

**CACHE COUNTY COUNCIL MEETING**  
**June 26, 2007**

The Cache County Council convened in a regular session on June 26, 2007 in the Cache County Council Chamber at 199 North Main, Logan, Utah.

**ATTENDANCE:**

**Chairman:** Darrel Gibbons  
**Vice Chairman:** **John Hansen, absent.**  
**Council Members:** H. Craig Petersen, Kathy Robison, Cory Yeates & Gordon Zilles. **Brian Chambers, absent.**  
**County Executive:** M. Lynn Lemon  
**County Clerk:** Jill N. Zollinger

**The following individuals were also in attendance:** Paul Berntson, Todd Beutler, Peter Brunson, Allen Burris, Kenneth Cardon, Attorney George Daines, Mark Daines, Ralph Darley, Sherien Darley, Thad Erickson, Reed Ernstrom, Chris Gaddis, Doug Griffin, Scott Hansen, Claudia Harmon, Ron Harmon, Kirk Henningsen, Tom Hogan, Sharon L. Hoth, Jim Huska, Mike Kidman, Clifford K. Knox, Nan Miller, Todd Morrill, Wendell Morse, David Nielsen, June Owen, Brent Parker, Pat Parker, Chief Gary Roberts, Earl Rouse, Josh Runhaar, Jordan Snell, Auditor Tamra Stones, Walt Young **Media:** Charles Geraci (Herald Journal), Jennie Christensen (KVNU).

**OPENING REMARKS AND PLEDGE OF ALLEGIANCE**

Council member Petersen gave the opening remarks and led those present in the Pledge of Allegiance.

**REVIEW AND APPROVAL OF AGENDA**

**ACTION:** Motion by Council member Robison to approve the agenda as written. Yeates seconded the motion. The vote was unanimous, 5-0. Chambers & Hansen absent.

**REVIEW AND APPROVAL OF MINUTES**

Chairman Gibbons said the minutes of the June 12, 2007 Council meeting will be approved at the July 10, 2007 Council meeting.

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

<b><u>APPOINTMENTS:</u></b>	Michael J. Stauffer	Deputy Sheriff
	Haven A. Vance	Deputy Sheriff
	Jesse E. Cardena	Reserve Deputy Sheriff
	Zachry A. Checketts	Reserve Deputy Sheriff
	Darin D. Cook	Reserve Deputy Sheriff
	Steven C. Eddington	Reserve Deputy Sheriff
	Joshua P. Francis	Reserve Deputy Sheriff
	Todd W. Jacobsen	Reserve Deputy Sheriff
	Justin R. Olsen	Reserve Deputy Sheriff
	Aaron D. Page	Reserve Deputy Sheriff
	Philip A. Sorensen	Reserve Deputy Sheriff

Casey R. Sutherland  
Jason B. Whittier

Reserve Deputy Sheriff  
Reserve Deputy Sheriff

**ACTION: Motion by Council member Yeates to approve the recommended appointments. Zilles seconded the motion. The vote was unanimous, 5-0. Chambers & Hansen absent.**

**WARRANTS:** The warrants for the periods 06-01-2007 to 06-07-2007 and 06-08-2007 to 06-14-2007 were given to the clerk for filing.

### **OTHER ITEMS**

- ❑ **Willow Park Agreement –Mayor Watts Letter** – Executive Lemon said Chairman Gibbons, Mayor Watts, Chairman Taylor (Logan City Council) met and decided that Logan City and Cache County can agree on several points that Mayor Watts has listed in a letter:

- Maintain joint ownership of the properties
- Cache County will operate the fairgrounds
- Logan City will operate Willow Park, Willow Park Zoo, the quadraplex and Fairview Park
- Equipment at the fairgrounds will stay with the fairgrounds
- Equipment at the other locations will stay at those locations
- The reserve balance will be divided in half with 50% to Cache County and 50% to Logan City
- The agreement will terminate on June 30, 2008 and the county can decide if it wants to terminate sooner
- Cache County will hire the current fairground employees under the county system.

Lemon said those are the general guidelines.

Petersen asked what happened to the subcommittee that was to be formed to work through the details of the agreement's termination? He said he strongly disagrees with the concept of joint ownership. If there is separate management, there should be separate ownership.

Lemon said there would be the possibility of future Logan City leaders regulating the fairgrounds so heavily the county would be forced to move the fair elsewhere and joint ownership would prevent this from happening.

Petersen said it appears to him that joint ownership would be more likely to provide the opportunity for Lemon's scenario to occur and those concerns could be taken care of by a joint agreement and again asked if there will be a joint committee formed?

Gibbons explained there were no final decisions made by the group. The proposals listed by Mayor Watts' letter were to be presented to each Council to see if there is agreement, or if further discussion is required.

Petersen said it was agreed in the last meeting that Executive Lemon would appoint a committee. He said this is not a simple matter that can be resolved in a single meeting.

Robison asked Petersen what time frame he thinks will be required?

Petersen responded that issues could be resolved by September.

Gibbons asked Petersen what his specific concerns are?

Specifically, he is concerned about the budgets, equipment, revenues and the contract to be agreed to and noted that over the years Cache County has put money in and there has been maintenance equipment provided. How is the maintenance equipment divided?

Lemon said the equipment referred to in Watts' letter is lawnmowers, trucks, tractors and those that are with the fairgrounds will remain with the fairgrounds and the equipment with the other facilities will stay with them.

Petersen said Cache County paid for half of all the equipment and maybe the equipment at the fairgrounds doesn't constitute half of all the equipment. He urged a very careful review and distribution of the budgets. He is also interested in how Logan City budgets revenues from the various facilities.

Gibbons said once the entities are in agreement a complete legal document will be required to spell out details. If joint ownership is continued, what happens to improvements each entity may make on the fairgrounds or zoo? Are those improvements then jointly owned or would those be separate from the time of the new agreement forward?

Gibbons asked Executive Lemon to bring recommendations for individuals to serve on the joint subcommittee to work through the details of the termination of the Willow Park agreement to the July 10, 2007 Council meeting.

- ❑ **Wild and Scenic River Designations Review** – Lemon asked Roger Jones, BRAG, what other Associations of Governments were doing with respect to this issue and distributed a handout to the Council listing seventy-three miles of river in Cache County that may be designated as wild and scenic. Cache Valley segments listed are one with fifteen miles, one with nineteen miles of river and the others have seven miles or less. If the Council wants to comment, the deadline is June 30, 2007. Gibbons said comment was made that if a roadway bordered the river, it would probably be considered recreational. High Creek has a roadway bordering it for almost seven miles; if it receives a classification of wild because of ecology, a decision might be made to deny public access for camping, etc. Lemon told Gibbons to contact him on June 27 and Lemon will forward Gibbons' concerns to the appropriate agency.

### **ITEMS OF SPECIAL INTEREST**

- **Bear River Mental Health Area Plan – Reed Ernstrom** referred the Council to the Area Plan in their packets, specifically, page 4 – Budget. The entire budget is \$6.4 million with \$4.99 million coming from Medicaid and \$1.4 million coming from the State General Fund. Ernstrom briefly reviewed services provided and noted that Cache County

received \$170,000.00 from the legislature and those funds will be used to hire therapists to serve in the schools.

Lemon asked what would happen if an adult came to Bear River Mental Health who was not Medicaid eligible? Ernstrom said they would either use the state and county funds to serve them or refer them to a better provider.

Zilles asked if Bear River Mental Health serves the jail?

Ernstrom said they do contract with the jail for forensic services and Senator Hillyard was instrumental in appropriating \$70,000.00 for a mental health court in Cache County.

Attorney Daines indicated a mental health court has been a long-time need in the county, but there has not been a judge willing or able to serve over it. With Judge Low's retirement, Ernstrom has been asked to serve on the committee that will select a new judge. Daines hopes Ernstrom will make sure Low's replacement will be willing to serve over the mental health court.

- **Senior Citizens Center Semi-Annual Report – Tom Hogan** reported the Center has served 1,315 individuals in the county. Their services enhance quality-of-life issues for the individual. An annual percentage increase of 5% would translate to 2,500 individual seniors potentially being served from the Center. With a 10% growth rate, it would be 4,800 seniors. The last two years have seen a 10% annual increase. Hogan expressed concern that the Utah Office of Aging Services estimates that the population of people aged 65 and older is projected to increase 51% in Cache County between 2010 and 2020. Hogan reviewed an article about training the aging brain which lists nutrition, socialization, mental stimulation, physical activity and spirituality as necessary for good brain health. The Center focuses on all of these areas. Hogan noted the Senior Citizens building no longer meets current needs and Hogan urged the Council to consider what needs to happen in the next year to year-and-a-half. Hogan shared a floor plan of a Taylorsville Senior Center to show what is needed in a good Senior Citizens building. There is no sprinkler system or general fire alarm system in the present Cache Senior Citizens Center.

Petersen shared with the Council the following figures related to the percent of people from Logan using specific programs at the Center:

46% - Home delivered meals  
66% - Congregate meals  
64% - Education training  
60% - Nutrition education  
69% - Physical activity  
68% - Recreation

Petersen said about 2/3 of the people using the in-facility services are from Logan.

Robison asked if the fact that Hyrum and Smithfield have Senior Citizen Centers contributes to the higher numbers from Logan attending the Cache Senior Center? Hogan said that is probably true.

Lemon noted that Smithfield and Hyrum Cities fund their Senior Centers and if Logan City contributed to the Cache Senior Center, there would be abundantly more money. Smithfield and Hyrum have asked for a share of the Federal monies used at the Cache Senior Center, but Lemon says he has been hesitant to agree to that because it would spread the money too thin.

Hogan explained that the Cache Senior Center is a focal point center that is a clearing house of all senior services within the county, whereas Hyrum and Smithfield do not represent the entire county.

Gibbons said there needs to be further discussion by the Council with respect to the facility. Robison requested that the discussion about the facility be placed on a future agenda.

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

**PUBLIC HEARING** - TV TRANSLATOR PROPOSAL – Executive Lemon explained that the television stations were supposed to buy translators for the conversion to digital, but they will not be doing that. Mike Braegger has received the construction permits to put Channels 2, 4, 5 and 9 on Mt. Pisgah in digital format. Analog approval has been received for Channels 2, 4 and 5 digital approval has been received for 2, 4, 5 and 9. A translator would cost the county \$10,000.00 to \$11,000.00 and by February 2009 analog signals will go off the air. Braegger has proposed a flash cut – changing from analog to digital overnight. The translator would then broadcast 2, 4, 5 and 9 digitally. Only 2, 4 and 5 will be available in analog.

**ACTION: Motion by Council member Yeates to open the Public Hearing – TV Translator Proposal. Zilles seconded the motion. The vote was unanimous, 5-0. Chambers & Hansen absent.**

Chairman Gibbons opened the Public Hearing and invited public comment.

**Earl Rouse**, Valley Channel, spoke in favor of the transition from analog to digital at the translator.

Chairman Gibbons asked if there was any other public comment. There was not.

**ACTION: Motion by Council member Yeates to close the Public Hearing – TV Translator Proposal. Robison seconded the motion. The vote was unanimous, 5-0. Chambers & Hansen absent.**

Executive Lemon said he will instruct Mike Braegger to move ahead with his proposal and Lemon will let the Council know when that will happen.

### **PENDING ACTION**

- Discussion – Proposed Job Description for a Water Manager** – Executive Lemon said the Water Committee met and made the changes recommended by the Council and a fairly broad description has been developed. Lemon said details and specifics will probably be developed as the county moves along in water matters. Lemon and Daines

met with Water Policy Coordinator Thad Erickson and Erickson emailed Lemon his suggestions.

Petersen noted that grant writing was listed as a skill but not as a duty.

Gibbons said that will be included as Item 5 and Item 5 will move to Item 6. Gibbons asked if the Council approves of moving forward with this? The Council was in agreement to move forward.

- Ordinance No. 2007-05 – Agricultural Subdivisions** - No action was taken on this pending the outcome of Public Hearings.

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

### **SET PUBLIC HEARING** – JULY 10, 2007-5:45 P.M.-OPEN 2007 BUDGET

**ACTION: Motion by Council member Robison to set a Public Hearing for July 10, 2007 at 5:45 p.m. to Open the 2007 Budget. Yeates seconded the motion. The vote was unanimous, 5-0. Chambers & Hansen absent.**

**PUBLIC HEARING** – PROPOSED AGRICULTURAL SUBDIVISION ORDINANCE 2007-05 – Chairman Gibbons asked Josh Runhaar to review the reasons for the Public Hearing and the specific questions to be addressed at this Public Hearing. Runhaar did so.

Chairman Gibbons told the public to confine their comments to the questions on Runhaar's power point presentation and suggested a time limit of three minutes for each speaker. Gibbons indicated that there seems to be a misunderstanding about reducing the 5-lot subdivision to a 3-lot subdivision. Applicants would not be restricted to a 3-lot request only; any number of lots could be requested through the rezoning process.

**ACTION: Motion by Council member Zilles to open the Public Hearing – Proposed Agricultural Subdivision Ordinance 2007-05. Robison seconded the motion. The vote was unanimous, 5-0. Chambers & Hansen absent.**

Chairman Gibbons opened the Public Hearing and invited those people who were not at the last Public Hearing to speak first.

**Nanette Miller** said that in her area of the county people are building on five to ten acres because there is only one well allowed per five acres. She questioned how clustering would apply in that circumstance.

**Clifford Knox**, Petersboro, said his 2007 tax bill is up significantly and asked if the land had been re-evaluated? Gibbons said it may have been and suggested he look into greenbelt status for his land.

**Brent Parker** asked that the Council consider placing a quarter page ad in the newspaper the Sunday prior to the next Public Hearing on this subject so that more people would be aware of it. Parker asked if the county was going to maintain the 1970 parcel base if it goes to a 3-lot subdivision? Gibbons replied that has not been discussed. Parker is not in favor of the rezoning process and feels it is political and pits neighbor against neighbor. He recommends leaving the 5-lot subdivision alone and addressing major subdivisions.

**Ralph Darley** concurred that the 5-lot subdivision should be left. He supports clustering in some areas, but indicated that areas that don't have culinary water close by or the capacity for sewer, it doesn't work or is too costly.

**Todd Morrill** said to leave the ordinance as it is, but to allow for a PUD zone as a conditional use in the agricultural zone, then if a developer wanted to come in and provide all those utilities and do a more expensive development, he could have a development agreement in place to negotiate with the planning commission and council. Morrill feels this would encourage clustering in the county. Multiple zones seem to encourage a lot of requests that would clog the system.

**Dirk Henningsen** owns forty-four acres east of Paradise and feels the 5-lot subdivision is okay. He doesn't understand the multiple zoning, doesn't like the 1970 base for parcels and hopes the Council will make decisions on this ordinance quickly.

**Chris Gaddis** represented Michael Wright, who sent a letter to the Council members about a proposed 30-lot subdivision in the Petersboro area and listed his recommendations which include a minimum four acre per house size, density bonuses for clustering and planning so that open space is not in a checkerboard.

Chairman Gibbons asked if there was any other public comment. There was not.

**ACTION: Motion by Council member Zilles to close the Public Hearing – Proposed Agricultural Subdivision Ordinance 2007-05. Yeates seconded the motion. The vote was unanimous, 5-0. Chambers & Hansen absent.**

Chairman Gibbons asked for comment from Morse and Runhaar.

Runhaar suggested drafting some ordinances from a workshop or two and then hold another Public Hearing on more specific issues.

Gibbons asked for the Council's feelings.

Robison and Zilles agreed with Runhaar's suggestions.

Gibbons asked Runhaar and Morse to direct their staff to recommend dates for workshops and present those dates at the July 10, 2007 Council meeting. There will not be a Public Hearing on July 10, 2007. A Public Hearing will be held after the workshops and draft ordinances are completed.

Runhaar noted that there were people in the audience concerned with natural barriers and assured them that issue will be addressed in the ordinance.

Petersen asked how Runhaar believes the questions about the 1970 base will be answered? Runhaar said that is a problematic issue and will be a point of discussion.

Zilles said if the ordinance is density based, that would eliminate the 1970 parcel base.

Petersen asked if that would only apply to major subdivisions and the 1970 base would still be relevant for small subdivisions? Runhaar said that is correct.

Lemon said that Clair Ellis said the average over the last five years has been about eight acres per lot. Is that correct?

Runhaar noted that average acreage is difficult to figure because the acreage includes remainder parcels.

Morse said it's better to throw out the large or small acreage, then the average is more reflective of the truth.

Attorney Daines suggested the county could have "hybrid" responses for requests such as a 3-lot subdivision is allowed on a 1970 parcel OR a density of one residence per 5-6 acres, whichever one produces the larger number.

Zilles agreed with Brent Parker that the next Public Hearing should be advertised more aggressively so more citizens will be aware of it.

### **ITEMS OF SPECIAL INTEREST**

- **2006 External Audit Report – Mike Kidman** reviewed the audit report and noted it was done in a timely fashion, referred the Council to specific pages as he summarized the contents of the report including:
  - A change in the County's property tax database programming was made without sufficient understanding of the effects on system reports used in the reporting of property tax transactions. *Response:* Management will review the controls over computerized information systems regarding the property tax database and implement changes where necessary.
  - The County does not have sufficient internal control over reporting of federal award expenditures to ensure proper cutoff of reported expenditures between fiscal years. *Response:* Management has reviewed communication procedures as part of internal control over the reporting of federal award expenditures to improve property period reporting.
  - Accounting for cash accounts used in the operations of the County Jail and County Sheriff's office was not included in the County's accounting system or financial reports during a portion of fiscal year 2006. *Response:* Management will assess the status of internal controls over cash accounts used in the operation of the County Jail and County Sheriff's office and implement necessary changes.
  - The County's internal control system is not designed in accordance with the expectations of the Government Accountability Office (GAO). *Response:* Management will evaluate the cost and benefit of implementing controls in accordance with the expectations of the GAO and implement additional controls where practical and reasonable.

**ACTION: Motion by Council member Yeates to accept the external audit report. Zilles seconded the motion. The vote was unanimous, 5-0. Chambers & Hansen absent.**

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

- **Resolution No. 2007-20 – Authorizing Executive to Execute Revised Interlocal Agreement for the Existing District 1 Mental Health Authority** – Executive Lemon explained that Section 3c had wording changed and Sections 3d, 3e and 3f were added. This action is necessary to meet state code requirements.

(Attachment 1)



**ACTION: Motion by Council member Robison to waive the rules and approve Resolution No. 2007-20-Authorizing Executive to Execute Revised Interlocal Agreement for the Existing District 1 Mental Health Authority. Zilles seconded the motion. The vote was unanimous, 5-0. Chambers & Hansen absent.**

- **Resolution No. 2007-21 – Approving a Ballot Measure allowing the Citizens of Cache County to vote on whether an increase in Sales Tax is needed to expand public transportation** – Todd Beutler, Cache Valley Transit Board, explained to the Council the Transit District's plan for increased service and reviewed the results of a telephone survey they conducted. The Transit District plans on having a booth at the County Fair to distribute information and gain input from citizens. A September 13, 2007 Public Hearing is also scheduled for the same purposes.

Lemon said he has had citizens express concerns for something they will be paying for but not benefiting from because they live outside the transit district boundaries. Beutler said everyone benefits because of less congestion, etc.

Daines asked how much money would be generated from the ¼% sales tax increase if voters in the whole transit district approved it and what the cost per rider per mile is?

Beutler said approximately \$3 million annually and around \$1.80 per rider per trip, but wasn't certain and an average of thirty-two riders board a bus each hour system wide.

Lemon referred Council members to a handout depicting local funding options for transportation in Cache County and asked if Section 502 is enacted (*the ¼% sales tax increase asked for in Resolution No. 2007-21*) then how likely is it that voters will approve Section 1703 - a ¼% sales tax increase which provides funding for roads as well as transit? There is only ¾% that can be collected. The Transit District already has ¼% in place right now in Section 501. He also reminded the Council that Jeff Gilbert, CMPO, has stated there is a critical need for funding for roads in Cache County.

Council members discussed rider ship, the possibility of charging riders, and buses vs. cars as they relate to air quality during temperature inversions

Daines and Petersen requested an economic analysis be prepared by the Transit District and presented to the Council because it appears the cost of rider per trip would increase if the planned expansion of service is enacted as planned.

Chairman Gibbons asked Beutler to return with the requested financial analysis indicating the amount of dollars expected to be raised with the ¼% sales tax increase, how that money will be spent, projected rider ship increases, and what the cost per rider will be.

**(Attachment 2)**

- **Discussion – Web Page Administrator, GIS and Building Inspector** – Executive Lemon stated that there has been a request for an additional building inspector. Building inspection revenues are ahead of last year and there will enough money to pay for another building inspector and Lemon recommends hiring another inspector as of August 1, 2007.

Morse said he had requested an additional building inspector last year, but decided to wait for a year. There is significant additional inspection activity with the schools, more businesses and more new homes. Small towns need the service as well and revenues are well above what is needed to cover this position.

Paul Berntson indicated there are three reasons why inspection revenues are up:

1. Code adoptions created a need for more required inspections.
2. Larger homes are being built now which require more time for inspections.
3. Cache County was marked down in the ISO a year ago because it was doing more inspections per man than recommended. Cache County's rate on the audit affects insurance rates for those properties that the county inspects.

Morse also noted that timing is critical in hiring a new inspector because training takes about six months. If hired in September, inspections start to go down then and there would be time to train the person before the heavy season begins.

The Council agreed to have Lemon include this position in the next budget opening.

Lemon said the Web Page Administrator position is presently part-time and Lemon recommends upgrading it to full-time. The employee presently in that position has graduated from college and will be looking for full-time employment. Lemon indicated several departments have told him the Web Page Administrator does an excellent job and believe he could provide even more services to the departments if the position was full-time. Lemon said the county is currently out-sourcing tax-roll information. The Web Page Administrator could develop an in-house tax-roll information service and it would be another source of revenue. Hits on the county web site have increased from less than 200 a day last year to 300 a day this year. This position would be in the IT Department and would interface with other departments.

Morse said there is a lot of data being gathered and processed in the Planning Office GIS Department and his GIS person is looking forward to working more with the Web Page Administrator to place that data on the web page.

Lemon said the next request is for a full-time GIS Technician. There is funding in GIS, the Surveyor's office and the Road Department for part-time positions. Lemon recommends combining these funding sources for one full-time GIS Technician position that would work with each of these three departments. One-third of the funding for this position would be from Class B Road funds and two-thirds of the funding would be from GIS with 50% of the GIS funds from assessing and collecting and 50% from the general fund.

Yeates expressed concerns about using Larry Brunson for physical road work when the RS 2477 issue is vital to the county and he is needed there. Lemon said he thought this position might help relieve him of some of that road work.

Chairman Gibbons directed Executive Lemon to put this position request in the budget opening.

### **OTHER BUSINESS**

- ✓ **Hyrum 4<sup>th</sup> of July Parade – 12:00 noon – July 4, 2007** – Zilles and Yeates will attend. Hansen will attend if he returns from vacation in time.
- ✓ **Lewiston 4<sup>th</sup> of July Parade – 9:15 a.m. – July 4, 2007** – Yeates and Gibbons will attend.
- ✓ **USACC Conference – Snow College Richfield Campus, Richfield, Utah – July 20, 2007** – Lemon and Yeates will attend. Gibbons may attend.

### **COUNCIL MEMBER REPORTS**

**Kathy Robison** attended the UAC Board of Directors meeting and told the Council that Bill Cox has filled the position Executive Lemon held. Robison also said rules were changed that make attendance at a majority of the meetings mandatory.

**Cory Yeates** noted there is a new Director at Sunshine Terrace and suggested inviting him to a Council meeting for introduction. Chairman Gibbons directed Pat Parker to extend that invitation.

**Wendell Morse** said that because of GIS, the county will have the capability of challenging the census. Plans are to challenge it on a countywide basis and for every city. According to the figures received from the Federal Government, adding one person adds \$160.00 to the money that states and local governments receive. It is believed Cache County is short by 10,000 people. That translates to \$1.6 million if the challenge is successful. When local sales tax, etc. is added in, it will amount to around \$2 million.

**ACTION: Motion by Council member Yeates to adjourn. Robison seconded the motion. The vote was unanimous, 5-0. Chambers & Hansen absent.**

### **ADJOURNMENT**

The Council meeting adjourned at 8:03 p.m.

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

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**APPROVAL:** Darrel Gibbons  
Council Chairman

CACHE COUNTY  
RESOLUTION NO. 2007-20

A RESOLUTION APPROVING A REVISED INTERLOCAL AGREEMENT FOR THE  
EXISTING DISTRICT 1 MENTAL HEALTH AUTHORITY

The County Council of Cache County, Utah, in regular meeting, lawful notice of which has been given, finds that it is in the best interests of the citizens of Cache County to enter into a revised interlocal agreement for the existing District 1 Mental Health Authority.


NOW, THEREFORE BE IT RESOLVED that the Cache County Executive is hereby authorized to execute the revised interlocal agreement for the existing District 1 Mental Health Authority as stated in "Exhibit A" attached hereto and made a part hereof.

This Resolution shall take effect immediately upon adoption.

DATED this 26th day of June 2007.

CACHE COUNTY COUNCIL

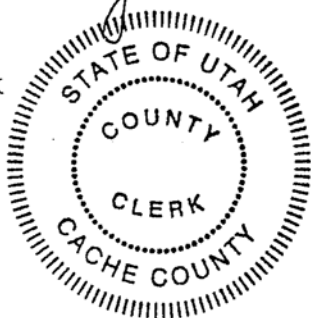
By:

  
Darrel L. Gibbons, Chairman

ATTEST:



By: Jill N. Zollinger  
Cache County Clerk



**REVISED INTERLOCAL AGREEMENT  
FOR THE EXISTING DISTRICT 1  
MENTAL HEALTH AUTHORITY**

**THIS AGREEMENT** is made and entered into this date by and between BOX ELDER COUNTY, CACHE COUNTY, and RICH COUNTY, which shall be referred to collectively in this Agreement as the "COUNTIES." This Agreement is based upon the following recitals:

A. Each party is a County of the State of Utah, and through their respective governing bodies acting as local mental health authorities is enabled by Section 17A-3-602, Utah Code Annotated, to join together to provide mental health services to the residents of their respective counties.

B. The COUNTIES are authorized by the Utah Interlocal Cooperation Act as set forth in Chapter 13, Title 11, Utah Code Annotated, to enter into this Interlocal Agreement.

C. The COUNTIES desire to jointly qualify for and obtain funding through the Utah Department of Human Services for mental health services and to monitor, review, and evaluate the performance of and compliance with all contracts for funding of mental health services.

D. The COUNTIES desire to continue a joint administrative agency to be known as the "District 1 Mental Health Authority," which shall be called the AUTHORITY in the Agreement, to qualify for, obtain, allocate, and administer such funding, and to perform such other tasks and assume such other responsibilities as the COUNTIES may designate.

**NOW THEREFORE**, the parties hereto do hereby agree as follows:

**1. Funding Contracts:**

(a) The COUNTIES agree to jointly contract on an annual basis with the Utah Department of Human Services and its Division of Substance Abuse and Mental Health for mental health services through the "District 1 Mental Health Authority."

(b) The allocation of funds to be received under such joint contracts and the allocation of the obligations of the COUNTIES to provide matching funds shall be based on the most recent population estimate from the Governor's Office of Planning and Budget.

**2. Mental Health Area Plan:**

The Authority shall consolidate the Area Plan of each participating county for mental health funding and service delivery and adopt the consolidated plans as the Area Plan of the District 1 Mental Health Authority to provide mental health services.

**3. Administration and Authorization :**

(a) CACHE COUNTY shall be authorized to and have the responsibility to administer all funding agreements between the State and the Utah Division of Substance Abuse and Mental Health. The Cache County member of the Board shall have authority to sign contracts on behalf of the three counties.

(b) All three counties may examine and audit the records of Bear River Mental Health Services, Inc. with respect to the administration and implementation of any funds received from any contract with the Utah Division of Substance Abuse and Mental Health.

(c) The CACHE COUNTY Treasurer shall be the designated treasurer for the combined authority and the custodian of all funds to be made available for any joint services and for funds received from the state.

(d) The CACHE COUNTY Treasurer is authorized to make necessary payments after approval by the designated auditing officer from the funds in her possession.

(e) The CACHE COUNTY Auditor shall be the designated auditing officer for the combined authority.

(f) The CACHE COUNTY Attorney shall be the designated legal officer for the combined authority.

**4. Resolutions:**

This Revised Agreement shall be conditioned upon the legislative body of each county adopting a resolution approving and authorizing this Interlocal Agreement.

5. **Effective Date:**

This Agreement shall be deemed effective as of June 1, 2007.

6. **Termination:**

This Agreement shall continue in effect until terminated by the mutual consent of all three counties or until terminated by written 180-days' notice thereof by any of the three counties. Termination may be with or without cause.

**IN WITNESS WHEREOF**, the COUNTIES have caused this Agreement to be executed in triplicate, each of which is deemed an original.

Dated this 27 day of June, 2007.

Attest:

\_\_\_\_\_  
Jill N. Zollinger  
Cache County Clerk

**CACHE COUNTY**

By:

M. Lynn Lemon  
M. Lynn Lemon  
Cache County Executive

Attest:

\_\_\_\_\_  
LuAnn Adams, Box Elder County  
Recorder/Clerk/Surveyor

**BOX ELDER COUNTY**

By:

\_\_\_\_\_  
Jay Hardy, Chairman  
Box Elder County Commissioners

Attest:

\_\_\_\_\_  
Becky Peart  
Rich County Clerk/Auditor

**RICH COUNTY**

By:

\_\_\_\_\_  
Thomas Weston, Chairman  
Rich County Commissioners

**Legal Opinion**

This Agreement is in proper form and is compatible with State Law:

**CACHE COUNTY**

By: \_\_\_\_\_  
N. George Daines  
Cache County Attorney

\_\_\_\_\_  
Date

**BOX ELDER COUNTY**

By: \_\_\_\_\_  
Stephen Hadfield  
Box Elder County Attorney

\_\_\_\_\_  
Date

**RICH COUNTY**

By: \_\_\_\_\_  
George W. Preston  
Rich County Attorney

\_\_\_\_\_  
Date



# Local Funding Options for Transportation in Cache County

## Section 501\*

Already in place for most cities in Cache County (funds CVTD)

Eligible	Use	Who Decides
Cities/County-wide	Transit Service	Voters enact Transit District allocates

\*Cities outside Transit District can use 1/4 cent for roads if voter approved (section 1001)

## Section 502

Eligible	Use	Who Decides
Cities/County-wide	Transit Service/ Fixed Guildway	Voters enact Transit District allocates

Can choose one or the other (Not both)

## Sales Tax (Up to 3/4 Cent)

### Section 1703

Eligible	Use	Who Decides
County-wide	Minor Collector and above roads (ROW and Construction), Airport, Transit	Voters enact Council of Govt (COG) & CMPD set priorities (once per year) County Council Allocates

### Section 1503

Eligible	Use	Who Decides
County-wide	Transit, State Highways (ROW & Construction)	Voters enact with set % resolution UDOT/County Interlocal allocates highway \$ Transit District/County allocate Transit \$



## Vehicle Registration Fee- Advance Purchase of Right of Way

Eligible	Use	Who Decides	State Matching Funds
Countywide	Advance purchase of highway rights-of-way on arterial through collector existing and future roads:	County Council Enacts Fee up to \$10 Council of Governments (COG) & CMPD help set priorities, County Council Allocates	2006 funds available \$10 million 2007 funds available \$30 million (must be used on State Routes)

5