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## CACHE COUNTY COUNCIL MEETING MINUTES

June 23, 1998

The Cache County Council met in a regular session on June 23, 1998 in the County Council Chambers located at 120 North 100 West, Logan, Utah 84321.

### ATTENDANCE

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

Others present were: M. Lynn Lemon, County Executive, Stephen M. Erickson, County Clerk, Tamra Stones, County Auditor, Scott Wyatt, County Attorney, Tacy Christensen, Rodeo Queen Contest Director, Kent Parsons, State of Utah TV Translator Coordinator, members of the local news media and other interested citizens.

### CALL TO ORDER

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

### INVOCATION

The invocation was given by Vice Chairman, Cory Yeates.

### AGENDA & MINUTES

The agenda for the meeting was discussed, adjusted to delete item 9 a, discussion on closing 3700 North until negotiations with Hyde Park City are completed.

The minutes of the regular Council meeting held on June 9, 1998 were discussed, corrected and approved.

### REPORT OF THE COUNTY EXECUTIVE

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

1. Governors Meeting: Governor Leavitt, who will be speaking at the County Mayor's Association meeting on July 10, 1998 at 7:00 p.m. has also scheduled a meeting with County

Officials on that same day from 2:30 to 3:30 p.m. in the Council Chambers. The Governor has invited officials from Box Elder, Cache, Morgan, Rich & Weber Counties to attend the meeting.

2. Road Priority List: The State Transportation Commission will be in Logan on July 22<sup>nd</sup> to meet with local officials' concerning roads in the area. Lemon, is recommending that our current, 1998 Road Priority list be revised and updated before the Commission meeting. Lemon said, that the proposed road transfer from the State to Cities and Counties seems to be in limbo at the present time.

3. Bear River Health Department Property: Lemon, told the Council that the building expansion project at the Bear River Health Department requires that the property that is presently in the name of the County and the Bear River Health Departments names be combined into one name. A Resolution has been drafted giving the authority to the County Executive to quit claim deed the property to Cache County.

(See attachment #1)

**RESOLUTION NO. 98-21: QUIT CLAIM DEED-BEAR RIVER HEALTH DEPARTMENT**

**Councilman Anhder moved to waive the rules of first and seconded reading and adopt Resolution No. 98-21. It was seconded and carried unanimously.**

4. Salt Lake School District & State Tax Commission-Airline Lawsuit: An on going lawsuit by the Salt Lake School District challenging the distribution of airline property taxes by the State Tax Commission is still continuing and if Salt Lake School's win their suit our County could lose \$87,000.00 in property tax from the airlines. The Salt Lake City Schools say that the property tax that is paid by airlines using the Salt Lake Airport should all go to them instead of being distributed to other Counties in the State based on air miles.

5. Warrants: The county warrants for the periods of June 6 to the 11 and June 13 to June 19, 1998 were presented to the County Clerk for filing.

**TV TRANSLATOR UPDATE: PARSON, KENT**

Kent Parsons, who works through the University of Utah coordinating the TV translators in the State of Utah, updated the Council on his work in the State specifically addressing concerns about our TV translator. Parsons, told the Council that since the passage of the Balanced Budget Act in 1997 by Congress they have eliminated the TV channels above the number fifty nine. This will affect most counties in the State. Utah has six hundred TV translators and the proposal is to reduce that number by 20%. Parsons is trying to get the support of all the Counties in the State

to support his efforts to provide the best possible TV translator network available. He is asking for Council support, by signing a form letter to the Governor & the FCC supporting a proposed master plan drafted by Parsons. This would give him additional support as he meets with them to try and solve TV translator issues for the betterment of the State. Parsons, said that he has found that the signal coming to the present translator site is not as good as a site located near Clarkston. A representative from the Franklin County TV Translator District said, that Franklin County has installed a translator above Clarkston and have received much better TV reception. They transfer the signal from Clarkston to their station East of Preston which serves the citizens in Southern Idaho and Northern Utah. A representative for the KJAZZ TV Station in Salt Lake said, that they want to upgrade their TV reception to the County but are waiting for a better site where better reception is available. Parsons is recommending that the County put a temporary TV translator in Clarkston and Newton to test the reception and how it could serve the County.

**Councilman Anhder moved to thank Parsons for his work and to support his request for Council approval by signing the letter to be taken to the FCC and the Governor. It was seconded and carried unanimously.**

(See attachment #2)

**RODEO QUEEN INTRODUCTIONS: CHRISTENSEN, TACY**

The Director of the Rodeo Queen contest Tacy Christensen presented the 1998 Rodeo Queen royalty: Angie Burton, from Hooper, Utah is the Queen and her first attendant is Katie Nelson, from Bear River City, her second attendant is Trisha Parker, from Providence. The Queen and her attendants introduced themselves. Burton thanked the County for helping with the contest and she reviewed their activities for the summer. They will be attending most rodeo and parades in the area.

**CEMETERY DISTRICT-HYDE PARK: PUBLIC HEARING SET**

The County Auditor, Tamra Stones, told the Council that Hyde Park Cemetery District hasn't set a public hearing date to adopt their budget. After failed efforts to get them to set a hearing she is asking the County Council to set it for them.

**It was moved by Council member Skanchy to set the Hyde Park Cemetery Districts Public Hearing date on November 10, 1998 at 7:00 p.m. in the Hyde Park City Offices. It was seconded and carried unanimously.**

(See attachment #3)

**BOARD OF EQUALIZATION**

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

**CACHE COMMUNITY FOOD BANK TAX EXEMPT & DELINQUENT TAX  
REQUEST:**

The Community Food Bank is requesting that the County cancel delinquent property on their pantry.

(See attachment #4)

Auditor Stones reviewed the request and recommended its approval.

**Board member Yeates moved to approve the Food Panty's request. It was properly seconded and carried unanimously.**

**MOTOR VEHICLE APPEAL: BUDGE, RYAN**

Ryan Budge is appealing the taxes on his motor vehicle. The County Assessor, Kathleen Howell has sent a memo to the Board recommending that they deny the appeal because the assessment is according to state law.

(See attachment #5)

Board member Anhder moved to deny the appeal. It was seconded and carried unanimously.

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

**RIVER HEIGHTS 600 SOUTH/1000 EAST: INTER-LOCAL AGREEMENT**

Executive Lemon, reviewed a draft of a proposed inter-local agreement between the City of River Heights and the County regarding the use of a county road on 600 South and 1000 East. After the review and discussion on the proposed agreement it was determined that some changes were necessary.

**Council member Skanchy moved to have the agreement revised and put on the agenda for the next Council meeting for approval. It was seconded and carried unanimously.**

**GRANT APPROVAL PROCESS: DISCUSSION**

The Administration has drafted a proposed grant application process. The proposal was reviewed by the Council. Some changes were recommended. Auditor Stones, stated that all grants should include administrative costs. She said her office is being over loaded with a lot of extra work caused by the grants and her office should be compensated. The Council agreed that the grants should include administrative costs. Executive Lemon, will redraft the grant application process for Council review and approval during the next Council meeting.

**BUILDING NEEDS ANALYSIS: DISCUSSION**

Executive Lemon, told the Council, that he wants their input regarding county building needs before he attends another meeting with the Courts in early July. They will be discussing their future building intentions. The Courts have said, that they have looked at the electrical, structural, and plumbing needs of this building and have determined that the building will not meet their needs. Lemon said, that they maybe interested in the old court house and would build an extended building to the West. What to do with the Jail and this building has to be resolved. Lemon is recommending that a high quality analysis of the Jail and this building be conducted to help make a decision. Chairman Gibbons, suggested that the analysis be completed as soon as possible.

**VETERANS WAR MEMORIAL: DISCUSSION**

The Veterans War Memorial on the North East corner of the Old Court House grounds needs some major remodeling to make the names originally carved in stone readable. The names are of those veterans who died in war defending our country. Lighting and landscaping also needs a lot of work done to make the area more presentable for public view. Executive Lemon, reminded the Council that some matching money was budgeted to help pay for the remodeling. The Veterans have now found funding and are ready to begin. Lemon, asked for the Councils approval to use the county's budgeted money for the project.

**Council member Skanchy moved to approve the project and to use the money already budgeted. It was seconded and carried unanimously.**

**PARADES: HYRUM & LEWISTON 4<sup>TH</sup> OF JULY**

Council members were reminded of the 4<sup>th</sup> of July parades in Lewiston & Hyrum.

**JOINT MEETING: LOGAN CITY AND COUNTY COUNCIL**

The County Council and Logan City Council will hold a joint meeting on June 30, at 5:30 p.m. The agenda has been set and Council members were reminded to attend.

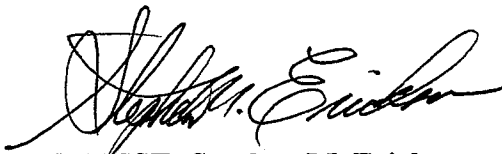
**COUNCIL MEMBER REPORTS**

Councilman C Larry Anhder: Anhder, reported on a meeting held earlier in the day of the Water Advisory Board. Board members were unanimous on a vote to begin an effort to establish a Water Conservation District in the County. A new law going into effect on September 15, 1998 will allow the issue to be placed on the ballot. Efforts are beginning to get it on the ballot for November 3, 1998, if possible. Chairman Gibbons said, that the County Water Policy Coordinator Thad Erickson should be thanked for his exceptional work as Water Coordinator for the County.

Council member Skanchy: Skanchy reported that the external audit is near completion and the budget committee will be meeting on Friday, June 26 at 1:00 p.m. to review the report.

**ADJOURNMENT**

Chairman Gibbons adjourned the meeting at 6:45 p.m..



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



**APPROVAL: Darrel L. Gibbons  
Council Chairman**

Cache County  
Resolution No. 98 - 21

**A Resolution approving the conveyance of real property to Cache County Corporation in order to combine Lot 4 and a portion of Lot 3 of the Deer Meadows Subdivision and authorizing the Cache County Executive and Cache County Clerk to execute necessary documents.**

The County Council of Cache County, Utah, in a regular meeting, lawful notice of which has been given, finds that the real property described in Exhibit "A" and in accordance with the provisions of the County Fiscal Procedure Ordinance and that the County Executive has determined that it is in the best interest to combine the real property for less than full market value, recommends that a Quit Claim be executed to complete this transaction and directs the County Executive to execute the same.

Now therefore, BE IT RESOLVED that:

Section 1: Approval of Combining Real Property

The Cache County Council concurs with the Cache County Executive's determination that it is in the best public interest to combine Lot 4 with a portion of Lot 3 in the Deer Meadows Subdivision and do so for less than full market value.

Section 2: Authorization

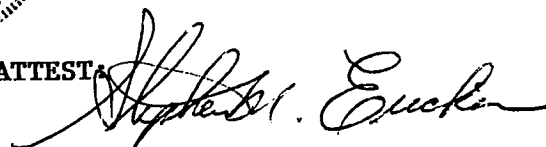
- A. The Cache County Clerk is authorized and directed to execute a quit claim deed conveying title of the real property described in the attached Exhibit "A" to Cache County Corporation and to deliver the deed to the Cache County Executive.
- B. The Cache County Executive is authorized to execute the quit claim.

Section 3: Effective Date


This resolution shall become effective immediately upon adoption.

This resolution was adopted by the Cache County Council on the 23rd Day of June, 1998.

ATTEST:

  
Stephen M. Erickson  
Cache County Clerk

Cache County Council

  
Darrel L. Gibbons  
Council Chairman

1



**“EXHIBIT A”**

All of Lot 4 and the East 225.70 feet of Lot 3, DEER MEADOWS SUBDIVISION, according to the official plat thereof, as recorded May 31, 1988, as Filing No. 512943, in the office of the Recorder of Cache County, Utah.

CACHE COUNTY  
CORPORATION

COUNTY COUNCIL

DARREL L. GIBBONS

CHAIRMAN

CORY YEATES

V. CHAIRMAN

SARAH ANN SKANCHY

C. LARRY ANHDER

GUY RAY PULSIPHER

H. CRAIG PETERSEN

LAYNE M. BECK

STEPHEN M. ERICKSON

CLERK

M. LYNN LEMON

COUNTY EXECUTIVE SURVEYOR

120 NORTH 100 WEST

LOGAN, UTAH 84321

Tel 435-752-5935

Fax 752-9169

June 25, 1998

Governor Michael O. Leavitt  
Utah State Capitol Building  
Salt Lake City, Utah 84114

Re: State of Utah TV Translator Master Plan  
May 30, 1998

Dear Governor Leavitt:

Cache County is the licensee of six (6) TV translator stations rebroadcasting local television signals to all communities in the county. The recent decision by the Federal Communications Commission to remove channels 60 to 69 from television service, and to assign four channels to Public Safety and six channels to auction, will have a tremendously negative impact on our complex translator network.

Future implementation of the new Digital TV Service for the full-power broadcast stations also impacts available channel selection and further complicates our ability to select new channels for our TV translators serving rural Utah. The FCC estimates that up to 17% of all translator stations nationwide could be lost because of this action. Our own studies indicate that this number is severely underestimated because "Daisy Chains" (one station relaying to another) were not taken into consideration.

Television translator engineers employed by the University of Utah have expended several hundred hours developing a method to alleviate this loss by designing the Statewide Master Plan, which includes every TV translator station in the State. The Federal Communications Commission is fully aware of the Master Plan for Utah, and openly encouraged this coordinated effort on May 15, 1998 at the National Translator Association Convention in Denver, Colorado. The FCC also remarked that this plan could not have been developed in Washington, D.C.

It has taken 41 years to develop the present TV translator system in our state, and our desire is to continue this service to our communities. After review of the Master Plan, we are convinced that virtually all existing services can be retained through cooperation of the licensees and entities involved.

One-fifth of the population in this State depend on television translators for local news, politics, etc.

weather, weather warnings, athletic events and religious functions. This intricate system has proven to be a vital asset for the outlying communities and is an important rural tie to the Wasatch Front.

WE ASK YOU TO SUPPORT THE "STATE OF UTAH TV TRANSLATOR MASTER PLAN", as your signature on the Plan would be further evidence of the importance of local television to the rural population of Utah. This document will then be sent to the Federal Communications Commission for their consideration.

Respectfully,



Darrel L. Gibbons, Chairman  
Cache County Council



M. Lynn Lemon  
Cache County Executive



Michael Breagger  
Cache County Technical Advisor

pwp.

Hyde Park Cemetery district has not set a public hearing date for the adoption of their 1999 Budget. I left a message regarding this date and time as the hearing date with Lynn Thomas, secretary of district. I need the date approved for the print order.

<u>DISTRICT</u>	<u>DATE</u>	<u>TIME</u>	<u>PLACE</u>
AVON CEMETERY	11/13/98	7:00 P.M.	11800 SOUTH 800 EAST, AVON
BENSON CULINARY	11/18/98	7:30 P.M.	Benson LDS Church
CACHE COUNTY	11/24/98	6:00 P.M.	120 NORTH 100 WEST, LOGAN
CORNISH CEMETERY	12/7/98	7:00 P.M.	12195 NORTH 5800 WEST, CORNISH
<del>HYDE PARK CEMETERY</del>	<del>11/10/98</del>	<del>7:00 P.M.</del>	<del>HYDE PARK TOWN HALL</del>
MILLVILLE-NIBLEY CEMETERY	12/10/98	6:00 P.M.	MILLVILLE CITY OFFICE
MOSQUITO ABATEMENT #1	11/19/98	7:00 P.M.	120 NORTH 100 WEST, LOGAN
NEWTON CEMETERY	11/16/98	7:00 P.M.	53 WEST 1 <sup>ST</sup> NORTH, NEWTON
PARADISE CEMETERY	11/17/98	6:00 P.M.	PARADISE TOWN HALL
POWDER MOUNTAIN	11/4/98	9:00 A.M.	DISTRICT OFFICE, EDEN
RICHMOND CEMETERY	11/12/98	7:00 P.M.	6 WEST MAIN, RICHMOND