

CACHE COUNTY COUNCIL MEETING

May 10, 2005

The Cache County Council convened in a regular session on May 10, 2005, in the Cache County Council Chamber at 179 North Main, Logan, Utah.

ATTENDANCE:

Chairman: H. Craig Petersen

Vice Chairman: Cory Yeates

Council Members: Darrel Gibbons, John Hansen, Kathy Robison, Gordon Zilles.
Brian Chambers, absent.

County Executive: M. Lynn Lemon

County Clerk: Jill N. Zollinger

The following individuals were also in attendance: Russ Akina, Garth Barker, Robert Barlow, Jackie Beecher, Captain Kim Cheshire, Sandy Emile, Joe Fuhrman, Dan Gyllenskog, Cindy Hall, Sharon L. Hoth, Colleen Howe, Douglas Jackson-Smith, Chad Kerr, Dana Kerr, Kyle Kerr, Wesley Kerr, Bob Lowe, JoLynne Lyon, Lisa Moore, Sheriff Lynn Nelson, Dave Nielsen, Pat Parker, Marie Shervais, Ed Stephens, Michael Twitchell, Rod Wilhelm, **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 Gordon Zilles.

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 April 26, 2005, Council meeting were approved as corrected

VICTIM ADVOCATE OF THE YEAR - STATE OF UTAH

Attorney George Daines introduced Jackie Beecher from the Cache County Attorney's Office and noted that she has been selected as the State of Utah's Victim Advocate of the Year.

REPORT OF THE COUNTY EXECUTIVE: M. LYNN LEMON

<u>APPOINTMENTS:</u>	Joel R. Draxler	Cache County Deputy Assessor
	Brett D. Robinson	Cache County Deputy Assessor
	Christy Hickox	Cache County Deputy Assessor- Motor Vehicle
	Joni Spidle	Cache County Deputy Assessor- Motor Vehicle
	Kent Goodrich	Cache County Deputy Sheriff

ACTION; Motion by Council member Yeates to approve the recommended appointments. Hansen seconded the motion. The vote was unanimous, 6-0. Chambers absent.

WARRANTS: The warrants for the periods 12-28-2004, 03-25-2005 to 03-31-2005, 04-01-2005 to 04-07-2005, 04-21-2005 and 04-22-2005 to 04-28-2005 were given to the Clerk for filing.

OTHER ITEMS

- **Sales Tax Comparison** - Lemon distributed a handout with sales tax comparison figures for the period ended April 30, 2005 and noted that sales tax revenues have not improved enough to be able to postpone a projected property tax increase this fall as hoped.

(Attachment 1)

COMMITTEE REPORTS

- ★ **Road Access Committee - Cory Yeates** reported there is considerable flooding on parts of the Ant Flat Road and of the fifty-three roads that were on the county's list to be opened, only eight roads remain. Petersen asked about the status of the road in the Cronquist case and Yeates said that road is open and accessible to the Forest Service boundary.

ITEMS OF SPECIAL INTEREST

- ▶ **Employee of the Month Award** was presented by Sandy Akhavan to Deputy Chad Kerr of the Cache County Sheriff's Office.
- ▶ **Proclamation - Law Enforcement Week** - Council member Yeates read the proclamation designating the week of May 15 - 21, 2005, as Law Enforcement Week and the day of May 15, 2005, as Peace Officers' Memorial Day.

(Attachment 2)

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ACTION: Motion by Council member Hansen to approve the Proclamation - Law Enforcement Week - May 15-21, 2005, and May 15, 2005, as Peace Officers' Memorial Day. Robison seconded the motion. The vote was unanimous, 6-0. Chambers absent.

- ▶ **Proclamation - "Blue Star Salute Day - an Armed Forces Day Celebration"** - Council member Yeates read the proclamation designating May 21, 2005, as Armed Forces Day of Celebration.

(Attachment 3)

ACTION: Motion by Council member Zilles to approve the Proclamation - Armed Forces Day of Celebration - May 21, 2005. Yeates seconded the motion. The vote was unanimous, 6-0. Chambers absent.

- ▶ **Protection for Water Systems Presentation - Bob Lowe** of the Rural Water Association of Utah explained source protection from contamination for surface and ground water. The two management approaches that can be used are non-regulatory, such as public education, and regulatory, which would be zoning, etc. Attorney Daines indicated Cache County has source protection incorporated into the recently passed county zoning ordinance.
- ▶ **Sustainable Design Assessment Presentation - Sandy Emile** said Cache County has been chosen by the American Institute of Architecture to have a national Sustainable Design Assessment Team (SDAT) come to the county on June 20, 21, and 22, 2005, to evaluate projects over the entire county. The team will give Cache County a report of their findings highlighting the county's strengths and weaknesses. The team will contact the county approximately six months later to review the county's evaluation of their report and will conduct a follow up visit one year after the SDAT report is delivered.

PUBLIC HEARINGS, APPEALS AND BOARD OF EQUALIZATION MATTERS

THE COUNCIL CONVENED AS A BOARD OF EQUALIZATION

- ◆ **Personal Property Appeals** - Auditor Stones stated the county had received fifteen appeals from a mobile home park with a single owner, Dan L. Pope. The Hearing Officers recommended five adjustments on Nos. HT-27-0401, HT-27-1149, HT-27-1198, HT-27-1451, and HT-27-1519. These adjustments will be to an equalized market value. The other ten properties would remain as currently valued.

(Attachment 4)

ACTION: Motion by Council member Gibbons to approve the Hearing Officers recommendation and adjust five of the properties (Nos. HT-27-0401, HT-27-1149, HT-27-1198, HT-27-1451, and HT-27-1519) to an equalized market value. Yeates seconded the

motion. The vote was unanimous, 6-0. Chambers absent.

THE COUNCIL ADJOURNED FROM THE BOARD OF EQUALIZATION.

PENDING ACTION

- ❑ **Update - County Block/Courthouse** - Lemon said the Building Committee had met this morning and will bring a detailed presentation about the progress of the Courthouse Restoration project to the Council within a month. The projected occupancy date for the courthouse is August, 2005. Lemon also said Workforce Services will begin construction soon, possibly as early as June, 2005, and are aiming at an occupancy date of July or August, 2006.
- ❑ **Approval of Willow Park Proposed 2005/2006 Budget - Russ Akina** reported that there is \$366.00 difference in the proposed budget as a result of Logan City's Finance Department finalizing income tax for temporary and seasonal employees. Lemon expressed concern that ten years ago Willow Park's budget was \$150,000 and it is now over \$300,000. Lemon wonders if there is a way to have users pay more of the costs. This year's request of \$303,620 represents a 6% increase over last year's amount of \$286,054. Akina said this budget will be presented to the Logan City Council next week.

ACTION: Motion by Council member Gibbons to approve the Willow Park Proposed 2005/2006 Budget with the stipulation that a letter from the Cache County Council stating concerns over budget increases be forwarded to the Logan City Council. Hansen seconded the motion. The vote was unanimous, 6-0. Chambers absent.

INITIAL PROPOSAL FOR CONSIDERATION OF ACTION

- ❑ **Discussion - Cache County Sheriff's Request to Surplus Guns** - Sheriff Nelson explained there are weapons no longer usable to the department that he wants to surplus for purchase. Lemon noted the county has never designated guns as surplus to the public so this request is in keeping with past procedure.

(Attachment 5)

ACTION: Motion by Council member Gibbons to approve Cache County Sheriff's Request to Surplus Guns with the stipulation that Cache County law enforcement officers will be able to bid on the guns. Yeates seconded the motion. The vote was unanimous, 6-0. Chambers absent.

- ❑ **Discussion - Cache County Sheriff's Budget** - Gibbons expressed his concern about the long-term viability of the funding source (additional Federal inmates). Sheriff Nelson said the jail functions most efficiently for staffing and funding when at the almost full level. Finance Deputy Jensen said according to present figures variances look insignificant and expenditures will probably not exceed their budgeted amounts. As later figures come in, the forecast will be more accurate. The Council asked Jensen to obtain figures on the

contributions to debt service on the bonds for the jail. Daines noted that the revenue from the sale of the northwest corner of the county block should be considered in these figures.

- ❑ **Discussion - Mineral Extraction Overlay Zone for Cache County** - Gibbons said the Chairman of the Planning Commission has contacted him and asked the Council to discuss this issue so the Planning Commission can proceed if the Council is in agreement that a mineral extraction overlay zone is desirable. The Council is supportive of a county inventory of mineral extraction areas, but not a mineral extraction overlay zone, at this point. Daines recommended the County Planning Commission present a formal request for a county inventory of mineral extraction areas to the new countywide planner as soon as he/she begins work.
- ❑ **RAPZ/Restaurant Tax Recommendation** - Petersen gave the Council a copy of the RAPZ/Restaurant Tax Committee's recommendations and briefly explained the process used to allocate the monies. This item will be on the May 24, 2005, Council meeting agenda for final approval.
- ❑ **Direction of AG Advisory Board** - Petersen shared with the Council a letter he had sent the AG Advisory Board with suggestions for the Board and invited Council comments. Robison agreed with Petersen's suggestions on the Toolbox. Gibbons said he agreed with all other points of the letter, but is unsure of changes in the LESA weighting suggestion. Hansen said extensive work was done in trying to generate revenue for the toolbox and believes time will prove whether the LESA will work.

Lemon presented the following names to be appointed to the AG Advisory Board:

Rick Theurer
Devon Bailey
Douglas Jackson-Smith
Deanna Hulme
Richard Nielsen
Dan Dygert

Douglas Jackson-Smith distributed copies of the draft of questions to be asked on a survey to be conducted on HB152 - Local Sales Tax Option - for the Council's review and input. The survey will contact only registered voters and needs 400 respondents. The cost will be approximately \$2,000. Jackson-Smith said the committee strived for bias-free wording and would appreciate the Council's suggestions.

(Attachment 6)

ACTION; Motion by Council member Gibbons to approve the recommended appointments to the AG Advisory Board. Zilles seconded the motion. The vote was unanimous, 6-0.

Chambers absent.

OTHER BUSINESS

- ✓ **AG Zoning Amendment** - Daines said an amendment to the County Zoning Ordinance will be presented to the Council on May 24, 2005, proposing that an urban subdivision not be developed in the agriculture zone unless the property is rezoned residential. Daines will send a copy of the proposed amendment to the Council to review prior to the May 24th meeting and Petersen asked Daines to send a copy to Joe Fuhriman, AG Advisory Board, also.
- ✓ **North Logan City Letter - Indoor Soccer Facility** - North Logan has received a proposal from a private developer to build a public indoor soccer facility on property North Logan City leases from Cache County. The developer would turn the facility over to North Logan after construction. North Logan has approved the request. Cache County has received a letter of protest on this item from Steve Baugh, who owns a private indoor soccer facility, and Lyle Bennett of State Parks and Recreation has asked for a letter of approval from the county. The Council asked Lemon to forward the county's opinion that the developer should use property other than that owned by the county for this development.

COUNCIL MEMBER REPORTS

John Hansen said he has received several calls stating it would be a good time to get the road from Hardware Ranch going south graded. Yeates and Lemon said the weather is still too wet to grade. Lemon will talk to the Road Department about this road.

Kathy Robison and Attorney Daines met with the Logan Downtown Alliance and reviewed the decision made by the Council on the county block sale and development. Daines also explained to the Alliance the problems with building a parking terrace on the county block.

Robison also reported the Water Board felt the scope of the plan to be presented to the County Council should cover the following: surface water, ground water, storm water, canal systems, wetlands, in stream flow, population, the plan of 60,000 acre feet for the valley and the capacity of the valley. The Board will make a presentation to the Council at the June 14, 2005, meeting. Gibbons said the Board will want to discuss the possibility of Cache County participating with the state of Idaho to capture some of Cache County's Bear River allotment upstream so it would be available for the county. Additional funding may be requested. Larry Anderson, State Water Engineer, will also attend the June Council meeting.

Cory Yeates asked if any thought has been given to creating a body to develop a 2030 or 2020 plan for Cache County and evaluate the 2010 plan to see how it is progressing. Petersen said a cooperative planning effort with the Cache Initiative is envisioned by the Chamber.

Gordon Zilles noted the Council had not addressed the funding needs for the survey to be conducted by the AG Advisory Board. Lemon said the county will contribute \$500 towards the approximate \$2000 cost of the survey. Zilles said the Board is also request funding from other sources.

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ADJOURNMENT

The Council meeting adjourned at 7:33 p.m.

ATTEST: Jill N. Zollinger
County Clerk

APPROVAL: H. Craig Petersen
Council Chairman