# **APPROVED**

# CACHE COUNTY COUNCIL MINUTES 11 December 2001

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# CACHE COUNTY COUNCIL MEETING December 11, 2001

The Cache County Council met in a regular session on 11 December 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:

John Hansen, H. Craig Petersen, Kathy Robison.

C. Larry Anhder - arrived at 5:10 p.m. Cory Yeates - arrived at 5:16 p.m.

County Executive:

M. Lynn Lemon

**County Clerk:** 

Jill N. Zollinger

The following individuals were also in attendance: Kim Cheshire, Sheriff Lynn Nelson, Evelyn Palmer, Pat Parker, Jim Smith, Auditor Tamra Stones, Mark Teuscher, Marilyn Teuscher, Scott Teuscher, Paul Todd, Sandra Todd, Attorney Scott Wyatt, Jason Bergreen (Herald Journal) Jennie Christensen (KVNU).

#### **CALL TO ORDER:**

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

#### INVOCATION:

The invocation was offered by Kathy Robison.

#### **REVIEW AND APPROVAL OF AGENDA:**

Tamra Stones requested the following changes:

- 1. Under item 10a change the dollar amount from \$45,000.00 to \$45,250.00.
- 2. Under item 8a add #2. East Birch Creek, Inc.

#### **REVIEW AND APPROVAL OF MINUTES:**

The minutes of the regular Council meeting held on December 4, 2001 were discussed, corrected and approved.

#### **REPORT OF COUNTY EXECUTIVE:**

County Executive Lemon reported on the following items:

Appointments:

Sarah Ann Skanchy - Logan/Cache Airport Authority - 2 year term

George Daines - Bear River Health Board

Council Meeting December 11, 2001

Vice Chairman Beck moved to accept the appointments of Sarah Ann Skanchy to the Logan/Cache Airport Authority and George Daines to the Bear River Health Board. Council member Petersen seconded the motion. The vote was unanimous, 6-0. (Yeates absent)

Warrants: There were no warrants.

#### Other Items:

1. <u>Jail Committee Meeting</u>: The Jail committee will meet again on January 3, 2002 at 11:00 a.m. in the Sheriff's training room.

Executive Lemon reviewed the December 10<sup>th</sup> Jail committee meeting. A jail with 240 beds could be built for 5.4 Million dollars. In addition a 2-story-level area could be built for the Sheriff's Offices for another 2.6 Million dollars. Also, a third level could be added to the Sheriff's Offices for .8 Million dollars and this would make space available for offices to rent out to other agencies, such as: Highway Patrol, Adult Probation and Parole, State Lands and Forestry, etc. The total cost of the jail would then be either 8 Million or 8.8 Million dollars depending on the plan that was chosen.

Payment on the jail over a period of 30 years on 8 Million dollars would be \$486,000.00 per year. On the 8.8 Million dollars, payments would be \$535,000.00 per year. Executive Lemon recommended moving forward with the Jail project if the County could build the facility with the numbers presented. In the County budget passed for next year there was \$440,000 budgeted to be used to pay other Counties to house prisoners; and that would almost cover the payment for the year.

2. <u>Incorporation Petition for College/Young Ward</u>: A petition was received today by the County Clerk for the College /Young Ward incorporation. The Clerk now has 45 days to certify that they have met the criteria.

#### **ITEMS OF SPECIAL INTEREST:**

#### **EMPLOYEE OF THE MONTH - PAUL TODD**

Jim Smith addressed the Chair and members of the Council. He presented Mr. Paul Todd as Cache County's Employee of the Month for the month of December.

Paul began his career with Cache County on Jan 7, 1992 as a Deputy Sheriff in the County Jail. He served there one year and then was transferred to the Patrol Division. In 1997 Paul tested for the position of Sargent, for which he was selected, and was transferred back to the Jail. In 2000 Paul was again transferred back to Patrol were he currently supervises the Day Shift.

Paul functions in a variety of capacities within the Sheriff's Office such as: 1) Co-team Leader of the County SWAT Team. 2) He supervises the Sheriff's Bike Patrol. 3) He is a member of the

Council Meeting
December 11, 2001

Gang Unit. 4) He is the Sargent over defensive tactics and baton training. 5) Supervisor of the Sheriff's Office Honor Guard. Paul is not only an example of a good Deputy but also an example of what a Leader should be.

Executive Lemon, Sheriff Lynn Nelson and Lt. Kim Cheshire presented the Employee of the Month Award.

#### COUNCIL MEMBER YEATES ARRIVES.

#### **EMPLOYEE RECOGNITION CABINET PRESENTATION - SCOTT TEUSCHER**

Scott Teuscher, a resident of Nibley city, presented to the Council a display cabinet to be used in connection with the Cache County Employee of the Month/Employee Recognition awards. Scott thanked the Council for giving him the opportunity to complete this cabinet as a project for his Eagle Scout award. Scott noted that seven or eight other Troop members and his father, Mark Teuscher, helped in building this display unit. The cabinet was of excellent workmanship and will be placed in the County Courthouse for the public to see the Employee recognitions.

#### **BUDGET TRANSFERS - INTRA DEPARTMENT:**

<u>NUTRITION</u> - Transfer of \$3,415.00 to meet increased utility costs and \$1300.00 to purchase meals supplies.

<u>SUPPORT SERVICES</u> - \$6,000.00 to purchase riot gear.

JAIL - \$5500.00 to purchase equipment items for the jail.

<u>CLASS B ROAD</u> - \$13,000.00 to transfer funds to pay for sidewalk construction between Providence and Millville.

Council member Anhder moved to approve the Budget transfers. Robison seconded the motion. Vote was unanimous all members voting in favor.

(See attachment #1)

#### **BOARD OF EQUALIZATION:**

The Council moved into the Board of Equalization. Auditor Tamra Stones addressed the following Board of Equalization issues:

**NEIGHBORHOOD NONPROFIT HOUSING CORPORATION:** The application has been reviewed. This organization serves charitable purposes of providing affordable housing for lower incomes and persons with disabilities. There are 7 homes in different stages of construction on 1/4 acre each. No home is yet finished. These are self help, or sweat equity built homes. Each family builds in conjunction with the others to complete each group of homes. All real and personal property is used for the operation of the program. IRS letter indicates 501 (c) (3) status.

**EAST BIRCH CREEK INC.:** The application has been reviewed. This organization serves charitable purposes of providing services to the mentally handicapped and physically disabled adults in Cache County. All personal property is used for the operation of the program. An IRS letter indicates 501 (c) (3) status.

Council member Yeates moved for approval of both requests. Robison seconded the motion. Vote was unanimous, 7-0.

(See attachment #2)

The Council adjourned from Board of Equalization.

#### **PENDING ACTION:**

#### ADOPTION OF PROPOSED 2002 CAPITAL IMPROVEMENT PLAN

Chairman Gibbons suggested including the figure amounts for the Jail in the proposal. Executive Lemon will add a line stating the dollar amount of 8.8 Million for the Jail and the Sheriff's offices.

Council member Robison motioned to approve the adoption of the proposed 2002 Capital Improvement Plan with the added Jail figures. Council member Anhder seconded the motion. Vote was unanimous, 7-0.

(See attachment #3)

#### **UPDATE - CACHE COUNTY ADMINISTRATION BUILDING:**

Executive Lemon explained that the building layout was all finalized but the architects came back with some code problems. The problems were with fire exits, and stair wells, etc. This is being worked on to get it resolved. It is still the goal of the building committee to have the plans ready to go to bid by late January. The proposal will probably change some from what was presented in the last meeting.

Council member Petersen left the Chamber at 5:40 p.m.

#### **DISCUSSION - PROPOSED COUNTY EMPLOYEE LEAVE POLICY:**

Executive Lemon stated that to implement the new leave policy it would be necessary to review the Personnel Policy and Procedures manual and to do an amendment to the current leave policy. The change in the Personnel Policy and Procedures manual would be effective January 01, 2002.

Council member Anhder moved to agree to the recommendations in the proposed County Employee Leave Policy. Council member Yeates seconded the motion. Vote was unanimous, 6-0. (Council member Petersen absent.)

Council Meeting December 11, 2001

Jim Smith will up date the Personnel Policy and Procedures to include those changes and then bring it back to the Council for approval.

#### INITIAL PROPOSAL FOR CONSIDERATION OF ACTION:

**RESOLUTION NO. 2001-42** - A resolution approving the form of the Equipment Lease Agreement with Zions First National Bank, Salt Lake City, Utah. Finding that it is in the best interests of Cache County, Utah to enter into said Agreement, and authorizing the execution and delivery thereof.

Council member Anhder moved to waive the rules and approve Resolution No. 2001-42. Yeates seconded the motion. Vote was unanimous, 6-0. (Petersen absent) (See attachment #4)

**RESOLUTION NO. 2001-43:** A resolution approving participation by the Cache County Sheriff's office regarding Olympic law enforcement and public safety services during the 2002 Winter Olympic games in and around Salt Lake City, Utah.

Council member Petersen returned to the Chamber at 5:50 p.m.

Discussion: CACHE COUNTY SHERIFF'S OFFICE PARTICIPATION IN 2002 WINTER OLYMPICS

Five deputies and Sheriff Nelson will be going to Weber County to assist them. The State will reimburse the County for overtime pay. Sheriff Nelson has cancelled all leave and training for January and February which will put them at 100% staffed.

Council member Yeates moved to waive the rules and adopt Resolution 2001-43 and also that the Council will amend the Ordinance on Elected Officials salaries to address the Sheriff's salary. Council member Hansen seconded the motion. The vote was unanimous, 7-0.

(See attachment #5)

#### OTHER BUSINESS:

#### **Election of Council Chairman and Vice Chairman:**

Last year when the election for Chairman and Vice Chairman of the Council was held, Chairman Gibbons suggested that the Vice Chair rotate into the position of Chairman for the following year and all Council members agreed. However, nothing was done officially to make it a policy.

#### Discussion:

John Hansen: So you are saying that would be the procedure then from this point on?

Layne Beck: Vice Chair would rotate into the Chair every year.

Hansen: Has that ever been the case.

Darrel Gibbons: No.

Kathy Robison: Ask Darrel how many years he has had the Chair.

Gibbons: Three.

Beck: Ann Skanchy had the Chair before that.

Gibbons: I just think if that is what we want and what we are going to do, it would be most proper to do it by motion.

Council Meeting December 11, 2001

Yeates: It would assure that we have a different chairman each year but I don't know if that's necessary.

Craig Petersen: I was going to pick up on that too. Why is that a good thing?

Yeates: Maybe that isn't what we want to do.

Petersen: There certainly is value in having continuity with the Chair.

Gibbons: If you are uncomfortable with it, it doesn't matter to me. We'll do whatever you as a Council decide.

Hearing no motion Chairman Gibbons opened the Council meeting to nominations for Chairman for the Council of 2002.

Council member Hansen nominated Mr. Anhder. Council member Robison nominated Mr. Beck.

Council member Yeates moved to close the nominations. Council member Hansen seconded the motion. The vote was unanimous, 7-0.

Larry Anhder was voted in as Chairman, 4-3.

Nominations were open to the Council for Vice Chairman.

Council member Yeates nominated Layne Beck by acclamation to continue on as Vice Chairman. Vote was unanimous, 7-0.

#### **EMPLOYEE CHRISTMAS PARTY:**

The County Employee Christmas party will be held on Monday, December 17 at the Coppermill Restaurant at 6:30 p.m..

#### **COUNCIL MEMBER REPORTS:**

There were no Council member reports.

#### **ADJOURNMENT:**

Chairman Gibbons adjourned the Council meeting at 5:57 p.m..

ATTEST: Jill N. Zollinger

Cache County Clerk

APPROVAL: Darrel L. Gibbons

Chairman

		risio
DEPARTMENT:	Nutrition	
DATE:	11-Dec-01	
Amount to be transfe	erred (rounded to the nearest dollar)	<b>\$3,415.00</b>
Transfer From		
Line Item No. :	24-4970-260	.*
Fund Designation:	Bldg & Grds Maint	
· ·	Original Budget:	\$6,200.00
	Current Budget:	\$6,200.00
	Expenditures to date:	\$1,764.93
	Balance before transfer:	\$4,435.07
	Balance after Transfer:	\$1,020.07
Transfer To		
Line Item No.:	24-4970-270	
Fund Designation:	Utilities	
	Original Budget:	\$7,000.00
	Current Budget:	\$7,000.00
	Expenditures to date: Balance before transfer:	\$8,236.47
	Balance after Transfer:	(\$1,236.47) \$2,178.53
Degementation	I Naprovol I Disconsovol	Thomas Different Department Head
Recommendation: Comments:	[ X ] Approval [ ] Disapproval	
Date:	12/11/2001	Cache County Auditor
Recommendation: Comments:	[ ] Approval [ ] Disapproval	
Date:	12/11/2001	M. My Lacutive  Cache County Executive
	Cache County Council meeting in regular s	ession on the 11+b day of
<u>December</u>	, 2001.	Jie S. Zollinge

DEPARTMENT: DATE:	Nutrition 11-Dec-01	
Amount to be transfe	erred (rounded to the nearest dollar)	\$1,300.00
Transfer From		
Line Item No.:	24-4970-382	
Fund Designation:	Food Supplements	
	Original Budget:	\$12,500.00
	Current Budget:	\$12,500.00
	Expenditures to date:	\$11,199.39
	Balance before transfer:	\$1,300.61
١	Balance after Transfer:	\$0.61
Transfer To	04 4070 004	
Line Item No. :	24-4970-381	
Fund Designation:	Meals Original Budget	<b>\$20.404.00</b>
	Original Budget:	\$92,164.00
	Current Budget:	\$92,164.00
	Expenditures to date:	\$81,028.02
	Balance before transfer:	\$11,135.98
	Balance after Transfer:	\$12,435.98
		7
Recommendation:	[ ] Approval [ ] Disapproval	Department Head
Comments:	`	Λ Λ .
Date:	12/11/2001	Cache County Auditor
Recommendation: Comments:	[X] Approval [ ] Disapproval	
Date:	12/11/2001	M. Wyw. Lewellive  Cache County Executive
	Cache County Council meeting in regular s	ession on the <u>    th</u> day of
December	, 2001.	Cache County Clerk

DEPARTMENT:	Support Services	
DATE:	10-Dec-01	
Amount to be transfe	erred (rounded to the nearest dollar)	\$6,000.00
Transfer From		
Line Item No. :	10-4211-120	
Fund Designation:	Temp Employees	<b>\$00,000,00</b>
	Original Budget:	\$90,000.00
	Current Budget:	\$90,000.00 \$63,522.46
	Expenditures to date:  Balance before transfer:	\$26,477.54
	Balance after Transfer:	\$20,477.54
	Balance after Transfer.	\$20,477.54
Transfer To		
Line Item No. :	10-4211-251	
Fund Designation:	Equipment under \$1000	
i una Designation.	Original Budget:	\$15,500.00
	Current Budget:	\$15,500.00
	Expenditures to date:	\$12,054.23
	Balance before transfer:	\$3,445.77
	Balance after Transfer:	\$9,445.77
To purchase riot gear.		
Recommendation:	[ X ] Approval [ ] Disapproval	Department Head
Comments:		^ / /
Date:	12/10/2001	Cache County Auditor
Recommendation: Comments:	[X ] Approval [ ] Disapproval	Sustile Southly Fladice.
Date:	12/10/2001	M. M. Lander Cache County Executive
Consented by the Consen	Cache County Council meeting in regular so	ession on the <u>II th</u> day of
. Decembe	1 200	Cache County Clerk

DEPARTMENT:	JAIL	
DATE:	05-Dec-01	
Amount to be transfe	erred (rounded to the nearest dollar)	\$5,500.00
Transfer From	10-4230-252	
Line Item No. : Fund Designation:	Work Release - equip under \$1000	
rund Designation.	Original Budget:	\$12,340.00
	Current Budget:	\$12,340.00
	Expenditures to date:	\$18.00
	Balance before transfer:	\$12,322.00
	Balance after Transfer:	\$6,822.00
Transfer To Line Item No. :	10-4230-740	
Fund Designation:	Equipment	
Tuliu Designation.	Original Budget:	\$32,715.00
	Current Budget:	\$32,715.00
	Expenditures to date:	\$18,584.00
	Balance before transfer:	\$14,131.00
•	Balance after Transfer:	\$19,631.00
Recommendation: Comments:	[ X ] Approval [ ] Disapproval	Department Head
Date:	12/05/2001	Cache County Auditor
Recommendation: Comments:	[ ] Approval [ ] Disapproval	
Date:	12/6/2001	Cache County Executive
Consented by the C	eache County Council meeting in regular se	ession on the <u>11th</u> day of
Lecenine	21	Cache County Clerk

DEPARTMENT:	Class B Road	
DATE:	05-Dec-01	
Amount to be transfe	erred (rounded to the nearest dollar)	\$13,000.00
Transfer From Line Item No. :	20-4415-310	
Fund Designation:	Prof & Tech	
Ü	Original Budget:	\$40,000.00
	Current Budget:	\$40,000.00
	Expenditures to date:	\$920.00
	Balance before transfer:	\$39,080.00
	Balance after Transfer:	\$26,080.00
Transfer To		
Line Item No.:	20-4415-420	
Fund Designation:	New Road Construction	
	Original Budget:	\$250,000.00
	Current Budget:	\$250,000.00
	Expenditures to date:	\$262,872.39
	Balance before transfer:	(\$12,872.39)
	Balance after Transfer:	\$127.61
Техринская вехеспиртим	and purpose of transfer  *********************************	construction in Providence per Lynn Lemon
Recommendation: Comments:	[ X ] Approval [ ] Disapproval	E Hordon Kerby  Department Head
Date:	10/22/2001	Jamya, Atomes 1
		Cache County Auditor
Recommendation: Comments:	[ ] Approval [ ] Disapproval	
Date:		Cache County Executive
Consented by the C	ache County Council meeting in regular : $ u$ , 2001.	session on the 11+h day of
		Carle County Clerk Jollinger

# **MEMORANDUM**

Cache County Council

FROM: Tamra Stones, Cache County Auditor DATE: November 30, 2001 SUBJECT: Tax Exemption Application - 2001 Affidavit: Neighborhood Nonprofit Housing Corporation - 02-091-0045 - 95 W Golf Course Road, Logan, UT. The sole purpose of the subject property is to create affordable housing, to enhance communities and to provide households with the skills to become self sufficient. (Contact Person: Lonna Harper, Office Manager 435-753-1112) The application has been reviewed. This organization serves charitable purposes of providing affordable housing for lower incomes and persons with disabilities. There are 7 homes in different stages of construction on 1/4 acre each. No home is yet finished. These are self help, or sweat equity built homes. Each family builds in conjunction with the others to complete each phone of homes. All real and personal property is used for the operation of the program. IRS letter indicates 501 (c) (3) status. FINDINGS OF FACT - UCA 59-2-1101 The board finds the Neighborhood Nonprofit Housing Corporation serves charitable purposes and grants tax exemption status for the tax year 2001 on the real and personal property submitted with the application. **DETERMINATION** APPROVED **TABLED** INTENT TO DENY

F:\AUDITORS\WPDOCS\WPCORR\WPCBOARD\EXEMPT\CHARXMEM.WPD

Attested:

TO:

# **MEMORANDUM**

Cache County Council

TO:

 $F: \verb|VAUDITORS| \verb|WPDOCS| \verb|WPCORR| \verb|WPCBOARD| \verb|EXEMPT| \verb|CHARXMEM. \verb|WPD| \\$ 

FROM:	Tamra Stones, Cache	County Auditor	
DATE:	December 7, 2001		
SUBJECT:	Tax Exemption Appl	ication - 2001	
Affidavit:	property only -1120 l Corporation to provide	N. 750 West, Orem, UT. de support to 50 plus me	orth Eastern Services) -personal The sole purpose of the ntally retarded and physically erson: Wayne Crabb, President
the mentally handicapp	oed and physically disa	anization serves charitab abled adults in Cache Condicates 501 (c) (3) status	le purposes of providing services to unty. All personal property is used s.
FINDINGS OF FACT	Γ - UCA 59-2-1101		
the tax year 2001 on th 1998 Mazda 6 1998 Subaru U 1996 Ford Wir		Ibmitted with the applicate 2C1W5700079 S53W7603306 145TBA85042	and grants tax exemption status for tion. 4 vehicles:
X_approved		TABLED	INTENT TO DENY
Mary Cache County Counci	l <i>WoM</i> I Chairman		
12/11/01 Date		-	
Attested:			
James Stones BOE		_	
Lamra Stones Hiller	IPTK		

# CACHE COUNTY CAPITAL IMPROVEMENT PLAN 2002 Update

Pescription of Improvements	Cost	Source of Funds
<u>, ear 2002</u>		
Airport-Runway Improvement Projects	4,232,902	FAA/State/Authority
Airport-Revolving Capital Improvements/Infrastructure	30,000	Airport Authority
Airport-Inprovements-Underground Irrigation Lines	1,500	Airport Authority
, ,	200,000	Airport Authority Airport Authority/State
Airport-New Road in Hanger area		Airport Authority
Airport-Improvements	38,673	•
Animal Control-Equipment	300	County
Assessor-Equipment	5,000	County
Attorney-Equipment	2,000	County
Auditor-Equipment	2,000	County
Bridgerland Community Ice Arena-Add. Const. per Donations	1,075,000	BCIA/Donations
Buildings & Grounds-Wilkinson Building Purchase & Demo.	379,000	County/CCMBA
Buildings & Grounds-New Administration Building	3,956,500	County/CCMBA
Buildings & Grounds-Improvements & Equipment	4,500	County
Children's Justice Center-Equipment	2,031	State AG Grant
Clerk-Furniture & Equipment	1,200	County
Data Processing-Computer Equipment	16,000	County
Elections-Equipment	1,000	County
Emergency Management-Equipment	2,000	County
Extension-Equipment	1,500	County
Fire-Equipment	17,500	County
Fire-Other Improvements-Tools	8,200	County
Jail Complex and Sheriff's Offices	8,800,000	County
Jail-Improvements & Equipment	30,800	County
-Work Release Equipment	10,600	Work Release Revenue
ary-Equipment	2,000	County/Providence/R.H.
reighborhood Nonprofit Housing-Affordable Housing PUD	200,000	CDBG/SHOP
Parks & Park Maintenance-Land Purchase	5,000	BOR Funds
Recorder-Equipment	1,320	County
Road-Equipment	195,000	Class B
Road-500E, 3000S-3800S-Purchase Right-of-Way	24,000	Property Owners/County
Road-500E, 3000S-3800S-Widen, Double Chip Seal	40,000	Millville City/County/Class B
Road-3600W, 600S-1100S-Double Chip Seal	24,000	County/Class B/Spec. Road
Road-1100S, 3200W-3600W-Double Chip Seal	24,000	County/Class B/Spec. Road
Road-1200W, 3700S-4300S-Base & Pavement	150,000	County/Class B
Road-1000E, Mt. Rd200N ProvReconstruction	788,750	County/L.C./R.H./P.C./CMPO
Road-2600S, 800W-1700W-Double Chip Seal	50,000	County/Class B
Road-Ant Flat Road-Base Out	50,000	County/Class B
Road-4800W, 3400S-3700S-Double Chip Seal	15,000	County/Class B
Road-5900W, 2600S-2700S-Double Chip Seal	6,000	County/Class B
Road-8000W, 10300N-10800N-Double Chip Seal	25,000	County/Class B
Road-8600W, 11000N-11100N-Double Chip Seal	3,000	County/Class B
Senior Citizens Center-Improvements	5,525	Council on Aging Funds
Sheriff-Automobiles & Equipment	20,000	County
Sheriff-Support Services-Equipment	35,900	County
Sheriff-Liquor Law Enforcement-Automobile	20,000	LLE Funds
Sheriff-Municipal Services-Automobile & Equipment	20,000	Municipal Services
Travel Council-Equipment	3,000	TRT
Victim Services-Equipment	2,500	VOCA Grant
asurer-Equipment	1,000	County
Voor 2002		
Year 2003	70.000	EAA/Ctoto/Authority
Airport-Remark Runway 17/35	70,000	FAA/State/Authority
Airport-Overlay 17/35	1,100,000	FAA/State/Authority
Airport-Taxiway B Rehabilitation Animal Control-Equipment	420,000	FAA/State/Authority
Animai Control-Equipment	1,000	County



Assessor-Automobiles, Furniture & Equipment Attorney-Equipment Auditor-Equipment Puildings & Grounds-Demolition of Hall of Justice Idings & Grounds-Parking renovation and landscape Lentral Mail & Copy-Equipment Children's Justice Center-Equipment Clerk-Equipment Countywide Planner-Equipment Data Processing-Computer Equipment Elections-Equipment Executive-Equipment Fire-Equipment Jail-Improvements & Equipment Jail-Improvements & Equipment Library-Equipment Parks & Park Maintenance-Land Purchase Recorder-Furniture & Equipment Road-Ant Flat Road-Base Out Senior Citizens Center-Automobiles & Equipment Sheriff-Automobiles & Equipment Sheriff-Municipal Services-Automobile & Equipment Surveyor-Furniture & Equipment Treasurer-Furniture & Equipment Weed-Equipment	118,000 5,400 22,000 158,000 512,093 17,500 1,200 12,800 1,800 19,500 2,500 2,800 26,000 21,000 5,000 2,500 5,000 34,800 350,000 63,000 26,000 140,000 28,000 19,800 21,200 5,000 1,500	County County County/CCMBA County/CCMBA County/CCMBA County State AG Grant County CWPD Funds County County County County County County County County Work Release Revenue County BOR Funds County County/Class B County/Class B Council on Aging Funds County Municipal Services County County County County
Year 2004	415,000 1,800 56,000 23,800 14,000 2,000,000 220,000 12,000 8,400 1,800 600 8,000 34,000 4,000 11,000 40,000 5,000 14,500 6,000 105,000 105,000 10,500 140,000 5,000 7,000 1,800 5,000	FAA/State/Authority County County County County County Contributions/County County County County County State AG Grant CWPD Funds County Class B Council on Aging Funds County Municipal Services County County County County

Airport-Extend Taxiway Lane	56,000	FAA/State/Authority
Airport-Security Fencing	84,000	FAA/State/Authority
	•	<del>-</del>
Airport-Perimeter Fencing	187,000	FAA/State/Authority
∠^:rport-Overlay Taxiway A	78,000	FAA/State/Authority
bort-Helipads	35,000	FAA/State/Authority
•	500	County
Animal Control-Equipment		<u> </u>
Assessor-Equipment	12,600	County
Attorney-Equipment	6,200	County
Auditor-Equipment	10,000	County
		•
Buildings & Grounds-Improvements & Equipment	27,000	County
Central Mail & Copy-Equipment	10,500	County
Clerk-Equipment	7,400	County
·		State AG Grant
Children's Justice Center-Equipment	2,400	
Council-Equipment	17,500	County
Countywide Planner-Equipment	2,400	CWPD Funds
Data Processing-Computer Equipment	15,500	County
		<del>-</del>
Elections-Equipment	1,500	County
Executive-Equipment	6,000	County
Extension-Equipment	4,000	County
	· · · · · · · · · · · · · · · · · · ·	<u> </u>
Fire-Equipment	150,000	County
Library-Equipment	8,500	County
Recorder-Equipment	22,500	County
· ·	110,000	Class B
Road-Equipment	· · · · · · · · · · · · · · · · · · ·	
Road-Bridge-2900S, 200E Replacement	248,000	Federal/Class B
Road-Improvements	150,000	County/Class B
Senior Citizens Center-Automobiles & Equipment	34,000	Council on Aging Funds
· ·	· ·	
Sheriff-Automobiles & Equipment	20,000	County
Sheriff-Support Services-Automobiles & Equipment	35,900	County
Sheriff-Liquor Law Enforcement-Automobile	20,000	LLE Funds
	10,000	County
riff-Emergency Management-Computer Equipment		•
riff-Municipal Services-Automobile & Equipment	60,000	Municipal Services
Surveyor-Equipment	2,100	County
Treasurer-Equipment	5,500	County
	· ·	<u> </u>
Weed-Equipment	8,000	County
Zoning-Equipment	1,000	Municipal Services
<u>Year 2006</u>		
Airport-Improvements	61,000	FAA/State/Authority
Animal Control-Equipment	1,000	County
	-	
Assessor-Equipment	6,700	County
Attorney-Equipment	8,100	County
Auditor-Equipment	16,500	County
Buildings & Grounds-Improvements & Equipment	19,000	County
- , , , , , , , , , , , , , , , , , , ,		County
Central Mail & Copy-Equipment	8,400	County
Children's Justice Center-Equipment	800	State AG Grant
Clerk-Equipment	1,500	County
• •		•
Council-Equipment	2,500	County
Countywide Planner-Equipment	6,000	CWPD Funds
Data Processing-Computer Equipment	18,500	County
Emergency Management-Equipment	2,500	County
		•
Executive-Equipment	4,200	County
Extension-Equipment	1,800	County
Fire-Equipment	76,000	County
	2,500	County
Library-Equipment		
corder-Equipment	13,200	County
ad-Equipment	212,000	Class B
Road-Improvements	150,000	County/Class B
		· ·
Road-600N, 7200W-7800W-Double Chip Seal	30,000	County/Class B
Senior Citizens Center-Equipment	8,600	Council on Aging Funds
Sheriff-Automobiles & Equipment	140,000	County
Sheriff-Civil-Automobiles & Equipment	48,000	County
Shorm with Automobiles a manipulous	.0,550	

Sheriff-Liquor Law Enforcement-Automo	bile & Equipment	20,000	LLE Funds
Sheriff-Municipal Services-Automobile &		48,000	Municipal Services
Surveyor-Equipment		7,620	County
Treasurer-Equipment		4,400	County
ed-Equipment		6,000	County
_uning-Equipment		2,200	Municipal Services
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ATTEST:	HILL TE OF UNITED	5	

#### RESOLUTION NO. 2001- 42

A resolution approving the form of the Equipment Lease Agreement with Zions First National Bank, Salt Lake City, Utah. Finding that it is in the best interests of Cache County, Utah to enter into said Agreement, and authorizing the execution and delivery therof.

Whereas, the County Council has determind that a true and very real need exists for the leasing of the equipment described in the Equipment Lease Agreement presented in this meeting; and

Whereas, the County Council has reviewed the form of the Equipment Lease Agreement and has found the terms and conditions thereof acceptable to Cache County, Utah: and

Whereas, the County Council has taken the necessary steps including any legal bidding requirements, under applicable law to arrange for the leasing of such equipment under the Equipment Lease Agreement.

Be it resolved by the County Council of Cache County, Utah as follows:

Section 1. The terms of said Equipment Lease Agreement are in the best interests of Cache County, Utah for the leasing of the equipment described therein.

Section 2. The County Executive and County Clerk are hereby authorized to execute and deliver the Equipment Lease Agreement and any related documents necessary to the consummation of the transactions contemplated by the Equipment Lease Agreement for and on behalf of Cache County, Utah.

Section 3. The officers of the County Council and the Cache County Executive are hereby authorized and directed to fulfill all obligations under the terms of the Equipment Lease Agreement.

Adopted and approved this 11th day of December, 2001.

Cache County Council

Darrel L. Gibbons, Chairman

Attest:

Jill N. Zollinger Cache County Clerk



### CACHE COUNTY RESOLUTION NO. 2001-43

A RESOLUTION APPROVING PARTICIPATION BY THE CACHE COUNTY SHERIFF'S OFFICE REGARDING OLYMPIC LAW ENFORCEMENT AND PUBLIC SAFETY SERVICES DURING THE 2002 WINTER OLYMPIC GAMES IN AND AROUND SALT LAKE CITY, UTAH.

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 enter into a Memorandum of Agreement Regarding Olympic Law Enforcement and Public Safety Services for the 2002 Winter Olympic Games in and around Salt Lake City, Utah and allow the Cache County Sheriff's Office to participate.

NOW, THEREFORE BE IT RESOLVED that the Cache County Executive is hereby authorized to execute the Memorandum of Agreement Regarding Olympic Law Enforcement and Public Safety Services for the 2002 Winter Olympic Games.

This Resolution shall take effect immediately upon adoption.

DATED this 11th day of December, 2001.

CACHE COUNTY COUNCIL

Dakrel L. Gibbons, Chairman

ATTEST:

J(l) N. Zollinger

Cache County Clerk

# MEMORANDUM OF AGREEMENT REGARDING OLYMPIC LAW ENFORCEMENT AND PUBLIC SAFETY SERVICES

(Non-Venue Communities)

This Memorandum of Agreement ("MOA") is entered into as of the a day	y of
, 2001 by and between the Utah Olympic Public Safety Command ("UOPSC"),	, and
a political subdivision of the State of Utah ("Community"), in accorda	
with the Public Safety Plan.	

#### **Background**

- A. UOPSC was formed pursuant to Utah Code Annotated § 53-12-201 et seq. to provide coordination of personnel and resources of state and local law enforcement and public safety agencies during the 2002 Winter Olympic Games in and around Salt Lake City, Utah.
- **B.** UOPSC will require the involvement and assistance of sworn law enforcement officers and public safety workers from departments throughout the state to adequately provide Olympic-related law enforcement and public safety services.
- C. Community is willing to participate in the provision of personnel for Olympic law enforcement and public safety services.
- **D.** Community will incur certain costs in providing personnel to UOPSC for Olympic law enforcement and public safety purposes.
- E. The parties to this MOA wish to confirm their agreements in principle regarding planning and payment for Olympic law enforcement and public safety services.

#### Agreement

The parties hereby agree as follows:

- 1. **Definitions.** For the purposes of this Agreement.
- a. "Backfill" means overtime law enforcement and public safety services worked in the Community's Public Safety Officers that are not provided to UOPSC to fill in for Community's Public Safety Officers that are provided to UOPSC pursuant to this MOA.
- **b.** "Base Costs" means the salaries (not including overtime) and benefits of personnel providing Olympic security services, together with their existing equipment and related overhead.
- c. "Games" means the XIX Olympic Winter Games, to be held in and around Salt Lake City, Utah in February 2002.

- d. "Public Safety Officer" means a Public Safety Officer as defined in U.C.A. § 34A-10-102, and specifically includes law enforcement officers, correctional officers, paramedics, EMT's, firefighters, and support personnel.
- e. "Public Safety Plan" means the written plan for public safety services related to the Olympic Winter Games of 2002 that has been developed by UOPSC in accordance with Utah Code § 53-12-202, as amended from time to time.

## 2. Community Responsibility. Community shall:

- a. provide the Public Safety Officers listed in Attachment I to UOPSC for assignment and use during the Games. Said personnel will be available for duty assignments by UOPSC starting after January 27, 2002 but no later than February 5, 2002. Availability of said personnel will end February 26, 2002.
- b. supply each such Public Safety Officer with his/her equipment, vehicle, fuel for the vehicle, and any other normally provided essentials for performance of law enforcement and/or public safety services, continue to provide customary and adequate property insurance coverage for such equipment and vehicle, and waive all claims and subrogation actions against the state of Utah for damage that is covered by such insurance;
- c. pay the Base Costs and overtime of such Public Safety Officers and invoice UOPSC for reimbursement of overtime costs as hereinafter provided;
- d. continue to provide Workers Compensation Coverage for Public Safety Officers provided to UOPSC pursuant to this MOA during the period of service under this MOA, define the scope of employment of such officers to include services under this MOA, verify that the Workers Compensation Coverage provided includes coverage for such officers while providing services under this MOA as provided in Utah Code § 34A-10-201 and provide UOPSC with a certificate of insurance verifying such coverage. Community waives all claims and subrogation actions against the state arising from such coverage;
- e. track and document all Backfill time required to cover for the Public Safety Officers that are assigned to UOPSC. Attachment II contains a summary of Community's current Backfill plan and best good-faith estimate of the Backfill that will be required to cover for officers that are provided to UOPSC pursuant to this MOA; and
- f. submit documentation to UOPSC with any invoice for reimbursement. Invoices and supporting documentation shall comply with the provisions of Attachment III, Overtime Reimbursement Policy and Procedures which is by this reference made a part of this MOA. Invoices must be submitted by April 30, 2002 or the right to reimbursement is forfeited.

## 3. UOPSC Responsibilities. UOPSC shall:

a. reimburse Community for the overtime salary and benefit costs of the Public Safety Officers assigned to UOPSC and for the overtime salary and benefit costs of providing Backfill to cover for

the Public Safety Officers that are assigned to UOPSC, provided that there will be reimbursement for Backfill for support personnel, only to the extent funds are available after paying the other costs under this MOA, and that reimbursement for all other Public Safety Officers shall be limited (i) to the amounts actually paid out by Community in accordance with its regular policy regarding payment of overtime compensation, (ii) to salary and benefit costs based on no more than an hourly rate of 150% of the base hourly salary of the officer; and (iii) to no more than 120 hours of Backfill overtime during the 3 week Olympic period to cover for each peace officer provided to UOPSC for the 3 week period pursuant to this MOA;

- **b.** provide, from the following list, winter weather uniform clothing appropriate to the duty assignment for each officer. Each officer (not including support personnel) will receive at least a coat and, if required by the duty assignment, will also receive winter pants, a fleece under coat, and/or a hat. Each officer will be allowed to keep that equipment if the duty assignment is satisfactorily completed;
- c. provide at least one meal per day at the duty assignment for each officer while on post (additional meals may be provided to Public Safety Officers that work more than eleven hours in a 24-hour period);
- d. provide supplemental training and any special equipment needed for assignments and provide transportation from any transportation hubs that are required by the assignments;
- e. assign each officer to work under the direction of a venue commander or other supervisor, provided that UOPSC shall have the right to supervise such officers as set forth in U.C.A. § 53-12-301 or in the Public Safety Plan as such plan is from time to time amended by a quorum of the UOPSC;
- f. cooperate in providing documentation of services provided under this MOA for officers that apply for POST certification or other training credits based on services rendered pursuant to this MOA;
- g. provide housing accommodations for officers that live more than fifty miles from their duty assignment unless Community elects to not have its officers utilize such accommodations. Such housing will be provided at university housing, in mobile home units, at an RV Park, or in military housing (excluding barrack-type) beginning on February 5, 2002 and ending on the last day of the officer provides services pursuant to this MOA but in no case later than February 25, 2002. Officers are free to provide their own alternate lodging arrangements but will not be reimbursed for such lodging. Two additional meals per day will be provided to each officer at the accommodation site. Officers that qualify for accommodations are designated in Attachment I;
- h. provide Community a weekly roster report of hours worked by officers provided to UOPSC; and
- i. provide liability coverage to each officer provided to UOPSC pursuant to the terms, conditions, and standards that apply to paid state employees.

- 4. Additional Services. If, in response to a request from the UOPSC Commander, Community provides any additional officers to UOPSC for assignment and use during the Games, the provisions of this Agreement apply the same as if such officer(s) were originally assigned to UOPSC pursuant to this MOA, except that the winter clothing package is subject to availability of stock on hand and that if the winter clothing package is given to an officer who has a duty assignment at a venue for a term less than the period specified in Paragraph 2a above the package must be returned to UOPSC for possible use by others.
- Qualification and Responsibility of Public Safety Officers. Each peace officer provided by 5. Community to UOPSC shall be POST certified as either a "law enforcement officer" as defined in UCA § 53-13-103 or as a "correctional officer" as defined in UCA § 53-13-104. Correctional officers that are weapon certified shall be so designated in Attachment I. Each paramedic and EMT provided to UOPSC shall be certified pursuant to the Emergency Medical Services Certification standards in Utah Administrative Code R426-12. Each firefighter provided to UOPSC shall be certified in accordance with the Firefighter Certification Standards adopted by the Utah Fire and Rescue Academy. Community shall assign the Public Safety Officers provided to UOPSC (i) to work under the supervision of the supervisor or venue commander to whom they are assigned, subject to UOPSC's right to supervise, (ii) to accept changes of assignment by the supervisor or venue commander within the venue assignment or by UOPSC, (iii) to work an average of 40 hours/week as part of the Base Costs during the period listed in paragraph 2a above plus up to the maximum hours of overtime allowed by law as assigned by the venue commander or UOPSC, (peace officers will likely work six ten-hour shifts/week with one day off), and (iv) to not take any annual leave or comp time during the time listed in paragraph 2a above.
- 6. Indemnification; Hold Harmless. UOPSC hereby agrees to indemnify, defend, and hold harmless Community and its officers, agents, officials and employees from any action, causes of action, claims for relief, demands, damages, expenses, costs, fees or compensation, whether or not said action, causes of action, claims for relief, demands, damages, expenses, costs, fees and/or compensation, are known or unknown, are in law or equity, or that may arise out of the acts or omissions, negligent or otherwise, of UOPSC or its officers, officials, agents or employees or that may arise out of the acts or omissions of the law enforcement personnel provided to UOPSC by Community during the performance of the provisions of this MOA. The indemnity for officers provided to UOPSC is provided pursuant to the terms, conditions, and standards that apply to paid state employees.
- 7. No Waiver of Immunity; Insurance. Nothing herein contained shall be deemed a waiver by any party of any immunity provided by law to such party or an extension of any limits of liability applicable to such party, nor shall this MOA be construed as an agreement to indemnify, hold harmless, or in any way to assume liability for personal injury, death or property damage caused by the negligence of any other party except as otherwise specifically stated herein. Each party agrees to make provision for insurance coverage, through independent contract or self-insurance, to meet such liability as may be imposed upon it through statutory waiver of immunity or as otherwise provided by law. Each officer, and UOPSC and Community as governmental employers, are entitled to the protections, benefits, conditions and requirements as set forth in the Utah Governmental Immunity Act Title 63 Chapter 30.

#### 8. Administration.

- a. This MOA shall be authorized by resolution of the governing body of each party.
- **b.** No separate legal entity is created by the terms of this MOA.
- 9. Operation of Vehicles and Equipment. Vehicles and equipment furnished by either UOPSC or Community under this MOA shall be operated by the respective party only. It is understood that under no circumstances will privately owned vehicles and/or equipment be utilized under this MOA unless commandeered and/or authorized by the Commissioner of Public Safety.
- 10. No Third Party Beneficiaries. This MOA shall not be construed as or deemed to be an agreement for the benefit of any third party or parties, and no third party or parties shall have any right of action hereunder for any cause whatsoever.
- 11. Entire Agreement. This MOA including the Attachments, which are all incorporated herein, contains the entire agreement between the parties and shall not be modified, changed or discharged in any manner except by an instrument in writing executed by the parties. If any term or provision of the MOA or the application thereof to any person or circumstance shall, to any extent, be invalid or unenforceable, the remainder of this MOA, or the application of such term or provision to persons or circumstances other than those as to which it is held invalid or unenforceable, shall not be affected thereby and each term and provision of this MOA shall be valid and enforced to the fullest extent permitted by law.
- 12. Notices. All notices, demands, requests and other writings required or permitted to be given hereunder shall be deemed duly given if hand delivered or delivered by overnight delivery service, if sent by facsimile transmission, or if mailed by registered or certified mail, postage prepaid, and if addressed to the following:

Notices to UOPSC

Robert Flowers
Commissioner of Public Safety
Utah Department of Public Safety
Calvin L. Rampton Complex
P.O. Box 141775
4501 South 2700 West
Salt Lake City, Utah 84114-1775
Fax #:

Notices	to Community	·
	·	<del></del>
	Fax #:	·
by the other p waive any futu in any one ins MOA, or to ex	arty shall be limited to the are breach or breaches of stance, or more, upon the exercise any right or privi	by hereto of any breach, condition or provision of this MOA ne particular instance, and shall not operate or be deemed to said condition or provision. The failure of any party to insist performance of any of the conditions or provisions of this lege herein conferred, shall not be construed as waiving any ilege, but the same shall continue and remain in full force and
	d to limit or affect in any	this MOA are inserted for reference purposes only and shall y way the meaning or interpretation of any of the terms of
	A. Attachment I and II a may be released only with	re hereby designated as "protected records" under U.C.A. § th approval of UOPSC.
		ties have caused this Agreement to be executed by their also and year first above written.
		By: Chairman or Mayor
ATTEST:		Oldination may or
County Clerk	or City Recorder	······································
APPROVED	AS TO FORM:	

# UTAH OLYMPIC PUBLIC SAFETY COMMAND

	By:	
	Commissioner of Public Safety	
greed by the Governor		
Itah in accordance with		

Approved and agreed by the Governor of the State of Utah in accordance with Utah Code Section 63A-10-105

Lane M. Beattie State Olympic Officer

# REIMBURSEMENT OVERTIME POLICY & PROCEDURES

**PURPOSE**: To establish the policy and procedures governing the reimbursement of overtime costs as a result of participating in training or work relating to the XIX Olympic or VIII Paralympic Games.

**POLICY:** As defined in the Memorandum of Understanding (MOU) between UOPSC and SLOC each venue community and non-venue community shall contribute the BASE COSTS of their respective personnel participating in the Public Safety Plan. Federal or escrow funds will be used to reimburse any personnel costs beyond the BASE COSTS that are incurred by the venue and non-venue communities as a result of participating in the Public Safety Plan according to each participating agency overtime policies on file with the UOPSC.

BASE COSTS are the salaries (not including overtime) and benefits of personnel providing public safety services, together with their existing equipment and related overhead.

PUBLIC SAFETY PLAN is the written plan for Public Safety Services directly related to the Games and the Paralympics in accordance with UCA 53-12-202.

- Federal funds are specifically earmarked to reimburse for overtime costs resulting from employees attending Olympic training exercises sponsored by the Utah Olympic Public Safety Command (USOPSC).
- Only employees selected by the sponsoring agencies to work during the 2002 Winter Games will be invited to the UOPSC exercises and therefore will be eligible for overtime training reimbursement.
- As with all federal grant funds, UOPSC is required to reimburse for authorized overtime based on the employing agencies' current overtime policy.
- Since federal funds are limited it is requested sponsoring agencies send their employees to the Olympic exercises as a part of their workweek whenever possible.

#### **DOCUMENTATION:**

Federal rules and regulations require UOPSC to thoroughly document the overtime reimbursed as a result of participating in training exercises and public safety assignments for the Games and Paralympics. The documentation required is as follows per federal and state regulations:

- Employee's signature on the training log or scheduling roster at time of signing into the assignment and out of the assignment. This document will demonstrate that the employee did receive training or performed services.
- Completion of an overtime form (supplied by UOPSC) signed by the employee's agency supervisor showing the employee was assigned to UOPSC for training or work assignment.

- A copy of the employee's agency timesheet for the respective pay period signed by the agency supervisor to demonstrate overtime was incurred and eligible for reimbursement.
- A copy of the agencies payroll register to verify that overtime and related overtime costs were paid to the participating employee according to agency overtime policies.
- Itemized agency invoice summarizing the hours and cost by individual.

#### **DISTRIBUTION:**

The reimbursement documentation should be submitted to the UOPSC within 30 days of payment of overtime to the employee to facilitate an expedited reimbursement. The documentation must be submitted to:

UOPSC Accounting/Finance 150 East Social Hall Plaza – Suite 500 Salt Lake City, UT 84111 UOPSC phone number is (801) 257-2700

ALL REQUESTS FOR REIMBURSEMENT MUST BE RECEIVED BY THE END OF EACH QUARTER FOR REIMBURSEMENT DURING THE PROCEEDING MONTH. Otherwise the payment will be processed for the next quarterly billing reimbursement with the federal government.

Quarterly deadlines are as follows:

January – March overtime April – June overtime July – September overtime October – December overtime Submission deadline is April 20 Submission deadline is July 20 Submission deadline is October 20 Submission deadline is January 20