

CACHE COUNTY COUNCIL MEETING

March 08, 2005

The Cache County Council convened in a regular session on March 08, 2005, in the Cache County Council Chamber at 179 North Main, Logan, Utah.

ATTENDANCE:

Chairman: H. Craig Petersen
Vice Chairman: Cory Yeates
Council Members: Brian Chambers, Darrel Gibbons, John Hansen, Kathy Robison.
(Southeast Council District Seat vacant)
County Executive: M. Lynn Lemon, absent.
County Clerk: Jill N. Zollinger

The following individuals were also in attendance: Robert L. Baxter, Paul Bemtson, Lt. Matt Bilodeau, Mark A. Boxx, Stephen W. Boxx, Jan Chambers, Joe Chambers, Dan Christensen, Attorney George Daines, Newell Daines, Robert Hasenyager, Sharon L. Hoth, Brent K. Hutchings, Pam Kramer, Linda Morse, Wendell Morse, Sheriff Lynn Nelson, David Nielsen, Kevin Nielsen, Michael Olsen, Todd Olsen, Pat Parker, Jeff D. Ricks, Sarah Ann Skanchy, Jim Smith, Dennis Spraggins, Auditor Tamra Stones, Mark Teuscher, Scott Walker, Pamela Wells, Scott Wells, Christian Wilson, Gordon Zilles **Media:** Adam Benson (Herald Journal), Jennie Christensen (KVNU).

CALL TO ORDER

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

OPENING REMARKS

The opening remarks were 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 the addition of a second Executive Session immediately after the Council meeting to discuss land acquisition and personnel matters.

REVIEW AND APPROVAL OF MINUTES

The minutes of the February 22, 2005, Council meeting were approved as written.

REPORT OF THE COUNTY EXECUTIVE: M. LYNN LEMON (Chairman Petersen reported in Lemon's absence)

<u>APPOINTMENTS:</u>	Lloyd C. Berentzen	Cache County Solid Waste Advisory Board
	Darrel L. Gibbons	Cache County Solid Waste Advisory Board
	R. Ryan Dupont	Cache County Solid Waste Advisory Board
	Issa Hamud	Cache County Solid Waste Advisory Board

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ACTION: Motion by Council member Yeates to approve the recommended appointments. Robison seconded the motion. The vote was unanimous, 6-0. (Southeast Council District Seat vacant.)

WARRANTS: The warrants for the periods 12-09-2004, 12-15-2004, 12-16-2004, 12-17-2004, 12-20-2004, 01-21-2005 to 01-27-2005, 02-10-2005, 02-11-2005 to 02-17-2005, 02-18-2005 to 02-24-2005 and 02-25-2005 to 03-03-2005 were given to the Clerk for filing.

OTHER ITEMS

- **Digital Television** - Petersen read a letter stating television broadcasters from the state are developing a proposal on digital television in addition to analog. It will cost Cache County about \$50,000 and will include all of the current stations now provided in addition to KBYU, KJZZ and WB. The stations will provide most of the funding. A written proposal should be received before the March 22, 2005, Council meeting.
- **Cache Community Foundation Proposal** for a Cache County Deputy's Association fund raiser has been received. The money will be used to support the Cache County Justice Center, Special Olympics, March of Dimes, Shop with a Cop, Coats and Shoes for Kids and School Supplies for Kids.

ACTION: Motion by Council member Gibbons to designate the Cache Community Foundation proposal as a Cache County project. Yeates seconded the motion. The vote was unanimous, 6-0. (Southeast Council District Seat vacant.)

- **Deputy County Executive for Finance** position is being advertised and will close on March 15, 2005. The position is to be filled by March 31, 2005.
- **Mark Teuscher** announced his acceptance of a position as the Community Development Manager for Brigham City. His last day with Cache County will be March 18, 2005, and he will begin the position in Brigham City on March 28, 2005.
- **UDOT Statewide Transportation Improvement Program** has listed the Beaver Mountain turnoff on its three-year program.
- **Conservation easement letter of support** - Petersen said the county had received a letter from Joe Fuhrman requesting Cache County to sign a letter of support regarding a conservation easement on the Zollinger Fruit Farm property near River Heights to retain the agricultural use. Linda Morse spoke in support of the request.

ACTION: Motion by Council member Gibbons for the Cache County Council to sign a letter of support for the conservation easement request of Zollinger Fruit Farm. Chambers seconded the motion. The vote was unanimous, 6-0. (Southeast Council District Seat vacant.)

- **IT County Website Information** - Don Briel notified the Council that their names, photos, mailing addresses, home phone numbers, etc. will be listed on the County

website. If there is any objection to this information being offered, Council members are to tell Briel.

- **Carriage Industries (formerly Saddleman) Property Tax Deferral Request** has been received by Executive Lemon. Lemon denied the request telling Carriage Industries that only non-commercial properties can request tax deferrals.
- **Utah's Transformation of Child and Adolescent Network Grant** has been received by the Division of Substance Abuse and Mental Health. The Division wants direction on how to set up the organization and whether the staff will be local or state employees. A response from Cache County is requested by March 18, 2005.
- **Northern Utah Soil Conservation District** letter has been received stating opposition to proposed trails for All Terrain Vehicles in the southeast corner of Box Elder County and the southwest corner of Cache County. Gibbons said the Box Elder County Commission is divided on this issue while Brigham City is in support. Yeates said the road already exists in the area and Box Elder is discussing closing the Box Elder side. Attorney Daines said he has prepared a draft resolution urging the Box Elder County Commission to keep the roads open. Petersen said this resolution will be on the March 22, 2005, County Council meeting agenda.

ITEMS OF SPECIAL INTEREST

- ▶ **Employee of the Month Award** was presented by Jim Smith to Dennis Spraggins of the Cache County Sheriff's Department.
- ▶ **UDWR Proposed Land Exchange** - Brent Hutchings, UDWR, told the Council about a proposed land exchange between Dee's Corporation (a private landowner) and the Department of Wildlife Resources. The approximately 1300 acres (1300 acres of private land and 1300 acres of public land) is located near Hardware Ranch and would be an equal value exchange according to independent appraisals. The exchange would make the boundary between private and public land more easily identifiable by sportsmen and others using the property.

(Attachment 1)

- ▶ **PILT Payment - Robert Hasenyager** presented the PILT payment check of \$9,400 to Cache County for payment in lieu of taxes.

PENDING ACTION

- **Update - Historical Courthouse/County Block Restoration Project** - Petersen indicated Cache County has requested proposals from interested parties on the two corners of the county block property. The deadline is noon, March 14, 2005. Petersen, Daines and Lemon will review any proposals received by that date and bring a recommendation to the Council at the March 22, 2005, meeting. Petersen said the

county has received a letter from Curt Webb who had bid on property on 100 North. Webb states his bid is contingent on a building like the Workforce Services building being built on the corner and reserves the right to withdraw his bid if a building is erected that is not consistent with his understanding of the original plan for the corner.

- Ordinance No. 2005-02 - Voting Precinct Boundary Changes Adding New Precincts** - deferred.
- Ordinance No. 2005-03 - County Council District Boundary Changes** - deferred.

INITIAL PROPOSAL FOR CONSIDERATION OF ACTION

- **Ordinance No. 2005-04 - Amending Cache County Zoning Ordinance, Section 17, Chapter 23 - Sign Set Back Requirements** - Daines said this was discussed at the February 22, 2005, Council meeting and does not represent any policy change.

(Attachment 2)

ACTION: Motion by Council member Gibbons to waive the rules and adopt Ordinance No. 2005-04 - Amending Cache County Zoning Ordinance, Section 17, Chapter 23 - Sign Set Back Requirements. Yeates seconded the motion. The vote was unanimous, 6-0. (Southeast Council District Seat vacant.)

Ordinance No 2005-04: The vote was 6-0 (Southeast Council District Seat vacant)

	<u>CHAMBERS</u>	<u>VACANT</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	6
NAY								0
ABSTAINED								0
ABSENT								0

COUNTY INITIATIVES

- Air Quality Update - George Daines** reported the county has three “bad” days left and non-attainment will probably not be reached this year because of a warming trend in the weather. The standard tightens next year, but the Health Department believes the program developed should remain and will probably be fully in place before non-attainment occurs. The local program will be less than one-half the cost of a federally mandated program.

PUBLIC HEARINGS, APPEALS AND BOARD OF EQUALIZATION MATTERS

PUBLIC HEARING: OPEN 2005 BUDGET - MARCH 08, 2005 - 6:00 P.M. - Auditor Stones outlined the changes in the 2005 budget due to the \$10,000 loaned from the General Fund

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surplus to the Cache Mosquito Abatement District for start-up costs and urged adoption. (See March 22, 2005, County Council meeting attachment to Resolution No. 2005-05 for details)

Chairman Petersen opened the public hearing and invited public comment. There was none.

ACTION: Motion by Council member Yeates to close the public hearing. Robison seconded the motion. The vote was unanimous, 6-0. (Southeast Council District Seat vacant.)

INITIAL PROPOSAL FOR CONSIDERATION OF ACTION

- **Resolution No. 2005-05 - Adjustments to 2005 Budget**

Petersen invited Jeff Ricks, Cache Mosquito Abatement District, to speak concerning a letter sent to Cache County requesting a loan for start-up costs for the abatement district. At the close of Ricks' remarks, Auditor Stones said the tax rate for the district will not be set until July and the district will not have any tax revenue coming in until at least October. Wells Fargo Bank has been in touch with Stones stating they were hesitant to loan a new entity (the abatement district) funds so that may contribute to the district's ability or inability to use tax anticipation notes for funding. Petersen said the issue of the abatement district's request to rescind election costs of \$4,580 will be on the agenda for the March 22, 2005, Council meeting with Executive Lemon and Auditor Stones presenting a recommendation to the Council at that time.

COUNCIL MEMBER REPORTS

Chambers gave Council members an invitation to the Eccles Ice Center's "Spice on Ice" fund raiser on March 31, 2005.

Robison reminded the Council of the water education meeting March 15, 2005, on the Innovation Campus for all water users in the county.

Gibbons said the CCEMS met today and are in the process of re-negotiating the contract regarding collections. CCEMS believes the payment rate is too high and the rate will be dropped by 2 ½%. There have been discussions about purchasing an ambulance from Rich County for about \$15,000 to replace the one in Hyrum and there are still problems with the CCEMS pagers that need to be addressed.

INITIAL PROPOSAL FOR CONSIDERATION OF ACTION

- **Resolution No. 2005-06 - A Resolution Supporting Efforts to Preserve Roads and Access to Mantua and Box Elder County** - Attorney Daines reported that Box Elder County is considering abandoning Box Elder's side of Three-Mile Canyon Road. Daines recommended keeping the road open in both counties and urged the Council to support a resolution preserving access by means of Three-Mile Road.

(Attachment 3)

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ACTION: Motion by Council member Yeates to waive the rules and adopt Resolution 2005-06 - A Resolution Supporting Efforts to Preserve Roads and Access to Mantua and Box Elder County. Robison seconded the motion. The vote was unanimous, 6-0. (Southeast Council Seat vacant.)

OTHER BUSINESS

- ✓ **Interviews for Cache County Council vacancy** - The three candidates for the Southeast Council District Seat - Scott Wells, Joe Chambers & Gordon Zilles - were each given three minutes for a presentation and then answered questions from the Council.

The Council adjourned to Executive Session at 7:13 p.m. for a discussion of candidates for the Cache County Council vacancy.

The Council adjourned from Executive Session and returned to the Council meeting at 7:55 p.m.

ACTION: Motion by Council member Hansen to appoint Gordon A. Zilles to fill the vacancy in the Southeast Council District in Cache County. Chambers seconded the motion. The vote was unanimous, 6-0. (Southeast Council District Seat vacant.)

Clerk Zollinger administered the Oath of Office to Zilles and he took his place on the Council.

ADJOURNMENT

The Council meeting adjourned to Executive Session at 7:59 p.m. to discuss personnel and property acquisition matters.

The Council adjourned from Executive Session at 8:55 p.m.

ATTEST: Jill N. Zollinger

APPROVAL: H. Craig Petersen
