

APPROVED

**CACHE COUNTY
COUNCIL MINUTES
DECEMBER 13, 2011**

CACHE COUNTY COUNCIL
December 13, 2011

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CACHE COUNTY COUNCIL MEETING
December 13, 2011

The Cache County Council convened in a regular session on December 13, 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, Mike Anderson, Cordell Ballard, Sandy Ballard, Robert Bergsjo, Nick Bolinder, Kristine Bolton, Robert Bolton, Roslynn Braithwaite, Brenda Brown, Elizabeth C. Brown, Kevin Brown, Stephen Durrant, Reed Ernstrom, Erica Evans, Jim Goodwin, Jack Greene, Stephen Griffin, Chris Haramoto, Gerald Haviland, Judea Haviland, Sennica Holt, Sharon L. Hoth, Jessica Jarvis, Raymond Jensen, Chad Kerr, Liz Kirkham, Troy Liquin, Lieutenant Brian Locke, Randy Martin, Mark Maughan, Brad Nelson, Dave Nielsen, Greg Parry, Doyle Peck, LeeAnn Peterson, Mike Peterson, Peggy Petrzalka, Jeff Rasmussen, Richard Reynolds, Lindsey Richards, Guy Samples, Kay Samples, Scott K. Samples, Amanda Schaaf, Kevin Schaaf, Crista Sorenson, David Walker, Natalie Watkins,
Media: Charles Geraci (Herald Journal), Jennie Christensen (KVNU).

OPENING REMARKS AND PLEDGE OF ALLEGIANCE

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

REVIEW AND APPROVAL OF AGENDA

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

REVIEW AND APPROVAL OF MINUTES

ACTION: Motion by Council member Robison to approve the minutes of the December 06, 2011 Council Meeting as written. Yeates seconded the motion. The vote was unanimous, 7-0.

REPORT OF THE COUNTY EXECUTIVE: M. LYNN LEMON

<u>APPOINTMENTS:</u>	Cheryl Atwood	Bear River Board of Health
	C. Reed Ernstrom	Bear River Board of Health
	LaMont Poulsen	Fairgrounds Advisory Board
	Kathy Robison	Fairgrounds Advisory Board
	Scott Williams	Fairgrounds Advisory Board
	Jill Zollinger	Fairgrounds Advisory Board
	Chris Harrild	Grievance Committee

Mira Thatcher	Library Board
Harry O. Ames	Logan-Cache Airport Authority Board
Wayne R. Cardon	Roads Special Service District Board
Larry D. Parker	Roads Special Service District Board

ACTION: Motion by Vice Chairman Buttars to approve the recommended appointments. Potter seconded the motion. The vote was unanimous, 7-0.

WARRANTS: There were no warrants.

OTHER ITEMS

- ❑ **Bureau of Land Management (BLM)** – Executive Lemon received a memo from Mark Maughan of UAC and a letter from the BLM who has partnered with the Forest Service concerning the initiation of a comprehensive planning effort relating to Sage Grouse. Maughan advises that the county should send a letter to the BLM requesting that Cache County be a cooperating agency. The Council concurred.
- ❑ **Division of Air Quality** – Executive Lemon presented a letter he drafted to the DAQ asking them to give the county the values for each control strategy to be implemented. Petersen suggested the letter should indicate Cache County also wants more focus and detail on those strategies for inversion periods, which are the primary cause of air quality problems in Cache Valley. Lemon will include that request in the letter.

CONSENT AGENDA

- ◇ **Vacate Rocky Mountain Estates “B” Subdivision Plat** – Steve Griffin requesting approval for vacating of the 5-lot Rocky Mountain Estates “B” subdivision plat located on 20.27 acres in the Agricultural (A-10) Zone at approximately 7424 North 7050 West, Newton. Approved by County Council on October 23, 2007.
- ◇ **R Rafter L Subdivision** – Lindsey Richards requesting approval for a 2-lot subdivision on 22.78 acres in the Agricultural (A-10) Zone located at approximately 10802 South Old Highway 165, Avon.

(Attachment 1)

ACTION: Motion by Council member Zilles to approve the Consent Agenda Items – *Vacate Rocky Mountain Estates “B” Subdivision Plat and R Rafter L Subdivision.* Yeates seconded the motion. The vote was unanimous.

ITEMS OF SPECIAL INTEREST

- **Logan High School Environmental Club** members and members of the Utah State University Sustainability Council thanked the County Council for accepting a petition brought to a previous Council meeting and urged the Council to institute the measures supported in that petition: The re-establishment of the \$2.00 fee on vehicles – the funds to be used for

programs to educate the public on air quality issues – and the institution of a mandatory emissions testing program in Cache County.

- **Hyrum State Park New Manager – Chris Haramoto** introduced himself to the Council and updated the Council on developing programs at the Park including volunteer programs, concessions, a new RV dump station and winter activities.

Haramoto also introduced Region Manager Jeff Rasmussen to the Council.

UNIT OR COMMITTEE REPORTS

- ★ **Bear River Mental Health Annual Financial Audit Report – Reed Ernstrom** reviewed the report for the Council, thanked the Council for its support and stressed the importance of the approximate \$239,000 funding received from Box Elder, Cache and Rich counties. *(Details are on file in the office of the Cache County Clerk.)*

(Attachment 2)

ACTION: Motion by Council member Yeates to accept the Bear River Mental Health Annual Financial Audit Report. Potter seconded the motion. The vote was unanimous, 7-0.

PUBLIC HEARINGS, APPEALS AND BOARD OF EQUALIZATION MATTERS

ACTION: Motion by Council member Potter to convene as a Board of Equalization. Petersen seconded the motion. The vote was unanimous, 7-0.

THE COUNCIL CONVENED AS A BOARD OF EQUALIZATION.

BOARD OF EQUALIZATION

- **Ratify Changes Made by the Board of Equalization** – Executive Lemon said that this corrects a valuation and values the two Mendon Shadow subdivisions, Phase 1 and Phase 2, at the same rate.

(Attachment 3)

ACTION: Motion by Vice Chairman Zilles to ratify the changes made by the Board of Equalization as explained by Executive Lemon. Yeates seconded the motion. The vote was unanimous, 7-0.

ACTION: Motion by Council member Potter to adjourn from the Board of Equalization. Yeates seconded the motion. The vote was unanimous, 7-0.

THE COUNCIL ADJOURNED FROM THE BOARD OF EQUALIZATION

PENDING ACTION

- **Ordinance No. 2011-18 – Truancy Ordinance** – Skyview Vice Principal Joel Allred told the Council that truancy is a concern and the truancy ordinance is a valuable tool to keep youth in school and he is appreciative of the resource officers and the Sheriff’s Department for their help and support.

(Attachment 4)

ACTION: Motion by Council member Zilles to approve Ordinance No. 2011-18 – Truancy Ordinance. Potter seconded the motion. The vote was unanimous, 7-0.

Ordinance No. 2011-18: The vote was 7-0.

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

INITIAL PROPOSAL FOR CONSIDERATION

- **Authorization of Sales Agreement for Easement Property** – Executive Lemon stated that UDOT has asked the county to sign an agreement relative to the 200 North/400 North roads interchange. It involves 48 square feet of land and about \$500.00.

ACTION: Motion by Vice Chairman Buttars authorizing Executive Lemon to sign the sales agreement for easement property as explained. Yeates seconded the motion. The vote was unanimous, 7-0.

- **Discussion: Level of Bear River – Bob Fotheringham** contacted PacificCorp and was told that because of a record increase in the level of Bear Lake, an additional 500 second feet of water is being released in a controlled manner to maintain as constant a level in the river as possible to ameliorate any problems from ice. This release is scheduled to continue through March 2012.

Council member Potter asked about the status of the canal reconstruction project and Fotheringham said the city/county/canal company agreements are close to being signed, applications for the position of Project Manager Coordinator are being reviewed and a representative from U.S. Senator Lee’s office visited and the understanding of how critical an issue this is for the county was emphasized and impressed upon him.

- **Decision on County Seat Program** – Council member Petersen said there are higher needs for the proposed \$29,000.00 in the county and could not support funding the program. There is evidence that those who should be the most interested, the Council members, are not even watching it. Council member Robison spoke in favor of supporting the County Seat Program.

ACTION: Motion by Council member Petersen to not fund the County Seat Program. Buttars seconded the motion. The motion failed, 3 aye – Buttars, Petersen & White and 4 nay – Potter, Robison, Yeates & Zilles.

ACTION: Motion by Council member Petersen to pass the funding of the County Seat Program to the RAPZ/Restaurant Tax Committee for a decision in the regular process of events. Potter seconded the motion. The motion passed, 4 aye – Potter, Robison, Yeates & Zilles and 3 nay – Buttars, Petersen & White.

PUBLIC HEARINGS, APPEALS AND BOARD OF EQUALIZATION MATTERS

PUBLIC HEARING: DECEMBER 13, 2011 – PUBLIC HEARING – 6:00 P.M.-OPEN 2011 BUDGET – Auditor Stones reviewed adjustments to the budget and recommended approval. *(See Attachment 8 to Resolution No. 2011-29-Amendments to 2011 Cache County Budget-for details.)*

Chairman White opened the Public Hearing and invited public comment. There was none.

ACTION: Motion by Council member Petersen to close the Public Hearing – December 13, 2011-6:00 p.m.-Open the 2011 Budget. Yeates seconded the motion. The vote was unanimous, 7-0.

PENDING ACTION

- Ordinance No. 2011-16 – Adoption of 2012 Salaries for Elected Officials** – Council member Potter voiced the opinion that this budget only allows for merit increases and feels elected officials are immune from merit increases. The county is facing a flat revenue year and Potter wants to focus on employee compensation and does not feel this is the year for increases for the elected officials.

Petersen, Zilles and Robison argued that elected officials should be considered for some kind of compensation as well. Potter continued to express grave concerns over proposed revenues. Zilles and Petersen stated they have confidence in Executive Lemon's proposed budget numbers. Lemon is always very conservative and, if he says the money is there, it is there.

In response to questions from Chairman White and Council member Zilles Executive Lemon said he is comfortable with the additional expenditure savings in the present proposed budget. Those savings were ongoing not one-time savings.

Council members Petersen and Zilles made several attempts to find a consensus among the Council. The consensus was that the original \$250,000.00 amount in the first budget proposed by Executive Lemon be distributed to Department Heads to allocate on a merit basis.

Council member Potter continued to express no faith in the proposed revenue figures.

Zilles challenged the Council to compare Cache County employee wages to any other county in the state. When he hears that Cache County can't hire and can't attract good employees, he feels that they as a council have failed. We haven't done our homework, we have not been wise in what was done, we put money elsewhere instead of to employees. Potter agreed, but said it all can't be fixed in one year.

(Attachment 5)

ACTION: Motion by Council member Petersen to adopt Ordinance No. 2011-16 – Adoption of 2012 Salaries for Elected Officials with a 1.8% salary increase to be equally distributed among the eight elected officials. Buttars seconded the motion. The motion passed, 5 aye – Buttars, Petersen, White, Yeates & Zilles and 2 nay – Potter & Robison.

Ordinance No. 2011-16: The vote was 5-2.

	<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	5
NAY		X		X				2
ABSTAINED								0
ABSENT								0

- Resolution No. 2011-27 – Adoption of 2012 Cache County Budget –**
Chairman White said he still feels the county hasn't offered employees much of an incentive and the county needs a step-in-grade program. Potter agreed and said some of the approximate \$300,000.00 in additional funds should be used to establish a step-in-grade program of some kind.

Zilles stated confidence in the additional funds being available. Potter still expressed strong doubts.

(Attachment 6)

ACTION: Motion by Council member Petersen to adopt Resolution No. 2011-27 – Adoption of 2012 Cache County Budget – with the provision that the final decision on the expenditure of the additional compensation funds will not be made prior to July 1, 2012, after the county has determined the revenues are there and that over a six-month period a plan is developed for allocation of the money based on a step-in-grade program and merit. Zilles seconded the motion. The motion passed, 5 aye – Buttars, Petersen, Robison, White & Zilles and 2 nay – Potter & Yeates.

Vice Chairman Buttars left the meeting.

INITIAL PROPOSAL FOR CONSIDERATION

- **Resolution No. 2011-26 – Acquisition by Settlement and/or Eminent Domain of Davenport Road** – County Attorney Swink indicated that this resolution does not authorize the county to move forward with eminent domain. Before any eminent domain action takes place, parties must negotiate. If negotiations fail, the condemnation procedure is a long process.

Chairman White said he doesn't like eminent domain to even be brought up, but believes the road is a public road.

Executive Lemon also disagrees with eminent domain, but feels strongly this is a public road. As he has visited with the County Attorney and others, the litigation on this issue will be long and costly and rather than fight it in court, Lemon recommends settling and taking the money from the reserve account.

Attorney for property owner Scott Samples, Miles Jensen said his research shows this is not a public road. Jensen asked that a resolution authorizing negotiations be passed without any reference to eminent domain.

Council member Petersen asked Jensen if he wants time to make a presentation to the Council. Jensen said he prefers to submit his findings in writing and then address the Council, if there are questions.

Attorney for other property owners in the area, George Daines indicated that his clients have been denied access to their property via the Davenport Road and are forced to go many miles out of their way. Daines also clarified that the condemnation action would only apply to those portions of the road that a judge may decide are private. Attorney Swink commented the present litigation involves about three miles of the road.

(Attachment 7)

ACTION: Motion by Council member Zilles to waive the rules and approve Resolution No. 2011-26 – Acquisition by Settlement and/or Eminent Domain of Davenport Road. Yeates seconded the motion. The motion passed, 4 aye – Potter, Robison, Yeates & Zilles and 2 abstentions, Petersen & White. Buttars absent.

- **Resolution No. 2011-28 – Authorization for Execution of Fifth Amended Interlocal Agreement – UCIP** – Executive Lemon observed that this only changes from insurance to indemnity – a name change only.

(Attachment 8)

ACTION: Motion by Council member Yeates to waive the rules and approve Resolution No. 2011-28 – Authorization for Execution of Fifth Amended Interlocal Agreement – UCIP. Potter seconded the motion. The vote was unanimous, 6-0. Buttars absent.

- **Resolution No. 2011-29 – Amendments to 2011 Cache County Budget**

(Attachment 9)

ACTION: Motion by Council member Yeates to approve Resolution No. 2011-29 – Amendments to 2011 Cache County Budget. Petersen seconded the motion. The vote was unanimous. Buttars absent.

Executive Lemon clarified that the Council had authorized \$250,000.00 for a merit increase for county employees now and the balance to be determined in July 2012. Chairman White said that is correct.

Petersen answered Director Runhaar's question about the additional approximately \$300,000.00 to be decided on in July 2012 stating that it could be up to 2% in addition to the merit increase that department heads will allocate as of January 2012 but may be less, depending on revenues.

Lemon and Petersen restated that it will be a 1.8% merit increase in January with a review July 1, 2012 for possibly more if the revenues are there

OTHER BUSINESS

- ✓ **Council Holiday Social** – Council member Yeates proposed Tuesday, January 17, 2012 at 6:00 p.m. at Elements Restaurant for the Council Holiday Social. The Council concurred.

COUNCIL MEMBER REPORTS

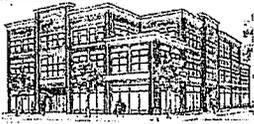
Kathy Robison asked that since the Council asked department heads to find some savings on expenditures, that the Council should try to save paper/printing costs by receiving the Council minutes electronically and have reports such as annual reports, etc. from other entities be sent electronically and the Board of Equalization packets as well. Petersen said the minutes are ok electronically, but not the other items. White likes hard copy, too.

ADJOURNMENT

The Council meeting adjourned at 8:00 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 BERTSON
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: December 6, 2011
Subject: Development Services Agenda Items

A request for the Cache County Council to place the following on the December 13, 2011 Agenda:

Consent Agenda

1. **Vacate Rocky Mountain Estates "B" Subdivision Plat** – Steve Griffin is requesting approval for the vacation of the 5-lot Rocky Mountain Estates "B" subdivision plat located on 20.27 acres of property in the Agricultural (A-10) Zone at approximately 7424 North 7050 West, Newton. This subdivision was approved by the County Council on October 23, 2007.
2. **R Rafter L Subdivision** – Lindsey Richards is requesting approval for a 2-lot subdivision on 22.78 acres of property in the Agricultural (A-10) Zone located at approximately 10802 South Old Highway 165, Avon.
 - Recommended Findings of Fact: Four (4)
 - Recommended Conditions of Approval: Five (5)
 - Planning Commission Recommendation: Approval (7, 0)

Petition to Vacate Lots 1, 2, 3, 4, & 5
and the Adjoining Road to West
of the
"Rocky Mountain Estates "B" Subdivision"

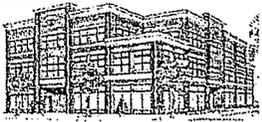
We the undersigned owners by our signature, petition the Cache County Commission to Vacate Lots 1, 2, 3, 4, & 5 and the 50 foot wide private road 7050 West on the West side of said lots of the "Rocky Mountain Estates "B" Subdivision" Cache County, Utah Survey being situated in the Northwest Quarter of Section 18, Township 13 North, Range 1 West of the Salt Lake Base and Meridian on file in the office of the Cache County Recorders office.

Steph Duff
Property Owner

12/1/11
Date

Property Owner

Date



CACHE COUNTY CORPORATION
DEVELOPMENT SERVICES DEPARTMENT

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

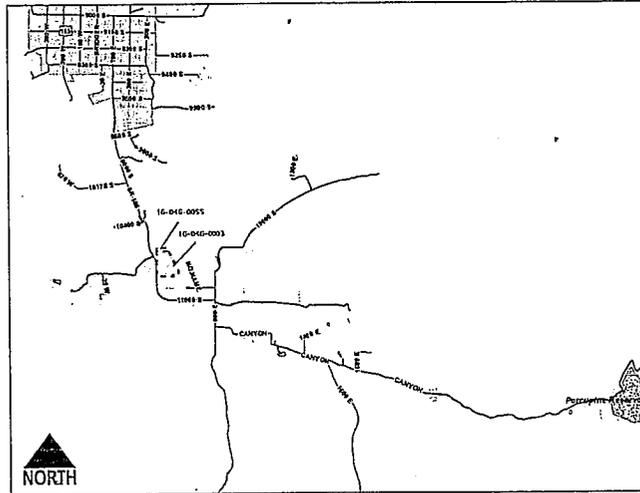
79 NORTH MAIN, SUITE 305 LOGAN, UTAH 84321 ♦ (435) 755-1640 ♦ FAX (435) 755-1987

Project Name: R Rafter L
Agent: Lindsey Richards
Request: 2-lot Subdivision
Tax ID: 16-046-0003, 16-046-0055
Current Zoning: Agricultural (A-10)
Project Address: 10802 South Old Hwy. 165
 Avon, Utah 84328

Surrounding Uses: North – Ag/Residential
 South – Ag/Residential
 East – Ag/Residential
 West – Ag/Residential

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

Reviewed by: Christopher S. Harrild, Planner II



PURPOSE

To make a recommendation regarding the preliminary and final plat for the R Rafter L Subdivision to the Cache County Council.

PROJECT SUMMARY

The proposal is to create a 2-lot subdivision located at 10802 South Old Highway 165, Avon, in the Agricultural (A-10) Zone on 22.78 acres of property. The subdivision will consist of one new building lot and one lot with an existing home.

Parcel ID# 16-046-0055 was divided from parcel ID# 16-006-0003 without approvals. The property owner is now going through the proper process to legally divide the original 22.78 acre parcel ID# 16-006-0003 into one 5 acre parcel (16-046-0055) and one 17.78 acre parcel (16-006-0003).

Access:

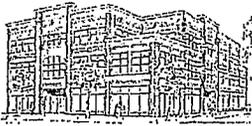
- The shared access to this property is from a county road, Old Highway 165. At this location the county road is a 26 foot wide paved surface. Any work that is done within the County right-of-way to improve the existing access shall require an encroachment permit.

Water & Septic:

- An adequate, approved, domestic water right 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 Old Highway 165 for Wednesday 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 10840 South Old Highway 165.
- The driveway shall meet all applicable requirements of the 2009 International Fire Code, minimum County standards, and any other applicable codes.



CACHE COUNTY CORPORATION
DEVELOPMENT SERVICES DEPARTMENT

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

Project Application

Date Received: 11-1-11	By: M.D.G.	Receipt #: 6135	Amount/Check #: 740 ⁰⁰ Cash
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SUBDIVISION CONDITIONAL USE PERMIT BOUNDARY LINE ADJUSTMENT REZONE SUBDIVISION AMENDMENT CODE AMENDMENT

Project Information:

Request Type: Subdivision Project Name: R Rafter L
 Project Address: 10802 S. Hwy 165 Avon UT
 Property ID Number(s): 16-046-0003 16-046-0855
 Zone: A-10 Acres: 18.92 Area: Avon

Agent Contact Information

Name: Lindsey Richards Mailing Address: PO Box 509 Paradise UT
 Phone: 435 881 2566 email: Lindsayr10@yahoo.com 84328

Owner Contact Information:

Name: Gerald + Judea Haviland Mailing Address: 10802 S. Hwy 165 Avon UT
 Phone: 435 745 3152 email: _____ 84328

1. Applications are due by 3:00 pm on the day of the application deadline.
2. Late applications will be held for the next meeting's agenda.
3. Incomplete applications will not be accepted.
4. The application fee is not refundable.

The Project Review Process:

For your convenience the following information will assist you in understanding the project review process:

- 1) The applicant should meet with staff prior to the deadline date to discuss the project and ensure that the information submitted is sufficient to completely review the project.
- 2) After the application is accepted, information packets are sent to various departments and agencies that provide comments to planning staff. These will be included within the staff report.

- The proposed subdivision is being developed in an area without adequate water supply. The water supply tenders from the Paradise Fire Department.

STAFF DETERMINATION

It is staff's determination that the R Rafter L Subdivision, a 2-lot subdivision for property located at approximately 10802 South Old Highway 165 with parcel ID#'s 16-046-0003, 16-046-0055 is in conformance with the Cache County Ordinance requirements for preliminary and final plat approval, therefore, a recommendation of approval to the County Council is advised. This determination is based on the following findings of fact:

FINDINGS OF FACT

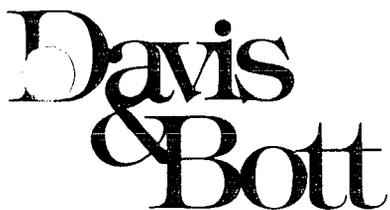
1. The R Rafter L Subdivision has been revised and amended by the conditions of project approval to address the issues and concerns raised within the public and administrative records.
2. The R Rafter L Subdivision has been revised and amended by the conditions of project approval to conform to the requirements of Titles 16 and 17 of the Cache County Code and the requirements of various departments and agencies.
3. The R Rafter L 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 R Rafter L 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 right shall be in place for all building lots within the subdivision.
3. Prior to final plat recordation, the applicant shall reaffirm the 33' portion of Cache County's 66' wide right-of-way for all county roads along the proposed subdivision boundary.
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.





Certified Public Accountants, L.C.

50 West Forest, Suite 101
P.O. Box 369
Brigham City, Utah 84302
435-723-5224

INDEPENDENT AUDITORS' REPORT

Governing Board
Bear River Mental Health Services, Inc.
Logan, Utah 84321

We have audited the accompanying statements of financial position of Bear River Mental Health Services, Inc., a not-for-profit organization, as of June 30, 2011 and 2010, and the related statements of activities, functional expenses and cash flows for the years then ended. These financial statements are the responsibility of the Center's management. Our responsibility is to express an opinion on the June 30, 2011 and 2010, financial statements based on our audits.

We conducted our audits in accordance with auditing standards generally accepted in the United States of America, and the standards applicable to financial audits contained in *Government Auditing Standards* issued by the Comptroller General of the United States. Those standards require that we plan and perform the audit to obtain reasonable assurance about whether the financial statements are free of material misstatement. An audit includes examining, on a test basis, evidence supporting the amounts and disclosures in the financial statements. An audit also includes assessing the accounting principles used and significant estimates made by management, as well as evaluating the overall financial statement presentation. We believe our audits provide a reasonable basis for our opinion.

In our opinion, the financial statements referred to above present fairly, in all material respects, the financial position of Bear River Mental Health Services, Inc. as of June 30, 2011 and 2010, and the changes in its net assets and its cash flows for the years then ended in conformity with accounting principles generally accepted in the United States of America.

INDEPENDENT AUDITORS' REPORT
(Continued)

In accordance with *Government Auditing Standards*, we have also issued our report dated October 12, 2011, on our consideration of Bear River Mental Health Services, Inc.'s internal control over financial reporting and our tests of its compliance with certain provisions of laws, regulations, contracts and grants. The purpose of that report is to describe the scope of our testing of internal control over financial reporting and compliance and the results of that testing, and not to provide an opinion on the internal control over financial reporting or on compliance. That report is an integral part of an audit performed in accordance with *Government Auditing Standards* and important for assessing the results of our audit.

Our audits were conducted for the purpose of forming an opinion on the basic financial statements taken as a whole. The accompanying detail statement of activities listed in the table of contents is presented for purposes of additional analysis and is not a required part of the basic financial statements. Such information has been subjected to the auditing procedures applied in the audit of the basic financial statements and, in our opinion, is fairly stated in all material respects in relation to the basic financial statements taken as a whole.



Davis & Bott
Certified Public Accountants, L.C.

Brigham City, Utah
October 12, 2011

Mendon Shadow Subdivision Phase I										
Parcel Number	2010 Value	2011 value size	values	less 30%	less 10% factor	taxes				
11-009-0021	59850	65000	2.56 68000/20000 ac	69440.00	\$ 62,495.00	\$	587.14			
11-009-0022	52290	65000	1.64 68000/20000 ac	56560.00	\$ 50,905.00	\$	478.24			
11-009-0023	59850	75000	1.99 68000/20000 ac	61460.00	\$ 55,315.00	\$	519.68			
11-009-0024	47250	45000	1.09 68000/20000 ac	48860.00	\$ 43,975.00	\$	413.14			
11-009-0025	47250	50000	1.11 68000/20000 ac	49140.00	\$ 44,225.00	\$	415.50			
Mendon Shadow Subdivision Phase II										
Parcel Number	2010 Value	2011 value size	values	less 30%	less 10% factor	taxes				
11-009-0031	53928	53928	1.88 68000/20000 ac	59920.00	\$ 53,928.00	\$				
11-009-0032	53928	53928	1.88 68000/20000 ac	59920.00	\$ 53,928.00	\$				
11-009-0033	53928	45738	1.23 68000/20000 ac	50820.00	\$ 45,738.00	\$				
11-009-0034	53928	45738	1.22 68000/20000 ac	50680.00	\$ 45,612.00	\$				
11-009-0035	53928	45864	1.23 68000/20000 ac	50820.00	\$ 45,738.00	\$				
Parcels in question	total value	300000			\$ 256,915.00					
	tax dollars	2,818.50			\$ 2,413.72					
		\$404.78								

Error in the BOE minutes:
 The parcels in the Mendon Shadow Subdivision Phase I were appealed and owner requested equity with the lots in Mendon Shadow Subdivision Phase II. This spread sheet shows the calculations and adjusted taxes. The minutes of the board of equalization will be corrected to reflect these changes.

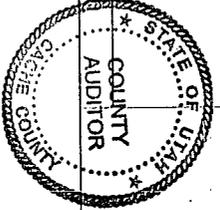
Approval: Jon White, Chairman

Jon White

Date: 12-13-11

Attest: Tamra Stones, Clerk of Board of Equalization

Tamra Stones



CACHE COUNTY, UTAH
ORDINANCE NO. 2011-18

TRUANCY FOR MINORS

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.

SECTION I. A DECLARATION OF FINDINGS AND POLICY:

WHEREAS, Cache County desires to enhance the safety of the community and of its youth; and,

WHEREAS, a significant percentage of crime committed during school hours is committed by school age youth who are truant; and,

WHEREAS, the Cache County Council finds that enhancing the safety of our community and youth requires the efforts of parents, businesses, schools, cities and the County; and,

WHEREAS, the Cache County Council finds that school administrators, law enforcement, and juvenile court probation are in favor of the Daytime Truancy Ordinance and feel that the ordinance is helpful in encouraging children to attend school; and

WHEREAS, the Cache County Council finds that a similar daytime truancy ordinance currently exists in the cities of Richmond, Smithfield, Logan, and Hyrum ; and,

WHEREAS, legitimate reasons for compulsory school age youth to be in public areas during school hours are few.

NOW, THEREFORE, The Cache County Council finds that it is in the best interest of the County of Cache and the citizens thereof to establish a truancy ordinance.

SECTION II:

9.17.010: TRUANCY OF MINORS:

A. Definitions: For the purposes of this chapter:

COMPULSORY SCHOOL AGE MINOR: A person between the ages of six (6) and eighteen (18) years of age who is not exempted, and must be attending public school or regularly established private school during the school year of the district in which the minor resides pursuant to Utah compulsory education requirements, Utah Code Annotated 53A-11-101 to 53A-

11-106.

EMERGENCY: An unforeseen combination of circumstances or the resulting state that calls for immediate action. The term includes, but is not limited to, a fire, natural disaster, an automobile accident or any situation requiring immediate action to prevent bodily injury or loss of life.

ESTABLISHMENT: Any privately owned place of business, whether nonprofit or operated for a profit to which the public is invited, including, but not limited to, any place of amusement or entertainment.

GUARDIAN: 1. A person who, under court order, is the guardian of the person of minor, or 2. A public or private agency with whom a minor has been placed by a court.

MINOR: Any person under eighteen (18) years of age.

OPEN CAMPUS: When a compulsory school age minor is allowed by school officials to leave school for lunch purposes.

OPERATOR: Any individual, firm, association, partnership, or corporation operating, managing or conducting any establishment. The term includes members or partners of any association or partnership and the officers of a corporation.

PARENT: A person who is: 1. A natural parent, adoptive parent, or step-parent of another person, or 2. At least eighteen (18) years of age and authorized by a parent or guardian to have the care and custody of a minor.

PUBLIC PLACE: Any place to which the public or a substantial group of the public has access and includes, but is not limited to, streets, highways, sidewalks, the common areas of schools, hospitals, apartment houses, office buildings, stores and shops.

SERIOUS BODILY INJURY: Bodily injury that creates a substantial risk of death or that causes death, serious permanent disfigurement or protracted loss or impairment of the functions of any bodily member or organ.

TRUANCY HOURS: Those hours in which a compulsory school age youth should be attending school in the district or jurisdiction in which the student attends school.

B. Offenses:

1. A compulsory school age minor commits an offense if he or she remains in any public place or on the premises of any establishment within the county during truancy hours.
2. A parent or guardian of a minor commits an offense if he or she knowingly permits by insufficient control or allows a compulsory school age minor to remain in any public place or on the premises of any establishment within the county during truancy hours.
3. The owner, operator, or any employee of an establishment commits an offense if he or she knowingly allows a compulsory school age minor to remain upon the premises of the establishment during truancy hours.

C. Defenses:

1. It is a defense to prosecution under subsection B of this section that a minor was:
 - a. Accompanied by the minor's parent, or guardian;
 - b. On an errand at the discretion of the minor's parent or guardian, without any detour or stop;
 - c. In a motor vehicle involved in interstate or intrastate travel with the permission of the minor's parent or guardian;
 - d. Engaged in an employment activity, or going to or returning home or to school from an employment activity, without any detour or stop; provided the employment activity does not violate the state's compulsory education requirements;
 - e. Involved in a legitimate emergency;
 - f. Following school policy regarding open campus for lunch;
 - g. Attending an official school, religious or other recreational activity supervised by adults and sponsored by the city, a civic organization or another similar entity that takes responsibility for the minor, or going to or returning home or to school without any detour or stop, from an official school, religious, or other recreational activity supervised by adults and sponsored by the city, a civic organization or another similar entity that takes responsibility for the minor; provided attendance at such activity is with the permission of the minor's parent or guardian and/or is sponsored by the school at which the minor would otherwise be required to attend during truancy hours;
 - h. Is exercising First Amendment rights protected by the United States Constitution, such as the free exercise of religion, freedom of speech, and the right to assembly; or
 - i. Married or had been married or had disabilities of minority removed in accordance with state law.
2. It is a defense to prosecution under subsection B3 of this section that the owner, operator or employee of an establishment promptly notified the sheriff's office or other local law enforcement agency, that a minor was present on the premises of the establishment during truancy hours and refused to leave.

9.17.020: ENFORCEMENT:

Before taking any enforcement action under this chapter, the law enforcement officer shall ask the apparent offender's age and reason for not being at school. The officer shall not issue a citation or make an arrest under this section unless the officer reasonably believes that an offense has occurred and that, based on any response and other circumstances, no defense is present.

9.17.030: PENALTIES:

A person who violates a provision of this chapter is guilty of a class C misdemeanor and a separate offense for each day or part of a day during which the violation is committed, continued, or permitted. Each offense, upon conviction, is punishable by a fine not to exceed five hundred dollars (\$500.00).

SECTION III:

1. Prior Ordinances, Resolutions, Policies And Actions Superseded.

This ordinance amends Chapter 9 the Cache County Code, 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.

2. Effective Date.

This ordinance takes effect fifteen (15) days after its passage. 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 13 day of December, 2011.

This ordinance was approved and adopted by the Cache County Council on the 13 day of December _____ 2011, upon the following vote:

	IN FAVOR	AGAINST	ABSTAINED	ABSENT
Craig "W" Buttars	X			
H. Craig Petersen	X			
Val Potter	X			
Kathy Robison	X			
Jon White (Chair)	X			
Cory Yeates	X			
Gordon A. Zilles	X			



CACHE COUNTY COUNCIL

Jon White
 Jon White, Chair
 Cache County Council

ATTEST:

Jill Zollinger
 Jill Zollinger
 Cache County Clerk

Publication Date: December 28, 2011

**CACHE COUNTY
ORDINANCE NO. 2011-16**

**AN ORDINANCE PROVIDING FOR CHANGES OF SALARIES FOR CACHE COUNTY
OFFICERS FOR 2012 AND SUPERSEDING PRIOR RESOLUTIONS AND ORDINANCES.**

The County Council of Cache County, Utah, in a regular meeting, lawful notice of which has been given, finds that a public hearing regarding the proposed county budget for 2012 including the change of salaries for the Cache County Officers for 2012 was conducted on November 22, 2011, in accordance with Section 17-16-14, *Utah Code Annotated*, upon lawful notice; that the *Organic Act for the Government of Cache County, Utah, as approved on November 6, 1984*, authorizes the modification of the salaries for all elected county officers by ordinance; that the budget for Cache County officers has been adopted by the Cache County Council in accordance with the applicable law; and that an ordinance providing for a salary change for the elected county officers is appropriate for carrying into effect the approved salary changes.

Now therefore, the Cache County Council **ORDAINS** as follows:

SECTION 1: OFFICER'S SALARIES

The salaries for county officers for the period January 1, 2012 through December 31, 2012 shall be as follows:

County Executive/Surveyor	\$ 87,956
County Assessor	\$ 67,880
County Attorney	\$ 99,827
County Auditor*	\$ 68,735
County Clerk	\$ 67,880
County Recorder	\$ 67,880
County Sheriff	\$ 80,509
County Treasurer*	\$ 68,735

* includes Insurance Stipend of \$ 855

SECTION 2: REPEALER

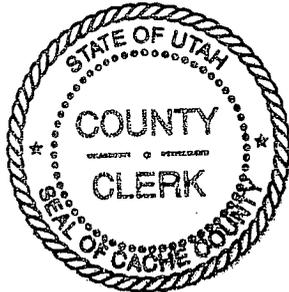
The salary provisions of all prior ordinances or resolutions, or any parts thereof, in conflict with this ordinance, are hereby repealed and superseded by this ordinance to the extent of such conflict. Otherwise such resolutions and ordinances shall remain in full force and effect.

SECTION 3: EFFECTIVE DATE

This ordinance shall take effect immediately upon approval and publication in the manner by law.

This ordinance was adopted by the Cache County Council on the 13 day of December, 2011 upon the following vote:

	IN FAVOR	AGAINST	ABSTAINED	ABSENT
BUTTARS	1			
POTTER		1		
PETERSEN	1			
ROBISON		1		
WHITE	1			
YEATES	1			
ZILLES	1			
TOTAL	5	2		



CACHE COUNTY COUNCIL

By: Jon White
Jon White
Chairman

ATTESTED BY:

Jill N. Zollinger
Jill N. Zollinger
Cache County Clerk

Publication date: December 28, 2011

CACHE COUNTY

RESOLUTION NO. 2011- 27

A RESOLUTION ADOPTING A COUNTY BUDGET FOR THE FISCAL YEAR 2012.

The County Council of Cache County, Utah, in a regular meeting, lawful notice of which had been given, finds that a public hearing was held on November 22, 2011, upon lawful notice and that it is necessary and statutorily required that a budget be adopted for Cache County for the Fiscal Year 2012.

THEREFORE, the Cache County Council hereby adopts the following resolution:

BE IT RESOLVED that the 2012 Cache County budget in the total amount of Seventy Four Million One Hundred Nine Thousand Two Hundred Ninety Seven Dollars (\$74,109,297), the original of which is on file in the Office of Cache County Auditor and a copy of which is attached to this resolution, is hereby adopted as and for the Cache County budget for the Fiscal Year 2012 beginning January 1, 2012 and ending on December 31, 2012.

This resolution was adopted by the Cache County Council on the 13th day of December, 2011.

CACHE COUNTY COUNCIL

BY: Jon White
Jon White, Chairman



ATTESTED BY:

Jill N. Zollinger
Jill N Zollinger
Cache County Clerk

Account Number	Account Title	2009 Actual	2010 Actual	2011 Year-To-Date Actual	2011 Adopted Budget	2012 Requested Budget	2012 Recommend Budget	2012 Adopted Budget
GENERAL FUND								
100-31-00000	TAXES	12,809,637	13,230,465	4,587,380	13,538,911	13,679,116	13,726,116	13,726,116
100-32-00000	LICENSES & PERMITS	26,130	25,240	27,750	28,000	28,000	26,000	26,000
100-33-00000	INTERGOVERNMENTAL REVENUE	1,098,041	1,748,549	644,292	1,109,886	2,315,787	1,131,638	1,131,638
100-34-00000	CHARGES FOR SERVICES	4,727,527	4,142,223	3,405,664	4,520,387	4,320,000	4,679,284	4,679,284
100-35-00000	FINES & FORFEITURES	131,862	122,899	122,230	120,000	120,000	130,000	130,000
100-36-00000	MISCELLANEOUS REVENUE	645,658	643,665	402,232	707,784	445,500	659,500	659,500
100-38-00000	CONTRIBUTIONS & TRANSFERS	315,051	688,035	987,983	1,125,831	465,100	1,153,900	1,153,900
100-4112-000	COUNTY COUNCIL	105,651	93,499	88,761	99,885	102,770	101,864	101,864
100-4115-000	WATER POLICY DEPARTMENT	.00	165,545	134,916	335,827	430,768	328,502	328,502
100-4125-000	SANITY HEARINGS	7,968	9,090	7,713	11,000	11,000	11,000	11,000
100-4126-000	PUBLIC DEFENDER	100,888	322,878	293,465	344,980	354,472	354,472	354,472
100-4131-000	COUNTY EXECUTIVE	207,474	204,132	187,851	213,011	215,891	217,811	217,811
100-4134-000	HUMAN RESOURCE	187,414	163,735	153,588	199,245	195,585	188,467	188,467
100-4135-000	GIS DEPT	79,471	54,704	47,754	71,456	71,456	70,650	70,650
100-4136-000	INFORMATION TECHNOLOGY SYSTE	152,245	84,850	76,240	99,813	167,106	155,831	155,831
100-4141-000	AUDITOR	169,704	164,932	223,086	278,268	267,468	174,217	174,217
100-4142-000	CLERK	155,645	147,801	130,031	153,697	20,500	154,896	154,896
100-4143-000	TREASURER	18,594	18,463	18,473	20,223	20,223	20,153	20,153
100-4144-000	RECORDER	163,368	155,260	132,487	174,337	174,337	167,551	167,551
100-4145-000	ATTORNEY	921,126	967,406	947,565	1,105,730	1,115,842	1,124,633	1,124,633
100-4147-000	SURVEYOR	145,317	171,557	152,293	169,866	175,316	174,062	174,062
100-4148-000	VOCA -VICTIM SERVICES	152,866	146,813	134,167	158,499	167,735	161,861	161,861
100-4149-000	VAWA - ATTORNEY - GRANT SERV	80,532	119,729	106,611	120,772	141,882	122,436	122,436
100-4150-000	NON-DEPARTMENTAL	325,709	293,170	270,216	289,053	310,436	304,929	304,929
100-4151-000	CENTRAL MAIL & COPY	6,168	3,265	92,782	7,590	7,590	7,590	7,590
100-4160-000	BUILDING & GROUNDS	173,009	170,343	153,597	172,592	193,949	179,401	179,401
100-4170-000	ELECTIONS	169,380	250,218	125,909	148,644	348,400	276,908	276,908
100-4191-000	ADVERT & PROMOTION	3,296	2,578	2,405	4,500	4,500	4,500	4,500
100-4193-000	ECONOMIC DEVELOPMENT	35,000	35,000	26,250	35,000	35,000	35,000	35,000
100-4210-000	SHERIFF	3,183,992	2,941,901	2,773,622	3,097,811	3,296,039	3,216,950	3,216,950
100-4211-000	PS SUPPORT SERVICES	1,807,796	1,783,151	1,747,174	1,940,844	2,049,367	2,045,437	2,045,437
100-4216-000	SPEC DETAIL SEARCH & RESCUE	51,246	43,379	48,712	97,860	63,500	63,500	63,500
100-4217-000	SPEC DETAIL MOUNTED POSSE	29,662	26,966	22,704	31,756	28,400	28,400	28,400
100-4218-000	LIQUOR LAW ENFORCEMENT	45,468	43,996	24,056	55,346	55,000	56,492	56,492
100-4220-000	FIRE DEPARTMENT	287,139	588,596	363,990	464,629	396,674	425,910	425,910
100-4230-000	COUNTY JAIL	5,974,291	5,853,378	5,608,965	6,621,028	6,548,481	6,708,754	6,708,754
100-4242-000	BEE INSPECTION	2,500	.00	.00	2,500	2,500	2,500	2,500
100-4253-000	ANIMAL CONTROL	.00	.00	.00	.00	.00	85,654	85,654
100-4255-000	EMERGENCY MANAGEMENT	458,341	602,676	177,176	252,529	232,529	225,176	225,176
100-4310-000	PUBLIC HEALTH	263,490	248,490	101,222	248,490	249,042	249,042	249,042
100-4340-000	PUBLIC WELFARE	65,600	67,140	65,000	67,500	68,000	68,000	68,000
100-4410-000	HIGHWAY	170,891	.00	11,200	40,000	.00	.00	.00
100-4450-000	WEED ERADICATION DEPARTMENT	208,394	163,749	154,499	176,795	.00	.00	.00
100-4511-000	FAIR GROUNDS	547,143	406,066	334,360	418,953	335,450	343,499	343,499
100-4560-000	COMMUNICATIONS	11,657	11,037	27,542	37,000	24,100	24,100	24,100
100-4580-000	LIBRARIES/BOOKMOBILE	81,553	81,553	40,777	83,862	83,862	83,862	83,862
100-4581-000	LIBRARY	.00	47,651	45,226	55,658	55,835	54,176	54,176
100-4610-000	USU AG EXTENSION SERVICE	178,968	142,857	114,298	142,451	153,600	150,718	150,718
100-4620-000	COUNTY FAIR	70,797	77,624	103,942	113,994	86,050	115,650	115,650
100-4621-000	RODEO	81,362	87,941	93,793	98,119	102,786	103,410	103,410
100-4623-000	DEMOLITION DERBY	45,124	47,549	24,740	58,000	51,000	47,000	47,000
100-4625-000	STATE FAIR	830	458	1,006	1,000	1,000	1,000	1,000
100-4630-000	AGRICULTURAL PROMOTION	51,036	50,611	22,762	68,400	58,400	58,400	58,400
100-4800-000	CONTRIBUTIONS	2,649,764	2,507,155	2,410,962	2,553,551	2,319,321	2,319,321	2,319,321

Account Number	Account Title	2009 Actual	2010 Actual	2011 Year-To-Date Actual	2011 Adopted Budget	2012 Requested Budget	2012 Recommend Budget	2012 Adopted Budget
100-4810-000	TRANSFERS	.00	.00	11,788	11,788	.00	.00	.00
100-4960-000	MISCELLANEOUS	195,698	90,437	66,252	196,947	138,000	692,753	692,753
GENERAL FUND Revenue Total:		19,753,907	20,601,075	10,177,530	21,150,799	21,373,503	21,506,438	21,506,438
GENERAL FUND Expenditure Total:		20,033,570	19,659,328	17,901,926	21,150,799	20,931,162	21,506,438	21,506,438
Net Total GENERAL FUND:		279,663-	941,748	7,724,396-	.00	442,341	.00	.00

ASSESSING & COLLECTING FUND

150-31-00000	TAXES	2,863,453	2,926,953	474,392	2,782,572	2,778,975	2,778,975	2,778,975
150-34-00000	CHARGES FOR SERVICES	426,296	378,760	287,519	375,000	375,000	367,000	367,000
150-36-00000	MISCELLANEOUS REVENUE	317	122	16	.00	.00	.00	.00
150-38-00000	CONTRIBUTIONS & TRANSFERS	1,200	1,750	3,500	200,636	3,500	3,500	3,500
150-4112-000	COUNTY COUNCIL	11,231	10,389	9,862	11,099	11,419	11,318	11,318
150-4131-000	COUNTY EXECUTIVE	36,613	36,023	33,150	37,590	38,098	38,437	38,437
150-4134-000	PERSONNEL/HUMAN RESOURCE	19,882	28,894	27,104	34,223	34,515	33,259	33,259
150-4135-000	GIS DEPT	185,431	127,644	111,297	166,732	166,732	164,851	164,851
150-4136-000	INFORMATION TECHNOLOGY SYSTE	456,736	480,819	420,953	565,610	501,317	467,494	467,494
150-4141-000	AUDITOR	144,563	140,498	190,036	227,844	227,844	148,408	148,408
150-4143-000	TREASURER	213,836	212,321	206,491	232,566	232,566	231,764	231,764
150-4144-000	RECORDER	108,912	103,507	87,781	116,225	116,225	111,701	111,701
150-4145-000	ATTORNEY	86,401	95,678	93,421	106,934	110,358	111,227	111,227
150-4146-000	ASSESSOR	1,222,392	1,129,949	1,080,839	1,578,708	1,453,550	1,470,585	1,470,585
150-4150-000	NON-DEPARTMENTAL	25,321	28,059	25,439	27,277	29,908	29,297	29,297
150-4151-000	CENTRAL MAIL & COPY	2,771	1,467	88,018-	3,410	3,410	3,410	3,410
150-4160-000	BUILDING & GROUNDS	77,729	76,531	68,741	77,542	87,137	80,600	80,600
150-4191-000	ADVERT & PROMOTION	4,029	3,151	2,940	5,500	5,500	5,500	5,500
150-4800-000	CONTRIBUTIONS	62,705	67,279	166,955	166,948	74,603	241,624	241,624
ASSESSING & COLLECTING FUND Revenue Total:		3,291,266	3,307,585	765,427	3,358,208	3,157,475	3,149,475	3,149,475
ASSESSING & COLLECTING FUND Expenditure Total:		2,658,553	2,542,208	2,436,992	3,358,208	3,093,182	3,149,475	3,149,475
Net Total ASSESSING & COLLECTING FUND:		632,714	765,377	1,671,566-	.00	64,293	.00	.00

MUNICIPAL SERVICES FUND

200-31-00000	TAXES	587,484	874,284	554,504	815,000	873,300	775,300	775,300
200-32-00000	LICENSES & PERMITS	235,478	244,177	203,760	248,500	163,800	208,800	208,800
200-33-00000	INTERGOVERNMENTAL REVENUE	4,680,924	1,951,839	1,392,910	2,022,435	1,986,600	2,001,600	2,001,600
200-34-00000	CHARGES FOR SERVICES	1,111,680	675,845	504,082	728,210	554,850	669,005	669,005
200-36-00000	MISCELLANEOUS REVENUE	50,053	22,916	1,120	41,100	26,100	26,100	26,100
200-38-00000	CONTRIBUTIONS & TRANSFERS	9,347	10,548	234,615	1,303,198	17,500	1,177,148	1,177,148
200-4180-000	ZONING DEPARTMENT	170,549	194,019	197,488	232,151	221,276	223,200	223,200
200-4210-000	SHERIFF	336,097	326,878	305,512	340,542	366,227	357,439	357,439
200-4220-000	FIRE DEPARTMENT	149,463	144,881	143,159	146,160	149,379	148,522	148,522
200-4241-000	BUILDING INSPECTION	347,921	335,724	318,655	351,884	361,484	368,958	368,958
200-4253-000	ANIMAL CONTROL	29,603	31,091	28,857	33,103	33,323	33,159	33,159
200-4415-000	ROADS-CLASS B	5,061,224	2,293,904	2,188,937	3,142,814	3,060,222	2,654,875	2,654,875
200-4423-000	SANITATION/WASTE COLLECTION	35,787	36,420	.00	36,000	36,000	36,000	36,000

Account Number	Account Title	2009 Actual	2010 Actual	2011 Year-To-Date Actual	2011 Adopted Budget	2012 Requested Budget	2012 Recommend Budget	2012 Adopted Budget
200-4450-000	WEED ERADICATION DEPARTMENT	.00	.00	.00	.00	193,195	169,725	169,725
200-4560-000	RECREATION	.00	1,383	.00	12,021	12,000	12,000	12,000
200-4581-000	LIBRARY	540	660	500	1,000	1,000	.00	.00
200-4780-000	PARKS & TRAILS	.00	.00	4,799	385,243	380,444	374,456	374,456
200-4800-000	CONTRIBUTIONS	204,281	416,957	450,000	460,025	450,000	462,119	462,119
200-4960-000	MISCELLANEOUS	17,500	17,003	15,000	17,500	17,500	17,500	17,500
MUNICIPAL SERVICES FUND Revenue Total:		6,674,967	3,779,608	2,890,991	5,158,443	3,622,150	4,857,953	4,857,953
MUNICIPAL SERVICES FUND Expenditure Total:		6,352,966	3,798,921	3,652,907	5,158,443	5,282,050	4,857,953	4,857,953
Net Total MUNICIPAL SERVICES FUND:		322,001	19,312-	761,916-	.00	1,659,900-	.00	.00
MUNICIPAL BUILDING AUTHORITY								
201-33-00000	INTERGOVERNMENTAL REVENUE	.00	.00	.00	75,000	75,000	75,000	75,000
201-4810-000	TRANSFERS	.00	.00	.00	75,000	75,000	75,000	75,000
MUNICIPAL BUILDING AUTHORITY Revenue Total:		.00	.00	.00	75,000	75,000	75,000	75,000
MUNICIPAL BUILDING AUTHORITY Expenditure Total:		.00	.00	.00	75,000	75,000	75,000	75,000
Net Total MUNICIPAL BUILDING AUTHORITY:		.00	.00	.00	.00	.00	.00	.00
HEALTH FUND								
210-31-00000	TAXES	774,807	795,712	140,496	814,172	823,463	825,845	825,845
210-34-00000	CHARGES FOR SERVICE	92,649	62	.00	.00	.00	.00	.00
210-38-00000	CONTRIBUTIONS	.00	.00	.00	28,000	28,000	28,000	28,000
210-4310-000	PUBLIC HEALTH	801,388	780,056	760,450	760,450	760,450	760,450	760,450
210-4800-000	CONTRIBUTIONS	.00	.00	.00	81,722	76,722	93,395	93,395
HEALTH FUND Revenue Total:		867,456	795,774	140,496	842,172	851,463	853,845	853,845
HEALTH FUND Expenditure Total:		801,388	780,056	760,450	842,172	837,172	853,845	853,845
Net Total HEALTH FUND:		66,068	15,718	619,954-	.00	14,291	.00	.00
TRAVEL COUNCIL								
230-31-00000	TAXES	315,675	340,784	297,540	336,000	336,000	370,000	370,000
230-33-00000	INTERGOVERNMENTAL REVENUE	28,423	60,511	45,907	81,336	70,062	70,062	70,062
230-34-00000	CHARGES FOR SERVICES	36,466	40,441	22,722	30,000	30,000	30,000	30,000
230-36-00000	MISCELLANEOUS REVENUE	2,000	245	2,109	2,100	250	250	250
230-38-00000	CONTRIBUTIONS	80,414	81,300	79,125	112,845	4,775	4,775	4,775
230-4780-000	TRAVEL COUNCIL	441,950	401,834	433,678	562,281	441,087	475,087	475,087
TRAVEL COUNCIL Revenue Total:		462,978	523,281	447,403	562,281	441,087	475,087	475,087
TRAVEL COUNCIL Expenditure Total:		441,950	401,834	433,678	562,281	441,087	475,087	475,087

Account Number	Account Title	2009 Actual	2010 Actual	2011 Year-To-Date Actual	2011 Adopted Budget	2012 Requested Budget	2012 Recommend Budget	2012 Adopted Budget
Net Total TRAVEL COUNCIL:		21,028	121,448	13,725	.00	.00	.00	.00
COUNCIL ON AGING								
240-33-00000	INTERGOVERNMENTAL REVENUE	325,948	310,572	182,799	362,163	368,672	320,230	320,230
240-34-00000	CHARGES FOR SERVICES	6,629	7,395	6,524	7,000	7,000	9,200	9,200
240-36-00000	MISCELLANEOUS REVENUE	4,478	3,938	847	1,800	1,800	100	100
240-38-00000	CONTRIBUTIONS & TRANSFERS	354,750	328,636	415,731	445,670	428,624	423,540	423,540
240-4800-000	CONTRIBUTIONS	.00	.00	.00	11,000	.00	.00	.00
240-4960-000	MISCELLANEOUS	.00	.00	2,438	.00	.00	.00	.00
240-4970-000	NUTRITION-MANDATED	401,653	380,534	314,519	410,345	405,922	390,080	390,080
240-4971-000	SR CITIZENS CENTER-NON-MANDAT	102,132	98,155	91,071	196,956	196,956	198,022	198,022
240-4973-000	RETIRED SERV VOLUNTEER PROGRA	48,965	45,996	40,550	61,668	61,668	57,250	57,250
240-4974-000	ACCESS - MANDATED	92,134	78,352	75,461	90,410	89,787	107,718	107,718
240-4977-000	COUNTY ADMINISTRATIVE SUPPOR	57,832	44,763	41,124	46,254	.00	.00	.00
COUNCIL ON AGING Revenue Total:		691,805	650,542	605,901	816,633	806,096	753,070	753,070
COUNCIL ON AGING Expenditure Total:		702,716	647,801	565,163	816,633	754,333	753,070	753,070
Net Total COUNCIL ON AGING:		10,911-	2,741	40,738	.00	51,763	.00	.00
MENTAL HEALTH/DRUG-ALCOHOL FND								
250-33-00000	INTERGOVERNMENTAL REVENUE	2,108,861	2,413,303	1,655,045	2,405,000	2,505,000	2,905,000	2,905,000
250-38-00000	CONTRIBUTIONS	92,967	85,155	58,066	95,000	95,000	95,000	95,000
250-4310-000	PUBLIC HEALTH	2,201,828	2,498,458	878,561	2,500,000	2,600,000	3,000,000	3,000,000
MENTAL HEALTH/DRUG-ALCOHOL FND Revenue Total:		2,201,828	2,498,458	1,713,110	2,500,000	2,600,000	3,000,000	3,000,000
MENTAL HEALTH/DRUG-ALCOHOL FND Expenditure Total:		2,201,828	2,498,458	878,561	2,500,000	2,600,000	3,000,000	3,000,000
Net Total MENTAL HEALTH/DRUG-ALCOHOL FND:		.00	.00	834,549	.00	.00	.00	.00
RESTAURANT TAX FUND								
260-31-00000	TAXES	943,579	978,994	788,134	943,522	950,000	1,118,000	1,118,000
260-36-00000	MISCELLANEOUS REVENUE	651	.00	.00	.00	.00	.00	.00
260-38-00000	CONTRIBUTIONS	.00	.00	.00	770,886	.00	.00	.00
260-4780-000	RESTAURANT TAX	727,151	1,146,334	954,132	1,520,722	950,000	1,118,000	1,118,000
260-4810-000	TRANSFERS	148,500	147,256	183,686	193,686	.00	.00	.00
RESTAURANT TAX FUND Revenue Total:		944,230	978,994	788,134	1,714,408	950,000	1,118,000	1,118,000
RESTAURANT TAX FUND Expenditure Total:		875,651	1,293,590	1,137,818	1,714,408	950,000	1,118,000	1,118,000
Net Total RESTAURANT TAX FUND:		68,579	314,596-	349,683-	.00	.00	.00	.00

Account Number	Account Title	2009 Actual	2010 Actual	2011 Year-To-Date Actual	2011 Adopted Budget	2012 Requested Budget	2012 Recommend Budget	2012 Adopted Budget
CACHE PLANNING & DEVELOPMENT								
270-33-00000	INTERGOVERNMENTAL REVENUE	58,259	.00	.00	.00	.00	.00	.00
270-34-00000	CHARGES FOR SERVICES	45,324	46,385	42,229	45,838	42,073	42,073	42,073
270-36-00000	MISCELLANEOUS REVENUE	46	.00	74	.00	.00	.00	.00
270-38-00000	CONTRIBUTIONS & TRANSFERS	63,000	98,440	41,742	173,209	42,073	43,476	43,476
270-4181-000	CACHE MUNICIPAL PLANNING	211,474	99,502	80,465	89,068	89,068	85,549	85,549
270-4810-000	TRANSFERS OUT	.00	.00	153,530	129,979	.00	.00	.00
CACHE PLANNING & DEVELOPMENT Revenue Total:		166,629	144,825	84,045	219,047	84,146	85,549	85,549
CACHE PLANNING & DEVELOPMENT Expenditure Total:		211,474	99,502	233,995	219,047	89,068	85,549	85,549
Net Total CACHE PLANNING & DEVELOPMENT:		44,845-	45,323	149,950-	.00	4,922-	.00	.00
CHILDREN'S JUSTICE CENTER								
290-33-00000	INTERGOVERNMENTAL REVENUE	142,001	142,017	72,056	172,538	166,548	166,548	166,548
290-38-00000	CONTRIBUTIONS & TRANSFERS	.00	1,594	.00	.00	.00	.00	.00
290-4149-000	CHILDREN'S JUSTICE CENTER	145,523	140,413	127,529	172,538	166,548	166,548	166,548
CHILDREN'S JUSTICE CENTER Revenue Total:		142,001	143,611	72,056	172,538	166,548	166,548	166,548
CHILDREN'S JUSTICE CENTER Expenditure Total:		145,523	140,413	127,529	172,538	166,548	166,548	166,548
Net Total CHILDREN'S JUSTICE CENTER:		3,522-	3,198	55,473-	.00	.00	.00	.00
DEBT SERVICE FUND								
310-36-00000	MISCELLANEOUS REVENUE	233	1	.00	.00	.00	.00	.00
310-38-00000	CONTRIBUTIONS & TRANSFERS	1,481,666	1,480,426	1,481,618	1,488,768	1,337,248	1,337,248	1,337,248
310-4723-000	BOND SERIES 2002, 2003, 2007	1,338,120	1,333,880	266,186	1,332,223	1,337,248	1,337,248	1,337,248
310-4724-000	FIRE ENGINE PURCHASES	156,545	156,547	156,543	156,545	.00	.00	.00
DEBT SERVICE FUND Revenue Total:		1,481,899	1,480,427	1,481,618	1,488,768	1,337,248	1,337,248	1,337,248
DEBT SERVICE FUND Expenditure Total:		1,494,665	1,490,427	422,729	1,488,768	1,337,248	1,337,248	1,337,248
Net Total DEBT SERVICE FUND:		12,766-	10,000-	1,058,889	.00	.00	.00	.00
CAPITAL PROJECTS FUND -FY								
390-33-00000	INTERGOVERNMENTAL REVENUE	.00	203,603	45,297	45,297	.00	.00	.00
390-38-00000	CONTRIBUTIONS	.00	33,267	.00	696,594	.00	.00	.00
390-4810-000	TRANSFERS	.00	.00	15,000	15,000	.00	.00	.00
390-4960-000	MISCELLANEOUS CAPITAL EQUIP	.00	.00	2,263	186,235	.00	.00	.00
390-4985-000	SHERIFF COMPLEX EECBG	.00	182,767	31,245	85,556	.00	.00	.00
390-4990-000	CONTRIBUTIONS & TRANSFERS	.00	.00	455,100	455,100	.00	.00	.00
CAPITAL PROJECTS FUND -FY Revenue Total:		.00	236,870	45,297	741,891	.00	.00	.00

Account Number	Account Title	2009 Actual	2010 Actual	2011 Year-To-Date Actual	2011 Adopted Budget	2012 Requested Budget	2012 Recommend Budget	2012 Adopted Budget
CAPITAL PROJECTS FUND -FY Expenditure Total:		.00	182,767	503,608	741,891	.00	.00	.00
Net Total CAPITAL PROJECTS FUND -FY:		.00	54,103	458,311-	.00	.00	.00	.00
CAPITAL PROJECTS FUND-PROJ LEN								
400-33-00000	INTERGOVERNMENTAL REVENUE	.00	.00	.00	.00	27,655,300	27,655,300	27,655,300
400-38-00000	CONTRIBUTIONS & TRANSFERS	.00	.00	.00	.00	129,000	129,000	129,000
400-4115-000	NRCS -CANAL PROJ TECH ASSIST	.00	.00	.00	.00	1,200,000	1,200,000	1,200,000
400-4116-000	NRCS -CANAL PROJ FIN ASSIST	.00	.00	.00	.00	26,584,300	26,584,300	26,584,300
400-4810-000	TRANSFERS	306,020	33,267	.00	.00	.00	.00	.00
CAPITAL PROJECTS FUND-PROJ LEN Revenue Total:		.00	.00	.00	.00	27,784,300	27,784,300	27,784,300
CAPITAL PROJECTS FUND-PROJ LEN Expenditure Total:		306,020	33,267	.00	.00	27,784,300	27,784,300	27,784,300
Net Total CAPITAL PROJECTS FUND-PROJ LEN:		306,020-	33,267-	.00	.00	.00	.00	.00
CAPITAL PROJ- PARKING CO BLOCK								
410-38-00000	CONTRIBUTIONS & TRANSFERS	306,020	.00	.00	.00	.00	.00	.00
410-4983-000	EAST PARKING /LANDSCAPE	4,902	1,900	.00	.00	.00	.00	.00
CAPITAL PROJ- PARKING CO BLOCK Revenue Total:		306,020	.00	.00	.00	.00	.00	.00
CAPITAL PROJ- PARKING CO BLOCK Expenditure Total:		4,902	1,900	.00	.00	.00	.00	.00
Net Total CAPITAL PROJ- PARKING CO BLOCK:		301,118	1,900-	.00	.00	.00	.00	.00
CAPITAL PROJECTS - ROADS								
460-31-00000	TAXES	2,715,935	2,799,012	2,093,933	2,949,068	2,900,000	2,943,000	2,943,000
460-38-00000	CONTRIBUTIONS & TRANSFERS	.00	.00	.00	2,144,183	.00	.00	.00
460-4420-000	PROJECT NAME - ROAD TAX	827,154	1,954,095	888,094	5,093,251	2,900,000	2,943,000	2,943,000
CAPITAL PROJECTS - ROADS Revenue Total:		2,715,935	2,799,012	2,093,933	5,093,251	2,900,000	2,943,000	2,943,000
CAPITAL PROJECTS - ROADS Expenditure Total:		827,154	1,954,095	888,094	5,093,251	2,900,000	2,943,000	2,943,000
Net Total CAPITAL PROJECTS - ROADS:		1,888,781	844,917	1,205,840	.00	.00	.00	.00
RAPZ TAX FUND								
620-31-00000	TAXES	1,095,347	1,123,006	840,368	1,149,163	1,175,000	1,133,000	1,133,000
620-36-00000	MISCELLANEOUS REVENUE	399	.00	.00	.00	.00	.00	.00
620-38-00000	CONTRIBUTIONS & TRANSFERS	.00	.00	.00	583,995	.00	.00	.00
620-4780-000	RAPZ TAX	1,317,290	755,138	902,064	1,620,539	1,158,000	1,116,005	1,116,005
620-4800-000	CONTRIBUTIONS	.00	.00	.00	23,557	.00	.00	.00

Account Number	Account Title	2009 Actual	2010 Actual	2011 Year-To-Date Actual	2011 Adopted Budget	2012 Requested Budget	2012 Recommend Budget	2012 Adopted Budget
620-4810-000	TRANSFERS	28,217	68,823	89,062	89,062	17,000	16,995	16,995
	RAPZ TAX FUND Revenue Total:	1,095,747	1,123,006	840,368	1,733,158	1,175,000	1,133,000	1,133,000
	RAPZ TAX FUND Expenditure Total:	1,345,507	823,961	991,126	1,733,158	1,175,000	1,133,000	1,133,000
	Net Total RAPZ TAX FUND:	249,761-	299,045	150,759-	.00	.00	.00	.00
COUNTY AMBULANCE SYSTEM								
740-33-00000	INTERGOVERNMENTAL REVENUES	.00	15,954	1,305	1,305	.00	.00	.00
740-36-00000	MISCELLANEOUS REVENUE	150	.00	.00	.00	.00	.00	.00
740-38-00000	CONTRIBUTIONS & TRANSFERS	535,500	546,500	418,125	557,210	569,000	569,000	569,000
740-4262-000	COUNTY AMBULANCE SYSTEM	520,522	540,083	396,904	558,515	569,000	569,000	569,000
	COUNTY AMBULANCE SYSTEM Revenue Total:	535,650	562,454	419,430	558,515	569,000	569,000	569,000
	COUNTY AMBULANCE SYSTEM Expenditure Total:	520,522	540,083	396,904	558,515	569,000	569,000	569,000
	Net Total COUNTY AMBULANCE SYSTEM:	15,128	22,371	22,526	.00	.00	.00	.00
LOGAN CACHE AIRPORT FUND -SLE								
770-33-00000	INTERGOVERNMENTAL REVENUE	646,484	379,343	131,608	522,000	1,242,000	1,165,000	1,165,000
770-36-00000	MISCELLANEOUS REVENUE	101,847	33,874	66,689	68,218	35,000	35,000	35,000
770-37-00000	AIRPORT REVENUE	7,601	51,262	35,542	51,000	51,000	51,000	51,000
770-38-00000	CONTRIBUTIONS	67,354	67,354	70,000	177,097	159,579	138,284	138,284
770-4460-000	AIRPORT	1,281,944	663,761	299,842	809,353	1,487,579	1,389,284	1,389,284
	LOGAN CACHE AIRPORT FUND -SLE Revenue Total:	823,286	531,834	303,839	818,315	1,487,579	1,389,284	1,389,284
	LOGAN CACHE AIRPORT FUND -SLE Expenditure Total:	1,281,944	663,761	299,842	809,353	1,487,579	1,389,284	1,389,284
	Net Total LOGAN CACHE AIRPORT FUND -SLE:	458,658-	131,927-	3,996	8,962	.00	.00	.00
	Net Grand Totals:	1,949,271	2,604,986	8,761,744-	8,962	1,092,134-	.00	.00

CCEMS AUTHORITY
2012 BUDGET REQUEST FORM

	2009 ACTUAL	2010 ACTUAL	2011 JAN - AUG	2011 BUDGET	2012 REQUEST
REVENUES					
CHARGES FOR SERVICES					
AMBULANCE FEES CHARGED	4,008,070.28	4,529,328.79	3,325,483.29	4,508,500.00	5,000,000.00
STANDBY FEES	-	-	-	12,000.00	-
BAD DEBT COLLECTIONS	13,700.71	35,376.86	21,697.86	30,000.00	30,000.00
PAYMENT ADJUSTMENTS	(1,426,548.80)	(1,715,338.54)	(1,187,120.62)	(1,780,000.00)	(2,000,000.00)
BAD DEBT WRITE-OFF	(573,696.87)	(605,112.92)	(404,796.01)	(597,500.00)	(600,000.00)
BAD DEBT ESTIMATE	38,000.00	5,000.00	(51,000.00)	-	-
TOTAL CHARGES FOR SERVICES	2,059,525.32	2,249,254.19	1,704,264.52	2,173,000.00	2,430,000.00
MISCELLANEOUS REVENUE					
INTEREST - BANK EARNINGS	8,192.75	5,700.18	3,079.22	4,000.00	4,000.00
MISCELLANEOUS REVENUE	-	5,692.73	27,550.00	27,550.00	3,500.00
TOTAL MISCELLANEOUS REVENUE	8,192.75	11,392.91	30,629.22	31,550.00	7,500.00
GRANTS AND CONTRIBUTIONS					
CONTRIBUTION FROM CACHE COUNTY	475,000.00	475,000.00	316,666.00	475,000.00	475,000.00
LEASE PROCEEDS	695,700.00	-	-	-	-
TOTAL GRANTS AND CONTRIBUTIONS	1,170,700.00	475,000.00	316,666.00	475,000.00	475,000.00
TOTAL REVENUE	3,238,418.07	2,735,647.10	2,051,559.74	2,679,550.00	2,912,500.00
EXPENDITURES					
ADMINISTRATION & GEN EXPENSE	1,800.00	604.52	2,714.95	4,500.00	4,500.00
PROFESSIONAL & TECHNICAL	33,000.00	33,100.00	25,700.00	35,000.00	55,000.00
SOFTWARE LICENSES	-	-	46,050.00	46,050.00	20,000.00
INSURANCE & SURETY BONDS	30,608.30	26,972.92	31,268.59	35,000.00	35,000.00
BILLING & COLLECTION COSTS	131,912.95	137,132.73	95,486.99	133,000.00	145,000.00
BAD DEBT COLLECTION COSTS	6,590.84	17,949.90	12,931.86	20,000.00	20,000.00
MISCELLANEOUS EXPENSE	3,715.88	-	-	5,000.00	5,000.00
CAPITAL EQUIPMENT	6,800.00	573,780.00	32,379.51	33,000.00	-
CAPITAL LEASE - PRINCIPAL	-	89,022.61	-	92,272.00	95,640.00
CAPITAL LEASE - INTEREST	-	25,393.05	-	22,144.00	18,776.00
CAPITAL LEASE - FEES	-	-	-	-	-
CONTRACT WITH CACHE COUNTY	535,500.00	546,500.00	371,666.00	557,500.00	569,000.00
CONTRACT WITH LOGAN CITY	1,547,500.00	1,578,500.00	1,073,400.00	1,610,100.00	1,643,000.00
STANDBY FEES	-	11,300.00	-	12,000.00	15,000.00
CONTRIB TO OPERATING RESERVE	-	-	-	-	-
CONTRIB TO CAPITAL RESERVE	-	-	-	73,984.00	286,584.00
TOTAL EXPENDITURES	2,297,427.97	3,040,255.73	1,691,597.90	2,679,550.00	2,912,500.00
NET CHANGE IN FUND BALANCE	940,990.10	(304,608.63)	359,961.84	-	-

**CACHE COUNTY
RESOLUTION NO. 2011-26**

**ACQUISITION BY SETTLEMENT AND/OR EMINENT DOMAIN
DAVENPORT ROAD**

A RESOLUTION AUTHORIZING THE OFFER TO PURCHASE A ROAD RIGHT OF WAY TO SETTLE A CIVIL LAWSUIT AND TO ACQUIRE A ROAD EASEMENT COMMONLY KNOWN AS THE "DAVENPORT ROAD" OR IN THE ALTERNATIVE TO ACQUIRE THE ROAD BY EMINENT DOMAIN IF THE OFFER TO SETTLE IS REJECTED.

Whereas, the Cache County Council – after considering all of the facts and circumstances surrounding what is commonly referred to as the "Davenport Road" (identified in Exhibit A in black and as "Davenport Road," and hereinafter referred to as "Road") has concluded that the Road is a public right of way based upon: (1) the fact that in 1866, the Cache County Court, in existence at that time, authorized the construction of the Road in either its present location or a location near the Road's present location; (2) the Road appears on an official map accepted by the Surveyor General of the United States of America in the general area of the current location of the Road; and (3) the United States Supreme Court has recognized that all notes, including notes indicating the location of a public road, shown on an official map accepted by the Surveyor General of the United States of America become a part of every deed conveying land from the United States of America to a private entity; and

Whereas, a lawsuit has been filed in the First Judicial District Court (hereinafter sometimes referred to as "Lawsuit") contesting the County Council's finding that the Road is a public right of way; and

Whereas, the citizens of Cache County are presently deprived, in large measure, from use of approximately 17.5 miles of county roads, approximately 7,736 acres of state land, and approximately 27,778 acres of public land that can best be accessed by the Road by the citizens of Cache County and by private property owners who presently have limited access to the thousands of acres of private land heretofore described; and

Whereas, the deprivation of the use of the Road for a prolonged period of litigation would be expensive and contrary to the best interests of the Citizens of Cache County; and

Whereas, the County Council has determined that the Road, as shown in Exhibit

A, in its present location, will be most compatible with the greatest public good and the least private injury as provided by Title 27, Chapter 12, Section 96, UCA 1953, and

Whereas, the County Council desires to authorize the Cache County Attorney to enter into negotiations to timely settle the Lawsuit in order to provide access across the Road as quickly as possible to the citizens of Cache County; and

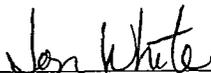
Whereas, the County Council agrees that if these negotiations fail, that this matter should be set before the Cache County Council, with proper notice given, so that the County Council can have an opportunity to vote to authorize the acquisition of the Road through eminent domain to acquire access across the Road;

NOW THEREFORE, be it resolved as follows:

1. The Cache County Attorney is authorized to offer up to \$100,000 to parties who have an interest in any property traversed by the Road in order to settle the Litigation in this matter;
2. If the Cache County Attorney cannot settle this dispute, the Cache County Attorney be authorized to proceed in this matter with an action to acquire the Road and a right-of-way thereto, through eminent domain, in accordance with applicable law;
3. The Cache County Treasurer is authorized, upon the request of the Cache County Executive and the Cache County Attorney, to disburse funds necessary to obtain the Road as shown in Exhibit A if the County Attorney is successful in negotiating a resolution to the Lawsuit pursuant to paragraph 1 of this Resolution.

DATED THIS 13th DAY OF DECEMBER, 2011

CACHE COUNTY COUNCIL



By: Jon White, Chair

ATTEST

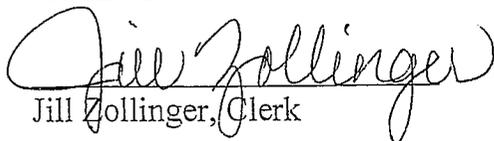
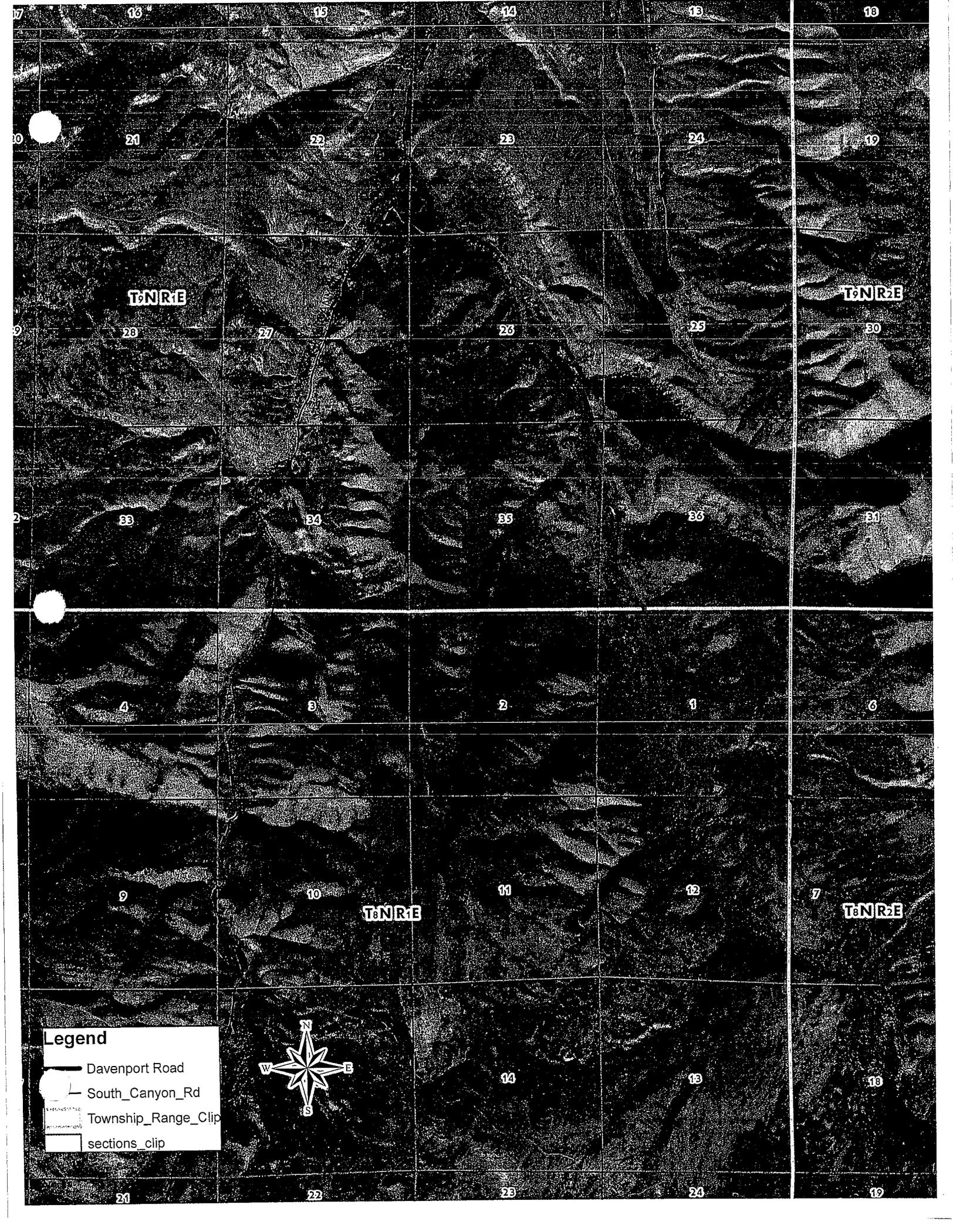

Jill Zollinger, Clerk

EXHIBIT A



17 16 15 14 13 12

20 21 22 23 24 25

26 27 28 29 30

31 32 33 34 35 36

1 2 3 4 5 6

7 8 9 10 11 12

13 14 15 16 17 18

19 20 21 22 23 24

25 26 27 28 29 30

31 32 33 34 35 36

T6N R2E T6N R2E T6N R2E

T6N R2E T6N R2E

Legend

- Davenport Road
- South_Canyon_Rd
- Township_Range_Clip
- sections_clip



Surveyor General's Office
SAN CARLOS
SALUBRE Meridian

September 23, 1878
Surveyor General's Office
SAN CARLOS
SALUBRE Meridian

February 23, 1878
Surveyor General's Office
SAN CARLOS
SALUBRE Meridian





**CACHE COUNTY
RESOLUTION NO. 2011 - 28**

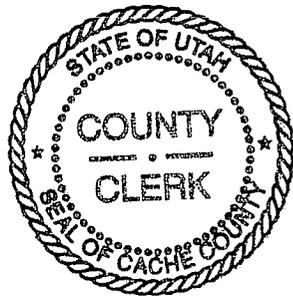
A RESOLUTION APPROVING AND AUTHORIZING THE EXECUTION OF A FIFTH AMENDED INTERLOCAL COOPERATION AGREEMENT WITH OTHER MEMBERS OF UTAH COUNTIES INDEMNITY POOL, RELATING TO THE ESTABLISHMENT, FUNDING, AND OPERATION OF UTAH COUNTIES INDEMNITY POOL

WHEREAS, pursuant to the provisions of the Interlocal Cooperation Act, Title 11, Chapter 13, Utah Code Annotated, 1953 as amended, public agencies, including political subdivisions of the State of Utah as therein defined, are authorized to enter into mutually advantageous agreements to provide services and facilities; and

WHEREAS, the County Council of Cache County, Utah, has determined that the interests and welfare of the public within Cache County's jurisdiction will best be served by a Fifth Amended Interlocal Cooperation Agreement with other members of Utah Counties Indemnity Pool relating to the establishment, funding and operation of Utah Counties Indemnity Pool.

NOW, THEREFORE, be it resolved by the County Council of Cache County, Utah, that Cache County approve and authorize the Council Chair to execute a Fifth Amended Interlocal Cooperation Agreement with other members of Utah Counties Indemnity Pool relating to the establishment, funding and operation of Utah Counties Indemnity Pool.

APPROVED AND ADOPTED this 13th day of December, 2011.



CACHE COUNTY COUNCIL

By: Jon White
Jon White, Cache County Council Chair

ATTEST:

By: Jill N. Zollinger
Jill N. Zollinger, Cache County Clerk

APPROVED AS TO FORM:

By: James Swink
James Swink, Cache County Attorney

FIFTH AMENDED INTERLOCAL COOPERATION AGREEMENT

THIS IS THE FIFTH AMENDED INTERLOCAL COOPERATION AGREEMENT, made and entered into by and between members of the Utah Counties Indemnity Pool, a political subdivision of the State of Utah, each of which hereby agrees to abide by the terms and conditions of this Fifth Amended Agreement and all actions taken pursuant hereto.

WITNESSETH:

WHEREAS, pursuant to the provisions of the Interlocal Cooperation Act, Utah Code Ann. §11-13-101 et. seq., 1953 as amended, the Governmental Immunity Act, § 63-30-1 et. seq., 1953 as amended, and the Utah Insurance Code, Utah Code Ann. § 31A-1-103, 1953 as amended, public agencies, including political subdivisions of the State of Utah as therein defined, are authorized to enter into written agreements with one another for joint or cooperative action to establish a public agency insurance mutual; and

WHEREAS, the governing bodies of counties located in the State of Utah, by entering into an Interlocal Cooperation Agreement, formed the Utah Association of Counties Insurance Mutual, which began operations on or about January 1, 1992, as a public agency insurance mutual; and

WHEREAS, the governing bodies of the Members of the Utah Association of Counties Insurance Mutual, on or about August, 21, 2003, amended the original Interlocal Cooperation Agreement, making various corrections and updating references, by approving and adopting the first Amended Interlocal Agreement; and

WHEREAS, the governing bodies of the Members of the Utah Association of Counties Insurance Mutual amended the first Amended Interlocal Cooperation Agreement, on or about June 2, 2006, changing the name of the Utah Association of Counties Insurance Mutual to the Utah Counties Insurance Pool, by approving and adopting the second Amended Interlocal Agreement; and

WHEREAS, the governing bodies of the Members of the Utah Counties Insurance Pool amended the second Amended Interlocal Cooperation Agreement, on or about January 22, 2008, making various corrections and updating references, by approving and adopting the Third Amended Interlocal Agreement; and

WHEREAS, the governing bodies of the Members of the Utah Counties Insurance Pool amended the Third Amended Interlocal Cooperation Agreement, on or about December 3, 2010, making various corrections and updating references, by approving and adopting the Fourth Amended Interlocal Cooperation Agreement; and

WHEREAS, the Members of the Utah Counties Insurance Pool approved the amendments to the Fourth Amended Interlocal Cooperation Agreement, on or about December 1, 2011, changing the name of the Utah Counties Insurance Pool to the Utah Counties Indemnity Pool; and

WHEREAS, the governing bodies of the Members of the Utah Counties Insurance Pool now desire to amend the Fourth Amended Interlocal Cooperation Agreement to implement the name change by approving and adopting this Fifth Amended Interlocal Cooperation Agreement;

NOW, THEREFORE, the parties do mutually agree as follows:

Section 1. EFFECTIVE DATE; DURATION.

This Fifth Amended Interlocal Cooperation Agreement shall become effective and shall enter into force, within the meaning of the Interlocal Cooperation Act, upon the submission of this Fifth Amended Interlocal Cooperation Agreement to, and the approval and execution hereof by resolution of the governing bodies of each of the parties. The term of this Fifth Amended Interlocal Cooperation Agreement shall be fifty (50) years, pursuant to Utah Code Ann. §11-13-204, 1953 as amended, unless renewed as permitted by law, or until earlier dissolved as provided herein.

Section 2. CREATION OF A SEPARATE LEGAL ENTITY.

The parties to this agreement through their respective governing bodies and pursuant to the provisions of Utah Code Ann. §11-13-203, 1953 as amended, hereby create a legal entity to be known as the Utah Counties Indemnity Pool to provide the services described herein.

Section 3. PURPOSES.

This Fifth Amended Interlocal Cooperation Agreement has been established and entered into between the members of the Utah Counties Indemnity Pool (herein referred to as the Pool) for the following purposes:

1. To comply with the Utah Interlocal Cooperation Act and other applicable laws of the State of Utah; and
2. To ratify the previous formation of a group-funded Pool to fund through joint self-insurance, reinsurance, excess insurance, or other lawful manner, certain liabilities of member Utah counties, as permitted by the Utah Insurance Code and determined by the Board, with the powers set forth in the Amended Bylaws of the Pool (herein referred to as the Amended Bylaws); and
3. To provide, through the Pool, certain claims and risk management services related to the liabilities so funded, and assist members in reducing and preventing such liabilities; and
4. To provide other services and functions as permitted by law.

Section 4. MEMBERS.

1. Membership in the Pool is limited to Utah counties and such other governmental entities allowed under its Amended Bylaws.
2. Members shall have such powers and authorities as provided herein and as set forth in the Amended Bylaws. Such powers shall include, but not be limited to:
 - a) Voluntarily dissolve the Pool, but only at a meeting at which a majority of all Members, whether present at the meeting or not, vote in favor of the dissolution.
 - b) Appoint or select members of the Pool Board of Trustees, in accordance with this Agreement, the Amended Bylaws and the Interlocal Cooperation Act.

Section 5. BOARD OF TRUSTEES.

The Pool shall be governed by a Board of Trustees. The Trustees shall have such powers and authorities as provided herein and as set forth in the Amended Bylaws.

1. The Board shall be comprised of thirteen persons in the following manner:
 - a) One Trustee, appointed by the governing body of Davis County, representing Davis County;
 - b) One Trustee, appointed by the governing body of Utah County, representing Utah County;
 - c) One Trustee, appointed by the governing body of Washington County, representing Washington County;
 - d) One Trustee, appointed by the governing body of Weber County, representing Weber County;
 - e) Two Trustees, elected by Member counties of the third class, representing counties of the third class;
 - f) One Trustee, elected by Member counties of the fourth class, representing counties of the fourth class;
 - g) One Trustee, elected by Member counties of the fifth and sixth class, representing counties of the fifth and sixth class;
 - h) Two Trustees, elected by all Member counties, representing all counties at large;

- i) One Trustee, appointed by the Board, shall be a sheriff of a Member county, who serves as the Chair of the Law Enforcement Committee;
 - j) One Trustee, appointed by the Board, shall be the Chair of the Litigation Management Committee and;
 - k) One Trustee, appointed by the Board, shall be the Chair of the Personnel Committee.
 - i. Trustees serving pursuant to subsections (e)-(h) shall be designated as "Elected Trustees" and serve four-year overlapping terms.
 - ii. Trustees serving pursuant to subsections (a)-(d) shall serve at the pleasure of the governing bodies of the Member.
 - iii. Trustees serving pursuant to subsections (i)-(k) shall serve for four-year terms and may be reappointed to subsequent terms by the Board.
 - iv. A Trustee serving pursuant to subsection (i) shall serve a four-year term ending on December 31 in even numbered years between presidential elections.
 - v. Trustees serving pursuant to subsections (j) and (k) shall serve four-year terms ending on December 31 of presidential election years.
2. No person convicted of a felony may serve as a Trustee.
 3. Each Trustee shall be an elected or appointed officer or an employee of a Member.
 4. Election of Trustees shall take place at the annual Membership Meeting. Elected Trustees shall assume office at the first Board meeting of the calendar year following their election.
 5. The Board of Trustees shall elect a Nominating Committee from its members. The Nominating Committee shall solicit nominations for available elected Trustee positions in accordance with the Amended Bylaws.
 6. A vacancy shall occur on the Board when a Trustee:
 - a) Submits a written resignation to the Board; or

- b) Dies; or
 - c) Is no longer an elected or appointed officer or employee of a Member;
or
 - d) Fails to attend three consecutive regular meetings of the Board without the Board having excused such absences except that such additional absence or absences shall be excused for temporary mental or physical disability or illness; or
 - e) Is removed by the Members by a two-thirds vote of the Members present at a Membership Meeting; or
 - f) Is convicted of a felony; or
 - g) The Member of which the Trustee is an official or employee terminates their membership in the Pool.
7. Any vacancy in the position of an Elected Trustee may be filled by majority vote of the remaining Trustees until the next annual meeting of the Members, at which time the Members shall elect a person to fill the vacancy for the unexpired term.
8. Any vacancy in the position of an appointed Trustee under Article 5.1(a)-(d) shall be filled by appointment from the respective county and the Trustee shall serve for the remainder of the unexpired term. If the county is no longer a Member, the Trustee position shall revert to an at large position, adding to the number of such positions under Section 5.1(h), and be filled by a majority vote of the remaining Trustees until the next annual meeting of the Members, at which time the Members shall elect a person to fill the vacancy.
9. Any vacancy in the position of an appointed Trustee under Article 5.1(i)-(k) shall be filled by majority vote of the remaining Trustees and shall fill the unexpired term of the Trustee.
10. To the extent permitted by law, Trustees may be reimbursed for expenses incurred in the performance of their duties, as authorized by the Board.
11. Each Trustee must be a resident of the State of Utah.
12. The powers of the Board shall include, but not be limited to, the powers to:
- a) Delegate, by resolution adopted at a meeting of the Trustees and specifically defined in the written minutes of the Trustees' meetings, authority for specific functions to the Chief Executive Officer, but only to the extent permitted by the laws of the State of Utah and the Amended Bylaws.

- b) Establish Member contributions, including premiums and service fees, pursuant to guidelines adopted by the Board from time to time.
- c) Serve as the policyholder of any group policies or plans.
- d) Determine the methods of claim administration and payment; provide for claim experience for the Members collectively or separately; and establish claim procedures and conditions to be met prior to the payment or defense of a claim.
- e) Jointly self-insure or obtain reinsurance or excess insurance (specific or aggregate), or any combination thereof, or otherwise provide for the funding of coverages and adopt and adjust coverages provided by or through the Pool, as the Board deems appropriate.
- f) Establish employment policies for the employees of the Pool including but not limited to policies, salaries and benefits.
- g) Provide for the administration of the moneys of the Pool, for the manner of payments to the Pool, and for payment of all expenses of the Pool; establish standards for the accountability of all receipts and disbursements of the Pool; and establish procedures for safekeeping, handling, and investing such monies received or paid.
- h) Acquire, lease, hold, and dispose of real and personal property.
- i) Exercise the full power and authority of any Member of the Pool when requested to do so by the Member's governing body.
- j) Provide for necessary activities, and enter into contracts as necessary or appropriate to accomplish the purposes of the Pool.
- k) Do any act permitted by law and not in conflict with the Fifth Amended Interlocal Cooperation Agreement or the Amended Bylaws of the Pool.
- l) Provide for an independent audit of the financial statements and operations of the Pool, including claim handling procedures, handling of receipts and payments, investments, adequacy of reserves, compliance with financial reporting requirements and overall operations of the Pool, at such times as the Board may determine.
- m) Establish loss reduction, prevention and risk management policies, procedures, and requirements for Members of the Pool and provide risk management services and educational and other programs related to risk management.

- n) Create various Committees of the membership to assist in the oversight and operation of the Pool. The members of such Committees, including the chair, shall be appointed by the Board.
- o) Approve a list of attorneys or law firms authorized to represent Members in claims covered by or through the Pool.
- p) Obtain the services of agents, attorneys, brokers, consultants, employees, and service providers as necessary or appropriate for the operation of the Pool.
- q) Terminate a Member from the Pool as provided for in the Amended Bylaws.
- r) Create levels of membership within the Pool to provide for appropriate representation and control. Levels of membership may include, but are not limited to, voting and non-voting members and equity and non-equity members.
- s) Amend the Bylaws by a two-thirds vote of all Board members.
- t) Exercise all powers of the Pool except those powers reserved to the Members, and all powers necessary and proper for the operation of the Pool and implementation of the Pool, subject to the limits of the Agreement, the Amended Bylaws, and the Utah Code. The Board is responsible for all operations of the Pool.

Section 6. OFFICERS.

The Board of Trustees shall elect officers and establish the duties of officers of the Pool in accordance with Utah law and the Amended Bylaws.

Section 7. COMMITTEES.

The Board of Trustees may establish from time to time such committees of the Board as shall be deemed appropriate by said Board.

Section 8. MANNER OF FINANCING.

1. The Utah Counties Indemnity Pool shall be funded by contributions in the form of premiums or service fees, from the Members:
 - a) The amount of such contributions including any interest penalty thereon shall be established by the Board of Trustees.
 - b) Premiums established by the Board may be audited and additional premium charged based on the rate used to establish the original premium.

- c) The Board may not charge assessments to the Members.
2. All monies of the Pool, and earnings thereon, shall be held in the name of and for the use and benefit of the Pool.
3. The Board of Trustees shall prepare an annual budget consistent with Utah Code Ann. 17A-1-408 et. seq., as amended.

Section 9. PROPERTY USED IN COOPERATIVE UNDERTAKING.

1. Any real or personal property acquired, held, and used pursuant to this cooperative undertaking shall be administered and controlled by the Board of Trustees established in Section 5 hereof. Any disposition of said real or personal property shall also be administered and controlled by said Board of Trustees, pursuant to the terms of this Agreement.
2. The provisions of this Agreement and the assets of the Pool are for the benefit of the Members of the Pool only, and no other persons or entities shall have any rights or interest in this Agreement or in any of the other documents referred to herein or in any such assets, as a third party beneficiary or otherwise. The assets of the Pool shall not be subject to attachment, garnishment, or any equitable proceeding.
3. In the event of a voluntary dissolution of the Pool, as provided in Section 4 hereof, the property of the Pool not used or needed for the purposes of the Pool, including its contractual obligations, shall be distributed, as determined by the Board, only to Utah counties which are Members of the Pool at the time of dissolution. Such dissolution shall be handled as provided in Section 12.

Section 10. ADDITION OF OTHER MEMBERS.

Other governmental entities may become parties to this Fifth Amended Interlocal Cooperation Agreement, subject to the approval of the Board of Trustees, by executing an Addendum to this Agreement.

1. In order for a governmental entity to be added to this Agreement by Addendum, the Addendum must be:
 - a) Approved by the governing body of the governmental entity to be added; and
 - b) Reviewed as to form and compliance with applicable law by the attorney for the governmental entity to be added.

2. Prior to becoming effective, this Fifth Amended Interlocal Cooperation Agreement and the Addendum shall be filed with the person who keeps the records of the public agency being added to this Agreement.

Section 11. WITHDRAWAL AND TERMINATION.

1. Any Member may withdraw their participation in a line of coverage of the Pool, but only at the end of a Pool fiscal year after giving the Board timely written notice of such withdrawal, pursuant to a resolution of the Member's governing body. Timely written notice of such withdrawal must be provided to the Board no later than 120 days prior to the Member's intended date of withdrawal. The Board shall consider a timely written notice of withdrawal to be a final decision unless the notice is rescinded by the Member no later than 90 days prior to the Member's intended date of withdrawal. The Board may, by a three-fourths vote and at its sole discretion, agree to permit an earlier date of withdrawal. A Member withdrawn from a line of coverage shall lose any voting rights inured as a result of participation in that line of coverage and any claim of title or interest to any asset of the Pool resulting from that line of business upon the effective date of that withdrawal with the exception of the right to payment of claims which occurred prior to withdrawal, or in the case of "claims made" coverage, the payment of claims made within the claims made reporting period adopted by the Board and in effect at the time of withdrawal.
2. Any member may terminate its membership in the Pool, but only at the end of a Pool fiscal year, after giving the Board timely written notice of such termination, pursuant to a resolution of the Member's governing body. Timely written notice of such termination must be provided to the Board no later than 120 days prior to the Member's intended date of termination. The Board shall consider a timely written notice of termination to be a final decision unless the notice is rescinded by the Member at least 90 days prior to the Member's intended date of termination. A terminating Member shall lose all voting rights and any claim of title or interest to any asset of the Pool upon the effective date of termination with the exception of the right to payment of claims which occurred prior to termination, or in the case of "claims made" coverage, the payment of claims made within the claims made reporting period adopted by the Board and in effect at the time of termination.

Section 12. DISSOLUTION AND DISPOSITION OF PROPERTY.

The Pool may be dissolved by a majority of the entire Membership voting in favor of dissolution at a Membership Meeting. In the event of voluntary dissolution of the Pool, the assets of the Pool not used or needed for the purposes of the Pool, including its contractual obligations shall be distributed, as determined by the Board, only to Utah

counties, which are Members of the Pool at the time of dissolution. The Members of the Pool at the time the vote is held to dissolve the Pool shall continue to be considered Members of the Pool until the final disposition of property and dissolution of the Pool is complete.

Upon partial or complete dissolution of the Pool by the Members, the Trustees shall determine all other matters relating to the disposition of property and dissolution of the Pool by a two-thirds vote of all Trustees.

Each member's interest in the property of the Pool shall be calculated as follows:

1. The sum of the contributions for all fund years for which the Member was a participant in the Pool divided by all contributions received by the Pool during its life, is the ratio used to calculate interest in Pool property other than equity, which is defined for these purposes as cash or cash equivalent assets of the Pool.
2. For equity calculation, the ratio of each Member's contributions to the total contributions shall be computed for each fund year. The Member's contribution ratio shall then be multiplied by the total surplus, less any borrowed surplus, attributable to a fund year as stated in the most recent monthly financial statement. A Member's total equity will be the sum of the yearly amounts for each fund year for which that Member was a participating Member in the Pool.
3. In the event that the surplus amount is a negative number, a Member's equity will be decreased using the same method of calculation as above.
4. In the event of a termination of membership, the terminated Member shall lose and have no claim to any Pool property or assets. The property interest and equity formerly attributed to that Member for each fund year shall be allocated to the remaining counties that were Members during that year.

The Board shall serve as trustees for the disposition of property or funds, payment of obligations, dissolution and winding up of the affairs of the Pool. Any vacancy on the Board after dissolution has begun shall be filled in accordance with the Bylaws.

Section 13. INDEMNIFICATION.

It is the intent of the Pool to provide the broadest possible immunity from personal liability to each trustee, officer, and employee of the Pool allowed by applicable laws of the State of Utah including, but not limited to, the Utah Governmental Immunity Act, the Utah Non-Profit Corporation and Co-operative Association Act and the Utah Insurance Code, as amended from time to time. The Pool shall defend and indemnify the trustees, officers and employees of the Pool against any and all expense, including attorney fees and liability expenses, sustained by them or any

of them in connection with any suit or suits which may be brought against them involving or pertaining to any of their acts or duties to the fullest extent allowed by the laws of the State of Utah.

The Pool shall purchase liability or other appropriate insurance providing coverage for the trustees, officers and employees of the Pool. Nothing herein shall be deemed to prevent compromises of any litigation where the compromise is deemed advisable in order to prevent greater expense or cost in the defense or prosecution of such litigation.

Neither this Fifth Amended Interlocal Cooperation Agreement nor any action of the governing body of a county in adopting this Fifth Amended Interlocal Cooperation Agreement is intended to nor do they waive, nor shall they be construed as waiving, any immunity or limitation on liability provided to the Members or their officers or employees by any law, including but not limited to any such immunity or limitation appearing in the Utah Governmental Immunity Act, and amendments thereto.

Section 14. FILING OF INTERLOCAL COOPERATION AGREEMENT.

Executed copies of this Fifth Amended Interlocal Cooperation Agreement shall be placed on file in the office of the County Clerk of each of the Members to this Fifth Amended Interlocal Agreement, and shall remain on file for public inspection during the term of this Fifth Amended Interlocal Cooperation Agreement.

Section 15. JOINT AND SEVERAL LIABILITY.

Except as provided herein, and to the extent of the financial contributions to the Pool agreed to herein or such additional obligations as may come about through amendments to this agreement or the Bylaws, no Member agrees or contracts herein to be held responsible for any claims made against any other Member. The contracting parties intend in the creation of the Pool to establish an organization to operate only within the scope herein set out and have not herein created as between Member and Member any relationship of partnership, surety, indemnification, or responsibility for the debts of or claims against any other Member.

Section 16. AMENDMENTS.

This Fifth Amended Interlocal Cooperation Agreement may not be amended, changed, modified or altered except by an instrument in writing which shall be (a) approved by resolution of the governing body of each of the parties, (b) executed by a duly authorized official of each of the parties, (c) submitted to and reviewed by an authorized Attorney of each of the parties, as required by Utah Code Ann. §11-13-202.5(3), 1953 as amended, and (d) filed in the official records of each party.

Section 17. SEVERABILITY.

If any term or provision of the Fifth Amended Interlocal Cooperation Agreement

or the application thereof shall to any extent be invalid or unenforceable, the remainder of this Fifth Amended Interlocal Cooperation Agreement, or the application of such term or provision to circumstances other than those with respect to which it is invalid or unenforceable, shall not be affected thereby, and shall be enforced to the extent permitted by law. To the extent permitted by applicable law, the parties hereby waive any provision of law, which would render any of the terms of this Fifth Amended Interlocal Cooperation Agreement unenforceable.

Section 18. GOVERNING LAW.

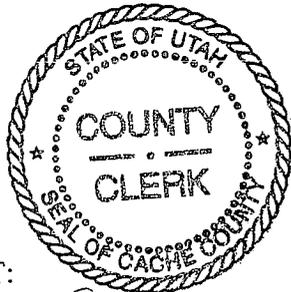
All questions with respect to the construction of this Fifth Amended Interlocal Cooperation Agreement, and the rights and liability of the parties hereto, shall be governed by the laws of the State of Utah.

Section 19. EXECUTION BY COUNTERPART.

This Fifth Amended Interlocal Cooperation Agreement may be executed in counterparts. The original of each executed Fifth Amended Interlocal Cooperation Agreement shall be filed with the Pool.

IN WITNESS WHEREOF, the parties have signed and executed this Fifth Amended Interlocal Cooperation Agreement, after resolutions duly and lawfully passed, on the dates listed below:

Dated this 13th day of December, 2011.



CACHE COUNTY COUNCIL

By: Jon White
Cache County Council Chair

ATTEST:

By: Jim N. Zollinger
Cache County Clerk

REVIEWED AND FOUND TO BE IN PROPER FORM AND COMPLIANCE WITH APPLICABLE LAW.

By: [Signature]
Cache County Attorney

RESOLUTION NO. 2011- 29

A RESOLUTION INCREASING THE BUDGET APPROPRIATIONS FOR CERTAIN COUNTY DEPARTMENTS.

The Cache County Council, in a duly convened meeting, pursuant to Sections 17-36-22 through 17-36-26, Utah Code Annotated, 1953 as amended, finds that certain adjustments to the Cache County budget for 2011 are reasonable and necessary; that the said budget has been reviewed by the County Auditor with all affected department heads; that a duly called hearing has been held and all interested parties have been given an opportunity to be heard; that all County Council has given due consideration to matters discussed at the public hearing and to any revised estimates of revenues; and that it is in the best interest of the County that these adjustments be made.

NOW THEREFORE, it is hereby resolved that:

Section 1.

The following adjustments are hereby made to the 2011 budget for Cache County:

see attached

Section 2.

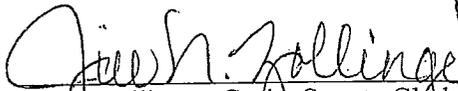
Other than as specifically set forth above, all other matters set forth in the said budget shall remain in full force and effect.

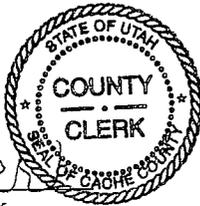
Section 3.

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

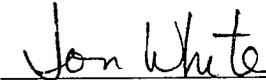
This resolution was duly adopted by the Cache County Council on the 13th day of December, 2011.

ATTESTED TO:


Jill N. Zollinger, Cache County Clerk



CACHE COUNTY COUNCIL


Jon White, Chairman

FUND 100 GENERAL FUND REVENUES

ACCOUNT	DESCRIPTION	Current Budget	Recommended		Amended Budget	Reason for Change
			Increase DEBIT	Decrease CREDIT		
1003190000	Penalties and Interest	(80,000)		(20,000)	(100,000)	adj to expected amounts
1003310400	Fed Grant-Homeland Security	(31,800)		(29,000)	(60,800)	09 SHSP-trailer/gas mask purch
1003312300	E BYRNE LAW ENF ASSIST GRANT	(7,500)	7,500		-	ADJ TO ACTUAL
1003423125	JAIL PAY FOR STAY	(80,500)		(40,000)	(120,500)	ADJ TO ACTUAL
1003423150	JAIL FEES - MISCELLANEOUS	(9,325)		(3,500)	(12,825)	Increase DNA fees collected
1003423700	COURT SEC HOUSE CITY INMATES	(195,000)	30,000		(165,000)	ADJ TO ACTUAL
1003427107	Fire 100% Reimbursable	(41,671)		(1,688)	(43,359)	adj to actual
1003846500	Transfer from RAPZ Tax	(46,328)	29,444		(16,884)	1 season cnty seat prog PO22313 reclass to transfer in from capital projects
1003875000	TRANSFER IN FROM OTHER FUNDS	(888,200)	888,200		-	
1003875100	TRANSFERS IN FROM AIRPORT	-			-	
1003875200	TRANSFER IN FROM CAPITAL PROJ FUND	390,100		(810,200)	(420,100)	FOR CAPITAL PURCHASES 2011
1003875300	TRANSFER IN FROM MBA FUND	75,000		(150,000)	(75,000)	FOR CIB GRANT -WATER
1003876000	TRANSFER IN FROM RESTAURANT TAX FUN	(61,000)		(19,444)	(80,444)	1 season cnty seat prog PO22313 RTA
	Totals		955,144	(1,073,832)	(118,688)	
	Net Adjustment					

FUND 100 GENERAL FUND EXPENDITURES

ACCOUNT	DESCRIPTION	Current Budget	Recommended		Amended Budget	Reason for Change
			Increase DEBIT	Decrease CREDIT		
1004112130	Council - Benefits	38,324	500		38,824	to meet expenses
1004112230	Council - Travel	11,000	1,500		12,500	to meet expenses
1004112240	Council - Office	1,200	500		1,700	to meet expenses
1004112999	Council - A&C Alloc 10%	(11,099)		(250)	(11,349)	adjust to actual
1004126310	Public Defender	290,000	10,000		300,000	to meet expenses
1004131110	Executive - Salary	163,339	500		163,839	to meet expenses
1004131130	Executive - benefits	72,125	2,000		74,125	to meet expenses
1004131240	Executive - Office Supplies & Expense	1,200	1,000		2,200	to cover est expense to end of year
1004131999	Executive - A&C Alloc 15%	(37,590)		(525)	(38,115)	adjust to actual
1004134999	A&C ALLOC - HUMAN RESOURCE 15%	(34,223)		(797)	(35,020)	adjust to actual
1004141250	Auditor - Equip Supply & maint	38,000		(20,000)	18,000	cut for salary adjustments
1004141310	Auditor - prof & tech	2,500		(2,500)	-	to meet expenses
1004141740	Auditor - Capitalized Equipment	171,925	12,500		184,425	to meet expenses
1004141999	Auditor - A&C Alloc 46%	(237,044)	4,600		(232,444)	adjust to actual
1004143110	Treasurer - Salary	162,668		(3,000)	159,668	Additional Temp expense
1004143115	Treasurer - Overtime	350	500		850	Additional Temp expense
1004143120	Treasurer - Temporary Employees	2,000	3,000		5,000	Additional Temp expense
1004143130	Treasurer - Benefits	54,050	10,000		64,050	correct to family benefits new fte
1004143999	Treasurer - A&C Alloc 92%	(232,566)		(9,660)	(242,226)	to adj to actual
1004144120	Recorder - temp salary	5,902		(1,035)	4,867	purchase to replace failed scanner -emerg
1004144251	Recorder - non capitalized equipment	-	1,035		1,035	purchase
1004145482	Attorney - Special Dept Supplies Traffic	-	500		500	to cover costs
1004145999	Attorney - A&C Alloc 9%	(108,361)		(952)	(109,313)	to cover costs
1004147120	Surveyor - temp employees	13,200	2,000		15,200	to balance line items
1004147130	Surveyor - benefits	41,016	1,500		42,516	to balance line items
1004147311	Surveyor - computer software	1,500	4,800		6,300	purchase autocad update
1004150999	Non-Dept A&C Alloc 10%	(27,277)		(230)	(27,507)	adjust to actual
1004160110	Bldg & Grds - Salary	36,964	15,000		51,964	to cover WR leave pay
1004160120	Bldg & Grds - Temp Employees	48,868		(1,000)	47,868	to balance line items
1004160130	Bldg & Grds - Benefits	23,302		(300)	23,002	to balance line items
1004160270	Bldg & Grds - Utilities	75,000	10,000		85,000	to balance line items
1004160999	Bldg & Grds - A&C Alloc 31%	(77,542)		(7,347)	(84,889)	to balance line items
1004170200	Elections - equip supplies and services	9,500		(500)	9,000	transfer to cover travel expenses
1004170230	Elections - travel	3,500	500		4,000	transfer to cover travel expenses
1004210115	Sheriff-Overtime Pay	97,375	20,000		117,375	Cover exp thru end of year
1004210120	Sheriff-Temporary Employees	58,892		(20,000)	38,892	Cover exp thru end of year
1004210130	Sheriff- benefits			(9,000)	(9,000)	Cover exp thru end of year
1004210290	Sheriff - Fuel	132,834	30,000		162,834	TO MEET CURRENT EXPENSES
1004210311	Sheriff-Software Packages	-	1,031		1,031	to meet expenses

FUND 100 GENERAL FUND EXPENDITURES

ACCOUNT	DESCRIPTION	Current Budget	Recommended		Amended Budget	Reason for Change
			Increase DEBIT	Decrease CREDIT		
1004210999	Sheriff - MSF Alloc 10%	(341,179)		(4,923)	(346,102)	adjust to actual
1004211110	Support Services - salary	951,294		(6,000)	945,294	TO MEET CURRENT EXPENSES
1004211130	Support Services - benefits	515,769	15,000		530,769	TO MEET CURRENT EXPENSES
1004211290	Support Services -fuel	24,000	5,000		29,000	TO MEET CURRENT EXPENSES
1004211310	Support Services - prof & tech	10,000		(5,000)	5,000	TO MEET CURRENT EXPENSES
1004220110	Fire - Salary	148,858		(15,000)	133,858	adj for FTE to part time
1004220210	Fire-Subscriptions & Memberships	1,650	3,500		5,150	Cover public ed coalition
1004220631	Other Fires 100% Reimbursable Costs	41,671	-	(3,500)	38,171	Cover public ed coalition
1004230110	Jail - Salary	2,914,341		(43,000)	2,871,341	TO MEET CURRENT EXPENSES
1004230130	Jail - Benefits	1,703,396	43,000		1,746,396	TO MEET CURRENT EXPENSES
1004230140	Jail-Uniform Allowance	50,700		(5,000)	45,700	Cover kitchen floor remodel
1004230210	Jail - Subscriptions	8,000		(5,000)	3,000	transfer to Jail -250 line
1004230230	Jail - Travel	25,000		(5,000)	20,000	transfer to Jail -250 line
1004230250	Jail - Equip Supply & maint	34,000	10,000		44,000	to cover exp to year end
1004230260	Jail - Bldg & Grds	62,000	15,000		77,000	to cover exp to year end
1004230280	Jail - Communications	15,400	2,000		17,400	to cover exp to year end
1004230290	Jail - Fuel	26,000	10,000		36,000	to cover exp to year end
1004230310	Jail - Professional & Technical	-	3,500		3,500	To pay state for DNA fees collected
1004230330	Jail - education and training	20,895	2,000		22,895	to cover exp to year end
1004230450	Jail - Special Jail Supplies	29,486		(5,000)	24,486	Cover kitchen floor remodel
1004230483	Jail - Pay for Stay	9,000	9,000		18,000	Cover kitchen floor remodel
1004230720	Jail - Building Remodel-Floor Mitigation	106,216	36,317		142,533	Cover kitchen floor remodel
1004230730	Jail - Improvements	17,500		(1,317)	16,183	transfer to Bldg floor mitigation (fire spk)
1004230740	Jail - Capitalized Equipment	100,500		(25,000)	75,500	move to bldg floor mitigation HVAC
1004255254	Emerg Mngt-HLS Non-Capitalized Equip	4,300	29,000		33,300	09 SHSP-trailer/gas mask purch
1004511110	Fairgrounds - Salary	63,502		(8,000)	55,502	Temp coverage for injured FTE
1004511120	Fairgrounds - Temporary Employees	40,040	8,000		48,040	Temp coverage for injured FTE
1004511142	Fairgrounds - Other Pay	6,900		(1,000)	5,900	Cover cost of equipment supplies
1004511250	Fairgrounds - Equipment Supplies & Maint	18,000	4,000		22,000	Cover cost of equipment supplies
1004511280	Fairgrounds - Communications	4,000	500		4,500	Cover cost of equipment supplies
1004511620	Fairgrounds - Misc Services	15,000		(3,500)	11,500	Cover cost of equipment supplies
1004625200	STATE FAIR	1,000	10		1,010	Cover cost of equipment supplies
1004800990	Contribution to General Fund Reserve	90,191	4,231		94,422	adjust to actual
1004960130	Safety Bonus/ Longevity Benefit	500	2,500		3,000	to cover costs
1004960600	Sundry Expense	183,947		(1,000)	182,947	to cover costs
1004960630	Longevity Service Award	2,500		(2,500)	-	to cover costs
	Totals		335,524	(216,836)		
	Net Adjustment				118,688	

FUND 150 ASSESSING & COLLECTING REVENUES

ACCOUNT	DESCRIPTION	Current Budget	Recommended		Amended Budget	Reason for Change
			Increase DEBIT	Decrease CREDIT		
1503892000	approp surplus	(192,136)		(7)	(192,143)	to balance line items
	Totals			(7)		
	Net Adjustment				(7)	

FUND 150 ASSESSING & COLLECTING EXPENDITURES

ACCOUNT	DESCRIPTION	Current Budget	Recommended		Amended Budget	Reason for Change
			Increase DEBIT	Decrease CREDIT		
1504800900	Contrib to statewide A & C Fund /Cama	166,948	7		166,955	to meet expenses
	Totals		7	-		
	Net Adjustment				7	

FUND 200 MUNICIPAL SERVICES FUND REVENUES

ACCOUNT	DESCRIPTION	Current Budget	Recommended		Amended Budget	Reason for Change
			Decrease DEBIT	Increase CREDIT		
2003432100	Class B Contracts - Rds Spec Serv District	(232,830)		(16,805)	(249,635)	recognize 2011 revenue
2003875000	Transfers from other funds	(129,979)	-	(23,551)	(153,530)	RAPZ Expense moved to MSF
2003890000	Appropriated Surplus - Class B	(1,001,146)	16,805		(984,341)	
2003892000	Appropriated Surplus - MSF	(20,000)	-	(42,792)	(62,792)	1/64 Sales Tax To Eccles Ice Center
Totals			16,805	(83,148)		
Net Adjustment					(66,343)	

FUND 200 MUNICIPAL SERVICES FUND EXPENDITURES

ACCOUNT	DESCRIPTION	Current Budget	Recommended		Amended Budget	Reason for Change
			Increase	Decrease		
2004180310	Zoning - Prof & Tech	20,500	5,000		25,500	Branding Cache Valley Campaign
2004210999	Sheriff - MSF Allocation 10%	340,542	5,560		346,102	adjust to actual
2004241250	Building Inspection - equip supplies & main	1,700	500		2,200	tires for Explorer
2004253200	Animal Control - misc supplies & serv	4,900	1,000		5,900	to meet yr end expenses
2004253290	Animal Control - Fuel	5,000	1,000		6,000	to meet yr end expenses
2004423200	Waste Collection Costs	36,000	15,000		51,000	estimated delinq garbage bills
2004560480	Recreation - RAPZ Tax	12,021	23,551		35,572	RAPZ Expense moved to MSF
2004800920	Contributions to Other Units	-	14,732		14,732	1/64 Sales Tax To Eccles Ice Center
Totals			66,343	-		
Net Adjustment					66,343	

FUND 230 TOURIST COUNCIL FUND REVENUES

ACCOUNT	DESCRIPTION	Current Budget	Recommended		Amended Budget	Reason for Change
			Decrease DEBIT	Increase CREDIT		
2303350000	STATE OF UTAH-MATCHING FUNDS	(26,424)		(19,325)	(45,749)	Grant increase-per 11/21 email
2303370200	GRANTS OTHER LOCAL CO-OP MATCH	(9,312)		(1,707)	(11,019)	Grant increase-per 11/21 email
2303690000	SUNDRY INCOME	(2,100)		(1,000)	(3,100)	Ut Tourism-Things To Do Tear Off Map
Totals			-	(22,032)		
Net Adjustment					(22,032)	

FUND 230 TOURIST COUNCIL FUND EXPENDITURES

ACCOUNT	DESCRIPTION	Current Budget	Recommended		Amended Budget	Reason for Change
			Increase	Decrease		
2304780480	Brochures, Maps & Printing	13,500	6,000		19,500	Grant increase-per 11/21 email
2304780490	Advertising & Promotions	269,950	16,032		285,982	Grant increase-per 11/21 email
Totals			22,032	-		
Net Adjustment					22,032	

FUND 240 COUNCIL ON AGING FUND REVENUES

ACCOUNT	DESCRIPTION	Current Budget	Recommended		Amended Budget	Reason for Change
			Decrease DEBIT	Increase CREDIT		
2403890000	APPROP SURPLUS	(14,471)		(2,438)	(16,909)	ADJ FOR PRIOR PERIOD
Totals			-	(2,438)		
Net Adjustment					(2,438)	

FUND 240 COUNCIL ON AGING FUND EXPENDITURES

ACCOUNT	DESCRIPTION	Current Budget	Recommended		Amended Budget	Reason for Change
			Increase	Decrease		
2404960600	SUNDRY EXPENSE	-	2,438		2,438	PRIOR PERIOD REV ADJUSTMENT
Totals			2,438	-		
Net Adjustment					2,438	

FUND 260 RESTAURANT TAX FUND REVENUES

ACCOUNT	DESCRIPTION	Current Budget	Recommended		Amended Budget	Reason for Change
			Decrease DEBIT	Increase CREDIT		
2603890000	APPROP SURPLUS	(770,886)		(144,444)	(915,330)	
Totals			-	(144,444)		
Net Adjustment					(144,444)	

FUND 260 RESTAURANT TAX FUND EXPENDITURES

ACCOUNT	DESCRIPTION	Current Budget	Recommended		Amended Budget	Reason for Change
			Increase DEBIT	Decrease CREDIT		
2604810201	TRANSFER OUT TO GENERAL FUND	-	19,444		19,444	2010 PO COUNTY SEAT PRGM &
2604780620	MISC SERVICES	1,520,722	125,000		1,645,722	COVER OUTSTANDING PO'S
	Totals		144,444	-		
	Net Adjustment				144,444	
					-	

FUND 270 COUNTY WIDE PLANNING & DEVELOPMENT FUND REVENUES

ACCOUNT	DESCRIPTION	Current Budget	Recommended		Amended Budget	Reason for Change
			Increase DEBIT	Decrease CREDIT		
2703893000	Appropriated Surplus - RAPZ/Rest Tax	(129,979)		(23,551)	(153,530)	RAPZ Expense moved to MSF
	Totals		-	(23,551)		
	Net Adjustment				(23,551)	

FUND 270 COUNTY WIDE PLANNING & DEVELOPMENT FUND EXPENDITURES

ACCOUNT	DESCRIPTION	Current Budget	Recommended		Amended Budget	Reason for Change
			Increase DEBIT	Decrease CREDIT		
2704810207	Transfers to Municipal Services	129,979	23,551		153,530	RAPZ Expense moved to MSF
	Totals		23,551	-		
	Net Adjustment				23,551	
					-	

FUND 620 RAPZ TAX FUND REVENUES

ACCOUNT	DESCRIPTION	Current Budget	Recommended		Amended Budget	Reason for Change
			Increase DEBIT	Decrease CREDIT		
6203870000	Appropriated Surplus	(583,995)		(69,795)	(653,790)	
	Totals		-	(69,795)		
	Net Adjustment				(69,795)	

FUND 620 RAPZ TAX FUND EXPENDITURES

ACCOUNT	DESCRIPTION	Current Budget	Recommended		Amended Budget	Reason for Change
			Increase DEBIT	Decrease CREDIT		
6204780482	RAPZ ALLOCATIONS - PROJECTS	1,252,826	69,795		1,322,621	TO COVER PO'S AWARDED
	Totals		69,795	-		
	Net Adjustment				69,795	
					-	

FUND 740 AMBULANCE FUND REVENUES

ACCOUNT	DESCRIPTION	Current Budget	Recommended		Amended Budget	Reason for Change
			Increase DEBIT	Decrease CREDIT		
7403820000	Transfer from CCEMS Fund	(557,210)		(3,232)	(560,442)	adj to actual for standby fees
	Totals		-	(3,232)		
	Net Adjustment				(3,232)	

FUND 740 AMBULANCE FUND EXPENDITURES

ACCOUNT	DESCRIPTION	Current Budget	Recommended		Amended Budget	Reason for Change
			Increase DEBIT	Decrease CREDIT		
7404262120	Temporary Employees	199,585		(3,900)	195,685	To meet end of yr expense
7404262130	Benefits	17,573	1,000		18,573	To meet end of yr expense
7404262142	Other Pay	23,010	2,900		25,910	To meet end of yr expense
7404262230	Travel & Training	4,000	600		4,600	To meet end of yr expense
7404262240	Office Supplies & Postage	2,500		(500)	2,000	To Bal Dept Budget
7404262250	Equipment Supplies & Maintenance	1,000	500		1,500	To Bal Dept Budget
7404262270	Utilities	2,200	732		2,932	To meet end of yr expense
7404262280	Communications	9,500		(600)	8,900	To meet end of yr expense
7404262290	Gasoline	3,500	2,500		6,000	To meet end of yr expense
	Totals		8,232	(5,000)		
	Net Adjustment				3,232	
					-	

FUND 770 AIRPORT FUND REVENUES

ACCOUNT	DESCRIPTION	Current Budget	Recommended		Amended Budget	Reason for Change
			Increase DEBIT	Increase CREDIT		
7703870000	appropriated surplus	(107,097)	8,962		(98,135)	to offset acct line terminations
	Totals		8,962	-		
	Net Adjustment				8,962	

FUND 770 AIRPORT FUND EXPENDITURES

ACCOUNT	DESCRIPTION	Current Budget	Recommended		Amended Budget	Reason for Change
			Increase DEBIT	Increase CREDIT		
7704810100	TRANSFERS OUT TO GEN FUND	8,082		(8,082)	-	to close budget accounts
7704810150	TRANSFERS OUT TO CLASS B ROADS	880		(880)	-	to close budget accounts
	Totals		-	(8,962)		
	Net Adjustment				(8,962)	

FUND 150 ASSESSING & COLLECTING REVENUES

ACCOUNT	DESCRIPTION	Current Budget	Recommended		Amended Budget	Reason for Change
			Increase DEBIT	Increase CREDIT		
1503892000	approp surplus	(192,136)		(25,558)	(217,694)	to balance allocation acct to gen fund
	Totals		-	(25,558)		
	Net Adjustment				(25,558)	

FUND 150 ASSESSING & COLLECTING EXPENDITURES

ACCOUNT	DESCRIPTION	Current Budget	Recommended		Amended Budget	Reason for Change
			Increase DEBIT	Increase CREDIT		
1504112999	Council - A&C Alloc 10%	11,099	250		11,349	adjust to actual
1504131999	Executive - A&C Alloc 15%	37,590	525		38,115	adjust to actual
1504134999	A&C ALLOC - HUMAN RESOURCE 15%	34,223	797		35,020	adjust to actual
1504141999	Auditor - A&C Alloc 46%	227,844	4,600		232,444	adjust to actual
1504143999	Treasurer - A&C Alloc 92%	232,566	9,660		242,226	adjust to actual
1504145999	Attorney - A&C Alloc 9%	106,934	2,379		109,313	adjust to actual
1504160999	Bldg & Grds - A&C Alloc 31%	77,542	7,347		84,889	adjust to actual
	Totals		25,558	-		
	Net Adjustment				25,558	