

APPROVED

**CACHE COUNTY
COUNCIL MINUTES
27 NOVEMBER 2001**

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CACHE COUNTY COUNCIL MEETING
November 27, 2001

The Cache County Council met in a regular session on 27 November 2001 in the Cache County Council Chamber at 120 North 100 West, Logan, Utah.

ATTENDANCE:

Chairman: Darrel L. Gibbons
Vice Chairman: Layne M. Beck
Council Members: C. Larry Anhder, John Hansen, H. Craig Petersen, Kathy Robison, and Cory Yeates.
County Executive: M. Lynn Lemon
County Clerk: Jill N. Zollinger

The following individuals were also in attendance: Randy Crowther, George Daines, Newell Daines, Lorene Greenhalgh, Lanny Herron, Marsha Herron, Don Linton, Sheriff Lynn Nelson, Members of Providence Scout Troop #325, Evelyn Palmer, Pat Parker, John Sanders, Sarah Ann Skanchy, Jim Smith, Auditor Tamra Stones, Mark Teuscher, Phil Whipple, Von Williamson, Christian Wilson, Scott Wyatt, and Jennie Christensen (KVNU).

CALL TO ORDER:

Chairman Gibbons called the meeting to order at 5:10 p.m. welcomed all present.

INVOCATION:

The invocation was offered by Layne Beck.

REVIEW AND APPROVAL OF AGENDA:

Vice Chairman Beck moved to amend the agenda to add an Executive Session at the conclusion of the meeting for a discussion of personnel issues. Council member Yeates seconded the motion. Vote was unanimous all members voting in favor. (7-0).

REVIEW AND APPROVAL OF MINUTES:

The minutes of the regular Council meeting held on November 13, 2001 were discussed, corrected and approved.

REPORT OF COUNTY EXECUTIVE:

County Executive Lemon reported on the following items:

Appointments: There were no appointments.

Warrants: There were no warrants presented to the County Clerk for filing.

Other Items:

1. **Lanny Herron:** Mr. Herron presented the final elevation and floor plan for the new Administration Building. The corridors run East and West from main street to the parking area. The main lobby faces the Historic Courthouse to the North. Elevators

and stairways are accessible to the main corridor and lobby.

a) **First Floor:** Recorder, Clerk, Extension, Future area, possible option for temporary Executive Office, Office and Classroom area for general use for all departments and also may be used for a temporary Council Chamber until the Historic Courthouse is remodeled.

b) **Second Floor:** Auditor, Treasurer, Assessor, Data Processing, and an unoccupied area for future use.

c) **Third Floor:** Planning/Zoning joint area, future space, break room, storage area.

2. **Financing of the Administration Building:** Options looked at were 1) Revenue Bonds with a 20-year option or a 30-year option. 2) Lease-Purchases Basis with a 20-year option or a 30-year option.

Bidding for construction was planned to be ready at the end of January. This financing project would include the demolition of the Wilkinson building, the building of the new building, the demolition of the Council building, the parking lot, and the 1-Million-dollar match that was committed for the Historic Courthouse. In general terms now financing is approximately 3.5 Million

Council member Petersen injected that at this point the Committee is pretty much done with their recommendation on the floor plan. The detailed drawings need to be drawn up now so that the bidding process can begin.

ITEMS OF SPECIAL INTEREST:

EMPLOYEE OF THE MONTH PRESENTATION - Randy Crowther

Jim Smith introduced Randy Crowther of the County's Data Processing Department. Mr. Smith rendered the following: Randy started working for the County in June of 1996 as a Programmer Analyst and doubled the size of the Data Processing Department in numbers.

Randy's assignments include: Managing and maintaining the computer networks, hardware, and data base used by the County. He also provides insight to support on the various software applications used within the County and anything else that relates to computers.

Randy enjoys his job for three reasons: 1) Challenges are different every day. 2) He gets to work with many of the great Cache County Employees. 3) He does not have to wear a tie.

Randy has earned a Bachelor's degree in Aeronautical Technology and a Master's degree in Business Information Systems from Utah State University. He has also received his Novell Certified Engineering Certificate from Novell since beginning work at the County.

County Executive Lynn Lemon presented Randy with his certificate of Achievement and Recognition along with the County's appreciation. John Sanders, Department Head, presented a gift certificate.

BUDGETARY MATTERS::

BUDGET TRANSFER: Inter-Departmental - Support Service

Support Services submitted a \$5,000 transfer request to purchase equipment items under \$1,000.

Council member Anhder moved to approve the transfer request. Council member Robison seconded the motion. Vote was unanimous, all members voting in favor 7-0.

(See Attachment #1)

PENDING ACTION:

ORDINANCE NO. 2001-06: ADOPTION OF CACHE COUNTY LAND USE ORDINANCE - CHAPTERS 1, 2, 3, AND 4 AND REVISIONS AND AMENDMENTS TO CHAPTER 9, AIRPORT HAZARD ZONE (AH) TO CREATE AIRPORT LIMITED OVERLAY ZONES AND TO IDENTIFY ALLOWED USES, DEVELOPMENT REQUIREMENTS, AND RESTRICTIONS WITHIN SUCH OVERLAY ZONES.

A copy of the proposed land-use ordinance for public preview is located in the County Zoning Administration Office, 179 North main street, Logan, Utah and the Countywide Planning Office, 160 North Main Street, Logan, Ut 84321.

(See Attachment # 2)

The County Attorney's Office had reviewed Ordinance No. 2001-06. Council member Anhder wanted to discuss the traditional requirement of Planning Commissioners to be living in or owning property within the unincorporated area. Because decisions made in the Planning Commission affect everyone, Council member Anhder felt that membership in the Planning Commission should be broadened to everyone who lived in the Cache County not limited to just those who live in or own property within the unincorporated area.

Discussion:

Darrel Gibbons: Mark (Teuscher) indicated in our last meeting that we could make it a policy if we wanted to. Your concluding comment in our last meeting, Larry, you said: "We have the ultimate say-so as a Council. We can disapprove any recommendations." I don't know whether we need any more than that.

Larry Anhder: I think it would be helpful to the Executive to know how we feel about it as a Council. I would like to see us talk about it before we have a specific candidate for approval because then that person may be offended. I don't want to offend anybody personally if we are debating this issue with that person's candidacy on the line.

Lynn Lemon: One of the things is that we are going to have several appointments that are going to expire as of the end of the year. Last year we did put on the agenda in December a discussion on those whose terms were expiring and what we wanted to do. We could certainly do the same thing. I have heard, Lorene (Greenhalgh), that several of the Planning Commission members said they did not want to continue; but then I heard at the last meeting that some had said: "Yes, they would continue." Is that correct.

Lorene Greenhalgh: That's correct.

Darrel Gibbons: I have it that couple of them stated that they would continue only until the ordinance was adopted and completed.

Greenhalgh: Grant and Don said that they wanted to be done at the end of the year but they both said they would stick with it until that was done.

Gibbons: What if that isn't completed until June of next year?

Greenhalgh: Right, We only have five now and we need seven. One of them is going to be absent on Monday's meeting and we won't have a clear vote of the 1's in this meeting; if they don't all vote the same way, it is automatically denied. That is scary.

Anhder: So, you have at least two openings and a third that will expire at the end of the year.

Greenhalgh: Two more that expire at the end of the year.

Anhder: So there is four.

Gibbons: The two that expire at the end of the year will continue until the ordinance is adopted. I think discussion would be appropriate.

Craig Petersen: Who know how the agendas might pile up in December. Would it be just as well to consider it now?
Anhder: Let's go through the agenda.
Gibbons: If we have time we'll talk about the Planning Commission later in the meeting.

Council member Anhder moved to adopt Ordinance No. 2001-06. Council member Yeates seconded the motion. Vote was unanimous, 7-0.

COUNTY LAND USE ORDINANCE

	ANHDER	BECK	GIBBONS	HANSEN	PETERSEN	ROBISON	YEATES	VOTES CAST
AYE	X	X	X	X	X	X	X	7
NAY								0
ABSTAINED								0
ABSENT								0

UPDATE - CACHE COUNTY ADMINISTRATION BUILDING

No further discussion. (See page 2)

INITIAL PROPOSAL FOR CONSIDERATION OF ACTION:

RESOLUTION NO. 2001-40 - AUTHORIZING EXECUTIVE TO EXECUTE AN INTER-LOCAL CO-OPERATION AGREEMENT WITH NORTH LOGAN CITY FOR MUNICIPAL SERVICES FOR BRIDGERLAND COMMUNITY ICE ARENA AREA.

(See Attachment # 3)

Council member Petersen moved to waive the rules and adopt Resolution No. 2001-40. Council member Yeates seconded the motion. Vote was unanimous, all members voting in favor 7-0.

DISCUSSION - PLANNING COMMISSION MEMBER REQUIREMENT

Issue: Most of the members of the Planning Commission live in the unincorporated part of the County; and if they do live in the City, they own property in the unincorporated part of the County. It was noted that 90+% of the population of Cache County is disenfranchised from participating as Planning Commission members by following that continuing practice.

Council member Anhder felt a general policy should be made that all members of the Planning Commission just be a resident of Cache County. The reason for this was because decisions made by the Planning Commission affects all of the people in Cache County in how our County develops and what our vision and feel of the County is. He would like to broaden the membership

Discussion:

Craig Petersen: Why is this different from Logan City's requirement that it's members of it's Planning Commissioners live in Logan because if it is done here, it would certainly have an impact on most of the people of the County.

Larry Anhder: That's correct. That's my point. I think if I understand your question.

Petersen: No. I'm saying you couldn't serve on the Logan Planning Commission.

Anhder: Oh, no.

Beck: Even though you own property in the City.

Petersen: And yet what happens in Logan may impact the feel of the County and your enjoyment of the County. Why is that okay when you change it to the unincorporated area? Why should we do anything different with the County's Planning and Zoning Commission than Logan and every city does.

Anhder: That's my point. We are doing it different now and we shouldn't be doing it differently. In Logan City the requirement is that you are a resident/citizen of Logan City to serve on the Planning Commission. I think ours should be completely consistent with that. "You are a resident of Cache County and so you should be able to serve as a Planning Commission member by virtue of being a resident of Cache County." From my point of view I'm saying lets make it consistence with Logan's and Hyrum's and Smithfield's and everybody else. The residency becomes the requirement. I think all Cache County residences should be qualifying candidates to serve on the Planning Commission not just those who live in or own property (in the unincorporated area of Cache County).

Petersen: The idea that makes me sympathetic to this is that someone who lives say in Nibley next to a portion of unincorporated area may be much more affected by what happens in that unincorporated area than say a person who lives in the North end of the Valley thirty miles away. Nobody has been impacted in any sense; I think it is a good idea.

Anhder: We've had a couple of examples. There was a proposal just North of Hyrum for a business. Many Hyrum City residents went to the Planning Commission. The comment was made by a Planning Commission member: "Well, Hyrum already has a bunch of smells and orders already what's one more to them. Well, the substance of the comment really angered the Hyrum resident but more so the air of arrogance, our feeling of not being concerned about what Hyrum City people think....I think if we had more resident from cities on the Planning Commission there would a sensitivity there that they apparently don't have.

Here is another issue that's coming up: Increasingly cities are being mandated to identify the sources of their drinking water and take measures to protect those sources. Most cities' source of drinking water are outside of the corporate boundaries of their cities. The little bit that this has been talked by the Planning Commission already has fallen upon unsympathetic ears because these Planning Commissioners don't have public water systems because most of them live out in the unincorporated parts of the County. They appear to be unsympathetic to the needs of City dwellers and City residents.

When we are talking about doing a lot of things about planning that affects the County: Cache Valley Initiative, Access Management. All sorts of things that are going to translate in ultimately to planning issues for Cache County. There are issues that affect every single one of us.

Gibbons: I'm slightly sympathetic to your argument. What if we were to say something like this: "The Planning Commission shall consist of seven individuals, four of which will be appointed from the unincorporated area and three may be considered from municipalities. It doesn't require us necessarily but it gives us the option to consider individuals so that we have that sensitivity. I would be very uncomfortable if we had the majority of them from municipalities dealing with issues that deal primarily within the unincorporated area. It would put enough of a number of individuals from the cities on the Board that there would be that sensitivity but they wouldn't necessarily be able to control every decision that was made with respect to unincorporated areas to the County.

Anhder: That doesn't answer my concerns that we still exclude 93% of the residence of Cache County. I think we ought to say that all residents with the exception of three are candidates. I think our Executives can do a good job of mixing it up. If you follow numbers then six of them should be from cities and 1 from the unincorporated.

Lynn Lemon: The challenge is trying to keep those citizens of the cities feeling like they are part of the system and also those who live in the unincorporated area. You won't find a city that will allow somebody just outside their limits who may be vastly affected by what they do inside the city allowing somebody to sit in the Planning Commission. That won't happen. I have been sympathetic with the arguments when people come to me and said: "Why would you consider letting somebody who lives inside a city make decision about the land that we own out in the County." I hear Larry's argument and I need to understand that we need to try to balance that, but I think we need to be very careful that we make sure that those people that live in the unincorporated area feel like they are represented properly.

I think they feel some of the same frustration. A lot of the incorporation issues and the boundary issues that we face are issues about people just outside city limits.

Gibbons: Some of the most difficult issues we face are those.

Anhder: My answer to that is all Cache County residents.

Beck: But in practice, Larry, the decisions of the Planning Commission that Cache County makes affects by definition the property that is in the unincorporated areas.

Cory Yeates: Only.

Beck: It does not affect any of the decisions that the Planning Commission makes. It may have ancillary affects on cities and city dwellers, apparently it does, just like the decisions of Planning Commissions of the cities have ancillary affects on County residence that are adjacent to cities. They go back and forth.

Lemon: That's true.

Gibbons: I would be willing to compromise to the point that we would be willing to allow the appointment of some but not the majority. I don't know how anyone else feels.

Kathy Robison: I like your compromise, Darrel. We should go for that.

Petersen: That was actually better than I thought; I was actually thinking of 5 and 2.

Gibbons: I don't know what the combination should be but I definitely feel that the majority should represent the unincorporated area.

Yeates: So it makes it so that it doesn't matter whether they live within a municipality or not?

Beck: We could say that four of the Commission members have to be either property owners or residence of an unincorporated part of the County.

Gibbons: For example: I lease property from an individual who lives within Logan City who probably owns more property in Cache County in the unincorporated area than most people and his property is affected. He has several thousands of acres and yet he lives in the city. I think Larry's argument has some merit but limited merit.

Beck: Shall we say up to three Commission members can be from cities.

Robison: Sure.

Beck: Even though they could be from the cities; there is nothing to prohibit it now other than our practice.

Petersen: About that point that Larry is making on water on Urban areas. It goes in the same direction, Scott. The cities have a vital interest in that as well.

Wyatt: We're not too far away from the majority of the unincorporated part just really being Forest and recreation.

Don Linton: I appreciate an opportunity to comment as well. As I look at this Body who very well represents Cache County, I see city dwellers. I think that people who are given the responsibility to represent community interests can certainly if they are qualified be responsible to represent those interests even if they live in the city. With that observation, I might lean toward Larry's position...

Petersen: The real difficulty is getting people to want to serve. That is another argument is you expand the pool of people who might be willing to do this and be a real service to us.

Anhder: Look at where people live. Scot brought in an eloquent argument using our Forest recreation. I think we have begun to see the number of things that are going to start be coming into us. Do what you think is best. I've told you what I think is best.

PUBLIC HEARINGS, APPEALS AND BOARD OF EQUALIZATION MATTERS:

PUBLIC HEARING - TO RECEIVE PUBLIC INPUT ON PROPOSED 2002 BUDGET:

At 6:00 p.m. Chairman Gibbons opened the Public Hearing to ask for public comment on the 2002 Budget. There were no comments from the public.

Council member Anhder moved to close the Public Hearing. Council member Petersen seconded the the motion. All members voting in favor 7-0.

RESOLUTION NO. 2001-39 - ADOPTION OF 2002 BUDGET

At the request of Council member Anhder, the projection of revenues was discussed. It was deducted that the average of revenue increase would be 4 percent.

Sales tax was projected to be about 3.4 percent increase, which is close to 2.8 Million dollars. Auditor Tamra Stones injected that to date \$2,035,658 had been collected in tax revenue. In January, February, and December of last year almost \$700,000 had been collected.

Special protection services were projected to go up due to contracts. Sheriff Nelson commented that rates for this had been increased this year. Executive Lemon stated that there had been a reduction of the amount of money that would be received as far as the jail contracts and the jail reimbursement rights because of the fact that the State had reduced the number of individuals that we were housing.

Recording Fees were not changed from what was submitted from the Recorder and the fees could increase. With interest rates down that number could go up quite significantly if a lot of people refinance. Some of those revenues are hard to call.

With regard to Dr. Pattinson's request, meeting the matching funds will be met from the County reserve funds. The money is there to meet the match. Executive Lemon wondered just what the State is going to provide because the Governor just commented that the State revenues were going to be up \$200,000,000 and probably all areas of the State would see cuts except Education and Public

Safety. So, if they were to cut some of those State contracts, the match would not be as great and it poses some uncertainty.

Tamra Stones questioned the method of payment for the new fire truck. The resolution may have to be changed to adjust the dollar amount. Chairman Gibbons felt it made good sense on Fire Chief Pitchers part to have the State pay for the new fire truck. From the Budget Workshop the idea was that the County was trying to budget for a truck in taking the revenue that was received from the State and using that money to pay for the lease/purchase on it this year. The truck would be owned by the end of five years. Chairman Gibbons advised Ms. Stones to just increase the sales tax projection by that much. Ms. Stones listed the money from the State as a contribution from the general fund to debt services. This reduced improvements by \$800. Executive Lemon concurred that it was a contribution but it could be listed under revenue from the State at least for \$9,000.

There was not action taken on Resolution No. 2001- 39: 2002 BUDGET

JAIL FACILITY: Discussion

Time was given to discuss the Don Linton's request in regards to the County Jail proposed pod. Chairman Gibbons questioned Sheriff Nelson and Deputy Von Williamson, who had seen the initial drawings that were made on this proposed pod, if that was something they were comfortable with. The response was affirmative. The concepts were not finalized; however they had some good and workable issues that needed to be addressed.

Discussion:

Vice Chairman Beck questioned Von (Williamson) as to whether there is the possibility of getting the efficiency of our (Cache County's) staff that Beaver County is getting out of their staff and also whether we (the County) could staff this 200+ bed jail with our current staffing level.

Williamson: replied that the issue is can we open the jail with the current level of staffing that we have and house 130 inmates that we now have and the answer to that is yes. It would probably not be possible to staff it at that level when the inmate level reaches 250.

Sheriff Nelson: explained that if we build the pod for 240 people and if we had 70 (inmates) that we could put in our current jail with a 2 to 1 ratio and then if we fill that capacity than obviously you are looking at over 3 times the inmate population that we have today. We are approaching development of that population. The efficiencies are there but obviously we are going to need more staff if we build this thing up.

Don Linton: My one main concern is to save raising the staffing level. We don't have those numbers right now. The other thing that Joe has got and done a great deal of research on with Bob and with some others is that he can build the cells as you need them. He has designed an enclosure where you can bring in the cells and avoid some of the up-front costs. So, you could build a 240 bed facility and avoid some of the costs or you could build the whole thing right now. The point is that you have a lot of options but one option you don't have is to continue having an increased jail population and never increase your staff.

Williamson: The staffing numbers that I have presented were based on some very preliminary concepts of facility designs. I am not married to those totals. There may be ways we could make it more efficient; we could reduce the staff that way. My one over-riding concern is the safety and security of the inmates and the staff. As long as we can maintain that with our current staffing, I'm all for it. Also there may be ways we can do that we are not aware of at this point. It is a lot easier to design that staffing once we have a definite design of a facility that we are looking at.

Layne Beck: Given the difference of the inmate population of what we would have in our jail here versus what Beaver County has there because they have roughly 160 State prisoners and we won't have State prisoners just maybe a few, 10 or whatever we have, can we realistically have that kind of a ratio between staff and inmates?

Williamson: You are right. We have to look at the differences between the two facilities. One is they are in the same building as their Courts. They don't have the transportation issue.

Beck: I thought we were going to have video arraignment. Can we do that.

Linton: Actually we have a video arraignment.

Nelson: The concept that supports video arraignment, however, everybody saw that as the neatest thing since sliced bread and the wave of the future; it has not come about.

Beck: Because the attorneys or the judges won't buy into it.

Nelson: We had a video tie-in since we moved into that building in 1993 and the Courts would never use it. Two or three years ago we severed it because it was never being used and we never saw any intention for the Court to do that. We've had the capability to do video arraignment since 1993.

Linton: Understand, Layne, these are all things all things that we are still kind of in an exploratory realm. There is no question that the efficiencies could be increased dramatically. There is no question that your hearing and some of those

costs would be increased dramatically. However, and this is the point I was trying to make. Part of my passion, I guess in a concern from my families point of view, I can not have him do a whole study design for this and then give them to you. You are talking about millions and tens of thousands of dollars worth of prints. So, for him to continue to explore, he needs at least a consulting fee to make this worth his while. That is what I'm talking about. Do I think he can pull it off? I really do because of the preliminary discussions that I have also had with Gary Delan. Gary Delan said: "Yah, those efficiencies are there." Gary has also said: "If you want to make the jail more efficient as you drive your efficiencies up in terms of staff, you also drive up the cost of the building. Joe said the same thing. If you want to house each inmate in pairs or in a single cell, you staffing efficiencies go stratospheric as opposed to a dorm because you have somebody in a cell that can't fight with anybody else; and it is much easier to control them as opposed to a dorm. Now mistake that St. George made. They Said: "We can save so much money on the outlay of this building if we build dorms." They still spent over 15 Million dollars! They built a lot of dorms and now they are in a lot of serious trouble. Those are explorations that we are still talking about.

Beck: Your brother really hit the nail on the head. He said: Really over a 20 or 30- year life of this jail, the costs is the annual operations. You are only look at 7% on a 30-year time period of what the initial outlay is for the operation of this jail. I think your focus ought to be on efficiency of operation and not so much on the front-end cost. We can amortize that over 30 years.

Linton: Sure and those are things that Joe wants to explore. The only reason I'm here today is because I had to go to Lynn's office and say we are shutting down the show. We no longer have anybody that is going to evaluate this for us because Joe told me: "Don't shut down the show." "I've invested a lot; I can't go any further." So, I went to Lynn and said "You know; he needs a little bit to work as a consultant." It is up to you guys. It's like I told you before. He has plenty of things to keep him busy but I do think he is an exceptional architecture for the price that you are paying. I am basing that on his partnership with Bob, on some buildings that he has built before and he has been very successful with them, and the fact that he is willing to work as a consultant for a very shallow fee for his work. In order to continue that consulting, you are going to have to come up with may \$4,000 a month for maybe three months. He can then come back to you with some very firm numbers. I think his figures are already fairly firm. His has put a couple hundred plus hours in this just at my request and he is putting a shutdown on it.

Gibbons: We invested \$15,000 in the previous Jail study. I think that's what we allocated for the Sierra. Let me ask this question. One of the proposals would be that we build the jail complex separate from the Sheriff's Office. How much heartburn would that cause you?

Nelson: I think that would be a mistake.

Williamson: It would decrease your efficiencies.

Nelson: To separate the operation out like that would be a mistake.

Linton: We looked at this and discussed this quite heavily. We looked at the pod and said that's great. Where does booking take place? Where does an arresting officer bring a bad guy and just arrest him.

Williamson: Where do we do visiting.

Nelson: Oh, that's not designed in the pod. So we end up have a staff potentially here at this facility and a staff at wherever the pod is. Well, that just drove your operation costs right up.

Linton: That's the important point. When Lynn brought that up, Joe went ahead and designed a three-story Sheriff's Office.

Nelson: He designed a one-story building to begin with for just Jail support. I said: "What does it cost us to add office space on top of that."

Linton: As you went up it got cheaper. He came up finally with an amortization figure of - and you could build the whole thing for that - about \$700,000 a year for the.

Nelson: The another thing that you have gained in that is then you have a piece of property that is freed up that either could be leased out or could be sold or something that draws in revenues also.

Gibbons: What kind of difficulties, Lynn, would we create to try and find \$16,000 in consulting fees in the 2001 Budget.

Lynn Lemon: We could find it. That's not my concern. My concern is that if they are talking about \$750,000, you've got to find \$250,000 more in revenue per year on an ongoing basis.

Litton: What you could do even though it would drive inefficiencies issues, you could build the top. Initially Joe designed

Larry Anhder: Do it the same way we are doing the other one. If we are going to a 50 bed jail, we'll still have 100 beds that could be leased to the State and have \$250,000 in revenue.

Cory Yeates: We have no guarantees that the State will give us prisoners right now.

Linton: One of the things that is interesting is that Joe was consulting on a 4-County Jail facility up in Idaho and those folks are really broke. After this came up, Joe went up there and said: "Cache County is thinking about building a jail." "You may be in position where it would be better for you to ship your inmates down in Cache County." They actually like that idea because Franklin and Bear Lake are actually closer to Cache than they are to some of the places where they are currently shipping. They are really concerned about their shipping costs. They said: "You know what; we may consider that and we may be able to pay somewhere in the neighborhood of \$50 to \$20,000. The point is that there are contracts out there if you want to pursue them. The other things that Joe was talking about just before I was out is Joe said that he could go up half of a pod underneath the surface, which we did in 120 to 130 beds. That means that half of the pod would be empty. This is a many thousand-square-foot pod. Potentially some of the activities doesn't make a lot of sense because eventually you have to re-tear them out and build them in another area of the jail.

Beck: I think with our bonding costs and interests costs as low as they are, I don't think you are going to get lower than they are right now. It makes sense for us, to me especially if our focus is on the annual operation, even if we finished that part of the jail that we don't fill and just leave it to sit empty, that would make more sense to do that now and staff the part that we have to fill up with our own prisoners with whatever contracts we can get.

Linton: I spoke with Gary Delan and Gary has probably been involved with more jail construction than anybody in any State and he also said, because he is such good friends with Bob Boyle, bring Bob down and your brother down and I can probably improve your efficiency even more. There is a lot of stuff going on. You've got some free assistance. My primary concern has been for many months now is what happens when - with the way we have tried to hold down the jail population of - what happens when that catches up with us; that is when I started thinking about the jail issue. This was an issue that I brought up a long time ago here. My concern is that next year if you run 60 inmates over, you are in serious trouble because that works out to over \$900,000. I hope that doesn't happen. We are only talking about 60 inmates in a city with a population of close to 100,000. It is not hard to see how you could go over our current ability. If we have to send them out to Weber or Box Elder, they are not going to say: "Well gee, Cache County is cash stressed; so, we are not going to charge them." They are not going to do that; they are going to send you the bill.

Gibbons: This proposal, Council, is approximately about one-third of the cost of the previous proposal that the Committee recommended to us.

Beck: But it is only 250 beds as opposed to 460.

Gibbons: That is right; you are getting less beds. I think we ought to make the recommendation to try and find \$16,000 to \$20,000 in the budget.

Yeates: Layne said \$7,000,000.

Beck: No. about \$700,000, the annual amortization.

Lemon: We need to raise that.

Linton: When you were talking about that before, you were always talking about increasing your staff by double. There you are talking by increasing your staff by 1.3 Million dollars annually. Because of the way these pods work, you drive your staff to inmate ratio to a point that you could handle that. I believe that your biggest problem was not in the construction costs but how on earth are we going to afford all of these employees. To be fair to these guys, at some point in time you are going to have to say we are going to have to hire more employees...

Lemon: We can find the money. I think we can find it in this year's budget. When we amend it next week, we can probably find that. It isn't in the 2002 Budget. If you want us to we can find that. If we could build a jail and pay for it for \$440,000, then we know we have a way to do it. If it doesn't, then we have to figure out how we generate that additional revenue. If you do that with a bond, then you have to go through the process of generating a general obligation bond. You could do it through a sales-tax increase. You could do it through a property tax increase.

Beck: You could do it through Truth in Taxation.

Gibbons: If at a worst-case scenario and what Don is suggesting really happens, you are going to have to find the dollars anyway.

Hansen: We have a Committee that we formed about six months ago. Are we getting to a point where we ought to reconvene those folks or just forget them. It is going to make them angry.

Lemon: Part of the frustration that I have felt and that I think we have all felt is that we did put that Committee together and we did look at their recommendations.

Beck: Their recommendations were based on the idea that the State of Utah's Department of Corrections would contract in the neighborhood about 250+ beds for us.

Gibbons: We had a design that was completely different.

Linton: It is not as completely different as you think. It was a pod design; there were some similarities; and there were some differences.

Lemon: Von, even the 220 bed facility was \$300,000,000, was it not?

Williamson: It was \$344,000,000 but again it included all that office space.

Vice Chairman Beck moved to direct the County Executive to find \$20,000.00 to contract with Mr. Joe Linton. Council member Anhder seconded the motion. All members voted in favor 7-0.

It was suggested that the same Jail Committee that served before be involved with the new study.

OTHER BUSINESS:

EMPLOYEE CHRISTMAS PARTY

The Christmas Employee Party will be on Monday the 17th of December at 6:30 p.m. It will be held at the Coppermill Restaurant. RSVP is in order.

COUNCIL MEMBER REPORTS:

There were no Council member reports.

EXECUTIVE SESSION:

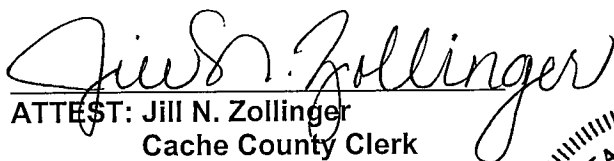
Time: 6:56 p.m.

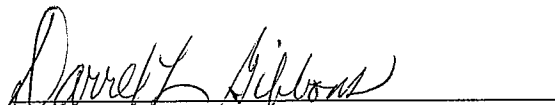
Council member Yeates motioned that the Council move into Executive Session. Council member Beck seconded the motion. All members voted in favor 7-0.

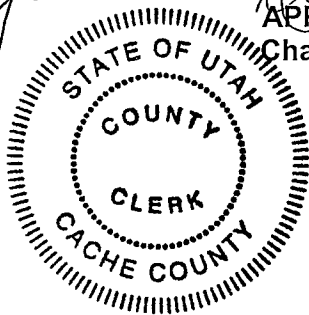
Council member Yeates motioned that the Council adjourn from the Executive Session. Council member Beck seconded the motion. All members voted in favor 7-0.

ADJOURNMENT:

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


ATTEST: Jill N. Zollinger
Cache County Clerk


APPROVAL: Darrel L. Gibbons
Chairman



REQUEST FOR INTRA-DEPARTMENTAL BUDGET TRANSFER

DEPARTMENT: Support Services
 DATE: 22-Oct-01

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

Transfer From ---
 Line Item No. : 10-4211-740
 Fund Designation: Equipment

Original Budget:	<u>\$35,100.00</u>
Current Budget:	<u>\$35,100.00</u>
Expenditures to date:	<u>\$23,120.97</u>
Balance before transfer:	<u>\$11,979.03</u>
Balance after Transfer:	<u>\$6,979.03</u>

Transfer To ---
 Line Item No. : 10-4211-251
 Fund Designation: Equipment under \$1000

Original Budget:	<u>\$10,500.00</u>
Current Budget:	<u>\$10,500.00</u>
Expenditures to date:	<u>\$12,699.23</u>
Balance before transfer:	<u>(\$2,199.23)</u>
Balance after Transfer:	<u>\$2,800.77</u>

Description of needs and purpose of transfer ---
To purchase equipment items under \$1000.00.

Recommendation: [] Approval [] Disapproval
 Comments:

Date: 10/22/2001

Department Head

James Stones
 Cache County Auditor

Recommendation: [] Approval [] Disapproval
 Comments:

Date: 11/20/2001

M. Lynn Larson
 Cache County Executive

Consented by the Cache County Council meeting in regular session on the 27th day of November, 2001.

James S. Zollinger
 Cache County Clerk

**CACHE COUNTY, UTAH
ORDINANCE NO. 2001- 06**

**AN ORDINANCE AMENDING THE CACHE COUNTY LAND USE ORDINANCE,
ADDING THE SAME TO THE CACHE COUNTY CODE AND PROVIDING AN
EFFECTIVE DATE.**

The County Legislative Body of Cache County ordains as follows:

- Section 1. Chapter 1, Section 2-1 of Chapter 2, Chapter 3, and Chapter 9 of the Land Use Ordinance of Cache County, Utah, existing on November 1, 2001 are hereby repealed.
- Section 2. Attached Chapter 1, Chapter 2, Chapter 3, Chapter 4, and Chapter 9 are hereby adopted and added to Title 17 of the Cache County Code.
- Section 3. Chapter 2, Section 2-2 "Definitions," of the Land Use Ordinance, as existing on November 1, 2001, is added to Title 17 of the Cache County Code and renumbered as Chapter 2, Section 205.
- Section 4. "The Airport Limitation Overlay Zones," referred to in Chapter 9 and presented on the "Logan-Cache Airport Overlay Zones" map attached hereto are specifically approved as set forth therein.
- Section 5. This ordinance shall become effective 15 days after its passage.

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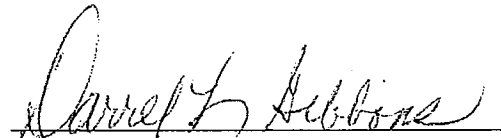
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This ordinance was adopted by the County Council, Cache County, Utah, on the 27 day of November, 2001, upon the following vote:

	Voting in Favor	Voting Against	Abstaining	Excused/Absent
Darrel L. Gibbons	X			
Layne Beck	X			
Larry Anhder	X			
John A. Hansen	X			
Craig Petersen	X			
Kathy Robison	X			
Cory Yeates	X			

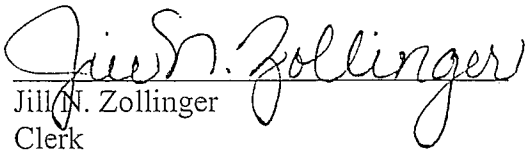
COUNTY COUNCIL
CACHE COUNTY, UTAH

By:



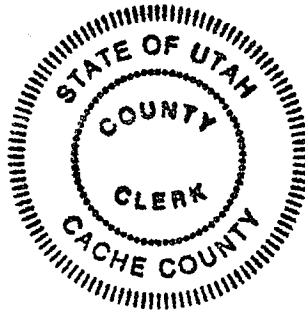
Darrel L. Gibbons
Chairman

ATTESTED BY:



Jill N. Zollinger
Clerk

Publication Date: December 13, 2001



CACHE COUNTY
RESOLUTION NO. 2001-40

A RESOLUTION APPROVING PARTICIPATION IN AN INTERLOCAL CO-OPEATION
AGREEMENT WITH NORTH LOGAN CITY FOR MUNICIPAL SERVICES FOR
BRIDGERLAND COMMUNITY ICE ARENA AREA

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 enter into an Interlocal Co-Operation Agreement with North Logan City for Municipal Services for Bridgerland Community Ice Arena Area.

NOW, THEREFORE BE IT RESOLVED that the Cache County Executive is hereby authorized to execute the Interlocal Co-Operation Agreement with North Logan City for Municipal Services for Bridgerland Community Ice Arena Area.

This Resolution shall take effect immediately upon adoption.

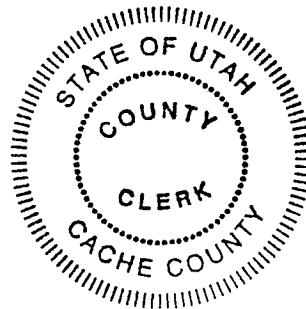
DATED this 27th day of November, 2001.

CACHE COUNTY COUNCIL

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

ATTEST:

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



INTERLOCAL CO-OPERATION AGREEMENT

Municipal Services for Bridgerland Community Ice arena Area

THIS AGREEMENT is made by and between CACHE COUNTY, hereinafter referred to as Cache County and NORTH LOGAN CITY, a municipal corporation, hereinafter sometimes referred to as 'North Logan' together with such other public agencies which may later become a party hereto as described hereafter. The parties to this agreement are collectively referred to as the 'Participants'.

RECITALS

WHEREAS, the Participants wish to provide the highest quality of municipal services possible to the Bridgerland Community Ice Arena; and

WHEREAS, the area in which the Bridgerland Community Ice Arena is located is an unincorporated part of Cache County; and

WHEREAS, the same area is planned by both participants to be annexed into North Logan City in the near future; and

WHEREAS, Cache County and North Logan deem it appropriate and proper to establish jurisdictional responsibility for the Bridgerland Community Ice Arena area that will be consistent with the long range plans for the area.

NOW, THEREFORE, in accordance with these recitals and in consideration of the mutual covenants and obligations contained herein, the participants agree as follows:

1. North Logan City will provide applicable municipal services to the Bridgerland Community Ice Arena and surrounding properties as if that area were annexed to and incorporated within the limits of North Logan City. Applicable municipal services are meant to include police and fire protection; emergency response; roadway maintenance including snow removal for 2850 North and 200 East streets; and utility support such as water, sewer, and trash collection.

2. TERM OF AGREEMENT. This agreement which shall remain in full force and effect until the area is annexed into North Logan City at which time, by virtue of its being part of North Logan City, the same municipal services would be provided nonetheless.

3. TERMINATION OF THIS AGREEMENT. This agreement may be terminated upon joint consent of both Cache County and North Logan City.

4. ENTIRE AGREEMENT. This agreement constitutes the entire agreement between the parties and supersedes all prior agreements whether written or oral. The terms and conditions of this agreement may not be amended except in writing signed by duly authorized representatives of both Participants.

5. EFFECTIVE DATE. This agreement shall become effective immediately upon the last date of execution by the duly authorized representatives of the Participants.

IN WITNESS WHEREOF, the parties to this agreement have each executed this agreement in duplicate, each of which will be deemed an original on the date designated with their execution.

FOR CACHE COUNTY

FOR NORTH LOGAN CITY

by _____
Cache County Executive
Date of Execution _____, 2001.

by _____
Mayor, North Logan City
Date of Execution _____, 2001.

Approved as to form and compatibility with the laws of the State of Utah:

by: _____
Attorney for CACHE COUNTY
Date: _____

by: _____
Attorney for NORTH LOGAN CITY
Date: _____