

CACHE COUNTY COUNCIL MEETING September 09, 2003

The Cache County Council convened in a regular session on September 9, 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, John Hansen,
Kathy Robison.

County Executive: M. Lynn Lemon

County Clerk: Jill N. Zollinger

The following individuals were also in attendance: Jay Aguilar, Russ Akina, Kathy Ashcroft, LaMar Clements, Attorney George Daines, Max Delgado, Cheryl Empey, Joe Fuhrman, Lorene Greenhalgh, Tom Hogan, Sharon Hoth, Clark Israelsen, Andra Kunzler, Jared Kunzler, JoLyne Lyon, LaVon McBride, Lisette Miles, Sheriff Lynn Nelson, Dave Nielsen, Lee Nielsen, Pat Parker, Lorretta Sinclair, Jim Smith, Auditor Tamra Stones, Mark Teuscher, Malinda Tolson, Jeff Wengreen, Scott Williams, Mary Yancey, Michael C. Yancey **Media:** Jennie Christensen (KVNU), Joe Rowley (Herald Journal).

CALL TO ORDER

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

INVOCATION

The invocation was given by Brian Chambers.

PLEDGE OF ALLEGIANCE

Chairman Petersen lead those present in the Pledge of Allegiance.

REVIEW AND APPROVAL OF AGENDA

Council member Yeates requested Item 10a (Final Plat Approval - Wengreen Two Lot Farm Subdivision) on the agenda be moved up to a position after Item 7c. The agenda was approved with the requested change.

REVIEW AND APPROVAL OF MINUTES

Minutes of the August 26, 2003 Council meeting were reviewed and approved as written.

REPORT OF THE COUNTY EXECUTIVE: M. LYNN LEMON

APPOINTMENTS: David L. Erickson Board of Adjustments

ACTION: Motion by Council member Yeates to approve the recommended appointment. Cook seconded the motion. The vote was unanimous, 7-0.

WARRANTS: The warrants for the period of 08-22-2003 to 08-28-2003 were given to the Clerk for filing.

OTHER ITEMS

- **Utah County Insurance Pool Premium** – the county’s contribution will go from \$194 up to \$211. The reason for the raise is the additional buildings the county will be insuring next year.
- **CDBG Hearing** – Executive Lemon has received a letter from Sunshine Terrace requesting they be considered for CDBG funding by the county.

ACTION: Motion by Council member Cook to accept the Sunshine Terrace as eligible for the county to sponsor for CDBG funding. Robison seconded the motion and it passed unanimously, 7-0.

- **Senator Bennett News Release** – \$2 million was approved by the Senate Appropriations Committee for the Instrument Landing System at the Logan-Cache airport.

ITEMS OF SPECIAL INTEREST:

- ▶ **Employee of the Month** was presented to Mary Yancey of the Senior Citizens Center office.
- ▶ **2003 Cache County Fair Report** by County Clerk Jill Zollinger. Expenditures were under budget. Rodeo ticket sales were up over \$6,000 and rodeo sponsorship was up \$2,843, carnival proceeds were up \$9,558, the discount ride passes sold out and commercial booths were up \$5,590 with more vendors this year. Jared Kunzler of Benson, the Grand Champion Market Steer winner, told the council about his experiences as a first-time fair participant. Zollinger read a letter sent to the fair poultry department from Ed Carter, one of the poultry judges, praising the handling of the poultry department at the Cache County Fair. Clark Israelsen, County Extension, presented the Cache County Outstanding Fair Worker award to LeRoy Goodey of Clarkston. Zollinger encouraged the council to attend the Utah State Fair to see Cache County’s community booth which received the Sweepstakes Winner award. Trenton City created the display. Israelsen asked the council to also view the butter sculpture by Barbara Westover from

Lewiston. Zollinger thanked the council for their continued support of the fair.

- ▶ **Capital Arts Alliance Quarterly Report** - Lisette Miles, Director, presented the semi-annual report covering the period January through June 2003. The Ellen Eccles theater had a record high of one hundred events this year and the highest ticket sales ever with the most people attending. One of the highlights was the high school version of Les Miserables. This year's season will be launched with an expanded festival of four days with an opening ceremony on Wednesday and a closing ceremony on Saturday. The Opera for Children by Children, presented by the Utah Festival Opera, is one of their most successful programs. The Alliance donates staff time and facility use. Chairman Petersen asked if the cultural arts portion of the RAPZ tax could be used specifically to sponsor events for children or for people of limited means. Miles stated that two free community events are presented each season. They have sent out rebates for performances to Logan residents through their utility mailings. Another possibility is to offer vouchers to families of children who qualify for the school free lunch program.

(Attachment 1)

- ▶ **Storm Water Presentation** by Mark Teuscher. Analyses of the existing facilities for handling storm water under current conditions as well as for future conditions were performed in order to identify flooding problem areas, deficiencies and to identify actions to mitigate the deficiencies.

(Attachment 2)

PENDING ACTION

- **Final Plat Approval** - Wengreen Two-Lot Farm Subdivision - A two-lot farm subdivision on 55.82 acres of property in the Agricultural Zone with a remainder parcel of 42.23 acres not eligible for residential or commercial development. Council member Yeates stated he, Robison and Hansen had each visited this site and recommended approval with the removal of stipulation #2 for road work.

(Attachment 3)

ACTION: Motion by Council member Yeates to approve with the removal of stipulation #2 for road work. Hansen seconded the motion and it passed unanimously, 7-0.

Council member Yeates left the meeting.

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BUDGETARY MATTERS

- ▶ **Transfer - Intra Department** – Library Department - transfer \$2,000 from Capitalized Equipment to Non-Capitalized Equipment to purchase portable cabinets for Providence-River Heights Branch Library.
- ▶ **Transfer - Intra Department** – Clerk Department - transfer \$2,000 from Salary to Temporary Employees to pay for temporary help.
- ▶ **Transfer - Intra Department** – County Fair Department - transfer \$1,200 from Advertising to Equipment Supplies and Maintenance to cover fair expenses.

(Attachment 4)

ACTION: Motion by Council member Cook to approve the budget transfers. Robison seconded the motion and it passed unanimously, 6-0. Yeates absent.

SET PUBLIC HEARING

- ◆ **Set Public Hearing (TEFRA) - September 23, 2003 - 6:00 p.m.** – IHC Health Services, Inc. - Proposed Hospital Revenue Bonds to Construct, Renovate and/or Equip Several Different Health Care Facilities Located Throughout the State.

ACTION: Motion by Council member Gibbons to set the Public Hearing for September 23, 2003 at 6:00 p.m. Robison seconded the motion and it passed unanimously, 6-0. Yeates absent.

THE COUNCIL MOVED INTO THE BOARD OF EQUALIZATION

- **Set Board of Equalization Hearing Dates** – September 17, 2003. Council member Cook will sit as part of that committee from 9:00 a.m. to noon. Executive Lemon will attend until 3:00 p.m. Wednesday, September 24, 2003 was set as another hearing date.
- **Roll Back Tax on Road Right-of-Ways** – Lemon reported that of the four counties he contacted, none of them pay this tax for the property owner.

ACTION: Motion by Council member Gibbons that the county follow the same standard set by other counties and cities in Utah and not pay the roll back tax on road right-of-ways unless the property is taken by the county through condemnation. Chambers seconded the motion and it passed unanimously, 6-0. Yeates absent.

- **RDA's and Property Tax Collections** – Petersen stated that for 2002 Cache County had about \$3 billion of assessed value of property, charged about \$31 million in property

taxes and collected 96.3% of that, 3% of total collections is the cost to the county of collecting property tax. Property taxes on RDA's go to the entity that created them. About \$1 million in property taxes was redirected as a result of RDA's. The audit has the breakdown on where that redirected money goes.

THE COUNCIL ADJOURNED FROM THE BOARD OF EQUALIZATION

PENDING ACTION

- **Final Plat Approval** - Housley Minor Subdivision - postponed until September 23, 2003.
- **Cache County Historic Courthouse - Update** - Lemon stated the clearing out of the main floor non-bearing walls continues. Newell Daines has invited the council to visit the site before the next council meeting.
- **Cache County Jail/Administration Bldg - Update** - Sheriff Nelson said the painting continues as well as the third floor mechanical work. The work is still on schedule despite the recent burglary of tools and equipment. Landscaping will transfer trees and shrubs from the existing building to the new one to help keep costs down. The work is on schedule.

(Attachment 5)

- **3700 North Road Issue** - Executive Lemon has visited the site and the property owners. Lemon told the property owners if they could acquire the right-of-way and take care of the wetland issues, the county would work on trying to do some sort of road. He will continue his negotiations.
- **County Strategic Planning Process - Discussion** - Petersen indicated the joint document is on schedule and it will be available to review before the next council meeting.
- **Allocation of Restaurant Tax Funds to Zoo** - Auditor Stones compiled a review of the budget and restaurant tax allocations to the Willow Park Complex for the last several years. Executive Lemon had stated previously that he thought there would be unused money from the restaurant tax that could be allocated for the education building at the Willow Park Complex. A review of the discussion from the June 24, 2003 council meeting indicated the Bridgerland Travel Region would have first consideration for additional money. Lemon again indicated he believes there will be enough unused money by the end of the year to provide money for the education building as well as additional funds for the Bridgerland Travel Region.

(Attachment 6)

ACTION: Motion by council member Gibbons to allocate \$50,000 from the restaurant tax for the Willow Park Zoo education building. Hansen seconded the motion and it passed

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unanimously, 6-0. Yeates absent.

INITIAL PROPOSAL FOR CONSIDERATION OF ACTION

- Resolution No. 2003-27 - Authorizing the Executive to Execute an Amendment to the Interlocal Agreement Establishing the Countywide Planning Office Increasing the County Representation on the Governing Board**

(Attachment 7)

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

- Property Tax Hardship Requests** - The council reviewed eight requests and discussed the guidelines for approval.

(Attachment 8)

ACTION: Motion by Council member Chambers to approve the Property Tax Hardship Requests. Robison seconded the motion and it passed unanimously, 6-0. Yeates absent.

- County Per Diem Policy** - Presently the county per diem allotment is \$25.00 a day. The Sheriff's office has paid the actual amount if it is less than the per diem. The concern was raised that all county workers should fall under the same guidelines and the auditor's office asked for direction from the council.

ACTION: Motion by Council member Cook to table this issue until the next meeting when the Sheriff is present. Robison seconded the motion and it passed unanimously, 6-0. Yeates absent.

OTHER BUSINESS

- Visit by Undersecretary of Agriculture, Mark Ray, to Jon White's Farm in Paradise** - September 20, 2003 at 4:00 p.m. to acknowledge this newly created Conservation Easement.

COUNTY ATTORNEY'S REPORT ON PENDING MATTERS

There were none.

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COUNCIL MEMBER REPORTS

Chairman H. Craig Petersen requested dates be set for three workshops:

- Planning Commission - September 23, 2003 council meeting as soon after 6:00 p.m. as possible.
- Tour of Courthouse - September 23, 2003 at 4:45 p.m.
- RAPZ Tax - October 14, 2003 council meeting.
- AG Protection - Possibly November.

Kathy Robison attended the August 28th jail meeting and her concerns were answered by the Sheriff.

Paul Cook said Joe Campbell, a member of the city council in Providence, passed away last night. Cook expressed deep personal appreciation for his service.

ADJOURNMENT

The Council meeting adjourned at 7:03 p.m.

ATTEST: Jill N. Zollinger
County Clerk

APPROVAL: H. Craig Petersen
Council Chairman