

RICHMOND CITY COUNCIL

April 15, 2003

The regular meeting of the Richmond City Council was held at the Community Building on April 15, 2003. The meeting began at 7:00 p.m. Mayor Kip Panter was in the chair and the opening prayer was offered by Boyd Lewis. The pledge was lead by Kade Sweeten of Boy Scout Troop 257 from Richmond.

The following members were in attendance: L.D. Bowcutt, Allen Lundgreen, Kim Christensen, Cordell Johnson and Leslie Erickson.

The minutes of the previous meeting were read and approved and the financial statement for February was read and approved.

Lt. Bennett and Sheriff Nelson came to the Council to present the Annual Sheriff's Report.

SHERIFF NELSON: I have missed doing this the last couple of years. I wanted to start doing this again. I am very happy to present the 2002 Cache County Sheriff's Office Annual Report. This past year has been extremely busy. The 2002 Olympic Games placed a huge demand on the Office. Every employee had an increased work load to cover the increased security throughout the valley and at the games themselves. I am very proud of the hard work and dedication of my employees. They helped to make a great impression on the world. We designed the new Sheriff's Office Complex and have started construction. This is a great milestone for Cache County. In 1979, Sheriff Doug Bodrero started the discussions about a large jail, finally twenty-one years later it is a reality. The new jail will house three-hundred-sixty inmates in a large and well-needed building. This project has demanded huge amounts of time and energy of the employees and will continue throughout 2003. The project will be completed by the end of 2003.

We live in a great area, the finest in Utah. It takes hard work and dedication of law enforcement to make a difference. Yet, without the help of the citizens we can make little impact. Our mission statement sets the standard "... staff working cooperatively with the citizens we serve." We put much effort into this endeavor, I believe it is paying off. We feel of the support from the citizens and appreciate all that they do to help us.

I believe that citizens of Cache County receive a very cost effective service from the Sheriff's Office. We fund the Office for the most part by tax dollars and those are very precious dollars. We know that we work for the citizens. I also believe that the deputies and staff are very dedicated to their jobs and they take seriously their duty to the citizens. We will do all we can to keep this momentum going.

As you can tell, I am very proud of my staff. Each of them has to wear many hats to get everything accomplished that I believe we should. This past year is a great

example of requesting and getting the extra mile from them.

Civil provides timely service of all process brought to the Sheriffs Office as well as executing court orders relative to civil litigation. Criminal processes, including bench warrants, summons, and orders are served by this division. Additionally, Civil takes possession of property pursuant to court orders, conducts Sheriff sales, and generally serves as the enforcement arm for the civil courts. It is notable that the average civil paper brought to this office will be processed and returned, on the average, within less than three days of its arrival, a record of efficiency matched by no other agency of our size in the state.

The Sheriffs Office provides two distinct services to the district courts, the juvenile court and some justice courts of the First Judicial District. First, deputy sheriffs serve as the Bailiff of the Court whose primary duty is to insure the safety of the judge and court staff. Additionally, the deputy sheriffs perform some administrative functions during the course of hearings and trials and help to maintain order in the courtroom. Secondly, they provide for the security of the court complex. This is accomplished through the deputy's uniformed presence in and around the complex. Additional measures include the use of handheld and stationary magnetometers (metal detectors), intelligence gathering, the processing of persons or situations which may pose a threat to the security of the court, and arresting violators of the law in or near the court complex. The sheriffs deputies assigned to the Courts enjoy an excellent working relationship with judges, court clerks, patrons and attorneys.

The Sheriffs Office contracts with 16 cities or towns and the U.S. Forest Service to provide law enforcement services. This provides those cities with municipal type law enforcement services at an economical economy of scale. Cache County Sheriffs Office serves more population than any other sheriffs office in the state, except Salt Lake County.

The School Resource and Gang programs are very closely related. Other areas in the State have seen dramatic increases in gang problems while here in Cache County this has not happened. It is through the active involvement the Sheriffs Office and other law enforcement agencies have with the school districts that has made this possible.

The School Resource deputies are responsible for "...providing a safe learning environment... to be a resource to the community and schools... to educate children and adults about alcohol and drugs; teaching effective decision making skills and the consequences of their decisions

Over 4000 students receive educational talks, DARE, and other presentations from the deputies working in the schools.

The Sheriffs Office participates with Logan City Police Department, Utah State University Police Department, North Park Police Department and the Utah Highway Patrol in the Logan-Cache County Gang Project. The goals of this project are to educate the public about problems associated with gangs and to identify and help individuals involved in gang activity. The Sheriffs Office assigns employees from the Patrol Division, School Resource Division, and Jail Division to help in this effort. A "Gang Related Incident" is any incident in which any participant in the incident has

documented gang affiliations. It is not necessarily planned or organized conduct on the part of a gang itself.

A frequent lament among law abiding citizens is, "Those inmates ought to be put to work instead of just lying around!" The Sheriffs Office could not agree more and has been able to put several programs in place. The public appreciates the service given and the overwhelming majority of inmates in the program feel a sense of accomplishment.

There are three inmate work programs run by the Jail Division. The Jail Work Program uses inmates within the jail that cannot leave the compound. The Community Work Program uses inmates from the jail that can work outside the facility under supervision. The Work Diversion Program, started in July 1997, uses people sentenced to this program instead of going to jail, due to the lack of funding this program was not available in 2002. All of these programs together save over 275,149 of tax dollars in the service given. (Figured at the Federal minimum wage of \$5.15 per hour with a standard benefit rate of 30%.)

The Sheriffs Town & Area Representative or S.T.A.R. program was created to increase communications and involvement of the Sheriffs Office with the various cities, towns, areas, and schools. A specific deputy is assigned and meets regularly with community leaders and citizens. We have found great success working with the communities and getting the citizens involved in solving problems. National Night Out is just one of the successes of the S.T.A.R. program.

The Cache County Sheriffs Office has several programs directed toward the safety and well being of our youth. The largest program is the School Resource Deputies. We assign six deputies to work in and directly with most of the schools in the Cache School District. They provide training to teachers and students, provide security and safety, and teach DARE. Youth Crime Watch is another program in the schools. It is similar in nature to Neighborhood Watch Program. We train teachers and students to recognize problems and to fix them. This helps the students to take ownership in the safety and security of their school. The Safe Kids Phone, 716-SAFE, has been set up to receive anonymous calls on problems in any school in the Cache and Logan School Districts. After they make a call to this phone, the phone automatically pages deputies to check the message. They can then deal with the situation in a timely manner.

Peer Court is a county wide program where kids run an actual court for juveniles on first time offenses. This process provides a way for juveniles to resolve problems, make amends, and not end up with a juvenile record.

The Cache County Sheriffs Office Explorer Post consists of 11 youth members between the ages of 15 and 20 from throughout Cache Valley. Those selected are required to attend valuable training twice a month and donated service hours to the county.

The training is very similar to the same training required by all Peace Officers

in the state of Utah. They are usually taught by instructors from the Sheriffs Office who specialize in those particular fields. The Explorers learn about criminal law, arrest control techniques, radio operations and procedures, criminal patrol, jail and inmate bookings, and all the other responsibilities within the Sheriffs Office.

The Explorers donate time at public talks and community events with full time deputies. They assist with fingerprinting, bicycle engraving, merit badge counseling, and other services offered to the public.

BRANDON DOUGLAS: Citations have been up a little bit. We issued 53 citations in January and 25 citations in February. The biggest problem is speeding both on the main roads and on the side roads. We will be here for the Black and White parade and the Black and White cow sale.

BUSINESS LICENSE REQUEST

MARLOWE: Pauline Francis and Cristy Cottle would like a business license for C & C, Inc. It is manufacturing dissolving flavor capsules for hot drinks.

** The Council o.k.'d this request

Tim and Amber Harris have a business called Harris Hoof Trimming. It is a hoof trimming business working out of the home.

** The Council o.k.'d this request.

Rod Anderson has a request for Rod D. Anderson Construction, a home building business.

** The Council o.k.'d this request.

QUARTERLY REPORTS:

GAVIN: We have been working on potholes. We also have a water leak on 4th West. We would like to dig across the road there while it is in gravel. I figure we need 8 city blocks to be chipped before we lose them. I am concerned about bar ditches. They are causing us problems on the roads. I was wondering about main street curb and gutter. Maybe we could replace them while the new UDOT project is being done.

TREASURERS REPORT:

CHRIS: I have been working with our new system. I spent 2 days in Hyrum while they were training. The support has been really good so far.

FIRE CHIEF REPORT:

LYNN BAIR: For the last six months we have received 7 calls. There was a lightning strike, broken gas line, cleanup, smoke in residence and 2 fire false alarms at Lower Foods, and a gas spill on the main highway. We did not receive the FEMA Grant. We need to replace the fire hose. The County would like us to do inspecting every 2 weeks on our vehicles. We need to clean up all the oil spills from the trucks. Randy Sohler resigned from the fire department because of time and family needs. Could the city send a letter of appreciation to Randy? Zachary Garner would like to be a firefighter for the City. We currently have 16 firefighters.

** The Council o.k.'d Zachary Garner as a new firefighter

BETH SKIDMORE, JUSTICE OF THE PEACE, QUARTERLY REPORT

BETH: For the quarter January through March 2003 there was 126 cases filed. The surcharges to the state were \$1,178.36. Surcharges to the city were \$5,648.64 for a total of \$6,827.00. The caseload is down right now. Next week is the annual judge's school in St. George. I went to the first training on the new computer system. We will get trained all together. Recertification starts this year and we will be o.k. I had 1 dog citation processed since the new ordinance.

LESLIE: Last year we diverted the bus route during Black and White. Marlowe, would you take care of this? Friday night at 6:00 p.m. we will have a kickoff with the Lions Club. The first Saturday in May will be the Black and White Queen Contest. Pete Schropp is in charge of the horse show on Saturday May 17. The costs are the same as last year. The melodrama will have dress rehearsal at 7:00 on Friday and the melodrama will be Friday May 16 at 7:00, and Saturday May 17 at 3:00, and Monday May 19 at 7:00 p.m. Dan Miller is in charge of doing the publicity.

MARLOWE: We have had John Hester in town the last two days. Overall, I think we are doing very well in the City. I need Cordell, Mayor Panter and Kim to meet with me after this meeting concerning the Cherry Creek Heights Subdivision, Phase 2. Also, will you give me permission to act as agent for the City dealing with construction right-of-way easements and other issues concerning City property and the widening of U. S. 91.

** This request was approved.

COUNCIL REPORTS:

CORDELL: The Mayor and I met with Zan Harris and Bill Harris and we also met with Dale Bankhead on the possibility of land applying the water from cell #4 onto agricultural land. State regulation requires a fence be put up around the area which will

be watered and permits must be in place. We will continue to work on this.

MAYOR: The land below the City sewer ponds down to the Cub River is for sale. There are 35 acres. 15 acres is owned by Craig Allen and 20 acres is owned by Zan Harris. Craig is asking \$4,000 per acre for his part. We may want to consider this for Richmond future needs.

L.D.: The Black and White room remodel is about finished. We will complete it in next year's budget. The water has been turned into the restrooms at the park. Easter Egg Hunt is Saturday. We put a new water shutoff line in the park. It is on line now. I had a meeting with Brooks Tarbet, Jeff Hall about the Sports Complex. The water system needs to be changed. It would require a 10" line, and a pump. The bid was \$13,358. Lewiston and Richmond would split this cost. They also need home-run fences and 4 scoreboards. They also need a water heater.

YOUTH COUNCIL REPORT ON TRAINING AT USU:

JANICE SWENDSEN: The members of the Youth Council are: Anarie White, Mayor; Jamie Sweeten; Camille Gilbert, Historian; Shareese Gilbert, Historian; Brittany Black; Kayleen Brown; Sara Nelson; Jaimie Smith, Recorder/Treasurer; Virginia Smith; and Kristen Sherner.

ANARIE WHITE: We are here to report on Youth Council leadership training at USU. We had 9 there. There were over 30 Councils there. Christy White was our leader.

CAMILLE GILBERT: We had motivational speakers every day.

JAMIE SWEETEN: We had breakfast sessions. One called Goldfish, we learned a lot and learned about setting goals.

KAYLEEN BROWN: We had fun activities. A singing group came. We went to the banquet. Dinner was fun. It was a great experience.

SARA NELSON: It was a great learning experience. We want to thank the Council for letting us go.

DAIRY PRINCESS:

AMY JENSEN: We have 5. Kayleen Brown, Cynthia Abbott, Melissa Yardley, Natalie Rigby, Tabatha Merrill. The pageant is April 26th at USU.

PRELIMINARY BUDGET-NEW BUDGET YEAR:

BOYD: I have put together the budget for next year. One of the items that I have noticed is sales tax is down and I have reflected it in the new budget. The estimated revenue of the general fund is \$633,137, the water enterprise fund \$254,468, the sewer enterprise fund \$189,568. For every 1% raise we give to the city employees the cost is \$2,700. If the budget stays as it is we only have \$745.00 to add additional items. We do have many requests for this budget year. They are as follows:

Parks:

New cement pads and barbeques	\$1,300.00
Fence front of bleachers	\$500.00
Snowblower	\$700.00
Treetrim	\$500.00

Buildings:

Chairs	\$700.00
Plaster, fix windows	\$3,000.00
New Sliding doors and finish B&W	\$5,000.00

Library:

Additional office, processing supplies, Camille, bldg comm. Involvement	\$2,051.00
Extra Camille Gilbert time	\$1,000.00

Sports Complex:

Water line & pump	\$6,200.00
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UDOT Project:

Subsurface drain	\$20,000.00
Wrought iron fence	\$4,181.00
Alternative Lighting US 91 through Richmond	\$5,415.00
Historic Commission matching grant	\$1,000.00

Fire Dept:

Fire hose	\$5,300.00
18 new helmets	\$3,150.00
Generator	\$2,500.00
Paint & labor to paint	\$1,200.00
2 service air setup	\$3,000.00
15 airtanks	\$450.00
4 new turnouts	\$7,200.00
1 programmable radio	\$400.00

BOYD: As you can see our needs are great this year but we don't have much to work with.

CORDELL: I think we should give our employees a 2% raise.

L.D.: I think we should too. Also we need to finish the B&W building. It is going to need an additional \$5,000 to do that.

MAYOR: I think we should take the following out of the capital projects fund: plaster foundation, fix window seals in community building (\$3,000), finish B&W building (\$3,000), subsurface drain (\$20,000), wrought iron fence on main (\$4,181), alternative lighting (\$5,415), and the water line and pump for the sports complex (\$6,200). Then take the following out of the excess general fund: the fence in front of bleachers (\$500.00), additional tree trimming (\$500.00), chairs (\$700), and additional library office expenses (\$2,051).

BOYD: I will put in the changes as proposed in the preliminary budget and we will

again review it and make any other changes and adopt the preliminary budget on May 20. We will also open the current budget at that time to make any adjustments to it.

RAND HENDERSON – LAW DAY

RAND: May 1st was designated as Law Day. Law Day is a celebration of American and the rule of law. Now therefore as we celebrate Law Day 2003, we restate our commitment to judicial independence as an essential component of the rule of law and our dedication to ensuring fair and impartial judicial decision making under federal and state constitutions as essential to American democracy, liberty and freedom. Law Day 2003 provides an opportunity to re-examine how we as a nation want our judiciary to function. At a time when partisans and special interests try to shape a judiciary that is responsive to political consideration above all else, we have the responsibility to reaffirm our commitment to a truly independent branch.

Our renewed commitment to judicial independence can be expressed through many actions, big and small, taken in our local communities and at the national level, such as:

- Defending the state and federal judges for unfair or unwarranted criticism, whether it is motivated by partisanship, special interests, or a misunderstanding of the role of the judiciary in our system of government.
 - Demanding adequate funding for court systems so that judges have the resources to administer justice without undue delay or burden;
 - Promoting new approaches to improving judicial elections, such as public financing or campaigns and voter guides, that produce a better educated electorate while reducing the influence of private contributions to judges and;
 - Continue to work towards merit based systems of appointing and retaining judges that provide an appropriate balance of judicial independence and accountability to the public.
- ** A motion that the Richmond City Council approve the proclamation for 2003 Law Day was made by Cordell, seconded by Allen and the vote was unanimous.
- ** A motion to approve Resolution 2003-2 which says “A resolution proposing the creation of the Cache Mosquito and vector control district for the purpose of providing mosquito abatement services to the municipalities and unincorporated areas of Cache County and providing that a public hearing and an election be held on the question of whether the district should be created” was made by L.D., seconded by Cordell and the vote was unanimous.

MARLOWE: This is an annual item.

** A motion to approve Resolution 2003-3 which says “Now therefore, the Council of Richmond City, County of Cache, State of Utah, does hereby resolve, pass and publish the following:

MUNICIPAL WASTEWATER PLANNING PROGRAM RESOLUTION.

Be it hereby resolved by the City Council of Richmond City, County of Cache, Utah, as follows:

1. The City of Richmond hereby informs the Water Quality Board the following actions were taken by the Richmond City Council:
 - a. Reviewed the municipal wastewater planning program report for 2002, which is attached to this resolution.
 - b. Have taken all appropriate actions necessary to maintain effluent requirements contained in the UPDES Permit.
 - c. Are actively working in cooperation with the Division of Water Quality to bring the system back into compliance with the issued permit.
2. This resolution will automatically become historic on the first day of July 2004.

** This resolution passed by majority vote of the Richmond City Council, County of Cache, State of Utah, this 15th day of April, 2003, was made by L.D., seconded by Cordell and the vote was unanimous.

The following bills were presented for payment:

Abbey Carpet	832.00
Advanced Heating	175.00
Airgas	88.74
Anderson Seed	135.92
AT&T	100.24
Bear River Health	45.00
Bennetts	30.05
Beth Skidmore	65.96
Brent Webb Ex	50.00
Cache County Assessor	12.50
Cache Co. School District	1,290.00
Cache Comfort Systems	4,169.95
Cache Dairy Wives	100.00
Cache Service Area	10,753.80
Cache Valley Craft	80.05

Cache Valley Insurance	138.00
Cache Valley Tire	113.00
Chemtech Ford	20.00
Cherry Peak Woodworks	3,000.00
Coats Rooter Service	269.00
Cordell Johnson	690.36
Dan Miller	21.10
Denny's	22.29
Discovery Girls	29.95
Ecosystems	275.00FNW/Lawson
100.75	
Hobbs Turf Farm	30.00
I & I Contractors	1,149.80
IMS of Tech	4,790.00
KAPS	49.79
Kings	314.37
Leslie Erickson	250.00
Lee's	239.27
Metrocall	12.77
Mt. States Waterworks	1,458.76
National Trust Forum	115.00
Northwood Rentals	118.63
Olson & Hoggan	4338.75
PC's Unlimited	33.90
Posh Electronics	156.00
Questar	1,256.38
Qwest	407.81
Randy's Texaco	19.15
Rod Houseley	528.00
Safety Supply & Sign	512.30
Scholastic	106.90
Skeleton Key Shop	30.00
Standard Plumbing	49.00
Theurers	8.28
U & I Kiwanian	195.00
Upstart	216.27
UT Municipal Treasurer Association	50.00
UT Water Users Association	100.00
Utah Justice Court Judges Association	25.00
Utah Local Government Trust	1,394.63
Utah Power	1,947.52
Valley Electric	3,240.00
Verizon	38.12
Walden Book	68.68

Wetco	152.39
Workers Compensation Fund	506.33
Xerox	197.60

A motion to pay the bills was made by L.D., seconded by Cordell and the vote was unanimous.

A motion to adjourn was made by Cordell seconded by Leslie and the vote was unanimous.

Adjournment at 9:45 p.m.

Kip E. Panter, Mayor

Boyd A. Lewis, City Recorder