

APPROVED

**CACHE COUNTY
COUNCIL MEETING
MINUTES
JULY 14, 2015**

COUNTY COUNCIL MEETING

July 14, 2015

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CACHE COUNTY COUNCIL MEETING
July 14, 2015

The Cache County Council convened in a regular session on July 14, 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, Jon White, Cory Yeates & Gordon Zilles.
County Executive: Craig "W" Buttars
County Clerk/Auditor: Jill N. Zollinger
County Attorney: Lee Edwards

The following individuals were also in attendance: Janeen Allen, Jerry Fuhriman, Nathan Holyoak, Rachel Holyoak, Sharon L. Hoth, Assessor Kathleen Howell, Director Cameron Jensen, Kirk Jensen, Treasurer Craig McAllister, Greg Musselman, Dave Nielsen, Lieutenant Doyle Peck, Tim Rawlings, Director Josh Runhaar, Jonathan Shill, Rob Smith, Daniel Thurgood, **Media:** Clayton Gefre & Kelly Cannon (Herald Journal), Jennie Christensen (KVNU).

OPENING REMARKS AND PLEDGE OF ALLEGIANCE

Council member Jon White 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. Erickson 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 June 23, 2015 Council Meeting as written. Merrill seconded the motion. The vote was unanimous, 7-0.

REPORT OF THE COUNTY EXECUTIVE: CRAIG "W" BUTTARS

APPOINTMENTS: Scott Allgood Cache County Children's Justice Center
Advisory Board
Peggy Smith Cache County Library Advisory Board

ACTION: Motion by Council member Yeates to approve the recommended appointments. Erickson seconded the motion. The vote was unanimous, 7-0.

WARRANTS: Warrants for the periods 06-25-2015 to 06-29-2015 and 07-02-2015 to 07-08-2015 were given to the Clerk for filing.

OTHER ITEMS:

- CCCOG Funding Application Schedule** is available and has been mailed to the Mayor's and posted on the CMPO website.
- Budget process** – Executive Buttars announced the 2016 budget process has begun and the Audit Committee has requested departments to submit zero-based budgets.
- Water Conservancy District Steering Committee Meeting** was well attended and produced good input and ideas.
- Cloud Seeding Report** has been received and is available for the Council's review.

UNIT OR COMMITTEE REPORTS

- * **Assessor's Office – Sales Ratios and 2015 Tax Roll – Kathleen Howell** reported on projects and operations of the Assessor's Office for 2015 including:
 - appraisal of homes built from 1970-1989
 - review land in Books 8, 13, 14, 16 and 1
 - review of cabins in the Hardware Park and Sheep Creek Cove areas
 - review of commercial buildings in the North county area
 - median distribution of sales ratio is .9958 on 1,426 sales

PUBLIC HEARINGS, APPEALS AND BOARD OF EQUALIZATION MATTERS

PUBLIC HEARING SET: JULY 28, 2015-6:00 P.M.-OPEN 2015 BUDGET

ACTION: Motion by Council member Yeates to set a Public Hearing July 28, 2015 at 6:00 p.m.-Open 2015 Budget. Erickson seconded the motion. The vote was unanimous, 7-0.

PUBLIC HEARING: JULY 14, 2015-5:30 P.M.-ORDINANCE NO. 2015-07-FUHRIMAN FARM REZONE – A request to rezone 20.18 acre from the Forest Recreation (FR40) Zone to the Agricultural (A10) Zone located at 8400 South 3700 West Old Sardine Canyon Road, Mt. Sterling – Chris Harrild believes the original FR40 Zone was probably a little bit of an overreach. The property has been farmed from the early 70's or before. The rezone will allow them to build one or two single family homes on the property. Staff has no concerns and the Planning Commission unanimously approved the rezone request.

Chairman Robison opened the Public Hearing and invited public comment. There was none.

ACTION: Motion by Council member Yeates to close the Public Hearing – July 14, 2015-5:30 p.m.-Ordinance No. 2015-07 – Fuhriman Farm Rezone. White seconded the motion. The vote was unanimous, 7-0.

Harrild stated he will prepare the ordinance for the July 29, 2015 Council meeting.

PUBLIC HEARING: JULY 14, 2015-5:40 P.M.-ORDINANCE NO. 2015-08-UT1 WELLSVILLE V2W REZONE-A request to rezone a leased portion of 42.14 acres to include the Public Infrastructure (PI) Overlay Zone located in the Agricultural (A10) Zone at 6100 South 3200 West, east of Wellsville. – Chairman Robison opened the Public Hearing and turned the time to

Harrild. Harrild said this was approved prior to the requirement that such towers be in a Public Infrastructure ({PI) Zone. Staff has no issues.

Council member Potter commented that citizens have complained to him about the amount of power used by the towers and the safety of them. Harrild responded that the FCC has specific guidelines that must be met and studies by the FCC indicate there are no safety issues.

Vice Chairman Merrill added that an ANSI (American National standards Institute) study is required and complaints may be directed to the FCC; however, as stated, the FCC studies have concluded there are no safety issues.

There was no public comment.

ACTION: Motion by Council member Potter to close the Public Hearing-Ordinance No. 2015-08-UT1 Wellsville V2W Rezone. Zilles seconded the motion. The vote was unanimous, 7-0.

PUBLIC HEARING: JULY 14, 2015-5:45 P.M.-ORDINANCE NO. 2015-09-AMENDMENT TO TITLE 17-AIRPORTS – Harrild indicated this amendment has two pieces – public and private airports. The amendment does not address nuisances related to airports, etc. but is focused on safety and cites compliance with FAA requirements. The Planning Commission unanimously approved the amendment.

Chairman Robison opened the Public Hearing and invited public comment.

Rachel Holyoak and Greg Musselman spoke in support of the amendment to the ordinance.

Vice Chair Greg Merrill said he received a handful of calls from private pilots who are also supportive. Merrill complimented those involved as being great examples of coming to a mutually agreeable solution.

There was no other public comment.

ACTION: Motion by Council member Yeates to close the Public Hearing-July 14, 2015-5:45 p.m.-Ordinance No. 2015-109-Amendment to Title 17-Airports. White seconded the motion. The vote was unanimous, 7-0.

ITEMS OF SPECIAL INTEREST

- **2014 Audit Report – Jones Simkins** – Michael Kidman presented the 2015 Audit Report from Jones Simkins and noted there were no compliance findings. There is a concern that the County is understaffed.

Council member Potter asked if there are any outstanding issues from the state regarding last year's needed corrections. Executive Buttars received a letter from the state asking for more explanation on the corrective actions that have been taken and will provide that to them.

Kidman also suggested better documentation when dealing with Federal funds and the possibility of the Treasurer's fund using the same software the County uses. Kidman alerted the County that next year it will be required to report the County's proportionate share of the

unfunded liability for the URS pension. *(The complete report is on file in the Office of the Cache County Clerk/Auditor.)*

(Attachment 1)

Council member Potter left the meeting.

ACTION: Motion by Council member Yeates to accept the audit report. Erickson seconded the motion. The vote was unanimous, 6-0. Potter absent.

Council member Potter returned to the meeting.

UNIT OR COMMITTEE REPORTS

- * **Development Services – Josh Runhaar** – Council member Potter asked Runhaar if he has sufficient personnel. Runhaar said he has brought in a temporary person periodically to cover the work. When personnel have to attend trainings, it creates a personnel shortage. Runhaar also feels he is wearing too many “hats,” but stated he is dealing with the issue for now and reported on the following:
 - Number of permits and total fees up from last year
 - Geographic Information Systems
 - Canal and water rights mapping
 - Planning and Zoning
 - Surveying and Engineering
 - Stormwater
 - Roads
 - Weeds
 - Other workloads
 - Possible revenue generation

INITIAL PROPOSAL FOR CONSIDERATION OF ACTION

- **Update on HB323 – County Resource Management Plans** – Director Runhaar observed that HB323 requires that county general plans contain detailed plans regarding 27 specific elements and mandates the plan be done by July 1, 2016. Runhaar said that timetable is not possible. The state has offered free resources, but Runhaar is unsure of the level of help. The state initially guaranteed about \$100,000.00 funding – half from CIB (Community Impact Board) and half from the state. The CIB portion is now uncertain. Funding would be a reimbursement based on approval of the plan by the state and the county adopting the plan.

Runhaar explained the estimated costs to produce a County Resource Management Plan are:

- \$80,000 – land use/transportation/recreation
- \$40,000 – integration of the 17 elements
- \$40,000 – economic analysis plan
- \$12,000 – temporary employee
- \$12,000 – production

Runhaar has \$17,000 (CMPO) for the transportation element and \$8,000 (RAPZ) for the recreation element.

- **Resolution No. 2015-14 – A Resolution of Cache County Approving and Adopting Prescription Fees to be Charged by the Cache County Sheriff’s Office and Setting Forth Guidelines for Administering the Pay-For-Stay Program** – Lieutenant Doyle Peck presented the changes to Pay-For-Stay which are: The individual signs an agreement upon leaving the jail stating he/she acknowledges he/she has a debt; if the party is making regular payments, the account remains active; the bill is reduced by 20% for every six months the individual stays out of jail as long as regular payments are being made; the fee will be waived for anyone completing a court specialty program; if the party can pay in full at any given time, the county will accept 50% of the bill as full payment.

(Attachment 2)

ACTION: Motion by Council member White to waive the rules and accept Resolution No. 2014-14-A Resolution of Cache County Approving and Adopting Prescription Fees to be Charged by the Cache County Sheriff’s Office and Setting Forth Guidelines for Administering the Pay-For-Stay Program. Yeates seconded the motion. The vote was unanimous, 7-0.

- **Resolution No. 2015-15 – A Resolution consenting to the Logan Redevelopment Agency receiving the Cache County Tax Increment generated in the Auto Mall Community Development Project Area** – Executive Buttars said he met with the Young Auto Group and they have requested a commercial development area and referred the Council to their packets to see the property involved and the estimated tax increment contribution at 75% for fifteen years. Buttars turned the time to Kirk Jensen from Logan City.

Jensen said the Cache County School District has agreed to a 100% tax increment contribution for six years equaling about \$110,000.00. The Logan School District has been asked to commit 75% for fifteen years amounting to \$103,000.00. The Group is seeking for 100% for twenty years from Logan City or \$160,000.00.

After some discussion, the item will be on the July 28, 2015 Council meeting agenda.

OTHER BUSINESS

- ✓ **Employee Summer Party – Thursday, July 16, 2015 at 6:00 p.m.**
- ✓ **Field Trip for Council Members Hosted by Logan Ranger District – Wednesday, July 22, 2015 from 9 a.m. to 4 p.m.** – Robison, Yeates, Buttars, Potter and Erickson will attend.
- ✓ **North Logan 24th of July Parade-Friday, July 24, 2015-10:00 a.m.** – Buttars, Erickson, Merrill, Potter and Yeates will attend.
- ✓ **Logan Pioneer Day Parade-July 24, 2015** – Buttars, Merrill, Yeates, Potter and Erickson will attend.

COUNCIL MEMBER REPORTS

Val Potter invited the Council to the Airport Open House on Saturday, July 18, 2015. Jake Garn will be speaking. Attorney Lee Edwards remarked he served an internship with Senator Garn several years ago.

Potter noted there is no reason the county has to accept the RDA proposal from the Young Auto Group. The county can counter with its own terms – possibly similar to the Cache County School District's pledge.

Merrill agreed and asked Executive Buttars to develop some possible proposals for the Council to consider.

Greg Merrill stated Tuesday, August 18, 2015 is the Council Summer Social. It will be at the Merrill cabin at Bear Lake. Merrill distributed a flyer with details and directions to the Council.

David Erickson thanked Clerk/Auditor Zollinger for meeting with him to explain the operations of her office.

ADJOURNMENT

The Council meeting adjourned at 8:12 p.m.

ATTEST: Jill N. Zollinger
County Clerk

APPROVAL: Kathy Robison
Chair

INDEPENDENT AUDITORS' REPORT

To the Cache County Council
Logan, Utah

Report on the Financial Statements

We have audited the accompanying financial statements of the governmental activities, the aggregate discretely presented component units, each major fund, and the aggregate remaining fund information of Cache County, Utah (the County) as of and for the year ended December 31, 2014, and the related notes to the financial statements, which collectively comprise the County's basic financial statements as listed in the table of contents.

Management's Responsibility for the Financial Statements

Management is responsible for the preparation and fair presentation of these financial statements in accordance with accounting principles generally accepted in the United States of America; this includes the design, implementation, and maintenance of internal control relevant to the preparation and fair presentation of financial statements that are free from material misstatement, whether due to fraud or error.

Auditor's Responsibility

Our responsibility is to express opinions on these financial statements based on our audit. We did not audit the financial statements of Bridgerland Community Ice Arena (a component unit of North Park Interlocal Cooperative), which represent 3 percent, 3 percent, and 6 percent, respectively of the assets, net position, and revenues of the aggregate discretely presented component units of the County. We also did not audit the financial statements of Cache County Emergency Medical Service Authority, which represent 7 percent, 8 percent, and 21 percent, respectively, of the assets, net position, and revenues of the aggregate discretely presented component units of the County. Those financial statements were audited by other auditors whose reports have been furnished to us, and our opinion, insofar as it relates to the amounts included for Bridgerland Community Ice Arena and Cache County Emergency Medical Service Authority, is based solely on the reports of the other auditors. We conducted our audit in accordance with auditing standards generally accepted in the United States of America and the standards applicable to financial audits contained in Government Auditing Standards issued by the Comptroller General of the United States. Those standards require that we plan and perform the audit to obtain reasonable assurance about whether the financial statements are free from material misstatement.

An audit involves performing procedures to obtain audit evidence about the amounts and disclosures in the financial statements. The procedures selected depend on the auditor's judgment, including the assessment of the risks of material misstatement of the financial statements, whether due to fraud or error. In making those risk assessments, the auditor considers internal control relevant to the entity's preparation and fair presentation of the financial statements in order to design audit procedures that are appropriate in the circumstances, but not for the purpose of expressing an opinion on the effectiveness of the entity's internal control. Accordingly, we express no such opinion. An audit also includes evaluating the appropriateness of accounting policies used and the reasonableness of significant accounting estimates made by management, as well as evaluating the overall presentation of the financial statements.

We believe that the audit evidence we have obtained is sufficient and appropriate to provide a basis for our audit opinions.

Opinions

In our opinion, based on our audit and the reports of other auditors, the financial statements referred to above present fairly, in all material respects, the respective financial position of the governmental activities, the aggregate discretely presented component units, each major fund, and the aggregate remaining fund information of Cache County, Utah as of December 31, 2014, and the respective changes in financial position for the year then ended in accordance with accounting principles generally accepted in the United States of America.

Other Matters

Required Supplementary Information

Accounting principles generally accepted in the United States of America require that the management's discussion and analysis and budgetary comparison information as listed in the table of contents be presented to supplement the basic financial statements. Such information, although not a part of the basic financial statements, is required by the Governmental Accounting Standards Board who considers it to be an essential part of financial reporting for placing the basic financial statements in an appropriate operational, economic, or historical context. We and other auditors have applied certain limited procedures to the required supplementary information in accordance with auditing standards generally accepted in the United States of America, which consisted of inquiries of management about the methods of preparing the information and comparing the information for consistency with management's responses to our inquiries, the basic financial statements, and other knowledge we obtained during our audit of the basic financial statements. We do not express an opinion or provide any assurance on the information because the limited procedures do not provide us with sufficient evidence to express an opinion or provide any assurance.

Other Information

Our audit was conducted for the purpose of forming opinions on the financial statements that collectively comprise the County's basic financial statements. The supplementary information listed in the table of contents is presented for purposes of additional analysis and is not a required part of the basic financial statements. The accompanying Schedule of Expenditures of Federal Awards is presented for purposes of additional analysis as required by U.S. Office of Management and Budget Circular A-133, *Audits of States, Local Governments, and Non-Profit Organizations*, and is also not a required part of the basic financial statements. The accompanying Schedule of Expenditures of Transient Room Taxes and Tourism, Recreation, Cultural and Convention Facilities Taxes is presented for purposes of additional analysis as required by Utah Code section 17-31-5.5(3) and is also not a required part of the basic

financial statements. The accompanying Statement of Expenditures of State Awards is presented for purposes of additional analysis as required by the Utah State Compliance Audit Guide and is also not a required part of the basic financial statements.

The supplementary information and the schedules described above are the responsibility of management and were derived from and relate directly to the underlying accounting and other records used to prepare the basic financial statements. Such information has been subjected to the auditing procedures applied in the audit of the basic financial statements and certain additional procedures, including comparing and reconciling such information directly to the underlying accounting and other records used to prepare the basic financial statements or to the basic financial statements themselves, and other additional procedures in accordance with auditing standards generally accepted in the United States of America by us and other auditors. In our opinion, based on our audit, the procedures performed as described above, and the reports of the other auditors, the supplementary information and the schedules described above are fairly stated, in all material respects, in relation to the basic financial statements as a whole.

Other Reporting Required by Government Auditing Standards

In accordance with Government Auditing Standards, we have also issued our report dated **June 30, 2015** on our consideration of the County's internal control over financial reporting and on our tests of its compliance with certain provisions of laws, regulations, contracts, and grant agreements and other matters. The purpose of that report is to describe the scope of our testing of internal control over financial reporting and compliance and the results of that testing, and not to provide an opinion on internal control over financial reporting or on compliance. That report is an integral part of an audit performed in accordance with Government Auditing Standards in considering the County's internal control over financial reporting and compliance.

JONES SIMKINS LLC

Logan, Utah

June 30, 2015

**CACHE COUNTY
RESOLUTION 2015-14**

**A RESOLUTION OF CACHE COUNTY APPROVING AND ADOPTING
PRESCRIPTION FEES TO BE CHARGED BY THE CACHE COUNTY SHERIFF'S
OFFICE AND SETTING FORTH GUIDELINES FOR ADMINISTERING THE
PAY-FOR-STAY PROGRAM**

WHEREAS, the Cache County Sheriff's Office is required by Utah State law to preserve the peace, make all lawful arrests, attend to court security, take charge of and keep the county jail, and to attend to perform other various civil and criminal duties under §17-22-2 et. Seq. of the Utah Code; and

WHEREAS, in the conduct of such law enforcement duties, the Cache County Sheriff's Office seeks to perform such duties in a manner that does not unduly burden the public; and

WHEREAS, the Cache County Council has previously determined that more flexibility is needed in administering the Pay-for-Stay Program, and that it is in the best interest of the County Citizens to allow flexibility in this program; and

WHEREAS, many of the fees charged by the Cache County Sheriff's Office are authorized by §17-22-2.5 of the Utah State Code; and

WHEREAS, Cache County is authorized by §17-50-302 of the Utah Code to collect fees for benefits conferred by Cache County; and

WHEREAS, the Cache County Council has previously discussed and established the fees to be collected the Pay-for-Stay Program and has established fees for the prescription expenses incurred by the Cache County Sheriff's Office so that appropriate expenses can be passed on to those individuals who have necessitated the expenses rather than having such expenses passed onto the residents of Cache County; and

WHEREAS, the Cache County Sheriff's Office recommends some minor adjustments to the fees and terms of the Pay-for-Stay Program; and

WHEREAS, the changes set forth below are appropriate and in the best interests of the residents of Cache County and will promote the safety, health, morals and general welfare of the residents of Cache County;

NOW, THEREFORE, BE IT RESOLVED by the Cache County Council, that the terms set forth below are hereby approved and authorized:

Amended Billing and Procedures for the Pay-for-Stay Program

The daily rate charged to sentenced inmates remains at \$45/day.

The pay-for-stay rate is charged to all sentenced inmates except:

1. Inmate workers
2. Work release inmates (only while on work release)
3. School release inmates (only while on school release)
4. Counseling release inmates (only while out for counseling)
5. Inmates who are assigned to, and successfully complete a specialty court; i.e., mental health court, drug court, etc.

Upon release from jail, the individual will receive notification that a debt is owed. That is signed by the inmate and a bill is sent to them within 15 days of their release with the total amount owed and instructions on payment.

As long as regular monthly payments are made, the person's account remains active and they are eligible for all discounts and payment plans.

At any time, the jail will accept 50% of the remaining balance as payment on the debt owed and the rest will be forgiven.

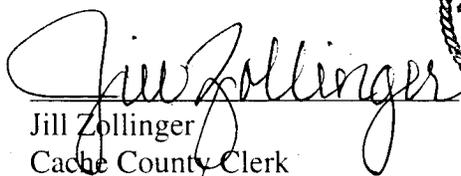
For every six months that the person remains out of the Cache County jail, they will receive an additional 20% discount on their remaining balance.

Adopted by the Cache County Council this 14th day of July, 2015

CACHE COUNTY COUNCIL


Kathy Robison, Chair
Cache County Council

ATTEST:


Jill Zollinger
Cache County Clerk

