

CACHE COUNTY COUNCIL MEETING February 24, 2004

The Cache County Council convened in a regular session on February 24, 2004, in the Cache County Council Chamber at 179 North Main, Logan, Utah.

ATTENDANCE:

Chairman: H. Craig Petersen

Vice Chairman: John Hansen

Council Members: Brian Chambers, Paul Cook, Darrel Gibbons, Kathy Robison, Cory Yeates.

County Executive: M. Lynn Lemon

County Clerk: Jill N. Zollinger

The following individuals were also in attendance: Jay Aguilar, Russ Akina, Jeff Andrus, Tyson Aoki, Nathan Argyle, Glenn Busch, Kim Cheshire, Attorney George Daines, Newel Daines, Holly L. Dixon, Jay Downs, Michelle Downs, Jack Draxler, Joe Fuhrman, Nick Galloway, Lorene Greenhalgh, Cindy Hall, Maridene Hancock, Sharon L. Hoth, Clark Israelsen, Chad Jensen, Katie Jensen, Rosemarie Jorgensen, Gary Joy, Sherrill Joy, Ronda Kingsford, Jolynne Lyon, Sheriff G. Lynn Nelson, Lee Nelson, Dave Nielsen, Ben Jones, Bruce Obrey, Pat Parker, Travis Robson, Chad Shumway, Crystal Shumway, Chris Sanders, Jim Smith, Willy Stewart, Zan Summers, Elaine Thatcher, Mayor Doug Thompson, Gene Thomson, Richard Toth, Michael Twitchell, Scott Williams, Steve Wright **Media:** Jennie Christensen (KVNU), John Wright, (Herald Journal).

CALL TO ORDER

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

OPENING REMARKS

The invocation was given by Cory Yeates.

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 February 10, 2004 Council meeting were reviewed and approved as written.

REPORT OF THE COUNTY EXECUTIVE: M. LYNN LEMON

APPOINTMENTS: Lane Parker, reappointment Cache County AG Advisory Board
 Jack Draxler Cache County AG Advisory Board
 Don Baldwin Cache County AG Advisory Board

ACTION: Motion by Council member Yeates to approve the recommended appointment. Hansen seconded the motion. The motion passed, 6-0. Chairman did not vote.

WARRANTS: There were no warrants.

OTHER ITEMS

- **North Park Equestrian Park** - This land was purchased by the county several years ago with bureau of recreation money. The location of the land is in the unincorporated area between 2800 North and 3100 North and between 100 East and 400 East. North Logan and Hyde Park city councils have reached an agreement on where their proposed city boundaries will be. They and the county are now working with Lyle Bennett from the State Division of Parks and Recreation to help determine the best use of this land. A proposal to sell the land and purchase land elsewhere with the sale proceeds will be brought to the council at a future date. The county will probably have North Logan and Hyde Park cities manage the land as it is developed for parks and recreation use.

PUBLIC HEARING: SECOND CDBG HEARING

Executive Lemon opened the public hearing and stated the purposes of the hearing:

1. To inform citizens and interested groups about the specifics of any CDBG projects and give citizens a chance to raise issues and concerns.
2. To identify the projects:
 - Benson Culinary Water Improvement District*** - \$105,000
(To upgrade the Riverside Water System and add it to the Benson Culinary Water Improvement District)
 - English Language Center*** - \$45,000
(English language training for agricultural workers)
3. Identify amount of money received on each project and the preliminary total project costs
 - English Language Center*** - originally asked for \$98,000 and was given \$45,000. They have amended their budget to reflect the \$45,000 amount. They are still planning to proceed with the training for agricultural workers, but will also use the money for expanded ESL classes
 - Benson Culinary Water Improvement District*** - total project is \$180,000, but local funds will pay \$75,000 towards the cost.

4. Receive public comment
Lemon asked if there was anyone wishing to comment. There was none.
5. Response to specific concerns and questions of all citizens particularly those who will be immediately impacted by the project.
Lemon asked if there was anyone present who would be affected by the projects who wished to speak. There was none.

Executive Lemon closed the public hearing.

ITEMS OF SPECIAL INTEREST:

- ▶ **Bear River Heritage Area Update - Maridene Hancock** presented the new Cache Valley Travel Guide. She indicated that visitors to heritage areas stay longer and spend more money than other tourists. Cache Valley is seeking national designation as an historic area. Once an area is designated as a national historic area, federal funding is available of about \$500,000 a year for up to ten years. Hancock introduced Elaine Thatcher, Assistant Director for the Mountain West Center for Rural Studies and Chair of the Bear River Heritage Area, and Cindy Hall, Bear River Association of Governments (the government entity that provides assistance for this program) to present information about the Bear River Heritage Area. Seven counties are in the heritage area — Box Elder, Cache and Rich in Utah; Bear Lake, Caribou, Franklin and Oneida in Idaho. Bear River Heritage Council is the governing body of the heritage area. The Council has determined nine items that make the area unique:

1. Natural Resources
2. History
3. Agriculture
4. Water and Irrigation Systems
5. Independence and Self-sufficiency
6. Local Businesses and Institutions
7. Domestic and Community Landscapes
8. Ethnic and Cultural Groups
9. Community Celebrations

Bear River Heritage Area has a new website and they will be adding to it over time. They asked the Council to sign a letter stating the county's support for the Bear River Heritage Area's national designation. The letter will be taken to the Utah Congressional delegation prior to legislation on this issue.

(Attachment 1)

ACTION: Motion by Council member Gibbons that the Council sign a letter of support for the Bear River Heritage Area. Cook seconded the motion. The motion passed, 6-0. Chairman did not vote.

BUDGETARY MATTERS

There were none.

PENDING ACTION

- **Update - Cache County Jail/Administration Building** - Sheriff Nelson said that the concept and design of the building has maintained its functionality and he is pleased with it. The Council toured the jail prior to today's Council meeting.
- **Update - Cache County Courthouse Restoration** - Newell Daines said about \$385,000 has been expended on this project and another \$100,000 will be spent on interior framing prior to sheet rocking. All but one of the bidder's for core work have been from Cache Valley. The next bid will be for exterior paint removal. The designs for the three exterior entrances are to be presented to the Historical Preservation Committee on March 1, 2004 for final approval. Work on the entrances will begin about a month after approval. Daines said the project is very close to budget at present. The interior is about 50% rebuilt and within six weeks the rest should be framed and ready for sheet rocking. Daines is pursuing private funding sources for additional money.

(Attachment 2)

- **Discussion - Flora Obray, Agent for Obray Ranch LLC Rezone Request (Avon)**
Lorene Greenhalgh explained that this request was originally for 668 acres. Upon recommendation of the Planning Commission, it was revised and is now for 515 acres. The Planning Commission had a split vote, but allowed it to come to the County Council for the final decision. Planning Commission Chair Lee Nelson said this is good agricultural land. The road is a county road and is considered adequate for farm use. The land is adjacent to agricultural land. The majority of the Commission approved this request. Nelson felt the primary reason for objection by adjoining property owners was the possibility of future development in the area and how that development might impact them. Nelson said many of the Commission felt that parties wanting to develop this land would have to come before the Council and any concerns could be addressed at that time.

(Attachment 3)

ACTION: Motion by Council member Cook to approve the Obray rezone request. Chambers seconded the motion. The motion passed, 6-0. Chairman did not vote.

Chairman Petersen directed that this item be brought back on the Council's March 9, 2004, meeting agenda to be passed as an ordinance.

Lee Nelson thanked the Council for the letter of appreciation that the Planning Commission received from the County Council.

- **Discussion - 2003/2004 Budget Request - Willow Park/Fairgrounds - Russ Akina**
Akina said the county's contribution to the Willow Park Fund for 2003-04 is \$34,031 less than the originally proposed amount. If the Willow Park Fund must balance back to the county's contribution level, then Logan City removes an equal amount according to the current Interlocal Agreement, leaving the Willow Park Fund \$68,062 less in the current fiscal year. Akina presented the Council with a list of services that would be negatively impacted by the approximate \$68,000 reduction. Council member Yeates said the Willow Park master plan was approved unanimously by the County Council and this budget doesn't include any of those projected items on the master plan, but is simply a "bare bones" budget. Lemon said power costs have gone up by about \$16,000 and he and some Council members asked if fees could be increased to help with costs. Gibbons said he would prefer an alternative recommendation from Akina, particularly on the Sports Complex, in the way fees are being charged that might alleviate budget needs. Lemon asked Akina, in accord with language in the Interlocal Agreement, to bring his proposed budget to the Logan City Mayor and the County Executive. After their review and recommendation, it will be presented to the Council. Petersen said this will be on the Council meeting agenda for the second Tuesday in March.

(Attachment 4)

ACTION: Motion by Council member Yeates to fund the Willow Park Budget with the additional \$34,031. Hansen seconded the motion. The motion failed. 2 aye - Yeates & Hansen, 4 nay - Chambers, Gibbons, Cook & Robison. Chairman did not vote.

This item will be on the Council agenda for the March 9, 2004 meeting.

Council member Cook left the meeting.

INITIAL PROPOSAL FOR CONSIDERATION OF ACTION

- ◆ **Resolution No. 2004-05 - Expressing Opposition to Reduce the 1/16 Cent Sales Tax Funding Support for Water Projects and Revolving Funds**

(Attachment 5)

ACTION: Motion by Council member Gibbons to waive the rules and adopt Resolution No. 2004-05. Robison seconded the motion. The motion passed, 5-0. Cook absent. Chairman did not vote.

- ◆ **Discussion - Adoption of LESA** - Chris Sanders said the AG Advisory Board prepared this Land Evaluation and Site Assessment (LESA) document towards the end of last year and made a presentation to the County Council and the Planning Commission. The Commission has since recommended to the Council the adoption of the LESA.

Council member Cook returned to the meeting.

Sanders explained that LESA is a tool for prioritizing what land receives public funding. Petersen expressed concern about the weighting portion of LESA. Petersen said prior to adoption of the LESA by the Council, a workshop should be scheduled for discussion by the Planning Commission and the County Council about the weighting and the use of LESA by the county. This workshop will probably be scheduled after the zoning ordinance is completed by the Planning Commission.

- ◆ **Final Plat approval - Steve Wright Minor Subdivision** - Request for a 4-lot minor subdivision on 21.11 acres of property in the Agricultural Zone located at 5910 South - 5974 South 2400 West, west of Hyrum.

(Attachment 6)

Council member Chambers left the meeting.

ACTION: Motion by Council member Hansen to waive the rules and approve the request for the Steve Wright Minor Subdivision. Gibbons seconded the motion. The motion passed, 5-0. Chambers absent. Chairman did not vote.

PENDING ACTION

- **Cache County Jail Contract With Department of Corrections for State Inmates/Request for Additional Employees** - A workshop on these issues was held at 4:00 p.m. prior to the Council meeting. Council members asked if the number of positions requested could be reduced. Sheriff Nelson said the positions are interrelated and reducing the requested number to one-half or two-thirds would not be possible. Lemon said that the paperwork for the “pay-for-stay” program is significant and without someone to handle it, the county cannot participate in this program and will lose revenue. Lemon said he was skeptical of the necessity for these positions until he met with Nelson and reviewed the department’s needs.

Council member Chambers returned to the meeting.

ACTION: Motion by Council member Cook to approve the Sheriff’s request to hire sixteen new employees. Chambers seconded the motion. The motion passed, 6-0. Chairman did not vote.

REVIEW OF COUNTY INITIATIVES

- **Ambulance Proposal** - Chambers reported the ambulance committee has been meeting regularly and productively. The funding source for the countywide ambulance service will be property tax and the beginning date will be January 2005. An oversight committee will be in place by July consisting of members from Logan and Cache County and a first draft of the interlocal agreement has been completed.

- **RAPZ Tax** - Lemon said Dennis Nelson has been hired as the RAPZ Tax Administrator for the county. The RAPZ/Restaurant Tax Advisory Committee has met and Nelson will be at the next meeting February 25, 2004.

- **T.V. Translator** - Petersen said the Nielsen ratings done last November indicated 43% of people with televisions in Cache County take their signal directly off the air or through the T.V. Translator. A Dan Jones and Associates survey claimed about 10% used the translators and about 10% take their signals directly off the air. Petersen said about a year ago the county allocated \$1,000 for a survey. He and a graduate student in economics at Utah State University are putting together a telephone survey to try to get some better information on this subject. They may also ask questions about what people would like to have in terms of recreational facilities. The survey will be done sometime during March.

OTHER BUSINESS

- **Lunch With Elected Officials/Department Heads** - The next group for Council members to have a luncheon meeting with will be elected officials. Gibbons, Yeates and Robison will participate in the next luncheon. Parker will set this luncheon up for a Wednesday.

COUNCIL MEMBER REPORTS

There were none.

ADJOURNMENT

The Council meeting adjourned and moved to Executive Session at 7:23 p.m. to discuss acquisition or disposition of property.

The Council adjourned from Executive Session at 8:30 p.m.

ATTEST: Jill N. Zollinger
County Clerk

APPROVAL: H. Craig Petersen
Council Chairman

Cache County Council
02-24-04