

CACHE COUNTY COUNCIL MEETING
July 23, 2002

The Cache County Council convened in a regular session on 23 July 2002 in the Cache County Council Chamber at 120 North 100 West, Logan, Utah.

ATTENDANCE:

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

The following individuals were also in attendance: Crystal Burtis, George Daines, Newell Daines, Jack Draxler, Kristin Elwood, Lorene Greenhalgh, Lyndie Heaps, Lanny Herron, Kayla Kennington, Don Linton, Lisa Nelson, Lee Nelson, David Nielsen, Darius Page, Dixie Page, Erin Page, Evelyn Palmer, Pat Parker, Lamont Poulsen, Jim Smith, Auditor Tamra Stones, Scott Wilkinson, Jennie Christensen (KVNU), Leon D'Souza (Herald Journal).

CALL TO ORDER:

Chairman Anhder called the meeting to order at 5:00 p.m.

INVOCATION:

The invocation was given by Pastor Eldon Peterson, Cache Valley Bible Fellowship (Evangelical Free Church of America)

REVIEW AND APPROVAL OF AGENDA:

There was one addition to the minutes: Lee Nelson and Jack Draxler would be given time to address the Council under the County Executive Report.

REVIEW AND APPROVAL OF MINUTES:

Minutes of County Council meeting of May 28, 2002, were discussed, corrected and approved.

Council member Hansen moved to accept the minutes as amended. Yeates seconded the motion and the vote was unanimous, 6-0. (Gibbons absent.)

REPORT OF COUNTY EXECUTIVE: County Executive Lemon reported on the following items:

Appointment: There were no appointments.

Warrants: The Warrants for the periods of 07-05-2002 to 07-11-2002 and 07-12-2002 to 07-18-2002 were given to the Clerk for filing.

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CDBG Public Hearing Set: The Council set a public hearing for August 13, 2002 at 5:10 p.m. to hear comments for the Community Development Block Grant (CDBG) program year 2003-2004.

Council member Yeates moved to set the CDBG Public Hearing. The motion was properly seconded. The vote was unanimous, 6-0. (Gibbons absent.)

Other Items:

1. The Bonneville Shoreline Trail Master Plan. The Bear River Association of Governments has been working on a master plan for the Bonneville Shoreline Trail. That plan is now finished and available for review.
2. Census Data. Additional 2000 Census information is available. This information includes County information along with the unincorporated area of the County. Avon, Cove, Benson and College-Young Ward.
3. Lee Nelson, Chairman County Planning Commission.

Lee Nelson: Having learned that a new Land Use Ordinance for the County was to be re-written, it was the desire of the Planning and Zoning Commission along with the Ag. Protection Committee to be involved with the rewriting of that Ordinance.

Chairman Anhder noted that the Council was in the process of rewriting the County's Land Use Ordinance; however, the only part that was being re-written was Chapters 6 & 7 because some of the Council members wanted changes made to those chapters. The Council had asked Mark Teuscher to look at those changes. Mr. Nelson speaking for the Commission felt that since the Planning and Zoning Commission would be implementing the Ordinance, they would like to help in re-writing it.

Chairman Anhder noted that some of the items they (Council members) were concerned about had already been turned down by the Commission and wondered when the changes were made if it would be possible to look at the Ordinance again for approval. It was the opinion of Mr. Nelson that their goal was to obtain a working relationship and be able to find a medium on points by enlisting the help of the Ag. Protection Committee and acknowledging their suggestions and the recommendations of the Council. It was the opinion of the Chairman Anhder that this would be very helpful.

The basic items to be changed were 1) the clustering and the density-based idea in the Ag. Zone and 2) the need to do something with the current FR-40 Zone. Mr. Nelson requested having the items of concern written in a memo so it could be handed out for review. Then those concerns could be addressed in order to come to a mutual agreement of the Ordinance. Council member Hansen also felt that the Ag. Advisory Board would welcome the opportunity to interface with the Planning Commission and there could be some significant contributions made.

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INTRODUCTION OF THE CACHE COUNTY RODEO ROYALTY OF 2002:

The 2002 Cache County Rodeo Royalty were introduced to the Council: Queen - Kayla Kennington, 1st Attendant - Erin Page, 2nd Attendant - Lisa Nelson, Junior Queen - Kristin Elwood, Junior Princess - Lyndie Heaps, Princess - Crystal Burtis.

Rodeo Chairman, Lamont Poulsen stated that he was very proud of these girls and recognized Scott Wilkinson as a Co-Chairman and Trish Gibbs who managed the Queen Contest. There were 20 girls who competed this year and they were all local girls. Mr. Poulsen gave his appreciation to the Council for their support. Executive Lemon thanked Mr. Poulsen and Mr. Wilkinson for taking over in mid-term and felt the Rodeo was going to be excellent.

INTER DEPARTMENT BUDGET TRANSFER REQUEST: SUNDRY EXPENDITURE

A request was made to transfer \$2,050.00 from Sundry to meet the FICA and retirement requirement obligations.

(Attachment No. 1)

Council member Yeates moved to approve the budget transfer. Robison seconded the motion. The vote was unanimous, 6-0. (Gibbons absent)

PUBLIC HEARING SET: OPEN 2002 BUDGET

Vice Chairman Beck moved to set the Budget Opening public hearing for August 13, 2002, at 6:00 p.m. Yeates seconded the motion. The vote was 6-0. (Gibbons absent)

PUBLIC HEARING SET: DECLARING SURPLUS REAL PROPERTY KNOWN AS RETENTION POND AREA BETWEEN LOT 32 AND LOT 40 COUNTRY ROAD ESTATES II LOCATED IN NORTH LOGAN CITY, UTAH

Council member Yeates moved to set the Public Hearing declaring surplus real property between lots 32 and 40 for August 13, 2002, at 6:10 p.m. Hansen seconded the motion. The vote was unanimous, 6-0. (Gibbons absent.)

THE COUNCIL MOVED INTO BOARD OF EQUALIZATION

BOARD OF EQUALIZATION HEARING DATES 2002 SET:

Auditor Tamra Stones recommended August 21st through September 20th (Monday, Wednesday, and Friday) hearing dates in 2002. Ms. Stones stipulated that applications were to

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be received by the Auditor's Office no later than 5:00 p.m. on September 15, 2002 which is a weekend and therefore applications would be accepted the following Monday until 5:00 p.m.. Executive Lemon commented that the Assessor had suggested inviting members of the Legislature to come and be part of the Board of Equalization. Chairman Anhder agreed this would be a good idea and recommended also inviting the School District Board members.

THE COUNCIL ADJOURNED FROM THE BOARD OF EQUALIZATION

HISTORIC COURTHOUSE BUILDING UPDATE:

Lanny Herron reviewed construction plans for the Historic Courthouse.

Council member Petersen explained that Council approval on the floor plans was needed in order to move ahead with fund raising for the Historic Courthouse.

Chairman Anhder recommended that the Council be seated in a area by themselves apart from either the County Executive and the County Clerk because there is a division of the two separate forms of Government and also because it was the Council's meeting; and it was the Council who was to discuss and vote on the issues. His preference would be to have the Executive and Clerk off to the side.

George Daines felt that this was something that could be looked at.

Council member Petersen moved to approve the plans for the historic Courthouse. Yeates seconded the motion. The vote was unanimous, 6-0. (Gibbons absent.)

COUNTY JAIL UPDATE:

Deputy County Attorney, Don Linton updated the Council on the new site location of 200 North and 1200 West in Logan. A Logan City Zoning meeting on the 17th of July had already taken place with a very favorable response from Logan City. The Second meeting will take place on the 25th of July 2002. Continuing on this course, the conditional use permit and the re-zone would be accomplished by August 8th, 2002. The Army Corp. of Engineers were to come Thursday for property evaluation of wet lands. There would be 30 days for environmental assessment and the questions that would then come, which would put the time line at the beginning of September.

Precast cells costing \$1,000,000.00 had been ordered and expected to be on the site around October 13th. Precast cells worked out to be a lot less expensive. They are concrete and will come with windows in place.

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On August 8th there will be a hearing on the buildings design approval with Logan City. The County's portion of the Public Hearing will begin at 5:30 p.m.

There has been a lot of progress in the past couple of weeks. Construction should begin somewhere around the 1st of September and last about 14 months ending somewhere around October 31st or November 30th of 2003.

FINAL PLAT APPROVAL: ELMORO RANCHETTES MINOR SUBDIVISION

The Elmore Ranchettes Minor Subdivision is 55.18 acres of property in the Agricultural Zone located on 6600 South in Mt. Sterling.

(Attachment No. 2)

Lorene Greenhalgh : "There is one lot of 5.53 acres that has an existing home on it. There's a lot that has 15 acres that has a dairy. There are two lots that are 17.31 acres each and they are the new lots that are being created. The dairy is a part of an agricultural protection area and is so noted on the plat. The one new lot is going to be accessed by a 55ft -wide driveway. It is a flag lot. The Planning Commission recommended that you approve this. There is water rights available for each of the lot, a septic tank that is existing and functioning properly. It meets the County standards for a private road. The County would not be responsible for services on that private road. It does meet the requirements that the Ordinance has laid out."

Council member Petersen moved to waive the rules and approve the Elmore Ranchettes Minor Subdivision. Beck seconded the motion. The vote was 6-0. (Gibbons absent.)

ORDINANCE NO. 2002-11: APPROVING 2003 RESTAURANT TAX

(Attachment No. 3)

Council member Petersen moved to waive the rules and pass Ordinance 2002-11. Beck seconded the motion.

ORDINANCE NO. 2002-11 (Vote 6-0-1)

	ANHDER	BECK	GIBBONS	HANSEN	PETERSEN	ROBISON	YEATES	VOTES CAST
AYE	X	X		X	X	X	X	6
NAY								0
ABSTAINED								0
ABSENT			X					1

RESOLUTION NO. 2002-25: 2003 RESTAURANT TAX ALLOCATION FOR ECCLES THEATER

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(Attachment No. 4)

Resolution No. 2002-25 approves allocation of revenues from the Tourism, Recreation, Cultural and Convention Tax to Logan City for bond payment on the Ellen Eccles Theater and Bullen Center.

Council member Yeates moved to waive the rules and approve Resolution No. 2002-25. Robison seconded the motion. The Vote was 6-0. (Gibbons absent)

DISCUSSION: UDOT CANAL EASEMENT BETWEEN NIBLEY CITY AND HYRUM CITY

Executive Lemon stated that the State would like to try and bury this canal and get an easement in the County's right-of-way to deal with widening of the road to Hyrum. He didn't see any problem with this and felt it would be beneficial.

Council member Yeates moved to grant the easement. Robison seconded the motion. The vote was unanimous, 6-0. (Gibbons absent.)

COUNCIL MEMBER REPORTS:

Layne Beck: North Logan Pioneer Days Parade is tomorrow morning at 10:00 a.m. The lineup for the North Logan City Parade is at 9:30 a.m. on the corner of 16th East and 18th North.

Executive Lemon suggested that instead of giving free tickets this year to County Employees, because some employees have been left out in the past, to have the Employee buy one ticket and get one free making the purchase for all employees half price. The Council agreed.

ADJOURNMENT:

Council meeting was adjourned at 6:00 p.m.

ATTEST: Jill N. Zollinger
County Clerk

APPROVAL: C. Larry Anhder
Council Chairman