

APPROVED

**CACHE COUNTY
COUNCIL MEETING
MINUTES
SEPTEMBER 09, 2014**

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**CACHE COUNTY COUNCIL MEETING
September 09, 2014**

The Cache County Council convened in a regular session on September 09, 2014 at 5:00 p.m. in the Cache County Council Chamber at 199 North Main, Logan, Utah.

ATTENDANCE:

Chairman: Val Potter
Vice Chairman: Kathy Robison,
Council Members: Craig "W" Buttars, Jon White, Cory Yeates & Gordon Zilles. **G. Gregory Merrill absent.**
County Executive: **M. Lynn Lemon absent.**
Deputy County Clerk: Jill N. Zollinger
County Attorney: Tony Baird & James Swink

The following individuals were also in attendance: Janeen Allen, Lance Anderson, Chad Booth, Ria Rossi Booth, Bill Bower, Mike Collins, Star Coulbrooke, Marisa Egbert, Bob Fotheringham, Russell Goodwin, Sharon L. Hoth, Treasurer Karen Jeppesen, Craig McAllister, Cheri Mickelson, Zan Murray, Dave Nielsen, Matt Phillips, Director Josh Runhaar, Dianna Schaeffer, **Media:** Lis Stewart (Herald Journal), Jennie Christensen (KVNU).

OPENING REMARKS AND PLEDGE OF ALLEGIANCE

Council member Zilles 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. Buttars seconded the motion. The vote was unanimous, 5-0. Merrill & White absent.

REVIEW AND APPROVAL OF MINUTES

ACTION: Motion by Council member Yeates to approve the minutes of the August 26, 2014 Council meeting as written. Robison seconded the motion. The vote was unanimous, 5-0. Merrill & White absent.

REPORT OF THE COUNTY EXECUTIVE: M. LYNN LEMON – Executive Lemon was excused due to a family emergency.

APPOINTMENTS: There were none.

WARRANTS: There were no warrants.

Council member White joined the meeting.

ITEMS OF SPECIAL INTEREST

- **The County Seat TV Program – Chad Booth** reported on the 2014 season of programming and asked if the Council had any recommendations for future topics. Bob Fotheringham asked if a series on water conservancy districts – what they are, what are the benefits, etc. – could be done as well as something on the Water Development Act. Chairman Potter suggested transportation funding as another program topic.

In response to Chairman Potter's question about the program's funding Booth said there are sponsorship packages from \$12,000.00 to \$40,000.00, but any contribution will be accepted.

Bob Fotheringham stated he believes Cache County's participation in *The County Seat* program would be beneficial to the County.

- **Bear River Development Progress Report** – Bob Fotheringham indicated Bowen Collins is the engineering group chosen by Water Resources to continue the Bear River Development Act studies and introduced Michael Collins.

Collins reviewed the progress of the study thus far and future study activities. The participating agencies in the Bear River Project are Bear River Water Conservancy District, Cache County, Jordan Valley Water Conservancy District, Weber Basin Water Conservancy District and the study team – Bowen Collins, HDR, Gerhart Cole. The Bear River Compact Agreement is between Utah, Idaho and Wyoming and allocates the amount of water each state can use. In order to develop a given amount of water flow the same amount of water storage must be developed. The study narrowed forty-five possible reservoir storage sites to six sites in addition to the Washakie site. The state is paying for the past and present studies. Once a pre-construction mode is entered counties will become responsible for funding. Environmental studies need to begin in the next couple of years.

Fotheringham emphasized three points:

1. The county may be receiving a grant from the Bureau of Reclamation shortly which will be used for water study/development.
2. How to create a conservancy district in Cache County and what would the Council name the district – Bridgerland? Select a way to create the district – all elected or elected/appointed (over 50% must be elected).
3. Powder Mountain water issue – Fotheringham has worked with Utah Geological Survey (UGS) and has a proposal to look at water quality in the area to determine whether water taken from a well will have an impact on the county.

UNIT OR COMMITTEE REPORTS

- **Cache County Library** – Cheri Mickelson said there are currently four county librarians and one from the state at the Cache County Library and reported on the Library's operations and programs including: inter-loan, audio books, WiFi service, pre-school story time, school field trips, scout groups, summer reading program circulation numbers and the May book sale.

PUBLIC HEARINGS, APPEALS AND BOARD

PUBLIC HEARING SET: SEPTEMBER 23, 2014 AT 6:00 P.M.- OPEN 2014 BUDGET

ACTION: Motion by Council member Yeates to set a Public Hearing – September 23, 2014 at 6:00 p.m. – Open 2014 Budget. White seconded the motion. The vote was unanimous, 6-0. Merrill absent.

PUBLIC HEARING: SEPTEMBER 09, 2014 – 5:30 P.M. – LAND AND WATER CONSERVATION FUND 6f CONVERSION OF CACHE RECREATION COMPLEX –

Chairman Potter asked Lance Anderson from Cache Landmark Engineers to explain what is to be addressed at the public hearing. Anderson noted that at a previous Council meeting the concept plans and responsibilities of each city were presented. Part of the process is an environmental assessment and to receive and address public comment on the land conversion. A two-week notice of the Public Hearing was given and public comment will be received tonight. Interlocal agreements will be brought before the Council after the Public Hearing. Anderson said he has met with North Logan and Hyde Park City Councils and asked if the Council had any questions about the conversion of approximately 48 acres along 200 East out to five other communities.

Chairman Potter opened the Public Hearing and invited public comment.

Russell Goodwin, North Logan, stated that the proposal is a lot of information to digest and understand. The present Equestrian Park could be exchanged for an area at the mouth of Green Canyon. Goodwin questioned the Cache School District's justification of so many high schools on the east side of the valley and criticized the building of large "industrial scale" schools when current information suggests smaller schools are better.

There was no other public comment.

ACTION: Motion by Council member Yeates to close the Public Hearing. White seconded the motion. The vote was unanimous, 6-0. Merrill absent.

Chairman Potter told Goodwin he made some good points, but his questions about the size and location of schools should be addressed to the Cache School District. Temporarily, the Equestrian Park will remain where it is. There has been communication with North Logan about moving it to the area near the mouth of Green Canyon, but nothing has been decided.

Council member Buttars asked at what point the Council will take a vote as to whether and when it is going to do this land conversion proposal. Chairman Potter said it will happen in stages – first, approval of the land and water conversion, then interlocal agreements between the entities will have to be approved. These include one between the county and the school district, one between North Logan, Hyde Park and the school district, and those between the county and the other five cities participating in the conversions. Anderson will bring drafts of agreements to the September 23, 2014 Council meeting. The parcels converting out with the cities are parcels west of 200 East.

Council member White said he wants to know what all those agreements include before he will feel comfortable making a decision on any one of them.

INITIAL PROPOSAL FOR CONSIDERATION OF ACTION

- **Resolution No. 2014-18 – Approving Section IX – Employee Benefits of the Personnel Policy and Procedure Manual – NO ACTION TAKEN** – This item will be on the September 23, 2014 Council meeting agenda.
- **Decision on 2014 Cloud Seeding Program** – Council members concurred on participation in the program.

ACTION: Motion by Council member White to accept the 2015 Cloud Seeding proposal. Zilles seconded the motion. The vote was unanimous, 6-0. Merrill absent.

- **2015 Budget Priorities** – Chairman Potter shared a note from Executive Lemon stating that without an additional tax increase there will be a need to make MAJOR cuts in order to balance the budget for 2015. Potter also said there are additional employees and increased mental health funding requests to consider.

Vice Chair Robison commented that funding for public education about water conservancy districts needs to be considered. Other items mentioned by Council members were water sampling at Powder Mountain, storm water funding, road needs and salaries.

- **Budget and Scope of Work for Internal Audits** – Council member White asked what the county will gain from internal audits. Attorney Baird replied that the internal audits could discover if incorrect procedures are occurring or detect ways to save money. White raised concerns about the cost of internal audits and said they should not be to the extent of the present external audit unless something is found that needs to be looked into.

In relation to possibly putting the internal audits out for bid, Attorney Swink observed that bids are not required for professional services, but it may be prudent to send out a Request for Tenders (RFT).

Chairman Potter offered a summary of the Cache County Auditor's responsibilities as an outline of what the county may be looking for in an internal audit.

Potter read a statement from Council member Merrill proposing that the Audit Committee be used as a follow-up entity to the extended audit report by meeting with department heads monthly or as needed to check on how their departments are coming into compliance with various codes. Code amendments need to be developed by the various departments and County Attorney's office to be reviewed and approved by the County Council. Merrill included a tentative schedule for those meetings. The report of the Audit Committee will be presented to the Council quarterly.

Chairman Potter asked the Council to come up with their internal audit expectations ready for the September 23, 2014 Council meeting.

- **Military Active Duty Property Tax Exemption Applications** – See Agenda Item 12h-Ordinance No. 2014-08 for discussion.
- **Property Tax Hardship Applications** – See Agenda Item 12h-Ordinance No. 2014-08 for discussion.
- **Considering Extending Deadline to Receive Applications for Hardship, Circuit Breaker, Blind, and Veterans Property Tax Abatements** – See Agenda Item 12h-Ordinance No. 2014-08 for discussion.
- **Ordinance No. 2014-08 – Repealing Cache County Ordinance 3.60: Real Property Tax Settlements and Deferrals in Title 3 of the Cache County Code Entitled “Revenue and Finance” – NO ACTION TAKEN** – Council member Zilles remarked that Assessor Howell recommends rescinding the county ordinance denoting a July deadline date for the hardship, circuit breaker, etc. applications.

Dianna Schaeffer, Finance Office, told the Council her office has many applications that were not turned in by the appropriate deadline and asked the Council to consider rescinding the county ordinance pertaining to the deadline date so her office can act on the present applications. The state code lists September 1 as the application deadline and says counties may extend the deadline to December 31 for “good cause.” However, the state does not define good cause.

Attorney Baird cautioned that rescinding the ordinance may have unintentional consequences and urged waiting until the County Attorney’s office has time to review the code and specific ordinance language. He can have a proposal to the Council by the September 23, 2014 Council meeting. Clerk Zollinger also pointed out that the proposed ordinance has inaccuracies and needs to be cleaned up prior to action being taken.

The Council directed Schaeffer to continue accepting applications and to inform the applicants they will be informed when a decision is made at the September 23, 2014 Council meeting, and in future years the deadline will be September 1st, no exceptions. Council member Buttars said he would like to see the state change its deadline to some time in November. Treasurer Jeppesen told the Council that many eligible applicants are elderly and don’t remember they need to apply until their property tax billing arrives and, in past years, the state has always told her office to be as lenient as possible with the applicants.

- **Discussion of Audit Follow-up Issues** – Chairman Potter will forward proposal from Council member Merrill to the Council (referred to during discussion of Budget and Scope of Work for Internal Audits).

OTHER BUSINESS

USACCC Fall Conference – September 24-26, 2014 – Homestead Resort, Midway – Robison, Buttars, Yeates and Potter will attend.

- ✓ **USU Homecoming Parade – Saturday, October 11, 2014 at 10:00 a.m. –**
Chairman Potter said Council member Merrill has some great transportation lined up for the Council for the parade.
- ✓ **UAC Annual Convention – November 12-14, 2014 – Dixie Center, St. George**

COUNCIL MEMBER REPORTS

Craig "W" Buttars shared a proposal on the transportation funding group with the Council and asked for their input. He will present the proposal to Logan City as well. Council member White feels Logan City is too heavily represented on the proposed group. Other Council members and Chairman Potter said Logan contains half the county's population and their participation may carry more weight with the legislature, etc.

Buttars inquired about the Cherry Creek Road proposal and Director Runhaar said the road was proposed as a chip/seal, but now will have two inches of asphalt on certain portions.

Gordon Zilles reported that the 4200 North exit off of Highway 91 is inadequate for the semis that use it. Director Runhaar responded that 4200 North street at Highway 91 is within the Hyde Park City limits for about 300 to 400 feet and the county has no jurisdiction over it.

Kathy Robison asked Janeen Allen if she had gathered the information about how other counties handle indigent tax abatements. Allen said she had not.

Cory Yeates had an inquiry about the Council's voting to not expand the jail for use by the Utah State Prison System. He told the individual it is a dead issue until the county receives something in writing from the state.

ADJOURNMENT

The Council meeting adjourned at 7:08 p.m.

ATTEST: Jill N. Zollinger
County Clerk

APPROVAL: Val K. Potter
Chairman