

**CACHE COUNTY COUNCIL MEETING**  
**October 09, 2007**

The Cache County Council convened in a regular session on October 09, 2007 in the Cache County Council Chamber at 199 North Main, Logan, Utah.

**ATTENDANCE:**

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

**The following individuals were also in attendance:** Stacy Abbott, Mary Barrus, Milo Blauer, A. J. Boston, Leo Bravo, Ken Brown, Scott Burton, S. Blaise Chanson, Attorney George Daines, Cole Dickson, Kim Datwyler, Robert Davies, Doug Dickson, Jay Downs, Daniel Grange, Amy Hamblin, Claudia Harmon, Dirk Henningsen, Tom Hogan, Sharon L. Hoth, Brent McCarron, Dave Nielsen, Henry Olsen, Pat Parker, David Potter, Lynnette Potter, Damien Raymond, Austin Reeve, Chief Gary Roberts, Tanner Robison, Josh Runhaar, Jim Smith, Auditor Tamra Stones, Mark Walsh, Preston Ward, **Media:** Charles Geraci (Herald Journal), Arrin Brunson (Salt Lake Tribune), Jennie Christensen (KVNU).

**OPENING REMARKS AND PLEDGE OF ALLEGIANCE**

Vice Chairman Hansen gave the opening remarks and led those present in the Pledge of Allegiance.

**REVIEW AND APPROVAL OF AGENDA**

**ACTION:** Motion by Council member Yeates to approve the agenda as written. Robison seconded the motion. The vote was unanimous, 6-0. Gibbons absent.

**REVIEW AND APPROVAL OF MINUTES**

**ACTION:** Motion by Council member Robison to approve the minutes of the September 25, 2007 Council meeting as written. Yeates seconded the motion. The vote was unanimous, 6-0. Gibbons absent.

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

**APPOINTMENTS:** There were no appointments.

**WARRANTS:** The warrants for the periods 08-10-2007 to 08-16-2007, 08-17-2007 to 08-30-2007, 09-07-2007 to 09-13-2007, 09-14-2007 to 09-20-2007 and 09-21-2007 to 09-27-2007 were given to the Clerk for filing.

**OTHER ITEMS**

- Cloud Seeding** – Executive Lemon said the 2006/2007 cloud seeding report was available for the Council to review.

- ❑ **Final Budget** – Lemon indicated a tentative 2008 budget will be presented at the October 23, 2007 Council meeting and the 2008 final budget will be ready for the November 13, 2007 Council meeting.
- ❑ **Water Manager/Water Department** – Lemon reported he will have a recommendation for the County Water Manager position at the October 23, 2007 Council meeting and asked the Council for input on the funding method for the County Water Department. Should it be through a dedicated tax in a separate fund or left in the General Fund and earmarked for the Water Department? The Council, Auditor Stones, Executive Lemon and Attorney Daines discussed the pros and cons of the two options. Lemon will present this issue to the Council at a later date and receive the Council's recommendation at that time.
- ❑ **County Block/Willow Park Agreements** – Attorney Daines indicated the agreement with Logan City on the County Block will be executed in the next few days and noted the cost of the center sidewalk will be \$29,000.00 more than originally estimated. Logan City has recommended some language changes in the Willow Park agreement; specifically, that portion which deals with the possible ownership division of the property. Logan has asked that the clause that states different admission/use fees would not be charged for non-Logan City residents than for Logan City residents would apply only to the existing facilities and would not apply to future facilities that may be built on the properties. The other change would be that the water clause includes the statement that Logan City has no water shares except water shares that are in the Southwest Logan Irrigation Company which does not pass through the property and Logan City will work with Cache County to develop an irrigation facility for the property. Daines said these were minor changes and he has no concerns with them. Vice Chairman Hansen told Daines to proceed with the changes.

#### **ITEMS OF SPECIAL INTEREST**

- **Employee of the Month** for the month of October was presented to Stacy Abbott of the Cache County Senior Citizens Center by Jim Smith.
- **Western Counties Alliance** – Mark Walsh provided an update of the Alliance's activities including:
  - PILT funding and HR 3058
  - Secure Rural Schools legislation which includes road funding
  - RS 2477 and HR 308 which codifies the Tenth Circuit Court's decision

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

**PUBLIC HEARING:** OPEN 2007 BUDGET – OCTOBER 9, 2007 – 5:45 P.M.

**ACTION: Motion by Council member Yeates to open the Public Hearing to Open the 2007 Budget. Zilles seconded the motion. The vote was unanimous, 6-0. Gibbons absent.**

Vice Chairman Hansen asked Auditor Stones to review the budget adjustments for the Council and recommended approval. (See Attachment 1 to Resolution No. 2007-31 for details.)

Vice Chairman Hansen invited public comment. There was none.

**ACTION: Motion by Council member Chambers to close the Public Hearing to Open the 2007 Budget. Robison seconded the motion. The vote was unanimous, 6-0. Gibbons absent.**

**INITIAL PROPOSAL FOR CONSIDERATION OF ACTION**

- **Resolution No. 2007-31 – Adjustments to 2007 Budget**

(Attachment 1)

**ACTION: Motion by Council member Chambers to waive the rules and approve Resolution No. 2007-31-Adjustments to 2007 Budget. Yeates seconded the motion. The vote was unanimous, 6-0. Gibbons absent.**

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

**BOARD OF EQUALIZATION**

**ACTION: Motion by Council member Yeates to convene as a Board of Equalization. Robison seconded the motion. The vote was unanimous, 6-0. Gibbons absent.**

**The Council convened as a Board of Equalization.**

- Vice Chairman Hansen asked if the Council had any questions about the Board of Equalization Hearing officers' findings? There were none. Auditor Stones indicated there are three appeals left to be reviewed. (Details are on file in the Cache County Auditor's Office)

**ACTION: Motion by Council member Yeates to accept the findings of the Board of Equalization Hearing Officers. Chambers seconded the motion. The vote was unanimous, 6-0. Gibbons absent.**

**ACTION: Motion by Council member Yeates to adjourn from the Board of Equalization. Robison seconded the motion. The vote was unanimous, 6-0. Gibbons absent.**

**The Council adjourned from the Board of Equalization.**

**PENDING ACTION**

- Ordinance No. 2007-05 – Agricultural Subdivisions (NO ACTION TAKEN)**
- Ordinance No. 2007-09 – Rezone of 7.55 Acres of property from Agricultural Zone to Industrial/Manufacturing Zone located at approximately 168 North 2100 West, west of Logan** – Runhaar said this rezone was on the agenda two weeks ago and there were concerns with noncompliance on the property. The property has been cleared of the vehicles, etc. and is now in compliance. Other parcels are being cleared. Attorney Daines said the rezone can be approved as soon as a written agreement is signed concerning the clean up timing on the property owner's other sites. Vice Chairman Hansen said the rezone will be on the October 23, 2007 Council meeting agenda.

- **Resolution No. 2007-29 – Authorizing Executive to execute an Interlocal Agreement for Payment of Tax Increment Revenues with North Logan City** – Executive Lemon recommended that no action be taken by the Council on this resolution until North Logan receives a response from the Cache County School District. Attorney Daines reiterated that the Council should consider that other cities may come to the Council with similar requests and the Council needs a criterion for its decisions. Petersen suggested a Public Hearing might be an appropriate forum for this item. Daines asked that Cameron Jensen do a cost analysis at present value for the Council's information. Lemon will inform the mayors in the county of North Logan's request and invite them to the Public Hearing.

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

**PUBLIC HEARING SET:** NOVEMBER 13, 2007 – 6:00 P.M. – REQUEST FOR PAYMENT OF TAX INCREMENT REVENUES TO NORTH LOGAN CITY.

**ACTION:** Motion by Council member Petersen to set a Public Hearing for November 13, 2007 at 6:00 p.m. – Request for Payment of Tax Increment Revenues to North Logan City. Yeates seconded the motion. The vote was unanimous, 6-0. Gibbons absent.

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

- **Approval of Poll Workers** – Clerk Zollinger requested approval of the list of Poll Workers for the November 6, 2007 General Election.

(Attachment 2)

**ACTION:** Motion by Council member Yeates to approve the list of Poll Workers for the November 6, 2007 General Election. Robison seconded the motion. The vote was unanimous, 6-0. Gibbons absent.

- **Property Tax Hardship Requests**

Apaza, Juana P.  
Brown, Kimber  
Bush, Mary A.  
Hamlin, Bonnie L.  
Roberts, Taunya L.  
Scott, Kelley L.  
Wilkinson, Diane  
Wilson, Ruth H.

**ACTION:** Motion by Council member Robison to approve the property tax hardship requests. Petersen seconded the motion. The vote was unanimous, 6-0. Gibbons absent.

- **Ordinance No. 2007-10 – Imposing 1% Tourism, Recreation, Cultural, and Convention Tax and providing for the performance by the State Tax Division of all functions incident to the Administration, Operation, and Collection of the tax and**

for the use of the revenues from this tax – Lemon explained that this is Restaurant Tax (TRCC).

(Attachment 3)

**ACTION: Motion by Council member Yeates to waive the rules and approve Ordinance No. 2007-10-Imposing 1% Tourism, Recreation, Cultural, and Convention Tax and providing for the performance by the State Tax Division of all functions incident to the Administration, Operation, and Collection of the tax and for the use of the revenues from this tax. Zilles seconded the motion. The vote was unanimous, 6-0. Gibbons absent.**

**Ordinance No 2007-10:** The vote was 6-0. Gibbons absent.

	<u>CHAMBERS</u>	<u>ZILLES</u>	<u>GIBBONS</u>	<u>HANSEN</u>	<u>PETERSEN</u>	<u>ROBISON</u>	<u>YEATES</u>	<u>VOTES CAST</u>
AYE	X	X		X	X	X	X	6
NAY								0
ABSTAINED								0
ABSENT			X					1

- **Resolution No. 2007-32 – Approving the Allocation of Revenue from the Tourism, Recreation, Cultural and Convention Tax to Logan City for Application to the Ellen Eccles Theater and Bullen Center** – Lemon explained that this is for the twenty-year bond which will go until 2012.

(Attachment 4)

**ACTION: Motion by Council member Petersen to waive the rules and approve Resolution No. 2007-32-Approving the Allocation of Revenue from the Tourism, Recreation, Cultural and Convention Tax to Logan City for Application to the Ellen Eccles Theater and Bullen Center. Yeates seconded the motion. The vote was unanimous, 6-0. Gibbons absent.**

- **Initial Approval of CDBG Projects for County Sponsorship** – Lemon said the first CDBG Public Hearing was held and left open for anyone else who wanted to apply. Three entities have applied for sponsorship:

The Multicultural Center of Cache Valley  
Cache Valley Veteran's Association  
Neighborhood Nonprofit Housing

(Attachment 5)

**ACTION: Motion by Council member Yeates to approve the three applicants for CDBG sponsorship by Cache County with the general understanding that this will be the only three that will be received by Cache County. Robison seconded the motion. The vote was unanimous, 6-0. Gibbons absent.**

- **Chief Gary Roberts** addressed the Council at the request of Council member Robison on the topic of residential fire sprinklers. Roberts said residential fire sprinklers are recommended for any property over 500 feet from a hydrant. In the county Tenders are used with 3,000 – 5,000 gallons of water. A typical house fire consumes 1,000 gallons

per minute. Fire sprinklers control the fire at its start and save property and lives. Water damage is much less with residential fire sprinklers because only the sprinkler at the fire source is activated initially and controls the fire until the fire trucks arrive.

*Side A of Tape 2*

Executive Lemon suggested recommending, but not requiring, residential fire sprinklers on homes built in the county.

Petersen asked what the additional cost to the home builder is for fire sprinklers?  
Roberts said it is 2% to 7% of the cost of the home.

Daines noted that city residents have hydrants which are paid for through their building fees and taxes so they are paying for the hydrants. In the county that cost is saved; does the county want to create a situation where there is less safety in the county? Residential fire sprinklers cost the developer less than hydrants.

Chambers asked Chief Roberts to check with other counties to see how they deal with this issue.

Daines said the Council needs to give the Planning Commission direction on this topic so it can be included in the Subdivision Ordinance.

- **Final Plat Approvals – High Creek Junction Subdivision, Rocky Mountain Estates “A” Subdivision and Rocky Mountain Estates “B” Subdivision** – Josh Runhaar said none of these final plats has approved culinary water rights assigned to the lots. Runhaar said the county ordinance requires the Council to approve/disapprove plats without approved culinary water rights assigned. The Planning commission had a long discussion on this issue and felt that the time for requiring water should be at the time of the building permit. Runhaar said that presents problems because the state can assign water rights but does not guarantee water will be available where the property owner drills a well. He recommends that the water approval must be received prior to the recordation of the final plat.

Parker informed the Council that Chairman Gibbons has requested that this issue be placed on the October 23, 2007 Council meeting agenda.

Daines said the AG Subdivision ordinance could cover this issue with either a running covenant indicating the water stays with the lot and cannot be conveyed separately or the water information could be recorded on the plat itself the same way easements are done.

**ACTION: Motion by Council member Yeates to hold all three Final Plat Approvals until the October 23, 2007 Council meeting. Robison seconded the motion. The vote was unanimous, 6-0. Gibbons absent.**

**OTHER BUSINESS**

- ✓ **UAC Conference – St. George, Utah – November 14-16, 2007**

### **COUNCIL MEMBER REPORTS**

**Gordon Zilles** indicated he is ready to begin the work on the Agricultural Subdivision Ordinance. Zilles asked Attorney Daines to update the Council on the status of the Powder Mountain project. Lemon noted that the Planning Commission had recommended granting the requested extension. Daines said differences exist on the interpretation of the conditional use permit requirements.

**Craig Petersen** introduced Dr. Robert Davies and asked the Council if Dr. Davies could be scheduled to give a global warming presentation to the Council at a workshop in November. Petersen noted that Davis County has raised \$150,000.00 to be used to support the road tax question on the November ballot and he is looking at ways to raise some money in Cache County for the same purpose. Salt Lake County passed a road tax last year with 64% of the vote.

**ACTION: Motion by Council member Petersen to set a Workshop on November 13, 2007 at 4:00 p.m. for Dr. Robert Davies' presentation. Yeates seconded the motion. The vote was unanimous, 6-0. Gibbons absent.**

**Vice Chairman Hansen** said Chairman Gibbons had suggested October 23, 2007 for a Council Social after the Council meeting. Yeates and Petersen would not be able to attend. Hansen said another date will be scheduled.

**Cory Yeates** said Janet Valle, US Forest Service, has been replaced by Interim Director Rick Schuler. He will be introduced at the next Council meeting.

**Kathy Robison** indicated she and Vice Chairman Hansen had attended a meeting with some of the Powder Mountain representatives. Attorney Daines cautioned Council members that this is a quasi-judicial proceeding and the Council should not meet with the proponents outside of a public meeting or without legal representation. Runhaar said the type of action is noted on all of their staff reports; i.e. legislative, quasi-judicial. Hansen and Petersen asked Daines to prepare a one-page memorandum on the various types of actions with appropriate guidelines for the Council.

### **ADJOURNMENT**

The Council meeting adjourned at 7:15 p.m.

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

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**APPROVAL:** John Hansen  
Council Vice Chairman

RESOLUTION NO. 2007- 2007-31

**A RESOLUTION INCREASING THE BUDGET APPROPRIATIONS FOR CERTAIN COUNTY DEPARTMENTS.**

The Cache County Council, in a duly convened meeting, pursuant to Sections 17-36-22 through 17-36-26, Utah Code Annotated, 1953 as amended, finds that certain adjustments to the Cache County budget for 2007 are reasonable and necessary; that the said budget has been reviewed by the County Auditor with all affected department heads; that a duly called hearing has been held and all interested parties have been given an opportunity to be heard; that all County Council has given due consideration to matters discussed at the public hearing and to any revised estimates of revenues; and that it is in the best interest of the County that these adjustments be made.

NOW THEREFORE, it is hereby resolved that:

Section 1.

The following adjustments are hereby made to the 2007 budget for Cache County:

**see attached**

Section 2.

Other than as specifically set forth above, all other matters set forth in the said budget shall remain in full force and effect.

Section 3.

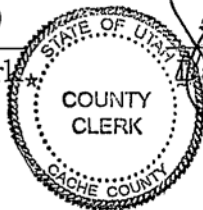
This resolution shall take effect immediately upon adoption and the County Auditor and other county officials are authorized and directed to act accordingly.

This resolution was duly adopted by the Cache County Council on the 9th day of October, 2007.

ATTESTED TO:

CACHE COUNTY COUNCIL

*Jill N. Zollinger*  
Jill N. Zollinger, Cache County Clerk



*John A. Hansen*  
John A. Hansen, Vice Chairman



FUND 10 GENERAL FUND REVENUES

budget hearing - 10/09/07 5:45pm

ACCOUNT	DESCRIPTION	Current Budget	Recommended Decrease DEBIT	Increase CREDIT	Amended Budget	Reason for Change
10-33-11200	Mineral Rev Sharing 25% Monies	-	-	(44,171)	(44,171)	new revenue - HB134 Lands Exchange Bill
	Totals	-	-	(44,171)	(44,171)	
	Net Adjustment				(44,171)	

FUND 10 GENERAL FUND EXPENDITURES

ACCOUNT	DESCRIPTION	Current Budget	Recommended Increase DEBIT	Decrease CREDIT	Amended Budget	Reason for Change
10-4170-200	Elections - Material Supplies & Services	97,400	-	(5,000)	92,400	transfer funds for Carr Printing Services to separate line item
10-4170-620	Elections - Misc Services	-	5,000	-	5,000	transfer funds for Carr Printing Services
10-4193-620	Economic Development - Misc Services	-	44,171	-	44,171	new revenue - HB134 Lands Exchange Bill
10-4610-234	USU Extension - Travel-Horticultural Agent	2,600	-	(550)	2,050	transfer to purchase laptop, digital scale, & hay moisture tester
10-4610-240	USU Extension - Office Expense	7,000	-	(1,200)	5,800	transfer to purchase laptop, digital scale, & hay moisture tester
10-4610-251	USU Extension - Non-Capitalized Equipmen	-	2,250	-	2,250	transfer to purchase laptop, digital scale, & hay moisture tester
10-4610-310	USU Extension - Professional & Technical	500	-	(500)	-	transfer to purchase new ATV
10-4147-120	Surveyor - Temporary Employees	16,640	-	(5,000)	11,640	transfer to purchase new ATV
10-4147-250	Surveyor - Equipment Supplies & Maint	6,207	-	(2,000)	4,207	transfer to purchase new ATV
10-4147-740	Surveyor - Capitalized Equipment	-	7,000	-	7,000	transfer to purchase new ATV
	Totals		58,421	(14,250)	44,171	
	Net Adjustment					

FUND 20 MUNICIPAL SERVICES FUND REVENUES

ACCOUNT	DESCRIPTION	Current Budget	Recommended Decrease DEBIT	Increase CREDIT	Amended Budget	Reason for Change
20-33-56000	Class B Allocation	(1,640,938)	640,938	(763,953)	(1,000,000)	to adjust to allocation estimates
20-38-90000	Approp Surplus - Class B Roads	(67,146)	-	(31,985)	(831,099)	to correct to actual
20-38-92000	Approp Surplus - MSF	-	640,938	(795,938)	(31,985)	to correct to actual
	Totals		640,938	(795,938)	(155,000)	
	Net Adjustment					

FUND 20 MUNICIPAL SERVICES FUND EXPENDITURES

ACCOUNT	DESCRIPTION	Current Budget	Recommended Increase DEBIT	Decrease CREDIT	Amended Budget	Reason for Change
20-4180-250	Zoning - Equipment Supplies & Maint	2,500	600	-	3,100	transfer to cover expenses
20-4180-620	Zoning - Misc Services	5,000	-	(600)	4,400	transfer to cover expenses
20-4415-760	Class B Roads - New Road Construction	250,000	155,000	(600)	405,000	to cover 4800 West project expense
	Totals		155,600	(600)	155,000	
	Net Adjustment					

FUND 23 CACHE VALLEY VISITORS BUREAU FUND REVENUES

budget hearing - 10/09/07 5:45pm

ACCOUNT	DESCRIPTION	Recommended		Amended Budget	Reason for Change
		Current Budget	Increase DEBIT / Decrease CREDIT		
23-34-94000	Items Sold - Taxable Sales	(36,100)	(25,000)	(61,100)	increase to actual
23-38-90000	Approp Surplus	(91,686)	19,700	(71,986)	replace funds from advance for book purchases
	Totals	19,700	(25,000)	(5,300)	
	Net Adjustment				

FUND 23 CACHE VALLEY VISITORS BUREAU FUND EXPENDITURES

ACCOUNT	DESCRIPTION	Recommended		Amended Budget	Reason for Change
		Current Budget	Increase DEBIT / Decrease CREDIT		
23-4780-240	Office Expense & Supplies	3,500	300	3,800	to cover expenses
23-4780-670	Items for Resale	36,500	5,000	41,500	to meet costs
	Totals	5,300	-	5,300	
	Net Adjustment				

FUND 24 COUNCIL ON AGING FUND REVENUES

ACCOUNT	DESCRIPTION	Recommended		Amended Budget	Reason for Change
		Current Budget	Increase DEBIT / Decrease CREDIT		
24-36-90000	Sundry Revenue	(1,000)	(396)	(1,396)	2006 recall repair expense reimb - Champion Bus
	Totals			(396)	
	Net Adjustment				

FUND 24 COUNCIL ON AGING FUND EXPENDITURES

ACCOUNT	DESCRIPTION	Recommended		Amended Budget	Reason for Change
		Current Budget	Increase DEBIT / Decrease CREDIT		
24-4970-120	Nutrition - Temporary Employees	25,422	(6,000)	19,422	transfer to cover expenses
24-4970-130	Nutrition - Employee Benefits	41,581	(600)	40,981	transfer to cover expenses
24-4970-240	Nutrition - Supplies	7,960	396	8,356	to cover expenses
24-4970-240	Nutrition - Supplies	8,356	1,000	9,356	transfer to cover expenses
24-4970-250	Nutrition - Transportation	12,400	(1,000)	11,400	transfer to cover expenses
24-4970-270	Nutrition - Utilities	10,500	3,000	13,500	transfer to cover expenses
24-4970-381	Nutrition - Meals	42,000	1,500	43,500	transfer to cover expenses
24-4970-383	Nutrition - US Foodservice	62,200	3,100	65,300	transfer to cover expenses
24-4971-130	Center - Employee Benefits	23,781	(1,000)	22,781	transfer to cover expenses
24-4971-230	Center - Travel	1,000	500	1,500	transfer to cover expenses
24-4971-250	Center - Transportation	5,000	(500)	4,500	transfer to cover expenses
24-4971-270	Center - Utilities	6,400	1,200	7,600	transfer to cover expenses
24-4971-680	Center - Activities	1,000	400	1,400	transfer to cover expenses
24-4974-130	Access - Employee Benefits	21,430	(300)	21,130	transfer to cover expenses
24-4974-250	Access - Transportation	6,000	(600)	5,400	transfer to cover expenses
24-4974-260	Access - Buildings & Grounds Maint	1,400	(500)	900	transfer to cover expenses
24-4977-130	Co Admin Support - Employee Benefits	11,360	(200)	11,160	transfer to cover expenses
	Totals	11,096	(10,700)	396	
	Net Adjustment				

FUND 28 CACHE LIBRARY FUND EXPENDITURES

ACCOUNT	DESCRIPTION	Current Budget	Recommended		Amended Budget	Reason for Change
			Increase DEBIT	Decrease CREDIT		
28-4581-485	Library Materials - Book Collection	13,000	2,558		15,558	transfer to purchase books for library collection
28-4581-605	Market Adj Pool	726		(726)	-	transfer to purchase books for library collection
28-4581-620	Misc Services	1,832		(1,832)	-	transfer to purchase books for library collection
	Totals		2,558	(2,558)		
	Net Adjustment				-	

FUND 77 AIRPORT FUND EXPENDITURES

ACCOUNT	DESCRIPTION	Current Budget	Recommended		Amended Budget	Reason for Change
			Increase DEBIT	Decrease CREDIT		
77-4460-230	Travel	6,500	3,000		9,500	transfer to cover expenses
77-4460-250	Equipment Supplies & Maint	12,000		(7,000)	5,000	transfer to cover expenses
77-4460-260	Building & Grounds	13,000	1,000		14,000	transfer to cover expenses
77-4460-720	Building	89,000	3,000		92,000	transfer to cover expenses
	Totals		7,000	(7,000)		
	Net Adjustment				-	

Poll Workers – General 2007

Precinct/Polling Location	Name
LOG 01/07 Senior Citizens Center 240 N 100 East Logan	Darla Yeates KayLyn Cardon Fred Deursch, Jr Celia Z Bennett
LOG 02/03/33 Cache Valley Learning Center 75 S 400 West Logan	Tracy Horning Michael Vanover Roger Mellenthin Leah Dever Brenda Russell Parma Kendrick Mary Jane Bentz
LOG 04/25 Willow Valley Church 825 N 200 West Logan	SueAnne B. Thompson Marianne Stockdale Arlene Fluckiger Renee Nolan
LOG 05/06 Sunshine Terrace 225 N 200 West Logan	Bill Moore Geraldine Anderson Karen Low Lillian Kidd
LOG 08/10 Whittier Community Center 290 N 400 East Logan	Louise Hoth Wayne Jolley Karen Fluckiger Jennifer Fluckiger
LOG 09/24 Wilson Elementary School 89 S 400 East Logan	Gary Joy Sherrill Joy Debra Henrie Jerene Weeks
LOG 11/15/23 Adams Elementary School 530 N 400 East Logan	Scott Fluckiger Dixie Crook Sarah McDaniel Michael Barben
LOG 12/13/19/20/21 Lundstrom Student Center 1295 E 1000 North Logan	Marie England Diane Wheeler Patricia Hancey Dixie Poole Sharon Norton Jean Kemp Sheryl Sunada Karen Wood
LOG 14/22 8 <sup>th</sup> – 25 <sup>th</sup> Ward LDS Church 325 Lauralin Drive Logan	Mary Kay Hunsaker Geniel Loveless Lois Jardine Jenneene Smith

<p><b>LOG 16/18/26/28</b>  Central Stake Center  1255 N 600 East  Logan</p>	<p>Peggy Elwood  Carol Jarvis  Karen Teuscher  LuAnn Nielson  Jill Porter  Beverly Baldwin  Beverly Farnor</p>
<p><b>LOG 17/30/31</b>  Cache Stake Center  250 W 1200 North  Logan</p>	<p>Kathy Andersen  Dean Quayle  Debra Parrish  Jim Liddle  Dorene Knowles  Ronald Hornsby  Sherry Cook</p>
<p><b>LOG 27/32</b>  Stevens-Henager  755 S Main Street  Logan</p>	<p>Kristie Cooley  Peggy Sanders  Ovie Reynolds  Nedra Taylor</p>
<p><b>LOG 29</b>  Eastridge LDS Church  1350 Eastridge Drive  Logan</p>	<p>Clarice Higbee  Leah Christensen  Lorene Orgill  Kathy Jensen</p>
<p><b>AMA</b>  Town Hall  6590 N 2400 West  Amalga</p>	<p>Marilyn Munk  Sheri Wright  LuDean Hansen  Roberta Hoffman</p>
<p><b>BEN</b>  Benson LDS Church  3432 N 3000 West  Benson</p>	<p>Diane Falslev  Barbara Watterson  Linda Clark  Colleen Ballard</p>
<p><b>CLA</b>  Town Hall  50 S Main Street  Clarkston</p>	<p>Annette Rindlisbacher  Kristine Drollinger  Katherine Ravsten  Kristi Hidalgo</p>
<p><b>C/Y</b>  College/Young LDS Church  2394 W 2200 South  College Ward</p>	<p>Marsha Israelsen  Diana Olsen  Janet K. Olsen  Cindy Atkin</p>
<p><b>COR</b>  Town Hall  14300 N 4800 West  Cornish</p>	<p>Helen Kirkman  Sandy McKnight  Marjorie Hayes  Helen B Buxton</p>
<p><b>HYD 01/02</b>  City Office  113 E Center Street  Hyde Park</p>	<p>Celia Ashcroft  Kristen Buhler  Ruth Fife  Robinette Jensen</p>

<p>HYR 01/02/03/04/05  City Office  83 W Main Street  Hyrum</p>	<p>Patricia Bentley  Pauline Nielsen  Elaine Adams  Larene Jacobsen  Marilyn Howard  Linda Monasmith  Laurel Roylance  Carol Dee Petersen</p>
<p>LEW 01/02  City Office  29 S Main Street  Lewiston</p>	<p>Vicki Bodily  Brenda Crowther  Anna Barlow  Phyllis Bair</p>
<p>MEN 01/02  Historic Mendon Station  95 N Main Street  Mendon</p>	<p>Janet Lott  Shalyse Larsen  Rose Ann Brandley  Georgia K Edlund</p>
<p>MIL 01/02  Providence South Stake Center  360 E 450 North  Millville</p>	<p>Jean Parker  Lori Iverson  Pamela Utykanski  Lana Jex</p>
<p>NEW  Town Hall  51 S Center Street  Newton</p>	<p>Karla Ferguson  Carol Larsen  Joy Larsen  Joyce Cooley</p>
<p>NIB 01/02  Nibley 2<sup>nd</sup> Ward LDS Church  360 W 3200 South  Nibley</p>	<p>Nancy Player  Lisa Ward  Milena Player  Dorlena Erekson</p>
<p>NLG 01/02/03/04  North Logan Library  475 E 2500 North  North Logan</p>	<p>LaDell Hoth  Dorothy Bills  Donnett Hawkes  Ruth Israelsen  Janet Bernhisel  Marilyn Israelsen</p>
<p>NLG 05/06  Professional Dev &amp; Technology Center  2035 N 1200 East  North Logan</p>	<p>Bonnie Jorgensen  Dot Larson  Debbie Hillyard  Richard Andrus</p>
<p>PAR  Town Hall  9035 S 100 West  Paradise</p>	<p>L. Diane Roundy  Jeanne Holmstead  Cheryl Atwood  Bev Schiefer</p>
<p>PRO 01/02/03/04/05  Providence 1<sup>st</sup> Ward LDS Church  420 W 100 North  Providence</p>	<p>Nola Call  Marilyn Bell  Sherma Riggs  Gayle Knapp</p>

	Mary Ann Henke Shauna Flammer Deanna Budge Julie Barker Brenda Dickey LaVoy Robinson
RCH 01/02/COV Community Building 6 West Main Street Richmond	Bob Leatham Terri Bland Joyce Allen LaDawn Allen
RVH 01/02 City Office 520 S 500 East River Heights	Susan Rasmussen Lisa Jamison JoAnn Mickelson Bessie Wakefield
SMI 01/02/03/04/05 Armory 50 E 100 North Smithfield	Diane Weeks Marilyn Mecham Linda Coates Tammy Jewkes Bud Covington M Clair Haslam Diane Haslam Ron Thorkildsen
SMI 06/07 Smithfield Fire Station 325 W 100 North Smithfield	Patricia Nielson Susannah Wheeler Marilyn Lindley Marilyn Nielson
TRE Town Hall 17 E Main Trenton	Debbie Davis Reatha Hansen Ila Litz Donna Andrew
WEL 01/02/0304 4 <sup>th</sup> – 8 <sup>th</sup> Ward LDS Church 49 W 200 South Wellsville	Valorie Hall Darla Moore Liza Gleason Jolene Mitton
Alternate(s)	Florence Hall Nadine Schoonmaker

CACHE COUNTY, UTAH  
ORDINANCE NO. 2007-10

**AN ORDINANCE IMPOSING A 1% TOURISM, RECREATION, CULTURAL, AND CONVENTION TAX AND PROVIDING FOR THE PERFORMANCE BY THE STATE TAX DIVISION OF ALL FUNCTIONS INCIDENT TO THE ADMINISTRATION, OPERATION, AND COLLECTION OF THE TAX AND FOR THE USE OF THE REVENUES FROM THIS TAX.**

The County Council of Cache County, Utah, in a regular meeting, lawful notice of which has been given, finds that Section 59-12-603, Utah Code Annotated, 1953 as amended, enables the County Council, as the legislative body of Cache County, to impose a tourism, recreation, cultural, and convention tax not to exceed 1% of all sales of prepared foods and beverages that are sold by restaurants and to apply the revenue there from, in whole or in part, to tourism promotion and the development, operation, and maintenance of tourist, recreation, cultural, and convention facilities as defined in Section 59-12-602, Utah Code Annotated, 1953 as amended. The County Council finds that it is in the best interest of Cache County and its citizens that a tourism, recreation, cultural and convention tax be imposed.

NOW THEREFORE BE IT ORDAINED BY THE COUNTY COUNCIL FOR CACHE COUNTY, UTAH, AS FOLLOWS:

SECTION 1: TITLE

This ordinance shall be known as the "Tourism, Recreation, Cultural, and Convention Tax Ordinance of Cache County."

SECTION 2: PURPOSE

It is the purpose of this ordinance to impose a tourism, recreation, cultural, and convention tax for the purposes of financing, in whole or in part, tourism promotion, and the development, operation, and maintenance of tourist, recreation, cultural, and convention facilities as defined in Section 59-12-602, Utah Code Annotated, 1953 as amended.

SECTION 3: DEFINITIONS

As used in this ordinance:

- (1) "CONVENTION FACILITY" means any publicly owned or operated Convention center, sports arena, or other facility at which conventions, Conferences, and other gatherings are held and whose primary business or function is to host such conventions, conferences, and other gatherings.
  
- (2) "CULTURAL FACILITY" means any publicly-owned or operated museum,



theater, art center, music hall, or other cultural or arts facility.

(3) "RECREATION FACILITY" or "TOURIST FACILITY" means any publicly owned or operated park, campground, marina, dock, golf course, water park, historic park, monument, planetarium, zoo, bicycle trails, and other recreation or tourism-related facility.

(4) "RESTAURANT" includes any coffee shop, cafeteria, luncheonette, soda fountain, or fast-food service where food is prepared for immediate consumption. In accordance with the provisions of Tax Bulletin No. 8-91, effective July 1, 1991, as promulgated by the Utah State Tax Commission, a "restaurant" is any retail establishment whose primary business is the sale of foods and beverages prepared for immediate consumption. Examples include full-service restaurants, fast-food restaurants, and their drive-in windows, concession stands at malls or fairs, and employee or school cafeterias.

#### SECTION 4: IMPOSITION OF TAX

There is hereby levied for collection a tourism, recreation, cultural, and convention tax on all restaurants, as defined herein, in Cache County, Utah, at the rate of 1% on all sales of prepared foods and beverages that are sold by restaurants for the period October 1, 2007 to September 30, 2008.

#### SECTION 5: USE OF REVENUES

The revenues received from the tourism, recreation, cultural, and convention tax shall be used solely for the purposes of financing, in whole or in part, tourism promotion, and the development, operation, and maintenance of tourist, recreation, cultural, and convention facilities as defined herein.

#### SECTION 6: COLLECTION

All taxes collected hereunder shall be collected by the Utah State Tax Commission pursuant to Chapter 12, Title 59, Utah Code Annotated, 1953 as amended, as and in the manner for other state and local sales and use taxes. The County Executive is authorized and directed to negotiate with the Utah State Tax Commission for and to execute the necessary contracts for the provision of such services by the Utah State Tax Commission. Taxes imposed under this ordinance shall be levied at the same time and collected in the same manner as provided for other state and local sales and use taxes in Chapter 12, Title 59, Utah Code Annotated, 1953 as amended.

#### SECTION 7: LICENSURE

All persons, companies, corporations or other similar persons, groups, or organizations engaged in or doing business as a restaurant or restaurants shall obtain from the Utah State Tax Commission a tourism, recreation, cultural or convention tax license; provided however, that no such additional license shall be required if the person, company, corporation, group, or organization has

already obtained and maintains a license pursuant to Section 59-12-106, Utah Code Annotated, 1953 as amended.

SECTION 8: ADVISORY BOARD

The Cache County Executive may establish an advisory board for the purposes of making recommendations for the allocation and application of revenues derived from the tourism, recreation, cultural, and convention tax. The board shall be advisory in nature only. The County Executive shall determine the composition of the advisory board; provided, however, that all appointments to that board shall be upon and with the advice and consent of the Cache County Council.

SECTION 9: ALLOCATION AND APPLICATION OF REVENUES

The Cache County Executive shall submit recommendations to the Cache County Council for the allocation and application of the revenues derived from the tourism, recreation, cultural, and convention tax. Acting upon such recommendations, the Cache County Council then, by resolution, shall approve the allocation and application of such revenues.

SECTION 10: EFFECTIVE DATE

This ordinance shall become effective upon approval and publication in the manner provided by law.

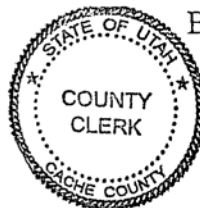
This ordinance was adopted by the Cache County Council on the 9 day of October 2007, upon the following vote:

	<u>IN FAVOR</u>	<u>AGAINST</u>	<u>ABSTAINED</u>	<u>ABSENT</u>
<u>CHAMBERS</u>	X			
<u>GIBBONS</u>				X
<u>HANSEN</u>	X			
<u>PETERSEN</u>	X			
<u>ROBISON</u>	X			
<u>YEATES</u>	X			
<u>ZILLES</u>	X			
<u>TOTAL</u>	6			1

CACHE COUNTY COUNCIL

By:

*John A. Hansen*  
David L. Gibbons, Chairman  
John A. Hansen, Vice Chairman



ATTESTED BY:

*Jill N. Zollinger*  
Jill N. Zollinger  
Cache County Clerk

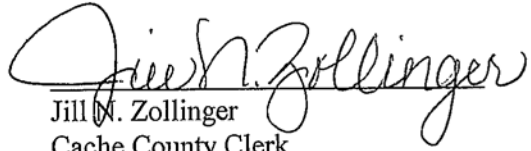
Publication Date: *October 24, 2007*

ORDINANCE ACTION = ORDINANCE NUMBER 2007-10

PRESENTATION TO THE COUNTY EXECUTIVE:

Ordinance number 2007-10, adopted by the Cache County Council on the 9<sup>th</sup> day of October, 2007, is herewith presented to the Cache County Executive for approval or disapproval. The County Executive shall notify the County Clerk of his approval or disapproval on or before the 24<sup>th</sup> day of October, 2007. If the County Executive disapproves, he shall submit a written statement of his objections with the notice of disapproval.

Submitted this 10<sup>th</sup> day of October, 2007.

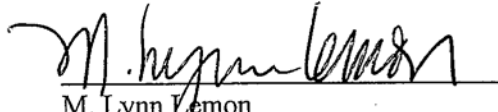
  
Jill N. Zollinger  
Cache County Clerk

Action of County Executive:

Ordinance Number 2007-10 is hereby:

Approved  
 Disapproved (Written statement of objection attached)

Dated this 11 Day of October 2007.

  
M. Lynn Lemon  
Cache County Executive

Notice of Non-action:

Ordinance Number 2007-10 was presented to the Cache County Executive on the \_\_\_\_ Day of \_\_\_\_\_ 2007 and was neither approved nor disapproved by him within 15 days after presentation to him. Therefore, the ordinance has been recorded, published, and is in full force and effect as of this \_\_\_\_ Day of \_\_\_\_\_ 2007.

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

Ordinance History:

Date adopted by the County Council 10/09/2007  
Date presented to the County Executive 10/10/2007  
Date approved/disapproved by County Executive \_\_\_\_\_

Action by Council upon return:

Disapproval overridden \_\_\_\_\_

Disapproval sustained \_\_\_\_\_

Date 15 day period ended 10/24/2007  
Date of publication or notice \_\_\_\_\_  
Effective date of ordinance \_\_\_\_\_  
Date filed in County Clerk's office 10/10/2007

CACHE COUNTY  
RESOLUTION NO. 2007-32

A RESOLUTION APPROVING THE ALLOCATION OF REVENUES FROM THE TOURISM, RECREATION, CULTURAL AND CONVENTION TAX TO LOGAN CITY FOR APPLICATION TO THE ELLEN ECCLES THEATER AND BULLEN CENTER.

The County Council of Cache County, Utah, in a regular meeting, lawful notice of which has been given, finds that Section 9 of Ordinance No. 96-01 authorizes the County Council, acting upon the recommendation of the Cache County Executive, to approve the allocation and application of revenues derived from the 1% tourism, recreation, and cultural and convention tax; that the Cache County Executive has recommended the allocation to Logan City of an amount not exceeding \$77,165.00 for application thereof to the Ellen Eccles Theater and Bullen Center, a public facility as defined by state law and Ordinance No. 96-01, and that this is an acceptable and appropriate allocation and application of revenues derived from that Tax.

THEREFORE, the Cache County Council hereby adopts the following resolution:

BE IT RESOLVED that:

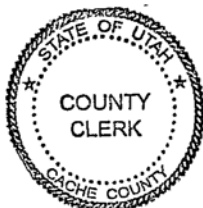
Section 1: Allocation of Tax to Logan City

The allocation of an amount equal to the principal and interest accruing on the P.C.I.B. loan as of July 2006, not to exceed \$77,165.00 from the 1% tourism, recreation, cultural and convention tax collected for the period October 1, 2007 to September 30, 2008, to Logan City for its exclusive application thereof to the Ellen Eccles Theater and Bullen Center which are under the management of the Capitol Arts Alliance (aka Cache Valley Center for the Arts) is hereby approved.

Section 2: Effective Date:

This resolution shall become effective immediately upon adoption.

This resolution was adopted by the Cache County Council on the 9th day of September, 2007.



ATTEST TO:

*Jill N. Zollinger*  
By:

Jill N. Zollinger, County Clerk

CACHE COUNTY COUNCIL

By

*John A. Hansen*  
Daniel L. Gibbons, Chairman  
John A. Hansen, Vice Chairman



**Neighborhood Nonprofit Housing Corporation**  
**95 West Golf Course Road, Suite 104**  
**Logan, Utah 84321**  
**Phone: (435) 753-1112**  
**Fax: (435) 753-6112**

October 9, 2007

Cache County Executive and Council Members:

Neighborhood Nonprofit Housing Corporation (NNHC) respectfully requests that Cache County sponsor our CDBG application for the construction of an office building. NNHC serves only very low- and low-income individuals, with an emphasis on first-time homebuyers, people with disabilities and seniors. Because our clients live on such limited incomes, we generally do not charge for our services. This means that we must obtain grant funding for our office lease and related overhead costs. Since the availability of grant funding changes from year to year, the NNHC Board and Executive Committee have determined it is in the best interest of the agency and the clients we serve that we acquire our own building. Initial design work has been completed; the building is expected to cost approximately \$482,680. NNHC has been awarded \$150,000 in RHED funding from HUD for the development of our office, and is requesting \$100,000 in CDBG funding for the same purpose. NNHC will provide an additional \$100,000 and obtain a mortgage from Wells Fargo for the remainder of the funding. The project is ready to proceed; NNHC owns land (and is not seeking reimbursement for this cost) that is zoned correctly; the building has been through design review and can now be issued a building permit.

NNHC will provide financial counseling to approximately 60 families working to become homeowners in the future, and create housing for approximately 93 families in 2008 through the following programs:

- 13 Self Help Homes in Nibley
- 12 Self Help Homes in Richmond
- 6 Self Help Homes in Corinne
- 10 homes in Logan
- 12 homeownership opportunities for people with disabilities throughout the state
- 12 units of rental housing for very low-income agricultural workers in Tremonton
- 22 Rental Housing units for very low-income developmentally disabled households in Brigham City

The State CDBG Office has determined that Cache County can sponsor this application, based on the people we serve and the portion of the building costs that are being requested. This request will provide NNHC the ability to continue to serve our clients should future grant funding opportunities be reduced.

Sincerely,

Kim C. Datwyler  
Executive Director

RECEIVED

SEP 18 2007

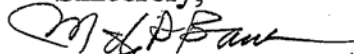
EXECUTIVE

CACHE COUNTY  
199 N MAIN LOGAN UT 84321

Dear Lynn,

We are the Cache Valley Veterans Assn. planning to build a thirty two unit housing for disabled or handicapped veterans. It will be individual units with a miny kitchen for every two individuals. It will be in Hyrum close to shoping facilities as well as other comunity facilities. The cost will be about \$960,000 and we plan to raise the money so that there will not be a debt after it is built. We would like to apply for a CDBG grant to assist in this cost. We have some funds and promises of other funds as we progress.

Sincerely,

  
Milo D Bauer



The Multicultural Center of Cache Valley  
290 North 400 East Logan, Utah 84321  
Phone: 435-753-8486, Fax: 435-753-1088  
E-mail: [leo@mccutah.org](mailto:leo@mccutah.org)

### CASH CONTRIBUTION RECEIPT

September 12, 2007  
Mr. Lynn Lemon, County Executive  
Cache County Offices  
199 North Main  
Logan, Utah 84321

Dear Mr. Lemon:

The Multicultural Center Of Cache Valley (The Center) is soliciting the County's support and sponsorship of our application for funding through the Community Development Block Grant (CDBG) Program: Year 2007-2008.

The opportunity for funding through the CDBG to The Center cannot be understated. The Center's mission is to assist minorities in Cache Valley who requested assistance in reaching their full potential as citizens of, and visitors to, the United States. We promote the integration of minorities into the community without the loss of the rich cultural heritage of the many nations from which they originate. We are devoted to providing services related to social integration including help with bureaucratic applications, legal issues, and immigration matters. The Center provides Family Advisement Services, Sponsors Crime Prevention Seminars, and operates driver license classes. Many of these services have been done in cooperation and with the support of the Logan City Police Department.

We have been assisting the minority community since 1994, and we are committed to continuing these services, and improving our ability to serve, far into the future. However, our efforts are limited, not by our enthusiasm or commitment, but by funding. Our funding for 2007 is approximately \$52,000, which includes \$16,000 through Logan City CDBG funding, \$36,000 00 in private donations. This funding allows us to maintain our current services, but does not allow us to provide increased levels of help that is needed in this community.

One of our major concerns is the inadequate physical assets at our disposal. We have not had the chance to improve our facilities and assets over the past 10 years. In order to meet our needs for education, family services, and transport, we are seeking the following equipment:


1.	Lap-Top Computer	Approximate Cost: \$ 1,300
2.	Four Computers	Approximate Cost: \$ 4,800
3.	Laser Printer/Copier	Approximate Cost: \$ 1,500
4.	Power Point Projector	Approximate Cost \$ 1,500
5.	Two work desks	Approximate Cost \$ 1,200
6.	Fifty classroom chairs	Approximate Cost \$ 25,000
7.	One 15-Passenger van	Approximate Cost \$ 3,500
8.	Furnishings-Kids area	Approximate Cost \$ 500
	Total Request	\$ 39,300

Without the County's support and sponsorship, we do not have the opportunity to apply for the CDBG funding that we need. We look forward to your support of our application.

If you have any questions, Mr. Lemon, please feel free to contact Leo Bravo, Executive Director of The Multicultural Center at (435) 753-8486 or [leo@mccutah.org](mailto:leo@mccutah.org)

Thank you very much for our consideration on this request for funding.

Sincerely,

  
 Leo Bravo  
 Executive Director