

1 A Meeting of the Nibley City Council held at Nibley City Hall, 455 West 3200 South,
2 Nibley, Utah, on Thursday, June 10, 2025.

3
4 OFFICIAL MINUTES OF THE MEETING
5 City Recorder Cheryl Bodily took minutes
6

7 Mayor Jacobsen introduced the topic of what would be involved to create a special
8 service district for the south end of Cache Valley.
9

10 Eric Johnson, with Johnson & Yellowhorse and Attorney for Nibley City, was present at
11 the meeting.
12

13 Seeing a quorum of the Nibley City Park and Recreation Advisory Committee present at
14 the meeting, Parks and Recreation Advisory Committee Chair Kendal Welker, called
15 their meeting to order at 6:36 p.m. and recognized committee members present: John
16 Hayden, Kaitlyn Madsen, Michael Stokes, and Manny Labis.
17

18 Mr. Johnson had electronic slides he presented to the participants at the meeting (a
19 printed version of these slides is included in the printed meeting minutes). The topics
20 Mr. Johnson discussed included the following: Introduction; Eric Johnson, Johnson &
21 Yellowhorse (801) 520-5333,
22

23 Seeing a quorum of Nibley City Council members present, Mayor Larry Jacobsen called
24 the Thursday, June 10, 2025, Nibley City Council meeting to order at 6:43 p.m. Those in
25 attendance included Mayor Larry Jacobsen, Councilmember Norman Larsen,
26 Councilmember Nathan Laursen, Councilmember Erin Mann, and Councilmember
27 Garrett Mansell. Justin Maughan, Nibley City Manager, Chad Wright, Nibley City
28 Recreation Director, was also present.
29

30 Mr. Johnson continued his presentation and introduction and summarized his
31 involvement in the following:

- 32 • *Price Reservoir Project \$250,000,000*
- 33 • *Supreme Court narrows scope of environmental review in Utah railroad case*
- 34 • *Cities we have represented*
35

36 Mr. Johnson's next slide covered *District Support*.
37

38 Ryan Snow of Providence City asked if the district were created by a resolution or
39 ordinance, what happened if they went through the process and the election was a
40 decline? He questioned if this nullified the entity or district or was the district not
41 created until the election occurred. Mr. Johnson clarified that for special districts there
42 would be an election to create the district, and a second election would be held to have
43 the people create the tax. For a Special Service District, the district could be created

1 without an election, then to impose a tax, the district must hold an election. Mr. Snow
2 clarified that the district was created and then the district votes to tax or not.

3
4 Cory Twedt with Millville asked if it was a simple majority that created a taxing entity.
5 Mr. Johnson said this was correct. Mr. Twedt questioned if this was overall with all cities
6 involved. Mr. Johnson said this was correct.

7
8 Amy Garbe asked if your city voted “no” but the other cities voted “yes” they would still
9 be a part of the district. Mr. Johnson said in theory, yes but it was possible for areas
10 within a district to withdraw.

11
12 Mr. Johnson continued his presentation and presented information on *Steps to Create*
13 *Recreation District*.

14
15 Mayor Jacobsen asked if there were a chance to include unincorporated parts of Cache
16 County can be part on any district that they choose. Mr. Johnson said they could
17 participate and would have to do the same things the municipalities had to do. Mayor
18 Jacobsen clarified that it didn’t need to be the entire Council. Mr. Johnson said it could
19 only be a certain portion of the County.

20
21 Mr. Johnson continued with *How Will Recreation District be Funded?* He shared
22 experiences with public/private partnerships.

23
24 Mr. Twedt asked if the process was the exact same if the whole County were to do the
25 same thing. Would all the cities need to approve by Resolution, or would the County just
26 put it on the ballot. Mr. Johnson said if the cities were going to be taxed then the
27 respective City Councils needed to buy in. The County only had voice over the
28 unincorporated County areas. They County would need to get buy in from the cities.
29 Mayor Jacobsen asked if Cache County, as a whole political jurisdiction, decided they
30 would take indoor recreation on as an entire county, if they would have the same
31 requirements? Mr. Johnson clarified that if the County were going to use a special
32 district or special service district, they would need to get buy in from the cities. With
33 clarification from Mr. Wright, Mr. Johnson said the County could decide to provide the
34 service without creating a district. The County would increase taxes and would need to
35 go through Truth in Taxation. Mayor Jacobsen asked if there would need to be an
36 election to borrow money on the faith in credit of Cache County to create a rec center.
37 Mr. Johnson said there would be a bond election if the County didn’t have the money in
38 their coffers. Amy Garbe, of Medon asked if it would be the same amount for all
39 household across each city or if it would it be a percentage per city. Mr. Johnson said if a
40 district was created and a tax was imposed; properties would be charged a different
41 amount based on the taxable value of real property. There would be a uniform rate.

42
43 Mr. Maughan asked Mr. Johnson to review the pros and cons of the two different ways.
44 Mr. Johnson summarized that a primary con of the special district was there was an

1 election required to create the district. With a service district they gave themselves two
2 hurdles instead of just one. With a special service district, they didn't have to go through
3 the election process to have it created, but the law didn't anticipate creating a special
4 service district for multiple cities and there were certain powers that could not be
5 delegated to the district that they would have to go back to the City Council's to get
6 approval for. This would be calling an election for anything to do with taxes. Mr.
7 Johnson said there was a provision in Utah code that you could convert a special service
8 district into a special district if wanted and then they wouldn't have to go back to every
9 City Council. John Hayden of Nibley City Parks and Rec asked if on the conversation from
10 a special service district to a special district if a vote was required by the public. Mr.
11 Johnson said there was not. Mr. Hayden asked for what protests were required by the
12 public. Mr. Johnson said a written protest would suffice.

13
14 Mr. Wright, with Nibley City asked Mr. Johnson to speak to the governing bodies for
15 each option. Mr. Johnson said they could choose but suggested the underlying
16 communities each have a representative on the board and be an elected official. There
17 were reasons under the IRS tax codes. Alternatively, they could have an election and
18 elect the members of the district board. A third option was to set the board so that each
19 City could appoint a representative but the person did not have to be an elected official.

20
21 Ms. Welker asked for the timeframe of the two options. Mr. Johnson said they should
22 get the recreation center built before their children were out of the house otherwise it
23 languished, and someone else's kids got to use is. Mr. Johnson said there was still time
24 to get on the ballot for an election to create special district in November. The deadline
25 was 60 days before the election. They had June or July to decide. The election would be
26 canvased and the and canvas would be effective sometime before Christmas and New
27 Years and they can become a district early next year. Once the district was created, a
28 bond election could be held November of 2026. This would be the soonest they could
29 have a funding election. With a Special Service District, they didn't have to go through
30 the first the process, but it was too late to get a bond election on the ballot for
31 November of 2025.

32
33 Nibley City Planning Commission Chair, Nick Kenczka arrived at 7:19 p.m.

34
35 Councilmember Laursen of Nibley walked through the process of creating a Special
36 Service District and asked about the process of adding groups to the district. Mr.
37 Johnson said the process to annex was the same as the process to create. He and Mr.
38 Maughan discussed and compared the created of the Cache Water District.

39
40 Mr. Maughan questioned if either option could impose a property tax for funding. Mr.
41 Johnson said this couldn't be done without an election.

42
43 Mayor Jacobsen quoted David Church, "Win graciously and lose quickly."
44

1 Mayor Jacobsen said it was possible that two elections let them test the water for their
2 resident's appetite for indoor recreation. He said he was still waiting on statistically valid
3 data from their indoor recreation consultants. John Hayden quoted Newton, "The path
4 of least resistance wins." Brent Speth, of Providence City said some felt that they should
5 test the waters in their cities and others might feel they could move ahead with
6 adopting a Resolution without having an election. He questioned the status of the entire
7 district.

8
9 Councilmember Laursen what the governing documents of a district were. Mr. Johnson
10 said they would adopt rules and regulations. For political purposes, the citizens would
11 want to know how the district would be controlled so they would have to know up front
12 how this was going to happen. As a legal matter, the district could not create rules and
13 resolutions until it was certified by the Lt. Governor.

14
15 Mayor Hair felt the quickest and easiest way was to have indoor recreation privately
16 funded. Mr. Johnson suggested the entities could prime the pump and provide an
17 inducement. Mr. Johnson said pools would never make money and would need to be
18 publicly provided.

19
20 Councilmember Larsen left at 7:31 p.m.

21
22 Councilmember Mansell left at 7:33 p.m. The Nibley City Council no longer had quorum
23 The meeting was adjourned at 7:33 p.m. due to lack of quorum.

24
25 David James asked that the meeting slides be provided to the entities. Mr. Wright
26 committed to provide the meeting slides to meeting attendees.

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28 The Nibley City Parks and Recreation Advisory Committee was adjourned at 7:38 p.m.

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40 Attest: _____
41 City Recorder