

SPECIAL COUNCIL MEETING ON CONSOLIDATION

MINUTES

JANUARY 31, 1994

Special Council meeting
January 31, 1994

THE CACHE COUNTY COUNCIL SPECIAL MEETING MINUTES

The Cache County Council met in a special session on the 31st day of January, 1994 in the Council Chambers located at 120 North 100 West, Logan, Utah 84321.

ATTENDANCE

Council Members present: Chairman Sarah Ann Skanchy, Vice Chairman C. Larry Anhder, Council members: Coray, Gibbons, Allen, Pulsipher, Howell and County Clerk Stephen M. Erickson.

Others present: Cache County Executive Seth S. Allen; Cache County Auditor Tamra Stones; Cache County Recorder Michael Gleed; Cache County Surveyor Preston Ward; Cache County Attorney Gary O. McKean; State Republican Vice Chairman Laraine Pace; Chief Deputy County Executive Lynn Lemon; Representatives of the local news media and other interested citizens.

CALL TO ORDER

Chairman Sarah Ann Skanchy called the meeting to order at 5:00 p.m. and welcomed all who were in attendance and asked those in the audience to stand and introduce themselves.

INVOCATION

The invocation was given by Vice Chairman C. Larry Anhder.

CONSOLIDATION: DISCUSSION

Chairman Skanchy said that the reason for calling the special meeting was due to recent events that have occurred concerning the issue of consolidation and this meeting is only to discuss the issue of consolidation. Skanchy then reviewed the previous meetings that have been held and the ordinance that was rescinded and the ordinance that was passed and presented to the Executive for approval or veto in a 15 day period which expires this evening. Chariman Skanchy said thast the Executive may sign it, he may veto it and he may let it pass without his signature.

ORDINANCE NO. 94-02: EXECUTIVE ALLEN RESPONSE

Executive Allen was asked for his response. Allen said some discussion has been going on between the Executive, Attorney, Auditor and Chairman Skanchy and that a joint statement has been drafted. He is proposing that the Executive and the Council enter into an agreement concerning the consolidation issue. Allen said that he is reserving his right to veto Ordinance No. 94-02. He

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then reviewed the Joint Statement.

(see attachment #1)

Executive Allen further stated that if an Ordinance consolidating the Executive and Surveyor is passed he will sign it tonight.

COUNCIL RESPONSE: JOINT STATEMENT

Chairman Skanchy said that considerable time has been spent with the Attorney and Auditor concerning the issue. Skanchy also said the HB 62 that will not allow the combining of the Executive and the Auditor has passed the House and is on its way to the Senate. The County Attorney said that all our Legislators voted for the bill except Representative Bodily who was off the floor at the time. Skanchy said that there is presently a petition in the Clerk's office which hasn't been filed yet but is waiting for action depending on what is done tonight. The election office down state (Lt. Governor) is waiting for the Council's action to post open offices for election on February 1, 1994. Chairman Skanchy said that the Council is well aware that this is an election year and that we are interested in good County Government, but we are also interested in having County Government proceeding orderly. Discussion was asked from the Council and Skanchy further stated that all elected officials have the responsibility to periodically review their activities and to look at how they are performing their duties to make County Government more orderly and efficient and she favors the recommendation of the County Executive.

A letter from the Auditor was discussed.

(see attachment #2)

Councilman Howell expressed his displeasure concerning UAC support for HB 62 and said that our County has every right to enact the ordinance that we have passed. Howell also said that he agrees that the process has been healthy.

Councilman Pulsipher complimented Chairman Skanchy, the Executive and the County Attorney for getting things worked out and presenting it to the Council. Councilman Pulsipher moved that the Council adopt the Joint Statement and allow Chairman Skanchy to sign it. It was seconded by Councilman Gibbons.

Councilman Gibbons said that the Joint Statement develops the thing that the Council has wanted all along. The Statement outlines the responsibilities of the Council and the Executive & who is committed to oversee the Auditors office bringing the budget

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in line with what the Council wants.

Vice Chairman Anhder suggested that the Joint Statement could become worthless as possible changes are made in County Government due to elections.

Councilman Coray prefers just voting on a new ordinance.

The question on the motion was called and it passed on a 4 "yes" 3 "no" vote.

ORDINANCE NO. 94-03: CONSOLIDATION OF EXECUTIVE AND SURVEYOR

This Ordinance will rescind Ordinance No. 94-02 and will consolidate the offices of County Executive and County Surveyor.

(see attachment #3)

A motion to waive the rules of first and second reading including the posting requirements and adopt Ordinance No. 94-03 was made by Councilman Gibbons. It was seconded by Councilman Allen. The motion carried unanimously.

The Ordinance was signed by the Council Chairman and Executive. It was attested to by the County Clerk.

ADJOURNMENT

No further business was presented to the Council and this meeting adjourned at 5:40 p.m.

ATTEST: Stephen M. Erickson
Cache County Clerk

APPROVAL: Sarah Ann Skanchy
Council Chairman

Joint Statement

The Cache County Council and the Cache County Executive herewith issue this joint statement regarding the proposed consolidation of the offices of the Cache County Executive, Cache County Surveyor, and Cache County Auditor as provided in Ordinance No. 94-02 adopted by the County Council on January 15, 1994.

The County Executive and County Auditor have engaged in discussions with the County Council through its chairman for the purpose of seeking a resolution to the issues that have arisen from the adoption of Ordinance No. 94-02. Recognizing that there are several possible undesirable consequences that could result from either a veto of the ordinance by the County Executive or the passage of H.B. 62 by the State Legislature which would prohibit the consolidation of the offices of County Auditor and County Executive and that could occur in the election process and also recognizing that both the executive and legislative branches are primarily concerned with improving the operations of county government, this joint statement is being made and placed in the record of the special County Council meeting on January 31, 1994.

The County Executive and County Council acknowledge and commit to honor the following understanding:

A. Consolidation of Executive and Surveyor

1. The County Executive will not exercise his veto authority with respect to the consolidation of the offices of Cache County Executive and Cache County Surveyor into the combined office of Cache County Executive-Surveyor as provided in the attached proposed Ordinance No. 94-03.

2. The consolidation of the office of Cache County Executive with the office of the Cache County Surveyor would take effect on January 2, 1995.

3. Ordinance No. 94-02 will be repealed and superseded by Ordinance No. 94-03 which is to be adopted by the County Council at its special meeting on January 31, 1994. The County Executive will, on January 31, 1994, approve the adoption of Ordinance No. 94-03.

B. Consolidation of Executive and Auditor

1. The consolidation of the offices of County Executive and County Auditor will be indefinitely tabled. The Executive and the Council recognize that the Council has statutory authority to consolidate those offices by a proper ordinance adopted prior to

October 2, 1994, to be effective on January 2, 1995. The intent of the County Executive and the County Council is to utilize the time and available resources during the interim to fulfill the commitments set forth in this statement and supplemented by the letter of the County Auditor dated January 28, 1994, and also to confirm the enactment and effect of the current HB 62 now pending in the State Legislature.

2. If the County Council determines that it is legally able to consolidate the offices of County Executive and County Auditor and if it deems such consolidation to be appropriate, the Council retains its authority to adopt an ordinance of consolidation with an effective date of the first Monday in January, 1997.

C. Commitments

1. The County Council agrees and commits itself to:
 - a. Become more familiar with and thoroughly study the office of the Cache County Auditor in terms of duties, functions, structure, personnel, assignments, and needs.
 - b. Evaluate, revise, consider, and enact as best possible policies and budgets which address those needs, duties, and functions.
 - c. Consider authorizing expenditures for in-house or third party evaluations, assistance, and advice for the Auditor's Office.
 - d. Consider the improvements and efforts of the County Auditor and County Executive to improve the operation of the County Auditor's Office in its consideration of any future ordinance of consolidation.
 - e. Approve and adhere to an official county calendar as best possible.
2. The County Executive agrees and commits himself to:
 - a. Not veto Ordinances No. 94-02 and No. 94-03.
 - b. Cooperate with and assist both the County Council and the County Auditor in their efforts to fulfill the commitments set forth in this joint statement.
 - c. Evaluate and monitor the operations of the Cache County Auditor's Office and hold the Auditor accountable as allowed by law to fulfill her duties.

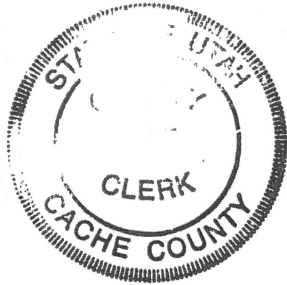
- d. Develop with the County Auditor short-term and long-term plans for the operation of the County Auditor's Office and the fiscal procedures of the county.
- e. Communicate with the County Council as to changes and improvements in or problems with the operations of the County Auditor's Office.
- f. Make recommendations to the Council for the financial, administrative, procedural and operational plans, programs and improvements in county government including the structure of county government and make appropriate recommendations and requests for financial and policy matters relating to the office of the County Auditor.
- g. Encourage all county department heads and officers to assist the County Auditor through compliance with the Fiscal Procedures Ordinance and any policies adopted by the County Council or implemented by the county and take reasonable actions to assure such compliance.
- h. Assign county personnel to or authorize the utilization of county personnel from other departments by the office of the County Auditor.
- i. Adhere to the official county calendar as best possible.

The County Council and County Executive jointly acknowledge the on-going need and desirability of evaluating, monitoring, and seeking appropriate means for the improvement of county government and that the commitments and principles contained in or implied by this joint statement are applicable to all departments and both branches of county government.

This statement shall be signed by the Chairman of the County Council on behalf of the County Council as authorized by a motion duly made and approved by the County Council and by the County Executive. Upon the signing of this statement, the County Clerk shall incorporate it together with the minutes of this meeting and place a copy of it with the official copy of Ordinance No.94-03.

Upon the signing and issuance of this joint statement, the County Council will adopt Ordinance No. 94-03 and the County Executive give his approval of that ordinance immediately.

Dated January 31, 1994.



Cache County Council

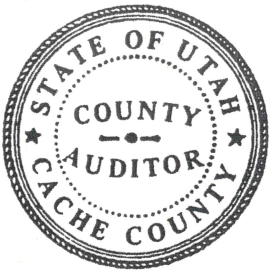
By: Sarah Ann Skanchy
Sarah Ann Skanchy
Chairman

Seth S. Allen
Seth S. Allen
Cache County Executive

Attested by:

Stephen M. Erickson
Stephen M. Erickson
Cache County Clerk

offices.g\joint3.sta



CACHE COUNTY

Office of the County Auditor

179 NORTH MAIN
LOGAN, UTAH 84321

Tamra Stones
COUNTY AUDITOR

**PLEASE ENTER THIS LETTER AS PART OF THE RECORD
FOR YOUR SPECIAL MEETING 31 JANUARY 1994**

January 28, 1994

Cache County Council Chairman Sarah Ann Skanchy
% Cache County Executive
120 North 100 West
Logan, UT 84321

Dear Chairman Skanchy:

I am concerned about the action taken by the Council of combining the office of the County Auditor with the County Executive position. The reasons behind the change are not clear. The mention of increased efficiency and communication was indicated, but I have not seen any mandate to the county executive in your ordinance which would accomplish this goal.

As you know, this office is unable to meet calendared deadlines much of the time. This has been due in part to various circumstances: 1) a combination of computer hardware and software problems. When I have hardware problems or the network shuts down, I am placed on a waiting list and wait my turn for help since there is only one data processing person. 2) increased workload, 3) office relocations, 4) training new personnel, 5) increased regulations, and 6) various other problems. It is unclear to me how consolidation of my office with the County Executive would solve these problems.

I feel that the Auditor's office is and should be separate from other county offices because of the very nature and responsibilities of the office. Checks and balances would be undermined with consolidation, for instance: 1) I approve budget expenditures for all departments of the county. If I should deny an expenditure, they have the opportunity to go to the County Executive to override my decision, but then I still have the opportunity to discuss with the County Executive my reasons for denial and a mutual decision can then be made which is in the best interest of the county. If the Auditor and Executive are one, his decision would be first, last, and definite without equal and or mutual discussion of the matter. 2) It is the responsibility of the Auditor's office to oversee and audit all departments' budget expenditures; after which, the Executive approves payment of the expenditures before the checks are drawn. If through consolidation, these are one and the same, who then would be able to question expenditures in the Auditor's, Executives, and Surveyor's budgets? 3) If it is your impression that the County Auditor should have a CPA degree to be able to accomplish the job adequately, then perhaps measures should be taken to have that provision added to the State Code. But, even then, it is universally accepted that the number of years experience doing that particular job equals the same number of years in advanced education. A more practical office combination would be Clerk/Auditor as

an elected office. With these two offices combined, office personnel could be cross-trained to better utilize the expertise and experience of office staff in both offices. The only drawback I see to this combination is location. Both offices should be located in close proximity.

If consolidation of the Auditor/Executive is to take place at this time for the sake of expedience, then I feel the timing is wrong and it would be a great risk to continue at this time. Because of the legal problems with election filings, etc. as brought to our attention by the County Attorney, I feel it would be appropriate to place this item on the ballot for the citizens of Cache County to decide at the upcoming election or postpone any action at this time and draw up detailed guidelines to help all of us achieve the goals you desire.

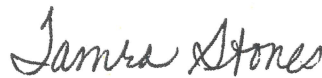
Regardless of whether the auditor's office is consolidated with another office or not, the following issues need to be addressed:

1. There needs to be a commitment and cooperation of all elected officials and department heads to meet the calendar dates and be accountable for all aspects of the budgetary control for their respective accounts including: 1) accounts payable/receivable (purchase orders, bids, correct account coding, properly completed forms, fee statements, etc.), 2) payroll (time sheets turned in by deadline, personnel hired through proper channels and promptly enrolled with my office upon employment), 3) outside grants and contracts following the procedure set forth in the Fiscal Procedures Ordinance, and 4) fixed assets tracking and disposal.
2. Performance of the accounting software needs to be improved. Our new accounting software is extremely comprehensive and includes much more data than the system handled in the past, but still has a few bugs in it. Investigation of another type of communications-cable linkup with the computer using concentrators has been suggested by our current software vendor as a means to achieve faster performance. There are hours spent just waiting for calculations to process such as month-end reports, year-end reports, the further into the year we get the longer some of these processes take. To make better use of my time, I also need a UNIX-based computer system which would speed up this process immensely. I realize that this approach will need to be investigated and a cost figure assessed to determine the practicality of this request.
3. The purchasing policy should be modified to allow each department to take accounting responsibilities for their approved budget accounts. Many departments in the County have no idea of the amounts spent in each of their line items, nor the amount left to spend; my staff then becomes their accountants instead of just verifying their record keeping. If purchases of less than \$500.00 were made without auditor's office preparation and approval, this move alone would relieve approximately one-third of the paperwork burden on my staff. The fixed assets control level could be established at the same amount to simplify that process.

4. There are other areas of the Fiscal Procedures which could be addressed for similar types of actions. (i.e. Budget transfers could be approved by the County Executive instead of the Council so they could be handled in a more timely manner.)
5. Because of added responsibilities due to changes in State Statutes, County Council requests, and county growth; there is a definite need for additional personnel. The personnel required needs to be educated in specific fields so cannot be a minimum-wage hire off the street. Training is time consuming at best; but if there is not a grasp of the concepts involved, it is monumental. It is difficult to present this type of need to the council; I have watched as other departments have made requests for additional personnel; response from the council is degrading.
6. I would consent to an analysis of the structure, procedures, personnel, and other areas of my office by a qualified party and make a commitment to communicate the results of that study to the Executive and Council.

In closing I would like to say that I am willing to commit to follow whatever guidelines the council feels would accomplish the goals you wish. However, I also need a commitment from the council to provide me with the tools I need to make it work.

Sincerely,



Tamra Stones
Cache County Auditor

TS:pj

pc: Cache County Council
Gary McKean, County Attorney
Seth S. Allen, County Executive

CACHE COUNTY

ORDINANCE 94-03

AN ORDINANCE CONSOLIDATING THE OFFICES OF CACHE COUNTY EXECUTIVE AND CACHE COUNTY SURVEYOR INTO THE CONSOLIDATED OFFICE OF CACHE COUNTY EXECUTIVE-SURVEYOR AND REPEALING AND SUPERSEDING ORDINANCE NO. 94-02.

The County Council of Cache County, Utah, in a regular meeting, lawful notice of which has been given, finds that Section 17-16-3 Utah Code, authorizes the county to consolidate elective county offices and that it is in the best interest of the County for the effective management of county business that the offices of the Cache County Executive and Cache County Surveyor be consolidated into the new office of Cache County Executive-Surveyor; that legislation is now pending before the State Legislature that would prohibit the consolidation of the offices of County Executive and County Auditor; that the County Executive, County Auditor and County Council have engaged in discussions for the improvement of county government and issued a joint statement regarding the proposed consolidation and agreed to steps for the improvement of county government, including the County Auditor's Office; and that based on the foregoing, Ordinance No. 94-02 should be repealed and superseded.

THEREFORE, the Cache County Council hereby ordains as follows:

Section 1: Consolidation of Offices

The offices of Cache County Executive and Cache County Surveyor are hereby consolidated into the new office of Cache County Executive-Surveyor.

Section 2: Duties.

The duties of the Cache County Executive-Surveyor shall include the statutory duties provided for the office of Cache County Executive and Cache County Surveyor together with such other duties and powers as are required by law.

Section 3: Oath and Bond.

The office of Cache County Executive-Surveyor shall be held by one person who shall be required in accordance with state law to provide the required bond and oath for each of the offices which are hereby consolidated.

Section 4: Prior Ordinances, Policies, or Actions.

This ordinance supersedes all prior ordinances, actions and policies of Cache County to the extent they are in conflict with the specific provisions hereof. In all other respects such prior ordinances, actions, and policies shall remain in full force and effect. Specifically, Ordinance No. 94-02 is hereby repealed and superseded by this ordinance.

Section 5. Effective Date.

The effective date for this ordinance and the consolidation of the office of Cache County Executive with the office of Cache County Surveyor shall be January 2, 1995.

This ordinance was adopted by the Cache County Council on the 31st day of January, 1994 upon the following vote:

Councilmember	In Favor	Against	Abstained	Absent
Coray	xx			
Allen	xx			
Anhder	xx			
Gibbons	xx			
Howell	xx			
Pulsipher	xx			
Skanchy	xx			

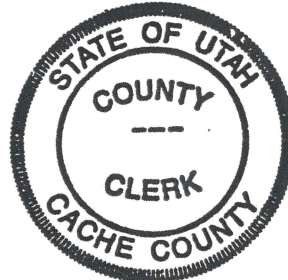
CACHE COUNTY COUNCIL

By: Sarah Ann Skanchy
Chairman

ATTEST TO:

Stephen M. Erickson
Stephen M. Erickson
Cache County Clerk

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PRESENTATION TO COUNTY EXECUTIVE:

Ordinance No. 94-02, adopted by the Cache County Council on the 15 day of January, 1994, is herewith presented to the Cache County Executive for approval or disapproval. The County Executive shall notify the County Clerk of his approval or disapproval on or before the 31st day of Jan., 1994. If the County Executive disapproves, he shall submit a written statement of his objections with the notice of disapproval.

Submitted this 15th day of Jan., 1994.

Stephen M. Eust
Cache County Clerk

ACTION OF COUNTY EXECUTIVE:

Ordinance No. 94-02, is hereby:

_____ Approved
X _____ Disapproved (written statement of objections attached)

Dated this 31st day of JANUARY, 1994.

John Z. Oeller
Cache County Executive

NOTICE OF NON-ACTION:

Ordinance No. _____ was presented to the Cache County Executive on the _____ day of _____, 199__, and was not approved or disapproved by him within 15 days after the presentation to him. Therefore, the ordinance has been recorded, published and is in full force and effect as of this _____ day of _____, 199__.

Cache County Clerk

ORDINANCE HISTORY:

Date adopted by County Council _____
Date presented to the County Executive _____
Date approved/disapproved by County Executive _____
Date returned to Council after disapproval _____
Action by Council upon return:
_____ Disapproval overridden
_____ Disapproval sustained
Date 15 day period ended _____
Date of publication or notice _____
Effective date of ordinance _____
Date filed in County Clerk's office _____

CACHE COUNTY

ORDINANCE 94-02

AN ORDINANCE CONSOLIDATING THE OFFICES OF CACHE COUNTY EXECUTIVE, CACHE COUNTY SURVEYOR, AND CACHE COUNTY AUDITOR TO THE CONSOLIDATED OFFICE OF CACHE COUNTY EXECUTIVE-SURVEYOR-AUDITOR AND REPEALING ORDINANCE NO. 94-01.

The County Council of Cache County, Utah, in a regular meeting, lawful notice of which has been given, finds that Section 17-16-3 Utah Code, authorizes the county to consolidate elective county offices and that it is in the best interest of the County for the effective management of county business that the offices of the Cache County Executive, Cache County Surveyor, and Cache County Auditor be consolidated into the new office of Cache County Executive-Surveyor-Auditor; that a bill is pending before the State Legislature which would prohibit the consolidation of the offices of the County Executive and County Auditor; and that Ordinance No. 94-01 should therefore be repealed.

THEREFORE, the Cache County Council hereby ordains as follows:

Section 1: Consolidation of Offices

The offices of Cache County Executive, Cache County Surveyor and Cache County Auditor are hereby consolidated into the new office of Cache County Executive-Surveyor-Auditor.

Section 2: Duties.

The duties of the Cache County Executive-Surveyor-Auditor shall include the statutory duties provided for the office of Cache County Executive, Cache County Surveyor, and Cache County Auditor together with such other duties and powers as are required by law.

Section 3: Oath and Bond.

The office of Cache County Executive-Surveyor-Auditor shall be held by one person who shall be required in accordance with state law to provide the required bond and oath for each of the offices which are hereby consolidated.

Section 4: Prior Ordinances, Policies, or Actions.

This ordinance supersedes all prior ordinances, actions and policies of Cache County to the extent they are in conflict with the specific provisions hereof. In all other respects such prior ordinances, actions, and policies shall remain in full force and

effect. Specifically, Ordinance No. 94-01 is hereby repealed.

Section 6: Effective Date.

This ordinance shall become effective January 3, 1995.

This ordinance was adopted by the Cache County Council on the 15th day of January, 1994 upon the following vote:

Councilmember	In Favor	Against	Abstained	Absent
Coray		X		
Allen	X			
Anhder	X			
Gibbons	X			
Howell	X			
Pulsipher	X			
Skanchy	X			

CACHE COUNTY COUNCIL

By: Sarah Ann Skanchy
Chairman

ATTEST TO:

Stephen M. Erickson
Stephen M. Erickson
Cache County Clerk

TO: Cache County Council
FROM: County Executive Seth Allen
DATE: January 31, 1994

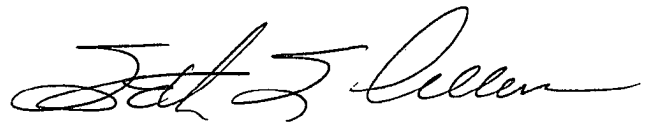
STATEMENT OF OBJECTIONS TO ORDINANCE 94-02

1. INDEPENDENCE OF OFFICE. Under state statute the county auditor shall "investigate, examine, and inspect the bills, claims, accounts, or charges; and recommend approval or disapproval of each bill, claim, account, or charge." At the present time the county auditor, after review and recommendation submits all claims, etc., to the county executive for his review and approval before any warrant is issued. Combining the executive and auditor removes a second review of claims, etc., eliminating a double check, or second opinion of expenditures. The duty of the county treasurer is to pay all warrants issued by the auditor if funds are available; she does not have authority to monitor the budget or question the validity of warrants. Combining the executive and auditor offices will also eliminate a valid internal audit of the executive office.

2. UNCERTAINTY OF OFFICE. With the likelihood of House Bill 62 being passed (which prohibits the Executive/Auditor combination) and the potential of a petition against the ordinance being filed, an uncertainty arises as to which offices will be open for filing if this ordinance is adopted. This uncertainty could be eliminated by further study and action taken well in advance of the next election if it is still determined to be necessary.

3. EFFICIENCY. I am not convinced that consolidation will be more efficient than with the present organization. Problems will always be present which must be identified and solved; consolidation of offices alone will not guarantee a better solution.

4. VOTER CONCERN. Citizens have expressed concern about the elimination of one or more elected offices without more citizen input. Of the many calls I have received not one has recommended that I not veto this ordinance.

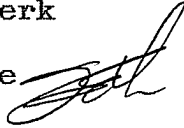


CACHE COUNTY
CORPORATION

SETH S. ALLEN
COUNTY EXECUTIVE
120 NORTH 100 WEST
LOGAN, UTAH 84321
Tel 801-752-5935
Fax 753-7120

COUNTY COUNCIL
CHRIS S. CORAY
CHAIRMAN
SARAH ANN SKANCHY
V. CHAIRMAN
DARREL L. GIBBONS
C. LARRY ANHDER
STUART W. HOWELL
JERRY L. ALLEN
GUY RAY PULSIPHER
STEPHEN M. ERICKSON
CLERK

MEMORANDUM

TO: Stephen Erickson, County Clerk
FROM: Seth Allen, County Executive 
DATE: January 31, 1994

Subject: Veto of Ordinance 94-02

Attached is my veto of Cache County Ordinance 94-02. I submit this veto to you with the stipulation that I may withdraw it later today if the County Council and I arrive at an agreement pertaining to the consolidation of county offices. If an agreement is not reached I will consider this veto to have been submitted to you at the time it was received by you prior to the special county council meeting to be held January 31, 1994 at 5:00 p.m.

AFFIDAVIT OF ADMINISTER OF OATH

Rebecca J. Henson, being first duly sworn on oath, deposes and states as follows: 1) I am a notary public for the state of Utah and duly qualified to administer oaths; 2) That I am personally acquainted with the sponsors and administered the oath to them in conjunction with the foregoing Application for Petition for Referendum; and 3) That each of the sponsors acknowledged their signature under oath before me.

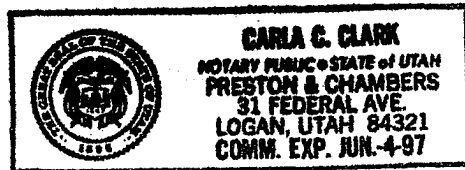
Rebecca J. Henson

SUBSCRIBED AND SWORN to before me on this 28 day of January, 1994.

Carla C. Clark
Notary Public

Commission expires:

Residing at:



			<u>City</u>	<u>State</u>	<u>Residence</u>
<u><i>[Signature]</i></u>	<u>V. Rick Leetham</u>	<u>365 Panoramic</u>	<u>Hyrum</u>	<u>Utah</u>	<u>Hyrum</u>
Signature	Print Name	Address			

_____	_____	_____	_____	<u>Utah</u>	_____
Signature	Print Name	Address			

VERIFICATION

(Affidavit of Electoral Qualification Pursuant to 20-11-7 UCA)

STATE OF UTAH)
 :SS.
 County of Cache)

The undersigned, being first duly sworn, deposes and says that each of the undersigned swear that we each individually voted in a general election held within Cache County within the three (3) years next preceding the date of signing this Application and the taking of this oath.

[Signature]

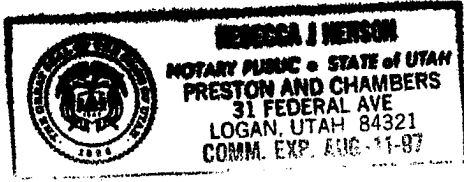
[Signature]

[Signature]

[Signature]

SUBSCRIBED AND SWORN to before me on this 28 day of January, 1994.

Rebecca J. Henson
 Notary Public
 Commission expires: 8-11-97
 Residing at: Cache

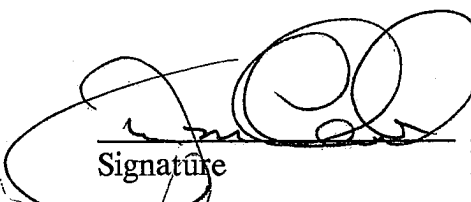
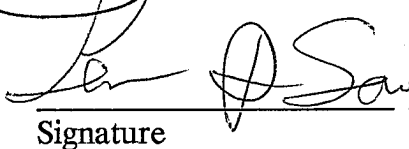
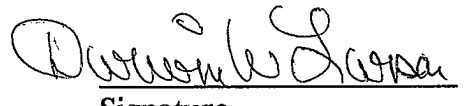
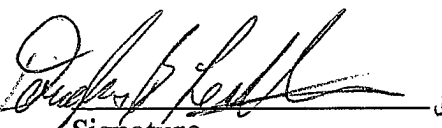


APPLICATION FOR PETITION COPIES
(Pursuant to 20-11-7 UCA)

To the Honorable Stephen Erickson, Cache County Clerk:

We, the undersigned citizens of Cache County, Utah, respectfully submit the following five (5) copies of the Petition for Referendum concerning Cache County Ordinance 94-02, entitled An Ordinance Consolidating the Offices of Cache County Executive, Cache County Surveyor, and Cache County Auditor to the Consolidated Office of Cache County Executive-Surveyor-Clerk-Auditor and Repealing Ordinance No. 94-01, passed by the county council on January 15, 1994; and each signer for himself says: I have personally signed this Application; that I am a registered voter in Cache County, Utah, to wit a qualified elector; and my residence and post office address are correctly written after my name.

SPONSORS:

		<u>City</u>	<u>State</u>	<u>Residence</u>
 Signature	J. M. Chambers Print Name	452 Venusway Address	Prov. <u>Utah</u>	<u>Prov.</u>
 Signature	Leon H. Savage Print Name	175 N. 4000 W Address	<u>Utah</u>	<u>Hyrum</u>
 Signature	Darwin W. Larsen Print Name	253 W 100 N #1 Address	<u>Logan</u> <u>Utah</u>	<u>Logan</u>
 Signature	Douglas B. Leatham Print Name	55 N 200 E Address	<u>Hyrum</u> <u>Utah</u>	<u>Hyrum</u>

PETITION FOR REFERENDUM

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We, the undersigned citizens of Cache County, Utah, respectfully order that Cache County Ordinance 94-02, entitled An Ordinance Consolidating the Offices of Cache County Executive, Cache County Surveyor, and Cache County Auditor to the Consolidated Office of Cache County Executive-Surveyor-Clerk-Auditor and Repealing Ordinance No. 94-01, passed by the county council on January 15, 1994, be referred to the people of Cache County for their approval or rejection at the regular election to be held on the 8th day of November, 1994; and each signer for himself says: I have personally signed this petition; I am a registered voter in the Cache County, Utah (or intend to become registered to vote before the certification of the petition names by the county clerk); and my residence and post office address are correctly written after my name.

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PRESENTATION TO COUNTY EXECUTIVE:

Ordinance No. 94-01, adopted by the Cache County Council on the 13th day of January, 1994, is herewith presented to the Cache County Executive for approval or disapproval. The County Executive shall notify the County Clerk of his approval or disapproval on or before the 28th day of January, 1994. If the County Executive disapproves, he shall submit a written statement of his objections with the notice of disapproval.

Submitted this 13th day of January, 1994.



Cache County Clerk

ACTION OF COUNTY EXECUTIVE:

Ordinance No. 94-01, is hereby:

_____ Approved

_____ Disapproved (written statement of objections attached)

Dated this _____ day of _____, 199 .

Cache County Executive

NOTICE OF NON-ACTION:

Ordinance No. _____ was presented to the Cache County Executive on the _____ day of _____, 199 , and was not approved or disapproved by him within 15 days after the presentation to him. Therefore, the ordinance has been recorded, published and is in full force and effect as of this _____ day of _____, 199 .

Cache County Clerk

ORDINANCE HISTORY:

Date adopted by County Council _____
Date presented to the County Executive _____
Date approved/disapproved by County Executive _____
Date returned to Council after disapproval _____
Action by Council upon return:
_____ Disapproval overridden
_____ Disapproval sustained
Date 15 day period ended _____
Date of publication or notice _____
Effective date of ordinance _____
Date filed in County Clerk's office _____

CACHE COUNTY

ORDINANCE 94-01

AN ORDINANCE CONSOLIDATING THE OFFICES OF CACHE COUNTY EXECUTIVE, CACHE COUNTY SURVEYOR, CACHE COUNTY CLERK, AND CACHE COUNTY AUDITOR INTO THE CONSOLIDATED OFFICE OF CACHE COUNTY EXECUTIVE-SURVEYOR-CLERK-AUDITOR.

The County Council of Cache County, Utah, in a regular meeting, lawful notice of which has been given, finds that Section 17-16-3 Utah Code, authorizes the county to consolidate elective county offices and that it is in the best interest of the County for the effective management of county business that the offices of the Cache County Executive, the Cache County Surveyor, the Cache County Clerk and the Cache County Auditor be consolidated into the new office of Cache County Executive-Surveyor-Clerk-Auditor.

THEREFORE, the Cache County Council hereby ordains as follows:

Section 1: Consolidation of Offices

The offices of Cache County Executive, Cache County Surveyor Cache County Clerk, Cache County Auditor are hereby consolidated into the new office of Cache County Executive-Surveyor-Clerk-Auditor.

Section 2: Duties.

The duties of the Cache County Executive-Surveyor-Clerk-Auditor shall include the statutory duties provided for the office of Cache County Executive, Cache County Surveyor, Cache County Clerk, and Cache County Auditor together with such other duties and powers as are authorized by ordinance or other appropriate action of the Cache County Council.

Section 3: Oath and Bond.

The office of Cache County Executive-Surveyor-Clerk-Auditor shall be held by one person who shall be required in accordance with state law to provide the required bond and oath for each of the offices which are hereby consolidated.

Section 4: Prior Ordinances, Policies, or Actions.

This ordinance supersedes all prior ordinances, actions and policies of Cache County to the extent they are in conflict with

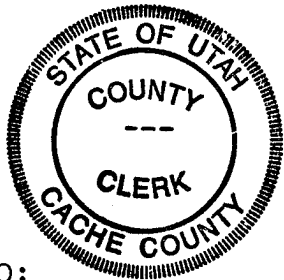
the specific provisions hereof. In all other respects such prior ordinances, actions, and policies shall remain in full force and effect.

Section 6: Effective Date.

This ordinance shall become effective January 3, 1995.

This ordinance was adopted by the Cache County Council on the 11th day of January, 1994 upon the following vote:

Councilmember	In Favor	Against	Abstained	Absent
Coray	x			
Allen	x			
Anhder	x			
Gibbons	x			
Howell	x			
Pulsipher	x			
Skanchy	x			

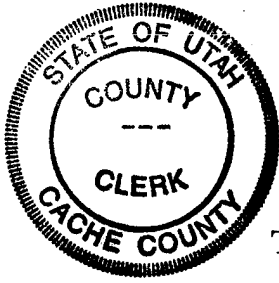


CACHE COUNTY COUNCIL

By: Sarah Ann Skanchy
Chairman

ATTEST TO:

Stephen M. Erickson
Stephen M. Erickson
Cache County Clerk

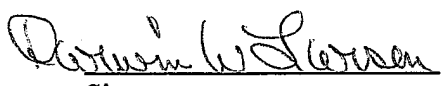

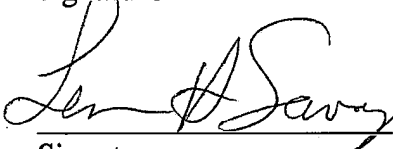
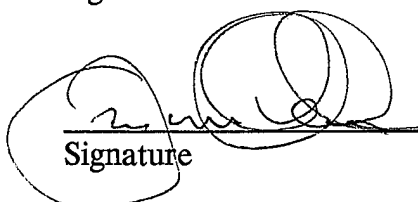


**APPLICATION FOR PETITION COPIES
(Pursuant to 20-11-7 UCA)**

To the Honorable Stephen Erickson, Cache County Clerk:

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SPONSORS:

			<u>City</u>	<u>State</u>	<u>Residence</u>
	<u>Darwin W. Lussen</u>	<u>253 W 100N #1</u>	<u>Logan</u>	<u>Utah</u>	<u>Logan</u>
Signature	Print Name	Address			
	<u>V. Rick Leetham</u>	<u>365 Panoramic Dr.</u>	<u>Hyrum</u>	<u>Utah</u>	<u>Hyrum</u>
Signature	Print Name	Address			
	<u>Leon H. Savage</u>	<u>175 N. 400 W. Hyrum</u>	<u>Utah</u>		<u>Hyrum</u>
Signature	Print Name	Address			
	<u>JOSEPH M. CHARLES</u>	<u>452 VERNON WAY</u>	<u>PROV</u>	<u>Utah</u>	<u>PROVIDENCE</u>
Signature	Print Name	Address			

City State Residence

L. Keith Gatos L. Keith Gatos 665 N 200 E Logan Utah Logan
Signature Print Name Address

Signature Print Name Address _____ Utah _____

VERIFICATION

(Affidavit of Electoral Qualification Pursuant to 20-11-7 UCA)

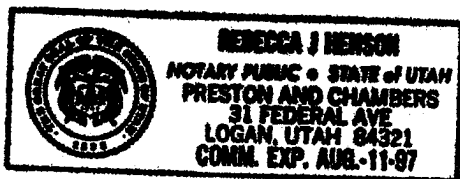
STATE OF UTAH)
 :ss.
County of Cache)

The undersigned, being first duly sworn, deposes and says that each of the undersigned swear that we each individually voted in a general election held within Cache County within the three (3) years next preceding the date of signing this Application and the taking of this oath.

Douglas W. Larson
Uhhhh
L. Keith Gatos
L. Keith Gatos

SUBSCRIBED AND SWORN to before me on this ___ day of January, 1994.

Rebecca J. Henson
Notary Public
Commission expires: 8-11-97
Residing at: Cache



AFFIDAVIT OF ADMINISTER OF OATH

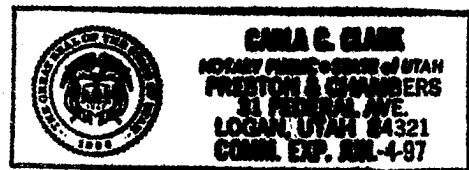
Rebecca J. Henson being first duly sworn on oath, deposes and states as follows: 1) I am a notary public for the state of Utah and duly qualified to administer oaths; 2) That I am personally acquainted with the sponsors and administered the oath to them in conjunction with the foregoing Application for Petition for Referendum; and 3) That each of the sponsors acknowledged their signature under oath before me.

Rebecca J. Henson

SUBSCRIBED AND SWORN to before me on this 14 day of January, 1994.

Carla C. Clark

Notary Public
Commission expires:
Residing at:



PETITION FOR REFERENDUM

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