

**APPROVED**

**CACHE COUNTY  
COUNCIL MINUTES  
12 JUNE 2001**

**COUNTY COUNCIL MEETING  
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**CACHE COUNTY COUNCIL MEETING**  
**June 12, 2001**

The Cache County Council met in a regular session on 12 June 2001 in the Cache County Council Chamber at 120 North 100 West, Logan, Utah.

**ATTENDANCE:**

**Chairman:** Darrel Gibbons

**Vice Chairman:** Layne Beck

**Council Members:** Larry Anhder, Craig Petersen, Kathy Robison  
(John Hansen arrived at 5:20 p.m.)

**Council Member:** Cory Yeates - *Excused*

**County Executive:** Lynn Lemon

**County Clerk:** Jill Zollinger

The following individuals were also in attendance: Lance Anderson, Wayne Cardon, Bobbie Coray, Chris Coray, Noble Erickson, Thad Erickson, Mike Glead, Lorene Greenhalgh, Cindy Hall, John Hardman, Lanny Herron, Gene Hiibner, Tom Hoggan, Clark Israelsen, Ed Nelson, Mayor Jay Nelson, Lynn Nelson, Vellys Nelson, Evelyn Palmer, Pat Parker, Ann Peralta, Paul Riley, Christopher Sands, Jim Smith, Penny Trinca, Jeana Wickwar, Christian Wilson, Scott Wyatt, Gordon Zilles, and from the media: KVNU Representative and Paul Allen (Herald Journal).

**CALL TO ORDER:**

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

**INVOCATION:**

The invocation was given by Kathy Robison.

**REVIEW AND APPROVAL OF AGENDA:**

There were no changes to the agenda and the meeting proceeded as outlined.

**REVIEW AND APPROVAL OF MINUTES:**

Vice Chairman Beck noted two typing errors: 1) On the second page in the voting to approve the minutes, Anhder should have been noted absent instead of Beck. 2) Yeates needed to be typed rather than Cory on Page 9 in the motion for public hearing regarding the budget adjustments.

The minutes were approved as corrected.

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**REPORT OF THE COUNTY EXECUTIVE: LYNN LEMON**

County Executive Lemon reported on the following items:

1. **Appointments:** There were no appointments.
2. **Warrants:** Warrants for the periods of May 12<sup>th</sup> to 23<sup>rd</sup> and May 24<sup>th</sup> to 31<sup>st</sup> were presented to the County Clerk for filing.
3. **Other Items:** Forest Service Plan public meeting is scheduled for June 25<sup>th</sup> at Mt. Logan Middle School from 5:00 to 8:00 p.m.

**Council member Hansen arrives.**

**ITEMS OF SPECIAL INTERESTS**

**DEPARTMENT REPORT - CACHE COUNTY RECORDER: - MICHAEL GLEED**

**MICHAEL GLEED:** It was good to have the County Council members visit in the Recorder's office. It only took three weeks after that visit for you to decide to build a new building! I don't have any real problems with the building. I'm glad that we are leaving it, but I'm glad that the plans are to keep it up and working.

Mr. Gleed explained to the Council some of the questions that they receive in the Recorder's office: 1) *Who owns this road?* 2) *How wide is it?* 3) *Is it a County road?* 4) *Who has the right-of-way across this property?* 5) *Who owns this gap?* 6) *How do I get title to the gap?* 7) *Who owns the canal?* 8) *Who has the right-of-way to use the canal?* 9) *How wide is it?* Some of our biggest challenges are to help the public solve those kinds of questions. A lot of those things we can't answer because a lot of those things were there before we kept records. So we can't verify by records and that's our job to verify by records.

Another challenge we have is working with technology, working with the computer system. We are working with the IN-GEO System and are making progress with this. I feel that we need to hire a programmer of our own.

The other hard part is that accuracy is required. Document figures we have recorded and dealt with are as follows:

1. Documents: In 1999 -26,470 , in 2000 - down to 21,400, in 2001 - 11,000 so far.
2. Filed Plats: In 1999 - 80, in 2000 - 102, and in 2001 - 38 so far.
3. Parcels: There are now 38,827 in the County with a total number of owners of 48,046.
4. Books: 1,015.

The owners come from a lot of different places: Utah has the majority of owners; we have 365

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from Idaho and about 337 from California and 71 from Washington, etc. We record all of the documents and we have been scanning the records since December of 1992. They are available on the Internet and also are available in our office on digital format image. We would like to go back further, but that is not in the plan because we don't have the time to do it or the personnel.

Mr. Gleed contacted IN-GEO to find out information about the Landlight.com internet access. It has been set up for about 20 months and they are making about \$2,000 a month. A lot of people are using this system.

The following numbers show the importance of our records:

1. Images received: 2,300 - 112 images per day.
2. Searched for parcel owners: 73 per day.
3. Parcel information (ES-12): 166 per day.
4. Abstract: 156 per day.
5. Parcel address searched: 74

There are 28 subscribers to the system. It started out with 10. We have people from all over the state of Utah and other states that use the system. Companies call all the time. They seem to be pretty happy with it.

We are also responsible for maintaining tax-roles on the land. We file the deeds; We update the tax-role on parcels. We maintain the ownership. We compute the acreage of the parcels; we write the legal descriptions.

Mr. Gleed enjoys being an elected official and helping the public with the many questions that they bring to the recorder's office.

#### **PRESENTATION OF PROPOSED SR. CITIZENS CAR PORT: - TOM HOGGAN**

**TOM HOGGAN** presented a status report on the Carport project. In February of 1996 a Grant was submitted to the Utah Department of Transportation (U-DOT) requesting \$21,000.00 to build a parking structure. This structure would be a place to get the busses, the para transit units, and meal-on-wheels vehicles out of the elements during the Winter time.

In January of 1999 U-DOT notified us that we were awarded \$20,000.00 to do this and we have a match of 20 percent; so our portion of it was \$5,000.00 making a total of \$25,000.00 for the project. The estimates at this point are \$24,459.00. We have submitted the plan to U-DOT for their approval. It is planned that we will open the project to bid within the next week. In a couple of weeks we are hoping to send our recommendation down to U-DOT of our bid winner; so that, we can get their approval to move forward.

(See Attachment #1)

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**Vice-Chairman Beck moved to approve the project. Council member Robison seconded the motion. All members voting in favor of the motion. (Yeates absent)**

### BUDGETARY MATTERS

#### WATER POLICY ADVISORY BOARD REQUEST: ANN PERALTA/PAUL RILEY

**PAUL RILEY** presented a proposal on the implications to water supplies of land use changes from irrigated agriculture to urban development in Cache County.

#### Issues:

1. Consumption use of water can change as to land use. As these changes occur, it is important for municipalities into which formerly rural areas are being incorporated and developed to be able to predict the water requirements of the areas.
2. Issues involving the hydrological changes that occur with urbanization. These changes can affect the recharges to the ground water.

These issues point out two needs of Cache Valley: 1) Seepage losses in canals resulting in ground water recharge. The question is "How much recharge occurs from the canals?" 2) The need to know water requirements of urbanizing areas.

The research by Landmark Engineer proposes to demonstrate a general procedure for identifying water requirements of urbanizing areas. A second study is also needed to identify canal seepage, which should be a subsequent study.

The question of urbanizing areas raises an issue of water rights. It is common for municipalities to acquire shares in canals through the process of urbanization. Under the present statute, a canal company cannot transfer its shares from the Canal Company to a Well without the approval of the Board of Directors of the Canal Company. This issue was brought up in the last session of the State Legislature. The Division of Water-Resources Board opposed that change and the reason for that was that as shares are transferred out of a Canal Company, it weakens the position of the Canal Company. The Board lends money on the basis of the shares that are held by a particular company. As it now stands it is not likely there will be a change in that position. That Canal companies will release their shares to municipalities for municipalities to convert into a water-right to use at some other location.

The problem with this is that many Canal companies in Cache County hold many more shares of water than they are using. Unused shares could be lost through partial forfeiture of the water rights or through adjudication process by a State engineer, a lot of shares could be lost. With those shares lost, we lose a lot of priority. There needs to be a procedure worked out whereby canal companies could transfer their shares to either an existing or proposed municipal well on the condition that the municipality will continue to accept responsibility for maintaining the canal system in accordance with the total number of shares transferred and those remaining with the canal company.

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So, I feel this study is a step in the right direction as to what we need as areas become urbanized. The Water Advisory Board supports this study.

**(See Attachment #2)**

**ANN PERALTA** commented that the Water Advisory Board would like the canal-seepage study put on hold. We are asking the Council to allow us to fund the Landmark Study this year. This is a two-step process and both steps are necessary.

**Council member Anhder moved for approval of the Landmark Engineering Study. The motion was seconded by Council member Hansen. The vote was unanimous. All members voting in favor. (Yeates absent.)**

**PUBLIC HEARING SET:** AGRICULTURAL PROTECTION AREA-WESLEY NELSON FARMS, INC.

Chairman Gibbons explained the need to set a public hearing for a proposed Agricultural Protection Area on June 26, 2001 at 6:00 p.m..

**Council member Petersen moved to set the public hearing. Council member Beck seconded the motion and it carried unanimously all members voting in favor. (Yeates absent)**

**PUBLIC HEARING SET:** BUDGET OPENING

Chairman Gibbons explained the need to set a public hearing to open the 2001 Budget on June 26, 2001 at 6:05 p.m..

**Council member Anhder moved to set the public hearing. Council member Robison seconded the motion and it carried unanimously all members voting in favor. (Yeates absent)**

**PENDING ACTION**

**ORDINANCE NO. 2001-01:** ADOPTING THE CACHE COUNTY CODE- SCOTT WYATT

The County Attorney, Scott Wyatt, was asked for comments as to the adoption of the County Code. Mr. Wyatt explained that all of the ordinances contained in that code book are currently the law in Cache County. All of the ordinances have been put together in a readable fashion.

Vice Chairman Beck questioned whether there have been any updates, deletions or changes? Wyatt said there were no out-of-date ordinances that hadn't been taken out that we know of.

Executive Lemon thought the frustration was that last year, a number of ordinances were adopted to update them. His concern was that for example on the voting precincts, which were found on

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page 7 in the Code book, only 17 precincts are there when in actuality there are 64 now in Cache County.

Mr. Wyatt's preference would be to adopt the code and then make the changes as needed.

Council member Anhder wondered if the Council was really ready to adopt this Code book or if the changes and corrections should be taken care of first. Wyatt stated that adoption of this Code doesn't undo all of the current ordinances. It just says this volume is the body of the laws that now exist. If you approve the codification now, then we could start the process of making amendments by ordinance that will then be included in the subsequent update.

Lemon: This really won't change the law at all whether we adopt the Code or not? Wyatt: No. We anticipated a lot of changes after it is adopted as well.

Gibbons: If we don't adopt it Scott, will it force a more prompt response to review the ordinances that are there and make the corrections? Wyatt: My suspicions are it will be in reverse. If we don't adopt it, we just won't get around to it. If it is adopted, I think we would want to make this book correct. I guess my preference would be to adopt it and then we can go back and fix it. It is easier to amend it when it is adopted.

**Council member Anhder moved to adopt Ordinance No. 2001-01 adopting the Cache County Code. Hansen seconded the motion. Vote: 5 "Yes" and 1 "No" (Yeates absent)**

	ANHDER	BECK	GIBBONS	HANSEN	PETERSEN	ROBISON	YEATES	VOTES CAST
AYE	X	X	X	X		X		5
NAY					X			1
ABSTAINED								
ABSENT							X	1

Chairman Gibbons felt that as new ordinances were drafted, it should be the responsibility of the Attorney's Office to review the status of whatever ordinance was being considered with how it stands with a previous ordinance.

(See Attachment #3)

### **2001 RESTAURANT TAX ALLOCATION RECOMMENDATIONS**

Council member Anhder reviewed the meeting of the Restaurant Tax Advisory Board. The committee members present were Cory Yeates, Layne Beck, John Booth, Peggy Tueller and Larry Anhder. Recommendations by the committee were given to the Council.

(See Attachment #4)



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**Discussion:**

**Council member Petersen** questioned the Committee's feeling on the Cache Valley Cruising. Vice-Chairman Beck stated that there was hardly any restaurant tax collected during this event and law enforcement is heavily burdened during that weekend because of that event.

Council member Anhder made the point that there was still a way to promote Cache Valley Cruising with the Travel Council through the Transit Room Tax. Beck confirmed that allocation was made to the Travel Council for tourism of \$30,000.00.

The committee felt that it was a better investment for tourism at least restaurant tax dollars to promote the Summer Citizens Program than it was to promote the Cache Valley Cruising.

**Council member Anhder moved to waive the rules and adopt the recommendations of the Executive and the Restaurant Tax Committee on the allocations of the Restaurant Taxes over the current year. The motion was seconded by Council member Robison. The vote was unanimous all members voting in favor. (Yeates absent)**

**PUBLIC HEARING: AGRICULTURAL PROTECTION AREA - GLEN AND DIXIE HANSEN**

Chairman Gibbons explained that the Agricultural Protection Area request from Glen and Dixie Hansen involves 54.98 acres in the College Ward area. Recommendation from the Agricultural Protection Advisory Board was for approval of the request.

Bobbie Coray: Stated that the Chamber of Commerce is vitally interested in preserving as much Agricultural ground as possible. We support Agriculture Protection Areas.

Mayor Jay Nelson: My objection to this 54 acres being put into a Ag. Protection Area is that it ties Nibley City up from establishing a utility through 300 feet of property. There is 300 feet involved in his property that will prohibit us from being able to go across it based on the action that you take on this area.

**Council member Petersen motioned to close the public hearing. Vice Chairman Beck seconded the motion. The motion carried and the public hearing was closed.**

Chairman Gibbons explained that the procedure to follow this request would be for the Council to receive some findings of fact and then a decision with respect to this request will be made in the next County Council Meeting.

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**DISCUSSION - CREATION OF AGRICULTURAL PROTECTION AREAS:**

This item was put on the agenda for discussion because of the concern that was expressed by Nibley City and the resolution that was forwarded to the Mayor's Association. The Advisory Board has also indicated some concerns with respect to the Resolution that was proposed to Mayor's Association.

Executive Lemon commented on his meeting with Mayor Panter, who is the President of the Mayor's Association. They are trying to resolve this issue. The Mayors were in favor of Ag.-Protection Areas and wanted to be supportive of them; however, they are concerned about the issue that has been raised with Nibley City. They would propose that the County Council form a committee with Council members and Mayors and members of the Advisory Board to see if there was a way to resolve the issue that has been troubling Nibley as far as Ag. Protection Areas are concerned.

Council member Anhder thought it was important to understand Nibley City's position is certainly not against the general philosophy of Ag. protection. Nibley City is the only City in the County that requires language on their plats, which goes on every sub-division plat, is very similar to that of Ag. protection language making those who buy the lots aware of the rights of agricultural activities taking place in close proximity. This warning is shown on their title report.

It was noted that Nibley City has made a formal request of the Council not to approve any more Ag. Protection Areas until this issue is resolved. Anhder explained that Ag. Protection areas were sold as a way to help prohibit nuisance law-suits and to help farmers in the areas that were especially close to Urban development to carry on their traditional activities.

Anhder explained that Nibley City wanted to go across an Ag. Protection Area to put in a new sewer system. They wanted to go 600 feet across an area that was under Ag. Protection. After a lot of negotiations, the property owner would not sign an easement. The Mayor felt this would have to be settled by due process of the law. By law, the Advisory Board of that Ag. Protection area and the County Council have to give approval for a City to exercise its power of eminent domain, and in the Constitution of the State of Utah, Cities are given the authority of eminent domains. Anhder went on to say that the founders of the State of Utah recognize, there are times that a public facility for the public has to go through properties. There are times when government and property owners cannot come to an agreement; so, constitutionally they are given the authority of eminent domain. Statutorily, it appears that the authority has been changed. The Constitution always over-rides a Statute, but to go to court and make the challenge would be costly. There is probably a legislative remedy that could be accomplished. Nibley City has already made overtures with the League of Cities and the League of Cities Legislative Policy Committee already has this on their Agenda for discussion.

Nibley City is requesting a hold on approval for Ag. Protection Areas because there appears to be a flaw in the Legislation that needs to be fixed. Warren Peterson, the author of the legislation, from Delta, Utah claimed to Council member Anhder that he has an amendment ready on this

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problem. It is possible that the language could be written so that agriculture is not that impeded, but by the same token infrastructure that Cities need could be installed when it is necessary. There is a difference between things that take away the service of agriculture and things like water lines and sewer lines.

The Council is being asked for a hold to be put on this Ag. Protection area till further discussion and consideration is made to come up with some solution.

**Discussion:**

**PETERSEN:** Larry, as you spoke with the author of the original legislation, what was the sense of the change that they wanted to make?

**ANHDER:** Basically that the utilities should be exempt and that the Advisory Council should be advisory and that the Advisory Council can not make policy. He recognizes the problem of the Constitutional grant of authority to any government to exercise Eminent Domain.

**PETERSEN:** Will he pretty much propose that the decisions be given to the County Councils and just take the Advisory Councils out of the loop?

**ANHDER:** He recognizes the problem with the Constitutional grant of authority to any Government to exercise eminent domain and is just waiting for someone to take it to Court.

**GIBBONS:** We need to come as a Council to some conclusion as how we would like to proceed.

**ANHDER:** He also reminded the Council that there must be action taken because no action by the Council is a yes vote by the law. He respectfully requested that the Council deny these Ag. Protection zones requests now with the heart-felt promise to revisit these things after some discussion has taken place and after legislation comes forward. There is no method for just tabling them.

**BECK:** Are you suggesting that we change our Ordinance that implemented this law in Cache County?

**ANHDER:** It is State law. I think that some change needs to be made in the State law.

**BECK:** Can we address it in Cache County by amending our ordinance that implemented that statute to include some type of input from the Cities when they border an Ag. Protection Area?

**PETERSEN:** State statute overrides the County ordinance.

**LEMON:** The State does give us a time limit from the time notification is given to follow as far as setting up a public hearing, holding the public hearing, and making a decision.

**GIBBONS:** When the Advisory Board, Gordon, receives a request and you hold your hearing and discussion on the request. Do you make an effort to take the time to contact the Cities and see if there are conflicts?

**GORDON ZILLES:** We haven't in the past, no. We post it in the paper and do it just like you've done. For the three years that we have been involved we never have seen people who show who have expressed an interest who even have an opinion. This whole thing is new to us; just like it is to you.

**GIBBONS:** If as these requests come in and they are in close proximity to a municipality. If you were to contact the city and investigate any effects and concerns would that have an affect on what you decide?

**ZILLES:** Any information we received from an individual or a City of course would have an affect on what we decide. One of the things that concerns us is that we do have legislation in place that will protect the farmers. We fill the law is a good law and has leveled the playing field. There is no reason why Mr. Ropoleto and Nibley can't get together with your committee or our committee and hammer this thing out and revisit it. At least there would be some dialogue.

**CHAIRMAN GIBBONS:** With respect to your request Larry to your comment that we deny all requests. If the Advisory Board, is of the mind to contact affected municipalities and have a discussion with them. And then come to the Council and that recommendation is to approve. What is the sense of having an Advisory Board if the Council refuses to take their advice and arbitrarily deny every request?

**ANHDER:** My request for denial is temporary. It is not a permanent request.

**CLARK ISRAELSEN:** Isn't there a fee to make a proposal?

**ANHDER:** It's a \$200 fee to make the application.

**ZILLES:** If the landowner is denied on the promise of re-visitation he should not have to pay another fee for the

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proposal.

**ANHDER:** That would be included in my proposal.

**BECK:** What type of a remedy does the landowner have if we deny on an arbitrary basis because he obviously has complied with our ordinance in the State Statute to create an ag. protection land.

**ANHDER:** There's nothing in the State Statute for approval or denial.

**CINDY HALL:** What happens if the legislation is never changed?

**ANHDER:** A time limit of say 3 months could be set.

**CINDY HALL:** The Legislature doesn't even meet in that time.

**GENE HIBNER** was not satisfied with the proposition made to deny the ag. protection to his land even with the promise of re-visitation. He was willing to work with the County and the City and negotiate reasonable terms as needed, but he was not happy with being dictated to with regards to what was going to happen on his land.

**LEMON:** Mendon has indicated that they are not opposed to his Ag. Protection Area, could we pass his request?

**GIBBONS:** that's why the Advisory Board should contact those Cities their process of review and see if things could not be resolved before it ever comes to this Body for approval.

**CHRIS SANDS:** Just a comment on that. Wouldn't that be a concern though because the properties that we are talking about that need the Ag. protection are the ones on the fringes of the Cities. Any time you go to a City and say: "What do you think about ag. protection?" They look at their economical development directory and say: "Yes, we have some concerns of expanding." "We're going to need to put some infra-structure here and there; so, we're against it." Don't you expect that that is what is going to happen? That's what I would see.

**NOBLE ERICKSON:** I have a problem with denial of every application. You know where my farm is; I am a mile-and-a-half from any City. Why should I be denied? If I want to have an agricultural protection area on my farm, why can't I? Because the County denied a situation pertaining to perhaps to one situation in Nibley? I think there are some areas in Cache County that could have protection areas that wouldn't have anything to do with Cities because they are far enough away. Why should we be denied that?

**COUNCIL MEMBER HANSEN:** Educate me a little bit. What would this do for you if you were to participate in this Ag. Protection law?

**ERICKSON:** It would protect me a lot from the trespassing of people on my property. It would also as the Cities encroach further, they would know that they would know that I am there and that I have been there for a lot of years as an Ag. Protection Area. I don't know all the pros and cons of that John.

**GIBBONS:** There is increasing development adjacent to your property.

**ERICKSON:** I worry about that. In this past year neighbors have come out at night and complained of my bailing hay, which I've been able to do for years' and I'm a long ways from the City. My problem though is denying everybody for a particular problem.

**LEMON:** We wondered about this when we were setting up the Ag. Protection area law in 1995 or 1996. Doug Combe said that there is a nuisance protection in it:

"In a civil action produces that is involved in agricultural activity, it is a complete defense if the ag. activities were conducted within an ag. protection area and the agricultural activities were not involved in violation of any Federal, State, or Local law."

So, that's why you would put your land in an ag. protection area. You would still probably end up in court, but you would have a defense for this.

Chairman Gibbons would not be in favor of denying all requests. He is in favor of directing the Advisory Board to approach each city as these requests come forth. We need to create the committee between the Mayors, County Council and Advisory Board and see if we can't come up with a solution as quickly as possible. A State statute may not be changed for some time. We have an obligation to the citizens to continue to consider their requests for Ag. Protection. It was suggested that Chairman Gibbons and Council member Hansen represent the Council on the Committee. Executive Lemon will contact Kip Panter for suggestions of Mayors to serve. Gordon Zilles will appoint two members from the Ag. Advisory Board.

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**RESOLUTION NO. 2001-21:** AGRICULTURAL PROTECTION AREA - HIIBNER, WOLD AND HIIBNER

**Council member Robison moved to approve the Agricultural Protection Area owned by Hiibner, Wold and Hiibner. Council member Beck seconded the motion. The vote was unanimous all members voting in favor. (Yeates absent)**

	ANHDER	BECK	GIBBONS	HANSEN	PETERSEN	ROBISON	YEATES	VOTES CAST
AYE	X	X	X	X	X	X		6
NAY								
ABSTAINED								
ABSENT							X	1

(See Attachment # 5)

**COUNTY ADMINISTRATION BUILDING:** CRAIG PETERSEN

Council member Petersen reported that the committee had met with the Daines', the Architects, the Bankers and the Project Management specialist to try to get as much background as possible. He noted that the committee continues to be very enthusiastic about the project. Representatives of Jensen Haslem were invited to comment on some areas of costs associated with the project.

Review of the Project: The project involves tarring down the Wilkinson building and building the new County Administration where the Wilkinson building is and also were the parking lot and the driveway is. What that changes is the access to the block. The second part of the project is the Courts/Executive building will come down and construction of the parking plaza will begin. The final part of the project would be the renovation of the County Court house.

The estimated costs were, \$40,000 for each the Wilkinson and for the Courts/Executive building demolition. We also needed a figure on what it would cost to expand the parking lot.

(See Attachment #6)

Lanny Herron explained the following alternatives:

1. Completely remove the interior and save only the exterior.
2. The other was to work with the existing structure and make modifications.

Petersen felt that the cost of the two options were not much different. There is kind of a trade-off In the one you maintain the quality of the building and in the other you gain space which would give efficiency of use.

Mr. Herron further explained that part of the project requires code compliance issues relative to

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testing, which accounts for construct ratios.

A Preliminary Project Schedule reflects the Committee's best guess of when the Courts are going to be out. The schedule began June 2001 and hopefully will finish April 2003. We can't demolish this building until the Courts are out. What it really envisions is that the new building construction would start the first part of April. It was the most realistic schedule and gave the Committee enough time to get all the sketches in, plus accommodate the Courts.

**(See Attachment #7)**

We finally decided that the County would actually build the building rather than lease the building.

Executive Lemon stated two decisions made by the Committee that needed to be confirmed:  
1) The County buy the Wilkinson building. 2) To make certain that the Planning Commission is going to approve this project.

The easement just North of the Wilkinson Building is an easement to which a number of property owners have a legal right to. They have agreed to give up their right to that easement in return for the County taking down the Courts/Executive building and creating parking in the area.

Gibbons asked if decisions had been made in regards to the design of the building. Executive Lemon thought that they had agreed on the building design. One of the things that is being dealt with is that at first there was planned to be a basement, but some testing was done; and it was determined that a basement would be problematic.

It was noted that the traditional architect fee was 6 percent and 7-and-a-half percent was average for a municipal type building, nationally and locally. The amount is scary, but half of that will be eaten up with outside costs going to structural engineers, mechanical engineers, electrical engineers, sound, acoustics, and civil engineers.

The Preliminary Project Schedule will be acted upon in the Council's next meeting.

**RESOLUTION NO. 2001-22 - AUTHORIZING CACHE COUNTY EXECUTIVE TO EXECUTE DOCUMENT FOR PURCHASE OF THE LAND FOR CONSTRUCTION OF THE COUNTY ADMINISTRATION BUILDING**

**(See Attachment #8)**

**RESOLUTION NO. 2001-23 - AUTHORIZING CACHE COUNTY EXECUTIVE TO EXECUTE EASEMENT DOCUMENTS RELATED THERETO FOR THE CONSTRUCTION OF THE COUNTY ADMINISTRATION BUILDING**

Council Meeting  
12 June 2001

(See Attachment #9)

**Council member Petersen moved to waive the rules and approve both resolutions, 2001-22 and 2001-23. Anhder seconded the motion. All members voting in favor. (Yeates absent)**

	ANHDER	BECK	GIBBONS	HANSEN	PETERSEN	ROBISON	YEATES	VOTES CAST
AYE	X	X	X	X	X	X		6
NAY								
ABSTAINED								
ABSENT							X	1

### TAX SALE APPROVAL

**Council member Anhder moved for approval of the Tax Sale minutes. Petersen seconded the motion. All members voting in favor. (Yeates absent)**

(See Attachment #10)

### OTHER BUSINESS

**JULY 4<sup>TH</sup> PARADES:** The Lewiston City parade will begin at 9:30 a.m. with the Hyrum City parade beginning at 12:00 p.m. on July 4th. Council members were encouraged to ride in the parades.

### COUNCIL MEMBER REPORTS:

**KATHY ROBISON:** Adrie Roberts, the former Beaver County Agent, was selected as the Family Consumer Science Extension Agent for Cache County.

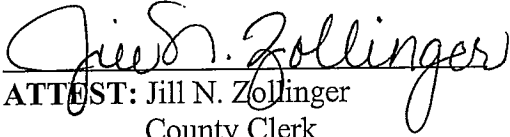
**LAYNE BECK:** The Ambulance committee has been meeting with some folks from the First Responders' Groups as well as the Logan Fire Department. We are making some progress and will be meeting again next Tuesday.

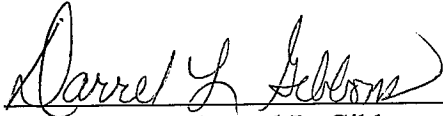
**DARREL GIBBONS:** The Consolidation Committee and Attorney Review Committee have been meeting. By the 1<sup>st</sup> meeting of July, Gibbons felt that both Committees would have a recommendation to the Council. Gibbons, was invited and did meet with the Consolidation Committee and was very impressed with their efforts. He encouraged other Council members to contact the committee with any questions or concerns they might have.

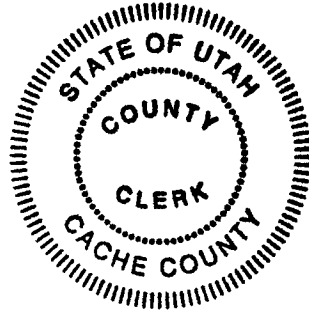
Council Meeting  
12 June 2001

**ADJOURNMENT:**

Chairman Gibbons adjourned the meeting at 7:23 p.m.

  
ATTEST: Jill N. Zollinger  
County Clerk

  
APPROVAL: Darrel L. Gibbons  
Council Chairman





**Jensen Haslem**  
A Professional Corporation

March 12, 2001

Tom Hogan  
Senior Citizens of Cache County  
240 N. 100 E.  
Logan, Utah 84321-4002

**RE: Covered Parking Canopy**

Dear Tom,

Because our estimate was considerably higher than your budget, I submitted the drawings to Tracy Bailey Construction in Wellsville and to GEM Metal Buildings in Brigham City for cost estimates.

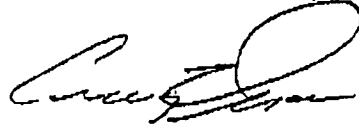
They have responded with estimates as follows:

	SINGLE-PLY	CORR. METAL	STANDING SEAM
Jensen Haslem			
30 x 68	\$44,421		
Bailey Const.			
30 x 68	\$30,883	\$20,846	
24 x 68	\$26,652	\$18,459	
Bailey Const/Gem			
30 x 68		\$28,445	
24 x 68		\$26,476	

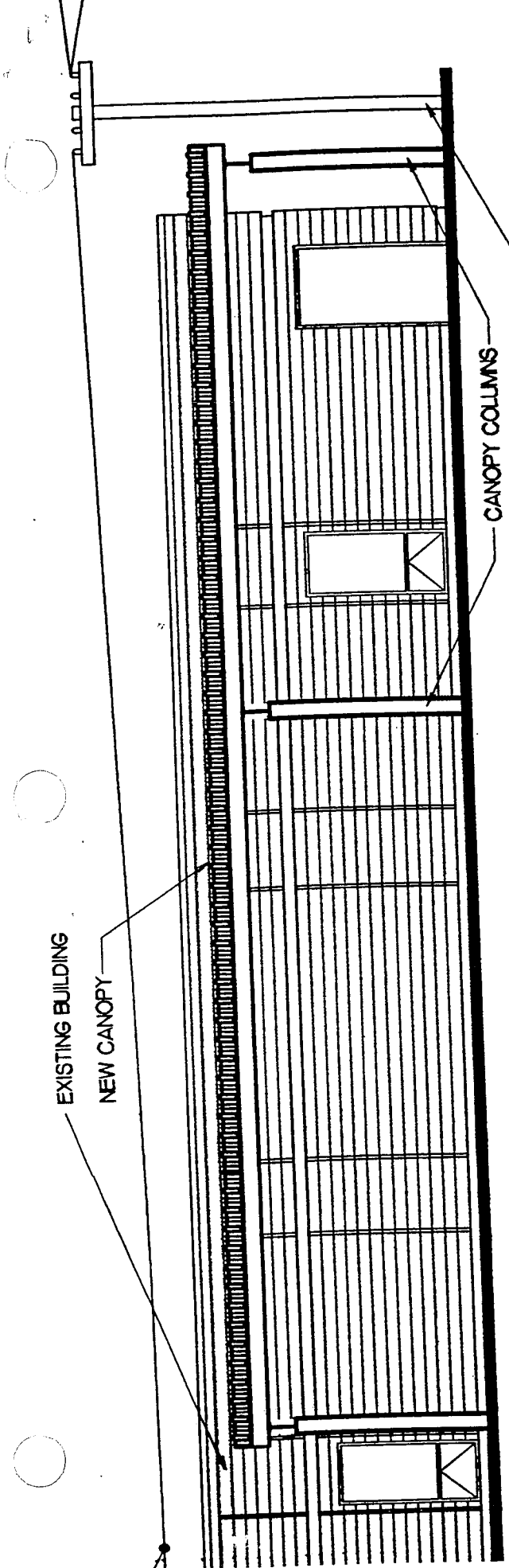
I'm still waiting for the pricing for standing seam metal roofing from Tracy Bailey. As you can see, the architect's estimate was considerably high, which is a good thing for you since it appears the project can be done for a minimum budget of about \$24,459 including A/E fees. This is within the \$25,000 budget you indicated at the beginning of the project.

Before I can proceed with the project, I need a signed contract from you.

Please call if there is anything else I can do.

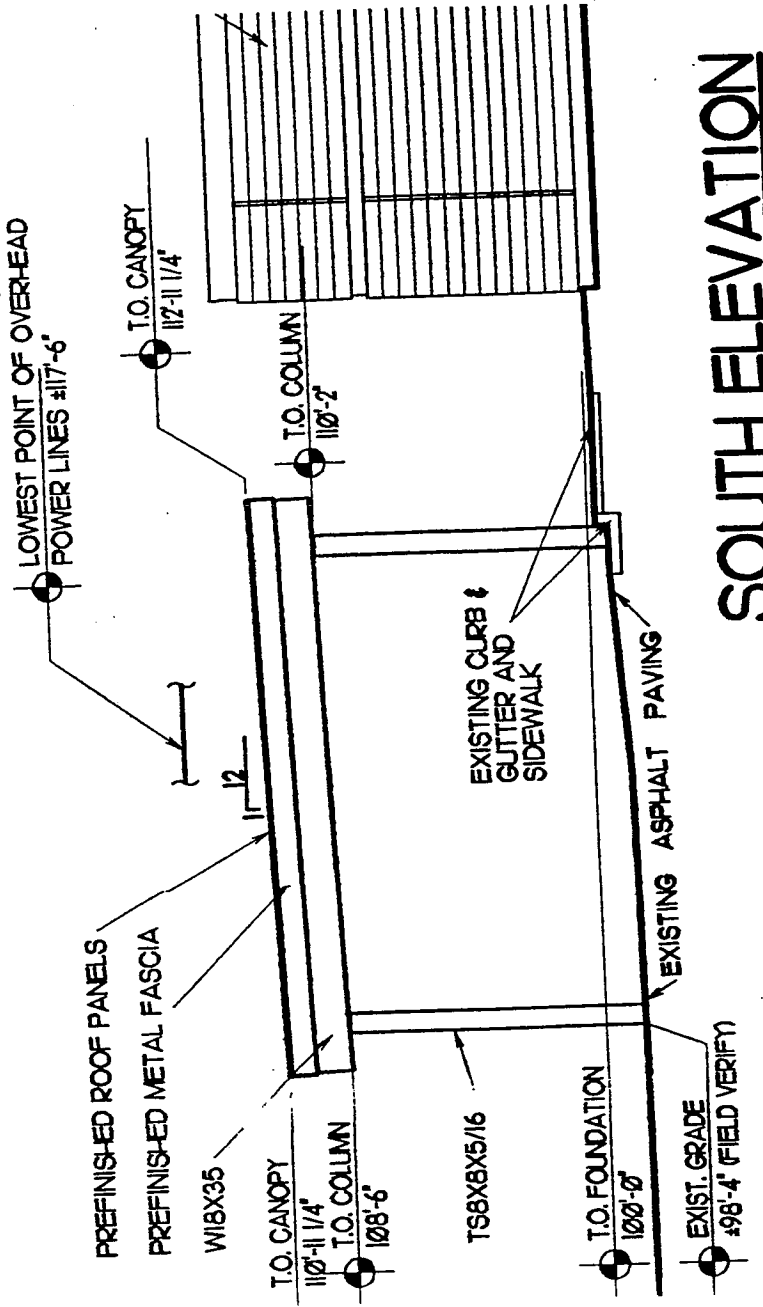


Craig Olson  
Project Manager



# WEST ELEVATION

SCALE: 1/8" = 1'-0"



# SOUTH ELEVATION

SCALE: 1/8" = 1'-0"

# Some Thoughts on the Implications to Water Supplies of Land Use Changes from Irrigated Agriculture to Urban Development in Cache County

J. Paul Riley

(Presented orally to the Cache County Water Advisory Board on May 15, 2001)

In a general sense, land use changes can significantly alter both the amount of water consumed in a particular area and the hydrologic characteristics of the area. For example, depending upon the degree, urbanization of a previously irrigated area can reduce the amount of water that is used consumptively. On the other hand, for an irrigated area that is developed with extensive lawns and gardens, the consumptive use of water might not be much changed. As these changes occur, it is important for municipalities into which formerly rural areas are being incorporated and developed to be able to predict the water requirements of the areas.

A second, and perhaps equally important issue, involves the hydrologic changes that occur with urbanization. These changes involve recharge to ground water storage and surface runoff. Normally, urbanization causes increased surface water runoff and reduced ground water recharge. If surface runoff water is discharged into unlined canals it is possible that there will be some compensation for the loss of ground water recharge.

The preceding brief discussion points to two particular research needs in Cache Valley as areas throughout the Cache County change from irrigated agriculture to urban development, namely, (1) seepage losses in particular canals and the resulting ground water recharge that can and is occurring, and (2) the water requirements of the urbanizing areas. The research project submitted by Landmark Engineering proposes to demonstrate a procedure which has general applicability for estimating the water requirements of areas of urban development within Cache County. A second study involving canal seepage and ground water recharge potential should follow.

The resulting change of land use in urbanizing areas raises the issue of water rights. It is common for a municipality to acquire shares in canal companies through the process of urbanization. However, under present statutes, approval of the Board of Directors of a canal company is required for shares to be transferred from the company to another source, such as a well, which is serving or could serve the municipality. Transfers of shares from a canal company could reduce the ability of the company to borrow against its water rights for capital replacements and also the ability of the canal company to maintain its system. Thus, it is likely that there would be some opposition to changing the statute unless some mitigating factors were included.

A major concern with this situation is that at some time in the future unused shares in canal companies could be lost either through partial forfeiture of the water rights or through adjudication process by the State Engineer. Municipalities could, of course, then apply for water that is released through one or both of these processes, but the existing priority of the shares held by the municipalities would thus be lost. Furthermore, flows in the canals would, of necessity, be reduced, resulting in less recharge to ground water storage and a loss of water from the Valley through surface flows in the Bear River. This water could, of course, be stored for the benefit of downstream users.

The obvious solution to this pending situation is for the canal companies and municipalities to cooperate. For example, through the proposed Landmark Engineering study municipalities could identify the quantity of water needed for urbanizing areas. With the agreement of the canal company the required water in the form of shares could then be transferred from the canal company

to either an existing or a proposed municipal well(s) on the condition that the municipality will continue to accept responsibility for maintaining the canal system in accordance with the total number of shares transferred and those remaining with the canal company. In this way, the municipality would gain a water right with a priority equal to that of the canal company. on the question of maintaining high flows in the canals, if it can be demonstrated that specific canals contribute significantly to ground water recharge, the canals could be designated as part of the delivery system for municipal wells that are benefited by the recharge from the canals. Thus, ground water storage would be retained in the Valley for the benefit of County people, both urban and rural, and also there would be a strengthened case for municipalities to continue to help maintain canals even though they are not diverting water directly from them.

Long-term cooperative working agreements between canal companies and municipalities are essential to maintaining important water right priorities held by municipalities, and to insuring adequate ground water storage in the Valley. To facilitate agreements of this nature, the proposed Landmark Engineering study will provide municipalities with estimates of their water needs as areas change from irrigated agriculture to urban development, and a canal seepage study would provide estimates of the amounts of ground water recharge from specific canals in the County.

CACHE COUNTY  
ORDINANCE NO. 2001-01

AN ORDINANCE OF THE COUNTY OF CACHE, STATE OF UTAH, ADOPTING THE CACHE COUNTY CODE.

WHEREAS: The Cache County Attorney's Office and Book Publishing Company of Seattle, Washington, has compiled, edited, and published a codification of the general ordinances of the County of Cache, State of Utah; and

WHEREAS: There is now on file in the office of the Cache County Clerk, for public inspection, three copies of the document entitled "Cache County Code;"

NOW, THEREFORE, the County Legislative Body of Cache County, State of Utah, ordains as follows:

SECTION 1. ADOPTION. There is hereby adopted the "Cache County Code," as compiled and edited by the Cache County Attorney's Office and Book Publishing Company, and published by Book Publishing Company.

SECTION 2. TITLE-CITATION-REFERENCE. This code shall be known as the "Cache County Code" and it shall be sufficient to refer to said code as the "Cache County Code" in any prosecution for the violation of any provision thereof or in any proceeding at law or equity. It shall be sufficient to designate any ordinance adding to, amending, correcting, or repealing all or any part or portion thereof as an addition to, amendment to, correction, or repeal of the "Cache County Code." References may be made to the titles, chapters, sections, and subsections of the "Cache County Code" and such references shall apply to those titles, chapters, sections, or subsections as they appear in the code.

SECTION 3. REFERENCE APPLIES TO ALL AMENDMENTS. Wherever a reference is made to this code as the "Cache County Code" or to any portion thereof, or to any ordinance of the County of Cache, State of Utah, codified herein, the reference shall apply to all amendments, corrections, and additions heretofore, now or hereafter made.

SECTION 4. TITLE, CHAPTER, AND SECTION HEADINGS. Title, chapter, and section headings contained herein shall not be deemed to govern, limit, modify, or in any manner affect the scope, meaning, or intent of the provisions of any title, chapter, or section hereof.

SECTION 5. REFERENCE TO SPECIFIC ORDINANCES. The provisions of this code shall not in any manner affect matters of record which refer to, or are otherwise connected with ordinances which are therein specifically designated by number or otherwise and which are included within the code, but such reference shall be construed to apply to the corresponding provisions contained within this code.

SECTION 6. ORDINANCES PASSED PRIOR TO ADOPTION OF THE CODE. The last ordinance included in this code is Ordinance 2000-09, passed on the 15<sup>th</sup> day of May 2000. The following ordinances, passed subsequent to Ordinance 2000-09, but prior to adoption of this code, are hereby adopted and made a part of this code: Ordinances 2000-10, 2000-11, 2000-14, 2000-15, 2000-16, and 2000-17

SECTION 7. EFFECT OF CODE ON PAST ACTIONS AND OBLIGATIONS. The adoption of this code does not affect prosecutions for ordinance violations committed prior to the effective date of this code, does not waive any fee or penalty due and unpaid on the effective date of this code, and does not affect the validity of any bond or cash deposit posted, filed, or deposited pursuant to the requirements of any ordinance.

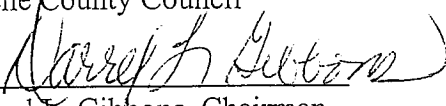
SECTION 8. CONSTITUTIONALITY. If any section, subsection, sentence, clause, or phrase of this code is for any reason held to be invalid or unconstitutional, such decision shall not affect the validity of the remaining portions of this code.

SECTION 9. EFFECTIVE DATE. This ordinance shall take effect 15 days after its passage.

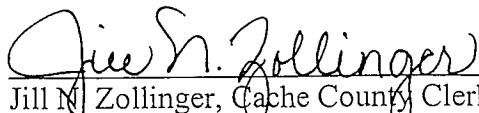
ADOPTED: This ordinance was adopted by the Cache County Council on the 12<sup>th</sup> day of June 2001, upon the following vote:

	In Favor	Against	Abstained	Absent
Mr. Gibbons	X			
Mr. Beck	X			
Mr. Hansen	X			
Mr. Anhder	X			
Mr. Yeates				X
Mrs. Robison	X			
Mr. Petersen		X		

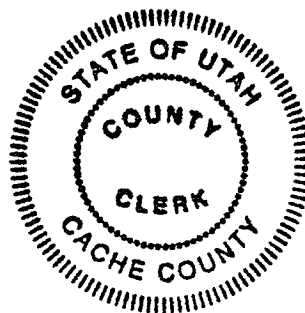
Cache County Council

By:   
Darrel E. Gibbons, Chairman

Attest:

  
Jill N. Zollinger, Cache County Clerk

Publication Date: June 29, 2001



TRCC TAX REQUESTED, RECOMMENDED, ALLOCATED & PRIOR ALLOCATIONS

Entity	Requested	Recomm. Executive	Recomm. TRCC	Allocated Ctm.	Prior Allo.
Alga Town					
HC Access to Sugar Park	2,500	2,500	2,500	2,500	52,000
Parking Area for Sugar Park	6,700	6,700	6,700	6,700	
Cache County					
Promotion-Fair & Rodeo	5,000	5,000	5,000	5,000	16,000
60'x40' Canopy for Fair	7,000				
Cache County/Logan City					
Willow Park Complex-West Pro.	100,000	100,000	100,000	100,000	706,275
Electrical Upgrade	40,000				
Cache Valley Civic Ballet					
Tourist Promotion	3,000	1,000	1,000	1,000	
Cache Valley Cruising					
Promotion-2001 Car Show	20,000	8,000			28,000
Capitol Arts Alliance					
Advertise 2000/2001 Season	11,400	9,000	9,000	9,000	49,600
Chamber of Commerce/Bridgerland Travel Region					
Tourist Promotion	49,680	30,000	30,000	30,000	288,785
Hyde Park City					
Lee Park Improvements	39,022		19,000	19,000	67,500
Hyrum City					
Rodeo Grounds Improvements	51,000	25,000	25,000	25,000	121,000
Juniper Inn					
Tourist Promotion	29,500				
Logan City					
Eccles Theatre P.C.I.B. Bond	77,045	77,045	77,045	77,045	675,708
Lewiston Town					
New Playground Area & Equ.	38,429	30,000	25,000	25,000	21,400
Nibley City					
Nibley City Park	56,248	36,000	36,000	36,000	102,000
North Park Interlocal Cooperative					
Bridgerland Ice Arena****	92,853	92,853	92,853	92,853	162,963
****92,853/year for 13 years & 46,427 in 14th year					
Paradise Town					
Welcome to Paradise Sign	4,065	4,065			47,451
Providence City					
South Valley Sidewalk	30,000	15,000	15,000	15,000	104,143
Richmond City/Lewiston City					
Lighting-Cub River Sports *	25,000	25,000	25,000	25,000	234,425
River Heights City					
Entrance Sign	20,000				97,800
City Museum	6,078	6,078	6,078	6,078	
Smithfield City					
Forrester Acres Improvements	20,000	20,000	20,000	20,000	82,056
Utah Festival Opera Company					
2001 Mkt. Outside Cache Valley	50,000	20,000	20,000	20,000	120,215
Utah State University					
AWHC-Welcome Center**	90,000	22,500	22,500	22,500	252,000
Summer Citizens Program	12,000	6,000	11,000	11,000	
America Sings/Brid. Perf. Arts	43,000				
Utah Division of Wildlife Resources					
Hardware Ranch Signs	10,000				
Wellsville City					
Wellsville Tabernacle Impr.	27,500	20,000	20,000	20,000	121,500
TOTAL	967,020	561,741	568,676	568,676	

CACHE COUNTY

RESOLUTION NO. 2001-21

**A RESOLUTION APPROVING THE CREATION OF AN AGRICULTURE PROTECTION AREA.**

The County Council of Cache County, 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 Gene William Hiibner, Darren N. Wold, Glenn G. Hiibner, and Ivaloo Hiibner should be approved.

THEREFORE, the Cache County Council hereby adopts the following resolution:

BE IT RESOLVED that:

The proposal filed with Cache County by Gene William Hiibner, Darren N. Wold, Glenn G. Hiibner, and Ivaloo Hiibner, dated February 14, 2001, to create an agriculture protection are on 172.89 acres of 14 parcels of real property located at:

SEE EXHIBIT 'A' ATTACHED HERETO AND MADE A PART HEREOF

is hereby approved.

This resolution shall become effective immediately upon adoption.

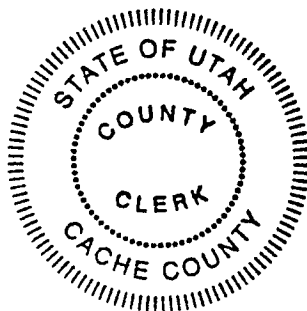
DATED this 12th day of June, 2001

CACHE COUNTY COUNCIL:

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

ATTEST TO:

*Jill N. Zollinger*  
Jill N. Zollinger  
Cache County Clerk





# Exhibit 'A'

## Agriculture Protection Area

<u>Owners</u>	<u>Parcel Number</u>	<u>Acres</u>
Hiibner, Gene William	11-017-0007	17.61
Hiibner, Gene William & Darren N. Wold	11-021-0045	6.93
Hiibner, Gene William	11-021-0047	5.84
Hiibner, Gene William	11-021-0064	6.36
Hiibner, Gene William	11-022-0017	21.50
Hiibner, Glen G. & Ivaloo	11-022-0018	23.08
Hiibner, Gene William	11-022-0019	9.30
Hiibner, Gene William	11-022-0020	.70
Hiibner, Gene William	11-022-0022	23.22
Hiibner, Gene William	11-024-0001	7.93
Hiibner, Gene William	11-024-0011	15.26
Hiibner, Gene William & Darren N. Wold	11-024-0012	15.26
Hiibner, Gene William	11-025-0001	2.42
Hiibner, Gene William	11-037-0001	17.48

Parcel 11-017-0007

ALL THAT PART OF LT 4 BLK 24 PLT A MENDON FARM SVY SIT IN E/2 OF SEC 8 T 11N R 1W  
CONT 17.61 AC M/L

Parcel 11-021-0045

BEG 6.5 CHS N OF SE COR SEC 8 T 11NR 1W & TH W 15.18 CHS TH N 285.5 FTTH W 305.15  
FT TH N 12.25 FT TH E 1294.49 FT M/L TO SEC LN TH SOUTH 297.75 FT TO BEG CONT 6.93  
AC M/L

Parcel 11-021-0047

BEG 297.75 FT N OF PT 6.5 CHS N OF SE COR SEC 8 T 11N R 1W & TH W 1294.49 FT TH N  
24 FT TH S 89\*35'11" E 216.8 FT TH N 0\*54'02" E 202.46 FT TH E 1064.24 FT M/L TO  
SEC LN TH S 230.25 FT TO BEG CONT 5.84 AC

Parcel 11-021-0064

BEG AT A PT 4 RDS E OF NW COR OF LOT 3 BLK 24 PLAT A MENDON FRM SVY E 69 RDS S 15  
RDS W 69 RDS N 15 RDS TO BEG SE/4 SEC 8(T 11N R 1W 6.36 AC E1400

Parcel 11-022-0019

BEG 23.27 CHS E FROM SW COR OF NW/4 SEC 9 T 11N R 1W, N 18 CHS E'LY ALGFIELD ST 11  
CHS TO PT 18.30 CHS N OF /4 SEC LINE S 18.30 CHS S 01\*35'W 1.30 CHS N 88\* 35' W TO  
PT S 1\* 35'W 1.01 CH FROM BEG N 01\*35'E 101 CHS TO BEG CONT 23.08 AC M/L LESS  
TRACT 25 FT WIDE ALG S SIDE THEREOF RESERVED A R/W E1448

Parcel 11-022-0018

BEG 73 LKS W OF SE COR NW/4 SEC 9 BLK 23 PLAT A MENDON FRM SVY W 5 CHN 18.30 CHS E  
5 CHS S 18.5 CH TO BEG NW/4 SEC 9 T 11N R 1W 9.30 AC E1447

Parcel 11-022-0020

BEG 34.27 CHS E OF NW COR OF SW/4 SEC 9 T 11N R 1W E 5 CH S 1\*37'W 1.47 CH N  
88\*25'W 5 CH N 1\*35'E 1.30 CH TO BEG R.W 25 FT WIDE ON S SIDE OF LAND CONVEYED  
E1462

Parcel 11-022-0022

BEG 39.27 CH E OF SW COR OF NW/4 SEC 9 T 11N R 1W NLY TO PT 20 LKS WOF /4 SEC LNE  
E 20 LKS S 72 LKS NLY 4.78 CH TO PT N 1\*40'E 18.12 CH FROM S LNE NE/4 SD SEC S  
1\*40'W 19.72 CH W 4.25 CHS W 73 LKS NELY 1.75 CH TO BEG ALSO BEG 4.28 CH E OF SW  
COR OF NE/4 SD SEC N 1\*40'W 13.59 CH S 88\*20'E 10 CH S 1\*40'W 13.30 CH W 10 CHS TO  
BEG NET 23.22 AC E1436

Parcel 11-024-0001

BEG 32 LKS S OF NW COR OF SW/4 SEC 9 T 11N R 1W E 87 RD TO FLD ST S 15RDS W 87 RDS  
TO W LNE SD /4 SEC N 15 RDS TO BEG LESS RR R/W 7.93 AC E1465

Parcel 11-024-0011

BEG 9.5 CH N OF SE COR OF SW/4 SEC 9 T 11N R 1W N 4 CH N 88\*25'W 17.40CH TO FLD ST S 1\*35'W 4 CH S 88\*25' E 17.5 CHS TO BEG LESS .34 AC TO RRCOR R/W ALSO BEG AT A PT 10.5 CH N OF SW COR SEC 9 N 4 CH S 88\*25'E 21.60 CH TO FLD ST S 1\*35'W 4 CH N 88\*25'W 21.5 CH TO BEG 15.26 AC NETE1472

Parcel 11-024-0012

PT SW/4, BEG AT 6.50 CHS N OF SW COR OF SW/4 SEC 9 T 11N R 1W N 4 CHS 88\* 25' E 21.50 CH TO FIELD ST S 1\*35' W 4 CH N 88\*25' W 21.40 CH TO BEG ALSO PT SW/4 BEG 5.50 CH N OF SE COR OF SW/4 SEC 9 T 11N R 1W N 4 CH N 88\*25' W 17.50 CH TO FIELD ST S 1\*35' W 4 CH S 88\*25' E 17.60 CHS TO BEG LESS TRACT TO OSLRR 15.26 AC. E1473

Parcel 11-025-0001

BEG NW COR OF SE/4 SEC 9 T 11N R 1WE 14.3 CH S 1.85 CH W 14.3 CH N 1.5CH TO BEG 2.42 AC E1457

Parcel 11-037-0001

BEG 33 FT S 0\*37' E OF NW COR SEC 17 T 11N R 1W & TH S 0\*37' E 615.45FT M/L TH N 89\*24' E 18.7605 CHS M/L TH N 1\*03' W 613.635 FT M/L TH S 89\*35' W 18.691 CHS TO BEG CONT 17.48 AC M/L

Parcel 11-022-0017

LOT 7 & ALL THAT PT OF LOT 4 BLK 24PLT A MENDON FARM SVY IN W/2 SEC 9 T 11N R 1W CONT 21.50 AC

## Project Probable Costs

Date: 11 June 2001  
Project: Cache County Government Building

<b>Demolition of Wilkinson building</b>	\$40,000.00
<hr/>	
<b>Demolition of district court/county exec building</b>	\$40,000.00
<hr/>	
<b>Costs for new county building</b>	\$3,200,000.00
Associated Costs	
Furnishings budget	\$300,000.00
Furnishings consultant fee (10%)	\$30,000.00
Building consultant fee (7.5%)	\$240,000.00
Construction testing services	\$48,000.00
½ time project representation	\$64,480.00
Contingency (3% of building cost)	\$96,000.00
Building sub total	\$3,978,480
<hr/>	
<b>Historic Court House</b>	
Complete restoration	\$2,036,980.00
Gut and reconstruct	\$1,950,000.00
Adaptive reuse/renovation	\$1,900,000.00
<hr/>	
<b>Parking renovation</b>	
Pavement and appurtenances	\$175,000.00



## Preliminary Project Schedule

DATE: 11 June 2001

TO: Lynn Lemon  
Cache County Executive  
120 North 100 West  
Logan, UT 84321

FROM: Lanny Herron

COPIES: George Daines

RE: Cache County Government Building

The following schedule assumes approval of project and authorization of design services within the period between 12-26 June.

12-26 June 2001	Complete programming phase (in progress)
26 June 2001	Start schematic design
17-24 July 2001	Schematic design review and approval
25 July 2001	Start design development
1 Aug 2001	Post office anticipated move
3-11 Sep 2001	Design development review and approval
12 Sep 2001	Start construction documents
9 Oct	Intermediate construction document review
12 Nov	Intermediate construction document review
10-18 Dec 2001	Final document review and approval
19 Dec 2001	Print bid documents/ready for distribution
2 Jan 2002	Start bidding period – plans to bidders
5 Jan 2002	Start documentation for historic courthouse renovation
5 Feb 2002	Bid Opening (2 pm preferred)
6-28 Feb 2002	Contract review and approval
5 Mar 2002	Award contract
6-31 Mar 2002	Contractor mobilization
15 Mar 2002	Demolition package and parking design for county building
1 Apr 2002	Construction start
1 Feb 2003	District court complex anticipated move
15 Feb-15 May 2003	Demolish county building, construct parking/plaza
1 Apr 2003	Substantial completion
2 Apr 2003	Furnishings installation start
1 May 2003	County occupancy Start historic court house renovation

DESIGN TEAM  
Lanny Herron, AIA  
Ben Peterson, AIA

Logan Office

120 North Main  
Logan, Utah 84321  
Voice 435.753.2141  
Fax 435.752.1160

E-mail: lherron@jensenhaslem.com

CACHE COUNTY  
RESOLUTION NO. 2001-22

A RESOLUTION APPROVING DOCUMENTS FOR THE PURCHASE OF LAND TO BE  
USED FOR THE CONSTRUCTION OF THE COUNTY ADMINISTRATION BUILDING

The County Council of Cache County, Utah, in regular meeting, lawful notice of which has been given, finds that it is in the best interests of the citizens of Cache County to purchase land for the construction of the County Administration Building.

NOW, THEREFORE BE IT RESOLVED that the Cache County Executive is hereby authorized to execute all documents on behalf of Cache County Corporation for land purchase to be used for the construction of the County Administration Building.

This Resolution shall take effect immediately upon adoption.

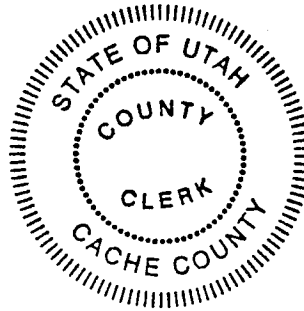
DATED this 12<sup>th</sup> day of June, 2001.

CACHE COUNTY COUNCIL

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

ATTEST:

*Bill N. Zollinger*  
By: Bill N. Zollinger  
Cache County Clerk



CACHE COUNTY  
RESOLUTION NO. 2001-23

A RESOLUTION APPROVING EASEMENT DOCUMENTS RELATED THERETO FOR  
THE CONSTRUCTION OF THE COUNTY ADMINISTRATION BUILDING

The County Council of Cache County, Utah, in regular meeting, lawful notice of which has been given, finds that it is in the best interests of the citizens of Cache County to obtain certain easements related thereto for the construction of the County Administration Building.

NOW, THEREFORE BE IT RESOLVED that the Cache County Executive is hereby authorized to execute all documents on behalf of Cache County Corporation for easements related thereto for the construction of the County Administration Building.

This Resolution shall take effect immediately upon adoption.

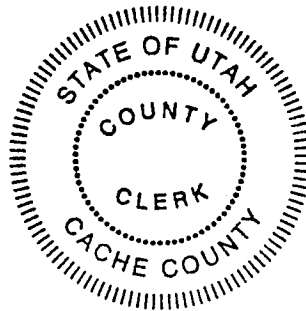
DATED this 12<sup>th</sup> day of June, 2001.

CACHE COUNTY COUNCIL

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

ATTEST:

*Jill N. Zollinger*  
By: Jill N. Zollinger  
Cache County Clerk



## TAX SALE MINUTES

MAY 24, 2001

The tax lien sale was called to order at 10:00 A.M. May 24, 2001 in the Cache County Council Chambers.

All property advertised by the county auditor, as provided in Utah Code 59-2-1351 with delinquent taxes for the 1996 tax year that were delinquent on January 16, 2001 and had not been redeemed by the sale hour were offered for sale.

County representatives present for the sale were Tamra Stones, Cache County Auditor and Janice Trygstad, Deputy Auditor, Michael Gleed, County Recorder, and Jim Smith, County Human Resource Officer.

The sale procedures were outlined as follows:

1. Once a bid has been entered it cannot be withdrawn. The ordinance allows preferential bids. (Until the moment of the sale, the owner of record or lien-holder of record may redeem the property to prevent the sale.) Payment should be made to the County Treasurer by 5:00 p.m. today in the form of **cash**; or **certified funds** made **payable to the Cache County Treasurer in the exact amount of the sale**. Upon payment a temporary receipt will be issued from the County Treasurer.

2. The sales of these properties are conditional and subject to review by the County Council. The council can accept or reject any bid. If the council accepts the bid then the sale will be deemed approved.

3. Any person wishing to contest the sale, must file in writing the basis for the objection, as outlined in the bid procedures, with the County Council through the office of the County Executive within 10 days of the sale.

4. Confirmation of bid forms will need to be completed acknowledging the terms and conditions of the bid as set forth in the bidding procedures. The Treasurer or her deputy will validate the form at the time you make payment.

5. Tax deeds will be issued, by the County Auditor after approval of the Cache County Council and mailed within sixty days together with a permanent receipt.

6. Property that is offered for sale will be struck off to the county by the County Auditor if any of the following situations occur: (1) No bids are received for the property, (2) the apparent high bidder fails or refuses to execute a confirmation of bid or fails or refuses to make full payment of the bid amount in the manner and within the time required or (3)

the County Council rejects any bids and thereby disapproves the sale or (4) the parcel is determined to be used for a public purpose.

7. In accordance with Section 59-2-1351(7), Utah Code, the County Auditor will publicly declare that the property has been struck off to the County, make an appropriate record of the action.

8. The property is sold by the county and purchased by the buyer "AS IS," and the county makes no warranty whatsoever respecting the condition of property and improvements. The county will convey title by tax deed. There will be no title insurance granted to parcels sold by tax deeds. If there are parcels with liens they were noted when the parcel came up for sale. Also, the title reports were made available for participants to view.

All but two of the advertised parcels have been redeemed prior to the sale.

The Auditor offered the first parcel for sale: parcel number 01-010-0019 in the name of Hall Mortuary, Partnership taxes, costs etc. are \$185.06. The bidding opened.

<u>AMOUNT OF BID</u>	<u>BIDDER #</u>	<u>BIDDER NAME</u>
Min. bid - \$185.06	# 1	Michael Hansen, agent

There were no further bids offered. The apparent successful bidder was Mike Hansen, agent for Michael R. Hansen and Mark E. Larsen.

Next offered for sale:

Parcel number 16-089-0015 in the name of Richard E. Pack. The property is located near to the Sheep Creek Cove P.U.D.. It consists of approximately 8.9 AC and is a narrow strip approximately 121.5 ft. by 3189. ft. long. The minimum bid of taxes, interest, penalties and costs total \$401.45. The bidding opened.

<u>AMOUNT OF BID</u>	<u>BIDDER #</u>	<u>BIDDER NAME</u>
Min. bid - \$401.45	# 3	Gerald K. Knight

Bidding continued with the following active bidders:

\$450.00	# 2	Joe Rush
\$451.00	# 3	Gerald K. Knight

The final bid was \$451.00 entered by Gerald K. Knight, the apparent successful bidder.



The tax lien sale closed with the following statement by the Auditor. "All property here offered for sale and which has not been struck off to a private purchaser is hereby struck off and sold to the County of Cache, and I hereby declare the fee simple title of the property to be vested in the county."

This Tax sale was hereby adjourned at 10:15 A.M..

APPROVAL OF THE SALE:

Parcel number 01-010--0019 Michael R. Hansen and Mark E. Larsen

\_\_\_\_\_Approved \_\_\_\_\_Denied

Parcel number 16-089-0015 sold to Gerald K. Knight.

\_\_\_\_\_Approved \_\_\_\_\_Denied

June 12, 2001 Date

  
\_\_\_\_\_  
Cache County Council

ATTESTED:

\_\_\_\_\_  
Tamra Stones, County Auditor