

APPROVED

**CACHE COUNTY
COUNCIL MEETING
MINUTES
FEBRUARY 24, 2015**

COUNTY COUNCIL MEETING

February 24, 2015

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CACHE COUNTY COUNCIL MEETING
February 24, 2015

The Cache County Council convened in a regular session on February 24, 2015 at 5:00 p.m. in the Cache County Council Chamber at 199 North Main, Logan, Utah.

ATTENDANCE:

Chairman: Kathy Robison
Vice Chairman: G. Gregory Merrill
Council Members: David Erickson, Val Potter, Cory Yeates & Gordon Zilles.
Jon White absent.
County Executive: Craig "W" Buttars
County Clerk/Auditor: Jill N. Zollinger
County Attorney: James Swink

The following individuals were also in attendance: Janeen Allen, Attorney Lee Edwards, Josh Greer, Sharon L. Hoth, Kristine Johnson, Treasurer Craig McAllister, Dale Meyer, Dave Nielsen, Jill Parker, Travis Peterson, Tim Rawlings, Director Josh Runhaar, Sid Zollinger, **Media:** Shannon Nielsen (Herald Journal), Jennie Christensen (KVNU).

OPENING REMARKS AND PLEDGE OF ALLEGIANCE

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

REVIEW AND APPROVAL OF AGENDA

Chairman Robison asked that Item 12a-*Ordinance No. 2015-04-Amending Ordinance No. 2014-10*-be removed from the agenda pending additional information.

ACTION: Motion by Council member Yeates to approve the agenda as amended. Potter seconded the motion. The vote was unanimous, 6-0. White absent.

REVIEW AND APPROVAL OF MINUTES

ACTION: Motion by Council member Yeates to approve the minutes of the February 10, 2015 Council meeting as written. Zilles seconded the motion. The vote was unanimous, 6-0. White absent.

REPORT OF THE COUNTY EXECUTIVE: CRAIG "W" BUTTARS

APPOINTMENTS: Lee Wayne Edwards Deputy County Attorney

ACTION: Motion by Council member Potter to approved the recommended appointment. Yeates seconded the motion. The vote was unanimous, 6-0. White absent.

WARRANTS: There were no warrants.

OTHER ITEMS:

- Human Resources Director** – Executive Buttars announced that Cory Wood will start as the Director of Human Resources next Monday, March 2, 2015.

- **Property Tax** – Executive Buttars explained that financial matters for this parcel were paid out of the same fund as a local hospital. The hospital was sold and the purchasing entity paid off the taxes for the hospital, but this business entity was not included in that transaction. The taxes were paid as soon as the individual realized the situation. The payment is short \$99.26 because of additional interest accrued during the sorting out of the facts in the case. Buttars asked the Council to approve abatement of the \$99.26. *(Details are on file in the Cache County Treasurer's office.)*

ACTION: Motion by Council member Potter to approve abatement of the \$99.26. Yeates seconded the motion. The vote was unanimous, 6-0. White absent.

- **Legislative Issues** – Executive Buttars called the Council's attention to SB 167, HB 348 and HB 362 as having serious consequences to the county.

Attorney Swink indicated SB 167 takes away the right of a juvenile (or the parent of a juvenile) held on a third degree felony to waive the juvenile's right to an attorney. The juvenile will have to be represented by an attorney. This could prove costly to individuals and the county.

HB 348 would lower the possession of some drugs to misdemeanor status and pushes much of the prosecution, housing and treatment costs on the counties' shoulders.

HB 362 deals with transportation funding. Counties want more of a voice in how funding is distributed. Some Council members are not satisfied with the representation and communication from UAC on this issue. Vice Chair Merrill asked Executive Buttars to convey to the President of the UAC Board Cache County's strong feelings about a seeming lack of interaction with counties.

ITEMS OF SPECIAL INTEREST

- **Utah Division of Wildlife Presentation of PILT Check – Justin Dolling** presented a check for \$9,053.23 as payment in lieu of taxes. The Utah Division of Wildlife Resources owns and manages about 2,100 acres in Cache County. Sales of hunting and fishing licenses generate the funds.

Executive Buttars asked Dolling to expound on the urban wildlife meeting coming in March. Dolling said the meeting will be March 26, 2015 in the Council Chambers at 6:00 p.m. There will be a forum focusing primarily on urban deer with a discussion of how the Utah Division of Wildlife Resources is going to move forward on the issue and how the cities can be partners in solving the urban deer problems in the valley.

- **Cache Valley Rendezvous – Dale Major** reminded the Council of the February 27 – March 1, 2015 Cache Valley Cowboy Rendezvous at Mountain Crest High School in Hyrum. Major thanked the Council for RAPZ funding and the Cache Valley Visitors Bureau for its assistance.
- **Bear River Health Department – Emissions Program Review – Josh Greer** reported that about 40,000 vehicles were tested from January 2014 to January 2015 with 84% of vehicles passing the first time. The majority of those whose vehicles fail are making the

necessary repairs and passing. Greer also reported on undercover audits of inspection stations, training, waivers, and changes to the waiver conditions.

- **Proposal to Amend Ordinance No. 2013-04 – Implementation of a Vehicle Emissions and Maintenance Program in Cache County** – Some Council members objected to continued waivers for vehicles for which parts are no longer available. Greer will work with the County Attorney to revise some of the language concerning the waiver conditions and bring back a corrected amendment for the Council to review.

UNIT OR COMMITTEE REPORTS

- **Senior Citizens Center – Kristine Johnson** urged Council members to visit the Center and thanked the County for its support. Johnson reported on the following:
- over 10,000 hours of volunteer service (equals five paid employees) – Meals-on-Wheels, grounds care, quilting, class instruction
 - served 12,000 lunches
 - transported over 2,000 seniors to the Center, doctors, etc.
 - have 110 volunteers for Meals-on-Wheels who served 35,000 meals

The Council commended Johnson on her work.

PUBLIC HEARINGS, APPEALS AND BOARD OF EQUALIZATION MATTERS

PUBLIC HEARING: FEBRUARY 24, 2015 – 6:00 P.M. – OPEN 2015 BUDGET – Executive Buttars reviewed adjustments to the 2015 budget. Vice Chair Merrill asked how RAPZ projects/funding is followed up on. Cameron Jensen is the RAPZ/Restaurant Tax Coordinator and recipients have two years to use their awarded funds.

Chairman Robison opened the public hearing and invited public comment. *(See Attachment 1 to Resolution No. 2015-03-Amendments to 2015 Budget-for details.)*

Bill Bower expressed concern over outstanding purchase orders from the previous year.

There was no other public comment.

ACTION: Motion by Council member Potter to close the Public Hearing-February 24, 2015-6:00 p.m.-Open 2015 Budget. Yeates seconded the motion. The vote was unanimous, 6-0. White absent.

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

THE COUNCIL CONVENED AS A BOARD OF EQUALIZATION

- **Property Tax Exemption Requests**
 - Assembly of God/Casa Del Alfarero
 - Bear River Mental Health Services
 - Cache Valley Bible Evangelical Free Fellowship Church
 - Cache Valley Unitarian Universalists
 - Emmanuel Baptist Church
 - First Presbyterian Church

- Holy Trinity Lutheran Church
- Mount Horeb Northwest Latin Conference of the International Pentecostal Holiness Church
- New Life Fellowship
- Oriental Mission Church

ACTION: Motion by Council member Yeates to approve the Property Tax Exemption Requests. Erickson seconded the motion. The vote was unanimous, 6-0. White absent.

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

THE COUNCIL ADJOURNED FROM THE BOARD OF EQUALIZATION.

PUBLIC HEARING SET: MARCH 10, 2015-5:30 P.M.-ORDINANCE 2015-03-AMENDMENTS TO TITLE 17 OF THE CACHE COUNTY ORDINANCE REGARDING KENNELS-Titles 17.07 Definitions, 17.09 Uses, and 17.10 Development Standards.

PUBLIC HEARING SET: NOVEMBER 10, 2015-6:00 P.M.-2016 BUDGET AND/OR TAX INCREASE HEARING.

ACTION: Motion by Council member Yeates to set Public Hearing-March 10, 2015-5:30 p.m.-Ordinance 2015-03-Amendments to Title 17 of the Cache County Ordinance Regarding Kennels-Titles 17.07 Definitions, 17.09 Uses, and 17.10 Development Standards AND set Public Hearing-November 10, 2015-6:00 p.m.-2016 Budget and/or Tax Increase Hearing. Erickson seconded the motion. The vote was unanimous, 6-0. White absent.

- **Resolution No. 2015-03-Amendments to 2015 Budget**

(Attachment 1)

ACTION: Motion by Council member Yeates to waive the rules and approve Resolution No. 2015-03-Amendments to 2015 Budget. Merrill seconded the motion. The vote was unanimous, 6-0. White absent.

- **Resolution No. 2015-04-Property Tax Deferral Payment Compliance Policy** – Attorney Swink said this resolution is in response to a motion approved by the Council at the February 10, 2015 Council meeting. This resolution contains a 90-day default clause and Swink recommends changing it to a 30-day default. Treasurer McAllister believes there needs to be more clarification concerning individuals owning multiple properties. Swink and McAllister will rework the resolution and submit a final draft to the Audit Committee for approval. Vice Chair Merrill directed Council members to email any suggestions to the County Attorney.
- **Property Tax Deferral Request** – The property owner did not file a claim for tax relief during the appeal period. *(Details are on file in the office of the Cache County Clerk/Auditor.)*

ACTION: Motion by Council member Potter to deny the Property Tax Deferral Request. Erickson seconded the motion. The vote was unanimous, 6-0. White absent.

OTHER BUSINESS

- ✓ **Meetings with Legislators during 2015 Legislative Session** – Saturdays from 7:30 a.m. to 8:30 a.m. beginning January 31, 2015 and running through March 7, 2015 – Cache County Administration Building Multipurpose Room.
- ✓ **2015 UAC Management Conference – April 29, 30, May 1, 2015 – Utah Valley Convention Center** – Chairman Robison asked Council members to notify Janeen Allen whether they will be attending.

COUNCIL MEMBER REPORTS

There were no reports.

EXECUTIVE SESSION

ACTION: Motion by Council member Yeates to adjourn to an Executive Session for a discussion of the purchase, exchange, or lease of real property. Zilles seconded the motion. The vote was unanimous, 6-0. White absent.

The Council adjourned to an Executive Session at 6:34 p.m.

ACTION: Motion by Council member Yeates to adjourn from the Executive Session. Erickson seconded the motion. The vote was unanimous, 6-0. White absent.

The Council adjourned from the Executive Session at 6:50 p.m.

ADJOURNMENT

ACTION: Motion by Council member Yeates to adjourn from the Council meeting. Erickson seconded the motion. The vote was unanimous, 6-0. White absent.

The Council meeting adjourned at 6:51 p.m.

ATTEST: Jill N. Zollinger
County Clerk

APPROVAL: Kathy Robison
Chairman

RESOLUTION NO. 2015 - 03

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 2015 are reasonable and necessary; that the said budget has been reviewed by the County Finance Director 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 the 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 2015 budget for Cache County:

See attached

Section 2.

Other than as specifically set forth above, all other matters set forth in the 2015 budget shall remain in full force and effect.

Section 3.

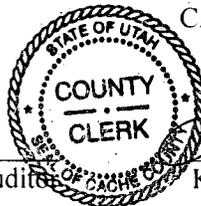
This resolution shall take effect immediately upon adoption and the County Finance Director and other county officials are authorized and directed to act accordingly.

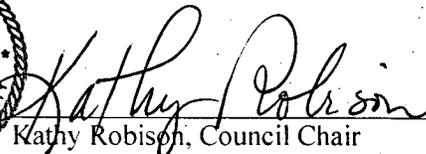
This resolution was duly adopted by the Cache County Council on the 24th day of February, 2015.

ATTESTED TO:

CACHE COUNTY COUNCIL


Jill N. Zollinger, Cache County Clerk/Auditor




Kathy Robison, Council Chair



BUDGET OPENING

Resolution: 2015-03

Hearing: February 24, 2015

6:00 PM

Department	Account	Title	Description	Adjustment
GENERAL FUND		Adopted Budget: \$22,315,465		Proposed Budget: \$22,729,224
Revenues				
GRANTS	100-33-10400	FED GRANT- HOMELAND SECURITY	Fire Rescue Equipment	17,761
CONTRIB./TRANSFERS	100-38-90000	APPROPRIATED FUND BALANCE	Auditor Staff	12,000
CONTRIB./TRANSFERS	100-38-90000	APPROPRIATED FUND BALANCE	2014 Purchase Order Carry-Over	356,482
CONTRIB./TRANSFERS	100-38-90000	APPROPRIATED FUND BALANCE	Court Management Interface	10,000
CONTRIB./TRANSFERS	100-38-92000	APPROP. FUND BALANCE - SAR	Search & Rescue Coats	17,516
Total Revenue Adjustment:				413,759
Expenditures				
WATER DEVELOP.	100-4115-310	PROFESSIONAL & TECHNICAL	2014 Purchase Order Carry-Over	86,974
WATER DEVELOP.	100-4115-481	WATER BROKERNG; AQUA STOR/RC	2014 Purchase Order Carry-Over	27,000
FINANCE	100-4132-110	SALARY	Auditor Staff	(34,557)
FINANCE	100-4132-130	EMPLOYEE BENEFITS	Auditor Staff	(19,823)
FINANCE	100-4132-240	OFFICE SUPPLIES	2014 Purchase Order Carry-Over	1,200
FINANCE	100-4132-620	MISC SERVICES	Property Tax Mailings	(21,300)
ITS	100-4136-251	NON-CAPITALIZED EQUIPMENT	2014 Purchase Order Carry-Over	1,984
ITS	100-4136-740	CAPITALIZED EQUIPMENT	2014 Purchase Order Carry-Over	28,000
AUDITOR	100-4141-110	SALARY	Auditor Staff	34,557
AUDITOR	100-4141-130	EMPLOYEE BENEFITS	Auditor Staff	19,823
AUDITOR	100-4141-210	SUBSCRIPTIONS & MEMBERSHIPS	Auditor Staff	500
AUDITOR	100-4141-230	TRAVEL	Auditor Staff	2,000
AUDITOR	100-4141-240	OFFICE EXPENSE	Auditor Staff	2,000
AUDITOR	100-4141-250	SUPPLIES & MAINT	Auditor Staff	2,500
AUDITOR	100-4141-251	NON-CAPITALIZED EQUIPMENT	Auditor Staff	4,500
AUDITOR	100-4141-280	COMMUNICATIONS	Auditor Staff	500
AUDITOR	100-4141-310	PROFESSIONAL & TECHNICAL	Internal Audit - Contract	45,000
AUDITOR	100-4141-310	PROFESSIONAL & TECHNICAL	Consulting Services	7,000
AUDITOR	100-4141-610	MISC SUPPLIES	Property Tax Mailings	13,100
AUDITOR	100-4141-620	MISC SERVICES	Property Tax Mailings	8,200
CLERK	100-4142-310	PROFESSIONAL & TECHNICAL	Internal Audit - Contract	(45,000)
CLERK	100-4142-310	PROFESSIONAL & TECHNICAL	Consulting Services	(7,000)
RECORDER	100-4144-250	EQUIPMENT SUPPLIES & MAINT	2014 Purchase Order Carry-Over	285
ATTORNEY	100-4145-311	SOFTWARE PACKAGES	Court Management Interface	10,000
ATTORNEY	100-4145-740	CAPITALIZED EQUIPMENT	2014 Purchase Order Carry-Over	4,259
BLDGS & GROUNDS	100-4160-720	BUILDINGS	2014 Purchase Order Carry-Over	9,896
CRIMINAL	100-4210-250	EQUIPMENT SUPPLIES & MAINT	2014 Purchase Order Carry-Over	1,029
CRIMINAL	100-4210-740	CAPITALIZED EQUIPMENT	2014 Purchase Order Carry-Over	38,210
PS ADMIN / SUPPORT	100-4211-210	SUBSCRIPTIONS	2014 Purchase Order Carry-Over	1,064
PS ADMIN / SUPPORT	100-4211-311	SOFTWARE PACKAGES	2014 Purchase Order Carry-Over	2,169
SEARCH & RESCUE	100-4216-740	CAPITALIZED EQUIPMENT	Search & Rescue Coats	17,516
FIRE DEPARTMENT	100-4220-250	EQUIPMENT SUPPLIES & MAINT	2014 Purchase Order Carry-Over	4,519
FIRE DEPARTMENT	100-4220-740	CAPITALIZED EQUIPMENT	Fire Rescue Equipment	17,761
FIRE DEPARTMENT	100-4220-740	CAPITALIZED EQUIPMENT	2014 Purchase Order Carry-Over	29,544
COUNTY JAIL	100-4230-260	BUILDING & GROUNDS	2014 Purchase Order Carry-Over	1,260
FAIRGROUNDS	100-4511-720	BUILDINGS	2014 Purchase Order Carry-Over	71,678
FAIRGROUNDS	100-4511-730	IMPROVEMENTS	2014 Purchase Order Carry-Over	17,879
FAIRGROUNDS	100-4511-740	CAPITALIZED EQUIPMENT	2014 Purchase Order Carry-Over	23,782
AG PROMOTION	100-4630-586	WEATHER MODIFICATION	2014 Purchase Order Carry-Over	4,750



BUDGET OPENING

Resolution: 2015-03
Hearing: February 24, 2015 6:00 PM

Department	Account	Title	Description	Adjustment
MISCELLANEOUS	100-4960-600	SUNDRY EXPENSE	2014 Purchase Order Carry-Over	1,000
Total Expenditure Adjustment:				413,759

ASSESSING & COLLECTING FUND **Adopted Budget: \$3,573,799** **Proposed Budget: \$3,671,232**

Revenues				
CONTRIB./TRANSFERS	150-38-90000	APPROPRIATED FUND BALANCE	2014 Purchase Order Carry-Over	97,433
Total Revenue Adjustment:				97,433
Expenditures				
ASSESSOR	150-4146-620	MISC SERVICES	2014 Purchase Order Carry-Over	97,433
Total Expenditure Adjustment:				97,433

MUNICIPAL SERVICES FUND **Adopted Budget: \$3,943,348** **Proposed Budget: \$4,424,255**

Revenues				
CONTRIB./TRANSFERS	200-38-90000	APPROP. FUND BALANCE - CLASS B	2014 Purchase Order Carry-Over	136,780
CONTRIB./TRANSFERS	200-38-92000	APPROPRIATED SURPLUS-MSF	2014 Purchase Order Carry-Over	99,206
CONTRIB./TRANSFERS	200-38-93000	APPROP SURPLUS - PARKS/REC	2014 Purchase Order Carry-Over	244,921
Total Revenue Adjustment:				480,907
Expenditures				
ZONING	200-4180-310	PROF & TECHNICAL - ZONING	2014 Purchase Order Carry-Over	7,500
ZONING	200-4180-315	PROF & TECH - ENGINEER REVIEWS	2014 Purchase Order Carry-Over	4,561
ZONING	200-4180-320	PROF & TECH - SURVEY REVIEWS	2014 Purchase Order Carry-Over	8,933
ZONING	200-4180-320	PROF & TECH - SURVEY REVIEWS	2014 Purchase Order Carry-Over	3,600
ZONING	200-4180-324	PROF & TECH - SECTION CORNERS	2014 Purchase Order Carry-Over	37,000
CLASS - B ROADS	200-4415-250	EQUIPMENT SUPPLIES & MAINT	2014 Purchase Order Carry-Over	3,704
CLASS - B ROADS	200-4415-251	NON-CAPITALIZED EQUIPMENT	2014 Purchase Order Carry-Over	2,465
CLASS - B ROADS	200-4415-280	COMMUNICATIONS	2014 Purchase Order Carry-Over	9,000
CLASS - B ROADS	200-4415-290	ROAD SIGNING	2014 Purchase Order Carry-Over	12,414
CLASS - B ROADS	200-4415-310	PROF & TECH -ENGINEER. & ADMIN	2014 Purchase Order Carry-Over	10,165
CLASS - B ROADS	200-4415-720	BUILDINGS	2014 Purchase Order Carry-Over	15,915
CLASS - B ROADS	200-4415-740	CAPITALIZED EQUIPMENT	2014 Purchase Order Carry-Over	72,282
CLASS - B ROADS	200-4415-760	NEW ROAD CONSTRUCTION-CAPITA	2014 Purchase Order Carry-Over	10,835
WEED ERADICATION	200-4450-740	CAPITALIZED EQUIPMENT	2014 Purchase Order Carry-Over	7,500
STORM WATER MGMT	200-4475-310	PROFESSIONAL & TECHNICAL	2014 Purchase Order Carry-Over	30,112
PARKS & TRAILS	200-4780-481	LOGAN CANYON TRAIL	2014 Purchase Order Carry-Over	244,921
Total Expenditure Adjustment:				480,907

VISITORS BUREAU FUND **Adopted Budget: \$506,237** **Proposed Budget: \$540,327**

Revenues				
CONTRIB./TRANSFERS	230-38-90000	APPROPRIATED FUND BALANCE	2014 Purchase Order Carry-Over	34,090
Total Revenue Adjustment:				34,090
Expenditures				
VISITOR'S BUREAU	230-4780-490	ADVERTISING & PROMOTIONS	2014 Purchase Order Carry-Over	25,570
VISITOR'S BUREAU	230-4780-650	EVENT DEVELOPMENT	2014 Purchase Order Carry-Over	5,000
VISITOR'S BUREAU	230-4780-740	CAPITALIZED EQUIPMENT	2014 Purchase Order Carry-Over	3,520



BUDGET OPENING

Resolution: 2015-03
Hearing: February 24, 2015 6:00 PM

Department	Account	Title	Description	Adjustment
Total Expenditure Adjustment:				34,090

RESTAURANT TAX FUND	Adopted Budget: \$1,353,693	Proposed Budget: \$2,041,844
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Revenues				
CONTRIB./TRANSFERS	260-38-90000	APPROPRIATED FUND BALANCE	2014 Purchase Order Carry-Over	688,151
Total Revenue Adjustment:				688,151
Expenditures				
RESTAURANT TAX	260-4780-620	MISC SERVICES	2014 Purchase Order Carry-Over	688,151
Total Expenditure Adjustment:				688,151

RAPZ TAX FUND	Adopted Budget: \$1,353,455	Proposed Budget: \$2,105,338
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Revenues				
CONTRIB./TRANSFERS	265-38-70000	APPROPRIATED FUND BALANCE	2014 Purchase Order Carry-Over	751,883
Total Revenue Adjustment:				751,883
Expenditures				
RAPZ TAX	265-4780-480	RAPZ ALLOCATION BY POPULATION	2014 Purchase Order Carry-Over	75,093
RAPZ TAX	265-4780-482	RAPZ ALLOCATIONS - PROJECTS	2014 Purchase Order Carry-Over	676,790
Total Expenditure Adjustment:				751,883

AIRPORT	Adopted Budget: \$267,049	Proposed Budget: \$297,323
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Revenues				
CONTRIB./TRANSFERS	277-38-70000	APPROPRIATED FUND BALANCE	2014 Purchase Order Carry-Over	30,274
Total Revenue Adjustment:				30,274
Expenditures				
AIRPORT	277-4460-739	GRANT PROJECTS	2014 Purchase Order Carry-Over	30,274
Total Expenditure Adjustment:				30,274

CAPITAL PROJECTS - RIVER RESTORATION	Adopted Budget: \$60,387	Proposed Budget: \$63,306
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Revenues				
CONTRIB./TRANSFERS	390-38-90000	APPROPRIATED FUND BALANCE	2014 Purchase Order Carry-Over	2,919
Total Revenue Adjustment:				2,919
Expenditures				
STORAGE BUILDING	390-4710-720	BUILDINGS	2014 Purchase Order Carry-Over	2,919
Total Expenditure Adjustment:				2,919

CAPITAL PROJECTS - ROADS	Adopted Budget: \$3,392,761	Proposed Budget: \$8,797,608
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Revenues				
CONTRIB./TRANSFERS	460-38-90000	APPROPRIATED FUND BALANCE	2014 Purchase Order Carry-Over	5,404,847
Total Revenue Adjustment:				5,404,847
Expenditures				