

CACHE COUNTY COUNCIL MEETING
April 22, 2003

The Cache County Council convened in a regular session on April 22, 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, and Kathy Robison.
John Hansen absent.
County Executive: M. Lynn Lemon
County Clerk: Jill N. Zollinger

The following individuals were also in attendance: Russ Akina, Keven Bankhead, Lea Buttars Janet Borg, Mark Brenchley, Del Ray Campbell, Janna Custer, Kim Cheshire, Attorney George Daines, Brett Daniels, Joe Fuhriman, Lorene Greenhalgh, Charell Harris, Paul Harris, John Hiskey, Lynette Hiskey, Craig Humphreys, Alan E. Joos, Carla Joos, Jon Keller, JoLynne Lyon, Jeri Malouf, Sheriff Lynn Nelson, Evelyn Palmer, Pat Parker, Kelly Pitcher, Brendan Pratt, Steve Russell, Jim Smith, Rhonda Thompson, Auditor Tamra Stones, Mark Teuscher, Brent Welsh, Rod Wilhelm, **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 Robison.

PLEDGE OF ALLEGIANCE:

Chairman Petersen lead those present in the Pledge of Allegiance.

REVIEW AND APPROVAL OF AGENDA:

There were no changes to the agenda. The agenda was approved as written.

REVIEW AND APPROVAL OF MINUTES:

Minutes of the April 8, 2003 Council meeting were reviewed, corrected and approved as amended.

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REPORT OF COUNTY EXECUTIVE: M. LYNN LEMON

APPOINTMENT: There were no recommended appointments.

WARRANTS: The warrants for the periods of 04-04-2003 to 04-10-2003 were given to the Clerk for filing.

OTHER ITEMS: Executive Lemon reported on the “**Utah Association of Counties (UAC) Spring Conference**” in Price, Utah which was held this past week.

●UAC Transient Room Tax Collection

Executive Lemon told the Council that the UAC Board of Directors had voted to move forward with a proposal to have UAC collect the Transient Room Tax rather than the State Tax Commission. Auditor, Tamra Stones has expressed a concern due to the fact that the Counties in UAC do not have the same audit authority that the State Tax Commission has. Cache County collects about \$240,000.00; therefore, the County's 1.2 % is about \$3,000.00. UAC is moving forward; however, there has not been unanimous support for it.

●Help America Vote Act (HAVA).

Executive Lemon stated that the HAVA Act was passed in October of 2002. There was a lot of discussion about this at the UAC Conference. This act has transferred a lot of responsibility to the State as far as making certain that elections are held properly. The State must submit a plan to comply with HAVA by the end of April of this year to the Federal Government. The County must come up with about \$81,000.00 in funds as a match to Federal funds over the next two or three years to purchase new electronic voter equipment. This equipment must be placed in every voting polling location in the County by June of 2006. The punch card system will still need to be used for the absentee ballots. There was a UAC Committee formed to deal with questions and concerns with implementing the HAVA act. Jill Zollinger, the County Clerk, will be Cache County's representative.

●2003 UAC Legislation Tracking sheets and Legislative ranking.

Executive Lemon gave the Council a 2003 UAC Legislative tracking and ranking sheet. Legislative Bills were tracked that the Utah Association of Counties were working on, whether they passed or failed, and the Legislative ranking.

RECOGNITION OF CACHE COUNTY FIRE DEPARTMENT: ALAN JOOS

ALAN JOOS: I am the Director of Certifications of Fire Services of Utah. The actual program that I represent is the Utah Fire Service Certification Association (FISCA): We are attached to the Utah Fire and Rescue Academy which is based out of Provo, Utah.

The certification system in Utah has been in existence since 1981. Our certification standards are based on the National Fire Protection Association certification standards that are used nationwide. Involvement in the certification system in Utah is voluntary; there is no mandatory certification. Departments or Agencies choose to be involved because they want to improve the safety of their firefighters and to be able to validate their training and to have a third party come in and recognize them for their efforts.

About a year ago, we started a program in the certification system called “Department Recognition Program”: The purpose of the program is to recognize the Departments that are involved with certification and to basically thank them for their efforts for what they put in. Within the State of Utah, the certification system has 21 levels that are offered; however, we have what is called the “Seven Core,” basic Levels”

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that we feel all departments should be certified to. Those levels are ***“Firefighter-I, Firefighter-II, Hazardous Materials Awareness, Hazardous Materials Operations, Apparatus Driver/Pumper, Officer-I and Wild-land Firefighter I.”***

We would like to recognize the Cache County Fire Department as Firefighter-I and Firefighter II which is Gold level and which means they have 95% of their people certified or higher; Hazard Materials of Awareness, and Hazardous Materials of Operations and then Wild-land Firefighter-I which is Silver level and which means they have 75% certified. They have six out of the seven and that is the highest we have recognized so far.

Mr. Joos invited Chief Pitcher, members of the Council and the County Executive to help acknowledge the presentation of the “Department Recognition Award” to the Cache County Fire Department. Mr. Joos presented the award and extended his congratulations.

Executive Lemon extended the County’s appreciation for the outstanding job given by the County’s Fire Department and the volunteer firefighters.

RAPZ TAX APPLICATION AND UPDATE ON WILLOW PARK: RUSS AKINA

RUSS AKINA: Our Intention tonight, as it has been from the time that voters had approved this measure, was to provide for the County Council a recommendation in terms of guiding language in which to use as we begin this process over the next 10 years. Coming upon the first year of funding, we wanted to make sure that from the Coalition standpoint that we also take our place in terms of responsibility to meet as a Coalition to develop some guiding language recommendations to give back to the County Council. In the legislation it does place the County Council as the administrator of this legislation as far as funding is concerned and how it is to be managed. What we have tried to do as a Coalition, in meeting various times is to present you with information in terms of how to guide the decision making and ultimately how funding was to take place.

“Recreational and zoological facilities and the botanical, cultural, and zoological organizations of the state of Utah enhance the quality of life of Utah’s citizens, as well as the continuing growth of Utah’s tourist, convention, and recreational industries.”

“...The legislature intends to permit the counties of the state of Utah to enhance public financial support of Utah’s publicly owned or operated recreation and zoological facilities and botanical, cultural, and zoological organizations through the imposition of a County Sales and Use Tax.”

“To better enable the Cache County Council to administer the RAPZ Tax, three (3) advisory boards were created: the Cultural & Botanical Advisory Board, the Recreation & Parks Advisory Board, and the Willow Park Advisory Board (which shall serve as the Zoological Advisory Board).

The RAPZ Coalition felt it was important in terms of that guiding language to develop two new groups in which they would help the County Council in reviewing applications that would be submitted to them. Within the packets we have included some guiding language in regards to how an applicant would know whether they qualify to receive funds. By using the advisory groups for these review groups, assembled with the approval of the County Council, they could more specifically review the application and make the recommendation for funding to the Council.

There may need to be some refinement that (still) needs to be done. We also have some milestones that we need to hit as far as the Coalition is concerned so that we can keep with an anticipated application

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schedule for this Fall to have the applications ready for disbursement and then likewise being set up so that the applications and the review groups could be ready on that schedule. By the time next Winter rolls around, we will be in position to not have any further delays but to keep it on schedule based on some of the information we have presented to you tonight.

The following items were pointed out:

- Lynnette Hiskey, the Administrator of the ZAP program of Salt Lake County, had been asked to be a part of the RAPZ Coalition meetings. Their program was already in progress and their experiences are beneficial to the Coalition.
- The Coalition members would not play a roll in review groups or the advisory groups; however, they would be responsible for information regarding guiding language.
- In regards to guiding language as to how or who, those representatives should be more from the standpoint of location or area in Cache County rather than with specific positions.
- More refinement might be needed. The goal was to be prepared for 2004 when it was anticipated that those funds would become available.
- The object was to have the Council accept the guiding language they had been working on.

The Council felt it was necessary for the Coalition to make some refinements to the RAPZ policy and application taking into consideration more flexibility in eligibility requirements. The County Attorney was asked to look at the resolution passed in November on the RAPZ Tax and go over the Coalition's recommendations.

The RAPZ Coalition will be placed on the next Council meeting agenda.

PUBLIC HEARING: AGRICULTURAL PROTECTION AREA - DEL RAY CAMPBELL TRUST, STEVEN A. RUSSELL, H. J. FUHRIMAN LLC

Chairman Petersen opened the Agricultural Protection Area public hearing and asked for public comments.

Public Comment:

Del Ray Campbell: We have been approved by the Ag. Protection Advisory Board and also the Planning and Zoning Commission.

ACTION: Motion by Vice Chairman Yeates to close the public hearing. Cook seconded the motion. The vote was 6-0. (Hansen absent.)

THE COUNCIL MOVED INTO BOARD OF EQUALIZATION

TAX SALE EXTENSION AND PAYMENT OF TAXES: PAUL & CHARELL HARRIS

(See Attachment No. 1)

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Executive Lemon explained that the owners had been trying to sell two properties and had not been able to negotiate a sale. If the Council approves an extension and the payment is not made next year, the property would be sold at next years Tax Sale. No penalties and interests would be waived. All taxes would still need to be paid. Executive Lemon recommended giving the tax extension.

Auditor Tamra Stones clarified that a delinquency can only be carried for five years. The Treasurer's Office would then have to hand carry the unpaid balance after this year.

ACTION: Motion by Council member Gibbons to give a one-year extension with the understanding that there will be no further extensions if taxes are not collected. Robison seconded the motion. The vote was 6-0. (Hansen absent.)

DELINQUENT PROPERTY TAX REQUEST FOR HARDSHIP: PATRICIA GLOWSKI

(See Attachment No. 2)

Patricia Glowski was willing to pay the taxes and had submitted a time frame payment proposal.

ACTION: Council member Gibbons moved to accept Ms. Glowski's proposal of \$100 per month toward the back taxes and remove the home from the Tax Sale list this year, with penalties and interest to be left in place. If Ms Glowski can remove her husband's name from the deed to the home, Gibbons proposed reconsideration of waiving penalties and interest. Yeates seconded the motion. The vote was 6-0. (Hansen absent.)

THE COUNCIL ADJOURNED FROM THE BOARD OF EQUALIZATION.

ADMINISTRATION BUILDING UPDATE:

Executive Lemon reported that the moving date of the Administration Building had been changed. The County would now close on the afternoon of Thursday, June 12th and move on Friday, June 13th and Saturday, June 14th and be ready to open for business on Monday, June 16th.

Jim Smith discussed the moving costs. He explained that the County was looking at using inmates on work-release to do the moving to save cost; however he found that worker's compensation would not cover the inmates and that was basically any type of injury would need to be covered by the County. The County Attorney has given direction to not use the inmates.

Mr. Smith had contacted four professional moving companies and "SOS Temporary Services." The County had estimated 600-700 boxes, materials and other items to be moved over. In looking into the vaults and the magnitude of those documents, the estimate grew to about 2,000 boxes. That did not include the large heavy items. Bids from two movers came to \$24,000.00. The Temp Services would charge \$12.35/hr. They would be covered by worker's compensation but the Temp Service wouldn't be under contract for damages to the building in the move, as a professional moving company would be.

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Besides moving the offices in the Historic Courthouse, this would also include relocating the County Extension Office from North Logan and relocating the Clerks Office and the Planning & Development office from East Main Street.

It was noted that the County had not allocated funds for the move; however money could be moved and possibly used out of the Building account fund. It would take approximately 20 people and these people would be brought in by the moving company.

ACTION: Motion by Vice Chairman Yeates to go ahead and authorize Mr. Smith to contact Slater Transfer and schedule the process. Gibbons seconded the motion. The vote was held for Discussion.

Discussion on the Motion.

Paul Cook: I'll just throw out an alternative idea. We hear all of the time that people in the County would like to have ways to earn additional funds. Are there some people from our Sheriff's Office or from other employees in the County that would like to put in a little additional time? Granted they would not be professional movers but is it possible we could do it for \$12 - \$15,000.00, save ourselves ten, use our own people and give them a chance to earn extra funds and still get a quality job done?

Lemon: We did have a proposal that we looked at of letting some High School sports teams do it.

Cook: No, I would think people from the Sheriff's Office or other type of employees that may have some interest in doing it.

Sheriff Lynn Nelson: You are going to be faced with fair-labor standards but it probably still would be cheaper.

Jim Smith: We looked at this initially before we even got bids. Looking at the majority of the people in the Courthouse, they are ladies and they just don't want to be involved to try to lift a lot of heavy boxes.

Auditor Tamra Stones: We were considering the stairs in the Courthouse. We are in there for packing up and making it ready to go, but we don't want to be hauling it up and down the stairs.

Chairman Petersen: Jim, what actually is involved in this move? We have to move all of the records. There will be a lot of furniture that won't be moved because we are going to have new furniture in the new building.

Stones: Computer equipment. The safe.

Lemon: Copiers.

Smith: Craig, really the biggest issues are the vaults. The Recorder's and the Auditor's vaults will probably be a single day job alone. Undoing and re-assembling the racks.

Lemon: Especially reinstalling the shelves.

Attorney George Daines: I think there is a lot of stuff in the old Courthouse that should stay in the old Courthouse. If you are talking about 20 people for three days that is 60 man days to move this stuff. If my calculations are right, at \$24,000 that is \$400 per man (for 20 Men).

Petersen: It's about \$50.00 per hour.

Cook: Are there some of your Deputies and your Part-time Deputies that would like to earn some extra resources working?

Kim Cheshire: I can speak only for the jail division. We are understaffed right now; I am five people short. I am working them pretty hard and long and they may want to go home and see their families but I could probably get a couple of them to do

Daines: At \$400.00 a man, that is too much money. That is \$12.00 a box. You can move boxes at less money than that. \$7.00 or \$8.00 seems to me to be a more reasonable calculation. I really wonder if there isn't an easier way to do this. Have Wayne Rasmussen, find a dozen college kids or anyone else that wanted to and just start moving it.

Kathy Robison: What would be our liability with that George?

Daines: None, because you hire them and you pay workmen's comp. on them. Workman's Comp. is not that expensive. The problem with the inmates is that Workman's Comp. won't let you put workmen's comp. on inmates because they have bad experiences with inmates.

Lemon: If we did it with the County employees, we would be paying them time-and-a-half.

Petersen: We do have another option on the board and that is the Temp. Services option.

Daines: Even at \$12.00 an hour, that is what your Temp. Services costs you, for 20 men for three days, the cost would be about \$1,700.00.

Cory Yeates: What about getting back to the safes? Could we contract with Slater to just move the safes?

Daines: What I would suggest to you is why don't you take a look at moving the boxes with some kind of manual labor and things that are more difficult to move use someone who knows how to move it.

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Stones: Computer equipment that we don't want to have to pay for, if the moving company drops it they have to pay for it but if the temporary people drop it, we have to replace it.

Daines: We have struggled so hard to keep this building under budget and today we were talking about how much money we had left for art in the building. Those are things that last forever and I hate to see us too easily spend this kind of money.

ACTION: Motion to authorize contracting with Slater Transfer was withdrawn by Vice Chairman Yeates. Gibbons also withdrew his second to the motion.

ACTION: Motion by Council member Cook to form a committee of three appointed by the Chairman to come up with a recommendation to the Council. Yeates seconded the motion. The vote was 6-0. (Hansen absent)

The committee members will be Council member Cook, Chairman Petersen and Jim Smith.

JAIL UPDATE: LYNN NELSON

Sheriff Nelson reviewed with the Council the need to hire additional personnel. The Sheriff's Office had budgeted to hire the people in November but that needed to be moved up. There were two Academy dates, May 5, 2003 and July 21, 2003. Kim Cheshire noted that he has to have people hired and in the Academy before July 21st.

Sheriff Nelson explained that there were two parts to training: 1) The Academy, which is 10 weeks and 2) 8 weeks of on the Job training.

Eight deputies needed to be brought on board. It was proposed to hire three in May, two in June and two in July and send them all to the Academy July 21, 2003.

(See Attachment No. 3)

NO ACTION WAS TAKEN.

Information on the training and the hiring of new deputies was to be made available to Executive Lemon. Executive Lemon was to prepare a memo and submit it to the Council in one week.

Sheriff Nelson further reported that everything was on time and that in regards to the budget there wouldn't be much saving but he did not feel the Jail complex would spend any additional funding. January 1, 2004 appears to be the turnkey date.

The financial stress of hiring new deputies was a concern to Executive Lemon. Sheriff Nelson felt it would be difficult to open the new facility by January 1st if the hiring of deputies was not escalated because he was trying to have the new deputies trained by late October or the first of November so that they could help run the current facility while people were being sent by shifts over for training in the new facility. By November the Jail Division would actually be operating two facilities.

STRATEGIC PLANNING DISCUSSION FOR CACHE COUNTY:

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Mark Teuscher identified what had been accomplished in the County in regards to the "Cache 2010 Plan." He noted that some of the goals were not in the preview.

(See Attachment No. 4)

Chairman Petersen was not of the opinion that mounting another "Cache 2010" effort would be in the best interest of the Council's time. His proposal was to do something more limited in scope. Instead of thinking about what the whole County could be like in 10 or 20 years, he wanted to focus on how County Government could be improved over the next two or three years.

(See Attachment No. 5)

Chairman Petersen: What I am suggesting is that the County Government be involved in a medium term planning process with three primary objectives: 1) Modification of the budget. 2) Determine current activity values and 3) New activities.

- **Council/Executive would determine a small number of goals** that would guide the process. The whole process would really be driven by trying to achieve those goals.
- Individual units, the Offices of the Elected Officials and the Department Heads, would develop **unit plans by July 31.**
- A Council/Executive subset would hold negotiation meetings with each unit and so you would end up with a **revised plan.**
- From those unit plans. The Council/Executive develop an overall **Countywide plan.**
- (The Countywide Plan) becomes the **planning document** for the next years budget.

Chairman Petersen asked for comments from the Executive and the Council.

Comments/Discussion:

Executive Lemon: I think it is a good process and I would love to have more input with the Council as far as when we develop the budget. The big question I have is just the next couple of months as we try to move all the departments in meeting those goals. I agree even without that it is still pretty compressed. To do it would be very beneficial.

Chairman Petersen: It certainly would be possible to do the process and simply spread it out. That means you would hit the budget this year but it becomes a planning document for next year's budget.

Council member Robison: We're asking a lot of our County employees over the next few months. Maybe we had better delay it just a little.

Council member Yeates: I had nightmares thinking about trying to undertake another 2010 project. Scaling it back is a great idea.

Council member Gibbons: The longer you put it off the less momentum you get. I know we are going to busy the next couple of months but I'm a little bit resistant to say: "Let's postpone it for a year." If we are going to do it, I think that we ought to tackle it now.

Auditor Stones: I think it sounds great; it could be a little tight. We should look at what services we are providing and what services we are not providing. Basically what I think is happening, at least in my case, is that there are services that are not being provided that should be provided. I think we could probably give and take over the last years because the funding has been relatively stable and some of those costs we just haven't wanted to incur.

Petersen: An equally important part of the process is to cause people to look very hard at what they are doing to see if it has value. For example there might be some things we are doing with human labor that could be automated and could become much more efficient more than that.

Stones: Just because we have done it that way for 20 years doesn't mean it's the right way to do it.

Petersen: Exactly. I think there is real value encouraging people to take a hard look at that and how things can be done differently.

Stones: I think it a great idea and I think it is wonderful that your Council wants to get involved. For that budgetary

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process, that would be very helpful.

Petersen: This would be an ongoing process; although, once you have developed the plans the first time, what you do is take the plan and update them from year to year.

Stones: We tried to do that in the budget process. What has happened with it is they (the Departments) have all funneled all the information to me and it bogs down with me because I am polling the budget back together. I don't have all the resources to get that forwarded to the Council and the Executive. I usually have all the departments explain what they are doing and what they are trying to do. I try to forward as much as I can but it has just been really intense on only one person.

Petersen: In addition, you would be getting a little bit different type of information. Basically, you get requests for money and maybe not a broader look at what the department is doing.

Stones: You get a more finite view. Instead of a 5-year out or a 3-year out you asked to get, this year I wasn't able to do this for you, maybe I can weigh it out 1-year. Maybe this way you as a Council could maybe get a broader look into the future.

Council member Cook: Craig, how would you feel instead of May 31st if we moved that to the end of June or the 1st of August just until the move is over?

Petersen: That will cause you to miss the budget. Actually the May 31st date is the easiest date to meet because that simply involved us coming up with five fundamental goals. I'm not sure the formulation of the plans of the units will be the tough part of the process. The difficult part of the process will actually be finding time to sit down with everybody and talk about their plans and negotiate the revisions.

ACTION: Motion by Council member Cook to adopt Chairman Petersen's proposal and move forward with it. Yeates seconded the motion. The vote was 6-0. (Hansen absent.)

SHOSHONE NATIONAL RECREATION TRAIL SYSTEMS PROPOSAL:

Rob Cruz had gone over the Shoshone National Recreation Trail System during the last Council meeting. This was an initial proposal and would be put on the next Council agenda for final action.

NO ACTION WAS TAKEN.

OTHER BUSINESS:

DISCUSSION: AGENDA ITEMS FOR JOINT COUNCIL MEETING WITH LOGAN CITY:

The joint Council meeting with Logan City will be held on April 29, 2003, at 5:00 p.m. in the Cache County Council Chamber.

Discussion items: Ambulance Service, RAPZ Tax, Airport and Mosquito Abatement.

REPRESENTATIVE ROB BISHOP MEETING:

Rob Bishop's visit would be tomorrow, April 23, 2003, at 5:00 in the Cache County Council Chamber.

SMITHFIELD HEALTH DAYS PARADE:

The Smithfield Health Days Parade would be held on Saturday, May 10, 2003, at 10:00 a.m. Council members were encouraged to participate.

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TV TRANSLATORS:

Council member Yeates announced that the committee for the TV Translators would be meeting with the County Attorney and Mike Braegger next Tuesday at noon. Earl Rouse from Channel 3 will also be there.

COUNCIL MEMBER REPORTS:

DARREL GIBBONS: The railroad crossing on 11600 North by Pepperidge Farm is in poor condition. Gibbons suggested denying the railroad the right of way across that County road if they don't repair it.

BRIAN CHAMBERS: Council member Gibbons and I met with the EMS Council last Wednesday and again we asked them to vote on contracting the EMT Coordinator position. We discussed the Smithfield initiative to join and to have as the part-time EMT Training Coordinator Jay Downs who will also serve as Smithfields Fire Chief. They were supportive in their vote and there were a lot of positive comments. They had some stress about Smithfield dictating what would take place in terms of whether the County was going to get their money's worth. We indicated that it was a 2-year contract and as proposed in 1½ year we would take a look at that. I would think that a person in that position would be doing everything he can to please that Council.

Chairman Petersen: Asked Attorney Daines to have a resolution ready for the next Council meeting, to move forward with possible reorganization of the Zoning Departments.

ADJOURNMENT:

Council meeting adjourned at 7:30 p.m.

ATTEST: Jill N. Zollinger
County Clerk

APPROVAL: H. Craig Petersen
Council Chairman