

CACHE COUNTY COUNCIL MEETING December 06, 2005

The Cache County Council convened in a regular session on December 06, 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: Garth Barker, Robert Barlow, Sgt. Richard Collins, Rob Cruz, David Curtis, Attorney George Daines, Sharon L. Hoth, Lt. Chad Jensen, Kelly Leishman, Jan Memmott, Sheriff Lynn Nelson, Dennis Ostermiller, Pat Parker, Chief Gary Roberts, Jim Smith, **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 Cory Yeates.

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 Item 10a - Property Tax Hardship Request, Item 12i - Resolution No. 2005-36-A Resolution Approving and Agreement with ADVANCEPCS HEALTH, L. P. to Provide Certain Managed Pharmacy Benefit Services with Consumer Card Program and Item 12j - Delay Agreement with Logan City.

REVIEW AND APPROVAL OF MINUTES

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

REPORT OF THE COUNTY EXECUTIVE: M. LYNN LEMON

| | | |
|-----------------------------|-------------------|--|
| <u>APPOINTMENTS:</u> | Richard Nielsen | Agriculture Protection Area Advisory Board |
| | LaMar G. Clements | Roads Special Service District |
| | Anthony Guerrero | Reserve Deputy County Sheriff |

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

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ACTION: Motion by Council member Gibbons to approve the recommended budget transfers. Yeates seconded the motion. The vote was unanimous, 7-0.

PUBLIC HEARINGS, APPEALS AND BOARD OF EQUALIZATION MATTERS

THE COUNCIL CONVENED AS A BOARD OF EQUALIZATION.

Property Tax Hardship Request - Linda J. Allen

(Attachment 2)

ACTION: Motion by Council member Gibbons to approve the Property Tax Hardship Request for Linda J. Allen. Robison seconded the motion. The vote was unanimous, 7-0.

THE COUNCIL ADJOURNED FROM THE BOARD OF EQUALIZATION.

PENDING ACTION

- Update - County Block** - Executive Lemon said carpet was being installed on the first floor. December 16, 2005, is still the move-in date. Attorney Daines reported the Teichert painting will be picked up in a week and a half.

INITIAL PROPOSAL FOR CONSIDERATION OF ACTION

- **Ordinance No. 2005-17 - Amending Ordinance 2005-02-Boundaries of 83 Voting Precincts in Cache County** - Clerk Zollinger explained this is simply a clean-up of some missed language in a previously approved action.

(Attachment 3)

ACTION: Motion by Council member Zilles to waive the rules and approve Ordinance No. 2005-17-Amending Ordinance No. 2005-02-Boundaries of 83 Voting Precincts in Cache County. Gibbons seconded the motion. The vote was unanimous, 7-0.

Ordinance No 2005-17: 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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- **Ordinance No. 2005-16 - Reflecting Changes in County Attorney's Salary - 2005** - Executive Lemon explained the County Attorney was on an 80% salary arrangement at the beginning of 2005 and this allows the county to pay full salary to the county attorney for 2005.

(Attachment 4)

ACTION: Motion by Council member Hansen to waive the rules and approve Ordinance No. 2005-16-Reflecting Changes in County Attorney's Salary-2005. Zilles seconded the motion. The vote was unanimous, 7-0.

Ordinance No 2005-16: 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 |

- **Discussion - 2006 Salaries for Elected Officials** - Lemon did not propose any recommendation regarding a market increase for elected officials in addition to the proposed 5% increase for all county employees. Lemon said some elected officials feel strongly there should be a market increase and other elected officials were opposed to it.

Yeates asked if the market increase in 2001 applies to elected officials. Jim Smith said it did not.

Sheriff Nelson spoke in favor of a market increase for elected officials.

- **Ordinance No. 2005-14 - Setting Salaries for Elected Officials** - Chairman Petersen explained this would include the 5% increase, but not an additional market increase.

(Attachment 5)

ACTION: Motion by Council member Gibbons to waive the rules and adopt Ordinance No. 2005-14-Setting Salaries for Elected Officials. Hansen seconded the motion.

Discussion on motion:

Daines stated the Sheriff's Department was over 50% of the budget yet the Sheriff is only receiving \$10,000 more than other elected officials. Daines also said the Executive should be receiving \$5,000 more bringing the salary to \$80,000.00.

Lemon said if the Council increases the Sheriff's and Executive's salaries, the salaries of other elected officials should be increased, too.

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ACTION: Motion by Council member Yeates to amend the main motion to increase the County Executive salary to \$80,000.00 and the County Sheriff salary to \$70,000.00. Zilles seconded the motion. The motion to amend failed, 3 aye - Robison, Yeates & Zilles and 4 nay - Hansen, Chambers, Petersen & Gibbons.

Discussion on amendment:

Gibbons noted that the cumulative shortfall on market adjustment for elected officials is about 3 ½ % and the Council should not short change the elected officials in future years with respect to market adjustments.

ACTION: The main motion passed, 6 aye - Hansen, Chambers, Robison, Petersen, Zilles & Gibbons and 1 nay - Yeates.

PUBLIC HEARINGS, APPEALS AND BOARD OF EQUALIZATION MATTERS

PUBLIC HEARING: OPEN 2005 BUDGET - Auditor Stones reviewed the adjustments to the 2005 budget and recommended adoption. (See Attachment 6 to Resolution No. 2005-35 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, 7-0.

INITIAL PROPOSAL FOR CONSIDERATION OF ACTION

- **Resolution No. 2005-35 - Adjustments to 2005 Budget**

(Attachment 6)

ACTION: Motion by Council member Yeates to waive the rules and approve Resolution No. 2005-35-Adjustments to 2005 Budget. Robison seconded the motion. The vote was unanimous, 7-0.

- **Ordinance No. 2005-15 - Setting Salaries for County Council**

(Attachment 7)

ACTION: Motion by Council member Gibbons to waive the rules and adopt Ordinance No. 2005-15-Setting Salaries for County Council. Yeates seconded the motion. The vote was unanimous, 7-0.

- **Resolution No. 2005-34 - Adoption of 2006 Budget**

(Attachment 8)

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ACTION: Motion by Council member Gibbons to waive the rules and approve Resolution No. 2005-34-Adoption of 2006 Budget. Zilles seconded the motion. The vote was unanimous, 7-0.

- **Adoption of Proposed 2006 Capital Improvement Plan** - Lemon explained that this is a five-year program the county can work from to prioritize and/or add road, airport and other projects, etc.

Lemon said a project scheduled for 2010 is straightening the curves in the Mt. Pisgah Road (8500 South from 2000 West to 2400 West) and then double chipping it.

David Curtis said he turns left on to this section of road and can only tell if cars are coming by the dust they create. If the road is double chipped, he asks that the curves be straightened as a safety precaution.

Council member Hansen asked that warning signs be placed on those curves in the meantime until the curves are corrected.

Council member Zilles asked that 4400 South be developed to take semis, etc. off of 3200 South where there are a lot of residences. Lemon said the county had met with Hyrum, Nibley and Wellsville on this issue a few years ago and Hyrum was in favor of it, but Nibley and Wellsville were not as interested. Zilles asked that the timing be moved up so that surveying, etc. can be accomplished prior to 2010 and that the county talk to Hyrum about funding help. Lemon responded that the timing can be moved up. Zilles also asked that the improvements to 3200 South create a narrower road than the proposed width. Lemon said the county has suggested 80 feet. Lemon said before an agreement is signed for 3200 South the width of the road will be negotiated.

Chambers asked if the Humane Society's request for gravel that was approved had been delivered. Lemon said he understood the gravel would not meet UDOT specifications.

(Attachment 9)

ACTION: Motion by Council member Gibbons to waive the rules and approve the Proposed 2006 Capital Improvement Plan. Yeates seconded the motion. The vote was unanimous, 7-0.

- **Resolution No. 2005-36 - A Resolution Approving an Agreement with ADVANCEPCS HEALTH, L. P. to Provide Certain Managed Pharmacy Benefit Services with Consumer Card Program** - Lemon explained this is a no-cost discount prescription card that can be used by individuals who already have coverage that does not cover certain prescriptions.

(Attachment 10)

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ACTION: Motion by Council member Chambers to waive the rules and approve Resolution No. 2005-36-Approving an Agreement with ADVANCEPCS HEALTH, L. P. To Provide Certain Managed Pharmacy Benefit Services with Consumer Card Program. Yeates seconded the motion. The vote was unanimous, 7-0.

- **Delay Agreement with Logan City** - This item was moved to the December 13, 2005, Council meeting agenda.

COUNTY INITIATIVES - 2006

- **Cache Vision 2020+** - Chairman Petersen said he and Gibbons have been meeting with the steering committee and work is progressing satisfactorily in preparation for groups to be developed as part of the study.

COUNCIL MEMBER REPORTS

Kathy Robison said BRAG has been asked by the Governor's office to conduct a point-in-time count of homeless people in shelters. This will take place in January 2006. These numbers will be used by HUD to justify federal grants to agencies that Cache County works with.

Craig Petersen asked if the Council wants to discuss a county water department at the next meeting. Daines recommended waiting until after the legislation is passed regarding language in the present statute. Lemon said any discussion prior to the passage of the current legislation would be premature.

Gordon Zilles reported on the library meeting held December 1, 2005, and feels the possibility of lowering the fee Logan Library presently charges for nonresidents is good. Data is still needed on the Bookmobile to determine its future.

Darrel Gibbons said he attended the CCEMS meeting today and the revenues are okay, but there is still a struggle with cash flow. As of January 1, 2006, the auditing will be pulled in-house and Cameron Jensen will handle the audit.

ADJOURNMENT

The Council adjourned to Executive Session at 6:35 p.m.

ATTEST: Jill N. Zollinger
County Clerk

APPROVAL: H. Craig Petersen
Council Chairman

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