

APPROVED

**CACHE COUNTY
COUNCIL MEETING
MINUTES
FEBRUARY 09, 2016**

COUNTY COUNCIL MEETING

February 09, 2016

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CACHE COUNTY COUNCIL MEETING
February 09, 2016

The Cache County Council convened in a regular session on February 09, 2016 at 5:00 p.m. in the Cache County Council Chamber at 199 North Main, Logan, Utah.

ATTENDANCE:

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

The following individuals were also in attendance: Janeen Allen, Sandy Emile, Bryan Erickson, Chris Harrild, Sharon L. Hoth, Sheriff Chad Jensen, Treasurer Craig McAllister, Cheri Mickelson, Director Bartt Nelson, Dave Nielsen, Savannah Perkins, Director Josh Runhaar, Theo W. Thomson, Barbara Tidwell, Director Cory Wood, **Media:** Clayton Gefre (Herald Journal), Jennie Christensen (KVNU).

OPENING REMARKS AND PLEDGE OF ALLEGIANCE

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

REVIEW AND APPROVAL OF AGENDA

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

REVIEW AND APPROVAL OF MINUTES

ACTION: Motion by Council member Zilles to approve the minutes of the January 26, 2016 Council Meeting as amended. Potter seconded the motion. The vote was unanimous, 6-0. Yeates absent.

MINUTES FOLLOW-UP

There were no follow-up items.

REPORT OF THE COUNTY EXECUTIVE: CRAIG "W" BUTTARS

APPOINTMENTS: Cassidy Buist Deputy Clerk/Auditor

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

Mayor Joe Hansen	Solid Waste Advisory Board
Dean Adams	Solid Waste Advisory Board
Janeen Allen	Public Relations Committee

Craig Buttars	Public Relations Committee
Julie Hollist-Terrill	Public Relations Committee
Greg Merrill	Public Relations Committee
Lieutenant Mike Peterson	Public Relations Committee
Kathy Robison	Public Relations Committee
Attorney James Swink	Public Relations Committee

ACTION: Motion by Vice Chair Erickson to approve the recommended appointments. Robison seconded the motion. The vote was unanimous, 6-0. Yeates absent.

WARRANTS: Warrants for the period 01-23-2016 to 01-29-2016 were given to the Clerk for filing.

OTHER ITEMS:

- Saturday morning meetings with Legislators** are going well and are well attended.
- HB183-Local Option Sales Tax Modifications** – Executive Buttars had the opportunity to testify in the committee meeting for HB183. It passed out of committee with a unanimous vote. UAC took a favorable position, the League of Cities and Towns will not oppose it and the Wasatch Front Regional Council will not oppose it.
- UAC Meetings** are televised and streamed online at www.uacnet.org. They are held every Thursday morning at 10:00 a.m.
- Search and Rescue Winter Social** – Sheriff Jensen invited the Council to the Search and Rescue Winter Social on February 20, 2016. It will be at the UDOT sheds just past Beaver Mountain from 11:00 a.m. to 2:00 p.m. and chili will be served.

Chairman Merrill asked Sheriff Jensen to invite Council members to accompany him when he meets with the various municipalities about law enforcement contracts.

ITEMS OF SPECIAL INTEREST

- **Introduction of new County Special Investigator – Sean D Marshall** – Attorney Lee Edwards introduced Marshall and expressed confidence in his capabilities. Marshall stated he is a native Cache Valley resident and worked for the Logan City Police Department for twenty-one years.
- **Sunshine Terrace Proposal – Bryan Erickson** thanked the county for this opportunity to present his proposal. Erickson gave a brief history of the Sunshine Terrace Foundation and quoted studies suggesting facility-based providers need to examine alternative financing approaches to alleviate the reliance on public funding for Medicare and Medicaid patients. Erickson proposes that Cache County participate in the Upper Payment Limit (UPL) program. Sunshine Terrace Foundation would be owned by Cache County, but operations would still be covered by the Foundation. The UPL program allows higher federal matching funds which

will decrease the \$65,000.00 donation the county currently gives to the Foundation each year. Erickson asked the Council to consider support of the proposal.

The Council asked Executive Buttars to contact Uintah, Millard and Emery counties, which are current UPL participants for more information. They also asked the County Attorney's office to research the county's liability, etc. if it chooses to participate. Attorney Lee Edwards indicated Attorney Swink wants to look at the proposal to see if the county can be set up as a pass through entity.

Vice Chair Erickson asked if the contract could have a termination clause for review. Bryan Erickson said the state contract has a 5-year time frame and this could be similar.

PUBLIC HEARINGS, APPEALS AND BOARD OF EQUALIZATION MATTERS

PUBLIC HEARING: February 09, 2016-5:30 p.m.-Whittier Rezone-A request for the rezone of 5 acres from the Agricultural (A10) Zone to the Rural (RU2) Zone, located at 580 South 3200 West, west of Logan – Chairman Merrill opened the Public Hearing and asked Chris Harrild to review the facts. Harrild stated there are no access problems and the density of parcels with homes in the surrounding area averages 9.9 acres. The Planning Commission unanimously approved the request.

Chairman Merrill invited public comment.

Dick Whittier said he believes the request meets the requirements for the RU2 rezone and will not impede adjacent agricultural uses.

There was no other public comment.

ACTION: Motion by Council member Zilles to close the Public Hearing-February 09, 2016-5:30 p.m.-Whittier Rezone. Erickson seconded the motion. The vote was unanimous, 6-0. Yeates absent.

ITEMS OF SPECIAL INTEREST

- **Chamber of Commerce Report – Sandy Emile** reported on the following:
 - New members
 - Ribbon cuttings for new or expanding businesses
 - New jobs created
 - 2016 Annual Awards Banquet
 - Cache Business Summit
 - 9-11 Golf Tournament
 - Buy Local Expo
 - Networking and educational seminars
 - Cache Valley Business Women's Conference
 - Women in Business organization
 - Cache Legislative Committee
 - Northern Utah Chamber Coalition
 - World Trade Center Utah (WTCUtah)

Chairman Merrill asked Emile who created their video. Emile replied Matt Ackerman and will provide his contact information to the county.

PUBLIC HEARINGS, APPEALS AND BOARD OF EQUALIZATION MATTERS

PUBLIC HEARING: February 09, 2016-6:00 p.m.-Open 2016 Budget – Chairman Merrill opened the Public Hearing and asked Executive Buttars to review the budget adjustments. (See Attachment 1 to Resolution No. 2016-03-Amendments to 2016 Budget for details.)

Chairman Merrill invited public comment. There was none.

ACTION: Motion by Council member White to close the Public Hearing-February 09, 2016-6:00 p.m.-Open 2016 Budget. Erickson seconded the motion. The vote was unanimous, 6-0. Yeates absent.

UNIT OR COMMITTEE REPORTS

- * **County Library – Cheri Mickelson** addressed the following:
 - 25,313 visits
 - 90 children programs
 - 1,319 computer users
 - 180 Wi-Fi users
 - Test proctoring
 - 41,462 items circulated

INITIAL PROPOSAL FOR CONSIDERATION OF ACTION

- **Resolution No. 2016-02 – Declaring Certain Real Property as Surplus Property** **(NO ACTION TAKEN)** – Attorney Edwards noted that designating this property as surplus will allow the County Executive to sell the property which is located between Richmond and Cove. A Public Hearing must be scheduled to consider the action.

PUBLIC HEARINGS, APPEALS AND BOARD OF EQUALIZATION MATTERS

PUBLIC HEARING SET: February 23, 2016-6:00 p.m.-Resolution No. 2016-02-Declaring Certain Real Property as Surplus Property

ACTION: Motion by Council member Zilles to set a Public Hearing – February 23, 2016-6:00 p.m.-Resolution No. 2016-02-Declaring Certain Real Property as Surplus Property. Erickson seconded the motion. The vote was unanimous, 6-0. Yeates absent.

INITIAL PROPOSAL FOR CONSIDERATION OF ACTION

- **Resolution No. 2016-03 – Amendments to 2016 Budget**

(Attachment 1)

ACTION: Motion by Council member White to waive the rules and approve Resolution No. 2016-03-Amendments to 2016 Budget. Zilles seconded the motion. The vote was unanimous, 6-0. Yeates absent.

- **Approval of 2015 Parcels with Abatements** – *(Details are on file in the Cache County Clerk/Auditor's Office.)*

ACTION: Motion by Council member Potter to approve the 2015 Parcels with Abatements list. Robison seconded the motion. The vote was unanimous, 6-0. Yeates absent.

- **Approval of 2015 Parcels with Backtax Penalty and Interest Cancellations** – Executive Buttars reminded the Council that cancellations of less than \$10.00 can be approved by the Treasurer, cancellations between \$10.00 and \$50.00 require both the Treasurer and Executive's approval and anything above \$50.00 comes to the Council for approval. *(Details are on file in the Cache County Clerk/Auditor's Office.)*

ACTION: Motion by Council member Potter to approve the 2015 Parcels with Backtax Penalty and Interest Cancellations list. White seconded the motion. The vote was unanimous, 6-0. Yeates absent.

- **Discussion: Unfinished RAPZ Projects in the County** – Executive Buttars will contact the entities that have not used their funding to notify them the funding will be pulled back unless they provide information at the March 08, 2016 Council meeting justifying the delay in use of RAPZ funds.

Chairman Merrill informed the Council that the DUP has been delayed in the use of their funds due to negotiations with the LDS Church History Museum. The negotiations are completed and the DUP will be moving forward on the project.

(Attachment 2)

- **Discussion: Interns Working in the County** – Executive Buttars remarked that interns are handled in various ways in different counties. Basically, the larger counties pay interns. The Fair Labor Standards Act requires that certain requirements must be met in order for interns to serve unpaid. Buttars recommends that, if departments choose to use interns, they should be paid positions.

Chairman Merrill supports the idea of using interns and recommends that the information be given to departments and let them make the decision.

Director Runhaar observed his department has had three hires out of their intern process.

Sheriff Jensen uses interns and cautioned that there should be a specific project in mind for the intern(s) when hired.

OTHER BUSINESS

- ✓ **Meetings with Legislators during 2016 Legislative Session** – Saturdays from 7:30 a.m.-9:00 a.m. beginning January 30, 2016 and running through March 5, 2016-Cache County Administration Building, Multipurpose Room 109.
- ✓ **Attorney General Sean Reyes** Meeting – February 17, 2016 - 1:00 p.m. with the Executive and Council in the Cache County Historic Courthouse.

COUNCIL MEMBER REPORTS

Val Potter reminded Council members of the Republican Lincoln Day Dinner this Friday, February 12, 2016 at 7:00 p.m. There will be a candidate reception prior to the dinner at 6:00 p.m.

David Erickson was impressed with the personal interest that UAC has in Cache County's Water Conservancy District promotion.

Council member Potter said that Representative Webb made a passionate plea at the Saturday morning legislators' meeting for Cache County to "get on the ball" with a water conservancy district. Webb cited a meeting he attended this week where there is a big push from the Wasatch Front to take any untapped sources of water, which is the Bear River. We have to get it done (the water conservancy district) to protect water for Cache County.

Kathy Robison asked if she will be notified concerning the Public Relations Committee meeting times and place. Executive Butters responded he will let her know.

Jon White said the working group for the Water Conservancy District had its first meeting and he feels it is a good group. The state legislature has said that if Cache County does not have a Water Conservancy District, we will not be at the table on water matters. The county needs to act now.

ADJOURNMENT

The Council meeting adjourned at 6:45 p.m.

ATTEST: Jill N. Zollinger
County Clerk

APPROVAL: G. Gregory Merrill
Chair

RESOLUTION NO. 2016 – 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 2016 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 2016 budget for Cache County:

See attached

Section 2.

Other than as specifically set forth above, all other matters set forth in the 2016 budget shall remain in full force and effect.

Section 3.

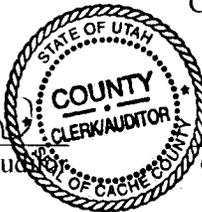
This resolution shall take effect immediately upon adoption and the County Finance Director and other county officials are authorized and directed to act accordingly.

This resolution was duly adopted by the Cache County Council on the 9th day of February, 2016.

ATTESTED TO:

CACHE COUNTY COUNCIL


Jill N. Zollinger, Cache County Clerk/Auditor




Greg Merrill, Council Chair



BUDGET OPENING

Resolution: 2016-03

Hearing: February 9, 2016

6:00 PM

Department	Account	Title	Description	Adjustment
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GENERAL FUND

Adopted Budget: \$24,234,384

Proposed Budget: \$24,223,634

Revenues

CONTRIB./TRANSFERS	100-38-70000	CONTRIB/DONATION - LIBRARY	Donation - Butte Creek Fdtn. - Chhildrens Books	250
Total Revenue Adjustment:				250

Expenditures

COUNTY JAIL	100-4230-120	TEMPORARY EMPLOYEES	Hire Part-Time Instead of Full-Time Employees	25,500
COUNTY JAIL	100-4230-110	SALARY	Hire Part-Time Instead of Full-Time Employees	(25,500)
LIBRARY	100-4581-485	LIB. MATERIALS-BOOK COLLECTION	Chhildrens Book Purchase	250
Total Expenditure Adjustment:				250

MUNICIPAL SERVICES FUND

Adopted Budget: \$5,885,624

Proposed Budget: \$6,130,424

Revenues

PERMITS	200-32-21000	BUILDING PERMITS	Increased Estimate (Smithfield City)	80,000
CHARGES FOR SERVICES	200-34-14000	PLAN CHECKING FEES	Increased Estimate (Smithfield City)	20,000
CONTRIB./TRANSFERS	200-38-90000	APPROP. FUND BALANCE - CLASS B	Increase for Belly Dump Trailers	16,800
CONTRIB./TRANSFERS	200-38-90000	APPROP. FUND BALANCE - CLASS B	Salt for Snow Plowing	53,000
CONTRIB./TRANSFERS	200-38-90000	APPROP. FUND BALANCE - CLASS B	Remainder for Building Projects	75,000
Total Revenue Adjustment:				244,800

Expenditures

BUILDING INSP.	200-4241-110	SALARY	New Building Inspectors	24,000
BUILDING INSP.	200-4241-120	TEMPORARY EMPLOYEES	New Building Inspectors	(12,780)
BUILDING INSP.	200-4241-130	EMPLOYEE BENEFITS	New Building Inspectors	16,400
BUILDING INSP.	200-4241-230	TRAVEL & SEMINARS	Certification Tests / Training - New Inspectors	4,000
BUILDING INSP.	200-4241-240	OFFICE EXPENSE	Computers / Code Books / Etc. - New Inspectors	4,200
BUILDING INSP.	200-4241-250	EQUIPMENT SUPPLIES & MAINT	Vehicle Maintenance / Fuel - New Inspectors	4,500
BUILDING INSP.	200-4241-280	COMMUNICATIONS	Cell Phones - New Inspectors	1,500
CLASS - B ROADS	200-4415-254	FUEL	Salt for Snow Plowing	(10,000)
CLASS - B ROADS	200-4415-416	ROAD SALT	Salt for Snow Plowing	63,000
CLASS - B ROADS	200-4415-720	BUILDINGS	Remainder for Building Projects	75,000
CLASS - B ROADS	200-4415-740	CAPITALIZED EQUIPMENT	Increase for Belly Dump Trailers	16,800
CONTRIBUTIONS	200-4800-995	CONTRIBUTION TO FUND BALANCE	Building Inspection Surplus	58,180
Total Expenditure Adjustment:				244,800

VISITORS BUREAU FUND

Adopted Budget: \$522,000

Proposed Budget: \$522,530

Revenues

TAXES	230-31-51000	TRANSIENT ROOM TAX - CACHE	Increased Estimate - Offset Annual Insurance	530
Total Revenue Adjustment:				530

Expenditures

VISITOR'S BUREAU	230-4780-510	INSURANCE	Annual Insurance	530
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BUDGET OPENING

Resolution: 2016-03

Hearing: February 9, 2016

6:00 PM

<u>Department</u>	<u>Account</u>	<u>Title</u>	<u>Description</u>	<u>Adjustment</u>
Total Expenditure Adjustment:				530

EXPIRE RAPZ AND RESTAURANT TAX AWARDS

FOR THE YEAR ENDED DECEMBER 31, 2015

Award Year	Award Number	Entity	Project	Award Amount	Total Spent	Remaining Balance	Last Invoice Date
2006	19524	Daughter of Utah Pioneers	Preservation Project	4,000.00	1,712.34	2,287.66	12/7/2015
2007	20044	Providence City	Providence Canyon Trail	45,000.00	16,946.56	28,053.44	11/4/2010
2010	22062	Logan City	1700 South Park	46,470.00	2,138.75	44,331.25	7/30/2015
2013	25656	Amalga Township	Building w/Kitchen Facilities and Storage	10,000.00	-	10,000.00	
2013	25681	Wellsville Foundation	Structure Upgrade - Civic Center/Cultural Hall	10,000.00	8,915.61	1,084.39	1/30/2015
Total RAPZ Taxes				115,470.00	29,713.26	85,756.74	
2012	25250	Logan City	Canyon Road Canal Trail	130,000.00	104,762.06	25,237.94	12/29/2015
2012	25253	Logan City	Sidwalk Connection Across Railway	20,000.00	8,179.70	11,820.30	12/30/2015
2013	25638	Logan City	Canyon Road Canal Trail Slide Area	100,000.00	66,347.93	33,652.07	11/13/2015
2013	25639	Logan City	Lundstrom Park Trail	70,000.00	51,408.34	18,591.66	12/30/2015
2013	25642	Cornish Town	Parking Lot, Fence, and Picnic Tables	30,000.00	6,928.22	23,071.78	2/21/2014
2013	25643	Richmond City	Playground Area	75,000.00	73,110.14	1,889.86	8/21/2015
Total Restaurant Taxes				425,000.00	310,736.39	114,263.61	

Total Expired Awards	540,470.00	340,449.65	200,020.35
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