

Approved

COUNCIL MEETING

MINUTES

10 October 2000

Council Meeting Minutes Index

Board of Trustees	
Solid Waste Discussion	3-4
Bridgerland Ice Arena Financing, Dave Miner	9-10
Budget Opening 2000	7-8
Budget Schedule for 2001 Budget	2
Community Development Block Grant (CDBG), Approval of Applicants	10-11
Consolidation of Offices Discussion and Selection Committee Suggestions	14-16
Donation of Vacation Leave and Sick Leave Discussion	16
Final Plat Approval	
Dawn's Acres Minor Subdivision	
Meadow Lark Minor Subdivision	5
Hardship Request Applications	3
Hogan, Tom Senior Citizen Director	2
Jail Study	16
Ordinance Approved	
2000-13, Vacating a Portion of a County Road (3700 North)	4
Ordinances Discussed	
2000-14, Accident Review Board and Policy and Procedure	4
2000-15, Central Utah Telephone, Bear Lake	6
2000-16, Land Use	11-14
Public Hearing	
2000 Budget Opening	7-8
Resolution Approved	
Resolution 2000-01, Board of Trustees	
Solid Waste Service Area #1, Cache County	3-4
Resolution 2000-32, Funding for Logan-Cache Airport	5-6
Resolution 2000-33, Approval of Budget Opening 2000	7-8
UAC, Annual Meeting	16

Council Meeting
10 October 2000

CACHE COUNTY COUNCIL MEETING MINUTES 10 October 2000

The Cache County Council met in a regular session on 10 October 2000 in the Cache County Council Chamber, 120 North 100 West, Logan, Utah 84321.

ATTENDANCE

Council Chairman:

Council Vice-chairman: H. Craig Petersen

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

Excused: Darrel L. Gibbons

Executive: M. Lynn Lemon

Cache County Clerk: Daryl R. Downs

The following individuals were also in attendance: Pat Parker, Lorene Greenhalgh, Tom Hogan, Dave Miner, Kelly Pitcher, Sheriff Nelson, Jim Smith, Janet Borg, Kathy Robison, Issac Hamad, LaMar Clements, Jeff Petersen, Kenneth Cardon, Rebecca Alpisa, Wayne Cardon, Jill Anderson, Mark Tuescher, Clair Ellis, Scott Wyatt, Tamra Stones, Jenny Christensen(KVNU), Paul Allen (Herald Journal).

CALL TO ORDER

Vice-chairman Petersen called the meeting to order at 5:03 p.m.

INVOCATION

County Clerk Daryl R. Downs offered the invocation.

REVIEW OF THE THE AGENDA

Skanchy suggested that item 10.d should say "County loan" not "County Logan" and that 10.c and 10.d should be interchanged. Skanchy also mentioned a resolution that would be related to the design process of lot splits and subdivisions, but which was not yet available. Beck said that Dave Miner needed to leave to meet with Hyde Park after his presentation on the Bridgerland Ice Arena. Cloud seeding under 9.e can be deleted. It was passed at the last meeting.

REVIEW AND APPROVAL OF THE MINUTES

Stones said that the amount should say "16.8 million" not "6.8" as indicated in the valuation report presented at the last meeting.

Petersen said that the minutes would stand approved as corrected.

REPORT OF THE EXECUTIVE

Tom Hogan, Senior Center Director

Lemon introduced Tom Hogan to the council and asked him to tell the council a little bit about himself. Hogan holds a graduate degree from Utah State University in Human and Family Development. He came to Cache County after five years with a Migrant Head Start program in Box Elder County. Hogan complimented the past director, Marcie Cazier, on the quality of the program that she left him with at the Senior Center. Hogan has been working on the job for a little more than one month.

Hogan mentioned that a national association movement has begun to work toward accreditation. The process that he wants to pursue in Utah is called center development. This is basically working toward accreditation without completing the final step. He said that it is a very good time to evaluate the center's goals and mission and how it meets those goals. Hogan said that it is more a matter of formalizing the program than anything else.

Budget Schedule

Lemon gave the budget schedule to the council. Lemons plans to have all of the budgets submitted to him from the department heads by 13 October and have a tentative budget to the council by 24 October. The Executive will present a balanced budget to the council by 14 November. It is anticipated that the council will pass the actual budget at the 5 December meeting of the council. If a tax increase is desired, it will need to be published by 15 November 2000 to meet legal publication requirements.

Anhder is in favor of just waiting until a final budget is prepared before it is reviewed by the council. Skanchy suggested that just the out of sync areas could be reported on initially with a final budget to follow.

Lemon noted that all department heads would be told that they could meet in a workshop forum with the council if they had budget concerns.

Stones noted that the council actually has until the end of December if necessary.

Council Meeting
10 October 2000

Lemon mentioned the letters that he gave to the state and the council members related to the State Courts situation. Lemon said that he had attended recent building board meetings and that Loraine Pace and Lyle Hillyard were both representing the needs of the county. The Building Board said that it had received more than 1 billion dollars of requests that were deemed critical.

Attachments 1 and 2

Lemon gave the warrant registers to the clerk.

PENDING ACTION

Hardship Requests

Gary and Lisa Ryan (previously tabled)

Anhder moved for approval. Pulsipher seconded the motion, and it failed 3-2. Yeates abstained. Gibbons was absent.

Kristine Andersen

Anhder moved for approval. Pulsipher seconded the motion, and it failed 3-3. Gibbons absent.

Attachment 3

Board of Trustees

Skanchy moved that the council go into a Board of Trustees meeting to deal with the Solid Waste Service Area 1, correction of fees approved in 1998. Beck seconded the motion, and it passed 6-0. Skanchy noted that changes had been discussed in the Solid Waste Advisory Board meeting, and that the current document was now correct.

Anhder suggested that the resolution numbering should reflect a different body than resolutions representing the Cache County Council.

Board of Trustees Resolution

Resolution 2000-01, Service Area #1, Approving Solid Waste Collection Fees for Cache County

Skanchy moved to adopt Resolution 2000-01 of the Board of Trustees Service Area, Solid Waste Fees. Anhder seconded the motion, and it passed 6-0.

Board of Trustees R2000-01	ANHDER	BECK	GIBBONS	PETERSEN	PULSIPHER	SKANCHY	YEATES	votes cast
AYE	X	X		X	X	X	X	6
NAY								0
ABSTAINED								
ABSENT			X					1

Attachment 4

Ordinance 2000-13, An Ordinance Vacating a Portion of a County Road (3700 North, West of the Railroad Right-of-way).

Anhder moved to approve Ordinance 2000-13. Yeates seconded the motion, and it passed 6-0.

Beck suggested that the council should proceed. However, he thinks that the council should do whatever it can to mitigate the needs of the citizens of Hyde Park City, and help them build the road on the east side of the highway when Hyde Park City has obtained the necessary rights-of-way. Lemon agreed on the east side but did not know how to proceed on the west side, because there are many unanswered questions about wetlands on the west side.

Anhder moved that it be the expressed sense of the council that it will help with the construction of the road running along the east side of the runway as soon as it is practical. Beck seconded the motion, and it passed 6-0.

Vacating Road Ord. 2000-13	ANHDER	BECK	GIBBONS	PETERSEN	PULSIPHER	SKANCHY	YEATES	votes cast
AYE	X	X		X	X	X	X	6
NAY								0
ABSTAINED								
ABSENT			X					1

Attachment 5

Ordinance 2000-14, Amending Ordinance 94-14, Establishing an Accident Review Board and an Accident Review Policy and Procedure (Tabled)

Skanchy wanted to table 2000-14 until the next agenda. Yeates seconded the motion and it passed 6-0.

Final Plat Approval

Dawn's Acres Minor Subdivision

Lorene Greenhalgh said that everything seemed to be in order. This subdivision will create a reconfigured lot and add one lot to an already existing three lot subdivision. The Planning Commission approved this on 11 September and that all necessary signatures had been obtained. Skanchy asked why the lot needed to be reconfigured. Greenhalgh said that the irrigation system and the shape of the lot were both unacceptable to the owner. The developer decided to reconfigure while adding the fourth lot.

Skanchy moved for waiving of the rules and approval of Dawn's Acres. Pulsipher seconded the motion and it passed 6-0.

Meadow Lark Subdivision.

This is a three lot minor subdivision which borders Paradise Town. The builders have worked with the Paradise Mayor and Paradise City Council to work on creating roads and other things that were required by Paradise. The Board of Adjustments approved the lots with the accesses. The subdivision is east of Paradise City.

Yeates moved waiving the rules and approval. Pulsipher seconded the motion, and it passed 6-0.

Pulsipher complimented Greenhalgh and her staff for the hard work that they do in the zoning process.

Resolution 2000-32, Changing County Loan to Grant for the Logan-Cache Airport

Skanchy said that she spoke with the Logan City Council with respect to the audit situation from 1999. The land purchases related to the runway extension created a deficit situation. Logan City agreed on 20 September to forgive the Airport Authority's loans and interest on one loan and agreed to have the funds placed in a capital improvement line item for airport improvements. Skanchy asked the county to forgive its \$300,000 in loans, and said that the Airport Authority would use a portion of the money to pay off the deficit and the remainder for airport improvements.

Skanchy moved that the council waive the rules and approve Resolution 2000-32. Yeates seconded the motion, and it passed 6-0.

R 2000-32	ANHDER	BECK	GIBBONS	PETERSEN	PULSIPHER	SKANCHY	YEATES	votes cast
AYE	X	X		X	X	X	X	6
NAY								0
ABSTAINED								
ABSENT			X					1

Anhder did not think that this would be the best use of the funds. He said that he might have other higher priorities. Skanchy disagreed with Anhder. She said that Mike Nilson, former Airport Manager, should have asked for the money outright in 1997. Nilson said that federal money would be available to pay back the money. Skanchy said that this is not the case. In 1998 money was taken from the general fund to purchase the land for the runway extension and that this created a deficit position. Logan City also loaned the Airport Authority \$300,000.

Skanchy said that the FAA would be granting the Airport Authority approximately 3 million for the runway extension. The county is responsible for coming up with a portion of the funding as a match to the grant money. The Airport Authority does not have taxing authority and is reliant on Logan City and Cache County for much of its funding.

Lemon said the county initially thought that they would get half the cost of the match money from the state. The county did not get this money. It had to pay for the match itself. Lemon said that the airport will need this funding to meet all of its obligations. If the money remains out there as a loan, the external auditors will continue to be concerned about it. The deficit is currently \$134,000 due to the land purchase. The balance of the approved money will cover the match for the runway extension and other improvements.

Logan City has approved this change.

Skanchy original motion passed 6-0.

Attachment 6

Ordinance 2000-15, Central Utah Telephone, Bear Lake

Lemon said they are currently providing service to Beaver Mountain. Anhder asked about the price of franchise fees. He suggested that it be moved to the next agenda for pending action. Lemon asked Attorney Wyatt to look into issue of franchise fees.

Yeates thinks that this service has been a wonderful thing for the ski resort.

PUBLIC HEARING

Opening of 2000 Budget

Stones began with the general fund revenues and then proceeded to expenditures. Stones proposed that the county increase sales tax revenue estimates by \$92,299. They estimate this much increase from last year receipts and have included some potential growth. She asked that \$33,444 be added from Search and Rescue. The VOCA grant extension increases revenues by \$61,125. CDBG grant added an estimated \$200,000, and Grants Other increases the revenue through from a DARE fund raiser by \$2,335. The reimbursable costs increased revenues \$137,976. Interest revenue \$50,000 and Appropriated surplus \$3020 were also added. The increase to general fund revenues totaled \$531,310. The net increase in expenditures totaled \$531,310 to balance with increased revenues.

Stones moved through the line item transfers and increases for the various departments. Each of the adjustments to the budget is listed line by line in the attachment.

Stones also shared the numbers on revenues and expenditures for each of the following funds: Council on Aging; Children's Justice, Logan Cache Airport Authority. These numbers are all specified in the attachment.

Attachment 7

All revenue and expenditure and revenue fund accounts were balanced.

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

Skanchy asked if the VOCA grant would be funding new employees. Yeates wondered why the rent had increased so much. Stones said that the grant was for a six month extension. This increased the other costs for the extended period.

Resolution 2000-33

Anhder said that if the county is being reimbursed for the vehicle it should not show up as an expenditure in the budget. Stones said that she and the sheriff had just discussed doing it this way to make everything balance. Anhder suggested reducing the sales tax increase by \$25,000 and reducing the expenditure amount by \$25,000 and the lines would still balance.

Skanchy asked if the fire expenditures and reimbursements were all tidied up. Stones said that this was essentially the case. Jeff Petersen said that there were two later fires that may not have been charged yet. Petersen said that they made money on some of the fires due to the charges back to the federal government. They planned to use some of the excess to purchase a new four wheeler.

Lemon asked if the county would be reimbursed for the total amount \$137,976. Stones responded yes, and said that other entities including Franklin County and the federal government might be paying part of the cost. Petersen said that with the reimbursements there are funds totaling about \$19,800 more than originally budgeted for 2000. The county will actually make money in this case. Anhder asked why there were \$15,000 overtime and \$19,000 temporary employees costs then. Stones said that the county pays the fees out of these categories and then makes a journal entry and charges it to rangeland fires, line item 630, as requested by the state. The expenses are thus accrued and then credited back to be reimbursed to the county.

Beck asked if the county is over as much as indicated for jail boarding expenses. Nelson said the money allocated for the year was spent by September. This adjustment should take the jail through the remainder of the year. The population has recently dropped down to a manageable load. Nelson said that the jail has sent prisoners to Box Elder on numerous occasions.

Yeates asked Greenhalgh why the costs were so high. She said that zoning is required to publish appeal hearings four times in the newspaper. The cost charged to the appellant is only \$30.00, which does not cover the cost of publication. Yeates said the fees should cover the costs.

Anhder moved that the council waive the rules and pass Resolution 2000-33 with an amendment to decrease the estimated sales tax by \$25,000 and the Sheriff's expenditures by \$25,000. Yeates seconded the motion, and it passed 6-0.

R 2000-33	ANHDER	BECK	GIBBONS	PETERSEN	PULSIPHER	SKANCHY	YEATES	votes cast
AYE	X	X		X	X	X	X	6
NAY								0
ABSTAINED								
ABSENT			X					1

Attachment 7

Beck asked that the council move to item 10.j.

Financing for Bridgerland Ice Arena

Dave Miner, President of Municipal Bond Consulting, led the discussion concerning the financing of the ice arena. Miner has been working with the NPIC for the past 30 months to obtain financing for this project. Miner presented the council members with two documents. The first was a written plan that had been presented to the NPIC Board on 4 October 2000. Mr. Miner proceeded, essentially reading line by line and point by point from the first document. These documents are included as attachments 8 and 9 at the end of these minutes.

Attachments 8 and 9

Due to some recent changes in the financing options, Miner felt it appropriate to walk through the narrative with the council to answer any questions.

The rate on the bonds will be just under 6%, but can be adjusted at a later date.

Miner defined a debt service fund as an amount held in reserve, 10% of the bond amount in this case, to assure the payment of debt in the case of an interruption of revenues to pay the debt. The hope is that this amount would never be drawn upon. At the end of the lease this amount would be used to pay the final installments. Miner adjusted first payment from \$46,000 to \$92,000 and moved the \$46,000 half payment to the end of the loan. The county obligation from Restaurant Taxes would be met after 13.5 years. The payments on the bond are due 1 May and 1 November. The lease payments should be made fifteen days prior to that.

The sales tax revenue estimate, the second source of revenue, is based on \$139,460. It is anticipated that this revenue stream will increase each year and that the estimate is conservative.

Miner said that excess sales tax dollars would be held in trust as a reserve against future shortfalls. Lemon said that the intent would be to give the money back at the end of the loan if surpluses remained. But, in the meantime, it would be held as a reserve. The NPIC would determine when the money was remitted. Lemon said that it could be as early as two years or as late as ten years.

Beck mentioned that the interest rate is variable and it could go up. A reserve would be needed in this case. The interest could also go down.

Miner said that the project donations came up \$500,000 short toward the cost of construction. The BCIA has agreed to pay \$51,481 per year from donations if an additional bond of \$500,000 can be obtained. This will be guaranteed by a Donor Guaranty and Collateral Account if the BCIA ever falls short in its fund raising.

In return for the Donor Guaranty, the Guarantors would like supervisory control if BCIA fails to meet its fund raising commitments.

The donors who have pledged money to fund the endowment have asked for similar rights to

supervise operations if the BCIA needs to draw upon the endowment.

Petersen asked if there are circumstances that would require Cache County to make additional contributions to this project beyond its originally agreed commitment. Miner said that the only thing he could think of would be insuring the physical structure. The four entities who would be leasing the building to NPIC would have responsibility to insure the building in the event that it closed.

At the conclusion of the presentation, Mr. Miner asked the council members if they had any questions.

Anhder asked if the individuals who are making the pledge or providing the guaranty would be in conflict if the need to manage the facility became necessary. Anhder noted that it looked like the potential for two groups wanting management may occur if problems developed. Lemon asked where the NPIC was at with regard to these proposed agreements. Miner felt that it would be appropriate to have all of the agreements in place before the bonds are obtained. To date the agreements have not been completed.

Petersen asked if assets pledged by the donors were of sufficient security to assure payment of the debts if called upon. Miner said that they are not as secure as a cash endowment. He did say that the donors have equity interests in two apartment complexes, one in Salt Lake and one in Arizona. They have good cash flows and have been in place for a number of years.

Lemon asked about a letter of credit that had been mentioned. Miner responded that it had been suggested but applied more to the guaranty than to the endowment.

Beck said that they have had a reading on the bonds back in August. Yeates said that he thinks the council would like to see a signed guaranty before proceeding.

Petersen said a request had been made to consider the CDBG applications before doing the Land Use Ordinance.

Discussion of CDBG Applications

Lemon mentioned that three entities had made presentations on 12 September 2000. The council needs to discuss and decide on whom it will be sponsoring. The Neighborhood Non-profit group decided it would need between \$190,000 and \$200,000. The Family Institute has asked for 150,000. CAPSA has asked for \$200,000.

Lemon said that some organizations have been providing services around Cache County for a long time. Lemon is concerned that the council may be duplicating or diminishing services that

Council Meeting
10 October 2000

are already provided. He has asked new non-profits to tell him what they are doing and how that relates to what is already being done in Cache County. He also thinks the council should look at the organizational history and see if the groups are associated with for-profit groups.

Anhder noted that the county only sees the organizations that come before the council. He would like to see all of the organizations requests ranked. This would provide a better knowledge of what is needed and who is asking for funding. He said that the BRAG Investment Strategy Committee makes the final recommendation to the CDBG Board and this really takes it out of the council's hands anyway.

Lemon said that he was troubled by Box Elder's comment that its commission would be sponsoring everyone who applied. Lemon did think that the interview process will give all candidate groups an opportunity to present its case.

Skanchy moved that only the CAPSA request be sponsored. The motion died for lack of a second.

Anhder moved that CAPSA and Non-profit Housing be sponsored. Skanchy seconded the motion.

Beck asked if this non-profit group had come in with a more specific request. Beck said that he understood that they would be helping low income families get closing costs, down payment costs, and soft seconds. Anhder said he thought they were also going to help with lowering the infrastructure costs.

Beck said that the Neighborhood Non-profit group was originally established by BRAG to get additional state and federal dollars that were only available to non-profit housing groups. Beck said that BRAG and this Non-profit group do not completely agree on what projects would be appropriate. Beck said that he has been told that there may be some competition between Non-profit Housing group and BRAG.

Anhder's motion passed 6-0.

Ordinance 2000-16, Amend Land Use Ordinance, Subdivision Section

Petersen invited Mark Teuscher to speak to the council about the revised subdivision ordinance and a resolution. Section 20 of the Land Use Code has been repealed. There are other sections that were repealed that should remain intact as subdivision design and construction requirements but which do not need to be part of the new ordinance. The proposed resolution would cover these.

Teuscher said the ordinance reflects the wishes of the council. There is now a lot split provision

which allows for the division of one parcel into two parcels. Much of this work can now be done at the staff level. State code now also requires (17-23-17) a map of record of survey. The developments would be cumulative. You can do the lot split first, the next split requires a minor subdivision up to five lots. Six lots require that a major subdivision be developed. As indicated, there are no provisions for water requirements under the lot split or minor subdivision. For a major subdivision an approved well application would be a required part of the application.

Petersen said that the resolution does not appear on the agenda. Skanchy does not think the council is ready to act tonight anyway.

Anhder asked about lot splits. He asked Teuscher about an agricultural division. Teuscher said that anything over 5.5 acres is considered an agricultural parcel. It is the use that determines what the division is. If the farmer chooses to put a home on the division then it is no longer considered an agricultural use.

Anhder asked about a 1 acre lot split. He asked if a person had such a lot, could they by simple lot split divide the property into two lots. Teuscher said it would still be a subdivision and it would need to meet the minimum requirements of the lot split. If it couldn't, they would need to go through the minor subdivision process. Teuscher said the specific requirements to apply for a lot split are essentially out of the state code. Much of the lot split work could be done by staff, but the individuals would still need to meet the design criteria and other necessary provisions. The intent is to simplify the process for the applicant. Each time a split is done, the minimal required process would be followed. Under the provisions you would not need to have water in the lot split or minor subdivision process. Water approval would come later in the process.

Skanchy asked about 300-1.3. She wanted to know if the frontage, width and area were in the resolution. Teuscher said the zoning requirements are in the actual section on the different zone types. They are not located in the subdivision ordinance. The ordinance just describes the process that must be followed for division. The zoning codes are designed according to density criteria.

Skanchy asked what the purpose of the set backs, yard requirements, lot coverage, etc. Teuscher said that these are general items to be shown on the plat. The design guidelines are being repealed and will be passed as a resolution. In the past the design criteria were included with the ordinance. Because they change, design guidelines are more suitable to the resolution process so that they may be changed as needed without going to the trouble of revising the ordinance.

Skanchy asked about the Environmental Standards, Departmental; Improvement Standards Residential; and Improvement Standards Commercial. She said that she was very confused by this. Teuscher said that was due to the different types of subdivisions. The proposed resolution would allow necessary adjustments as needed. Skanchy asked if such detailed design criteria were necessary in the county. Teuscher said, "absolutely" in response.

Beck said the council had received a letter from the Planning Commission. Lemon received a letter from Benson Planning and Zoning in which they indicated that when they voted on the ordinance they did not realize the ramification, and they did not realize how restrictive the ordinance would be.

Wayne Cardon said that it is his understanding that the Planning Commission has not seen the Benson Planning and Zoning letter. Cardon was told that Benson Planning and Zoning had rescinded its support.

Lemon said that somehow the county needs to get to the end of the process so that the procedure can be put into place. The intent was to have the ordinance work with the countywide plan. Lemon asked if the hang-up was the approval

Lamar Clements addressed his concerns in an earlier letter. Teuscher prepared a memo about the suggested changes from the workshop of 25 July 2000. These proposed changes included the following topics: Water policy as it applies to subdivisions; lot splits and minor subdivisions; hauling of water, and acceptable water source. In major subdivisions, hauling of water was not considered an acceptable source.

Lemon asked if one of the hang-ups was the requirement to get approval from the Health Dept. Lamar Clements said that this was one of the problems. Lemon said that he understood that the Health Department did not want to take this on. Currently, the Health Department will not allow a septic tank without an appropriate water source to make it function. There is currently no requirement as to what an acceptable water source would be. Teuscher says that this issue is within the realm of the Health Department. With the current proposal, the determination of acceptable water would occur prior to the building permit being issued, but would not be part of the lot split or subdivision process. Greenhalgh said that this is all well and good. However, she wanted to know who will be the watchdog agency to make sure that water and septic is in place. Greenhalgh said that if lot splits or subdivisions are allowed and then people find that they cannot get a building permit, her office will be sued. Teuscher and Greenhalgh disagree as to whether the county is responsible to make sure that water will be available. Greenhalgh thinks that the county is responsible. Anhder said that it could be required that information not guaranteeing water could be written on the deed. Teuscher said that the plat would list that no water is available.

Individuals with split lots do not have automatic rights to build. They need to go through the lot split or subdivision process. The Health Department would have to approve their water before they could get a building permit.

Skanchy said that in a meeting the other day with Bob Morgan and Bob Fotheringham, she was told that all lots and all subdivisions should be wet, or in other words, they should have water allocated. Greenhalgh said that Bob is not issuing well permits to anything that has been divided.

He issues only one water right regardless of the number of lots. Anhder said they get the second water right by providing replacement water or a transfer. People are buying water rights so that they can put in wells.

Anhder said that this can be a problem for the second buyer. The first gets the well permit and the second lot is left dry until replacement water is provided.

Petersen asked that they focus on the process now. Skanchy asked if any changes made by the Cache County Council need to go back to the County-wide Planning Commission. Beck felt that it did. He said that it is obvious that the Benson Planning District is not happy and that it is possible that County-wide Planning is not not happy either.

Wayne Cardon spoke about the concerns of the Benson Planning District. He said that they had initially endorsed the ordinance. However, they have since rescinded their approval. Teuscher was not aware of them having voted to rescinded it. Greenhalgh said they voted to send a letter to the council. Teuscher said that planning commissions only make recommendations to the council.

Lamar Clements said that he thinks they are 95% of the way there. He still has concerns about the oversight being given to the Health Department. Clements said that the Health Department has indicated that it is not interested in dealing with private individual water systems. They do have authority over public water systems.

Skanchy said that it needs more consideration. Anhder thinks that they have talked enough. He suggested discussion at the next council meeting followed by a vote either up or down. Petersen said that unless there is a motion to the contrary, the issue will be up for pending action at the next council meeting. No motion was offered.

CONSOLIDATION OF OFFICES SELECTION COMMITTEE

Anhder offered his suggestion for how the process should occur. He proposed a five member committee that would choose its own chairman. Anhder proposed that Kathy Robison, Bill Furlong, and Vern Bray be selected for the committee. Gibbons left a letter recommending Gerald Allen and Lavar Smith. Both of these individuals served on the committee to change the form of government. Gibbons felt that no elected officials should serve and that no one from either executive or central committee from either party should serve. He wants the committee to be very independent.

Petersen asked why the council is doing this study. He wants to have an understanding of what need is existing. Anhder reminded Petersen that he had proposed the committee last week. Petersen said that he had done so in part to defer the pending action on that ordinance.

Pulsipher said that after reviewing the packet from 1993 that Pat Parker had provided for him, he isn't sure that it is a necessary choice to consolidate.

Petersen said that Clair Ellis's letter from last week had made a good case for the breadth of authority the county council has over the other elected officials.

There is no such thing as a voter recall. Removing an elected official is a legal proceeding.

Anhder said that at least one and probably more of original board members who planned a new form of government planned on consolidation as a first step. Anhder said that a problem exists philosophically if not actually. Over time, Anhder said it has been regarded as a less efficient form of government. Many cities have moved to the consolidate the executive functions instead of fracturing them among a variety of elected officials. This thinking according to Anhder is the prevailing thought around the country if not in Utah. Even the State of Utah has changed some of the roles of some of its offices. The Secretary of State became the Lt. Governor for example. The Governor is now the executive for the State of Utah. Cities have also moved in this direction. Recently, additional counties are moving in this direction.

In business, a chief executive officer functions in that role and a board of directors sets general policies. Anhder thinks that this would benefit county government. Anhder said that contrary to Ellis's assumption, the council has had elected officials say that they are not accountable to the council. He does not favor seven different executives running county government. He said businesses and cities do not function in that manner. He thinks that it would be easier to get competent individuals and retain them if they were selected rather than elected.

Yeates said that state code gives the legislative body authority to supervise all other county officers. He said that if there is a problem, the responsibility for correcting it belongs with the council. Anhder agreed with that particular point, but philosophically he favors his own view.

Petersen said that unless a demonstrable problem exists it would be unwise to take the right to vote away from the citizens to vote for these officials.

Skanchy said that she perceives that there has been a tendency across the state to do a Clerk/Auditor consolidation as has been done in the vast majority of other counties. Twenty-two to twenty-four counties have done this. Anhder said that there would have been more consolidation at that time if other counties had been using the executive form of government at that time.

Beck said that Salt Lake County would be interesting to watch after they establish their new form of government in this election.

Yeates said that it wouldn't be a bad idea to at least consider it with the committee. Anhder said

that there is no need to do the study if the council is not serious about considering it.

The issues will be discussed at the next meeting.

Donation of Vacation and or Sick Leave

Lemon wanted the council to be aware of the request of a county employee to donate some vacation leave to another individual for maternity leave. Lemon said that our policy allows donation of 40 hours of sick leave. Beck and Anhder suggested that maybe the current policy gives too much leave if people have such large amounts.

Lemon also noted that in the last department head meeting some had suggested that the county ought to increase the sick and vacation benefit in the county.

Yeates asked how they would deal with an individual who donates time, but is making less than the person they are donating to.

Beck said that the policy could be changed to just a leave policy. Stones said that this would create an accrued liability for all of the time that has been built up.

Petersen said that he would rather allow someone to donate vacation time than sick leave. Honest employees he said only use sick leave when they are sick. Their vacation time is their own to give. Sheriff Nelson said that it can be frustrating to people who never use it, while others use every day every year. Anhder said that sick leave is a benefit not a right. He thinks the perception has changed and is wrong.

The council gave Lemon the leeway to bring it to them if he thinks it is sufficiently important.

Jim Smith said that this would be an appropriate question to be answered by the Employee Compensation Committee. Lemon and the council agreed.

Jail Discussion

Sheriff Nelson assumed that the Jail study should be done by the end of October.

OTHER BUSINESS

UAC 77th Annual Convention, 15-17 November 2000

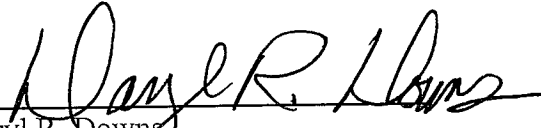
Pat Parker will be registering interested council members for UAC convention.

Council Meeting
10 October 2000


COUNCIL REPORTS

ADJOURNED

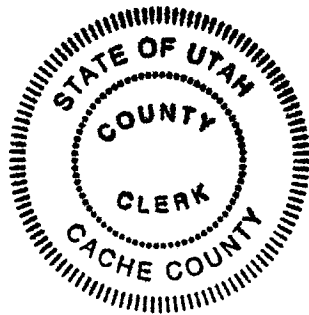
Petersen adjourned the meeting at 8:07 p.m.



Daryl R. Downs
Cache County Clerk



H. Craig Petersen
Vice-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

October 2, 2000

Dave Adams, Chairman
State Building Board
c/o Richard Byfield
4110 State Office Building
Salt Lake City, UT 84114

Reference: First District & Juvenile Court Facility, Logan, UT

Dear Chairman Adams and Members of the State Building Board,

Cache County and the State Courts have been working to resolve our facility needs for more than seven years. In the early 1990's Cache County assumed that the State would purchase the current Cache County Hall of Justice. In 1995 an analysis was completed which determined major security, structural, electrical, mechanical, and seismic problems with this facility. An additional analysis in 1998 reconfirmed the findings of the first analysis and concluded that the current facility would not meet the long term needs of either the County or the State Courts.

Cache County is in desperate need of both a County Administration Building and a new or expanded Cache County Jail. We are currently spending more than \$300,000.00 annually to house jail inmates in other facilities and deal with our overcrowding issues in the current Cache County Jail. After the State Courts determined that the Cache County Hall of Justice would not meet their long term needs, Cache County analyzed the options and determined that it would be in the best interest of Cache County to locate the County Administration Building or expand the existing Jail on the current facility site. Our offices and services are spread through out a number of locations which makes it frustrating and difficult for our citizens and public.

On July 30, 1998, based on our pressing needs, Cache County requested that the First District & Juvenile Courts vacate the Cache County Hall of Justice within two years. That two year period ended on July 30, 2000. Our Jail overcrowding issues have intensified and our employees and citizens continue to find frustration and difficulty in trying to locate and obtain County services. The increased demand for services in most of our departments, due to increased population, has pushed us beyond the limit.

The general public is running out of patience with long lines, over crowded hallways, unsafe conditions and an old courthouse which does not meet ADA requirements or other minimal safety standards. Local elected officials and other department heads are

decrying the unsanitary conditions and begging me as the chief administrative officer for Cache County, and the Cache County Council as the governing body, to stop waiting on the State Courts and do something to help alleviate the challenges and problems that we face.

However, Cache County, like the State of Utah, has a limited amount of resources and we do not have the funds to let the State Courts remain in the Cache County Hall of Justice while Cache County is forced to find property elsewhere to deal with our pressing needs. Especially in light of the fact that the State Courts determined many years ago that this facility would not meet their long term needs and refused to consider a purchase or lease purchase agreement.

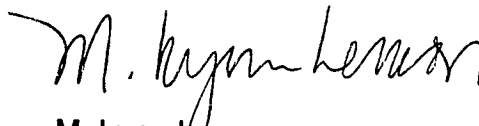
Because of these critical demands, Cache County has tried to work cooperatively with the State Courts. We have tried to be firm and yet realistic. I have thought it was in everyone's best interest to work together rather than taking a hard nosed approach. And yet as the years have passed from one year, to two years, to three years, to four years, to five years, to six years and now to at least seven years, there are a number of local elected officials who claim my efforts to work with the Courts has only pacified the State into thinking they can remain in the current location as long as they need to.

Cache County has tried very hard to maintain a good working relationship with the Courts and they have made the same effort in return. We know that we are both here to serve the public and we want to provide that service in the best interest of the citizens. Our current lease agreement has expired and we are on a month to month basis for a short period of time. Because of our pressing needs we have had to increase the rent on the Cache County Hall of Justice.

We want to continue to work together but we have some very critical needs and concerns that we must deal with. Last year the State Courts were given funding for programming and property acquisition. They need the balance of the funding to build their facility within the coming year. I know that your board has a very difficult task. Please give serious consideration to that request.

Thank you. I extend my appreciation for your service.

Sincerely,



M. Lynn Lemon
County Executive

cc: Senator Lyle Hillyard
Representative Loraine Pace

CACHE COUNTY
CORPORATION

M. LYNN LEMON

COUNTY EXECUTIVE/SURVEYOR

120 NORTH 100 WEST
LOGAN, UTAH 84321
Tel 435-752-5935
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COUNTY COUNCIL

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SARAH ANN SKANCHY
C. LARRY ANHDER
GUY RAY PULSIPHER
CORY YEATES
LAYNE M. BECK
DARYL R. DOWNS
CLERK

September 29, 2000

Gordon Bissegger
State Court Administrators Office
450 South State Street
P. O. Box 140241
Salt Lake City, UT 84114-0241

Reference: Notice to Request Rent Increase on
First District & Juvenile Courts in Logan

Dear Gordon,

According to the Lease Agreement, State Contract No. 87-1396, dated July 1, 1986, Section 3.(e) Rent, it states: "...the rent shall be adjusted annually, to reflect any increases in the consumer price index....". To the best of my knowledge this has never taken place.

Cache County has considered increasing the rent on the above contract a number of times over the years, but in an effort to work cooperatively with the State Court Administrators Office in reaching a solution to the long term needs of both the Courts and Cache County we have continued to delay that request. Cache County is no longer in a position to do that.

On July 30, 1998, Cache County gave notice to the State Court Administrators Office requesting that the First District & Juvenile Courts vacate the Cache County Hall of Justice within two years or as soon as possible. The two year period ended on July 30, 2000.

Cache County is willing to work, on a short term basis, with the State Court Administrators Office on a month to month lease so that a new Court Facility can be constructed across the street at the corner of 100 North and 100 West. However Cache County can no longer delay the request for a rent increase as we continue to work to resolve the facility needs of the First District and Juvenile Courts in Logan.

We are therefore requesting that the Rent on the current court facilities be increased immediately, effective October 1, 2000, to reflect a rate which is more in line with the current market. Our appraiser's office has provided a number of market rents comparables which are referenced below:

<u>Lessee</u>	<u>Address</u>	<u>Rent/Sq.Ft.</u>	<u>Utilities & Janitorial</u>
Adult Probation	95 West 100 South	\$11.16	Included
Drivers License Division	1050 South LeGrand St.	\$12.90	Included
Edward D. Jones & Com.	135 North Main	\$ 9.60	Tenant pays all
Knighton & Crow	95 Golf Course Rd.	\$12.48	Included
Guardian Insurance	1320 North 200 East	\$12.75	Tenant pays all
Human Services	115 Golf Course Road	\$13.15	Included
Parker Real Estate	198 North Main	\$ 9.24	Tenant pays all
Richard W. Waters Assc.	55 North Main	\$10.92	Tenant pays all

(Listings)

Design West	255 South 300 West	\$12.00	Tenant pays all
Trans-Lux	1651 North 1000 West	\$12.50	Tenant pays all
Blocks	1145 North Main	\$ 9.50	Tenant pays all

In my opinion the first comparable is the best. All rents less than this amount are triple net and require the tenant to pay for utilities and janitorial expenses. Those available between \$9.24 and \$9.60 also have major parking limitations with little or no parking available.

Based on the above information, Cache County is requesting that effective October 1, 2000 that the rent on the above contract is \$11.16 per square foot per year. The total footage now leased is 24,930 with annual rent increasing from \$203,538 to \$278,218.

Cache County does understand that the First District and Juvenile Courts have some concerns about the custodial services. Once an amendment to the above lease is signed incorporating this rent increase, Cache County will work to bring the custodial services up to the level that the Courts desire.

I look forward to hearing from you as soon as possible on this matter.

Sincerely,



M. Lynn Lemon
County Executive

cc: Sharon Hancey, First District Court Administrator

RESOLUTION NO. 2000-⁰¹~~32~~
BOARD OF TRUSTEES
COUNTY SERVICE AREA NO. 1

COPY

A RESOLUTION PASSED BY THE BOARD OF TRUSTEES FOR CACHE COUNTY SERVICE AREA NO. 1 APPROVING AN ADJUSTMENT IN SOME SOLID WASTE COLLECTION FEES FOR CACHE COUNTY SERVICE AREA NO. 1.

The Board of Trustees of Cache County Service Area No. 1, in regular meeting, lawful notice of which have been given, pursuant to the Utah County Service Area Act as set forth in Chapter 29 of Title 17 of the Utah Code and based upon recommendations submitted to it by the Solid Waste Advisory Board and Resolution No. 90-01 of the Board of Trustees, finds that adjustments are necessary to the Fee Schedule adopted previously and effective July 1, 1998 to conform to Logan City's fee schedule at the Landfill for other than residential pickup.

BE IT THEREFORE RESOLVED that:

Section 1. Fees

The solid waste collection fees will be set forth in the attached fee schedule.

Section 2. Repealer

This resolution and the rates set forth in the fee schedule supersedes all prior resolutions and fee schedules as of the date of adoption of this resolution.

ADOPTED this 10th Day of October, 2000.

Board of Trustees, Cache County Service Area No. 1

By: 

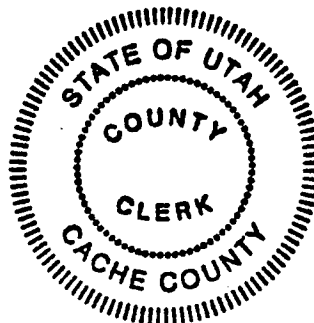
~~---Darrel L. Gibbons, Chairman---~~

H. Craig Petersen

ATTESTED:

By: 

Daryl R. Downs, Clerk



Section 1. RESIDENTIAL GARBAGE PICK-UP

Logan City

90 Gallon	\$11.65 /mo.
Extra Pickup	\$ 3.60/ea.container
60 gallon (minimum service/limit one per household)	\$ 6.55/mo.
Extra Pickup	\$ 1.85/ea.container
Special pick-up/bulky waste charge	\$ 20.00/ea. plus Applicable tipping fee

Cache County

90 gallon	\$12.25/mo.
Extra Pickup	\$ 3.90/ea.container
60 gallon (minimum service/limit one per household)	\$ 7.15/mo.
Extra Pickup	\$ 2.15/ea.container
Special pick-up/bulky waste charge	\$ 26.00/ea. plus Applicable tipping fee

Section 2. COMMERCIAL GARBAGE PICK-UP

A. Front Load Refuse hauled by Service Area	\$ 5.40cu.yd.perpickup
B. Roll-off Refuse	
Each pick-up	\$ 82.50/ea.
plus	Applicable tipping fee
C. Temporary/Construction Dumpster Rental	
Front Load Dumpster	
Minimum Rental Fee	\$10.00/wk
Collection/Disposal Fee	\$ 5.40cu.yd.perpickup
Roll-off Dumpster	
Minimum Rental Fee (charged only if no pickups took place beginning day 15 of rental)	\$40.00/wk.
Collection/Disposal Fee	\$82.50/ea.
plus	Applicable tipping fee
D. Roll-Off Recyclables	
Each pickup (Greenwaste, Other Recyclables)	\$45.00/ea.
Plus DEH receives recycling revenue	
Each Pickup (Cardboard)	\$ 0.00/ea.
Plus DEH receives recycling revenue	

Section 3. NEW HOMES-AUTOMATED CONTAINER (A.C.) SERVICE FEE

Delivery of A.C. in Logan	\$ 20.00
Delivery of A.C. in County	\$ 26.00
Pick-up of A.C. by customer	\$ 5.00

Section 4. LANDFILL TIPPING FEES

Car or truck up to 3/4 ton	\$ 5.00
Small single axle trailer	\$ 5.00
Dual axle trailer and trucks larger than 3/4 ton	Applicable tipping fee
General refuse	\$ 27.00/ton
Construction Debris and Tree Stumps	\$ 19.00/ton
Uncovered or otherwise unsecured loads	\$ 10.00 additional

Section 5. RECYCLABLE ITEM FEES

A. Tire (size measured by inside diameter)

15 inches or less	\$ 2.00/ea.
larger than 15 but less than 20 inches	\$ 5.00/ea.
20 to 25 inches	\$ 10.00/ea.
over 25 inches	\$100.00/ea.
tires with rim, additional	\$ 5.00/ea.

B. Pallets

Clean to go to Green Waste Facility	\$ 9.00/ton
Contaminated	Applicable tipping fee

C. Finished compost (loaded)

\$ 15.00/cu.yd.

NOTE: There is no charge for separated, recyclable items such as newspapers, ferrous metals, aluminum, carpet pad, used oil, and compostable waste trimmings.

Section 6. SPECIAL HANDLING FEES (SHF)

A. Medical and Infectious Waste

<u>Minimum fee:</u> up to .5 cubic yard or 100 gallons in volume, standard size "Black Beauty" dumpster.	\$ 8.00/cu.yd.
If load is greater than .5 cubic yard	\$16.00/cu.yd.

B. Hydrocarbon contaminated soil fees

(1000 ppm in accordance with Landfill Hazardous Waste Disposal Procedures)	Applicable tipping fee Plus \$11.50/ton (SHF)
---	---

C. Household Refrigerators, Freezers, Air Conditioners or other appliances originally having contained refrigerant which are not certified and marked as having been legally evacuated.

\$30.00/SHF ea.unit

D. Sludge & Animal By Products

Applicable tipping fee
Plus
\$11.50/ton (SHF)

E. Any other items requiring Special Handling

Applicable tipping fee
Plus
\$11.50/ton (SHF)

F. Metal Bottles, or other containers which are or have Been pressurized, including but not limited to propane bottles and fire extinguishers.

\$10.00/SHF ea.unit

Section 7. DEAD ANIMAL FEES

Less than 500 pounds	Applicable tipping fee
Greater than 500 pounds	Applicable tipping fee Plus \$11.50/ton (SHF)

- A. Violators of solid waste rules: (Ordinance 3-73, Section 8: Feb., 1973) "Any person violating any of the provisions of this ordinance is deemed guilty of a misdemeanor and upon conviction thereof, shall be punished by 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.
- B. Violators of Hazardous Waste Screening Procedures (March 15, 1995): Effective July 1, 1995.

First Offense; written notice, subject to frequent inspections.

Second Offense; written notice, fine of \$1,000.00 plus clean-up fee.

Third Offense; fine of \$10,000 plus clean-up fees. Banned from landfill use until sufficient proof that no further violations will occur.

In all cases: the responsible party will be responsible to remove the waste from the landfill and dispose of it properly. In the event the business refuses, Logan City will contact a licensed hazardous waste disposal company and have them remove the waste and the customer will be billed.

CACHE COUNTY
ORDINANCE NO. 2000 - 13

AN ORDINANCE VACATING A PORTION OF A COUNTY ROAD (3700 NORTH, WEST OF THE RAILROAD RIGHT-OF-WAY).

The County Council of Cache County, Utah, in a regular meeting, lawful notice of which has been given, finds that there is good cause for vacating a portion of a County Road, 3700 North Street, from West of the Railroad Right-of-Way, to permit the extension of a runway and taxiway for the Logan-Cache Airport and which is described in the attached "Exhibit A"; and that the vacating of that portion of the County Road will not be detrimental to the public interest.

Now, therefore, the Cache County Council ordains as follows:

1. Vacating County Road

That portion of the County Road, 3700 North Street, West of the Railroad Right-of-Way, which is described in the attached "Exhibit A" is hereby vacated.


2. Effective Date


This Ordinance shall take effect as of November 30, 2000, unless otherwise determined by the County Council.

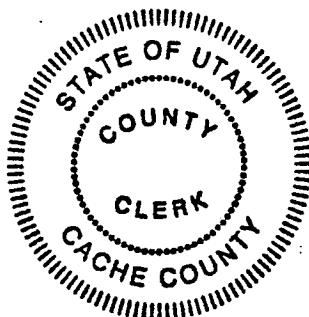
3. Adopted this 10th Day of October, 2000.

Attest:

County Council


Daryl R. Downs, County Clerk


Daryl A. Gibbons, Chairman
H. Craig Petersen, Vice Chairman



I, the undersigned Cache County Clerk, do hereby certify that this is a true and full copy of an original document on file in my office. Witness my hand and official seal this 10th day of Oct. 2000
Daryl R. Downs, Cache County Clerk
By: Evelyn M. Palmer

This ordinance was adopted by the Cache County Council on the 10th day of October,
2000 ~~1998~~, upon the following vote:

	IN FAVOR	AGAINST	ABSTAINED	ABSENT
ANHDER	X			
BECK	X			
GIBBONS				X
PETERSEN	X			
PULSIPHER	X			
SKANCHY	X			
YEATES	X			
TOTAL	6	0		1

A parcel of land in Section 9, Township 12 North, Range 1 East of the Salt Lake Base and Meridian more particularly described as follows:

Beginning at a point 4,428.94 feet North and 863.10 feet East of the Southwest corner of said Section 9, thence South $89^{\circ} 01' 42''$ E 155.33 feet; thence South $88^{\circ} 55' 22''$ E 1,020.87 feet; thence North $02^{\circ} 16' 38''$ E 65.18 feet; thence North $89^{\circ} 01' 47''$ W 455.25 feet; thence North $88^{\circ} 52' 36''$ W 723.55 feet; thence South $00^{\circ} 00' 40''$ E 65.20 feet to the point of beginning.

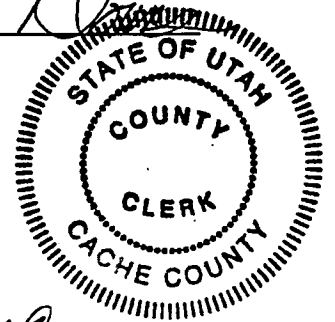
ORDINANCE ACTION = ORDINANCE NUMBER 2000-13

PRESENTATION TO THE COUNTY EXECUTIVE:

Ordinance number 2000-13, adopted by the Cache County Council on the 10th day of October 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 25th day of October 2000. If the County Executive disapproves, he shall submit a written statement of his objections with the notice of disapproval.

Submitted this 17th day of October 2000.

Daryl R. Downs
Daryl R. Downs
Cache County Clerk



Action of County Executive:

Ordinance number 2000-13 is hereby

Approved
 Disapproved (written statement of objection attached)

Dated this 17 day of October 2000.

M. Lynn Lemmon
M. Lynn Lemmon
Cache County Executive

Notice of Non-action:

Ordinance number 2000-13 was presented to the Cache County Executive on the _____ day of _____ 2000 and was neither approved nor disapproved by him within 15 days after presentation to him. 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 19 October 2000
Effective date of ordinance _____
Date filed in County Clerk's office _____

COPY

CACHE COUNTY
RESOLUTION NO. 2000-33

A RESOLUTION SUPERSEDING RESOLUTION No. 97-23 and No. 98-36 and
AUTHORIZING FUNDING FOR THE LOGAN-CACHE AIRPORT FOR AIRPORT
PURPOSES.

The County Council of Cache County, Utah, in a regular meeting, lawful notice of which
has been given, finds as follows:

WHEREAS, Cache County participates with the City of Logan in the Logan-Cache
Airport on an ongoing basis to provide air service to the citizens of Cache
County; and

WHEREAS, in October of 1997 and December of 1998 Cache County participated in
the expansion of the airport by providing \$100,000.00 and \$200,000.00
respectively to the Logan-Cache Airport Authority, which currently reflects
as loans in the County's financial records; and

WHEREAS, in May of 1998 and December of 1999 the City of Logan participated in
the expansion of the airport by providing \$100,000.00 and \$200,000.00
respectively to the Logan-Cache Airport Authority which currently reflects
as loans in the City's financial records; and

WHEREAS, by Resolution No. 2000-63 adopted on September 20, 2000, the City of
Logan forgave its \$300,000.00 in loans, plus interest, to the Logan-Cache
Airport Authority and agreed to have the funds placed in a capital
improvement line item designated for airport improvements; and

WHEREAS, the Cache County Audit for 1999 disclosed a deficit in the Logan-Cache
Airport Component Units Fund of \$134,516.00.

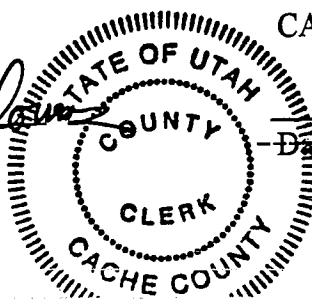
NOW THEREFORE BE IT RESOLVED BY THE CACHE COUNTY COUNCIL that
Cache County is willing to forgive its \$300,000.00 in loans to the Logan-Cache Airport Authority
and use such funds to pay off the 1999 deficit and to have the remaining funds placed in a capital
improvement line item designated for airport improvements.

This Resolution will take effect immediately upon adoption.

Dated this 10th Day of October, 2000.

ATTEST:

Daryl R. Down
Daryl R. Down, County Clerk



CACHE COUNTY
Darrel L. Gibbons
Darrel L. Gibbons Chairman
H. Craig Petersen, Vice-Chairman

RESOLUTION NO. 2000- 33

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.

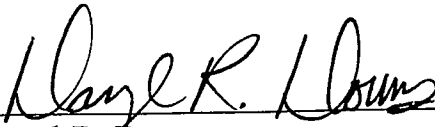
Section 3.

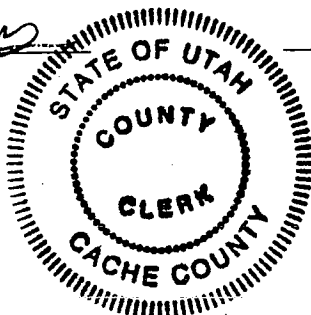
This resolution shall take effect immediately upon adoption and the County Auditor and other county officials are authorized and directed to act accordingly.

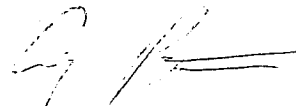
This resolution was duly adopted by the Cache County Council on the 10th day of October, 2000.

ATTESTED TO:

CACHE COUNTY COUNCIL


Daryl R. Downs,
Cache County Clerk




--Darrel L. Gibbons, Chairman--
H. Craig Petersen, Vice-Chairman

FUND 10 GENERAL FUND REVENUES

ACCOUNT	DESCRIPTION	Current Budget	Recommended Decrease DEBIT	Recommended Increase CREDIT	Amended Budget	Reason for Change
10-31-30000	Sales & Use Tax	(2,542,440)		(67,299)	(2,609,739)	Estimated increase to 1999 rcpt total
10-33-12200	FEMA - Search & Rescue	-		(33,444)	(33,444)	per invoice equip, reimb & costs
10-33-14100	Crime Victim Grant - VOCA	(109,299)		(61,125)	(170,424)	Contract extension 1999-2000
10-33-45000	CDBG Grants Estimated	(200,000)		(200,000)	(400,000)	estimated increase for pass thru grants
10-33-70104	Grants - Other	-		(2,335)	(2,335)	DARE fund raiser
10-34-27102	State Share Range Fires	(44,889)		(93,087)	(137,976)	reimb rangeland fires
10-36-10000	Interest	(480,000)		(50,000)	(530,000)	estimated increase in interest inc \$15621
10-38-90000	Appropriated surplus	(315,812)		(3,020)	(318,832)	
	TOTAL REVENUES		-	(510,310)	(510,310)	

ACCOUNT	DESCRIPTION	Current Budget	Recommended Increase DEBIT	Recommended Decrease CREDIT	Amended Budget	Reason for Change
10-4142-110	Clerk - salary	64,768		(3,300)	61,468	Transfer to get temporary help for office
10-4142-120	Clerk - temporary salary	-	3,000		3,000	Transfer to get temporary help for office
10-4142-130	Clerk - benefits	26,442	300		26,742	Transfer to get temporary help for office
10-4147-250	Surveyor - equip supplies & maint	57,606	500		58,106	For gas price increase, etc
10-4148-111	VOCA - Salaries	26,980	30,217		57,197	Contract amend Voca 1999-2000
10-4148-120	VOCA - Temp Employees	200	5,411		5,611	Contract amend Voca 1999-2000
10-4148-131	VOCA - Benefits	200	14,504		14,704	Contract amend Voca 1999-2000
10-4148-211	VOCA - Subscriptions & Memberships	4,950	125		5,075	Contract amend Voca 1999-2000
10-4148-231	VOCA - Travel	2,110	3,511		5,621	Contract amend Voca 1999-2000
10-4148-241	VOCA - Office supplies	1,200	1,544		2,744	Contract amend Voca 1999-2000
10-4148-281	VOCA - Telephone	8,400	225		8,625	Contract amend Voca 1999-2000
10-4148-290	VOCA - Rent	500	5,475		5,975	Contract amend Voca 1999-2000
10-4148-450	VOCA - Petty Cash	-	113		113	Contract amend Voca 1999-2000
10-4150-551	Non-Department - UAC Spec Assessme	27,350	2,000		29,350	special assessment
10-4150-560	Non-Department - Independent Audit	26,692	860		27,552	extra auditing services
10-4210-120	Sheriff - tempory salary	37,000	8,000	(15,939)	29,061	Transfer to support services
10-4210-290	Sheriff - Gasoline	5,880	2,335		8,215	Estimated gasoline costs to yr end
10-4210-481	Sheriff - spec grant DARE	43,747	18,959		62,706	Deferred revenue from 1998
10-4211-120	Support Serv - temporary salary	9,300	4,000		13,300	Transfer to support services
10-4211-290	Support Serv - Gasoline	16,000		(15,000)	1,000	Estimated gasoline costs to yr end
10-4220-115	Fire - Overtime	32,053		(19,000)	13,053	To adjust for fire season expenses
10-4220-120	Fire - Temporary Employees	2,500		(800)	1,700	To adjust for fire season expenses
10-4220-230	Fire - Travel	2,300	230		2,530	To adjust for fire season expenses
10-4220-240	Fire - Office supplies	18,500	8,970		27,470	To adjust for fire season expenses
10-4220-250	Fire - Equip Supp & Maint	3,000		(2,700)	300	For gas price increase, etc
10-4220-270	Fire - Utilities	5,200	2,500		7,700	To adjust for fire season expenses
10-4220-280	Fire - Telephone					

ACCOUNT	DESCRIPTION	Current Budget	Recommended		Reason for Change
			Increase DEBIT	Decrease CREDIT	
10-4220-290	Fire - State Fire Vehicle maint	4,000		1,000	To adjust for fire season expenses
10-4220-315	Fire - Prof & Tech medical	3,000		500	To adjust for fire season expenses
10-4220-630	Fire - wildland fires	17,700	112,326	130,026	To adjust for fire season expenses
10-4220-740	Fire - equipment	662,000	8,000	670,000	To adjust for fire season expenses
10-4230-140	Jail - Uniform allowance	18,700	1,000	19,700	for new FTE's
10-4230-290	Jail - Gasoline	5,850	2,000	7,850	Estimated gasoline costs to yr end
10-4230-621	Jail - Services Jail Board Out fees	235,425	88,000	323,425	Estimated costs last quarter
10-4255-615	Emerg Mgmt - Search & Rescue Operat	5,000	8,444	13,444	donation to search & rescue truck
10-4255-740	Emerg Mgmt - Equipment	-	-	-	reimb 99 search & rescue truck
10-4410-250	Road - Equip Supp & Maint	173,019	40,000	213,019	For gas price increase, etc
10-4800-920	Contrib to other units	200,000	200,000	400,000	to adjust for total pass thru grants
TOTAL expenditures			572,549	(62,239)	
				510,310	

FUND 20 MUNICIPAL SERVICES FUND REVENUES

ACCOUNT	DESCRIPTION	Current Budget	Recommended		Reason for Change
			decrease DEBIT	increase CREDIT	
20-31-30000	Sales & Use Tax	(458,824)		(5,000)	
20-33-56000	Class B Road Allocation	(880,166)		(24,833)	For 10th East project
Totals			-	(29,833)	
Net adjustment				(29,833)	

FUND 20 MUNICIPAL SERVICES FUND EXPENDITURES

ACCOUNT	DESCRIPTION	Current Budget	Recommended		Reason for Change
			Increase DEBIT	Decrease CREDIT	
20-4180-220	Zoning - public notices	2,500	1,000	3,500	estimated costs to year end
20-4180-230	Zoning - travel	1,500		1,000	estimated costs to year end
20-4180-620	Zoning - misc services	4,500	500	5,000	estimated costs to year end
20-4210-290	MS Sheriff - Gasoline	8,000	3,000	11,000	Estimated gasoline costs to yr end
20-4241-250	Bldg Inspect - equip supplies & maint	2,500	1,000	3,500	Estimated gasoline costs to yr end
20-4415-250	Class B Road - equip, supp & maint	35,000	10,000	45,000	increased fuel costs
20-4415-315	Class B Road - Engineer 10th East	-	14,833	14,833	10th East project
Totals			30,333	(500)	
Net adjustment				29,833	

FUND 24 COUNCIL ON AGING FUND REVENUES

ACCOUNT	DESCRIPTION	Recommended		Amended		Reason for Change
		Current Budget	Increase DEBIT	Current Budget	Increase CREDIT	
24-38-55000	Contributions/donations	-	(3,300)	(3,300)		contrib for sr citizens
24-36-90000	Sundry Revenue	-	(2,236)	(2,236)		deferred revenue for fund balance
	Totals		(5,536)	(5,536)		
	Net adjustment					

FUND 24 COUNCIL ON AGING FUND EXPENDITURES

ACCOUNT	DESCRIPTION	Recommended		Amended		Reason for Change
		Current Budget	Increase DEBIT	Current Budget	Increase CREDIT	
24-4970-382	Nutrition - food supplement	12,000	1,300	13,300		senior donations for programs
24-4971-331	Center - Tours & trips	8,000	1,000	9,000		senior donations for programs
24-4971-240	Center - office supplies	2,000	500	2,500		senior donations for programs
24-4971-250	Center - transportation	3,000	500	3,500		senior donations for programs
24-4990-990	Contrib to fund balance reserve	6,172	2,236	8,408		recognize deferred revenue 1994 & 1995
	Totals		5,536	5,536		
	Net adjustment					

FUND 29 CHILDRENS JUSTICE CENTER FUND REVENUES

ACCOUNT	DESCRIPTION	Recommended		Amended		Reason for Change
		Current Budget	Increase DEBIT	Current Budget	Increase CREDIT	
29-33-15000	Crime Victim Childrens Justice grant	(87,600)		(89,252)	(1,652)	contract increase
	Totals		-	(1,652)	(1,652)	
	Net adjustment					

FUND 29 CHILDRENS JUSTICE CENTER FUND EXPENDITURES

ACCOUNT	DESCRIPTION	Recommended		Amended		Reason for Change
		Current Budget	Increase DEBIT	Current Budget	Increase CREDIT	
29-4149-230	CJC - Travel	5,767	1,600	7,367		contract year renewal/adjustments
29-4149-250	CJC - Supplies & Maint	3,357	1,245	4,602		contract year renewal/adjustments
29-4149-280	CJC- Telephone	3,101	650	3,751		contract year renewal/adjustments
29-4149-310	CJC- Prof & Tech	3,300		1,400	(1,900)	contract year renewal/adjustments
29-4149-610	CJC - Misc Services	-	250	250		contract year renewal/adjustments
29-4149-740	CJC - Equipment	900		707	(193)	contract year renewal/adjustments
	Totals		3,745	1,652	(2,093)	
	Net adjustment					

FUND 77 Logan-Cache Airport Authority (Component Unit) Fund Revenues

ACCOUNT	DESCRIPTION	Recommended			Reason for Change
		Current Budget	Increase DEBIT	Amended Budget	
77-33-70105	Logan City Share	(67,354)	(300,000)	(367,354)	Logan City loan forgiven
77-38-20000	Cache County Contrib from Gen Fund	(67,354)	(300,000)	(367,354)	Cache Co Loan forgiven
	Totals	-	(600,000)		
	Net adjustment			<u>(600,000)</u>	

FUND 77 Logan-Cache Airport Authority (Component Unit) Fund Expenditures

ACCOUNT	DESCRIPTION	Recommended			Reason for Change
		Current Budget	Increase DEBIT	Amended Budget	
77-4460-732	Other Capital Improvements	-	492,623	492,623	appropriation for capital improve. Needs
77-4460-910	Airport - Loan repayment	-	(27,139)	(27,139)	transfer to deficit payment
77-4460-990	Contrib to deficit	-	134,516	134,516	to pay 1999 fund deficit
	Totals		627,139	(27,139)	
	Net adjustment			<u>600,000</u>	

Bridgerland Ice Arena Financing Plan

Presented at the NPIC Board Meeting
October 4, 2000

- I. **North Park Interlocal Cooperative will build, own and finance the ice arena.**
 - A. Bonds will be lease revenue bonds and will mature in 15 years.
 - B. Zions Bank will purchase the bonds for a 1% fee.
 - C. U.S. Bank will be trustee for the bonds and will hold all funds.
 - D. The principal of the Bonds maturing in the first 10 years will bear interest at a fixed interest rate of approximately 5.95%.
 - E. The principal of the Bonds maturing in years 11-15 will bear interest at an interest rate that is adjusted at the end of the fifth and tenth years, initially set at approximately 5.90%.
 - F. The Bonds can be prepaid at any time after the fifth year without a penalty except that up to \$500,000 may be redeemed early without a penalty*.
 - G. The security for the Bonds is a lease/assignment of rents, deed of trust and a debt service reserve fund.
 - H. NPIC will rely exclusively on lease revenue (see below) and debt service reserve fund earnings for repayment of the Bonds.
 - I. At the conclusion of the lease and after retirement of all debt the project ownership will revert to the four municipalities.
- II. **NPIC will lease the Arena to four municipal entities: Cache County, Logan City, North Logan City and Hyde Park City.**
 - A. The lease will be for 15 years.
 - B. The lease payments due to NPIC will match the payments on the Bonds.
 - C. The lease is subject to annual appropriation of the municipal entities (no general obligation debt).
 - D. The municipal entities' sources of revenue for payment of the lease are:
 - 1. County restaurant tax in the amount of \$102,963 per year for 15 years which will amortize about \$1,000,000 of principal.
 - 2. 1/64th of 1% sales tax from most taxing entities for 10 years which will amortize about \$1,100,000 of principal. The State Tax Commission will remit these revenues directly to the County.
 - a. Surplus sales tax revenue may be retained in a reserve or remitted to the participating communities.
 - 3. Additional donations of no less than \$51,481 per year which will amortize \$500,000 over 15 years.

4. In the event that sources from #3 above are insufficient, then the municipal entities may draw upon a Donor Guaranty and Collateral Account (see below for additional details) funded with \$51,481 of cash at the beginning of each year. If the Lessees draw upon this amount to make up shortfalls in donations then the Guarantors will replenish the \$51,481 at the commencement of the following year.

III. The four municipal entities will sublease the arena to Bridgerland Community Ice Arena ("BCIA"), a non-profit organization.

- A. BCIA will be responsible for operations and maintenance of the arena.
- B. BCIA will be responsible for all expenses of the arena including property taxes, if any.
- C. BCIA will have an endowment funded with the equivalent of \$500,000 to cover future operating deficits or emergency capital repairs.
 1. The endowment will be initially funded with a pledge of an equity interest in an income producing property with a value equal to approximately \$500,000.
- D. BCIA will continue to conduct fund raising. Additional funds will be used first to reduce up to \$500,000 of bond principal, at the same time reducing the required deposits to the Collateral Account. Secondly, future donations will be used to fund BCIA's endowment. Deposits to the BCIA endowment will allow a release of a commensurate amount of the real estate equity interest.

IV. Private Funding of Donor Guaranty & Collateral Account.

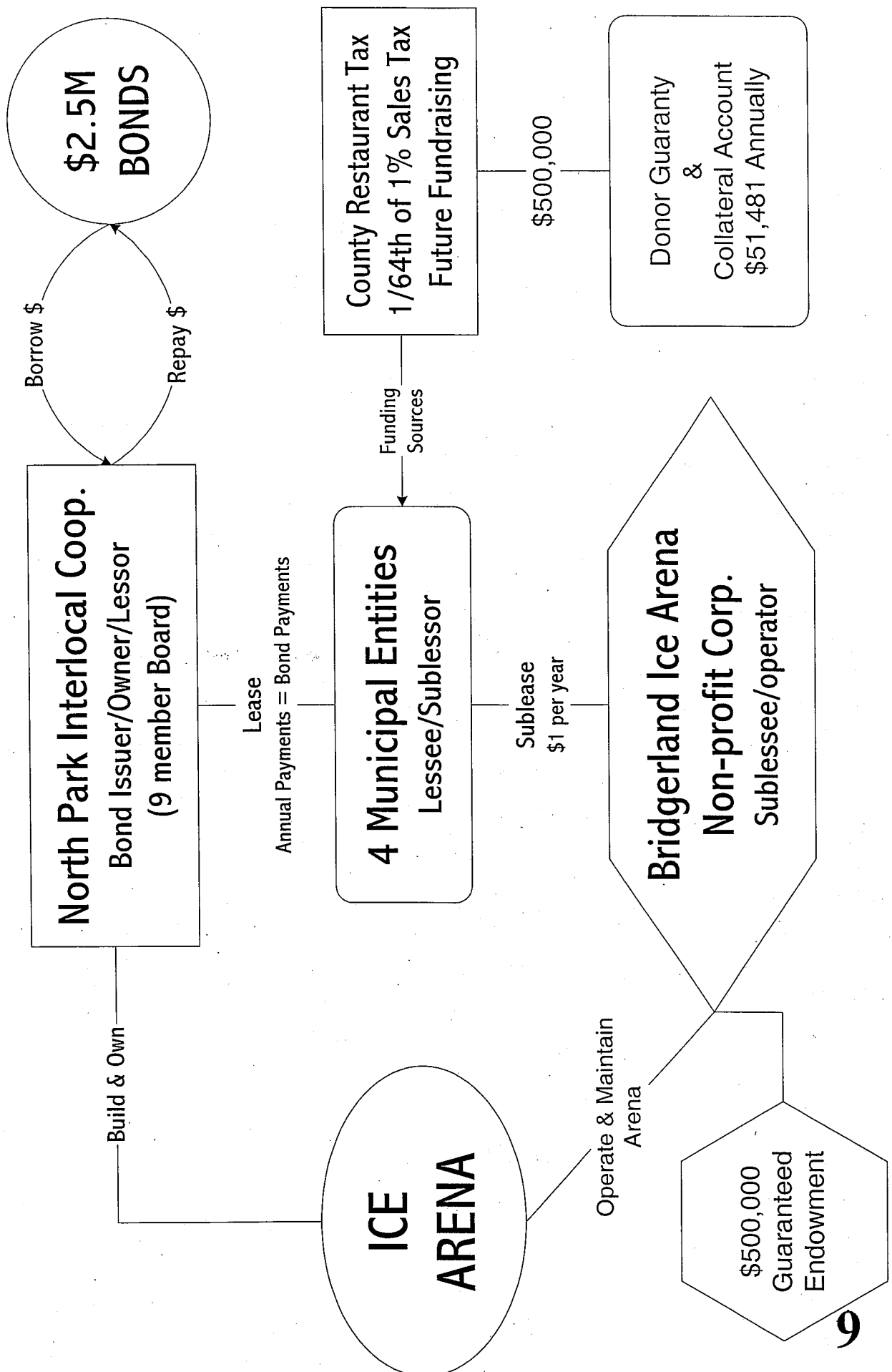
- A. A group of individuals (the "Donation Guarantors") is willing to guaranty backup funding of up to \$51,481 per year for 15 years.
- B. The Donation Guarantors will initially fund the Collateral Account with \$51,481 of cash.
- C. The amount the Donation Guarantors guarantee to remain on deposit in the Collateral will decline pro rata with early retirement of the additional \$500,000 of principal.
- D. The four municipal entities may draw on the Donor Guaranty & Collateral Account in any year that donations are less than the \$51,481 required to repay the additional \$500,000 of bond principal. The collateral is not available for any other expense or shortfall. Income from the investment of the collateral will be returned to the individuals as it is earned.
- E. The Donation Guarantors will guarantee that the Donor Guaranty & Collateral Account will be replenished within [60] days of any draw down. This guarantee will remain until the \$500,000 of additional bond principal has been redeemed or retired.
- F. If BCIA fails to make some pre-determined benchmarks for fund raising then the Donation Guarantors will have the right to supervise management of the arena and be paid a management fee. The

management fee is payable only from BCIA revenues.

V. **Private Funding of Endowment Account.**

- A. NPIC has required that BCIA have an endowment funded with \$500,000 before it will proceed with the project. The endowment is to be used exclusively for the funding of operating deficits or making emergency repairs.
- B. One or two individuals have expressed a willingness to temporarily fund the \$500,000 endowment required by NPIC with a pledge of equity interests in income producing real estate projects. The contribution would generate approximately \$30,000-60,000 per year that could be applied, if necessary, to offset any operating losses or fund emergency repairs and improvements.
- C. Once the need for the Donor Guaranty & Collateral Account has been eliminated by retirement of the extra \$500,000 of Bond principal, additional donations will go towards permanent funding of the Endowment. As the Endowment receives permanent cash funding, the pledge of real estate equity interests would be returned.

Ice Arena Financing Plan



**North Park Intergovernmental Cooperative
Bridgerland Ice Arena Financing**

	Date	Local Sales Tax Revenue	County Restaurant Tax	Future Donations or Collateral Acct.	Total Revenue
	11/14/2000				
1	11/01/2001	\$139,460	\$92,211	\$51,481	\$283,152
2	11/01/2002	\$139,460	\$92,211	\$51,481	\$283,152
3	11/01/2003	\$139,460	\$92,211	\$51,481	\$283,152
4	11/01/2004	\$139,460	\$92,211	\$51,481	\$283,152
5	11/01/2005	\$139,460	\$92,211	\$51,481	\$283,152
6	11/01/2006	\$139,460	\$92,211	\$51,481	\$283,152
7	11/01/2007	\$139,460	\$92,211	\$51,481	\$283,152
8	11/01/2008	\$139,460	\$92,211	\$51,481	\$283,152
9	11/01/2009	\$139,460	\$92,211	\$51,481	\$283,152
10	11/01/2010	\$139,460	\$92,211	\$51,481	\$283,152
11	11/01/2011		\$92,211	\$51,481	\$283,152
12	11/01/2012		\$92,211	\$51,481	\$283,152
13	11/01/2013		\$92,211	\$51,481	\$143,692
14	11/01/2014		\$92,211	\$51,481	\$143,692
15	11/01/2015		\$46,105	\$51,481	\$97,587
				\$51,481	\$51,481
		\$1,394,600	\$1,244,842		\$3,411,663

County Contribution

County commitment:	\$1,000,000
Less Upfront payment:	(\$163,000)
Contribution balance:	\$837,000
Interest rate:	6.00%
Contribution term:	13.50
Annual contribution:	\$92,211

Additional Bond Calculations

Additional bonds:	\$500,000
Interest rate:	6.00%
Term:	15.00
Annual payment:	\$51,481

**North Park Local Cooperative
Bridgerland Ice Arena Financing
Bond Sources & Uses**

Sources	
Bond principal	\$2,464,000
Other	\$42,510
Total sources	\$2,506,510
Uses	
Construction fund	\$2,038,000
Debt service reserve	\$248,500
Capitalized interest	10.09%
Bond counsel	\$127,694
Financial advisor	\$30,000
Purchaser's fee	\$30,800
Trustee setup & 1st yr.	1.25%
Title insurance (est'd.)	1.00%
Misc. & rounding	\$24,640
	\$2,350
	\$4,000
	<u>\$526</u>
Total uses	\$2,506,510

Total costs of issuance	\$91,790
Less 2% maximum	<u>(\$49,280)</u>
Other cash needed	<u>\$42,510</u>

**North Park Intergovernmental Cooperative
Bridgerland Ice Arena Financing**

Date	Revenue Available	Principal	Rate	Interest	\$1,350 Trustee Fee	Debt Service		Annual Lease Payment
						Reserve Earnings @ 5.90%	Less Capitalized Interest	
11/14/2000								
11/01/2001	\$283,152			\$140,476	\$1,350	(\$14,132)	(\$127,694)	\$0
11/01/2002	\$283,152	\$150,000	5.85%	\$145,739	\$1,350	(\$14,662)		\$282,427
11/01/2003	\$283,152	\$159,000	5.90%	\$136,964	\$1,350	(\$14,662)		\$282,652
11/01/2004	\$283,152	\$169,000	5.90%	\$127,583	\$1,350	(\$14,662)		\$283,271
11/01/2005	\$283,152	\$179,000	5.90%	\$117,612	\$1,350	(\$14,662)		\$283,300
11/01/2006	\$283,152	\$189,000	5.90%	\$107,051	\$1,350	(\$14,662)		\$282,739
11/01/2007	\$283,152	\$200,000	5.95%	\$95,900	\$1,350	(\$14,662)		\$282,588
11/01/2008	\$283,152	\$212,000	5.95%	\$84,000	\$1,350	(\$14,662)		\$282,688
11/01/2009	\$283,152	\$225,000	5.95%	\$71,386	\$1,350	(\$14,662)		\$283,074
11/01/2010	\$283,152	\$238,000	5.95%	\$57,998	\$1,350	(\$14,662)		\$282,687
11/01/2011	\$143,692	\$113,000	5.90% *	\$43,837	\$1,350	(\$14,662)		\$143,526
11/01/2012	\$143,692	\$119,000	5.90% *	\$37,170	\$1,350	(\$14,662)		\$142,859
11/01/2013	\$143,692	\$127,000	5.90% *	\$30,149	\$1,350	(\$14,662)		\$143,838
11/01/2014	\$97,587	\$88,000	5.90% *	\$22,656	\$1,350	(\$14,662)		\$97,345
11/01/2015	\$51,481	\$296,000	5.90% *	\$17,464	\$1,350	(\$263,162)		\$51,653
		\$2,464,000	5.917%	\$1,235,981	\$20,250	(\$467,893)		\$3,124,644
			8.477					

* Note: the rate on these bonds is reset every 5 years, i.e., in 2005 and 2010.

\$1,721,000 Fixed rate term bonds due 2002-2010.
 \$743,000 Adjustable rate term bonds due 2011-2015.
 \$2,464,000

**North Park Intergovernmental Cooperative
Bridgerland Ice Arena Financing
Sources & Uses of Funds**

Sources of Funds	
BCIA unrestricted cash on hand - Note 1	\$120,000
Municipal contributions during construction - Note 2	\$283,152
County contribution (cash at closing) - Note 3	\$163,000
Interest earnings on bond funds - Note 4	\$64,971
Bond: Construction fund - Note 5	\$2,038,000
State grant - received and spent on construction - Note 6	\$213,000
George S. Eccles grant - last dollars - Note 7	\$500,000
County land contribution; North Logan City road construction	NA
Logan City - available at close	\$50,000
Utah Sports Authority/SLOC - second to last \$	\$100,000
Cache Valley Electric gift (Dec./Jan.)	\$200,000
Value in kind - Note 8	\$47,000
Individual contributions (2000-2001) - Note 9	\$64,000
	\$3,843,123
Uses of Funds	
Construction contract (design/build, turn-key)	\$3,800,000
Costs of issuance in excess of 2%	\$42,510
Start-up capital and overhead, reserve	\$613
	\$3,800,613

- Note 1 General fund raising, grants, etc.
- Note 2 See "Total Revenue" period ending 8/15/00 on page 1.
- Note 3 County contribution from previously budgeted restaurant tax revenues in FY 99 and FY 2000. This upfront amount reduces the County's annual contribution. See "County Contribution" on page 4.
- Note 4 Estimated interest earnings on bond proceeds invested during construction. Includes Construction Fund and Debt Service Reserve Fund invested for an average life of 6 months.
- Note 5 See page 2, Bond Sources & Uses.
- Note 6 Total grant was \$250,000; \$37,000 was spent on pre-construction expenses.
- Note 7 Grant is conditioned on total project costs of \$5,300,000. Current budget is for \$4,900,000.
- Note 8 This represents commitments from vendors, materials suppliers and sub-contractors to donate all or part of their services. Commitments for these amounts have been received.
- Note 9 This is the total of various commitments for contributions that are due within the next 12 months. There are commitments for additional contributions beyond the next 12 months that total about \$60,000.

Additional Contributions	
Private Naming Donor	\$1,000,000