

County Council Meeting  
07-22-2003

**CACHE COUNTY COUNCIL MEETING**  
**July 22, 2003**

The Cache County Council convened in a regular session on July 22, 2003, in the Cache County Council Chamber at 179 North Main, Logan, Utah.

**ATTENDANCE:**

**Chairman:** H. Craig Petersen

**Vice Chairman:** Cory Yeates

**Council Members:** Brian Chambers, Paul Cook, Darrel Gibbons, and Kathy Robison.  
John Hansen (excused). Council member Cook arrived at 5:11 p.m.

**County Executive:** M. Lynn Lemon

**County Clerk:** Jill N. Zollinger

**The following individuals were also in attendance:** Beatrice Balls, Junior Princess Katelyn Balls, Stephanie Balls, Garth Baxter, Alina Bokde, Bobbie Coray, Attorney George Daines, Junior Queen Amanda Everhart, Joe Fuhriman, Trish Gibbs, Earl G. Glenn, Lorene Greenhalgh, Cindy Hall, Jonathan Hardman, Sharon Hoth, Lynn James, Vern Krebs, Carolyn Lemon, Junior Princess Hailey Lowe, Troy Lowe, Jo Lynne Lyon, Wally Macfarlane, Jon Meikle, Sheriff Lynn Nelson, Cache County Rodeo Queen Erin Page, Pat Parker, Lori Peterson, Second Attendant Teana Peterson, Lamont Poulsen, Christopher Sands, James L. Shupe, Soren Simonsen, Sarah Ann Skanchy, Jim Smith, Rob Stewart, Auditor Tamra Stones, Mark Teuscher, Sid Thatcher, Stephen Thatcher, Ron Vance, Scott Wilkenson.  
**Media:** Darrell E. Ehrlick (Herald Journal), Jennie Christensen (KVNU).

**CALL TO ORDER:**

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

**INVOCATION:**

The invocation was given by Kathy Robison.

**PLEDGE OF ALLEGIANCE:**

Chairman Petersen lead those present in the Pledge of Allegiance.

**REVIEW AND APPROVAL OF AGENDA:**

The agenda was approved as written.

**REVIEW AND APPROVAL OF MINUTES:**

Minutes of the July 08, 2003 Council meeting were reviewed and approved as corrected.

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**REPORT OF THE COUNTY EXECUTIVE: M. LYNN LEMON**

**APPOINTMENTS:**      Brian Gwynn Groves                      Deputy Reserve Sheriff  
   Damian Kim Openshaw                      Deputy Reserve Sheriff  
   Vernon Chad Leetham                      Deputy Sheriff

**ACTION: Motion by Council member Yeates to approve the recommended appointments. Gibbons seconded the motion. The vote was unanimous, 5-0. (Cook & Hansen absent)**

**WARRANTS:**                      There were no warrants.

**OTHER ITEMS:**

- **11600 North railroad track crossing repair:** The Railroad has committed to meet with the road department and make the repair on August 6, 2003.
- **Condition of Probation payment:** Cache County Sheriff's office received a letter from the state Department of Corrections dated July 18, 2003, indicating that \$256,940.02 would be paid to Cache County of the \$288,081.65 owed for the period of July 1, 2002 to June 30, 2003. This is 89% of the 75% originally agreed upon creating a shortage of approximately \$35,000 to \$50,000.
- **Tax Increase Ad:** The actual tax on a \$150,000 residence will be \$41.33. This is a 35.1% increase.

**(Attachment 1)**

**ITEMS OF SPECIAL INTEREST:**

- **Introduction of the Cache County Rodeo Royalty** by Trish Gibbs. Queen Erin Page presented the speech she gave at competition. Lamont Poulsen said arrangements have been made for the Cache County Council to ride in the grand entry on Saturday night at 7:30 p.m. The Council should meet on the south end of the arena, just off the race track. He commended Trish Gibbs for her efforts in locating past Rodeo Queens for the 50<sup>th</sup> PCRA anniversary.
- **Agricultural Advisory Board Presentation/LESA** by Joe Fuhriman. The Ag Advisory Board is the first in the state of Utah and has worked to keep the agricultural economy in the valley viable. He turned time over to Christopher Sands for the presentation. Sands gave an overview of the board's last eighteen months' work. With a quality growth commission grant of about \$12,000 and other grants, they developed an Ag. profile for the county and commissioned a residents' survey and put together a LESA handbook

which was given to each of the Council members. Agriculture has the highest "Type 1 Output Multiplier" in the county; for every dollar spent for agriculture \$1.83 worth of business is generated in the county. It also has the highest "Employment Multiplier" in the county; for every job in the agriculture sector three jobs are created in the county in other sectors. For every dollar in taxes collected from agriculture, the county only has to provide \$.57 worth of services. Population in Cache County is expected to double in the next twenty-five years and this will mean a loss of prime farmland. The purpose of the board is to educate the public about the contribution of agriculture to the local economy; to recommend criteria, policies and implementation tools to the County Council for consideration; to explore economic strategies for agriculture and to provide recommendations regarding planning, zoning and annexation issues to the County Council and the Planning Commission. Their mission is to facilitate the development of programs that can be implemented in Cache County to strengthen the agricultural economy and to minimize the conversion of farmland to urban uses. They are currently working with the Planning Commission to develop an agricultural zone for the county zoning ordinance. Planner Mark Teuscher stated that the Planning Commission is working on a draft zone that is almost complete. They are studying different programs for purchasing and/or transferring development rights and working on facilitating programs to improve farm diversity, profitability and sustainability. Cindy Hall said they have received a grant from the Economic Development Administration. They have customized the LESA system to prioritize Ag. land in the county. Additional comments were made by Joe Fuhriman and Jon Hardman.

- **TDR (Transfer of Development Rights) Presentation** by Soren Simonsen of Cooper Roberts Simonsen Architecture. There are two basic elements to TDR. One is creating sending areas which are the areas wanting to be preserved, and the other is creating receiving areas which are areas that are appropriate for growth. TDR is a commodity that can be bought and sold between entities. Individual parcels owned by different property owners transfer development rights to a developer in an area that is considered appropriate for growth. Advantages include allowing owners the opportunity for compensation rather than using zoning and disallowing certain types of development. Disadvantages are that it is a more complicated process than zoning and other more traditional conservation tools and it can be difficult to adopt. Communities in Utah that have adopted TDR mechanisms are West Valley City, Summit County, Davis County and Mapleton. North Logan City has been working with them on a Sensitive Lands Preservation Plan to possibly adopt a TDR program for North Logan. The booklet accompanying the presentation is an eight-step process to implement a TDR program. Cache County is currently through step five. Mr. Simonsen and Mark Teuscher answered questions from the Council and County Attorney.

**(Attachment 2)**

- **3700 North Road Issue:** When Cache County extended the runway at the airport, mitigation over access problems on the east was accomplished. Property owners

(Some in attendance were Vern Krebs, Beatrice Balls, Lynn James, Jon Meikle) on the west side of the road believe a loop road access was promised to them. No road has been built and access to their lands is negatively impacted. Executive Lemon stated there was a master plan done in the 70's that showed the runway being expanded with a road on the west side. Subsequently, the FAA did a study and determined there was no need for a road on the west and they would not fund it.

**Chairman Petersen directed this issue to be placed on the agenda for the August 26, 2003, Council meeting and asked Executive Lemon to review the various alternatives and their associated costs and present his recommendation to the Council at that time.**

### **BUDGETARY MATTERS**

#### **▶ Transfers - Intra Department**

The Sheriff's office is requesting a budget transfer of \$4,128.00 from Capitalized equipment to Non-Capitalized Equipment and also a transfer of \$13,203.10 from Capitalized equipment to Non-Capitalized Equipment. A transfer was needed from Capital Projects of \$200,000.00 from the Public Safety Jail Complex to Professional & Technical to meet contract for professional architect services for the Public Safety Jail complex. The Jail requested a transfer of \$5,000.00 from Employee benefits to the Education & Training fund to cover expenses.

**ACTION: Motion by Council member Gibbons to approve the budget transfers. Robison seconded the motion and it passed unanimously, 6-0. (Hansen absent)**

**(Attachment 3)**

### **THE COUNCIL MOVED INTO THE BOARD OF EQUALIZATION**

- **Tax Adjustment Request - John Stewart** - Rob Stewart represented his father, John Stewart, who was too ill to appear. A letter was submitted from Dr. Thomas L. Hannum explaining Mr. Stewart's medical condition.

**(Attachment 4)**

**ACTION: Motion by Council member Cook to approve extending the deadline to the August 12, 2003 Council meeting and convene as a Board of Equalization to consider appeal. Chambers seconded the motion. It passed unanimously, 6-0. (Hansen absent)**

- **Set Board of Equalization Hearing Dates** - to be set at the August 12, 2003 meeting.

Chairman Petersen directed Pat Parker to place this item on the August 12, 2003, meeting agenda. Auditor Stones is to provide Ms. Parker a schedule to accompany the meeting agenda notice.

The Council adjourned from the Board of Equalization.

**PENDING ACTION**

- **Update - Cache County Historical Courthouse** - There was nothing new to report.
- **Update - Cache County Jail** - Sheriff Nelson reported he was pleased with the way things were going and there was still no new information on the sewer.

(Attachment 5)

- **Discussion - Cache County Logo Contest** - Chairman Petersen stated the proposal was to have a contest for the logo, there would be a \$200.00 prize for the selected logo, Cache County residents would be eligible, the selection criteria would be: esthetics; relationship to the history, culture and geography of Cache County; can be reproducible for intended uses; no copyright issues and the recommendation would come from county employees with final selection by the Cache County Council. The contest starts on September 1, 2003; decision is to be announced mid November.

**ACTION: Motion by Council member Gibbons to accept the proposal. Robison seconded the motion and it passed unanimously, 6-0. (Hansen absent)**

Chairman Petersen turned this over to Jim Smith to implement.

- **Discussion - Review of RAPZ Tax** - Chairman Petersen said that based on a recent workshop, they made preliminary recommendations and these were incorporated into the previous document. This will be discussed at a later date.

**INITIAL PROPOSAL FOR CONSIDERATION OF ACTION**

- **Final Plat Approval** - Thatcher Minor Subdivision - request for a 5-lot minor subdivision in the Agricultural Zone with a remainder parcel of 35.20 acres.

(Attachment 6)

**ACTION: Motion by Council member Gibbons to waive the rules and approve. Yeates seconded the motion and it passed unanimously, 6-0. (Hansen absent)**

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- **Final Plat Approval** - Robert Lee Minor Subdivision - request for a 4-lot minor subdivision in the Agricultural Zone with a remainder parcel of 53.20 acres.

(Attachment 7)

**ACTION: Motion by Council member Yeates to waive the rules and approve. Gibbons seconded the motion and it passed unanimously, 6-0. (Hansen absent)**

- **Resolution No. 2003-21 - Establishing the Time, Location, and Language of an Opinion Question to be Presented to the Public Regarding Bond Sales to Finance Conservation Easements** - Attorney Daines expressed deep concern about this issue. He believes the process the Council is using is flawed and the Council was receiving information from only one side of the issue. He stated this is debt and would be the county's single largest debt. He questioned what the costs will be and will it really work in preserving Ag. land. He urged the issue be referred to Planning and Zoning for analysis and recommendation. This could not be done before the election this fall. Council member Gibbons stated he had received many phone calls regarding this issue with the majority lacking the information needed to make a decision at this time. Council member Chambers said he had visited with a group of people who would prefer to have this on the 2003 ballot. He feels it would get lost in a presidential election year.

**ACTION: Motion by Council member Yeates to table Resolution No. 2003-21 and refer the issue to Planning and Zoning for further public hearings and analysis. Robison seconded the motion and it passed, 5 aye - Gibbons, Yeates, Petersen, Cook & Robison, 1 nay - Chambers. (Hansen absent)**

#### Discussion on the motion

Council member Robison felt it was too complex of an issue for the public to understand by the 2003 election. Council member Yeates indicated Clerk Zollinger had said the ballots for 2003 will be ready October 1<sup>st</sup> and that leaves less than eight to ten weeks to really educate the public.

(Attachment 8)

- **Resolution No. 2003-22 - Approving an Agricultural Protection Area - Lowell R. Glenn Properties, Earl & Carol Glenn and Lowell and R. Glenn Trust**

(Attachment 9)

**ACTION: Motion by Council member Gibbons to waive the rules and accept the resolution. Chambers seconded the motion and it passed unanimously, 6-0.**

**GREEN CANYON FIRE:**

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**Executive Lemon** stated that there was a fire burning about 50 acres in Green Canyon. Tankers had been ordered in to try to contain it and he and the Sheriff were going there as soon as the meeting adjourned.

**COUNCIL MEMBER REPORTS**

**Darrel Gibbons** said there is a large chuckhole in the county portion of the road between Trenton and Amalga that needs repair. Executive Lemon will check on it.

**Brian Chambers** asked Clerk Zollinger about delinquent business licenses. He also asked the status of the Garry Kaae situation and Attorney Daines reported that it is being looked into. Chambers congratulated Attorney George Daines on being elected President of the Utah Bar Association.

**Cory Yeates** inquired about the status of the TV translators. Executive Lemon and Attorney Daines stated proceedings are in order to encourage negotiations. He also asked about roads and proposed a Council Summer Social on August 26, 2003, after Council meeting.

**Chairman Petersen asked Pat Parker to put the Social date on the agenda for next time as a reminder.**

**Paul Cook** asked Mr. Hunter to show the county website design to members of the Council for their review. He asked Attorney Daines if his department was understaffed and if he was in jeopardy of losing staff members who were dissatisfied with salaries.

**ADJOURNMENT**

The Council meeting adjourned at 7.54 p.m.

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**ATTEST:** Jill N. Zollinger  
County Clerk

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**APPROVAL:** H. Craig Petersen  
Council Chairman