

**COUNCIL MEETING
MINUTES 11/12/96**

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**COUNCIL MEETING
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CACHE COUNTY COUNCIL MEETING MINUTES

November 12, 1996

The Cache County Council met in regular session on the 12th day of November, 1996 in the 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. Council members present were: Guy Ray Pulsipher, H. Craig Petersen, Jerry L. Allen and Darrel L. Gibbons. Councilman Beck was absent.

Others present were: Cache County Executive, M. Lynn Lemon, Cache County Clerk, Stephen M. Erickson, Cache County Attorney, Scott Wyatt, Cache County Auditor, Tamra Stones, Cache County Zoning Administrator, Lorene Greenhalgh, Cache County Administrative Assistant, Michael Nilson, County Data Processing Director, John Sanders, Newly Elected Council Member, Cory Yeates, The Director of BRAG, Roger Jones, The Director of the Capital Art Alliance, Peggy Tueller. Members of the local news media and other interested citizens.

CALL TO ORDER

Chairman Sarah Ann Skanchy called the meeting to order at 5:00 p.m. and welcomed all who were in attendance. Members of the audience were asked to introduce themselves.

INVOCATION

The invocation was given by Executive M. Lynn Lemon.

AGENDA & MINUTES

The agenda for the meeting was reviewed, adjusted and approved.

The minutes of the regular council meeting held on October 22, 1996 and the minutes of the special Council meeting held on October 29, 1996 and sent to all members of the Council were discussed, corrected and approved.

REPORT OF THE COUNTY EXECUTIVE

**COUNCIL MEETING
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The County Executive, M. Lynn Lemon, reported on the following items:

1. Appointment:

Appointment: Sheffer, Robert Harris as Deputy Sheriff.

A motion to approve the above appointment was made by Councilman Jerry Allen. It was properly seconded and carried unanimously.

2. Water Policy Board Meeting: The County Water Policy Board will be meeting on November 21, 1996 at 5:00 p.m. in the Council Chambers. They have invited all Municipal Mayors to attend. They will be discussing water storage and water purchasing issues with representatives from the State Water Board. Council members were encouraged to attend the meeting.

3. Warrants: The warrants dated Oct. 12th, Oct. 26th and Nov. 1st were presented to the County Clerk for filing.

CAPITAL ARTS ALLIANCE REPORT: TUELLER, PEGGY

The Director of the Capital Arts Alliance, Peggy Tueller, appeared before the Council to discuss a Status Report on the Ellen Eccles Theatre and Bullen Center including their budget. An Independent Auditor's report was also presented.

(See attachment #1)

Tueller reported that they have now established a budget year that is the same as Logan City's fiscal year budget for accounting purposes. Council members were asked for input regarding the future shows at the Theatre and other programs for the Bullen Center. Tueller also said that they will be having Country Western type shows next year. They will be having a fund raising event in March, of 1997.

BRAG REPORT AND BUDGET REQUEST: JONES, ROGER

The Executive Director of BRAG, Roger Jones, reviewed the BRAG Governing Boards job description and what is being done in the various BRAG departments.

(See attachment #2)

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Jones reported that they are presently working on an affordable housing project with Logan City that will have 31 building lots for two and three bedroom home construction.

BRAG is requesting that their budget be increased this year to \$36,000. Cache County's portion of that would be \$23,000. The request will be addressed when the Council discusses the 1997 budget.

BUDGETARY MATTERS

The following Intra-Departmental budget transfers were considered by the Council:

1. Building and Grounds: \$367.00

It was moved by Vice Chairman Anhder to approve the transfer. It was seconded and carried unanimously.

2. Treasurer: \$200.00

A motion to approve Treasurers transfer request was made by Councilman Gibbons. It was seconded and carried unanimously.

3. Data Processing: \$600.00

It was moved by Vice Chairman Anhder to approve the request. It was seconded and carried unanimously.

4. Data Processing: \$13,602.00

Councilman Allen moved to approve this request. It was seconded and carried unanimously.

5. Treasurer: \$250.00

It was moved by Vice Chairman Anhder to approve this transfer request. It was seconded and carried unanimously.

6. Central Mail & Copy: \$250.00

A motion to approve the request was made by Councilman Gibbons. It was seconded and carried unanimously.

7. Council: \$300.00

**COUNCIL MEETING
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A motion to approve the Council request was made by Councilman Peterson. It was properly seconded and carried unanimously.

(See attachment #3)

PUBLIC HEARING: 1997 BUDGET

Chairman Skanchy reminded everyone of the 1997 County Budget Public Hearing to be held on November 26th. The public has a chance to comment on the proposed 1997 budget at that time. Citizens were encouraged to attend the Public Hearing.

RESOLUTION NO. 96-32: CACHE JUNCTION-SURPLUS PROPERTY

Executive Lemon told the Council that a county road right-of-way in Cache Junction has never been used. He recommended that the property be declared surplus and donated to the adjacent property owner.

(See attachment #4)

A motion to adopt Resolution No. 96-32 was made by Councilman Jerry Allen. It was seconded and carried unanimously.

ORDINANCE NO. 96-06: AGRICULTURE PROTECTION AREAS-SECOND READING

Vice Chairman Anhder moved to adopt Ordinance No. 96-06. It was seconded by Councilman Allen.

The Council then further discussed that section of the Ordinance that deals with the size of the protected area. Anhder suggested that to protect some areas of agriculture in the County the number of acres to establish an area be 10 acres instead of 40 acres as now written in the Ordinance.

Vice Chairman Anhder made a motion to amend his first motion that item D in Section 2 of Ordinance No. 96-06 be amended to read 10 (ten) acres instead of 40 (forty). Councilman Allen who seconded the original motion seconded the amended motion. The motion passed on a vote of 5 "Yes" to 1 "No".

The vote on the original was called for and it passed on a vote of 5 "Yes: to 1 "No" vote

(See attachment #5)

ORDINANCE NO. 96-07: ANT FLAT-AVON LIBERTY ROAD-WINTER CLOSURE

**COUNCIL MEETING
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The adoption of Ordinance No. 96-07 will authorize the County Executive to close the Ant Flat and Avon-Liberty roads during certain winter months.

(See attachment #6)

Councilman Gibbons moved to adopt Ordinance No. 96-07. It was properly seconded and carried unanimously.

RESOLUTION NO. 96-33: LAW ENFORCEMENT SERVICES

The approval of Resolution No. 96-33 will authorize the execution of agreements between the County and Cities in the County for law enforcement services.

(See attachment #7)

Councilman Gibbons moved to wave the rules of first and second readings and adopt Resolution No. 96-33. It was seconded and carried unanimously.

RESOLUTION NO. 96-34: CHILDREN'S JUSTICE CENTER

This Resolution was tabled until the next Council meeting.

CAPITAL IMPROVEMENT PROJECTS: 1997-DISCUSSION

Executive Lemon presented the 1997 proposed Capital Improvement projects for the County. The projects are for a five year period and establishes a time frame for development of the projects. The Council was asked to review the list for discussion and approval at the next Council meeting.

MERRELL SUBDIVISION: PLAT APPROVAL

The County Zoning Administrator, Lorene Greenhalgh, reviewed a proposed five lot subdivision plat located East of Wellsville. Greenhalgh said that according to the present county ordinances the Subdivision meets all the requirements needed for approval. The Zoning Commission has also approved the request. Vice Chairman Anhder expressed concern about the subdivision and said that this kind of development is what we are trying to get away from in our new County-Wide Plan. The Subdivision owner J. Sterling Merrell was present and expressed his desire to meet all the requirements for construction of the proposed subdivision. There are eleven conditions that have to be met.

**COUNCIL MEETING
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It was moved by Councilman Petersen to approve the Subdivision Plat. It was properly seconded and passed on a 5 "Yes" to 1 "No" vote.

FARMLAND PRESERVATION: DRAFT LETTER-ANHDER, C. LARRY

Vice Chairman C. Larry Anhder read aloud a letter that he had drafted to be sent to Representative Evan Olsen regarding the Preservation of Farmland.

Councilman Allen moved to accept the concept and principle of the letter. It was properly seconded and passed on a 4 "Yes" to 2 "No" vote.

The letter will be revised by the County Executive and Vice Chairman Anhder and presented at a future Council meeting.

BUDGET-1997: DISCUSSION

The Council continued its discussion on the proposed 1997 County budget. Areas of concern were addressed such as maintenance of fire fighting equipment, revenue increase in the zoning department and budgeting for the Sheriffs department.

Considerable discussion was done on the proposed fee increases in the County Zoning Department. Vice Chairman Anhder recommended the proposed increases be modified down in most areas but leave the fix-it-ticket charge the same. Anhder said that some of the proposed changes are double what they are now.

Anhder moved to reduce the proposed fee increases in the Zoning department and leave the fix-it-ticket the same. It was seconded and passed on a 4 "Yes" 1 "NO" vote.

Councilman Petersen moved to delete the fix-it-ticket program from the proposed new fee schedule until after the first of the year when further discussion will take place. It was seconded and passed on a 4 "Yes" to 1 "No" vote.

The new fee schedule will be adopted by Resolution in a future Council meeting.

The Council reviewed the proposed increase in the BRAG budget request. Executive Lemon reported that the 1997 budgets calls for an increase to \$19,400.00. The Council was of the opinion that

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this figure was enough of an increase for BRAG in the 1997 budget.


Councilman Pulsipher suggested that the work release program in the Sheriff's department be looked at.

COUNCIL MEMBER REPORT

Vice Chairman Anhder: Reported that he was involved in a auto accident and it took 40 minutes for a deputy sheriff to show up. The issue will be brought up with the County Sheriff.

ADJOURNMENT

No further business was presented and Chairman Skanchy adjourned the meeting at 7:40 p.m..



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



**APPROVAL: Sarah Ann Skanchy
Council Chairman**



CAPITOL ARTS ALLIANCE

Ellen Eccles Theatre

Bullen Center

STATUS REPORT

Ellen Eccles Theatre and Bullen Center

For the Period July 1, 1996 - September 30, 1996

November 12, 1996

Prepared by Peggy L. Tueller, Executive Director
Capitol Arts Alliance

I am pleased to present to you the Quarterly Report of the Capitol Arts Alliance.

General Operations

Ellen Eccles Theatre

During this quarter 17,189 people attended 30 public performances of 6 shows, as follows:

CAA Presentations

None

Renters

Utah Festival Opera Company - 1776, Don Pasquale, Girl of the Golden West - 25 shows

Miss Cache Valley/Logan Scholarship Program - 1 show

Aberstwyth Male Choir - 1 show

Cache Ballet Company - Fall Repertoire - 3 shows

The Bullen Center

CAA earned rental income from the Utah Festival Opera from July 1 through August 20, Alliance for the Varied Arts, 6 conferences, 5 weddings, 2 dinner reunions, 4 sessions of Art Camp attended by 151 children.

CAA Programming

Our first show of the season, **ANNIE GET YOUR GUN** took place on October 2. We sold 981 tickets. The show was sponsored in part by Cache Valley Electric which also very generously sponsored the social festivities for that evening. The next attraction is the Jim Cullum Jazz Band on October 23 and our Celtic celebration with Mick Moloney, Sands, Horan and Jennings is on October 29. Our second Broadway offering, **CRAZY FOR YOU**, is being presented on Veterans Day, November 11. Hopefully, you will have the day off and will be able to join us for this delightful Gershwin show. The Children's Dance Theatre will perform on November 15. Michael Martin Murphey's Christmas Show on December 10 concludes the CAA's presentations in 1996.

43 South Main, Logan, Utah 84321

(801) 753-6518 (Administration) • (801) 752-0026 (Box Office) • (801) 753-1232 (FAX)

Page Two
Ellen Eccles Theatre and Bullen Center
Quarterly Status Report
November 12, 1996

Capital Improvements

The roof replacement over the stage was completed in August. Thermal insulation was removed from the Book Table boiler room, a necessary procedure before the repair of the columns of the north facing wall can begin. Preliminary paperwork on the smoke detection alarms is in progress. The actual work is scheduled after the first of the year. The sidewalk in front of the Theatre has been replaced. I wish to express sincere appreciation to the City for taking care of this because the condition of the sidewalk was a concern for public safety. Not only is there a steady flow of pedestrian traffic to the CAA box office, AVA activities and renter functions in the Bullen Center, but on a good night the Theatre has 1100 patrons coming and going.

Development

A party was hosted by Cache Valley Electric before **ANNIE GET YOUR GUN** specifically for the purpose of involving potential donors and supporters of the CAA. A post-performance party was also sponsored by Cache Valley Electric for City and County Council members and other supporters of the CAA to meet the entire cast of the show. The Development Committee is now working on sponsorships for our annual fundraising Gala, which this year is **MAME** on March 1st. The Gala Committee is working on the festivities related to the Gala. Our annual fund-raising appeal is scheduled to go out the first week of November.

Marketing

I am very pleased to report that CAA collected \$10,170 from local and out-of-the area businesses for advertising in our 1996-97 programs. We surpassed my expectations for our first effort, and I wish to thank everyone who made this possible. (A program from **ANNIE GET YOUR GUN** was enclosed with your packets for your perusal). We now have a well organized advertising schedule and a good tracking system. The Marketing Committee continues to work on enhancing the Theatre's image and to create ways to get out pertinent information to the population.

Because Image Publications has bought out Meridian International in Ogden, the Utah Preservation Magazine's publication has now been pushed back to late November. Roger Roper of the Utah State Historic Preservation office assures me that the State is committed to this magazine and the publication is definite. The delay is simply caused by change of hands of the publisher.

Page Three
Ellen Eccles Theatre and the Bullen Center
Quarterly Status Report
November 12, 1996

Fiscal Report

Our new accounting system is now in place. Although this system took a great deal of thought and effort, it is better suited to CAA's unique needs. It provides us with a detailed format to track production, payroll and payable costs, including tracking of the City money through our budget. While it is a much more sophisticated system, it has the capability to simplify reports for easy understanding. You have the CAA's Profit and Loss Statement for the period October 1995 through June 1996 and the Balance Sheet as of June 30, 1996 which are in the process of being audited. In order to match our fiscal year with the City's, we worked within a three-month budget, from July 1 to September 30, 1996, and we are now working within a nine-month budget from October 1, 1996 to June 30, 1997. From July 1, 1997 CAA will be operating in the same fiscal year as the City.

10/14/96

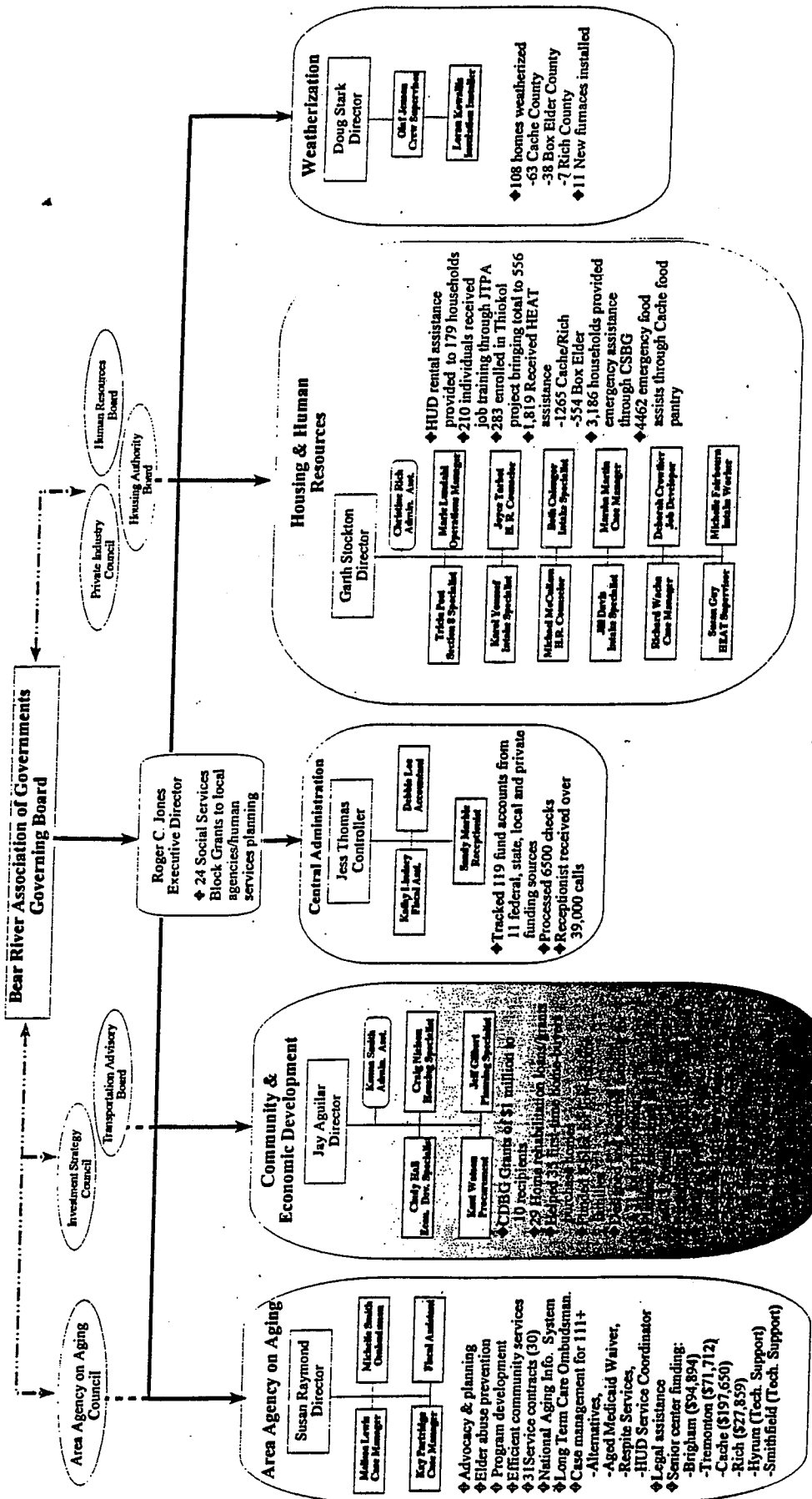
Capitol Arts Alliance
Profit and Loss
 October 1995 through June 1996

	Oct '95 - Jun '96
Income	
Apartment Rent Revenues	15,078.48
Contributions & Grants U	75,260.71
Contributions Temp Restricted	105,679.00
Fees, Rent, Tickets, Other	266,305.99
Interest Income U	3,204.05
Release From Restrictions	0.00
Transfers	136,320.11
Total Income	601,848.34
Expense	
Apartment Utilities/Repairs	2,861.58
Apartment Management Fees	1,700.68
Artist Fees & Expenses	128,976.37
Bank Charges	6,195.63
Bullen Center Repairs/Maintenan	3,755.09
Bullen Center Utilities	9,006.45
Conferences & Meetings	0.00
Contributions City	27,375.40
Cost Of Goods	1,873.10
Depreciation	17,175.00
Dues & Subscriptions	1,111.36
Fundraising	606.54
Insurance	5,043.86
Other	3,071.95
Payroll Taxes & Benefits	12,511.78
Postage & Freight	2,960.71
Production Costs	33,678.77
Promotion	1,424.79
Publicity & Printing	26,783.53
Sign Repairs/Maintenance	2,419.20
Supplies	5,674.43
Telephone	4,705.22
Theatre Repairs/Maintenance	2,433.25
Theatre Utilities	21,130.82
Transfers Expense	136,320.11
Travel	2,422.00
Wages	131,085.55
Total Expense	592,303.17
Net Income	9,545.17

10/14/96

Capitol Arts Alliance
Balance Sheet
As of June 30, 1996

	<u>Jun 30, '96</u>
ASSETS	
Current Assets	
Checking/Savings	
Cash	110,678.49
Long Term Investments Restrict	91,595.00
Total Checking/Savings	<u>202,273.49</u>
Accounts Receivable	
Pledges Receivable	6,930.00
Total Accounts Receivable	<u>6,930.00</u>
Other Current Assets	
Inventory	1,300.00
Pre-paid expenses	13,450.00
Total Other Current Assets	<u>14,750.00</u>
Total Current Assets	223,953.49
Fixed Assets	
Net Property & Equipment	68,107.46
Total Fixed Assets	<u>68,107.46</u>
TOTAL ASSETS	<u><u>292,060.95</u></u>
LIABILITIES & EQUITY	
Liabilities	
Current Liabilities	
Accounts Payable	
Accounts Payable	4,170.22
Total Accounts Payable	<u>4,170.22</u>
Other Current Liabilities	
Deferred Revenue & Deposits	46,248.00
Payroll Liabilities	-1,207.29
Total Other Current Liabilities	<u>45,040.71</u>
Total Current Liabilities	<u>49,210.93</u>
Total Liabilities	49,210.93
Equity	
Net Assets	241,690.69
R Earnings Close to Net Assets	-8,385.84
Net Income	9,545.17
Total Equity	<u>242,850.02</u>
TOTAL LIABILITIES & EQUITY	<u><u>292,060.95</u></u>



REQUEST FOR INTRA-DEPARTMENTAL BUDGET TRANSFER

DEPARTMENT: BUILDING AND GROUNDS
 DATE: 08-Nov-96

Amount to be transferred -- (rounded to the nearest dollar) \$367

Transfer From --

ACCOUNT	DESCRIPTION	Current Budget	Increase DR	Decrease CR	Amended Budget
10-4160-270	BUILDING & GRDS-UTILITIES	\$60,500		(\$200)	\$60,300
10-4160-251	BUILDING & GRDS - EQUIP<\$20	\$250		(\$167)	\$83

Transfer To --

10-4160-740	BUILDING & GRDS - EQUIPMEN	\$1,000	\$367		\$1,367
Totals			\$367	(\$367)	\$0
Net adjustment					\$0

Description of needs and purpose of transfer --

TO PURCHASE VACUUM FOR 120 NORTH 100 WEST BUILDING.

Michael K. Nilson
 Department Head

Recommendation: Approval [] Disapproval
 Comments:

Date: 08-Nov-96

Janece Stokes
 Cache County Auditor

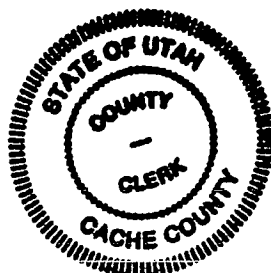
Recommendation: Approval [] Disapproval
 Comments:

Date: 11/12/96

M. Lynn Lemon
 Cache County Executive

Consented by the Cache County Council meeting in regular session on the 12th day of Nov., 1996.

Stephanie E. Eucken
 Cache County Clerk



REQUEST FOR INTRA-DEPARTMENTAL BUDGET TRANSFER

DEPARTMENT: TREASURER
DATE: 08-Nov-96

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

Transfer From --
Line Item No. : 10-4143-280
Fund Designation: MISC SUPPLIES
Original Budget: \$2,000.00
Current Budget: \$2,000.00
Expenditures to date: \$0.00
Balance before transfer: \$2,000.00
Balance after Transfer: \$1,800.00

Transfer To --
Line Item No. : 10-4143-115
Fund Designation: OVERTIME
Original Budget: \$0.00
Current Budget: \$0.00
Expenditures to date: \$0.00
Balance before transfer: \$0.00
Balance after Transfer: \$200.00

Description of needs and purpose of transfer --
TO COVER OVERTIME EARNED FOR ELECTION NIGHT WORK.

Karen Jeppesen
Department Head

Recommendation: Approval [] Disapproval
Comments:

Date: 08-Nov-96

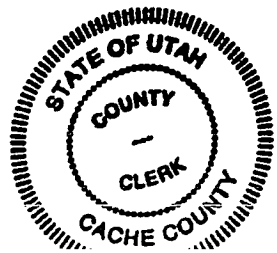
James Stones
Cache County Auditor

Recommendation: Approval [] Disapproval
Comments:

Date: 11/12/96

Michael Leman
Cache County Executive

Consented by the Cache County Council meeting in regular session on the 12th day of Nov, 1996.



Stephen E. Guerin
Cache County Clerk

REQUEST FOR INTRA-DEPARTMENTAL BUDGET TRANSFER

DEPARTMENT: DATA PROCESSING
DATE: 07-Nov-96

Amount to be transferred -- (rounded to the nearest dollar) \$600.00

Transfer From ---
Line Item No. : 10-4136-280
Fund Designation: TELEPHONE-APPRAISER/REALTORS

Original Budget: \$1,500.00
Current Budget: \$1,500.00
Expenditures to date: \$455.81
Balance before transfer: \$1,044.19
Balance after Transfer: \$444.19

Transfer To ---
Line Item No. : 10-4136-230
Fund Designation: TRAVEL

Original Budget: \$300.00
Current Budget: \$300.00
Expenditures to date: \$643.90
Balance before transfer: (\$343.90)
Balance after Transfer: \$256.10

Description of needs and purpose of transfer ---
TO COVER TRAVEL EXPENSES FOR NOVELL TRAINING.

[Signature]
Department Head

Recommendation: Approval [] Disapproval
Comments:

Date: 07-Nov-96

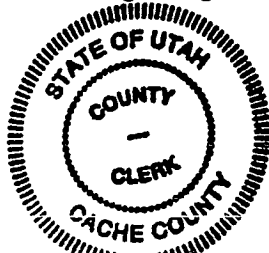
[Signature]
Cache County Auditor

Recommendation: Approval [] Disapproval
Comments:

Date: 11/7/96

[Signature]
Cache County Executive

Consented by the Cache County Council meeting in regular session on the 12th day of Nov, 1996.



[Signature]
Cache County Clerk

REQUEST FOR INTRA-DEPARTMENTAL BUDGET TRANSFER

DEPARTMENT: DATA PROCESSING
DATE: 01-Nov-96

Amount to be transferred -- (rounded to the nearest dollar) \$13,602.00

Transfer From ---
Line Item No. : 10-4136-310
Fund Designation: PROFESSIONAL & TECHNICAL
Original Budget: _____
Current Budget: \$16,000.00
Expenditures to date: \$398.77
Balance before transfer: \$15,601.23
Balance after Transfer: \$1,999.23

Transfer To ---
Line Item No. : 10-4136-740
Fund Designation: EQUIPMENT
Original Budget: \$4,000.00
Current Budget: \$4,000.00
Expenditures to date: \$3,716.04
Balance before transfer: \$283.96
Balance after Transfer: \$13,885.96

Description of needs and purpose of transfer ---
TO PURCHASE IMMEDIATELY NECESSARY SERVERS AND EQUIP FROM 1997 PROPOSED
COMPUTER UPGRADES (1997 BUDGET WILL BE REDUCED BY SAME AMOUNT.)

[Signature]
Department Head

Recommendation: Approval [] Disapproval
Comments:

Date: 01-Nov-96

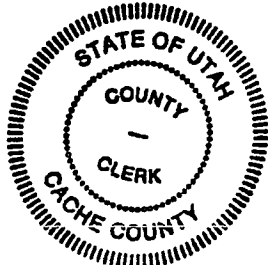
James Stones
Cache County Auditor

Recommendation: Approval [] Disapproval
Comments:

Date: 11/2/96

[Signature]
Cache County Executive

Consented by the Cache County Council meeting in regular session on the 12th day of Nov, 1996.



[Signature]
Cache County Clerk

REQUEST FOR INTRA-DEPARTMENTAL BUDGET TRANSFER

DEPARTMENT: TREASURER
DATE: 01-Nov-96

Amount to be transferred -- (rounded to the nearest dollar) \$250.00

Transfer From --
Line Item No. : 10-4143-250
Fund Designation: EQUIP SUPP & MAINT

Original Budget: \$1,265.00
Current Budget: \$1,265.00
Expenditures to date: \$647.59
Balance before transfer: \$617.41
Balance after Transfer: \$367.41

Transfer To --
Line Item No. : 10-4143-740
Fund Designation: EQUIPMENT

Original Budget: \$0.00
Current Budget: \$235.00
Expenditures to date: \$235.00
Balance before transfer: \$0.00
Balance after Transfer: \$250.00

Description of needs and purpose of transfer --
TO REPLACE A PRINTER THAT HAS DIED.

Karen Seppesa
Department Head

Recommendation: Approval [] Disapproval
Comments:

Date: 01-Nov-96

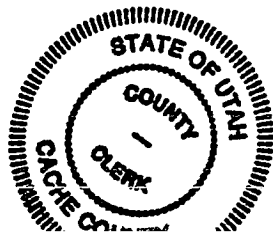
Jamra Stones
Cache County Auditor

Recommendation: Approval [] Disapproval
Comments:

Date: 11/2/96

M. Lynn Hansen
Cache County Executive

Consented by the Cache County Council meeting in regular session on the 12th day of Nov, 1996.



Stephanie Eubank
Cache County Clerk

REQUEST FOR INTRA-DEPARTMENTAL BUDGET TRANSFER

DEPARTMENT: CENTRAL MAIL & COPY
 DATE: 01-Nov-96

Amount to be transferred -- (rounded to the nearest dollar) \$250.00

Transfer From --
 Line Item No. : 10-4151-250
 Fund Designation: EQUIPMENT SUPP & MAINT

Original Budget:	<u>\$10,000.00</u>
Current Budget:	<u>\$10,000.00</u>
Expenditures to date:	<u>\$7,030.37</u>
Balance before transfer:	<u>\$2,969.63</u>
Balance after Transfer:	<u>\$2,719.63</u>

Transfer To --
 Line Item No. : 10-4151-740
 Fund Designation: EQUIPMENT

Original Budget:	<u>\$0.00</u>
Current Budget:	<u>\$0.00</u>
Expenditures to date:	<u>\$0.00</u>
Balance before transfer:	<u>\$0.00</u>
Balance after Transfer:	<u>\$250.00</u>

Description of needs and purpose of transfer --
TO PURCHASE A REPLACEMENT PRINTER FOR BACK UP NEEDS.
THE AUDITOR'S OFFICE HAS THE CURRENT BACK UP PRINTER AND WE CANNOT BE
WITHOUT A PRINTER.

James Stones
 Department Head

Recommendation: Approval [] Disapproval
 Comments:

Date: 01-Nov-96

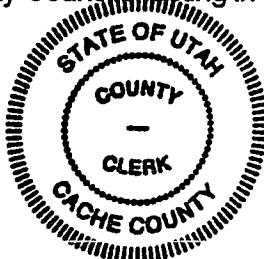
James Stones
 Cache County Auditor

Recommendation: Approval [] Disapproval
 Comments:

Date: 11/2/96

M. Lynn Benson
 Cache County Executive

Consented by the Cache County Council meeting in regular session on the 12th day of Nov, 1996.



Shirley G. Erickson
 Cache County Clerk

REQUEST FOR INTRA-DEPARTMENTAL BUDGET TRANSFER

DEPARTMENT: COUNCIL
DATE: 01-Nov-96

Amount to be transferred -- (rounded to the nearest dollar) \$300.00

Transfer From ---
Line Item No. : 10-4112-620
Fund Designation: MISC SERVICES

Original Budget: \$1,000.00
Current Budget: \$1,000.00
Expenditures to date: \$0.00
Balance before transfer: \$1,000.00
Balance after Transfer: \$700.00

Transfer To ---
Line Item No. : 10-4112-740
Fund Designation: EQUIPMENT

Original Budget: \$0.00
Current Budget: \$0.00
Expenditures to date: \$0.00
Balance before transfer: \$0.00
Balance after Transfer: \$300.00

Description of needs and purpose of transfer ---
TO PURCHASE AN OFFICE CHAIR FOR EXEC/COUNCIL ASSIST.

Sarah Ann Skonchy
Department Head

Recommendation: Approval [] Disapproval
Comments:

Date: 01-Nov-96

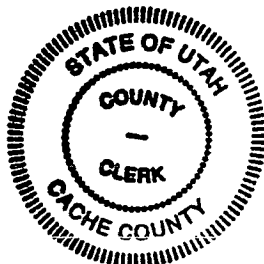
Janice Stones
Cache County Auditor

Recommendation: Approval [] Disapproval
Comments:

Date: 11/2/96

M. Lynn Jensen
Cache County Executive

Consented by the Cache County Council meeting in regular session on the 12th day of Nov, 1996.



[Signature]
Cache County Clerk

CACHE COUNTY

RESOLUTION NO. 96- 32

A RESOLUTION DECLARING THE PROPERTY LOCATED AT THIRD EAST AND FOURTH EAST STREETS, SOUTH OF FIRST SOUTH STREET IN CACHE JUNCTION AS SURPLUS REAL PROPERTY.

The County Council of Cache County, Utah, in a regular meeting, lawful notice of which has been given, finds that the real property located at THIRD EAST AND FOURTH EAST STREETS, SOUTH OF FIRST SOUTH STREET IN CACHE JUNCTION should be declared surplus in accordance with the provisions of the County Fiscal Procedures Ordinance.

Now therefore, BE IT RESOLVED that:

SECTION 2: DECLARATION:

The real property located at THIRD EAST AND FOURTH EAST STREETS, SOUTH OF FIRST SOUTH STREET IN CACHE JUNCTION shall be declared surplus.

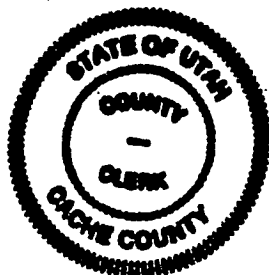
SECTION 2: EFFECTIVE DATE:

This resolution shall become effective immediately upon adoption.

This resolution was adopted by the Cache County Council on the 12th day of ~~November~~ 1996.

CACHE COUNTY COUNCIL

By: Sarah Ann Skanchy
Sarah Ann Skanchy
Chairman



ATTESTED TO:

Stephen M. Erickson

Stephen M. Erickson
Cache County Clerk

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**CACHE COUNTY
ORDINANCE NO. 96-06**

AN ORDINANCE OF THE COUNTY COUNCIL OF CACHE COUNTY, UTAH, ADOPTING PROCEDURES FOR FILING AND CONSIDERATION OF PROPOSALS TO CREATE AGRICULTURE PROTECTION AREAS, PROVIDING FOR FILING FEES AND OTHER PROVISIONS.

The County Council of Cache County, Utah, declares the following as part of the basis for adopting this Ordinance:

- A. The Utah Legislature, by enactment in its 1994 general session of SB 227, as codified in Title 17, Chapter 41, Utah Code Annotated, 1953 as amended, provided a procedure for creating agriculture protection areas.
- B. The Cache County Council has previously found that it is in the best interest of the residents of Cache County to establish an Agriculture Protection Area Advisory Board as provided under Title 17 Chapter 41, Utah Code Annotated, 1953 as amended, and now to create acreage limitations, fee schedules and other procedures regarding review and consideration of proposals to create agriculture protection areas.

NOW, THEREFORE, BE IT ORDAINED by the Cache County Council of Cache County, Utah:

SECTION 1: AGRICULTURE PROTECTION AREA ADVISORY BOARD.

A. AGRICULTURE PROTECTION AREA ADVISORY BOARD.

An Agriculture Protection Area Advisory Board has been previously established by Resolution Number 95-32 of the Cache County Council pursuant to Utah Code Annotated Section 17-41-201 to perform the duties set out therein or any later amendment or enactment of that Section and as provided by the above mentioned Resolution. Resolution Number 95-32 is hereby incorporated into this ordinance and attached hereto as Exhibit "A."

B. OFFICERS OF AGRICULTURE PROTECTION AREA ADVISORY BOARD.

The members of the Agriculture Protection Area Advisory Board shall select a chairman, vice chairman and secretary. The chairman and vice chairman shall be selected from among the members of the Agriculture Protection Area Advisory Board. The secretary may be either a member of the Advisory Board or a Cache County employee. The selection of a Cache County employee to serve as secretary must be approved and appointed by the Cache County Executive with the advice and consent of the County Council of Cache County, Utah.

C. QUORUM AND RULES OF OPERATION.

Any three (3) members of the Agriculture Protection Area Advisory Board shall constitute a quorum of that Board. Any actions of Agriculture Protection Area Advisory Board must be approved by at least three (3) members of that Board. All meetings shall be conducted in accordance with the Utah Open and Public Meetings Act. The Agriculture Protection Area Advisory Board may adopt such additional rules of operation as it deems necessary to govern its affairs.

SECTION 2: PROPOSAL AND APPROVAL OF AGRICULTURE PROTECTION AREA.

A. FILING PROCEDURE.

Any owner or owners of land in agricultural production may file a proposal for creation of an agriculture protection area with the County Executive by completing forms approved by the County Executive and filing the forms in the office of the County Executive. The County Executive or other person(s) designated by the County Executive to receive and process proposals shall accept and process such forms only if they are properly completed and accompanied by the filing fee as provided below in this section. The proposal shall contain the following information:

- (1) the land in agricultural production that the proposal sponsors wish to become part of an agriculture protection area;
- (2) any limits on the type of agriculture production to be allowed within the agriculture protection area; and
- (3) for each parcel of land:
 - (a) the owners of the land contained within the parcel;
 - (b) the tax parcel number or account number of each parcel; and
 - (c) the number or account number of acres as listed on the parcel tax records.

B. NOTICE REQUIREMENTS.

The County Executive shall provide notice of the proposal for an agriculture protection area as required by Title 17, Chapter 41, Utah Code Annotated, 1953 as amended.

C. REVIEW OF PROPOSAL.

- (1) After 15 days from the date of the notice, the County Executive shall refer the proposal, and any proposed modifications and objections to the proposal, to the Advisory Board and Planning Commission for their review, comment and recommendations.
- (2) Within 45 days after receipt of the proposal, the Advisory Board and Planning Commission shall each submit a report to the Cache County Council relative to their review, comments and recommendations as provided in Title 17, Chapter 41, Utah Code Annotated, 1953 as amended.
- (3) After receipt of the reports from the Advisory Board and Planning Commission, or after 45 days has expired, whichever is earlier, the Cache County Council shall schedule a public hearing and provide notice of the same, conduct a public hearing, and act on the same as required by Title 17, Chapter 41, Utah Code Annotated, 1953 as amended.

D. MINIMUM SIZE FOR AGRICULTURE PROTECTION AREA.

At least 10 (ten) continuous acres within Cache County must be included in each agriculture protection area.

E. FEES FOR ACCEPTING AND PROCESSING AGRICULTURE PROTECTION AREA PROPOSALS.

Any person or persons filing a proposal to create an agriculture protection area pursuant to Title 17, Chapter 41, Utah Code Annotated, 1953 as amended, shall pay a fee at the time of filing. The fee for accepting and processing a proposal to create an agriculture protection area shall be \$200.00 (Two Hundred Dollars). This fee includes all costs associated with processing agriculture protection area proposals. The fee amount may be modified by resolution of the County Council of Cache County, Utah.

F. ADDING LAND TO AN AGRICULTURE PROTECTION AREA.

- (1) Any owner of land may add land to an existing agriculture protection area by:
 - (a) filing a proposal with the County Executive; and
 - (b) obtaining approval of the Cache County Council for the addition of the land to the area.
- (2) The Cache County Council shall comply with the provisions for creating an agriculture protection area in determining whether or not to accept the proposal.

G. REMOVING LAND FROM AN AGRICULTURE PROTECTION AREA.

- (1) Any owner may remove land from an agriculture protection area by filing a petition for removal of the land from the agriculture protection area with the County Executive.
- (2) The Cache County Council shall:
 - (a) grant the petition for removal of land from an agriculture protection area even if removal of the land would result in an agriculture protection area of less than the number of acres established by the Cache County Council as the minimum under this section; and
 - (b) in order to give constructive notice of the removal to all persons who have acquired or who may acquire an interest in land in or adjacent to the agriculture protection area and the land removed from the agriculture protection area, file a legal description of the revised agriculture protection area with the Cache County Recorder and the Planning Commission.
- (3) The remaining land in the agriculture protection area is still an agriculture protection area.
- (4) When a municipality annexes any land that is part of an agriculture protection area, the Cache County Council shall, within 30 days after the land is annexed, review the feasibility of that land remaining in the agriculture protection area according to the procedures and requirements of Title 17, Chapter 41, Utah Code Annotated, 1953 as amended. If appropriate, the Cache County Council shall remove the annexed land from the agriculture protection area.

H. REVIEW OF AGRICULTURE PROTECTION AREA.

- (1) The county council shall review any agriculture protection area created under the authorization of this ordinance in the 20th calendar year after it is created.
- (2) In the 20th calendar year, the Cache County Council shall:
 - (a) request the Planning Commission and Advisory Board to submit recommendations about whether the agriculture protection area should be continued, modified, or terminated;
 - (b) at least 120 days before the end of the calendar year hold a public hearing to discuss whether the agriculture protection area should be continued, modified, or terminated;
 - (c) give notice of the hearing using the same procedures for any notice employed to establish an agriculture protection area; and
 - (d) after the public hearing, continue, modify, or terminate the agriculture protection area.
- (3) If the Cache County Council modifies or terminates the agriculture protection area, it shall file an executed document containing the legal description of the agriculture protection area with the Cache County Recorder.
- (4) If the Cache County Council does not affirmatively continue, modify, or terminate the agriculture protection area in the 20th calendar year, the agriculture protection area is considered to be reauthorized for another 20 years.

SECTION 3: SEVERABILITY

In the event that any provision of this Ordinance less than the entire Ordinance is held invalid by a Court of competent jurisdiction, this Ordinance shall be deemed severable and such finding of invalidity shall not affect the remaining portions of this Ordinance.

SECTION 4: EFFECTIVE DATE

This ordinance shall become effective fifteen (15) days after its passage and upon at least one publication in a newspaper published and having general circulation in Cache County.

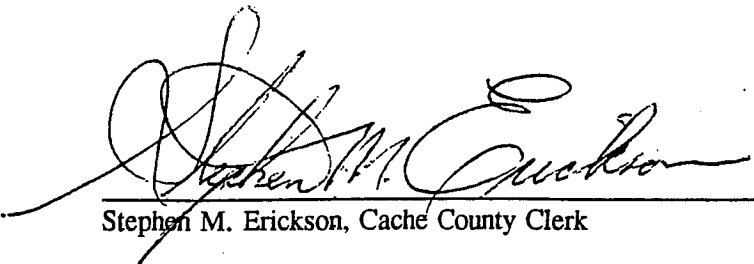
This ordinance was approved and adopted by the Cache County Council on the 12th day of November, 1996, upon the following vote:

	IN FAVOR	AGAINST	ABSTAINED	ABSENT
ALLEN	x			
ANHDER	x			
BECK				x
GIBBONS	x			
PETERSEN	x			
PULSIPHER	x			
SKANCHY	x			
TOTAL	6			1

CACHE COUNTY COUNCIL

By: Sarah Ann Skanchy
 Sarah Ann Skanchy, Chairman

ATTESTED BY:


 Stephen M. Erickson, Cache County Clerk

Publication Date: November 24, 1996

EXHIBIT "A"

CACHE COUNTY RESOLUTION NO. 95-32

A RESOLUTION CREATING THE CACHE COUNTY AGRICULTURAL PROTECTION AREA ADVISORY BOARD.

The County Council of Cache County, Utah, in a regular meeting, lawful notice of which has been given, finds that it is in the best interest of Cache County to establish an Agricultural Protection Area Advisory Board.

Now therefore, BE IT RESOLVED that:

SECTION 1: ESTABLISHMENT OF BOARD

Cache County Council hereby establishes an agricultural protection area advisory board to be known as "Cache County Agricultural Protection Area Advisory Board."

SECTION 2: BOARD MEMBERSHIP

The Cache County Agricultural Protection Area Advisory Board shall consist of five (5) members comprised of the following:

- A. Five (5) members who are also currently serving on a County Soil Conservation District Board as supervisors.
- B. Board Members shall serve without salary and shall advise the County Council and perform the functions required by law as provided below.
- C. Board Members shall serve for a term of one (1) year.
- D. The Chairperson shall be appointed by the Cache County Council.

SECTION 3: BOARD DUTIES

The Cache County Agricultural Protection Area Advisory Board shall:

- A. Evaluate proposals for the establishment of agricultural protection areas and make recommendations to the County legislative body about whether or not the proposal should be accepted.
- B. Provide expert advise to the Planning Commission and to the County legislative body about:
 1. The desirability of the proposal; and

2. The nature of agricultural production within the proposed area; and
3. The relation of agricultural protection in the area to the County as a whole; and
4. Which agricultural protection should be allowed within the agricultural protection area.

C. Perform all other duties required by Utah law as provided in *Title 17 of Utah Code Annotated*.

SECTION 4: EXECUTIVE TO RECOMMEND MEMBERSHIP

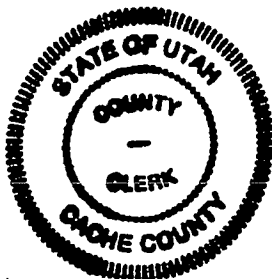
The Cache County Executive is hereby requested to recommend five (5) members to the County Council who could serve on the Cache County Agricultural Protection Area Advisory Board.

SECTION 5: EFFECTIVE DATE

This resolution shall become effective immediately upon adoption.

This resolution was adopted by the Cache County Council on the 12th day of September, 1995.

CACHE COUNTY COUNCIL



By: Sarah Ann Skanchy

Sarah Ann Skanchy
Chairman

ATTESTED TO:

Stephen M. Erickson
Stephen M. Erickson
Cache County Clerk

**CACHE COUNTY
ORDINANCE NO. 96-07**

AN ORDINANCE OF THE COUNTY COUNCIL OF CACHE COUNTY, UTAH, AUTHORIZING THE CLOSURE OF ANT FLAT ROAD AND THE AVON-LIBERTY DIVIDE ROAD FROM LATE FALL THROUGH EARLY SPRING AND CREATING CRIMINAL PENALTIES FOR VIOLATION OF THIS ORDINANCE.

The County Council of Cache County, Utah, declares the following as part of the basis for adopting this Ordinance:

- A. The County does not have the ability to maintain the Avon-Liberty Divide Road and Ant Flat Road from late fall through early spring.
- B. To allow normal travel on these roads from late fall through early spring: (1) subjects the road to vehicle damage that is difficult and costly to repair, and more importantly, (2) subjects motorists traveling on the roads to dangers incident to the unimproved and unmaintained nature of these mountain roads during the months from late-fall to early spring.

NOW, THEREFORE, BE IT ORDAINED by the County Council of Cache County, Utah:

SECTION 1: ROAD CLOSURE.

That the Avon-Liberty Divide Road and the Ant Flat Road are to be closed from late fall through early spring of each year.

SECTION 2: EXECUTIVE AUTHORITY.

The County Executive is hereby granted authority to determine the specific date the road will close each fall and then re-open each following spring based on what is reasonable and prudent and the specific weather and road conditions existing each year.

SECTION 3: POSTING OF CLOSURE.

At the time each road is closed the County Executive shall be required to have the road posted and barricaded sufficiently to inform motorists that the road is closed and to assist in preventing travel.

SECTION 4: EXEMPTIONS.

This ordinance does not prohibit the following travel on the roads:

- A. Machines that are designed and manufactured for the exclusive purpose of traveling on snow, such as snowmobiles;
- B. Persons with a permit from the County or contract expressly authorizing the otherwise prohibited travel on the road; and,
- C. Any authorized Federal, State or local officers or any member of an organized rescue or firefighting force in the performance of their official duties.

SECTION 5: PENALTIES.

Violation of this ordinance is a Class C Misdemeanor.

SECTION 6: EFFECTIVE DATE

This ordinance shall become effective fifteen (15) days after its passage and upon at least one publication in a newspaper published and having general circulation in Cache County.

This ordinance was approved and adopted by the Cache County Council on the 12th day of November 1996, upon the following vote:

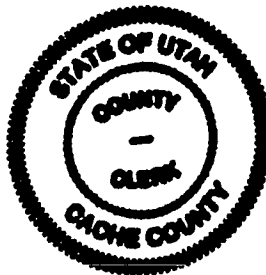
	IN FAVOR	AGAINST	ABSTAINED	ABSENT
ALLEN	x			
ANHDER	x			
BECK				x
GIBBONS	x			
PETERSEN	x			
PULSIPHER	x			
SKANCHY	x			
TOTAL	6			1

COUNTY COUNCIL

By: Sarah Ann Skanchy
Sarah Ann Skanchy, Chair

ATTESTED BY:

Stephen M. Erickson
Stephen M. Erickson,
Cache County Clerk



Publication Date: November 24, 1996

A RESOLUTION APPROVING INTERLOCAL AGREEMENTS BETWEEN VARIOUS CITIES/TOWNS AND CACHE COUNTY FOR LAW ENFORCEMENT SERVICES AND AUTHORIZING THE EXECUTION OF SAID AGREEMENTS.

The County Council of Cache County, Utah, in regular meeting, lawful notice of which has been given, finds that it is in the best interest of the citizens of the County to enter into interlocal agreements between the various cities and towns and Cache County for Law Enforcement Services.

THEREFORE, the Cache County Council hereby adopts the following resolution:

BE IT RESOLVED that

SECTION 1: APPROVAL

The standard agreement between various cities and towns and Cache County for Law-Enforcement Services is hereby approved.

SECTION 2: PRIOR RESOLUTIONS, POLICIES OR ACTIONS

This resolution supersedes all prior resolutions, actions and policies of Cache County to the extent they are in conflict with the specific provisions hereof. In all other respects such prior resolutions, actions, and policies shall remain in full force and effect.

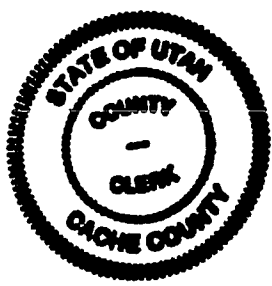
SECTION 3: AUTHORIZATION

The County Executive is hereby authorized to execute the interlocal agreements and the County Clerk is authorized to attest thereto.

SECTION 4: EFFECTIVE DATE

This resolution shall become effective immediately upon adoption.

This resolution was adopted by the Cache County Council on the 12th day of November, 1996.



CACHE COUNTY COUNCIL

Sarah Ann Skanchy

Sarah Ann Skanchy, Chairman

ATTEST TO:

Stephen M. Erickson

Stephen M. Erickson, Clerk