

CACHE COUNTY COUNCIL MEETING

August 10 ,2004

The Cache County Council convened in a regular session on August 10, 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: Don Briel, Brenda Lyn Brown, Kevin Brown, Patrick Clark, Robert O. Cronquist, Jr., Sylvia Cronquist, Rob Cruz, Attorney George Daines, Brent Hoggan, Sharon L. Hoth, Craig Humphreys, Darrell Edward Hyde, Kathy Hyde, Jon Keller, JoLynne Lyon, Gary Murray, David Nielsen, Pat Parker, Kelly Pitcher, Bret Selman, Fred Selman, Laura Selman, Michelle Selman, Jim Smith, Auditor Tamra Stones, Mark Teuscher, **Media:** Jennie Christensen (KVNU), Rashae Ophus (Herald Journal).

CALL TO ORDER

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

OPENING REMARKS

The opening remarks were given by Darrell Gibbons.

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

The minutes of the July 27, 2004, Council meeting were approved as corrected.

REPORT OF THE COUNTY EXECUTIVE: M. LYNN LEMON

<u>APPOINTMENTS:</u>	Lee Edwards	Special Deputy County Attorney
	Diane Anderson	Cache County Library Board
	Jeanette Christenson	Cache County Library Board
	Paul Cook	Cache County Library Board
	Stacie Gomm	Cache County Library Board

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Jonathan E. Jenkins
Linda H. Marble
Ruby Woodward

Cache County Library Board
Cache County Library Board
Cache County Library Board

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

WARRANTS: The warrants for the periods 06-11-2004 to 06-17-2004, 07-09-2004 to 07-15-2004, 07-16-2004 to 07-21-2004 and 07-22-2004 to 07-29-2004 were given to the Clerk for filing.

OTHER ITEMS

- **PUBLIC HEARING SET:** AUGUST 24, 2004 AT 5:10 P.M. for FIRST CDBG PUBLIC HEARING.
- **Rob Cruz - U.S. Forest Service** reported on the fires on the Wellsville range. Nine fires were started with lightning storms. Four of those fires are on the Wellsville Wilderness area on the Box Elder side. The Forest Service is using their Fire Use Plan on these fires which means they are letting the fires burn, monitoring them carefully. There is a controlled burn scheduled for about 5,000 acres between Logan and Blacksmith Fork canyons to begin next year and be completed over two years' time.
- **County Council and Commissioners Annual Workshop** - September 23 and 24, 2004, at The Homestead. Executive Lemon urged those Council members who could to attend this.
- **Sales Tax Projected Revenues** - Lemon said County sales tax revenue is running a little behind projections.

(Attachment 1)

- **Assessing and Collecting Dues** - Cache County has been a receiving county, but based on proposed new legislation that would require all counties to be on the same rate Cache County could become a contributing county. This could cost about \$150,000.

ITEMS OF SPECIAL INTEREST

- ▶ **Employee of the Month** was presented by Jim Smith to Craig Humphreys of the Fire Department.

BUDGETARY MATTERS

Inter-Departmental Transfers

Children's Justice Center transfer of \$2,000 from Employee Benefits to Non-Capitalized Equipment to cover purchase of new copier.

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Children's Justice Center transfer of \$2,361 from Salary to Non-Capitalized
Equipment to cover purchase of new copier.

(Attachment 2)

ACTION: Motion by Council member Cook to approve the inter-departmental transfers of \$2,000.00 and \$2631.00. Robison seconded the motion. The vote was unanimous, 7-0.

PENDING ACTION

- ❑ **Update - Historical Courthouse Restoration Project** - Executive Lemon said the Building Committee had decided that heating the sidewalk between the Courthouse and the County Administration Building will be too costly. Staining of the Courthouse will begin around the first of September and take about a month to complete. An occupancy date of March 5, 2005, is currently projected. Robison said the Downtown Alliance has asked the county to consider installing lights on and around the plaza in compliance with a possible future dark sky initiative Logan is considering.
- ❑ **Voting District Boundaries** - Clerk Zollinger will bring a recommendation on County Council District Boundary changes to a future Council meeting.
- ❑ **County Initiative Planning Process** - Petersen said letters were sent to all departments around the first of June asking them to update their initiatives and add additional initiatives and to indicate progress on initiatives submitted last year. Those were to be the Executive's office by the first of August. Parker said the Fire Department, Development Services and the County Attorney's office have not yet submitted their updated plans. Petersen said he and Lemon will meet with Department Heads next week to review their plans.

INITIAL PROPOSAL FOR CONSIDERATION OF ACTION

- **Approval of Lease Agreement - Cache County/Beus - Mt. Pisgah** - Attorney Daines said if the county states in the cover letter accompanying the lease agreement that the county understands additional stations can be added during the extension of the lease period, that will be sufficient to allow the county the option of adding stations. Petersen asked what the lease amount will be. Daines said it will be \$7,800 a year. Cook said the T.V. Translator committee, consisting of Cook, Yeates, Robison, Lemon, Brett Hancey and Rick Hughes, will meet to determine what additional stations may be requested.
- **Resolution No. 2004-24 - Approving Executive to Execute Agreement between Cache County/Beus - Mt. Pisgah**

ACTION: Motion by Council member Cook to waive the rules and approve Resolution No. 2004-24 - Approving Executive to Execute Agreement between Cache County/Beus - Mt. Pisgah and to appropriate \$7,800 for the Lease Payment. Yeates seconded the motion. The vote was unanimous, 7-0.

(Attachment 3)

COUNTY INITIATIVES

- **Information Technology - Tax roll Software - Don Briel** reported on the ACT System status. ACT has been brought in-house, is working reasonably well, problems have been corrected and it has saved the county about \$60,000 a year; however, consulting help may be required at some point in the future and the technology is outdated.
- **Information Technology - County Website - Don Briel** reported the county website has excellent patron access to information and there is good navigation through the site. The website is nice, but not exciting and an IT sponsored initiative on this issue is coming.

PUBLIC HEARING: OPEN 2004 BUDGET

Auditor Stones reported to the Council on the 2004 Budget and reasons for changes. For detailed information see Attachment 6 to Resolution No. 2004-23.

Chariman Petersen opened the meeting for public comment. There was none.

ACTION: Motion by Council member Yeates to close the Public Hearing. Robison seconded the motion. The vote was unanimous, 7-0.

PUBLIC HEARING: VACATE FOUR-MILE ROAD

Council member Yeates said the county had identified 48-49 roads that accessed public land and, therefore, needed to remain open. Through letters and personal contact with property owners, all but fourteen roads have been opened. The Four-mile road is south of Avon on the South Canyon Road to Liberty/Eden area west to the Box Elder county line. Yeates has ridden the road and it is only on private property. There has been restricted access on this road since 1952/53. A few miles south is the Three-Mile Road which crosses private land and accesses numerous sections of public land. Yeates recommends that it is in the best interest of the county to vacate any claim on Four-Mile Road.

Petersen opened the meeting for public comment.

Kevin Brown expressed concerns about access being denied to his land on another road.

Attorney Brent Hoggan wanted it understood that Mr. Brown's concerns have no relevance to the Four-Mile Road issue.

Chairman Petersen asked if there was any other public comment. There was none.

ACTION: Motion by Council member Yeates to close the Public Hearing. Hansen seconded the motion. The vote was unanimous, 7-0.

INITIAL PROPOSAL FOR CONSIDERATION OF ACTION

- **Ordinance No. 2004-09 - Abandoning or Vacating any Claim to Four-Mile Road**

(Attachment 4)

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ACTION: Motion by Council member Yeates to waive the rules and approve Ordinance No. 2004-09, Abandoning or Vacating any Claim to Four-Mile Road. Cook seconded the motion. The vote was unanimous, 7-0.

Ordinance No 2004-09: The vote was 7-0

	<u>CHAMBERS</u>	<u>COOK</u>	<u>GIBBONS</u>	<u>HANSEN</u>	<u>PETERSEN</u>	<u>ROBISON</u>	<u>YEATES</u>	<u>VOTES CAST</u>
AYE	X	X	X	X	X	X	X	7
NAY								0
ABSTAINED								0
ABSENT								0

- **Ordinance No. 2004-10 - Adopting Proposed Cache County Zoning Ordinance With Exceptions**

(Attachment 5)

ACTION: Motion by Council member Gibbons to waive the rules and adopt Ordinance No. 2004-10 with Provision No. 1 remaining, Provision No. 2 deleted so that Provision No. 3 becomes Provision No. 2 to include amendments 1-9, and Provision No. 3, Chapter 23.27.23.030 to read “Community identification Signs: Signs identifying communities may be up to forty square feet.” Cook seconded the motion. The vote was unanimous, 7-0.

Council members said they want to have the Planning Commission’s input on Amendment No. 10 before approving it.

Ordinance No 2004-10: The vote was 7-0

	<u>CHAMBERS</u>	<u>COOK</u>	<u>GIBBONS</u>	<u>HANSEN</u>	<u>PETERSEN</u>	<u>ROBISON</u>	<u>YEATES</u>	<u>VOTES CAST</u>
AYE	X	X	X	X	X	X	X	7
NAY								0
ABSTAINED								0
ABSENT								0

Petersen directed Parker to place Amendment No. 10 on the agenda for the September 14, 2004, Council Meeting.

- **Resolution No. 2004-23 - Adjustments to 2004 Budget**

(Attachment 6)

ACTION: Motion by Council member Hansen to approve Resolution No. 2004-23 - Adjustments to 2004 Budget. Cook seconded the motion. The vote was unanimous, 7-0.

COUNTY INITIATIVES

- **HAVA (Help America Vote Act)** - Clerk Zollinger explained the state had created a committee last spring to develop an RFP to be sent to Electronic Voting equipment companies. The request was sent in July and replies are due back today, August 10, 2004. There will be a Public Hearing concerning this in Salt Lake on Thursday, August 12, 2004. Only two companies have responded thus far. Zollinger said County Clerks in Utah will be receiving letters from the Disability Law Center about their Primary election survey. These letters will indicate areas of compliance or non-compliance found.

- **Personnel Policies and Procedures Manual** - Jim Smith gave a brief overview of work that has been done on the manual. He would like direction from the Council after they read the draft. Lemon said one of the major changes is going from grade in steps to the market system. Petersen – do we have a human resource committee to review this? Smith replied there is no such committee. Daines asked if some provision can be arrived at, such as consulting status for an employee, to provide health insurance for long-term employees who want to retire, but keep working to have health insurance. Cook asked if compensation for the family of a long-term county employee who dies will be addressed. Smith replied that it will be included in a future draft. Smith said this document will be made available to the employees for their review and input.

Petersen directed Parker to place the policies and procedures manual on the agenda for discussion on the August 24, 2004, Council meeting with it being on the agenda for passage at the September 14, 2004, or September 28, 2004, Council meeting.

OTHER BUSINESS

- ✓ **River Heights City Apple Days Parade - August 29, 2004 - 12:00 noon** - Cook will attend.

- ✓ **Cache County Council Summer Social** - Yeates said Seeholzer's have expressed a desire to have the Council come and tour their facility at Beaver Mountain. Yeates will meet with Seeholzer's and set up a tour and dinner sometime in September. A dinner with Planning and Zoning is scheduled for August 28, 2004, at 7:00 p.m. at Edgewood Hall. Council members, excepting Chambers, and Lemon will meet at 3:00 p.m. to tour the Yonk property on August 17, 2004.

- ✓ **Joint Council Meeting with Logan City Council - August 31, 2004 - 5:00 p.m.** - topics to be discussed will be:
 - Zoo Master plan
 - Air Quality
 - Willow Park Interlocal Agreement
 - Logan-Cache Airport
 - Ambulance
 - Down town

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Chairman Petersen directed Parker to place the County Zoning Ordinance Amendment No. 10 on the August 24, 2004, Council meeting agenda.

COUNCIL MEMBER REPORTS

Chambers asked why Council District boundaries need to be adjusted. Robison said it was because of population.

Hansen asked what he can tell Kevin Brown about problems accessing his land. What is Brown's recourse? Daines said Brown has a right to use the old Browning road to access his land and the county will get to it as soon as possible, but Brown may need a personal attorney for faster action.

Robison said Attorney General Mark Shurtleff will be here at a Republican Women's luncheon on September 21, 2004, at the Copper Mill at noon, and RW will sponsor a Meet the Republican Candidates luncheon at noon at the Copper Mill on October 19, 2004. Robison has received the hospital's charity plan.

ADJOURNMENT

The Council meeting adjourned at 7:16 p.m.

ATTEST: Jill N. Zollinger
County Clerk

APPROVAL: H. Craig Petersen
Council Chairman