

APPROVED

**CACHE COUNTY
COUNCIL MEETING
MINUTES
SEPTEMBER 13, 2016**

COUNTY COUNCIL MEETING

September 13, 2016

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CACHE COUNTY COUNCIL MEETING
September 13, 2016

The Cache County Council convened in a regular session on September 13, 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, Cory Yeates & Gordon Zilles
County Executive: Craig "W" Buttars
County Clerk/Auditor: Jill Zollinger
County Attorney: James Swink

The following individuals were also in attendance: Janeen Allen, Dominique Boudrero, Richard Boudrero, Terri Boudrero, Jaelyn Carter, Christy Chambers, Mae Chambers, A. J. Christensen, Doug Christensen, Karen DeGasser, Bear Fournier, Spencer Gibbons, Chief Rod Hammer, Chris Harrild, Gene Hiibner, Glenn Hiibner, Juanita Hiibner, Clark Israelsen, Marilyn Krogh, Brent Munk, Debbie Munk, Kiersten Munk, Shane Munk, Sharen Munk, Trevor Munk, Director Bartt Nelson, Dave Nielsen, Director Josh Runhaar, Richard Stephens, Julie Hollist Terrell, Darren Wold, Gina Worthen,
Media: Clayton Gefre (Herald Journal), Jennie Christensen (KVNU).

OPENING REMARKS AND PLEDGE OF ALLEGIANCE

Vice Chair Erickson 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. Erickson 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 August 23, 2016 Council Meeting as written. Robison seconded the motion. The vote was unanimous, 6-0. Yeates absent.

MINUTES FOLLOW-UP: Council member Robison asked about the gravel pit issue. Chris Harrild said the current code addresses the concerns identified by the public. Old pits are the issue with no solution. The current code requires reclamation, etc. on gravel pits; however, enforcement is the problem. Good enforcement would require a full-time position. Executive Buttars said he will review that section of the code to determine if any changes need to be made.

Chairman Merrill stated the Council would like to address the question of agritourism. Harrild said the definition of agritourism is being developed: the size of the operation; how big before it qualifies as agriculture; if it doesn't qualify for greenbelt, should it qualify for agriculture or agritourism? He is hoping for a late September or October agenda item on

agritourism. Harrild cautioned the Council that Gibbons Green Gate Farm currently operates in violation of the county code and has obtained legal counsel.

REPORT OF THE COUNTY EXECUTIVE: CRAIG "W" BUTTARS

APPOINTMENTS: Randi Jo Edvalson Cache County Deputy Sheriff
 Tyson Hyrum Nielsen Cache County Deputy Sheriff

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

WARRANTS: Warrants for the periods 08-20-2016 to 08-26-2016, 08-27-2016 to 09-02-2016 and 09-03-2016 to 09-09-2016 were given to the Clerk for filing.

OTHER ITEMS:

- Fire – Peterson Hollow** – Executive Buttars reported the fire was caused by an abandoned campfire. The cost to fight the fire is \$6.5 million. Because it is entirely on Forest Service land, the county will be reimbursed for its work on the fire.
- Water Conservancy District Proposal** – The protest period ended yesterday. Two letters have been received in opposition to the district. Locations for public outreach presentations/discussions at open houses are being sought.
- BOE Hearings** have begun and 120 of 142 filed have been handled. The deadline for appeals is September 15, 2016.
- Fairgrounds Advisory Board** will meet September 26, 2016 and will have a building concept available. They hope to have a recommendation for funding the building at the next Council meeting.
- Visitors Bureau** – Executive Buttars reported that the Tourism Tax Advisory Board needs to be brought into compliance with state code by reconstituting the board. The board is tasked with overseeing the best use of the transient room tax funds. A new set of bylaws will be drawn up. Buttars is seeking input from the Council for board members. The majority of the board members must come from the entities which collect the tax.
- Bookmobile** – Executive Buttars referred the Council to the report on the Bookmobile and noted the circulation is down from last year. Buttars calculated the total budget per book circulated to be \$4.50 per book checked out through the Bookmobile. Buttars advised looking at the cost versus the benefit of the Bookmobile when reviewing the budget for next year.
- NACO** – Executive Buttars and Vice Chair Dave Erickson will serve on the National Association of Counties Ag and Steering Committee next year.
- Ag Protection Areas** – Executive Buttars recommends that Development Services process the Ag Protection Area applications in the future and he will work with that office to come up with a plan for the changeover from the Executive's Office.

CONSENT AGENDA

- ◇ **Phoebe Meadows Subdivision** – Request to revise the recently approved Phoebe Meadows Subdivision Plat from a four-lot subdivision to a 3-lot subdivision. The revision removes the requirement for the improvement of County Road 7900 South as the proposed lots will not have residential access from County Road 7900 South, but will obtain access from County Road 400 West. Located approximately 7909 South 400 West, northwest of Paradise.

(Attachment 1)

ACTION: Motion by Council member White to approve the Consent Agenda item – *Phoebe Meadows Subdivision*. Erickson seconded the motion. The vote was unanimous, 6-0. Yeates absent.

ITEMS OF SPECIAL INTEREST

- **Century Farm Awards** – Clark Israelsen and Spencer Gibbons presented Century Farm awards including a certificate and placard sign to the following:
Munk Family Farms – Amalga
Cantagree Farms Inc – Mendon
Christensen Farms – Wellsville
Brooke Ranch – Paradise
River View Dairy – Amalga
Boudrero Family Farm – Hyde Park

Israelsen said Cache County has a total of 77 Century Farms and agriculture creates \$185 million new dollars every year in Cache Valley.

Council Member Yeates arrived at the meeting – 5:43 p.m.

PUBLIC HEARINGS, APPEALS AND BOARD OF EQUALIZATION MATTERS

PUBLIC HEARING SET: September 27, 2016-5:30 p.m.-Nielsen Rezone – Request for a rezone of 5 acres from the Agricultural (A10) Zone to the Rural 2 (RU2) Zone located at 100 West 6600 South, south of Hyrum.

ACTION: Motion by Council member Potter to set a Public Hearing-September 27, 2016-5:30 p.m.-Nielsen Rezone. Yeates seconded the motion. The vote was unanimous, 7-0.

INITIAL PROPOSAL FOR CONSIDERATION OF ACTION

- **Decision on 2017 Cloud Seeding Program** – Executive Buttars stated Cache County's share of the program will be \$51,100.00 if the Bear River Water Conservancy District participates. If not, the cost will be \$58,700.00. Buttars observed that the forecast for winter is lighter and warmer than normal. Buttars will have the full proposal available at the next Council meeting.

- **ASI Road Improvement Proposal** – Executive Buttars has been in negotiations with Autonomous Solutions which is in violation of the county code due to an inadequate road. The average ASI salary is in the mid to upper \$70,000.00 range and Buttars feels the business deserves economic support from the county. An economical study of the benefit to the county's tax revenues by the University of Utah produced a projected 5-year \$1.6 million in new net revenues and a projected 15-year \$7.4 million in new net revenues. Buttars and Council member Potter met with Ben Hart and the Torrie's and proposed using the budget reserve account for economic development in the amount of not more than \$150,000.00 for a 20% participation in the road improvement needed for Autonomous Solutions. The state would contribute the same amount and ASI will fund the remaining amount.

Council member Potter expressed support of the proposal as a worthwhile endeavor.

Executive Buttars added that Ben Hart is willing to come before the Council to explain the benefits to the county of the proposal. Buttars said as the county grows, it will see a need for economic development assistance.

Council member Zilles pointed out the sales tax revenues for ASI are very limited.

Council member White spoke in opposition stating the road was supposed to be done when they started the business, but there was no enforcement by the county so they continued in violation. The University of Utah report is based solely on statistics given by ASI. White is not opposed to granting tax relief, but he is not in favor of \$150,000.00 up front. If approved, Cache's \$150,000.00 should be the last money to be put in.

Director Runhaar explained that the original conditional use permit eleven years ago indicated use access would be from the north and the county would provide grading once a year, but no other services. ASI wanted to be removed and away from a lot of activity, now they have grown from 43 employees to over 100. There is a lot of development occurring in the area as well. High Country Estates' residents use the road as a shortcut to a church in Mendon. Cox Honey also uses the road. Runhaar observed the proposed road improvement will be on the north end with a possible closure for property access only on the south end. It would be a seasonal closing with keys given to the landowners for farm access. The total bid for the road is just under \$800,000.00.

The majority of the Council wants the proposal listed in next year's budget for their review. Robison and White were opposed to its being included in the proposed budget.

- **Request for Tax Relief Filing Deadline Extension** – Clerk/Auditor Zollinger explained that the state deadline is September 1st, but can be extended by the county until December 31st. Zollinger recommends November 30th as the deadline extension date because that is when the property tax is due and the date worked well last year.

(Attachment 2)

ACTION: Motion by Council member Yeates to approve the request for tax relief filing deadline extension with November 30, 2016 as the deadline. Robison seconded the motion. The vote was unanimous, 7-0.

- **2017 Budget Priorities** – Executive Buttars brought the following highlights in the budget and asked the Council for their expectations regarding budget workshops this year.

Buttars said the estimated tax revenue from new growth is \$232,000.00 which is the amount that can be utilized without a truth in taxation hearing. The estimated additional property tax of \$473,000.00 (which includes the \$232,000.00) would result in holding the rate the same in 2017 as 2016, but because the county would take in more taxes than the previous year, a truth in taxation hearing would be necessary. The hearing would have to be posted in the paper with a Public Hearing regarding it.

There are still some issues to be worked out as far as salaries and health insurance are concerned. A health insurance increase of 35% this year will be necessary to receive the same plan as the county currently has. The Compensation Committee is trying to negotiate a 16% increase.

The shortfall from the transportation/road funding due to the “counties held harmless” circumstance is still being addressed. Buttars and Council member Potter said the League of Cities and Towns has better discussions on the issue than UAC. Attorney Swink will pass that information along. Buttars believes there is a firm commitment to fund counties at the level they were expecting for 2016.

Buttars asked the Council how they want the budget workshops to be handled – all departments or only the larger ones? Chairman Merrill suggested Buttars present the proposed budget with an explanation in summary form on each department. That would help the Council prioritize what departments they want to attend the workshops. Potter recommended having the larger departments first and then see if any others need to attend.

Council member White reminded the Council they promised to decide on compensation and health benefits first in the budget process.

The first budget workshop will be September 27th at 3:00 p.m. and the Sheriff’s Office budget will be the first to be reviewed. Summaries of the department budgets will be received at that meeting for the Council to review and prioritize.

OTHER BUSINESS

- ✓ **USACCC Fall 2016 Conference – September 21-23, 2016 - -Uintah Conference Center, Vernal** – Erickson, Merrill, Robison and Zilles will attend.
- ✓ **USU Homecoming Parade – Saturday, September 24, 2016-10:00 a.m.** – Erickson, Merrill and Robison will attend.
- ✓ **UAC Annual Convention – November 16-18, 2016 – Dixie Convention Center, St. George** – There are four candidates for Executive Committee secretary and Assessor Kathleen Howell is one of them. All of the Council will attend. There is

training available for newly elected officials on the day before the convention begins. Janeen Allen will contact those affected.

COUNCIL MEMBER REPORTS

Kathy Robison attended the Neighborhood Housing Solutions (previously Neighborhood Nonprofit Housing) celebration where Cache County was presented with a partnership plaque.

EXECUTIVE SESSION

ACTION: Motion by Council member Zilles to adjourn to an Executive Session for a discussion of pending litigation (Utah Code 52-4-205(1)(c). Erickson seconded the motion. The vote was unanimous, 7-0.

The Council adjourned to an Executive Session at 6:39 p.m.

ACTION: Motion by Council member Yeates to adjourn from the Executive Session at 7:09 p.m. White seconded the motion. The vote was unanimous, 7-0.

ADJOURNMENT

The Council meeting adjourned at 7:10 p.m.

ATTEST: Jill N. Zollinger
County Clerk

APPROVAL: G. Gregory Merrill
Chair



To: Cache County Council
From: Chris Harrild, Senior Planner
Subject: Agenda items for September 13, 2016

SET PUBLIC HEARING

1. **Set a Public Hearing for September 27, 2016 at 5:30 p.m. for the Nielsen Rezone** — A request for a rezone of 5 acres of property from the Agricultural (A10) Zone to the Rural 2 (RU2) Zone located at 100 West 6600 South, south of Hyrum.

CONSENT

2. **Phoebe Meadows Subdivision** — A request to revise the recently approved but not recorded subdivision plat from a four-lot subdivision to a three-lot subdivision on 20.5 acres of property at approximately 7909 South 400 West, northwest of Paradise, in the Agricultural (A10) Zone.

