

COUNCIL MEETING
MINUTES 05/13/97

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CACHE COUNTY COUNCIL MEETING MINUTES

May 13, 1997

The Cache County Council met in regular session on May 13, 1997 in the County Council Chambers located at 120 North 100 West, Logan, Utah 84321.

ATTENDANCE

Council Chairman Darrel L. Gibbons and Vice Chairman C. Larry Anhder were present. Council members present were: Sarah Ann Skanchy, Cory Yeates. Councilmen Pulsipher, Beck and Petersen were absent and excused.

Others present were: County Executive, M. Lynn Lemon, County Clerk, Stephen M. Erickson, County Auditor, Tamra Stones, County Attorney, Scott Wyatt, County Executive Administrative Assistant, Mike Nilson, County Assessor, Kathleen Howell, Senator Hatch's Representative, Norma Holmgren, Capitol Arts Alliance Director, Peggy Tueller, Bear River Health Department Representative, Doug Weise, Representatives from the Local New Media and other interested citizens.

CALL TO ORDER

Council member Sarah Ann Skanchy called the meeting to order at 5:07 p.m. and welcomed those in attendance. Skanchy explained that members of the Council and Council Chairman Gibbons would be arriving momentarily. Some of the members were coming from Rich County where they had attended a BRAG Board meeting. They were late due to road construction on the Logan Canyon Highway.

INVOCATION

The invocation was given by County Clerk, Stephen M. Erickson.

AGENDA & MINUTES

The agenda for the meeting was discussed, modified and approved.

The minutes of the regular Council meeting held on April 22, 1997 were discussed, corrected and approved.

REPORT OF THE COUNTY EXECUTIVE

The County Executive M. Lynn Lemon reported on the following items:

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1. Appointment:

Mick Pattinson has been appointed as the new Bear River Mental Health Director.

2. Willow Park Concession Stand: Lemon was directed by the Council during the last meeting, to determine what to do about proposed reconstruction of a concession stand near the Rodeo Arena. After consulting with Logan City Officials, Lemon agreeded with them to rebuild the stand. The financing will come from the Logan City Solid Waste Department (\$30,000) and \$20,000 will come from the Willow Park reserve account.

3. County Designate for State Surplus Property: The State is requiring the County, by resolution to designate Executive Lemon as the County representative dealing with State and Federal surplus property. A prepared signature form will be addressed later on in the meeting.

4. Road Chipping by UDOT: The State will be chipping the highway in Logan Canyon, beginning near the Franklin Basin turn off to the Rich County border.

5. Water Policy Comment Extension: The State has extended the time period to comment on their proposed new water policy until June 30, 1997.

6. Road-County, on 5th East in Millville: A meeting to discuss the proposed road construction on 5th East in Millville, has been scheduled for May 20th in Millville City Offices. Property owners along the road have been invited to attend.

7. Beaver Mountain Ski Area Master Plan: Owners of Beaver Mountain Ski area are going to conduct a new master plan for future needs at the facility. An open house will be held on May 22, 1997 in the Logan Ranger Offices to discuss new proposals and recommendations for the area.

8. Flooding Update: The Blacksmith Fork River has now peaked and Logan River will peak, if weather remains the same, around May 21st. Appropriate precautions are being made for possible flooding.

9. Warrants: The warrants for the periods April 18 to April 25, April 26 to April 30 and May 1 to May 8, 1997 were presented to the County Clerk for filing.

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LEGISLATIVE UPDATE: HOLMGREN, NORMA FOR SENATOR HATCH

Norma Holmgren, representing the office of Senator Hatch appeared before the Council to update them on various legislation presently being worked on by Senator Orrin Hatch in Washington DC. Some of the legislation deals with, meat inspection, Children Health Insurance, Wet Lands Act and Chemical Weapon Reform. A statement concerning the RS2477 roads was also discussed.

CAPITAL ARTS ALLIANCE QUARTERLY REPORT: TUELLER, PEGGY

The Director of the Capital Arts Alliance, Peggy Tueller, reviewed that organizations quarterly report. Wendy Korth, an intern, reviewed their budget ending the 30th of June, 1997

(See attachment #1)

LOCAL SERVICE SUBSTANCE ABUSE PLAN: WEISE, DOUG

Doug Weise, who directs the three County area Substance Abuse Program, through the Bear River Health Department, appeared before the Council to update them on that program. Weise reviewed a State required area plan prepared by his staff. Six basic needs listed in the plan were discussed. A number of comparison charts regarding the programs trends was also reviewed by Weise. If the trend continues at the present rate the program will have 1512 clients by the end of the 1997-98 year. The program at present is having a 40% success rate. The number one drug being used by youth in the area is still marijuana.

SMART MAP-ASSESSORS OFFICE: HOWELL, KATHLEEN

The County Assessor, Kathleen Howell, told the Council that her office is proposing computerizing the assessing and appraising portion of the office. Howell reviewed how the present system works and how much easier it would work if it was computerized. Smart Maps Inc. a local computer business represented by Todd Hougaard, has been asked to develop software to accomplish Howells proposal. Howell stated that the cost to develop the system will be \$259,610. It may also be marketed to other entities when the system has been designed.

Executive Lemon is recommending supporting the Assessors proposal.

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Howell also discussed a potential increase in property tax due to a decision made by the State Tax Commission dealing with centrally assessed property.

(See attachment #2)

PUBLIC HEARING CONTINUATION: BUDGET-1997 OPENING

Chairman Gibbons reconvened a Public Hearing to continue from the last Council meeting to receive public input on adjustments to the 1997 Budget. The County Auditor, Tamra Stones, told the Council that the adjustments reflect an increase to the Assessor's budget for Smart Maps software development. Chairman Gibbons asked for further input from the audience. No additional comment was given by members of the audience.

It was moved by Councilman Skanchy to close the public hearing. It was seconded and carried unanimously.

BUDGETARY MATTERS

The following intra-departmental budget request was presented for Council consideration:

Water Policy: \$500.00

(See attachment #3)

A motion to approve the budget transfer was made by Vice Chairman Anhder. It was seconded and carried unanimously.

RESOLUTION NO. 97-12a: BUDGET ADJUSTMENT-1997

The adoption of Resolution NO. 97-12a will approve the recommended adjustments in the 1997 budget.

(See attachment #4)

Councilman Skanchy moved to adopt Resolution No. 97-12a. It was seconded and carried unanimously.

ORDINANCE NO. 97-02: ANIMAL CONTROL

The adoption of Ordinance No. 97-02 will repeal all previous Animal Controls Ordinances.

(See attachment #5)

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A motion to approve Ordinance No. 97-02 was made by Councilman Skanchy. It was seconded and carried unanimously.

ORDINANCE NO. 97-01: GRAMA MODIFICATIONS

The adoption of Ordinance No. 97-01 will modify County Ordinance No. 92-02 to comply with new government regulations.

(See attachment #6)

A motion to adopt Ordinance No. 97-01 was made by Councilman Skanchy. It was properly seconded and carried unanimously.

SURPLUS PROPERTY DESIGNATE: LEMON, M. LYNN

A prepared State Resolution that provides an authorized County representative to serve as Surplus Property Designate was discussed by the Council.

(See attachment #7)

It was moved by Councilman Skanchy to approve Executive Lemon as the County Surplus Representative. It was seconded and carried unanimously.

SALES TAX OPTION: LEMON, M. LYNN

Executive Lemon told the Council that training sessions have been set for County Officials to learn how to deal with the new sale tax in exchange for reduced property tax legislation. Lemon expressed concern about the new legislation because of recent decisions made by the State Tax Commission and other taxing entities. Lemon thinks that tax payers will not see a reduction in property tax because of what the Tax Commission has done and that they will think the County has increased their taxes when it should have been a reduction. Any action taken this year will not effect the property taxes until 1998.

THE COUNCIL ADJOURNED FROM THE REGULAR COUNCIL MEETING INTO A BOARD MEETING FOR SOLID WASTE SERVICE AREA DISTRICT #1

SOLID WASTE SERVICE AREA DISTRICT NO. 1 FEES: DISCUSSION

The Chairman of the Board of Trustee's for Solid Waste, Sarah Ann Skanchy, reported that the Advisory Board has determined not to have an increase in any fees this year. However, Skanchy pointed out that a substantial fee increase may come next year.

It was moved by Board member Gibbons to support the decision

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of the Advisory Board and support Logan City in their decision not to increase fees for solid waste. It was seconded and carried unanimously.

In seconding the motion Board member Anhder said that he doesn't support some of the proposed ways to dispose of solid waste that were presented last year.

It was also reported that the State has finally issued an operating permit for the Logan City land fill.

**THE BOARD OF TRUSTEE'S OF SOLID WASTE SERVICE AREA DISTRICT #1
ADJOURNED BACK INTO THE REGULAR COUNCIL MEETING.**

RESOLUTION NO. 97-13: UTAH ASS. OF CO. LEASE PURCHASE AGREEMENT.

The adoption of Resolution No. 97-13 will authorize the Execution of a Lease/Purchase agreement with the Utah Association of Counties. UAC will purchase ground and construct a new facility in Murray, Utah.

(See attachment #8)

Vice Chairman Anhder moved to wave the rules of first and second reading and adopt Resolution No. 97-13. It was seconded by Councilman Yeates and passed unanimously.

**BENSON PLANNING DISTRICT BOARD INCREASED TO SEVEN MEMBERS:
DISCUSSION**

Lorene Greenhalgh, the County Zoning Administrator, reported to the Council that the Benson Planning District Board is recommending that their Board be expanded from the present three members to seven members.

(See attachment #9)

Greenhalgh also pointed out that expansion of that board will bring it into compliance with the present Ordinance and would be organized like other boards in the County.

Councilman Yeates moved to support the recommendation and authorize the County Executive to appoint additional members of the Benson Planning District Board. It was properly seconded and carried unanimously.

CHILDRENS JUSTICE CENTER: DISCUSSION

Executive Lemon, gave a short overview of what the Childrens

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Justice is and what that organization wants the County to do. The Childrens Justice Center and Advisory Committee are ready to construct a facility to provide counseling services for abused children. The State requires, before they give any funding, an umbrella agency in the County to serve as a flow through agency. The Childrens Justice Center Advisory Board & Friends Committee are asking the County to be that agency.

Councilman Skanchy said that the concept is worth while but she has concerns about what effect it would have on the County regarding funding, insurance and liability problems. Councilman Yeates also expressed concern about the same problems. Skanchy mentioned that if the State Attorney's Office is behind the concept they should be willing to assume control of such a facility.

Bill Barnard, represented a large number of concerned citizens in the audience. He is also the Chairman of the Friends Committee chairman for the Children Justice Center. Barnard said that there are 31 members on the Committee who are asking for County Support.

(See attachment #10)

Brenda Stubbs, representating the State Attorney General Office explained the reasons for the State Attorney General office not being involved with the local agency. They think that the local area has local problems and they should be governed by local citizens. It was reported that all of our local legislative representative support the construction of the Childrens Justice Center in the County. It is the Children that are to be protected and that is what it is all about.

Craig Andrews, from the Logan City Police Department, said that we should be doing "A" work when it comes to Children. Even though much is presently being done we could do more. He would like the County to become the agency supporting the CJC.

The County Attorney, Scott Wyatt, said that the liability should be not a problem. He said that as it is now the County could also become involved in a lawsuit.

Chairman Gibbons brought the discussion to a close and said that no decision would be made until we have more representation from the Council present. Gibbons assured those in the audience that a decision would be made during the next Council meeting on May 27th.

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COUNCIL MEMBER REPORTS

Councilman Skanchy: A memo has been received from the Forest Service asking for input on future plans for the Bear Hodges area of the Little Bear River drainage in the South East end of the County.


Vice Chairman Anhder: He had attended a State water meeting in Moab with County Water Policy Director, Thad Erickson. Anhder reported that it seems that the whole state has their eyes on Cache Valley water. Anhder is recommending that more funding be budgeted for the Water Policy Advisory Board and that a water district be established in the County. Anhder also related a story about his attempt to use the 911 emergency system in the County. Apparently the system is inter-connected with other counties and when he called in he got some dispatcher in Juab County.

Chairman Gibbons: The Planning Commission are determined to have a recommendation on the new County Land Use Plan at the next Council meeting. Gibbons also reported on the BRAG meeting held in Rich County today. The weighted vote issue was discussed and will be further discussed during their next meeting in July. BRAG is reducing their staff to 22 1/2 employees and their revenue is also being reduced.

Gibbons reported that he had visited with Councilman Pulsipher and Pulsipher reported that he is doing well and the outlook from his operation is positive.

ADJOURNMENT

No further business was presented and Chairman Gibbons adjourned the meeting at 7:35 p.m..


ATTEST: Stephen M. Erickson
Cache County Clerk

APPROVAL: Darrel L. Gibbons
Council Chairman





CAPITOL ARTS ALLIANCE

Ellen Eccles Theatre

Bullen Center

STATUS REPORT

Ellen Eccles Theatre and Bullen Center
For the Period January 1, 1997 - March 31, 1997

May 13, 1997

Prepared by Peggy L. Tueller, Executive Director
and Wendy Korth-Monson, Assistant Director/Controller
Capitol Arts Alliance

We are pleased to present the Quarterly Report of the Capitol Arts Alliance.

General Operations

Ellen Eccles Theatre

During this quarter 10,288 people attended performances of 10 shows as follows:

CAA Presentations

THE SOUND OF MUSIC - 1 show

Fred Garbo Inflatable Theatre - 1 free student matinee
sponsored by the CAA; 1 show

The Lightwood Duo - 1 show

The Hughes Brothers - 3 free shows sponsored by CAA and UFOC

Gala '97 MAME - 1 show

Olivia Gorra/Eugene Watanabe - 1 show

The Four Freshmen - 1 show

The Bullen Center

During this quarter CAA earned rental income from the following:
10 weddings/receptions, 1 Belly Dance Class, 5 Conferences, 2
School Dances, 1 Bridal Faire (trade), 1 Fly Fishermen Convention
and the Alliance for the Varied Arts.

CAA Programmming

The CAA sponsored shows were artistically quite successful (with the exception of the first act of The Four Freshmen show which was a disappointment). Ironically, the Fred Garbo evening show and the classical concert received particularly high praise, but had the lowest attendance. The three Hughes Brothers concerts sponsored as a gift to our patrons by the CAA and UFOC were highly successful, to the point where we've included them in our Country Western Series next season. The final accounting of what CAA made on its

43 South Main, Logan, Utah 84321

(801) 753-6518 (Administration) • (801) 752-0026 (Box Office) • (801) 753-1232 (Fax)

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Ellen Eccles Theatre and Bullen Center
Quarterly Status Report
May 13, 1997

attractions this season will be available after the final performance of Ballet Folklorico "Quetzalli" on May 1st. The accounting of the Gala is addressed in the Development section of this report.

It has become clear this past season that lesser known artists are less likely to realize a profit than those with higher fees. This is because the better known the artists or attractions, the higher the fee, but they stand a better chance to attract sponsors and a much better prospect of selling tickets. With this in mind we have put together the following attractions for next season:

Broadway Series: WEST SIDE STORY, DAMN YANKEES, PLAZA SUITE, starring Lee Meriwether

Country Western Series: Juice Newton, Don Williams, The Hughes Brothers

The Family Series: A specially composed musical of PHANTOM OF THE OPERA for children, Ririe Woodbury Dance Company

Gala '98: Crystal Gayle

Special Events: Gary Morris; The Coasters, The Drifters and The Platters; The Cassidy Brothers (Celtic Night)

AVA BENEFIT: ZABAVA (means "entertainment" or "fun") - Authentic Russian Dancers and Musicians

While we do not intend to abandon our goal of serving the tastes of every segment of the population, we must at this point be practical in realizing that some segments are simply too small to make shows financially feasible in an 1100 seat theatre.

Capital Improvements

The installation of smoke detection alarms in the Bullen Center has been completed. The construction of a fire escape on the south wall of the building to enable people to exit from the corridor is in progress, and the work is estimated to be completed by the end of May. Sprinklers are being installed for the tree planters in front of the Theatre.

Development

During this quarter we received the \$50,000 grant from The George S. and Dolores Doré Eccles Foundation.

The accounting of Gala '97 MAME is 99% complete, and the net income is \$29,539. We did not have a sold-out house for this Broadway show, and we realize that future Gala events will be more successful with high profile artists. We are confident that Crystal Gayle will be a much better draw next season.

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May 13, 1997

The revenue from our annual campaign to date is \$8,117, which exceeds last year's by approximately \$1,000.

CAA has concluded that much more time and effort must be devoted to fundraising and to marketing the Theatre and the Bullen Center. To that end, the Development and Marketing Committees have been expanded and strengthened, and the administrative staff has been restructured. Wendy Korth-Monson is now the Assistant Director/Controller in charge of financial management, staff supervision and Theatre and Bullen bookings. Peggy Tueller, the Executive Director, will devote her time to programming and working with the Board in fundraising and marketing. The Board and administration feel confident that these changes will enhance and strengthen all areas of the CAA's operation.

The Executive Director and the Development Committee are in the process of reassessing and revamping procedures for obtaining program sponsorships and program ads as well as our annual campaign and other areas of fundraising.

Marketing

The Utah Preservation Magazine is finally published, a copy of which is in your possession. Distribution of the publication will involve the Utah State Historical Society, the Utah Heritage Foundation, Utah Travel Council, Utah Arts Council and retail bookstores. We believe the articles on the Theatre and Bullen Center are a good first step in letting the public, both inside and outside of Utah, know of our existence.

The Marketing Committee and Executive Director are accepting designs and bids for next season's brochure. There are a number of items that both the Marketing and Development Committees are investigating and addressing. Some of them are a marketing survey to determine what our audiences want to see and their general expectations and needs of our facilities; a home page on the Internet; a video and possibly a brochure on the Theatre and Bullen Center telling people what we are and what we can offer them. We intend to work much more closely with Bridgerland Travel Region in publicizing our facilities. There is much work to be done, and there are devoted Board members and other volunteers who are determined to do it.

Fiscal Report

The above-mentioned organizational changes will allow more concentrated time to be spent on financial management as well as development.

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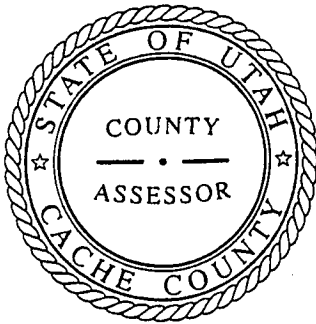
Attached is our year to date budget through March 31, 1997, showing a net income of \$5,500. We have also calculated our projected revenues and expenditures for the next three months. We have committed contributions from the CAA Board of Trustees which will enable us to achieve our goal of a balanced budget.

We are in the process of preparing our 1997-98 budget. Our goal is to substantially increase our sponsorships, unearned and earned income.

CAPITOL ARTS ALLIANCE 1996-97 BUDGET ENDING 6/30/97

INCOME	Budget 96-97	YTD 3/31/97	3mth Projections	YR End 6/30/97
Apartment Rent Income	18500	13763	6135	19898
Release Temp Restriction	75000	0	75000	75000
Contributions Temp Restricted				
Logan City	107750	130114	0	130114
Sponsors/Grants	136300	76598	53102	129700
Sub-total	244050	206712	53102	259814
Contributions Unrestricted				
Logan City Janitorial	32250	24187	0	24187
Unrestricted Donations	16400	9793	30500	40293
Take-A-Seat	7100	2035	65	2100
Interest	5250	6691	2232	8923
Sub-total	61000	42706	32797	75503
Fees, Rents, Tickets, Other				
Ticket Sales	145590	131142	4750	135892
Fees/Rents Theatre	61795	62348	7175	69523
Rents Bullen Center	24750	21197	5350	26547
Concessions/Merchandise	7256	5008	1600	6608
Box Office Fee Income	45286	31528	10500	42028
Sub-total	284677	251223	29375	280598
TOTAL INCOME	683227	514404	196409	710813
EXPENSES				
Apartment Expenses				
General Apt Expenses	7495	4110	2600	6710
Renovation Expenses	75000	0	75000	75000
Sub-total	82495	4110	77600	81710
Credit Card Service Fees	9200	7241	3075	10316
Concession Expenses	4540	3198	400	3598
Training/Travel/Dues	4800	3316	250	3566
Fundraising	7500	1170	1000	2170
Marketing	19000	19310	0	19310
General Administrative	22545	12232	4199	16431
Insurance	3200	3174	0	3174
Logan City Building Expense	107750	154302	51560	205862
Production/Publicity Costs	176468	150457	13731	164188
Theatre/BC Equip/Supplies	26680	9485	1090	10575
Salaries/Employee Benefits	232216	140901	46969	187870
TOTAL EXPENSES	696394	508896	199874	708770
NET	* -13167	5508	-3465	2043

*Excess of income over expenditures from prior year.



CACHE COUNTY

Office of the County Assessor

179 NORTH MAIN • LOGAN, UTAH 84321
(801) 753-8314 • Fax (801) 755-2173

KATHLEEN C. HOWELL

May 13, 1997

Cache County Corporation
120 North 100 West
Logan, Utah 84321

Dear County Council Member:

Within the past two weeks the State Tax Commission has issued a decision involving WilTel, Inc., a Communications Company, that may have a major impact on your budget and the budgets of all taxing entities within your county.

I am writing to alert you to the potential impact that this decision may have on your tax revenues and your budgeting process.

The decision by the Tax Commission essentially eliminated property taxes that may have been paid by large centrally assessed taxpayers in the past on intangible property such as stocks, customer lists, good will, intellectual property and so on. For 1997, there may be a significant increase in the appeals filed as a result of the decision. The deadline for these companies to file an appeal is June 1.

I see two problems if there are a large number of appeals filed. First, under new law passed this year your 1997-98 tax rate will be set using the undisputed portion of the tax base. By increasing the amount of tax base in dispute, the tax rate on all other property, namely homes, farms and small businesses, will go up. That may have political ramifications for all of us. Second, if there is an increase in the amount of tax base excluded in setting your next years tax rate, you may be at or near your levy maximums and thus unable to raise the amount of tax revenue you budgeted for.

Because of these potential problems and because we cannot determine the extent of the impact on all taxing entities, I have filed a request with the Tax Commission seeking a delay in finalizing the 1997 assessment roll until after the filing deadline for centrally assessed property. This means you will not receive 1997 certified rates and valuation information from the auditor until after June 10, if my request is granted by the Commission.

It is in the interest of all taxing entities to wait and see what appeals are filed and how much value is excluded from our tax base stemming from those appeals.

If you have any questions about these issues or the timing of the information I will be sending out, please contact my office at 753-8314.

Sincerely,

Kathleen C. Howell
Cache County Assessor

REQUEST FOR INTRA-DEPARTMENTAL BUDGET TRANSFER

Department: Water Policy

Date: May 12, 1997

Amount to be transferred --- (rounded to the nearest dollar) \$ 500.00

Transfer from ---

Line Item No. 10 - 4115 - .620

Fund Designation: Misc. Services

Original Budget: \$ 2,000.00

\$ 2,000.00

Current Budget: \$ 2,000.00

\$ 2,000.00

Expenditures to date \$ -0-

\$ -0-

Balance before transfer \$ 2,000.00

\$ 2,000.00

Balance after transfer \$ 1,500.00

\$ 1,500.00

Transfer to ---

Line Item No. 10 - 4115 - .230

Fund Designation: Travel

Original Budget: \$ 900.00

\$ 900.00

Current Budget: \$ 900.00

\$ 900.00

Expenditures to date \$ 901.09

\$ 901.09

Balance before transfer \$ 1.09 -

\$ 1.09 -

Balance after transfer \$ 498.91

\$ 498.91

Description of needs and purpose of transfer ---

Travel budget has been expended because of meetings scheduled in first part
of year and almost all have been out of county.

M. Suzanne Benson
Department Head

Recommendation: ☒ Approval

☐ Disapproval

Comments:

Date: 5/12/97

Jamra Stokes
Cache County Auditor

Recommendation: ☒ Approval

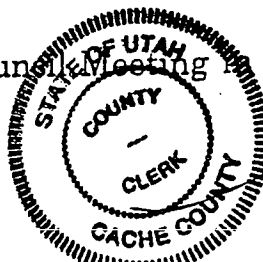
☐ Disapproval

Comments:

Date: 5/12/97

M. Suzanne Benson
Cache County Executive

Consented by the Cache County Council Meeting at regular session on the 13th
day of May, 1997



Stephen E. Evans
Cache County Clerk

3

RESOLUTION NO. 97-12a

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 1997 are reasonable and necessary; that the said budget has been reviewed by the County Auditor 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 all 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 1997 budget for Cache County:

Page 3 (attached) of Public Hearing held 22 April 1997 held over for further consideration on 13 May 1997.

Section 2.

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

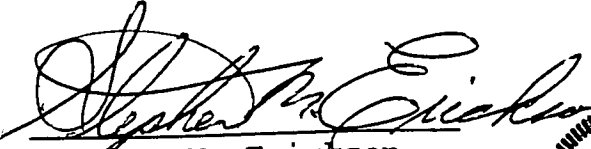
Section 3.

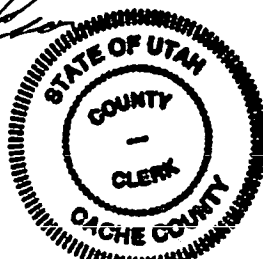
This resolution shall take effect immediately upon adoption and the County Auditor and other county officials are authorized and directed to act accordingly.

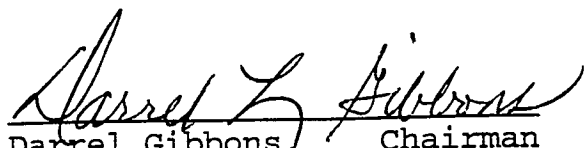
This resolution was duly adopted by the Cache County Council on the 13th day of May, 1997.

ATTESTED TO:

CACHE COUNTY COUNCIL


Stephen M. Erickson
Cache County Clerk




Darrel Gibbons, Chairman

FUND 10 General Fund Revenues

ACCOUNT	DESCRIPTION	Current Budget	Recommended			Reason for Change
			Decrease DR	Increase CR	Amended Budget	
10-38-92000	Appropriated Surplus - A&C	0		(173,500)	(\$173,500)	Integrated Software - Assessor
	Totals		\$0	(\$173,500)		
	Net adjustment				<u>(\$173,500)</u>	

FUND 10 General Fund Expenditures

ACCOUNT	DESCRIPTION	Current Budget	Recommended			Reason for Change
			Increase DR	Decrease CR	Amended Budget	
10-4146-620	Assessor - Misc Services	\$0	\$173,500		\$173,500	Contract expense - custom program
	Totals		\$173,500	\$0		
	Net adjustment				<u>\$173,500</u>	

CACHE COUNTY
ORDINANCE NO. 97 - 02

AN ORDINANCE AMENDING ORDINANCE NO. 77-2, 77-3, 87-8 AND 89-9 AND PROVIDING FOR THE CONTROL OF DOGS AND OTHER ANIMALS, REQUIRING LICENSING AND INOCULATION OF DOGS FOR RABIES, IMPOUNDING AND DISPOSITION OF STRAY AND OTHER DOGS, FEES FOR IMPOUNDING AND BOARD, DISPOSITION OR SALE OF DOGS, AND REPEALING ALL PRIOR ORDINANCES AND AMENDMENTS TO ORDINANCES IN CONFLICT WITH THIS ORDINANCE.

In a duly convened meeting and in accordance with its rules, the Cache County Council finds that it is reasonable and necessary for the general welfare of the County and the citizens therein to amend the dog control ordinances of the County.

Therefore, the Cache County Council of Cache County, Utah ordains:

SECTION 1. Licensing of Dogs.

a. It shall be unlawful for any person or other entity to own, keep, maintain or have permanent or temporary custody of a dog within the limits of Cache County, exclusive of the incorporated areas, without obtaining and possessing a current license or certificate of registration of the dog.

b. There shall be an annual license fee of \$5.00 per dog. Such license fee may be changed at any time by the Cache County Council by resolution.,

c. Dogs shall not be subject to registration and licensing until they obtain the age of three (3) months.

d. It shall be unlawful for any person or other entity to own, keep, maintain, or have permanent or temporary custody of a dog within the limits of Cache County, exclusive of the incorporated areas, without having affixed to the dog a collar, which shall be worn at all times by the dog, with a current metallic license tag attached to said collar.

e. No dog license shall be transferrable to another dog.

f. Duplicate tags may be issued by the County Clerk or Animal Control Officer upon presentation of the receipt showing payment of the license fee and the cost for such duplicate.

g. It shall be unlawful for any person to remove a license tag from a dog not owned, kept, maintained, or in the temporary or permanent custody of that person.

SECTION 2. Rabies Certificate and Tag Required of All Dogs in Cache County.

a. It shall be unlawful for any person or other entity to own, keep, maintain, or have permanent or temporary custody of a dog within the limits of Cache County, exclusive of the incorporated areas, without first having submitted the dog to the Cache County Animal Control Officer or his authorized agent for examination as to rabies or confirmation by that officer that such dog has been inoculated against rabies and presented evidence of such to the animal control officer. Such evidence must clearly indicate that the dog's inoculation is currently effective.

b. It shall be unlawful for any person or other entity to own, keep, maintain, or have permanent or temporary custody of a dog within the limits of Cache County, exclusive of the incorporated areas, unless such dog has been currently effectively inoculated against rabies.

c. It shall be unlawful for any person or other entity to own, keep, maintain, or have permanent or temporary custody of a dog within the limits of Cache county, exclusive of the incorporated areas, without having affixed a metallic tag to the dog by its collar, which shall be worn at all times by the dog and which shall show that the dog has been inoculated against rabies within the currently effective time for such rabies inoculation.

SECTION 3. Rabies Tags Non-transferrable or Removable.

a. It shall be unlawful for any person to transfer a rabies tag indicating the inoculation against rabies to any dog other than the dog to which the tag had been issued.

b. It shall be unlawful for any person to deprive a dog of its collar having attached to it a rabies tag.

SECTION 4. Animal Control Officer.

a. The County Animal Control Officer shall be considered the County dog enforcement officer and shall have a badge issued to him showing his authority to act as such officer.

b. It shall be the duty of the County Animal Control Officer to enforce this ordinance including, but not limited to, the examination of dogs, the capture and impounding of any dogs or other animals running at large or known to be dangerous or vicious, and to perform such other duties as may be assigned to him by the County.

c. The Animal Control Officer may take possession of any dog or animal running at large or which is being held, kept, or maintained in violation of this ordinance or to take into his possession any dog or animal being treated cruelly or being used or kept in a manner in violation of any state law or this ordinance.

d. The Animal Control Officer shall be responsible for and authorized to enforce the provisions of Chapter 25 of title 4, Utah Code, relating to estray and trespassing animals.

SECTION 5. Impoundment, Redemption, Sale, and Destruction of Dogs.

a. Any dog impounded shall be impounded for a period not to exceed three (3) days unless impounded on a Saturday or Sunday in which instance the impoundment shall be for not less than ninety-six (96) hours unless redeemed.

b. All dogs impounded, unless claimed by their owners within three (3) days, or in the event of a weekend ninety-six (96) hours, shall be destroyed unless a person willing to adopt the said dog is found by the impoundment officer.

c. The animal control or impounding officer shall notify the owner of the animal, if known, as soon as reasonably practical of the fact of impoundment of the dog.

d. Whether the animal is redeemed or not, the owner or custodian thereof, shall be responsible for and liable for all impoundment and boarding fees including any additional days that the dog may be kept beyond the three (3) day or ninety-six (96) hour periods as described above.

e. In the event a dog is not claimed, the dog may be given to a suitable party who shall pay all impound and boarding fees as well as inoculation fees.

f. The animal control or impounding officer shall maintain a record of all impoundments, redemptions, sales, and destruction of dogs.

g. All impounded dogs not redeemed within three (3) days of impoundment may be destroyed by the animal control officer or at his direction.

h. Any impounded dog which is suffering from any serious disease, exclusive of rabies, may be released to the care of a veterinarian at the request of the owner if such owner can be located. If any impounded dog is suffering from such serious disease, exclusive of rabies, and such dog is a stray and the identity of the owner cannot be determined, then such dog may not be sold but must be destroyed unless any person accepting the dog agrees to be responsible for all veterinarian and boarding fees for such dog until such dog has been successfully treated for such disease.

i. Any impounded dog which appears or is determined to be suffering from rabies shall not be released but must be kept at the designated County pound under observation for a period of at least two weeks. If a qualified veterinarian finds that the dog is not suffering from rabies, the dog may be released to the owner if such owner can be located. If the owner cannot be located and the dog is found not to be suffering from rabies, it must be disposed of or returned as otherwise provided by this ordinance. If the dog is found to be suffering from rabies, the dog must be destroyed.

SECTION 6. Dogs Running at Large.

It shall be unlawful for any owner, keeper, or custodian of a dog to permit, directly or indirectly, such dog to run at large. "At large" shall be deemed to mean that the dog is off of the premises of the owner, keeper, or custodian of the dog and is not within the immediate presence or control of such owner, keeper or custodian, and "control" shall be deemed to mean on a leash, lead rope, harness, or other such means or in such proximity as to be under the effective voice control of such owner, keeper or custodian.

SECTION 7. Dog Pound Facilities.

The County may provide for suitable facilities for impoundment of dogs under the provisions of this ordinance or contract with a licensed veterinarian for the impoundment and treatment of dogs. Dogs shall be maintained in any facility hereunder in a humane manner during the period of impoundment.

SECTION 8. Dangerous or Vicious Dogs.

a. It shall be unlawful for the owner, keeper, or custodian of any fierce, dangerous or vicious dog to directly or indirectly permit the dog to be off the premises of the owner unless such dog is safely muzzled and chained or leashed under the control of the owner or custodian so as to prevent it from injuring any person or property; or to permit or suffer the dog to be on the owner's or custodian's premises unless reasonably restrained by an adequate cage, fence, or chain so as to prevent it from injuring any person, animal, or property.

b. Any dog known to have inflicted any injury upon any person or persons or upon any cattle, horses, sheep, poultry, or other domestic animals or livestock or to have a propensity therefore as evidenced by its general character and conduct including, but not limited to, any threatening conduct, shall be deemed a "vicious" dog under the provisions of this ordinance.

SECTION 9. Lawful to Enter Premises.

In the enforcement of any provision of this ordinance, any peace officer, including the animal control officer or his deputies or assistants, are authorized to enter upon the premises of any person to take possession of any stray, trespassing, collarless, fierce, dangerous, or vicious animal, dog or dogs not having a collar with a current inoculation tag when in fresh pursuit of such dog at the time the dog goes onto such private premises or if the dog is a fierce, dangerous or vicious dog and is not restrained by an adequate cage, fence, or leash and such officer has reason to believe that such dog poses an immediate threat to the safety of any person or other animal.

SECTION 10. Cruelty Prohibited.

It shall be unlawful for any person to maltreat or torture any dog, or having authority to kill any dog, to kill such dog in an inhumane manner.

SECTION 11. Female Dogs in Heat.

It shall be unlawful for the owner or possessor of any female dog to directly or indirectly permit it to run at large while in heat, and any such dog may be impounded and destroyed as hereinafter provided. The owner or custodian of a female dog, which is in heat shall confine such dog in an appropriate manner.

SECTION 12. Disturbing, Molesting or Interfering by Dogs.

It shall be unlawful for the owner, keeper, or custodian of any dog to allow, directly or indirectly, any dog to disturb the neighborhood by allowing it to bark excessively at night, or molest passersby or otherwise interfere with other persons or their property.

SECTION 13. Dog Kennels.

It shall be unlawful for any person to have more than four dogs upon his premises without having a dog kennel license for the keeping of the dogs and for the purpose of breeding or raising of dogs. The annual license tax for dog kennels shall be established by the County Council by resolution.

SECTION 14. Unlawful to Interfere With Animal Control Officer.

It shall be unlawful for any person to interfere with, molest, hinder or prevent the Animal Control Officer from discharging his duty under this ordinance.

SECTION 15. Duty of Owner to Assist.

When specifically requested by the Animal Control Officer, it shall be the duty of the owner, keeper or custodian of such dog to assist the Animal Control Officer in the capture and restraint of any dog or animal which it is the Animal Control Officer's duty to capture, impound or restrain.

SECTION 16. Citations and Failures to Appear.

a. The Animal Control Officer is hereby authorized to issue citations to the owners, keepers or custodians of any dog or animal who are in violation of any provision of this ordinance.

b. Any person issued a citation by the Animal Control Officer who has signed such citation promising to appear and who fails to appear on such citation as required shall be deemed guilty of a separate misdemeanor for that failure to appear.

SECTION 17. Fees.

The County Council, may by resolution, establish such fees as are reasonable and necessary for licensing, impounding and boarding of any impounded dogs or animals.

SECTION 18. Penalty.

Any person violating any of the provisions of this Ordinance shall be deemed guilty of a Class "B" misdemeanor, and upon conviction thereof, shall be fined by a fine of not more than \$1,000.00 or by imprisonment in the County Jail for not more than six (6) months or by both such fine and imprisonment.

SECTION 19. Repeal.

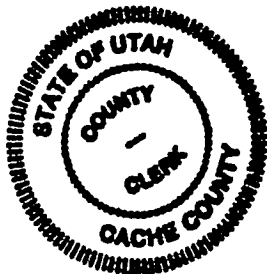
Any Ordinance heretofore enacted by the Board of County Commissioners or County Council in conflict with this Ordinance or any part thereof is hereby repealed.

SECTION 20. Validity.

If any part of this Ordinance, shall be held invalid, such decision shall not effect the validity of the remainder of this Ordinance.

DATED this 13th day of May, 1997.

CACHE COUNTY COUNCIL



By: Darrel L. Gibbons
Darrel L. Gibbons, Chairman

ATTEST:

By: Stephen M. Erickson
Stephen M. Erickson, Clerk

Publication Date: May 25, 1997

CACHE COUNTY
ORDINANCE NO. 97- 01

**AN ORDINANCE AMENDING ORDINANCE NO. 92-02, REGARDING THE
MAINTENANCE AND PRESERVATION OF PUBLIC RECORDS.**

The Cache County Council ORDAINS as follows:

1. Section 5(A) of Ordinance No. 92-02 is hereby amended to read as follows:

A. All records of the county shall be classified as public, private, controlled, or protected.

2. Section 6(E)(1) of Ordinance No. 92-02 is hereby amended to read as follows:

(1) The sensitive nature of particular records which name or allow ready identification of individuals shall generally not be classified as public records, unless the Classification Review Committee and the County Records Manager determine that the public's right of access clearly outweighs the individual's right of privacy in relation to any personal data or records.

3. Section 6(E)(2) of Ordinance No. 92-02 is hereby repealed.

4. Section 9(A) of Ordinance No. 92-02 is hereby amended to read as follows:

A. Fees for copies of records and services shall be charged on a reasonable basis to reimburse the county for the actual costs of duplication and compilation of a record in a form other than that regularly maintained by the county. No fees shall be charged to inspect public records.

5. Section 10(I) of Ordinance No. 92-02 is hereby amended to read as follows:

I. The county shall comply with civil, criminal, and administrative discovery pleadings in accordance with the provisions of applicable statutes, rules of procedure, and court orders.

6. Section 12(E) of Ordinance No. 92-02 is hereby amended to read as follows:

E. Notices of administrative appeals shall be submitted within 30 days of the date of issuance of the decision by the County Records Manager on the initial administrative review, or within 30 days of the access determination.

7. Section 12(F) of Ordinance No. 92-02 is hereby amended to read as follows:

F. Notices of administrative appeals shall be in writing, signed by the appellant, and on forms provided by the county. The appellant shall fully complete the form and provide the requested information, which shall include at least the following:

- (1) The appellant's name, mailing address, and daytime telephone number;
- (2) The relief sought; and
- (3) A short statement of facts, reasons, and the basis for the appeal.

8. Section 12(I) of Ordinance No. 92-02 is hereby amended to read as follows:

I. If the appellant desires to appeal the decision of the County Executive, the appellant shall file a new notice of administrative appeal with the County Records Manager, within 30 days of the decision of the County Executive on the administrative appeal, and upon forms provided by the county:

9. Section 18 of Ordinance No. 92-02 is hereby amended to read as follows:

Pursuant to Utah Code Ann. §63-2-905, all records created or maintained by the county are the property of the State of Utah.

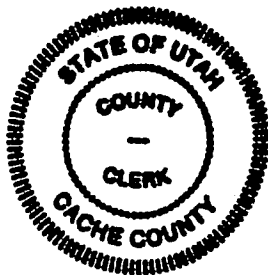
10. This ordinance shall become effective upon approval and publication in the manner required by law.

This ordinance was adopted by the Cache County Council on the
13th day of ~~April~~, 1997, upon the following vote:
May

	IN FAVOR	AGAINST	ABSTAINED	ABSENT
ANHDER	x			
BECK				x
GIBBONS	x			
PETERSEN				x
PULSIPHER				x
SKANCHY	x			
YEATES	x			
TOTAL				

CACHE COUNTY COUNCIL

By: *Darrell L. Gibbons*
Darrell Gibbons
Chairman



ATTESTED BY:

Stephen M. Erickson
Stephen M. Erickson
Cache County Clerk

Publication Date: May 25 , 1997



V. Nondiscrimination Assurance

Cache County Corporation

Name of Applicant

the donee, assures compliance with all

with all requirements imposed by or pursuant to the regulations of the General Services Administration (41 CFR 101-6.2 and 101-8) issued under provision to Title VI of the Civil Rights Act of 1964, as amended; Title VI of the Federal Property and Administrative Services Act of 1949, as amended; Section 504 of the Rehabilitation Act of 1973, as amended Section 303 of the Age Discrimination Act of 1975, as amended; and Title IX of the Education Amendments of 1972.

No person will be excluded from program participation or denied program benefits due to race, color, national origin, sex education or handicap.

Further, the donee agrees that this assurance obligates for the period during which it retains ownership or possession of property; that the United States shall have the right to seek judicial enforcement of this agreement; this agreement is binding upon the donee and its successors, transferrers and assignees.

May 12, 1997

Date

M. Lynn Lemon
Signature of President/Chairman of the Board or Comparable Authorized Official
Cache County Executive/Surveyor

VI. Resolution

Be it resolved that M. Lynn Lemon, Cache County Executive/Surveyor
Name of Designated Representative Title of Designated Representative

shall be and is hereby designated as the representative of Cache County Corporation to secure the transfer to said Applicant of surplus Federal property through the UTAH STATE AGENCY FOR SURPLUS PROPERTY, under the provisions of Section 203(j) of the Federal Property & Administrative Services Act of 1949, as amended, to obligate the applicant and its funds to the extent necessary to comply with the Terms and Conditions listed on the reverse side of this form.

BE IT FURTHER RESOLVED THAT a certified copy of this resolution shall be submitted to the Utah State Agency for Surplus Property and that the same shall remain in full force and effect until written notice to the contrary is submitted to the said Utah State Agency for Surplus Property.

M. Lynn Lemon
Signature of Designated Representative

VII. Certification

Darrel L. Gibbons Chairman
I, M. Lynn Lemon, hereby certify that I am the Executive/Surveyor of
Name Title
the County Council of Cache County and that the forgoing is (1) a true
Name of Corporation and correct copy of the resolution adopted by the vote of a majority of said County Council present at a duly-
Name of Board convened meeting of said Board on the 13 day of May, 1997 at which a quorum
was present, OR (2) and executive action taken by me on the _____ day of _____,
1997.

Darrel L. Gibbons
Signature of President/Chairman of the Board or Comparable Authorized Official
County Council

Logan, Utah

May 13, 1997

The County Councilmembers (the "Council"), met in regular session at the regular meeting place of said Council in Logan, Utah, on Tuesday, the 13th day of May, 1997, at 5:00 p.m. There were present at said meeting the following members:

Cory Yeates
Sarah Ann Skanchy
C. Larry Andher
Layne M. Beck
Darrel L. Gibbons
H. Craig Peterson
Guy R. Pulsipher

Councilmember
Councilmember
Councilmember
Councilmember
Councilmember
Councilmember
Councilmember

Also present:

M. Lynn Lemon
Stephen M. Erickson

County Executive
County Clerk

Absent:

After the meeting had been duly called to order and the minutes of the preceding meeting read and approved, and after other matters not pertinent to this resolution had been discussed, the County Clerk presented to the Council a Certificate of Compliance With Open Meeting Law with respect to this May 13th, 1997 meeting, a copy of which is attached hereto as Exhibit "A" and incorporated herein.

Thereupon, the following resolution was introduced:

RESOLUTION NO. 97-13

A RESOLUTION OF THE COUNTY COUNCIL MEMBERS OF CACHE COUNTY, UTAH (THE "COUNTY") AUTHORIZING AND APPROVING THE EXECUTION OF A LEASE/PURCHASE AGREEMENT, DATED AS OF MAY 15, 1997 (THE "LEASE"), BY AND BETWEEN THE UTAH ASSOCIATION OF COUNTIES (THE "ASSOCIATION"), AS LESSEE, AND ZIONS FIRST NATIONAL BANK, AS LESSOR (THE "TRUSTEE"); AUTHORIZING THE EXECUTION, SALE AND DELIVERY BY THE TRUSTEE OF CERTIFICATES OF PARTICIPATION, SERIES 1997, IN THE TOTAL PRINCIPAL AMOUNT OF \$1,710,000, REPRESENTING A PROPORTIONATE INTEREST IN THE ASSOCIATION'S LEASE PAYMENTS UNDER THE LEASE; AUTHORIZING THE EXECUTION BY THE ASSOCIATION OF AN INDENTURE OF TRUST AND PLEDGE, A GROUND LEASE AGREEMENT AND OTHER DOCUMENTS REQUIRED IN CONNECTION THEREWITH; AUTHORIZING THE ACQUISITION OF LAND AND THE LEASING OF SAID LAND TO THE TRUSTEE PURSUANT TO A GROUND LEASE AGREEMENT; AUTHORIZING THE TAKING OF ALL OTHER ACTIONS NECESSARY TO THE CONSUMMATION OF THE TRANSACTION CONTEMPLATED BY THIS RESOLUTION; AND RELATED MATTERS.

WHEREAS, the Utah Association of Counties (the "Association") has been duly and regularly created, established and is organized and validly existing as a non-profit corporation under and by virtue of the provisions of the Constitution and laws of the State of Utah, including, in particular, the provisions of the Utah Nonprofit Corporation and Co-operative Association Act, Title 16, Chapter 6, Utah Code Annotated 1953, as amended (the "Nonprofit Corporation Act"); and

WHEREAS, the Association is a nonprofit organization operated exclusively for the benefit of its membership, the membership of which is comprised solely of counties of the State of Utah (the "Members"); and

WHEREAS, under the Articles of Incorporation of the Association (the "Articles") the objects and purposes for which the Association has been founded and incorporated are to provide services to its Members within the constraints of the Association's budget and available resources in order to promote better county government through cooperative and mutual efforts; and

WHEREAS, the Association desires to finance the cost of acquiring land (the "Property") and constructing, acquiring, equipping and furnishing thereon a facility and certain improvements thereto (the "Facility" and together with the Property, the "Project") which shall be used by its Members for county purposes; and

WHEREAS, the Association desires to award formally the sale of the Certificates to the Purchaser in accordance with the terms of the Purchase Agreement; and

WHEREAS, Cache County, Utah (the "County") is a body corporate and politic duly and regularly created, established, organized and existing under and by virtue of the Constitution and laws of the State of Utah; and

WHEREAS, the County, as a Member of the Association, desires to authorize certain actions to be taken by the Association, in acting on behalf of the County, in connection with the transactions contemplated by the Lease, the Ground Lease, the Indenture, the Certificates, and the Purchase Agreement.

NOW, THEREFORE, BE IT RESOLVED BY THE COUNTY COUNCIL OF CACHE COUNTY, UTAH AS FOLLOWS:

Section 1. All action heretofore taken, not inconsistent with the provisions of this Resolution, by the Council and by the officers of the County directed toward the leasing of the Project by the Association are hereby ratified, approved and confirmed.

Section 2. The Council hereby approves the costs of the Project and finds and determines, pursuant to the Constitution and laws of the State of Utah, that the leasing of the Project under the terms and provisions and for the purposes set forth in the Lease and the other documents, instruments and conveyances hereinafter approved and authorized, is necessary, convenient and in furtherance of the governmental and proprietary purposes of the County and is in the best interest of the citizens of the County. In particular, the Council hereby finds and determines that the Project will enhance the health, safety, welfare, good order, comfort and convenience of County residents. The Council hereby authorizes the financing of the Project in accordance with the provisions of the Indenture, the leasing of the Property to the Trustee by the Association in the manner provided in the Ground Lease and the leasing of the Project to the Association by the Trustee in the manner provided in the Lease.

Section 3. The Lease, the Indenture and the Ground Lease in the forms presented to this meeting and attached hereto as Exhibits "B", "C" and "D", respectively, are in all respects approved, authorized and confirmed and the President of the Association and Secretary-Treasurer are authorized to execute and deliver the Lease, the Indenture and the Ground Lease in the forms and with substantially the same content as set forth in Exhibits "B", "C" and "D", respectively, for and on behalf of the Association.

Section 4. The Council hereby authorizes the execution by the President of the Association and delivery of the Certificates in the aggregate principal amount of \$1,710,000, and the sale of the Certificates at a purchase price equal to 100% of the par amount of the Certificates, less a placement fee of \$29,925. The signature of the President may be by facsimile or manual execution. The Certificates shall bear interest

at the rate or rates and shall mature as described in the Indenture. Interest shall be payable in semiannual installments on May 15 and November 15 of each year, commencing November 15, 1997. The principal amount of the Certificates shall be due and payable and subject to prior call in accordance with the Indenture. The President is hereby authorized to execute the Purchase Agreement attached hereto as Exhibit "E" for and on behalf of the Association.

The President of the Association is hereby authorized to award the sale of the Certificates to the Purchaser.

The form, terms and provisions of the Certificates and the provisions for the signatures, authentication, payment, registration, transfer, exchange, redemption and number shall be as set forth in the Indenture.

Section 5. The Council hereby agrees to pay its building assessment to the Association directly to the Trustee at such time and in such manner as shall be directed by the Association. **THE COUNCIL HEREBY ACKNOWLEDGES AND AGREES THAT IN THE EVENT THE COUNCIL FAILS TO PAY TO THE ASSOCIATION ITS ANNUAL BUILDING ASSESSMENT WHICH WILL BE APPLIED BY THE ASSOCIATION TO THE PAYMENT OF ITS LEASE PAYMENT OBLIGATION UNDER THE LEASE, THE COUNCIL WILL FORFEIT ANY RIGHT, TITLE OR INTEREST IT MAY HAVE IN THE PROJECT BY VIRTUE OF IT BEING A MEMBER OF THE ASSOCIATION, AND THAT THE ASSOCIATION MAY, IF THE COUNCIL FAILS TO PAY ITS ANNUAL BUILDING ASSESSMENT TO THE ASSOCIATION, REALLOCATE THE EQUITY INTEREST OF THE COUNCIL TO THE OTHER MEMBERS OF THE ASSOCIATION WHO HAVE PAID THEIR ANNUAL BUILDING ASSESSMENT IN A TIMELY MANNER, SUCH THAT UPON RETIREMENT OF THE CERTIFICATES, ONLY THOSE MEMBERS OF THE ASSOCIATION WHO HAVE PAID ALL OF THEIR ANNUAL BUILDING ASSESSMENT IN A TIMELY MANNER SHALL BE DEEMED TO HAVE AN EQUITY INTEREST IN THE PROJECT.**

The Council further acknowledges and agrees that in the event a member of the Association fails to pay its building assessment in full, the Association shall adjust pro rata the building assessments of the remaining members in such amounts as shall be necessary to assure the Association that it will receive sufficient building assessments to pay its lease payment obligation under the Lease.

Section 6. The President of the Association is hereby authorized to execute and deliver to the Trustee a written order of the Association for authentication and delivery of the Certificates by the Trustee in accordance with the provisions of the Indenture.

Section 7. The appropriate officials of the Association are authorized to take all action necessary or reasonably required to carry out, give effect to and consummate

the transactions contemplated thereby and are authorized to take all action necessary to finance the acquisition of the Project, to lease the Property to the Trustee pursuant to the Ground Lease and to lease the Project from the Trustee pursuant to the Lease, including, without limitation, the execution and delivery of any closing and other documents required to be delivered in connection with the sale and delivery of the Certificates.

Section 8. The appropriate officials of the County are authorized to take all action necessary or reasonably required to carry out, give effect to and consummate the transactions contemplated by the Indenture, the Lease and the Ground Lease and are authorized to take all action necessary to finance the acquisition of the Project, including without limitation, the execution and delivery of any closing and other documents required to be delivered in connection with the sale and delivery of the Certificates.

Section 9. No provision of this Resolution, the Lease, the Indenture, the Certificates, the Ground Lease, the Purchase Agreement, or any other instrument, shall be construed as creating a general obligation of the Members, or as incurring or creating a charge upon the general credit of the Members or against their taxing powers.

Section 10. The Council hereby authorizes the President of the Association to appoint Zions First National Bank, a banking corporation organized under the laws of the State of Utah possessed of full and complete corporate trust powers, to act as trustee, paying agent and registrar under the terms of the Indenture.

Section 11. The appropriate officials of the Association are hereby authorized to make any alterations, changes or additions in the Indenture, the Lease, the Ground Lease, the Purchase Agreement or related documents herein approved and authorized necessary to correct errors or omissions therein, to remove ambiguities therefrom, or to conform the same to other provisions of such instruments, to the provisions of this Resolution or the provisions of the laws of the State of Utah or the United States.

Section 12. If any provisions of this Resolution (including the exhibits attached hereto) should be held invalid, the invalidity of such provisions shall not affect any of the other provisions of this Resolution or the Exhibits.

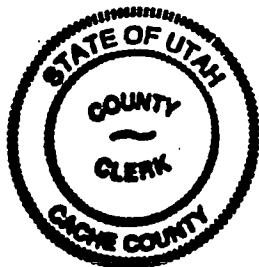
Section 13. The Secretary-Treasurer of the Association is hereby authorized to attest to all signatures and acts of any proper official of the Association, and to place the seal of the Association on the Lease, the Ground Lease, the Indenture, the Purchase Agreement and related documents. The President of the Association and other proper officials of the Association and each of them are hereby authorized to execute and deliver for and on behalf of the Association any and all additional certificates, documents and other papers and to perform all other acts that they may deem necessary or appropriate in order to implement and carry out the matters herein authorized.

Section 14. All bylaws and resolutions of the County or parts thereof inconsistent herewith are hereby repealed to the extent only of such inconsistency. This

repealer shall not be construed as reviving any bylaw, order, resolution or ordinance or part thereof.

Section 15. This Resolution shall become effective immediately upon adoption by the Council.

PASSED BY THE COUNTY COUNCIL OF CACHE COUNTY, UTAH THIS
1st DAY OF May, 1997.



(S E A L)

ATTEST:

Stephen M. Euck
County Clerk

Carrel L. Gibbons
Chair

A motion to adopt the foregoing resolution was then duly made by Councilmember Anhder, duly seconded by Councilmember Yeates, and was put to a vote and carried, the vote being as follows:

Those Voting Aye: Darrel L. Gibbons
Larry C. Anhder
Cory Yeates
Sarah Ann Skanchy

Those voting Nay:

Those Absent: H. Craig Petersen
Guy Ray Pulsipher
Layne M. Beck

After the conduct of other business not pertinent to the foregoing, the meeting was adjourned.

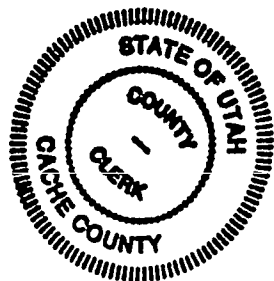
CACHE COUNTY, UTAH

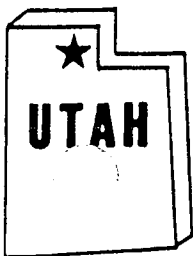
Darrel L. Gibbons
Chair

Attest:

Stephen H. Enoch
County Clerk

(SEAL)





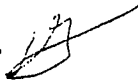
Cache County Corporation

179 North Main, Room 210
Logan, Utah 84321

LORENE GREENHALGH
Zoning Administrator
752-8327

MEMORANDUM

TO: Lynn Lemon, Cache County Executive

FROM: Lorene Greenhalgh, Zoning Administrator 

DATE: April 16, 1997

SUBJECT: Benson Planning District Board Recommendation

In a regular meeting held 15 April 1997, the Benson Planning District continued a Public Hearing from the meeting held 15 October 1996 and voted unanimously to recommend to the County Council that their Planning District Board be made a 7-member board to be in line with the County Planning Commission and the College-Young Township Board (which will be made a Planning District Board on 5 May 1997).

With this recommendation, it is the wish of the Planning District that the County Council will accept this recommendation and that their appointments will be made soon to allow this board to function as the other boards with representation from all points and areas of the Planning District.

Thank you for your consideration in this matter.

LG:pj

CHILDREN'S JUSTICE CENTER

There are currently 8 CJC's located in Utah. Cache County would be the ninth in the state. One is also planned for Roosevelt, Utah. CJC's are facilities where children who are the victims of physical and sexual abuse and neglect are taken and where the process of investigating the case and beginning the healing process can begin. Children are interviewed by CPS and or law enforcement and receive a medical examination if necessary. Each and every case is then staffed by a multi disciplinary team of professionals from CPS, law enforcement, medical personnel, victims rights advocates, the County Attorneys office, guardian ad litem, etc.

These facilities are child friendly and made to look and feel like Grandma's house. They have rooms set up exclusively to video tape interviews of child victims. The evidence is strong that children are more likely to divulge sensitive and embarrassing information in this atmosphere than in the sterile environment of a hospital, police station, or other governmental facilities. This single interview should be all that is ever necessary in order to proceed to court. No more multiple interviews by the police, CPS, County Attorney, guardian ad litem, medical personnel, etc. This tends to greatly reduce the trauma associated with abuse.

Before any CJC facility can receive funding for salaries and overhead, the building must be well on its way to completion and some governmental agency must be willing to assume the role of umbrella agency. The building itself must be constructed by donations from the community. No federal or state monies can be used for construction, equipment, or furnishings. The "Friends Committee" is the non profit organization that has been established to seek donations from the community to build and furnish the facility. The facility upon completion becomes the property and is owned by the Friends Committee.

The Advisory Committee's responsibility is to oversee operations and to assist in the hiring of a director and to monitor the ongoing operation of the CJC. The Advisory Board is willing to take a greater or lessor role in personnel management issues and will function as dictated by the H.R. Department of Cache County.

The County's role would be to act as a "flow through agency" for federal and state monies that pay for salaries and other operational and overhead expenses. Cache County would be the employing agency and would have responsibility to administer salaries and benefits. Cache County Attorney Scott Wyatt has stated that his office would be willing to oversee these county employees out of his office with close association with the Advisory Board and County H.R.

Federal Startup monies are available to hire a director and to cover expenses until state monies become available. These monies are appropriated by the State Legislature as a line item at the request of the Attorney General's Office who oversees the statewide CJC program. State monies for the Cache County CJC will be available in July of 1998.