache County, a Municipal Corporation, and that the within foregoing instrument was signed on behalf of said Corporation by authority of a resolution of its Board of Directors or its By-Laws and who duly acknowledged to me that said Corporation executed the same.

Notary Public

PURCHASE AGREEMENT

This agreement is entered into on this ____ day of April, 2019, between Cache County, a body corporate and politic and a legal subdivision of the State of Utah, hereinafter referred to as Seller, and A&M Cache Properties, LLC., hereinafter referred to as Purchaser.

WHEREAS, Seller owns certain property located at approximately one mile south of Franklin Basin Rd on 89A, Cache County, Utah with Tax Id # 18-065-0006; also described as:

BEG 120 RDS N OF CENTER OF SEC 36 T 14N R 3E & TH N 20 RDS TH W 84 RDS 4 FT M/L TO W BANK OF LOGAN RIVER TH S 11 RDS ALG W BANK OF RIVER TH E 15 RDS 6 INCHES TO TRUE POB TH S 9 RDS TH W 50 FT TH N 9 RDS TH E 50 FT TO TRUE POB CONT 0.17 AC

WHEREAS, Purchaser desires to purchase Seller's property; and

WHEREAS, Seller is willing to sell said property under the terms set forth below,

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

1. Purchaser agrees to purchase at a price of \$1,800.00, on the terms set forth in this agreement, the real estate located in Cache County, Utah with Tax Id # 18-065-0006, and more fully described as above.
2. Seller agrees to sell the described real estate property at the price and terms set forth in this agreement, and to convey or cause to be conveyed to purchaser title to the real estate property by a Quit Claim Deed.
3. The date of the closing shall be on or before April 30, 2019, and the closing shall take place at Cache County in Logan, Utah. Physical possession of the subject property shall be delivered to Purchaser within seven days of closing.
4. This contract is subject to the following additional conditions and stipulations:
 - (a) Property and general taxes and other similar items shall be prorated as of the time of the closing. Prorated taxes shall be made payable to Cache County Treasurer.
 - (b) Upon the payment of the purchase price, Seller shall deliver a deed in acceptable form.
 - (c) Time is of the essence of this contract.
 - (d) Any payments required in this contract to be made at the time of closing shall be by certified check or cashier's check, payable to Cache County.

- (e) It is understood by both parties that risk of loss is borne by the seller prior to closing and transfer of possession.
- (f) Pursuant to Utah Code Section 17-50-312 and Cache County Code 3.40.040 the Cache County Council must approve by resolution the disposition of the property as set forth in this agreement.
- (g) All notices required in this contract shall be in writing and shall be served on the parties at the addresses following their signatures. The mailing of a notice by certified mail, return receipt requested, shall be sufficient service.

6. This Agreement and the documents referred to herein, constitute the entire agreement and shall be binding upon and shall inure to the benefit of the parties, their heirs, personal representatives, successors and assigns.

In witness whereof, the parties have executed this instrument at the place and on the date first above specified.

Purchaser:

Seller:
Cache County

Craig W Buttars
Cache County Executive
199 N. Main Street
Logan, Utah 84321

Purchaser Address for notice

Attest:

Jill N. Zollinger,
County Clerk / Auditor