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CACHE COUNTY COUNCIL MEETING MINUTES

January 26, 1999

The Cache County Council met in a regular session on January 26, 1999 in the County Council Chambers located at 120 North 100 West, Logan, Utah 84321.

ATTENDANCE

Council Chairman, Darrel L. Gibbons and Vice Chairman, H. Craig Petersen was present. Council members present were: Sarah Ann Skanchy, Layne M. Beck, Cory Yeates, Guy Ray Pulsipher 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, Lynn Nelson, County Sheriff, Jennifer Ott, representing the Utah Recycling Market Development Zone Program. Dr. John Bailey, Director of Bear River Health Department, Dr. Mick Pattinson, Director of the Bear River Mental Health Services. Mayor Doug Thompson, Logan City Mayor, Ann Peralta, representing the County Water Policy Advisory Board, members of the Spring Creek Ward Scout Troop 394 from Young Ward, Representatives from the local news media and other interested citizens.

CALL TO ORDER

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

INVOCATION

The invocation was given by Councilman, Layne M. Beck

AGENDA & MINUTES

The agenda for the meeting was reviewed adjusted to add item 10g, Resolution No. 99-02. The agenda was then approved.

The minutes of the regular Council meeting held on January 12, 1999, were discussed, corrected and approved.

REPORT OF THE COUNTY EXECUTIVE

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

1. Appointments.

Appointment: Beck, Layne M, to North Park Inter-Local Cooperative.

Appointment: Yeates, Cory to North Park Inter-Local Cooperative.

Appointment: Lemon, M. Lynn to North Park Inter-Local Cooperative.

The North Park Inter-Local Cooperative is organized to oversee the construction and activities of the proposed Bridgerland Ice Arena. The above three appointments will represent the County.

Appointment: Yeates, Cory, Ex-Officio member of the Cache Chamber of Commerce Board of Directors.

A motion to approve the Executives recommendations for appointments was made by Council member Sarah Ann Skanchy. It was properly seconded and carried unanimously.

2. Cloud Seeding: Lemon, reported to the Council, that the cloud seeding program is continuing and we are now at 90% of normal precipitation.

3. Cache Metropolitan Planning Organization (CMPO): Council members were informed of the Model Training meeting that will discuss local highways on February 2nd & 3rd, 1999. Lemon encouraged Council members to attend.

4. Warrants: The County Warrants for the periods of December 5 & 6, 1998 were presented to the County Clerk for filing.

RECYCLING MARKET DEVELOPMENT ZONE: OTT, JENNIFER

Jennifer Ott, from the Utah Recycling Market Development Zone Program which is a division of the State Business and Economic Development Department appeared before the Council to review the Recycling Market Zone Program.

(See attachment #1)

Ott, told the Council that the Howard Scrap Yard, West of Logan and in the unincorporated area of the County is trying to be part of a Recycling Market Development Zone. It will require Council approval and support. Some Council members suggested making all the unincorporated area into a Recycling Zone. Others suggested including the Howard Scrap Yard

area as part of Logan City's Recycling Zone. The matter was tabled until the month of March after the Solid Waste Advisory Board has had a chance to review the issue.

BEAR RIVER MENTAL HEALTH 1999 OVERVIEW: PATTINSON, DR. MICK

Dr. Mick Pattinson, the Director of the Bear River Mental Health Department reported to the Council on that departments activities and presented an overview for 1999. Pattinson first summarized the House Bill dealing with mental health and substance abuse. The bill has been rewritten to conform more with the needs of the Mental Health Departments in the State. Pattinson said that he is now satisfied with the bill, a number of changes have been made that will help them better serve the community. Pattinson reviewed their Acute Management Program, explaining that they now have four beds set aside to treat patients that need additional help after leaving the hospital, before returning home. Pattinson also mentioned their program to educate the local police officers and their staff regarding the needs of the mentally ill.

BEAR RIVER HEALTH DEPARTMENT: BAILEY, DR. JOHN

The Director of the Bear River Health Department, Dr. John Bailey, appeared before the Council to review the Health Departments activities. Bailey told the Council that their addition to their building is on schedule. They are presently located in the Century Twenty One building. They are anticipating the new construction and remodeling to be completed by the end of May 1999. Bailey, reported that people are calling the Governors Offices complaining that the Health Department won't let them build a home where they want. Bailey explained that we have to stay within the guidelines that set the criteria for culinary water and sewer needs. If a home builder is requesting a permit in an area that has poor water drainage the department is obligated to deny the permit. It was suggested by Councilman Anhder that further study on this issue is needed and an updating of the guidelines is necessary.

Two other issues that Dr. Bailey addressed were fees and their case load. They are now charging, School Districts for inspection of their school lunch preparation areas \$190.00 or less. The case load is increasing both in the health department and in the substance abuse areas.

PUBLIC HEARING: BUDGET OPENING-1999

Chairman Gibbons, convened a scheduled public hearing to receive public input on proposed changes to the County's 1999 budget.

The County Auditor, Tamra Stones, was asked to review the proposed changes in the 1999 budget. Stones read the changes in the revenue and expenditures in the general fund and the Council on Aging fund.

(See attachment #2)

Chairman Gibbons asked for public input and hearing none, entertained a motion to close the public hearing.

Vice Chairman Petersen moved to close the public hearing. It was seconded and carried unanimously.

RESOLUTION NO. 99-02: BUDGET INCREASE-1999-FIRST READING

Resolution No. 99-02 was on the agenda for first reading and will be placed on the next meetings agenda for second reading and adoption. If adopted it will increase certain line items in the 1999 budget.

WATER POLICY ADVISORY BOARD WATER CONSERVANCY DISTRICT BOARD OF DIRECTOR COMPOSITION: DISCUSSION

The Chairman of the County Water Policy Advisory Board, Councilman C. Larry Anhder, introduced, to the Council, Ann Peralta who is a member of the Water Policy Advisory Board. Peralta proceeded to review a proposed Water Conservancy Board of Directors composition. The Water Policy Advisory Board unanimously approved the composition of the Board of Directors of the Water Conservancy District if approved by the voters in a February 2, 1999, election.

(See attachment #3)

Mrs. Peralta asked the Council to approve the proposed composition of the Water Conservancy District Board of Directors. A discussion by the Council on the proposed Board was then held. Councilman Anhder told the Council that the Board composition seemed to cover all areas of special interest concerning water in the County and is supported by the Cache Mayor's Association. Anhder, further stated that the Water District is intended to bring all Communities in the County together on water issues. A point of personal privilege was given to Alan Gardner a resident of Mendon, to present his opinion on what the composition of the WCD Board of Director should be.

(See attachment #4)

Gardner said that his proposed composition of a WCD is more people oriented and will represent more people. Chairman Gibbons, after reviewing the Gardner proposal said that most of his recommendations would be represented on the proposal from the County Water Policy Advisory Board.

Councilman Anhder moved to accept the WCD Board composition as presented from the County Water Policy Board. It was properly seconded.

Vice Chairman Petersen asked for personal privilege to allow Mayor Doug Thompson from Logan City to speak on the issue. The request was granted and Mayor Thompson was allowed to speak. Thompson said, that he agrees, with the WCD Board composition as presented by the County Water Policy Board. He said that Logan City will have input on two appointments and it looks like a couple of positions could serve as watch dogs on the Board. Mrs. Peralta said that the proposed Board would be appointed at first with staggered terms some being appointed to a one year term, some to a two-year term, some to three year and some to four year terms and eventually all would be appointed to four year terms but different years. Chairman Gibbons recommended that whoever is appointed or who is recommended for appointment should have the necessary qualifications for the position.

The question on the Anhder motion was called for and it passed on a vote of six "yes" with Councilman Yeates abstaining.

Vice Chairman Petersen questioned the wording on the WCD ballot. He was told that the wording was drafted after legal opinion and was done through the County Attorney's office. Councilman Anhder said, that some of those who are opposing the WCD were in on the wording. Vice Chairman Petersen also questioned the funding of the advertising of the WCD. Councilman Anhder said that the money is all private and because so many people are concerned about managing our water we have extra money that may not be spent.

ORDINANCE NO. 99-01: COLLEGE-YOUNG TOWNSHIP

Council member Skanchy suggested that this ordinance be tabled until the Council has had a chance to study it. It was only presented to the Council during the present meeting. Attorney Wyatt reviewed what had been done in redrafting the ordinance. Wyatt said, that the two previous ordinances are incorporated in this ordinance and new language and proposed changes to meet the township law are also included. Ordinance No. 99-01 will be on the next agenda for council approval.

INTRA-DEPARTMENTAL BUDGET TRANSFERS: DISCUSSION

Executive Lemon, said that he is still working with the County Attorney's office and the County Auditor to draft a proposal for Council review. Intra-Departmental budget transfers will be on a future agenda.

SMITHFIELD VOTING PRECINCT CHANGES: DISCUSSION

The County Clerk, Steve Erickson, reviewed a written Memorandum to the Council regarding a request from Smithfield City to divide their precinct number two in half making another precinct in Smithfield. This will increase the voting precincts in the County to 62.

(See attachment #5)

Council member Skanchy moved to approve the new precinct in Smithfield. It was properly seconded and carried unanimously.

ORDINANCE NO. 99-02: SICK LEAVE CRITERIA

Executive Lemon said, that ordinance No. 99-02 has not been drafted and that he was waiting for any other recommendations from Council members before a final draft. There were no further recommendations and Lemon was told to bring the drafted ordinance to the next meeting. The ordinance will be under pending action on the next agenda.

RESOLUTION NO. 99-03: RATE INCREASE FOR 911 SERVICE

A proposed rate increase in the 911 telephone emergency service, is being proposed by the Director of that emergency service. The increase will be from 50 cents to 53 cents. Executive Lemon recommended that Lt. Randy Auman who directs that service attend the next council meeting to explain the need for the increase. The resolution will be on the next agenda.

TENTH EAST ROAD INTER-LOCAL AGREEMENT: DISCUSSION

The Council was informed by Executive Lemon that the road on 10th East between Providence and Logan is now on the CMPO Capital Improvement STIP and the County has to enter into an agreement to support the project and to provide some of the funding. Two years ago the County signed an inter-local agreement to provide engineering and a side walk. The County Executive & Attorney will draft the new agreement.

OTHER BUSINESS

Council member Skanchy reminded the Council of the up coming County Officials Day at the Legislature on February 12, 1999. There is a 9:00 a.m. breakfast and a lunch with the Legislators at 12:30 to 2:00 p.m.. Council members were asked to contact Pat as soon as possible if they plan on attending.

Skanchy reported that she has received information from the Forest Service regarding a revision of some of their plans. They would like to attend a Council meeting to review their proposals and receive input. Chairman Gibbons suggested that the roads in the forest service area be identified and if the roads are being used, and what they are being used for.

Executive Lemon mentioned that BRAG has received additional funding for CDBG and he will be working with them to help decide which projects will receive the funds.

Council member Skanchy mentioned a memo from Pat Parker, who has received notification from UAC Mutual, requesting information on possible claims on Public Officials in the County. If Council members are aware of any, they are to get in touch with Pat.

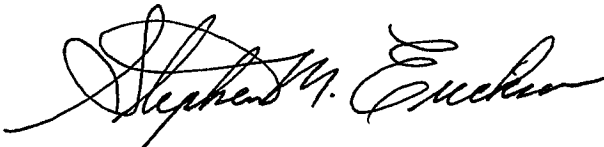
COUNCIL MEMBER REPORTS

Councilman Yeates: Yeates reviewed a letter from Dave Bennett, Volunteer Director in the County. Bennett thanked the Council for providing office space for the Volunteer organization and for providing funding for matching funds.

Councilman Pulsipher: Pulsipher, who is the Chairman of the County Fire Board, reported that there are some issues regarding the payment of our share of the ambulance service that Logan City provides for the County. Apparently the County gets involved in paying some of the uncollectible's. He will continue to keep the Council informed on the matter.

ADJOURNMENT

No further business was presented for discussion or action. Chairman Gibbons adjourned the meeting at 7:15 p.m..



ATTEST: Stephen M. Erickson
Cache County Clerk



APPROVAL: Darrel L. Gibbons
Council Chairman

Utah Recycling Market Development Zones
H.B. 249

A. State Incentives for Market Development Zones include:

- 1) A 5% tax credit for machinery and equipment used directly for:
 - a) commercial composting
 - b) manufacturing facilities that:
 - manufacture, process, compound, or produce recycled items of tangible personal property for sale
 - reduce or reuse post consumer waste material

- 2) A 20% tax credit on expenditures of \$10,000 or less for a tax credit up to a \$2,000 for:
 - a) wages, supplies, tools, test inventory
 - b) rent and utilities

Businesses have up to five years to take the tax credit.

B. Local Incentives for Market Development Zones include:

- 1) Local incentives are determined by the local jurisdiction and may include the following:
 - a) simplified procedures for permitting
 - b) dedication of government grants
 - c) waiver of business license or fees
 - d) utility rate concessions
 - e) favorable zoning assistance
 - f) infrastructure improvements

C. Application process for Recycling Zone Status

- 1) Applications will be accepted by the Department of Community and Economic Development (DCED) on a quarterly basis throughout the year.
- 2) As part of the application process, DCED will:
 - a) review the potential for post-consumer development in the area
 - b) work with the local jurisdiction in assessing the ability to attract private sector recycling investment

D. Requirements from the Local Jurisdiction include:

- 1) A qualifying local contribution
- 2) Provision for postconsumer waste collection for recycling
- 3) Information on the current recycling taking place
- 4) Approval from the corresponding legislative body

- 5) A recycling development plan which can include:
- the expected investment that would occur when the designation is in place
 - any commitment from businesses that are willing to participate, and in what capacities regarding recycling markets
 - demonstrate a coordination between the jurisdiction's economic development plan and the recycling zones overall development goals
 - describe how the land use zoning in the new recycling zone are appropriate for recycling type business and industries (include a zoning map of designated area)
 - describe the current long term waste management plan and evidence that the zone will be adequately served by the plan
 - the current postconsumer waste collection infrastructure, and current status of the landfill and its capacity
 - the proposed mean of assessing the effectiveness of the development plan or other programs implemented within the zone
 - a statement of whether within the zone the following will be established:
 - a) commercial manufacturing or industrial processes that will produce end use products that consist of not less than 50% recovered materials, of which not less than 25% is postconsumer waste materials; or
 - b) commercial composting.

E. Is it Worth It?

- 1) Recycling businesses which want to locate in the west are aware of the benefits of recycling market development zones and choose to locate within those zones.
- 2) Postconsumer products are using more and more recycled content.
- 3) Many states have mandated the use of post consumer material in many types of containers and products.
- 4) To be competitive, markets hold no boundaries, so, if businesses want to expand out of state, they must be able to use post consumer materials (ie. Presto Products).

F. Help is Here!

- 1) The Utah Recycling Market Development Zone program will succeed.
- 2) Assistance can be obtained in areas such as
 - a) Technical assistance: research and information
 - b) Resource development: identifying and creating financing mechanisms
 - c) Policy development: assistance with a recycling development plan furthering the common goals of community economic development
 - d) Public education: community organizing, networking, development opportunities
 - e) Research and information: bridging solid waste and economic development

FUND 10 GENERAL FUND REVENUES

ACCOUNT	DESCRIPTION	Current		Recommended		Amended		Reason for Change
		Budget	Budget	Decrease DEBIT	Increase CREDIT	Budget	Budget	
10-33-14000	Crime Victims Grant - VAWA	(91,865)	(6,053)	(97,918)	extension of 97-VAWA-04 Grant			
10-33-44000	State Grants	(12,375)	(250,000)	(262,375)	ST pass-thru Bridgerland Ice Arena			
TOTAL REVENUES		<u>0</u>	<u>(256,053)</u>	<u>(256,053)</u>				

FUND 10 GENERAL FUND EXPENDITURES

ACCOUNT	DESCRIPTION	Current		Recommended		Amended		Reason for Change
		Budget	Budget	Increase DEBIT	Decrease CREDIT	Budget	Budget	
10-4148-742	Victims Services-1 time grant	0	6,053	6,053	to use balance of 98 grant approp			
10-4800-937	Contrib - Bridgerland Ice Arena	0	250,000	250,000	ST pass-thru Bridgerland Ice Arena			
TOTAL expenditures		<u>0</u>	<u>256,053</u>	<u>256,053</u>				

FUND 24 COUNCIL ON AGING FUND REVENUES

ACCOUNT	DESCRIPTION	Current		Recommended		Amended		Reason for Change
		Budget	Budget	decrease DEBIT	increase CREDIT	Budget	Budget	
24-33-15101	Title III-C-1 Nutrition-Congre	(60,115)	(965)	(61,080)	Amendment #1 Aging 2 contract			
24-33-15407	Health Insurance Counselin	(2,177)	(548)	(2,725)	Amendment #1 Aging 2 contract			
24-33-15408	State 1 time transportation	0	(24,245)	(24,245)	Amendment #1 Aging 2 contract			
24-33-44100	Sr Center Renovation Grant	0	(3,208)	(3,208)	Amendment #1 Aging 2 contract			
Totals		<u>0</u>	<u>(28,966)</u>	<u>(28,966)</u>				
Net adjustment				<u>(28,966)</u>				

FUND 24 COUNCIL ON AGING FUND EXPENDITURES

ACCOUNT	DESCRIPTION	Current		Recommended		Amended		Reason for Change
		Budget	Budget	Increase DEBIT	Decrease CREDIT	Budget	Budget	
24-4970-381	Nutrition - Meals	965	965	Amendment #1 Aging 2 contract				
24-4970-730	Nutrition - Improvements	3,208	3,208	requires cash match of \$803				
24-4974-740	Access - equipment	24,245	24,245	Amendment #1 Aging 2 contract				
24-4974-280	Access - telephone	548	548	Amendment #1 Aging 2 contract				
Totals		<u>28,966</u>	<u>0</u>	<u>28,966</u>				
Net adjustment				<u>28,966</u>				

On January 19, 1998, The Cache County Water Policy Advisory Board unanimously passed the following recommendation on the composition of the board of the proposed Cache Water Conservancy District, and respectfully forwards this document to the Cache County Council for its consideration.

The Advisory Board fully appreciates that the County Council has sole authority to appoint board members to a Water Conservancy District. The following model was adopted in a spirit of compromise and cooperation in an attempt to provide a fair board composition, with a balance between municipal and agricultural interests. The Advisory Board requests your prompt attention to this matter, due to the impending February 2, 1999 vote on the Water Conservancy District.

We recommend the following board composition chosen from among Cache County citizens residing within the Water Conservancy District:

1. One Cache County Council Member who resides outside the Logan City limits.
 2. One City of Logan recommended Board Member (an elected official)
 3. One City of Logan Recommended Board Member
 4. One Alternating North/South County Elected Municipal Official Recommended by the Mayors' Council
 5. One At Large Business Person
 6. One Joint Bridgerland Audubon Society/League of Women Voters Recommended Board Member
 7. One Large Irrigator
 8. One Small Irrigator
 9. One Farm Organizations Recommended Board Member
 10. One Member jointly recommended by North Cache/Blacksmith Fork Soil Conservation Districts
 11. One At-large member chosen by the Council from among citizens residing within the District boundaries who make their interest in serving known to the County Council.
- We recommend that the Council give special consideration to a water scientist, hydrologist, regional economist, or other technical person.

Present and voting:

Larry Anlder
Jay Bagley
Red Blossom
Bill Bullen
Noble Erickson
J. Kent Horton
Wallace Jibson
Larry Parker
Ann Peralta

DRAFT #2
slightly reworded
to emphasize the
balance we hope
to achieve

The only member absent and not voting was Claire Allen, who is in Costa Rica.

CACHE COUNTY WATER CONSERVANCY DISTRICT

**WATER DELIVERY SOURCES:
SUGGESTED BE REPRESENTED ON WATER BOARD**

Bear River and Tributaries from Idaho :

**West Cache, Cub River Irrigation, Benson Bear Lake,
Individual pumping permits covering Lewiston, Trenton, Newton,
Cornish and west of Richmond.**

Logan River :

**Smithfield (uppercanal) delivers north towards Richmond, Several smaller
companies delivering irrigation water to Logan, River Heights,
Providence, North Logan, Hyde Park, Smithfield and parts of Benson.**

Blacksmith Fork of the Logan River :

**Companies delivering water to Millville, Nibley, Providence, and parts of
Logan ,Hyrum, Young and College Ward.**

Little Bear River :

**Wellsville /Mendon Hyrum Conservation District including: High Line -
Porcupine Dam, Paradise Irrigation, and Hyrum Irrigation, delivering
water to Avon, Paradise, Wellsville, Mendon, Petersboro, and Mt Sterling.**

Smaller Streams and Springs:

**Delivering Culinary and Secondary water to Cove, Clarkston, Richmond,
Smithfield., Providence, Millville, Mendon, Newton, and Wellsville.**

Water pumped from the underground aquifer:

Supplementing streams and springs to Cities.

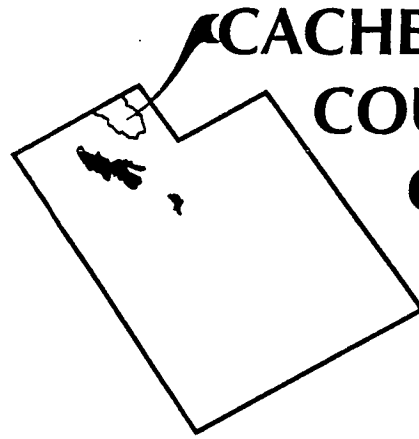
*** From individual wells in the rural unincorporated areas.**

(*These are unrepresented except for the County Council)

Flood water Plan for the County in cooperation with the Cities:

**OFFICE OF THE
COUNTY CLERK**

170 North Main
Logan, Utah 84321
Ph. 752-3542



**CACHE
COUNTY
CORPORATION**

Stephen M. Erickson
Cache County Clerk

Jill Zollinger, Chief Deputy Clerk
Kim Gardner, Deputy Clerk

Memorandum

DATE: January 22, 1999

TO: Cache County Council & County Executive

FROM: Stephen M. Erickson, Cache County Clerk *SME*

SUBJECT: Precinct Boundary Change for Smithfield City

The County Clerk is asking for Council approval to create an additional voting precinct in Smithfield.

Smithfield City has requested that we create another voting precinct in that city. Smithfield number two has 1440 registered voters. The City and the County Clerk's office recommend making an additional precinct by dividing Smithfield number two. This would give Smithfield five voting precincts making sixty-two precincts in the County. (See attached Map)

The County and most municipalities are experiencing major growth and we have been finding the need to divide other voting precinct in the County. Logan's precinct numbers 3, 22, 25 & 27, and maybe Providence and River Heights. However the 2000 census is coming and we will probably have some Legislative boundary changes. So we will hold off on any further precinct changes until January 2001. However, if the Cities or the County Council recommends a division before then we will reconsider. Approval for precinct changes by law has to be done in the month of January.

THANKS!!!

5

ALL HOMES THAT ADDRESS 455 E & EA
 WOULD BE IN DISTRICT 5

SMITHFIELD CITY

JANUARY 1997

