

CACHE COUNTY COUNCIL MEETING
February 26, 2002

The Cache County Council convened in a regular session on 26 February 2002 in the Cache County Council Chamber at 120 North 100 West, Logan, Utah.

ATTENDANCE:

Chairman: C. Larry Anhder
Vice Chairman: Layne M. Beck
Council Members: Darrel L. Gibbons, John Hansen, H. Craig Petersen, Kathy Robison, and Cory Yeates
County Executive: M. Lynn Lemon
County Clerk: Jill N. Zollinger

The following individuals were also in attendance: John Borg, Wayne Boyer, Ron Dance Kim Datwyler, Cindy Hall, Maridene Hancock, Bob Hasenyager, Joe Linton, Bryan Lundahl, Jim Lundahl, Laurie Nelson, Sheriff Lynn Nelson, David Nielsen, Evelyn Palmer, Pat Parker, Auditor Tamra Stones, Mark Teuscher, Glen Thornley, Preston Ward, Von Williamson, Attorney Scott Wyatt.

CALL TO ORDER:

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

INVOCATION:

The invocation was given by Craig Petersen.

REVIEW AND APPROVAL OF AGENDA:

1. Discussion on the DUP Museum was added under item 11 Other Business. Item 11b. Report-Water Policy Advisory Board - Spring Creek TMDL Study was postponed.

The agenda was approved as revised.

REVIEW AND APPROVAL OF MINUTES:

The minutes of the regular Council meeting held on February 12, 2002 were discussed, corrected and approved.

Vice Chairman Beck moved to approve the minutes of February 12, 2002 as corrected. Council member Yeates seconded the motion. Vote was unanimous, 7-0.

REPORT OF COUNTY EXECUTIVE:

County Executive Lemon reported on the following items:

Appointments: Water Policy Advisory Board (For reappointment): 1) C. Larry Anhder, 2) Bill Bullen, 3) William Bankhead, 4) Taft Barrington, 5)

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Paul Riley, 6) Jim Watterson

Council member Gibbons moved to approve the recommended re-appointments for the Water Policy Advisory Board. Yeates seconded the motion. The vote was unanimous, 7-0.

Appointments: Solid Waste Advisory Board (For reappointment): 1)Michael Rhodes, 2) Darrel Gibbons 3) Dr. Ryan DuPont.

Council member Yeates moved to approve the appointments to Solid Waste Advisory Board. Council member Robison seconded the motion. The vote was unanimous, 7-0.

Appointments Boundary Commission: (For reappointment): 1)Kathleen Howell, 2)Michael Gleed

Council member Yeates moved to approve the recommended appointments to the Boundary Commission. Vice Chairman Beck seconded the motion. Vote was unanimous, 7-0.

Warrants: The Warrants for the period of 12/12/2001, 02/08/2002 to 02/14/2002, and 02/15/2002 to 02/22/2002 were given to the Clerk for filing.

Other Items: College-Young Ward Incorporation Petition. Executive Lemon turned time over to County Clerk, Jill Zollinger to report on the status of the College-Young Ward Incorporation petitions. Ms. Zollinger told the Council that she had received additional petitions in the Clerk's office on February 20, 2002. The petitions contained the additional signatures needed to comply with the requirements of Utah Code Section 10-2-109 (iii) and that she has certified the petitions. A date of Tuesday, May 7, 2002 was discussed as the date to hold the Incorporation election.

COMMUNITY DEVELOPMENT BLOCK GRANT PUBLIC HEARING:

Executive Lynn Lemon, opened the second public hearing for the CDBG program. Executive Lemon stated that this hearing is being called to allow all citizens to provide input concerning the project which was awarded under the 2002-2003 Community Development Block Grant Program. The County has amended its capital investment plan and decided to apply for funds on behalf of the Neighborhood Nonprofit Housing which will purchase land and construct 24 single family housing units using the mutual self-help housing program, to be located in the south end of Cache County. The Executive introduced Kim Datwyler from the Neighborhood Nonprofit Housing Corporation. Executive Lemon explained that the application was successful in the regional rating and ranking process and the Neighborhood Nonprofit Housing Corporation will be awarded \$125,000.00. Executive Lemon explained the project to those in attendance. Executive Lemon then asked for any comments, questions and concerns from the audience. The only comment came from Ms. Datwyler who thanked the Council for their support on a previous project. Executive Lemon stated that copies of the capital investment plan are

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available if anyone would like a copy. There were no more comments and the hearing was adjourned at 5:20 p.m.

PRESENTATION OF PILT CHECK: BOB HASENYAGER

Mr. Bob Hasenyager, from the Utah Division of Wildlife Resources, presented the Council with a check for \$9,056.13 which is the contractual in-lieu tax payment on land the Division of Wildlife Resources owns in Cache County. The money used to pay the in-lieu tax is provided by sportsmen. Mr. Hasenyager expressed appreciation for the Council's support as a partner in managing Utah's wildlife.

The following topics were addressed by Mr. Hasenyager as well:

1. Hardware Ranch. There has been continued expansion, recreational, and participation opportunities at Hardware Ranch. Some changes have been made at the Ranch in the past few years by the Ranch Manager that have been well received. Hardware Ranch is doing well and has entered into negotiations with Utah State University now for a recreational program to see if it is possible to look at expanding from a one-season to a multi-seasonal recreation program. The current Ranch Manager will be moving and a new individual will be filling that position in the next week or so.

2. Feeding Wildlife. Because of the tough Winter in Cache Valley, the animals have come down to the lower levels, a lot lower than in most years. Sportsmen had begun feeding the deer and elk. With the cooperation of the local sportsman, about 15 feeding location spots have been established since December in Cache County. The Division of Wild Life Resources were happy to cooperate with sportsmen and help them provide some resources so they could accomplish that. That's helped somewhat to keep the population up for big-game and it has kept some of the animals out of the agricultural area as well.

3. Cache Valley Hunter Education Range. The Cache Valley Hunter Education Range is now open from Wednesday through Sunday each week. They hope to expand activities at the range.

4. Timber Theft. As a result of a local sportsman, who knew where he was and took assessment of private land, timber theft was reported. An investigation was conducted. Mr. Hasenyager expressed the State's appreciation to the sportsman who made them aware of the problem. He noted the cooperation and support of the County Attorney's office and also the County's Sheriff's office who also helped with the investigation. This issue was important to the Division of Wildlife resources and it affected all of the sportsmen here.

CACHE VALLEY TOURIST REPORT: MARIDENE HANCOCK

Ms. Hancock, presented a comparison of percentages of year 2000 to 2001 for the following items: Motel Occupancy, Transient Room Tax, Information Requests, Visitors to the Information Center, and Internet Requests.

(See Attachment #1)

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Ms. Hancock explained to the Council that the Motel occupancy figures were tracked from 1993. There was fluctuation in these figures because occupancy percentages are much better in the Summer than during the rest of the year. Not all properties elect to report; right now there are six properties that report. The other way to track occupancy is through Transit Room Tax.

Information requests were tracked by sign-in sheets at the Center. Internet requests averaged around three a day.

A list of the Cache Valley Tourist Council board members was included in the report. There was one open position and Ms. Hancock felt that someone representing restaurants for this position would be a good idea.

Estimated revenue from visiting Olympic teams was \$250,000.00. The French, Russian, China, Swiss and Slovakia teams stayed in the Community. Olympic visitors also came into the Visitor's Center.

The Cache Valley Tourist Guide has just been printed. Advertising was sold in this booklet and it was hoped that in the future the selling of additional ads would cover the cost of printing.

The Travel Council has applied for Logan Canyon to become a National Scenic By-way. It is currently a "Forrest Service Scenic By-way" and a "State Scenic By-way" but it is not a "National Scenic By-way." By applying to be a National Scenic By-way, the door is opened to a lot of funding. The application was pretty intensive. Intrinsic qualities of the canyon were shown by maps and slides. Brochures were also submitted. The outcome should be known in about three months. If accepted, the presentation would be made in Washington D.C.

INTER-DEPARTMENTAL BUDGET TRANSFER: TRAVEL COUNCIL

A request was made by the Travel Council to transfer \$13,075.00 to pay for design and printing of new brochures.

(See Attachment #2)

Council member Yeates moved to approve the transfer. Council-member Robison seconded the motion. The vote was unanimous, 7-0.

RESOLUTION 2002-07: CREATION OF CACHE COUNTY AGRICULTURAL ADVISORY BOARD

A resolution approving the creation of an Agricultural Advisory Board.

(See Attachment #3)

Council member Robison moved to approve the resolution. Hansen seconded the motion. All members voted in favor. 7-0

Executive Lemon presented the recommendations to the Cache County Agricultural Advisory Board as follows: 1) Professional Planner - Chris Sands, 2) Agricultural Processing Industry - Delores Wheeler, 3) Citizen Advocate of Locally Grown Products for Local Consumption - Bill

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Oblock, 4)Cache County Council - John Hansen, 5)Mayors Association - David Wood, 6) Cache County Planning Commission - Linda Christiansen, 7) Developer/Realtor/Homebuilder - Paul Willie, 8)Agricultural Economist from USU - Don Snyder, 9) Business Community - Randy Weston, 10) Financial Industry - Garr Morrison, 11) Agricultural Producer - Joe Furhiman 12) Agricultural Producer -Val Jay Rigby, 13) Agricultural Producer - Lane Parker

Council member Gibbons moved to approve the appointments of the Agricultural Advisory Board. Yeates seconded the motion and it carried all members voting in favor, 7-0.

THE COUNCIL MOVED INTO THE BOARD OF EQUALIZATION.

BOARD OF EQUALIZATION MATTERS: TAX EXEMPTION REQUESTS - TAMRA STONES

The following applications were presented to the Board of Equalization for property tax exemption for religious, charitable and educational purposes:

Bridgerland Audubon Society, Spendlove Research, Utah Festival Opera Company, Trapper Trails Council-Boy Scouts of America, Planned Parenthood, Daughters of the Utah Pioneers Leavitt Layne Camp, Bear River Head Start, Cache Valley Bible Evangelical Free Fellowship Church, Full Gospel Fellowship, Harmony Lodge, Logan Church of Christ, Roman Catholic Church, Carl Inoway Senior Housing Corporation, Citizens Against Physical and Sexual Abuse, and Sunshine Terrace Foundation, Inc.

(See Attachments #4)

Council member Gibbons moved to approve the requests for Tax Exemption. Councilmember Petersen seconded the motion. Vote was 6-1. (Council-member Yeates voted no.)

THE COUNCIL ADJOURNED FROM THE BOARD OF EQUALIZATION

APPROVAL OF RS2477 ROAD LIST: PRESTON WARD

Preston Ward submitted a list of the RS2477 roads to the Council. This list will establish the right-of-ways that the County will control.

Lynn Lemon clarified that the process was to submit these roads to the State and the State would then combine the roads with all the other counties and work with the Bureau of Land Management, or in our case the Forest Service, and see if they can come up with an agreement which would show that the counties do have RS2477 rights-of-ways in these areas.

RESOLUTION NO. 2002-09: DECLARING PUBLIC RIGHT-OF-WAYS FOR THE BENEFIT OF THE PUBLIC. THESE RIGHT-OF-WAYS ARE TO BE KNOWN AS RS2477 ROADS.

Council member Yeates moved to waive the rules and approve the list of RS2477 roads and also adopt this list as Resolution 2002-09, Declaring public right-of-ways, known as

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RS2477 roads, for the benefit of the public. Council member Gibbons seconded the motion. The vote was unanimous, 7-0.

(See Attachment #5)

CACHE COUNTY JAIL UPDATE:

Sheriff Nelson told the Council that they had a very valuable experience in laying out the floor plan of the proposed Jail at the Stan Laub Center. They found concerns of the jail floor plan that they were able to resolve. Had the construction of the jail gone forward, without this process it would have cost us a lot of money to fix those problems. They will lay out the floor plan for the second floor on March 8th and 9th, 2002 at the Stan Laub Center.

The \$1,000,000.00 grant that was applied for through the UCCJJ has been approved by the Executive Committee. The UCCJJ's full Committee will meet the end of March to give final approval. One of the issues on the \$1,000,000.00 grant is the site and having a environmental assessment of the site. Executive Lemon noted that there was to be a meeting concerning the site location of the new Jail on Thursday, February 28, 2002, at 4:00 p.m. with Logan City.

Joe Linton had looked at three ways to approach the construction of the Jail: 1) Design Build, 2) Design Bid, 3) Construction Management. Mr. Linton explained these three options and he favored using the Construction Management option. Weber County had used this method in building their Jail facility. The owner hires the architect and the general contractor, who is the construction manager as well. They work together and then the construction begins.

In the Construction Management process, the contractors are interviewed who are capable of building the project. They make a submittal based on their expertise and a percent, which is their profit and overhead. From the time that person is hired they are part of the team and all the costs they go through are reviewed by the entire group. There is a fixed budget and it is their responsibility to make sure that budget is met and that is the great advantage. If there is a savings that everybody agrees to, then it is shared between the two parties, the construction manager and the owner. So you have the contractor you want, the price you want, and sometimes a savings, and definitely a time savings.

The Council agreed that they would like more discussion on this issue in the next Council meeting.

ADMINISTRATION BUILDING : LYNN LEMON

Bids are due on the Administration Building on March 12, 2002 at 4:00 p.m. The architect will then review the bids and come back with a recommendation to the Administration Building Committee.

RESOLUTION 2002-08: 911 RATE INCREASE

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No action was taken. This item will be put on the next agenda for action.

RESTAURANT TAX APPLICATION FOR 2002 REVIEW:

The Council members reviewed the application. Executive Lemon drafted the application and felt that the form was adequate. No information was added.

Executive Lemon told the Council that there was a bill in the Legislature that would require Counties to have an economic analysis done every year on how Restaurant Tax money is allocated. The bill has been watered down and there is still a lot of division concerning the issue.

COMPOSITION OF CACHE COUNTY PLANNING COMMISSION DISCUSSION:

There were some members of the Council who felt that the Cache County Planning Commission was working well the way it is. Other members felt that the members shouldn't be restricted to just property owners of the unincorporated area of the County and that it should be open to all individuals who live in Cache County.

Council member Gibbons felt that it was fine to have the flexibility to appoint residents from the city or the county. The Council always has the flexibility and the latitude to not approve a recommendation if there are concerns.

**Vice-Chairman Beck made a motion to Table this item permanently.
Council-member Gibbons seconded the motion.**

Council-member Gibbons moved to amend the original motion to state that the Executive consider any member of the County as a potential candidate for the County Planning Commission and that in this process of doing it, he remains very sensitive to the feelings and needs of the unincorporated area. John Hansen seconded that motion. Vice-Chairman Beck accepted the amendment as a friendly amendment. The Council members were in agreement. The vote was unanimous, 7-0.

WATER POLICY ADVISORY BOARD - SPRING CREEK TMDL STUDY REPORT:

Spring Creek TMDL Study report was postponed to the next County Council meeting.

DUP MUSEUM DISCUSSION:

Council member Robison had been contacted by Bobbi Coray, director of the Chamber of Commerce, who said that the museum is running out of room in their current location. Ms

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Coray, wondered if there would be room in the Historic Courthouse to house the museum. The Chamber of Commerce is concerned about the Daughter of Pioneers' Museum and the ability of their ladies to continue staffing it and keeping it going. Apparently the question is it technically belongs to Salt Lake and if they don't maintain the museum, it will revert back to Salt Lake.

Executive Lemon was not sure there would be room in the Historic Courthouse, but it is certainly something that could be considered. Ms. Coray did tell Executive Lemon that she was interested in trying to get some restaurant tax money to help resolve this.

COUNCIL MEMBER REPORTS:

There were no Council Member Reports.

MEETING ADJOURNED:

Chairman Anhder adjourned the Council meeting at 7:20 p.m.

ATTEST: Jill N. Zollinger
County Clerk

APPROVAL: C. Larry Anhder
Council Chairman