

County Council Meeting  
07-08-2003

## **CACHE COUNTY COUNCIL MEETING July 8, 2003**

The Cache County Council convened in a regular session on July 8, 2003, in the Cache County Council Chamber at 179 North Main, Logan, Utah.

### **ATTENDANCE:**

**Chairman:** H. Craig Petersen  
**Vice Chairman:** Cory Yeates  
**Council Members:** Brian Chambers, Paul Cook, Darrel Gibbons, John A. Hansen and Kathy Robison.  
**County Executive:** M. Lynn Lemon  
**County Clerk:** Jill N. Zollinger

**The following individuals were also in attendance:** Jay Aguilar, Russ Akina, Garth Baxter, Alina Bokde, Steve Carpenter, Lt. Kim Cheshire, Blake Christensen, Lenni Christiansen, Linda Christiansen, Eric Coleman, Mae M. Coover, Mervin P. Coover, Bobbie Coray, Attorney George Daines, Newel Daines, Joyce Davis, Joan Degiorgio, Jay Downs, Adam Eichburg, Joe Fuhriman, Don Fulton, Spencer Gibbons, Earl G. Glenn, Lorene Greenhalgh, Cindy Hall, Jonathan Hardman, Sharon Hoth, Chad Jensen, Mike Kidman, Joel Lundstrom, Samantha Macfarlane, William W. Macfarlane, Chief Mike Meaker, Jon Meikle, Garr Morrison, Bill Oblock, Evan Olsen, Inez Olsen, Lane Parker, Pat Parker, Bruce Pendery, Jeff Petersen, Kelly Pitcher, Brian Potts, Tami Pypher, Curtis Roberts, Christopher Sands, Todd Sherman, Jim Smith, Jim Steitz, John Stewart, Rob Stewart, Auditor Tamra Stones, Mark Teuscher, Mayor Doug Thompson, Mike Twitchell, Ron Vance, Jon White, Rod Wilhelm. **Media:** Joe Rowley (Herald Journal), Jennie Christensen, (KVNU).

### **CALL TO ORDER:**

Chairman Petersen called the meeting to order at 5:00 p.m.

### **INVOCATION:**

The invocation was given by H. Craig Petersen.

### **PLEDGE OF ALLEGIANCE:**

Chairman Petersen lead those present in the Pledge of Allegiance.

### **REVIEW AND APPROVAL OF AGENDA:**

**The agenda was approved as written.**

### **REVIEW AND APPROVAL OF MINUTES:**

Minutes of the June 24, 2003 Council meeting were reviewed and approved as corrected.

**REPORT OF THE COUNTY EXECUTIVE: M. LYNN LEMON**

**APPOINTMENTS:** There were no appointments.

**WARRANTS:** The warrants for the periods of 07-01-2003 to 07-01-2003 were given to the Clerk for filing.

**OTHER ITEMS:**

- **EMS Coordinator:** Cache County received a \$6,000.00 donation from Cache Valley Specialty Hospital for the EMS Coordinator position and the position started on July 7, 2003.
- **Vacancy on the Constitutional Defense Council:** The council is made up of 12 members that is chaired by the Governor. The council advises the Governor and the legislature on issues affecting the state and it's relationship to the federal government and it's agencies. There is a vacancy for county commissioners, county council members or executives. If any Council members were interested in serving, they were to contact Mark Walsh by July 10, 2003. The council usually meets on a monthly basis in Salt Lake City.
- **Proposed timber sale of mature spruce in the Bear Hodges area:** Wasatch/Cache National Forest, Logan Ranger District wants to know if the Council has comments concerning this proposal. Comments will be due before the next Council meeting.
- **Bid for demolition of Hall of Justice Building:** Low bid was submitted by Parson Construction with a start date of July 28, 2003 and a three-week period of demolition and patch work on the parking area.

**ACTION: Motion by Council member Gibbons to accept the low bid from Parsons. Cook seconded the motion. The vote was unanimous, 7-0.**

**ITEMS OF SPECIAL INTEREST:**

- **Employee of the Month Award** presented to Sgt. Chad Jensen of the Cache County Sheriff's Department.
- **External Audit Report** by Mike Kidman and Curtis Roberts of Jones Simkins LLP. **Council member Gibbons** asked if there was concern about the county's long-term debt. There was not at this point. There were no deficit fund balances and the amount in the General Fund that is un designated was \$1,790,000.00 which is well within the legally accepted range of between 5% and 18% of annual revenues. It was recommended that the fund balance should not be taken any lower. It was

County Council Meeting  
07-08-2003

recommended that the needs of the county Information Technology Service Department be addressed as this department's ability to function affects all other county departments. There were a few minor state compliance issues. The auditor's office needs to be prepared to implement the new GASB model next year.

**(Attachment 1)**

**ACTION: Motion by Council member Cook to accept the Audit Report. Seconded by Robison. The vote was unanimous, 7-0.**

- **Willow Park Complex Budget:** Russ Akina, Logan City Parks, asked for an \$84,000 increase in Cache County's contribution. Willow Park Fund is jointly owned by Logan City and Cache County. Logan City has adopted a budget with \$336,599.00 for the Willow Park Fund. Cache County indicated it would rather maintain a contribution of \$252,568.00 for the 2003-04 fiscal year. The Council and County Executive asked about previous years' contributions and what the amount requested for 2003-04 would be used for. They also inquired about the percent of increase in operating costs. **Jim Smith** of the Willow Park Advisory Board indicated the Willow Park Advisory Board felt it was a reasonable request.

**PUBLIC HEARING:** AGRICULTURAL PROTECTION AREA - LOWELL R. GLENN PROPERTIES, EARL & CAROL GLENN AND LOWELL AND R. GLENN TRUST

**Chairman Petersen** declared the public hearing open and asked if there was anyone who wanted to speak to that issue. There were no comments made.

**ACTION: Motion by Council member Yeates to close the public hearing. Hansen seconded the motion. It passed unanimously, 7-0.**

**Willow Park Complex Budget:** Discussion continued

The Council continued its discussion on the Willow Park Complex Budget request. **Akina** said the State Zoo Contribution Fund which participates in the Willow Park Sports Complex revenues has been significantly down the last two years and will probably be down again this year. Mention was made of the possibility of using the RAPZ tax for some of this request, but the allocation of RAPZ monies will not be known until this fall.

**ACTION: Council member Cook moved to readdress the request at the second meeting in October. Robison seconded the motion. It passed unanimously, 7-0.**

**(Attachment 2)**

**PUBLIC HEARING:** OPEN 2003 BUDGET - TAMRA STONES

County Council Meeting  
07-08-2003

- **Open 2003 Budget - Tamra Stones** reported to the Council on the 2003 Budget and reasons for changes.

**(Attachment 3)**

**Chairman Petersen** declared the public meeting on the 2003 Budget open for comments from the audience. There were no comments made.

**ACTION: Motion by Council member Yeates to close the Public Hearing. Cook seconded the motion. It passed unanimously, 7-0.**

**THE COUNCIL MOVED INTO THE BOARD OF EQUALIZATION.**

- **Tax Adjustment Request - John Stewart** - Executive Lemon reported that Mr. Stewart had asked for consideration for a late Board of Equalization hearing. Assessor Howell's letter indicated there was not a basis to consider a late appeal. The Council should decide whether to hold a Board of Equalization to hear the appeal. **Council member Cook** said he felt the Council should always err in favor of hearing a citizen's concerns and giving it consideration. He had spoken with Mr. Stewart and was aware of some of his problems. **Council member Gibbons** commented that if Mr. Stewart could substantiate that he was medically unable to file in the proper time, then the Council should hear his appeal. If not, then the Council should decline to hear it. **Chairman Petersen** indicated this is a green belt area and, therefore, a one-year issue. He asked Mr. Stewart if he could provide some documentation of inability to file.

**ACTION: Motion by Council member Yeates to table the issue until a future meeting when Mr. Stewart could provide the necessary information. Hansen seconded the motion and it passed unanimously, 7-0.**

**Chairman Petersen directed Pat Parker to put this item on the agenda for the next Council meeting and to ask Assessor Howell to be present at that meeting.**

**The Council adjourned from the Board of Equalization.**

#### **PENDING ACTION**

- **Update - Cache County Historical Courthouse**: **Newel Daines** reported that they had received bids for the Contractor on call and the committee will consider those and make recommendations to the Board. The asbestos analysis of the old building has moved ahead and it is expected that interior demolition will begin in two weeks. After the interior has been gutted, an analysis will begin on how to move forward with the remainder of the proposed plans.
- **Update - Cache County Jail - Lt. Kim Cheshire** reported the hallway connecting both buildings together has been closed in. The floor of the administration building will soon be closed off; it is the most complicated of all the floors. The generator building has

County Council Meeting  
07-08-2003

been approved by Logan City and work has begun on it. **George Daines** has been working with Logan City and ICON on the design changes for the road project and these will be resolved shortly. The project is right on in terms of the budget. George Daines indicated the amount of the outstanding contingency, currently, is less than the contingency fund held and there are no concerns about budgetary matters. They are fully staffed and, hopefully, additional staff will be coming on in the fall. Franklin County has contacted Cache County about housing inmates for them.

**(Attachment 4)**

- **Update - Strategic Planning for Cache County Government - Chairman Petersen** had nothing new on this item.
- **Agricultural Advisory Board's Request for 20 Million Dollar Bond:**

**Discussion**

**Chairman Petersen:** We did have some public input at the last meeting. If there are new issues, and I realize everybody wasn't here at the last meeting, but so many of you were; if you have new issues that are really relevant to this, we would take some public input. The main issue we're considering is whether or not to put this on the ballot and, if so, when it would be put on the ballot. For many of you who may not be familiar with the issue, although I realize most of you are here for this particular purpose, the issue is whether or not there would be an issue on the ballot for the citizens to approve that would authorize a \$20 million dollar bond that would be used to purchase conservation easements.

**Gibbons:** It would be a 20-year bond, is that correct?

**Petersen:** 20 million, 20-year, that's correct, I think.

**Gibbons:** I visited with Tamra (Stones) just a little bit and if our figures are close what it would cost a county resident on agricultural land because of green belt, it would cost approximately 50 cents per acre.

**Stones:** These are on a \$150,000.00 home.

**Gibbons:** And on a \$150,000.00 home it would cost a resident \$56.62 annually.

**Stones:** That's using an estimate of 2002's valuations. So that's subject to fluctuation.

**Petersen:** Let's do that again.

**Stones:** All we had, correct me if I'm wrong, but we estimated a \$2 million debt-service payment and that's what that is. I don't know if that's exactly what any information you came up with or are we still estimating? We're still estimating. But a \$2 million debt-service payment would require a tax rate based on 2002's value of .000670.

**Petersen:** Okay, and you said that's \$56.00 on \$150,000.00 home. Now, just to put that in perspective, Tamra, the tax increase that we authorized for this year – property tax.

**Stones:** It's about 34%.

**Petersen:** How much would that be on a \$150,000.00 home? The tax increase that will take effect.

**Stones:** This is an increase of \$40.27 which is what the increase on a home of \$150,000.00 would be \$158.00 a year and without the increase, it's \$117.73, so the difference is the \$40.27.

**Petersen:** That's on the tax increase that we've authorized.

**Stones:** That's the tax increase that we voted on.

**Petersen:** Now, take your calculator and compute the percentage increase of \$56 on the existing base right now.

**Stones:** On the \$158?

**Petersen:** Well, that's okay.

**Lemon:** It'll be somewhere between 36 and 38.

County Council Meeting  
07-08-2003

**Petersen:** So, what we're talking about will be about a one-third property tax increase.

**Gibbons:** So, Craig, if we've already approved, to meet our bond payment, a 34% increase. Then we add to that another 38% increase, then we're really asking for a 72% increase in property tax.

**Petersen:** But we need to put that into perspective as well because that's percentage increase on the county's portion of the property tax. It wouldn't be nearly that much on total property tax, because we're about 16% aren't we, Tamra, of the total property tax?

**Stones:** I think we're closer to 20.

**Petersen:** 20? 20% then, okay. So it would be 30-35% increase on the county's portion of the property tax.

**Stones:** Yes, overall, it's not going to be that much unless Logan City raises and Logan City School raises and the County School District raises, it depends on what taxing area you live in.

**Petersen:** Are there some of you that would like to comment? John.

**Hansen:** I wanted to just bring up to this group that we've discussed this now for three or four years and early on in our discussion we talked about a property tax or a sales tax. Remember that we felt like the sales tax maybe, at least for this group, was more acceptable. And yet we found that the state, apparently the machinery isn't in place for that to happen. I see Mr. Olsen here and maybe he has an explanation or at least could enlighten us as to will that ever happen, Evan? Or is that the way to go? I mean that's been a really hot discussion with this group for years and we felt, why not a sales tax. We thought it was more fair, and yet the state legislature has kind of hamstrung us in that regard. I'd just like to know if there is any blue sky looking that other direction?

**Petersen:** What we want is a two-minute summary, Evan.

**Evan Olsen:** I don't see it ever happening. The real estate people fought it vigorously. The sales tax of what we looked at of 1/8 of a cent would raise more than a million dollars a year and 20% of that would be raised by tourists, but unless someone really goes after it, the legislature changes, and they're in very difficult situations right now. So it would be very difficult unless someone with a lot of background and the support of a county or if four or five counties came in and pushed it, I don't see it happening.

**Petersen:** Okay. The gentlemen here had a comment.

**Christopher Sands:** Mr. Chairman, I just had a question on your opening remarks. Is it my understanding that the issue is whether or not to put it on the ballot and then when it should be put on the ballot? Is that correct?

**Petersen:** Yes, sir.

**Joe Fuhriman:** My name is Joe Fuhriman. I'm the chairman of the Ag. Advisory Board. If I could take a few minutes to bring you up to speed to where we are. As you know, we were appointed approximately a year and a half ago. We've made a lot of progress in that time. We've got a good board and thanks to their unified efforts, and we have come a long way. We are to this point now where we need your support. As you know, the Utah Quality Growth Commission gave us seed money to get started here with this project and wants Cache County to be an example to get this program going. This isn't a new program. Other states have been frantically spending millions of dollars annually to preserve and protect farm and ranch lands, and it is time that we do something in the county here. I'd like to go through the five points quickly. You each should have had a letter that we received.

1. The current bond rate is lower than it has been in more than 30 years. This low rate may not be available in one year and the additional cost in debt service would be substantially more than the cost of holding a special election this year.
2. The 2003 election could focus on this issue, whereas it could get lost in the Presidential election year. It will provide a better forum for debate of this issue and clarity to the voters. Large national and state elections tend to (tape change)
3. A recent survey performed by the Trust for Public Lands shows that 88% of respondents favor agricultural land preservation and 62% favor a \$20 million bond to purchase Ag conservation easements.
4. Without a bond election this year we would lose out on two funding cycles of USDA farm and ranch

## County Council Meeting 07-08-2003

protection funds. Each year this funding source becomes more competitive. If Cache County were to have a local match in place, we would be eligible for a set allotment and would not have to compete with other counties.

5. As urban development continues to encroach into agricultural lands, the costs of services go up for all county taxpayers. By curbing sprawl now we actually create long-term tax benefits for Cache County taxpayers. At our last Council meeting, there was some debate and discussion on the survey that was conducted. I'd like to, at this time, introduce Adam Eichburg from the Trust for Public Lands. He can explain that. Adam.

**Adam Eichburg:** I just wanted to say that we have been working with the Ag Advisory Council and others in the community and we did help conduct a survey and if there are questions regarding the survey, we are happy to answer them. I know that you all were briefed on that last time. I want to tell you that this election, this 2003 election year, will probably see close to a hundred measures on the ballot around the country dealing with land conservation and park protection. Going in an off-election year is not an unprecedented act. It is one that's taken by lots and lots of communities around the country. It is true that in even numbered years we do see more elections on the ballot and that has to do with mostly state laws that require certain tax elections to be held in even numbered years. As others have said, I think the time this year is ripe for this. The community, at least it's demonstrated through the survey, and I think through the turnout here and through the comments that you all have been receiving, it's very supportive there. It's momentum in the community and that, frankly, is one of the important factors ensuring that these sorts of things are successful once you all take a step to put it forward and ask voters to make a decision. I'm happy to answer some questions on the survey. I'm happy to answer questions on timing. If I can be helpful, please let me know.

**Jon Meikle:** Can I ask a question? What is the cost of a special election?

**Petersen:** Jill?

**Zollinger:** I looked back at figures on the Water Conservancy election and it came to \$7,945.00.

**Cindy Hall:** That wasn't in conjunction with a municipal election though.

**Zollinger:** That was a special election. But that was in '99 so we don't know what costs have gone up as far as election materials and that sort of thing.

**Jon Meikle:** Thank you. I see it as a unique opportunity for the county to step forward to take a stance and allow the people of the county to vote on this issue. They have not had that opportunity. There have been many surveys taken; those surveys continually come back saying people are interested in this issue. They like the green space in Cache County. Right now, each of you in this room are participating in farm land protection whether you like it or not. If your paying taxes, you're tax dollars are going to many other states who have programs already implemented. Two years ago on our farm we were able to utilize some of those tax dollars, finally, to protect a piece of farm land. Since that there has been tremendous interest within this county from people wanting to know how that program works and how they can participate in it. The absolute stumbling block that Utah has is that they have no matching dollars to go with those federal dollars that are going to others. I would admonish you to give the voters a chance. I'd like to see this issue voted on. If people are for it, then let's move ahead with it. If they're not, then we know what the decision is and we can deal with the results. Thank you.

**Petersen:** In fact, the discussion now is going to be amongst the Council.

**Hansen:** May I ask a question of Mr. Fuhrman?

**Petersen:** You bet.

**Hansen:** Joe, I think, as you know, I have voiced this concern several times being a member of the committee. Do the rank and file farmers – those that own the property – and most of those, probably 80% or 90%, will never see any of these dollars because of where it sits, are they going to feel okay about another tax increase on their property to see this happen? I guess I answer my own question. I want to know what your opinion is. As an Ag Advisory Board and someone who wants to protect agriculture, I think that we have to be very careful that we don't walk on their toes trying to do something that, on the other hand, is a good thing. You see where I'm going?

County Council Meeting  
07-08-2003

**Fuhriman:** I do. We are already walking on our own toes. We're being taxed. We know that development doesn't pay. Development costs. We're already faced with tax increases. We've got a new administration building. We've got a new jail. You know that we need more services. More development means more services, more taxes. It's a never-ending battle. This is one means of curbing some of that expense. As far as I'm concerned, my own feeling is I'm happy to do it. What little bit that tax increase doesn't amount to anything. You know \$100 a year on those farms, up to \$500 on a thousand acres, you know that's probably the maximum size, close to the maximum size farm in the county, and people are willing to do that. I haven't heard anybody negatively say that they wouldn't spend a hundred dollars to do this.

**Hansen:** I would have to respectfully disagree with you on that in terms of people that state to me. They say, "You want to tax my property even more and deeper when I'm losing" you know all the folks that farm around me –you know where my farm is – there's no one running the land any longer. It's all being leased out to someone else. Why aren't they farming? Because it's not productive, it's not profitable. So, my concern, again, is the rank and file farmer, how are they going to feel about this situation? Those people that pay the taxes and own the land. Got a comment here, I'd like to hear it.

**Spencer Gibbons:** I'm Spencer Gibbons from the Utah Farm Bureau. I'd just like to echo Councilman John Hansen's feeling. As I've visited with rank and file farmers in the county, they share that same feeling. They are concerned about paying an additional tax to do something that isn't profitable. That is a concern and a legitimate concern at that where they are already paying taxes. Yes, they are paying taxes, but to pay an additional one to already continue to do what they are doing, they do have some concerns.

**Gibbons:** Do you propose we address this in two phases? Could we address first of all the issue, should it be on a ballot for the vote? And let's consider that and get it out of the way and then we can discuss when.

**Petersen:** Are you comfortable with that? All right, we'll discuss then the issue of yes or no. Discussion on that issue.

**Cook:** John, on your Ag committee that you're a part of, how many of those are active farmers in the community?

**Hansen:** Let's see, Joe, how many farmers do we have on the Ag Advisory Board? We had at least three or four.

**Fuhriman:** Yes, we did; myself and Lane Parker and Val Jay Rigby, Wes Roundy, Richard Nielsen and Delores Wheeler.

**Cook:** Were any of those dissenting on that, on this proposal?

**Fuhriman:** No, they weren't. They had concerns and questions, but . . .

**Petersen:** Somebody at the back says differently. Go ahead.

**Linda Christiansen:** I'm on the Ag Advisory Board plus I'm a Planning Commissioner and I was in disagreement with putting it on the bond because I didn't have enough information. We're farmers, also, and Cindy has worked hard with me to explain the tax. It's still going to be very high. So, I was a dissenting member on the Ag Advisory Board.

**Cook:** Was there anyone else?

**Christiansen:** We only had, I think, seven there.

**Cook:** Seven of how many?

**Christiansen:** Out of twelve.

**Gibbons:** Mr. Chairman, I'm not opposed to putting it on the ballot and giving the citizens of the community an opportunity to vote on it. I think it's the kind of issue that we need to give our people a chance to say, "Yes, I'm willing to embrace this and support this kind of tax" or "I'm not."

**ACTION: Motion by Council member Gibbons to approve a ballot vote on this issue.  
Cook seconded the motion and it passed unanimously, 7-0.**

**Petersen:** The next consideration then would be when to put it on the ballot. I have a question I would like

## County Council Meeting 07-08-2003

somebody to answer if they can. So the way that this works is that, if it was approved, there would be a \$20 million bond which the county would pay, well the taxpayers obviously would pay, over a 20-year period. So that would create a pool of funds. \$20 million of the funds up front that could be disbursed at some rate. Is there any thought as to how that would be accomplished, over what period of time, for example, the money might be disbursed?

**Eichburg:** Can I just clarify one thing? That is that the county's not required to sell all \$20 million at the front end. Most counties that undertake a program like this sell bonds in series and they would sell, say, two million or three million or one million at the front end. After a project comes in, you all would work with your bond counsel and an underwriter and you would do series, so the cumulative tax rate that you all are discussing is when the total \$20 million is spent out so the first year, five years, whatever the length of time that you only have a little bit of debt out, that rate is lower. You're talking about, now, the highest rate, so I think it's a process that most counties undertake over time. The first couple of years are planning and application process using the LESA guidelines that the Ag Advisory Board has developed in getting the pool filled with projects that make sense, which have other funding, that have matching funds and all those sorts of things and then the county going out and actually getting their share of the dollars.

**Petersen:** So, we're really talking about a series of 20-year bonds, right? So you might do a million, 20-year bond for a million dollars the first year, another million for 20 years the second year and so forth. Okay.

**Eichburg:** That's the typical program that most counties follow.

**Attorney George Daines:** This is just a general question. How many acres of farm land can you preserve with \$20 million? At current values of, say, \$15,000.00 an acre, unless there's a match, that will preserve about two square miles of land.

**Petersen:** \$20 million would preserve two square miles?

**Daines:** \$20 million at \$15,000.00 an acre will preserve two square miles of land. There's 640 acres in a square mile. You take 1280 acres in two square miles, and you will have spent the \$15,000 for \$20 million. Now, I understand there's the possibility that this can be a match, but you need to understand, I think this is the difficulty most people have in measuring this program. In a general way, I think we're all in favor of preserving agricultural farm land. But is the \$20 million going to be sufficient to really make a dent in the amount of Ag land we're dealing within this valley? Two square miles of Ag land is a very minuscule part of our Ag land in this valley. So it's got to be multiplied many times over if it's going to be effective.

**Petersen:** Remember, George, we're not buying the land. We're buying a conservation easement on the land.

**Daines:** I understand, but when you talk about a conservation easement, you're talking about the difference between the value of the land as agricultural land and the value of the land as development land. The value of development land in the valley is approaching \$15,000.00 or more an acre. The value of Ag land that is what can it really support for agricultural purposes, is somewhere between about \$1,000, \$1,500, maybe prime land somewhere around \$2,000.00. So you're roughly talking \$15,000.00 on land that's in the pathway of development. Maybe someone can help me with those numbers, but we need to make sure if we're going to spend \$20 million, it's going to have an impact on the goal that we seek. I'd like to see someone explain to me how we're going to leverage \$20 million into preserving substantial amounts of agricultural land in the valley.

**Jon Meikle:** Mr. Chairman, I'd like to answer that. I've been in counties in this U. S. where people bonded. King County near Seattle is one. They bonded the first time for \$50 million. This was before USDA had its program of matching funds in. I think the thing that we need to keep ahead of us here is the fact this \$20 million can become possibly \$60 million or \$80 million. In most cases when easements are put on, in our case the easement that we put on ground, we made a considerable donation to make that happen. A land owner can donate up to a quarter, I believe, of the cost involved. And so, you take your \$20 million and it can become \$60, \$80 or \$100 million in this county.

**Daines:** But \$80 million is only eight square miles.

## County Council Meeting 07-08-2003

**Meikle:** I don't think we need to get bogged down in that. I think we need to keep track that there are federal funds appropriated for this and we are not participating in. We have yet to give voters in this county the opportunity to participate or to say "no" and this issue can go away. I think that's what we want to accomplish.

**Petersen:** I'm going to let the gentlemen here speak.

**Jon White:** Just in response to that. I'm doing easements right now. No matching funds here. The hardest part is coming up with it. For less than \$2 million, we're setting aside more than 1,500 acres. So, the \$15,000 you're looking at, that might be right down town, outside of Nibley or something, but it isn't that much, and as a farmer, you ask if a farmer's willing to donate that money. This gives the farmer another option. You know we've educated everybody's kid even though it was our own, you know we always say. Well, this gives you an option of maybe something you can do for yourself and if it's part of your life, you're willing to give up a 25% to keep it in agriculture; if it is an option, you certainly don't make what you'll make developing it, but you can make enough that it'll, perhaps, do.

**Alina Bokde:** My name is Alina Bokde, Trust for Public Land, and I work with land owners to place conservation easements on their land, and I think that the fact of the leverage of both the private land owner donation and other matching funds will make the \$20 million stretch. I would even say to \$100 million. I mean I think the potential is really tremendous out there and the opportunity to capture the federal dollars as well as the state dollars will exist if Cache County has a local matching source. Without it the possibility is that it's going to go to another state, you know, as Mr. Meikle suggested. The land values today are more affordable for a program than they will be five years from now or even ten years from now as the growth pressures continue to grow. You know within this community and so I think that the potential, the easement that we're working with is I think the average ends up being around, for even 50% of the farm land protection contribution for the 1,600 acre property is more than \$500 an acre so you're looking at, you can really begin to look at how you can leverage those dollars. I think the potential is tremendous. The challenge for this community, and for many communities in Utah, is that the match does not exist and there are millions of dollars out there that we can begin to, our organization as well as other organizations that work with land owners, we can begin to get those dollars into this community to help leverage local dollars. Without it, federal agencies that have these state agencies say, "Well, we need that local commitment. We need to know that the community cares about agricultural protection before we'll put our resources into it." So it's kind of a partnership that needs to be established, but I think the values are going to continue to grow so let's try to use the opportunity that exists now. I have talked to more than twenty to thirty land owners in Cache Valley who want to work with our organization to sell a conservation easement and every land owner, I say, "You're going to have to make a substantial donation." And they say, "That's okay." So I think there's a real opportunity right now in this community to try to create a significant impact and working with the Ag Advisory Board and with the County Council, we'll be able to look at those priorities and what kinds of areas you want to put this on.

**Petersen:** The gentlemen at the back here I'm going to let comment, but then I want the Council to come back to the immediate issue and that's when it goes on the ballot. So one more comment.

**Wally McFarlane:** I don't want to repeat what Alina said, but as far as, this is my background – our family put 7,500 acres, which is what, eight, nine square miles in a conservation easement for \$2.4 million. The way it worked, it leveraged a lot of money and it wasn't just money from the federal and state, but it was also money from private donors. And that's another thing that will happen is that foundations will step up and they'll see that land is being preserved here and they'll step up with money. Eight hundred thousand dollars came from private donors of that money. I think, in reality, if we have \$20 million I think it's in the ball park of fifty square miles that we could set aside if we work it right. I think we could make a really big difference in this valley. I think it's a legacy that we've got to try to have.

**Gibbons:** Just a question. Is it our intent to preserve agriculture in general throughout the entire valley, or is it our intent to try and preserve agriculture that is probably in the imminent footprint of development?

**Hardman:** I can speak to that from the NRCS perspective. The federal dollars are intended to preserve viable farming operations. In other words, they're not as interested in preserving a five-acre parcel as they

County Council Meeting  
07-08-2003

at are looking at the whole picture. Jon Meikle's and Evan Olsen's would be a prime case. There's a large dairy farm, they had associated acres with it and so the federal dollars are interested in seeing that dairy continue and be an agricultural and economic boost to the county from the federal dollar's standpoint. But your program could be even broader than that or how you wanted it, but the federal dollars are intended to do that.

**Chambers:** I'm not familiar with Evan's property, but having been through Young Ward, to compare that with Jon Meikle's property, that beautiful bench area there, we're not talking the same thing there, are we, in terms of the potential. If Jon wanted to subdivide that land, as compared with, say Young Ward property, you can't equate that, can you?

**Mark Teuscher:** One of the components that the Ag Board has been developing is called LESA, Land Evaluation Site Analysis systems, and it is designed to evaluate properties and compare against. And there is a set of criteria, and actually the Ag Board has approved it and you're going to see that. That's the methodology that would be used and you'll have input into that methodology as to which pieces we'll fund and which pieces won't receive funding on that basis.

**Gibbons:** So, it goes right back to some of the other arguments that dumb farmers have, you know, we've just been debating the CWT and it's struggled because there's a percentage that's going to benefit and a larger percentage that's going to have to pay for a small amount to benefit. If I look at my district, there's a tremendous amount of my district that's dry farmed. It's never going to be developed, that's not critical with respect to saving right now, and those people will all contribute for someone else that's in the footprint of development now that we've established some criteria to benefit. Those are people who are going to struggle with this issue.

**Hardman:** But the important thing you need to realize is at what point do you hit the critical point that agriculture is diminished enough that we start losing the Gossner Foods and so you have to start preserving at some point and building on that or we lose the viability of agriculture in general.

**Chambers:** The question is, if we have the election this fall, do we let 15%, Jill projects, maybe less than that because there's not a mayor's election, as opposed to 60% decide this important issue and the difference between this year and next year on matching monies, that's what I'm weighing. Those are the two issues to me. What do we lose by waiting a year? We increase the voters' participation on a very important item that we all, at least, want to see it on the ballot.

**Yeates:** It may be the only thing that brings people out, too. You know. It might get more people involved. There's an opportunity there. The other question I had – this election would take place also in the unincorporated part of the county? (**Clerk Zollinger** indicated it would) Obviously, they don't have any mayor or council races going on out there.

**ACTION: Motion by Council member Cook to place the issue on the 2004 ballot. Robison seconded the motion. The vote was put off for discussion on the motion.**

### Discussion on motion

**Chamber:** Does it have to be decided tonight?

**Petersen:** It doesn't have to be, but if the motion passes, then it would be decided tonight.

**Robison:** Do you think there's an advantage in waiting, Brian?

**Chambers:** I would like to talk to some people that I haven't chatted with so I guess I would favor waiting.

**Daines:** I think you ought to do a study to see how much money you need to make a dent in this problem. I think that you really want to preserve agriculture in this valley. You ought to take an effort to take what these gentlemen have said and play out the economics of that because I think it's a good idea to put it to the voters, but I think you need more like \$200 million in order to make a dent in this problem if you're serious about it. Because that begins to get the numbers where you can seriously impact the amount of development, that's going on in the valley. I think you ought, as you put it off for another year or whenever you do, you ought to do the other part which is not tie yourselves into \$20 million, but actually pay to have a study done as to how much money you're going to need to seriously impact the development in the valley. I

County Council Meeting  
07-08-2003

think there are a large proportion of the people that want to preserve the agricultural setting of the valley and I think they should get an opportunity to vote, but I don't think we should go about it with a piddly little \$20 million if we're serious about it. But I don't think it's going to be a serious effort and I think you owe yourselves and your constituents, someone of doing a significant economic study of how much development is going on and what it's costing and I think that takes some time and I think if you're going to go to the trouble to vote on it, you ought to have a good economic study done by an economic department that really has a sense of that.

**Hansen:** After reading a couple of these letters, one from the north and the south water conservation districts, I think they fairly represent land owners and farmers, and if I'm reading this right, there was some very strong approval there. Which I was a little shocked, frankly.

**Gibbons:** I would modify that a little, John. I'm not sure that we can take that as a.

**Hansen:** As a group decision? Well, and I don't know, I read those letters and I thought well, it's interesting that those folks are endorsing this, kind of representing a lot of folks.

**Gibbons:** I say that because I've had some discussions.

**Hansen:** Okay.

**Cook:** Craig, how much do you think it would take to do a good feasible economic study on this? And how long?

**Petersen:** I agree with George. It would be useful to do it. I don't see it as a terribly complex issue. I think, you know, once you've identified what the likely cost of easements per acre is, then you can make a projection as to how much. So I don't know that that's a really difficult question.

**Cook:** I guess all I'm saying is I'm willing to modify my motion to allocate some funds to go ahead and do a good economic study so that we know and follow George's advice here.

**Petersen:** How would you modify your motion, Paul?

**Cook:** That's why I'm asking, what do you think it would take? That's kind of your area a little bit.

**Petersen:** It doesn't seem terribly complex to come up with a projection on that.

**Gibbons:** Why do you want to modify your motion?

**Cook:** I think we should do a study to find out the true economic feasibility. Maybe 20 million isn't enough. Maybe we need to do more.

**Gibbons:** But the issue is whether or not to put it on the ballot in 2004 and I think we can make that decision separate from

**Cook:** Okay, fine.

**Jon White:** have to clarify what you said. I am chairman of the one board, South Cache District, and that was unanimous, that letter, so don't go saying

**Gibbons:** I talked to the chairman of the north Cache Board

**Jon White:** Okay, then let's say the North Cache Board.

**Petersen:** Discussion continues to be on the motion. Are you ready to vote or do you want further discussion here? The motion would be to put it on the ballot in the fall 2004 election.

**VOTE ON MOTION: The motion failed, 3 aye - Gibbons, Cook & Robison, 2 nay - Hansen & Yeates, 2 abstentions - Chambers & Petersen.**

**Petersen:** I'm going to let you comment, you've [waited] a long time.

**Christopher Sands:** Thank you, Mr. Chairman. Some of the discussion that's been going on, I think we have some responses to your questions, but in particular, I just want to state, first of all, I'm Christopher Sands, I'm on the Ag Advisory Board, a certified planner here in the county, in private practice, and I think we need to begin inviting the County Attorney to our meetings so that he can see all the work that we've been doing. We have a multi pronged approach to preserving ag-industry and Ag farm land in the county. This is just one of half a dozen to a dozen items that we are trying to work on behalf of the citizens and the Council in achieving this goal. So, our education campaign starts Thursday. We are prepared, we have our presentations prepared to start educating community citizens on the agricultural industry in the county, why we need to implement these programs and to educate them on the different kinds of programs. This happens to be the first issue that we are bringing to the Council because we feel it's the most ripe issue and likely stands to have the greatest impact on preserving farm land, but it's not the only, it's definitely not

## County Council Meeting 07-08-2003

the only issue. I think Mark wanted to comment on the study. The recommendation is to have a study on how much farm land can be preserved.

**Teuscher:** There's a number of studies, actually Don Snyder did a study for American Farm Land Trust on the cost of services and cost and value. I think in five counties. Cache County was one of those. We've had a number of economic studies. Just to indicate, on your next Council meeting we'll be coming to you to talk to you about the TDR study that we've just finished up with North Logan. Another tool that we're looking at of helping farmers find other methodologies that are in conservation easements. This is just one of many tools.

**Petersen:** At this point then amongst the Council we adopted the motion to put it on the ballot, the issue of when is unresolved. I know this will necessitate you coming back next time, but I'm suggesting that it goes on the agenda for next time.

**Cook:** Are you then saying you want it for this fall? Is that your view?

**Hansen:** I think that it's going to go on the ballot eventually and this group that represents a fair cross section of the county and so

**Yeates:** I don't know that I've heard a good enough reason not to put it on the ballot this fall. I don't know for sure. I'd like to hear some more information.

**Robison:** I think it's going to take them a year of education to let those county people know what's going on.

**Yeates:** You know if they want to put it on the ballot, let's get it on the ballot is what I'm saying. The Ag group has done a great deal of work.

**Council members' Gibbons and Robison** expressed hesitation in allowing 15%-20% decide when in the likelihood of a Presidential election we could have 60% response.

**Gibbons:** That's not discounting all the work the Agricultural Preservation Committee has done. We're not saying you haven't worked. We recognize you have, but I think when you commit tax increases to people, they ought to have an opportunity, the majority of them if possible, to express whether or not they are in favor.

### AMBULANCE COMMITTEE PROPOSAL:

**Chairman Petersen** said a committee of Council members' Gibbons, Chambers and Petersen had met three times with representatives from the Logan City Council and there is a proposal submitted by Logan. **Council member Gibbons** responded with the recommendation that the county accept responsibility for 41% of the proposed deficit of \$309,000 and indicated Logan City is accepting responsibility for 59%. The committee is comfortable with the proposal from Logan City. This is just one step in what is being considered and would deal solely with the deficit and does not deal with a finished agreement between the city and the county. The committee wants to have ambulance service in the north and south ends of the valley as part of the final agreement. **Chairman Petersen** stated he believed the county members of the committee have a degree of support for the methodology used. **Gibbons** said this proposal does put an ambulance in the new substation, but it is not hiring a completely new crew and it's not buying a new ambulance. It's a transfer of existing personnel with the exception of one person. **Robison and Yeates** wanted to know where the money was coming from. **Executive Lemon** reported on previous contributions to the deficit of \$50,000 and \$100,000. If the \$126,000 is contributed toward the 2004 budget, the county will not have made a contribution in 2003. **Chief Meaker** commented that the methodology and accountability did not previously exist to identify the deficit fully and properly. The \$160,000 rolling stock assessment is for a new ambulance. With the lease/purchase on the ambulance, the full \$160,000 is not actually on this year's budget, but would be projected out over additional years. **Chairman Petersen** said

County Council Meeting  
07-08-2003

the committee would continue to meet to look at the issue of expansion of ambulance service and to formalize the methodology and to identify additional funding sources.

(Attachment 5)

**ACTION: Motion by Council member Gibbons that Cache County accept responsibility with respect to the proposed deficit for the 2003-2004 Logan City budget which would be \$126,000.00 Chambers seconded the motion. The motion passed with 6 ayes and 1 abstention. Robison abstained.**

**INITIAL PROPOSAL FOR CONSIDERATION OF ACTION**

- ▶ **Resolution No. 2003-19 - 2003 Budget Adjustments**  
The amount for medical expense for the jail was questioned by **Executive Lemon**.

(Attachment 6)

**ACTION: Motion by Council member Yeates to waive the rules and approve Resolution No. 2003-19. Cook seconded the motion and it passed unanimously, 7-0.**

- ▶ **Resolution No. 2003-20 - Authorizing Executive to Execute VISA Card Agreement for Use in Various County Departments**  
**Auditor Stones** explained the arrangement and fees required to the Council.

(Attachment 7)

**ACTION: Motion by Council member Cook to waive the rules and approve Resolution No. 2003-20. Robison seconded the motion and it passed unanimously, 7-0.**

- ▶ **Proposed Cache County Library Board's Budget Request** - Will operate the Bookmobile.

(Attachment 8)

**ACTION: Motion by Council member Yeates to waive the rules and approve the Library Board's budget request. Cook seconded the motion and it passed unanimously, 7-0.**

**OTHER BUSINESS**

- ✓ **Cache County Logo Contest and Update - Web Site** - Council member Cook

County Council Meeting  
07-08-2003

reported that the web server is built and up and going. We will eventually be able to accept payments over the web for various county functions.

**ACTION: Motion by Council member Cook that the county sponsor a county logo contest. Robison seconded the motion. The motion passed, 4-3. (Gibbons, Hansen & Yeates voted no.)**

- ✓ **24<sup>th</sup> of July Parade - North Logan - 10: a.m.** - Council members' Chambers, Cook and Robison will represent the county at the parade.

### **COUNCIL MEMBER REPORTS**

**Darrel Gibbons** stated there was still a railroad crossing that needed attention.

**Brian Chambers** asked George Daines about the possibility of having a county justice court. Attorney Daines said they have been studying that issue and are trying to decide how many municipalities would have to join to make it feasible. They may have a recommendation in two to three months. Executive Lemon indicated Hyrum City had approached him and expressed an interest in it some time ago.

**John Hansen** asked Executive Lemon who controls the speed limit between Hyrum up through Mount Sterling to Hwy. 91. He has many people ask why the speed limit is as low as it is through that area. Executive Lemon responded the county controls that area and the speed limit is often recommended by the Road Department or the Sheriff's office and the county frequently concurs with their recommendation. Citizens can request a change by writing a letter asking the county to re-evaluate the speed limit. Mr. Hansen also said several citizens have asked about the digging or dredging being done west of Logan. Executive Lemon responded that Logan City is installing a sewer line and they have asked for an encroachment permit. The County has asked Logan to address a number of issues submitted to the county and the permit will not be issued until those items have been addressed. If citizens have additional issues, they should get in touch with the county.

**Cory Yeates** asked Attorney Daines if there had been any action since the decision in the Beus case. There has not been.

**Kathy Robison** announced the new director for the Cache Food Panty is Matthew Whitaker. Joyce Tarbet has retired. They served more than 35,000 people last year including, with rental assistance, 88 homeless people in Cache County. She has requested a continuation of the grant money to the Child and Family Support Center and BRAG Human Services will be increasing their funding for youth programs and information referral services here in Cache County.

### **ADJOURNMENT:**

The Council Meeting adjourned at 7:47 p.m.

County Council Meeting  
07-08-2003

---

**ATTEST:** Jill N. Zollinger  
County Clerk

---

**APPROVAL:** H. Craig Petersen  
Council Chairman