

CACHE COUNTY COUNCIL MEETING

October 11, 2005

The Cache County Council convened in a regular session on October 11, 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, Brian Chambers, John Hansen, Kathy Robison, Gordon Zilles.

County Executive: M. Lynn Lemon

County Clerk: Jill N. Zollinger

The following individuals were also in attendance: Kristine Albretsen, Steve Albretsen, Lori Arnold, Eddie C. Baker, Janet Baker, Mikelshan Bartschi, Stephanie Carlsen, Captain Kim Cheshire, Attorney George Daines, Brandon Douglas, Desirae Eastmond, Thad Erickson, Emily K. E. Goodwin, Cindy Hall, Heather Hicken, Senator Lyle Hillyard, Tom Hogan, Sharon L. Hoth, Cameron Jensen, Chad Jensen, Denise Maughan, Kelsey Maughan, Kevin Maughan, Wendell Morse, Natasha Murray, Barry Myers, Lee Nelson, Sheriff Lynn Nelson, Evan Olsen, Inez Olsen, Pat Parker, Ann Peralta, Sherri Preece, Shirlene Rawlins, Paul Riley, Chief Gary Roberts, Earl Rouse, Joshua Runhaar, Richard Sackett, David Seria, Sara Sinclair, Douglas Smith, Jim Smith, Gary Stevens, Auditor Tamra Stones, John Terrill, Taylor Willingham, Laura Wolford, **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 Darrel 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 September 27, 2005, Council meeting were approved as written.

REPORT OF THE COUNTY EXECUTIVE: M. LYNN LEMON

APPOINTMENTS:

Gary Roberts

Joshua Runhaar

Craig Humphreys

Cache County Fire Chief

Cache County Planner & Zoning Administrator

Cache County Deputy Fire Chief

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Jon L. Landeen	Bear River Board of Health
Nolan P. Gunnell	Cache County Board of Adjustment
Nadine Hall	Cache County Library Board
Holly Jones	Cache County Library Board
Geri Lynn O. Christensen	Deputy County Recorder
Stacie Pitcher	Deputy County Recorder

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

WARRANTS: The warrants for the period 09-23-2005 to 09-29-2005 were given to the clerk for filing.

OTHER ITEMS

- **Final Payment Received from BRAG** - Lemon stated that the county has received the final payment from BRAG for the purchase of the building at 170 N Main.
- **Transportation Summit** - Lemon said this meeting will be held October 14, 2005, at the Davis County Conference Center. Lemon is attending and invited any interested Council members to attend.
- **Tax Reform** - Lemon distributed a memo concerning statewide public hearings on tax reform. Salt Lake City would be the nearest location to Cache County.

COMMITTEE REPORTS

- ★ **Report on 2005 Fair and Rodeo** - Clerk Jill Zollinger reported the fair budget was \$124,492 and expenditures were \$110,905. Some expenditures may still come through, but the fair will still be under budget. Combined fair and rodeo revenues of \$125,546.62 are a little under the original estimate, but revenues are still coming in. Zollinger gave the Council a list of individuals who served in various capacities to organize and administer the fair and rodeo. Zollinger introduced Denise Maughan, who was over the Community Booths, and Stephanie Carlson, who put together the winning booth from Hyrum. Stephanie was selected to represent Cache County at the State Fair and the Cache booth won the Outstanding Fair Booth and the People's Choice Award at the State Fair.

(Attachment 1)

ITEMS OF SPECIAL INTEREST

- ▶ **Employee of the Month Award** was presented by Jim Smith to Kristine Albretsen of the Senior Citizens Center.
- ▶ **Sunshine Terrace Annual Report** - Sara Sinclair introduced David Seria to the Council and then reviewed the Terrace's Annual Report. The \$54,000 received from Cache

County last year was used for charity care mostly at the Adult Day Center. This year's request is for \$62,000. In response to questions from the Council, Sinclair said only about 2% of their clients have long-term health insurance and 66% of those in the rehabilitation section are Medicare patients.

(Attachment 2)

- ▶ **Water Development Financing and Other Issues - Senator Lyle Hillyard** - Senator Hillyard reviewed some of the history of water development. In the early 90's Salt Lake, Weber and Davis Counties wanted to develop water along the Bear River. The result of those negotiations was that Cache County was guaranteed 60,000 acre feet of water or, if Cache County decided it didn't want to develop that water, Cache County could rent their water rights to Davis or Salt Lake Counties. Projects under consideration by the legislature will be funded by the state up front and then those parties (such as water conservancy districts) who receive water from the project will pay (by their rates) back to the state to help fund the project. Hillyard told the Council they need to identify who will speak for Cache County on water development issues as the legislature has a bill coming up concerning water development at the Washakie site. If the Council wants to create an elected board or function as the agency to negotiate water issues themselves, Hillyard needs to know so he can create wording in the bill that will authorize this type of water authority. The Council asked Attorney Daines and Ann Peralta (Water Board representative) to meet and return to the Council with possible alternative ideas for a Cache water entity at the October 25, 2005, Council meeting.

Zilles reminded the Council there is a Task Force meeting on October 20, 2005, in Room 125 of the House Building at 9:00 a.m. and water issues will be discussed.

Petersen asked if Hillyard believes Craig Buttars' bill relating to the use of sales tax to fund conservation easements will be successful. Hillyard said it is doubtful. Petersen also asked what is the most effective way of letting the legislature know if the Council would like to preserve RAPZ and Restaurant tax. Hillyard said to notify legislators of the Council's feelings.

Hillyard said the legislature will probably not repeal the Corporation tax.

Lemon asked about the increasing costs of retirement programs. Hillyard replied he believes programs will gradually change over from defined benefits programs to defined contributions programs.

BUDGETARY MATTERS

◆ <u>Intra-Departmental Transfers</u>	
Travel Council	\$7,500.00 transferred <i>from</i>
	Travel/Mileage \$2,000
	Office Expense & Supplies \$1,000
	Prof & Tech-Accounting \$1,000
	Research/Survey \$2,000

Local Matching Program	\$1,500
to	
Subscrip. & Memberships	\$4,500
Telephone	\$1,500
Event Development	\$1,500

to cover expenses.

ITS	Transfer \$7,600 from	
	Supplies & maintenance	\$2,600
	Capitalized Equipment	\$5,000
	to	
	Non-capitalized	\$7,600

to cover purchase of two lap-top computers

Fair and Rodeo	Transfer \$6,295 from	
	Overtime-Fair	\$ 150
	Travel-Fair	\$ 100
	Prize Money & Trophy-Fair	\$2,370
	Misc Services-Rodeo	\$2,700
	Prize Money & Trophy-Rodeo	\$ 900
	Overtime-Rodeo	\$ 75
	to	
	Temp Employees-Fair	\$ 338
	Benefits-Fair	\$ 295
	Benefits-Rodeo	\$ 162
	Special Rodeo Events	\$5,500

to cover over expended line items and transfer remainder to Rodeo special events.

(Attachment 3)

ACTION: Motion by Council member Gibbons to approve the budget transfers of \$7,500.00 - Travel Council, \$7,600.00 - ITS, and \$6,295.00 - Fair and Rodeo. Zilles seconded the motion. The vote was unanimous, 7-0.

PUBLIC HEARINGS, APPEALS AND BOARD OF EQUALIZATION MATTERS

PUBLIC HEARINGS SET:

OCTOBER 25, 2005 - 6:30 P.M. - OPEN 2005 BUDGET

NOVEMBER 8, 2005 - 6:00 P.M. - REZONE 20.39 ACRES OF PROPERTY IN THE AGRICULTURAL (A) ZONE TO COMMERCIAL (C) ZONE AT APPROXIMATELY 170 EAST 5000 SOUTH (450 SOUTH 800 EAST-HYRUM ADDRESS) EAST OF HYRUM.

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ACTION: Motion by Council member Yeates to set Public Hearings October 25, 2005 at 6:30 p.m. to Open 2005 Budget and November 8, 2005 at 6:00 p.m. to Rezone 20.39 acres of property in the Agricultural (A) Zone to Commercial (C) Zone at approximately 170 East 5000 South (450 South 800 East-Hyrum address) East of Hyrum. Robison seconded the motion. The vote was unanimous, 7-0.

THE COUNCIL CONVENED AS A BOARD OF EQUALIZATION

- **Board of Equalization Hearings Progress Report** - Auditor Stones said these are the last of the property appeals and recommended approval of the equalized values.

(Attachment 4)

ACTION: Motion by Council member Yeates to approve the equalized values as recommended by Auditor Stones. Robison seconded the motion. The vote was unanimous, 7-0.

THE COUNCIL ADJOURNED FROM THE BOARD OF EQUALIZATION

PENDING ACTION

- **County Block/Courthouse Update** - Daines reported the lawn and plantings near the building will be in place in two to three weeks. Interior painting is finished on the top and bottom floors.

THE COUNCIL RECONVENED AS A BOARD OF EQUALIZATION

- **Property Tax Hardship Requests**
Mary A. Bush
Jennifer M. Carroll
Richard I. Eardley
Leslie A. & Michael L. Kunz
Annette Wright

(Attachment 5)

ACTION: Motion by Council member Gibbons to approve the Property Tax Hardship Requests. Zilles seconded the motion. The vote was unanimous, 7-0.

- **Property Tax Hardship Request**
Kenneth L. & Sandra M. Frye

(Attachment 6)

ACTION: Motion by Council member Gibbons to deny the Property Tax Hardship Request. Yeates seconded the motion. The vote was unanimous, 7-0.

THE COUNCIL ADJOURNED FROM THE BOARD OF EQUALIZATION

PENDING ACTION

- **Resolution No. 2005-27 - Approving Interlocal Agreement Between Box Elder County, Cache County, and Rich County to Create the District I Mental Health Authority and Authorizing the Execution of the Agreement** - Executive Lemon said this was approved earlier in the year, but the wording was incorrect. This is just to correct the wording.

(Attachment 7)

ACTION: Motion by Council member Hansen to approve Resolution No. 2005-27 - Approving Interlocal Agreement Between Box Elder County, Cache County, and Rich County to Create the District I Mental Health Authority and Authorizing the Execution of the Agreement. Robison seconded the motion. The vote was unanimous, 7-0.

INITIAL PROPOSAL FOR CONSIDERATION OF ACTION

- **Ordinance No. 2005-12 - Approving Amendment to the Agricultural Zone Chapter and the Proposed addition of the residential Zone Chapter to the Zoning Code (Subdivision Size and Limits)** - Countywide Planner Wendell Morse explained that this amendment will have additional information added at a later date, but his office feels the county needs information addressing subdivisions in the Code in the interim.

Cindy Hall, representing the AG Advisory Board, referred the Council to a letter from the AG Advisory Board stating the Board’s recommendations concerning the subdivision amendment. The Board wants its recommendations to be on record.

(Attachment 8)

ACTION: Motion by Council member Gibbons to waive the rules and adopt Ordinance No. 2005-12 - Approving Amendment to the Agricultural Zone Chapter and the Proposed addition of the residential Zone Chapter to the Zoning Code (Subdivision Size and Limits). Yeates seconded the motion. The vote was unanimous, 7-0.

Ordinance No 2005-12: The vote was 7-0

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

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- **Report on Jail - Cameron Jensen/Captain Kim Cheshire**
Cameron Jensen, Finance Deputy, reviewed the Cache County Jail Operations Analysis that had been requested by the Council.

(Attachment 9)

- **Discussion - T.V. Translator** - KJZZ has requested a place on the county translator; Earl Rouse, the Valley Channel, has also requested placement on the translator; John Terrill, representing Channel 08, (Airways, Inc.), was in attendance and also requested space on the translator. Cache County presently has licenses for six channels on Mt. Pisgah. A study committee composed of Council members Yeates, Robison and Hansen will return to the Council with recommendations concerning the translator at the November 8, 2005, Council meeting.

COUNTY INITIATIVES - 2006

- **Budget - 2006** - Executive Lemon said he will present a budget to the Council by the November 8, 2005, Council meeting. Lemon indicated there are increases in retirement costs for law enforcement and health insurance increases for all county employees and asked the Council if his emphasis should still be on employee salaries. Petersen said many of the proposed initiatives have no cost connected to them and feels the recommendation to focus on salaries is still valid. The Council concurred; however, Robison stated that the county must be compliant with HAVA by 2006 and additional employees are needed.

COUNCIL MEMBER REPORTS

Darrel Gibbons reported that after approving a tentative CCEMS budget, the county's request for tax will be less than last year. Gibbons complimented the CCEMS budget and audit committee for the work that has been done.

Gordon Zilles said a citizen has contacted him about the possibility of opening a truck route from US 89/91 to a lower road below E. A. Miller. Zilles recommended the county work to acquire right-of-ways in that mile and a half stretch before there is development in the area.

Cory Yeates told the Council to be aware that the new Willow Park Advisory Board will be meeting October 13, 2005, and the members of the new committee are:

- Logan City Mayor or designee
- County Executive or designee
- Logan City Finance Director
- Cache County Finance - Auditor Stones
- One Logan City Council member
- One Cache County Council member - Yeates has been serving
- One member to be selected by the above members

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Kathy Robison said she made a presentation before the State Homeless Task Force on the Cache County Pilot Project for CAPSA. It was well received and will be modeled elsewhere in the state.

Brian Chambers indicated a new county Fire Assistant will be named in two weeks.

ADJOURNMENT

The Council meeting adjourned at 8:00 p.m.

ATTEST: Jill N. Zollinger
County Clerk

APPROVAL: H. Craig Petersen
Council Chairman