

CACHE COUNTY COUNCIL MEETING December 14, 2004

The Cache County Council convened in a regular session on December 14, 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: Sonja Andersen, Bob Bayn, Jay Downs, Jack Greene, Tom Hogan, Bonnie Hoth, Paul Hoth, Sharon L. Hoth, Chief Mark Meaker, Sheriff Lynn Nelson, Sharon Nielsen, Pat Parker, Jay T. Price, Jim Smith, Auditor Tamra Stones, Shauna Twitchell, **Media:** Rashae Ophus (Herald Journal), Jennie Christensen (KVNU).

CALL TO ORDER

Chairman Petersen called the meeting to order at 5:05 p.m.

OPENING REMARKS

The opening remarks were given by John 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 an Executive Session immediately following Council meeting.

REVIEW AND APPROVAL OF MINUTES

The minutes of the December 07, 2004, Council meeting were approved as corrected.

REPORT OF THE COUNTY EXECUTIVE: M. LYNN LEMON

APPOINTMENTS: There were none.

WARRANTS: The warrants for the periods 11-15-04, 11-16-2004 and 12-08-2004 were given to the Clerk for filing.

OTHER ITEMS

- **Planning Commission Appointments** - Executive Lemon said he will have the recommendations for the two vacant positions by January.
- **Quit Claim Deed** - Because of the reconfiguration of the road near Hyrum State Park the county is deeding a portion of the road to the State Park with a quit claim deed as required by law.

(Attachment 1)

- **TRT Collection** - The group that was handling the collection for UAC has been dissolved. Lemon recommended having the State Tax Commission do the collecting for Cache County as has been done in the past.
- **Utah State Association of County Councils and County Commissions** - The December 15, 2004, meeting in Utah County will be discussing the transit tax portion of the proposed uniform sales tax. Since Cache County has a transit district, Lemon will not be attending this meeting. The December 17, 2004, meeting in Davis County will deal with jail reimbursement. Lemon will attend this 10:00 a.m. meeting and invited Council members. .

PENDING ACTION

- **Update - Historical Courthouse Restoration Project/Demolition of Old Jail** - Lemon reported that material is being cleaned out of the basement now. Because of telephone lines under the south end, Qwest representatives will be on site during that portion of the demolition.
- **Resolution No. 2004-35 - Authorizing Executive to sign a Stipulation and Agreement between Cache County and Cronquist, et al allowing public access to forest land** - *NO ACTION TAKEN* - Gibbons asked if it would be appropriate to pass the resolution to authorize the Executive to sign the agreement when the Cronquist signatures are obtained. Attorney Daines recommended the Council not take action at this meeting. Shauna Twitchell, representing Robert O. Cronquist, Sr., asked for clarification on the width of the road on the Cronquist property. Twitchell asked the Council to visit the property to better understand the owners' concerns. Attorney Daines said he would be happy to meet with Twitchell to resolve her concerns.
- **Review of RAPZ Ordinance 2003-03** - The Council discussed possible changes to the allocation percentages for Parks and Recreation and Cultural. The RAPZ Committee meets on December 15, 2004, and the Council decided to wait for input from the Committee before making any changes. Petersen said this item will be on the agenda for the January 11, 2005, Council meeting.

INITIAL PROPOSAL FOR CONSIDERATION OF ACTION

- **Resolution No. 2004-42 - Adoption of 2005 Budget**

(Attachment 2)

ACTION: Motion by Council member Gibbons to adopt Resolution No. 2004-42 - Adoption of 2005 Budget. Cook seconded the motion.

ACTION: Motion by Council member Cook to amend the 2005 Budget to include an additional \$50,000 (salary plus benefits) for a financial officer position in the Sheriff's Department. Yeates seconded the motion. The motion failed, 2 aye - Yeates & Cook, 5 - nay - Chambers, Gibbons, Hansen, Petersen & Robison.

Chairman Petersen called for the vote on the main motion. The vote was unanimous, 7-0.

- **Resolution No. 2004-44 - Support for Air Quality Recommendations** - This resolution refers to the air quality recommendations from the Air Quality Task Force.

(Attachment 3)

ACTION: Motion by Council member Gibbons to adopt Resolution No. 2004-44 - Support for Air Quality Recommendations as written. Hansen seconded the motion. The vote was unanimous, 7-0.

- **Resolution No. 2004-45 - Findings of Fact - Foothill Subdivision** - These are the basis for the denial of the Preliminary Plat of the Foothill Major Subdivision from the December 07, 2004, Council meeting.

(Attachment 4)

ACTION: Motion by Council member Yeates to adopt Resolution No. 2004-45 - Findings of Fact - Foothill Subdivision. Chambers seconded the motion. The vote was unanimous, 7-0.

PUBLIC HEARING: OPEN 2004 BUDGET - Petersen invited Executive Lemon to review the changes in the 2004 budget. Lemon said he and Auditor Stones had met with many of the Department Heads to discuss the changes and recommends approval. Lemon said some of the changes were in relation to the sales tax revenue. The last item of \$220,000 from Appropriated Surplus is a transfer that should have been done in 2003 and deals with the excess property at the jail complex that was not sold to ICON. Market adjustments, workers compensation, retirement rate increases and additional expense for the election budget were other items Lemon noted. (See Attachment 5, to Resolution No. 2004-43 - Adjustments to the 2004 Budget)

Petersen opened the meeting to public comment. There was none.

Cache County Council
12-14-04

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

OTHER BUSINESS

- ✓ **Election of Council Chairman and Vice Chairman for 2005** - Yeates nominated H. Craig Petersen to serve as the Council Chairman for 2005. Cook seconded the nomination. The nominations were closed. The vote was unanimous, 7-0. Robison nominated Cory Yeates to serve as the Council Vice Chairman for 2005. Cook seconded the nomination. The nominations were closed. The vote was unanimous, 7-0. Robison said that in future years the Chairmanship should be rotated on a yearly basis. Gibbons suggested the Vice Chairman should be rotated to the Chairman in the following year. Robison agreed with Gibbons' suggestion.

- ✓ **Swearing In Ceremony for Elected Officials - January 3, 2005 - 12:00 noon**

INITIAL PROPOSAL FOR CONSIDERATION OF ACTION

- **Resolution No. 2004-43 - Adjustments to the 2004 Budget**

(Attachment 5)

ACTION: Motion by Council member Yeates to approve Resolution No. 2004-43 - Adjustments to the 2004 Budget. Hansen seconded the motion. The vote was unanimous, 7-0.

COUNCIL MEMBER REPORTS - There were none.

ADJOURNMENT

The Council meeting adjourned to Executive Session at 6:05 p.m. to discuss personnel matters and property acquisition.

The Council adjourned from Executive Session at 7:45 p.m.

ATTEST: Jill N. Zollinger

APPROVAL: H. Craig Petersen