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Council Meeting

Minutes

23 November 1999

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Council Meeting
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Cache County Council Meeting Minutes 23 November 1999

The Cache County Council met in a regular session on 23 November 1999 in the Cache County Council Chamber, 120 North 100 West, Logan, Utah 84321

Attendance

Council Chairman: Darrel L. Gibbons
Council Vice-Chairman: H. Craig Petersen
Council Members: C. Larry Anhder, Layne Beck, Guy Ray Pulsipher, Sarah Ann Skanchy, Cory Yeates
Cache County Executive: M. Lynn Lemon
Cache County Clerk: Daryl R. Downs

The following individuals were also in attendance: Pat Parker, Jim Smith, Tamra Stones, Lynn Nelson, Von Williamson, Richard Collins, Robert DeGasser, Scott Wyatt, Lorene Greenhalgh, Chad Jensen, Paul Todd, Wendy Falslev, Tracy Falslev, Mike Stauffer, Doug Stipes, Brian Locke, Joe Kirby, Mark Sorenson, Scott Wyatt, Preston Ward, Jim Meacham, Todd Hougaard, Dave Bennett, Mayor Doug Thompson, Darrel Glenn, Bobbie Coray, Maridene Hancock, Evan Olsen, Inez Olsen, Edwin Nelson, Gordon Zilles, George Whitney, Hal Olsen, Ron McBride, Don Webb, Jay Christensen, Terry Zilles, Jenny Christensen (KVNU) media representative.

Call to Order

Chairman Gibbons called the meeting to order at 5:03 p.m.

Invocation

The invocation was offered by Darrel L. Gibbons, Council Chairman.

Agenda and Minutes

Chairman Gibbons asked that Item 10(a), Final Plat Approval, Falslev Minor Subdivision, be moved forward and follow the Report of the County Executive.

The minutes of the 9 November 1999 meeting were reviewed, corrected, and approved.

Report of the Executive

Recommended appointments to the Weed Board

1. Gregory Wayne Richmond to replace Dwayne Richmond. Term expires 12/31/2001.
2. Chris Allen, re-appointed to a second term. Term expires 12/31/2003.
3. Jack Larson, re-appointed to a second term. Term expires 12/31/2003

Mr. Yeates moved that Mr. Lemon's recommended appointees be approved. Mr. Pulsipher seconded the motion, and it passed unanimously.

4. Mr. Lemon gave the Clerk the Warrant Register.

Final Plat Approval

Falslev Minor Subdivision

Ms. Greenhalgh presented the Falslev Minor Subdivision to the Council for initial consideration.

After a brief discussion, Mr. Pulsipher made a motion to waive the rules and approve the subdivision. Vice-Chairman Petersen seconded the motion, and it passed 6-1. Mr. Anhder voted against the motion.

Attachment #1

Mr. Pulsipher wanted to discuss some additional concerns about planning and zoning. Often people will build without seeking approval or following the process. Because there aren't provisions to deal with the problem, people build first and ask later. Mr. Lemon said that Nick Galloway was frustrated that the process for a dog kennel was stricter than for an agricultural building. Mr. Galloway doesn't see any difference in use. Ms. Greenhalgh says the dog breeding or grooming is not considered an agricultural activity. Ms. Skanchy and Mr. Anhder felt that the issue should be considered and recommendations made to the council by the planning commission. The zoning rules are in place, but they are difficult to enforce.

Pending Action

Fee Proposal

InGeo/Title Companies

Some of the area title companies met with InGeo to discuss proposed fees for an Internet system that would allow the companies to obtain their information electronically. Mr. Lemon said that the general consensus of those in attendance was to have the County Council authorize InGeo to begin distributing their information at a reduced rate on 1 December 1999. The trial period would be for three months and would end 28 February 2000. The test fee for the trial period would be \$15.00 per month plus 35 cents per hit or per page. The user would also have the option of paying a \$100.00 per month fee and pay 10 cents per hit or per page. Those who have paid for access would have unlimited usage. Such a proposal would allow InGeo to measure the usage of the system and see if it is feasible.

Ms. Skanchy made a motion that the proposal be authorized to go forward on a trial period commencing 1 December 1999 and ending 28 February 2000, based on the memo of 25 October 1999, and according to the fee structure described. Mr. Pulsipher seconded the motion, and it passed unanimously.

Mr. Lemon indicated that some of the early detractors are actually very pleased. Some have found that access over the Internet is faster than with our current system.

Resolution 99-25

1/64 Tax to Bridgerland Ice Arena

RESOLUTION of the County Council of Cache County, Utah (the "County") supporting legislation which would dedicate or, in the alternative, expressing its willingness to dedicate by interlocal agreement, a portion of the local sales and use tax revenues to be received by the County to assist in the financing of an ice arena: and related matters.

Chairman Gibbons invited Mr. Beck to speak regarding the proposed resolution. Mr. Beck said that Logan, Hyrum, Providence, Richmond had all passed the resolution and indicated that Smithfield would be supporting the resolution tomorrow night. Ms. Skanchy asked Mr. Stipes of Hyrum City if his support for moving the Transient Room Tax to support new Welcome Center was a qualification for his supporting the Ice Arena. Mr. Stipes said that it was not.

Mr. Beck feels that there is much support at the grass roots level. Mr. Petersen asked Mr. Beck about Logan's passage of the resolution. Mr. Beck responded that he was not at the meeting, but had understood that Logan's one provision was to have representation on the board

Ms. Skanchy noted that the draft resolution contained the terms of the agreement on page two and three. If the proposed legislation does not pass, the County through interlocal

agreement with the local municipalities would agree to help fund the Ice Arena. It was indicated that the advantage of the legislation being approved is related to having access to the state's AAA bond rating.

Mr. Beck reminded the council members that three or four sources of money exist for paying off the bond. They include the Restaurant Tax, the 1/64 tax, money that would be available if Senator Hillyard is successful in getting an allocation of funds from the excess that has been collected over the past ten years, and money refunded to the cities if the Olympics make money. Cache County's portion of the fifty-nine million dollars paid into the Olympics would total 1.5 million.

Mr. Lemon said that North Logan, Hyde Park, and Cache County had an agreement in place for an interlocal cooperative. If Logan wanted seats on this board, some revisions would need to be made. Mr. Beck said that he had understood that Mr. Allred felt (based on the financial commitment that Logan City would be making) that Logan City should have some ownership.

Mr. Petersen is very disappointed in the Logan City Council. He thinks that it is fiscally irresponsible to make this financial commitment after recently increasing taxes to bond for recreational facilities. Mr. Beck reminded Mr. Petersen that the taxpayers passed the increase in a bond election.

Mr. Anhder felt that the individuals who are attempting to build the facility should be applauded for finding resources that others had forgotten. Mr. Petersen said that the original intent was to fund a portion with private money and a portion with public money. He now sees the mix changing significantly toward public funding, and he is concerned.

Mr. Beck stated that the 1/64 tax was approved by 65% of the voters in the County. Mr. Lemon said that many thought that Cache County would get some sort of Olympic facility at Utah State University when the tax was passed. Mr. Beck thinks that this may be a way for the residents to get some of the 2.3 million that they have paid to the state in the past ten years. This would be based on Senator Hillyard getting the funding from the legislature as discussed earlier.

Mr. Beck made a motion that Resolution 99-25 be approved. Mr. Yeates seconded the motion, and it passed 4-3. Mr. Beck, Mr. Yeates, Mr. Pulsipher, and Mr. Anhder voted in favor. Mr. Gibbons, Mr. Petersen, and Ms. Skanchy voted against.

Attachment #2

Resolution 99-24

1999 Budget Adjustments

Mr. Lemon told the member of the Council that several adjustments had been made to the 1999 Budget Adjustment Resolution since the 9 November meeting. Mr. Lemon noted that others who are using the InGeo system have much faster retrieval rates than those using our system. He attributed this to the servers and network that the County is currently using. Mr. Lemon said that they have moved some of the data processing equipment from the 2000 budget into the 1999 budget.

Mr. Lemon also noted a \$1,400 change to the weed department budget. This does not increase or decrease the budget. The appropriation was reclassified to the equipment line category. They recommended increasing the 1999 budget by \$2650.00 for the Extension Service, and they recommended increasing the 2000 budget appropriation for the Extension Service by \$200.00 for office equipment and by \$400.00 for bulletins, while the Extension's equipment budget line was reduced by \$2,650.00. Under Municipal Services a crossing guard was added at the 10th East and 6th South location. Ms. Stones placed \$14,000.00 in the Contribution to Capital Project fund to provide for an upgrade to the Jails's heating system. The total line item in the Capital Project Fund is now \$81,044.00. This fund was decreased to accommodate the other changes. No adjustments were made to revenues.

Ms. Skanchy asked if a new hearing was needed to reflect the new adjustments to the 1999 Budget. The Council concluded that since no increase to expenditures occurred a new hearing was not required. Essentially, the funding for the new County building was adjusted from \$118,000.00 to \$81,000.00 to make funds available for other needs.

Mr. Yeates said that he would like to make some proposed amendments to the budget as currently prepared by Ms. Stones. Mr. Yeates said that he had talked with the County Sheriff and with Mr. Lemon. Mr. Yeates suggested that the vehicle proposed for the Council be dropped, the school resource officer vehicle be dropped, and an additional \$25,000.00 from the Jail budget be cut. Mr. Yeates wanted to hold \$61,000.00 from the 1999 budget and move toward a market salary for the employees of the County. The \$61,000.00 would be used in addition to the 4.25% increase currently proposed in the 2000 budget. This would bring the County close to 93% of market value. Ms. Skanchy was concerned about taking one-time money from the 1999 Budget toward the 2000 personnel budget. This increases the base on which the County budget operates for personnel. Mr. Yeates said that every year the Council re-appropriates money that is left, but they do not deal with the salary problem. It was decided that the Public Hearing on the 2000 Budget should be held prior to making any decisions.

Public Hearing

2000 Budget Proposal

Ms. Skanchy moved that the public hearing for the 2000 Budget Proposal be opened. Vice-chairman Petersen seconded the motion, and it passed unanimously.

Mr. Douglas Stipes, representing Hyrum City, asked about the funding for the Welcome Center. He had understood that a recommendation might be made that would provide for funding through the Transient Room Tax rather than the Restaurant Tax. The Restaurant Tax money would then be made available to the cities and towns as originally intended. The Hyrum City Council would be very much in support of such a proposal. Mr. Stipes did say that support for the Ice Arena was *not* contingent upon this changing however. The Hyrum City Council has unconditional support for the Ice Arena.

Mr. Dave Bennett returned to report on the success of the Volunteer Center. Over 9,000 volunteers will have been recruited by the end of the year if the trend continues. The Volunteer Center seeks \$1,200.00 additional funding for the year 2000.

Mr. Bennett suggested that 1.2 million dollars in grants to schools were awarded because the Volunteer Center was a local partner, \$40,000.00 was donated to two school foundations from a local business, and 981 cans plus an additional 1981 cans of food were recently donated to the Senior Citizens Center and to the Food Pantry respectively. He also noted that within four days of a request, the Volunteer Center built a wheelchair ramp for a young girl in Hyrum. In September alone, nearly 25,000 hours were donated to the agencies the Volunteer Center recruits and refers volunteers to. This does not include the 9,000 volunteers mentioned previously. Mr. Bennett thanked the Council for their support.

Maridene Hancock from the Bridgerland Travel Council asked the Council for an additional \$10,000.00 in their overall budget. Ms. Hancock requested an additional \$10,000 in funding to be placed in a reserve account. This would allow them to have some cushion when they expend money for shows and travel which actually take place in the next budget year. They are trying to build this fund into a \$20,000.00 account.

Chief Deputy Stauffer wanted to thank Mr. Smith for working of a proposal to increase the salaries of County employees. He also thanked the Council for the support that they have shown on the salary issue. He said that deputies in the County are paid much less than their counterparts in Logan City, and he said that recruiting top quality candidates is more difficult due to this salary differential. Chief Deputy Stauffer mentioned the \$20,000.00 gap between the Cache County Sheriff's salary and that of Logan's Chief of Police. In the lower ranks, the County also pays significantly less than Logan City. He noted that he is paid \$10,000.00 less and the Lieutenants are paid \$11,000.00 less.

Vice-Chairman Petersen made a motion that the public hearing on the 2000 Budget be closed. Ms. Skanchy seconded the motion, and it passed unanimously.

Discussion

2000 Budget, Motion to Approve and Amendments

Vice-chairman Petersen said that he had three concerns with the earlier proposal of Mr. Yeates. First, Mr. Petersen noted that necessary benefits would need to be included with any salary increase. Mr. Petersen used 20% as the amount that would be needed to include money for retirement, workers compensation, and social security. This would cost approximately \$12,000.00 if salary increases equaled \$60,000.000. Second, Mr. Petersen noted that Mr. Yeates would be using one time money to deal with an ongoing problem. Under such a proposal, the Council would need to deal with the problem again each year. Mr. Petersen favors increasing expenditures in the 2000 Budget by about the same amount that Mr. Yeates has recommended, recognizing that the County has generally had a surplus in the budget at the end of the year. Third, Mr. Petersen is not supportive of the notion that the goal is to bring the County to 90% or 93% percent of a survey amount. He favors looking at the circumstances of individuals and rewarding them according to merit. Rather, Mr. Petersen would support an overall salary increase of, perhaps, 5.25% and then let Department Heads use that money at their discretion based on merit. Then surveys (such as Wasatch) could be used as a guide for making assessments, but only a guide. Under this proposal, the objective would be to reward particularly meritorious employees.

Mr. Anhder agreed with Mr. Petersen, but wanted to know how the Council would deal with an individual who is already at market value, but who is the best employee in the department. Mr. Petersen responded that such a person would be rewarded for their work. The survey data could be used as a rough indicator to indicate where people currently rank, but the decision criterion is merit.

Mr. Anhder wanted to know how this would work for small departments, but then he realized that the percentage available would be the same. Mr. Lemon said that Ms. Stones had asked if each department would be limited to 5.25 %. For certain departments that are completely out of line with market value, the increase may be insufficient. Ms. Stones said that she had recently lost an employee because she could not compete with his new salary even if she used the entire budget increase available for her department.

Mr. Smith, the Human Resources Director, said the survey is an average. He noted that it should be a goal to work toward. Some employees will fall below the rates and others may attain market parity.

Chairman Gibbons said that he would be comfortable with increasing projected revenues by 1% and not take from the 1999 Budget as proposed by Mr. Yeates. Mr. Yeates said that he was simply looking for a way to fund the need. He said that the issue surfaces each year at budget time, and he felt that this may be an acceptable way to deal with the problem this year. Vice-chairman Petersen said that it would probably cost about \$80,000.00, including benefits, to do the 1% increase.

Ms. Stones said that the salaries for Senior Citizens Center, the airport, and Children's Justice Center, and Cache Planning and Development would affect the general fund because none of them have a fund balance. In these specific cases, the general fund would have to offset the increase in salaries for these departments because they do not have their own revenues to do so. Mr. Lemon said that the Children's Justice Center salaries are grant-based and are controlled by the state.

Mr. Anhder suggested a couple of approaches for dealing with the problem. First, the Council has not become that intimately involved with the budget. They have allowed the departments to do that work. Second, he suggested that the departments could be given the existing budget and asked to find a way to allow for the salary increase. Third, the Council could decide to leave the budget exactly suggested. Fourth, the Council could look into the budget and try to find the money themselves. Mr. Anhder then asked Mr. Yeates to make his motion.

Before proceeding, Chairman Gibbons asked if the Council members were opposed to taking Vice-chairman Petersen's suggestion for leaving the 1999 Budget alone and increasing projected revenues from the 2000 Budget to provide for the additional 1% increase. Mr. Yeates indicated that he would be willing to agree to that suggestion and leave the 1999 Budget as proposed. Mr. Yeates felt that it was very important to make the 1% available for the increased salaries.

Mr. Yeates made a motion that Mr. Lemon's recommendations for the proposed 2000 Budget be accepted with an additional 1% increase for salaries and benefits, and that the 5.25% total increase be given for merit, and that it be determined between the Department Head, the employee, and Jim Smith, County Personnel Director. This failed for lack of a second.

Ms. Skanchy said that she had understood that the money would be placed into a pool. Chairman Gibbons asked Mr. Yeates if he would be willing to adjust his motion to make 5% available and leave .25% to be placed into a pool to make adjustments where there exists a large disparity. This .25% would equal \$13,000.00. Vice-Chairman Petersen suggested that the Council approve a 5.25% salary increase to be allocated on merit, and then allow Mr. Lemon to look closely at the needs to determine what would go to departments and what would be held centrally, and then the Council could proceed.

Mr. Lemon said that he recommended increasing the estimate for sales tax receipts.

Mr. Anhder asked if a general motion proposing the adoption of the 2000 Budget would be appropriate. Then, he said, the Council could make amendments to the general motion as needed.

Mr. Anhder moved that the 2000 Budget be adopted as recommended. Mr. Yeates seconded the motion.

Mr. Yeates then proposed the first amendment to the 2000 Budget motion. Mr. Yeates proposed that salaries and benefits be increased from 4.25% to 5.25%, with .25% being placed in a pool to be used to correct the largest inequities in salary.

At this point, Vice Chairman Petersen suggested that the Council simply take the total 5.25% and determine later what portion should be designated to deal with inequities after Mr. Lemon had looked into the situation. Ms. Skanchy asked about the changes that had recently been submitted. Mr. Anhder said that his motion incorporated the suggested changes recommended by Executive Lemon earlier in the evening.

Mr. Yeates continued with his first amendment at this point. **Mr. Yeates added that the amendment should specify that Council work toward the recommendation of the Salary Compensation Committee.**

Ms. Skanchy said that she would rather work toward merit. Chairman Gibbons said that there needs to be a wedding of the two somewhere.

At this point, Chairman Gibbons restated Mr. Yeates amendment. In essence, the motion was that **the Council would increase the revenues in the 2000 Budget (based on sales tax receipts) by 1%, and that 1% would be used to increase salaries recommended in the budget to 5.25%, and that the Council work toward achieving the recommendations of the Salary Compensation Committee.**

Ms. Stones asked to clarify that the 1% spoken of was only a 1% increase in the cost of salaries and benefits, not a 1% overall increase to the budget. The Council agreed.

Mr. Anhder asked if the increase is merit based. Mr. Yeates and Chairman Gibbons answered, "Yes." Mr. Anhder asked that it be specified that the salary increase is based on merit.

Mr. Anhder asked Mr. Yeates if his amendment said that the salary increases would be given on merit. Mr. Yeates said he thought that this was what he had said. Mr. Yeates agreed that "merit" should be part of his first amendment motion, although he had not

originally said this. Mr. Anhder then said that the original recommendation of the County Executive would have included provision for increasing salaries across the board for a cost of living adjustment and then an additional amount to be given based on merit. The first proposed amendment of Mr. Yeates provides for an increase based solely on merit, without allowance for cost of living adjustments. Mr. Yeates agreed.

Vice-chairman Petersen asked Mr. Yeates to state his motion again.

Mr. Yeates restated his amendment to Mr. Anhder's original motion again as follows: that 1% be added for County employees, that 4.25% be given based on merit or performance, and that this be done working toward market.

Mr. Petersen said that Mr. Yeates meant 5.25% and Mr. Yeates agreed. He had intended to say 5.25%. The increase would be made possible by projecting an increase in revenue from sales tax, which would be equal to 1% of the cost of salaries and benefits. Mr. Anhder seconded the amendment to the motion.

The value of the projected revenue increase equals approximately \$80,000.00.

The amendment to the motion passed 6-1. Ms. Skanchy voted against.

Mr. Anhder proposed a second amendment to the original 2000 Budget motion. Mr. Anhder moved that the Council change the Travel Council's budget. Mr. Anhder moved that the money coming from Restaurant Tax to the Travel Council budget be reduced by 1/2, or from \$45,000.00 to \$22,500.00, and increase the amount that comes from Transient Room Tax by an equal amount, or from \$45,000.00 to \$67,500.00 for the 2000 budget year.

The money would be used to pay the \$90,000.00 bond payment on the Welcome Center. Mr. Beck Seconded the motion.

Mr. Anhder noted that this would free up \$22,500.00 in Restaurant Tax funds as had been discussed with Mr. Stipes of Hyrum City Council.

Mr. Yeates asked how much money is currently in the reserve fund. Mr. Lemon and Ms. Stones estimated that more than \$200,000.00 is in the fund. Mr. Anhder said annual increase in the Transient Room Tax would more than offset the \$22,500.00 he proposed.

Ms. Skanchy said there were greater increases in Restaurant Taxes than in Transient Room Taxes, and she felt that it would be more appropriate to split the costs 50/50. Vice-chairman Petersen said that recalled a discussion from 1998 in which a 1/3 to 2/3 arrangement was discussed. Mr. Anhder said the \$22,500.00 proposal was also considered last year.

Mr. Lemon after some discussion concerning the Bridgerland Travel Region Budget made a recommendation that the BTR be given \$172,500.00. They would be given an additional \$10,000.00 to be held in a reserve account. The BTR would hold the money as an asset.

Mr. Gibbons asked Mr. Anhder to restate his amendment. **Mr. Anhder restated that the motion is that the \$45,00.00 currently allotted to Bridgerland Travel Region from the Restaurant Tax be reduced by ½ to \$22,500.00, and the \$45,000.00 currently allotted from the Transient Room Tax be increased \$22,500.00. The total Transient Room Tax allotment would equal \$67,500.00 and the Restaurant Tax allotment would equal \$22,500.00 for a total of \$90,000.00. The total expenditure for the Bridgerland Travel Region from the year 2000 Budget would equal \$172,500.00 and an additional appropriation for \$10,000.00 would be held in a reserve balance.**

Mr. Lemon reminded Ms. Hancock that the reserve balance would be held as an asset and would not be available for them to spend.

The vote on Mr. Anhder's second amendment to the original 2000 Budget motion passed 6-1. Ms. Skanchy voted against.

Mr. Beck made a motion that the Council move to the question on the original motion as amended.

Chairman Gibbons asked that the Council vote on the original motion to adopt the 2000 Budget. The vote was unanimous in favor of Mr. Anhder's original motion.

Attachment #3

Resolution 99-24

Ms. Skanchy moved that the Council adopt the resolution on 1999 Budget as amended, with the information that was provided by Executive and the Auditor. The motion was seconded by Mr. Petersen, and it passed unanimously.

Attachment # 4

Ms. Skanchy suggested to the Chairman that at the next meeting the resolution with the amended amount for the 2000 Budget should be presented as well as the ordinance setting forth the salaries for the elected officials.

Ms. Skanchy explained to the Clerk that the 2000 Budget was not adopted by resolution.

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It was merely adopted by motion. The 2000 Budget will be adopted by resolution on 07 December 1999 in the council meeting.

2000 Capital Improvement Plan

Mr. Lemon presented the Council with the Capital Improvement Plan.

Ms. Skanchy moved that the Council approve the Capital Improvement Plan. Mr. Petersen seconded the motion.

Mr. Anhder moved that the Capital Improvement Plan be amended to include the street at 2600 South from 8th to 17th West .

Mr. Anhder said the road is a high use road. The road in question runs from Nibley into the unincorporated area of the County until it meets with Highway 89-91.

Mr. Petersen seconded Mr. Anhder's amendment, and it passed unanimously.

Chairman Gibbons then asked for a vote on the Ms. Skanchy motion to adopt the Capital Improvement Plan. It passed unanimously.

Attachment #5

Resolution 99-26

Century 21st Communities Program

Ms. Skanchy recommended that this item be considered later. Chairman Gibbons tabled this item and moved it to the next agenda.

College-Young Incorporation Petition

Chairman Gibbons invited Scott Wyatt, Cache County Attorney, to address the Council on the College-Young Incorporation Petition. Mr. Wyatt said typically or commonly the incorporation of a municipality can be adverse to the County's interest. He gave the example of an incorporation in which the County loses a large revenue producing entity such as a shopping center. This generally occurs in larger urban centers. Because the incorporation can be adverse to the Counties, he explained, the legislature has not given any authority to the Counties to refuse hiring a feasibility consultant.

Once the petition has been certified by the County Clerk, the County must act. Mr. Wyatt explained that the County now has the responsibility to appoint one individual to represent the

County Council and serve on a three member committee. The Governor appoints a second person, and the sponsors of the College-Young Incorporation Petition select a third person to serve on the committee. The person who is to complete the feasibility study must be hired within 60 days from the receipt of the certification of the petition. Mr. Wyatt encouraged the Council to act immediately and appoint someone to the selection committee. This would allow time for the committee to identify a quality candidate and an affordable candidate to perform the feasibility study.

Mr. Wyatt has talked with Mr. Lemon about negotiating with the sponsors of the incorporation petition, and he said that this would be completely appropriate. Mr. Wyatt also encouraged the Council to act quickly because nothing can be done with the property within the incorporation petition boundary until the feasibility study has been completed. Mr. Wyatt also said that the feasibility consultant could recommend a variety of different options. He could say that it cannot be done. He could say that it is feasible. He could also ask that revisions to the existing plan be made. The consultant has 90 days to do the study and make the recommendation.

Mr. Lemon asked Mr. Wyatt if it is all right to adjust the boundaries and exclude parts of the original land listed in the petition if the different parties are willing to agree to such changes. Mr. Wyatt said that this could occur at any time. Mr. Beck asked if that included individual land owners. Individual land owners in Counties of the 1st Class who own more than 1% of land within the petition area would have this option. This does not apply to the College-Young petition. Adjustments to the petition would require a re-certification by the Clerk. The re-certification process should be much quicker than the original certification. Only adjustments would need to be made. If the proposed incorporation is passed through an election and the area becomes a city, some of the costs of the city's incorporation can be recouped by the County.

Mr. Petersen asked if specificity with regard to what constitutes a feasibility study. Mr. Wyatt responded that the law provided a great deal of specificity regarding the method and requirements for the feasibility study. Mr. Wyatt said that the consultant would need to sit down with all of the municipalities affected. The consultant would have to do tax analysis and cost analysis and determine who is best able to provide services. A long list of topics would need to be considered.

Ms. Skanchy asked about some roads being left out of the request. Mr. Lemon said that the original Arbor Meadows Subdivision annexation included the road in question. Later, the road was excluded by the City Council. As a result, neither the petition nor Logan City include the road. Mr. Wyatt said that the statute requires an accurate map. The petitioners have also provided a legal description. Mr. Wyatt said that the map appears to be accurate and the County Clerk has certified it so. If the legal description leaves out some minor detail, it is simply excluded from the petition. If the description leaves islands, the feasibility consultant will need to deal with that issue in his study. Such issues will be addressed through the study.

Mr. Anhder wondered why the requirements for the incorporation petition differ from those of an annexation petition. He feels that the County is being too liberal in its interpretation of the requirements. Mr. Yeates shared a similar concern. Mr. Wyatt responded that the legislation simply requires an accurate map. Mr. Wyatt reminded Mr. Yeates and Mr. Anhder that this is simply a petition to do a feasibility study, not a petition to make a municipality. Mr. Anhder responded that upon being found to be feasible it does become a petition for incorporation.

Mr. Lemon said he thinks that some of the signers of the petition thought that this was merely a petition to do a study and that the option to be included or excluded would be available. Mr. Lemon asked if those who had signed the petition would have the option to be excluded from the petition if they desired to. Mr. Wyatt offered his opinion, but wanted to double check. He said that if the feasibility study is approved, the people included within the boundaries would be included. They could not be excluded. An election approving or disapproving an incorporation would still need to be held.

Mr. Anhder asked Mr. Wyatt if a problem existed because the same person who prepared the petition had to check it. Mr. Wyatt responded that Mr. Anhder assumed that the Assistant Surveyor needed to check the map. He said that it is the Clerk's responsibility to certify the petition, and, if he needs help, he has a variety of things at his disposal to check the work. Mr. Wyatt said that the statute says a licensed surveyor has to do the survey. Mr. Anhder wanted to know if there is a legal problem, an ethical problem, or if it was a bad idea. Mr. Wyatt said that a legal problem does not exist, that he is not aware of an ethical problem, and that he didn't know if it was a good idea. Mr. Lemon said that he was the person who asked the Assistant County Surveyor to do the work.

Mr. Wyatt drew a map for the Council to explain that whatever the map describes is the actual map. If things are not included they are simply not included. The petition is still valid, it is just limited by the boundaries that the map describes. It is not wrong. The feasibility study will deal with questions about roads and islands and seek to resolve them. Mr. Wyatt said that his practical advice is to move forward and not delay. The longer they delay, the longer the process becomes. This ties the land up and no one can do anything with the land. Negotiations can still take place, however. Mr. Lemon suggested that the parties get together and make any adjustments before the feasibility study begins.

Mr Yeates made a motion that Mr. Lemon get together with Logan City, Nibley City, Millville City, the petitioners from College-Young, and other property owners and negotiate to solve some of the problems before the feasibility study begins. Mr. Yeates also incorporated into his motion the appointment of Vice-chairman Craig Petersen as the Council's representative on the three member committee that will choose a feasibility consultant. Mr. Pulsipher seconded the motion, and it passed unanimously.

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Mr. George Whitney asked to speak to the Council. He wanted to address some of the things that had been said about the petition. Mr. Whitney invited all in attendance to compare the accuracy of their petition to any annexation petition done in Cache County, Logan City, or Nibley City. Mr. Whitney said that the original Arbor Meadows Annexation included the road that is not listed either in Logan's or the petition's description. Mr. Whitney also said that the surveyor had worked very hard to match the boundaries of the existing cities. Several of the errors in description were filed by Logan or others prior to the petition. The petition also stated on the map that "NOTE: IT IS THE INTENT OF THIS PLAT TO FOLLOW THE BOUNDARIES OF THE CITIES OF THE EAST BOUNDARY CONTIGUOUSLY LEAVING NO ISLANDS OR PENINSULAS."

They did this Mr. Whitney said because that is what the law required. He also questioned whether leaving the road out of the Arbor Meadows Annexation was even legal. He also said that on the night of the Logan City hearing Mr. Toll could not even find the map, and that the annexation had not been recorded five months after the annexation was done.

Mr. Whitney thinks there is some confusion over the process. He indicated that they are not willing to resubmit their petition. He feels that a re-certified petition would compromise their position in the process, because the petition is determined by the date of filing. He admits that he is not certain about all the processes, but he does allow that the feasibility consultant can make recommendation that would change boundaries. Mr. Whitney said that he encourages discussion. He also said that if the feasibility study is favorable, a new petition would need to be submitted. They intend to give individuals the opportunity to look at the results of the study and then decide if they want to continue with the process. The final intention is to take some responsibility for their own future.

Mr. Webb asked if he could address the Council. He and his uncle purchased the Brent Speth Farm about 3 years ago. They own approximately 60 acres. They purchased the property with the intent of eventually developing it. Mr. Webb petitioned to be annexed into Logan, but later withdrew his petition because everyone opposed the annexation. Now, he says, he owns 60 acres, but he has no vote because he does not live in the community. He also will lose because he bought the land recently and paid a premium price for the land. He told the Council that the County needs to make sure that this will work because it could turn into a big battle and everyone in the County will be paying for it. He suggested that it could end up in Court and that the County should make sure that everything is done appropriately. Mr. Lemon reminded Mr. Webb that if everyone is inflexible no compromise will be reached. Mr. Webb said he could trade out of the ground that he currently owns for land outside the incorporation area, but he wanted the County to know that there is another side to this issue.

Mr. Beck said he understands the concerns of the petitioners. He asked Mr. Whitney if it is valid that they want to keep the area rural. Mr. Whitney thinks that this is an oversimplification. He thinks autonomy over their own property and not being divided among another communities is

Council Meeting
23 November 1999

the real issue. Mr. Whitney acknowledges that it will mean major changes for the area.

Chairman Gibbons suggested that the Council allow Mr. Lemon to negotiate with the interested parties and continue discussion at the 7 December 1999 Council Meeting.

Attachment #6

Attachment #7

Other Business

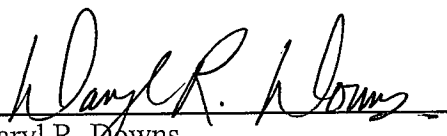
Evan Olsen asked to speak to the Council briefly. Representative Olsen said that someone had mentioned that a sign welcoming people into Cache Valley, The Land of Milk and Honey, would be a very good idea. He has discussed the idea with Bobbie Coray and they agree that it is a good idea. Dolores Wheeler and the owners of Cox Honey have suggested that their property be used. Representative Olsen wanted to give the Council notice of this and noted that a variance may be needed. Representative Olsen has asked Bobbie Coray to proceed in procuring a good professional sign.

Mr. Lemon mentioned to Representative Olsen that the incorporation law is really a challenge to work with as it is currently written. Representative Olsen responded that the law was written with Salt Lake County in mind. Mr. Anhder thinks that the requirement for land and property value are too easily met. Mr. Anhder also showed the Council members the petition map because he wanted them to see just how large the proposed area is. Chairman Gibbons said that if they have met the requirements of the law, the Council needs to proceed. Mayor Thompson said that he thinks sitting down and working together with all the entities is a good idea. Mr. Lemon agreed. In other business, the Council Christmas Party is scheduled for 15 December 1999. The County Christmas Party is 8 December 1999 at the Copper Mill Restaurant.

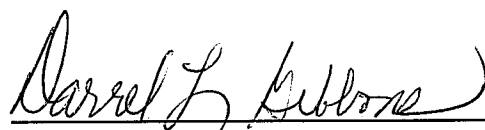
Council Meeting
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Adjournment

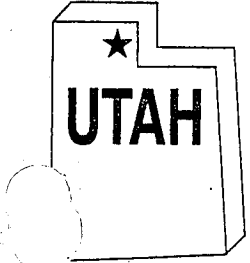
Chairman Darrel L. Gibbons adjourned the meeting at 8:20 p.m.



Daryl R. Downs
Cache County Clerk



Darrel L. Gibbons
Chairman, Cache County Council



Cache County Corporation

LORENE GREENHALGH
Zoning Administrator
(435) 716-8350

179 North Main, Room 210
Logan, Utah 84321

MEMORANDUM

TO: Cache County Council

FROM: Lorene Greenhalgh, Zoning Administrator *LG*

DATE: November 17, 1999

SUBJECT: Final Plat Approval of a Minor Subdivision

Tracy and Wendy Falslev, agents for Harold Falslev, Kyle and Susan Nyman and Kyle and Hollie Falslev, are requesting final plat approval of a 4-lot minor subdivision on 49.9 acres of property in the Agricultural Zone to be called Falslev Minor subdivision with two existing single family dwellings located at 3504 North and 3544 North 3000 West and for the construction of two additional single family dwellings to be located at 3600 North and 3620 North 3000 West, Benson.

The Benson Planning District reviewed the preliminary plat on 19 October 1999 with the protective covenants and culinary water availability. Approval was given at that time and the board reviewed the request for final plat approval at the 16 November 1999 meeting. The plat was accepted as presented and signed by the vice chairman in the absence of the chairman.

Logan, Utah

November 23, 1999

The County Council of Cache County, Utah met in regular session on November 23, 1999, at its regular meeting place in Logan, Utah, at 5 p.m. with the following members of the Council present:

Darrel L. Gibbons	Chair
H. Craig Petersen	Vice Chair
C. Larry Anhder	Councilmember
Layne M. Beck	Councilmember
Sarah Ann Skanchy	Councilmember
Guy R. Pulsipher	Councilmember
Cory Yeates	Councilmember

Also present:

M. Lynn Lemon	County Executive
Daryl R. Downs	County Clerk

Absent:

After the meeting had been duly called to order and after other matters not pertinent to this resolution had been discussed, the County Clerk presented to the Council a Certificate of Compliance With Open Meeting Law with respect to this November 23, 1999 meeting, a copy of which is attached hereto as Exhibit "A".

Thereupon, the following resolution was introduced in written form, discussed in full, and pursuant to motion made by Layne M. Beck and seconded by Cory Yeates, adopted by the following vote:

AYE: Beck
Yeates
Anhder
Pulsipher

NAY: Gibbons
Petersen
Skanchy

RESOLUTION NO. 99-25

RESOLUTION of the County Council of Cache County, Utah (the "County") supporting legislation which would dedicate or, in the alternative, expressing its willingness to dedicate by interlocal agreement, a portion of the local sales and use tax revenues to be received by the County to assist in the financing of an ice arena; and related matters.

WHEREAS, pursuant to the provisions of Article XIII, Section 5 of the Utah Constitution; Title 17, Chapter 5, Utah Code Annotated 1953, as amended and the Interlocal Co-operation Act, Title 11, Chapter 13, Utah Code Annotated 1953, as amended, and Section 59-12-203, Utah Code Annotated 1953, as amended, political subdivisions of the State of Utah are authorized to enter into agreements to share their tax and other revenues with other political subdivisions in order to make the most efficient use of their powers by enabling them to cooperate with each other on a basis of mutual advantage and to provide the benefit of economies of scale for the overall promotion of the general welfare of the State and the political subdivisions; and

WHEREAS, in order to improve local health and the general welfare by developing recreational, educational, cultural and competitive facilities for use by residents of the County, the County desires to assist in financing the acquisition, construction, equipping and operation and maintenance of an ice arena and related facilities (the "Ice Arena Project") to be located in the County; and

WHEREAS, the County and Hyde Park, Utah and North Logan, Utah have formed an interlocal cooperative known as the North Park Interlocal Cooperative ("NPIC") to assist in the financing of the Ice Arena Project; and

WHEREAS, as provided in Sections 59-12-204 and 59-12-205 of the Sales and Use Tax Act, Utah Code Annotated 1953 as amended and beginning July 1, 1999, a 1/64% sales and use tax collected by the State Tax Commission will be available to the County (the "1/64% Sales Tax Revenues"); and

WHEREAS, although the 1/64% Sales Tax Revenues would otherwise be available for use at the County's discretion, the County's pledge of the 1/64% Sales Tax Revenues will not represent an increase or additional tax upon the residents of the County; and

WHEREAS, in order to assist in the financing of the Ice Arena Project, the County desires to request that the State Legislature pass legislation to the effect that the 1/64% Sales Tax Revenues generated within the County (and all cities and towns adopting resolutions similar to this Resolution) be paid to the County or NPIC or into another fund dedicated to the financing of the Ice Arena Project (the "Proposed Legislation"); and

NOV 22 05 10:55 FROM:DEBRA C. HARRINGTON TO:MANUELLA LEE 00000000

WIHEREAS, in the event that the State Legislature fails to pass the Proposed Legislation during its 2000 general session, the County desires to express its willingness to pledge its 1/64% Sales Tax Revenues to the County (subject to annual appropriation by the County Council) to assist in the financing of the Ice Arena Project by entering into an interlocal agreement with all cities and towns within the County also desiring to pledge their respective 1/64% Sales Tax Revenues to the County to assist in the financing of the Ice Arena Project, pursuant to Section 11-13-16.5 of the Interlocal Cooperation Act, Utah Code Annotated 1953 as amended.

NOW, THEREFORE, BE IT RESOLVED BY THE COUNTY COUNCIL OF THE COUNTY AS FOLLOWS:

Section 1. Terms defined in the foregoing recitals shall have the same meaning when used in this resolution. All actions not inconsistent with the provisions of this resolution heretofore taken by the County toward assisting in the financing of the Project are hereby ratified, approved and confirmed.

Section 2. The County hereby requests that the State Legislature pass the Proposed Legislation. In the event that the Proposed Legislation is adopted, this Resolution may be submitted to the State Tax Commission as the Resolution authorizing the State Tax Commission to pay the County's portion of the 1/64% Sales Tax Revenues to the County or NPIC (as directed by the County) for the benefit of the Ice Arena Project.

Section 3. In the event that the Proposed Legislation is not enacted during the 2000 general legislative session, the County hereby expresses its intent to assist in the financing of the Ice Arena Project by entering into an interlocal agreement with NPIC and all cities and towns within the County also desiring to pledge their respective 1/64% Sales Tax Revenues to the County and/or NPIC to assist in the financing of the Ice Arena Project, pursuant to the Interlocal Cooperation Act. Execution of such an interlocal agreement on behalf of the County shall be subject to final approval of the County Council.

Section 4. All orders, ordinances and resolutions with respect to this transaction heretofore adopted, or parts thereof, which are in conflict with any of the provisions hereof are, to the extent of such conflict, hereby repealed, except that this repeal shall not be construed to revive any act, order or resolution, or part thereof, heretofore repealed.

Section 5. If any provision of this resolution shall be held or deemed to be or shall, in fact, be invalid, inoperative or unenforceable for any reason, such reason shall not have the effect of rendering any other provision or provisions hereof invalid, inoperative or unenforceable to any extent whatever, this resolution and the provisions of this resolution being deemed to be the separate independent and severable act of the governing body of the County.

Section 6. Immediately after its adoption, this resolution shall be signed by the appropriate officers of the County, shall be recorded in the official records of the County and shall take immediate effect.

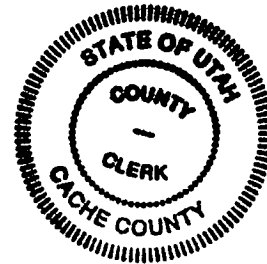
PASSED and approved by the County Council of the County, this 23rd day of November, 1999.

By Arnell L. Johnson
Chair

(SEAL)

ATTEST:

By Wayne R. Hous
County Clerk



(Here follows business not pertinent to the above.)

Pursuant to motion duly made and seconded, the County Council adjourned.

Chair

ATTEST:

County Clerk

(SEAL)

STATE OF UTAH)
 : ss.
COUNTY OF CACHE)

I, Daryl R. Downs, the duly qualified and acting County Clerk of Cache, Utah (the "County"), do hereby certify according to the records of the County Council (the "Council") in my possession that the foregoing constitutes a true, correct and complete copy of the minutes of the regular meeting of the Council held on November 23, 1999 as it pertains to a resolution adopted by the Council at said meeting, including the Resolution, as said minutes and Resolution are officially of record in my possession.

IN WITNESS WHEREOF, I have hereunto subscribed my signature and impressed hereon the official seal of the County this ____ day of November, 1999.

County Clerk

(SEAL)

EXHIBIT "A"

CERTIFICATE OF COMPLIANCE WITH
OPEN MEETING LAW

I, Daryl R. Downs, the undersigned County Clerk of Cache County, Utah (the "County") do hereby certify, according to the records of the County in my official possession, and upon my own knowledge and belief, that in accordance with the requirements of Section 52-4-6(2), Utah Code Annotated 1953, as amended, I gave not less than twenty-four (24) hours public notice of the agenda, date, time and place of the November 23, 1999 public meeting held by the County Council as follows:

(a) By causing a Notice, in the form attached hereto as Schedule "A", to be posted at the principal offices of the County on _____, 1999, at least twenty-four (24) hours prior to the convening of the meeting, said Notice having continuously remained so posted and available for public inspection until the completion of the meeting; and

(b) By causing a copy of such Notice, in the form attached hereto as Schedule "A", to be delivered to The Herald Journal on _____, 1999, at least twenty-four (24) hours prior to the convening of the meeting.

In addition, the Notice of 1999 Annual Meeting Schedule for the County Council (attached hereto as Schedule "B") was given specifying the date, time, and place of the regular meetings of the County Council to be held during the year, by causing said Notice to be provided to at least one newspaper of general circulation within the County on _____, 1999.

IN WITNESS WHEREOF, I have hereunto subscribed my official signature this _____ day of November, 1999.

County Clerk

(SEAL)

SCHEDULE "A"

NOTICE OF MEETING

SCHEDULE "B"

NOTICE OF ANNUAL MEETING SCHEDULE

EXHIBIT "B"

PROPOSED LEGISLATION

2000 budget additional requests or amended requests

		<u>reductions</u>	<u>Additional Amounts</u>
General fund			
Public Defender			
10-4126-200	Indigent Capital Defense fund		311
Non-Department			
10-4150-550	UAC Memberships		2,788
Jail			
10-4230-240	Office supplies	(26,400)	
10-4230-250	Equip, supplies & maint		8,000
			(15,301)

Municipal Service Fund

Sheriff Dept	School Crossing Guard		4,620
20-4210-120	Temporary employees	4200	
20-4210-130	benefits	420	

Travel Council

Revise revenue estimates to actual			
23-31-51000	Transient room Taxes		(26,875)
Expenditures			
23-4780-996	Contrib to Fund Reserve		26,875

Capital Projects

Revise to reflect actual changes for 1999 budget adjustment

RESOLUTION NO. 99- 24

A RESOLUTION INCREASING THE BUDGET APPROPRIATIONS FOR CERTAIN COUNTY DEPARTMENTS.

The Cache County Council, in a duly convened meeting, pursuant to Sections 17-36-22 through 17-36-26, Utah Code Annotated, 1953 as amended, finds that certain adjustments to the Cache County budget for 1999 are reasonable and necessary; that the said budget has been reviewed by the County Auditor with all affected department heads; that a duly called hearing has been held and all interested parties have been given an opportunity to be heard; that all County Council has given due consideration to matters discussed at the public hearing and to any revised estimates of revenues; and that it is in the best interest of the County that these adjustments be made.

NOW THEREFORE, it is hereby resolved that:

Section 1.

The following adjustments are hereby made to the 1999 budget for Cache County:

see attached

Section 2.

Other than as specifically set forth above, all other matters set forth in the said budget shall remain in full force and effect.

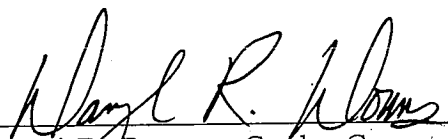
Section 3.

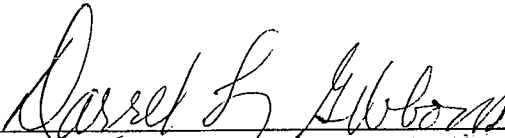
This resolution shall take effect immediately upon adoption and the County Auditor and other county officials are authorized and directed to act accordingly.

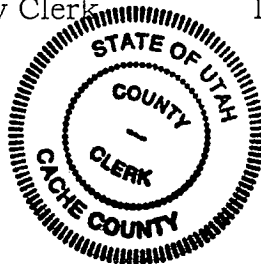
This resolution was duly adopted by the Cache County Council on the 23rd day of November, 1999.

ATTESTED TO:

CACHE COUNTY COUNCIL


Daryl R. Downs, Cache County Clerk


Darrel L. Gibbons, Chairman



2000 BUDGET REQUESTS- Funded in 1999 budget adjustment 99-24
 Re-consider in 1999 Budget Amendment

Amount
 FUNDED

				Amount FUNDED
10-4112-740	Council	Vehicle	25,000	
10-4131-740	Executive - equip	Connection Equipment	200	
10-4131-740	Executive - equip	Portable storage cabinet	1,200	
10-4131-740	Executive - equip	Additional Ram	300	1,700
10-4141-311	Auditor - software	Caselle Windows program upgrade	8,000	
10-4142-620	Clerk - misc services	Codify Ordinances	8,000	1500
10-4144-740	Recorder - equipment	Canon PC80 replacement	2,000	10000
10-4147-740	Surveyor - equip	GPS Equipment	44,000	
40-4982-725	BLDG & GRDS	Improvements	4,000	
10-4211-311	Support Services-software	PictureLink LICENSE	3,000	
10-4211-730	Support Services-Improvements	Improvements to LT's office	1,500	
10-4230-311	Jail - software	SOFTWARE 3 @ 400	1,200	
10-4230-311	Jail - software	Nurses PC software upgrade	200	1,400
40-4981-730	Jail - improvements	Remodel Kitchen/pantry	35,000	
40-4981-730	Jail - improvements	Shelves for pantry remodel	8,000	43,000
10-4230-740	Jail - Equip	Vehicle -school	15,000	
10-4230-740	Jail - Equip	Industrial freezer	12,000	
10-4230-740	Jail - Equip	Industrial refrigerator	12,000	
10-4230-740	Jail - Equip	TV VCR -2 @ \$350	700	39,700
10-4255-740	Emergency Mgmt - equip	Vehicle - Search & Rescue	25,000	
10-4255-740	Emergency Mgmt - equip	Plotter Printer	2,500	
10-4255-740	Emergency Mgmt - equip	Lectern	950	
10-4255-740	Emergency Mgmt - equip	Satelite for EOC	1,500	29,950
10-4450-740	Weed - Equip	Truck	20,000	
10-4211-740	Support Services-Equip	Voice Stress Analyser	12,000	
10-4211-740	Support Services-Equip	Rescue phone	4,594	
10-4211-740	Support Services-Equip	CopCam for Swat entry team	3,144	
10-4211-740	Support Services-Equip	Projection TV (Training Room)	3,600	
10-4211-740	Support Services-Equip	Action Targets	5,486	28,824
	Total:		<u>260,074</u>	

FUND 10 GENERAL FUND REVENUES

ACCOUNT	DESCRIPTION	Current Budget	Increase DEBIT	Increase CREDIT	Amended Budget	Reason for Change
10-31-30000	Sales and Use Tax	(2,254,466)	200,000	(179,000)	(2,433,466)	Increase to actual expected revenues
10-31-70000	Fee in Lieu of Property taxes	(853,437)		(500)	(653,437)	decrease overstated revenue
10-33-12100	FEMA -LEPC HAZMAT Grant	(1,500)			(2,000)	Grant funded amount
10-33-43100	Rural Community Fire Protection G	(2,500)	1,750		(750)	Grant funded amount
10-33-14100	Voca Grant	(88,273)		(1,066)	(89,339)	Grant funded amount
10-33-56000	Class B Allotment	(800,219)		(15,000)	(815,219)	Increase for expected expenditures
10-33-58100	Alcohol Education Grant	(2,000)			-	Received in 1998
10-34-12000	Recorder Fees	(320,000)		(85,000)	(405,000)	adjust to actual amount expected
10-34-12200	Sale of video & book-Atty Fees	-		(100)	(100)	adjust to actual amount expected
10-34-27102	State Share of Range Fires	(9,844)		(5,452)	(15,296)	increase due to actual fire costs
10-34-31000	Street & Sidewalk	(23,000)		(10,000)	(33,000)	increased to actual expected revenue
10-34-35000	Weed Fees	(20,000)		(1,400)	(21,400)	increase to expected revenues
10-36-10000	Interest	(260,000)		(200,000)	(460,000)	increase to expected actual
10-38-40000	Recurring Transfers	(125,504)		(79,215)	(204,719)	increase from M.S.F.
10-38-72000	Contrib -Assess & Collecting	-		(7,275)	(7,275)	GIS parcel mapping from Hyrum
10-38-74000	Contributions - Misc (DARE)	-		(362)	(362)	Donations to DARE program
	TOTAL REVENUES		203,750	(584,370)	(380,620)	

FUND 10 GENERAL FUND EXPENDITURES

ACCOUNT	DESCRIPTION	Current Budget	Increase DEBIT	Increase CREDIT	Amended Budget	Reason for Change
10-4112-310	Council - Prof & Tech	-	25,000		-	Feasibility study College Young Incorporation
10-4112-740	Council-vehicle	120			25,120	2000 request fund in 1999
10-4126-310	Public Defender - prof & tech	189,780	20,000		209,780	increased to actual expected cost
10-4131-740	Executive - equipment	160	6,700		6,860	
10-4136-740	Data Processing -equipment	10,000	20,000		30,000	move up time table on server upgrade
10-4141-110	Auditor - salaries	127,369		(3,500)	123,869	transfer for gen ledger software
10-4141-130	Auditor - benefits	42,612	7,500		38,612	transfer for gen ledger software
10-4141-311	Auditor - software	1,200		(4,000)	8,700	Windows gen ledger pkg fund in 1999
10-4142-620	Clerk - misc services	3,000	6,500		9,500	Codify ordinances
10-4144-120	Recorder - Temp employees	1,600	500		2,100	to meet current expenses
10-4144-251	Recorder -equip under \$200	-	1,000		1,000	replace chairs in vault
10-4144-740	Recorder - Equipment	2,500	16,500		19,000	laser printer, 2 pc replaced, microfilm cabinet, Microfilm conversion to digital image
10-4146-291	Assessor -GIS parcel maint	17,200	7,275		24,475	Hyrum City purchased GIS information
10-4147-740	Surveyor - Equipment	3,000	44,000		47,000	GPS Equipment 2000 request fund in 1999
10-4148-231	Victims Serv - Voca Travel	3,730	289		4,019	Grant funded amount
10-4148-241	Victims Serv - Voca Office supplies	1,100	777		1,877	Grant funded amount
10-4150-600	Ambulance	95,000			95,000	
10-4210-110	Sheriff - Salaries	85,509		(40,225)	816,584	Transfer to reflect current assignments
10-4210-130	Sheriff - Benefits	34,797		(26,124)	321,773	Transfer to reflect current assignments
10-4210-481	Spec Supply-Substance Abuse Edu	1,130	112		6,242	increase to expected actual costs
10-4211-110	Support Services - Salaries	51,032	44,225		557,607	Transfer curr assign & Mauchley vacation pay
10-4211-130	Support Services - Benefits	20,5429	26,424		229,853	Transfer curr assign & Mauchley vacation pay
10-4211-311	Support Services - software	-	3,000		3,000	fund in 1999 cut from 2000 requests
10-4211-730	Support Services - Improvements	-	1,500		1,500	fund in 1999 cut from 2000 requests
10-4211-740	Support Services - equipment	4,000	28,824		32,824	Equip cut from 2000 budget requests -in 1999

FUND 10 GENERAL FUND EXPENDITURES

ACCOUNT	DESCRIPTION	Current Budget	Increase DEBIT	Decrease CREDIT	Amended Budget	Reason for Change
10-4220-110	Fire - Salary	90,704		(15,864)	74,840	unused portion of new employee
10-4220-120	Fire - Temp Employees	7,500	1,500		9,000	adjust to actual amount expected
10-4220-130	Fire - benefits	34,183		(5,000)	29,183	unused portion of new employee benefits
10-4220-230	Fire - Travel	2,700	200		2,900	adjust to actual amount expected
10-4220-250	Fire - Equip Supply & Maint	18,500	2,295		20,795	adjust to actual amount expected
10-4220-270	Fire - utilities	3,000		(2,800)	200	adjust to actual amount expected
10-4220-280	Fire - telephone	5,000	1,000		6,000	adjust to actual amount expected
10-4220-290	Fire - maint state fire vehicle	4,000		(795)	3,205	adjust to actual amount expected
10-4220-315	Fire - Prof & tech medical	3,000		(2,000)	1,000	adjust to actual amount expected
10-4220-330	Fire - Education & Training	9,500	736		10,236	adjust to actual amount expected
10-4220-450	Hazardous/Materials supplies	6,792	500		7,292	adjust to actual amount expected
10-4220-480	Special grant expense	1,500	500		2,000	adjust to actual amount expected
10-4220-481	RCFP Special grant expense	2,500	864		3,364	adjust to actual amount expected
10-4220-620	Fire - misc services	14,544		(14,544)	-	adjust to actual amount expected
10-4220-630	Fire-Wildland/Fire suppression	20,344		(4,198)	16,146	adjust to actual amount expected
10-4220-730	Fire - Improvements	6,000	1,800		7,800	Sliding and skirting for training center
10-4220-740	Fire - equipment	14,000	9,300		23,300	Haz/mat equip= pc; car com; video camera system; Fire: Trailer \$3700; 2 Foam Pro \$1700; Laptop
10-4230-311	Jail - software	-	1,600		1,600	adjust to actual amount expected
10-4230-740	Jail - equipment	15,660	41,935		57,595	adjust to actual amount expected
10-4255-740	Emerg. Mgmt -Equipment	1,050	29,950		31,000	adjust to actual amount expected
10-4410-110	Road - Salaries	292,730		(6,089)	286,641	
10-4410-130	Road - Benefits	124,355		(11,000)	113,355	transfer unexpended (amend for crossing guard)
10-4410-280	Road - Telephone	1,200	1,500		2,700	Telephone upgrade costs
10-4410-740	Road - Equipment	-	13,359		13,359	Air compressor, jack hammer & paving breaker
10-4415-110	Class B - Salaries	164,693	5,000		169,693	increase to expected actual costs
10-4415-410	Class B -Road Maintenance	150,000	10,000		160,000	increase to expected actual costs
10-4450-740	Weed - Equip Supplies & Maint	10,505	1,400		11,905	increase for expected revenue
10-4450-740	Weed - Equip	11,905	20,000		31,905	Truck cut from 2000 requests
10-4610-740	Extension - equipment	2,750	2,650		5,400	
10-4810-100	Contrib to Capital Project fund	-	74,500		74,500	Bldg & Grds \$4000; Jail Projects 1- Remodel Kitchen/pantry \$35000; 2-Shelves for Pantry remodel \$8000; 3- Raise ceiling in Library Staff breakroom \$5000; Replace detention roof \$8500; Jail healing system \$14,000 not
10-4810-100	Contrib to Capital Project fund	-	81,044		81,044	Contrib to new building project
10-4960-530	Miscellaneous - Interest	18,000		(18,000)	-	interest on tax borrowing 3.74% won't need this
10-4960-620	Sundry - JECS Market Study	27,000		(27,000)	-	market study not performed
TOTAL EXPENDITURES			561,759	(181,139)	380,620	

FUND 20 MUNICIPAL SERVICES FUND REVENUES

ACCOUNT	DESCRIPTION	Current Budget	decrease	DEBIT	Increase	CREDIT	Amended Budget	Reason for Change
20-31-30000	Sales and Use Taxes	(310,284)			(137,263)		(447,547)	
20-33-30000	Payment in Lieu of Taxes	(179,350)		14,651			(164,699)	
20-34-14000	Plan Check fees	(5,000)			(1,500)		(6,500)	
20-34-19000	Building fee other	(30,000)		27,000			(3,000)	
20-36-90000	Sundry Revenue	-			(441)		(441)	
	Totals			41,651	(139,204)		(97,553)	
	Net adjustment						(97,553)	

FUND 20 MUNICIPAL SERVICES FUND EXPENDITURES

ACCOUNT	DESCRIPTION	Current Budget	Increase	DEBIT	Decrease	CREDIT	Amended Budget	Reason for Change
20-4180-220	Planning - public notices	2,000		1,200			3,200	to cover expected expense to yr end
20-4423-200	Waste Collection Costs	10,000		9,400			19,400	to cover bills not collected by City
20-4210-120	Sheriff - temp employees	-		705			705	crossing guard at River Heights school
20-4210-130	Sheriff - benefits	86,367		80			86,447	crossing guard
20-4210-740	Sheriff - equipment	72,000		6,953			78,953	immediate needs for Y2k computer upgrades
20-4800-990	Contrib to the general fund	125,504		79,215			204,719	Increase transfer to Gen fund
	Totals			97,553			97,553	
	Net adjustment						97,553	

FUND 40 CAPITAL PROJECTS FUND REVENUES

ACCOUNT	DESCRIPTION	Current Budget	Decrease	DEBIT	Increase	CREDIT	Amended Budget	Reason for Change
40-38-95000	Lease Proceeds	(210,862)			(20,691)		(231,553)	to add in Attorney to new phone system
40-38-20000	Contrib from general fund	-			(155,544)		(155,544)	improvement projects cut from 2000 requests
	Totals				(176,235)		(176,235)	
	Net adjustment						(176,235)	

FUND 40 CAPITAL PROJECTS FUND EXPENDITURES

ACCOUNT	DESCRIPTION	Current Budget	Increase	DEBIT	Decrease	CREDIT	Amended Budget	Reason for Change
40-4982-740	Telephone system	210,862		20,691			231,553	to add in Attorney to new phone system
40-4981-730	Jail Complex improvements	-		70,500			70,500	Kitchen/Pantry remodel \$35,000; Pantry shelves \$8000; Raise ceiling in Library/Staff breakroom; Detention Roof \$8500
40-4982-725	Improvements	11,675		4,000			15,675	Bldg improvements undesignated cut from 2000 requests
40-4983-990	New County Office Project	50,000		81,044			131,044	new building project
	Totals			176,235			176,235	
	Net adjustment						176,235	

CACHE COUNTY CAPITAL IMPROVEMENT PLAN

2000 Update

<u>Description of Improvements</u>	<u>Cost</u>	<u>Source of Funds</u>
<u>Year 2000</u>		
Airport-AIP#11-Land Acq. RW17 & EXT	192,434	FAA/Authority
Airport-AIP#12-Wetland Mitigation/404 Permit	329,888	FAA/Authority
Airport-Improvements	31,114	Authority
Assessor- Equipment	16,000	County
Attorney-Equipment	2,950	County
Auditor-Equipment	1,600	County
Building Inspector	600	Municipal Services
Buildings & Grounds-Improvements & Equipment	38,000	County
CAPSA-Phase III Construction of Shelter	565,000	CDBG/CAPSA
Central Mail & Copy-Equipment	10,500	County
Children's Justice Center	900	Grant
Countywide Planner-Equipment	500	CWPD Funds
Data Processing-Computer Equipment	34,700	County
Elections-Equipment	3,000	County
English Language Center of Cache Valley, Inc.-Programming	98,066	CDBG
Extension-Equipment	2,650	County
Fire-Improvements & Equipment	545,000	County
Jail-Improvements & Equipment	68,380	County
Jail-Work Release Equipment	8,000	Work Release Revenue
Parks & Park Maintenance-Land Purchase	5,000	County
Recorder-Equipment	10,000	County
Road-Equipment	239,000	County/Class B
Road-500E, 3000S-3800S-Purchase Right-of-Way	24,000	Property Owners/County
Road-500E, 3000S-3800S-Widen, Double Chip Seal	40,000	Millville City/County/Class B
Road-3600W, 600S-1100S-Double Chip Seal	18,000	County/Class B/Spec. Road
Road-1100S, 3200W-3600W-Double Chip Seal	18,000	County/Class B/Spec. Road
Road-1000W, 6200N-6600N-Base & Double Chip Seal	25,000	County/Class B
Road-1200W, 3700S-4300S-Base & Pavement	150,000	County/Class B
Road-1000E, Mt. Rd.-200N Prov.-Reconstruction	788,750	County/L.C./R.H./P.C./CMPO
Road-4600S, 4600W-4900W-Double Chip Seal	15,000	County/Class B
Road-2400N, 7600W -Double Chip Seal	15,000	County/Class B
Road-8000W, 1800N-2200N-Double Chip Seal	15,000	County/Class B
Road-8600N, Mendenhall Road-Double Chip Seal	20,000	County/Class B
Road-2400W, 600S-1000S-Double Chip Seal	5,000	County/Class B
Road-200W, 4600N-4800N-Double Chip Seal	5,000	County/Class B
Road-3400S, 5600W-5800W-Double Chip Seal	10,000	County/Class B/Spec. Road
Road-East Canyon-Double Chip Seal	25,000	County/Class B
Road-Ant Flat Road-Base Out	200,000	County/Class B
Road-2600S, 800W-1700W-Double Chip Seal	50,000	County/Class B
Senior Citizens Center-Improvements & Equipment	3,000	Council on Aging Funds
Sheriff-Automobiles & Equipment	61,300	County
Sheriff-Civil-Equipment	92,830	County
Sheriff-Liquor Law Enforcement-Equipment	5,083	LLE Funds
Sheriff-Municipal Services-Automobile & Equipment	51,200	Municipal Services
Sunshine Terrace Foundation-Lighting System Upgrade	75,000	CDBG/Terrace
Treasurer-Equipment	3,000	County
<u>Year 2001</u>		
Airport-Extend Runway 17/35 3,470'	2,000,000	FAA/State/Authority
Airport-Relocate Runway 35 Threshold	40,000	FAA/State/Authority
Airport-Replace Taxiway Lights	200,000	FAA/State/Authority
Airport-Overlay Existing Clear Span Hangar Taxilanes	130,000	FAA/State/Authority
Airport-Full Depth Asphalt Patching	5,000	State/Authority
Assessor-Vehicles & Equipment	22,000	County
Attorney-Furniture & Equipment	5,600	County
Auditor-Equipment	2,000	County

Building-Vehicle	15,000	County
Buildings & Grounds-Improvements & Equipment	33,400	County
Countywide Planner-Equipment	10,000	CWPD Funds
Data Processing-Computer Equipment	26,800	County
Executive-Equipment	4,600	County
Extension-Equipment	1,500	County
Fire-Vehicle & Equipment	27,800	County
Jail-Improvements & Equipment	43,000	County
Jail-Work Release Equipment	5,000	Work Release Revenue
Parks & Park Maintenance-Land Purchase	5,000	BOR Funds
Recorder-Equipment	20,000	County
Road-Equipment	105,000	County/Class B
Road-1200W, 4300S-4800S-Base & Pavement	150,000	County/Class B
Road-Ant Flat Road-Base Out	200,000	County/Class B
Senior Citizens Center-Vehicle	45,000	Council on Aging Fund & UDO
Sheriff-Automobiles & Equipment	140,000	County
Sheriff-Municipal Services-Automobile & Equipment	24,000	Municipal Services
Sunshine Terrace Foundation-Bathing Equipment Replacement	90,000	CDBG/Terrace
Surveyor-Automobile & Equipment	28,000	County
Treasurer-Equipment	2,000	County
Zoning-Equipment	2,000	Municipal Services

Year 2002

Airport-Remark Runway 17/35	70,000	FAA/State/Authority
Airport-Overlay 17/35	1,100,000	FAA/State/Authority
Airport-Taxiway B Rehabilitation	420,000	FAA/State/Authority
Assessor-Automobiles & Equipment	78,000	County
Attorney-Equipment	6,600	County
Auditor-Equipment	22,000	County
Buildings & Grounds-New Administration Building	3,500,000	County
Countywide Planner-Equipment	1,800	CWPD Funds
Data Processing-Computer Equipment	12,000	County
Executive-Equipment	2,800	County
Fire-Fire Engines	300,000	County
Jail-Improvements & Equipment	21,000	County
Jail-Work Release Equipment	5,000	Work Release Revenue
Parks & Park Maintenance-Land Purchase	5,000	BOR Funds
Recorder-Equipment	2,000	County
Road-Equipment	300,000	County/Class B
Road-Ant Flat Road-Base Out	200,000	County/Class B
Road-1200W, 3200S-3700S-Base & Pavement	150,000	County/Class B
Senior Citizens Center-Automobiles & Equipment	26,000	Council on Aging Funds
Sheriff-Automobiles & Equipment	140,000	County
Sheriff-Municipal Services-Automobile & Equipment	28,000	Municipal Services
Surveyor-Equipment	9,800	County
Weed-Equipment	5,000	County
Zoning-Equipment	1,500	Municipal Services

Year 2003

Airport-Overlay Aircraft Apron	415,000	FAA/State/Authority
Assessor-Automobiles & Equipment	80,000	County
Attorney-Equipment	2,000	County
Auditor-Furniture & Equipment	14,000	County
Buildings & Grounds-Furniture & Equipment	12,000	County
Data Processing-Computer Equipment & Furniture	34,000	County
Executive-Furniture & Equipment	4,000	County
Fire-Equipment	11,000	County
Jail-Improvements & Equipment	40,000	County
Jail-Work Release Equipment	5,000	Work Release Revenue
Parks & Park Maintenance-Land Purchase	5,000	BOR Funds
Planning & Development Office-Furniture & Equipment	14,500	CWPD Funds

Recorder-Furniture & Equipment	16,000	County
Road-Equipment	105,000	Class B
Road-Ant Flat Road-Base Out	200,000	County/Class B
Road-Road Improvements	150,000	County/Class B
Road-800S, 1000E-1150E-Double Chip Seal	5,000	County/Class B
Senior Citizens Center-Improvements & Equipment	10,500	Council on Aging Funds
Sheriff-Automobiles & Equipment	140,000	County
Sheriff-Municipal Services-Equipment	5,000	Municipal Services
Weed-Used Vehicle	11,000	County

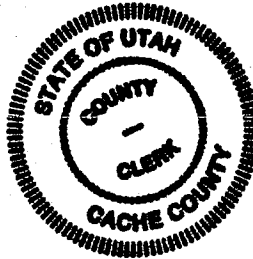
Year 2004

Airport-Extend Taxiway Lane	56,000	FAA/State/Authority
Airport-Security Fencing	84,000	FAA/State/Authority
Airport-Perimeter Fencing	187,000	FAA/State/Authority
Airport-Taxiway Extension - 3,470'	900,000	FAA/State/Authority
Airport-Overlay Taxiway A	78,000	FAA/State/Authority
Airport-Helipads	35,000	FAA/State/Authority
Attorney-Equipment	8,000	County
Auditor-Equipment	10,000	County
Buildings & Grounds-Improvements & Equipment	27,000	County
Central Mail & Copy-Equipment	12,000	County
Council-Equipment	17,500	County
Data Processing-Computer Equipment	12,000	County
Executive-Equipment	6,000	County
Extension-Equipment	4,000	County
Fire-Equipment	150,000	County
Recorder-Equipment	20,000	County
Road-Equipment	110,000	Class B
Road-Bridge-2900S, 200E Replacement	248,000	Federal/Class B
Senior Citizens Center-Automobiles & Equipment	34,000	Council on Aging Funds
Sheriff-Automobiles & Equipment	160,000	County
Sheriff-Civil-Automobiles & Equipment	20,000	County
Sheriff-Liquor Law Enforcement-Automobile & Equipment	20,000	LLE Funds
Sheriff-Emergency Management-Computer Equipment	10,000	County
Sheriff-Municipal Services-Automobile & Equipment	60,000	Municipal Services
Weed-Equipment	8,000	County
Zoning-Equipment	1,000	Municipal Services

This project list was approved and adopted by the Cache County Council on November 23, 1999.

ATTEST:

Daryl R. Downs
Daryl R. Downs, County Clerk



**CACHE COUNTY
CORPORATION**

M. LYNN LEMON
COUNTY EXECUTIVE/SURVEYOR

120 NORTH 100 WEST
LOGAN, UTAH 84321
Tel 435-752-5935
Fax 435-787-9386

COUNTY COUNCIL

DARREL L. GIBBONS
CHAIRMAN
H. CRAIG PETERSEN
V. CHAIRMAN
SARAH ANN SKANCHY
C. LARRY ANHDER
GUY RAY PULSIPHER
CORY YEATES
LAYNE M. BECK
DARYL R. DOWNS
CLERK

November 15, 1999

Cache County Council
120 North 100 West
Logan, Utah 84321

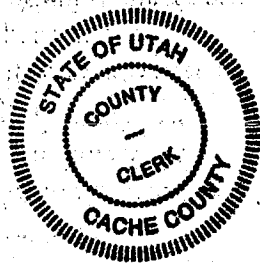
Cache County Council Members:

Pursuant to Section 10-2-105 of the Utah Code, I have processed the PETITION OF REQUEST FOR FEASIBILITY STUDY TO INCORPORATE COLLEGE/YOUNG WARD.

The Cache County Recorder's Office provided the parcel number, owner name, and home address information; the Cache County Assessor's Office provided the market value, taxable value, and total acreage information.

After a careful review of the documents, I have concluded that the petition has met all of the requirements as defined in Section 10-2-103 of the Utah Code. In particular, the petitioners own property which "(ii) covers at least 10% of the total private land area with the area; and (iii) is equal in value to at least 7% of the value of all private real property within the area;"

I, Daryl R. Downs, the Cache County Clerk, State of Utah, do hereby Certify that the PETITION OF REQUEST FOR FEASIBILITY STUDY TO INCORPORATE COLLEGE/YOUNG WARD complies with Section 10-2-103 of the Utah Code, and I Certify this petition to the Cache County Council this 15th day of November 1999.



Daryl R. Downs

Cache County Clerk

cc: George F. Whitney, Contact Sponsor
Chair, College/Young Planning Commission

CACHE COUNTY ATTORNEY



SCOTT L WYATT
County Attorney

11 West 100 North
Logan, Utah 84321
(435) 752-8920
Fax: (435) 752-9169
E-mail: (first name)@legal.state.ut.us

PATRICK B. NOLAN
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JAMES M. SWINK
Deputy County Attorneys

REBEKAH F. ALPISA
TERRYL L. WARNER
SUZANNE J. SIMMONS
Victim Advocates

MEMORANDUM

CACHE COUNTY ATTORNEY

TO: Cache County Executive and Council
FROM: Pat Nolan, Deputy Cache County Attorney
DATE: 16 November 1999
RE: College/Young Ward Request for Feasibility Study

SCOTT L WYATT
County Attorney

On 15 November 1999, the Cache County Clerk certified the above-referenced Request for Feasibility Study to the County Council, pursuant to Utah Code Ann. §10-2-105. I have worked closely with Daryl Downs during this process, and believe that he has gone to extraordinary lengths, with assistance from the Recorder's and Assessor's Offices, to follow the requirements of the law. The Clerk has determined that the Request complies with all of the requirements of Utah Code Ann. §10-2-103, and has so certified to the Council. Now, within the next sixty (60) days, the Council is required to take the following steps:

PATRICK B. NOLAN
DONALD G. LINTON
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Victim Advocates

1. Utah Code Ann. §10-2-106 (1) requires the Council to engage a feasibility consultant to conduct a feasibility study. Subsection (2) of that section provides that that consultant shall be chosen by a majority vote of a selection committee, consisting of one person designated by the Council, a person designated by the sponsors of the Request, and a person designated by the Governor. Section 10-2-106 further provides that the consultant then has ninety (90) days to complete the feasibility study, and specifies the factors which must be considered in that study.

2. If the results of the feasibility study meet the requirements of the law, then the law provides for public hearings, a petition for incorporation, and an election on the proposed incorporation, in that order.

3. Utah Code Ann. §40-2-123 specifically requires that all costs of the incorporation proceeding, including request certification, feasibility study, petition certification, publication of notices, public hearings, and elections, shall be paid by the County. If incorporation occurs, certain of those expenses may be reimbursed to the County under subsection (2) of Section 10-2-103.

4. Subsection (2) of Section 10-2-106 provides that that consultant shall be chosen by a majority vote of a selection committee, consisting of one person designated by the Council, a person designated by the sponsors of the Request, and a person designated by the Governor. Section 10-2-106 further provides that the consultant then has ninety (90) days to complete the feasibility study, and specifies the factors which must be considered in that study.

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