

CACHE COUNTY COUNCIL MEETING
December 3, 2002

The Cache County Council convened in a regular session on 3 December 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.
County Executive: M. Lynn Lemon
County Clerk: Jill N. Zollinger

The following individuals were also in attendance: Benon Allen, Clair Allen, Dave Bennett, Paul Berntson, Michael Braegger, Brian Chambers, Lamar Clements, Paul Cook, Don Davis, Sharla Goring, Wyatt Goring, Lorene Greenhalgh, John Nelson, Laurie Nelson, Sheriff Lynn Nelson, Evelyn Palmer, Pat Parker, Kelly Pitcher, Auditor Tamra Stones, Jim Smith, Mike Weibel, Attorney Scott Wyatt. Media, 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 Layne M. Beck.

REVIEW AND APPROVAL OF AGENDA:

The agenda was approved as written.

REVIEW AND APPROVAL OF MINUTES:

The minutes of County Council Meeting for November 26, 2002 submitted this evening would be reviewed and action on the minutes would be taken in the next Council meeting.

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

Appointment : There were no appointments recommended.

Warrants: The Warrants for the periods of 11/08/02 to 11/14/02; 11/15/02 to 11/21/02; 11/22/02 to 11/26/02 were given to the Clerk for filing.

Other Items: Health Department Public Hearing. A public hearing will be held December 4, 2002 at 5:00 p.m. at the Health Department building to determine a rule that deals with residential fireplaces, stoves

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and oil heaters, etc. After the public hearing the Board of Health will take action on this item.

EMPLOYEE OF THE MONTH:

Jim Smith introduced Wyatt Goring:

Jim Smith: Wyatt has been selected by his peers as the Cache County Employee of the month for December . . . an eight-year employee with the Sheriff's Office and Cache County. He has worked as a patrol deputy through the years, enforcing the laws of the road, as well as the laws of the land.

Deputy Goring currently functions in the capacity of a school, resource officer at Mt. Crest High School. He provides administrative support to the high school staff, teaches law enforcement classes and of course investigates mischievous and criminal activity that occurs in or around the school. Wyatt is also a certified instructor for the Utah State Council, a driver's awareness instructor for the First District Court and a member of the Cache County SWAT Team. As an employee of the County, he has been awarded the Cache County Sheriff's Office "Clair Mauchley" Memorial Community Police Award" in 1999; as well as "Star Deputy of the Year" in 2001.

Deputy Goring and his wife, Sharla, live in Logan and are the proud parents of two girls and one boy. Wyatt keeps an active life style when he is away from work. He is an avid hunter of big game, small game and various game birds. He loves collecting sport cars of any kind, baseball, football and basketball.

One of your peers wrote of you: "Wyatt, you have more than earned this award. He is a dedicated hard-worker and gives the Sheriff's Office a good name. He has worked so hard as a resource officer to uphold the laws and concerns of the school."

Mr. Smith extended his congratulation and the County Executive, Lynn Lemon; the County Sheriff, Lynn Nelson; Lt. Dave Bennett, Wyatt's immediate Supervisor, presented Wyatt with his award and gifts along with their appreciation and praise. According to Sheriff Nelson, Wyatt has an infectious work ethic as a go-getter!

TV TRANSLATOR UPDATE:

Michael Braegger: We are coming up on our twenty-fifth anniversary of the County providing television service to the residents of this County. In the past few months, the County has taken another giant leap forward mostly due to the generous State money that was available.

A year ago, we replaced all of the television translators; so, they are new. In the last few months, we put in a microwave link between Perry and Mt. Pisgah. We are now using the digital signals. Channel nine is currently not on the air with the digital signal; It's ready but they haven't turned it on yet and they probably won't until May. The other five channels are in operation and we're using them. It has made an incredible difference in the picture quality.

There are a couple of things that you need to give some serious and immediate attention to:

1) High definition television is on its way. It is the future of television. The FCC has mandated that sooner or later all broadcast television will be high definition and that probably within about four or five years, the analog stations will go away. At the present time and in the for-seeable future, there is no provision for high definition on the satellite system. The band width that is required for that is too great

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and Satellite doesn't have enough room for that. The Cable companies are also not equipped at the present time to handle high-definition television. However, the digital signals that the broadcasters in Salt Lake are putting out now are high definition; some of them are. I could go up to Mt. Pisgah today and in about 10 minutes have a high-definition signal feeding Cache County. That is what the equipment that we have installed has made possible for us. You should also know that the television broadcasters in Salt Lake are in the planning stages of putting in a microwave backbone system throughout the entire State to feed all of the television translator sites. The entire State will have high-definition through the translators not through the Cable TV or off the Satellite but only through the Television translator system.

At the present time we have an agreement with AT&T to use their facility in Perry for our microwave equipment. That expires in May. Something will have to be renegotiated there if they are willing to let us stay in that building. The agreement to begin with was that we would be there only for a temporary time period. Because that is a cell phone system, they are not anxious to have a television site in there. The possibility that will go away is real. If that does, then we will be back to the very poor quality signals that we've had in the past.

2) About 18 months from now, the lease on Mt. Pisgah will expire. If we don't have a place to go, not only will the good signals go away but all of the signals will go away for the television system. We should resolve either the issue with the landowner in some way so that we can stay there or we need to develop another site and get moved there and get operational so that the television service can continue in the County.

With the support of the broadcasters and the new microwave system, our portion of course is already in place, they would add to that which would increase the channel capability that we have. We could put another microwave radio in at Perry to provide more channels to Mt. Pisgah. Keep in mind that these are not channels like HBO or Disney. These are local channels out of Salt Lake. There are 10 digital signals on the air right now. We are getting five of them but there will be more come May because that is the deadline for the FCC.

Question/Answers:

Lynn Lemon: When high definition comes are you saying that cable companies will not be able to provide local channels?

Mike Braegger: They will not be able to provide local channels with the high-definition signal. There will be a time frame after the analog channels are turned off when lots of people still won't have a high-definition television. They will simply have to have some other type of a set-top box that receives the high-definition signal and change it back to analogy.

Lemon: High definition and digital are the same?

Braegger: No. They are not the same. Digital is what you would get off of the satellite signal right now. It's what you would see if you looked at the channels that we are translating now. High definition is much higher definition; it is also a different screen format. The present screen format is 4X3 and the new one is 16X9.

Craig Petersen: High definition is digital but digital is not necessarily high definition. Would you explain "high definition?"

Braegger: The resolution for high definition is different. If you were to watch a baseball ball game on a high-definition set, it would be like you were on the front row in the stadium as if you were in the seats. The difference is really significant.

Petersen: Mike, there was a firm date that the FCC was switching to high definition, did they back off from that?

Braegger: Yes, because the broadcasters weren't seeing a lot of movement in the consumer industry to move to high definition and the manufacturers weren't sure whether or not that it was going to go, they were kind of dragging their feet. Now that it is actually here and there is high-definition on the air, the consumers are buying the sets.

Petersen: There is no firm date anymore that has been set by the FCC. What was the original date?; was it 2006?

Braegger: Yes. They haven't really backed off of that but they haven't said that they are going to make everyone adhere to that in that they would turn the analog signals off then.

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John Hansen: Is it possible then that with the cable companies not going with this new policy that folks may discontinue the cable service and put their old antenna back up on their house?

Braegger: I would think so. If you want high-definition television, that's what you'll do.

Beck: (They would do that) for local programing particularly.

Petersen: The cable industry and the satellite industry have proven their power in the past. If they are going to be excluded from a technology, they are going to fight that tooth and nail.

Braegger: They are not excluded from the technology but they are not required to participate either. They are presently very nervous about it because they can't compete with what the television translators will offer. Now the translators are not in competition with the Cable TV or the Satellite systems; that was never the intent; that was never the intent of the County to compete with any of those entities. However, the fact of the matter is right now the translator system in Utah will be the only delivery method for quite some time for high definition.

Lemon: So, in some point in time all the analog television sets will be obsolete; they won't be usable.

Beck: They would be usable; they would just have to have a box to convert it back to analog.

Braegger: That will probably be a few years down the road before that happens. The analog broadcast itself will go away but the analog television set won't go away.

Anhder: Back to the site. If we decide to move from Mt. Pisgah and with the microwave system that is being proposed to be put in State wide, does our site in Clarkston work for that?

Braegger: Yes.

Anhder: Where would we bounce off of? Would it be Perry again or some other site?

Braegger: No. We would probably get the signal direct out of Salt Lake to Clarkston and then microwave them using the same microwave we have now back to some place like Bangeter site west of Logan or some other site that would cover the County better than the Clarkston site would.

Lemon: The reason that we can't use Clarkston for broadcasting is because of the fact that it interferes with Franklin, Caribou, and the Bear Lake County, right?

Braegger: Actually, there is no interference there. The guy that maintains it up there is claiming that it will interfere but in reality it won't especially with the digital signals. There is no problem with adjacent channel signals right next to channel signals with a digital signal.

Lemon: Could we broadcast right from Clarkston rather than go to the Bangeter site?

Braegger: Yes we could. There would be some parts of the County that would not be covered. Part of Wellsville would be uncovered and part of Clarkston.

Beck: What about Avon and Paradise?

Braegger: You would probably get a good share of Avon and Paradise

Lemon: We were actually thinking very seriously about developing the Clarkston site and then we ran into the problem with Franklin, Bear Lake and Caribou Counties saying if you do that you will cause us some major problems.

Braegger: The fact of the fact of the matter is that the reason they are complaining about that is because they are using the channels that have been assigned to the broadcaster in Salt Lake for their digital transmissions. Franklin County is currently using those as translator links to get their signal from Clarkston into Preston. They will have to get off of those channels anyway. It won't matter what we do. They are going to be required to get off of those channels. That is really a nonissue. The interference claim is a nonissue as well.

Beck: What is the lead time, Mike, in getting FCC approval to go to a new broadcast site?

Braegger: In our case because we would have basically the same coverage area and we are not moving more than 14 miles in any direction, it is just a matter of filing the paper work and it's done. You don't have to wait for a window. Also, the coverage area has to overlap a significant amount.

Anhder: What do you recommend that we do?

Braegger: The best solution is to fix the problem with Pisgah so that we can stay there. That would be the cheapest and the easiest; that would be a good coverage site for the County. That would be the best. I don't know how to solve the problem with the landowner. I don't know if the County could put in an agreement to build a decent road and to maintain it. It may take a building in trade for letting us stay there but the price that he wants is way out of line with anything.

Lemon: There are new discussions going on between the attorneys trying to see if there is a possibility of resolving that. There is an effort being made to see if that can be done.

Petersen: Economics aside. From the technical prospective, which is the better site of the two?

Braegger: The only drawback with Mt. Pisgah is that you still have to have another link from the other valley to get to it.

Petersen: If it were Clarkston, you could go directly from Salt Lake.

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Braegger: Because of the limitations of the geography with Clarkston, you are limited with coverage there. It would not be as good as Mt. Pisgah. We probably would have to put in some other satellite to feed certain areas of the **County**. Technically that is all possible. It's easy to do it; it just requires money.

Beck: From this site west of Logan, would you need other broadcast sites, like if we microwave from Clarkston to the one west of Logan?

Braegger: Yes, you could. That would cover a good share of the County. There are some areas, probably Avon and Paradise, that wouldn't be covered from that area and the north end of Wellsville and Mendon probably would not be. You could pick another site and put in low-powered translators and that would do it.

Beck: Mike, what kind of a road do we need to develop to get to Clarkston?

Braegger: Just put one in. It's not a steep hill; it's not a long distance. It would be a fairly simple thing. It would be way easier to put a road in there than it would to put in a decent road up Mt. Pisgah.

Beck: Why do we have such a high development cost then that these construction people have given? It seems to me like we could develop a fairly adequate road.

Lemon: I don't agree with the cost that they (the construction and development people) have come up with as far as what it would cost to put a road in. I think it could be done for significantly less than that.

Beck: How soon till we need to move on this?

Braegger: Immediately, I think. I don't think we have any time to waste. If you are going to develop a site, it is going to take all of the time that we have especially if we have to work out some kind of an agreement with AT&T.

Hansen: Lynn, didn't you say there's some dialogue in process right now? Do you know if that is making some headway?

Lemon: There has been a renewed request to see if we could resolve or settle the pending litigation and there is some discussion going on. I will certainly try and find out more about it.

Hansen: It sounds like what Mike is saying is that is still the best solution if that could be worked through.

Lemon: Mike has said that; Kent Parsons has said that. They've all said that is the better site if we could make it work.

Anhder: So far Beus has been less than cooperative.

Lemon: He wants to resolve it. It is just that there is a major difference between what he thinks it's worth and what we can afford.

Beck: In any event even as Mike has pointed out 18 months from now our current lease even with the pending litigation, if we resolve that and we have no litigation, 18 months from now we have to renegotiate a new lease.

Lemon: That is what they are talking about right now. If they are going to resolve it, it is not just be for 18 months.

Gibbons: How long do we have to remain in limbo? We could say that's what they are talking about right now but that's what they have been talking about for years. Let's just put a deadline on it and say that we want it resolved by the 1st of April and if it can't be resolved by the 1st of April, we are going to look at an alternative site. That would be the end of it.

Braegger: One thing that is in the County's favor: When the first lawsuit was filed and we were required to lease the property, part of the requirements of that lease was to provide a home for AT&T's cell equipment up there. They have decided they don't want any part of the land squabble or the horrible conditions on the mountain and the difficulty in getting to that site. They have completely pulled out. All of their equipment is gone and they don't want to come back. So, we don't have to provide anything for them anymore.

Lemon: Before, if we didn't maintain that then they could come back on us and sue for a breach of contract. We're out of that obligation as of November 1st of this year and it's much easier for us to negotiate right now.

Council member Gibbons made the motion that if by February 1st, 2003 issues regarding Mt. Pisgah have not been resolved, the County will pursue an alternate course. Yeates seconded the motion. The vote was unanimous, 7-0.

Executive Lemon was directed to find out what the cost would be to build a road to the Clarkston site and also how the County could come up with the funding.

Mr. Braegger clarified that now the digital signals were being run through the consumer-grade receivers because that was all that was available right now and it is coming out analog.

However, it is a perfect signal to begin with and there isn't any more electrical interference in the signal. It would not be necessary to have a specialized antenna for the high definition

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television.

Vice Chairman Beck questioned the space left unused on the spectrum because of the difference in size of the analog and digital signals if the County could sell that spectrum space to another company such as a cellular company. Mr. Braegger responded affirmatively but there may be some new regulations from the FCC before that could be done. The FCC is continually looking for better uses for the spectrum.

BUDGETARY MATTERS:

There were no budget transfers.

ADMINISTRATION BUILDING UPDATE:

Executive Lemon related that because there were a number of unknowns in the historical courthouse. Once the employees were moved out of there, some partial demolition will be done to find out exactly what we will need to deal with. Then the County would bid the project. It probably won't be ready for bidding until September or October of 2003.

The commitment to tear down this Council/Court building and to make a new parking lot was July 1st, 2003. It was the plan to have a temporary Council Chamber in the meeting room in the new Administration building and the County Administration will have temporary offices in there until the Historic Courthouse was refurbished.

In regards to funding grant money, Council member Petersen related that Newel Daines had been quite successful in getting some fairly substantial, at least informal, commitments from some funding agencies.

COUNTY JAIL UPDATE:

Sheriff Lynn Nelson reported that the plans for the building permits were all submitted either yesterday or today. To this point there had only been a "footing/foundation" permit. The completed permits will allow work to go ahead.

The contractors were getting ready to put in the utilities. The concrete walls could be poured but could not be set in place until the other permits were completed.

One wide section, where the programming space and the chapel will be, will be left open for a substantial period of time so that equipment can be taken in and out of the jail pod.

PLAT APPROVAL (FINAL) - CLAIR C MINOR SUBDIVISION:

This was on for final action and had been discussed in the last Council meeting.

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Council member Yeates moved for approval of the Clair C Minor Subdivision. Robison seconded the motion. The vote was unanimous, 7-0.

ACRES MINOR SUBDIVISION:

Council member Gibbons asked Chairman Anhder if it has been decided if the poles that were put up were a gate or a sign. Chairman Anhder said it was a gate and so it conforms. The Zoning Administrator, Lorene Greenhalgh, was to affirm that the barbed wire fence was put up; she approves it; and the Council signs that the Plat is approved.

ORDINANCE 2002-14: ESTABLISHING COMMUNITY PLANNING AND DEVELOPMENT SERVICES DEPARTMENT

Chairman Anhder vacated the Chair and Vice Chairman Beck took up the gavel.

Chairman Anhder moved to adopt Ordinance 2002-14, establishing a Community Planning and Development Services Department, to include Building Inspection, Surveyor, Water Policy, Zoning and Planning. It will not include Business Licenses or Animal Control. Yeates seconded the motion. The vote was held for discussion.

Chairman Anhder clarified that the purpose of this was two fold. 1) To consolidate the Planning, Zoning and Building functions under a single department head. The department head would then be appointed by the Executive and confirmed by the Council. The beneficial effects being that it would reduce the span of control for the Executive, allowing a department head to work over this area and have just a department head reporting to the Executive rather than a variety of different organizations. **2)** Most importantly, it would greatly improve the County Planning. Up until now there has been a Countywide Planner but he had not worked with the Planning Commission on a regular ongoing basis but only has worked with the Commission on a special project basis.

Questions/Answers:

Darrel Gibbons: With this proposal are you anticipating making the Planning Department a full time County Department or are you anticipating, at least for the time being, allowing it to remain the Countywide Planer with those services that relate to the County incorporated into this Department?

Larry Anhder: I think; for it to work most effectively, it needs to be a full-time Planning Department. The next step would be to change the Countywide Planning Board so that the Planner worked for the County not the Countywide Planning Board.

Cory Yeates: What does the law say about a Surveyor being hired? Does the Surveyor have to be elected?

Anhder: The Surveyor is elected but the surveying section or staff would be under him.

Scott Wyatt: The County Surveyor is Lynn; Lynn wouldn't report a Department Head. In reality, the Surveyor is the head of the department. Then the subordinates to the County Surveyor would follow in departments. They would all be aligned directly reporting to Lynn. So, there shouldn't be any problems within the structure. All of the Surveyor subordinates report to the Surveyor.

Craig Petersen: In terms of the units affected by this, have they had a chance to give input on their perspectives?

Layne Beck: We did receive a letter from the Building Inspector, John Nelson.

Kathy Robison: I agree with Craig; I think we need to hold some workshops with our people that are already involved with this and see how it's going to affect them and see what is going to happen if we do this.

John Hansen: I feel the same way. I'm not sure I understand both sides of the issue well enough to really move

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forward in terms of having maybe good information to make a good decision.

Gibbons: I think we have pretty much made the commitment when we move into the new administration building to put all of these functions space-wise together, have we not?

Lynn Lemon: Yes, they will be.

Beck: (They will be together) with the exception of the Surveyor.

Lemon: We don't have the Surveyor in the same area, no.

Gibbons: I think it is a direction that I'm comfortable moving toward although I have some concerns trying to figure out how to fund a full-time Planning Department right now with the budget constraints we are facing. So, I would have some hesitation there, but I think it's a direction that we need to move. I would hope that if it is not adopted that we don't throw it away.

Anhder: What does that mean?

Gibbons: That means that I think we need to continue to pursue moving in this direction.

Anhder: How do we do that without adopting this?

Gibbons: If I heard Kathy and John correctly; I think they are saying that we have not listened to the departments that are being affected and they would be more comfortable getting their input before we make the move.

Council member Petersen called for a question on the motion.

Ordinance No. 2002-14: The vote was 1-6.

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

ORDINANCE NO. 2001-03: CONSOLIDATION OF CERTAIN COUNTY ELECTED OFFICES AND **ORDINANCE NO. 2002-08:** DISBANDING THE BENSON PLANNING DISTRICT AND THE BENSON DISTRICT PLANNING COMMISSION

Council member Yeates moved that both Ordinance No. 2001-03 and Ordinance No. 2002-08 be removed without further consideration. The vote was unanimous, 7-0.

RESOLUTION 2002-37: ADOPTING 2003 BUDGET

Council member Yeates moved to approve the 2003 budget. Hansen seconded the motion. The vote was held for discussion.

(See Attachment No. 1)

Chairman Anhder asked if the information discussed in the budget workshop had been included in the 2003 Budget resolution.

Tamra Stones recapped the changes that had been made to the 2003 budget as follows:

1. Revenue for the Jail-fees contract from State corrections of \$62,780.00 was removed.
2. The Wild-land Fire Impact Fund Grants' revenue in the General Fund of \$9,226.00 was changed to the Municipal Services Fund due to a misplacement error. It is a program where the money comes back to the County from the insurance program for the wild-land fire which gives back 75% of that payment back for project grants.
3. A Legal Assistant in the Attorney's Office was funded incorrectly as a legal Secretary. That made an addition of \$2,570.00 for the attorney's salary line item and an increase in the benefits line item of \$622.00.
4. In the Library's bookmobile amounts: Materials, supplies and services were changed to \$108,102.00 and a separate line item was given for books and subscriptions of \$13,500.00.
5. In Extension the travel line item for the 4H staff assistants was changed from \$600.00 to \$1000.00. The 4H Club line item was also changed from \$3,200.00 to \$2,800.00. In the capitalized equipment line there was an addition of \$20,000.00 for the truck.
(Contribution to the Fund revenue Reserve was now \$207,018.00.)
6. There was one error in the Assessing and Collecting budget and the contribution to the assessing and collecting had now reduced to \$82,354.00.
(The General Fund was now \$14,100,191.00.)
7. In the municipal Services fund \$9,226.00 was added for the State Wild-land Fire Impact Project Fund revenue.
8. The contribution for the appropriated surplus was changed to \$149,090.00
9. On the expense side on the Fire Department \$9,226.00 was added for the State Impact Fire and we had for the Capitalized Equipment for the fire \$27,500.00.
(Total Budget and the Municipal Services Fund were now \$2,440,379.)

Executive Lemon stated that the corrections to the Attorney's budget and the addition of the wild-land fire grant moneys were new changes that had not been discussed in the workshop.

Discussion:

Gibbons: We talked in the middle of the year last year about funding for an Emergency Medical Services Coordinator; we didn't do it. The two hospitals have both committed a certain amount of money. One hospital said they would commit the money to go to a Emergency Medical Service Coordinator; the other hospital, I think, has contributed their money to their emergency physician's group that's contracted with the County to provide emergency care. I was wondering if there was some way we could put \$6,000.00 into the general fund to fund an Emergency Services Coordinator. Then if the hospitals aren't able to come through with their contribution, we would remove the fund and we could utilize it elsewhere. At least we would have some dollars set aside so if the hospitals were willing to match, we could go ahead and hire a part-time coordinator.

Lynn Lemon: We know that Specialty Hospital; they have agreed to do that. Richard Smith with LRH told me about in mid November that he would get back with this the first part of December or sometime shortly and let us know. So, you are saying make it contingent. If they are willing to do it then we would be willing to commit \$6,000.00.

Gibbons: Yes. Then if they don't, we can remove it and bring it back.

Lemon: I'm certainly supportive of that. So, would you want us to book the revenue for both Logan Regional and the Specialty Hospital and then we'll set up a fund of \$18,000 to hire a part-time EMS Coordinator. Let's take \$6,000.00 from our fund reserve.

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The fund was to be labeled: "Grants/EMS Coordinator." There may also be a possibility of looking into applying for some Federal monies that would help fund this position.

Council member Gibbons moved to amend Budget 2003 to include the funding of an EMS Coordinator in the budget. Hansen seconded the motion. The vote was unanimous, 7-0.

Further Discussion:

Larry Anhder: We talked a little bit after the meeting about the salary packet for the employees. This budget anticipates a 1½% salaries increase to be divided.

Lynn Lemon: One percent based on merit and 1/2% on market adjustments.

Anhder: Didn't we say that 1% was \$77,000.00? How would you feel about going a full 2% which would be another \$35,000.00 almost \$40,000.00? Even 2% is not much of a salary increase. I think it sends an "atta boy!" message to the employees and it is not a significant amount.

Layne Beck brought up the procedure that Logan City had implemented in the last fiscal year. They delayed salary adjustment procedure where the employees would receive the allotted increase only at the last quarter of the year. The advantage was that it would save that raise for three-quarters of the year and that the employee's retirement would still be at that level for the year.

Chairman Anhder noted that retirement was based on the actual earnings. What this would do was that when salaries would be figured for the next year, it would be figured off of a lot higher base for the next year's salary adjustment. He thought that in the long-run from an employee's point of view, the raise throughout the whole year was a better perspective.

Craig Petersen: I would like to hear what Lynn's response is.

Lynn Lemon: I don't want to be non-supportive but I guess my worry is that we built money into this budget to fund operations for the jail and I don't want to be faced next year with not being able to pay for those operations. That is the only concern that I have.

Anhder: I think Darrel Glenn brought up an excellent point: "The employees of Cache County shouldn't have to pay for the Jail twice."

Lemon: I don't disagree with that.

Petersen: You know, Lynn, in past years as we have talked about the budget and you have submitted (to) us a budget, we have had some requests. We have added some expense and have said: "Okay, I think we can probably switch that." What I am trying to get a feel from you on is how do you feel about doing that this year. Is this year significantly different in terms of being able to add maybe a little bit more than what it has been in the past?

Lemon: Part of the challenge is the fact that we have done that over the years. There was a period of time a few years ago when we were more conservative and we actually had funding that was left over. Last year our fund balance went down. I anticipate that it will go down this year; so, that is the concern that I have. I want to be supportive of the employees; they are our best and most important asset. I think sometimes we have to take a breath and just say: "Can we really do it?" I felt like I was stretching to recommend the 1½%. There was literally a time when I wondered about not doing anything. I felt like it was total unfair to say to the employees: "You're not going to get anything because we are involved in these issues as they relate to the jail and the other building projects that we have."

My concern is that we had Three-hundred and something thousand (dollars). That money that we appropriated in the fund balance was there for the very purpose for operating the jail next year. I don't want to give it and find out next year that we are not in a position to do that. Last year at this time I would have thought that our sales-tax revenues would have been much better than they are. They are still decent projections; it is not a reduction in sales tax. I wish I could be more optimistic and say there will be no problem with that but I feel a real concern because it seems like we just go through a painful process to get to that.

John Hansen: It certainly isn't just in the County. The State, the Governor and everyone else are holding sessions wondering where to cut again.

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Lemon: I think that because we have been fairly careful, we are not in this position where we have to say: "We're going to have to cut your budget." However, I did send out a letter to all departments. Tamra and I are going through a process right now for your meeting next week trying to determine what our revenue is going to be for this year. We literally may be faced with saying: "We just can't authorize any more large expenditures based on what our revenue projections are." If I had my choice, I would give them more than a 2% increase. You're right. If you build a large increase in there then next year, you have a bigger base that you are trying to fund.

Total revenue for budget 2003 according to Auditor Tamra Stones was \$22,782,936.00, which included all of the changes that had been made to the budget.

A question on the motion to approve was called for by Council member Beck. The vote to approve Resolution No. 2002-37 as amended was unanimous, 7-0.

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

(See Attachment No. 2)

Council member Gibbons moved to approve Ordinance No. 2002-18. Petersen seconded the motion. The vote was unanimous, 7-0.

Ordinance No. 2002-18: The vote was 7-0.

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

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

(See Attachment No. 3)

Council member Gibbons moved to approve Ordinance no. 2002-19. Yeates seconded the motion. The vote was unanimous, 7-0.

Ordinance No. 2002-19: The vote was 7-0.

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

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

(See Attachment No. 4)

Executive Lemon clarified that this ordinance limits the amount of items kept on the “Capital Asset List.” It was still maintained that any department that wanted to dispose of something more than \$200 still must go through the proper process. It was still a requirement to get a purchase order for anything more than \$1,000.00.

Attorney Scott Wyatt: There was actually a couple of things that it does. Section One talks about Ordinance 2000-10. That ordinance wasn’t created in the fashion that could amend the Code. So, this incorporates everything in that Ordinance and repeals it. One of the thing that happened in that ordinance though is that it created two separate procedures of spending money in excess of \$1,000.00. If you look at the bottom of the first page that 3.08.030-b is all fit now. There was a more lengthy process that required fees and everything and that remains in place; it is found on the next page 3.08.060.

When this ordinance 2000-10 was passed, it increased the value of the property that needed to be kept on the inventory list to \$1,000.00 from \$200. That also increased the value of property for which there is a procedure to dispose of because the procedure has been that whatever was on the inventory list needed to be disposed of under a certain procedure. If it was not on the procedure’s list then the department head can do whatever the department wants. At the very end of page 3, we proposed that we take that back to just \$200.00; so that it is not \$1,000.00, which is what it has been all year; in fact it could even go up to \$5,000.00; but the Department Head ought to be able to throw away junk or find some other reasonable fashion of stocking of its assets without having to go through the County process; so, we just put it back into what it was in the year 2000.

Council member Gibbons moved to adopt Ordinance No. 2002-20. Robison seconded the motion. The vote was unanimous, 7-0.

Ordinance No. 2002-20: The vote was 7-0.

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

OTHER BUSINESS:

County Employee Christmas party: December 11, 2002, at 6:30 p.m. in the Copper Mill Restaurant

Council's Christmas party: December 10, 2002, at 7:00 p.m. in the Bluebird Restaurant.

COUNCIL MEMBER REPORTS:

There were no Council member reports.

ADJOURNMENT:

Council meeting was adjourned at 6:30 p.m.

ATTEST: Jill N. Zollinger
County Clerk

APPROVAL: H. Craig Petersen
Acting Chairman