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CACHE COUNTY COUNCIL MEETING MINUTES

February 23, 1999

The Cache County Council met in a regular session on February 23, 1999 in the County Council Chambers located at 120 North 100 West, Logan, Utah 84321.

ATTENDANCE

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

Others present were: M. Lynn Lemon, County Executive, Stephen M. Erickson, County Clerk, Scott Wyatt, County Attorney, Jim Smith, County Administrative Assistant, Bob Hasenyager, State Division of Wildlife, Regional Supervisor, Michael J. Arambel, a local dairyman from Hyrum, members of the local news media and other interested citizens.

CALL TO ORDER

Vice Chairman Craig Petersen, called the meeting to order at 5:00 p.m. and welcomed all who were in attendance. Petersen excused Chairman Gibbons and Councilman Beck.

INVOCATION

The invocation was given by Councilman Guy Ray Pulsipher.

AGENDA & MINUTES

The agenda for the meeting was reviewed and adjusted to delete item number 6b. The agenda was then approved.

The minutes of the regular Council meeting held on February 9, 1999 were discussed, corrected and approved.

REPORT OF THE COUNTY EXECUTIVE

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

1. Capital Improvement Project-Bridge Construction-Approval: Lemon, reminded the Council that when a capital improvement project was more than \$10,000.00 the Council has to

approve the construction project. Bridges are being installed on 6th South (the Mendon Road) replacing old culverts.

A motion to approve the bridge construction project was made by Councilman Anhder. It was seconded and carried unanimously.

2. New Choice (Substance Abuse) Program Director Change. Brock Alder has replaced Doug Wiese as acting Director of New Choices. Mr. Wiese will continue as a counselor in the program. Lemon said, that other changes are being proposed and since the Council is the Substance Abuse Authority he will keep them informed of the changes.

3. Main Street (Logan City) Vision Survey: Logan City is asking for input regarding the city's downtown main street. They are asking Council members to participate in the survey as well as local citizens. The survey will help Logan City officials to determine future needs for the main street of Logan City.

4. Cloud Seeding: Lemon reported that the snow pack was 61% of normal at the end of December and now at the end of January it is 87%. Some have said that it will be near 120 % at the end of February. Lemon will continue to monitor the snow pack to determine when to end the cloud seeding program.

5. Legislative Update: UAC is asking all County Governments to encourage their legislators to vote against SB 155. This bill if passed would amend the property tax law and affect all Counties in the State negatively.

6. Warrants: The County Warrants for the periods of February 6 to February 19 and February 20 to February 22, 1999 were presented to the County Clerk for filing.

TAX PAYMENT IN-LIEU OF PROPERTY TAX: HASENYAGER ROBERT

The Regional Supervisor of the State Division of Wildlife Resources, Robert Hasenyager, appeared before the Council to present a check for \$9,114.13. The money is a substitute for property tax on property owned by the DWR in the County. The DWR pays 50 cents per acre each year. Hasenyager said, that DWR, is no longer acquiring any additional property now, but are working with private property owners to help manage wildlife in the County and State. Hasenyager, also presented a Habitat Calendar containing information on the DWR and pictures of birds and wildlife. Council members questioned Hasenyager on other issues such as private hunting clubs, extended hunting permits and elk herd management, East of Richmond City. The elk herd East of Richmond has been reduced and as yet they haven't received any complaints from property owners in that area. The Council thanked Hasenyager for his visit and especially the money.

TAX-PROPERTY ABATEMENT FOR HARDSHIP REASONS: ANDERSON, LINDA

Linda Anderson, a Logan resident is requesting that she be granted a tax abatement on her property for hardship reasons.

(See attachment #1)

The Council discussed the request and determined that the applicant did not meet the requirements for tax relief. Council member Skanchy quoted from the County Ordinance regarding the past due taxes. The Ordinance does not allow any tax abatement for any year other than the current year (1998). Anderson is requesting abatement on taxes owed in 1996. It was suggested that a monthly payment be set up to allow Anderson time to pay her taxes.

Councilman Anhder moved to deny the application. It was seconded and carried unanimously.

BOARD OF EQUALIZATION

On a motion by Councilman Yeates the Council adjourned from the regular Council meeting into a Board of Equalization, the motion was seconded and carried unanimously.

TAX EXEMPTION REQUESTS FOR NON PROFIT AND CHARITABLE REASONS

The following applications were presented to the Board of Equalization for property tax exemption for religious and educational purposes:

- Trapper Trails Council, Boy Scouts of America
- Cache Valley Christian Center
- Nevada-Utah Association of Seventh Day Adventist
- Full Gospel Fellowship
- Roman Catholic Church
- Harmony Lodge
- The Episcopal Church of Utah
- Church of Christ
- Bible Evangelical Free Fellowship Chruch
- Maranatha Baptist Church

(See attachment #2)

A motion to approve the above mentioned applications, was made by Board member Yeates. It was seconded and carried unanimously.

Board member Skanchy said, that there are a number of applications pending to come before the Board including one from the Hospital.

A motion to adjourn from the Board of Equalization back into the regular Council meeting was made by Board Member Anhder. It was seconded and carried unanimously.

COUNCIL MEETING CONTINUED

UAC MANAGEMENT CONFERENCE

Executive Lemon, reminded the Council that the annual Management Conference is in Logan this year at USU, on April 14-16, 1999. The Council was asked to try to work their schedules so they could attend the meetings. Pat needs to know if Council members are planning on attending as soon as possible.

COUNCIL MEMBER REPORTS

Council member Skanchy: There is a Tri State meeting at BATC on weed management coming up. However Council members have other commitments so the County Weed Department Staff will be attending the conference.

Public Safety meeting in May for Police and other city officials. Executive Lemon will follow up on the meeting and inform Council members.

Forest Service, an overview of their projects for the area was presented. The projects include the Mount Naomi Wilderness, Foot bridges for walking trails in Logan Canyon, North Rich allotments, UDOT salt storage Shed in Logan Canyon and the Green Canyon Picnic Area in North Logan.

Vice Chairman Petersen: Petersen reported that he will be out of town for the next Council meeting and wants to be excused. Councilman Anhder will also be out of town.

Councilman Anhder: Anhder read from the Salt Lake & Weber Counties Water Conservancy District news letter. They stated, that they will by 2015, be looking to water storage on the Bear River. Anhder said, we will be unprepared to protect our water if something is not organized.

PUBLIC HEARING: AGRICULTURE PROTECTION AREA

A motion to convene a public hearing for an Agriculture Protection Area at 6:00 p.m. was made by Councilman Yeates. It was seconded and passed unanimously.

Arambel, Michael J. who is requesting that a 28 acre parcel of his property be placed in a proposed Agriculture Protection Area between Hyrum and Nibley was asked to review his reasons to create an Agriculture Protection Area. Arambel said, that he moved here from Arizona where large farms are being traded for housing development and even though he feels like the location of his property, which is near some sewer ponds, and will not likely be developed into housing, he does want protection so he can continue to enjoy being a dairy farmer. Arambel also said that he wants to be a good neighbor and co-exist with others but he still wants to be protected from future development in his area. Arambel mentioned that he has questions regarding the possible annexation of his property into the City of Hyrum. He wanted to know if his property is ever annexed, will he lose his protected area. Executive Lemon stated, that as he understands the law Hyrum would still have to recognize his protected area. It would be up to the County Council to make any changes in the protection area.

Bushman, Scott, a Hyrum City resident and a member of Hyrum's Planning Commission told the Council that he supports the request to create a Agriculture Protection Area on the Arambel property. Bushman, said that the polls support protecting Agriculture property and he believes that open space is necessary.

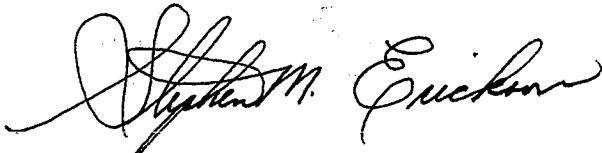
Vice Chairman Petersen, asked if anyone else in the audience wanted to comment. There was no further comment presented.

Councilman Yeates moved to close the Public Hearing. It was seconded and carried unanimously.

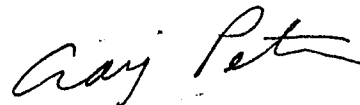
No Council action was taken at this time. However it was the consensus of the Council that a Resolution should be drafted that will approve the Arambel Agriculture Protection Area. Final action on the matter will take place during the next Council meeting.

ADJOURNMENT

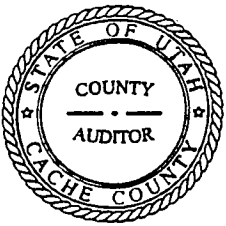
Councilman Anhder moved to adjourn the Council meeting. It was seconded and carried unanimously. Adjournment took place at 6:20 p.m..



ATTEST: Stephen M. Erickson
Cache County Clerk



APPROVAL: H. Craig Petersen
Council Vice Chairman



Tamra Stones
County Auditor

CACHE COUNTY
Office of the County Auditor

179 NORTH MAIN
LOGAN, UTAH 84321
Tel:(435) 753-3528
Fax:(435) 753-7120

MEMORANDUM

TO: Cache County Council
FROM: Tamra Stones, Cache County Auditor
DATE: February 4, 1999
SUBJECT: Tax Exemption Application\Affidavits - 1999

Affidavit: Trapper Trails Council, Boy Scouts of America - 05-062-0019 Located at 199 Pioneer Ave. Logan. This building is the Boy Scout Service Center. Parcel 06-069-0023 - is a warehouse for storage.

The application has been reviewed and is complete. This organization serves educational purposes. All real and personal property is used to provide support materials, advancement records, training records, office space for staff, and training.

FINDINGS OF FACT - UCA 59-2-1101

The Boy Scouts of America still promote "the ability of young men and women to do things for themselves and others by training in scout crafts and teaching them patriotism, courage, self reliance, and kindred virtues." ...Emphasis is on the educational program... for character development, citizenship training, mental and physical fitness. Recommend approval.

DETERMINATION

APPROVED TABLED INTENT TO DENY



Cache County Council Chairman

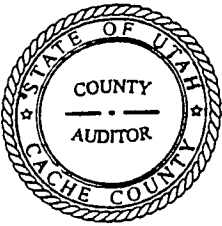
2/23/99

Date

Attested:

Tamra Stones, BOE Clerk

2



Tamra Stones
County Auditor

CACHE COUNTY
Office of the County Auditor

179 NORTH MAIN
LOGAN, UTAH 84321
Tel:(435) 753-3528
Fax:(435) 753-7120

MEMORANDUM

TO: Cache County Council

FROM: Tamra Stones, Cache County Auditor

DATE: February 4, 1999

SUBJECT: Tax Exemption Application\Affidavits - 1999

Affidavit: Cache Valley Christian Center 05-043-0024 - 930 N. 400 W. Logan, Ut
84321


The application has been reviewed and it is complete. This organization serves religious purposes. All real and personal property is used for church services.

FINDINGS OF FACT - UCA 59-2-1101

The Board finds this organization serves religious purposes and that the land and the personal property affidavit as submitted, be granted a tax exemption status for the year 1999.

DETERMINATION

APPROVED TABLED INTENT TO DENY



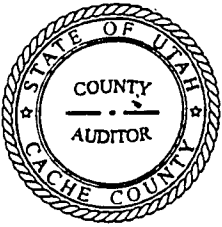
Cache County Council Chairman



Date

Attested:

Tamra Stones, BOE Clerk



Tamra Stones
County Auditor

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Office of the County Auditor

179 NORTH MAIN
LOGAN, UTAH 84321
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MEMORANDUM

TO: Cache County Council
FROM: Tamra Stones, Cache County Auditor
DATE: February 4, 1999
SUBJECT: Tax Exemption Application\Affidavits - 1999

Affidavit: Nevada-Utah Association of Seventh Day Adventist - 06-016-0011; Located at 240 North 100 W. Logan, UT.

The application has been reviewed and is complete. This organization serves religious purposes. All real and personal property is used for religious services.

FINDINGS OF FACT - UCA 59-2-1101

The Board finds that the Nevada-Utah Association of Seventh Day Adventist serve religious purposes and is granted exemption for the tax year 1999 for both real and personal property.

DETERMINATION

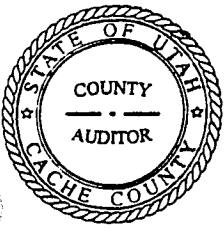
APPROVED TABLED INTENT TO DENY

Cache County Council Chairman

Date

Attested:

Tamra Stones, BOE Clerk



Tamra Stones
County Auditor

CACHE COUNTY
Office of the County Auditor

179 NORTH MAIN
LOGAN, UTAH 84321
Tel:(435) 753-3528
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MEMORANDUM

TO: Cache County Council

FROM: Tamra Stones, Cache County Auditor

DATE: February 4, 1999

SUBJECT: Tax Exemption Application\Affidavits - 1999

Affidavit: Full Gospel Fellowship - 05-047-0011 - 180 W. 1000 N. Logan, UT 84321

This application has been reviewed. This organization serves religious purposes. All real and personal property is used by the church for religious services and activities.

FINDINGS OF FACT - UCA 59-2-1101

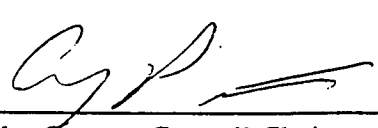
The Board finds this organization serves religious purposes and that the land and the personal property affidavit as submitted, be granted a tax exemption status for the year 1999.

DETERMINATION

APPROVED

TABLED

INTENT TO DENY



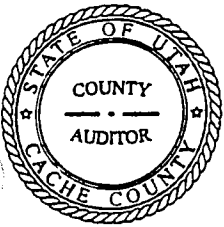
Cache County Council Chairman



Date

Attested:

Tamra Stones, BOE Clerk



Tamra Stones
County Auditor

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LOGAN, UTAH 84321
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MEMORANDUM

TO: Cache County Council

FROM: Tamra Stones, Cache County Auditor

DATE: February 4, 1999

SUBJECT: Tax Exemption Application Affidavits - 1999

Affidavit: Roman Catholic Church, 07-109-0015 and 07-023-0006 - 567 East 200 North
Logan, UT 84321 *795 N 800 E*

The application has been reviewed and it is complete. This organization serves religious purposes. All real and personal property is used for church services.

FINDINGS OF FACT - UCA 59-2-1101

The Board finds this organization serves religious purposes and that the land and the personal property affidavit as submitted, be granted a tax exemption status for the year 1999.

DETERMINATION:

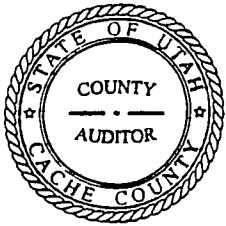
APPROVED TABLED INTENT TO DENY

Cache County Council Chairman

2/23/99
Date

Attested:

Tamra Stones, BOE Clerk



Tamra Stones
County Auditor

CACHE COUNTY
Office of the County Auditor

179 NORTH MAIN
LOGAN, UTAH 84321
Tel:(435) 753-3528
Fax:(435) 753-7120

MEMORANDUM

TO: Cache County Council
FROM: Tamra Stones, Cache County Auditor
DATE: February 4, 1999
SUBJECT: Tax Exemption Application\Affidavits - 1999

Affidavit: Harmony Lodge, #21, F.&A.M. of Utah - 06-024-0035 - 118 West ¹⁰⁰230 N.
Logan, UT 84321

This application has been reviewed. This organization serves religious purposes. All real and personal property is used by the organization which is a non-denominational religious fraternal institution. The building houses five Masonic affiliated organizations.

FINDINGS OF FACT - UCA 59-2-1101

Harmony Lodge #21 Free & Accepted Masons of Utah is not a religion, but serves a religious purpose and still maintains a current exemption under IRS 501 (c) (3) and thereby meets the organizational purpose. Recommend approval.

DETERMINATION

APPROVED TABLED INTENT TO DENY

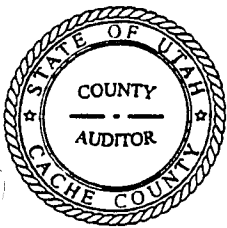
Cache County Council Chairman

2/02/99

Date

Attested:

Tamra Stones, BOE Clerk



Tamra Stones
County Auditor

CACHE COUNTY
Office of the County Auditor

179 NORTH MAIN
LOGAN, UTAH 84321
Tel:(435) 753-3528
Fax:(435) 753-7120

MEMORANDUM

TO: Cache County Council

FROM: Tamra Stones, Cache County Auditor

DATE: February 4, 1999

SUBJECT: Tax Exemption Application\Affidavits - 1999

Affidavit: The Corporation of the Episcopal Church in Utah - 06-018-0037 - 85 E. 100 N. Logan, UT 84321 (Episcopal Church), 07-048-0007 - Residence of the Vicar of St. John's.

This application has been reviewed and is complete. This organization serves religious purposes. All real and personal property is used by the organization which provides religious services.

FINDINGS OF FACT - UCA 59-2-1101

The Board finds this organization serves religious purposes and that the land and the personal property affidavit as submitted, be granted a tax exemption status for the year 1999.

DETERMINATION

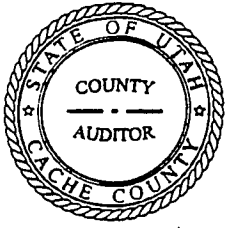
APPROVED TABLED INTEND TO DENY

Cache County Council Chairman

2/23/99

Date

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Tamra Stones
County Auditor

CACHE COUNTY
Office of the County Auditor

179 NORTH MAIN
LOGAN, UTAH 84321
Tel:(435) 753-3528
Fax:(435) 753-7120

MEMORANDUM

TO: Cache County Council

FROM: Tamra Stones, Cache County Auditor

DATE: February 4, 1999

SUBJECT: Tax Exemption Application\Affidavits - 1999

Affidavit: Logan Church of Christ - 06-022-0029 - 240 West 200 N. Logan, UT 84321

This application has been reviewed and is complete. This organization serves religious purposes. All real and personal property is used by the church for religious services and activities.

FINDINGS OF FACT - UCA 59-2-1101

Maintains exclusive religious purposes. Recommend approval.

DETERMINATION

APPROVED

TABLED

INTENT TO DENY



Cache County Council Chairman



Date

Attested:

Tamra Stones, BOE Clerk

MEMORANDUM

TO: Cache County Council
FROM: Tamra Stones, Cache County Auditor
DATE: February 16, 1999
SUBJECT: Tax Exemption Application\Affidavits - 1999

Affidavit: Cache Valley Bible Evangelical Free Fellowship Church -04-085-0029.
Located at 1601 N. 400 E. Logan, UT

The application has been reviewed. This organization serves religious purposes. All real and personal property is used for the organizations religious services.

FINDINGS OF FACT - UCA 59-2-1101

See Attached

DETERMINATION

APPROVED

TABLED

INTENT TO DENY



Cache County Council Chairman



Date

Attested:

Tamra Stones, BOE Clerk

MEMORANDUM

TO: Cache County Council

FROM: Tamra Stones, Cache County Auditor

DATE: February 16, 1999

SUBJECT: Tax Exemption Application\Affidavits - 1999

Affidavit: Maranatha Baptist Church 02-052-0027 - 395 S. Main Logan, Ut 84321

The application has been reviewed. This organization serves religious purposes. All real and personal property is used for the organizations religious services.

FINDINGS OF FACT - UCA 59-2-1101

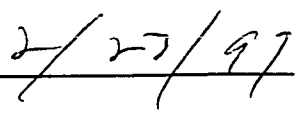
The Board finds this organization serves religious purposes and that the land and the personal property affidavit as submitted, be granted a tax exemption status for the year 1999.

DETERMINATION

APPROVED TABLED INTENT TO DENY



Cache County Council Chairman



Date

Attested:

Tamra Stones, BOE Clerk