

CACHE COUNTY COUNCIL MEETING November 25, 2003

The Cache County Council convened in a regular session on November 25, 2003, in the Cache County Council Chamber at 179 North Main, Logan, Utah.

ATTENDANCE:

Chairman: H. Craig Petersen
Vice Chairman: Cory Yeates **(Arrived 7:05 p.m.)**
Council Members: Brian Chambers, Paul Cook, Darrel Gibbons, Kathy Robison.
John Hansen, absent.
County Executive: M. Lynn Lemon
County Clerk: Jill N. Zollinger

The following individuals were also in attendance: Russ Akina, Jill Anderson, Robert Barlow, Bret Berntson, Holly Berntson, Michelle Berntson, Paul Berntson, Ruth Berntson, Lt. Kim Cheshire, Attorney George Daines, Jay Downs, Darrell Glenn, Lorene Greenhalgh, DeVerle Hoth, JoAnn Hoth, Sharon L. Hoth, Lynn James, Vern Krebs, Chief Mark Meaker, John Nelson, Dave Nielsen, Sue Olsen, Pat Parker, Kelly Pitcher, Val Potter, Brian Potts, James L. Shupe, Bob Simpson, Janice Simpson, Jim Smith, Auditor Tamra Stones, Mayor Doug Thompson, Glen Thornley, Scott Wells **Media:** Jennie Christensen (KVNU), John Wright, (Herald Journal).

CALL TO ORDER

Chairman Petersen called the meeting to order at 5:06 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 with Item 11f, Proposed Countywide Ambulance Service scheduled at 5:45 p.m.

REVIEW AND APPROVAL OF MINUTES

Minutes of the November 18, 2003 Council meeting were reviewed and approved as corrected.

Cache County Council
11-25-03

REPORT OF THE COUNTY EXECUTIVE: M. LYNN LEMON

APPOINTMENTS: There were no appointments.

WARRANTS: The warrants for the periods of 11-14-03 to 11-20-03 were given to the Clerk for filing.

OTHER ITEMS:

- ✓ **Cloud Seeding** - Weber Basin Water Conservancy District contacted Executive Lemon about whether Cache County would be willing to allow them to also contract with North American Weather Consultants to use some of our generators in the southern part of Cache County. Lemon will check on the county's fixed costs for the generators to see if there will be any reduction in those costs if the generators are shared with Weber Basin Conservancy District.

ITEMS OF SPECIAL INTEREST:

- ▶ **Employee of the Month** was presented to Paul Berntson of the Development Services Department. Berntson has worked for the county since September of 1996 as a building inspector.

BUDGETARY MATTERS

There were none.

PUBLIC HEARING SET: OPEN 2003 BUDGET

Chairman Petersen proposed setting the public hearing to open the 2003 budget for December 9, 2003 at 5:30 p.m.

ACTION: Motion by Council member Gibbons to approve the proposal. Robison seconded the motion. The vote was unanimous, 5-0. (Hansen and Yeates absent.)

BOARD OF EQUALIZATION

THE COUNCIL MOVED INTO THE BOARD OF EQUALIZATION

- **Property Tax Abatement Request - Hoth Investments, L.C.** - The property owners were asked to provide Assessor Howell with the realtor's appraisals they have of properties near their land and Chairman Petersen directed that this item be placed on the December 9, 2003 agenda. The Council said any late fees accrued in the meantime will be waived.

(Attachment 1)

The Council adjourned from the Board of Equalization.

PENDING ACTION

- **Update Report - Cache County Jail/Administration Bldg.**
Sheriff Nelson said the sidewalks are in, the electronics will be started in another week and the end of December is still the completion date.
- **Update Report - Cache County Historical Courthouse**
Attorney Daines said the framing for the interior reconstruction on the courthouse continues. The lower level cement floor will be poured soon.
- **Selection of Cache County Logo**
The Council narrowed the entries selected by the employee committee and asked that those be reduced to letterhead and business card size for them to review at the December 2, 2003 Council meeting.

INITIAL PROPOSAL FOR CONSIDERATION OF ACTION

- **Proposed Countywide Ambulance Service** - Chairman Petersen said that two members of the Logan City Council and three members of the Cache County Council have met a number of times since June, 2003, to discuss proposals for ambulance service. They now have a preliminary proposal. Petersen turned the time over to Council member Chambers who served as Chair of that committee. Chambers said that ambulance service has been discussed since 1999, but the difficulty was always with funding and lack of representation. This proposal would create a new Cache County Emergency Medical Services Authority. Council member Gibbons said the problem is that because Logan City has held the license for ambulance service, they also had responsibility for the funding. It's proposed that the license be held jointly between Cache County and Logan City under the newly formed EMS Authority. The governing board of the Authority would have seven voting members and six non-voting members. Jay Downs and Chief Mark Meaker briefly outlined how Cache County and Logan City would combine and improve their resources under this proposal. An "Emergency Medical Services First Responder and Ambulance Fee" would be levied to provide funding for the countywide ambulance service. Auditor Stones asked if the committee had considered a tax levy with a dedicated tax to support the ambulance service instead of the fee. Chairman Petersen said that had been considered and this particular part of the proposal is the most tentative. Financial options are still being looked at. Mayor Thompson congratulated the committee on its work and expressed his support, conceptually, of the committee's proposal. Petersen said the final proposal would be adopted by interlocal agreement between the county and cities of the county.

(Attachment 2)

PUBLIC HEARING: RECEIVE PUBLIC INPUT ON PROPOSED 2004 BUDGET

Cache County Council
11-25-03

Chairman Petersen said the purpose of the public meeting was to open the proposed 2004 budget. He declared the meeting open and invited public comment.

Darrell Glenn expressed concern about the continuing problem of employees' salaries in relation to the 80% of market target. He said if the county implements the employee salary increase presently proposed, employee salaries will continue to fall behind.

Chairman Petersen asked if there were any other public comments. There were none.

ACTION: Motion by Council member Chambers to close the public meeting. Gibbons seconded the motion. The vote was unanimous, 5-0. (Hansen and Yeates absent.)

PENDING ACTION

- **Presentation of the State of the County - M. Lynn Lemon, County Executive**

Executive Lemon reported on several of the highlights of the past year for the coming year, including:

- completion of the County Administration Building
- beginning of the restoration of the Historic Cache County Courthouse
- construction of the Cache County Public Safety and Law Enforcement Complex
- almost completed process of financing for the Instrument Landing System at the Logan-Cache Airport
- ongoing legal action concerning the Mt. Pisgah TV translator site
- 2010 strategic plan for Cache County
- countywide ambulance service
- RAPZ tax
- Agricultural Preservation Advisory Board/LESA system
- Water Policy Advisory Board projects
- efforts to resolve the RS2477 roads issue

Some goals for the coming year are:

- policy and procedures changes, salary considerations
- rewrite of the Cache County Land use ordinance
- continuing development of the county block
- implementation of the GASB 34 accounting system
- process for scanning and storing documents
- implementation of the Help America Vote Act
- selection of a new county logo

(Attachment 3)

- **Discussion - Proposed 2004 Budget**

Executive Lemon reviewed the changes to the proposed budget totaling between \$170,000 and

Cache County Council
11-25-03

\$180,000. Sales tax was increased in the Municipal Services Council by \$30,000. The Class B Maintenance was divided in half – half in the Class B Road Fund and half in the General Fund. The election budget was decreased by \$10,000 because of uncertainty over the Help America Vote Act requirements. This may need to be readdressed during 2004. The Recorder's fees were raised by \$40,000 and the PILT payment was raised by about \$12,000. These are detailed in Attachment 4 to Resolution No. 2003-34.

Sheriff Nelson reported his concerns over the possibility of housing additional inmates in the new jail without additional staff to handle this. He has a certain amount of staffing in the budget based on a certain number of inmates. He is anticipating he will have more inmates and will need more staff. The revenue will be there to pay for those people but there's a training lead time to make sure they're in place. The state has expressed their commitment to send between forty-eight and ninety-six inmates to Cache County to be housed. Nelson also said that to make a bond payment for the third floor he had initially figured a total of sixty work release inmates. At that time they had twenty, currently they have fifty. Meeting the goal of sixty will be easily attainable. Within six months he believes their inmate population could be close to 250. Attorney Daines asked Sheriff Nelson to obtain a written contractual agreement from the state on the number of inmates they will be sending to Cache County. Lemon indicated the county thought hiring a full-time nurse for the jail was a high priority.

Council member Yeates arrived at the meeting.

INITIAL PROPOSAL FOR CONSIDERATION OF ACTION

■ **Resolution No. 2003-34 - Adoption of 2004 Budget**

Auditor Stones said that in the fire board meeting there was a discussion about the money that was added to the 2003 budget for the Weapons of Mass Destruction grant and because there's only 30 days left to get all of that equipment, it was suggested that the county budget that amount into the 2004 budget. Executive Lemon explained that whatever the county could spend in 2003, it would and whatever was remaining would be in the 2004 budget.

(Attachment 4)

ACTION: Motion by Council member Cook to waive the rules and adopt the 2004 Budget as presented. Gibbons seconded the motion. The vote was unanimous, 6-0. (Hansen absent.)

■ **Ordinance No. 2003-03 - Setting forth Allocation Procedure for RAPZ Tax**

Chairman Petersen said this is a proposed ordinance and the council was asked to review it and offer amendments.

Council member Chambers left the meeting.

ACTION: Motion by Council member Gibbons to waive the rules and adopt Ordinance No. 2003-03. Robison seconded the motion.

Cache County Council
11-25-03

ACTION: Motion by Council member Yeates to amend the main motion on Administration No. 2 to read "Allocate .9% (approximately \$9,000)" and "one-quarter time without benefits." Cook seconded the motion. The vote was unanimous, 5-0. (Chambers and Hansen absent.)

Council member Chambers returned to the meeting.

ACTION: Motion by Council member Cook to amend the main motion on No. 2 for RAPZ Cultural and Botanical to add ";however, multi-year commitments will be considered." Gibbons seconded the motion. The vote was unanimous, 6-0. (Hansen absent.)

ACTION: Motion by Council member Gibbons to amend the main motion on No. 1a for RAPZ Parks and Recreation to 15% and item 1b to 30% ; also No. 2 for RAPZ Parks and Recreation to 30%. Yeates seconded the motion. The motion failed, 3 aye - Yeates, Cook & Gibbons, 3 nay - Petersen, Chambers & Robison. (Hansen absent.)

ACTION: Motion by Council member Chambers to amend the main motion on No. 1b for RAPZ Parks and Recreation to add ";however, multi-year commitments will be considered." Cook seconded the motion. The vote was unanimous, 6-0. (Hansen absent.)

Attorney Daines was asked to bring a proposal for language to include as Item 6 under Administration addressing the Council's desires that all projects funded with RAPZ or Restaurant Tax monies be available for use by all county residents on the same basis.

ACTION: Motion by Council member Robison to amend the main motion to add No. 3 for Restaurant Tax to read "Multi-year commitments will be considered." Yeates seconded the motion. The vote was unanimous, 6-0. (Hansen absent.)

ACTION: Motion by Council member Cook to table the main motion and bring it back for the December 2, 2003 meeting. Yeates seconded the motion. The vote was unanimous, 6-0. (Hansen absent.)

Council member Cook left the meeting.

■ **Ordinance No. 2003-04 - Setting 2004 Salaries for Certain Elected Officials**

(Attachment 5)

ACTION: Motion by Council member Gibbons to waive the rules and adopt Ordinance No. 2003-04. Yeates seconded the motion. The vote was unanimous, 5-0. (Hansen and Cook absent.)

■ **Ordinance No. 2003-05 - Setting 2004 Salaries for County Council**

(Attachment 6)

Cache County Council
11-25-03

ACTION: Motion by Council member Gibbons to waive the rules and adopt Ordinance No. 2003-05. Yeates seconded the motion. The vote was unanimous, 5-0. (Hansen and Cook absent.)

■ **Ordinance No. 2003-06 - Business License Fee Changes**

(Attachment 7)

ACTION: Motion by Council member Yeates to waive the rules and adopt Ordinance No. 2003-06 with the insertion of "Actual Costs" for Fire Inspection Fee. Robison seconded the motion. The vote was unanimous, 5-0. (Hansen and Cook absent.)

OTHER BUSINESS

- Employee Christmas Dinner - December 10, 2003 - 6:30 p.m. - Copper Mill**
- Council Christmas Dinner - December 9, 2003 - 6:30 p.m.** - Council Member Yeates said the party would be held in the multi-purpose room immediately after the County Council meeting that will be held in the foyer of the Administration Building.

COUNTY ATTORNEY'S REPORT ON PENDING MATTERS

- Report on Licensing and Zoning for Sexually Related Businesses** - Attorney Daines said this will require a county zoning change and suggested the ordinance be divided into zoning and licensing parts.

Council member Cook returned to the meeting.

PENDING ACTION

- **3700 North Road Issue** - Vern Krebs said property owners in this area are still waiting for action on the road they want built. Executive Lemon said he had contacted Max Niederhauser, one of the property owners, and Mr. Niederhauser does not want a road on his property. Lemon said the position of the Council was that if the other property owners can acquire the right-of-way, the county will build the road.

COUNCIL MEMBER REPORTS

Kathy Robison said she had attended the Thursday jail meeting and there are still some outstanding controversies such as delay issues she hopes Attorney Daines will be able to help resolve. She also attended the BRAG meeting and the Cache Community Food Bank will receive over \$15,000 because they serve as a regional food bank.

Paul Cook reported he continues to work with the I. T. committee.

ADJOURNMENT

Cache County Council
11-25-03

The Council meeting adjourned at 8:11 p.m.

ATTEST: Jill N. Zollinger
County Clerk

APPROVAL: H. Craig Petersen
Council Chairman