

## **CACHE COUNTY COUNCIL MEETING July 12, 2005**

The Cache County Council convened in a regular session on July 12, 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, Kathy Robison, Gordon Zilles.  
**John Hansen, absent.**  
**County Executive:** M. Lynn Lemon  
**County Clerk:** Jill N. Zollinger

**The following individuals were also in attendance:** Larry Anderson, Rick Arnold, Clair Bosen, Mindy Cooper, Attorney George Daines, David DeGasser, Jean DeGasser, Daniel Dygert, Sandy Emile, Thad Erickson, Lorene Greenhalgh, Cindy Hall, Sharon L. Hoth, Sheriff Lynn Nelson, Evan Olsen, Inez Olsen, Pat Parker, Ann Peralta, Paul Riley, Jim Smith, Auditor Tamra Stones, **Media:** Adam Benson (Herald Journal), Jennie Christensen (KVNU), Erin Brunson (Salt Lake Tribune).

### **CALL TO ORDER**

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

### **OPENING REMARKS**

The opening remarks were 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 the deletion of 7a - Discussion of Priorities for Countywide Planning Office - Wendell Morse; item 12a - Final Plat Approval - Maple Leaf Estates Amendment/Maple Leaf Ranch Amendment moved up to 7a; the addition of 14b - Trails Resolution; and the Executive Session was moved to occur after 12b - Discussion - Proposed Agriculture Protection Area Language - Daniel K. Dygert.

### **REVIEW AND APPROVAL OF MINUTES**

The minutes of the June 28, 2005, Council meeting were approved as written.

### **REPORT OF THE COUNTY EXECUTIVE: M. LYNN LEMON**

**APPOINTMENTS:** There were no appointments.

**WARRANTS:** The warrants for the periods 06-17-2005 to 06-23-2005, 06-24-2005 to 06-30-2005 and 07-03-2005 to 07-07-2005 were given to the clerk for filing.

**OTHER ITEMS**

- **Ritewood/Neighborhood Meeting** - Executive Lemon said a meeting was held with Ritewood and interested neighbors. There were fourteen in attendance. A satisfactory agreement was reached between the neighbors and Ritewood on hours of operation and other pertinent issues and concerns. Overall it was a good meeting. The Utah Department of Air Quality has not yet forwarded the corrective action plan for Ritewood, but it should be arriving soon.
- **Cemetery Districts' Boards of Trustees** - Lemon is in the process of assuring all members of these boards are properly appointed. Notices of vacancy have been sent to the Districts. The application deadline is August 15, 2005, and the appointments will be made by resolution at the August 23, 2005, Council meeting.
- **PILT Payment** - Lemon distributed copies of the payment breakdown by county. Cache County will receive approximately \$22,000 less this year than last year.

**(Attachment 1)**

- **Region 1 Road Report** - Lemon also distributed copies of this report noting improvements being made on SR 218 between Amalga and Smithfield and SR 23 between Wellsville and Cache Junction.
- **West Nile Virus Update** has been received from the Bear River Health Department indicating Cache County is at a Risk Two Level. To date no West Nile Virus has been reported in the state of Utah.
- **UDOT Open House** will be held July 13, 2005, from 5:00 - 7:00 p.m. at the First Dam Park to discuss bridge replacements in Logan Canyon.

**INITIAL PROPOSAL FOR CONSIDERATION OF ACTION**

- **Final Plat Approval - Maple Leaf Estates Amendment/Maple Leaf Ranch Amendment** - Two five-lot subdivisions located on 38.08 acres of property in the Agricultural Zone at approximately 12010 North 2000 East, Cove; and 32.29 acres of property in the Agricultural Zone at approximately 12080 North High Creek Canyon Road, Cove, respectively. The Planning Commission reviewed these two requests and voted unanimously to approve both of the amendments subject to specific requirements.

**(Attachment 2)**

**ACTION: Motion by Council member Gibbons to waive the rules and approve the Maple Leaf Estates Amendment/Maple Leaf Ranch Amendment subject to requirements stipulated by the Cache County Planning Commission. Yeates seconded the motion. The vote was unanimous, 6-0. Hansen absent.**

### **COMMITTEE REPORTS**

- ★ **Sustainable Design Assessment Team (SDAT) Update - Sandy Emile** said the SDAT's final report should be received in twenty days' time. Some Items stressed at the workshops were the importance of regional planning, preservation of the corridor and the need for the county to address taxation issues. The final report will include ten points or suggestions for the county to consider. This report will be forwarded to all municipalities, mayors, etc. involved and workshops as well as three open houses will be held for public information. Emile said the cost came very close to what was anticipated.

### **ITEMS OF SPECIAL INTEREST**

- ▶ **Employee of the Month Award** was presented by Jim Smith to Jean DeGasser of the Sheriff's Department.
- ▶ **Water Presentation - Evan Olsen/Ann Peralta/Thad Erickson**  
Evan Olsen handed out a precipitation history of Cache County since 1890 and noted that droughts are common and recurring and the most recent drought was not a severe drought. Olsen also called the Council's attention to the Bear River Basin Planning for the Future report which indicated Logan City was at their capacity for a reliable water system source in 2000 and would probably be short of water beyond that date. Nibley was also predicted to be short of water by 2005. Olsen said there is no representative who can legally speak for Cache County on water matters. Olsen introduced Clair Bosen, President of the Twin Lakes Canal Company, from Preston, Idaho, with whom he has had preliminary discussions. The Twin Lakes Canal Company is moving ahead with the dam on the Oneida Narrows. Olsen also introduced Larry Anderson, State Water Resources Director, and turned the time to him.

Anderson stressed that the state has not heard much from Cache County on water issues. There are presently two major water projects – the Bear River Development project and the Lake Powell Pipeline project. Anderson has met with the task force to decide how to finance these two major projects. He strongly recommended that the county decide if and how it wants to be represented in water discussions in the state. Anderson said he deals mostly with Water Conservancy Districts in the state. Cache County has a wonderful groundwater aquifer, but there are limitations on it and the Bear River Commission is going to be watching very closely what Cache County does in regards to water.

Gibbons asked if the county could form a Water Department that would function much like a Water Conservancy District, but without taxation and appointment powers.

Anderson replied he didn't know if that was a possibility.

Zilles asked if there was any other county in Utah that had an organization other than a Water Conservancy District that had the power to represent the county on water issues. Anderson said he didn't know of any.

Ann Peralta reported on the activities of the Water Board and said the Board is about to the end of the inexpensive part of their work and presented a proposed hydrologic study project. Peralta said the Water Board wants the Council's support in presenting this project to the legislators for funding. Peralta also stated the institutional structure does not exist in Cache County to take the needed action on present and future water issues.

Lemon asked if the Water Board supports a Water Conservancy District. Peralta said she knew they did when the issue was put to the voters a few years ago, but cannot speak for the Board now.

Paul Riley said that even though Cache County has more water than other counties in Utah, there is still a need to protect that water and supports the proposed study project.

Thad Erickson said one of the facilitators at the recent SDAT meetings asked him how the county deals with the recurring droughts. Erickson replied the county pumps and waits for rain again. Erickson stressed that we don't know if the county's future water supply is secure and Cache County needs a water management entity to assure it is secure.

Olsen suggested the possibility of Cache County combining with the Twin Lakes Canal Company in Preston for a water project.

Anderson suggested contacting Senator Bennett to help with congressional funding for the proposed study.

Peralta said the Water Board wants a resolution and letter from the Council to go with the proposal to the legislators.

Petersen asked Peralta to draft the requested resolution and letter to be presented at the July 26, 2005, Council meeting.

#### **INITIAL PROPOSAL FOR CONSIDERATION OF ACTION**

- **Discussion - Proposed Agriculture Protection Area Language - Daniel K. Dygert** said the Agricultural Advisory Board reviewed the county's ordinance to determine if there are ways to improve it. Petersen said the proposed changes should be submitted to the Planning Commission and the AG Protection Area Advisory Board.

**The Council adjourned to Executive session at 6:25 p.m. to discuss pending litigation and property acquisition.**

**The Council adjourned from Executive session at 7:02 p.m. and reconvened in Council meeting.**

#### **PUBLIC HEARINGS, APPEALS AND BOARD OF EQUALIZATION MATTERS**

**PUBLIC HEARING SET: JULY 26, 2005 - 6:00 P.M. - OPEN 2005 BUDGET.**

Cache County Council  
07-12-05

**ACTION: Motion by Council member Yeates to set the Public Hearing for July 26, 2005-6:00 p.m. - Open 2005 Budget. Robison seconded the motion. The vote was unanimous, 6-0. Hansen absent.**

### **PENDING ACTION**

- **Update - Cache County Block Projects** - Lemon said the Building Committee met and is considering an add-on to the bid to do the west portion of the parking lot where the lot will meet the Workforce Services parking. Possible move dates discussed were September 13, 14 and 15, 2005.

### **COUNTY INITIATIVES**

- **Executive and Council Members' Initiatives** for 2004-2005 were reviewed for completion and/or progress. Petersen asked members of the Council what they have been considering as initiatives for this year.

Gibbons - Legal opinion on the feasibility of a water department in lieu of a water conservancy district; attend September 22 and 23, 2005, UAC meetings for County Commissions and Councils with breakouts specifically for Councils defining Council responsibilities..

Robison - Help develop two public relations events – 1. Historic Courthouse open house, 2. County Government Week in April; create a regional planning council as suggested by the SDAT and establish a high profile market place for valley products.

Chambers - Long-term plan for Senior Citizens' Center and programs.

Lemon - TV translator and HDTV.

Petersen - Cache Valley Initiative - Phase 2 - planning for growth - should be partnership between Chamber and Council; need a subdivision ordinance; help county's Hispanic population become amalgamated.

Yeates - Roads; TV translator; Willow Park agreement follow-up.

Zilles - The Council had said the 56% positive response on the survey conducted by the AG Advisory Board on HB 152 was not a very high positive reaction. Zilles said considering the survey presented the cold hard financial facts to those surveyed, a 56% positive response was, perhaps, a good percentage.

Yeates asked if trails development was moving the county toward having a recreation department. Petersen responded most of the trails were on city or forest service land and the county would probably contract out to Logan City for those portions of trails on unincorporated land.

**OTHER BUSINESS**

- ✓ **Trails Resolution** - Petersen said the county has received a \$50,000 grant from the Quality Growth Commission. The purpose of that grant was to do a detailed engineering study on a very small segment of the Bonneville Shoreline Trail between Logan Dry Canyon and Blacksmith Fork. The Trails Committee thought that money could be more effectively used by looking at how the county integrates its trails with the trails master plan. Jeff Gilbert and Petersen have contacted the Quality Growth Commission and asked if that \$50,000 grant can be used for the trails master plan and the Commission was very supportive with the stipulation that a letter from the County Council be forwarded to the Quality Growth Commission stating that if a trails master plan is developed, it would go on the County Council's agenda for consideration.

**ACTION: Motion by Council member Gibbons to waive the rules and approve Petersen's request that a letter from the Cache County Council agreeing to review a county trails master plan be sent to the Quality Growth Commission. Robison seconded the motion. The vote was unanimous, 6-0. Hansen absent.**

**COUNCIL MEMBER REPORTS**

**Darrel Gibbons** said he has strongly urged the Planning Commission to finalize the Skyview Gravel Pit issue as quickly as possible. The reclamation plan has been submitted and as soon as the cities accept it, the project can be finalized and the Commission will approve it.

**Kathy Robison** said as she attended the SDAT meetings, she liked the idea of emphasizing the identity of Cache Valley as a self-sustaining community versus a bedroom community of Ogden or Salt Lake.

**Brian Chambers** said he had met with the twelve fire chiefs in the county and presented the option of maintaining the present situation - a chief and two assistants - or to choose an option presented by Logan City, Chief Meaker and Jeff Peterson for a consolidated department. It was decided to remain with the present system. Chambers also asked if the Sheriff's Department had sent a Deputy to check out citizens' concerns of abuse of private property near recent public road openings. Lemon said he would check on it.

Lemon asked who would be in the North Logan July 25<sup>th</sup> parade. Yeates will accompany Lemon.

**ADJOURNMENT**

The Council meeting adjourned at 7:34 p.m.

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**ATTEST:** Jill N. Zollinger  
County Clerk

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**APPROVAL:** H. Craig Petersen  
Council Chairman