

**CACHE COUNTY COUNCIL MEETING
October 28, 2003**

The Cache County Council convened in a regular session on October 28, 2003, in the Cache County Council Chamber at 179 North Main, Logan, Utah.

ATTENDANCE:

Chairman: H. Craig Petersen

Vice Chairman: Cory Yeates

Council Members: Paul Cook, Darrel Gibbons, John Hansen, Kathy Robison.
Brian Chambers, absent.

County Executive: M. Lynn Lemon

County Clerk: Jill N. Zollinger

The following individuals were also in attendance: Layne Beck, Janet Borg, Ann Collins, Attorney George Daines, Thad Erickson, Michael Gibbons, Lorene Greenhalgh, Lee Gunther, Phillip Handley, Sharon Hoth, Blaine Housley, Mary Jene Housley, Miler J. Housley, Rod Housley, Eric Johnson, Teresa Johnson, Tom Lachmar, Sheriff Lynn Nelson, Dave Nielsen, Pat Parker, Ann Peralta, Valerie Peterson, Greg Richman, Jim Smith, Auditor Tamra Stones, Mark Teuscher **Media:** Jennie Christensen (KVNU), Joe Rowley, John Wright, (Herald Journal).

CALL TO ORDER

Chairman Petersen called the meeting to order at 5:03 p.m.

INVOCATION

The invocation was given by John A. Hansen

PLEDGE OF ALLEGIANCE

Chairman Petersen lead those present in the Pledge of Allegiance.

REVIEW AND APPROVAL OF AGENDA

The agenda was approved with the addition of Item 10e: Logo Contest Selection Committee.

REVIEW AND APPROVAL OF MINUTES

Minutes of the October 14, 2003 Council meeting were reviewed and approved as corrected.

REPORT OF THE COUNTY EXECUTIVE: M. LYNN LEMON

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APPOINTMENTS: See page 6.

WARRANTS: The warrants for the periods of 09-19-2003 to 09-25-2003, 10-03-2003 to 10-09-2003 and 10-17-2003 to 10-23-2003 were given to the Clerk for filing.

OTHER ITEMS

- **Senator Bennett press release** - Executive Lemon noted a press release regarding the ILS for the Logan/Cache Airport.
- **Joe Rowley leaving Logan** - Executive Lemon expressed appreciation for his service as the reporter from the *Herald Journal* covering the County Council meetings.
- **November 11, 2003 Council Meeting** was changed to November 18, 2003 because Executive Lemon will be out of town to UAC meetings on the 11th.

ITEMS OF SPECIAL INTEREST:

- ▶ **Financial Report on Eccles Ice Arena - Janet Borg** thanked the Council for being the first public entity in Cache Valley to support the ice arena. The arena has been serving as a model facility for other areas whose representatives have visited to look over the Eccles Ice Arena. Almost 70,000 people used the arena last year including 8,000 school children. Scouts have used it for badge requirements. Utah State University hockey games have had good attendance and that has precipitated the need for more seating. They are trying to raise \$526,000 for chair seats, bleachers, a de-humidification system, a finished set of restrooms and landscaping. The Eccles Foundation has offered a challenge pledge of \$200,000 if the arena can raise the balance by March, 2004. They are hoping for some RAPZ tax funds by March to help leverage the challenge pledge. The de-humidification system is vital to the survival and safety of the building because of rust formation and other problems that occur without it. The arena ran a deficit this past fiscal year that was \$1,000 over their projected deficit. They have cash reserves to facilitate operating with a deficit for a number of years; however, they anticipate having a "break even" year this fiscal year. Public funds have paid for the bond for the cost of construction. Operating costs have been funded through private donations.

(Attachment 1)

- ▶ **Annual Report from Water Policy Advisory Board - Ann Peralta** stated their mandate is to understand the extent of the county's water resource so that it can be protected and also so that it can be allocated properly. Tom Lachmar from Utah State University is

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working closely with them on a multi-year study to gather necessary data for an adequate optimization/simulation model of the ground water and surface water systems in the valley. Their total request is for \$89,000 less unspent funds from this year of \$14,000 - \$20,000 less mineral lease funds of about \$14,500. Thad Erickson said there is also a possibility of some state money being made available to them. Executive Lemon indicated their last year's budget was \$60,000.

(Attachment 2)

BUDGETARY MATTERS

- ▶ **Transfers-Intra Department** -
Auditor - \$7,000.00 transfer from Benefits to Non-capitalized Equipment to purchase replacement HP Printer and laptop replacement.
Auditor - \$5,800.00 transfer from Salary to Software to purchase Casselle Animal License package and training; also four user licenses on G.L. package for department inquiry use; also training for cash receipting.

(Attachment 3)

Council member Hansen left the meeting.

ACTION: Motion by Council member Gibbons to approve the budget transfers. Cook seconded the motion. The vote was unanimous, 5-0. (Chambers & Hansen absent.)

SET PUBLIC HEARING: NOVEMBER 18, 2003 - 6:00 P.M. - WATER POLICY ADVISORY BOARD'S APPLICATION FOR MINERAL LEASE FUNDS

SET PUBLIC HEARING: NOVEMBER 18, 2003 - 6:05 P.M. - OPEN 2003 BUDGET

SET PUBLIC HEARING: NOVEMBER 18, 2003 - 6:16 P.M. - TO RECEIVE PUBLIC INPUT ON PROPOSED RAPZ TAX ALLOCATION.

ACTION: Motion by Council member Yeates to set the public hearings as proposed. Cook seconded the motion. The vote was unanimous, 5-0. (Chambers & Hansen absent.)

THE COUNCIL MOVED INTO THE BOARD OF EQUALIZATION

- **Certification of Board of Equalization Hearing Officer Actions**

(Attachment 4)

- **Request by CELCO Properties to Reopen the Board of Equalization** because there was a misunderstanding concerning their appeal.

ACTION: Motion by Council member Gibbons to approve the actions of the hearing

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officers and approve the request by CELCO Properties to reopen the Board of Equalization. Robison seconded the motion. The vote was unanimous, 5-0. (Chambers & Hansen absent.)

The Council adjourned from the Board of Equalization.

PENDING ACTION

- **Final Plat Approval** - Housley Minor Subdivision - A 3-lot minor subdivision with three remainder parcels not eligible for residential development.

(Attachment 5)

Council member Hansen returned to the meeting.

ACTION: Motion by Council member Cook to approve the minor subdivision. Gibbons seconded the motion and it passed unanimously, 6-0. (Chambers absent.)

- **Update Report - Cache County Jail/Administration Building** - Sheriff Nelson reported the jail is almost sealed in from the weather. The jail pod is 90% complete; the first floor, 90% complete; the second floor, 80% complete; and the third floor, 60% complete. The other half of the parking lot should be completed within two weeks. The council set 4:00 p.m., November 18, 2003, as the day to tour the soon to be finished facility.
- **Update Report - Cache County Historical Courthouse** - Executive Lemon indicated they have met and agreed on the layout of the three floors.
- **State Building Board** -Chairman Petersen reported that a meeting with the State Building Board on October 15, 2003, indicated Cache County was sixth on the building priority list in reference to the Regional Building to be built on the NW corner where the present jail is. This would house Workforce Services and the Division of Family Services. Being sixth puts the county in a good position with the State Building Board.
- **Demolition of Sheriff's Building** - Executive Lemon said the county will begin the process of receiving bids on the demolition of the Sheriff's building soon.

PUBLIC HEARING: AGRICULTURAL PROTECTION AREA - GREGORY WAYNE AND PHYLLIS ANN RICHMAN AND DWAYNE N. RICHMAN TRUST

(Attachment 6)

The Public Hearing was opened by Executive Lemon and he said this request adds 239 acres of property around the original agricultural protection area. Chairman Petersen asked if there was any public comment. There was none.

ACTION: Motion by Council member Yeates to close the public hearing. Gibbons seconded the motion and it passed unanimously, 6-0. (Chambers absent.)

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- **Resolution No. 2003-32 - Approving the Creation of an Agricultural Protection Area**
- Gregory Wayne and Phyllis Ann Richman and Dwayne N. Richman Trust.

(Attachment 7)

ACTION: Motion by Council member Yeates to waive the rules and adopt Resolution No. 2003-32. Hansen seconded the motion. The vote was unanimous, 6-0. (Chambers absent.)

PENDING ACTION

- **2004 Budget Development** - Executive Lemon said that after he and Auditor Stones went through the initiatives and budget projections they were \$1,650,000 out of balance. They removed everything that was not approved through the initiative process and reduced that number to \$580,000 out of balance.
- **Merit and Benefit Increases** - Auditor Stones had figured a 5% increase in these areas. Lemon explained the differences between the Preferred Health Plan and the Exclusive Health Plan. He stated the county could save about \$200,000 by going with the Exclusive plan rather than the Preferred plan.

ACTION: Motion by Council member Gibbons to adopt the Exclusive Health Plan for Cache County employees and allow employees to pay the difference for the Preferred Plan if they choose. Cook seconded the motion. The vote was unanimous, 6-0. (Chambers absent.)

- **Merit and Benefit Increases (cont.)** - Executive Lemon distributed proposed salary information to the council and asked for a decision. This proposal is tentative and will probably be adjusted later. Proposed is a merit increase of 3% and a market adjustment increase of 2½ % for employees needing to be raised to 80% of market. The \$580,000 out-of-balance number includes the 5% raise equaling about \$325,000. The \$200,000 saved by using the Exclusive Health Plan reduces the \$580,000 to \$380,000 out of balance.

ACTION: Motion by Council member Gibbons to allow a 1% merit increase to each department and a 2% market adjustment increase to be placed in a pool for employees needing market adjustments. Hansen seconded the motion.

ACTION: Motion by Council member Yeates to amend the main motion to recommend a 1% merit increase to each department and a 2½% market adjustment increase to be placed in a pool for employees needing market adjustments. Cook seconded the motion. The amendment failed, 2 aye - Yeates & Cook, 3 nay - Petersen, Hansen & Gibbons, 1 abstention - Robison. (Chambers absent.)

The main motion passed, 4 aye - Gibbons, Hansen, Petersen & Robison, 2 nay - Yeates &

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Cook. (Chambers absent.)

ACTION: Motion by Council member Cook to review the issue of employee salaries when additional sales tax revenue reports are available at the first Council meeting in July, 2004, with salary increases as the first priority for budget adjustments. Robison seconded the motion. The motion passed, 4 aye - Yeates, Petersen, Cook & Robison, 1 nay - Gibbons, 1 abstention - Hansen. (Chambers absent.)

- **Cafeteria Plan** - Executive Lemon said the county employees have a current cafeteria plan which allows that anything paid towards medical or dental is pre-taxed so that neither the county nor the employee has to pay FICA tax. It is recommended to expand that and allow the employees to determine an amount they can put in a cafeteria plan that they could use towards meeting their deductibles or their co-pays or their 10%; they could use it for eye care or for dental. There is a benefit both to the county and the employee.
- **Employee Selection Committee for Logo Contest** - Jim Smith said the selection committee will meet Monday, November 3, 2003 to review the entries and reduce them to about five to ten entries to be forwarded to the Council to choose the winning entry. The county has received between 175 and 185 entries. The contest will conclude Friday, October 31, 2003. Four earlier logo designs paid for by the county have been withdrawn by the creator who is a professional and didn't want to compete in the contest. Chairman Petersen and members of the Council asked that those four designs be submitted to the committee for consideration also. Appointments to the Selection Committee for the Logo Contest are:

Sgt. Paul Todd	Sheriff	Kim Gardner	Clerk
Ted Hunter	Road Department	Dixie Page	Recorder
Sharon Hansen	Assessor	Kathryn Sparks	Treasurer
Mary Yancey	Senior Citizen Center	Sharon Nielson	Attorney
Pat Parker	Executive	Don Davis	Development
Tara Wabel	Auditor		

INITIAL PROPOSAL FOR CONSIDERATION OF ACTION

- Resolution No. 2003-31 - Changes in Per Diem Policy** setting the amount of reimbursements for travel and per diem costs for county employees and officers.

(Attachment 8)

ACTION: Motion by Council member Cook to waive the rules and approve Resolution No. 2003-31. Gibbons seconded the motion.

ACTION: Motion by Council member Cook to amend the main motion to add: the reimbursement rate may be approved at IRS rates if approved by the County Executive or Department Head. Seconded by Robison. The amendment passed unanimously, 6-0. (Chambers absent.)

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The amended main motion passed unanimously, 6-0. (Chambers absent.)

- Discussion - Change in Channels on TV Translator** - Executive Lemon said Mike Braegger has contacted him to ask if the county would like to substitute Channel 11 or Channel 14 for Channel 9.

COUNTY ATTORNEY'S REPORT ON PENDING MATTERS

There were none.

COUNCIL MEMBER REPORTS

Cory Yeates asked Attorney Daines about the road closure issues. Executive Lemon said the county has asked the surveyor to look at the Maple Rise road because the historic road may never have gone to the National Forest.

Paul Cook said the main decision from the I.T. meeting was to hire an integrator/administrator and have John Sanders as the programmer/data base manager. They will meet again Friday, October 31, 2003 at 9:00 a.m.

Kathy Robison attended the jail meeting on October 23, 2003 and many of the problems have been resolved, but there are still some outstanding change orders.

ADJOURNMENT

The Council meeting adjourned at 7:42 p.m.

ATTEST: Jill N. Zollinger
County Clerk

APPROVAL: H. Craig Petersen
Council Chairman