

COUNCIL MEETING
MINUTES 4/8/97

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COUNCIL MEETING
MINUTES 4/8/97

CACHE COUNTY COUNCIL MEETING MINUTES

April 8, 1997

The Cache County Council met in regular session on the 8th day of April, 1997 in the County Council Chambers located at 120 North 100 West, Logan, Utah 84321.

ATTENDANCE

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

Others Present were: County Executive, M. Lynn Lemon, County Clerk, Stephen M. Erickson, County Attorney, Scott Wyatt, County Auditor, Tamra Stones, Logan City Parks and Recreation Director, Russ Akina, Executive Assistant, Mike Nilson, Bridgerland Travel Region Director, Maridene Alexander, North Logan Mayor, Alma Moser, The BRAG Director, Roger Jones, Blacksmith Fork Soil Conservation District President, Gordon Zilles, Members of the local news media and other interested citizens.

CALL TO ORDER

Chairman Darrel L. Gibbons called the meeting to order at 5:00 p.m. and welcomed all who were in attendance.

INVOCATION

The invocation was given by Councilman H. Craig Petersen.

AGENDA & MINUTES

The agenda for the meeting was discussed and approved.

The minutes of the regular Council meeting held on March 25, 1997 were discussed, corrected and approved.

REPORT OF THE COUNTY EXECUTIVE

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

1. Stream Channel Alteration: The State Department of Natural Resources has turned down an application by the County to do work on stream banks to protect them during the high water run off season.

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(See attachment #1)

2. Smart Map Systems: Executive Lemon reviewed a proposed map system that would help with the County tax roll, property cards, computer assisted mass appraisal system and GIS. The Council was asked to study the proposal and make recommendations. The proposal will be on a future Council meeting agenda.

3. North Logan City Water Diversion: North Logan City is proposing to change irrigation watering from a canal, to a well that they plan to drill. In order for them to drill the well they are asking the County to either transfer 20 shares of water they own to them so that they can apply for a well permit or the county would maintain ownership of the 20 shares and apply for water shares transfer themselves. Lemon will tell North Logan City that the County will make their own request for a water diversion permit and keep the 20 shares of water.

(See attachment #2)

4. Restaurant Tax Applications: 33 applications for restaurant tax allocations have been received by the Executive. Total amount of the requests are \$1,119,013. The County will allocate around \$450,000. Of the 33 applications 8 are asking for money for promotional purposes.

5. Warrants: The County Warrants for the periods of 3/20/97 to 3/27/97 and 3/28/97 to 4/03/97 were presented to the County Clerk for filing.

6. North Logan Property Discussion: The Council was informed that the County who owns the property has leased it to North Logan City and Hyde Park City. The lease agreement is for a 50 year period. The Mayors of those two communities are willing to cooperate with the County School District who are proposing the construction of a new high school on the property.

PROCLAMATION: COUNTY GOVERNMENT WEEK- NATIONAL

A proclamation supporting National County Government Week April 13 - 19, 1997 was read aloud by Vice Chairman C. Larry Anhder.

(See attachment #3)

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

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WILLOW PARK BUDGET RECOMMENDATIONS: AKINA, RUSS

The Director of the Logan City Parks and Recreation Department, Russ Akina, appeared before the Council to discuss a short fall in the 1996 Willow Park budget. The Council discussed how the short fall occurred. Apparently Logan City budgeted \$14,000 more than the County. Akina, after meeting with members of the Willow Park Advisory Board, said that they are asking for \$10,000 instead of the \$14,000. After considerable discussion it was determined that the short fall would come from the Willow Park reserve account. Vice Chairman Anhder said that the budget review process has now changed and the short fall shouldn't happen again.

SOIL CONSERVATION DISTRICTS-NORTH CACHE AND BLACKSMITH FORK:
ZILLES, GORDON

Gordon Zilles, representing the Blacksmith Fork Soil Conservation District, told the Council that the two Soil Conservation Districts leaders are in favor of the New County Land Use Plan and are suggesting that the plan be adopted without modification as soon as possible. Zilles presented letters of support and a Position Statement.

(See attachment #4)

PUBLIC HEARING SET: BUDGET OPENING- 1997

Chairman Gibbons told the Council that the 1997 budget needs to be opened for adjustments. A public hearing needs to be set to hear public comments.

Councilman Petersen moved to set the public hearing on April 22, 1997 at 6:00 p.m.. It was properly seconded and carried unanimously.

THE COUNCIL ADJOURNED FROM THE REGULAR COUNCIL MEETING INTO A BOARD OF EQUALIZATION

BOARD OF EQUALIZATION: TAX EXEMPTION HARDSHIP REQUESTS

The following three applications for tax exemption for religious reasons were discussed by the Board: 1. Holy Trinity Lutheran Church 2. Grace Baptist Church 3. Nevada-Utah Association of Seventh Day Adventists.

(See attachment #5)

Board member Anhder moved to approve the above three applications. It was seconded and carried unanimously.

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The Cache Community Food Pantry is asking tax exemption for charitable purposes. The Daughters of the Utah Pioneers Museum and the Spendlove Research Center are both asking exemption for educational reasons.

(See attachment #6)

Board member Skanchy moved to approve the above three requests. It was seconded and carried unanimously.

FINDINGS OF FACT: IHC HOSPITAL

Board member Skanchy reviewed a memorandum that she had sent to all board members regarding the Hospitals request for tax exemption.

(See attachment #7)

Skanchy then moved to approve the IHC Hospital request and the findings of facts as presented. It was seconded and passed on a vote of 6 "Yes" and Chairman Gibbons abstaining.

TAX EXEMPTION REQUEST: HARRIS, WINIFRED

The Board of Equalization Secretary, Tamra Stones, told the Board that Mrs. Winifred Harris, a 82 year old widow from Mendon, is asking that her property taxes for the years 93 & 95 be adjusted. She hasn't paid the taxes due to a misunderstanding between her and the past County Treasurer. The County Treasurer, Auditor and County Executive are recommending that 1/2 of her taxes be canceled. Stones said, that had Mrs Harris understood the circuit breaker process she wouldn't have to pay any taxes.

(See attachment #8)

Board member Anhder moved to approve the 1/2 reduction in Mrs. Harris,s taxes. It was properly seconded and carried unanimously.

Board member Petersen moved to amend the motion to cancel all of Mrs. Harris's remaining taxes for the years 1993 & 1995. It was seconded and carried unanimously.

Mrs. Harris will apply for tax relief through the circuit breaker process again this year.

COUNCIL MEETING
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FINDING OF FACT: FAITH AND FELLOWSHIP CENTER

The County Auditor, Tamra Stones, is recommending that the Board rescind their previous decision to grant the Faith and Fellowship Center tax exemption. Because it is illegal as they haven't met, as yet, the proper requirements to be granted exemption. Stones suggested that the Board use their authority to cancel the tax instead. Board member Anhder suggested that the Board follow the proper procedure. Anhder complimented the Auditor for following the correct procedure and keeping the Board well informed.

(See attachment #9)

It was moved by Board Member Petersen to rescind the previous decision to grant the Faith and Fellowship Center tax exemption and cancel the property tax assessed for 1997. It was seconded and carried unanimously.

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

BRIDGERLAND TRAVEL-RESTAURANT TAX INPUT REQUEST: DISCUSSION

The director of the Bridgerland Travel Council, Maridene Alexander told the Council that they want to be part of the Restaurant tax allocation process. They want to help coordinate funding of certain projects. Alexander explained that some projects in the County not only ask for Restaurant tax but also ask her organization for funding. The Tourist Council would like to know who applies for promotional funding from the Restaurant Tax. Councilman Beck said that both entities should be careful not to duplicate funding. It was the consensus of the Council that the County Executive and Travel Council coordinate efforts to fund various promotional projects in the county leaving the final decision for funding with the County Council.

RESTAURANT TAX REVIEW COMMITTEE: DISCUSSION

Councilman Petersen who had suggested that a committee be organized to determine Restaurant Tax allocation is now recommending that a workshop be held by the Council to review the applications.

The Council scheduled a workshop to be held on April 22, 1997 at 4:00 p.m.. Vice Chairman Anhder stated that he thinks the Restaurant Tax process is working great when 16 of the communities in the County have applied for a portion of the tax.

RESTAURANT TAX PROJECT APPLICATIONS LIMITED TO TEN:DISCUSSION

COUNCIL MEETING
MINUTES 4/8/97

The current written policy for allocation of Restaurant Tax funds is to limit the number of applications to ten. However, the County Executive recommends allowing all public entities the opportunity to apply for funding. Vice Chairman Anhder recommends changing the policy and deleting that portion of the policy that limits the number of projects to ten.

A motion to delete part of the Restaurant Tax Policy that limits the number of applications to ten was made by Vice Chairman Anhder. It was seconded and carried unanimously.

BRAG WEIGHTED VOTE RECOMMENDATION: JONES, ROGER

The Director of BRAG, Roger Jones, presented to the Council the results of a questionnaire. The questionnaire was responded to by all Associations of Governments (AOG's) in the State.

(See attachment #10)

Jones reviewed the allocations of funds given by BRAG. He stated that funding is granted mostly on population and Cache County, who has the most population, in the three county area, is granted most of the funding. Jones also said that the meetings are open and all members of the Council are always welcome to attend.

Moser, Alma, the Mayor of North Logan, and who also is a member of the BRAG governing board told the Council that he wants to do what is right for BRAG. Moser said that because our County Government is different he feels that our representation is not as unified as other counties who are members of the board.

Jones was asked to approach the BRAG governing board concerning the issue.

RESOLUTION NO. 97-10: COUNTY WEED POLICY-1997

The Council discussed the 1997 County weed policy and resolution adopting the policy.

(See attachment #11)

Councilman Skanchy moved to wave the rules of first and second reading and adopt Resolution No. 97-10. It was seconded and carried unanimously.

COUNCIL MEETING
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ANIMAL CONTROL ORDINANCE: NILSON, MIKE

The County Administrative Executive Assistant, Mike Nilson appeared before the Council to discuss the present County Animal Control Ordinance. Nilson told the Council that the County is spending much more on animal control than they are bringing in. He is recommending that the ordinance be properly administered and enforced. He is also recommending that the cost of a dog license be increased from the present \$5.00 to \$7.50. Nilson said that they have received numerous complaints about dogs in the county and he would like the Council to decide what action to take in the matter. The ordinance will be further discussed during a future Council meeting.

COUNTY ATTORNEY GRANT REQUEST: WYATT, SCOTT

The County Attorney, Scott Wyatt, would like the Council to support a Federal grant application. The grant would provide money to hire additional prosecuting help in the Attorneys office and would give his office more time for other matters. Wyatt said that the grant is guaranteed for two to four years. The County would have to provide a 25% match to get the grant. Wyatt is asking that the money saved in the Phillips case, be used for the matching funds. The Attorney and Executive were asked to further discuss the proposal and return with a recommendation to the Council at the next meeting.

GRAMA ORDINANCE MODIFICATION: DISCUSSION

The County Attorney told the Council that the present GRAMA ordinance does not meet the State code. He has assigned his deputy Pat Nolan to revise the ordinance. A draft of the new ordinance will be presented at the next Council meeting.

COUNCIL MEMBER REPORTS

Councilman Skanchy: She is planning to attend the UAC management conference in Provo this week and will give a report on the meetings she attends at the next Council meeting.

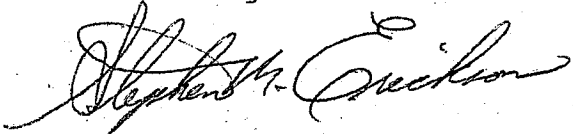
Councilman Pulsipher: The County road next to Millville city needs to widened. Executive Lemon said that he is meeting with Millville and those individuals who live along the right-of-way. There has been conflicting opinions from property owners in the area and some are not interested in widening the road. Pulsipher suggested that maybe the county begin condemning the property so a road can be built that will satisfy the needs of the area.

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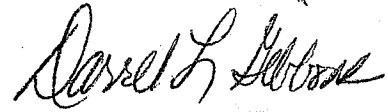
Councilman Petersen: Petersen questioned the Planning Commissions activity regarding the revision of the new Land Use Ordinance. Petersen was told that the Commission is very positive and are working with the County-Wide Planner as they review and make recommended changes to the plan.

ADJOURNMENT

No further business was presented for the meeting and Chairman Gibbons adjourned the meeting at 7:35 p.m..



ATTEST: Stephen M. Erickson
Cache County Clerk



APPROVAL: Darrel L. Gibbons
Council Chairman



State of Utah
 DEPARTMENT OF NATURAL RESOURCES
 DIVISION OF WATER RIGHTS

Michael O. Leavitt
 Governor
 Ted Stewart
 Executive Director
 Robert L. Morgan
 State Engineer

1594 West North Temple, Suite 220
 Box 146300
 Salt Lake City, Utah 84114-6300
 801-538-7240
 801-538-7467 (Fax)

CACHE COUNTY
 APR 01 1997
 EXECUTIVE

March 31, 1997

M. Lynn Lemon
 Cache County
 120 North 100 West
 Logan, UT 84321

RE: Stream Channel Alteration Application No. 97-25-06SA *MLL 4/1/97*

The application (#97-25-06SA) for removal of obstacles from river channels, reinforcement and build-up of river banks, and rip-rap placement as a county-wide emergency permit cannot be processed further or approved as submitted.

Due to the sensitive nature of many streams in the county, detailed site specific plans must be submitted for approval. If these sites are not apparent until an emergency is imminent, work may be done with emergency approval, and a follow-up permit application must be submitted (may be subject to additional conditions and/or mitigation).

If you have any questions, please contact me at 538-7377.

Sincerely,

Daren Rasmussen

Daren Rasmussen
 Engineering Technician

DR/jm

Enclosures



CITY OF NORTH LOGAN

2076 NORTH 1200 EAST
NORTH LOGAN, UTAH 84341
(801) 752-1310
FAX (801) 752-1357

ALMA P. MOSER, MAYOR

JEFFREY M. JORGENSEN, P. E.
CITY ADMINISTRATOR, RECORDER

March 31, 1997

Mr. Lynn Lemon
County Executive
120 North 100 West
Logan, UT 84321

APR 01 1997

EXECUTIVE

Dear Lynn:

MLM 4/4/97

In response to our phone conversation today, I am writing this letter to make a formal request of the county. As you are aware, North Logan City has a long term lease on the 20 acres where the Meadow View park is located. In order to irrigate the park we run the water down an open ditch and then into an open pond and then pump it from there into the sprinkler lines. There are at least two serious problems with this process. One is that there are kids in the pond almost constantly and in spite of warning signs and contacting parents, they still get in it. The other problem is that our screens get plugged up with moss and blood suckers. It is a mess.

What we are proposing is to drill a well specifically for irrigation purposes and do away with the open ditch and pond.

In order to do this we would need to have the county apply for a change of point of diversion of 20 shares of water from the canal to the proposed well. I have checked with the canal board and they will approve of the transfer. I have also talked with the personnel at the State Water Engineers office and they say it can be done.

There are probably two ways to accomplish what we need. ^① One would be for the county to make application to change the point of diversion from the canal to the well and the county would maintain ownership of the shares of water. North Logan City would pay for the application.

^② The other way would be to transfer the 20 shares of water to the city and the city would make application for the change of the point of diversion and would pay the annual dues to the canal company.

It doesn't matter to us which way it is done. We just want to do it so we can solve the safety problems of the pond and the pumping problems we have had trying to irrigate.

Thank you for your consideration of this matter.

Sincerely,



Dee B. Israelsen
Public Works Director

2

CACHE COUNTY
CORPORATION

M. LYNN LEMON
COUNTY EXECUTIVE/SURVEYOR

120 NORTH 100 WEST
LOGAN, UTAH 84321
Tel 801-752-5935
Fax 752-9169

April 8, 1997

PROCLAMATION

COUNTY COUNCIL

DARREL L. GIBBONS
CHAIRMAN
C. LARRY ANHDER
V. CHAIRMAN
SARAH ANN SKANCHY
GUY RAY PULSIPHER
H. CRAIG PETERSEN
LAYNE M. BECK
CORY YEATES
STEPHEN M. ERICKSON
CLERK

WHEREAS, county government traces its roots to the English shire of a thousand years ago, serving as the citizen's local government voice since its inception; and

WHEREAS, when the federal government was formed, the framers of the Constitution chose to provide states the freedom to create county governments. Subsequently, early state constitutions conceptualized the importance of county government and its dual value to both the state and federal government; and

WHEREAS, changes in structure and greater autonomy from the states, rising revenues and stronger political accountability have ushered in a new era for county government as they enter the 21st century; and

WHEREAS, the practice of devolution - the shift of responsibilities and programs from the federal level to state and county governments - continues to evolve and with these changes come the possibility of greater autonomy and flexibility. That flexibility and greater local control have been welcomed by counties as they pursue what is best for citizens and the communities in which they live; and

WHEREAS, county governments have seized opportunities and met challenges in the past. In recognition of leadership, innovation and valuable service provided by our nation's counties.


THEREFORE, be it resolved that the Cache County Council, County of Cache, State of Utah, hereby proclaims April 13 - 19, 1997

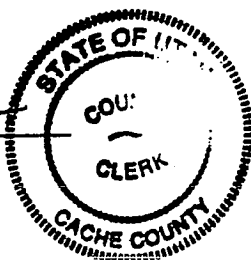
NATIONAL COUNTY GOVERNMENT WEEK

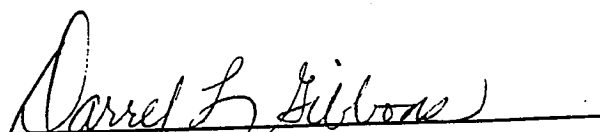
and urges all citizens to become more aware of the important role of county government.

In witness thereof, as Chairman of the Cache County Council, I have hereunto set my hand this 8th day of April, 1997.

Attest:


Stephen M. Erickson
Clerk




Darrel L. Gibbons
Chairman



Blacksmith Fork Soil Conservation District
1860 North 100 East - Logan, UT 84341-2215 - (801) 753-6029

April 8, 1997

Darrel Gibbons, Chairman
Cache County Council
120 N. 100 West
Logan, UT 84321

Re: Cache Countywide Comprehensive Plan

Dear Darrel,

The Blacksmith Fork and North Cache Soil Conservation Districts feel it is important at this time to take a stand on the proposed Cache Countywide Comprehensive Plan. The districts' supervisors are concerned that the plan could be derailed or weakened by developers and real estate agents who recently stated their concerns about private property rights.

The enclosed statement is a response from the two local conservation district boards, who feel strongly that the plan is essential to directing organized growth in Cache County. We appreciate the opportunity to air our views on this important issue.

Feel free to call us with any questions you may have.

Sincerely,

Gordon Zilles, Chairman
Blacksmith Fork Soil Conservation District

S. Bruce Karren, Chairman
North Cache Soil Conservation District



Blacksmith Fork Soil Conservation District
1860 North 100 East - Logan, UT 84341-2215 - (801) 753-6029

March 31, 1997

Grant Nelson, chairman
Cache County Planning Commission
120 N. 100 West
Logan, UT 84321

Re: Cache County Countywide Comprehensive Plan

Dear Grant,

Enclosed please find, from the North Cache and Blacksmith Fork Soil Conservation Districts our position in support of the Cache County Countywide Comprehensive Plan.

As you may know, we have fully participated in this planning process and have spoken in support of the completed plan before the Cache County Council.

We urge the Cache County Planning Commission to recommend adoption and implementation of this plan. The plan should be a dynamic document and as changes are needed in the future it could be amended.

We appreciate your leadership and representation of all the citizens of Cache County. Please do not hesitate to call on us with any questions you may have.

Sincerely,

Gordon Zilles
Chairman, Blacksmith Fork Soil Conservation District

cc: County Executive
Cache County Council
The Herald Journal
Brad Barber, Governor's Office of Planning and Budget
Utah Gov. Michael O. Leavitt
Cary Peterson, Utah Commissioner of Agriculture
Rep. Evan Olsen, R-Young Ward
Rep. Craig Buttars, R-Lewiston
Sen. Lyle Hillyard, R-Logan

POSITION STATEMENT

CACHE COUNTYWIDE COMPREHENSIVE PLAN

By: North Cache and Blacksmith Fork Soil Conservation Districts

March 31, 1997

Cache County's agricultural industry is one of its most important resources. But in recent years, local farmland and open spaces have been threatened by increasing development. Today, our valley's very quality of life and source of food is threatened by the possible derailment of the Cache Countywide Comprehensive Plan.

As board members of the Blacksmith Fork and North Cache Soil Conservation Districts, we feel strongly that the only way to ensure the high quality of life we all value is to approve and implement the Countywide Comprehensive Plan. We support the objectives of the master plan, which places a high value on the county's agricultural lands and our rural way of life.

We believe Cache County Council members must take a stand, although difficult and not universally popular, to protect important farmland by regulating unorganized growth throughout the county. In particular prime farmland, the soil capable of producing the most abundant crops at the lowest cost, is vital to sustaining local food production needed to feed our growing population today and in the future. Farmland is nonrenewable -- they are not making any more.

At dozens of public meetings held over the last two years, Cache County citizens repeatedly stated that the valley's rural quality and open farmland is a valuable resource they want protected. However, these important agricultural lands are being displaced by urbanization at an increasingly rapid rate. A recent conservation district study showed 30 percent of prime farmland in Smithfield, Hyde Park and North Logan had been paved and built over. Twenty percent of this loss occurred in the last 18 years. We do not want to see Cache Valley converted into a California-style bedroom community.

As the farmers who work Cache County's agricultural lands, we do not want to sell our property and abandon our way of life. Instead, we believe that agriculture must be allowed to sustain itself and flourish in the county. Protecting the county's source of food ensures we have the local

means to feed our citizens in the future and is in the best interest of the general population.

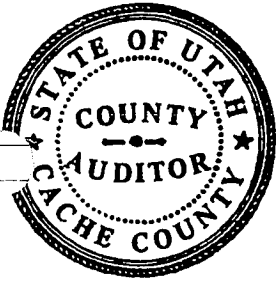
But to do that, agriculture must remain economically viable. Urban encroachment reduces the economic viability of agriculture by restricting farm practices, increasing costs and reducing productivity.

The proposed Cache Countywide Comprehensive Plan addresses these issues in important ways, including:

- The identification and protection of prime farmlands. The conversion of prime farmland to other uses not only erodes the county's ability to provide local food, but it also adversely affects water quantity, water quality, air quality, wildlife habitat, recreation and the quality of life associated with open land.
- The use of agricultural protection areas and support of local efforts to create land trusts as means to protect prime farmland. In addition, the plan calls for the county to promote agriculture and agricultural industries as an economic development agenda like other commercial business.
- Development of standards that restrict development to public roadways; limit urban development in the unincorporated area; limit the use of septic systems; and discourage development outside existing communities.

We agree with the Utah Critical Land Conservation Committee, created in May 1996 by Gov. Michael Leavitt, which said, "A good master plan can help a community determine where and when growth should occur, to protect community and private values, instead of allowing it to happen as land speculation dictates."

The soil conservation districts urge the Cache County Council to protect the county's important agricultural heritage and approve the Countywide Comprehensive Plan without changes that would weaken its ability to preserve important farmland and the rural way of life we all value.



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: April 1, 1997

SUBJECT: Tax Exemption Application/Affidavits - 1997

Affidavit: HOLY TRINITY LUTHERAN CHURCH, M.S. Located at 581 North 700 East, Logan UT. Parcel 06-054-0024 and associated personal property.

This application has been reviewed. This organization serves religious purposes. The affidavit was filed on April 1, 1997. The property and personal property are used exclusively for religious worship, bible studies and church activities.

FINDINGS OF FACT - UCA 59-2-1101

The Board finds that the Holy Trinity Lutheran Church, M.S. qualifies as an IRS, Section 501 (c) (3) organization and serves a religious purpose and therefore qualifies for tax exempt status for 1997 tax year.

DETERMINATION:

APPROVED

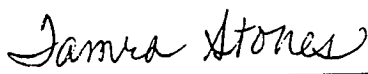
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DENIED

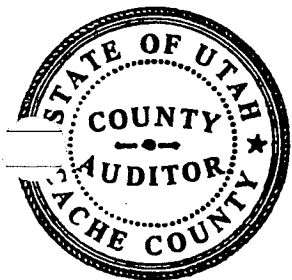

Cache County Council Chairman

4/8/97
Date

Attested:


Tamra Stones, BOE Clerk

5



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: March 24, 1997
SUBJECT: Tax Exemption Application/Affidavits - 1997

Affidavit: Grace Baptist Church - 05-044-0010. Located at 475 W. 600 N. Logan, UT..

The application has been reviewed . This organization serves religious purposes. All real and personal property are used for the organizations religious services.

FINDINGS OF FACT - UCA 59-2-1101

The Board finds that the Grace Baptist Church serves a religious purpose and grants exemption status for the 1997 tax year on the real property and personal property used for religious purposes.

DETERMINATION

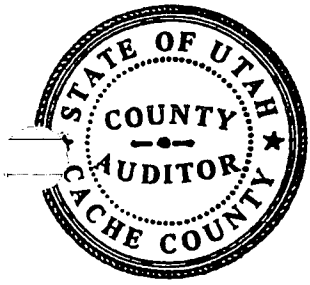
APPROVED TABLED DENIED

Carrel L. Gibson
Cache County Council Chairman

4-8-97
Date

Attested:

Tamra Stones
Tamra Stones, BOE Clerk



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: March 24, 1997
SUBJECT: Tax Exemption Application\Affidavits - 1997

Affidavit: Nevada-Utah Association of Seventh Day Adventist - 06-016-0011
Located at 240 North 230 W. Logan, UT.

The application has been reviewed and is complete. This organization serves religious purposes. All real and personal property is used for religious services.

FINDINGS OF FACT - UCA 59-2-1101

The Board finds that the Nevada-Utah Association of Seventh Day Adventist serves religious purposes and is granted exemption for the tax year 1997 for both real and personal property.

DETERMINATION

APPROVED TABLED DENIED

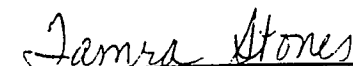


Cache County Council Chairman

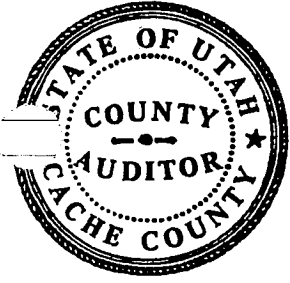
4-8-97

Date

Attested:



Tamra Stones, BOE Clerk



CACHE COUNTY
Office of the County Auditor

179 NORTH MAIN
LOGAN, UTAH 84321

MEMORANDUM

Tamra Stones
COUNTY AUDITOR

TO: Cache County Council
FROM: Tamra Stones, Cache County Auditor
DATE: March 19, 1997
SUBJECT: Tax Exemption Application\Affidavits - 1997

Affidavit: Cache Community Food Pantry - 02-052-0026.
Located at 359 S. Main Logan, UT 84321

This application was received on March 19th the deadline for filing for exemption was the 1st of March.

The application has been reviewed. This organization serves charitable purposes. All real and personal property is used for the operation of the food pantry.

FINDINGS OF FACT - UCA 59-2-1101

The board finds the Cache Community Food Pantry serves charitable purposes and grants tax exemption status for the tax year 1997 on the real and personal property submitted with the affidavit.

DETERMINATION

APPROVED

TABLED

DENIED

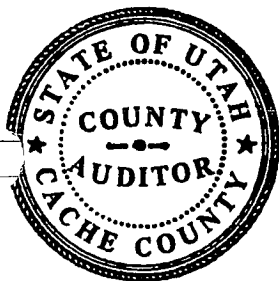

Cache County Council Chairman

3-19-97
Date

Attested:


Tamra Stones, BOE Clerk

6



CACHE COUNTY

Office of the County Auditor

179 NORTH MAIN
LOGAN, UTAH 84321

MEMORANDUM

Tamra Stones
COUNTY AUDITOR

TO: Cache County Council
FROM: Tamra Stones, Cache County Auditor
DATE: March 19, 1997
SUBJECT: Tax Exemption Application/Affidavits - 1997

Affidavit: Daughters of the Utah Pioneers Museum - seeking exemption on personal property only. Located at 160 N. Main Logan, UT. This application was received on March 19th the deadline for filing for exemption was the 1st of March.

This application has been reviewed. This organization serves educational purposes. All personal property is used by the museum to house artifacts from Utah History.

FINDINGS OF FACT - UCA 59-2-1101

The board finds that the Daughters of the Utah Pioneers Museum serves educational purposes and that the personal property be tax exempt for the 1997 tax year.

DETERMINATION

APPROVED

TABLED

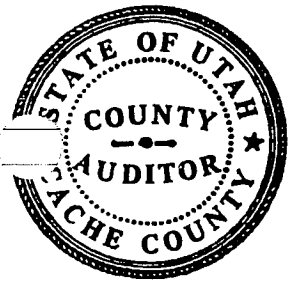
DENIED

Barrel L. Gibson
Cache County Council Chairman

4-8-97
Date

Attested:

Tamra Stones
Tamra Stones, BOE Clerk



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: March 19, 1997
SUBJECT: Tax Exemption Application\Affidavits - 1997

Affidavit: Spendlove Research - Seeking exemption on personal property only located at 160 N. Main Logan, Ut 84321. This application was received on March 19th the deadline for filing for exemption was the 1st of March.

This application has been reviewed . This organization serves educational purposes. All personal property is used by the foundation for conducting scientific research.

FINDINGS OF FACT - UCA 59-2-1101

The Board finds that this organization serves educational purposes and that the personal property should be tax exempt for the 1997 tax year.

DETERMINATION

APPROVED

TABLED

DENIED

David L. Gibson
Cache County Council Chairman

4-8-97
Date

Attested:

Tamra Stones

CACHE COUNTY
CORPORATION

M. LYNN LEMON

COUNTY EXECUTIVE/SURVEYOR

120 NORTH 100 WEST
LOGAN, UTAH 84321
Tel 801-752-5935
Fax 752-9169

COUNTY COUNCIL

DARREL L. GIBBONS

CHAIRMAN

C. LARRY ANHDER

V. CHAIRMAN

SARAH ANN SKANCHY

GUY RAY PULSIPHER

H. CRAIG PETERSEN

LAYNE M. BECK

CORY YEATES

STEPHEN M. ERICKSON

CLERK

April 2, 1997
MEMORANDUM

TO: Cache County Council

FROM: Sarah Ann Skanchy
Council Member

SUBJECT: LOGAN REGIONAL HOSPITAL TAX EXEMPTION REQUEST

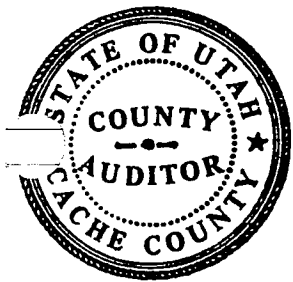
As requested by the County Council, Cory Yeates and Sarah Ann Skanchy, Tamra Stones (Auditor) and Kathleen Howell (Assessor) met with Logan Regional Hospital representatives on March 24, 1997 to review their request for tax exemption.

The only changes from the 1996 request were two personal property exemption requests for property located at 246 E. 1260 N., Logan, Utah used for rehabilitation and counseling services. Also the hospital had listed the vehicles owned by the hospital and used to support their exempt function.

The County Assessor had no problems with their requests.

Attached is a copy of proposed findings for 1997 tax exemption.

SAS:pwp



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 24, 1997
SUBJECT: Tax Exemption Application/Affidavits - 1997

Affidavit: 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 - 05-16-0029 - Home Care Services applying for personal property exemption only.

The application has been reviewed . 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 file their personal property with the Assessor's office. The Assessor's office has received it.

FINDINGS OF FACT - UCA 59-2-1101

Findings are provided by the county council for this exemption.

DETERMINATION

APPROVED

TABLED

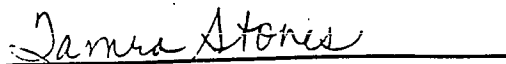
DENIED


Cache County Council Chairman

4-8-97

Date

Attested:



BEFORE THE BOARD OF EQUALIZATION
OF CACHE COUNTY

IN RE:	The matter of the application)	
	for exemption from property)	
	taxation of IHC HOSPITALS)	FINDINGS AND DETERMINATION
	INC., for the LOGAN REGIONAL)	FOR TAX YEAR 1997
	HOSPITAL)	
)	

This matter came before the Board of Equalization of Cache County, Utah on April 8, 1997 upon the verified application for property tax exemption submitted by IHC HOSPITALS, INC., for the LOGAN REGIONAL HOSPITAL.

FINDINGS

Based upon the verified application and matters presented to the Board of Equalization at its hearing on April 8, 1997 and other materials presented to it, the Board of Equalization finds that:

1. IHC HOSPITALS, INC., is the owner of record of the Logan Regional Hospital which is located on the real property described in the attached Exhibit "A" and other parcels of property described therein.

2. Sarah Ann Skanchy and Cory Yeates, members of the Board of Equalization, met with the owner's representatives and reviewed the application of the owners and relevant facts and standards. The County Auditor, Tamra Stones, and the County Assessor, Kathleen Howell, attended with Sarah Ann Skanchy and Cory Yeates to clarify real and personal property issues.

3. It was recommended that exemption be granted to the applicant for the Tax year 1997 on the basis that IHC HOSPITALS, INC., and the Logan Regional Hospital property qualify for exemption from the property tax under Standards I, II, III, IV, V, and VI as promulgated by the Utah State Tax Commission on December 18, 1990, and as delineated by the Utah Supreme Court in its decision dated September 1, 1994, in a case appealed to that court

of Equalization of their respective counties.

4. The Board of Equalization in a public meeting held on April 8, 1997, upon lawful

notice received and approved the recommendations.

DETERMINATION

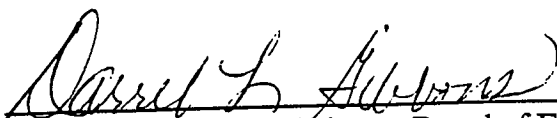
The Board of Equalization of Cache County, Utah, determines that:

IHC HOSPITALS, INC., is hereby granted an exemption from property taxes for the real property described in the attached Exhibit "A" which is used for the Logan Regional Hospital, its Surgical Center and Home Health Agency and the personal property listed therein for the Tax Year 1997.

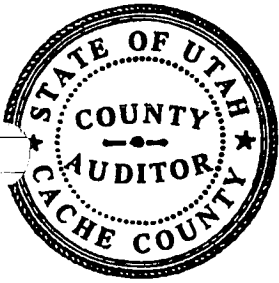
The foregoing findings were approved by the following votes by the members of the Board of Equalization on 4/8, 1997.

<u>COUNCIL MEMBER</u>	<u>IN FAVOR</u>	<u>AGAINST</u>	<u>ABSENT</u>
Larry Anhder	✓		
Layne Beck	✓		
Darrel Gibbons			
Craig Petersen	✓		
Guy Ray Pulsipher	✓		
Sarah Ann Skanchy	✓		
Cory Yeates			✓

These findings and determinations are approved as written this 8 day of APRIL, 1997.


Darrel L. Gibbons, Chairman Board of Equalization

Attested To:



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: March 4, 1997

SUBJECT: Tax Exemption Application/Affidavits - 1997

Application: Faith and Fellowship Center formerly known as Shared Ministries of Utah/Shared Ministries of Higher Education in Utah. 07-007-0009. Located at 1315 E. 700 N. Logan, UT.

This application has been reviewed. This organization serves religious purposes. All real and personal property is used by the Center for religious services and activities.

FINDINGS OF FACT - UCA 59-2-1101

Faith and Fellowship Center was formerly known as Shared Ministry of Utah Ministries/Shared Ministries of Higher Education in Utah. The Shared Ministry dissolved on December 31, 1996. Faith and Fellowship were granted Incorporation status on February 20, 1997. They did not own this property as of January 1, 1997. They have applied to the IRS for 501(c)(3) exemption. They are also in the process of having this property transferred and recorded back in their name. They have requested to have a meeting with the council to discuss this application. A hearing was held March 25, 1997. The property is in the name of Utah Foundation for Protestant Campus Ministry, Inc.

DETERMINATION

Based on the County Auditor's recommendation, the Board finds that to grant the exemption to Faith and Fellowship Center for the tax year 1997 is not in the best interests of the county and will set an inappropriate legal precedent. I further recommend that a cancellation of the tax due be the method of accomplishing the same purpose.

APPROVED TABLED DENIED

Arret L. Gibbons
Cache County Council Chairman

4-8-97

Date

Attested:

Tamra Stones
Tamra Stones, BOE Clerk

9

**ASSOCIATIONS OF GOVERNMENTS IN UTAH
REPRESENTATION QUESTIONNAIRE MARCH 1997**

QUESTION	MOUNTAINLAND AOG	UINTAH BASIN AOG	FIVE COUNTY AOG	SOUTHEASTERN UTAH AOG	SIX COUNTY AOG	WASATCH FRONTIER
1. What is the makeup of your Governing Board?	<p>Nine County Commissioners and all mayors of the cities located within the boundaries of Utah, Wasatch, and Summit Counties.</p> <p><u>Total Members:</u> Summit 9 Wasatch 7 Utah 24</p>	<p>Two County Commissioners from each county, except Daggett County which provides three, and two mayors from each county, except Daggett, which only has one town.</p> <p><u>Total Members:</u> Daggett 4 Duchesne 4 Uintah 4</p>	<p>The chairman of each County Commission, one Mayor or town president from each county, the chair of the each county school board. Representatives from Southern Utah University, Dixie College, and State senators and representative serve as non-voting members.</p> <p><u>Total Voting Members:</u> Beaver 3 Garfield 3 Iron 3 Kane 3 Washington 3</p>	<p>One county and one municipal representative from each county.</p> <p><u>Total Members:</u> Carbon 8 Emery 2 Grand 2 San Juan 2</p>	<p>One county commissioner and one mayor appointed from each county.</p> <p><u>Total Members:</u> Juab 2 Millard 2 Piute 2 Sarpete 2 Sevier 2 Wayne 2</p>	<p>The Salt Lake County Council of Governments has seven voting members, Weber has four, Davis has three, and Morgan and Tooele County Council of Governments each have one.</p> <p><u>Total Members:</u> Davis 16 Morgan 3 Salt Lake 1 Tooele 7 Weber 1 4</p>
2. In the make-up of your Governing Board, was consideration given to the population distribution of the counties you serve?	No	No	No	No	No	Negotiated system that is based somewhat on the population of the member counties.
3. How often does your Governing Board meet?	7-10 times/year	Every 3 rd Thursday of each month	Monthly	Meetings are monthly on set date at the same place.	Monthly	Monthly
4. Should the AOG Governing Board composition be proportional to the population of the member counties?	Issues on MAG Executive Council are not relevant to proportional representative issue.	Activities administered by our AOG helps all of our counties proportionally. No reason to base membership on population.	No	Membership on the board should not be proportional to the population in each county as discussed above. When population is a factor, as in the distribution of CSBG dollars, we simply adopt the State formula and apply it to the district. There are far more issues that concern the counties equally than there are where the counties must be concerned over fair shares.	There has not been any concern over county representation -vs- population representation.	The current system is under review for potential modifications. However, overall the negotiated voting system has worked well.

CACHE COUNTY
RESOLUTION NO. 97 - 10

A RESOLUTION ADOPTING THE 1997 CACHE COUNTY WEED CONTROL POLICY,
PLAN AND FEE SCHEDULE

The County Council of Cache County, Utah, in a regular meeting, lawful notice of which had been given, finds that it is appropriate and necessary in accordance with the Utah Noxious Weed Act and Cache County Ordinance 79-11 for Cache County to adopt a weed control policy for the calendar year 1997.

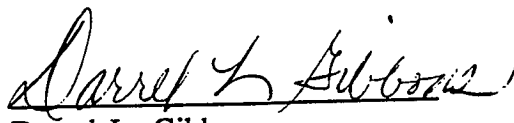
THEREFORE, the Cache County Council hereby adopts the following resolution:

BE IT RESOLVED that the 1997 Cache County Weed Control Policy, Plan and Fee Schedule, a copy of which is attached hereto, is hereby adopted.


This resolution shall take effect immediately upon adoption and supercedes any prior resolution, motion, or policy adopted by Cache County.

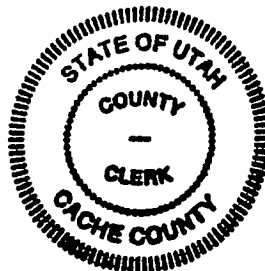
This resolution was adopted by the Cache County Council on the 8th day of April, 1997.

Cache County Council


Darrel L. Gibbons
Chairman

ATTESTED:


Stephen M. Erickson
Cache County Clerk



11

1997 CACHE COUNTY WEED CONTROL POLICY

STATEMENT OF INTENT

The Cache County weed control program will function in accordance with the 1971 Utah State Noxious Weed Act and Cache County Ordinance (79-11) to organize, supervise, and coordinate a noxious weed control plan for Cache County.

Cache County encourages commercial and private weed control efforts where possible. The county weed control personnel will provide weed control in areas where terrain, organizational problems, or special equipment requirements make it difficult for commercial or private control efforts to succeed.

Current weed control practices will be used including chemical, biological and mechanical methods.

ANNUAL COORDINATION MEETINGS

The County Weed Board shall initiate an annual coordination meeting each spring. All organizations concerned with weed control should be invited to have a representative in attendance. The following agencies should be contacted; Utah Department of Transportation, U.S. Forest Service, Utah Division of Wildlife Resources, Bureau of Land Management, Utah Department of Agriculture, Cache County Extension, Union Pacific Railroad, Utah Power & Light, Mountain Fuel, and Canal Companies. Cache County Personnel from the Weed Department as well as the Road Superintendent and the County Executive should be in attendance. Any other interested parties or citizens should be notified of this meeting through a notice in the newspaper.

The purpose of this meeting will be to inventory and record current problem areas, discuss and record any new infestations, discuss effective weed control efforts, and to plan and organize the year's weed control program.

Another meeting shall be held in the fall to inform the Weed Board of the activities of the Weed Control Department for the past weed season. The Annual Weed Progress Report should be presented and a summary of the results of the summer's activities should be discussed.

WEED CONTROL SERVICE AREA

Any individual, corporation, municipality, governmental agency, or organization owning, leasing, or controlling property may request the services of the County Weed Control Department in accordance with weed control priorities established and approved by the Weed Board and the Cache County Council.

Property owners are encouraged to participate in the weed control process by locating and verifying the spraying of specific infestations on their individual properties. The Weed Control Department reserves the right to schedule commercial application

equipment with permission of the property owner when the County equipment is not available.

WEED CONTROL PRIORITIES

1. Control of noxious weeds on County property. Control of any plant deemed a nuisance or hazard on County property.
2. Control of noxious weeds on steams, drainage, and irrigation systems. Also, control of non-noxious plants which impede the water flow in irrigation systems when that control can be accomplished as part of the noxious weed application.
3. Control of noxious weeds on non-cropland areas such as rangeland, wet pastures, fencelines, etc.

CATEGORIES OF WEEDS

For the purpose of organizing and funding control programs, the weeds are classified into four categories. The categories are **INVADING WEEDS**, **SPECIAL EMPHASIS DYER'S WOAD**, **SPECIAL EMPHASIS OTHER**, and **ALL OTHER WEEDS**.

1. **INVADING WEEDS** are those found in small localized infestations. These weeds may or may not appear on State or County noxious weed lists, but are emphasized because of their potential threat. Weeds considered invaders in Cache County are: **YELLOW STAR THISTLE**, **SPOTTED KNAPWEED**, **DALMATION TOADFLAX**, **DIFFUSE KNAPWEED**, **BUFFALO BUR**, **BLACK HENBANE**, **HALOGETON**, **WILD PROSO MILLET**, and **PURPLE LOOSESTRIFE**. There will be no charge to the landowner for the eradication of these weeds. Funding to treat invading weeds will be provided by the County with the property owner aiding in the monitoring and spot treatment of the infestation.
2. **SPECIAL EMPHASIS DYER'S WOAD** is given special consideration by aerial spraying only, with the County paying application costs, subject to available funding, and the landowner paying the chemical cost. All ground rigs will include full charge for both chemical and application costs.
3. **SPECIAL EMPHASIS OTHER** includes **SCOTCH THISTLE**, **RUSSIAN KNAPWEED**, **MUSK THISTLE**, **TALL WHITETOP**, **LEAFY SPURGE**, **PUNCTURE VINE**, and **MEDUSAHEAD RYE**. Landowners will pay fifty percent of the full cost of treating these weeds, including chemical, labor, and equipment.
4. **ALL OTHER WEEDS** is the designation given those noxious weeds and other weeds whose infestation is of a general nature throughout the County.

Grasses that pose a fire hazard will be included in this category. The full cost of treating these weeds will be assumed by the property owner.

WEED CONTROL FEE SCHEDULE

The following charges will be effective for the 1997 spraying season.

1. **INVADING WEEDS** -- No charge to the property owner.
2. **SPECIAL EMPHASIS DYER'S WOAD** -- Where terrain precludes the use of other equipment, the County Weed Department may choose to contract for aerial spraying. Cooperating landowners will pay the chemical cost only for such spraying.
3. **SPECIAL EMPHASIS OTHER** -- Property owners will pay fifty percent of all chemical, equipment, and labor costs.
4. **ALL OTHER WEEDS** -- Property owners will pay all chemical, equipment, and labor costs. Any property owner who will not or cannot provide access to their property for the County trucks and power spray equipment, will pay chemical and labor costs for backpack or Herbie spraying. Municipalities requesting County Weed Department services through Interlocal Agreements will be charged chemical, labor, and equipment costs.

LABOR COST	\$12.00 per man/per hour
EQUIPMENT	\$20.00 per truck/per hour
ATV COST	\$ 7.00 per hour
CHEMICAL	Actual cost of amount used

5. A **MINIMUM FEE** of \$30.00 will apply to all site visits made by Weed Department personnel and vehicles in response to requests to control services, except as provided otherwise in categories 1 thru 3 above. Requests for services or contracts with Cache County Weed Department which, due to distance, terrain, or special personnel requirements, create expenses not anticipated in the above guidelines, will be negotiated on an individual basis with the County Weed Supervisor and, if necessary, the County Executive.

PUBLICATION OF NOXIOUS WEED NOTICE

Before May 1 of each year a general notice of the noxious weeds in the County must be posted in at least three public places in the County. The same notice must be published in a newspaper or other publication of general circulation within the County.

The following is a list of weeds declared noxious by the state of Utah.

Bermuda Grass	Bindweed (Morning Glory)
Broad-leaved Peppergrass (Tall Whitetop)	Canada Thistle
Dyer's Woad	Johnson Grass

Leafy Spurge
Scotch Thistle
Quack grass
Squarrose Knapweed
Spotted Knapweed
Medusahead Rye

Musk Thistle
Yellow Star Thistle
Russian Knapweed
Diffuse Knapweed
Whitetop

The following weeds are declared noxious by Cache County.

Goatsrue
Puncture vine

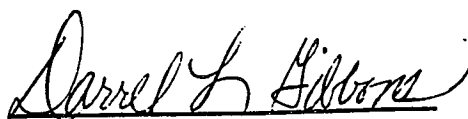
Poison Hemlock
Purple Loosestrife

NOTIFICATION OF PROPERTY OWNERS FAILING TO CONTROL WEEDS

Property owners, or the person in possession of a piece of ground, may be given notice personally or by certified mail that the weeds on their property must be controlled. The notice shall include the specific actions required to control weeds on the property and a specific time frame for completion. If no action is taken to remedy the situation the property may be declared a public nuisance.

If the owner or person in possession of the property fails to take action to control the noxious weeds within five working days after the property is declared a public nuisance, the County Weed Department may, after reasonable notification, enter the property, without the consent of the person in control of the property and perform any work necessary to control the weeds. Any expense incurred by the County in controlling the noxious weeds is paid by the property owner or the person in possession of the property. These charges must be paid within 90 days after receipt of the charges. If not paid within 90 days after notice of the charges, the charges become a lien against the property and are collectible with the general property taxes.

Cache County Council



Darrell Gibbons
Chairman

ATTEST:



Stephen M. Erickson
Cache County Clerk

4/8/97
Date

