

COUNCIL MEETING
MINUTES 01/13/98

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CACHE COUNTY COUNCIL MEETING MINUTES

January 13, 1998

The Cache County Council met in regular session on the 13th day of January, 1998 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 both present. Council members presents 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 Sheriff, Lynn Nelson, County-Wide Planner, Mark Teuscher, County Executive Administrative Assistant, Mike Nilson, County Zoning Administrator, Lorene Greenhalgh, Logan City Mayor, Doug Thompson, Cache Chamber of Commerce President, Jay Clark, County Volunteer Director, Chris Smith, Logan City Solid Waste Director, Roger Sunada, County Fire Chief, Kelly Pitcher, 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 Cory Yeates.

ELECTION-COUNCIL CHAIRMAN AND VICE CHAIRMAN

Chairman Gibbons convened a short election period to elect the 1998 Council Chairman and Vice Chairman.

Vice Chairman Anhder nominated Chairman Darrel L. Gibbons to continue as Council Chairman for 1998. It was properly seconded.

Councilman Pulsipher moved to suspend the rules and vote Mr Gibbons in by acclamation. The motion was seconded and carried unanimously.

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Council member Skanchy suggested that one of the newer Councilman be elected as Vice Chairman and she nominated Mr. Cory Yeates to be the Vice Chairman. It was properly seconded.

Councilmen Anhder moved to suspend the rules and vote Yeates in by acclamation. It was seconded and carried unanimously.

AGENDA & MINUTES

The agenda for the meeting was discussed and corrected. Councilman Yeates expressed concern that the proposed new Cache County Comprehensive Land Use Plan was not on the agenda for discussion and action. Yeates said that the citizens of the County will start to question the Councils credibility, because we told them that the Plan would be on the next Council meetings agenda. Chairman Gibbons said that he left it off because the agenda was full and Council members didn't have the opportunity to review the new language proposed by Councilman Beck. Gibbons assured the Council that the Cache County Comprehensive Land Use Plan will be on the next meetings agenda.

The minutes of the regular Council meeting held on December 9, 1997 were discussed, corrected and approved.

REPORT OF THE COUNTY EXECUTIVE

The following items were presented by the County Executive, M. Lynn Lemon.

1. Planning Commission & Board of Adjustment members recognized: The following County Planning Commission member and Board of Adjustment members were recognized for their service to the County.

Clawson, Dixie, for 7 years of service on the Planning Commission
Van Noy, Jay, for 11 years of service on the Board of Adjustments.
Allen, Benon, for 20 years of service on the Board of Adjustments.

Clawson was present to receive a recognition plaque, Allen and Van Noy will be presented a plaque during the next Board of Adjustments meeting.

2. Needs assessment: The approved County building needs assessment that is being done by Jensen, Haslam Inc. will be completed with in the next 90 days. Lemon reported that they are trying to work with the State Courts to come together with them on the needs of the Court building being rented from the County. A meeting to kick off the needs assessment will be held on Friday, January 16, 1998.

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3. Cloud Seeding: Lemon reported that cloud seeding in the county has been going on since December 1. Our present percent of average is now near 90 percent. Just two weeks ago it was only 50 percent. Lemon will continue to keep the Council informed concerning cloud seeding in the County.

4. North Logan City Library: A letter has been received from North Logan's new mayor, Jack Draxler asking for County & Community input as they go forward with their new Library.

5. Appointments:

The following have been recommended for appointments:

Appointment: Baird, Tony C. appointed deputy County Attorney

Appointment: Ward, Bruce G. appointed deputy County Attorney

Appointment: McMahon, John Michael appointed deputy County Sheriff

Appointment: Lamm, Joel Shay appointed deputy County Sheriff

Appointment: Howell, Kathleen appointed alternate Grievance Committee member

Vice Chairman Yeates moved to approve the appointments. It was seconded and carried unanimously.

6. Warrants: The County warrants for the following Periods were presented to the County Clerk for filing: 12/01/97, 12/06/97 to 12/11/97, 12/12/97 to 12/18/97, 12/19/97 to 12/23/97.

ALLIANCE FOR YOUTH, CACHE VALLEY'S PROMISE: CHRIS SMITH

Chris Smith, the county Volunteer Director, and member of the recently created Vision Team appeared before the Council to review that organizations attempt to prevent problems that are breaking down families and destroying the lives of our youth. Smith reviewed written goals and various methods they plan to use to accomplish the task

(See attachment #1)

The Council thanked Smith and her committee for their efforts to keep Cache County the way it is and to try and make it a better place to live.

ECONOMIC DEVELOPMENT REPORT: CLARK, JAY & THOMPSON, DOUG

The President of the Cache Chamber of Commerce and Director of the Cache Economic Development, Jay Clark and Past President Doug Thompson reported to the Council on what the

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Economic Development office accomplished in 1997 and what their goals are for 1998. Clark reviewed the need for a Economic Development Office and what they are doing to help local businesses to market their products. They also provide information to businesses that are interested in expanding their business and others who may be interested in locating a business in the county. The former President of the Chamber, Mayor Doug Thompson reviewed the portion of 1997 that he was Director. Both Clark and Thompson discussed the possible construction of a kitchen incubator in the area and obtaining a Local Economic Development Initiative (LEDI) grant to finance such a facilities construction. A kitchen incubator is used by local businesses to produce their food products so they can be sold commercially.

EMS BY-LAW CHANGES: DISCUSSION

Chairman Gibbons told the Council that there has been some revisions suggested to the Emergency Medical Services by-laws. A copy of the by-laws and suggested changes were given to Council members who were asked to review the changes. A meeting to further discuss the proposed changes will be held on the January 27th at 4:00 p.m. Council members were invited to attend the meeting and make recommendations if they so desire.

PERSONNEL POLICY REVISIONS: DISCUSSION

The County Executive, M. Lynn Lemon, told the Council that the proposed changes in the County Personnel Policy have not been prepared in final draft. Lemon would like to continue to meet with the Department Heads to get their recommendations before the draft is presented for Council review and approval.

PUBLIC HEARING: ROADS-LAND USE POLICY

A public hearing was convened at 6:00 p.m. to receive public input on proposed changes to the County Land Use Road Policy. Chairman Gibbons asked the Zoning Administrator, Lorene Greenhalgh to review the proposed changes to the present County Road Policy. Greenhalgh said that the intent of the revisions to the Road Plan is to help clarify and define areas in the present Plan that would meet code and prevent future problems for road construction in the County. Greenhalgh said that she has worked with the County Executive, County Attorney and the County-Wide Planner to come up with what she calls the sixth draft. The Public was asked for comment.

Gardner, Alan , a Mendon resident, questioned the width of road requirements when it is impossible to make them wider due to existing canals, utilities, etc. Gardner also expressed concern about road safety and proper marking to file proper accident reports.

Peragallo, Nadra, a county resident near Hyrum, expressed concern about road requirements

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that are causing single families who want to build homes to sell off other property to pay for the road improvements. Peragallo would like to see the road policy requirements for single family dwellings kept to a minimum so that other property doesn't have to be sold to build expensive roads.

Bigelow, Dave, from Paradise, said that the 6th draft is good and is going in the right direction and should be adopted. Councilman Anhder questioned the 50 foot deeded right-of-way on a private road that is longer than 150 feet. Anhder doesn't have a problem with the required 20 foot wide hard surface but doesn't understand the need for a 50 ft. right-of-way on a private road. The County-Wide Planner, Mark Tuescher, said it is a method that protects the County's future road building. Bigelow is suggesting that people who remodel or have a home burn down and want to rebuild shouldn't have to upgrade the roads. Tuescher said that State Code will allow the rebuilding of a home if burned down without any additional requirements. Fire truck turn around on private roads was also discussed.

Spicer, Marty, a local property developer, is concerned about allowing families to occupy their home until the roads have been completed. Executive Lemon said that by law the County Building Inspector has to allow occupancy when a home is completed. Performance bonding for road construction before occupancy was discussed. Spicer said that contractors building season is cut short because of problems with road construction and obtaining bonds.

Another draft of the road ordinance, with additional changes, will be made for review by the Council.

A motion to close the Public Hearing was made by Councilman Petersen. It was seconded and carried unanimously.

PUBLIC HEARING: SURPLUS PROPERTY-NIBLEY INDUSTRIAL PARK

A public hearing was convened at 6:45 p.m. to receive public input concerning declaring a parcel of property in the Nibley Industrial Park as surplus. Executive Lemon explained that the property in question was picked up by the County during the May Tax Sale. The property was owned by the Steve Huff family.

Chairman Gibbons asked for public comment.

Stones, Tamra, the County Auditor, said that the property should be declared surplus to allow the property to be put back on the County tax role.

Summers, Zan, representing the Huff family, said that the family wants the County to declare the property surplus and give them a chance to buy the property back.

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There was no further public comment and Councilman Skanchy moved to close the public hearing. It was seconded and carried unanimously.

The Council discussed the value and location of the property. Executive Lemon said that the property should be sold for fair market value.

A motion to declare the property as surplus was made by Councilman Yeates. It was seconded and carried unanimously.

Executive Lemon will negotiate the property sale and draft a resolution for Council approval.

BOARD OF EQUALIZATION

The Council adjourned from the regular Council meeting into a Board of Equalization.

The Board of Equalization discussed recommendations from the County Assessor, Treasurer and Auditor to cancel roll back taxes on three parcels of property.

The J. Ross & Cloteel C Larsen TRS was discussed by the Council.

(See attachment #2)

A motion to approve the Larsen recommendation was made by Board member Skanchy. It was seconded and carried unanimously.

The Board considered two other roll back requests from N. George & Mindy Daines.

The County Auditor, Tamra Stones, reviewed the two Daines requests.

(See attachment #3)

Board member Anhder expressed concern that the county is requiring \$2,500.00 in roll back taxes when the Daines family gave the property to Providence City for a park.

Board member Anhder moved to have the Daines pay all taxes including penalty and interest on their home but delete roll back tax including penalty and interest on the 2.93 acres they gave to Providence City. The motion failed with out being seconded.

Board member Skanchy made a motion to approve the recommendation from the

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County Treasurer , Auditor and Assessor charging the Daines the \$2,550.28 in rollback taxes and cancel the penalty and interest. It was seconded and passed 6 "Yes" to 1 "No". Anhder voted no.

Executive Lemon told the Board that Larsen's were appealing both the rollback tax and the taxes that were charged on their property because it was pulled out of greenbelt and revalued. The additional tax is \$766.75 of which they have paid \$23.10 which is approximately what they paid in taxes the prior year. He sated that the City of Logan had agreed to pay the difference if the Board did not cancel the difference. It was determined that the original motion to cancel the Larsen rollback taxes should stand but that the City of Logan be asked to pay the difference

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

RESOLUTION NO. 98-01: TAX AND REVENUE ANTICIPATION NOTES

The adoption of Resolution No. 98-01 will approve working with UAC together with certain other counties in the State to issue the County \$4,100,000 in tax anticipation notes.

A motion to adopt Resolution No. 98-01 was made by Councilman Anhder. It was seconded by Vice Chairman Yeates. The motion carried unanimously.

Resolution No. 98-01 will not appear in the minutes as an attachment due to its size but will be on file in the County Clerks office.

RESOLUTION NO. 98-02: CHILDREN'S JUSTICE CENTER LOAN FUND

Chairman Gibbons read the resolution to the Council explaining that the resolution approves a start up loan of \$5000.00 to the Children's Justice Center organization to be used for operating costs.

Councilman Pulsipher made a motion to waive the rules and adopt Resolution No.98-02. It was properly seconded.

Some Councilmen suggested that the \$5,000.00 loan be given as donation to the CJC. Executive Lemon said that would be nice but where do we stop giving. Others have asked for a donation and have been denied because of the lack of funding in the budget.

Councilman Pulsipher revised his original motion to give the CJC the \$5,000.00. A question of the revised motion was call for. The motion failed on a vote of 3 "Yes" to 4 "No" Councilmen Skanchy, Beck, Petersen & Anhder voted no.

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The Council discussed the pay back process for the \$5,000. Some suggested a two year period and others thought that it would take longer.

Councilman Anhder made a motion to adopt Resolution No. 98-02 including language that would require the pay back of the loan in two years. The motion was seconded and passed on a vote of 6 "Yes" to 1 "No". Skanchy voted no.

(See attachment #4)

RESOLUTION NO. 98-03: BRIDGERLAND ICE ARENA

Resolution No. 98-03 if adopted would give council support to the proposed Bridgerland Ice Arena construction project. The resolution was read aloud by Vice Chairman Yeates. The project manager, Janet Borg, told the council that there is no intent to ask the County for funding. Box Elder County and Logan City have also been asked to adopt a resolution supporting the Bridgerland Community Ice Arena (BCIA). Some Council members expressed concern that adopting the resolution may involve the county financially. Others wanted to see what the \$100,000.00 CDBG money has been used for. The Resolution will be on the next agenda for further discussion and action.

COUNCILMAN LEFT MEETING: COUNCILMAN ANHDER LEFT THE MEETING AT 7:40 p.m..

BOARD OF TRUSTEES MEETING SOLID WASTE SERVICE AREA NO.1

Council member Skanchy made a motion to adjourn from the regular Council meeting into a meeting of the Board of Trustees Service Area No. 1. It was seconded and carried unanimously.

RESOLUTION NO. 98-01: SOLID WASTE RATE INCREASE

The Board of Trustees of Solid Waste Service Area No. 1 met to consider a Resolution that would increase fees for special handling of medical and infectious and dead animals. Roger Sunada explained the reasons why the increase in fees are necessary. Sunada said that the Advisory Board and Logan City have approved the fee increase. Some discussion about figures being correct on the resolution. It was determined that the figures on the Logan City resolution were correct and the figures would be corrected on resolution No. 98-01 to match.

(See attachment #5)

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A motion to waive the rules and adopt Resolution No. 98-01 was made by Trustee Petersen. It was seconded and carried unanimously with Trustee Beck abstaining.

A motion to adjourn from the Board of Trustee's meeting back into the regular council meeting was made by Trustee Skanchy. It was seconded and carried unanimously.

BUREAU OF LAND MANAGEMENT LAND EXCHANGE: DISCUSSION

Executive Lemon, told the Council that the Bureau of Land Management is requesting comment on their proposal to exchange 80 acres of land East of Richmond for ground in Washington County to provide protection for the Desert Tortoise. It was the consensus of the Council that they didn't have any objection to the land exchange. Executive Lemon will draft a letter to BLM stating the Council's position.

ECONOMIC DEVELOPMENT INITIATIVE GRANT-LOCAL: DISCUSSION

Executive Lemon reported to the Council that he has responded by memorandum to the Local Economic Development Initiative Review Committee asking for a L.E.D.I. grant.

(See Attachment #6)

The grant will be used to develop the proposed County Kitchen Incubator.

UDOT ANNUAL VISIT: JANUARY 21, 1998-9:00 a.m.

Council members were notified and asked to attend the UDOT annual visit to Cache County on January 21, 1998 at 9:00 a.m. in the County Council Chambers. They will be discussing future projects in the County.

COUNCIL MEMBER APPOINTMENTS: DISCUSSION

After some discussion by Council members it was decided that Council members would continue with the same committee appointments that they now have. Council members were asked to discuss any changes in their appointments with the County Executive if they so desire.

COUNCIL MEMBER PROJECTS FOR 1998: DISCUSSION.

Council members were asked what projects they would like to see completed in 1998. Council member Skanchy would like to see the building needs assessment on a new building completed.

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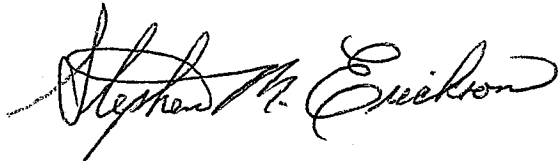
COUNCIL MEMBER REPORTS

Councilman Beck: The Land Use Plan that has been drafted contains his proposed new language and he is satisfied with the wording. Council member Skanchy expressed concern about some of the language that deals with dictating what can be done with property. Skanchy said that if we pass ordinances we are dictating what we can do. Chairman Gibbons told the Council that a resolution to adopt the Land Use Plan will be on the next meetings agenda.

Council member Skanchy: Survey on inter-governmental relations should be done by the administration. Executive Lemon will follow up on the survey and make appropriate comments.

ADJOURNMENT

No further business was presented and Chairman Gibbons adjourned the meeting at 8:20 p.m..



ATTEST: Stephen M. Erickson
Cache County Clerk



APPROVAL: Darrel L. Gibbons
Council Chairman

DELINQUENT PROPERTY TAX RECOMMENDATION FORM

NAME: J. Ross & Cloteel C Larsen TRS

Parcel Number: 04-081-0006

LEGAL DESCRIPTION:

BEG 26 FT S OF NE COR LOT 6 BLK 6 PLAT D LOGAN FARM SVY & TH S 188.5 FT TH W 68 RDS TH NE'LY ALG E R/W LINE OF UT N'RN RR TO A PT 26 FT S OF N LINE LOT 5 SD BLK 6 TH E TO BEG CONT 4.97 AC M/L (1997 legal description)

REASON FOR RECOMMENDATION: The rollback was assessed on this parcel when the City of Logan needed land to widen the road. The original acreage was 5.64. The City took 0.67 acre and this caused the Larsen property to 4.97 acre and triggered the removal from greenbelt status. The rollback was amount is \$ 878.00. During 1997 the City returned 0.04 acre of property to the Larsen's so the parcel could again qualify for greenbelt status. Because this problem occurred due to the actions of the City of Logan the owners request that the rollback amount of \$878.00 be canceled. The County Assessor also recommends this amount be canceled.

Attached: Redemption Entry, Tax Roll record, rollback calculation and plat map

Recommended by:

Kathleen L. Howell

Cache County Assessor
Title

Approved by:

M. Lynn Benson

Cache County Executive
Title

Final Approval:

David L. Gibson

Cache County Council Chairman

Date: January 13, 1998

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Attached: Redemption Entry, Tax Roll record, rollback calculation and plat map

Recommended by:

Cache County Assessor
Title

Approved by:

M. Suzanne Benson

Cache County Executive
Title

Final Approval:

Carol L. Gibbons

Cache County Council Chairman

Date: 1/13/98

DELINQUENT PROPERTY TAX RECOMMENDATION FORM

NAME: N. George & Mindy Daines

Parcel Number: 02-113-0077

LEGAL DESCRIPTION:

BEG AT SE COR OF NW/4 OF NE/4 SEC 14 T 11N R 1E N 1935.98 FT N 90° W 2845.96 FT TO TRUE POB ON S SIDE OF 300 S ST TH S 1°21'46" W 628.91 FT TH ALONG FENCE LNE N 87°07'56"W 116.47 FT S 87°31'08" W 201.17 FT TH ALONG FENCE LNE N 88°14'47" W 339.94 FT N 32°46'47" W 7.5 FT N 49°02'17"W 37.37 FT N 49°50'25"W 41.31 FT N 80°05'31"W 21.40 FT N 65°48'13"W 24.46 FT N 1°58'09"E 581.53 FT TH ALONG FENCE LNE S 88°41'10"E 415.83 FT S 1°19'15"W 13.67 FT S 88°40'45"E 344 FT TO BEG CONT 11.14 AC

LESS: BEG N 88°36'37" W 374.1 FT & N 0°41'48" E 23.85 FT FROM NW COR EDGEWOOD HALL ESTATES PLAT G & ON S LN OF 300 S ST & TH S 0°41'48" W 160 FT TH S 88°44'51" E 46 FT TH S 249 FT ALG W LN OF 20 FT R/W TH NWLY ALG SD R/W 125 FT TH N 219 FT TH N 88°44'51" W 107.59 FT TO E CUT LINE OF DIRT ROAD TH ALG CUT LINE IN 6 COURSES: N 22°12'25" W 27.45 FT N 25°56'43" W 25.39 FT N 41°26'27" W 15.86 FT N 43°12'45" W 27.49 FT N 33°35'10" W 25.74 FT N 15°18'11" W 62.41 FT TO S LN OF 300 S ST TH S 88°44'51" E 270.07 FT ALG ROAD TO BEG. CONT 0.86 AC NET 10.29 AC

LESS: 2.93 AC TO PROVIDENCE CITY IN BK 512 PG 647 NET 7.36 AC M/L SUBJ TO 33 FT R/W 593/336 NET 6.69 AC M/L LESS: BEG 308 FT N 88°36'37" W OF PT 9.41 FT N 1°21'46" E OF NW COR EDGEWOOD HALL EST PLAT "G" & TH S ALG THE E LN OF 33 FT R/W 220.33 FT TO TRUE POB TH S 137 FT ALG E LN OF R/W TH E 108 FT TO W LN OF PROVIDENCE CITY ST TH NLY ALG SD W LN 137 FT TO PT 108 FT E OF TRUE POB TH W 108 FT TO TRUE POB CONT 0.34 AC NET 6.35 AC M/L (This is the 1997 legal description)

REASON FOR RECOMMENDATION: The rollback was assessed on this parcel (originally 10.29 acres) when the State Tax Commission audited the greenbelt properties and a notice was sent recommending removal from greenbelt status. The amount due on this property for rollback tax is \$8,974.00. The 1992 property taxes are delinquent on the home and land in the amount of \$5,887.99. Penalty and interest have accrued since 1992 and the amount due, as of January 7, 1998, is \$21,897.13. In 1989 the owner gave 2.93 acres of the original parcel to the City of Providence for a park. The deed was not recorded until January 6, 1992. There should have been a rollback tax assessed when this transaction occurred. The owner also insists that the property still qualified for greenbelt status in 1992. In 1993 the law changed and allowed a window to withdraw acreage from greenbelt without rollback penalty. The County Assessor, Auditor and Treasurer recommend that the rollback tax of \$6,418.72 be canceled leaving a balance due of \$2,555.28 plus penalty and interest for the 2.93 acres of the property given to Providence City for the Park.

Attached: Redemption Entry and Tax Roll record

Recommended by:

Kathleen P. Howell

Cache County Assessor
Title

Approved by:

M. Lynn Larson

Cache County Executive
Title

Final Approval:

Nancy G. Johnson

Cache County Council Chairman

ES.
1998

3

Date: January 13, 1998

DELINQUENT PROPERTY TAX RECOMMENDATION FORM

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Parcel Number: 02-113-0077

LEGAL DESCRIPTION:

BEG AT SE COR OF NW/4 OF NE/4 SEC 14 T 11N R 1E N 1935.98 FT N 90* W 2845.96 FT TO TRUE POB ON S SIDE OF 300 S ST TH S 1*21'46" W 628.91 FT TH ALONG FENCE LNE N 87*07'56"W 116.47 FT S 87*31'08" W 201.17 FT TH ALONG FENCE LNE N 88*14'47" W 339.94 FT N 32*46'47" W 7.5 FT N 49*02'17"W 37.37 FT N 49*50'25"W 41.31 FT N 80*05'31"W 21.40 FT N 65*48'13"W 24.46 FT N 1*58'09"E 581.53 FT TH ALONG FENCE LNE S 88*41'10"E 415.83 FT S 1*19'15"W 13.67 FT S 88*40'45"E 344 FT TO BEG CONT 11.14 AC

LESS: BEG N 88*36'37" W 374.1 FT & N 0*41'48" E 23.85 FT FROM NW COR EDGEWOOD HALL ESTATES PLAT G & ON S LN OF 300 S ST & TH S 0*41'48" W 160 FT TH S 88*44'51" E 46 FT TH S 249 FT ALG W LN OF 20 FT R/W TH NWLY ALG SD R/W 125 FT TH N 219 FT TH N 88*44'51" W 107.59 FT TO E CUT LINE OF DIRT ROAD TH ALG CUT LINE IN 6 COURSES: N 22*12'25" W 27.45 FT N 25*56'43" W 25.39 FT N 41*26'27" W 15.86 FT N 43*12'45" W 27.49 FT N 33*35'10" W 25.74 FT N 15*18'11" W 62.41 FT TO S LN OF 300 S ST TH S 88*44'51" E 270.07 FT ALG ROAD TO BEG CONT 0.86 AC NET 10.29 AC

LESS: 2.93 AC TO PROVIDENCE CITY IN BK 512 PG 647 NET 7.36 AC M/L SUBJ TO 33 FT R/W 593/336 NET 6.69 AC M/L
LESS: BEG 308 FT N 88*36'37" W OF PT 9.41 FT N 1*21'46" E OF NW COR EDGEWOOD HALL EST PLAT "G" & TH S ALG THE E LN OF 33 FT R/W 220.33 FT TO TRUE POB TH S 137 FT ALG E LN OF R/W TH E 108 FT TO W LN OF PROVIDENCE CITY ST TH NLY ALG SD W LN 137 FT TO PT 108 FT E OF TRUE POB TH W 108 FT TO TRUE POB CONT 0.34 AC NET 6.35 AC M/L (This is the 1997 legal description)

REASON FOR RECOMMENDATION: The rollback was assessed on this parcel (originally 10.29 acres) when the State Tax Commission audited the greenbelt properties and a notice was sent recommending removal from greenbelt status. The amount due on this property for rollback tax is \$8,974.00. The 1992 property taxes are delinquent on the home and land in the amount of \$5,887.99. Penalty and interest have accrued since 1992 and the amount due, as of January 7, 1998, is \$21,897.13. In 1989 the owner gave 2.93 acres of the original parcel to the City of Providence for a park. The deed was not recorded until January 6, 1992. There should have been a rollback tax assessed when this transaction occurred. The owner also insists that the property still qualified for greenbelt status in 1992. In 1993 the law changed and allowed a window to withdraw acreage from greenbelt without rollback penalty. The County Assessor, Auditor and Treasurer recommend that the rollback tax of \$6,418.72 be canceled leaving a balance due of \$2,555.28 with no penalty and interest for the 2.93 acres of the property given to Providence City for the Park.

Attached: Redemption Entry and Tax Roll record

Recommended by:

Kathleen C. Howell

Cache County Assessor
Title

Approved by:

M. Lynn Loman

Cache County Executive
Title

Final Approval:

Garret L. Sebbers

Cache County Council Chairman

Date: 1/13/98

DELINQUENT PROPERTY TAX RECOMMENDATION FORM

NAME: N. George & Mindy Daines

Parcel Number: 02-113-0059

LEGAL DESCRIPTION:

BEG AT A PT WHICH LIES N 892.47 FT & W 3396.17 FT FROM SE COR OF NW/4 OF NE/4 SEC 14 T 11N R 1E TH S 79*36' 48"E 37.25 FT S 70*11'27"E 112.12 FT S 77*24'52"E 120.32 FT S 67*09'59"E 13.3 FT N 28*36'34"E 271.92 FT TO POB N20*50'56"E 262.23 FT N88* 17'33"W 76.44 FT N89*26'46"W 201.01 FT N 88*14'47"W 339.94 FT N 32*46' 47"W 7.50 FT N 49*02'17"W 37.37 FT N 49*50'25"W 41.31 FT N 80*05'31"W 21.40 FT N 65*48'13"W 24.46 FT S 1* 58'11" W 14.95 FT TO PT N 1*58'09"E 34.4 FT OF N BROW OF DRY HOLLOW TH S 50*29'2" E 105.1 FT TH S 39*15' 26" E 212.7 FT TH S 66*44'54" E 41.1 FT TH S 56*22'48" E 147.29 FT TH S 71*35'24" E 221.33 FT TH N28* 36'34" E 95.02 FT TO TRUE POB SUBJ TO & WITH R/W'S SEE RECORD CONT 3.2 AC LESS: BEG S 20*09'18" W 8.03 FT FROM NW COR LT 1 EDGEWOOD HALL ESTATES PLAT H & TH S 20*09'18" W 161.64 FT TH W 32.34 FT TH N 20*09'18" E 161.64 FT TH E 32.34 FT TO BEG CONT 0.11 AC LESS: BEG 15.34 FT W OF NW COR LT 2 EDGEWOOD HALL ESTATES PLAT H & TH E 15.34 FT TH S 20*09'18" W 83.16 FT TH N 9*40'39" E 79.19 FT TO BEG CONT 0.01 AC NET 3.08 AC LESS: BEG 92.1 FT W & S 20*9'18" W 8.03 FT FROM NW COR LT 1 EDGEWOOD HALL EST PLT "H" & TH 51.08 FT ALG CURVE TO RIGHT (R=68 FT) ALG W LN OF PROVIDENCE PROP (512/647) TH S 67*50' W 100 FT TH SWLY 245 FT M/L TO PT 170.33 FT N 71*35'24" W OF PT 86.91 FT S 29*34'14" W OF PT 101.27 FT S 20*09'18" W OF NW COR LT 2 SD SUBD TH S 71*35'24" E 170.33 FT TO W LN OF SD SUBD TH N 29*34'14" E 86.91 FT TH NLY TO PT 161.64 FT S 20*09'18" W OF PT 57.6 FT E OF BEG TH N 20*09'18" E 161.64 FT TH W 57.6 FT TO BEG CONT 1.27 AC M/B NET 1.81 AC M/L (1997 legal description)

REASON FOR RECOMMENDATION: The rollback was assessed on this parcel when the State Tax Commission audited the greenbelt properties and a notice was sent recommending removal from greenbelt status. The amount due on this property for rollback tax is \$487.00. The 1992 property taxes are delinquent, in the amount of \$278.84. Penalty and interest have accrued since 1992 and the amount due, as of January 7, 1998, is \$1,125.78. The owner also insists that the property still qualified for greenbelt status in 1992. In 1993 the law changed and allowed a window to withdraw acreage from greenbelt without rollback penalty. The County Assessor, Auditor and Treasurer recommend that the rollback tax of \$487.00 be canceled leaving a balance due of \$278.84 plus penalty and interest.

Attached: Redemption Entry and Tax Roll record

Recommended by:

Kathleen P. Howell

Cache County Assessor
Title

Approved by:

M. Lynn Benson

Cache County Executive
Title

Final Approval:

Barret L. Gibbons

Cache County Council Chairman

Date: January 13, 1998

DELINQUENT PROPERTY TAX RECOMMENDATION FORM

NAME: N. George & Mindy Daines

Parcel Number: 02-113-0059

LEGAL DESCRIPTION:

BEG AT A PT WHICH LIES N 892.47 FT & W 3396.17 FT FROM SE COR OF NW/4 OF NE/4 SEC 14 T 11N R 1E TH S 79*36' 48"E 37.25 FT S 70*11'27"E 112.12 FT S 77*24'52"E 120.32 FT S 67*09' 59"E 13.3 FT N 28*36'34"E 271.92 FT TO POB N20*50'56"E 262.23 FT N88* 17'33"W 76.44 FT N89*26'46"W 201.01 FT N 88*14'47"W 339.94 FT N 32*46' 47"W 7.50 FT N 49*02'17"W 37.37 FT N 49*50'25"W 41.31 FT N 80*05'31"W 21.40 FT N 65*48'13"W 24.46 FT S 1* 58'11"W 14.95 FT TO PT N 1*58'09"E 34.4 FT OF N BROW OF DRY HOLLOW TH S 50*29'2" E 105.1 FT TH S 39*15' 26" E 212.7 FT TH S 66*44'54" E 41.1 FT TH S 56*22'48" E 147.29 FT TH S 71*35'24" E 221.33 FT TH N28* 36'34" E 95.02 FT TO TRUE POB SUBJ TO & WITH R/W'S SEE RECORD CONT 3.2 AC LESS: BEG S 20*09'18" W 8.03 FT FROM NW COR LT 1 EDGEWOOD HALL ESTATES PLAT H & TH S 20*09'18" W 161.64 FT TH W 32.34 FT TH N 20*09'18" E 161.64 FT TH E 32.34 FT TO BEG CONT 0.11 AC LESS: BEG 15.34 FT W OF NW COR LT 2 EDGEWOOD HALL ESTATES PLAT H & TH E 15.34 FT TH S 20*09'18" W 83.16 FT TH N 9*40'39" E 79.19 FT TO BEG CONT 0.01 AC NET 3.08 AC LESS: BEG 92.1 FT W & S 20*9'18" W 8.03 FT FROM NW COR LT 1 EDGEWOOD HALL EST PLT "H" & TH 51.08 FT ALG CURVE TO RIGHT (R=68 FT) ALG W LN OF PROVIDENCE PROP (512/647) TH S 67*50' W 100 FT TH SW/LY 245 FT M/L TO PT 170.33 FT N 71*35'24" W OF PT 86.91 FT S 29*34'14" W OF PT 101.27 FT S 20*09'18" W OF NW COR LT 2 SD SUBD TH S 71*35'24" E 170.33 FT TO W LN OF SD SUBD TH N 29*34'14" E 86.91 FT TH N'LY TO PT 161.64 FT S 20*09'18" W OF PT 57.6 FT E OF BEG TH N 20*09'18" E 161.64 FT TH W 57.6 FT TO BEG CONT 1.27 AC M/B NET 1.81 AC M/L (This is the 1997 legal description)

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Attached: Redemption Entry and Tax Roll record

Recommended by:

Cache County Assessor
Title

Approved by:

M. Kaye Lennan

Cache County Executive
Title

Final Approval:

Darrel L. Gibbons

Cache County Council Chairman

Date: 1/19/98

CACHE COUNTY

RESOLUTION NO. 1998 - 02

A RESOLUTION AUTHORIZING AN INTER-FUND LOAN TO PROVIDE OPERATING CAPITAL FOR THE CACHE COUNTY CHILDREN'S JUSTICE CENTER.

The County Council of Cache County, Utah, in a regular meeting, lawful notice of which has been given, finds as follows:

WHEREAS, Cache County has agreed to be the sponsoring entity for the Cache County Children's Justice Center; and

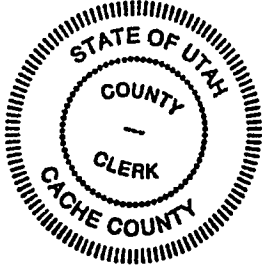
WHEREAS, the Cache County Children's Justice Center has been awarded a grant of Federal funds, in the sum of \$30,000.00, by the Utah Attorney General's Office, to provide start-up capital for the operating expenses of the Children's Justice Center; and

WHEREAS, the terms of said grant require that expenditures first be made, and then reimbursed through the Utah Attorney General's Office from the grant funds; and, therefore, that some initial start-up capital is needed to begin the operation of the Children's Justice Center,

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

1. The Cache County Auditor is hereby authorized to appropriate the sum of \$5,000.00 from the County General Fund to the Children's Justice Center Fund, for the purpose of providing initial start-up capital for the Children's Justice Center, which funds will then be reimbursed from the Federal grant funds. Reimbursement will be done within two years from January 13, 1998.
2. The Cache County Executive is hereby authorized to execute the Contract with the Utah Attorney General's Office which will authorize the reimbursement from the Federal grant funds of expenditures made by Cache County on behalf of the Children's Justice Center.
3. This Resolution will take effect immediately upon adoption.

This Resolution was adopted by the Cache County Council on the 13th day of January, 1998.



CACHE COUNTY COUNCIL

By: *David L. Gibbons*
Chair

ATTEST:

Stephen M. Erickson
Stephen M. Erickson
Cache County Clerk

BOARD OF TRUSTEES
COUNTY SERVICE AREA NO. 1

RESOLUTION NO. 98-01

A RESOLUTION APPROVING A CHANGE IN FEES COLLECTED FOR THE SERVICE AREA NO. 1 FOR SPECIAL HANDLING, MEDICAL AND INFECTIOUS WASTE, AND DEAD ANIMALS.

The Board of Trustees of COUNTY SERVICE AREA NO. 1, in a regular meeting, lawful notice of which has been given, finds that it is in the interest of the citizens of Cache County to have the rates adjusted as recommended by the Solid Waste Advisory Board.

THEREFORE, the Board of Trustees hereby adopts the following resolution:

BE IT RESOLVED that

Section 1: The following charges shall become effective on date signed for Medical and Infectious Waste.

Minimum Fee: up to .5 cubic yard or 100 gallons in volume, standard size "black beauty" dumpster	\$ 6.00/load
If load is greater than .5 cubic yard	\$12.00/cu. yd.

Section 2: The following charges shall become effective on date signed for hydrocarbon contaminated soil fees.

Hydrocarbon contaminated soil fees	\$18.50 ton tipping
1000 ppm in accordance with Landfill Hazardous Waste	Fee (TP) plus
Disposal Procedures	\$11.50 ton (SH)

Section 3: The following charges shall become effective on date signed for stumps of trees.

Stumps of Trees	\$18.50 (TP) plus ^{ton}
	\$11.50 ton (SH)

Section 4: The following charges shall become effective on date signed for sludge and animal by-products.

Sludge and Animal By-Products	\$18.50 ton (TP) plus
	\$11.50 ton (SH)

Section 5: The following charges shall become effective on date signed for any other items requiring special handling.

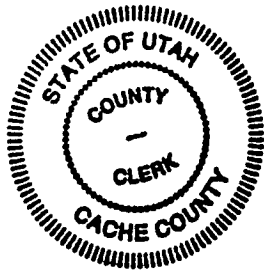
Any other items requiring special handling

\$18.50 ton (TP) plus
\$11.50 ton (SH)

Section 6: Effective Date.

This resolution shall become effective immediately upon adoption.

This resolution was adopted by the Board of Trustees on the 13th Day of January 1998, at Logan, Cache County, Utah.



CACHE COUNTY COUNCIL

By: David L. Gibbons
Chairman

ATTEST TO:

Stephen M. Erickson
Stephen M. Erickson, County Clerk

**CITY OF LOGAN
RESOLUTION NO. 97-72 REVISED**

A RESOLUTION ENACTING SOLID WASTE SPECIAL HANDLING FEES

BE IT RESOLVED BY THE MUNICIPAL COUNCIL OF THE CITY OF LOGAN AS FOLLOWS:

SECTION 1: The following Solid Waste Special Handling Fees are hereby adopted as follows:

- | | |
|--|--|
| A. Medical and Infectious Waste
Minimum fee: up to .5 cubic yard or 100 gallons
in volume, standard size "black beauty" dumpster | \$6.00/load |
| If load is greater than .5 cubic yard | \$12.00/cu. yd. |
| B. Hydrocarbon contaminated soil fees
1000 ppm in accordance with Landfill Hazardous Waste
Disposal Procedures | \$18.50 ton tipping
fee (TP) plus
\$11.50 ton (SH) |
| C. Stumps of Trees | \$18.50 ton (TP)
plus
\$11.50 ton (SH) |
| D. Sludge and Animal By-Products | \$18.50 ton (TP)
plus
\$11.50 ton (SH) |
| E. Any other items requiring special handling | \$18.50 ton (TP)
Plus
\$11.50 ton (SH) |

SECTION 2: Effective Date. This resolution shall become effective upon adoption by the Cache County Council.

PASSED BY THE LOGAN MUNICIPAL COUNCIL, STATE OF UTAH THIS 17th
OF December, 1997.

Alan D. Allred
Alan D. Allred, Chairman

ATTEST:
Lois Price
Lois Price, City Recorder

December 11, 1997

To: Local Economic Development Initiative Review Committee

From: Lynn Lemon, Cache County Executive
Darrel L. Gibbons, Cache County Council Chairman

Re: Local Economic Development Initiative Grant for Cache
Economic Development

The Cache Economic Development plan has been modified this year to focus more on helping existing businesses succeed. This revision was assisted substantially by the grant received in 1997 from the L.E.D.I committee. To continue this re-focus we respectfully submit the following proposal.

1. A study of the implementation of a Kitchen Incubator in Cache Valley. The study team would be coordinated through the office of Technology Commercialization at Utah State University and would be charged with determining impact on: Other Incubator programs in Cache Valley, potential users, USU and other Institutional Food Services, and existing businesses.

\$4,000

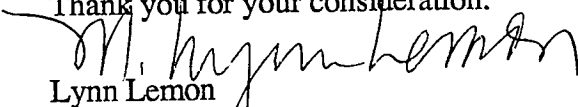
2. Develop a business plan based on the information from the study to establish a Kitchen Incubator. Have this plan include an advisory board involving leaders from the community, Utah State University and businesses.

\$4,000

3. A study to determine the feasibility of the implementation and distribution of (S.B.-94) sales tax-county option for public recreational facilities. The study would focus on the needs of users of Cache Valley recreation and cultural facilities, both existing and proposed, public and private. An advisory Board consisting of County Council members and local leaders would be established.

\$5,000

Thank you for your consideration.


Lynn Lemon

Cache County Executive