

Approved

COUNCIL MEETING

MINUTES

11 July 2000

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Council Meeting
11 July 2000

CACHE COUNTY COUNCIL MEETING MINUTES

11 July 2000

The Cache County Council met in a regular session on 11 July 2000 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: Layne M. Beck, Guy Ray Pulsipher, Sarah Ann Skanchy, Cory Yeates
Cache County Clerk: Daryl R. Downs
Excused: C. Larry Anhder and M. Lynn Lemon

The following individuals were also in attendance: Pat Parker, Jim Smith, Tamra Stones, Lynn Nelson, Scott Bird, De Ann Williams, Marcie Cazier, Ruth Greene, Steve Francis, Darin Duersch, Russ Goodwin

CALL TO ORDER

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

INVOCATION

Councilman Layne M. Beck offered the invocation.

REVIEW AND APPROVAL OF AGENDA

Chairman Gibbons congratulated Kathy Robison on her victory in the primary election.

Skanchy asked why the County Council was holding the public hearing on the Bridgerland Ice Arena and why the North Park Interlocal Cooperative was not. Skanchy said that the County Council would not be issuing the bond. Skanchy said that NPIC should be approving or not approving of the bond. Skanchy recommended that it be removed from the agenda. Pulsipher seconded Skanchy's motion. Gibbons asked Beck why the County Council would be holding the hearing. Beck said that he had not been able to attend two recent NPIC meetings and that he assumed that the NPIC wanted to make sure that the council was aware and involved with what was going on. Gibbons said that Lynn Lemon also expressed concerns about the same issue.

The legal notice in the newspaper was published by the bond council.

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Gibbons agreed to hold off on the issue until later in the meeting as suggested by Craig Petersen.

The council agreed to proceed through the agenda as outlined.

REVIEW AND APPROVAL OF MINUTES

The minutes from 27 June 2000 were reviewed and approved.

REPORT OF THE COUNTY EXECUTIVE

Lemon provided a letter to the council outlining information provided for the consideration of the council. Each council member received this memo. The council discussed a letter sent to Lemon from Deputy County Attorney, James M. Swink. The letter concerned the SHOCAP program and the need for a member of the council to become a member of the oversight committee and attend the next meeting. Skanchy volunteered to attend the meeting and Gibbons suggested that someone could be appointed to the position later.

Gibbons also invited a council member to take advantage of the invitation from the Bear River Commission to tour the Lower Bear River System. This will take place August 9th and 10th.

Attachments 1, 2, and 3

Appointments

Tennille Johnson, Deputy Recorder

Her name was presented to the council by the Clerk. **Yeates moved to approved the appointment. Pulsipher seconded the motion, and it passed 6-0.**

Patricia Parker, Executive Assistant, presented the warrants to the Clerk.

ITEMS OF SPECIAL INTEREST

Cache Valley Initiative

Tom Jensen from Jensen/Haslem and representing Cache Chamber Initiative spoke. Jensen said that the county needs to recognize changes in the past 10 years. Jensen noted that the county is being stressed and strained in a number of ways. The chamber has searched for ways to better serve the community. They recognize that there are many local problems. However, many of these transcend boundaries. They also recognize that the problems transcend the different communities. They want to do a study that would help them identify the best approach for solving these challenges.

The chamber has hired a consultant and he is currently interviewing at least 70 local leaders. The chamber could be supportive to the county and the cities and be instrumental in resolving some of the problems. Jensen also said that the success is good but creates some problems. Jensen then introduced Jodi Swain. Swain is a consultant and the director of development with National Community Development Services from Atlanta, Georgia. Jensen identified some areas that the chamber would like to address. They are business vitality, quality of life, cooperative community vision and leadership, and tourism and conferencing. The chamber would like to be supportive of the county and cities.

The interviews of individuals are done in confidence. Mr. Swain has been interviewing for 4 weeks. He has met with Lynn Lemon and Lemon recommended that Swain appear before the council. After the consulting firm has completed its study, the chamber can then proceed in its approved direction. The interviews are used to help the chamber know which direction the chamber ought to move to be in agreement with community views. Swain said that the consulting group will come back and tell the chamber one of three things. First, that the chamber is right on and all of the components are in place to succeed. The second recommendation is that some changes need to be made and the chamber needs to adjust expectations to meet reality. Third finding could be that the chamber is off the mark and a campaign would not be successful because of lack of support in the community. At the conclusion of the findings, decisions and questions would be expected. If the initiative to raise funds is successful, the consultants would return and remain for about 8 months to help raise funds that would allow the initiative to succeed. National Community Development Services has sought to interview business leaders, community leaders, and people who are important to the community.

Petersen asked what types of individuals were chosen to be interviewed. Swain responded that the chamber had helped identify business leaders and other influential members of the community who are respected.

NCDS as an organization has been in business for more than 20 years. Petersen asked who they work with. Swain said that they work with government entities as well as non-profit entities. Skanchy asked why the chamber thinks it is more than a member organization. Skanchy thinks that they are not more than a member organization.

They have said that they are more than this. They would like to move into an arena where they would be involved in the strategic development of the community. They see themselves as becoming more involved in long-range planning and they could help hold accountable the long-range planning process. Swain suggested that there may have been inadequate planning in the past, for instance, and that the chamber could play a role in improving that process and in helping government improve in general.

The chamber could be involved in the development of new growth strategies. Swain said the chamber is very interested in being a supporting entity to help government become more successful at achieving its long-range plans.

Beck asked about the selection process. Were geographic areas weighted so that the entire valley would be represented? Swain said that the initiative is considered a valley initiative, not a Logan initiative. Swain has spoken to individuals throughout the valley in an attempt to make the study broad-based. The chamber members in attendance expressed support for Mr. Swain.

BUDGETARY MATTERS

Approval of 2000 Bookmobile Budget.

Gibbons asked Tamra Stones and Craig Petersen to shed some additional light on the bookmobile budget. Gibbons asked Stones if the budget contribution is \$99,532 in 2000. In 2001 that contribution would increase to \$102,862.

Petersen said that the difference in budgets from 2000 to 2001 is essentially a cost of living allowance. The amount is an increased contribution of 3% to the bookmobile budget.

Petersen moved to approve the bookmobile budget. Skanchy seconded the motion. The county will pay the \$99,000 dollars and a state grant will pay the balance of the 111,000. Petersen said the grant monies are for equipment and are for one-time purchases.

Beck asked what River Heights and Providence contribute to the project. The books are housed in their facility and they pay a portion of the librarian's salary. The county pays for the bookmobile driver and her assistant. The city pays for the librarian who serves in the building.

The motion passed 6-0.

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Bookmobile	ANHDER	BECK	GIBBONS	PETERSEN	PULSIPHER	SKANCHY	YEATES	votes cast
AYE		X	X	X	X	X	X	6
NAY								
ABSTAINED								
ABSENT	X							

Whenever the bookmobile budget is increased it must come before the legislative body for approval.

Gibbons suggested that a public hearing be set for the Pyrenees Dairy, Inc. and Wilkinson Brothers, LLC. The hearings will be held 25 July 2000 at 6:00 p.m.

PUBLIC HEARINGS SET

Yeates moved to schedule a public hearing time for the two agricultural protection areas that are proposed. Petersen seconded the motion, and it passed 6-0.

PENDING ACTION

2000-19 Agricultural Protection Area, Bailey Group of Wellsville.

Skanchy moved to adopt Resolution 2000-19. Pulsipher seconded the motion, and it passed 6-0.

2000-19	ANHDER	BECK	GIBBONS	PETERSEN	PULSIPHER	SKANCHY	YEATES	votes cast
AYE		X	X	X	X	X	X	6
NAY								
ABSTAINED								
ABSENT	X							

Attachment 4

All of the land in the Bailey Group lies in the unincorporated area outside Wellsville.

INITIAL PROPOSAL FOR CONSIDERATION OF ACTION

Resolution 2000-20

Skanchy asked if Lemon should be given specific authority to act on behalf of the council, and serve as its representative. Attachment 5

Skanchy asked to waive the rules and pass the resolution. Beck seconded the motion, and it passed 6-0.

	ANHDER	BECK	GIBBONS	PETERSEN	PULSIPHER	SKANCHY	YEATES	votes cast
AYE		X	X	X	X	X	X	6
NAY								
ABSTAINED								
ABSENT	X							

Bridgerland Ice Arena Discussion

Gibbons asked North Logan's Mayor Draxler why the Council was assigned to hold the public hearing and not the North Logan Interlocal Cooperative. Draxler said that it was the recommendation of the bond council that it be done through the County Council. He said he wasn't sure if bond council felt that NPIC did not have the legal status to hold a public hearing on a bond issuance. Draxler said that since the County Council has a majority of representation on the interlocal cooperative board, he is assuming that is why the County Council was recommended to hold the hearing.

Skanchy said that the notice in the newspaper indicates that the council, after the public hearing, will consider approving the issuance of the bonds. Skanchy said that the County is not issuing the bonds and asked what the Council would be voting on. Draxler said that was a good question, but he could not answer that for the Council. Bond council placed the newspaper advertisement.

Pat Parker said that bond council had indicated that they would not be in attendance for the hearing. She said that Dave Miner also said that he would not be in attendance. Beck said that he felt the members of the board would feel more comfortable about issuing the bonds with the recommendation from the County Council to go ahead and do it. Draxler said that he thinks the bond council felt that the NPIC board did not have legal standing on the issuance of bonds. He said that if they had the authority to issue the bonds, they ought to have the authority to hold the public hearing. Skanchy said that the financing plan listed the NPIC as the bond issuer and lessor. Skanchy does not understand why the County Council would be expected to hold the public hearing and then vote on the issue.

Gibbons asked if anyone in attendance was here for the public hearing. A number of individuals indicated that they were. Beck said that they could listen to the individuals who are in attendance. Skanchy does not think that the council should vote.

Beck said that he felt the NPIC board members would be more comfortable with a vote of support by the council. Gibbons thinks that the council's financial commitment was indicative of the council's support. Skanchy asked if Logan, North Logan, and Hyde Park were going to vote. Draxler said that he did not think so. Draxler said that if it is required of every city to vote then we're in the hole.

Gibbons suggested that to comply with the law and meet the parameters of the public notice the council should receive the public input so that the council has addressed the fact that the public hearing was held and input was given. The council will not vote on the issue. The members of the council who are members of the NPIC board will have the input for their next meeting.

PUBLIC HEARING

Bridgerland Ice Arena

Peterson moved to open the public hearing. Yeates seconded the motion, and it passed 6-0.

Gibbons opened the public hearing to hear comments from the public with regard to the issuance of the bond for the Bridgerland Ice Arena and invited anyone in attendance to address that issue to come to the podium and speak and to state their name or who they are representing for the record.

Individuals Speaking During the Public Hearing

Russ Goodwin, North Logan

Mr. Goodwin is representing himself. His concerns are about money and the spending of that money. Mr. Goodwin said that it appears that there is a lack of planning. Goodwin said that the chamber had just indicated that planning had been a problem in the past. Goodwin went to BICA's table in the mall to get information. He showed a conceptual drawing that had been given out to him. Goodwin referred to the parcel that was to include a future high school, a football field, an ice rink, a swimming pool, and a community recreation center that North Logan was considering as part of their general planning.

Now he says that the boundary line is being reconsidered because Hyde Park can not support the infrastructure needs on 3100 North after looking at their budget. Now the location has been changed and North Logan is considering a new road entailing a new light. He said that a light

could cost \$500,000. North Logan and Hyde Park are now renegotiating the boundary and this could include additional costs for North Logan residents. As a resident of North Logan, he is not in support of the project and would ask that they slow down the process a little bit. Goodwin said that he did not think that our decision making process should be governed by the needs of the French National Hockey Team.

He said that the chamber had indicated that past decisions have been made based on artificial deadlines. He referred to the \$200,000 that would have been lost if they had not broken ground as a minor cost as compared to the total cost of the facility. He thinks that a swimming pool idea might work well with the ice arena, a synergistic relationship. He referred to a multipurpose facility like the Salt Palace and said this may have a greater benefit for the community. He says the facility is relying quite heavily on use from the USU hockey team. Goodwin thinks there is some question about the future use by the University hockey team, considering the direction that USU has gone in the past. Goodwin thinks there are many questions still to consider. If there are plans out he would like to see them, and if not, maybe some master planning for the area could be done.

Petersen acknowledged that Goodwin had raised some valid points. He did guarantee Goodwin that USU would not be building a hockey arena in the next 30 years.

Darin Duersch, North Logan

Duersch is a resident of the area that the ice arena will be built in. He said that a bond is a tax and he is unsure if the arena can support a return on this large investment. He is not opposed to the ice arena. He is concerned about their ability to make a return on the investment. A number of things come to mind. Duersch referred to the operating, or business plan, and noted that the operating hours are 7:00 a.m. to midnight seven days a week. He noted North Logan's 10:30 p.m. curfew. He asked what possible reason there could be for keeping the ice arena open seven days a week until midnight. They project less than \$10,000 profit per year and this is based on the long hours. Duersch believes fiscal responsibility is a higher priority. If the ice arena operates in the red, who will pay the bill? Is the bond a one-time deal or will there be more taxes later? He thinks it should be carefully considered before spending 2.5 million dollars. He is unsure if it has been shown that the building is even needed. He is also concerned about the lack of real dollars. Pledges are not real dollars. He said that Janet Borg had spoken Friday on the radio about some of the pledges falling through.

He said that it has been nearly impossible to get a copy of the budget and find out who is paying for what and where the money is going to. He says that the current changes in venue is indicative of instability. He does not think that the new venue has been thought out. He does not think that a market study has been done. If there has, he does not believe that it says it would be profitable. Duersch says that the fact that they have only raised 2.8 of the 5.8 million dollars. This suggests that public interest is just not there to support an ice arena. He thinks that if this were a profitable

venture, the money would have been anted up in pledges. He also cited the lack of building specifications. Listening to Janet Borg, he said that the funds to build the building as originally intended are not there. The brick is now gone. It's now a metal shed. It's now something with a dirt floor on one-half and without the bleachers. To Duersch this suggest a lack of stability. It suggests a lack of future planning. If the arena does not operate in the black, where is the money going to come from to finish it. Duersch thinks it is a black hole that will continue to suck taxpayer dollars from other more needed services. He cites promises without real knowledge.

He said they have spoken about a signal at 2850 North. He says that in 1997, Hyde Park, North Logan, Smithfield, Cache County, Attorney General Graham, and UDOT signed a contract that said there would be signals at 2200, 2500, 3100, and another location which is not 2850. This will move all access through residential neighborhoods. He also cited that they have no liquid dollars, only pledges. At one point in time, NPIC indicated that they had not been able to pay a Herald Journal bill because they have no liquid dollars. Point number two: If a tax is an investment, he doesn't believe that we can get a return on this investment.

Duersch suggested that we have greater needs than an ice arena. He says that he heard recently about the difficulty of getting and paying for ambulance service. He thinks that Cache County ought to provide or help local communities provide their own ambulance services. He thinks that road issues need to be addressed. Duersch asked who pays if the ice arena fails to generate the expected dollars. He said that this would be similar to him purchasing a car on promises and noted that no bank in the world would lend him money for that. He said that there are a lot of promises that have been made, and he doesn't think that there is any proof that they are capable of carrying out these promises. Duersch implored the council to think twice before sending a recommendation to approve a bond. He said it's just not something we need right now. If we have got so many tax dollars, give them back to the tax payers or find a better need for them. Duersch said that they have indicated that the public gets some time in the facility. Duersch said that the hours available to the public are from noon until 2:00 p.m. when his children are in school and from 6:00 to 8:00 p.m. when his family eats dinner. The rest of the public hours are taken up by the USU hockey club. If this is such an important project for the USU hockey club, why isn't USU spending money on this project too.

Ruth Greene, North Logan

Greene lives on 200 East in North Logan near where the arena will be. She is part of the neighborhood that has put in an appeal on the conditional use permit. Greene has spent many hours in the last month researching and trying to get to the bottom of all that is going on. Greene said that the more they dig, the more questions they have, and the more concerned they become.

She is not against an arena necessarily, but she thinks its been promoted as something good for the community, and she thinks if this is the case, then we need to make sure that we're on track

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in providing something that is an asset, rather than something that would be an eyesore or something that is not finished. It needs to be something that we can be proud of. Greene does concur with what has already been said. She said that they have been asking the same question since they started back at their neighborhood meeting. The question is, who will pay if the BCIA cannot make enough money to make it fly. Greene encouraged the council to do the kind of research she has been doing before the council decides what they want to do. She said she would appreciate it if someone could answer the question. She then asked the council if they knew what the question was.

Gibbons responded, "who will pay?"

Steve Francis, North Logan

Francis lives on 200 East in North Logan.

Francis agrees with what the previous two have said. He is also concerned about the move from 3100 North, where there will be a light and access. He noted that in just a few days the site was moved to 2800 North and a road, which has not been approved, was planned. He noted that there will probably not be a traffic light at that intersection. That will in effect make traffic go through a residential neighborhood, without proper planning and consideration into the safety and other issues of the ice arena.

Francis said that before going ahead and giving the money, we need to make sure that the planning is in place, proper procedures have been followed, and public input obtained.

Gibbons asked for any other comments and then invited Mayor Draxler to respond to the questions.

Mayor Draxler from North Logan said that with regard to the fiscal responsibility the payment of the first bond has been committed to be paid with Restaurant Tax funds by the County Council. There is also a 2 million dollar bond that they have obtained from the communities of the valley with the exception of 2 cities. These cities have committed to return the proceeds of the 1/64 cent sales tax that had been used for the Olympics, but which will now be returned to the communities. The communities of the valley have committed this money for the repayment of the other 2 million dollar bond. The \$250,000 which is needed to be used before the end of June is a grant from the State of Utah. Draxler said there are a lot of hard dollars. The amounts total 3.4 million. Draxler said that 3.8 million will need to be in place before proceeding further with the construction.

Draxler said that the billing question with regard to the Herald Journal has nothing to do with whether they have dollars or not. The NPIC has no checking account. It needs to be determined on what basis, whether to have a checking account for NPIC or to have the county pay that bill through their system, or if they need to set up a guardian.

Draxler said that the \$10,000 a year profit on the operation will be after all of the obligations have been met by the Bridgerland Ice Arena. They anticipate that after all of their operating costs have been paid they will make about \$10,000. Draxler said this includes paying all of the employees, covering every expense. In other words, the payment of their obligations does not have to come out of that \$10,000. He said that it is a business plan and that business plans are dynamic and fluid. They have had many banks and bonding companies look at that proposal.

Beck said the \$10,000 also includes a depreciation figure that they have put in for depreciating and replacing capital equipment. There will be more cash accumulating to replace that equipment over time and to improve it.

The NPIC has also required the BICA to have a \$500,000 endowment for operation expenses so that if a year or two or three come and they are not operating in the black then that endowment will be able to pay those expenses. Draxler said a copy of the budget is easy to get. Anyone can obtain a copy of the budget from Janet Borg.

Draxler said they have not eliminated the brick. It will be across the front and 8 feet high along the sides and back. He said they initially contemplated stucco above the brick on all sides. It has been a suggestion that the stucco be retained in the front and that metal siding be used on the side and in the back. Draxler said it is not going to look like a tin shed, and it is going to be very attractive even if that is done. The metal siding has not been finalized.

Draxler said they have met with UDOT about the 2850 North location. They have been assured that there is no problem getting a street at 2850 North as long as they meet the requirements. 2850 North has a reasonably good chance of getting a light. He cannot guarantee a light at 2850, however. Draxler did say that UDOT likes the idea that a 2850 will run west from where they enter the highway. He says UDOT is saying there is a reasonable chance of getting a traffic light.

Draxler acknowledged that balancing the budget is a responsibility and requirement of public entities budgets. He said that have to look at highways, law enforcement, and recreation. Draxler said that recreation is a legitimate piece of that pie. They do not think that they are tilting or enlarging that portion of the pie excessively by committing to build an ice arena.

Draxler said that the budget and business plan and the whole proposal of the ice arena being a smoke and mirrors approach is not accurate. He said that you cannot qualify for a 2.5 million dollar bond if you are using smoke and mirrors. He said you can't qualify for another 2 million dollar bond if you are using smoke and mirrors. You cannot qualify for a \$250,000 grant from the state and can't get several million dollars from private donations if you are using smoke and mirrors. He said that contributors have scrutinized the business plan far more than the public agencies. Regarding hours till midnight and curfew, Draxler said that it is contemplated that USU hockey will practice from 10:30 p.m. to midnight. The building is scheduled to be open on Sundays as well, although the hours will be shorter. Draxler admitted that some members are not

particularly tickled by that idea, but it is one of the things that some feel that they need to do to meet the budget that they have. Draxler said that the North Logan location was always an alternative.

In fact, any area on the county owned land was considered to be an alternative sight. It was always an alternative, if things did not work out on 3100 North, that the site could be moved south, east, or southeast. Draxler admitted that the process happened quickly. When Hyde Park could not afford the infrastructure, the City of North Logan moved quickly. If the worst case scenario occurs and the ice arena fails completely, the facility returns to the bond holders, the people who buy these 2.5 million and additional 2 million in bonds. It does not belong to the County and it does not need to belong to any one of the cities. It belongs to the bondholders. It is their asset and that is why they are willing to issue these bonds. The arena is a very significant asset.

Draxler asked if there were any other questions. One of the audience members asked who at UDOT has promised that there would be a reasonable chance of getting a traffic light at 2850 North. Draxler said that Dyke Lefevre, Director of the North Region for UDOT, and other staff who evaluates traffic signals. Draxler said they met with the Assistant North Logan City Engineer last Friday. The audience member said that they had said it was not likely. Draxler disagreed.

Skanchy moved to close the public hearing. Petersen seconded the motion, and it passed 6-0

Open Public Budget Hearing

Beck moved that the council open the public hearing on the budget. Yeates seconded the motion and it passed 6-0.

Gibbons invited Ms. Stones to address the issue. Stones said that she would like to recommend that interest be increased \$15,621 on the money received from a \$250,000 grant from the state for the ice arena. She also asked for \$25,900 for sundry revenue. Petersen asked Stones about the interest increase on the state money. Stones said that Lemon had asked her to prepare an estimate of what the county would have earned in interest on the \$225,000 in grant money received from the state. The county does not have a policy to allocate interest, except in the case of Class B road funds, Alcohol Enforcement, and Assessing and Collecting. All other interest revenues go to the general fund. Petersen said that the money was earned because the state had given the money to the county and it had been sitting unused in the bank. Stones said yes. Skanchy said that the county may have had to pay the money back, and the interest would have helped with that.

In Sundry Revenue, Stones requested an increase of \$25,900. This is due to a \$22,881 reimbursement from the drug task force to buy a vehicle. There is also a UAC Insurance Mutual claim of \$3019 from the County Road Department. There is also an appropriation request for

\$984 from grant money received in 1999 to purchase some election equipment.

Under General Fund Expenditures, Stones identified an overall increase to expenditures in the general fund of \$42,505. This included the \$15,621 in interest to be used to pay related ice arena expenses as necessary.

In the Council on Aging budget, appropriations of \$22,600 were listed. This was matched by increased debits of \$22,600 in the Council on Aging Fund Expenditures.

Skanchy asked about the revenues in aging.

Skanchy asked Marcy Cazier about the \$15,000. Cazier said that \$5,200 would cover the costs of the 1/3 time person from the Volunteer Action Center. The other \$6,000 in salary is from the continuation of a federal grant for an RSVP staff member.

Skanchy moved that the council close the public hearing. Petersen seconded the motion, and it passed 6-0.

Skanchy does not think that the interest money should be contributed to the ice arena. Beck asked where it could be more appropriately used. Skanchy said that it should be kept in case we needed to pay back the state for some reason. Stones said that Lemon did not intend to pass the money through to the ice arena. Rather, it could be used to help cover the costs of expenses that were associated with the ice arena. He would simply like to have the money available if needed.

There is still a question as to who would pay the bills. Gibbons asked if there had been any discussion as to who would be actually paying the bills. Skanchy said that the airport does not get interest on any of its money while they are in a negative position. She thinks that this should be true for the ice arena. Skanchy is concerned about designating the available money for that specific purpose.

Petersen asked what specific expenses the money might be used for. Pat Parker, the secretary for that board, said that they are faced with paying legal advertising costs and have no money to do so. This is less than \$200 but the NPIC has no money to pay them. According to the by-laws, NPIC is supposed to pay its own operating bills. There is also a question about who will do the bill paying. Parker said she thought the internal auditor had asked Stones that question. There remains some question if Cache County, Logan, North Logan, Hyde Park, or NPIC would be responsible for paying the bills.

Petersen said that when the original funding was allocated, the county made a promise that no more additional public funding would be coming from Cache County. He said that some council members believe that this pledge has already been broken. Petersen said that Yeates had an interesting idea for the use of the money. Yeates proposed using the interest money and reduce

the Restaurant Tax commitment by an equal amount. An equal amount could then be used to fund other Restaurant Tax projects. Yeates asked why the county would ever need to pay back the state the grant money. Beck said that this would only occur if the facility were not built.

Skanchy made a motion that the budget adjustments be accepted with the correction made by Ms. Stones and with the exception of the interest money. Petersen seconded Skanchy's motion. Yeates asked what Lemon meant about not passing the money through to the ice arena. Stones said that she couldn't answer that and Lemon was not in attendance to answer the question.

Parker said that at the last NPIC board meeting, Mr. Kane had felt very strongly that the money should belong to the Bridgerland Ice Arena. Parker said that Lemon had some real concerns about doing that. Petersen asked if the money would be unavailable if left in the general fund. Stones said yes. If left in the general fund, a budget opening would have to be presented to the council before money could be appropriated and spent on the ice arena.

Restated, Skanchy's motion was to approve the budget adjustments with the a clerical correction by Ms. Stones and with the interest money being left in the general fund. Petersen seconded this motion, and it passed 4-2. Beck and Yeates voted against the motion.

Budget Opening	ANHDER	BECK	GIBBONS	PETERSEN	PULSIPHER	SKANCHY	YEATES	votes cast
AYE			X	X	X	X		4
NAY		X					X	2
ABSTAINED								
ABSENT	X							

Attachment 6

Skanchy asked Marcie Cazier when she would be leaving. Cazier is leaving to be married and will be living in Richland, Washington. Her last day will be August 21st.

INITIAL PROPOSAL FOR CONSIDERATION OF ACTION

Ordinance 2000-10, Amending Fiscal Procedures Ordinance

Skanchy suggested that the council consider the ordinance. It appears that some of our purchasing limits are too low.

Stones recommended rewording 3-103A. Stones would like to amend the wording of 1 line and

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will prepare that for presentation at the next meeting.

Ordinance 2000-11, Adoption of Restaurant Tax 2000/2001

Gibbons said that there were no changes to be made on this ordinance. It should be passed at the next meeting of the council.

Discussion of Pre-Paid Phone Cards/ John Nelson

Mr. Nelson, who is also an employee of the county, sells pre-paid phone cards. This would allow for the use of cards when county employees are out of town on business. This would be an alternative to calling cards or calling from hotels, which is much more expensive according to Stones. This would be the easiest alternative according to Stones. The cards could also be used for out of the country calls to Mexico. The cards are purchased for \$4.00 each. Stones did not bid on these cards, but she thought this was the least expensive alternative. Attachment 7

Gibbons said that it would be important that the county not receive preferential treatment. Skanchy asked why the county did not buy all of these different services when we purchased our new phone system. Stones said that Mr. Nelson needs to sign a disclosure statement to sell the county the cards.

Gibbons said that the July 25th agenda will include a report and a discussion on the courts, seismic concerns for the old courthouse, and with the County Sheriff on the jail. The 25th meeting will also include Brian Ferebee.

There will also be a 4:00 p.m. workshop on the 25th. On that date they will discuss the new subdivision ordinance.

Gibbons asked if there were concerns about his meeting with the Cache Chamber of Commerce in the morning. Skanchy asked why the chamber feels that it is anointed to perform the planning functions. Gibbons is also concerned that the chamber wants to function in more than an advisory capacity. He thinks that they want to assume more authority.

Beck noted that the Chamber has suggested staff funding and conferencing at \$90,000 per year in addition to what the council is already doing. Gibbons said that he recalled that Lemon had said in an earlier meeting that the council was contributing in almost \$300,000 annually.

Yeates said that he has no problem taking advice from the chamber and letting them take a leadership role, but that budget decisions should still be decided by the council. Yeates thinks that they think they can be a positive influence in the community.

Council Meeting
11 July 2000

Gibbons said that a number of years ago the chamber had hired a consultant and presented their findings. Apparently, nothing has followed.

Skanchy asked if this is a follow-up of the 2010 project. Gibbons said that the chamber had been frustrated because not very much follow-up had occurred after the 2010 project. Beck said that he was impressed that there would be a significant investment on the part of private enterprise.

Skanchy said that Jim Laub, who directs a large fundraising project for the Sunshine Terrace, will be looking for major money. Skanchy also sits on the Workforce Services Committee. One of the issues that they constantly discuss with employers is increased wages for employees. They also talk a lot about employee training. Skanchy wondered if major businesses would contribute to such a project in a major way.

OTHER BUSINESS

Gibbons mentioned the River Heights Apple Days Parade.

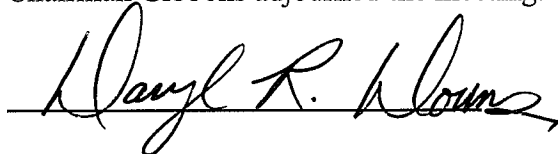
Council Member Reports.

Yeates reviewed the area where the prisoner escaped from the jail. He went with the Sheriff to get a first-hand look at the escape route of the prisoner. Yeates said it looked amazingly easy to escape. They have since fixed that problem.

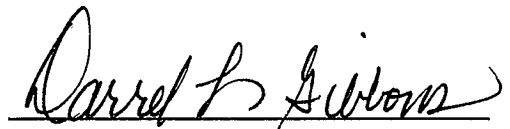
Beck said that several months ago he received a telephone call from an individual who has part ownership in a digital frequency with Paul Cook from Sun Remarketing. They bought this digital frequency from the FCC. Apparently, they can broadcast a wireless digital signal to do digital Internet connections and this same frequency can be used to broadcast a digital television signal. Beck mentioned that the County's lease on Mt. Pisgah will end in 2004. Beck said that the same frequency is being used by a company named Teton Wireless to broadcast in Idaho Falls. Beck just wanted to report the information. He told the individual to talk with Lynn Lemon about potential opportunities.

Adjourn

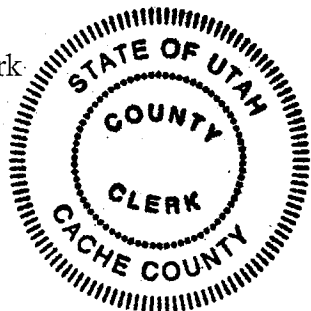
Chairman Gibbons adjourned the meeting.



Daryl R. Downs
Cache County Clerk



Darrel L. Gibbons
Chairman, Cache County Council



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

July 10, 2000

TO: Cache County Council

FROM: Lynn Lemon 

SUBJECT: County Council Meeting on July 11, 2000

I will be out of the area and will not be able to attend the County Council Meeting on July 11, 2000. The following is provided for your information and/or consideration.

Appointments

None

Other Items

Item 1. T. V. Translator Update-We are in the process of trying to resolve issues between the Utah Statewide Plan and the proposal submitted for Cache and Franklin Counties. This issue needs to be resolved before we pursue other arrangements. We have reached a verbal agreement with the property owners at the Clarkston site to trade the property which Cache County owns near that site for a road right-of-way and site upon which to place a building and tower with receiving and transmitting antennas. We will pursue the cost to build the road and build the site after a compromise on the Statewide Plan and the Cache & Franklin Counties proposal has been reached.

Item 2. NPIC/BCIA Update-Blake Wade & Randy Larsen with Ballard Spahr have scheduled a public hearing for the proposed bond(s) for the Bridgerland Community Ice Arena as part of the County Council meeting tonight. The Conditional Use Permit issued by Cache County has been appealed and will go before the Board of Adjustment on July 20, 2000. The Contractor, Hogan & Associates Construction, Inc. has performed the preliminary work on the project and has used the remaining balance of the \$250,000 grant from the State of Utah. No further work will be performed on the Project until the entire remaining balance of \$3,592,357 has been raised and secured. The last reported amount that needs to be raised is approximately \$400,000.

Item 3. Marcee Cazier has given her notice to terminate work as the Director for the Cache County Senior Citizen's Center. She is planning on getting

married in late August and will be moving from the area. We are beginning the process to find a New Senior Citizen's Center Director.

*Bear
no one else
at mtg.*

Item 4. The Bear River Commission is planning a tour of the Lower Bear River system over a two-day period starting August 9th at Lifton, Idaho and ending on August 10th at Willard Bay. The tour is by "invitation only" and a member of the County Council has been invited to participate. We need to submit a name as soon as possible. I wanted to invite Larry Anhder as the member of the Water Policy Advisory Board to participate but he will not be back in town until July 14th and I don't know his schedule. If someone else would like to participate please let Pat Parker known and she can contact Jack Barnett with the Bear River Commission.

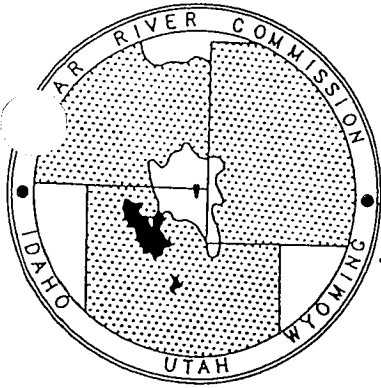
*James
Swink*

Item 5. See attached request from James M. Swink, Deputy County Attorney concerning the SHOPCAP oversite committee. The state statue requires a member of the county legislative body to be a member. They are meeting on July 12th at 9:30 a.m. at the Logan City School District Offices located at 101 West Center Street in Logan.

Item 6. Provide the Clerk the warrants so that they will be a part of the minutes.

BEAR RIVER COMMISSION

106 West 500 South, Suite 101
Bountiful, UT 84010-6232
(801) 292-4662
(801) 524-6320 (fax)



June 29, 2000

CACHE COUNTY

JUN 30 2000

Cache County Commission
County Courthouse
Logan, UT 84321

Dear Commissioners:

EXECUTIVE

There is planned a tour of the Lower Bear River system over a two-day period starting August 9 at Lifton, Idaho. The tour is "by invitation only" and the tour route will continue north down the Bear River with an evening banquet and presentation at Utah State University. The tour will conclude at Willard Bay on August 10. The purpose of the tour is to help those concerned with the water resources of the Bear River to better understand the resources and the competing needs for the limited water supply. There will be a modest registration fee and it will cover meals and the expense of the bus. The housing at Utah State University, although pre-arranged, will be at the expense of tour participants.

We are writing to the County Commissioners to extend an invitation for you to nominate one of you to represent the County on this tour. We would appreciate a response indicating if one of you will be able to participate. Please give us a name by July 10. This will reserve a place on the bus for your representative.

Sincerely,

Jack A. Barnett
Engineer-Manager

np

Kenny
758-5104
752-0431

COMMISSION MEMBERS

Chair

Denice Wheeler

Idaho Members

Carl J. Dreher
Rodney Wallentine
Don W. Gilbert

Utah Members

D. Larry Anderson
Blair Francis
Charles W. Holmgren

Wyoming Members

Gordon W. Fassett
James Crompton
John A. Teichert

ENGINEER-MANAGER

Jack A. Barnett
Suite 101
106 West 500 South
Bountiful, UT 84010

CACHE COUNTY ATTORNEY

CACHE COUNTY



SCOTT L WYATT
County Attorney

11 West 100 North
Logan, Utah 84321
(435) 716-8361
Fax: (435) 716-8381
E-mail: (first name)@legal.state.ut.us

JUL 06 2000
EXECUTIVE
PATRICK B. NOLAN
DONALD G. LINTON
BRUCE G. WARD
TONY G. BAIRD
JAMES M. SWINK
Deputy County Attorneys

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

6 July 2000

Mr. Lynn Lemon
County Executive Office
120 North 100 West
Logan, UT 84321

Dear Lynn:

I am writing this letter to request an item be put on the agenda at the next Cache County Council Meeting. This is in regards to the local SHOCAP oversight committee, which by statute requires a member of the local county legislative council to be a member. We are meeting on July 12th at 9:30 a.m. at the Logan City School District Offices, located at 101 West Center Street in Logan and would appreciate it if a member of the county council could attend at that time.

The SHOCAP program involves identifying serious habitual youth offenders and sharing information among the agencies involved with the youth in our community.

If you would like any further information about the committee or the SHOCAP program, please contact me at 716-8377. Your assistance is greatly appreciated.

Sincerely,

James M. Swink
Deputy County Attorney

*Original at
Recorder's
Office*

CACHE COUNTY

RESOLUTION NO. 2000- 19

A RESOLUTION APPROVING THE CREATION OF AN AGRICULTURE PROTECTION AREA.

The County Council of Cache County, State of Utah, in a regular meeting, lawful notice of which has been given, finds that the legal requirements for the creation of an agriculture protection area have been met; and, therefore, that the proposal filed by Don W. and Margaret W. Bailey, Trustees; Reed W. and Suzette B. Bailey; and Lee W. and Shirlene Bailey, Trustees, should be approved.

THEREFORE, BE IT RESOLVED BY THE CACHE COUNTY COUNCIL, as follows:

The proposal filed with Cache County by Don W. and Margaret W. Bailey, Trustees; Reed W. and Suzette B. Bailey; and Lee W. and Shirlene Bailey, Trustees, dated 28 March 2000, to jointly create an agriculture protection area on a total of 438.34 acres of real property, is hereby approved. The property is described on the attached Tax Roll Records.

DATED this 11th day of ~~June~~^{July}, 2000.

CACHE COUNTY COUNCIL

By: *Darrel L. Gibbons*
Darrel L. Gibbons, Chairman

RESOLUTION NO. 2000-20

A RESOLUTION APPROVING [RATIFYING] EXECUTION OF THE QUIET TITLE LITIGATION AGREEMENT AND THE PLAN FOR R.S. 2477 RIGHTS

RECITALS

WHEREAS, the Utah State Legislature authorized a plan for a good faith, cooperative effort between the state and participating counties for asserting, defending, or litigating state and local government rights under R.S. 2477 that allows a county to formally agree to participate in the plan by adopting a resolution and provides that the state and a participating county are equal partners in determining litigation strategy and the expenditure of resources with respect to that county's rights under R.S. 2477; and

WHEREAS, it is in the best interests of Cache County that its R.S. 2477 rights are asserted, defended and litigated, as necessary; and

WHEREAS, Cache County has reviewed the Plan for R.S. 2477 Rights and desires to participate in the plan; and

WHEREAS, Cache County has reviewed and desires to execute the Quiet Title Litigation Agreement.

NOW, THEREFORE, BE IT RESOLVED, as follows:

Cache County hereby agrees to participate in the Plan for R.S. 2477 Rights, attached hereto and incorporated herein by this reference.

Cache County hereby approves [ratifies] the execution of the Quiet Title Litigation Agreement.

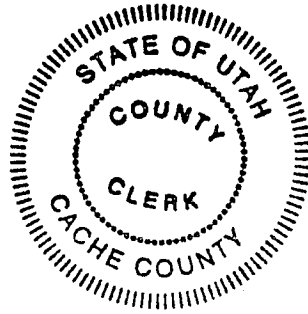
Cache County hereby appoints M. Lynn Lemon to serve as its representative for coordination with counsel on the quiet title litigation.

PASSED and APPROVED by the Cache County Council this 11th day of July, 2000.

CACHE COUNTY

Carol L. Hilborn
Chairman
Cache County Council

(SEAL)



Attest:

Wayne R. Howe
County Clerk

The vote of the Cache County Council was as follows:

Council Member	<u>Beck</u>	Yes <input checked="" type="checkbox"/>	No <input type="checkbox"/>
Council Member	<u>Gibbons</u>	Yes <input checked="" type="checkbox"/>	No <input type="checkbox"/>
Council Member	<u>Petersen</u>	Yes <input checked="" type="checkbox"/>	No <input type="checkbox"/>
Council Member	<u>Pulsipher</u>	Yes <input checked="" type="checkbox"/>	No <input type="checkbox"/>
Council Member	<u>Skanchy</u>	Yes <input checked="" type="checkbox"/>	No <input type="checkbox"/>
Council Member	<u>Yeates</u>	Yes <input checked="" type="checkbox"/>	No <input type="checkbox"/>
Council Member	<u>Anhder (Absent)</u>	Yes <input type="checkbox"/>	No <input type="checkbox"/>

RESOLUTION NO. 2000- 21

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 2000 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 2000 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.

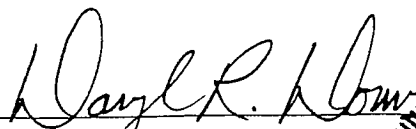
Section 3.

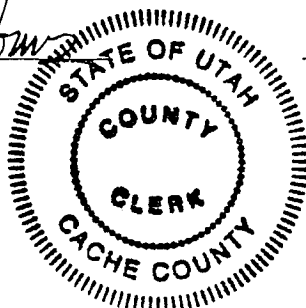
This resolution shall take effect immediately upon adoption and the County Auditor and other county officials are authorized and directed to act accordingly.

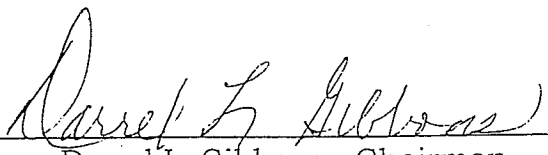
This resolution was duly adopted by the Cache County Council on the 11th day of July, 2000.

ATTESTED TO:

CACHE COUNTY COUNCIL


Daryl R. Downs,
Cache County Clerk




Darrel L. Gibbons, Chairman

FUND 10 GENERAL FUND REVENUES

ACCOUNT	DESCRIPTION	Current Budget	Recommended Increase DEBIT	Recommended Increase CREDIT	Amended Budget	Reason for Change
10-3610000	Interest	(480,000)	-	-	(480,000)	estimated increase in interest inc \$15621 removed per Council action
10-3690000	Sundry Revenue	(123,814)	-	(25,900)	(149,714)	drug task force \$22881 & UACIM claim \$3019
10-3890000	Approp surplus	(314,828)	-	(984)	(315,812)	Election grant from 1999 not expended
	TOTAL REVENUES		-	(26,884)	(26,884)	

FUND 10 GENERAL FUND EXPENDITURES

ACCOUNT	DESCRIPTION	Current Budget	Recommended Increase DEBIT	Recommended Increase CREDIT	Amended Budget	Reason for Change
10-4170-740	Election - equipment	3,000	984	-	3,984	to purchase election scanner 1999 grant
10-4211-740	Support Services - equipment	116,451	22,881	-	139,332	drug task force vehicle purchase
10-4410-250	Road - equip supply & maint	170,000	3,019	-	173,019	UACIM insurance reimb for truck repair
10-4800-937	Contrib to Ice Arena	250,000	-	-	250,000	to approp interest on grant money \$15621 removed per council action
	TOTAL expenditures		26,884	-	26,884	

FUND 24 COUNCIL ON AGING FUND REVENUES

ACCOUNT	DESCRIPTION	Current Budget	Recommended Increase DEBIT	Recommended Increase CREDIT	Amended Budget	Reason for Change
24-33-10000	Federal Grants - Action Funds	(19,312)	-	(15,000)	(34,312)	RSVP grant increase
24-33-70000	Grants Other -IHC	-	-	(1,800)	(1,800)	IHC Footcare grant-YR 2000 \$1800; YR2001 \$4320; YR 2002 \$3816
24-38-50000	Contrib from Voluntary Action	-	-	(5,800)	(5,800)	1/3 time employee reimbursement
	Totals		-	(22,600)	(22,600)	
	Net adjustment					

FUND 24 COUNCIL ON AGING FUND EXPENDITURES

ACCOUNT	DESCRIPTION	Current Budget	Recommended Increase DEBIT	Recommended Increase CREDIT	Amended Budget	Reason for Change
24-4973-110	RSVP - salary	10,345	11,200	-	21,545	1/3 time VAC employee \$5200; RSVP \$6000
24-4973-130	RSVP - benefits	944	9,100	-	10,044	1/3 time VAC employee \$600; RSVP \$8500
24-4973-510	RSVP - insurance	800	150	-	950	grant increase
24-4973-610	RSVP- recognition	1,200	350	-	1,550	grant increase
24-4971-310	Center-non-mandated - Prof & tech IHC Footcare Grant	-	1,800	-	1,800	IHC Footcare grant
	Totals		22,600	-	22,600	
	Net adjustment					

FUND 10 GENERAL FUND REVENUES

ACCOUNT	DESCRIPTION	Current Budget	Recommended Decrease DEBIT	Recommended Increase CREDIT	Amended Budget	Reason for Change
10-3610000	Interest	(480,000)	-	-	(480,000)	estimated increase in interest inc \$15621 removed per Council action
10-3690000	Sundry Revenue	(123,814)	-	(25,900)	(149,714)	drug task force \$22881 & UACIM claim \$3019
10-3890000	Approp surplus	(314,828)	-	(984)	(315,812)	Election grant from 1999 not expended
	TOTAL REVENUES			<u>(26,884)</u>	<u>(26,884)</u>	

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	Totals			<u>(22,600)</u>	<u>(22,600)</u>	
	Net adjustment					

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	Totals		<u>22,600</u>		<u>22,600</u>	
	Net adjustment					

**DISCLOSURE STATEMENT
PUBLIC OFFICIAL'S NOTICE OF INTEREST
IN BUSINESSES DOING BUSINESS
WITH CACHE COUNTY, UTAH
2000**

STATE OF UTAH)
) SS.
COUNTY OF CACHE)

The undersigned, JOHN P NELSON, hereby gives notice pursuant to 17-16A-7, Utah Code Annotated, 1953 as amended, that he is an appointed officer of Cache County, CHIEF BUILDING OFFICIAL (position), and is also an officer, director, agent, employee or owner of a substantial interest in the following named business entity which does or anticipates doing business with Cache County:

PRE-PAID PHONE CARD SALES

(Description and nature of interest in business entity.)

Dated this 05 day of July, 2000.

John Nelson

Signature

SUBSCRIBED AND SWORN TO before me on this 5th day of July, 2000.

Marsha D. Giles

Notary Public

