

COUNCIL MEETING
MINUTES 08/26/97

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CACHE COUNTY COUNCIL MEETING MINUTES

August 26, 1997

The Cache County Council met in regular session on the 26th day of August, 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, Cory Yeates and Layne M. Beck.

Others present were: County Executive, M. Lynn Lemon, County Clerk, Stephen M. Erickson, County Auditor, Tamra Stones, Executive Administrative Assistant, Michael Nilson, County Sheriff, Lynn Nelson, Cache Chamber of Commerce Volunteer Committee Chairman, Steve Stokes, members of the local news media and other interested citizens.

CALL TO ORDER

The meeting was called to order at 5:05 p.m. by Council member, Sarah Ann Skanchy. The Chairman and Vice Chairman were late. Skanchy welcomed those in attendance.

INVOCATION

The invocation was given by Councilman, H. Craig Petersen.

AGENDA & MINUTES

The agenda was discussed and approved.

ANHDER, C. LARRY: ARRIVED AT THE MEETING

The Vice Chairman, C. Larry Anhder arrived at the meeting and began conducting the meeting. After the Chairman, Darrel L. Gibbons arrived Anhder was asked to continue conducting the remainder of the meeting.

AGENDA AND MINUTES: CONTINUED

The minutes of the regular Council meeting held in Hyrum on August 12, 1997 were discussed, corrected and approved.

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COUNTY EXECUTIVE REPORT

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

1. Cache Valley By-Products: The Cache Valley Animal By-Products Company has accepted the \$1000.00 per month offer from the County as a subsidy. The subsidy was approved during the last Council meeting for one year. A reporting form indicating the company's daily pickup and collections is presently being drafted.

2. UDOT Regional Meeting: The Utah Department of Transportation will be having a regional open house to receive public input for future highway projects. The open house will be held in Brigham City on September 3, 1997 at 6:30 to 8:00 p.m.. The Road Superintendent, Joe Kirby and some Council members will attend.

3. Logan Canyon Highway Cooperative Team Meeting: The Logan Canyon Highway Cooperative Team met this morning. The Team has reviewed some delays on the construction of the lower twin bridge. The delays have been caused by bed rock problems. Lemon is suggesting that UDOT and Bio West Engineering attend the next Council meeting to report on the delay. This item will be on the next meetings agenda.

4. Dairymen Tour: Some local Dairymen toured the area along with State Agriculture Department to review the local feed problems caused by this summers rain. The Dairymen are asking for financial help from the Government.

5. Land Use Plans: The County-Wide Planner, Mark Teuscher, has obtained some additional Land Use Plans from other States. They are available for Council review.

6. Airport Open House: The Airport Authority has scheduled an open house on August 27, 1997 in the Council Chambers at 7:00 p.m.. They will be receiving public input on the proposed expansion of the main runway going in the North East direction.

7. Warrants: The Warrants for the period of August 8 to the 22nd were presented to the County Clerk for filing.

CACHE VALLEY VOLUNTEER CENTER: STOKES, STEVE

Steve Stokes, the Chairman of the Cache Chamber of Commerce committee on Volunteerism in the County, presented to the Council some established goals. They have been prepared to help prevent

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youth and family problems such as drug use and gangs.

(See attachment #1)

Stokes said that the committee is working close with the County Voluntary Action Center which is located at the County Senior Center and the Centers Volunteer Director, Chris Smith, to create public awareness of the goals. A letter from Smith to Council members explaining what the Volunteer Center is proposing was discussed.

(See attachment #2)

The project will involve local law enforcement agencies and other organizations, to promote activities to help families and youth in the County.

PUBLIC HEARING: SURPLUS PROPERTY-CACHE JUNCTION

A Public Hearing to receive input on a proposal to declare two parcels of property surplus in Cache Junction was convened at 5:30 p.m.. Executive Lemon reported, that the parcels were old platted county roads that have never been developed. The parcels are adjacent to property now owned by LaMar Clements and Ron Pace in Cache Junction. Clements told the Council that his garage is on the property and was there when he purchased it seven years ago.

Vice Chairman Anhder asked if the audience had any further comment? There was no other comments given.

A motion to close the Public Hearing was made by Council member Skanchy. It was seconded and carried unanimously.

Councilman Petersen moved to declare the two parcels as surplus and authorize the County Executive to negotiate the sale price, which will be presented to the Council in resolution form, for approval during a future Council meeting. It was properly seconded and carried unanimously.

BOARD OF EQUALIZATION MATTERS:DISCUSSION

Hearing dates and a schedule of those who will attend the hearings was discussed by the Council. The Secretary of the Board of Equalization and County Auditor, Tamra Stones, reported that the tax notices sent to property owners located in the Cache County School District area will have a lower property tax than was first calculated. The reason for the reduction is due to the School Boards calculations. Stones said, that she has given out a large number of forms for appeals but not too many have been returned.

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There have been 170 appeals filed with her office. Future hearing schedule and assignments of those who will attend was considered. The schedule of Council members who will represent the Council on the Board of Equalization is as follows:

Wednesday September 3, 1997---Darrel L. Gibbons (morning)
Friday September 5, 1997-----Sarah Ann Skanchy
Monday September 8, 1997-----Guy Ray Pulsipher (morning)
Monday September 8, 1997-----Cory Yeates (afternoon)
Wednesday September 10, 1997--H. Craig Petersen (morning)

The last day for property owners to appeal their taxes is September 11, 1997.

ORDINANCE NO. 97-04: SALES AND USE TAX OPTION

The adoption of Ordinance No. 97-04 will impose an additional 1/4 percent sales tax on product sold in exchange for reducing the property tax by the same amount.

(See attachment #3)

Chairman Gibbons moved to adopt Ordinance No. 97-04. It was seconded by Councilman Yeates and passed unanimously.

ORDINANCE NO. 97-93: RESTAURANT TAX-RENEWAL

The adoption of Ordinance No. 97-03 will renew and impose a 1 percent Tourism, Recreation, Cultural and Convention tax on the sales of prepared food sold in the county.

(See attachment #4)

Chairman Gibbons, believes that this is one tax that has benefited all citizens of the County and he favors passing the Ordinance.

It was moved by Councilman Pulsipher to adopt Ordinance No. 97-03. It was properly seconded and carried unanimously.

PUBLIC HEARING: BUDGET OPENING-1997

Vice Chairman Anhder, convened a scheduled Public Hearing on proposed adjustments to the 1997 budget. The County Auditor, Tamra Stones was asked to review the recommended changes in the 1997 budget. Stones explained, that most of the requested expenditures had been cut from the budget during hearings in 1996 and now the departments are requesting those needed items.

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After the Auditor had reviewed the proposed budget adjustments the audience was asked for comments. There was no public comment given.

A motion to close the public hearing was made by Chairman Gibbons. It was seconded and carried unanimously.

Council members expressed concern over some of the expenditures, such as the additional funds needed to complete the parking lot on the corner of 100 West and 200 North, new pickup trucks for the Fire and Surveyor Departments, a Live Scan finger printing system for the Jail and other areas. Lt. Von Williamson from the Sheriffs department told the Council that the finger print scanning system they have requested is needed to help identify suspects and it will eventually be mandated by the State.

It was determined by the Council that further review and study of the proposed changes were needed. The Council tabled any action on the changes until the next Council meeting.

Councilman Petersen suggested that the funding for the Library and for the Council on Aging be approved.

(See attachment #5)

It was moved by Councilman Petersen to approve the above two mentioned expenditure requests. It was seconded and carried unanimously.

RIVER VIEW SUBDIVISION: PLAT APPROVAL-FINAL

The Council reviewed a final plat of the River View Subdivision proposed by Mark Maughan. Brian and Shelley Lock now own the property. The subdivision is located in the Petersboro area and is a three lot subdivision. The County Planning Commission have issued the necessary requirements and have approved the Plat. Mark Maughan, who would like to build a home on one of the lots, reviewed the area where the subdivision is located and the lot that he wants to build on. There is also a 5 acre commercial lot in the subdivision. A memo from Lorene Greenhalgh, the County Zoning Administrator concerning the subdivision is attached.

(See attachment #6)

A motion to approve the Final Plat of the River View Subdivision was made by Chairman Gibbons. It was seconded and passed on a vote of 5 "Yes" with Anhder and Yeates abstaining.

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PERSONNEL POLICY REVISIONS: DISCUSSION

Executive Lemon, reported that the current personnel policy is now being revised in certain areas. The recommended changes will be presented for review and approval during a future Council meeting.

NEEDS ANALYSIS FOR CACHE COUNTY DEPARTMENTS:DISCUSSION

Executive Lemon, told the Council that a "Needs Analysis" for certain County Departments is being considered. The analysis would involve all departments, excluding the Sheriff, Roads & Weed and Senior Citizens. The study would be done by JHCH a local design company and will provide a needs analysis for a twenty year period. The funding has been allocated and the Council encouraged the Executive to begin the needs analysis process.

PARADE: WELLSVILLE FOUNDER'S DAY

The Council has been invited to ride in the Wellsville Founder's Day parade on September 1st at 10:00 a.m.. The Council will be entry number 33.

COUNCIL MEMBER REPORTS

Chairman Gibbons: Has met with members of the Planning Commission concerning the Land Use Plan. It seems that only certain areas of the plan are presenting stumbling blocks for the Commission. As soon as they have reached an agreement the Plan will be back on the agenda. Gibbons said that he feels that we owe it to the citizens to finalize the Plan.

ADJOURNMENT

No further business was presented for action or discussion and Vice Chairman Anhder adjourned the meeting at 6:50 p.m..

ATTEST: Stephen M. Erickson
Cache County Clerk

APPROVAL: C. Larry Anhder
Council Vice Chairman

GOAL # 1

Presidential Goal for Children from the Volunteer Summit:

- Caring Adults

Governor Leavitt's ALERT Goal:

•By the year 2000, every child in Utah will have a parent or other caring adult in his or her life. Also by the year 2000, the state of Utah will have 3,000 trained foster care families and an increase in the number of volunteers in mentoring programs for children at risk.

Options for Youth, Families and Communities' Goal:

- Families and caring adults will build personal assets in youth (i.e., responsibility and fairness).
 - Family life provides high levels of love and support.
 - Youth view parents as accessible resources for advice and support.
 - Youth have frequent, in-depth conversations with parents.
 - Youth have access to non-parent adults for advice and support.
 - Youth have frequent, in-depth conversations with non-parent adults.
 - Parents are involved in helping youth succeed in school.
 - Parents have standards for appropriate conduct.
 - Parents discipline youth when rules are violated.
 - Parents monitor, "where I am going and with whom I will be."
 - Youth go out for "fun and recreation" three or fewer nights per week.

(Note: It is not expected that all items or goals be addressed at once. Local vision teams decide what goals they would like to address and how they would like to address them.)

Local Vision Team Goal(s):

GOAL # 2

Presidential Goal for Children from the Volunteer Summit:

- Safe Place

Governor Leavitt's ALERT Goal:

- By the year 2000, every high school area in Utah will have an established and operating crime council.

Options for Youth, Families and Communities' Goal:

- Community groups will work in partnerships to create safe environments.
 - Schools provide a caring, encouraging environment.
 - Youth's best friends model responsible behavior.
 - Youth spend one hour or more per week in school sports, clubs or organizations.
 - Youth spend one hour or more per week in organizations or clubs outside of school.
 - Youth spend one hour or more per week attending religious programs or services.

Local Vision Team Goal(s):

GOAL # 3

Presidential Goal for Children from the Volunteer Summit:

- Healthy Start

Governor Leavitt's ALERT Goal:

- Decrease the number of low birth-weight babies 10% by the year 2000.

Options for Youth, Families and Communities' Goal:

- Families, adults, and youth will practice healthy lifestyles (i.e., responsible vehicle use, sexual restraint, avoidance of drugs and alcohol, good nutrition and physical activity, avoidance of dangerous behaviors).

Local Vision Team Goal(s):

GOAL # 4

Presidential Goal for Children from the Volunteer Summit:

- Marketable Skills

Governor Leavitt's ALERT Goal:

- By the year 2000, ALERT volunteers will change the lives of at least 12,000 young people who are at risk of being functionally illiterate.

Options for Youth, Families and Communities' Goal:

- Youth will develop skills for success in school and beyond (i.e., trustworthiness).
 - Youth spend three hours or more per week in music training or practice.
 - Youth are motivated to do well in school.
 - Youth aspire to pursue post-high school education (e.g., trade school, college).
 - Youth report that their school performance is above average.
 - Youth report doing six hours or more of homework per week.
 - Youth can stand up for what they believe.
 - Youth are good at making decisions.
 - Youth are good at making friends.
 - Youth are good at planning ahead.
 - Youth have high self-esteem.
 - Youth are optimistic about their personal futures.
 - Youth "tells the truth even when it is not easy."
 - Youth accepts and takes personal responsibility.

Local Vision Team Goal(s):

GOAL # 5

Presidential Goal for Children from the Volunteer Summit:

- Service

Governor Leavitt's ALERT Goal:

- By the year 2000, 75% of young people 12-18 will provide service each month.

Options for Youth, Families and Communities' Goal:

- Youth and adults will be actively engaged in helping others (i.e., respect for others, citizenship, caring).
 - Youth spend one hour or more per week in organizations or clubs outside of school.
 - Youth spend one hour or more per week attending religious programs or services.
 - Youth place high personal value on helping other people.
 - Youth care about other people's feelings.
 - Youth can stand up for what they believe.
 - Youth places high value on promoting equality and reducing hunger and poverty.
 - Youth acts on convictions, stands up for his or her beliefs.

Local Vision Team Goal(s):

VOLUNTEER CENTER



August 1997 *Voluntary Action Center* • *Retired Senior Volunteer Program*



240 North 100 East
Logan, Utah 84321 • 801-752-3103
Fax 801-752-9513

Dear Cache County Council Member,

It is with great excitement that I compose this letter of vision and intent concerning the future of the **Volunteer Center of Cache Valley**.

As a brief history, the Volunteer Center was created and has developed over a 20 year period. After only two years as a community based non-profit Incorporation, the **Voluntary Action Center** applied and was accepted for a federal grant to incorporate The **Retired Senior Volunteer Program (RSVP)**. At that point, the Cache County Council was approached to support RSVP as the sponsoring agency with the County Aging Program directly overseeing the contracts. In addition, it was requested and rewarded that the Volunteer Center director become a full-time employee of the County with half of their time being dedicated to RSVP and the other half being dedicated to the Voluntary Action Center. The director's salary would be paid in half by the federal grant and the other half would be the responsibility of the Voluntary Action Center. Cache County would provide office space and utilities as an in-kind support. The two programs combined created the umbrella agency, **The Volunteer Center**. (Please refer to attachment I-What Is The Volunteer Center for more details on the difference between the two programs)

In March, I was contacted by the Governor's office and asked to participate as a State Delegate with five other individuals, to represent Utah at the **Presidents' Summit for America's Future** in Philadelphia. It was determined that the future of America lies in our Youth and thus, five fundamental resources for children and youth were identified and established as **America's Promise- the Alliance for Youth** as a focus for guaranteeing their success. (Please refer to attachment II-How Are We Doing As A Nation)

As a result of the Presidents' Summit, a challenge to each state was issued that they review the five fundamental resources, determine the unique and individual needs as a State, conduct a statewide summit, and issue the challenge to each community to reflect upon the National and State goals and also to focus on the individual needs of their own community, and set specific goals to meet those needs.

I have been actively involved over the past several months as a member of the steering committee for the **Governor's State of ALERT**, the State's response to the challenge issued from the **Presidents' Summit**. A set of State goals have been established. (Please refer to attachment III-Utah's State of Alert Goals). At this point, committees to facilitate the State Summit on local community levels are being developed. Soon, the **State Summit- Governor's State of ALERT** will be announced, and all Utah residents will be asked to participate.

Steven Stokes has been asked to be one of the local community leaders in this challenge. He has extensively researched and reviewed materials, programs currently focused at meeting these challenges, and possible resources to better address them. His conclusions were that many local programs are focused very intently on these issues with some wonderful ideas and results happening. However, there are many programs that parallel each other in their efforts. It was determined that by better networking and better community awareness of those valuable resources, more direct needs will be met.

Based on this evaluation and much discussion, a vision for addressing these challenges has been developed. All five fundamental resources, the added goals of the State, and soon to be determined needs of our local communities all have one thing in common, individual responsibility and involvement are essential to success. Community service through volunteerism is the key to meeting these challenges.

The Volunteer Center has been one of the communities "Best Kept Secrets".

Based upon a recent research project I was involved in with BYU's Communications Department and the Utah Commission on Volunteers, it was determined that a very low percentage of Utah residents are aware that volunteer centers exist in their communities and what their focus is.

Although the current location of the Volunteer Center is greatly appreciated, it has presented a challenge to Reaching the greater public and being considered, "User Friendly". Our vision is to develop the Volunteer Center as one of the most important agencies in the community. One that is sought for information by those in need of services, and those wishing to offer service. As one central location for Information, referral, and matching of resources, the Volunteer Center will become a household name. People coming into the community will seek out the Volunteer Center as a key resource of information. The Volunteer Center will also become an important resource when determining needs of the community and how to address those needs.

The Volunteer Center of the Future Mobilizes People and Resources to Deliver Creative Solutions to Community Problems.

Our Vision for the Volunteer Center of Cache Valley is to present it in such a manner that ALL of the community has easy access and comfort in utilizing its services. By moving the location of the Volunteer Center to a retail location, more people will become aware of its services and feel more comfortable in accessing it.

We are introducing this vision to you as a County Council member requesting your support and input. We realize the importance you are to the success of our vision and invite any questions or further discussion. Please review the materials provided and know that I am happy to address any questions you may have. I can be reached at the Volunteer Center, Monday through Friday, 8:00am to 4:30pm, 752-3103. I can also be reached by e-mail: chriss@digitalpla.net.

Respectfully,


Chris Smith
Director

enc

WHAT IS THE VOLUNTEER CENTER

VISION

"The Volunteer Center of the future mobilizes people and resources to creatively address existing, and prevent future problems in our community- bringing positive change.

MISSION

"We are the one organization which can identify the community needs that volunteers can help to meet, and put volunteers in touch with those needs."

Dear Board Member,

The Volunteer Center houses two individual programs= the Voluntary Action Center (VAC) and the Retired & Senior Volunteer Program (RSVP).

The Voluntary Action Center works with volunteers of all ages. It is governed by an independent Board of Directors. It receives its financial support through United Way of Cache Valley, Utah Commission on Volunteers, and individual donations. VAC is incorporated.

RSVP works with volunteers who are 55 years and older. There are benefits to these volunteers as they become registered with RSVP. We carry accident, excess liability, and excess auto liability insurance as well as a small life insurance policy. There is also some travel reimbursement available for those that drive and travel arrangements for those who do not. RSVP is a federal program under the direction of the Corporation for National & Community Service, National Senior Service Corp. It is funded through a grant from the Corporation and a small State Aging grant for senior travel and individual donation.

Through the RSVP grant, I am required to have a sponsoring agency to monitor my contract. Working with seniors, it seems only appropriate that RSVP be housed with other senior service programs. It was agreed upon about 20 years ago that the Cache County Senior Citizens would sponsor RSVP and the Volunteer Center would be housed at the Senior Center with the director being an employee of Cache County.

There have been only 4 Volunteer Centers in the state up to a year and a half ago. We have been working with the Utah Commission on Volunteers to develop new Volunteer Centers as to reach ALL of the state. We currently have seven with two in the wings!

There are 13 National Senior Service Corps programs in the state which include RSVP, SCP (Senior Companion Program), and FGP (Foster Grandparent Program). SCP and FGP are stipend volunteer programs for low-income seniors. We only have RSVP in Cache Valley.

We are currently working with approximately 100 agencies and/or projects. It is next to impossible to keep track of how many volunteers there are and where they are all serving. With

FIVE RESOURCES ALL AMERICAN YOUTH NEED:

How Are We Doing as a Nation?

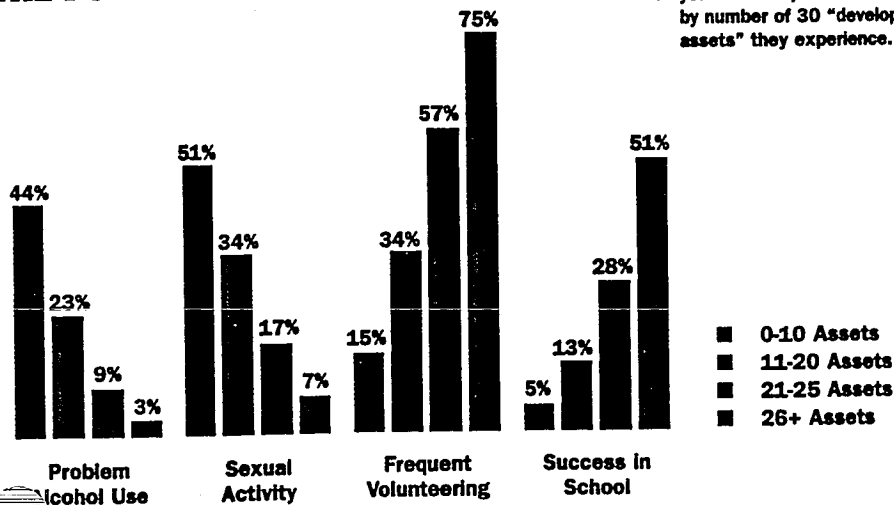
Every child and adolescent in America should have the confidence, character, competence, and connections needed to live a healthy, fulfilling life and contribute positively to society. America's Promise—The Alliance for Youth has identified five fundamental resources that, if consistently provided, will not only contribute to youth development, but also significantly reduce problems facing America's youth. The resources are:

1. Ongoing relationships with caring adults
2. Safe places and structured activities
3. A healthy start for a healthy future
4. Marketable skills through effective education
5. Opportunities to serve

The goal of America's Promise is to connect 2 million additional

THE POWER OF DEVELOPMENTAL ASSETS

Percent of 6th- to 12th-grade youth who report each behavior, by number of 30 "developmental assets" they experience.



SOURCE: Benson, P.L. (1995)

young people, from birth to age 20, to all five fundamental resources. These connections will occur primarily through the natural support systems in neighborhoods and communities—families, neighbors, associations, youth organizations, human service agencies, religious institutions, schools, businesses, and youth themselves.

Utah's State of Alert Initiative State Goals

A caring adult in the life of Utah children

Utah will have 3,000 trained foster care families by the year 2000 and an increased number of volunteers in mentoring programs for at-risk children.

Make Utah a safer place to live

Every public high school area will establish a community crime prevention council.

Give Utah's children a healthier start

The number of low-birth-weight babies born in Utah will decrease by 10 percent.

Give Utah youths more marketable skills

Twelve thousand youth who are at risk of becoming functionally illiterate will be reading at the third-grade level.

Provide opportunities for service

Seventy-five percent of youth, ages 12-18, will volunteer a significant amount of time in service to others each month.

These state goals have been set forth by Governor Leavitt and the Alert Steering Committee. Local communities may choose to set local goals, different from these goals.

ORDINANCE NO. 97-04

DATE August 26, 1997

AN ORDINANCE RELATING TO OPTIONAL COUNTY SALES AND USE TAX.

The County Council of the County of Cache ordains as follows:

SECTION I. Title of Provisions.

This ordinance shall be known as "the Optional County Sales and Use Tax" Ordinance.

SECTION II. Statutory Authority.

The authority for imposing this tax is derived from Title 59, Chapter 12, Part Nine, Utah Code Annotated (1953), as amended.

SECTION III. Purpose of Provisions.

This ordinance is enacted to provide the County with a source of revenue to allow the County to more effectively carry out its role as a political and legal subdivision of the State of Utah. The County Council hereby directs that the provisions hereof be interpreted and construed to accomplish this stated purpose.

SECTION IV. Imposition - Amount.

In addition to all other taxes imposed, the County does hereby impose and levy for collection a sales and use tax of 1/4 of 1% upon the sales and uses described in Section 59-12-103(1), subject to the exemptions provided for in Section 59-12-104. This tax is imposed upon all sales and uses made in the County, including sales and uses made within the corporate limits of the cities

and towns of the County. Provisions of this ordinance shall be subject to the provisions of the Sales and Use Tax laws of Utah to which reference is hereinafter made in this ordinance and which are hereby enacted and made a part of this ordinance as though fully set forth herein.

SECTION V. Incorporation of State Law.

A. Except as hereinafter provided and except insofar as they are inconsistent with provisions of the County Option Sales & Use Tax Act, all the provisions of Part 1, Chapter 12, Title 59, Utah Code Annotated, 1953, as amended, in force and effect on the effective date of this ordinance insofar as they relate to the tax imposed by this ordinance except Sections 59-12-101 and 59-12-119 thereof, are adopted and made a part of this ordinance as though fully set forth herein.

B. Wherever and to the extent that in Part 1, Chapter 12, Title 59, Utah Code Annotated, 1953, the State of Utah is named or referred to as the taxing agency, the name of this County shall be substituted therefor. Nothing in this subparagraph shall be deemed to require substitution of the name of the County for the word "state" when that word is used as part of the title of the State Tax Commission, or the Constitution of the State of Utah, nor shall the name of the County be substituted for that of the state in any section when the result of that substitution would require action to be taken by or against the County or any agency thereof, rather than by or against the State Tax Commission in performing the functions incident to the administration or operation of this ordinance.

SECTION VI. Administration, Collection and Distribution by State.

A. Taxes imposed pursuant to this ordinance shall be levied at the same time and collected in the same manner as provided for in Title 59, Chapter 12, Section 201, et seq., Utah Code Annotated, 1953, as amended, except that the revenue derived from the tax is not subject to the collection and distribution procedures established pursuant to the provisions of Section 59-12-205, Utah Code Annotated 1953, as amended. Revenues collected pursuant to this ordinance shall be distributed in accordance with Utah Code Ann. Section 59-12-902(3) and the rules adopted by the Utah State Tax Commission pursuant to Utah Code Ann. Section 59-12-902(3)(d). All revenues so collected shall be revenues of either Cache County or of any other county entitled to distribution of the same pursuant to the statute.

B. Any records, tax returns or other information of any person, corporation, company, or other group or organization subject to the taxes imposed by this ordinance which relate to the calculation, collection or remittance to the State Tax Commission of such taxes shall be subject to review, inspection, and auditing by Cache County.

C. The fee charged Cache County by the State Tax Commission under Utah Code Ann. Section 59-12-206 (1953, as amended) shall be based on the distribution amount resulting after all the applicable distribution calculations under Utah Code Ann. Section 59-12-902(3) have been made.

SECTION VII. Exemptions.

The sale, storage, use or other consumption of tangible personal property which is exempt from sales or use taxation pursuant to Section 59-12-104 is exempt from the application of the Optional County Sales and Use Tax.

SECTION VIII. Effective Date.

The tax imposed by this ordinance shall take effect January 1, 1998.

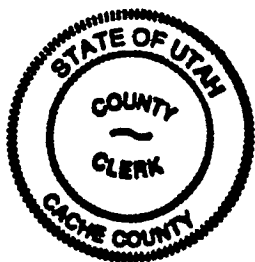
SECTION IX. This ordinance shall become effective August 26 _____, 1997, and upon at least one publication in a newspaper published and having general circulation in Cache County.

APPROVED and ADOPTED this 26th day of August, 1997.

CACHE COUNTY

By

Darrel Gibbons
Darrel Gibbons, Chair
Cache County Council



ATTEST:

Stephen M. Erickson
Stephen M. Erickson, Clerk

| | | | |
|---------------|-----------|--------|------------|
| Chairman | Gibbons | voting | <u>Yes</u> |
| Councilmember | Anhder | voting | <u>Yes</u> |
| Councilmember | Skanchy | voting | <u>Yes</u> |
| Councilmember | Pulsipher | voting | <u>Yes</u> |
| Councilmember | Petersen | voting | <u>Yes</u> |
| Councilmember | Beck | voting | <u>Yes</u> |
| Councilmember | Yeates | voting | <u>Yes</u> |

Publication Date: September 14, 1997

CACHE COUNTY, UTAH
ORDINANCE NO. 97 - 03

AN ORDINANCE IMPOSING A 1% TOURISM, RECREATION, CULTURAL, AND CONVENTION TAX AND PROVIDING FOR THE PERFORMANCE BY THE STATE TAX DIVISION OF ALL FUNCTIONS INCIDENT TO THE ADMINISTRATION, OPERATION, AND COLLECTION OF THE TAX AND FOR THE USE OF THE REVENUES FROM THIS TAX.

The County Council of Cache County, Utah, in a regular meeting, lawful notice of which has been given, finds that Section 59-12-603, Utah Code Annotated, 1953 as amended, enables the County Council, as the legislative body of Cache County, to impose a tourism, recreation, cultural, and convention tax not to exceed 1% of all sales of prepared foods and beverages that are sold by restaurants and to apply the revenue therefrom, in whole or in part, to tourism promotion and the development, operation, and maintenance of tourist, recreation, cultural, and convention facilities as defined in Section 59-12-602, Utah Code Annotated, 1953 as amended. The County Council finds that it is in the best interest of Cache County and its citizens that a tourism, recreation, cultural and convention tax be imposed.

NOW THEREFORE BE IT ORDAINED BY THE COUNTY COUNCIL FOR CACHE COUNTY, UTAH, AS FOLLOWS:

SECTION 1: TITLE

This ordinance shall be known as the "Tourism, Recreation, Cultural, and Convention Tax Ordinance of Cache County."

SECTION 2: PURPOSE

It is the purpose of this ordinance to impose a tourism, recreation, cultural, and convention tax for the purposes of financing, in whole or in part, tourism promotion, and the development, operation, and maintenance of tourist, recreation, cultural, and convention facilities as defined in Section 59-12-602, Utah Code Annotated, 1953 as amended.

SECTION 3: DEFINITIONS

As used in this ordinance:

- (1) "CONVENTION FACILITY" means any publicly owned or operated convention center, sports arena, or other facility at which conventions, conferences, and other gatherings are held and whose primary business or function is to host such conventions, conferences, and other gatherings.
- (2) "CULTURAL FACILITY" means any publicly-owned or operated museum

theater, art center, music hall, or other cultural or arts facility.

- (3) "RECREATION FACILITY" or "TOURIST FACILITY" means any publicly owned or operated park, campground, marina, dock, golf course, water park, historic park, monument, planetarium, zoo, bicycle trails, and other recreation or tourism-related facility.
- (4) "RESTAURANT" includes any coffee shop, cafeteria, luncheonette, soda fountain, or fast-food service where food is prepared for immediate consumption. In accordance with the provisions of Tax Bulletin No. 8-91, effective July 1, 1991, as promulgated by the Utah State Tax Commission, a "restaurant" is any retail establishment whose primary business is the sale of foods and beverages prepared for immediate consumption. Examples include full-service restaurants, fast-food restaurants, and their drive-in windows, concession stands at malls or fairs, and employee or school cafeterias.

SECTION 4: IMPOSITION OF TAX

There is hereby levied for collection a tourism, recreation, cultural, and convention tax on all restaurants, as defined herein, in Cache County, Utah, at the rate of 1% on all sales of prepared foods and beverages that are sold by restaurants for the period October 1, 1997 to September 30, 1998.

SECTION 5: USE OF REVENUES

The revenues received from the tourism, recreation, cultural, and convention tax shall be used solely for the purposes of financing, in whole or in part, tourism promotion, and the development, operation, and maintenance of tourist, recreation, cultural, and convention facilities as defined herein.

SECTION 6: COLLECTION

All taxes collected hereunder shall be collected by the Utah State Tax Commission pursuant to Chapter 12, Title 59, Utah Code Annotated, 1953 as amended, as and in the manner for other state and local sales and use taxes. The County Executive is authorized and directed to negotiate with the Utah State Tax Commission for and to execute the necessary contracts for the provision of such services by the Utah State Tax Commission. Taxes imposed under this ordinance shall be levied at the same time and collected in the same manner as provided for other state and local sales and use taxes in Chapter 12, Title 59, Utah Code Annotated, 1953 as amended.

SECTION 7: LICENSURE

All persons, companies, corporations or other similar persons, groups, or organizations engaged in or doing business as a restaurant or restaurants shall obtain from the Utah State Tax Commission a tourism, recreation, cultural or convention tax license; provided however, that

no such additional license shall be required if the person, company, corporation, group, or organization has already obtained and maintains a license pursuant to Section 59-12-106, Utah Code Annotated, 1953 as amended.

SECTION 8: ADVISORY BOARD

The Cache County Executive may establish an advisory board for the purposes of making recommendations for the allocation and application of revenues derived from the tourism, recreation, cultural, and convention tax. The board shall be advisory in nature only. The County Executive shall determine the composition of the advisory board; provided, however, that all appointments to that board shall be upon and with the advice and consent of the Cache County Council.

SECTION 9: ALLOCATION AND APPLICATION OF REVENUES

The Cache County Executive shall submit recommendations to the Cache County Council for the allocation and application of the revenues derived from the tourism, recreation, cultural, and convention tax. Acting upon such recommendations, the Cache County Council then, by resolution, shall approve the allocation and application of such revenues.

SECTION 10: EFFECTIVE DATE

This ordinance shall become effective upon approval and publication in the manner provided by law.

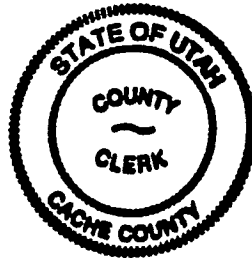
This ordinance was adopted by the Cache County Council on the 26th day of August, 1997, upon the following vote:

| | IN FAVOR | AGAINST | ABSTAINED | ABSENT |
|-----------|----------|---------|-----------|--------|
| YEATES | X | | | |
| ANHDER | X | | | |
| BECK | X | | | |
| GIBBONS | X | | | |
| PETERSEN | X | | | |
| PULSIPHER | X | | | |
| SKANCHY | X | | | |
| TOTAL | 7 | | | |

CACHE COUNTY COUNCIL

By: *Darrel L. Gibbons*
 Darrel L. Gibbons
 Chairman

ATTESTED BY:



Stephen M. Erickson
 Stephen M. Erickson
 Cache County Clerk

Publication Date: September 14, 1997

FUND 20 MUNICIPAL SERVICES FUND EXPENDITURES

| ACCOUNT | DESCRIPTION | Current Budget | Recommended Increase DEBIT | Recommended Decrease CREDIT | Amended Budget | Reason for Change |
|-------------|----------------------|----------------|----------------------------|-----------------------------|----------------|--|
| 20-38-90000 | Appropriated Surplus | 0 | | (6,100) | (6,100) | to appropriate for expenses cut from 97 requests |
| | | | 0 | (6,100) | (6,100) | |

FUND 20 MUNICIPAL SERVICES FUND EXPENDITURES

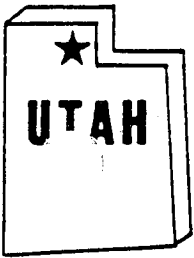
| ACCOUNT | DESCRIPTION | Current Budget | Recommended Increase DEBIT | Recommended Decrease CREDIT | Amended Budget | Reason for Change |
|-------------|--------------------------------|----------------|----------------------------|-----------------------------|----------------|-------------------------------------|
| 20-4180-740 | Zoning - Equipment | | 2,100 | | 2,100 | new pentium pc |
| 20-4241-251 | Bldg Insp. - equip under \$200 | 400 | | (400) | 0 | transfer for misc serv |
| 20-4241-310 | Bldg Inspector - prof & tech | 1,000 | | (800) | 200 | transfer for misc serv |
| 20-4241-620 | Bldg Inspector - misc services | 0 | 1,200 | | 1,200 | contract bldg dept reports software |
| 20-4253-250 | Animal Control - supp & maint | 0 | 4,000 | | 4,000 | dead animal disposal |
| | Totals | | 7,300 | (1,200) | | |
| | Net adjustment | | | | 6,100 | |

FUND 24 COUNCIL ON AGING FUND REVENUES

| ACCOUNT | DESCRIPTION | Current Budget | Recommended Increase DEBIT | Recommended Decrease CREDIT | Amended Budget | Reason for Change |
|-------------|-------------------------------|----------------|----------------------------|-----------------------------|----------------|---------------------------------------|
| 24-33-44000 | Contract Services - Area Agin | \$0 | | (\$13,500) | (\$13,500) | BRAG payment for services by M Cazier |
| | Totals | | \$0 | (\$13,500) | (\$13,500) | |
| | Net adjustment | | | | | |

FUND 24 COUNCIL ON AGING FUND EXPENDITURES

| ACCOUNT | DESCRIPTION | Current Budget | Recommended Increase DEBIT | Recommended Decrease CREDIT | Amended Budget | Reason for Change |
|-------------|-----------------------|----------------|----------------------------|-----------------------------|----------------|-----------------------------|
| 24-4975-110 | AREA Aging - Salary | \$0 | \$10,000 | | \$10,000 | Marcee C work reimb by BRAG |
| 24-4975-130 | AREA Aging - Benefits | \$0 | \$3,500 | | \$3,500 | Marcee C work reimb by BRAG |
| | Totals | | \$13,500 | \$0 | | |
| | Net adjustment | | | | \$13,500 | |



Cache County Corporation

LORENE GREENHALGH
Zoning Administrator
752-8327

179 North Main, Room 210
Logan, Utah 84321

MEMORANDUM

TO: Cache County Council

FROM: Lorene Greenhalgh, Zoning Administrator

DATE: August 12, 1997

SUBJECT: River View Subdivision

Mark E. and Jeannie Maughan, agents for the River View Minor Subdivision, are requesting Council approval of a 3-lot minor subdivision in the Agricultural Zone with one existing home located at 6180 West 1400 North owned by Brian and Shelley Locke, for the construction of one additional single family dwelling to be located at 6150 West 1400 North to be owned by Mark E. and Jeannie Maughan, and including one undeveloped 5-acre parcel zoned Commercial and located at 1103 North 6000 West owned by Thurman Dale Locke, Petersboro. This request has been reviewed and approved as a preliminary plat and final plat by the Planning Commission and found to meet the Ordinance requirements for minor subdivisions. The Commercial lot was included because the State Code no longer exempts divisions of Commercial property from subdivisions. The change was made to require commercial subdivisions to go through the subdivision process but in this case, also affects agricultural land and residential lots. If the commercial lot were to be developed it would need to go before the Planning Commission for approvals since all uses in the Commercial Zone are conditional. The larger portion of the 1970 parcel is being kept in agriculture.