

APPROVED

**CACHE COUNTY
COUNCIL MINUTES
JUNE 08, 2010**

CACHE COUNTY COUNCIL
June 08, 2010

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CACHE COUNTY COUNCIL MEETING
June 08, 2010

The Cache County Council convened in a regular session on June 08, 2010 at 5:00 p.m. in the Cache County Council Chamber at 199 North Main, Logan, Utah.

ATTENDANCE:

Chairman: Gordon Zilles
Vice Chairman: Jon White
Council Members: Craig "W" Buttars, Brian Chambers, H. Craig Petersen, Kathy Robison & Cory Yeates.
County Executive: M. Lynn Lemon
County Clerk: Jill N. Zollinger
County Attorney: Don Linton. **James Swink, absent.**

The following individuals were also in attendance: Rachel Christensen, Don Davis, J. Clair Ellis, Bart Esplin, Hal Fronk, Chief Rod Hammer, Sharon L. Hoth, Nancy Jabbs, Kree Lindsay, Brian Lyon, John Newhall (Congressman Bishop's office), Dave Nielsen, Joseph Nielsen, Dave Wind, Lynn Zollinger, **Media:** Charles Geraci (Herald Journal), Jeremy Threlfall (KUTA-TV).

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

Executive Lemon asked that Item 11d – *County Justice Court Approve application process* – be removed from the agenda because pertinent information is still being gathered.

ACTION: Motion by Council member Buttars to approve the agenda with Item 11d – *County Justice Court Approve application process* – removed. White seconded the motion. The vote was unanimous, 7-0.

REVIEW AND APPROVAL OF MINUTES

ACTION: Motion by Council member Yeates to approve the minutes of the May 25, 2010 Council Meeting as corrected. Robison seconded the motion. The vote was unanimous, 7-0.

REPORT OF THE COUNTY EXECUTIVE: M. LYNN LEMON

APPOINTMENTS: N. George Daines Justice Court Nominating Committee

Executive Lemon explained that the Nibley, Hyrum Justice Court Judge is retiring in July and new law requires that justice court judges be approved by a judicial committee and recommends that N. George Daines be Cache County's representative on the Justice Court Nominating Committee.

ACTION: Motion by Council member Yeates to approve the recommended appointment of N. George Daines as Cache County's appointment to the Justice Court Judge Nominating Committee. Robison seconded the motion. The vote was unanimous, 7-0.

WARRANTS: Warrants for the period 05-14-2010 to 05-20-2010 were given to the clerk for filing.

OTHER ITEMS

- TV Translator** – Executive Lemon noted that the county has received construction permits for KBYU and Channel 30 (CW30), but does not have all the equipment yet. KBYU and Channel 30 are trying to raise the money for the equipment which means those channels will become available sometime in the future for residents using the translator for television reception.
- Sales Tax Comparison** sheets were distributed to the Council by Executive Lemon for the Council's review and reported the sports and recreation tax will end on June 30, 2010. Enough money has been accumulated to pay off the bonds early.

(Attachment 1)

- CCCOG Meeting** – The Council of Governments (CCCOG) met and adopted a schedule/calendar that Executive Lemon gave to Council members. The goal is to have road projects rated and ranked and recommended to the County Council by September 14, 2020.

Council member Petersen said it seems that a project for a road right-of-way may not score high enough with the scoring system to be considered. Lemon responded that the Council might consider the road right-of-way and scoring system as an agenda item for discussion. Petersen asked that the issue be placed on the June 29, 2010 Council agenda for discussion.

Executive Lemon commented that the county should submit an application for a project. CCCOG has asked that the county notify them by July 1, 2010 if a project is going to be submitted by the county.

Council member Chambers again asked about revisiting the merits of bonding.

Lemon replied the CCCOG is considering a review of bonding after the project requests have been received.

(Attachment 2)

- Solid Waste Advisory Board** will tour the proposed landfill site at Clarkston (the Northern Valley Landfill) on June 28, 2010. The tour will meet at 8:00 a.m. at the Logan Environmental Department building, 450 North 1000 West, Logan or at the Clarkston Cemetery at 8:30 a.m. Lemon invited Council members to attend if they desire. Executive Lemon observed that it is likely that Cache County, who is

a member of NURLA, will not be able to reach an agreement with Box Elder county.

ITEMS OF SPECIAL INTEREST

- **Presentation of Worker's Compensation premium check and report on UCIP – Johnnie Miller, Chief Executive Officer**, explained UCIP's history with Cache County noting that Cache County has an estimated equity of over \$250,000.00 of the pool's surplus. As a result, Cache County will be first in line when dividends are paid sometime in the future.

Cache County Attorney James Swink has been appointed a member of the UCIP Litigation Management Committee.

Cache County overestimated its 2009 payroll projections which resulted in a refund from UCIP of \$5300.00. UCIP also restructured its workers compensation program by partnering with Workers Compensation Fund of Utah and UCIP received a credit because it is one of the largest members of the Workers Compensation Fund of Utah. Cache County's share of that credit is about \$2,200.00. Adding the two figures together, Miller presented Cache County with a check for \$7,574.31 which is a return of premium for the 2009 workers compensation year.

In response to Council member Chambers' question of which counties are not UCIP members, Miller listed Salt Lake, Grand and Summit counties.

(Attachment 3)

PUBLIC HEARINGS, APPEALS AND BOARD OF EQUALIZATION MATTERS

PUBLIC HEARING: JUNE 09, 2010 – 5:30 P.M. – Rezone from the Forest Recreation Zone to the Mineral Extraction Zone on 640 acres located approximately two miles north of Mantua (Mt. Pisgah Rezone) – Director Runhaar indicated that the primary staff concerns are ingress and egress issues. The mineral extraction will occur on a rolling five acres process.

Chairman Zilles opened the Public Hearing and invited public comment.

Hal Fronk, the agent on the project, said they have the state mining permit for the project and are required to meet all of the Mine Safety and Health Administration (MSHA) rules.

There was no other public comment.

ACTION: Motion by Council member Petersen to close the Public Hearing – June 08, 2010 – Rezone from the Forest Recreation Zone to the Mineral Extraction Zone- Mt. Pisgah Rezone. Yeates seconded the motion. The vote was unanimous, 7-0.

Chairman Zilles asked what the limestone will be used for? Fronk said concrete, air and water quality scrubbers, plastics all use limestone.

BUDGETARY MATTERS

◆ **Intra-Departmental Transfer**

Airport

Transfer \$1,500.00 from Snow Removal to Misc Services to pay for Airport Open House LGU Aviation Association

(Attachment 4)

Council member Chambers left the podium.

ACTION: Motion by Council member Yeates to approve the budget transfer of \$1,500.00. Robison seconded the motion. The vote was unanimous, 6.0. Chambers absent.

Council member Chambers returned to the podium.

PENDING ACTION

□ **Discussion – Proposed Amendments to the Cache County Road Standards**

Director Runhaar reported that the Planning Commission met Thursday, June 3, 2010 and discussed the current ordinances pertaining to roads in depth and concerns were expressed about where the new ordinance will reside. Opinions were offered for Title 16, Section 12 and Title 15. Runhaar said he believes it doesn't matter as long as there is a statement establishing the Planning Commission as the recommending body.

Council member Petersen asked if Planning Commission members expressed any preferences regarding the three options Runhaar presented to the Council at its last meeting? Runhaar said the Commissioners didn't really discuss the options, but two commissioners had said they like Option C. Most of the Planning Commission members favored a "build over time" concept and Option C best accommodates that concept.

Clair Ellis said the mindset of the Planning Commission in reviewing the current ordinance(s) was to see where we are, what the problems are and how do we solve those problems. Ellis observed that the Planning Commission never sees the capital improvement budget which they feel should be available as part of the planning process including Development Services having a presence at the capital improvement budget meeting. The Planning Commission will have a mid-month meeting on Monday, June 14, 2010 at 5:30 p.m. Ellis said the Commission wondered if a road access fee or impact fee could be instituted to help pay for the infrastructure improvements. Attorney Linton countered that impact fees are not legally supportable and a tax increase is preferable to an impact fee. Runhaar agreed and said a study performed four or five years ago indicated that the fees would not generate enough revenue to be viable. Impact fees are also property specific and cannot be used countywide.

PUBLIC HEARINGS, APPEALS AND BOARD OF EQUALIZATION MATTERS

PUBLIC HEARING SET: JULY 27, 2010 – 5:30 P.M. – Proposed Amendments to Cache County Road Standards

ACTION: Motion by Council member Robison to set a Public Hearing for July 27, 2010 at 5:30 p.m. – Proposed Amendments to Cache County Road Standards. Yeates seconded the motion. The vote was unanimous, 7-0.

- **Ordinance 2010-03 – Adopting Procedures for the Application, Approval, and Issuing of Permits for Special Events (NO ACTION TAKEN)** – Attorney Linton noted that this copy reflects the changes proposed at the May 25, 2010 Council meeting.

Council member Petersen remarked that he thought there should be some indication that this ordinance amends the Cache County Code. Clerk Zollinger will check with the Sterling Codifiers to verify what language is needed.

- **Discussion – Surplus Property along Blacksmith Fork River – 33 acres, Parcel #17-002-0033** – Executive Lemon and Attorney Linton commented that this was property was conveyed to the county as part of the Coldwater settlement. However, the agreement was for approximately 37 acres but only 33 acres have been conveyed. This problem must be resolved before any action can be taken and will be on a future agenda.

INITIAL PROPOSAL FOR CONSIDERATION

- **Resolution No. 2010-17 – Approve Fee Schedule for Fairgrounds** – Executive Lemon said these are the fees currently charged and the Council's approval is needed.

(Attachment 5)

ACTION: Motion by Council member Buttars to waive the rules and approve Resolution No. 2010-17 – Fee Schedule for Fairgrounds. Yeates seconded the motion. The vote was unanimous, 7-0.

OTHER BUSINESS

- ✓ **Logan City Pioneer Parade – July 24, 2010 – 12:00 noon** – Council members Petersen and Yeates will be attending. Council member Chambers remarked that North Logan has a July 24th parade also. Executive Lemon will check to see if the Council has received an invitation.
- ✓ **Consider changing the date for the next County Council Meeting to June 29, 2010 rather than June 22, 2010** – On June 22, 2010 Executive Lemon will be out of town and Clerk Zollinger will be busy with the Primary Election.

ACTION: Motion by Council member Petersen to change the date of the June 22, 2010 Council meeting to June 29, 2010. Yeates seconded the motion. The vote was unanimous, 7-0.

COUNCIL MEMBER REPORTS

Brian Chambers reported that there is water in the lower canal and the pipes from the upper canal in Lundstrom Park have been buried.

The airport had a very successful open house this past weekend.

Craig Petersen asked if the wage listed in the advertisement for Pat Parker's vacated position is a monthly salary or an hourly wage. Executive Lemon said it is an hourly wage. Lemon also said that once he receives all the applications, he would like the candidates to come before a board consisting of him, Jim Smith and possibly the Council Chairman.

Jon White expressed frustration over the fact that in all of the news coverage of the proposed canal projects no mention is made of what the cost to the farmer is to dry farm instead of irrigate his land.

Kathy Robison reported that the Countywide Library Board has met and is working on ballot language for the countywide library question.

Robison stated that United Way will be the sponsor of the Volunteer Center and will be housed at BRAG.

Craig "W" Buttars informed the Council that he no longer has a land phone line and his cell phone number is 760-8147.

ADJOURNMENT

The Council meeting adjourned at 7:10 p.m.

ATTEST: Jill N. Zollinger
County Clerk

APPROVAL: Gordon A. Zilles
Chairman

2010 Transportation Funding Application Schedule

Voter Approved Transportation Project Sales Tax Funding

Cache County Council of Governments (CCCOG)

- June 10, 2010 Mail Funding Applications to Mayors
- July 1, 2010 Courtesy Notice of Intent to Apply Due (failure to submit will not disqualify application).
- August 2, 2010 Applications Due: By 5:00 P.M. Cache County Executive Office (Applicant must provide 21 copies).
- August 3, 2010 Mail all submitted applications to CCCOG voting members with score sheet.
- August 11, 2010 CCCOG member completed score sheets due to Jeff Gilbert for tally.
- August 16, 2010 CCCOG Meeting-Approve recommendation to County Council (may require one or more meetings).
- September 14, 2010 Cache County Council Meeting-Receive CCCOG recommendation.



Utah Counties Insurance Pool
Supporting Your Goals Since 1992

March 29, 2010

Jill Zollinger, Clerk
Cache County
179 North Main #102
Logan, UT 84321

Dear Jill:

Enclosed please find the worksheet calculating Cache County's audited payroll and premium for the 2009 workers compensation coverage policy year. Cache County received a return premium of **\$7,574.31** (see enclosed check).

While a few members' payroll was actually lower than what they had estimated, some member's actual 2009 payroll was as much as 50% higher than what was originally estimated and reported. Overall, members audited payroll was 10% higher than the estimated payroll provided in 2008. This created a total additional audited premium charge of nearly \$250,000.

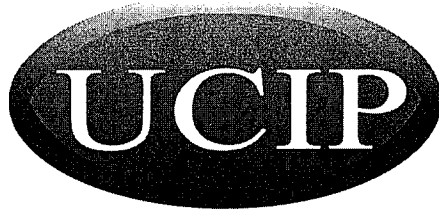
The Board considered the audited premium amounts and decided there was little need to develop surplus on the program that has now been restructured with the WCF. **In consideration of budget issues facing member counties, the Board has approved a *Post Policy Period Rate Reduction*. This effectively lowers the rates charged for 2009 and applied to the premium audit. This rate reduction significantly reduced Cache County's overall cost of workers compensation coverage for 2009.**

Please don't hesitate to contact me if you have any questions or concerns with your 2009 audited premium. Thanks for your continued support of the insurance program created by counties, for counties.

Sincerely,

Johnnie R. Miller
Chief Executive Officer

c: Jim Smith, Cache County Human Resources Director



Utah Counties Insurance Pool
Supporting Your Goals Since 1992

2009 Workers Compensation Premium Audit Worksheet

Member: Cache County

Class Codes	Description	2009 Audited Payroll	Rate per \$100 Payroll	2009 Audited Premium
5509	Street or Road	\$498,494	1.37	\$6,829.37
7710	Firefighters or Drivers	\$124,063	1.72	\$2,133.88
8810	Clerical Office Employees	\$1,625,125	0.18	\$2,925.23
9416	County Employees	\$8,287,602	2.42	\$200,559.97
Total Audited Payroll/Premium		\$10,535,284		\$212,448.44

Audited Premium Calculation

Manual Premium			\$212,448.44
Employers Liability	100/500/100	0.00	\$0.00
Experience Modification	\$212,448.44	1.02	\$4,248.97
Schedule Rating	\$216,697.41	0.00	\$0.00
Total Standard Premium			\$216,697.41
Premium Size Discount	\$216,697.41	0.0250	-\$5,417.44
Certified Acts of Terrorism	\$10,535,284	0.00	\$0.00
Catastrophe other than Certified Acts of Terrorism	\$10,535,284	0.00	\$0.00
Total Audited Premium			\$211,279.98
Deposit Premium Paid January 2010			\$216,614.00
Additional (Return) Premium			(\$5,334.02)
Post Policy Year Rate Adjustment			(\$2,240.29)
Adjusted Additional (Return) Premium			(\$7,574.31)

Payroll Estimate/Audit Summary					
Class Codes	Description	Estimated Payroll	Audited Payroll	\$ Variance	% Variance
5509	Street or Road	\$ 489,280	\$ 498,494	\$9,214	1.9%
7710	Firefighters or Drivers	\$ 139,690	\$ 124,063	-\$15,627	-11.2%
8810	Clerical Office Employees	\$ 1,318,457	\$ 1,625,125	\$306,668	23.3%
9416	County Employees	\$ 8,540,036	\$ 8,287,602	-\$252,434	-3.0%
Total		\$ 10,487,463	\$ 10,535,284	\$47,821	0.5%

REQUEST FOR INTRA-DEPARTMENTAL BUDGET TRANSFER

DEPARTMENT: Airport
DATE: 6/3/2010

Amount to be transferred -- (rounded to the nearest dollar) \$1,500.00

Transfer From ---

Line Item No. : 77-4460-261
Fund Designation: Snow Removal

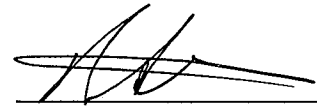
Original Budget: \$35,000.00
Current Budget: \$35,000.00
Expenditures to date: \$24,424.82
Balance before transfer: \$10,575.18
Balance after Transfer: \$9,075.18

Transfer To ---

Line Item No. : 77-4460-620
Fund Designation: Misc Services

Original Budget: \$2,575.00
Current Budget: \$2,575.00
Expenditures to date: \$1,852.39
Balance before transfer: \$722.61
Balance after Transfer: \$2,222.61

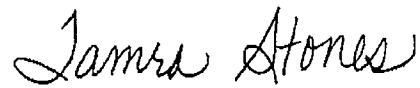
Description of needs and purpose of transfer ---
Transfer to pay for Airport Openhouse LGU Aviation Association.



Department Head

Recommendation: Approval Disapproval
Comments:

Date: 6/3/2010



Cache County Auditor

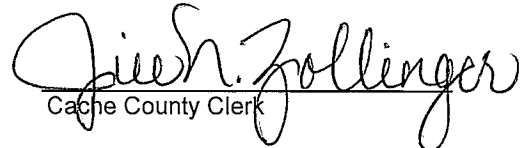
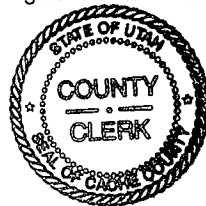
Recommendation: Approval Disapproval
Comments:

Date: 6/3/2010



Cache County Executive

Consented by the Cache County Council meeting in regular session on the 8th day of June, 2010.


Cache County Clerk

CACHE COUNTY

RESOLUTION NO. 2010-17

A RESOLUTION TO AMEND THE CACHE COUNTY FAIRGROUNDS FEE SCHEDULE.

The County Council of Cache County, State of Utah, in a regular meeting, lawful notice of which has been given, amends the Cache County Fairgrounds Fee Schedule.

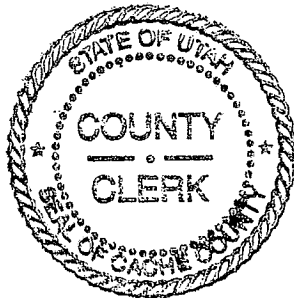
THEREFORE, the Cache County Council hereby adopts the following resolution:

BE IT RESOLVED that:

The proposal (See "Exhibit A" attached hereto and made a part hereof) amending the Cache County Fairgrounds Fee Schedule is hereby approved.

This resolution shall become effective immediately upon adoption.

DATED this 8th Day of June, 2010.



ATTEST TO:

Jill N. Zollinger

Jill N. Zollinger, Cache County Clerk

CACHE COUNTY COUNCIL:

By:

Gordon A. Zilles
Gordon A. Zilles, Chairman

Cache County Fairgrounds			
Rate Schedule			
<u>Facility</u>	<u>Fee</u>	<u>Units</u>	<u>Deposit Amount</u>
Cache Arena w/livestock or motorized vehicles	\$ 45.00	Hourly	\$ 500.00
Cache Arena w/o livestock or motorized vehicles	35.00	Hourly	250.00
Cache Arena w/livestock or motorized vehicles	400.00	Daily	500.00
Cache Arena w/o livestock or motorized vehicles	200.00	Daily	250.00
Outdoor Arena w/ livestock or motorized vehicles	45.00	Hourly	500.00
Outdoor Arena w/o livestock or motorized vehicles	35.00	Hourly	250.00
Outdoor Arena w/ livestock or motorized vehicles	450.00	Daily	500.00
Outdoor Arena w/o livestock or motorized vehicles	200.00	Daily	250.00
Working Arena	20.00	Hourly	
Arena Riding Pass (Family-Season)	80.00	Seasonal	
Arena Riding Pass (Family-Annual)	110.00	Yearly	
Arena Riding Pass (Individual - Season)	55.00	Seasonal	
Arena Riding Pass (Individual - Annual)	80.00	Yearly	
Arena Riding Pass Daily	10.00	Daily	
Bowery	40.00	Daily	100.00
4-H Building	100.00	Daily	250.00
Community Arts	100.00	Daily	250.00
Cow Barn	50.00	Daily	100.00
Home Arts	100.00	Daily	250.00
Pavilion	100.00	Daily	250.00
Pig Barn	50.00	Daily	100.00
Rabbit Barn			
Boardwalk Concessions	100.00	Daily	250.00
Grand Stand Concessions (Fee depends on size of group)	100/300	Daily	300.00
Millburger Concessions	300	Daily	300.00
Pit Stop Concessions	300.00	Daily	300.00
Green Space	75.00	Daily	250.00
Horse Stall & Corral Rental	75.00	Monthly	100.00
Horse Stall Late Fee	18.00		
Bleachers Onsite (Each Set, 8 Sets Available)	Free	Daily	200.00
Bleachers Offsite within 5 miles of Fairgrounds	50.00	Per Bleacher Per Day	200.00
Bleachers Offsite Farther then 5 Miles of Fairgrounds	25 + Labor	Per Bleacher Per Day	200.00
Portable Stage (add \$400 for setup)	250.00	Daily	500.00
RV Dump	5.00	Per Dump	
Event Camping	15 + Tax	Nightly	
Non-Event Camping	25 + Tax	Nightly	
Overnight Horse Stall Rent	15.00	Nightly	
Sheriff Security Fee (Determined by provider)			
Staff Fee	35.00	Hourly	
Grader w/ operator (per state contract)	135.00	Hourly	
Tank Truck w/ operator (per state contract)	95.00	Hourly	
Walker	25.00	Monthly	