

Approved

Council Meeting

Minutes

28 March 2000

## Council Meeting Minutes Index

Board of Equalization	
Children's Justice Center Exemption Request .....	8
Cloud Seeding	
North American Weather Consultants .....	2
Utah Water Resources Study .....	2
Final Plat Approval	
Leatham Minor Subdivision .....	10
Ice Arena	
Bond Options Discussion .....	12
INGEO	
Land Light Agreement with Title Companies Discussed .....	8-9
Electronic Tax/Roll/Property Card/Appraisal System .....	9-11
Intra-departmental Budget Transfer	
Library .....	6
Interlocal Agreement	
Approved Agreement and EDA Grant .....	13
National County Government Week .....	3
Ordinances 2000-05, 2000-07	
Tabled .....	12
Ordinance 2000-06	
Approved .....	12
Public Service Commission of Utah	
Letter of Complaint Regarding US West's Telephone Service .....	5-6
RS2477 Roads	
Unites States Forest Service Letter .....	2-3
Resolutions 2000-06,2000-07,2000-08	
Agricultural Protection Areas Approved .....	12
Resolution 2000-09	
Tabled Water Advisory Board .....	13
Solid Waste Advisory Board .....	3-5
Self Funded Health Insurance Discussion .....	13-14
UAC Management Conference .....	14
Willow Park Budget Recommendation .....	6-8

Council Meeting  
28 March 2000

## Cache County Council Meeting Minutes 28 March 2000

The Cache County Council met in a regular session on 28 March 2000 in the Cache County Council Chamber, 120 North 100 West, Logan, Utah 84321

### Attendance

Council Chairman: Darrel L. Gibbons

Council Members: C. Larry Anhder, Layne M. Beck, Guy Ray Pulsipher, Sarah Ann Skanchy, Cory Yeates

Excused: Council Vice-chairman H. Craig Petersen

Cache County Executive: M. Lynn Lemon

Cache County Clerk: Daryl R. Downs

The following individuals were also in attendance: Pat Parker, Scott Wyatt, Tamra Stones, Jim Smith, Lynn Nelson, Kelly Pitcher, Lorene Greenhalgh, Michael Gleed, Bobby Coray, Jay Nilson, Kathy Robison, Lorin Hewitt, Jeanine Hewitt, Scott Huskinson, Suzanne Hansen, Douglas J. Stipes, Todd R. Hougaard, George Whitney, Mike Hansen, Jason Lambert, John Sanders, Anne Zimmerman, Mike Weibel (Herald Journal), Jenny Christensen (KVNU)

### Call to Order

Chairman Gibbons called the meeting to order at 5:02 p.m.

### Invocation

The invocation was offered by Councilwoman Sarah Ann Skanchy

### Review and Approval of Agenda

Based upon the 4:00 p.m. College/Young Feasibility workshop which preceded this council meeting, Gibbons asked that item 6c be stricken from the agenda.

Gibbons also added an intra-departmental transfer from the library to the agenda. Beck proposed adding item 6g, a short discussion relating to the telephone service problems that different areas in the county have been experiencing recently. Beck also proposed that a letter of complaint (directed at US WEST Communications) which Beck had prepared prior to the meeting should be sent to the Public Service Commission.

Council Meeting  
28 March 2000

## Review and Approval of Minutes

The minutes of 14 March 2000 were reviewed, corrected, and approved.

## Report of the County Executive

### **Other Items**

#### **North American Weather Consultants**

North American Weather Consultants sent a letter to the council to determine if the council is interested in extending the cloud seeding program to April 15<sup>th</sup>. To date, the county has not used all of the generator hours available under the current contract. As of March 23<sup>rd</sup>, the Bear River and Box Elder drainages are at 85% and 99% of normal, respectively. The consultants want to know if the county would be willing to use some of the unused funds to extend the cloud seeding for an additional 15 days.

The council was supportive of extending the cloud seeding, but only to the level of the remaining budget.

Attachment 1

#### **Utah Geological Study of the West Cache Fault**

This study analyzed the potential for and results of an earthquake along the West Cache Fault. Lemon has information about the study for those council members who are interested.

#### **Utah Division of Water Resources Study**

This study was created to analyze the effectiveness of the cloud seeding. It was similar to a study done by the North American Weather Consultants. The Division of Water Resources study obtained similar results. In east Box Elder County and in Cache County, over an 11 year period, the increase in precipitation was 23%, and increase in snowpack water content was 18%. This was an annual average.

#### **RS2477 Roads**

The United States Forest Service sent a letter to the council concerning the RS2477 roads. Lemon reminded the council that it asserted its RS2477 rights-of-way during the recent forest revision comment period.

The letter was sent to all chairpersons of the various county commissions in the Wasatch/Cache

Council Meeting  
28 March 2000

National Forest area. The letter stated in part that the Forest Service will identify asserted roads on their maps and maintain the status of the roads until a legal determination can be made. Lemon suggested that the council's decision to join with the governor in the Quiet Title Action at the last council meeting is an important one.

Attachment 2

Lemon then gave the Warrant Registers to the County Clerk.

Skanchy asked if the council had turned in a map identifying all of the roads in the county. Lemon said yes. This was based on the work done by Preston Ward. Lemon said that some disparity existed because some of the roads had already been closed by the Forest Service. The council's position has been to support the existing roads, but not to favor development of many new roads. In this respect, the council supports the Forest Service.

Items of Special Interest

#### **National County Government Week, Proclamation (April 9-15, 2000)**

Yeates read the proclamation.

**Skanchy moved to adopt the proclamation. Pulsipher seconded the motion, and it passed 6-0.**

Attachment 3

#### **Solid Waste Advisory Board Issues**

Ann Zimmerman said that the Solid Waste Advisory Board has been looking at the solid waste ordinances and agreements, which govern how the county and the cities run the solid waste business, since September of last year. The advisory board would like to present some recommendations to the council before any agreements are adapted into final form.

Cache County created County Service Area (CSA 1) in 1973 by ordinance. CSA 1 contracts with all of the cities, including Logan, to provide solid waste services. It also contracts with Logan City to provide those services. Zimmerman said that the ordinance has worked well for many years. However, a key element of the agreements was an Exhibit A. This Exhibit A, signed by the different cities and which gave the cities the right to issue permits and to be their own rule making and enforcement authority, has never been enacted.

The Solid Waster Advisory Board has prepared a list of items that they feel are relevant for an update of the ordinance and the two agreements. Zimmerman said that the agreements have

Council Meeting  
28 March 2000

outlived some of enabling state legislation and need to be updated. The board would like to formalize its role with regard to some of the functions that it has been fulfilling, including rate setting and reviewing technology. Zimmerman noted that the rate structure has not been revised and remains at a 1970s level. This creates confusion and difficulty with enforcement.

Non-payment has been an issue, and the board has recommended that each city be responsible for non-payment. The board has asked that changes be made which would give the county authority to lien property.

The board recommends that rules and enforcement powers be centralized. Currently, each of the cities has independent authority. Bear River Health Department has agreed to be that central authority. Permitting of vehicles would also be dealt with by the health department. An exclusive franchise agreement for the permitting of waste has been granted to Logan City in the prior agreements. The board would like this to continue and to be strengthened in the updates.

The board has held three regional meetings in February. Some key issues were voiced at these meetings. At the meeting in Hyrum, it was suggested that the guidelines make the advisory board strongly advisory. They want the guidelines of the advisory board regarding voting privileges to be specific, and they suggested that an appeals process be put into place for those occasions when the advisory board is unable to reach an agreement with the City of Logan on rates or services. They would also want more specificity with regard to the rights of the cities to terminate their agreements with CSA 1. The language is unclear as to process. They would also like to specify consequences for failure to meet obligations between the cities and CSA. They also want recycling and composting to be non sole-source rights. Finally, they wanted to check that the cities and county are on firm legal ground with regard to sole-source collection. This is in response to some national lawsuits and legislation that counties have been involved in.

Some additional concerns included: Who pays to maintain the recycling drop off bins; the effect of permitting on small businesses; the enforcement of illegal dumping. North Logan mentioned the good service, and Richmond said it has been pleased with the composting program.

The consultants have finished with the initial issue identification. Now the consultants intend to work toward getting new agreements drafted with their attorneys. The Solid Waste Advisory Board will then review these changes and make additional changes. Throughout the process, the consultants will be working with county and city attorneys. Three regional meeting will follow. Then the board will make a final review and send the proposed changes to the council for a decision on enacting the agreements.

Skanchy is concerned that historical information may be lost in the amending process. Zimmerman said that they would take background information from the old documents and include it within the new documents.

Council Meeting  
28 March 2000

Anhder asked if the Solid Waste Advisory Board feels that it lacks authority. Lemon said that feeling may be true among the mayors that sit on the board. Zimmerman said that currently the relationships are all sound, but the potential exists for such relationships to weaken and this could become a problem.

Anhder asked if the mayors would be strengthened by removing the Service Area Board of Directors--in this case, the county council. Skanchy thinks that the council should have this responsibility. Anhder suggested that the mayors are more involved with the process and deal more directly with the problems. Gibbons thinks that it is a good idea to have the board of directors as a final venue for review and decision. Doug Stipes suggested that the advisory board lacks the appropriate power to receive a serious hearing from the board of directors. Skanchy said that the revisions will strengthen the rights of the entities.

Lemon talked with Commissioner Rees from Box Elder County. She has some major concerns about the licensing issue. She would not be in favor of it.

Chairman Gibbons asked Mayor Nilson if he had any comments. The mayor noted that he had some concerns related to fees, and he agreed with Anhder that the mayors face the brunt of the problem. He also expressed concerns about monitoring the bins that Logan placed, and he asked if fines would be levied against the city if someone illegally dumps there.

#### **Public Service Commission, Letter of Complaint Regarding US West's Telephone Service**

Beck read his draft letter to the council and asked that, after review, the council send the letter to the Public Service Commission of Utah.

Skanchy noted that an article had been written recently which detailed US West's plans. Beck said an individual from US West was at the BRAG meeting earlier this afternoon in Brigham City. They said that they are expediting the process to fix the problem in Smithfield by 1 May 2000.

Lemon asked how long the problem has existed. Beck said it has been months in Smithfield. Beck said that the US West representatives imply that the problem may be with your home, and they then charge a service fee to check out the problem. Mike Weibel from the Herald Journal was told that Internet use bogs down the system and that the company does not have the money for a new network. Later that day, Weibel received a press release detailing US West's plans to install a new network for the Olympics.

Beck thinks that inadequate, basic telephone service is a public safety issue--particularly in the case of emergencies.

Beck moved that the council send the letter under the signature of the Council Chairman and the

Council Meeting  
28 March 2000

County Executive to the chair of the Public Service Commission of Utah. Skanchy seconded the motion, and it passed 6-0.

Attachment 4

### **Intra-departmental Budget Transfer**

The library requested a \$5,000.00 transfer from the Contribution to Fund Reserve into the Grant Equipment Fund. This is match money and will be used to purchase a computer server and needs to be expended by 31 March 2000.

**Yeates moved that the council approve the transfer. Anhder seconded the motion, and it passed 6-0.**

Attachment 5

### **Willow Park Budget Recommendations**

Mr. Akina recommended a budget transfer in the amount of \$12,400.00. Mr. Akina requested that this money be carried over from the previous budget year to upgrade the irrigation system. Skanchy noted that the council does not have a current resolution to deal with this. The resolution will be available for the 11 April 2000 meeting.

The second item Akina presented was the Willow Park Budget. The Cache/Logan Fairgrounds, Willow Park, and the Willow Park Zoo budgets comprise the total budget. There is a difference of about \$44,000.00 between the approved current fiscal year and the proposed 2000-2001 budget.

Gibbons asked Akina why the increase had occurred. Akina responded that there are two significant requests in the Willow Park Fund. The first is to perform a master plan for the fairgrounds. Some of this work is being done from within. Needs assessment meetings have been held and are being held in April. This will reduce the cost of the master plan. Akina said a need to do a review of use of the facilities exists. Akina also proposed building 60 additional horse stalls from the capital funds line item for the equine areas. Stalls will cost 50,000.00. Akina noted that equine activities represent a good part of the revenue producing operations.

The third page represents the Willow Park Sports Complex. One budget item, titled as the West Property Landscaping is a request to have the county and city help finish all of the landscaping at the pool and skate park. Although there is funding for the pool and skate park, the entire 9 acres would not be funded for landscaping. The project should be completed in 2001. There are also two projects planned for the Zoo. The board would like to do a Zoo Master Plan. Akina would like to coincide the planning with that which is done by the National Guard, which is interested



Council Meeting  
28 March 2000

in knowing what will be done on the perimeter of their property. Akina noted that the National Guard has expressed an interest in maintaining the aesthetics of the area that they own. Akina said that this would require an upgrade of the existing plans to match those of the National Guard.

Skanchy asked about the hoof stock quarantine on incoming or sick animals. The zoo needs to do this to meet the requirements of the Department of Agriculture. The request is for specific equipment. Akina asked Rod to explain this terminology. Rod explained that this would affect the elk, pygmy goats, sheep, fallow deer, and other hooved animals. The USDA requires a quarantine of 30 days on new incoming animals and of sick or diseased animals. The chutes and other equipment could be used for multiple purposes.

Skanchy wanted to know if restaurant funds had been requested. Akina said that they had, but the applications are not reflected in the budget. These funds will be reflected in the budget once they are awarded. Two requests were submitted from Parks and Recreation. One request is to complete the electrical upgrade at the fairgrounds. Estimates were \$20,000 higher than anticipated on the electrical upgrades. The other project would be a request of \$72,000.00 or \$75,000.00 to replace the restroom in Willow Park. Mr. Yeates noted that the council appropriated 60,000 last year for the electrical upgrade. Mr. Akina said that this was correct.

Mr. Twitchell spoke about the electrical upgrade. The bid for the upgrade was just over \$60,000.00. The home arts building and fine arts building are being updated currently. A new transformer and pedestals will be in place for this year's events. The restaurant tax request would help finish the project that is now being worked on.

Mr. Lemon said that the 5% increase would be for a budget of \$240,000.00. In November, Lemon said a \$267,000.00 number was presented. The council agreed to the \$240,000.00 number, and the advisory board covered the balance from its own reserve fund.

Lemon is bothered by the large increase from \$240,000.00 to \$321,000.00. The increase creates a nearly \$81,000.00 disparity.

Akina said one of the revenue sources that had not been accounted for in the revenue side of the Willow Park fund is a grant for \$75,000.00. This should be reflected in the revenue side of the Willow Park Fund.

Mr. Akina said that the increase will be about \$44,000.00 over last year's budget. Lemon said that the \$95,000.00 unreserved fund balance from June 1999 is now a negative \$196,000.00. Lemon cannot understand how the number has gone to such a large negative balance. Akina said that he is not certain if the reserve fund is that much in the negative, because the fund has been split three ways. The negative balance may not be an accurate reflection of the current situation. Beck said that the council agreed to the \$240,000.00 number last year.

Council Meeting  
28 March 2000

The executive and the mayor meet to agree on the final budget before it is finally presented to the council for approval.

The advisory board has not received timely updates on budget issues. They have not received the current information that the council received. Anhder has requested that the advisory board members have access to the important budget information. The next advisory board meeting is April 20<sup>th</sup>.

### Board of Equalization

**Skanchy moved that the council go into the Board of Equalization. Seconded by Mr. Beck.**

**Skanchy moved that the council approve the Board of Equalization exemption. Pulsipher seconded the motion, and it passed 4-0.**

### Attachment 6

Skanchy has spoken with Ms. Stones and thinks that it would be appropriate to meet with the Hospital on the issues regarding changes in exemptions. Skanchy has agreed to represent the board in the matter. She has tentatively agreed to meet with the hospital on 6 April 2000.

Close Board of Equalization.

### **INGEO/Title Companies Land Light Agreement**

John Sanders spoke about the new Land Light system developed by INGEO. Currently there are 17 subscribers and 20 demos. Before Land Light, the maximum number of people who could access the old system was 6. The users have much more access to the information than under the other system. Sanders said the feedback regarding the system has been positive. All terminals in a single office can have access at the same time if they have Internet access. This particular part of the system has gotten good reviews from the users.

Beck said that the information can be erroneous and he is aware of a situation where this created a problem. Beck knows of an instance when a title company gave tax roll information to an individual. A search of Land Light indicated that back taxes were up to date, but back taxes were owed. At closing, this required that the documents be redone.

Sanders agreed that on occasion there have been errors. He suggested that if this is the case, an individual should fax him a copy of the discrepancy so that he can look into the problem. He can do a check of Land Light's data and of the county's internal data. If this data matches there isn't much that he can do.

Council Meeting  
28 March 2000

Skanchy asked if the item on the agenda was up for some sort of agreement. Gibbons said that the trial period the council had established has been completed.

The item is on the agenda because the three month trial agreement ended on February 29. The council needs to determine whether to continue the trial period.

Lemon asked Mr. Jason Lambert if he had the proposed agreement. He indicated that he did, and he wanted to know if there were any questions. Lambert said that the parties who are using the system seem to be pleased with the results. The rates seem to be reasonable. Lambert thanked Sanders and the Recorder, Gleed, for their help and input. Gleed said that there has been a learning curve to deal with, but commented that the complaints have not been above normal. Gleed said that they have also added images to the Internet site. Users are able to pull up document images from the site. In the past, purchasing the images required a regular cd rom update. A good fee schedule has not been determined for this service.

Lemon said that in August 1999, when the county went live with the new system, they did have a number of complaints for several months. However, since the trial period, some of the detractors have become the best proponents of the new system.

The intent of the council is to continue under the trial agreement until the council is ready to approve of a proposal. Lambert said that currently INGEO is not making money on the site. He did say that their development costs are going down and use is going up. Lambert said they need to work with Gleed on fee issues, and he proposed that INGEO use the same fees for the next three months and then evaluate the situation. There are currently three subscription plans. Lambert said they have 17 subscribers and perhaps 40 users on the system. Lemon will be given the proposed contract for his review.

#### **INGEO Report on the Electronic Tax Roll/Property Card/Appraisal System.**

Mr. Sanders asked the council if there are any questions on the tax roll system. He said the system is getting better each day. Beck asked if everyone in the courthouse is happy with the system. Sanders said that they are still looking to make additional improvements and it is getting used. Part of the challenge according to Sanders has been the learning curve that is a part of all new software. Communication between the county and INGEO has created many challenges. He said that often what is said and what is perceived may not be the same thing. Accuracy in interpretation of needs is essential in software development.

Sanders said the Assessor's Office has the greatest challenge right now. The system is losing information on segregations, and there are still problems with the greenbelt reports.

Lemon asked Sanders about the reconfiguration of the wiring that is supposed to speed up the system. Lemon said that lack of speed has been one of the continuing complaints. Sanders is

waiting for the bid, but he wants to proceed as soon as possible. Lemon also asked if all the necessary reports had been completed to end the tax year. Sanders replied that most but not all had been done. Once all of the reports are done, the new server will be able to go online.

Lemon said that there are frustrations with the current system. Sanders reminded Lemon that the new system has more complex capabilities. It does, however, currently lack some of the reports that were available with the old system. Progress is being made however. Sanders said that he has new software that will allow him to have access to INGEO's source codes. This will give him more ability to know how they are working with our database.

### **Final Plat Approval**

#### **Leatham Minor Subdivision**

The first two lots were approved by conditional use permit. The third lot is required to go into a minor subdivision if it is to be developed. Ms. Greenhalgh said that one lot shown on the plat is not eligible for residential development. Three of the lots are eligible for single family dwelling development. The owners will be responsible for removing snow in the area. Joe Kirby has agreed to widen the one road on the way to Maple Rise as soon as the power company removes the power poles. The Planning Commission approved the plat with a couple of protective covenants added.

**Skanchy moved for approval of the minor subdivision. Beck seconded the motion, and it passed 4-0 with 1 abstention. Mr. Anhder abstained.**

The discussion then returned to the INGEO system. Gibbons asked Gleed for his opinion of the system. Gleed is not yet happy with the system. He said that they have lived with it for 7 months now, and said that they are working through some of the problems, although they are not generally happy with some of the things that they need to do. Correcting major problems would require more development, but the money is not yet available. Some simple things would be nice, but, again, the budget is a problem. Gleed said that some of the functionality of the old system is missing from this system. Gleed has wondered if it will be necessary to open the budget to deal with some of the problems. He also mentioned that the Assessor's Office has some major obstacles with its portion as well. Presently, he is not happy with the program and would not recommend the system to other counties. Gleed said that the underlying database structure is sound and good, but it needs more work. Gleed also said that he would not be in favor of abandoning it. Gleed thinks that it just needs to be lived with and wants to work through the problems.

Mike Hansen hopes that more money would become available to move forward. The maintenance fees are not yet coming in. They plan to fix the problems as soon as they have the resources to do so. INGEO is still committed to making it the best tax roll system possible.

Hansen is aware that the county has expended all that it can on the project.

The segregation report and greenbelt change of name report both seem to still be problems. With the segregation, no one considered the need to carry forward the information when a property is added to. When a parcel is added into another parcel, the configuration is changed and a new parcel is created. The system gives it a new i.d. number and the old parcel information is not carried forward. For the new system property cards do not exist except in electronic form according to Lemon.

To resolve the problem, some method needs to be devised that will carry original parcel information forward when a parcel's configuration changes. Mr. Hansen said that these challenges just need to be worked through.

Skanchy asked if the cards could continue being used. Lemon said that they are being used. However, some newer parcels do not have cards attached to them. Their information existed only in electronic form and that information has been lost when segregations have taken place. Hansen said that information can be copied from the old to the new parcels, but sometimes referencing parcels that have been segregated becomes very complicated. For instance, Hansen said, if the Recorder makes a parcel segregation change, it affects next year's tax roll. If the Assessor goes in and makes changes to a newly created parcel and then that parcel is segregated again, the earlier parcel, in effect, never existed according to the tax roll. This makes it very difficult to create a historical reference even though the information is somewhere in the database. Sanders said that he thinks it is in the county's best interest to move forward with the current system. Gibbons said that some voices have suggested going in a different direction.

### Pending Action

#### **Ordinance 2000-05, Amending the Organic Act for the Government of Cache County**

Amending the ordinance requires a two-thirds majority vote. Skanchy thinks that the council should be very careful about doing any amendments for minor changes. Skanchy listed some of the prior amendments. They included setting up a public works department, setting up three specific council districts in Logan City, removing the records management program from the Recorder's office, creating a one-year rather than a two-year term for the chair, and consolidating the office of the Surveyor with that of the Executive.

Lemon asked if the entire document would need to be published in the newspaper to reflect a few minor changes. The County Attorney said a summary would be sufficient for publication.

**Each of the following items of business were voted upon by the remaining four council members. They remaining members at this point in the meeting were Anhder, Beck, Gibbons, and Skanchy.**

Council Meeting  
28 March 2000

**Beck moved to table action of Ordinance 2000-05 until the next council meeting. Skanchy seconded the motion, and it passed 4-0.**

**Ordinance 2000-06**

**Amending Ordinance 77-18, Providing for the Issuance of Misdemeanor Citations within Cache County**

**Skanchy moved that the council adopt Ordinance 2000-06. Anhder seconded the motion, and it passed 4-0.**

Attachment 7

**Ordinance 2000-07**

**Amending Ordinance 89-01, Licensing of Businesses**

Lemon gave the proposed ordinance back to Pat Nolan due to some suggested changes. The new draft increased the minimum amount earned before a license is required to \$2,400.00. Lemon said the draft also includes all of the codification changes that were recommended.

**Skanchy moved to table Ordinance 2000-07. Anhder seconded the motion, and it passed 4-0.**

**Ice Arena Bond Options**

Lemon said the governing board has a meeting tomorrow. Lemon thought that Dave Miner was going to prepare a new proposal which would combine the two bonds into one bond. Lemon indicated that the discussion of the council was for \$100,000.00 per year from the Restaurant Tax to support the arena. This item was tabled until the next agenda.

**Initial Proposal for Consideration of Action**

**Agricultural Protection Area Resolutions**

**Resolutions 2000-06, 2000-07, 2000-08**

**Anhder moved that the council waive the rules and adopt each one of the three Agricultural Protection Area Resolutions: 2000-06, Stephen W. Wright; 2000-07, LW Dairy Partnership; and 2000-08, Mt. Sterling Area. Beck seconded the motion, and it passed 4-0.**

Attachments 8, 9, and 10

Council Meeting  
28 March 2000

**Water Advisory Board  
Resolution 2000-09**

Skanchy moved that the council table Resolution 2000-09. Beck seconded the motion. Skanchy is not comfortable passing the resolution with only four members present. Gibbons did note that Councilman Petersen was comfortable having the council pass the resolution in his absence.

**Approval of Interlocal Agreement/EDA Grant**

Skanchy noted a number of typographical errors.

**Anhder moved that the council waive the rules and approve the Interlocal Agreement/EDA Grant. Beck seconded the motion, and it passed 4-0.**

**Discussion**

**Self-funded Health Insurance**

Jim Smith, County Personnel Director, said that Educators Insurance Company will not be renewing our dental contract this year. Employee coverage will terminate 30 June 2000.

The county's medical insurance situation is also subject to a 20% rate hike from PEHP. In addition, United Health Care will leave if they do not get at least 50% of the county's employee population.

Smith said that the steering committee recommended that the county dissolve the outside agency pool and take the pool money and realign with the Utah Local Government Health Trust. Smith sees some problems with this. First, this will not change the 20% rate increase. Second, the Utah Local Government Health Trust insurance coverage is softer in some areas than the county's, and the premium would be higher. The one advantage that the Utah Local Government Trust does have is that it's outside agency pool has over a million dollars. Not sure that we have much to say about the issue. The contract requires 90 days notice which will be 31 March 2000. Tonight's effort is to make the council aware of the situation. The PEHP rates have escalated 55% in last four years.

Smith suggested that the county may want to look into a self-funded plan. The four self-funded entities that Smith talked with are each happy with their situation. Some of the advantages have included smaller monthly premiums, more flexibility, and they have experienced quicker turn-around times. Logan City and Bear River Health might be interested in combining with us. Lemon said Logan has been unhappy with their coverage.

Council Meeting  
28 March 2000

Mr. Anhder asked why we would be hesitant to go with the trust. Smith said we have some better benefits than within the trust. Either way the premium will be up 20%. We would pay more for less coverage.

Lemon said that they took the total maximum cost of all claims from county employees and the county is still far below what the county is paying in premiums. Beck asked if the county had considered medical savings accounts. Mr. Smith said that he had. The county pays \$5,996.00 per family for medical coverage. Beck suggested giving the employee the option of having the money and insuring only for major medical expenses. That money could then be used to pay for smaller incidental expenses. Smith said that some programs take the money back if it is unused. Beck said that the money is generally available to be used at a later time by the participant.

Lemon had Smith bring it to the council for their consideration. He did not want the employee compensation committee to do a lot of work if the council is not interested in a self-funded program. Lemon thinks there could be some good possibilities.

The county could cover the smaller costs with its fund, and reinsure for the major expenses. The total actual cost of coverage may be reduced.

Attachment 11

Other Business


#### UAC Management Conference

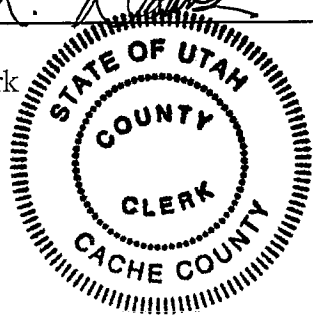
Mr. Lemon will be attending.

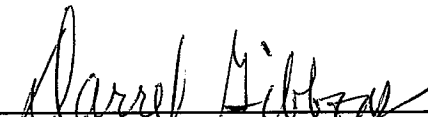
Anhder asked if some arrangement could be made with INGEO to help them have the resources to finish the process and help the county resolve its problems. He wondered if the money could be extended and then returned under some sort of commitment that would not cost the county. Lemon said the contract has been completed. There have been concerns relating to INGEO financial status. Lemon wants to do what we need to do to keep them in business, but he does not think that they should be given additional funding.

Adjourn

Chairman Gibbons adjourned the meeting at 7:30 p.m.

  
\_\_\_\_\_  
Daryl R. Downs  
Cache County Clerk



  
\_\_\_\_\_  
Darrel L. Gibbons  
Chairman, Cache County Council



# North American Weather Consultants, Inc.

Air Quality, Applied Meteorology, Meteorological Research, Weather Modification

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March 23, 2000

CACHE COUNTY

MAR 24 2000

Mr. Lynn Lemon  
Cache County Executive  
120 North 100 West  
Logan, Utah 84321

EXECUTIVE

Dear Lynn :

*MLH 3/24/2000*

*Pat  
Please copy  
for county impact  
done 3/24/00*

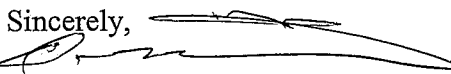
We are approaching the end of the scheduled cloud seeding program ( March 31 ). To date we have used less generator hours than anticipated primarily due to the very dry conditions in December. We have used 2623 hours through March 22nd. The budgeted hours in the contracts with Box Elder and Cache Counties for the four month program were 5000 hours. Because of this situation, the program could be extended into April with no increase in the estimated total cost of the program. This could be done by utilizing some of the extra generator hours to cover our fixed costs while retaining some of these hours for operations. For example, if the program was extended two weeks, our fixed costs would be \$4500. We could use 1000 of the budgeted ( but unused ) generator hours to cover this cost. This would still leave 1377 hours that could be used for operations from now through April 15th. A variation would be to extend the program until the budgeted funds are used up. If this approach was attractive, NAWC could take on the responsibility of balancing the fixed and reimbursable costs so that the total budget is not exceeded.

We have successfully used both of the above approaches in previous years in conducting the central and southern Utah seeding program. This typically happens in drier than normal winters where less seeding is conducted but there is corresponding interest in extending the program due to the drier than normal conditions. This year is a good example, the central and southern program has been extended two weeks ( and possibly longer ) due to the drier than normal conditions.

Box Elder and Cache Counties may be interested in this approach this year since the snowpack is slightly below normal. As of today the Bear River drainage was 85% of normal. As of March 1st the Raft River Drainage ( northwest Box Elder County ) was 99% of normal. As indicated in our February progress report on the program, April-July streamflow is expected to be less than the snow-water content numbers, perhaps 10-20% less. This situation could suggest that extending the program could be beneficial. Also, April is usually an active weather month in northern Utah, so the prospects for additional benefit are good.

Let me or Mark Solak know if you are interested in extending the program.

Sincerely,

  
Don A. Griffith, CCM



United States  
Department of  
Agriculture

Forest  
Service

Wasatch-Cache  
National  
Forest

125 So. State Street  
Suite 8236  
SLC, UT 84138

*Pat*  
*Please copy*  
*County Council*  
*Preston Ward*  
*Joe Kirby*

File Code: 1920/7710

Date: March 20, 2000

CACHE COUNTY

MAR 21 2000

EXECUTIVE

Dear Chairperson:

The Wasatch-Cache National Forest is in the process of the revision of its 1985 Land and Resource Management Plan ("Forest Plan"). We've contacted you on several occasions regarding the revision. This letter requests your input on the question of existing roads on the National Forest that may qualify for county assertion under RS 2477.

We have enclosed a brief background paper on the RS 2477 issue for your review. I hope this will help you understand how the Forest Service is handling this subject and how you can be involved.

Your input on this is needed as soon as possible for the Forest Plan Revision. If you choose to identify and assert such roads it will take some time for the county to review its records, identify any existing roads that may be eligible and then develop an accurate set of qualified roads to support the assertion. That information will help us to address candidate RS 2477 roads in our Forest Plan Revision. We are especially interested in any roads that you want to assert county rights that aren't already classified as Forest System Roads and identified as open in our current District Travel Plans.

At the present time, the Forest Service does not have a definitive regulatory mechanism by which it can administratively recognize public roads under RS 2477. Only a legal determination, usually through a court action, can actually establish an RS 2477 right-of-way at present. Therefore, we are identifying asserted roads on maps and maintaining the status of the roads until a determination can be made. We will not decommission any roads asserted by counties as RS 2477 rights-of-way until a final determination can be made as to their status.

Thank you for your attention on this matter. We would be happy to provide additional information or clarification to the county, if needed. If you have any questions or comments about this letter or any matters related to RS 2477, please contact Melissa Blackwell at 801-524-3908 or Michael Barry at 801 524-3929.

Sincerely,

*Pam Gardiner*

PAM GARDINER  
Deputy Forest Supervisor

Enclosure



## RS 2477 Background

The Act of July 26, 1866, Revised Statute (RS) 2477 (43 USC 932) was enacted to provide access across unreserved public lands. This provision has essentially no clarifying legislative history, though it is consistent with the then general policy to encourage settlement of the West by disposing of the public domain lands. The provision permitted rights-of-way to be established across Federal lands, without any notification to or approval from the Federal Government.

The Creative Act (or Forest Reserve Act) of 1891 authorized establishment of Forest Reserves on public lands. Reserve administration was transferred to the Secretary of Agriculture in 1905 with authority to make regulations for the National Forests. The National Forests were not subject to appropriation for public rights-of-way for roads and trails under Section 8 of the Act of July 26, 1866, since they are withdrawn from all forms of appropriations under the public land laws. However, if a road was established on unreserved public land prior to the reservation of a National Forest, the National Forest was created "subject to" the outstanding right-of-way for a highway.

RS 2477 remained in effect until 1976, when it was repealed by Section 706(a) of the Federal Land Policy and Management Act of 1976 (FLPMA), Public Law 94-579 (90 Stat. 2744), an act that clarified the Government's evolving policy of land retention. FLPMA enacted new, stricter provisions for the establishment of rights-of-way while providing that FLPMA should not be interpreted as "terminating" pre-existing rights-of-way that had been acquired under RS 2477 before FLPMA's passage.

Since 1976, a great deal of controversy has arisen in trying to determine what roads and trails qualified for a right-of-way under the terms of RS 2477 before its repeal by FLPMA, as well as the scope of and limits upon any rights preserved under FLPMA's saving provisions.

Until the late 1970's and early 1980's, there was a general hands-off policy towards RS 2477 claims. The issue first became controversial when the Bureau of Land Management (BLM) did a wilderness inventory in 1977. The controversy centered around the definition of a "road". Under BLM's wilderness inventory standards, a "road" required some type of "actual construction." Opposing interests disagreed over whether a "highway" could be established solely by regular use, or whether proof of some mechanical "construction" was acquired.

This lack of agreement on the "rules of the game" has limited administrative resolution of these claims. Presently, a legal determination is necessary to establish title under RS 2477. This usually takes court action.

## U.S. Forest Service Policy

Section 8 of the Act of July 26, 1866, (RS 2477) provided "*the right-of-way for construction of highways over public lands, not reserved for public use, is hereby granted.*"



United States  
Department of  
Agriculture

Forest  
Service

Wasatch-Cache  
National  
Forest

125 So. State Street  
Suite 8236  
SLC UT 84138

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Letter sent to:

Chairperson  
Box Elder County Commissioners  
01 South Main Street  
Brigham City UT 84302

Chairperson  
Cache County Commissioners  
120 North 100 West  
Logan UT 84321

Chairperson  
Davis County Commissioners  
P.O. Box 618  
Farmington UT 84025

Chairperson  
Duchesne County Commissioners  
734 North Center Street  
Duchesne UT 84021

Chairperson  
Morgan County Commissioners  
P.O. Box 886  
Morgan UT 84050

Chairperson  
Rich County Commissioners  
Rich County Courthouse  
Randolph UT 84064

Chairperson  
Salt Lake County Commissioners  
2001 South State, #N21  
Salt Lake City UT 84190

Chairperson  
Summit County Commissioners  
P.O. Box 128  
Coalville UT 84017

Chairperson  
Tooele County Commissioners  
47 South Main Street  
Tooele UT 84074

Chairperson  
Uinta County Commissioners  
225 9<sup>th</sup> Street  
Evanston WY 82930

Chairperson  
Wasatch County Commissioners  
25 North Main  
Heber City UT 84036

Chairperson  
Weber County Commissioners  
2380 Washington Blvd. Suite 360  
Ogden UT 84401



RS 2477 extended an open-ended offer for right-of-way over public lands. However, before rights-of-way were granted, a state or public agency had to manifest, either formally or informally, some form of acceptance. **To constitute acceptance of a RS 2477 right-of-way, the following minimum conditions must have been met:**

**1. A public way was constructed across public lands before the date of the National Forest reservation or other form of appropriation;**

Public lands include lands of the United States open to the operation of the various public land laws, not subject to prior reservation, entry, or appropriation.

**2. Some form of construction on the right-of-way must have occurred;**

Construction is a physical act of readying the right-of-way for use by the public according to the available or intended mode of transportation. Removing vegetation, rocks, filling low spots, grading, or other general improvements may be sufficient to constitute construction.

**3. The way so constructed must have been used as a public highway.**

There must have been a clear intent by the local jurisdiction to accept a dedication for public use. A "local jurisdiction" is a unit of local government with the authority to manage a public road system. State Law in effect at the time determines the requirements necessary to qualify as a public road.

***State Law:***

Over the years, the courts have taken the position that state law, if consistent with Federal law, governs the question of acceptance, administration, and abandonment of RS 2477 rights-of-way.

Some state statutes clearly define how rights-of-way were to be accepted, administered and abandoned; other state statutes did not.

The Forest Service currently has no regulatory mechanism by which it can authoritatively recognize public roads under RS 2477. Only a court of competent jurisdiction can conclusively make such a determination. The determination of whether a public right-of-way currently exists across National Forest lands or other types of lands under RS 2477 is a question of fact. The question of fact is dependent upon actions that occurred and whether or not abandonment occurred.

The existence of a RS 2477 right-of-way must be determined on a case-by-case basis and until sufficient information is provided or gathered to establish the existence of a RS 2477 right-of-way, the Forest Service should consider that the road does not fall into this category.

A considerable amount of research is required for each road. **The burden of asserting property rights that are adverse to those of the United States rests with the party asserting those rights.**

# CACHE COUNTY

CORPORATION

March 28, 2000

**M. LYNN LEMON**

COUNTY EXECUTIVE/SURVEYOR

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

## PROCLAMATION

### 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

WHEREAS, as we enter the new millennium, it is important to review our past as we look to the future.

WHEREAS, county governments began as a response to the needs of the early settlers of our country and first appeared in colonial America, making them older than the Republic itself.

WHEREAS, over the last century, the responsibilities of county governments have grown enormously. County governments employ more than two million people and spend billions of dollars providing services to the people of the United States.

WHEREAS, counties, today, are an important link within the nation's governmental structure with duties ranging from public safety to preserving the environment. They maintain parks, airports, and transit systems. They work to solve area-wide problems, such as air pollution, solid waste disposal and drug trafficking. And, when the sick, the aged or the poor have nowhere else to go, it is the county that cares for them.

WHEREAS, counties are providing solutions to meet many of the most challenging needs and ensuring a high quality of life for all.


THEREFORE, be it resolved that the Cache County Council and the Cache County Executive, County of Cache, State of Utah, hereby proclaims April 9 - 15, 2000

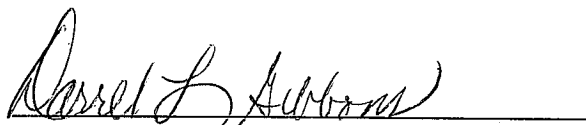
### NATIONAL COUNTY GOVERNMENT WEEK

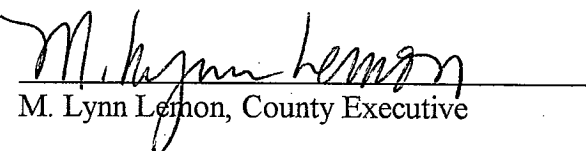
and urges all citizens to become more aware of the important role of county government.

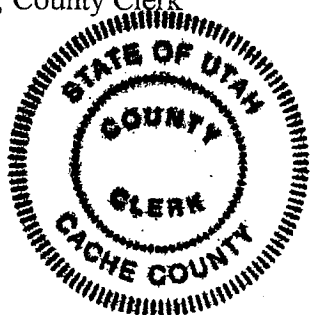
In witness thereof, as Chairman of the County Council and County Executive, we have hereunto set our hand this 28<sup>th</sup> day of March, 2000.

Attest:

  
Daryl R. Downs, County Clerk

  
Darrel L. Gibbons, Council Chairman

  
M. Lynn Lemon, County Executive



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

March 28, 2000

Mr. Stephen Mecham, Chair  
Public Service Commission, of Utah  
160 East 300 South  
Salt Lake City, UT 84414

RE: US West Communications, Complaint

Mr. Mecham,

This letter is to file a formal complaint with the Public Service Commission regarding telephone service in the "less urban" parts of Cache County.

Many of our residents, particularly in the 563, 245, and 258 exchanges have been experiencing extreme difficulties at certain hours of the day getting a basic dial tone. Some constituents have reported it to take as long as 6 to 8 minutes before they get a dial tone. They have also reported it to be impossible to place a call to someone in the same exchange once they do get a dial tone.

As a regulated monopoly US West Communications has an obligation to provide basic service to all parts of the state not just the most populated areas. One constituent wrote the following:

"US West should be required to present in a well-publicized Cache Valley forum the full details of their plans to correct the current dial tone situation. Further (since long-term planning for Cache Valley does not seem to be high on their priority list) US West should be required on an annual basis to present their long-term growth plans-specific to our Cache Valley needs."

As the regulatory agency which governs state sanctioned monopolies we ask you to investigate, hold public hearings, or what ever is necessary to get quality basic service to all of our residents. This has become a public safety issue, 6 to 8 minutes for emergency calls medical, fire, crime etc. is unacceptable. This is also an economic development issue for those who own businesses or who would like to develop a business in these exchanges and cannot receive calls or place them in a timely manner.

Thank you for your most serious consideration of these issues. We will look forward to your response.  
Sincerely,

Darrell L. Gibbons, Chair

M. Lynn Lemon, County Executive

CC: Leanne R. Shay, Area Manager, Northern Utah, US West Communications  
Smithfield City, Hyrum City, Richmond City, Hyde Park City, State Division of Public Utilities

REQUEST FOR INTRA-DEPARTMENTAL BUDGET TRANSFER

DEPARTMENT: Library  
DATE: 28-Mar-00

Amount to be transferred -- (rounded to the nearest dollar) \$5,000.00

Transfer From ---  
Line Item No. : 28-4581-990  
Fund Designation: Contrib to Fund Reserve

Original Budget: \$0.00  
Current Budget: \$11,524.00  
Expenditures to date: \$0.00  
Balance before transfer: \$11,524.00  
Balance after Transfer: \$6,524.00

Transfer To ---  
Line Item No. : 28-4581-742  
Fund Designation: Grant Equipment #99-1814

Original Budget: \$0.00  
Current Budget: \$0.00  
Expenditures to date: \$0.00  
Balance before transfer: \$0.00  
Balance after Transfer: \$5,000.00

Description of needs and purpose of transfer ---  
To buy Library Server to complete Grant #99-1814.  
The total grant funds were not expended in 1999 and must be expended by 3/31/2000.

Recommendation: [] Approval [ ] Disapproval  
Comments:  
Date: 03/28/2000

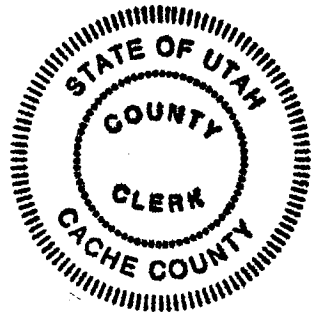
Department Head  
Jamra Stones  
Cache County Auditor

Recommendation: [] Approval [ ] Disapproval  
Comments:  
Date: 3/28/2000

M. Lynn Hansen  
Cache County Executive

Consented by the Cache County Council meeting in regular session on the 28<sup>th</sup> day of March, 2000.

Wayne R. Howe  
Cache County Clerk





# MEMORANDUM

TO: Cache County Council  
FROM: Tamra Stones, Cache County Auditor  
DATE: March 9, 2000  
SUBJECT: Tax Exemption Application - 2000

---

**Application:** **05-041-0093 - Cache County Children's Justice Center -**  
1362 N 400 W Logan, UT. The building is under construction. When completed The Children's Justice Center will be for treatment and care of abused children. And a place to facilitate interview of abused children. The building is owned by the Friends of Children's Justice Center will be leased to Cache County for \$1.00 per year.

The application has been reviewed. This organization serves charitable purposes. All real and personal property is used for the operation of Children's Justice Center.

## FINDINGS OF FACT - UCA 59-2-1101

The board finds the Cache County Children's Justice Center serves charitable purposes and grants tax exemption status for the tax year 2000 on the real and personal property submitted with the application.

## DETERMINATION

  X   APPROVED                                 TABLED                                 INTENT TO DENY

  
Cache County Council Chairman



  3/28/2000    
Date

Attested:

  
Tamra Stones, BOE Clerk

CACHE COUNTY  
ORDINANCE NO. 2000- 06

AN ORDINANCE AMENDING ORDINANCE NO. 77 - 18, PROVIDING FOR THE  
ISSUANCE OF MISDEMEANOR CITATIONS WITHIN CACHE COUNTY.

The County Council of Cache County, Utah, in a regular meeting, lawful notice  
of which has been given, finds that Ordinance No. 77-18 should be amended.

The Cache County Council hereby ordains, as follows:

Section 1: Pursuant to Section [~~77-11-6 through 77-11-10~~] 77-7-18, et seq.,  
Utah Code Annotated, 1953, as amended, a peace officer, in  
lieu of taking a person into custody, or any public official  
of Cache County charged with enforcement of the ordinances  
of Cache County, may issue and deliver a citation requiring  
any person subject to arrest or prosecution on a misdemeanor or infraction  
charge to appear at the [~~Logan City or Circuit~~] Court [~~and~~  
~~before the City or Circuit Judge thereof (hereinafter~~  
~~referred to as Judge)~~] of the magistrate before whom the person should be  
taken pursuant to law if the person had been arrested.

Section 2: (1) Persons receiving misdemeanor citations  
shall appear before the [~~Judge~~] magistrate designated in the citation on  
or before the time and date specified in the citation, unless the uniform bail schedule  
adopted by the Judicial Council or applicable law permits forfeiture of bail for the  
offense charged .

(2) No citation shall require a person to appear  
sooner than five (5) days or later than fourteen (14) days  
following its issuance.

(3) Any person who receives a citation and who  
fails to appear on or before the said time and date and at the Court  
specified shall be subject to arrest. The [~~Judge~~] magistrate may issue a  
warrant of arrest.

Section 3: (1) If a citation is issued pursuant to the  
foregoing section, the peace officer or public official shall  
issue one copy to the person cited and shall within five (5)  
days file a duplicate copy with the Court specified in the  
citation.

(2) Each copy of the citation issued under authority of this Ordinance shall contain:

(a) The name of the Court before ~~[whom]~~ which the person is to appear;

(b) The name of the person cited;

(c) A brief description of the offense charged;

(d) The date, time and place at which the offense is alleged to have occurred;

(e) The date on which the citation was issued;

(f) The name of the peace officer or public official who issued the citation, and the name of the arresting person if an arrest was made by a private party and the citation was issued in lieu of taking the arrested person before a magistrate ~~[as provided in Section 77-13-17, UCA 1953, as amended.];~~

(g) The time and date on or before and after which the person is to appear;

(h) The address of the Court in which the person is to appear; ~~[and]~~

(i) A certification above the signature of the officer issuing the citation in substantially the following language: "I certify that a copy of this citation or information (Summons and Complaint) was duly served upon the defendant according to law on the above date, and I know or believe and so allege that the above-named defendant did commit the offense herein set forth contrary to law. I further certify that the Court to which the defendant has been directed to appear is the proper court, pursuant to law."; and

([i]) A notice containing substantially the following language:

READ CAREFULLY

This citation is not ~~[a complaint]~~ an information and will not be used as ~~[a complaint]~~ an information without your consent. If ~~[a complaint]~~ an information is filed you will be provided a copy by the Court. You MUST appear in court on or before the time set in this citation. IF YOU FAIL TO APPEAR ~~[A COMPLAINT]~~ AN INFORMATION WILL BE FILED AND THE COURT MAY ISSUE A WARRANT FOR YOUR ARREST.

Section 4: (1) Whenever a citation is issued pursuant to the provisions of Section 1 of this Ordinance as above set forth, the copy of the citation filed with the magistrate may be used in lieu of ~~[a complaint]~~ an information to which the person cited may plead guilty or no contest and be sentenced or on which bail may be ~~[posted and]~~ forfeited.

(2) If the person cited wilfully fails to appear before a magistrate pursuant to the citation issued under Section 1 of this Ordinance or pleads "not guilty" to the offense charged, or does not deposit bail on or before the date set for his appearance, ~~[a complaint]~~ an information shall be filed and proceedings held in accordance with the Rules of Criminal Procedure of the State of Utah and all other applicable provisions of the ~~[Utah Code Annotated]~~ law, which ~~[complaint]~~ information shall be deemed an original pleading; provided, however, that the person cited may waive by written agreement the filing of the ~~[complaint]~~ information, and thereafter the prosecution may proceed on the citation ~~[notwithstanding any provisions to the contrary]~~.

Section 5: Any person who wilfully fails to appear before the Court pursuant to a citation issued under the provisions of this Ordinance is guilty of a misdemeanor, regardless of the disposition of the charge upon which he was originally cited. ~~[and shall be subject to a fine of not more than \$299.00 or imprisonment in the County Jail not to exceed six months, or by both such fine and imprisonment.]~~

Section 6. This Ordinance shall take effect immediately upon approval and publication, in the manner provided by law.

This Ordinance was adopted by the Cache County Council on the 28th day of March, 2000, upon the following vote:

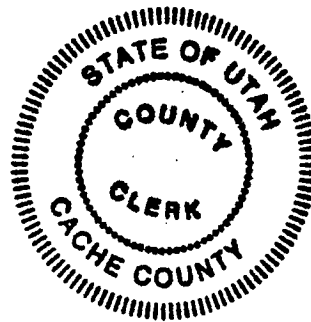
	IN FAVOR	AGAINST	ABSTAINED	ABSENT
ANHDER	X			
BECK	X			
GIBBONS	X			
PETERSEN				X
PULSIPHER				X
SKANCHY	X			
YEATES				X
TOTAL	4			3

CACHE COUNTY COUNCIL

By: Darrel L. Gibbons  
Darrel L. Gibbons  
Chairman

ATTESTED BY:

Daryl R. Downs  
Daryl R. Downs  
Cache County Clerk



Publication Date: 12 April 2000

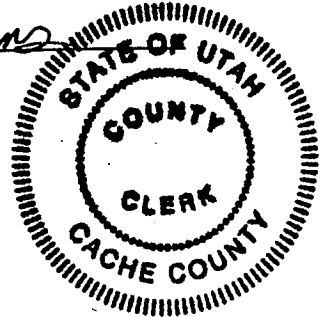
ORDINANCE ACTION = ORDINANCE NUMBER 2000-06

PRESENTATION TO THE COUNTY EXECUTIVE:

Ordinance number 2000-06, adopted by the Cache County Council on the 28<sup>th</sup> day of March , 2000, is herewith presented to the Cache County Executive for approval or disapproval. The County Executive shall notify the County Clerk of his approval or disapproval on or before the 12<sup>th</sup> day of April, 2000. If the County Executive disapproves, he shall submit a written statement of his objections with the notice of disapproval.

Submitted this April 10, 2000.

Daryl R. Downs  
Daryl R. Downs  
Cache County Clerk



Action of County Executive:

Ordinance number 2000-06 is hereby

Approved  
 Disapproved (written statement of objection attached)

Dated this 10 day of April, 2000.

M. Lynn Lemon  
M. Lynn Lemon  
Cache County Executive

Notice of Non-action:

Ordinance number 2000-06 was presented to the Cache County Executive on the \_\_\_\_\_ day of \_\_\_\_\_, 2000, and was neither approved nor disapproved by him within 15 days after adoption by the Cache County Council. Therefore, the ordinance has been recorded, published, and is in full force and effect as of this \_\_\_\_\_ day of \_\_\_\_\_, 2000.

\_\_\_\_\_  
Daryl R. Downs  
Cache County Clerk

Ordinance History:

Date adopted by County Council \_\_\_\_\_  
Date presented to the County Executive \_\_\_\_\_  
Date approved/disapproved by County Executive \_\_\_\_\_

Action by Council upon return:

\_\_\_\_\_ Disapproval overridden \_\_\_\_\_

\_\_\_\_\_ Disapproval sustained \_\_\_\_\_

Date 15 day period ended \_\_\_\_\_  
Date of publication or notice \_\_\_\_\_  
Effective date of ordinance \_\_\_\_\_  
Date filed in County Clerk's office \_\_\_\_\_

### Current status of Cache County's insurance coverage

- ☛ Dental Insurance
  - ☛ Educators Insurance Company (EIC) has notified Cache County that our dental insurance contract will not be renewed.
  - ☛ Dental insurance with EIC terminates 30 June 2000.
  - ☛ Personnel is currently receiving rate information from dental insurance companies in an effort to maintain a dental benefit package for our employees.
- ☛ Medical Insurance
  - ☛ Public Employees Health Plan (PEHP) has notified Cache County that the rate increase for next year will be 20%.
    - ☛ This will bring our medical insurance rate increases to 55% for the past four years.
  - ☛ The (PEHP) Outside Agency risk pool, which Cache County is affiliated with, is currently looking at disbanding and joining with the Utah Local Government Trust (ULGT). Why?
    - ☛ The Outside Agency's reserve pool of funds has been depleted; the 20% rate increase for next year will simply meet projected utilization needs, but affords no contributions to the reserve pool. ULGT has a substantial reserve pool and the Outside Agency is looking at it for financial security.

## Self Funded Insurance Review

27 March 2000

### Request For Self-funded Insurance Review

- ☞ Cache County Corp. has come to a decision making point pertaining to our current medical and dental benefits:
  1. The need to identify and select another dental carrier
  2. The need to control rate increases in medical & dental premiums
  
- ☞ In an effort to identify our options, Personnel has visited with several local businesses about their insurance benefits. There are several companies who currently have self-funded insurance programs. These companies have self-funded their insurance needs for as many as fifteen years. In each case, the companies have lauded the flexibility of their program, the ease to administer it, and the minimal rate increases and low escalation of costs associated with a self-funded insurance program.
  
- ☞ Because of the potential influence on the budget, Personnel is requesting approval from the County Council to look into the pros and cons of Cache County Corporation implementing a self-funded insurance program. Personnel would like to identify an insurance broker who would solicit various medical plans and quotes over the next few months to ascertain the feasibility of becoming self-funded.