

**COUNCIL MEETING
MINUTES 03/26/96**

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CACHE COUNTY COUNCIL MEETING MINUTES

March 26, 1996

The Cache County Council met in regular session on the 26th day of March, 1996 in the County Council Chambers located at 120 North 100 West Logan, Utah 84321.

ATTENDANCE

Council Chairman Sarah Ann Skanchy and Vice Chairman C. Larry Anhder were present. Other Council members present were: Guy Ray Pulsipher, Layne M. Beck, Jerry L. Allen and Darrel L. Gibbons. Councilman H. Craig Petersen was absent.

Others present were: Cache County Executive M. Lynn Lemon, Cache County Clerk Stephen M. Erickson, Cache County Attorney Scott Wyatt, Administrative Executive Assistant Michael Nilson, Logan City Solid Waste Director Roger Sunada, State Representative Stephen M. Bodily, State Representative Fred Hunsaker, State Senator Lyle Hillyard, Representatives from the local news media and other interested citizens.

CALL TO ORDER

Council Chairman Sarah Ann Skanchy called the meeting to order at 5:00 p.m. and welcomed all who were in attendance.

INVOCATION

The invocation was given by Councilman Guy Ray Pulsipher.

AGENDA & MINUTES

The agenda was discussed and approved.

The minutes of the regular Council meeting held on March 12, 1996 and sent to all members of the Council were discussed, corrected and approved.

COUNTY EXECUTIVE REPORT

The County Executive M. Lynn Lemon reported on the following items:

1. Appointments:

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*Appointment: Allen, Chris to the County Weed Board
Appointment: Larsen, Jack to the County Weed Board*

It was moved by Councilman Gibbons to approve the appointments. It was seconded and carried unanimously.

Appointment: Forsgren, Patty to the County Library Board

It was moved by Councilman Beck to approve the appointment. It was properly seconded and carried unanimously.

2. Logging-Inter-Mountain Forestry: The logging company, Inter-Mountain Forestry, is not using the Ant Flat road any longer and have agreed to not use county roads when winter conditions won't allow. Lemon will make a recommendation to the Council on winter usage on County roads at the next Council meeting.

3. PCIB Funding: As reported last Council meeting, PCIB funding may affect the County's PILT payment. That report was incorrect, PCIB funding will not affect the County's PILT payment.

4. Tax Deferral Application-Lynn M. Anderson: Lynn Anderson, a Smithfield resident has asked the County to defer the penalty and interest on back taxes if he agrees to pay the taxes that are due. Executive Lemon is recommending that the County defer the penalty of \$200.00 and interest \$726.92. Mr. Anderson has agreed to pay taxes totaling \$3701.41.

Councilman Gibbons made a motion to accept Lemons recommendation to wave the penalty and interest. It was seconded properly. An amendment to Gibbons motion was made by Vice Chairman Anhder to wave the penalty and interest on the home but not the farm ground. The amendment motion was seconded and failed on a split vote of 3 to 3. The vote on the original motion was called for and passed on a vote of 5 "Yes" to 1 "No".

Councilman Beck suggested that Anderson be told that he shouldn't be delinquent in his payment.

5. The Warrants were presented to the County Clerk for filing.

LEGISLATORS-COUNTY:REPORT

Representative Stephen M. Bodily: Representative Bodily reviewed some of the bills that effect county government such as the proposed sales tax for counties. Bodily said that it was hard to work on the sales tax proposal because of the diversity of counties in the State. Bodily

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who also serves on the transportation committee reported that the B & C road funds will be increased 20%. A Highway Centennial fund was created by the Legislature that will repair I-15 from 6th North to 129th South in Salt Lake County. Other Highways in the Salt Lake area will be completed as well as other areas of the State. Bodily thinks that an increase in the gasoline tax may be necessary to finish the proposed highway projects. The proposed bypass in Cache County was in committee but he hasn't learned the out come or any decisions being made on the proposal.

Representative Fred Hunsaker: Representative Hunsaker said that the past session of the legislature was good for Counties but some of the legislation that would help counties didn't pass. The Sales Tax requested by counties was hard to address because of so many different areas of concern that couldn't be worked out. Hunsaker said that the process to raise property taxes requiring an election is still in effect for another year.

Senator Lyle Hillyard: Senator Hillyard thanked Steve Bodily for his many years of service in the State Legislature. "Steve will really be missed he has done much for the State and County". Hillyard answered questions from Council members. Councilman Allen expressed concern that the Legislature was forgetting that the Wasatch Front was more than Salt Lake, Weber and Provo areas. Allen said that the Wasatch Front goes from the Idaho line to Nephi.

Chairman Skanchy thanked the Legislators for coming and reviewing the past Legislative session with the Council.

Representative Bodily told the Council that the State Transportation Commission membership is expanding and the BRAG area will now have a representative on the Commission.

BUDGETARY MATTERS

INTRA-DEPARTMENTAL: TRANSFER

Road Department: \$1200.00

(See attachment #1)

A motion to approve the transfer was made by Vice Chairman Anhder. It was seconded and carried unanimously.

THE COUNCIL ADJOURNED INTO THE BOARD OF EQUALIZATION

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BOARD OF EQUALIZATION: PROPERTY TAX EXEMPTION REQUESTS

The Board discussed IHC and the Logan Regional Hospitals request for tax exemption. Chairman Skanchy reported that she, the County Assessor and County Auditor have visited the Hospital and met with them to review the property that qualifies for exemption. Skanchy said that the property meets State standards for exemption.

It was moved by Councilman Allen to approve the IHC exemption request. It was seconded and passed on a 5 "Yes" vote with 1 abstaining.

(See attachment #2)

The Board of Equalization gave final approval to Cache Industries for tax exemption on a home that they own. The home is rented out to employees until a future home is determined.

(See attachment #3)

THE BOARD OF EQUALIZATION ADJOURNED BACK INTO THE REGULAR COUNCIL MEETING.

THE COUNCIL ADJOURNED FROM THE REGULAR COUNCIL MEETING INTO A BOARD OF TRUSTEES MEETING - SERVICE DISTRICT NO. 1

LOGAN CITY SOLID WASTE FEE INCREASE: DISCUSSION

The Director of the Solid Waste Department in Logan City Roger Sunada introduced to the Board of Trustees Tom Jacobs. Jacobs represents Harris Corporation of Northern California who has developed a new way to handle waste that includes recycling equipment at a landfill. The equipment bales the waste and Jacobs said that by increasing the monthly fee \$2.00 the equipment could be installed at our landfill which would extend the life of the landfill to 40 years instead of the projected 18 years.

(See attachment #4)

Sunada said that we are only looking at this type of a system now. However, Sunada did suggest that members of the Board of Trustees and Logan City Council and some one from his department make a trip to look at a landfill where a bale system is operating.

The Board of Trustees continued the discussion concerning a fee increase to county residents for solid waste pickup. Chairman Skanchy said that we should soon make a decision

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because municipalities are setting their annual budgets and they need to know if there will be a fee increase. The Solid Waste Advisory Board is recommending that the fee be to \$8.70 for County households. This is a \$1.55 increase per month. Trustee Beck said that more information is needed before he can vote for the increase.

Trustee Gibbons moved that the Council adopt the recommendation of the Solid Waste Advisory Board increasing the fee to County households by \$1.55. It was seconded by Trustee Pulsipher.

Trustee Anhder said that he is not in favor of Government building a large surplus fund for future use and he couldn't vote for the fee increase as it is now.

A vote on the motion was called for and the motion failed on a split vote 3 "yes" to 3 "no".

Trustee Beck suggested that a workshop be held to further study the issue. Chairman Skanchy said that she was going out of town for two weeks and Vice Chairman Anhder will organize a meeting to discuss the issue.

**THE BOARD OF TRUSTEES ADJOURNED FROM THEIR MEETING BACK INTO THE
REGULAR COUNCIL MEETING**

MENTAL HEALTH GOVERNANCE PROPOSAL: DISCUSSION

The Council directed Executive Lemon to respond to a letter from the State Division on Mental Health. Stating that the County doesn't have any specific concerns regarding governing responsibilities on Mental Health.

COUNTY ROAD EASEMENT: DISCUSSION-FIRST READING

Executive Lemon told the Council that Ross Shelton from Petersboro has requested an easement to place a irrigation pipeline near a County road. The request was placed on the agenda for first reading and it will be on the next Council meetings agenda for action.

FUTURE COUNTY BUILDING NEEDS: DISCUSSION

Executive Lemon reviewed a memo from the County Attorney written to the Council members regarding the Attorney's office. The County Attorney has been asked by the State Courts, if possible, to relocate his office. They want to expand the Juvenile Court where the

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County Attorneys office is now located. Attorney Wyatt is willing to relocate and he stated that it would not cost any additional funding to move his office.

(See attachment #5)

Lemon stated that the Courts has expressed some interest in purchasing the present building where the Attorney, Executive, Council Chambers and the Courts are located. The Council discussed possibilities of selling to the Courts and building a County Complex. The discussion included the location of a new building and what to do with the Chamber and BRAG buildings. The Executive was asked to look at alternatives and make recommendations to the Council.

7-ELEVEN'S COME OF AGE PROGRAM:SALE OF RESTRICTED PRODUCTS

The 7-Eleven Stores are emphasizing their 10 year old program to restrict sales of products that minors are not allowed to purchase. Vice Chairman Anhder said that we should thank and compliment 7-Eleven for their efforts to help the youth.

NACO REGIONAL CONFERENCE: APRIL 12-13, 1996

The National Association of Counties are asking Elected Officials to attend a regional conference in Cour D'lene Idaho on April 12 & 13, 1996.

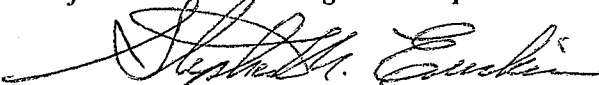
COUNCIL MEMBER REPORTS

Councilman Allen: In a recent report it was determined that those youth who drink alcohol also drive. Allen suggested that the Sheriff's Department be aware of this and crack down on those youth who drink and drive. Allen also asked what the process was to hire the new Deputy Attorney. Attorney Wyatt said that the job opening was advertise state wide.

Councilman Pulsipher: UDOT has installed signs changing the speed limit on the highway in the Paradise area. Pulsipher suggested that the County Road Department also increase the speed limit on county roads in that area.

ADJOURNMENT

Chairman Skanchy noting that no other business was presented to the council for action adjourned the meeting at 7:20 p.m..


ATTEST: Stephen M. Erickson
Cache County Clerk


APPROVAL: Sarah Ann Skanchy
Council Chairman

REQUEST FOR INTRA-DEPARTMENTAL BUDGET TRANSFER

DEPARTMENT: ROAD DEPARTMENT
DATE: 14-Mar-96

Amount to be transferred -- (rounded to the nearest dollar) \$1,200.00

Transfer From --
Line Item No. : 10-4410-250
Fund Designation: EQUIP SUPPLIES & MAINT
Original Budget: \$175,000.00
Current Budget: \$175,000.00
Expenditures to date: \$42,643.21
Balance before transfer: \$132,356.79
Balance after Transfer: \$131,156.79

Transfer To --
Line Item No. : 10-4410-620
Fund Designation: MISC SERV-CONTRACT CLEANING
Original Budget: \$0.00
Current Budget: \$0.00
Expenditures to date: \$0.00
Balance before transfer: \$0.00
Balance after Transfer: \$1,200.00

Description of needs and purpose of transfer --
TO TRANSFER MONEY NEEDED FOR CONTRACT CLEANING SERVICES IN 1996.
(CACHE CLEANING SERVICE)

E. Gordon Kirby
Department Head

Recommendation: Approval [] Disapproval
Comments:

Date: 14-Mar-96

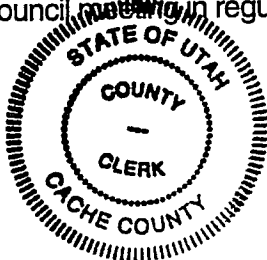
Jamra Stokes
Cache County Auditor

Recommendation: Approval [] Disapproval
Comments:

Date: 3-18-96

M. Lynn Hansen
Cache County Executive

Consented by the Cache County Council, meeting in regular session on the 24th day of March, 1996.



Charles E. Euck
Cache County Clerk

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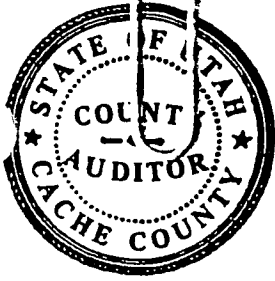
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ADJOURNMENT

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**ATTEST: Stephen M. Erickson
Cache County Clerk**

**APPROVAL: Sarah Ann Skanchy
Council Chairman**



CACHE COUNTY
Office of the County Auditor

179 NORTH MAIN
LOGAN, UTAH 84321

Tamra Stones
COUNTY AUDITOR

MEMORANDUM

TO: Cache County Council
FROM: Tamra Stones, Cache County Auditor
DATE: February 22, 1996
SUBJECT: Tax Exemption Affidavits - 1996

Reapplication: Logan Regional Hospital, - 05-016-0028 - Hospital, - 05-016-0029 - 23% of building seeking exemption - Surgical Center and - 05-016-0086 - Logan Medical Center Condominiums Unit G - 05-026-0029 - Home Care Services applying for personal property exemption only.

The application has been reviewed and is complete. This organization serves charitable purposes. All real and personal property are used to provide services to those who are in need of medical attention. In the Affidavit filed by the hospital it states that they have or will file their personal property with the Assessor's office. As of today, February 22, 1996, the Assessor's office has not received it.

FINDINGS OF FACT - UAC 59-2-1102

DETERMINATION

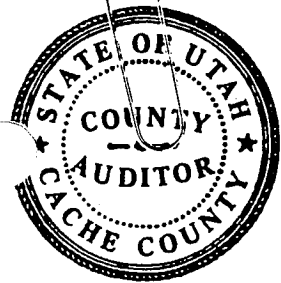
 ✓ APPROVED TABLED DENIED

Sarah Ann Skanck
Cache County Council Chairman

 3/26
Date

Attested:

Tamra Stones



CACHE COUNTY
Office of the County Auditor

179 NORTH MAIN
LOGAN, UTAH 84321

Tamra Stones
COUNTY AUDITOR

MEMORANDUM

TO: Cache County Council
FROM: Tamra Stones, Cache County Auditor
DATE: February 29, 1996
SUBJECT: Tax Exemption Affidavits - 1996

Additional Information: Cache Industries - 02-050-0017, 02-050-0007, 02-050-0008, 02-050-0010 - These are training facilities for the disabled. 05-042-0041 - Was put into Cache Industries name in December of 1995, this used to be owned by Cache County. It is now being rented out to an employee until the future of the home is determined.

05-042-0041 the property in question is below 10% of the total space used by Cache Industries.

FINDINGS OF FACT - UAC 59-2-1102

DETERMINATION

APPROVED TABLED DENIED

Sarah Ann Skarby
Cache County Council Chairman

3/26/96
Date

Attested:

Tamra Stones
Tamra Stones, BOE Clerk

CITY OF LOGAN/CACHE COUNTY
600N 950W
MRF/BALEFILL PRESENTATION
Tom Jacobs - January 29, 1996

I. INTRODUCTION

PERIN CO. INC.

- 75 Years experience
- 116 Employees
- Supply material handling services to Northern California
- Represent Harris Corporation

MSW WORK IN NORTHERN CALIFORNIA

- Support 40 - 50 large baler customers with equipment, parts and service.
- Supply over half of recycling equipment.
- Supply balers, conveyors and complete material recovery systems.

BALEFILL WORK BY HARRIS

- Did first balefill in United States in Minneapolis.
- Results studied by University of Minneapolis.
- Have since supplied MSW balers and twenty-five balefills worldwide.

COOPERATION BY ROGER SUNADA AND ESSA HAMUD

- Willingness to review and evaluate alternative concepts.
- Assistance in source data.
- Cooperation in scheduling visits.

II. PURPOSE OF MRF/BALEFILL SYSTEM REDUCE LANDFILL CONSUMPTION BY ONE-HALF

- Now have 3,370,000 yards of available landfill space - 18-year life.
- Replacement cost for a sub-title "D" landfill is over \$15 per yard.
- Must consider existing landfill as a \$50,000,000 asset.

INCREASE OPPORTUNITY FOR RECYCLING

- Proposal includes 20% increase over present recycling.
- Equipment and space capability for 50% recycling rate.
- Opportunity for other solid waste programs..

IMPROVE ENVIRONMENTAL QUALITY OF LANDFILL

- Cleaner Leachate.
- Public Out of Landfill.
- No Wind Blown Debris.
- Liner Protection.
- Landfill Stability.
- Greater Compaction/Less Dirt.
- Pollution Reduction - (*only one truck on landfill.*)

REDUCE COSTS

- No Curbside Collection Crews.
- Higher Efficiency in Recycling Rate.
- Landfill Labor Savings.
- Landfill Space Savings.
- New Landfill Cell Creation Cost Reduced.
- Reduced Accidents at Landfill.
- Complete Control of Money.
- Accurate Reporting - All Waste is Weighed.

III. WHAT IS MRF/BALEFILL SLIDE SHOW

- South Tahoe Disposal - MSW Sorting
- Tahoe Truckee Disposal - MSW Sorting
- Clarksville, TN - Balefill

IV. ADVANTAGES OF MRF/BALEFILL SYSTEM OVER 50% REDUCTION IN LANDFILL USAGE

- Present value of existing landfill
 - 200 tons per day
 - 312 days per year
 - 18 year life
 - 3.07 yards/ton utilization
 - 3,370,000 yards available
 - Replacement cost of Sub-Title D landfill is over \$15 per yard.
 - Value of landfill is \$50,000,000.
 - Think of landfill as an asset.

IN PLACE DENSITY

	#/YARD	% DIRT	NET/YARD	YARD/TON	COST/YARD \$15/YARDS
EXISTING	850	30	650	3.07	45.00/TON
EXISTING W/ALT. COVER	850	6	800	2.50	37.50/TON
BALEFILL	1275	6	1200	1.67	25.00 TON
BALEFILL W/20% RECYCLE	1600	6	1500	1.33	20.00/TON

EXTENSION OF LANDFILL LIFT

	#/YARD	YEARS LIFE
EXISTING		18 Years
EXISTING W/ALT. COVER	800/650	22 Years
BALEFILL	1200/650	38 Years
BALEFILL W/20% RECYCLE	1500/650	42 Years

VALUE OF SPACE SAVING/YR (200 TPD - 62, 400 TPY)

	YARD/TON	AT \$15/YARD	COST/YEAR
EXISTING	3.07	\$45.00	\$2,808,000
EXISTING W/ALT. COVER	2.50	37.50	2,340,000
BALEFILL	1.67	25.00	1,560,000
BALEFILL W/20% RECYCLE	1.33	20.00	1,248,000

INCREASE RECYCLING RATES

- Proposed costs include manpower for twenty (20) percent more recycling.
- Baler available to process clean or mostly clean recyclables.
- Opportunity to recycle public dumped MSW
- Equipment and space for up to 50% recycling.
- Manpower to work with community to promote source separation.
- Compatibility with "Blue" bag and "Brown" bag recycling systems.
- Compatibility for mixed paper recycling.
- Compatibility for yard waste and C & D Recycling Program.
- Compatibility for buy back center.
- Compatibility for re-use programs/reuse store.
- Compatibility for used oil recycling.

IMPROVED ENVIRONMENTAL MANAGEMENT OF LANDFILL

- **Extended Cell Life**
 - Space savings described above.
 - Reduction in usage of dirt for daily cover by nine (9) times.
- **Cleaner Leachate**
 - Liquid flows around bales and not through garbage. Leachate shows up in 3-days not 3-months.
 - Eliminates "Lakes" of leachate buried inside landfill.
 - Leachate is very clean.
 - During new cell creation, leachate and water runoff are separated and handled differently.
- **Lower Gas Production**
 - Possible shortening of landfill monitoring (*30 years to 20 years*)
 - More stable landfill.
- **Less Truck Traffic**
 - Only one truck is required to deliver bales to landfill face.
 - Spreading of dirt reduced.
 - Compaction by tractor eliminated.
 - Some projects in California funded by Pollution Control Board.
- **Public Out of Landfill**
 - Major Safety Factor.
 - Children not running around landfill..

- **Little Wind Blown Debris**
 - Don't have to chase after wind blown debris.
 - Wind Fences.
 - **Better neighbor to wet lands.**

- **Cleaner Working Area**
 - No garbage compacting.
 - Public out of landfill.
 - Commercial trucks out of landfill.
 - All waste is dumped on concrete inside of building and under direction.
 - Public and commercial trucks are physically separated to different parts of tipping area.

- **Landfill structure improved.**
 - Less settling.
 - More stable siesmically.
 - Less chance of puncturing liner when compacting.
 - Less chance of ruining leachate collection system while compacting.
 - Can install methane and leachate collection systems as you go. Much lower install cost and less apt to damage during compaction.

- **Controls Vectors**
 - Almost eliminates seagulls..
 - Almost eliminates bears and other types of animals.
 - Reduces vectors.

- **Reduced Crew at Landfill**
 - Don't collect money at landfill.
 - Don't monitor/inspect loads being dumped (load checks)
 - Don't compact garbage at landfill..
 - Labor to set bales part of MRF operation.
 - Daily cover reduced from one hundred and eighty (180) yards to twenty (20) yards. MRF man can spread at end of day.

- **Lower Operating Costs**
 - Recycling efficiency much better then curbside problems - every family participates in this program.
 - Recycling efficiency on pick belt three times faster than floor sorting.
 - Opportunity to monitor loads and promote source separation.
 - Space savings lower landfill "asset" usage cost.
 - Most Important, more than doubles life of landfill to take in more money to fund closure plans and site new landfill.

IMPROVE CONTROL AND MANAGEMENT OF MSW

- **Daily Reporting - All Waste is Weighed**
 - Bales of recyclables are weighed and sold.
 - Truck loads of baled MSW are weighed on way to landfill.
 - Recycling percentages recorded daily.
 - Public out of landfill.
 - All money handled at Pay Window.
- **All Waste Inspected for Hazardous Materials.**
 - On tipping floor.
 - On sorting belt..
- **Opportunities for Other Programs.**
 - Educational programs, viewing room, school tours, demonstration projects.
 - Hazardous waste storage.
 - Recycled oil program
 - Yard waste program/wood hogging
 - Buy back center.
 - Reuse programs/Reuse store.
 - C&D recycling.
 - Composting
 - Landfill Mining.
- **Operations Inside Building**
 - Good Neighbor.
 - Protect wetlands
 - Reduce pollution
 - Reduce noise and dust.
 - Tremendous maintenance cost saving getting garbage trucks out of landfill.

LOW COST

- A conventional curbside program costs \$2 per house per month to achieve 6-8 percent (6-8%) recycling rate.
- This program achieves 20 percent (20%) recycling at same cost.
- Because of system design:
 - Balefill is free.
 - Landfill space saving are free.
 - Environmental improvements are free.
 - All other advantages are a by-product of proper system design.

AVAILABILITY

- Pick a turn-key supplier for design and equipment, will have operation running in 12-months.
- Will add 40 jobs to the economy.
- Fast track sole source project will save one year of project lead time. Provides one extra year of savings (\$1,500,000)
- Opportunity to have most advanced MSW system in state of Utah.

CACHE COUNTY ATTORNEY



SCOTT L WYATT
County Attorney

110 North 100 West
Logan, Utah 84321
(801) 752-8920
FAX (801) 752-9169

JEFFREY "R" BURBANK
PATRICK B. NOLAN
DONALD G. LINTON
Deputy County Attorneys

MEMORANDUM

TO: County Council members

FROM: Scott L Wyatt

DATE: March 26, 1996

RE: County Attorney's Office Location / District Court Expansion.

I am writing this memo to you in response to the request of Lynn Lemon that I convey the details of discussions the court has been having with us relative to the office space my staff and I currently occupy. Toward the end of 1994 (and just before I took office) the Juvenile Court needed more space and requested that they be allowed to lease from the County a portion of the space occupied by the County Attorney's Office. Lynn was open to the idea and after discussing it with me agreed to lease the space to them. It was valuable space to me but at the time not critical and we were willing to accommodate the court's needs while increasing revenues to the county from the added rent. Now the court has asked for additional space. Specifically, I have been asked by the court to vacate my entire office space and allow them to lease the same from the county. After considerable time and effort on our part and by the court studying the issues and alternatives we have found a possibility that is acceptable to the court and to my staff and I. In fact my staff and I in the County Attorney's office started out with the mind-set that we would try and see if we could accommodate the court and have now ended up believing that we have as much or more to gain as the court does.

The space we have found that is available to us is the East half of the upstairs of the Cache Valley Bank building which is within the same block as the other county buildings. I will set forth the issues, as I see them, surrounding

the court's proposal that the Attorney's office move and the court be allowed to expand into our current space.

I. COST TO THE COUNTY:

There will be no added cost to the county for this proposed move. We have worked out an arrangement that the court will pay to the county the exact amount to rent the County Attorney's suite that it will cost us to rent the upstairs of the bank, including all utilities and custodial costs. This amount is \$2,800.00 per month.

II. IMPACT ON THE COUNTY BUILDING:

The physical impact on the county building is all positive. The court has plans to use the County Attorney's suite for office space. Consistent with prior practice the court will remodel and improve the space. Their improvements have and will continue to increase the value of the building.

III. FUTURE USE OF THE CURRENT COUNTY BUILDING:

This building is primarily a court building and secondarily a county office building. There are currently four different courtrooms in the building and the other space has all been designed to accommodate the purposes of the court except for our small island in the middle (where the Executive, Attorney and Council Chambers are housed.) If the court vacated this building we would have a very difficult time converting the building to office space for county employees. As the court's needs expand we should do everything in our power to keep them in our building and on a track to purchase it from us or execute a long term lease.

IV. FUTURE COUNTY BUILDING:

If the county intends to build a new facility in the future with the purpose of accommodating all or most of the county office requirements; it would likely require one of the following scenarios:

A. The County would sell the building to the court and use the proceeds to construct a new building. Under the current climate with the construction of the massive court building project in Salt Lake City and infrastructure demands for the 2002 Olympics in addition to the normal time it takes to get approval, funding and construction for a state building I can only assume that we are looking at some time in excess of 6 years (2002.)

B. The County would rent the building to the court on a long term lease and use the lease payment to fund the new County building. Because the County's finances are not unlimited (unlike the State) we would probably be looking at construction of a county facility no sooner than 10 years from now (2006) after the bond on our building is satisfied.

C. The County would evict the court (politely not extend their lease) from our building and either remodel the current space to meet our needs or demolish the building and construct a new facility on the current location. This possibility appears to be the least desirable but in any event could not likely be possible prior to the year 2006 when the bond is satisfied for our building.

Again, as the court's needs expand we should do everything in our power to keep them in our building and on a track to purchase it from us or execute a long term lease.

Currently the court needs more space. If they do not obtain the space occupied by the Attorney's office they will be required to find another office building to rent. This would split their operation in half. (If they split their operation into two buildings they will end up spending as much on a receptionist's annual salary and benefits for the second building as the rent for our space.) Once they have expanded to another location their focus shifts from our building to some other building. It will then be very easy for them to absorb further expansions elsewhere. Again, when they rent our space they remodel and improve it to meet their needs. Their investment and commitment into our building grows and increases the chances that they will purchase it outright or lease it for a very long term. Ironically, their improvements increase the value of the building which could lead to a higher selling price.

My conclusion is that it is in the best interests of the County to accommodate the court by renting the County Attorney's office space to the State.

V. IMPACT ON THE OPERATION OF THE COUNTY ATTORNEY'S OFFICE:

My staff and I have carefully evaluated the impact on our operation of such a move. As mentioned above, we started with the thought that it is best for the County's future building needs and for the court's needs if we are willing to vacate our current space. We attempted to find an alternative for office space that is acceptable and ended up finding a location that serves our needs far better than our current location. Some of the challenges we face are listed here:

A. Location. We would not want to move to a location that is not in the heart of the other County offices and close to the court. The space above the Cache Valley Bank is within the same block as the other buildings. It is closer to the Clerk and County-wide Planner's offices, across the parking lot from the executive and about the same distance to all other offices including the White Court House.

B. Security. We currently have a difficult time with security in our offices. Our office suite is set up in a fashion that allows opposing counsel to wander around and easily discover sensitive information and notes from the work space of all the secretaries. For example one defense attorney saw a telephone note on a secretary's desk that revealed that a necessary witness for a trial could not be found. He brought this note into my office (without the

secretary's knowledge) laughing. I had no choice but to dismiss the charge. Had he not seen the note we could have negotiated a resolution to the case short of an outright dismissal.

C. Victim Advocate. Our newly hired professional victim advocate is currently housed in the only space available which is a small kitchen/break room that doubles as a hall into the storage area upstairs. She is doing a wonderful job and has never complained about the space but it is not a positive area for her.

D. Reception Area\Legal Secretaries Work Space. The walls and halls that wander through our suite leave the secretaries in a position that they cannot see each other and don't always know if they need to answer an incoming call. Further if the primary receptionist is away from her desk the public does not know if they should walk in or wait for someone to let them in.

The space above the Cache Valley Bank resolves most of our challenges. Without exception we are willing and anxious to make the change.

VI. RECOMMENDATION.

It is my recommendation that the county lease the space currently occupied by the County Attorney's office to the court and that the County Attorney's office relocate to the upstairs of the Cache Valley Bank Building.