

COUNCIL MEETING
MINUTES 06/10/97

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CACHE COUNTY COUNCIL MEETING MINUTES

June 10, 1997

The Cache County Council met in regular session on June 10, 1997 in the 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, Cory Yeates and Layne M. Beck.

Others present were: County Executive, M. Lynn Lemon, County Clerk, Stephen M. Erickson, County Auditor, Tamra Stones, County Attorney, Scott Wyatt, County Executive Administrative Assistant, Michael Nilson, Division of Wildlife Habitat Acquisition Specialist, Brent K. Hutchings, 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 Layne M. Beck.

AGENDA & MINUTES

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

The minutes of the regular meeting held on May 27, 1997 were discussed, corrected and approved.

COUNTY EXECUTIVE REPORT

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

1. CDBG Public Hearing: The first Public Hearing for the 1998-99 CDBG projects was set. The hearing will be held on June 24, 1997 at 5:15 p.m.. Executive Lemon explained that the hearing will be for those interested organization who want to have the County sponsor their CDBG applications.

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2. Centennial History Book: The County Centennial History book will be available on June 25, 1997. The County has ordered one thousand and will sell them for \$19.96.

3. BRAG Area Aging Director: The Director of BRAG, Roger Jones is proposing that the County Senior Citizen Director, Marcee L. Cazier, work part time as the BRAG Area Aging Director. Executive Lemon and Jones are working together on an agreement that will allow Cazier to hire some one in her office part time to do the Senior Centers clerical work so that she could handle both positions. There has been some concern over the proposal from the other Counties that BRAG serves.

4. Indigent Criminal Trust Fund: Executive Lemon reported that he is waiting for more information from UAC before he can make a recommendation to the Council.

5. Warrants: The warrants for the periods of May 23 to May 29, 1997 and May 30 to June 4, 1997 were presented to the County Clerk for filing.

DWR LAND EXCHANGE: HUTCHINGS, BRENT K.

The State Division of Wildlife Resources Specialist, Brent K. Hutchings, who directs land acquisition, informed the Council of a land exchange between the Division and the Utah Department of Transportation. The DWR is proposing exchanging property they have West of Logan for UDOT property in Box Elder County.

(See attachment #1)

PUBLIC HEARING SET: BUDGET OPENING-1997

Chairman Gibbons told the Council that the 1997 budget needs to be adjusted and a Public Hearing will be necessary.

Councilman Skanchy moved to set the Public Hearing on July 8th, 1997 at 6:00 p.m. in the Council Chambers. It was seconded and carried unanimously.

BOARD OF EQUALIZATION HEARING DATES: DISCUSSION

The County Auditor, Tamra Stones, told Council that the State Tax Commission has extended the Assessors filing date 19 days. The extension will set everything back 19 days. Property tax notices will be delayed. After the tax notices have been sent out citizens will have until September 12th to appeal their taxes. Hearing dates will have to be extended and the hearings still could start at the end of August.

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Councilman Skanchy moved to begin tax appeal hearings on August 25, 1997. It was seconded and carried unanimously.

Councilman Beck made a motion to direct the Executive, to send a letter to the School Boards inviting them or their Superintendents to be in attendance at the hearings. It was seconded and carried unanimously.

CHILDRENS JUSTICE CENTER INTERLOCAL AGREEMENT: DISCUSSION

After discussing a drafted Resolution that would approve an inter-local agreement between the County and the Childrens Justice Center, it was determined that the matter be tabled until the next Council meeting. Executive Lemon will continue to work with the CJC negotiating the terms of the inter-local agreement and a revision of the proposed Resolution.

SALES TAX OPTION: DISCUSSION

Executive Lemon reviewed an Implementation Schedule of steps that are required to enact the optional sales tax.

(See attachment #2)

The notice of the necessary public hearings was discussed.

(See attachment #3)

One of the hearings has to be held outside of the regular Council meeting location in Logan. The other location was discussed and it was determined that Hyrum City Offices should be scheduled for a hearing.

It was moved by Councilman Skanchy to set the public hearings. One on the 22nd of July 1997 at 6:00 p.m. in the County Council Chambers and the other hearing on August 12, 1997 at Hyrum City Offices. It was properly seconded and carried unanimously.

RESTAURANT TAX ALLOCATION-1997: DISCUSSION-APPROVAL

The Council continued discussing the project allocations from the Restaurant Tax as presented at the last meeting by Executive Lemon.

(See attachment #4)

Some Council members expressed concern about allocations to the Cache Valley Cruise In Association, USU Festival of the American West and the Utah Festival Opera Company. A County

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Restaurant Tax Discretionary Fund was discussed.

Vice Chairman Anhder moved to approve all the allocations except the above mentioned projects. The motion died for lack of a seconded.

Anhder then moved to approve all the project allocations except the Cache Valley Cruising Associations \$4,000. It was properly seconded and the motion was defeated on a vote of 2 "Yes" to 5 "No".

Councilman Yeates moved to increase the Cache Valley Cruising to \$6,000. It was seconded and defeated 2 "Yes" to 5 "No" vote.

Anhder moved to not fund the \$25,000 for the Festival of the West. It was seconded and after some discussion the motion was withdrawn.

Councilman Skanchy moved to approve the Festival of the American West allocation. It was seconded and carried unanimously.

Councilman Skanchy moved to approve the Utah Festival Opera Company allocation. It was seconded and carried unanimously.

Councilman Skanchy moved to approve all the allocations that the County Executive had presented including the \$400 increase allocation for the Sesquicentennial Parade. It was properly seconded.

Councilman Petersen moved to amend Councilman Skanchy's motion to set aside \$50,000 from the current fund balance into a discretionary fund. The motion was seconded and passed on a vote of 5 "Yes" to 2 "No". Skanchy and Anhder voted no.

The original motion made by Councilman Skanchy to approve all the projects including the amendment was voted on and it carried unanimously.

BONDS FOR ELECTED OFFICIALS: DISCUSSION

The Council discussed the bond for all elected officials. The County Auditor, Tamra Stone, reported that she had called Hal Moffit who bonds the County employees and he has added members of the Council who were elected in the last election. Stones explained that we have an Ordinance in place that states that we will individually bond all elected county officials.

The County Attorney, Scott Wyatt assured the Council that they are properly bonded.

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RESOLUTION NO. 97-14: UAC INTER-LOCAL MUTUAL INSURANCE AGREEMENT

The adoption of Resolution No. 97-14 will authorize the County Executive to execute an Amended Interlocal Cooperation Agreement with other members of the Utah Association of Counties for the Insurance Mutual Company.

(See attachment #5)

It was moved by Councilman Skanchy to waive the rules of first and second reading and adopt Resolution No. 97-14. It was seconded and carried unanimously.

MAY TAX SALE REPORT: STONES, TAMRA

The County Auditor, Tamra Stones, reported to the Council on items dealing with the May Tax Sale. The Gerald Knight bid on Parcel number 03-137-0027 was not redeemed and will have to be a strike off to the County. Stones is recommending that two parcels be approved as sold and the sale of the above mentioned parcel be denied.

(See attachment #6)

Councilman Petersen moved to approve the May Tax Sale denying the Knight bid. It was seconded and carried unanimously.

HEALTH INSURANCE-EMPLOYEE BENEFIT OPTIONS: NILSON, MIKE

The County Executive Administrative Assistant, Mike Nilson, reviewed with the Council a proposed Health Insurance option program. Nilson reported that a committee has met to receive information from different Health Insurance Companies. The Committee feels that our employee's should be given an option in two different Insurance plans. Nilson said that this would provide a choice and create competition between Insurance Companies. The present Company is going to increase their premium by 19%. The committee has determined that the County continue to offer PEHP and also offer Educators Insurance as an option. Educators Insurance offers a dental insurance program. However, they require that 30 employees take the dental benefit before they will offer dental insurance. Nilson reviewed the coverage offered by both companies, which seem to be about the same in most areas. Vice Chairman Anhder suggested that if the county would go totally with Educators Insurance it could save the County around \$40,000. Executive Lemon advised the Council that there is a problem if a complete change is made. It creates a coverage problem when the insured is receiving on-going treatment due to having a baby or an operation.

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Anhder moved to offer the optional insurance program and allow the employees to carry dental insurance if they are willing to pay the premium. It was seconded and failed on a vote of 2 "Yes" to 5 "No".

Executive Lemon, recommended that the county employees be given a choice and if they choose to be insured by Educators Insurance Company and if they take the dental benefit the county will use the money that they save by not being insured by PEHP to help the employees pay the dental premium. Lemon said that employees have questioned why other county supported entities such as BRAG, Bear River Health etc. offer dental and we don't.

Councilman Pulsipher moved to support the proposed two insurance plans and have the County help pay the dental premium with money saved by being insured by Educators Insurance. It was seconded and passed 6 "Yes" to 1 "No" vote.

COUNTY SUMMER PARTY: STONES, TAMRA

The County Auditor, Tamra Stone, reported that a committee has been organized through the County Attorneys office. The committee is suggesting a summer party for all county employees and their families including Council Members and their families. The event will be held at Willow Park and will be catered costing \$1,000. The funds will be taken out of the sundry account. The event will be used to present awards to employees in recognition for years of service etc. The Council expressed their support for the event. The date for the party has been set for July 29th at 6:30 p.m. and a program and entertainment will follow the meal.

PARADE: CLARKSTON PONY EXPRESS DAYS

Members of the Council were invited to ride in the Clarkston Pony Express Days parade on June 28, in Clarkston at 1:30 p.m..

TELEVISION TRANSLATOR: DISCUSSION

The County owned TV Translator seems to be having on going problems with providing proper service. Chairman Gibbons asked that a report be presented to the Council at the next meeting. The report would provide information on the problems and how much it would cost to fix it.

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CRIME VICTIMS GRANT: WYATT, SCOTT

The County Attorney, Scott Wyatt, told the Council that the State is willing to provide grant money, without County matching funds, to hire another full time attorney in his office. The Grant is guaranteed for two years and probably four. The Council was in favor of the County Attorneys proposal to obtain the grant.

LAND USE PLAN: DISCUSSION

Chairman Gibbons reported that the County-Wide Planner had visited with him and had left copies of the revised Land Use Plan. All Council members were given a copy and told to study the revision. The Land Use Plan will be on a future agenda for discussion.

RESOLUTION NO. 97-15: UTAH JAZZ BASKETBALL TEAM SUPPORT

Resolution No. 97-15, a resolution supporting the Utah Jazz as they go for the NBA Title was read aloud by Vice Chairman Anhder.

(See attachment #7)

A motion to waive the rules of first and second reading and adopt Resolution No. 97-15 was made by Vice Chairman Anhder. It was seconded and carried unanimously.

COUNCIL PICTURE TAKING: JUNE 24TH, 1997

Chairman Gibbons informed the Council that they will have a group picture taken on June 24, 1997 at 4:00 p.m. in the Council Chambers.

SHERIFF APPOINTMENT: DISCUSSION

The Republican Party will be meeting on June 20 to choose three candidates for County Sheriff. The Council will finalize the County Sheriff appointment on July 8, 1997.

COUNCIL MEMBER REPORTS

Councilman Skanchy: Skanchy informed the Council of a meeting of the Bear River Regional Work Force Services Council. The meeting will be held on June 9th in the Logon City Council Chambers. Skanchy also said that the deadline to comment on the proposed State Water Policy is June 30th and someone needs to make written comment on the issue.

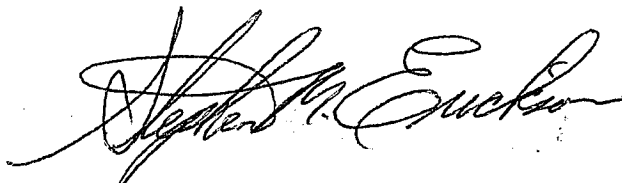
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Councilman Petersen: The County-Wide Library in Providence has received a \$7,800 grant to get on the internet from the Providence Grade School.

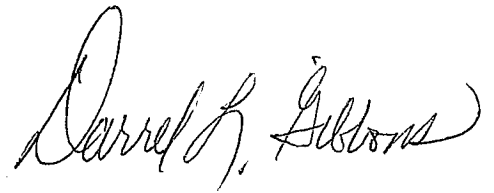
Councilman Pulsipher: Pulsipher had met with a committee concerning the Porcupine Dam. The Dam is number two on the State list to be repaired. Pulsipher said that the county road getting to the Dam was in terrible shape. He will contact the County Road Superintendent to see what can be done.

ADJOURNMENT

No further business was presented 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 WILDLIFE RESOURCES

Michael O. Leavitt
 Governor
 Ted Stewart
 Executive Director
 Robert G. Valentine
 Division Director

1596 West North Temple
 Salt Lake City, Utah 84119-3196
 801-538-4700
 801-538-4706 (Fax)

June 5, 1997

Cache County Council
 Mr. M. Lynn Lemon, County Executive
 120 North 100 West
 Logan City, Utah 84321

Dear Mr. Lemon:

The Utah Division of Wildlife Resources (DWR) is currently negotiating with the Department of Transportation (DOT) to exchange a land tract it owns west of Logan City for land in Box Elder County. The DWR tract is approximately 49 acres referred to as the Logan Game. DOT's interest is to establish a Park-n-Ride facility on a portion of the acreage then sell or exchange the remainder to Logan City. A small parcel of the property will be retained by the DWR for a potential water-well site to enhance the fish experiment station water source. A map is attached identifying the land tract being exchanged to DOT.

The game farm was acquired in 1948 by the DWR, with financial support from the Federal Aid Division of the Fish and Wildlife Service, to be used for upland game purposes. Later the farm was used to produce hay, mostly for the Hardware Ranch wintering elk. In the mid 1980s, it was determined that the site should be reestablished as an upland game habitat area. Over the past years industrial and other encroachment west of Logan City, caused the game farm to lose its wildlife value. With the wildlife potential of the farm at a minimum, the DWR and the Federal Aid office is supportive in releasing the game farm site for more opportunity for more local development while using its value to acquire an important wildlife site on the west side of the Wellsville mountain range.

The value of the land was determined by an independent certified appraiser. The exchange will be carried out on a value-for-value basis. It is anticipated that there will be a caveat on the transfer deed that will restrict development on the land (such as expanding the land fill) that would attract gulls and other birds that would create a depredation problem at the fish experiment station. DOT has kept Logan City involved with the on going negotiations.

Please contact my office for any questions, comments or concerns at (801) 538-4750.

Sincerely,

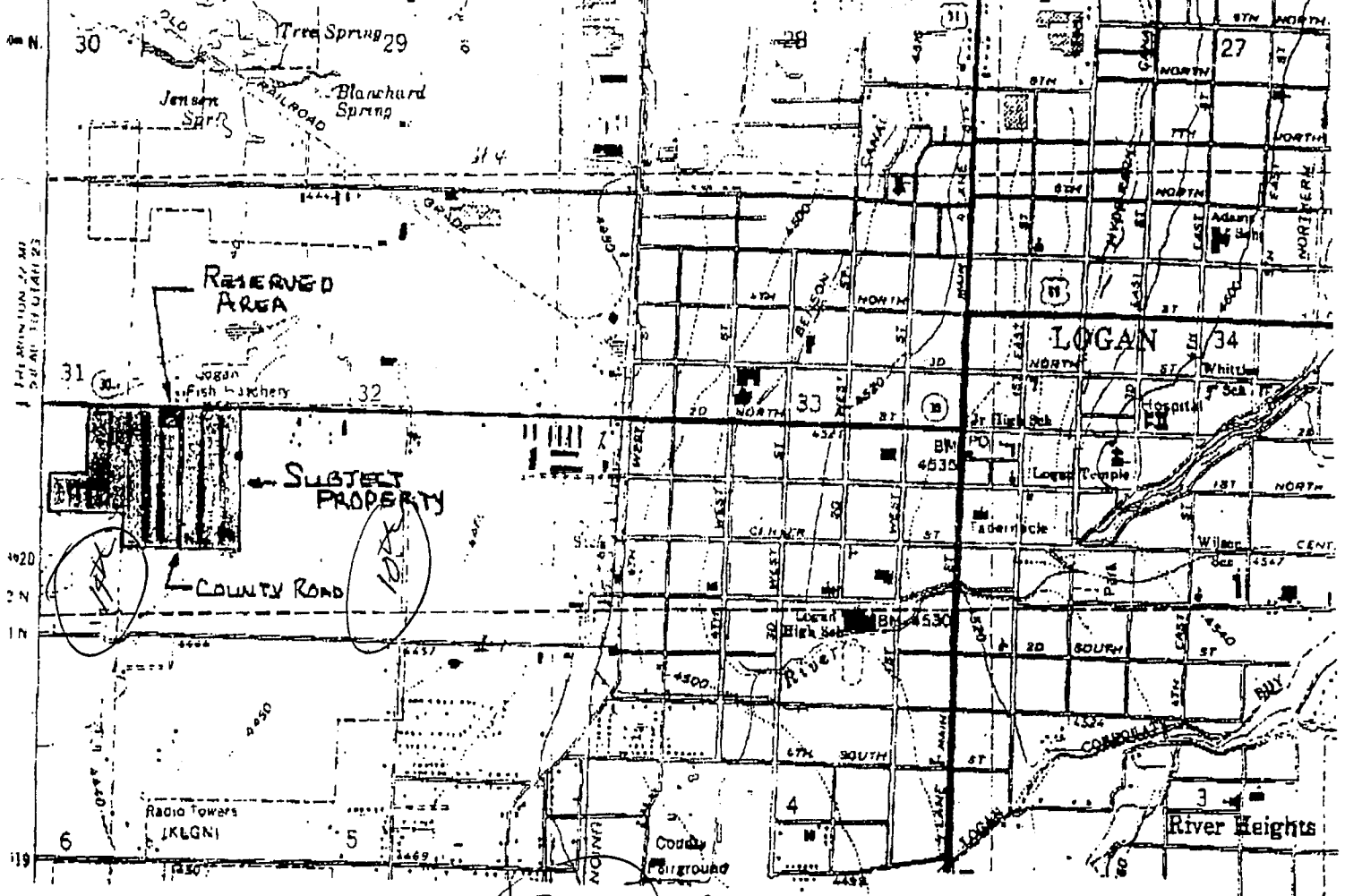
Brent K. Hutchings
 Habitat Acquisition Specialist

Attachments:

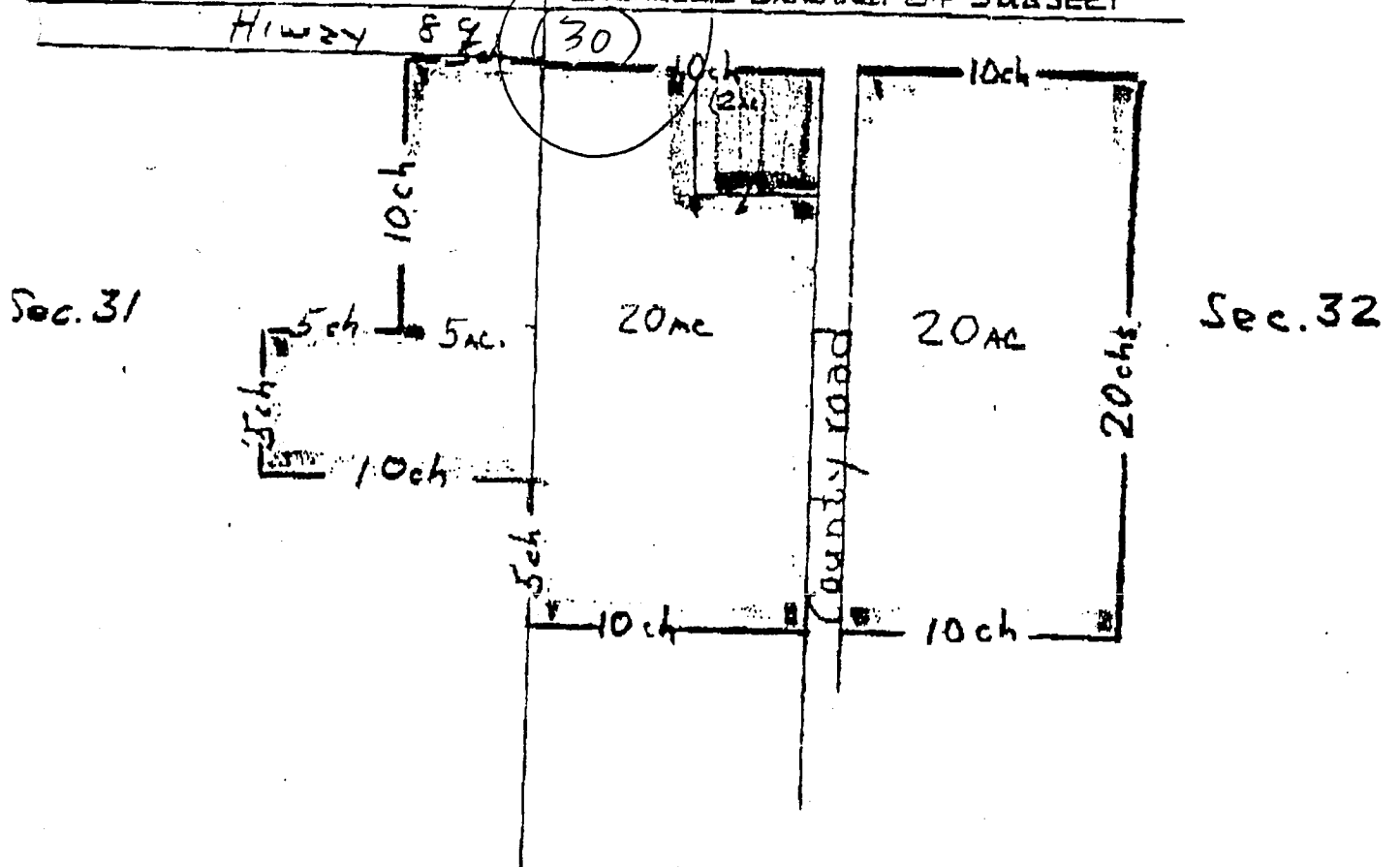


Implementation Schedule

First Newspaper Advertisement	July 6, 1997
Second Newspaper Advertisement	July 13, 1997
First Hearing	July 22, 1997
Written Notice to the State Tax Commission	July 23, 1997
Second Hearing	August 12, 1997
Adoption of Ordinance	August 26, 1997



ENLARGED DRAWING OF SUBJECT



**NOTICE
OF PUBLIC HEARING ON PROPOSED
COUNTY SALES AND USE TAX**

The Cache County Council of CACHE COUNTY intends to adopt a one-fourth of one percent county option sales and use tax for CACHE COUNTY. Revenues received from the county option sales and use tax will be offset by an equal reduction in the County's property tax levy. Two public hearings have been set at the dates, times and locations set forth below to receive public comments regarding the proposed sales tax.

PUBLIC HEARING SCHEDULE

- | | Date | Location | Time |
|----|------------------------|---|------------------|
| 1. | July 22, 1997 | County Council Chambers
120 North 100 West
Logan, Utah 84321 | 6:00 P.M. |
| 2. | August 12, 1997 | Hyrum or Smithfield
City Council Chambers
Hyrum or Smithfield | 6:00 P.M. |

Restaurant Tax Funds Requested, Recommended & Allocated
1997

	Requested	Recommended	Allocated	Prior Allocation
Amalga Town-Town Park Equipment	\$ 6,310	\$ 3,000	\$	\$ 15,000
Cache Ballet Company-Promotion	\$ 7,650	\$	\$	\$
Cache County-Promotion County Fair & GAW Rodeo	\$ 10,000	\$ 4,000	\$	\$
Cache County/Logan City-WPC Pavilion & Roofs	\$ 20,000	\$ 8,000	\$	\$ 398,775
-WPC Rodeo Arena Upgrades	\$ 60,000	\$ 60,000	\$	\$
-WPC Restrooms	\$ 70,000	\$	\$	\$
Cache Valley Cruising Association-Promotion	\$ 10,000	\$ 4,000	\$	\$ 5,000
Capitol Arts Alliance-Advertise 97/98 Season	\$ 15,164	\$ 8,582	\$	\$ 16,518
Chamber of Commerce-Tourist Promotion	\$ 42,300	\$ 36,000	\$	\$ 156,785
Clarkston Town-Town Square Restrooms	\$ 35,000	\$ 8,000	\$	\$ 35,000
Cornish Town-Town Park Sprinkling System	\$ 4,189	\$ 2,875	\$	\$ 6,790
Hyrum City-City Square Gazebo	\$ 25,000	\$	\$	\$ 50,000
-Playground Equipment Canyon Park	\$ 6,525	\$ 6,000	\$	\$
Lewiston City-Community Theater Improvements	\$ 33,500	\$ 10,000	\$	\$ 67,600
Logan City-Eccles Theatre P.C.I.P. Bonds	\$ 90,068	\$ 90,068	\$	\$ 341,847
-CVC Parade-Outside Agencies	\$ 3,000	\$	\$	\$
-Defibrillator-Emergency Services	\$ 7,500	\$	\$	\$
-Center Street Historic District Lighting	\$ 30,000	\$	\$	\$
Mendon City-Cache Valley Pioneer Park	\$ 65,000	\$ 30,000	\$	\$ 35,000
Millville City-Park Improvements	\$ 11,520	\$	\$	\$ 20,000
-Park Equipment	\$ 7,500	\$ 7,000	\$	\$
Newton Town-Parking Improvements	\$ 21,400	\$ 16,000	\$	\$
Paradise Town-Park Playground Equipment	\$ 19,514	\$ 14,000	\$	\$ 27,947
Providence City-Snowmobile Parking Lot/Trailhead	\$ 30,000	\$ 15,000	\$	\$ 50,943
Richmond City-Improvements	\$ 33,360	\$ 16,000	\$	\$ 60,825
-Black & White Days Promotion	\$ 6,450	\$	\$	\$
River Heights City-Garden Park Improvements	\$ 20,513	\$ 18,000	\$	\$ 40,900
Besquicentennial Pioneer Day Parade-Promotion	\$ 950	\$ 400	\$ 700	\$
Smithfield City-Birch Creek Parking Improvements	\$ 41,600	\$ 23,256	\$	\$ 40,500
Trenton Town-City Park Improvements	\$ 15,000	\$ 8,000	\$	\$ 15,000
UBU-Festival American West, Jensen Farm & Museum	\$ 300,000	\$ 25,000	\$	\$ 87,000
Utah Festival Opera Company-Premiere Promotion	\$ 50,000	\$ 25,000	\$	\$ 42,715
Wellsville City-Arena Electrical & Bleachers	\$ 20,000	\$ 14,000	\$	\$ 55,000
TOTAL	\$ 1,119,013	\$ 452,181	\$	

**RESOLUTION APPROVING AND AUTHORIZING THE EXECUTION OF AN
AMENDED INTERLOCAL COOPERATION AGREEMENT WITH OTHER
MEMBERS OF UTAH ASSOCIATION OF COUNTIES INSURANCE MUTUAL,
RELATING TO THE ESTABLISHMENT, FUNDING AND OPERATION OF
UTAH ASSOCIATION OF COUNTIES INSURANCE MUTUAL**

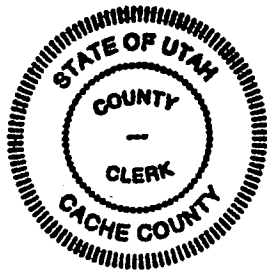
WHEREAS, pursuant to the provisions of the Interlocal Cooperation Act, Title 11, Chapter 13, Utah Code Annotated, 1953 as amended, and the Utah Insurance Code, Title 31A, Chapter 5, Utah Code Annotated, 1953 as amended, public agencies, including political subdivisions of the State of Utah as therein defined, are authorized to enter into mutually advantageous agreements to provide services and facilities; and

WHEREAS, the Board of County Council Members of Cache County, Utah, has determined that the interests and welfare of the public within Cache County's jurisdiction will best be served by an Amended Interlocal Cooperation Agreement with other members of Utah Association of Counties Insurance Mutual relating to the establishment, funding and operation of Utah Association of Counties Insurance Mutual.

NOW, THEREFORE, be it resolved by the Board of County Council Members of Cache County, Utah, that Cache County approve and authorize the Executive to execute an Amended Interlocal Cooperation Agreement with other members of Utah Association of Counties Insurance Mutual relating to the establishment, funding and operation of Utah Association of Counties Insurance Mutual.

APPROVED AND ADOPTED this 10th day of June, 1997.

BOARD OF COUNTY COUNCIL MEMBERS
CACHE COUNTY, UTAH



By: Darrel L. Gibbons
Darrel L. Gibbons, Chair

ATTEST:

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

APPROVED AS TO FORM:

By: Scott Wyatt
Scott Wyatt, Attorney, Cache County

AMENDED INTERLOCAL COOPERATION AGREEMENT

THIS IS AN INTERLOCAL COOPERATION AGREEMENT, made and entered into by and between members of Utah Association of Counties Insurance Mutual, a political subdivision of the State of Utah, each of which hereby agrees to abide by the terms and conditions of this Amended Agreement and all actions taken pursuant hereto.

WITNESSETH:

WHEREAS, pursuant to the provisions of the Interlocal Cooperation Act, Utah Code Ann. §11-13-1 et. seq. (1996), the Governmental Immunity Act, § 63-30-1 et. seq. (1993 & Supp. 1996) and the Utah Insurance Code, Utah Code Ann. § 31A-5-215 (1994), public agencies, including political subdivisions of the State of Utah as therein defined, are authorized to enter into written agreements with one another for joint or cooperative action to establish a public agency insurance mutual; and

WHEREAS, the governing bodies of counties located in the State of Utah, by establishing and entering into an Interlocal Cooperation Agreement, formed Utah Association of Counties Insurance Mutual as a public agency insurance mutual: and

WHEREAS, the members of Utah Association of Counties Insurance Mutual now desire to amend that Interlocal Cooperation Agreement;

NOW, THEREFORE, the parties do mutually agree as follows:

Section 1. EFFECTIVE DATE; DURATION.

This Amended Interlocal Cooperation Agreement shall become effective and shall enter into force, within the meaning of the Interlocal Cooperation Act, upon the submission of this Amended Interlocal Cooperation Agreement to, and the approval and execution hereof by Resolution of the governing bodies of each of the parties. The term of this Amended Interlocal Cooperation Agreement shall be fifty (50) years, pursuant to Utah Code Ann. §11-13-17 (1996), unless renewed as permitted by law, or until earlier dissolved as provided herein.

Section 2. CREATION OF A SEPARATE LEGAL ENTITY.

The parties to this agreement through their respective governing bodies and pursuant to the provisions of Utah Code Ann. §11-13-5 (1996), hereby create a legal entity to be known as Utah Association of Counties Insurance Mutual to provide the services described herein.

Section 3. PURPOSES.

This Amended Interlocal Cooperation Agreement has been established and entered into between the members of Utah Association of Counties Insurance Mutual (herein referred to as the Mutual) for the following purposes:

AMENDED INTERLOCAL COOPERATION AGREEMENT

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Section 3. PURPOSES.

This Amended Interlocal Cooperation Agreement has been established and entered into between the members of Utah Association of Counties Insurance Mutual (herein referred to as the Mutual) for the following purposes:

The provisions of this Amended Agreement and the assets of the Mutual are for the benefit of the members of the Mutual only, and no other persons or entities shall have any rights or interest in this Agreement or in any of the other documents referred to herein or in any such assets, as a third party beneficiary or otherwise. The assets of the Mutual shall not be subject to attachment, garnishment, or any equitable proceeding.

In the event of a voluntary dissolution of the Mutual, as provided in Section 5 hereof, the property of the Mutual not used or needed for the purposes of the Mutual, including its contractual obligations, shall be distributed, as determined by the Board, only to Utah counties which are members of the Mutual at the time of dissolution.

Section 11. ADDITION OF OTHER MEMBERS.

Other counties may become parties to this Amended Interlocal Cooperation Agreement, subject to the approval of the Board of Trustees, by executing an Addendum to this Agreement. In order for a county to be added to this Agreement by Addendum, the Addendum must be approved by the governing body of the county to be added and the Addendum must be reviewed and approved for form and compatibility with the laws of the State of Utah by the attorney for the county to be added. Prior to becoming effective, this Amended Interlocal Cooperation Agreement and the Addendum shall be filed with the person who keeps the records of the public agency being added to this Agreement.

Section 12. TERMINATION OF PARTICIPATION.

The parties to this Amended Agreement may withdraw from participation or be terminated by the provisions for withdrawal or termination included in the Amended Bylaws.

A withdrawn member shall lose all voting rights upon the effective date of withdrawal. Any claim of title or interest to any asset of the Mutual, and any continuing obligation of the Mutual to the member or of the member to the Mutual, after the effective date of the member's withdrawal, shall be consistent with these Bylaws, the Amended Agreement and any policy adopted by the Board, and the Code.

A member shall lose all voting rights upon termination of its membership. Any claim of title or interest to any asset of the Mutual, and any continuing obligation of the Mutual to the member or of the member to the Mutual, after the termination of membership, shall be as determined consistent with the Agreement, these Bylaws, any policy adopted by the Board, and the Code.

Section 13. INDEMNIFICATION.

It is the intent of the Mutual to provide the broadest possible immunity from personal liability to each trustee, officer, and employee of the Mutual allowed by applicable laws of the

State of Utah including, but not limited to, the Utah Governmental Immunity Act, the Utah Non-Profit Corporation and Co-operative Association Act and the Utah Insurance Code, as amended from time to time. The Mutual shall defend and indemnify the trustees, officers and employees of the Mutual against any and all expense, including attorney fees and liability expenses, sustained by them or any of them in connection with any suit or suits which may be brought against them involving or pertaining to any of their acts or duties to the fullest extent allowed by the laws of the State of Utah.

The Mutual shall purchase liability or other appropriate insurance providing coverage for the trustees, officers and employees of the Mutual. Nothing herein shall be deemed to prevent compromises of any litigation where the compromise is deemed advisable in order to prevent greater expense or cost in the defense or prosecution of such litigation.

Neither these Amended Bylaws nor any action of the governing body of a county in adopting these Amended Bylaws is intended to nor do they waive, nor shall they be construed as waiving, any immunity or limitation on liability provided to the members or their officers or employees by any law, including but not limited to any such immunity or limitation appearing in the Utah Governmental Immunity Act, and amendments thereto.

Section 14. FILING OF INTERLOCAL COOPERATION AGREEMENT.

Executed copies of this Amended Interlocal Cooperation Agreement shall be placed on file in the office of the County Clerk of each of the Members to this Amended Agreement, and shall remain on file for public inspection during the term of this Interlocal Cooperation Agreement.

Section 15. AMENDMENTS.

This Interlocal Cooperation Agreement may not be amended, changed, modified or altered except by an instrument in writing which shall be (a) approved by Resolution of the governing body of each of the parties, (b) executed by a duly authorized official of each of the parties, (c) submitted to and approved by an Authorized Attorney of each of the parties, as required by Utah Code Ann. §11-13-9 (1996), and (d) filed in the official records of each party.

Section 16. SEVERABILITY.

If any term or provision of the Amended Interlocal Cooperation Agreement or the application thereof shall to any extent be invalid or unenforceable, the remainder of this Amended Interlocal Cooperation Agreement, or the application of such term or provision to circumstances other than those with respect to which it is invalid or unenforceable, shall not be affected thereby, and shall be enforced to the extent permitted by law. To the extent permitted by applicable law, the parties hereby waive any provision of law which would render any of the terms of this Amended Interlocal Cooperation Agreement unenforceable.

Section 17.

GOVERNING LAW.

All questions with respect to the construction of this Amended Interlocal Cooperation Agreement, and the rights and liability of the parties hereto, shall be governed by the laws of the State of Utah.

Section 18.

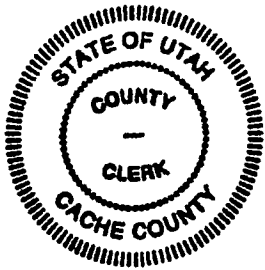
EXECUTION BY COUNTERPART.

This Amended Agreement may be executed in counterparts. The original of each executed Agreement shall be filed with the Mutual.

IN WITNESS WHEREOF, the parties have signed and executed this Amended Interlocal Cooperation Agreement, after resolutions duly and lawfully passed, on the dates listed below.

Dated this 10th day of June, 1997.

By: M. Lynn Lemon
M. Lynn Lemon
Cache County Executive



ATTEST:

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

APPROVED AS TO FORM AND COMPATIBILITY WITH THE LAWS OF THE STATE OF UTAH:

By: Scott Wyatt
Scott Wyatt, Cache County Attorney

TAX SALE MINUTES

MAY 29, 1997

The tax lien sale was called to order at 10:00 A.M. May 29, 1997 in the Cache County Council Chambers.

All property advertised by the county auditor, as provided in Utah Code 59-2-1351 with delinquent taxes for the 1992 tax year that were delinquent on January 16, 1997 and had not been redeemed by the sale hour were offered for sale.

County representatives present for the sale were Tamra Stones, Cache County Auditor and Janice Trygstad, Deputy Auditor.

The sale procedures were outlined as follows:

1. Once a bid has been entered it cannot be withdrawn. The ordinance allows preferential bids. (Until the moment of the sale, the owner of record or lien-holder of record may redeem the property to prevent the sale.) Payment should be made to the County Treasurer by 5:00 p.m. today in the form of cash; or **certified funds made payable to the Cache County Treasurer in the exact amount of the sale.** Upon payment a temporary receipt will be issued from the County Treasurer.
2. The sales of these properties are conditional and subject to review by the County Council. The council can accept or reject any bid. If the council accepts the bid then the sale will be deemed approved.
3. Any person wishing to contest the sale, must file in writing the basis for the objection, as outlined in the bid procedures, with the County Council through the office of the County Executive within 10 days of the sale.
4. Confirmation of bid forms will need to be completed acknowledging the terms and conditions of the bid as set forth in the bidding procedures. The Treasurer or her deputy will validate the form at the time you make payment.
5. Tax deeds will be issued, by the County Auditor after approval of the Cache County Council and mailed within sixty days together with a permanent receipt.
6. Property that is offered for sale will be struck off to the county by the County Auditor if any of the following situations occur: (1) No bids are received for the property, (2) the apparent high bidder fails or refuses to execute a confirmation of bid or fails or refuses to make full payment of the bid amount in the manner and within the time required or (3) the County Council rejects any bids and thereby disapproves the sale or (4) the parcel is determined to be used for a public purpose.

7. In accordance with Section 59-2-1351(7), Utah Code, the County Auditor will publicly declare that the property has been struck off to the County, make an appropriate record of the action.

8. The property is sold by the county and purchased by the buyer "AS IS," and the county makes no warranty whatsoever respecting the condition of property and improvements. The county will convey title by tax deed. There will be no title insurance granted to parcels sold by tax deeds. If there are parcels with liens they were noted when the parcel came up for sale. Also, the title reports were made available for participants to view.

The Auditor offered the first parcel to strike off to the county: parcel number 08-026-0015 in the name of Everett Smith, taxes, costs etc. are \$169.85. The Auditor deemed the property struck off to the county as a public roadway.

Next offered for sale:

Parcel number 03-137-0027 in the name of William B. Huff. The property address is S 1600 W: 2885 Nibley. NIBLEY BUSINESS PARK UNIT 1 LOT 27 CONTAINS APPROX. 0.53 ACRES. According to the title report there is a lien from the Utah State Tax Commission. The minimum bid of taxes, interest, penalties and costs total \$207.05. Preferential bidders will be allowed to bid now. No preferential bidders were present. The bidding opened.

<u>AMOUNT OF BID</u>	<u>BIDDER #</u>	<u>BIDDER NAME</u>
Min. bid - \$207.05	#5	Gerald Knight

Bidding continued with the following active bidders:

#4	Ivan Keller
#1	Charlie Israel Liu
#5	Gerald Knight

The final bid was \$1,400.00 entered by Gerald Knight, the apparent successful bidder.

The next property offered for sale was: Parcel number 16-087-0023 Owned by Kevin Allen Robertson. The property address was not listed. The description of the parcel was: the W 16.5 acres of the S/2 of the N/2 of the SW/4 of Sec 10 T 9N R 3 E content 16.5 Acres. No liens were disclosed. The minimum bid of taxes, interest, penalties and costs total \$281.26. Preferential bidders were offered the opportunity to bid. Mr. Jerry Haslam identified himself as an abutting property owner with 400 acres and stated the access to the subject property was across his property. The roadway is private and goes through private property. This property is located in an area where zoning requires 40 acres to build a cabin.

RESOLUTION NO. 97-15

A RESOLUTION BY THE CACHE COUNTY COUNCIL, STATE OF UTAH, ON BEHALF OF THE CITIZENS OF CACHE COUNTY EXPRESSING OUR PRIDE IN AND SUPPORT FOR THE UTAH JAZZ

WHEREAS: The Utah Jazz have risen to the challenge during this season by dominating the year, winning the Western Conference and advancing to the NBA finals for the first time in their franchise history; and

WHEREAS: As athletes and good sportsmen, Jazz team members have been excellent examples of fine athletes, outstanding individuals and good Utahns and brought beneficial publicity to the entire State of Utah; and

WHEREAS: Based on his outstanding performance, Karl Malone excelled beyond all other NBA players by being honored with the "MVP" award; and

WHEREAS: No NBA team since 1985 has won all three games of their home portion of a 2-3-2 playoff schedule.

NOW THEREFORE BE IT RESOLVED that the Cache County Council, State of Utah on behalf of all the citizens of Cache County wish the Jazz the best of luck and success in game five of the NBA finals to be held in Salt Lake City, Wednesday evening, June 11, 1997, and in games six and seven (if necessary) in Chicago later this week.

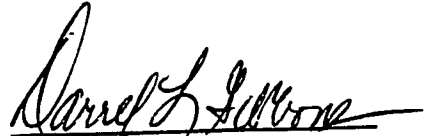
BE IT FURTHER RESOLVED that the Cache County Council, State of Utah declare Wednesday, June 11, 1997 as "SHOW ME THE TITLE DAY" in Cache County

DATED this 10th day of June, 1997

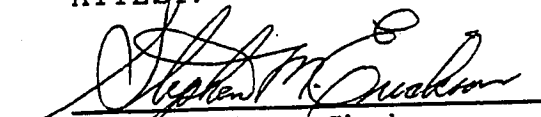


CACHE COUNTY

BY:


Darrel Gibbons, Chair
Cache County Council

ATTEST:


Steve Erickson, Clerk
Cache County

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