

**CACHE COUNTY COUNCIL MEETING
FEBRUARY 25, 2003**

The Cache County Council convened in a regular session on 25 February 2003 in the Cache County Council Chamber at 120 North 100 West, Logan, Utah.

ATTENDANCE:

Chairman: H. Craig Petersen
Vice Chairman: Cory Yeates
Council Members: Brian Chambers, Paul Cook, Darrel Gibbons, John Hansen, and
Kathy Robison,
County Executive: M. Lynn Lemon
County Clerk: Jill N. Zollinger

The following individuals were also in attendance: Jana L. Ahlstrom, Matt Andersen, Rochelle Brown, Heather Conover, Attorney George Daines, Jay D. Downs, Helena DuRee, Nicole Eichelberger, Cindy Henderson, Susan J. Hoffman, Bryanne Hull, Jennifer Johnson, Eagan Kemp, Shane Kershaw, Trenton Landon, Cindy Leonhardt, William F. Lye, Travis Marx, Peggy Nath, Sheriff Lynn Nelson, Evelyn Palmer, Pat Parker, Crystal Pingry, Fire Chief Kelly Pitcher, Brian Potts, Jessica Rockwood, Jenny M. Rogers, Brad Shumway, Jim Smith, Auditor Tamra Stones, Frayne Williams, Christian Wilson, Gary A. Wootton. Renee Wootton. **Media:** Joe Rowley (Herald Journal) Jennie Christensen (KNVU)

CALL TO ORDER:

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

INVOCATION:

The invocation was given by Council member Cook.

PLEDGE OF ALLEGIANCE:

Chairman Petersen lead those present in the Pledge of Allegiance.

REVIEW AND APPROVAL OF AGENDA:

At the request of Council member Gibbons, Item 11-b, "Discussion - Business License Requirements," was removed from the agenda with no objection from the Council. The agenda was approved as amended.

REVIEW AND APPROVAL OF MINUTES:

Minutes of the Council meeting for February 11, 2002, were reviewed, corrected and approved.

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Chairman Petersen announced that the first luncheon with the County Elected Officials and Council members has been scheduled for Wednesday, March 5, 2003 at the Cottage Restaurant at 12:30 p.m., Chairman Petersen, Council member Cook, and Council member Chambers will represent the Council.

REPORT OF COUNTY EXECUTIVE: M. LYNN LEMON

APPOINTMENT: Ronald J. Ryel - Water Policy Advisory Board

ACTION: Motion by Vice Chairman Yeates for approval of the appointment of Ronald J. Ryel to the Water Policy Advisory Board. Gibbons seconded the motion. The vote was unanimous, 7-0.

APPOINTMENT: Mark Evan Maughan Deputy County Sheriff

ACTION: Motion by Council member Cook for approval of appointment of Mark Evan Maughan to the appointment of Deputy County Sheriff. Yeates seconded the motion. The vote was unanimous, 7-0.

WARRANTS: The warrants for the periods of 02-21-03 to 02-27-03 were given to the Clerk for filing.

OTHER ITEMS:

1. **Benson Planning District.** At the last meeting of the Benson Planning Commission, the Board members determined that they wanted to continue the Benson Planning District. Executive Lemon asked for recommendations for appointments to that Board from the Council members.
2. **Special Council Meeting.** A special Council meeting has been scheduled for Thursday, August 27, 2003, to finalize the approval of the Sales Tax Revenue bond sale. Marketing for that bond would begin tomorrow morning.
3. **Funding 911 Service.** Executive Lemon reviewed with the Council a letter that he had received from Chief Richard Hendricks of Logan City, concerning 911 services.
(See Attachment No. 1)
4. **Tax Anticipation Note.** The rate on the "Tax Anticipation Note" for this year will be 1.57%. The amount borrowed will be a little short of \$1,500,000.00. The County will close on those February 27, 2003.

COMMUNITY DEVELOPMENT BLOCK GRANT (CDBG) SECOND PUBLIC HEARING:

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Executive Lemon, opened the second public hearing for the CDBG program. Executive Lemon stated that this hearing is being called to allow all citizens to provide input concerning the project which was awarded under the 2003-2004 Community Development Block Grant Program. The county has amended its capital investment plan and decided to apply for funds on behalf of the following projects:

Projects for CDBG grant money.

Sunshine Terrace Project	\$ 93,000.00
Cache Habitat for Humanity	80,000.00
Child and Family Support Center	140,000.00
Family and Information/Resource Center	43,858.00

Executive Lemon explained that the above applications were successful in the regional rating and ranking process.

Executive Lemon opened the public hearing for public comments.

Comments/Questions:

Tamra Stones: I wanted to recap the projects. What is the Sunshine Terrace going to use their money for? What is their project?

Lynn Lemon: Let me just briefly describe those. I'm going to read a very brief summary.

Sunshine Terrace: "We would like to use the CDBG funds to replace over 600 inefficient window panels and 7 sliding glass doors with "low-E" insulated glass in their current facility in Logan."

Cache Habitat for Humanity: "The Cache Chapter would like to purchase two building lots somewhere in Cache County to construct two affordable homes for needy families. As proposed, CDBG funds will also be used to pay for improvements and infrastructure costs as well as fund projects' supervision."

Child and Family Support Center: "This project would be used to construct a 2,500sq.ft. new addition to the existing Child and Family Support Center in Logan. The CDBG funds would cover direct construction costs and some architectural fees."

Family and Information and Resource Center: "Funds will be used to cover first-year startup expenses for literacy, advocacy and mentor program countywide. The CDBG dollars will cover program deliveries, staffing costs and indirect costs. This new program's emphasis is designated to boost Cache Valley's Children literacy rate."

Executive Lemon stated that copies of the capital investment plan are available if anyone would like a copy. There were no more comments and the hearing was adjourned.

ACTION: Motion by Council member Hansen to close the public hearing. Cook seconded the motion. The vote was unanimous, 7-0.

REVIEW OF RESTAURANT TAX APPLICATION FOR 2003:

The revised copy of the restaurant tax allocation form given to the Council members incorporated the changes that were suggested in the last Council meeting.

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The Council reviewed the changes to the application and suggested several more. Those changes are reflected in the attachment.

(See Attachment No. 2)

ACTION: Motion by Council member Gibbons to approve the changes to the Restaurant Tax Application for 2003. Robison seconded the motion. The vote was unanimous, 7-0.

JAIL FACILITY UPDATE: SHERIFF LYNN NELSON

Sheriff Nelson stated that he has been meeting with Sahara, the architects, Executive Lemon and the County Attorney in going over a few issues. The structure is proceeding nicely. Many pieces of steel have been erected in the pod area. They have finished the three-story walls between the cells of the pod. Many of the walls are around 18 feet tall now.

They have erected two beams in the administration building that are as tall as the building will be, and they have now poured the vertical shear walls around them. Steel for the administration building will be delivered to the site in the next couple of weeks.

Discussion:

Chairman Petersen: Lynn, one thing we haven't talked about for a long time is the bulk-furniture purchases that we made last Fall. Tell us where we are on that.

Sheriff Nelson: We have it; it has all been inventoried. It is physically here and being stored. We have met with "Hendricks and Butler" and they have given us a layout with some of that furniture. We are evaluating that. I think there will be some additional costs if we use that furniture and we are currently looking at the stuff we have in our office now and whether or not we can use it and whether or not there will be additional cost with it. We are trying to weigh those two things out.

Council member Hansen: Lynn, I have a question. Do we have any indication of other counties or the state that may want to rent some cells down the road? What does that look like?

Nelson: Nothing at this point. I know we have most of this year to do that. There has been some discussion with another county but it is a little premature for them. I don't know what is happening with the State. With their budget year, that is kind of up in the air. My plan is in the next few months to start looking at that seriously and try to develop that and see if we can find some tenants to take some of that space.

Council member Cook: The legislation that deals with the pay-as-you-stay. Where are we at with that, do you know?

Nelson: I don't know.

Lynn Lemon: Please call your representative and everybody you can and say: "We want House Bill 112 passed." We really need it. I worry that we are getting at the end and it is going to be just left behind. I've asked the Utah Association of Counties; I've asked the other County Commissioners; I've asked anybody that I could to say: "We need to push this legislation." It is critical to us. We actually have the \$50,000.00 line item in our budget that we were planning on collecting this year because we thought that it would go through and there wouldn't be any opposition to it. There was a committee hearing on it last week and we had some of the legislators say: "We looked at this as kind of a debtor's prison." If people get in there, you'll keep them in there and they will never be able to get out." I said: "That's not our intent." "All we are trying to do is recover some of what it costs us to do it." It certainly doesn't make sense if we have to house somebody and pay the cost of housing them and they have the ability to pay, for us not to be able to collect a portion of that.

Cook: Is it in the committee still then?

Lemon: No. It was passed out of committee, not unanimously, and that is what my concern is. There are going to be those who are going to oppose it. I was hoping that there would be unanimous support so that it could get pushed up the calendar. We really need it passed.

Petersen: What does it specifically provide for?

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Lemon: It doesn't allow us to collect from people who are truly indigent. We can't file a civil suit against them after they get out of jail to try to collect that. It doesn't allow us to collect for contract prisoners of the State. There is some provision in there where we might be able to collect the difference with a condition of probation. Basically (from) others, we would be able to collect a portion of what it cost us to house those other individuals. The ones we are most concerned about are those that may be in there for a couple of weeks. In our County it's critical because we don't have a Justice Court for the County. Logan City has a Justice Court, Hyrum does and Smithfield does. They collect the fine and we get the prisoners; so, we have to pay for the person to be in jail. We don't get any of that (fine). This is one of the ways counties are trying to deal with that.

COUNTY ADMINISTRATION BUILDING UPDATE:

The County Administration Building Committee met this morning. They discussed landscaping and parking lot issues. Christian Wilson came before the Council to discuss the landscaping and parking proposals.

Christian Wilson: We are proposing creating a county plaza between the two buildings. What we want to do is a little more hard scape than what was there before. Trees will be planted to create a shaded area.

We are designing the parking. Parking has become a really big issue right now. We want to make sure of what we are doing here (with the landscaping) so that we can tie in the right grades and drainage. The new parking design will increase the parking stalls by 250 spaces.

Chairman Petersen noted that the landscaping was probably the last part of the project. It would be done after the renovation of the courthouse in the later part of the Summer of 2004.

Discussion:

Darrel Gibbons: Question: The walkway access from the new administration building to the old courthouse ...what are you proposing?

Christian Wilson: This is all paved. We'll have planters and tree grates.

Lynn Lemon: It will be blocked, right? It won't be pavement.

Wilson: It will be concrete. It is also a place where say if the "Summer-Festival" does decide to come here, that is where you could put some tents and not destroy the lawns. You could have even some sort of hotdog vender out there.

Chairman Petersen talked about the timing of the project. The tentative move-in date of the new administration building was about mid May. It was anticipated that the Courts would be out of the Executive/Courts building by the 1st of July. Demolition of the Executive/Courts building would then proceed and then construction of the parking lot.

The historic Courthouse interior would be gutted, which would also be done this Summer. Construction on the interior of the Courthouse would begin in the Fall. The renovation of the exterior, which would include taking the paint off and staining the brick, would be this Summer. The Courthouse would be available about a year from this Spring.

Further Discussion:

Darrel Gibbons: When the administration building becomes available and the courts are still in this building are you anticipating, Lynn, moving your offices at that time immediately to the new administration building?

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Lynn Lemon: Yes, as soon as we can. As soon as the courts move out of here, we can demolish the building. One of our agreements with the merchants on getting them to sign the easement was that we would restore more access to them as quickly as we can. I think the contract said a year or as soon as we could and we are at a year in April. We will then start the process of disposing of all furniture and other items in this building.

Another issue that needed to be solved at once and that was brought up in the committee meeting was the phone system.

Chairman Petersen explained that the old phone systems would have to be terminated and the new one started at one time; it could not be done in stages.

Executive Lemon further explained that the current phone system was tied into the phone system in the Sheriff's Office. The phone system in the new building would have a separate control for that building. The lines would have to be cut one weekend and they would have to be up the next Monday for the new building. We are going to have to do it immediately,

TV TRANSLATOR USE SURVEY UPDATE:

Background: There had been a lot of talk about The TV Translator, pending litigation and the possibility of moving the translator to another location.

The issues:

1. What really was to be the long-term future of the TV Translator,
2. What really was the demand and how many of the people were using it and
3. Before more money is invested, determine usage.

Suggestion: A telephone survey to be contracted with some group, probably a USU group, and draw a random sample of around 400 homes. The expectation being that there is a relatively small portion of the people who use the TV translator and these people needed to be included in the sample selection of the survey.

Discussion:

Council member Gibbons: I thought it (the telephone survey) was written well so that it didn't lead the respondents into some kind of conclusion.

Council member Chambers: When the University does surveys, what shows up on "Caller ID." If it says no CID they could have a million dollars for me and I would never answer the phone because I am just not going to answer it; that is one of the reasons I had that put in.

Chairman Petersen: That's a good question. It depends on where they do it. The university has a set of phone banks that they use for surveys but I'm not sure what the caller ID is on those.

Council member Cook: It usually says: "No caller ID available."

Petersen: I guess we could use County phones after hours.

Executive Lemon: Our phones would be identified.

Petersen: That is probably a significant advantage, I think.

Hansen: How many people would you survey?

Petersen: I think at least 300 people need to be surveyed. It could either be a random sample of the county or it could be what they call a stratified random sample where you pick some component groups.

Hansen: Don't you think that you would find a lot more positive response in a place like College and Young Ward as opposed to where you have cable in Hyrum?

Petersen: That might be the reason to stratify the samples.

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Robison: One of my constituents called me and told me about the Herald journal question of the day where they were asking: "How are you receiving your TV service?" The results were published today where 178 people responded, I think, and 14% of those said they were given that from the TV translators. Did they have to email to give their response to the website?

Cook: The respondents were on the website.

Petersen: People have to be computer literate which may bias the results and also the people who are interested may be the ones to respond.

Robison: What I'm saying is that no one method is going to get everybody. Those would be only people that respond on email or on a website and these would be only people who would answer the telephone survey. Would a variety of methods be better?

Petersen: This is probably better than the Herald Journals method.

Cook: When you are going to do the survey, would you just include a question about high-definition TV? That is really going to be significant issue.

Petersen: There will be some costs associated with this. My guess is we can do it for less than \$1,000.00. What we need is the Council's support to expend a sum of money along those lines.

Council member Gibbons: Do we have enough in the television translator budget?

Lemon: I would need to go and look at what we spent last year but I am guessing that we probably do. We have a budget of \$23,000.00; I think we spent \$19,800.00 last year.

MOTION: Action by Council member Gibbons to allocate money for a TV Translator Survey. Hansen seconded the motion. The vote was unanimous, 7-0.

EMS COORDINATOR DISCUSSION: COUNCIL MEMBER CHAMBERS

Council member Gibbons reported that today in the Fire Board meeting, Council member Chambers was elected as the new Chair of the Fire Board.

Brian Chambers: Last Fall Council member Gibbons suggested a \$6,000 appropriation from the County to be matched by the Specialty Hospital and Logan Regional Hospital to fund a part-time Emergency Services Coordinator for the County. Logan Region Hospital for legal reasons was not able to support that. In our Fire Board Meeting earlier today, we found some additional money thanks to Tamra in the Auditor's Office that would make up the deficit caused by Logan Regional not participating. The question is, are we willing and do we have the support among the Council here to move in the direction to fund and to begin to draw up a job description and to advertise for a part-time Emergency Services Coordinator?

At the request of Chairman Petersen, Council member Chambers reviewed the total cost of the proposed coordinator and the source of funding for this position:

Council member Chambers: The cost would be around \$19,000.00. That is going to be a very part-time type of a position when you consider the additional expenses beyond what the enumeration would be provided for that coordinator; so, we would have \$6,000.00 from the County (That was discussed in November and December and was approved.); The Speciality Hospital (\$6,000.00) (Lynn was going to check with them and they are solid on their \$6,000.00); with the money that Tamra can shift (\$7,000.00). That would provide the money to at least begin the process if we are willing. A job description would be drafted. We talked about even advertising for the job and seeing where the interest is. It may be that it (the position) would

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have to be contracted out because somebody would have to do this in addition to a full-time job. This would be on their own time; they would have to have a flexible kind of schedule.

Discussion:

Chairman Petersen: Did I understand that it is basically \$13,000.00 from the County and \$6,000.00 from the Specialty Hospital?

Council member Chambers: Yes.

Petersen: That includes the salary and whatever benefits there would be with it?

Council member Gibbons: Unless we were to contract with the individual and just do it on a contract basis; then we wouldn't have to worrying about benefits and those other things. We would just contract for (a certain) amount of money. That is something that we would have to look at and we could come back with the proposal.

Council member Yeates: (Would) that \$13,000.00 contribution from the County be a requirement for each year or will Logan Regional hop in next year and help out or do they want nothing to do with this?

Gibbons: They have indicated that their legal council has told them that they can't contribute funds. Apparently it was the Safe Harbor Act that restricts them for contributing funds that would be used for ambulance services and other related services. Whether or not in another year they would do it differently, I can't say.

Lemon: I don't think they would. I certainly wished they could.

Petersen: I don't know how many First Responders and EMS people we have scattered throughout the County but there is a significant number. Most of those people are outside of Logan in the North- and South-end of the Valley and are the first ones on the scene of an accident. We need to have some coordination that helps train and solicit grants, etc. Assistance is just not happening. Some of the cities are getting discouraged; they are losing their people because they don't have the support that they need. I would certainly second Craig's recommendation that we try and appropriate an additional \$6,000.00 to \$7,000.00.

Council member Cook: Tamra, where is this money coming from?

Auditor Tamra Stones: I had an employee who was an Accountant III level. When I replaced that employee, I only replaced him with an Accountant II level. There was a substantial difference in pay. Most of it is in the benefit package.

Petersen: Wait a minute, what am I understanding? Are you taking this out of your department's budget? This is a first! This has never happened before.

Stones: They (sort) of twisted my arm. It's all for a good cause. I want them to be on top of things when I use the service.

Gibbons: It's only fair to point out that Tamra sits with us on that Fire Board and has been a participant in these discussions for the last several years as we have talked about this; so, she understands how critical the need is as well as anyone.

Robison: Is there any chance that we are going to get any help from the Mayors' Association on this? Are any of these towns feeling any obligation?

Lemon: I don't think so because basically the towns are paying for all First Responders and we have agreed as a County and have a contract to pay for the medical control. There is such an inequity between city to city and town to town; and city to town that it is hard to say what we would ask each one of them for. Kelly, do you think they would contribute?

Chief Kelly Pitcher: I don't think they would because I think they are going to come back and say that the County is not paying anything into the First Responders that they are providing for us in the unincorporated area right now.

Petersen: What about a need for office space or operating expenses? Are we going to end up with additional costs?

Gibbons: That's one of the proposals that somewhere along this process we are going to have to discuss, where the appropriate place is to house this individual and address some of those very issues. Personally, I would like to see this position contracted. If it could be contracted then those kinds of concerns would be the contracted person's responsibility.

Chambers: It is obviously not enough money that someone could justify applying for as their livelihood. It has to be sort of a hobby for what that will net down to with expenses attached to it.

Gibbons: I think too, Craig, somewhere along the line, we ought to discuss chain of authority, who they report to.

Hansen: I'm not catching the vision, I guess. We have discussed this and it is a great idea but giving an example: If there is an accident say out in Newton, the First responders are likely the first people there. What is this coordinator going to do to facilitate that situation?

Gibbons: Probably nothing for that specific accident.

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Cook: That's not really true, Darrel. Isn't he going to help this person who is responding first to get ongoing training?

Gibbons: That's what I'm saying. We contract medical control so that there is communication between a medical doctor and those individuals and also the Paramedics responding from Logan in an ambulance so that the medical situation is addressed. For training and the coordination between the Paramedics and the First Responders, etc., hopefully grant-writing and finding some money would be of assistance to those people.

Chambers: I guess the natural question is Tamra's source of funding. Do you envision that as something that will be available for several years or are you viewing it just for the next year?

Stones: My budget is basically funded out of the tax revenues and the various revenues of the General Fund; so, I would assume it would be available for ongoing, at least for that one little piece, salary benefits. It would just be a shift from my department to the Fire or Non-department wherever it is going to be expended from.

The Council was supportive to move forward. Auditor Stones was requested to have an inter-department budget transfer ready for the next Council meeting. It was decided to prepare a job description and advertise for a contracted position.

OTHER BUSINESS:

There were no other business items.

COUNCIL MEMBER REPORTS:

Paul Cook: (In regards to the County's website) We have met with the departments now twice. We have told them that we needed them to start giving us feedback. We have some feedback but not enough to move fully forward with it. As far as infrastructure and getting the information to the State so they can redirect our domain and in terms of hardware and software, we are moving very well.

ADJOURNMENT:

Executive Petersen adjourned the "formal" Council meeting at 6:00 p.m. The Council, would reconvene in an Executive session to deal with personnel issues.

EXECUTIVE SESSION:

The Attorney, the Executive and the Council attended this closed Executive Session.

ATTEST: Jill N. Zollinger
County Clerk

APPROVAL: H. Craig Petersen
Council Chairman