

APPROVED

**CACHE COUNTY
COUNCIL MEETING
MINUTES
NOVEMBER 10, 2015**

COUNTY COUNCIL MEETING

November 10, 2015

<u>NATURE OR ORDER OF PROCEEDING</u>	<u>DATE</u>
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D’ADDABBO, DAVE – Public Comment	5
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LARAMEE, RICHARD – Public Comment	5
LEWIS, FARREL – Public Comment.....	5
MAYOR’S ASSOCIATION DINNER W/ LTG	5
MERRILL, RICHARD – Public Comment	5
MILLER, WAYNE – Public Comment.....	5
MORRILL, SCOTT – Public Comment.....	5

NIELSEN, KELLY – Public Comment	5
NIXON, JACK – Public Comment	5
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PUBLIC COMMENT – D’Addabbo, Dave	5
PUBLIC COMMENT – Goldsberry, Susan	5
PUBLIC COMMENT – Goodlander, Sandy	5
PUBLIC COMMENT – Haws, Debra	5
PUBLIC COMMENT – Laramee, Richard	5
PUBLIC COMMENT – Lewis, Farrel	5
PUBLIC COMMENT – Merrill, Richard	5
PUBLIC COMMENT – Miller, Wayne	5

PUBLIC COMMENT – Morrill, Scott	5
PUBLIC COMMENT – Nielsen, Kelly	5
PUBLIC COMMENT – Nixon, Jack	5
PUBLIC COMMENT – Nyman, Dave	4
PUBLIC COMMENT – Parkinson, Roy	5
PUBLIC COMMENT – Parkinson, Steve	4
PUBLIC COMMENT – Peterson, Bruce	5
PUBLIC COMMENT – Pinder, Curt	5
PUBLIC COMMENT – Pitcher, Mava	5
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**CACHE COUNTY COUNCIL MEETING
November 10, 2015**

The Cache County Council convened in a regular session on November 10, 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 absent.**
County Clerk/Auditor: Sharon L. Hoth (**Jill N. Zollinger absent.**)
County Attorney: Lee Edwards

The following individuals were also in attendance: Janeen Allen, Natalie Belten, Joe Benson, Bill Bower, Scott N. Bradley, Mikel Brown, Janet Campbell, Wade Campbell, Rowan Cecil, Mayor Clair Christiansen, Trent Cragun, Dave D’Addabbo, Scott Evans, Bruce Godderidge, Steve Godfrey, Lynn Goldsberry, Susan Goldsberry, Sandy Goodlander, Debra Haws, Wyatt Holyoak, Brittany Huntington, Director Cameron Jensen, Doyle Jones, Ken C Kirby, Gary Knighton, Patricia Laramée, Richard C. Laramée, Farrel Lewis, Treasurer Craig McAllister, Greg Merrill, Richard Merrill, Wayne Miller, David Moala. Scott Morrill, E. J. Munford, Dave Nielsen, Kelly Nielsen, Jack Nixon, Dave Nyman, Steve Parkinson, Kevin Petersen, Kris Petersen, Amanda Peterson, Bruce Peterson, Julie Peterson, Curt Pinder, Mava J Pitcher, Steve Porter, Roger P, Dewey Richardson, Director Josh Runhaar, Darrin Saunders, Art Smith, Phillip Smith, Siva Taufa, Bruce Thunell, Nicholas Vigil, Charles Wheeler, Jed Woodward, **Media:** Clayton Gefre (Herald Journal), Jennie Christensen (KVNU).

OPENING REMARKS AND PLEDGE OF ALLEGIANCE

Council member Yeates 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, 6-0. White absent.

REVIEW AND APPROVAL OF MINUTES

ACTION: Motion by Council member Yeates to approve the minutes of the October 27, 2015 Council Meeting. Zilles seconded the motion. The vote was unanimous, 6-0. White absent.

REPORT OF THE COUNTY EXECUTIVE: CRAIG “W” BUTTARS – Executive Buttars was absent due to a death in his family.

APPOINTMENTS: There were no appointments.

WARRANTS: Warrants for the periods 10-24-2015 to 10-30-2015 and 10-31-2015 to 11-06-2015 were given to the clerk for filing.

OTHER ITEMS:

- ☐ **Set 1st CDBG Public Hearing for November 24, 2015 at 5:15 p.m.** – Chairman Robison explained that Executive Buttars requests that the Council set the 1st CDBG Public Hearing for November 24, 2015 at 5:15 p.m.. The purpose of the hearing is to consider potential projects for which funding may be applied from the CDBG's small cities program for the program year 2016. Suggestions for potential projects will be solicited both verbally and in writing from all interested parties. The expected amount of CDBG funds for this program year will be expended along the range of projects eligible under this program and a review of previously funded projects. The meeting will be held at 5:15 p.m. on November 24 in the Cache County Council Chambers. Further information can be obtained by contacting Janeen Allen in the County Executive's Office.

ACTION: Motion by Council member Yeates to set the 1st CDBG Public Hearing for November 24, 2015 at 5:15 p.m. Erickson seconded the motion. The vote was unanimous, 6-0. White absent.

ITEMS OF SPECIAL INTEREST

- **Proclamation – Faith Exchange Welcome Weeks (F.E.W.W.)** – Chairman Robison read the proclamation.

(Attachment 1)

ACTION: Motion by Council member Potter to accept Proclamation – Faith Exchange Welcome Weeks (F.E.W.W.). Erickson seconded the motion. The vote was unanimous, 6-0. White absent.

UNIT OR COMMITTEE REPORTS

- * **Victims Services and VAWA Report – Terryl Warner** reported on the following:
- The office served 3,700 victims this last year. Warner said nineteen years ago they served 10-15 individuals a week
 - Trials used to take a day or two, but now can go on for two to three weeks
 - CAPSA and Sheriff's office chosen to implement lethality assessments
 - CART (Child Abduction Response Team)
 - Cache County sponsored national Amber Alert training and the system will be tested in February

Council member Potter asked where funding comes from for Warner's office. Warner responded that the VOCA (Victims of Crime Act) funds the victims advocate program and VAWA (Violence Against Women Act) funds prosecutors and special investigators.

Vice Chair Merrill remarked he read the book, "A Deadly Wandering," about Warner's involvement in a case and complimented Warner on her professionalism, persistence and diligence.

INITIAL PROPOSAL FOR CONSIDERATION OF ACTION

- **Property Tax Relief Requests** – Chairman Robison stated the County Attorney's office was asked to review these two requests as there is a question of ownership and asked

Attorney Edwards to report. Attorney Edwards said both of these properties are held in trusts and the claimants are not the owners. Edwards recommends denial. (*Details are on file in the Office of the Cache County Clerk/Auditor.*)

ACTION: Motion by Vice Chair Merrill to deny the two property tax relief requests (0011 and 0024) based on legal opinion. Potter seconded the motion. The vote was unanimous, 6-0. White absent.

- **Discussion – Budget Workshops** – Chairman Robison asked for approval of November 17, 2015 at 3:30 p.m. for a Budget Workshop. The Sheriff's and Attorney's Offices' budgets will be reviewed. Another Workshop on November 24, 2015 at 3:00 p.m. will review the Finance and Development Services budgets. The Council agreed to the dates and times.
- **Discussion – 2016 Employee Compensation** – Council member Potter said the Employee Compensation Committee met with Executive Buttars and discussed the increase in health insurance premiums. There will be a 13.9% increase which equals \$371,980.00. Vice Chair Merrill said that despite the wellness program to help bring costs down, there is still the hefty increase. The committee proposes a \$382,817.00 increase for employee compensation which includes an approximate 2% salary increase.

Vice Chair Merrill reminded the Council that each of them chose a couple of departments to visit and gain information concerning their operations, needs, etc. Merrill urged the Council to do it in order to make reasonable and practical recommendations as they go through the budget process.

Chairman Robison asked the Council to keep in mind there may be additional costs in the near future when Cache County moves from a third class to a second class county.

Council member Zilles observed the Compensation Committee and/or other Council members can only make recommendations. The whole Council will make the budget decisions.

PUBLIC HEARINGS, APPEALS AND BOARD OF EQUALIZATION MATTERS

PUBLIC HEARING: NOVEMBER 10, 2015-5:30 P.M.-RESOLUTION NO. 2015-25-DECLARING CERTAIN REAL PROPERTY AS SURPLUS PROPERTY – Director Runhaar gave an overview of the property's history and location. Chairman Robison opened the Public Hearing and invited public comment. There was none.

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

INITIAL PROPOSAL FOR CONSIDERATION OF ACTION

- **Resolution No. 2015-25 – Declaring Certain Real Property as Surplus Property**

(Attachment 2)

ACTION: Motion by Council member Zilles to waive the rules and approve Resolution No. 2015-25 – Declaring Certain Real Property as Surplus Property. Yeates seconded the motion. The vote was unanimous, 6-0. White absent.

- **Discussion – 2016 Salaries and Compensation for Council Members** – Vice Chair Merrill mentioned that the Council and the Compensation Committee made the recommendation that elected officials as well as Council members have no salary increase until prior to the election year for that office. Chairman Robison asked that since the Council members' seats are staggered in different years, would the salary apply to all Council members even when not up for election. Merrill said the policy would not apply to the Council members' salaries.

Merrill recommended that Council member salaries for 2016 remain the same for 2017.

Steve Porter asked if the Employee Compensation Committee members are elected or appointed. Merrill replied the Committee is three Council members and the County Executive.

PUBLIC HEARINGS, APPEALS AND BOARD OF EQUALIZATION MATTERS

PUBLIC HEARING: NOVEMBER 10, 2015-6:00 P.M.-2016 BUDGET AND/OR TAX INCREASE HEARING – Chairman Robison asked Director Cameron Jensen to review the proposed budget and Council member Potter asked Jensen to give dollar amounts where percentages are referred to, if possible. Director Jensen reviewed the proposed budget including:

- ✓ Certified tax rate revenue
- ✓ County option sales tax
- ✓ Condition of probation contracts
- ✓ Federal inmates housing
- ✓ Assessing and collecting
- ✓ Municipal services property tax on property in unincorporated area of county (roads, general plan, storm water, animal control, fire, weed control, law enforcement)
- ✓ Local sales tax
- ✓ Class B road funding
- ✓ State gas tax
- ✓ Airport funding
- ✓ Proposed tax increase
- ✓ Health insurance cost increase
- ✓ County in deficit spending situation

Chairman Robison informed the audience that 60% of the property tax increase was due to school bonds that were passed. Out of the 40% left, special districts take their portions and the remaining goes to the county. The proposed tax increase is to cover increased health insurance costs, county deficit spending and keeping up county roads. Robison asked those wishing to speak to take only two minutes and try not to repeat what has already been said. Robison opened the Public Hearing and invited public comment.

Steve Parkinson, Dave Nyman, Rowan Cecil, Dewey Richardson all expressed displeasure with taxes and rising costs and Cecil asked the County to stop supporting the Cache Valley Transit District (CVTD). Chairman Robison observed that CVTD is a separate entity and funding for the CVTD does

not come from property taxes. Cecil also urged the county to promote things that increase the county's income.

Richard Laramée, Farrel Lewis, Bruce Peterson, Natalie Belten, Susan Goldsberry were upset over the increase because they pay 100% on their cabins on recreational properties and they don't feel they receive any services from the county

Bill Bower said if people want services, they have to be paid for and county employees need certain benefits. He is unhappy to hear the Restaurant Tax will not be used for the airport because what is good for the airport is good for the county.

Dave D'Addabbo said the Council and Sheriff are doing a good job, but the county has been breaking constitutional law because governments are regulated by the people through the constitution, therefore, there is a jurisdiction problem. Government cannot usurp jurisdiction for the people.

Kelly Nielsen, Debra Haws, Curt Pinder, Roy Parkinson, Trent Cragun, Wayne Miller, Sandy Goodlander, Scott Bradley, Jack Nixon, Mava Pitcher, Scott Morrill and Richard Merrill all spoke in opposition to a proposed tax increase citing constantly rising taxes and urged the County to cut services rather than increase taxes. Scott Morrill also asked what specific things the proposed municipal tax will be used for. Robison responded the tax will only be used for items approved by law. Richard Merrill suggested the county figure out a way to index budgets based on revenues and please don't pit people against people as the proposed municipal services tax would do.

Mikel Brown said she was told by a teacher she had to attend this meeting and thanked everyone for helping her realize she needs to be informed about what is happening.

There was no other public comment.

ACTION: Motion by Council member Yeates to close the Public Hearing – 2016 Budget and/or Tax Increase Hearing. Potter seconded the motion. The vote was unanimous, 6-0. White absent.

Council member Potter commented that the proposed tax increase came from the Executive and staff and he questions why the public hearing had to be held before all the budget information was available. There will be budget workshops in the next two weeks and the Council will be looking for ways to save money and still address needs.

- **Review of 2016 Budget** – Chairman Robison suggested that this item be moved to the November 24, 2015 Council meeting for discussion. The Council concurred.

OTHER BUSINESS

- ✓ **UAC Annual Convention – November 11-13, 2015, St. George** – Buttars, Erickson, Merrill, Potter, Robison, Yeates and Zilles will attend.
- ✓ **Mayor's Association Dinner with Lieutenant Governor Spencer Cox – November 19, 2015** – Buttars, Erickson, Potter, Yeates and Zilles will attend.
- ✓ **Cache County Employees Christmas Dinner** – Wednesday, December 9, 2015 at 6:30p.m. – Riverwoods Conference Center.

COUNCIL MEMBER REPORTS

Dave Erickson toured the Fairgrounds with a group that will be offering recommendations for buildings, landscaping, etc.

Val Potter remarked he is looking forward to the UAC meetings. He is pleased that the transportation tax did not pass in some counties.

Cory Yeates was pleased to see the turnout for the public hearing.

ADJOURNMENT

The Council meeting adjourned at 7:30 p.m.

ATTEST: Jill N. Zollinger
County Clerk

APPROVAL: Kathy Robison
Chair



Cache Community Connections

*not
signed
proclamation*

Proclamation
Faith Exchange Welcome Weeks
November 2015

WHEREAS, Cache County is a community of individuals reflecting a wide spectrum of religious beliefs and cultures, and

WHEREAS, harmony within any religiously diverse community is, in good measure, based upon understanding and respect for individuals having various doctrinal viewpoints, and

WHEREAS, the religious and civic leaders of this community share the belief that understanding and compassion are vital to the well being of the citizens of Cache County, and

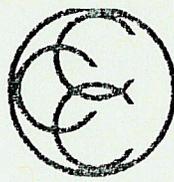
WHEREAS, the religious and civic leaders are aware that many citizens of Cache County lack a comfortable mechanism by which they can gain greater awareness of the belief systems of friends and neighbors,

*LET IT BE RESOLVED that Cache County declares **November 2015 as Faith Exchange Welcome Weeks**, a month during which friends and neighbors may visit each others' places of worship with the full assurance that there will be heartfelt welcoming and no proselytizing.*

In Witness thereof, I hereunto set my hand on this _____ day of _____, 2015

Mayor Kelly Field
Cache Mayor's Association Chair

Craig "W" Buttars
Cache County Executive



Cache Community Connections

A Civic and Interfaith Council

290 North 100 West Logan, UT 84321

435-716-9002 ~ www.cachecommunityconnections.com

Faith Exchange Welcome Weeks (FEWW)

Cache Community Connections (CCC) invites Cache Valley to participate in "Faith Exchange Welcome Weeks" (FEWW) for the month of November. CCC is an organization of civic and religious leaders formed after 9/11 that continues to meet on a monthly basis to help celebrate and foster both the religious diversity and spiritual unity of the valley through hosting a variety of monthly and yearly programs.

For a number of years CCC has sponsored FEWW during the month of November, the month of Thanksgiving, to encourage everyone to attend their fellow community member's religious services and meetings.

Please invite a neighbor to your service and ask a friend to go with you to a different church to experience the growing religious diversity of the valley and inherent unity of purpose in all religions.

Also, please mark your calendars for Sunday, November 22, 2015 when the Cache Community Connections; Concert and Lecture Series at the Tabernacle committee sponsors the 8th Annual Interfaith Thanksgiving Service beginning at 7:00 p.m. at the Logan Tabernacle.

**CACHE COUNTY
RESOLUTION 2015 – 25**

RESOLUTION DECLARING CERTAIN REAL PROPERTY AS SURPLUS PROPERTY

WHEREAS, real property has been struck off to Cache County at a tax sale pursuant to Utah Code Annotated Section 59-2-1351.3 more fully described in Exhibit “A”; and

WHEREAS, Utah Code Ann. Section 17-50-312 provides that the county legislative body shall provide by ordinance, resolution, rule or regulation for the manner in which property shall be acquired, managed, and disposed of; and

WHEREAS, prior to the sale of said Property, Cache County Ordinance 3.40.010 requires the Cache County Council to declare said property as “Surplus Property”; and

WHEREAS Cache County Ordinances 3.40.020 and 3.40.040 establish the procedures and protocols that must be followed prior to declaring the property as “Surplus Property” before it can be conveyed to a purchaser; and

WHEREAS the Cache County Council must hold a public hearing pursuant to Cache County Ordinance 3.40.040(B) before, by motion and vote, the Cache County Council can declare the Property as “Surplus Property” so that it can be conveyed to a purchaser; now

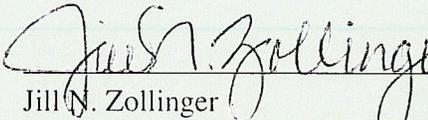
THEREFORE, the Cache County Council finds as follows:

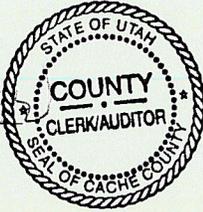
1. That it is in the public interest that the subject real property be disposed of as surplus property. In determining whether the property shall be declared surplus, the County Council has taken into consideration:
 - a. Whether the county has, or anticipates that it will have, no practical, economical, efficient or appropriate use for the property currently or in the reasonably foreseeable future.
 - b. Whether the purpose served by the property can be better accomplished by other alternatives or property.
 - c. Whether the purpose served by the property or its use either no longer exists or has significantly changed because of the needs and demands of the county or as may be determined by a change of policy evidenced by an ordinance or resolution of the county council.
 - d. Whether the property is so damaged, depreciated or worn that it is inoperable or limited in operation without repairs and the cost of such repairs is unreasonable, excessive or impractical.
 - e. Whether the purposes and interests of the county would be better served by the declaration of the property as surplus and the disposition of that property.

THEREFORE, the Cache County Council, after holding a public hearing, resolves that the Property, better described in "Exhibit A" shall be declared surplus, and that such surplus property may be disposed of by the county executive subject to the provisions of Cache County Code Chapter 3.40. This resolution takes effect immediately upon adoption.

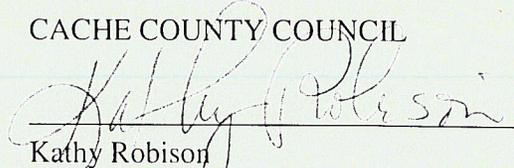
Dated this 10th day of November 2015.

ATTESTED TO:


Jill N. Zollinger
Cache County Clerk/Auditor



CACHE COUNTY COUNCIL


Kathy Robison
Council Chair

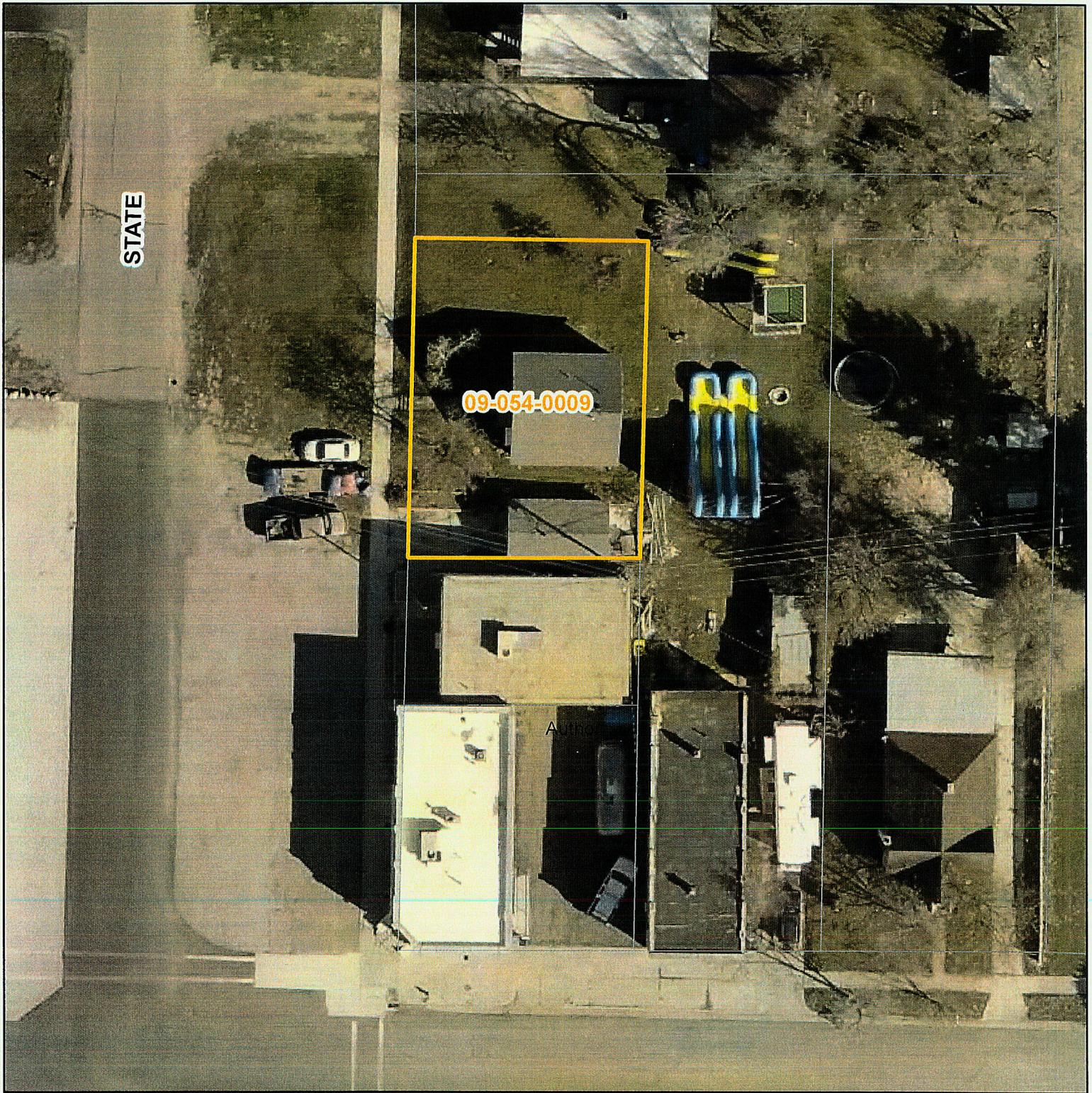


Exhibit A

Parcel #: 09-054-0009

Legal Description: BEG 100 FT N OF SW COR LOT 4
 BLK 24 PLAT A RICHMOND CITY SVY, E 60 FT N 81.5
 FT W 60 FT S 81.5 FT TO BEG SW/4 SEC 26 T 14N R

