

CACHE COUNTY COUNCIL MEETING
March 09, 2004

The Cache County Council convened in a regular session on March 09, 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: Angie Baker, Nic Baker, Lt. Kim Cheshire, Denzel Clark, Attorney George Daines, Dave DeGasser, Jean DeGasser, Darrell Erickson, Sharon L. Hoth, Clark Israelsen, Joel Merritt, Tami Merritt, Sheriff G. Lynn Nelson, Sue Olsen, Pat Parker, Jim Smith, Auditor Tamra Stones **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 Brian Chambers.

PLEDGE OF ALLEGIANCE

Chairman Petersen lead those present in the Pledge of Allegiance.

REVIEW AND APPROVAL OF AGENDA

The agenda was approved with item 13a, Cache County Caucus Meetings, being moved before item 9, Public Hearings, Appeals and Board of Equalization Matters; and the addition of an Executive Session directly after adjournment from the Council meeting.

REVIEW AND APPROVAL OF MINUTES

Minutes of the February 24, 2004 Council meeting were reviewed and approved as written.

REPORT OF THE COUNTY EXECUTIVE: M. LYNN LEMON

APPOINTMENTS:

Craig R. Humphreys	Deputy County Fire Chief
Damian Openshaw	Deputy County Sheriff
Kim Ashcroft	Special Deputy County Sheriff
Garth Barker	Special Deputy County Sheriff
Patrick C. Bentley	Special Deputy County Sheriff
Bryce Berry	Special Deputy County Sheriff
Merlin Bunn	Special Deputy County Sheriff
Kurt Christoffersen	Special Deputy County Sheriff
Monte Coleman	Special Deputy County Sheriff
Guy Curtis	Special Deputy County Sheriff
Bart Esplin	Special Deputy County Sheriff
Eric Gunnerson	Special Deputy County Sheriff
Lonny Jensen	Special Deputy County Sheriff
Sandafer Logan	Special Deputy County Sheriff
Lisa Moore	Special Deputy County Sheriff
Greg Murray	Special Deputy County Sheriff
Sam L. Peery	Special Deputy County Sheriff
Sven L. Peery	Special Deputy County Sheriff
Jan Peterson	Special Deputy County Sheriff
John Poppleton	Special Deputy County Sheriff
Mark R. Reeder	Special Deputy County Sheriff
Dan Rigby	Special Deputy County Sheriff
Ryan Rigby	Special Deputy County Sheriff
Evan Riggs	Special Deputy County Sheriff
Troy Schenk	Special Deputy County Sheriff
Ronald N. Staggs	Special Deputy County Sheriff
Travis Thain	Special Deputy County Sheriff
David Welker	Special Deputy County Sheriff

ACTION: Motion by Council member Yeates to approve the recommended appointments. Cook seconded the motion. The motion passed, 7-0.

WARRANTS: The warrants for the periods of 12-05-2003 to 12-05-2003, 01-23-2004 to 01-29-2004, 01-30-2004 to 02-05-2004, 02-06-2004 to 02-12-2004, 02-13-2004 to 02-19-2004 and 02-20-2004 to 02-26-2004 were given to the clerk for filing.

LEGISLATIVE SESSION UPDATE: Lemon reported that the bill making justice court fines equitable with district court fines passed so the county will receive funding that will help pay for city prisoners in county jails. He said he was relieved that House Bill 311 dealing with redevelopment districts did not pass as this would have created a financial burden on counties. Cache County did not succeed in getting the funding for the State building proposed for the county block, however, discussion on this issue is still ongoing. Generally, those bills the county wanted to pass, did, and those bills the county did not want to see passed, did not.

ITEMS OF SPECIAL INTEREST:

- ▶ **Employee of the Month** was presented by Jim Smith to Dave DeGasser of the Sheriff's Department.

- ▶ **Recognition of Joel Merritt, Cache County Weed Department** by Clark Israelsen. Merritt was named Weed Supervisor of the Year for the state of Utah by the Utah Weed Control Association and he was elected as their President-Elect. Merritt and Nathan Belliston published *Noxious Weeds of Utah* as well as numerous weed fact sheets and brochures. Merritt is a charter member of the Utah-Idaho Cooperative Weed Management group that covers a five-county area. He has been President and Vice-President of this group and is now serving as its Secretary.

OTHER BUSINESS

- **Cache County Caucus Meetings** - Because of conflicts with the regularly scheduled Cache County Council meeting on the same date as the caucus meetings, the Council proposed changing the March 23, 2004 Council meeting to March 30, 2003 at 5:00 p.m.

ACTION: Motion by Council member Gibbons to change the March 23, 2004 Council meeting to March 30, 2004 at 5:00 p.m. Robison seconded the motion. The motion passed, 7-0.

ACTION: Motion by Council member Cook to set the public hearing to open the 2004 Budget for March 30, 2004 at 6:00 p.m. Yeates seconded the motion. The motion passed, 7-0.

BUDGETARY MATTERS

There were none.

THE COUNCIL MOVED INTO THE BOARD OF EQUALIZATION

- **Tax Exemption Requests:**
 - Bear River Mental Health Services
 - Beaver Mountain Ski Patrol
 - Bridgerland Audubon Society
 - Common Ground Outdoor Adventures
 - Options for Independence
 - Providence Place Housing Corporation
 - Whittier Community Center
 - Alice & Allen Stokes Nature Center
 - Association for the Advancement of the Handicapped
 - Cache Employment & Training Center
 - Daughters of the Utah Pioneers Museum
 - Spendlove Research Foundation
 - Cache Valley Bible Evangelical Free Fellowship Church
 - Maranatha Baptist Church
 - The North American Islamic Trust, Inc.
 - Prince of Peace Lutheran Church
 - Somebody's Attic
 - Bear River Head Start

(Attachment 1)

ACTION: Motion by Council member Gibbons to approve all of the requests except Planned Parenthood that Council member Yeates asked be withdrawn. Hansen seconded the motion. The motion passed, 7-0.

Council member Yeates questioned if Planned Parenthood funds were being used for educational purposes.

ACTION: Motion by Council member Yeates to table Planned Parenthood's request for tax exemption status and ask Planned Parenthood to come to the March 30, 2004 Council meeting for a discussion of their reasons for requesting tax exempt status. Cook seconded the motion. The motion passed, 7-0.

The Council adjourned from the Board of Equalization.

PENDING ACTION

- **Update - Cache County Jail/Administration Building** - Sheriff Nelson said he had been in meeting with the architect and Sahara Construction this afternoon. There has been a delay in the sewer completion. They will be meeting again next Tuesday. A tour for the Sheriff's office will be Wednesday, March 10, 2004. March 15 and 16 will host tours for youth groups and law enforcement. The public open houses will begin March 18, 2004. The ribbon cutting ceremony will be March 18, 2004 at noon. Vice Chairman Hansen and Executive Lemon will speak. VIP tours will be immediately after the ceremony with public tours beginning at 2:00 p.m. A public dinner will be catered by the Iron Gate Grill that evening for \$20. Friday, March 19, is the "jail sleepover", with a breakfast and T-shirt included in the \$25 cost. Public tours will continue through March 19 and 20. March 23, 2004 will be a jail security check to be ready for inmates by March 25, 2004.
- **Update - Ambulance Service** - Council member Chambers said the ambulance committee has been working through the licensing issues. Gibbons said discussions are going well and Logan City is working well with Cache County.

INITIAL PROPOSAL FOR CONSIDERATION OF ACTION

- Ordinance No. 2004-02 - Obray Ranch Rezone** - This item was deferred till the March 30, 2004 Council meeting.
- Resolution No. 2004-06 - T.V. Translator - Acquisition and/or Condemnation of Mt. Pisgah Site** - Attorney Daines said this gives the county authorization to begin negotiations to acquire Mt. Pisgah.

(Attachment 2)

ACTION: Motion by Council member Yeates to waive the rules and approve Resolution No. 2004-06. Cook seconded the motion. The motion passed, 7-0.

- Chairman Petersen presented copies to the Council of a proposed survey to be conducted by a graduate student at Utah State University and asked for the Council's suggestions. This will be a random sample telephone survey of 500 names concerning how participants receive their T.V. signal. There are also questions concerning recreational activities in Cache County and the use of the RAPZ tax. The survey will be conducted from the Cache County Administration building. This should be completed by early to mid-April.

(Attachment 3)

- **Approval of RAPZ/Restaurant Tax Application** - Petersen said the RAPZ/Restaurant Tax Committee has met three times. They created a press release and an application form. There will be a public workshop to provide information on March 17, 2004 at 5:00 p.m. in the Cache County Administration Building, Room 109. Applications are now available with completed applications due by April 15, 2004. This date is an extension from the original April 1, 2004 deadline. Applicants will indicate what they want to use the money for and the RAPZ/Restaurant Tax Committee will determine which tax will be used. Gibbons said he thought the ordinance concerning Restaurant Tax restricted its use to either capital projects or maintenance. After review of the ordinance, Petersen said Gibbons was correct, Restaurant Tax monies may be used for either capital projects or maintenance, and the application and press release will reflect that information.

(Attachment 4)

REVEIW OF COUNTY INITIATIVES

- ◆ **Help America Vote Act - HAVA** - Clerk Zollinger said that in a meeting with the Lieutenant Governor's office it was determined that Cache County residents wanting to know if their provisional ballot vote was counted could call the County Clerk's office in Cache County since all such calls would not be long distance calls. The Clerk's office will not have to provide an 800 number or a website link. The provisional ballots will have a tear-off stub with the Clerk's phone number on it.
- ◆ **Landfill Site** - Gibbons said Logan City contracted with HDR Engineering to site a landfill. There's been a citizens group meeting and the landfill committee has evaluated several sites. Currently, the search is limited to three sites, all in the north end of the valley. There is one north of Clarkston, one between Clarkston and Newton, and one south of Cache Junction. HDR has done a presentation to the Solid Waste Advisory

Board, but no decision has been made by the Board.

- ◆ **GASB 34** - Auditor Stones said the county has continued to convert spread sheets from the old format to the new reporting model for GASB 34 which includes changing it from a fund accounting statement to one more like a business statement. With that change they have done work to include assets, fixed assets, depreciated fixed assets and infrastructure. They have completed determining a life for each of the county's fixed assets which has been given to Lemon. The auditor's office has been working with the Road Department for that department's review of infrastructure of the roads, the culverts, bridges, signs, dirt roads, asphalt roads, etc. The Road Department developed a rating schedule for roads and infrastructure that will be presented to the Council for approval. Then the Council will have to determine the level of repairs and maintenance that would be needed on those roads, bridges, etc. Stones said that with that decision comes the commitment of funding and resources to keep the roads and infrastructure at that level. There is to be a follow-up every three years on these issues. An audit must be completed by the end of June. As part of the audit reporting module, the county has to provide a narrative of management discussion and analysis statement. Stones said the cost of moving to the GASB 34 system is around \$10,000. The State Auditor's office has provided some guidance at no charge. The county is proceeding to meet the outlined deadlines. Lemon said the inventory and rating has been done in-house which saved the County money.

INITIAL PROPOSAL FOR CONSIDERATION OF ACTION

- **Resolution No. 2004-07 - Approving the Annexation of Land Adjacent to Providence City on the West Side of State Road 165** - Lemon explained that there is a provision in the code that says that if a city is going to annex land and the city is going to be the annexing party, the County Council is required to approve the annexation. The property owners involved don't object to the annexation and, in fact, want it, but they don't want to pay the cost. So Providence City has agreed that they will be the annexing party. This property is in the Annexation Policy Declaration Area for Providence.

(Attachment 5)

ACTION: Motion by Council member Yeates to waive the rules and accept Resolution No. 2004-07. Cook seconded the motion. The motion passed, 7-0.

OTHER BUSINESS

- **5th Tuesday in March meeting with Logan City Council** - Chairman Petersen asked Parker to contact Logan City to set up the meeting for March 30, 2004 at 7:00 p.m.
- **Report on Elected Officials Luncheon** - Council members Robison and Yeates said they met with elected officials for lunch and the elected officials expressed concerns about parking for County employees on the County block. Lemon said he believes when

the Sheriff's department completes its move, more parking will be available.

■ **Willow Park Funding**

ACTION: Council member Cook moved that the Council reconsider the vote at the February 24, 2004 Council meeting on the Willow Park funding and table the original motion. Robison seconded the motion. The motion passed, 6 aye - Chambers, Gibbons, Hansen, Petersen, Cook & Robison, 1 nay - Yeates.

COUNCIL MEMBER REPORTS

Cory Yeates said the road committee met last Tuesday and they continue to check on gated roads.

Brian Chambers said there is a fundraiser for the Eccles Ice Center in North Logan on March 18, 2004. Tickets are \$15.00 and include dinner, entertainment and an auction.

Darrel Gibbons said that in conjunction with the work on the highway at Richmond, there will a street light where 11600 North intersects the highway and the county will be required to pay the utilities on that light.

John Hansen said he met with Karl Benson, Commissioner for the new WAC conference. Benson talked about the benefits of joining the conference to the restaurant and hotel business in the county. Hansen has had some calls about closed roads and has forwarded those concerns to Yeates.

Kathy Robison said the BRAG Human Services Board reported that their organization had served over 1,600 households with help in paying utilities. Most of these received an average of \$300. BRAG Human Services also served over 90,000 home-delivered meals through the senior citizens centers and also served over 80,000 congregate meals. As a non-voting member of the Downtown Alliance, Robison sits in on most of their meetings and the Alliance will be coming to the county in the future for money to pay for maintenance costs for their sidewalks and light posts in front of the Historic Courthouse.

ADJOURNMENT

The Council meeting adjourned and moved to Executive Session at 6:50 p.m. to discuss acquisition or disposition of property.

EXECUTIVE SESSION

The Council adjourned from Executive Session at 7:36 p.m.

Cache County Council
03-09-04

ATTEST: Jill N. Zollinger
County Clerk

APPROVAL: H. Craig Petersen
Council Chairman