

**CACHE COUNTY COUNCIL MEETING
November 26, 2002**

The Cache County Council convened in a regular session on 26 November 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: Darrel Gibbons, John Hansen, H. Craig Petersen, Kathy Robison,
(Cory Yeates arrived at 6:55 p.m.)
County Executive: M. Lynn Lemon
County Clerk: Jill N. Zollinger

The following individuals were also in attendance: Russ Akina, Will Atkin, Jim Bailey, Mark Brenchley, Brian Chambers, Kim Cheshire, Paul Cook, George Daines, Jay Downs, Don Emerson, Darrell Glenn, James Godfrey, Lorene Greenhalgh, Pat Hansen, Rob Johnson, Robert McFadden, Lizette Miles, Sheriff Lynn Nelson, John Nelson, David Nielsen, Sue Olsen, Evelyn Palmer, Pat Parker, Kelly Pitcher, Brendan Pratt, Gary Stauffer, Auditor Tamra Stones, Jim Smith, Peggy Tueller, Glen Thornley, Jerry Thain, Travis Thayne, Mike Weibel, Attorney Scott Wyatt, Jennie Christensen (KVNU) and Joe Rowley (Herald Journal)

CALL TO ORDER:

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

INVOCATION:

The invocation was given by Pastor Don Emerson.

REVIEW AND APPROVAL OF AGENDA:

Council member Gibbons requested amending the agenda to include the "Charity Plan for Logan Regional Hospital" under the Board of Equalization matters. There were no objections.

REVIEW AND APPROVAL OF MINUTES:

The minutes of County Council Meeting for November 12, 2002 were reviewed, corrected and approved.

Council member Petersen moved to approve the minutes of November 12, 2002 as corrected. Hansen seconded the motion. The vote was unanimous, 6-0. (Yeates absent.)

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

Appointment : Kathleen Howell Grievance Committee (Alternate)
(An alternate Elected Official to serve until the year's end.)

Council member Hansen moved to approve the appointment. Beck seconded the motion.

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The vote was 6-0. (Yeates absent.)

Appointments:	Richard Boyce	County Road Special Service District Board
	Kenneth R. Cardon	County Road Special Service District Board
	Noble Erickson	County Road Special Service District Board
	Clark Israelsen	County Road Special Service District Board
	Larry J. Olsen	County Road Special Service District Board

Council member Gibbons moved to approve the recommended appointments. Hansen seconded the motion. The vote was 6-0. (Yeates absent.)

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

Other Items: TV Translator Survey Information. This survey showed that there were 275 respondents in Cache County and 124 respondents in Logan City. That gives a total of 399 people that answered that survey in Cache County on the TV Translator.

Mike Bragger will be at the next County Council meeting to comment on the TV translator.

BEAR RIVER MENTAL HEALTH AUDIT REPORT: ROB JOHNSON

Rob Johnson representing Bear River Mental Health, came before the council to report on their audited financial statements for the year ending June 30, 2002.

(See Attachment No. 1)

INTRA DEPARTMENTAL TRANSFERS:

Auditor Tamra Stones presented the following intra-departmental transfer of funds:

(See Attachment No. 2)

Liquor Law Enforcement - \$1,120.00 for radios costing less than \$1,000.00

MSF Patrol - \$1,120.00 to pay for radios costing less than \$1,000.00.

Patrol - \$1,120.00 to pay for radios costing less than \$1,000.00

Council member Gibbons moved to approve the budget transfers. Petersen seconded the motion. The vote was 6-0. (Yeates absent)

THE COUNCIL MOVED INTO BOARD OF EQUALIZATION

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CHARITY PLAN FOR LOGAN REGIONAL HOSPITAL: A certified letter was sent to the Cache County Board of Equalization from Mr. Richard C. Skeen, on behalf of IHC Hospitals, Inc. This letter was in regards to the 2002 Charity Plan of Logan Regional Hospital.

(See Attachment No. 3)

Council member Gibbons indicated that it was in accordance with the rules and standards established by the Utah State Tax Commission. Their total gifts to the community of 2002 was suggested to be \$6,473,141.00.

THE COUNCIL MOVED OUT OF BOARD OF EQUALIZATION

PUBLIC HEARING SET: OPEN 2002 BUDGET

Council member Robison moved to set the public hearing to open the 2002 Budget on December 10, 2002 at 5:30 p.m. Vice Chairman Beck seconded the motion. The vote was 6-0. (Yeates absent)

COUNTY ADMINISTRATION BUILDING AND JAIL UPDATE:

Executive Lemon explained that the architects were drawing up a plan for the two corners on the West side of the Courthouse block. A decision needed to be made in the near future on what was going to be done with the current Jail facility. The State Division of Facilities and Construction Management have said they are interested in looking for a place where they could develop a regional office area and they are looking at that corner as a possible site on which they could build their building. Private businesses also have expressed an interest in those sites.

The update on the Value Engineering Conference will be addressed on a future agenda.

RESOLUTION NO. 2002-32: POLICY ON CHANGING PRIVATE ROADS TO PUBLIC ROADS:

This Resolution defines the County's policy in regards to changing private roads to public roads.

(See Attachment No. 4)

The Policy of the County is that private roads will not be accepted as county roads. The County's position is that when development on private road was approved, the development agreement was made between the owners and the County that the road would remain private and would be maintained by current and future property owners as hereby approved.

Council member Gibbons moved to adopt Resolution No. 2002-32. Petersen seconded the motion. The vote was 6-0. (Yeates absent)

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RESOLUTION NO. 2002-33: SETTING FEES FOR MASTER PLAN DEVELOPMENT AGREEMENT

(See Attachment No. 5)

Council member Petersen moved to adopt Resolution No. 2002-33. Robison seconded the motion. The vote was unanimous, 6-0. (Yeates absent)

RESOLUTION NO. 2002-34: AMENDING CHAPTER 12 OF THE CACHE COUNTY CODE TO INCLUDE COUNTY ROAD ACCESS

The Cache County Council found that the proposal for amending Chapter 12 of the Cache County Code to include County Road Access had met the legal requirements.

(See Attachment No. 6)

Vice Chairman Beck moved to adopt Resolution 2002-34. Hansen seconded the motion.

Council member Petersen moved to amend Resolution 2002-34 to specify the definition of the county road was for the purpose of this resolution. Gibbons seconded the motion. The vote was 6-0. (Yeates absent.)

ORDINANCE NO. 2002-15: AMENDING CHAPTER 12 OF THE CACHE COUNTY CODE TO INCLUDE COUNTY ROAD ACCESS, ADDING THE SAME TO THE CACHE COUNTY CODE AND PROVIDING AN EFFECTIVE DATE

(See Attachment. No. 7)

Council member Petersen moved to approve Ordinance 2002-15 and to make the similar amendment as with Resolution 2002-34 for the same purpose. Gibbons seconded the motion. The vote was 6-0 both on the ordinance as well as on the amendment. (Yeates absent.)

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

ORDINANCE NO. 2002-14: ESTABLISHING COMMUNITY PLANNING AND DEVELOPMENT SERVICES DEPARTMENT

Chairman Anhder yielded the Chair to Vice Chairman Beck for this discussion.

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Council member Gibbons moved to adopt Ordinance 2002-14. Chairman Anhder seconded the motion. The vote was held for discussion.

Vice Chairman Beck read the inclusions for the Planning and Services Department to be created as follows: Animal Control, Building Inspection, Business Licensing, Planning Services, Surveyor, Water policy and Zoning Administration.

Discussion:

Kathy Robison: I am still a little uncomfortable with this. I just feel like this is so vague that I'm just not sure just what is happening with this. Is there going to be a Department Head on this? Who wears the chain of authority? How does this fit in with what we have. I don't understand.

Anhder: I'm sure that this section is part of the Executive branch of our government.

Robison: If it is going to be its own department, who is going to be the Department head on this out of these different groups?

Scott Wyatt: That is an Executive decision.

Anhder: It will be up a Executive-directive recommended and up to us to ratify it.

Wyatt: The County's departments are set in the Ordinance. If you want to create a new department or change the structure of a department, this is the way to do it. How to administer that department is the Executive's call.

Layne Beck: What would happen, Scott, if this Council chose to have the Department Head be elected? We have under the Executive title now: Executive/surveyor. The Surveyor used to be an elected position. From a legal standpoint, does this Council have to direct the Executive in the creation of this department to make it an elected position as an elected surveyor or can we just say: "In creating a new department, you decide who you want to be the leader of that department?"

Wyatt: You can put an elected official into a department for administrative purposes. There may be some statutory duties or rights that a Department Head could not impose on an elected member of that department. The fact that the surveyor is in this department is really the surveyor's function: so, it doesn't put Lynn into this department; it just puts the surveyor functioning into it.

Petersen: Do we have any indication of the budgetary implication for this change? Can you make a conjecture on that?

Anhder: We can certainly conjecture that it will impact the budget. The way the County-wide Planning office is currently set up; the County receives reimbursement for a portion, about 50% from the cities, that help pay for that. As the chief advocate of this, the reason I have suggested it is I don't think it makes much sense at all to have our Planning Department not working with our Planning Commission or our Community or our Countywide Planner. Our Countywide Planner as currently organized is almost a semi-anonymous entity from County government. Indeed, It has it's own governing Board, which governing Board is not the Planning Commission. One of the things that I think I have heard most consistently is that we need to beef-up and improve and work on Countywide planning effort. At least as an observer of the election, in my seat that was a very big item by both candidates, improving planning. I think this is one of the very first steps that we can take to improve our planning.

I am not aware of any other county or city where they have a hired staff person as a planner and that person is not working closely with the Planning Commission. I don't mean this any way derogatory to what has been happening but we have been having the Zoning Office working with the Planning Commission. In a way, I wonder what kind of a message that sends when we don't have our Planner working with the Planning Commission. As to the money that we receive, it is a rather significant amount in the order of about \$67,000.00. I have talked to three mayors about it. They don't anticipate a problem with the Countywide Planner being a County Planner. They still think that Office would be available to help them to consult with them as they needed it. I would like to send a message that Planning is an important function for Cache County and that our Planner should be staffed too and with the Planning Commissioner.

As to Businesses Licenses, doesn't the County Clerk do that? I would recommend we take that out and leave to the County Clerk's Office. Animal Control, I think that is more of a law enforcement action rather than a community development in my opinion. I don't have any problem with building inspections remaining the way that they are. The surveyor, I really don't have any problem with that going anyway. I would really like to see a closer, formal connection between the Planning Commission and the Planning Office.

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Robison: So, Larry, you would have the Countywide Planner become just the County Planner and we would pick up his whole salary and then he would work with the planning Commission. Am I reading this right?

Anhder: That is exactly right just the same as it does in Logan. The Zoning Administration should be all part of it. Planning and Zoning administration are integral and related functions.

Robison: So, basically you are just having a Planning and Zoning Department.

Anhder: Water can go in. That's a good place for water because that's 90% of what we do on water is planning. I would take out Animal Control, Building Inspections, Business Licensing and surveyor.

Beck: Leave them where they currently are.

Anhder: Yes.

Petersen: The assumption is that if we did this, the cities would withdraw their financial contribution. We would be into it for \$67,000.00.

Anhder: ...In essence we just double tax the citizens of all cities.

Scott Wyatt: You may recall as you were planning for the new administration building, it puts Planning, Zoning and Building Inspection into same suite. While there may be some cost associated creating them apart, there potentially was some efficiency of having only one receptionist. Most of these departments have only one, two, three or four people in them. They have one budget official and one planning receptionist at the most.

Gibbons: Aren't most cities, Larry, organized with both a Planning and Zoning department as one department. The County has ours broken into two departments.

Anhder: That's to all my knowledge they are all one. I know of; I don't know of any place that is different than that. They are not called Planning anymore; it's Planning and Developing Services because it kind of lumps them altogether. I can see a very good argument why building permitting would be included in that because there has to be a lot of interfacing between Planning, Zoning and Building permitting.

Gibbons: I would not be comfortable separating them out; I think they should be left in there. I took the opportunity to visit with the County (appointed) Surveyor. He indicated to me that there are a number of counties throughout the State now who have a Planning Department similar to this under the direction of the elected surveyor as Layne suggested in the last meeting. I don't know any more of an appointment for a department head any more than I knew before but apparently there are a number of counties that have the elected surveyor as their department head.

Anhder: I would rather throw the whole thing in the garbage rather than to go back to the elected surveyor because I'm not sure that served us well in the long run. I know Cory had some feelings about this and I'm a little bit reticent to proceed without giving him an opportunity to participate.

Chairman Anhder moved to continue this item to the next Council meeting. Petersen seconded the motion. The vote was 6-0. (Yeates absent.)

Vice Chairman Beck returned the gavel to Chairman Anhder.

ORDINANCE NO. 2002-16: AMENDING ORDINANCE 2001-07 - SETTING SALARIES FOR CERTAIN ELECTED OFFICIALS FOR 2002.

This Ordinance authorizes the modification of the salaries for all elected county officers by ordinance; that it was in accordance with the applicable law; and that provides for carrying into effect the approved salary changes.

(See Attachment. No. 8)

Council member Gibbons moved to adopt Ordinance No. 2002-16. Petersen seconded the motion. The vote was 6-0. (Yeates absent.)

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

FINAL PLAT APPROVAL: ACRES MINOR SUBDIVISION

This was an initial proposal request from Robert McFadden, agent for Ramac Corporation is requesting approval of a 5-lot minor subdivision to be called the Acres Minor Subdivision on 38.12 acres of property in the Agricultural Zone located at 7250 South, 7310 South, 7315 South, 7255 South, and 7205 South 2700 West, Mt. Sterling. The Planning Commission reviewed this subdivision request at their 4 November 2002 meeting and recommended approval with the stipulation that the applicant will provide written verification from adjacent property owners that the barbed wire fence that was removed and replaced with the vinyl fence meets their approval or the barbed wire fence be replaced for that owner's property.

(See Attachment No. 9)

According to the minutes of the Planning Commission, all of the neighbors agreed to that; however, one of the property owners had just called Ms. Greenhalgh today and said that he would not sign the letter sent to him because he still was not happy with it. He (the property owner who would not sign) felt like the fence was built in the wrong way; that it was torn down without getting their approval and replaced with a vinyl fence. He was afraid that in the cold weather his animals will bump into that fence and break it down. He was very concerned and upset about it.

Mr. McFadden also put a sign across the roadway that does not meet any of the sign ordinances and there is no way to fit it in; so, he is going to have to remove that. There might be a possibility that the ordinance can be changed to allow that sign. So, he did take the liberty of beginning his projects without getting approval and in the process has created himself some problems. The Planning Commission is concerned about that.

The Council and the Executive reviewed the plat map.

Ms. Greenhalgh explained that one neighbor was at the meeting and he said he was okay with what had been done only he wished that he had been consulted first. Chairman Anhder wondered about the legality of the Planning Commission advocating authority to individual property owners.

After the plat map was looked at, the Chair recognized a member of the audience:

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Mr. McFadden: I'm Mr. McFadden and I would be happy to clarify anything that I can. The ironic part of this is that Mr. Parker did give me permission to take down his fence. He now remembers it as giving me permission to only take down a portion of the fence because he is the property owner on two sides of the property not just one. He said that he only gave me permission to take down the fence on East side not the South side. I understood that when he said I had permission to take down the fence that meant all the fences which I bordered with him. So, I didn't do that maliciously and he came to me after and said: "Would you consider putting up a barbed wire fence on my side to keep my cattle away from your vinyl because I'm concerned that if my cattle break it, I have to replace it. I said: "I'm happy to replace your fence; so, I put 1,300ft of barbed-wire fence up within six inches of the vinyl fence to keep a barrier from his cattle approaching it. He was the only property owner who had not signed the letter. I sent certified letters out to all of the adjacent property owners as I was instructed to get permission from. I sent those out and I got two of them back immediately; I did not get Mr. Parker's. (letter). I called him last night saying: "The meeting is today and is there a chance that I could swing by and pick up that letter." He said; "I won't sign it until the fence is complete. I said: "Okay, I can appreciate that; I'm happy to complete it but I can't do it before Thanksgiving. I'm happy to do it next week" He said: "I won't sign it until my fence is done.' So, him calling you today and saying that he is absolutely not happy has never once come up in any conversation that he and I have ever had. Maybe this is a new development that he is saying now that he doesn't want to do it. All of my conversations have been fine with him. Me putting up a fence at my cost to replace the barbed wire fence; I was happy to do. I have not got it completed; all the posts are up just no wires strung yet at this point.

As far as the entry sign, when I turned in my initial application for the Acre's subdivision, I had turned in a copy with dimensions of my sign. In my original application, all of that was turned in; but I did not write on there (that) I was trying to apply for a subdivision and a sign. Because I omitted the words "and an entry sign," I was informed that I needed to reapply for the sign, which I did the very next day. After the Planning Commission had told me at the meeting that I was not approved for my sign that I needed to make application for that. I went in and made application the very next morning for the sign (and) paid my money. It is a gorgeous sign. If anybody sees it, they would love it. It's completely aesthetic for the area with barged logs on either side of the road and it spans across with plasma cut quarter-inch steel. It's all powder-coated black with "The Acres" and pine trees and a moose. If you want me to take it down, I'm happy to remove the sign if that's an issue. That is not a problem. I have tried to be extremely diligent in anything that was asked. I did not try to proceed without approval. All I did was put up a fence. When I bought the property and the water rights and all of that, there were these ratty-tat old fences. I have had conversation with every landowner except one and they said that they loved it. There hasn't been a complaint.

Discussion:

Darrel Gibbons: Will you have the barbed wire strung and completed by the third of December?

Mr. McFadden: I get back from California by the 2nd; so, it would be close. I have three lines to string for Parker. I don't know how long it takes to put up barbed wire but I would say that wouldn't take me more than two days to do. I informed Larry about that last night and he said: "I'll sign it when it's done but at this point I'm not going to sign it; it's not done."

Larry Anhder: I don't think that should even be an issue myself. I don't think, if it were to be challenged, that legally they can make approval of a subdivision conditional upon the neighbors. That is our job to do not the neighbors job to do.

Layne Beck: We do that all the time, Larry, with our current ordinance. If a lot was split after 1972 and they have to bring the neighbors in to subdivision. We force them to get their neighbors involved in it.

Anhder: This is a whole lot different than that because the neighbors are not involved that new subdivision. This is a completely new addition. It is the very same thing that going out and having your neighbors all sign a statement saying it's okay to have a subdivision and you won't approve it until you get everybody to sign it. You can't do that because the approving body is us not them. Anyway that is just my opinion on that. I think we could approve it on

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condition of a fence being done but then it is our staff that verifies that the fence is done not the neighbor and the landowner.

Craig Petersen: Lorene, tell us a little about the problem with the sign.

Lorene Greenhalgh: We had indicated to him in the meeting that we would try and fit it in with the ordinance and he did bring in an application but poles to the fence border the road's surface; plus the size of the sign, there is nothing in our ordinance that allows that size of sign in the unincorporated area. We are making changes to that ordinance right now and we will discuss adding something that will put that in. As I spoke with our Attorney, he advised me that I send back the application along with the filing fee. I held it up for the check to come back from the Auditor's Office so I could put that in. It has been mailed now that he would need to take the sign down until such time as the ordinance was written that would allow it.

Petersen: So it is the location and size of the sign.

Anhder: Again, that is a separate issue of the subdivision approval. That comes under our sign ordinance, does it not? It can be handled that way.

Darrel Gibbons: I don't have any problem then approving the subdivision request with the condition that your department verify the completion of the fence.

Anhder: I would sign it after the condition has been met?

Gibbons: Yes.

Council member Gibbons: moved to suspend the rules and approve the Acres Minor Subdivision request with condition. Petersen seconded the motion. The vote was 6-0. (Yeates absent.)

Council member Yeates arrived at 5:52 p.m.

It was explained to Mr. McFadden that he was to complete the fence and tell Lorene's Office when that was done. The Council Chairman would then sign the subdivision plat and it will be approved and then his plat would be recorded.

The sign was a separate issue. It was decided that because there was no approval for his type of sign, possibly he would just have to remove the arch until such time as the ordinance was rewritten. The attorney would need to be consulted on this issue. Lorene Greenhalgh clarified that a subdivision is a process and that a sign is under conditional uses. They are two separate things. It was noted by Council member Gibbons that Sherwood Hills put up their sign without permission and was not made to take it down. It was however ordered to be cut down in size. He wondered if the public was being served by making a landowner putting out the expense of taking down his sign until the ordinance was written and making him go to the expense of putting it back up. Chairman Ander felt that if a sign was erected that was not in compliance with the County law, it should be taken down; however he felt that just taking down the arch would be adequate enough for Mr. McFadden.

FINAL PLAT APPROVAL: CLAIR C MINOR SUBDIVISION

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Lorene Greenhalgh, Zoning Administrator, presented the Clair C Minor Subdivision, a 5-lot clustered minor subdivision of 80.72 acres of property in the Agricultural Zone with a remainder agricultural parcel of 73.98 acres not eligible for residential development, on approved lot of 2.34 acres with an existing single family dwelling located at 11922 North 1600 East (a private road) and four additional lots each for the construction of a single family dwelling to be located on one acre at 11867 North 1600 East (a private road), a two-acre lot located at 11953 North 2000 East, a .65 acre lot located at 11835 North 2000 East, and a .75 acre lot located at 11823 North 2000 East, Cove.

(See Attachment No. 10)

Ms. Greenhalgh stated that the reason Mr. Allen did this was because of his circular sprinkler. He wanted to better utilize the corners that the sprinkler didn't water and make them into lots. With our revised cluster subdivision definition this would not fit. Since that hasn't been approved yet, he is going through the system the way he needs to and creating his clustered subdivision that the lots don't touch each other. Because of irrigation systems and the way the land lays, Council member Gibbons felt this was a good use of the property. The Council reviewed the plat map.

Council member Gibbons moved to waive the rules and to approve the Clair C Minor Subdivision. Petersen seconded the motion. The vote was 4-3. Robison, Yeates and Anhder voted "no". The motion failed due to lack of 5 votes needed to waive the rules. This item will be placed on the next agenda for further action.

PUBLIC HEARING: 2003 BUDGET AND PROPOSED PROPERTY TAX INCREASE

A truth in taxation notice had been published for this hearing. Auditor Stones related that the truth in taxation tax notice anticipated increase in the budget was \$1,538,371.00; the County revenue adopted out for the 2002 property year was \$4,089,743.00. The proposed increase was \$5,629,645.00. Overall this was an increase of 37.7%. The increase on \$150,000 residence would be \$40.27 and the increase on a business of the same value would be \$73.22.

Chairman Anhder opened the hearing to public comment. This was also to be a budget hearing where comments on the proposed budget for next year were also acceptable. Time for comments was limited to 2½ minutes.

Public Comments/ Council Comments:

Mike Weibel (Fire Fighter /EMT Intermediate out at Smithfield): Tonight I am speaking for myself. I think it would be safe to say that my comments would be accurate by the EMT'S and the Paramedics (for) most of them throughout Cache County. Cache County needs an Emergency Medical Services Coordinator. Now the County has an exemplary fire district with a full-time Fire Chief, two full-time Assistant Fire Chiefs and two part-time Assistant Fire Chiefs. The County has nothing for EMS even though 80% of the calls here are medical calls. The Fire District does not deal with EMS. An EMS Coordinator is necessary if we want to improve or even just to maintain the level of emergency medical care here in the County. Training and certification standards are climbing every year and many Fire

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Departments and EMS organizations will not be able to keep up. Without an EMS Coordinator, we will go backwards. I wouldn't be surprised if some of the dozen or so First Responders Units here in the County call it quits in the next couple of years without a coordinator. I don't know if it was part of the contract or not but I do know that every doctor who submitted bids to serve as our medical control technician expressed the importance and need of a Fire EMS Coordinator. Earlier this year, the County agreed just to hire a part-time EMS Coordinator; we want you want to live up to your commitment. Thank you.

Larry Anhder: Did we say when we were going to do that?

Mike Wadman: I am hoping this year.

Petersen: What were the costs associated with that, Tamra?

Tamra Stones: I don't have the costs for that.

Lynn Lemon: We haven't put those cost in (the budget) this year.

Jay Downs (EMS Council Chair Person): EMS Council was created under resolution and we function under the direction of the County Council. Just to echo what Mr. Weibel has said, basically the EMS Coordinator is a very important of the system that's already in place. We had talked about County hospitals maybe participating in some of the funding and the County matching those funds. I would like to propose that maybe the County step up and at least put \$12,000 or whatever money they can towards the position so we can go back to the hospital and say: "Hey, we have some matching funds here; we'd like you to come back to us and help us out with this." Currently the EMS is working on a volunteer system other than the ones that the Paramedics are working with the Logan City Fire Department. Every one of these EMS units cover unincorporated areas in the County. They cover them under the funding from the cities. Also it is the volunteer time that the EMS people put into this as EMT's out there. Right now the problem is the training is getting more involved in the State because of the State Legislature. That's making more things that have to be done by these EMT's to pre-certify. The EMS Coordinator would certainly go to assist them in the re-certification process and go to assist them in their training process. A lot of times we, as people out in the County, don't think of EMS or don't think of fire until we have it at our house. We call 911 and we expect professionals to be there. We expect these volunteers to act professional. Working in the volunteer world, there are a lot of times when people don't realize that all we are is volunteers. I would ask the County Council to please support the EMS Coordinator as much as they feel they can so we can continue the system that we already have in place. Thank you.

Darrell Glenn (Tax payer and County Employee): First I would like to say thanks to each and every one, not only for this year but in the previous years in the way that you have been able to balance the budget and provide the services that the County is able to provide. I would just like to say that if you remember a few years back, the County pay system was revised. Countless hours were put into that simply because the old system had become obsolete basically because of two reasons: **1)** The System was paying for a straight-percent increases, which over-funded the upper end and under-funded the bottom end. **2)** Budget areas are all tough but (for) tougher areas like this, the system wasn't funded adequately. I feel that the new system is now somewhat in jeopardy because we are going back to a percentage type increase and not funding the system adequately. I would like you guys to take a second look at that and maybe reconsider it at least. I don't know what the dollar amounts are.

Having said that; as an employee of the County, I also feel that I am paying a higher cost than most average-type payers on the construction of these buildings simply because as an employee of the County, we are paying with the increase on the property taxes, which is the way should be. However, I feel that I am also losing an active percent of my wages, which I'm not losing for just the one year but that compounds over how many years I stay here with the County. Again, I would like to just encourage you to take another look at that. Thanks.

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Craig Petersen: Is it eight some odd thousand for just a 1% salary increase?

Lynn Lemon: Seventy-seven

Petersen: (It is) seventy-seven including benefits?

Travis Thain (Business Taxpayer): I just heard about the meeting. I feel just a little unprepared because I don't know all the details about how it is going to affect business are far as 37% increase. So, it is the same for business and also personal? (Petersen: It is the same percent but it does not present the same amount because residential property is only taxed at 55% of market value.) I just feel that seems to be just a little bit extreme. I know that it is kind of a hard job especially in times like this but that just seems to be a little bit extreme as far as increase for individuals and also for businesses to go from a 37% increase. I just ask for you re-consider it and look at it again. Thank you.

Gary Stauffer: I'm totally against the tax increase. I've lived here for over 60 years and I have a 94-year-old father. Most of you people sitting around this table probably have an income in excess of \$50,000 a year but there are a lot of us who don't. I do know that the average around Cache Valley, because I've been here that long, if you take the not the total home income but the average person's wages, somewhere probably between \$18,000 - 30,000. When you start throwing a \$40-a -year increase on a \$150,000.00 home for fixed income people, there are getting to be a lot of us around here, I think you need to reconsider a few of those things. It is awful hard to come with that. We are not only getting hit by you guys but there is everybody else out there both in the medical field and everything else that want to take away benefits there. Thiokol is apparently coming on fairly strong on that right now for their retirees. I would just like to admonish all of you to take a closer look at that and maybe we could do better with a \$10 or \$15.00 increase rather than a \$40.00 one.

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

For the information of the public, Chairman Anhder announced that there had been a workshop on the budget before this Council meeting and there had been some changes recommended to the budget. The Council would take these public comments into consideration and a budget will be posted and available for review. Next week this will be voted upon in Council meeting.

Vice Chairman Beck commented that it was important for the public to understand that 37.7% increase is not of the entire tax bill. Of the Cache County Tax bill received from Cache County, 3/4 of that bill goes to the Cache County School District or to Logan City School District. Approximately 15% goes to the city the resident lives in. Cache County's portion of that bill is roughly 25%. So, of the total bill that is received on a tax notice, 25% of that goes to Cache County and that's the portion that is going to increase by 37%.

TAX SETTLEMENT - HODGES:

Executive Lemon stated that this was on for first reading and that the current year was approved some time ago. This settlement was to be for the prior year. Auditor Tamra Stones explained that the Hodges had paid taxes in 1999 and that they were asking for consideration in 2000 for some of those taxes they hadn't paid.

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There was \$1,560.00 due in taxes plus penalty and interest. The request was to settle for \$75.00. It was thought that they were both disabled. They didn't know that the previous tax exemption did not include the previous year. They had applied for social security disability and were waiting to hear if they got on it yet.

It was the decision of the Council to defer the tax settlement until it was known whether or not they would get social security disability. This tax settlement will be placed on the next Council agenda for action.

ADOPT CACHE COUNTY COUNCIL 2003 MEETING AND HOLIDAY SCHEDULE:

A notice of the annual Cache County Council Meeting and Holiday Schedule was submitted. It was proposed that the Council would meet on the 2nd and 4th Tuesday of each month and the 1st and 2nd Tuesday in December of 2003.

(See Attachment No. 11)

Council member Yeates moved to approve the 2003 Council Meeting and Holiday schedule. Petersen seconded the motion. The vote was unanimous, 7-0.

ORDINANCE NO. 2002-17: IMPOSING RAPZ TAX

This ordinance would establish a botanical, cultural, recreational and zoological tax within Cache County.

(See Attachment No. 12)

Because the State Tax Commission would implement the tax 75 days after they are notified by the Council, it would not go into effect on January 1.

Council member Petersen moved to waive the rules and adopt Ordinance 2002-17. Yeates seconded the motion. The vote was 6-1 (Gibbons abstained.)

Ordinance No. 2002-17: The vote was 6-1.

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

Troop 394 from the College-Ward area was recognized for attending the Cache County Council Meeting with their leader being Will Atkin. Members of the troop introduced themselves: Senior Patrol Leader, T. J. Godfrey, Tanner Godfrey, Jacob Furgeson, Fred Olsen, Spencer Jensen and Danny Furgeson.

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RESOLUTION NO. 2002-37: ADOPTING 2003 BUDGET

Chairman Anhder noted that Resolution No. 2002-37 was on this agenda and was accepted for first reading. It will be placed on the next Council agenda for action.

ORDINANCE NO. 2002-18: SETTING 2003 SALARIES FOR CERTAIN ELECTED OFFICIALS

This ordinance was on for first reading also. Council member Gibbons recommend holding Ordinance No. 2002-18 over until so that it could be approved the same time as the budget. All were in agreement.

ORDINANCE NO. 2002-19: SETTING 2003 SALARIES FOR COUNTY COUNCIL MEMBERS

Council member Robison recommended also holding Ordiance No. 2002-19 over to a subsequent meeting in order for it to be approved along with the budget as well.

ORDINANCE NO. 2002-20: CHANGING CAPITAL EQUIPMENT PURCHASE LEVEL FROM \$1,000.00 TO \$5,000.00.

Ordinance No. 2002-20 was accepted for first reading also. This will be placed on the next Council agenda for action.

ADOPTION OF PROPOSED 2003 CAPITAL IMPROVEMENT PLAN

(See Attachment No. 13)

Executive Lemon explained that the main reason that we need this approved tonight is that the CDBG applications are due December 2. Those four projects: the Child and Family Support Center, the Family Information and Resource Center, the Habitat for Humanity and the Sunshine Terrace, need an approved Capital Improvement Plan to submit with their CDBG application. We will sponsor Sunshine Terrace as our first choice and then sponsor all of the others.

Council member Petersen moved to waive the rules and adopt the proposed Capital Improvement Plan for 2003. Yeates seconded the motion. The vote was unanimous, 7-0.

REPORT ON UTAH ASSOCIATION OF COUNTIES ANNUAL CONVENTION:

Council member Gibbons reported that a good time was had by all who attended. Also, that it was an excellent presentation.

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COUNCIL MEMBER REPORTS:

There were no Council member Reports.

ADJOURNMENT:

Council meeting was adjourned at 6:40 p.m.

ATTEST: Jill N. Zollinger
County Clerk

APPROVAL: C. Larry Anhder
Council