

APPROVED

**CACHE COUNTY
COUNCIL MINUTES
JULY 26, 2011**

CACHE COUNTY COUNCIL

July 26, 2011

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CACHE COUNTY COUNCIL MEETING
July 26, 2011

The Cache County Council convened in a regular session on July 26, 2011 at 5:00 p.m. in the Cache County Council Chamber at 199 North Main, Logan, Utah.

ATTENDANCE:

Chairman: Jon White
Vice Chairman: Craig "W" Buttars
Council Members: H. Craig Petersen, Val Potter, Kathy Robison, Cory Yeates & Gordon Zilles.
County Executive: M. Lynn Lemon
County Clerk: Jill N. Zollinger
County Attorney: James Swink

The following individuals were also in attendance: Janeen Allen, Marsha Giles, Chief Rod Hammer, Megan Hoth, Sharon L. Hoth, Assessor Kathleen Howell, Jared Jensen, Aaron Johnson, Dave Nielsen, Kaden Olsen, Carson Pate, Marianne Sidwell, Alex Stivers, Dan Thatcher, Diane Williamson, Suzy Willie, **Media:** Charles Geraci (Herald Journal).

OPENING REMARKS AND PLEDGE OF ALLEGIANCE

Council member Zilles gave the opening remarks and led those present in the Pledge of Allegiance.

REVIEW AND APPROVAL OF AGENDA

ACTION: Motion by Council member Zilles to approve the agenda as written. Yeates seconded the motion. The vote was unanimous, 7-0.

REVIEW AND APPROVAL OF MINUTES

ACTION: Motion by Council member Yeates to approve the minutes of the July 12, 2011 Council Meeting as amended. Zilles seconded the motion. The vote was unanimous, 7-0.

REPORT OF THE COUNTY EXECUTIVE: M. LYNN LEMON

APPOINTMENTS: There were no appointments.

WARRANTS: Warrants for the periods 07-01-2011 to 07-07-2011, 07-08-2011 to 07-14-2011 and 07-15-2011 to 07-21-2011 were given to the Clerk for filing.

OTHER ITEMS

- Flood Damage Assessment** – Executive Lemon, Rick Williams, Daren Rasmussen and others met with the Army Corps of Engineers to assess flood damage in the county. A determination should be forthcoming within a few

weeks as to whether there is enough damage in the county and cities, collectively, to receive any federal assistance.

- ❑ **Millville Bridge and Blacksmith Fork River** – Executive Lemon reported that Engineer Lynn Zollinger met with Nibley and Millville Cities about the Millville Bridge and Blacksmith Fork River to consider dredging Blacksmith Fork. The river is filled with rocks that washed down this year. Fields around the river are also filled with rocks due to the flooding.
- ❑ **Sales Tax Revenue** is up a little over last year.
- ❑ **Building Permits** are down 30% from this time last year which concerns Executive Lemon as 2010 was a low year for building permits.

CONSENT AGENDA

- ◇ **Stump Hollow Subdivision** – Jon Asay requesting 2-lot subdivision in FR-40 Zone located approximately ½ mile east of Beaver Mountain, Logan Canyon.
- ◇ **Cutler View Subdivision** – Brian Lyon requesting 2-lot subdivision and boundary line adjustment located approximately 7000 West 6600 North, west of Newton.

ACTION: Motion by Council member Petersen to approve the Consent Agenda – Stump Hollow Subdivision and Cutler View Subdivision. Zilles seconded the motion. The vote was unanimous, 7-0.

Council member Yeates asked how many summer homes are in the Stump Hollow area. Chris Harrild said there are several parcels that can be developed, but maybe only two or three have cabins on them. Yeates asked if there is anything the county can do to require summer homes to be built to obscure them from view of the highway?

Director Runhaar responded that the county ordinances do not allow the county to restrict parcels where you can or cannot build – that would require an amendment to the code.

(Attachment 1)

ITEMS OF SPECIAL INTEREST

- **Introduction of new Airport Manager, Stewart Hunsaker** reminded the Council of the Osprey V-22 testing taking place at the airport. Cache County was chosen because it is somewhat away from anybody else, has a medium altitude and very little if no wind on summer mornings. All of which are needed for testing to develop standards for the whole fleet. Thirty-two people and many of their families are in Cache County for the test period and are favorably impressed with

the area. There was an open house for the Osprey at the airport last Saturday which was well attended.

There have been up to sixty-two gliders at the airport participating in a glider competition. The Logan-Cache Airport is one of the premium soaring locations in Utah and the nation.

Hunsaker said the tower at the airport has historic value and he hopes to reclaim it for use as a public viewing area. In response to Zilles' question Executive Lemon said that Utah Jet presently owns the tower.

- **Summerfest Report - Marianne Sidwell** thanked the County Council for the RAPZ/Restaurant Tax funding and reported the following:

- Artists participated
- 24 food vendors
- 20 performing groups
- About 60,000 attendees
- 2 recycling art projects created from trash

Chairman White asked why 150 artists is the maximum number allowed? Sidwell said that is because 150 is the number the economy of the area can support – the number who can expect to recoup expenses, etc. through sales.

Council member Petersen asked what the average sales amount was for artists? Sidwell didn't have actual figures but knew that a few had \$6,000.00 in sales over the three days and most make about \$500.00 or more after overhead expenses.

- **North Valley Landfill Site Tour** – Executive Lemon commented that a large crowd of people met the tour group because they thought there was to be public input. Lemon explained that this was just a Planning Commission tour of the proposed site and public input would be received at a later date. A number of the people accompanied the tour group to the site. Several people called Lemon the next day to apologize for some of the residents' intensity noting that there was a lot of misinformation among Clarkston residents.

Lemon recommended that the prospect of a site in Box Elder County should continue to be pursued. Yeates and Lemon spoke with two of the present Box Elder County Commissioners who are willing to talk about the possibility. Chairman White agreed.

Council member Petersen observed that he thought that the Box Elder option would only be viable if the volume was high enough to have low tipping fees.

Executive Lemon acknowledged he didn't know all the details, but one of the Box Elder Commissioners thought the fee for the Clarkston site would be higher than the Box Elder site. Lemon recommended that this issue be on a County Council

agenda soon and also on the agenda for the Joint Councils meeting with Logan City on August 30, 2011.

Council member Zilles suggested it would be advantageous to meet with Box Elder County Commissioners. Chairman White advocated meeting with Logan City first, then accompany Logan City in a meeting with the Box Elder Commissioners.

PUBLIC HEARINGS, APPEALS AND BOARD OF EQUALIZATION MATTERS

PUBLIC HEARING SET: AUGUST 09, 2011- 5:30 P.M. – FOR CONDEMNATION OF THE DAVENPORT ROAD APPROXIMATELY 5.7 MILES WITH A 66 FOOT RIGHT-OF-WAY –*(The Council decided to reschedule the public hearing for the Davenport Road condemnation after the public hearing for the Budget Opening. See below.)* Chairman White stated he didn't agree with the condemnation and asked why this is needed.

Vice Chairman Buttars said in order for a government entity to take property through condemnation there must be an overwhelming public interest and the county needs to weigh the information very carefully before making the decision.

Council member Zilles indicated there will be a public hearing to bring forth reasons for opening the road. Then the Council can discuss the information, ask for additional information and/or make a decision regarding the condemnation.

Chairman White said he would need more information before approving the condemnation.

Attorney Swink stated it is a Council decision to keep public rights-of-way open. This road follows the old Davenport Creek and has never been vacated. The road is important to private property owners and is a public access to state lands east of Davenport Road. Swink invited White to come to his office to look over maps of the area and review other pertinent information. This is an issue about private property owners blocking access to a public road without the county's consent.

Council member Petersen asked if condemnation is a lever to facilitate negotiations?

Swink replied that is a possibility.

Council member Robison asked if the Council could receive a one-page fact sheet after the public hearing? Petersen suggested an overview presentation at the beginning of the public hearing instead. Swink agreed.

ACTION: Motion by Council member Zilles to set a Public Hearing for August 09, 2011-5:30 p.m.-for condemnation of the Davenport Road approximately 5.7 miles with a 66 foot right-of-way. Yeates seconded the motion. The motion passed, 6 aye – Buttars, Petersen, Potter, Robison, Yeates & Zilles and 1 nay – White.

PUBLIC HEARING SET: AUGUST 09, 2011- 6:00 P.M.* – OPEN 2011 BUDGET – Vice Chairman Buttars asked if 6:00 p.m. will allow enough time for the Davenport Road public hearing which is scheduled at 5:30 p.m.? **The Council decided to reschedule the public hearing for the Davenport Road condemnation after the public hearing for the Budget Opening.*

ACTION: Motion by Council member Yeates to set a Public Hearing-August 09, 2011 at 5:30 p.m. to Open the 2011 Budget AND a Public Hearing-August 09, 2011 at 5:45 p.m. - for condemnation of the Davenport Road approximately 5.7 miles with a 66 foot right-of-way. Buttars seconded the motion. The vote was unanimous, 7-0.

PENDING ACTION

- Cache County Roadway Standards** - There was no new information to discuss at this meeting.
- Survey Results and Discussion – 5-Day versus 4-Day work week** – Chairman White remarked that the Council had received the survey results from the county offices indicating patron traffic in the various offices during specific hours and the information concerning operating hours of other counties

Executive Lemon referred to the survey results for the Assessor's office for June 23rd when thirty-three people came in during the day and twenty-seven were between 5:00 p.m. and 6:00 p.m. On June 28th sixty-six people came in from 8:00 to 5:00 p.m. and fifty-five came in between 5:00 p.m. and 6:00 p.m.

Chairman White asked if it is possible to consider having some offices open extended hours on two days a week? Robison stated that it's difficult for small offices to staff extended hours. Clerk Zollinger said White's suggestion would be confusing to the public.

Vice Chairman Buttars feels the offices should be available to the public on Fridays.

Executive Lemon said he had once considered 9-hour days with a short Friday, but none of the departments liked that option.

Assessor Howell voiced the opinion that her office sees more people than all the other offices put together and her patrons like the 4-day work week. She said she asked Council members to visit motor vehicles at any time and ask patrons which schedule they like better. None of them took advantage of her offer. The public is being served well. Her office is available 24/7 for on-line business and mail-in renewals, etc. Howell referred the Council to the Dan Jones statewide survey that showed an overwhelming preference (68%) by the public for the 4-day work week.

Vice Chairman Buttars asked if there has been any increase in the on-line renewals? Howell said there has been and that Utah leads the nation in on-line

usage for vehicle registration renewals; however, only 38% of renewals are done on-line presently.

Petersen questioned Howell's numbers for patron traffic because the sheet indicated 14% of patrons during extended hours. Howell said Monday and Thursday are the days with the highest use of extended hours, but averaging over the week dilutes the percentage.

Assessor Howell said that if the county chooses a five-day work week with extended hours as suggested by Council member Zilles, she will have to hire extra people. Zilles stated the county should do just that.

Council member Yeates said he gets calls from people who do not like the 4-day work week. The county offices need to be available to the public during regular business hours and the public is not being served by offices being closed on Fridays. How many businesses in Cache County operate on a 4-day work week?

Howell questioned how many phone calls Yeates has received compared to the number of patrons who have told her they like the 4-day work week.

Robison supported remaining with the 4-day work week because the public has adjusted to it and stated Assessor Howell has been managing her office for years – why not take her word for the patrons' preference?

Zilles said the public likes extended hours, but would like to have them five days a week. Howell said the public would like county offices to be open 24/7. Zilles suggested that only Howell's offices should be open on Fridays. Howell objected to being the only office open on the basis of safety concerns. Her office handles a lot of money and she does not like the idea of her employees being alone in the building.

Chairman White said it is not fair to ask offices to have a 5-day work week, plus extended hours because Department Heads would end up working many extra hours.

Director Josh Runhaar made the point that his office has accommodated patron needs for Friday – inspections and meetings, etc. The Recorder's office is accommodating parties needing those services on Friday. Other offices have done the same. The public is being served very well. Fridays are not an issue for many offices such as IT, Auditor, etc. The one office – DMV – which might have an issue with Friday closures has patrons who are saying they like the 4-day work week. Why consider going back to the 5-day work week?

Clerk Zollinger commented that during her office's busiest times, elections and the County Fair, having Fridays free makes it easier to do "extra" jobs that are required by these events. Zollinger observed that some people seem to have the misconception that county employees are not working 40 hours on the 4-day work week, that county employees are working less than everyone else.

Zollinger also pointed out that county offices are actually open eleven hours a day on the 4-day work week because the offices do not close for lunch.

Suzy Willie, county employee, stated that contractors do not want the county to go back to the 5-day work week because they like the earlier and later inspections available on the 4-day work week. Inspectors can stay in the field longer and get more done. Patrons are used to the 4-day work week.

Joel Draxler, county employee, reiterated that nothing is showing that the county is not serving the public just as well or better on the 4-day work week. People like the hours for Board of Equalization appointments that can be scheduled at 7:30 a.m. allowing them to be out in time to go to work.

Chairman White stressed that the Council appreciates the county employees – they are serving the public. The question is, can we serve them better?

Executive Lemon noted that he has received calls supporting both work week options. He has also heard from people who don't care, they just want the county to make a decision and stick with it.

Robison quipped the county has made a decision, meaning the present 4-day work week, and should stick with it.

Vice Chairman Buttars quoted from a letter he had received stating frustration that the county offices were still closed on Friday when the state legislature had rescinded the program.

Assessor Howell said county employees are citizens, too, and asked the Council to consider them in their decision. They have made all the adjustments necessary to change to the 4-day work week – consider them.

Suzy Willie asked if there has been any savings on the 4-day work week? And if it is insignificant, can the employees have it? Executive Lemon thought an employee reward for diligent use of utilities, etc. is a great idea.

Council member Potter said the state is going back to the 5-day work week, most businesses are on a 5-day work week and the public will adjust to the 5-day work week. Ten-hour days can wear on employees. Potter has talked to dozens of people and everyone thinks the 5-day work week is what the county should have.

Chairman White said he talked to many people, too, but they all liked the 4-day work week.

(Attachment 2)

ACTION: Motion by Council member Zilles that the county return to the 5-day work week effective September 6, 2011 and consider extended hours at a later time. Potter seconded the motion. The motion passed, 4 aye – Buttars, Potter, Yeates & Zilles, 2 nay – Robison & White and 1 abstention – Petersen.

Discussion on the motion:

Council member Petersen asked if the agenda allows for a decision tonight? The agenda lists it as a discussion item. Attorney Swink replied it is not being done by ordinance and there has been ample notice given and gave the opinion that a decision was appropriate. Diane Williamson, county employee, asked the Council if there was a poll among the Department Heads? They have been entrusted by the public with managing their departments. For the Council to disregard or not ask their opinions on this issue is disrespectful and causes her concern as a citizen.

Council member Zilles said in a meeting with Nibley City personnel, only one of them liked the 4-day work week. The 5-day work week fits well with everyone else's work schedule. Director Runhaar noted that Nibley City's hours are 9:00 a.m. to 4:00 p.m.

INITIAL PROPOSAL FOR CONSIDERATION

- **Ordinance No. 2011-11 – High Country Estates Rezone – Justin Taylor requesting rezone from A-10 to RU-2 located at approximately 14015 North 8000 West, Beaver Dam** – Executive Lemon noted that the Council had already discussed this issue at the July 12, 2011 Council meeting.

(Attachment 3)

ACTION: Motion by Council member Yeates to waive the rules and approve Ordinance No. 2011-11-High Country Estates Rezone-Justin Taylor requesting rezone from A-10 to RU-2 located at approximately 14015 North 8000 West, Beaver Dam. Buttars seconded the motion. The vote was unanimous, 7-0.

Ordinance No. 2011-11: The vote was 7-0.

	<u>BUTTARS</u>	<u>POTTER</u>	<u>PETERSEN</u>	<u>ROBISON</u>	<u>WHITE</u>	<u>YEATES</u>	<u>ZILLES</u>	<u>VOTES CAST</u>
AYE	X	X	X	X	X	X	X	7
NAY								0
ABSTAINED								0
ABSENT								0

- **Resolution No. 2011-17 – Setting the amount of reimbursements for travel and per diem costs for county employees and officers** – Executive Lemon explained that this links the county's policy to the U.S. General Services Administration (USGA) allowances which would change the amounts whenever USGA allowances change. It also establishes procedures for review of requests. Lemon said the Ordinance Review Committee had looked it over.

Assessor Howell mentioned that Department Heads have not seen this yet.

Lemon observed it is only on the agenda as Initial Proposal for Consideration. He will distribute the information to Department Heads for review and bring this to the Council at a future date.

- **Amendment to Cache County Personnel Policies and Procedures Manual Verification of Right to Work** – Executive Lemon explained the section of the code dealing with the implementation of E-Verify has already been approved and there is a requirement that this language be included. Rather than bring the entire section back before the Council, he is asking the Council to agree to the amendment.

(Attachment 4)

ACTION: Motion by Council member Robison to amend Section V of the Cache County Human Personnel Policies and Procedures Manual Verification of Right to Work. Zilles seconded the motion. The vote was unanimous, 7-0.

OTHER BUSINESS

- ✓ **Cache County Fair & Rodeo – August 11, 12, 13, 2011**
- ✓ **County Council Summer Social** – Council member Buttars confirmed that the Social will be Tuesday, August 16, 2011 in Lewiston.
- ✓ **River Heights City Apple Days Parade – September 10, 2011 at 3:00 p.m.** – Council members Yeates and Zilles will attend.

Vice Chairman Buttars left the meeting.

- ✓ **Decision on 5-Day versus 4-Day work week** – Attorney Swink referred to Council member Petersen's feelings that notice had not been adequate for a decision on the work week and asked if Petersen wants to carry it forward for one meeting and put it on the agenda for a decision? Swink said he had spoken with Assessor Howell and she said the employees were not aware a decision was to be made. Swink emphasized it is an executive decision.

Petersen said that although it is an executive decision, Executive Lemon has made it quite clear that he will abide by the decision of the Council.

Assessor Howell said that departments didn't know there was going to be a decision made tonight. She is sure many employees and members of the public would have been here, if they had known a decision would be made.

The Council discussed whether this decision should be put off until the next Council meeting, but no motion to reconsider was put forth.

Attorney Swink said his office serves other attorneys who work five days a week. Even if the county doesn't go to the 5-day work week, he was considering putting his office on the 5-day schedule because he thinks it would be of benefit to local attorneys who need to contact the County Attorney's office, particularly when a hearing is scheduled for Monday. He has had some comments from other attorneys wishing the county was open on Fridays.

Council member Zilles asked Assessor Howell if she feels slighted with the decision? Howell responded she did because she is the one who interacts with the public.

Robison suggested that in the future the agenda indicate decision items so there is no confusion.

COUNCIL MEMBER REPORTS

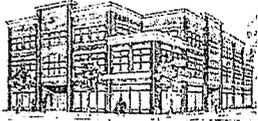
There were none.

ADJOURNMENT

The Council meeting adjourned at 7:20 p.m.

ATTEST: Jill N. Zollinger
County Clerk

APPROVAL: Jon White
Chairman



CACHE COUNTY CORPORATION
DEVELOPMENT SERVICES DEPARTMENT

JOSH RUNHAAR, AICP
DIRECTOR / ZONING ADMINISTRATOR
PAUL BERNTSON
CHIEF BUILDING OFFICIAL

179 NORTH MAIN, SUITE 305 LOGAN, UTAH 84321 ♦ (435)755-1640 ♦ FAX (435)755-1987

Development Services Agenda Items

To: Cache County Council
From: Development Services Office
Date: July 19, 2011
Subject: Development Services Agenda Items

A request for the County Council to place the following on the July 26, 2011 Agenda:

Consent Items

1. **Stump Hollow Subdivision**– Jon Asay is requesting approval for a 2-lot subdivision on 97.55 acres of property in the FR-40 Zone located at approximately ½ mile east of Beaver Mountain, Logan Canyon.
Recommended Findings of Fact: Four (4)
Recommended Conditions of Approval: Three (3)
Planning Commission Recommendation: Approval (4, 0)
2. **Cutler View Subdivision**– Brian Lyon is requesting a recommendation of approval to the County Council for a 2-lot subdivision and boundary line adjustment on 93.42 acres of property in the Agricultural Zone located at approximately 7000 West 6600 North, west of Newton.
Recommended Findings of Fact: Four (4)
Recommended Conditions of Approval: Six (6)
Planning Commission Recommendation: Approval (4, 0)

Pending Items

3. **Cache County Roadway Standards**
 - a. Ordinance amendments to Title §12.04, 12.08, 16, 17.02.070 regarding roadway standards.
 - b. Resolution to adopt the Cache County Manual of Roadway Design and Construction Standards.

Initial Consideration

4. **Ordinance 2011-11: High Country Estates Rezone** – Justin Taylor is requesting approval for a rezone of 70.07 acres of property from the Agricultural (A-10) Zone to the Rural 2 (RU-2) Zone located at 14015 North 8000 West, Beaver Dam.
Recommended Findings of Fact: Three (3)
Planning Commission Recommendation: Approval (6, 0)

Cache County Planning Commission

Minutes for 7 July, 2011

Present: Chris Harrild, Josh Runhaar, Chris Sands, Phillip Olsen, Clair Ellis, Leslie Larson, Jon White, David Erickson

Start Time: 5:31 (Video time not shown on DVD)

Ellis welcomed and Larson gave opening remarks.

5:33:00

Agenda

Approved.

Minutes

June 2, 2011 - approved.

5:36:00

Consent Agenda

#1 Stump Hollow Subdivision (Jon Asay)

Mr. Jon Asay is requesting a recommendation of approval to the County Council for a 2-lot subdivision on 97.55 acres of property in the FR-40 Zone located at approximately 1/2 mile east of Beaver Mountain in Logan Canyon, continued from June 2, 2011 meeting

#2 Cutler View Subdivision (Brian Lyon)

Mr. Brian Lyon is requesting a recommendation for approval to the County Council for a 2-lot subdivision and boundary line adjustment on 93.42 acres of property in the Agricultural Zone located at approximately 7000 west 6600 North, west of Newton.

Larson motioned to approve; Sands seconded; Passed 4, 0.

7:44:00

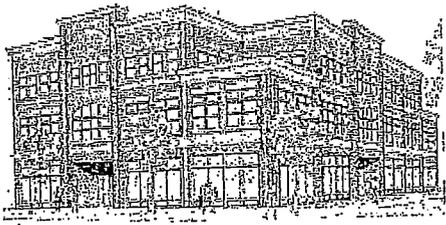
#4 Lofthouse Subdivision (Rusty Eskelson)

Mr. Rusty Eskelson is requesting a recommendation of approval to the County Council for an additional 3 lots in an existing 2-lot subdivision formerly called the Wengreen Farm Subdivision amended on 55.21 acres of property in the Agricultural Zone located at approximately 25 East 10700 South (West Canyon Road), Avon and continued from June 2, 2011.

WATER RIGHTS

CEPTIC - BEAR RIVER HEALTH
435-792-6570

CACHE COUNTY CORPORATION DEVELOPMENT SERVICES DEPARTMENT



JOSH RUNHAAR, AICP
DIRECTOR/
ZONING ADMINISTRATOR

PAUL BERTNISON
CHIEF BUILDING
OFFICIAL

179 NORTH MAIN, SUITE 305 LOGAN, UTAH 84321 ♦ (435)755-1630 ♦ FAX (435)755-1987

APPLICATIONS ARE DUE BY 3:00 PM ON THE DAY OF THE DEADLINE
PLEASE ALLOW STAFF 20-30 MINUTES TO PROCESS THE APPLICATION
LATE APPLICATIONS WILL BE HELD FOR THE NEXT MEETING'S AGENDA
INCOMPLETE APPLICATIONS WILL NOT BE ACCEPTED

FEE 300.
PER LOT
\$1100.00
UP FRONT

PROJECT APPLICATION

REVIEW AUTHORITY

- CACHE COUNTY COUNCIL
- CACHE PLANNING COMMISSION
- BENSON PLANNING COMMISSION
- BOARD OF ADJUSTMENTS
- ADMINISTRATIVE REVIEW

TYPE OF APPLICATION

- SUBDIVISION
- CONDITIONAL USE PERMIT
- ZONE CHANGE
- CODE AMENDMENT
- BOUNDARY LINE ADJUSTMENT

Date Received: <u>4 MAY 2011</u>	Received By: <u>CHRS</u>	Receipt Number: <u>5761</u>	Amount/Check Number: <u>\$1,100.00 / 5444</u>	<u>\$600 FEE</u> <u>\$500 DEPOSIT</u>
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PROJECT INFORMATION	AGENT/OWNER INFORMATION
REQUEST TYPE <u>Subdivision</u> <i>Stump Hollow Subdivision</i>	AGENT NAME <u>JON ASAY</u>
PROJECT NAME <u>JSA PROPERTIES / MILLER</u>	ADDRESS <u>5420 WEST 2100 SOUTH</u>
PROJECT ADDRESS <u>HWY 89</u>	<u>SLC, UTAH 84120</u>
<u>1/2 MILE EAST BEAVER MOUNTAIN</u>	TELEPHONE (DAY) <u>801 391-9840</u> (CELL) <u>801 391-9840</u>
SERIAL NUMBER(S) <u>18-073-0001 JSA</u>	OWNER NAME <u>JON ASAY</u>
<u>18-073-0011 MILLER</u>	ADDRESS <u>5420 WEST 2100 SOUTH</u>
ZONE <u>FR-40</u>	<u>SLC, UTAH 84120</u>
PROJECT LOCATION <u>HWY 89</u>	TELEPHONE (DAY) <u>801-391-9840</u> (CELL) <u>801-391-9840</u>
<u>1/2 MILE EAST BEAVER MOUNTAIN</u>	

State of Utah)
County of Cache) §

On this 4 day of May, 2011, personally appeared before me, Chelsey N. Hadley, proved to me on the basis of satisfactory evidence to be the person whose name is subscribed to on this instrument, and acknowledged that they executed the same.

Signed _____
(Property Owner/Agent)

Chelsey N. Hadley
Notary Public



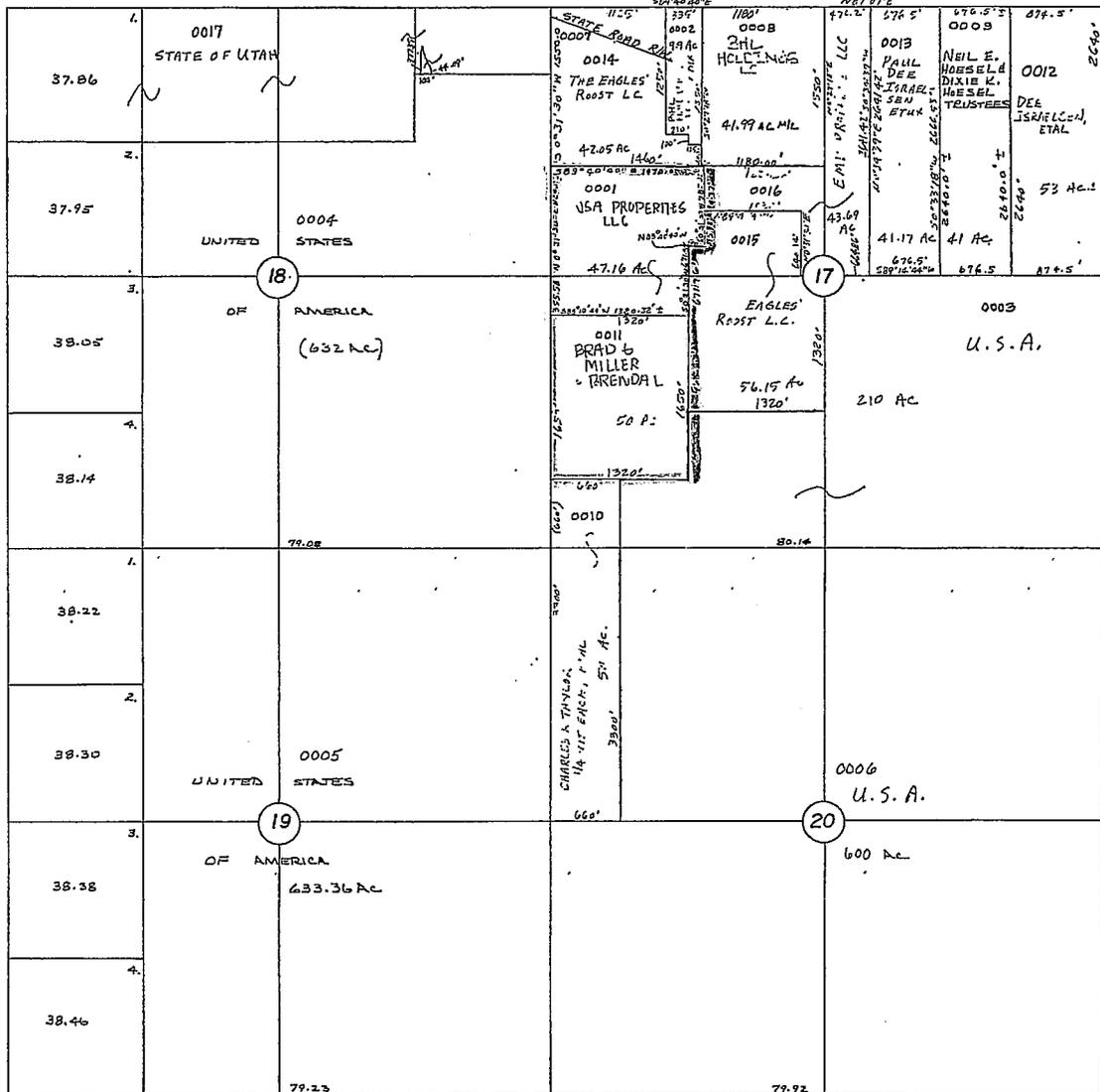
Section ^{17,18}/_{19,20} Township 14 North Range 4 East

18-073

Scale 1 Inch = 12 ch

TAX UNIT 17

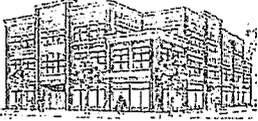
SEE 18-070



SEE 18-071

SEE 18-072

SEE 18-076



CACHE COUNTY CORPORATION
DEVELOPMENT SERVICES DEPARTMENT

JOSH RUNHAAR, AICP
 DIRECTOR / ZONING ADMINISTRATOR
 PAUL BERNTSON
 CHIEF BUILDING OFFICIAL

179 NORTH MAIN, SUITE 305 LOGAN, UTAH 84321 ♦ (435)755-1640 ♦ FAX (435)755-1987

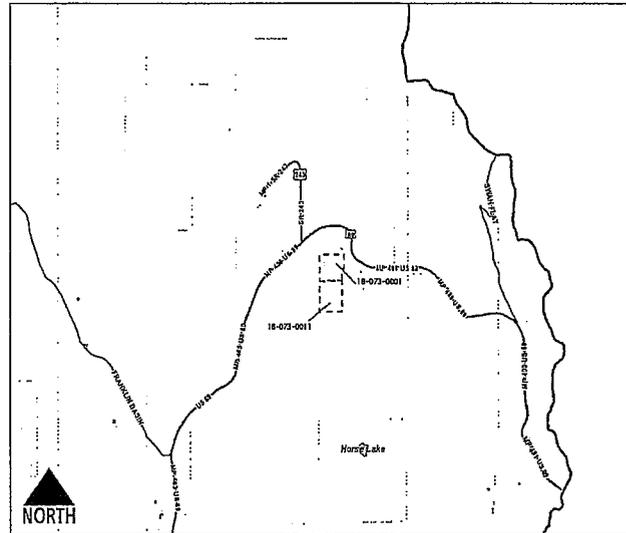
Project Name: Stump Hollow Subdivision

Agent: Jon Asay
Request: Subdivision
Tax ID: 18-073-0001, 18-073-0011
Current Zoning: Forest Recreation (FR-40)
Project Address: 13200 East Highway 89
 Cache County

Surrounding Uses: North – Beaver Creek Lodge
 South – Forest Recreation/USFS
 East – Forest Recreation/USFS
 West – USFS/SITLA

Type of Action: Recommendation to County Council
Staff Advisement: Approval with conditions

Reviewed by: Christopher S. Harrild, Planner II



PURPOSE

To recommend approval of the preliminary and final plat for the Stump Hollow Subdivision to the Cache County Council.

PROJECT SUMMARY

The proposal is to create a 2-lot subdivision located at approximately 13200 East Highway 89, in the Forest Recreation (FR-40) Zone on 97.16 acres of property.

Access:

- Access to the existing public access from Highway 89 is adequate.

Water & Septic:

- Prior to the construction any seasonal dwelling, a septic system permit from the Bear River Health Department shall be required.

Service Provision:

- Property owners shall be responsible for their own refuse removal.
- The public access is greater than 150' in length and as such must meet the requirements of the 2009 International Fire Code, minimum County standards, and any other applicable codes, and shall also require further review and approval by the Cache County Fire District prior to any construction.

STAFF DETERMINATION

It is staff's determination that the Stump Hollow Subdivision, a 2-lot subdivision for property located at approximately 13200 East Highway 89 with TIN #'s 18-073-0001 and 18-073-0011 is in conformance with the Cache County Ordinance requirements for preliminary and final plat approval to the County Council. This determination is based on the following findings of fact:

FINDINGS OF FACT

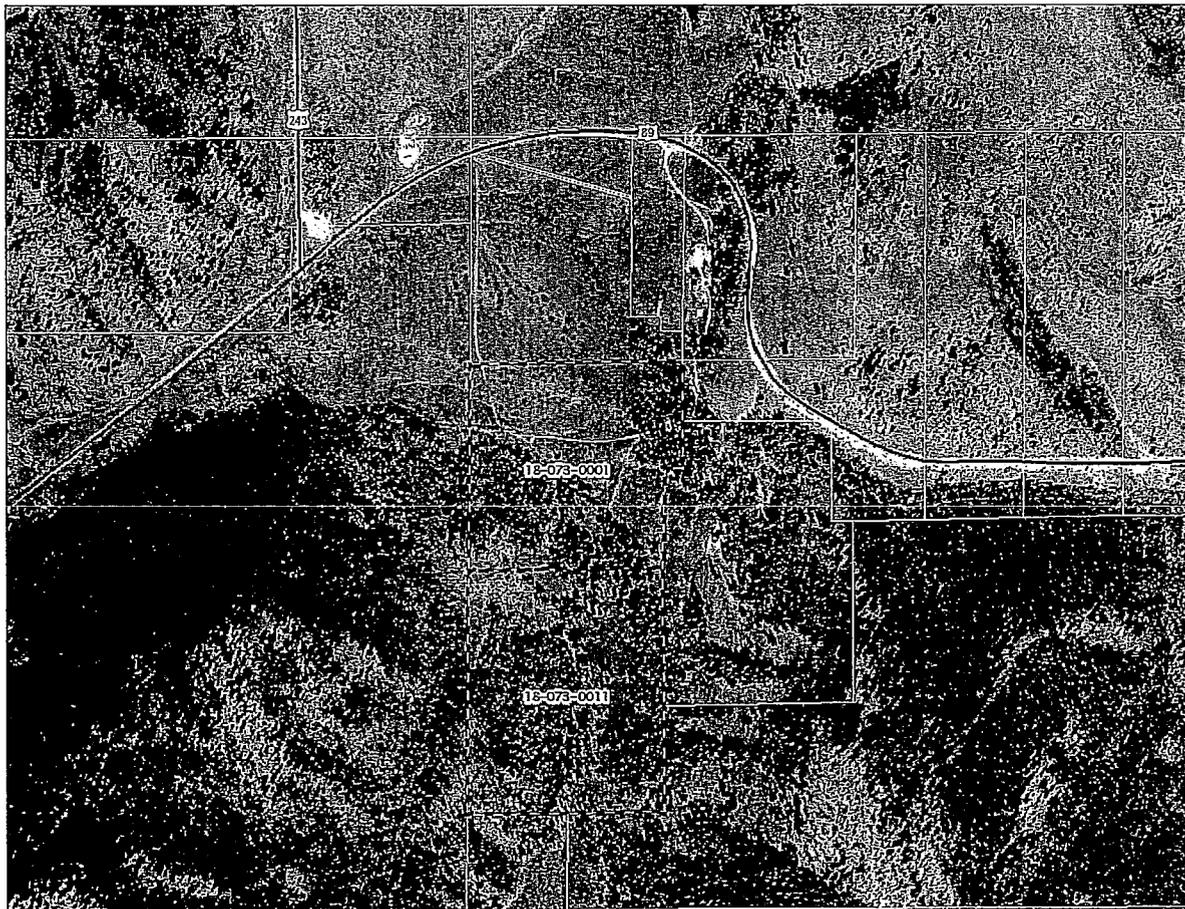
1. The Stump Hollow Subdivision has been revised and amended by the conditions of project approval to address the issues and concerns raised within the public and administrative records.
2. The Stump Hollow Subdivision has been revised and amended by the conditions of project approval to conform to the requirements of Titles 16 and 17 of the Cache County Code and the requirements of various departments and agencies.

3. The Stump Hollow Subdivision conforms to the preliminary and final plat requirements of §16.03.030 and §16.03.040 of the Cache County Subdivision Ordinance.
4. The Stump Hollow Subdivision is compatible with surrounding land uses and will not interfere with the use and enjoyment of adjoining or area properties.

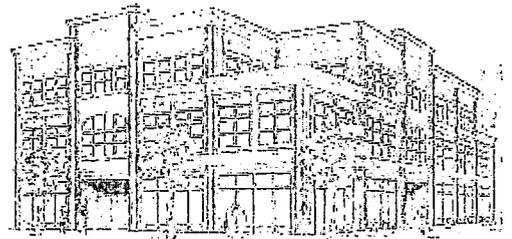
CONDITIONS OF APPROVAL

The following conditions must be met for the developments to conform to the County Ordinance and the requirements of county service providers.

1. Prior to final plat recordation the proponent shall meet all applicable standards of the Cache County Ordinance.
2. The public access and fire protection for all buildable lots shall meet the requirements of the 2009 International Fire Code, minimum County standards, and any other applicable codes, and shall also require further review and approval by the Cache County Fire District prior to any construction.
3. Before installation of an on-site septic tank system, a septic permit shall be obtained from, and the applicant shall submit to all other requirements of, the Bear River Health Department.



CACHE COUNTY CORPORATION DEVELOPMENT SERVICES DEPARTMENT



JOSH RUNHAAR, AICP
DIRECTOR/
ZONING ADMINISTRATOR

PAUL BERNTSON
CHIEF BUILDING
OFFICIAL

179 NORTH MAIN, SUITE 305 LOGAN, UTAH 84321 || (435)755-1630 || FAX (435)755-1987

APPLICATIONS ARE DUE BY 3:00 PM ON THE DAY OF THE DEADLINE
PLEASE ALLOW STAFF 20-30 MINUTES TO PROCESS THE APPLICATION
LATE APPLICATIONS WILL BE HELD FOR THE NEXT MEETING'S AGENDA
INCOMPLETE APPLICATIONS WILL NOT BE ACCEPTED

PROJECT APPLICATION

REVIEW AUTHORITY

- CACHE COUNTY COUNCIL
- CACHE PLANNING COMMISSION
- BENSON PLANNING COMMISSION
- BOARD OF ADJUSTMENTS
- ADMINISTRATIVE REVIEW

TYPE OF APPLICATION

- SUBDIVISION
- CONDITIONAL USE PERMIT
- ZONE CHANGE
- CODE AMENDMENT
- BOUNDARY LINE ADJUSTMENT

Date Received: <u>6-8-11</u>	Received By: <u>CH</u>	Receipt Number: <u>5829</u>	Amount/Check Number: <u>1100⁰⁰ 4656 +</u> <u>4734</u>
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600⁰⁰
500⁰⁰
Engels

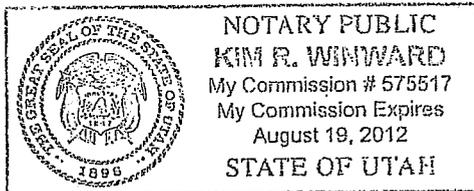
PROJECT INFORMATION	AGENT/OWNER INFORMATION
REQUEST TYPE <u>Subdivision</u>	AGENT NAME <u>Brian Lyon</u>
PROJECT NAME <u>Cutler View Subdivision</u>	ADDRESS <u>150 E 200 N Suite P</u>
PROJECT ADDRESS <u>7000 W 6600 N</u>	<u>Logan UT</u>
SERIAL NUMBER(S) <u>13-029-0001</u>	TELEPHONE (DAY) <u>755-5721</u> (CELL) _____
<u>13-031-0002</u>	OWNER NAME <u>Terry Griffin</u>
ZONE _____	ADDRESS <u>7350 W 6800 N</u>
PROJECT LOCATION <u>West of Newton</u>	<u>Cache Junction, UT</u>
	TELEPHONE (DAY) _____ (CELL) <u>720-3524</u>

State of Utah)

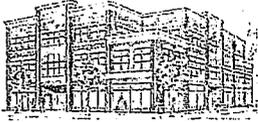
County of Cache)

On this 17 day of June, 2011, personally appeared before me, Terry Griffin, proved to me on the basis of satisfactory evidence to be the person whose name is subscribed to on this instrument, and acknowledged that they executed the same.

Signed Terry Griffin
(Property Owner or Agent)



Kim R. Winward
Notary Public



CACHE COUNTY CORPORATION
DEVELOPMENT SERVICES DEPARTMENT

JOSH RUNHAAR, AICP
 DIRECTOR / ZONING ADMINISTRATOR
 PAUL BERTSON
 CHIEF BUILDING OFFICIAL

179 NORTH MAIN, SUITE 305 LOGAN, UTAH 84321 ♦ (435)755-1640 ♦ FAX (435)755-1987

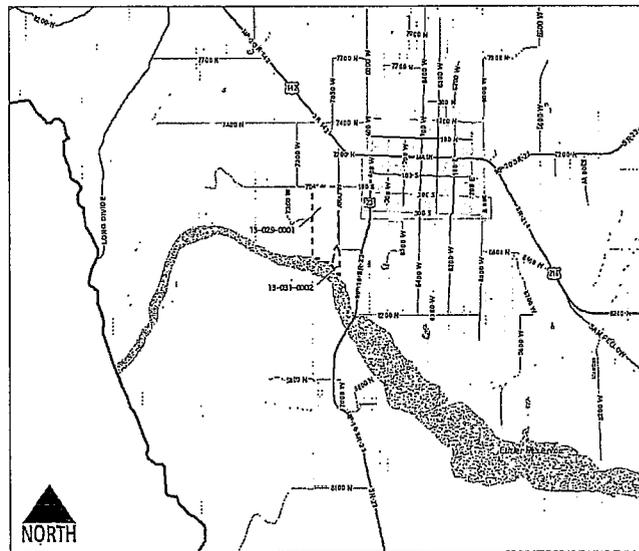
Project Name: Cutler View Subdivision

Agent: Brian Lyon
Request: 2-lot Subdivision and BLA
Tax ID: 13-029-0001, 13-031-0002
Current Zoning: Agricultural (A-10)
Project Address: 7000 West 6600 North
 Newton, Utah 84327

Surrounding Uses: North – Agricultural
 South – Cutler Reservoir
 East – Agricultural/City of Newton
 West – Agricultural

Type of Action: Recommendation to County Council
Staff Advisement: Approval with conditions

Reviewed by: Christopher S. Harrild, Planner II



PURPOSE

To recommend approval of the preliminary and final plat for the Cutler View Subdivision and boundary line adjustment to the Cache County Council.

PROJECT SUMMARY

The proposal is to create a 2-lot subdivision located at 7000 West 6600 North, Newton, in the Agricultural (A-10) Zone on 93.42 acres of parcel ID#13-029-0001. The subdivision will consist of building lot and one agricultural parcel not eligible for development. The boundary line adjustment will adjust the boundary line between parcel ID#'s 13-029-0001 and 13-031-0002.

Access:

- Access to this property from 6600 North is adequate. At this access point, county road 6600 North is a 20' wide paved surface with 1 foot shoulders. Access to this property from 7000 West is adequate. At this access point, county road 7000 West is a 21' wide paved surface with 1 foot shoulders.
- When completed, the top of the surface of the access to this property must be even with or lower than the existing edge of asphalt on 6600 North and/or 7000 West.

Water & Septic:

- An adequate, approved, domestic water right is currently in place for this property and must be in place at the time of final plat recordation for all building lots within the proposed subdivision.
- The proposed property is feasible for an on-site septic tank system.

Service Provision:

- All refuse and recycling containers shall be placed along the side of 7000 West for collection.
- The residents shall provide sufficient shoulder space for the residential refuse and recycle containers to sit four feet apart and be out of the travel lane.
- A school bus stop would be located at 6600 North 6800 West, approximately 3 blocks from the proposed subdivision.
- The driveway shall meet all applicable requirements of the 2009 International Fire Code, minimum County standards, and any other applicable codes.
- The proposed subdivision is being developed in an area without adequate water supply. The water supply tenders from the Newton Fire Department.

STAFF DETERMINATION

It is staff's determination that the Cutler View Subdivision, a 2-lot subdivision for property located at approximately 7000 West 6600 North with TIN #'s 13-029-0001 and 13-031-0002 is in conformance with the Cache County Ordinance requirements for preliminary and final plat approval to the County Council. This determination is based on the following findings of fact:

FINDINGS OF FACT

1. The Cutler View Subdivision has been revised and amended by the conditions of project approval to address the issues and concerns raised within the public and administrative records.
2. The Cutler View Subdivision has been revised and amended by the conditions of project approval to conform to the requirements of Titles 16 and 17 of the Cache County Code and the requirements of various departments and agencies.
3. The Cutler View Subdivision conforms to the preliminary and final plat requirements of §16.03.030 and §16.03.040 of the Cache County Subdivision Ordinance.
4. The Cutler View Subdivision is compatible with surrounding land uses and will not interfere with the use and enjoyment of adjoining or area properties.

CONDITIONS OF APPROVAL

The following conditions must be met for the developments to conform to the County Ordinance and the requirements of county service providers.

1. Prior to final plat recordation the proponent shall meet all applicable standards of the Cache County Ordinance.
2. Prior to final plat recordation adequate, approved, domestic water rights shall be in place for all building lots within the subdivision.
3. All lots shall provide sufficient shoulder space for the residential refuse and recycle containers to sit four feet apart and be out of the travel lane.
4. The driveway shall meet all applicable requirements of the 2009 International Fire Code and any other applicable codes as adopted by Cache County. Any driveway that may extend 150 feet or greater in length shall be a 20' all-weather surface with an approved turnaround constructed at the end thereof.
5. An encroachment permit must be obtained for any work within the Cache County right-of-way.
6. The applicant shall reaffirm Cache County's 33' right-of-way for the county roads 7000 West and 7000 North along the boundary of parcel ID#'s 13-029-0001 and 13-031-0002.



**One Month Period Totals
June 15, 2011 to July 15, 2011**

7am-8am		8am-5pm		5pm-6pm	
Phone	In Person	Phone	In Person	Phone	In Person
377	358	3394	2714	512	673
735			6108		
			1185		

Total Transactions

	Wednesday, June 15, 2011						Thursday, June 16, 2011					
	7am-8am		8am-5pm		5pm-6pm		7am-8am		8am-5pm		5pm-6pm	
	Phone	In Person	Phone	In Person	Phone	In Person	Phone	In Person	Phone	In Person	Phone	In Person
Clerk												
Extension	0	0	16	21	0	0	0	0	13	12	0	0
Fire & HR												
Recorder	0	1	3	14	0	0	1	0	0	0	0	1
Development Services	0	5	25	5	1	0	3	0	20	2	3	5
Treasurer												
Motor Vehicle												
Attorney												
	0	6	44	40	1	0	4	0	33	14	3	6

Auditor Only activity between the hours of 7-8 am and 5-6 pm was with county employees

IT Deals mainly with county employees at any given time

Assessor Did not receive data from the state for 2011. Please see Assessor file for data from 2008 - 2010

	Friday, June 17, 2011						Monday, June 20, 2011					
	7am-8am		8am-5pm		5pm-6pm		7am-8am		8am-5pm		5pm-6pm	
	Phone	In Person	Phone	In Person	Phone	In Person	Phone	In Person	Phone	In Person	Phone	In Person
Clerk							4	2	30	38	2	4
Extension	0	0	19	12	0	0	0	0	22	14	0	0
Fire & HR							3	0	11	6	3	0
Recorder	0	0	0	0	0	0	0	2	24	37	1	2
Development Services	0	0	0	0	0	0	3	0	25	11	2	1
Treasurer												
Motor Vehicle							22	37	56	204	31	69
Attorney												
	0	0	19	12	0	0	32	41	168	310	39	76

Auditor
IT
Assessor

	Tuesday, June 21, 2011						Wednesday, June 22, 2011					
	7am-8am		8am-5pm		5pm-6pm		7am-8am		8am-5pm		5pm-6pm	
	Phone	In Person	Phone	In Person	Phone	In Person	Phone	In Person	Phone	In Person	Phone	In Person
Clerk	5	2	38	48	0	2	1	1	24	34	2	2
Extension	0	0	42	34	0	0	0	0	49	31	0	0
Fire & HR	1	2	14	8	1	0	1	0	11	6	1	2
Recorder	0	0	38	29	3	1	0	1	30	31	3	2
Development Services	2	0	23	6	2	0	2	0	14	12	1	0
Treasurer					4	0	4	0	12	30	6	22
Motor Vehicle	16	42	58	59	26	39	8	14	36	40	15	22
Attorney												
	24	46	213	184	32	42	16	16	176	184	28	50

Auditor
IT
Assessor

	Thursday, June 23, 2011						Friday, June 24, 2011					
	7am-8am		8am-5pm		5pm-6pm		7am-8am		8am-5pm		5pm-6pm	
	Phone	In Person	Phone	In Person	Phone	In Person	Phone	In Person	Phone	In Person	Phone	In Person
Clerk	4	2	31	28	3	2	0	0	0	0	0	0
Extension	0	0	19	28	0	0	0	0	0	0	0	0
Fire & HR	3	0	13	6	0	0	0	0	0	0	0	0
Recorder	0	1	20	27	3	3	0	0	3	7	0	0
Development Services	1	0	19	6	3	0	0	0	0	0	0	0
Treasurer	0	0	12	12	10	24	0	0	0	0	0	0
Motor Vehicle	6	12	32	33	19	27	0	0	0	0	0	0
Attorney												
	14	15	146	140	38	56	0	0	3	7	0	0

Auditor
IT
Assessor

	Monday, June 27, 2011						Tuesday, June 28, 2011					
	7am-8am		8am-5pm		5pm-6pm		7am-8am		8am-5pm		5pm-6pm	
	Phone	In Person	Phone	In Person	Phone	In Person	Phone	In Person	Phone	In Person	Phone	In Person
Clerk	0	0	26	32	0	0	1	0	21	20	3	2
Extension	0	0	34	15	0	0	0	0	40	18	2	1
Fire & HR	1	0	5	3	0	0	0	0	6	4	0	0
Recorder	1	0	17	27	2	2	0	0	27	28	1	0
Development Services	2	0	29	11	0	0	1	0	16	7	2	1
Treasurer	6	4	28	12	2	2	2	0	28	18	4	4
Motor Vehicle	21	15	49	53	14	23	16	21	50	66	14	55
Attorney	5	1	98	27	5	1	3	0	53	14	7	0
	36	20	286	180	23	28	23	21	241	175	33	63

Auditor
IT
Assessor

	Wednesday, June 29, 2011						Thursday, June 30, 2011					
	7am-8am		8am-5pm		5pm-6pm		7am-8am		8am-5pm		5pm-6pm	
	Phone	In Person	Phone	In Person	Phone	In Person	Phone	In Person	Phone	In Person	Phone	In Person
Clerk	1	3	22	25	0	0	7	11	10	15	2	1
Extension	1	0	31	14	0	0	0	0	36	22	0	0
Fire & HR	2	0	9	7	0	0	0	4	6	2	3	0
Recorder	0	1	20	17	1	1	0	2	20	26	1	0
Development Services	2	2	25	7	4	3	2	1	20	13	6	2
Treasurer	2	4	34	34	4	6	2	2	36	34	8	12
Motor Vehicle	14	20	54	72	21	28	21	20	44	50	34	44
Attorney	0	0	51	15	10	1	2	0	56	10	3	0
	22	30	246	191	40	39	34	40	228	172	57	59

Auditor
IT
Assessor

	Friday, July 01, 2011						Tuesday, July 05, 2011					
	7am-8am		8am-5pm		5pm-6pm		7am-8am		8am-5pm		5pm-6pm	
	Phone	In Person	Phone	In Person	Phone	In Person	Phone	In Person	Phone	In Person	Phone	In Person
Clerk	0	0	0	0	0	0	5	5	33	35	0	0
Extension	0	0	0	0	0	0	1	1	46	28	1	1
Fire & HR	0	0	0	0	0	0	0	2	3	3	0	0
Recorder	0	0	0	0	0	0	0	0	18	14	0	1
Development Services	0	0	0	0	0	0	1	0	10	6	1	1
Treasurer	0	0	0	0	0	0	2	2	42	32	4	6
Motor Vehicle	0	0	0	0	0	0	13	18	35	35	22	24
Attorney	0	0	0	0	0	0	3	0	62	12	6	0
	0	0	0	0	0	0	25	28	249	165	34	33

Auditor
IT
Assessor

	Wednesday, July 06, 2011						Thursday, July 07, 2011					
	7am-8am		8am-5pm		5pm-6pm		7am-8am		8am-5pm		5pm-6pm	
	Phone	In Person	Phone	In Person	Phone	In Person	Phone	In Person	Phone	In Person	Phone	In Person
Clerk	4	3	36	30	0	0	3	0	31	39	0	0
Extension	0	0	32	24	0	0	1	0	31	17	2	0
Fire & HR	3	0	7	2	0	0	0	0	6	3	0	0
Recorder	0	0	10	17	0	0	0	0	14	12	0	2
Development Services	2	1	10	5	1	1	1	0	13	4	1	0
Treasurer	4	0	50	22	8	6	0	0	26	24	8	8
Motor Vehicle	13	11	54	38	16	32	15	12	44	57	14	41
Attorney	3	0	70	10	4	0	3	0	54	5	5	0
	29	15	269	148	29	39	23	12	219	161	30	51

Auditor
IT
Assessor

	Friday, July 08, 2011						Monday, July 11, 2011					
	7am-8am		8am-5pm		5pm-6pm		7am-8am		8am-5pm		5pm-6pm	
	Phone	In Person	Phone	In Person	Phone	In Person	Phone	In Person	Phone	In Person	Phone	In Person
Clerk	0	0	0	0	0	0	4	1	44	43	0	0
Extension	0	0	0	0	0	0	0	1	21	25	0	0
Fire & HR	0	0	0	0	0	0	1	0	7	8	0	0
Recorder	0	0	3	4	0	0	0	0	20	21	1	0
Development Services	0	0	0	0	0	0	4	0	19	10	4	0
Treasurer	0	0	0	0	0	0	2	4	38	26	0	6
Motor Vehicle	0	0	0	0	0	0	23	14	51	43	26	28
Attorney	0	0	0	0	0	0	0	0	42	6	2	0
	0	0	3	4	0	0	34	20	242	182	33	34

Auditor
IT
Assessor

	Tuesday, July 12, 2011						Wednesday, July 13, 2011					
	7am-8am		8am-5pm		5pm-6pm		7am-8am		8am-5pm		5pm-6pm	
	Phone	In Person	Phone	In Person	Phone	In Person	Phone	In Person	Phone	In Person	Phone	In Person
Clerk	2	0	28	28	0	0	1	2	24	27	0	0
Extension	0	1	15	23	0	0	0	3	23	17	0	0
Fire & HR	2	0	2	3	0	0	1	0	7	5	0	0
Recorder	0	0	16	12	0	0	0	0	20	21	0	0
Development Services	0	1	19	8	3	3	1	0	18	6	3	1
Treasurer	2	0	32	30	6	6	2	4	42	28	6	8
Motor Vehicle	14	10	41	30	15	14	15	12	41	33	18	19
Attorney	0	0	51	8	3	0	0	0	32	7	1	0
	20	12	204	142	27	23	20	21	207	144	28	28

Auditor
IT
Assessor

	Thursday, July 14, 2011						Friday, July 15, 2011					
	7am-8am	8am-5pm	5pm-6pm	7am-8am	8am-5pm	5pm-6pm	7am-8am	8am-5pm	5pm-6pm	7am-8am	8am-5pm	5pm-6pm
	Phone	In Person	Phone	In Person	Phone	In Person	Phone	In Person	Phone	In Person	Phone	In Person
Clerk	2	0	20	24	0	0	0	0	0	0	0	0
Extension	0	0	22	26	0	0	0	0	0	0	0	0
Fire & HR	1	0	8	4	0	0	0	0	0	0	0	0
Recorder	0	1	18	14	0	0	0	0	2	4	0	0
Development Services	2	1	19	8	4	3	0	0	0	0	0	0
Treasurer	2	2	18	24	8	10	0	0	0	0	0	0
Motor Vehicle	14	11	48	46	23	32	0	0	0	0	0	0
Attorney	0	0	43	9	2	1	0	0	0	0	0	0
	21	15	196	155	37	46	0	0	2	4	0	0

Auditor
IT
Assessor

**CACHE COUNTY, UTAH
ORDINANCE NO. 2011-11**

REZONE – HIGH COUNTRY ESTATES

Disclaimer: This is provided for informational purposes only. The formatting of this ordinance may vary from the official hard copy. In the case of any discrepancy between this ordinance and the official hard copy, the official hard copy will prevail.

AN ORDINANCE AMENDING THE CACHE COUNTY ZONING MAP

WHEREAS, the “County Land Use Development and Management Act,” Utah Code Ann. §17-27a-101 *et seq.*, as amended (the “Act”), provides that each municipality may enact a land use ordinance and a zoning map establishing regulations for land use and development; and

WHEREAS, pursuant to the Act, the County’s Planning Commission (the “Planning Commission”) shall prepare and recommend to the County’s legislative body, following a public meeting, a proposed land use ordinance and a zoning map, or amendments thereto, that represent the Planning Commission’s recommendations for zoning the area within the county; and

WHEREAS, the Act also provides certain procedures for the County’s legislative body to adopt or amend the land use ordinance and zoning map for the County; and

WHEREAS, the County Council caused notice of the hearing to be advertised at least ten (10) days before the date of the public hearing in *The Herald Journal*, a newspaper of general circulation in Cache County; and

WHEREAS, on June 2, 2011, the Planning Commission held a public meeting for a rezone from the Agricultural (A-10) Zone to the Rural 2 (RU-2) Zone, which meeting was preceded by all required legal notice and at which time all interested parties were given the opportunity to provide written or oral comment concerning the proposed rezone; and

WHEREAS, on June 2, 2011, the Planning Commission recommended the approval of said rezone and forwarded such recommendation to the County Council for final action; and

WHEREAS, on June 28, 2011, at 6:30 P.M., the County Council held a public hearing to consider any comments regarding the proposed amendments to Title 17 of the Cache County Code. The County Council accepted all comments; and

WHEREAS, after careful consideration of the recommendation of the Planning Commission, comments at the public hearing and other public meetings where such proposed rezone was discussed, and recommendation of County staff, the Council has determined that it is in the best interest of the health, safety and welfare of the citizens of Cache County to approve such rezone;

NOW, THEREFORE, the County Legislative Body of Cache County ordains as follows:

1. Statutory Authority.

The statutory authority for enacting this ordinance is Utah Code Annotated Sections 17-27a Part 1 and Part 3, and 17-53 Part 2 (1953, as amended to date).

2. Approval of Rezone.

The County Council hereby rezones Lot # 12-046-0002 described within Exhibit A from the Agricultural (A-10) Zone to the Rural 2 (RU-2) Zone.

3. Adoption of Amended Zoning Map.

The County Council hereby amends the County's zoning map to reflect the rezone of the Property effected by this ordinance and hereby adopts the amended zoning map that is attached as Exhibit B, of which a detailed digital or paper copy is available in the Development Services Department.

4. Findings

- A. As required by Cache County Ordinance §17.08.030[C][3], the proposed High Country Estates rezone is appropriately served by suitable public roads, has access to necessary water and utilities, and has adequate public service provision including adequate fire protection.
- B. The proposed High Country Estates rezone is consistent with the existing development in the area.
- C. The proposed High Country Estates rezone preserves high value agricultural land.

5. Severability.

All parts of this ordinance are severable, and if any section, paragraph, clause or provision of this Ordinance shall, for any reason, be held to be invalid or unenforceable, the invalidity or unenforceability of any such section, paragraph, clause or provision shall not affect the remaining sections, paragraphs, clauses or provisions of this Ordinance.

6. Prior Ordinances, Resolutions, Policies and Actions Superseded.

This ordinance amends and supersedes the Zoning Map of Cache County, and all prior ordinances, resolutions, policies, and actions of the Cache County Council to the extent that the provisions of such prior ordinances, resolutions, policies, or actions are in conflict with this ordinance. In all other respects, such prior ordinances, resolutions, policies, and actions shall remain in full force and effect.

7. Exhibits.

- Exhibit A: Affected lot of the Cache Valley View Estates rezone:
Parcel ID# 12-046-0002
- Exhibit B: Zoning Map of Cache County

8. Effective Date.

This ordinance takes effect on August 9, 2011. Following its passage but prior to the effective date, a copy of the Ordinance shall be deposited with the County Clerk and a short summary of the ordinance shall be published in a newspaper of general circulation within the County as required by law.

APPROVED AND ADOPTED this 26th day of July, 2011.

	In Favor	Against	Abstained	Absent
Potter	X			
Buttars	X			
White	X			
Petersen	X			
Robison	X			
Yeates	X			
Zilles	X			
Total	7	0	0	0

CACHE COUNTY COUNCIL

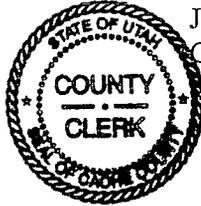
Jon White

Jon White, Chair
Cache County Council

ATTEST:

Jill Zollinger

Jill Zollinger
Cache County Clerk



Publication Date: August 11, 2011



19 July 2011

TO: Lynn Lemon
County Executive

FROM: James D. Smith
Human Resources

SUBJECT: Verification of Right to Work Policy

In accordance with federal mandates, Cache County Human Resources implemented the E-Verify program to verify the identity and eligibility of a newly hired employee. The following language is proposed for inclusion in the county's Personnel Policies and Procedures Manual and requested it be added to Section V -- Recruitment and Hiring which was previously reviewed and approved by the county council in December of 2010. The proposed language is as follows:

Verification of Right to Work

Federal law requires all employers to verify the identity and employment eligibility of all persons hired to work in the United States. In compliance with the law, the county will provide the Social Security Administration (SSA) and, if necessary, the Department of Homeland Security (DHS), with information from each new employee's Form I-9 to confirm work authorization. This is done with the federal government's E-Verify program.

1. If the federal government cannot confirm that a newly hired employee is authorized to legally work in the United States, the county is required to provide the newly hired employee with written instructions and an opportunity to contact SSA and/or DHS before taking adverse action against the employee including terminating the employee's employment.
2. The county may not use E-Verify to pre-screen job applicants or to re-verify current employees and may not limit or influence the choice of documents presented for use on the Form I-9.
3. In order to determine whether Form I-9 documentation is valid, the county is authorized to use E-Verify's photo screening tool to match the photograph appearing on some permanent resident and employment authorization cards with the official U.S. Citizenship and Immigration Services' (USCIS) photograph.