

**APPROVED**

**CACHE COUNTY  
COUNCIL MEETING  
MINUTES  
JANUARY 08, 2013**

**CACHE COUNTY COUNCIL  
JANUARY 08, 2013**

APPOINTMENT – Richmond Cemetery District-Young, Jeff .....	1
APPOINTMENT – Weed Control Board-Bailey, Tom.....	1
APPOINTMENT – Weed Control Board-Chambers, Steve .....	1
APPOINTMENT – Weed Control Board-Johnson, C. Rick .....	1
APPOINTMENT – Weed Control Board-Spackman, Mike .....	1
APPOINTMENT – Weed Control Board-Thatcher, Stephen J. ....	1
ASSIGNMENTS – 2013 Council Member Boards and Committees.....	6
BEAR RIVER MENTAL HEALTH ANNUAL FINANCIAL AUDIT REPORT – Ernstrom, Reed.....	2
BUDGET – Public Hearing Set-January 22, 2013-6:00 p.m.-Open 2013 .....	4
CACHE COUNTY COMMUNITY SOLAR .....	3
CONSENT AGENDA – Munk Subdivision.....	2
CONSERVATION EASEMENT – Division of Wildlife Resources Conservation Easement on Sportsmen for Fish and Wildlife Property East of Smithfield .....	2
COUNCIL MEMBER BOARDS AND COMMITTEES ASSIGNMENTS.....	6
COUNCIL MEMBERS’ GOALS FOR 2013 .....	5
COUNCIL WINTER SOCIAL.....	6
COUNTY CLERK OFFICE FEE SCHEUDLE – Resolution No. 2013-01.....	4
DIVISION OF WILDLIFE RESOURCES – Conservation Easement on Sportsmen for Fish and Wildlife Property East of Smithfield.....	2
FEE SCHEDULE – Resolution No. 2013-01- County Clerk Office.....	4
JOHNSON, KIM – Public Comment .....	4
JOHNSON, KRISTINE – Senior Citizen Center Report .....	3
LEGISLATORS – Weekly Meetings-2013 .....	1
MUNK SUBDIVISION – Consent Agenda.....	2
ORDINANCE NO. 2013-01 – Re-authorization of RAPZ Tax.....	4
PUBLIC COMMENT – Johnson, Kim.....	4
PUBLIC HEARING – January 08, 2012-5:30 p.m.-Amendments to Title 17 .....	3
PUBLIC HEARING SET – January 22, 2013-5:45 p.m.-Zook’s Rezone.....	4
PUBLIC HEARING SET – January 22, 2013-6:00 p.m.-Open 2013 Budget .....	4
REFUND ON OVERPAYMENT OF TAXES – Authorization for.....	5
RESOLUTION NO. 2013-01 – County Clerk Office Fee Schedule .....	4
REZONE – Public Hearing Set- January 22, 2013-5:45 p.m.-Zook’s Rezone .....	4
SENIOR CITIZEN CENTER REPORT – Johnson, Kristine.....	3
SMITHFIELD DRY CANYON – Conservation Easement.....	2
SUBDIVISION – Consent Agenda-Munk Subdivision.....	2
TITLE 17 – Public Hearing-January 08, 2013-5:30 p.m.-Amendments to.....	3
WARRANTS – 01-30-2012 to 12-14-2012.....	2
ZOOK’S REZONE – Public Hearing Set- January 22, 2013-5:45 p.m.-Zook’s Rezone .....	4

**CACHE COUNTY COUNCIL MEETING**  
**January 08, 2013**

The Cache County Council convened in a regular session on January 08, 2013 at 5:00 p.m. in the Cache County Council Chamber at 199 North Main, Logan, Utah.

**ATTENDANCE:**

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

**The following individuals were also in attendance:** Janeen Allen, Byron Bateman, Ben Burke, Justin Dolling, Reed Ernstrom, Recorder Mike Gleed, Chris Harrild, Sharon L. Hoth, Lieutenant Chad Jensen, Kim Johnson, Kristine Johnson, Rob Johnson, Lieutenant Brian Locke, Dave Nielsen, Representative Ed Redd, Director Josh Runhaar, Keith Shaw, Mark Thomas, Scott Walker.

**OPENING REMARKS AND PLEDGE OF ALLEGIANCE**

Executive Lemon gave the opening remarks and led those present in the Pledge of Allegiance.

**REVIEW AND APPROVAL OF AGENDA**

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

**REVIEW AND APPROVAL OF MINUTES**

**ACTION:** Motion by Council member Yeates to approve the minutes of the December 11, 2012 Council Meeting as amended. Buttars seconded the motion. The vote was unanimous, 7-0.

**REPORT OF THE COUNTY EXECUTIVE: M. LYNN LEMON**

<b><u>APPOINTMENTS:</u></b>	Jeff Young	Richmond Cemetery District
	Steve Chambers	Weed Control Board
	Tom Bailey	Weed Control Board
	Mike Spackman	Weed Control Board
	C Rick Johnson	Weed Control Board
	Stephen J. Thatcher	Weed Control Board

**ACTION:** Motion by Council member Yeates to approve the recommended appointments. Robison seconded the motion. The vote was unanimous, 7-0.

**WARRANTS:** Warrants for the period 11-30-2012 to 12-14-2012 were given to the Clerk for filing.

**OTHER ITEMS:**

- **Weekly Meeting with Legislators** – Executive Lemon reminded the Council of the upcoming Saturday morning meetings with members of the Legislature which will be held February 2, 9, 16, 23 and March 2 and 9, 2013 at 7:30 a.m. in the Multipurpose Room 109 of the County Administration Building, 179 North Main, Logan. Lemon invited the Council and the public to attend.

**CONSENT AGENDA**

- ◇ **Munk Subdivision** – Nancy Munk requesting a 2-lot subdivision and an agricultural remainder on 4.40 acres of property in the Agricultural (A-10) Zone located approximately 4860 North 2400 West, Benson.

(Attachment 1)

**ACTION: Motion by Council member Yeates to approve the Consent Agenda item- Munk Subdivision. Buttars seconded the motion. The vote was unanimous, 7-0.**

**ITEMS OF SPECIAL INTEREST**

- **Bear River Mental Health Annual Financial Audit Report – Reed Ernstrom** reviewed the audit report and thanked the Council for Cache County's financial contribution. The funding from the tri-county area combined with state funding creates matching funds that enable Bear River Mental Health to receive Medicaid funds of about \$5,000,000.00.

There were no findings by the audit.

(Attachment 2)

- **DWR (Division of Wildlife Resources) Conservation Easement on SFW (Sportsmen for Fish and Wildlife) Property East of Smithfield – Justin Dolling, DWR,** explained that a county road runs through this property and asked for the Council's support of a proposed conservation easement of about 140 acres east of Smithfield at the mouth of Smithfield Dry Canyon. The property is owned by SFW and they are agreeable to the conservation easement. The easement will be held by the DWR.

**ACTION: Motion by Council member Zilles supporting the proposed conservation easement and directing that a letter of support from the Council be written. White seconded the motion. The vote was unanimous, 7-0.**

Council member White asked Dolling if his office had any connection with Hardware Ranch. Dolling replied Hardware Ranch comes under his purview. White asked why the request of a citizen to place a self-contained concession trailer at Hardware Ranch was denied. Dolling said it was because Hardware Ranch is in the middle of trying to negotiate with the Division of Drinking Water to have their water system approved and didn't want to have other variables in the equation at the present time.

- **Cache County Community Solar – Mark Thomas,** representing Clifton Consulting and Gardner Engineering, asked the Council if it would sponsor

and aid in the setting up of a group of citizens interested in alternative energy. Bulk purchases can save up to 40% of the cost of solar energy.

After some discussion between Thomas and the Council, Council member Petersen urged Thomas to approach Logan City with his proposal because Logan City has a very active alternative energy program and might be better suited organizationally than the county for this type of endeavor.

Council member Buttars asked Thomas to provide more details of his proposal for the Council to evaluate. Thomas said he will provide that to Executive Lemon.

**(Attachment 3)**

**UNIT OR COMMITTEE REPORTS**

- ★ **Kristine Johnson** thanked the Council for its funding and reported on the operations and services of the Cache County Senior Citizen Center including:
- Over 2500 Senior hours
  - Over 100 volunteers for Meals on Wheels
  - 41,000 meals supplied including 19,000 meals served at Center
  - 4,500 Seniors transported from home to center
  - Remodeling projects

In response to Chairman Potter's query, Johnson said the Center serves lunch to 45-65 people each day and between 125 and 150 people utilize the Center on a daily basis.

Executive Lemon said it was an eye-opener to him when he accompanied the Meals on Wheels delivery people. This is a needed service.

Lemon also said he has received good comments about the quality of the food at the Center. Johnson said switching from prepared foods to "from scratch" cooking saved \$16,000.00.

Johnson urged the Council to visit the Center, have lunch and see the results of the remodeling that has been done.

**PUBLIC HEARINGS, APPEALS AND BOARD OF EQUALIZATION MATTERS**

**PUBLIC HEARING: JANUARY 08, 2013 – 5:30 P.M. – AMENDMENTS TO TITLE 17 – 17.07-Definitions; 17.09-Schedule of Zoning Uses; 17.21-Small Business Standards in the Agricultural Zone** – Director Runhaar went over the amendments to the definitions noting there is now a four-digit code for use related definitions and an alphabetical listing for general definitions.

Chairman Potter opened the Public Hearing and invited public comment.

Executive Lemon asked for clarification on the difference between an animal shelter and a boarding facility. Runhaar replied a shelter is usually for stray, abandoned or unwanted animals and is owned, operated and maintained by a public body. A boarding facility is where four or more dogs are raised, boarded or cared for.

Council member Petersen praised the organization of the amendments and suggested that 1709 have a note directing readers back to the definitions of zones and referring to D under 17.09.020: Permitted and Conditional Uses by Zone, suggested eliminating the hyphens on 6100 and 6200.

Kim Johnson, Young Ward, indicated he has an excavating business under a conditional use permit and asked if he would be allowed this type of business with the proposed changes? Runhaar said Johnson's business would be grandfathered in because it is an existing business.

There was no other public comment.

**ACTION: Motion by Council member Yeates to close the Public Hearing – January 08, 2012-5:30 p.m.-Amendments to Title 17. Robison seconded the motion. The vote was unanimous, 7-0.**

**PUBLIC HEARING SET: JANUARY 22, 2013 – 5:45 P.M. – ZOOK'S REZONE – Lonny Zook requesting a rezone of 10.28 acres of property from the Agricultural (A-10) Zone to the Rural-2 (RU-2) Zone located approximately 1215 East 98412 South, Paradise**

**PUBLIC HEARING SET: JANUARY 22, 2013 – 6:00 P.M. – OPEN 2013 BUDGET**

**ACTION: Motion by Council member Yeates to set two Public Hearings – January 22, 2013-5:45 p.m.-Zook's Rezone and January 22, 2013-6:00 p.m.-Open 2013 Budget. Zilles seconded the motion. The vote was unanimous, 7-0.**

**INITIAL PROPOSAL FOR CONSIDERATION**

- **Ordinance No. 2013-01 – Re-authorization of RAPZ Tax** – Executive Lemon commented that the code has been reviewed and the County Attorney's office has reviewed the ordinance. It is basically the same as the original ordinance ten years ago.

(Attachment 4)

**ACTION: Motion by Council member Zilles to approve Ordinance No. 2013-01-An Ordinance re-establishing a Botanical, Cultural, Recreational, and Zoological (RAPZ) Tax within Cache County, Utah, and for the Allocation of both RAPZ and Restaurant Tax Proceeds. White seconded the motion. The vote was unanimous, 7-0.**

**Ordinance No. 2013-01:** The vote was 7-0.

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

- **Resolution No. 2013-01 – County Clerk Office Fee Schedule** – Clerk Zollinger pointed out changes to the fee for marriage licenses and fair booths.

(Attachment 5)

**ACTION: Motion by Council member Yeates to approve Resolution No. 2013-01 – County Clerk Office Fee Schedule. Robison seconded the motion. The vote was unanimous, 7-0.**

- **Authorization for Refund on Overpayment of Taxes** – Executive Lemon explained that there was error on the part of the county resulting in an overpayment of taxes from 2004 through 2011 by a citizen and asked for the Council's approval of a refund to that citizen of \$10,087.75. The amount of overpayment was calculated by Assessor Howell.

(Attachment 6)

**ACTION: Motion by Council member Buttars to authorize the Cache County Treasurer to refund the overpayment. Zilles seconded the motion. The vote was unanimous, 7-0.**

**OTHER BUSINESS**

- ✓ **Council Members' Goals for 2013**
  - Council member Zilles – Clustering ordinance
  - Council member White – Completion of new general plan, critique of department employee needs, review retirement plan, resolve air quality issue
  - Council member Buttars – Cluster ordinance, fire tenders, landfill access issue, locating ambulance in North Logan, budget cuts possibilities
  - Council member Petersen – Emissions testing program no later than March 6, better solution on American West Heritage Center property, general plan
  - Council member Yeates – All of the above, continue to make progress on employee salaries

**Council member Yeates left the meeting.**

- Council member Robison – RU-2 Zone location, earlier discussion of salary and benefits – possibly July, software acquisitions policy – Todd Jenkins has a proposal.

Executive Lemon said he will schedule a time for Jenkins to present the proposal to the Council.

- Executive Lemon – Departmental personnel needs review
- Chairman Potter - Canal restoration project, ongoing review of budget, better communication in planning with elected officials and department heads, capital improvements and county projects, personnel evaluations, compare percentage of salaries versus percentage of county expenditures for services

Referring to the lawsuit involving the canal project, Ciebien said Logan City's motion is scheduled to be heard on the 22<sup>nd</sup>.

Lieutenant Locke asked if the employee evaluation process has been changed to mid-year because the Sheriff's office has made that change. Lemon said, yes, it has been changed. Zollinger noted that the evaluation cannot be done on line yet, though.

- ✓ **Schedule County Council Winter Social** – The social will be Tuesday, January 15, 2013 at 6:30 p.m. at the Copper Mill Restaurant.
- ✓ **2013 Council Member Boards and Committees Assignments** – Chairman Potter asked Council members to look over the assignments for possible changes.

Robison asked Allen to add the Policy and Procedures Committee under her name.

Potter said he would like to serve on the RAPZ Committee some time.

Buttars recommended rotating assignments to gain a better understanding of various issues and areas of county government.

Chairman Potter will review the assignments for finalization at the next Council meeting.

### **COUNCIL MEMBER REPORTS**

**Kathy Robison** asked if data is taken on air quality on New Year's Day and did it make a difference when everything was shut down? Lemon said there was not a red air day until January 3, 2012. Inversions build and worsen day by day, but he believes less traffic does make a difference.

**Val Potter** suggested attending Legislative Day on February 8, 2013, but Council members responded the local Saturday meetings are a better opportunity to visit personally with out legislators.

### **ADJOURNMENT**

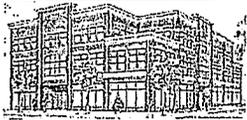
The Council meeting adjourned at 7:25 p.m.

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**ATTEST:** Jill N. Zollinger  
County Clerk

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**APPROVAL:** Val Potter  
Chairman



**CACHE COUNTY CORPORATION**  
**DEVELOPMENT SERVICES DEPARTMENT**

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

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

**Staff Report: Munk Subdivision**

06 December 2012

**Agent:** Nancy Munk

**Parcel ID#:** 08-098-0001

**Staff Determination:** Approval with conditions

**Type of Action:** Administrative

**Land Use Authority:** Cache County Council

**Location**

*Reviewed by: Chris Harrild, Planner II*

**Project Address:**

4860 North 2400 West

Benson, UT

**Current Zoning:**

**Acres:** 4.40

Agricultural (A-10)

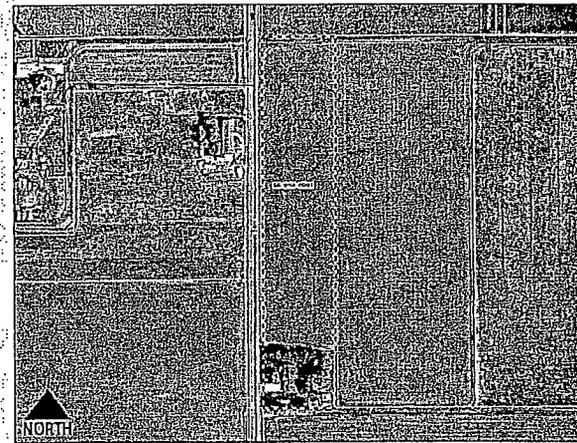
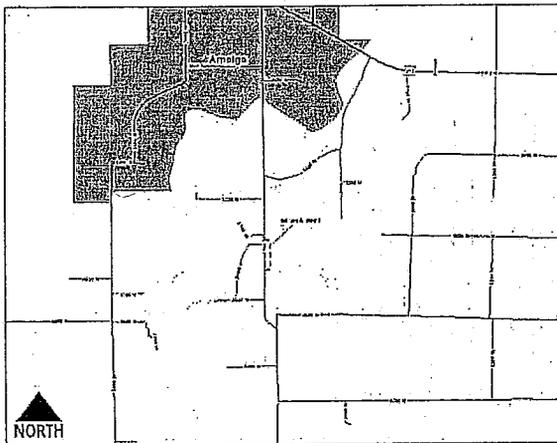
**Surrounding Uses:**

North – Agricultural/Residential

South – Agricultural/Residential

East – Agricultural

West – Agricultural/Residential



**Purpose, Applicable Ordinance, and Summary**

**Purpose:**

To review and make a recommendation to the County Council regarding the proposed Munk subdivision.

**Ordinance:**

As per the Cache County Zoning Ordinance §17.10.020 Supplemental Standards this parcel qualifies for a development density of one (1) lot per two (2) acres for the first three parcels and a density of one (1) lot per ten (10) acres thereafter; therefore, with a total developable acreage of approximately 4.40 acres, this pre-1970 parcel has a maximum development potential of two (2) developable lots.

**Summary:**

This proposal is to create a 2-lot subdivision located at approximately 4860 North 2400 West, Benson, in the Agricultural (A-10) Zone on 4.40 acres of property on parcel number 08-098-0001. There is an existing home on Lot 1.

*Access:*

- Access to this property from county road 2400 West is adequate. At this point, 2400 West is a 22 foot wide paved roadway with 2 foot shoulders.

*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.
- Culinary water will be provided by the Benson Culinary Water Improvement District.
- The existing home that will be part of the proposed Lot #1 has an existing, approved septic system. The proposed Lot #2 is feasible for an on-site septic tank system.

*Service Provision:*

- All refuse and recycling containers shall be placed along 2400 West for Monday 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 is located at 4860 North 2400 West approximately 1 blocks from the proposed subdivision.
- Any driveways shall meet all applicable requirements of the current International Fire Code, minimum County standards, and any other applicable codes.
- The proposed subdivision is in an area that has an adequate water supply for fire suppression.

Staff Determination and Findings of Fact (4)

It is staff's determination that the Munk subdivision, a 2-lot subdivision for property located at approximately 4860 North 2400 West with parcel number 08-098-0001, is in conformance with the Cache County Ordinance requirements and should be forwarded to the County Council with a recommendation of approval. This determination is based on the following findings of fact:

1. The Munk 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 Munk 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 Munk 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 Munk subdivision is compatible with surrounding land uses and will not interfere with the use and enjoyment of adjoining or area properties.

Conditions of Approval (2)

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 recordation the proponent shall:
  - a) Meet all applicable standards of the Cache County Ordinance.
  - b) Provide evidence of adequate, approved, domestic water rights for all building lots within the subdivision.
  - c) The applicant shall reaffirm their portion of Cache County's 66' wide right-of-way for all county roads along the proposed subdivision boundary.
2. As necessary and as determined by the County Engineer, a culvert shall be installed at the point of the subdivision access to lot 2 from 2400 West. The size of any required culvert shall also be determined by the Cache County Engineer.



1 Consent Agenda

2  
3 #1 Munk Subdivision (Nancy Munk)

4  
5 **Harrild** reviewed Nancy Munk's request for a 2-lot subdivision and an agricultural remainder on  
6 4.40 acres of property in the Agricultural (A-10) Zone located at approximately 4860 North 2400  
7 West, Benson. Staff received a single comment regarding water collecting on the property in  
8 wet years.

9  
10 *Watterson motioned to recommend approval of the Munk Subdivision to the County Council with*  
11 *the stated conditions and findings of fact; Ellis seconded; Passed 5, 0.*  
12



**BEAR RIVER**  
**MENTAL HEALTH**  
**SERVICES, INC.**

October 10, 2012

Office of the State Auditor  
Utah State Capitol Complex  
Senate Office Building, Suite E310  
P.O. Box 142310  
Salt Lake City, UT 84114

Gentlemen:

The financial statement report of Bear River Mental Health Services, Inc. (Center), a not-for-profit organization, for the fiscal years ended June 30, 2012 and 2011; is submitted herewith. Responsibility for both the accuracy of the data, and the completeness and fairness of the presentation, including all disclosures, rests with the Center. To the best of our knowledge and belief, the enclosed data is accurate in all material respects and is reported in a manner designed to present fairly the financial position and results of operations of the various funds of the Center. All disclosures necessary to enable the reader to gain an understanding of the Center's financial activities have been included.

The financial report is presented in three sections: introductory, financial and supplemental. The introductory section includes this transmittal letter, organizational chart and a list of principal officials. The financial section includes the auditor's report and the June 30, 2012 and 2011, financial statements. The supplemental section consists of a comparative detail statement of activities, the auditor's reports in accordance with government auditing standards; the state of Utah auditor's report on legal compliance and communication with those charged with governance.

The Center contracts with the state of Utah, which dictates that programs be considered for compliance with the requirements governing types of services. Management of the Center is responsible for establishing and maintaining an internal control structure designed to ensure the assets of the Center are protected from loss, theft or misuse; and to ensure that adequate accounting data is compiled to allow for the preparation of financial statements in conformity with accounting principles generally accepted in the United States of America.

The internal control structure is designed to provide reasonable, but not absolute, assurance that these objectives are met. The concept of reasonable assurance recognizes that: (1) the cost of a control should not exceed the benefits likely to be derived; and (2) the valuation of costs and benefits requires estimates and judgments by management.

As a recipient of federal, state and county financial assistance, the Center also is responsible for ensuring that an adequate internal control structure is in place to ensure compliance with applicable laws and regulations related to those programs. The internal control structure is subject to a periodic evaluation by management. As demonstrated by the statements and schedules included in the financial section of this report, the Center continues to meet its responsibility for sound financial management.

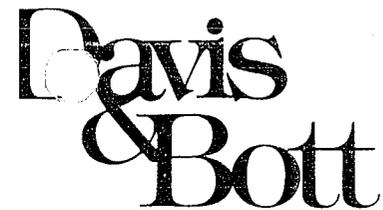
The preparation of the financial statements and supplemental information was made possible by the dedicated services of the Bear River staff, who assisted with the audit process. Additionally, the excellent work accomplished by the staff from the firm of Davis & Bott made this an extremely useful review and summary for management purposes.

Due credit also should be given to the governing board of the Center for their interest and support in planning and conducting the operations in a responsible and progressive manner.

Respectfully submitted,



C. Reed Ernstrom  
President/CEO



COMMUNICATION WITH THOSE  
CHARGED WITH GOVERNANCE

Certified Public Accountants, L.C.

100 West Forest, Suite 101  
P.O. Box 369  
Provo, Utah 84302  
801-723-5224

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

We have audited the financial statements of Bear River Mental Health Services, Inc. (Center), a not-for-profit organization, for the years ended June 30, 2012 and 2011, and have issued our report thereon dated October 10, 2012. Professional standards require that we provide you with information about our responsibilities under general accepted auditing standards and *Government Auditing Standards*, as well as certain information related to the planned scope and timing of our audit. We have communicated such information in our letter to you dated May 22, 2009. Professional standards also require that we communicate to you the following information related to our audit.

Significant Audit Findings

*Qualitative Aspects of Accounting Practices*

Management is responsible for the selection and use of appropriate accounting policies. The significant accounting policies used by the Center are described in Note 1 to the financial statements. No new accounting policies were adopted and the application of existing policies was not changed during the fiscal year ended June 30, 2012. We noted no transactions entered into by the Center during the year for which there is a lack of authoritative guidance or consensus. All significant transactions have been recognized in the financial statements in the proper period.

Accounting estimates are an integral part of the financial statements prepared by management and are based on management's knowledge and experience about past and current events and assumptions about future events.

COMMUNICATION WITH THOSE  
CHARGED WITH GOVERNANCE  
(Continued)

Certain accounting estimates are particularly sensitive because of their significance to the financial statements and because of the possibility that future events affecting them may differ significantly from those expected. The most sensitive estimates affecting the financial statements were:

Depreciation

The financial statements are prepared in accordance with "generally accepted accounting principles" (GAAP). As such, assets are depreciated using the straight line method of depreciation.

Capitated Medicaid Revenue

The Center receives monthly Medicaid premiums for Medicaid eligible persons for the period of prior eligibility up to a maximum of 12 months. This revenue is estimated based on historical data; however, historical data does not guarantee future results.

The financial statement disclosures are neutral, consistent, and clear.

*Difficulties Encountered in Performing the Audit*

We encountered no significant difficulties in dealing with management in performing and completing our audit.

*Corrected and Uncorrected Misstatements*

Professional standards require us to accumulate all misstatements identified during the audit, other than those that are trivial, and communicate them to the appropriate level of management. Management has corrected all such misstatements. In addition, none of the misstatements detected as a result of audit procedures and corrected by management were material, either individually or in the aggregate, to the financial statements taken as a whole.

COMMUNICATION WITH THOSE  
CHARGED WITH GOVERNANCE  
(Continued)

*Disagreements with Management*

For purposes of this letter, a disagreement with management as a financial accounting, reporting, or auditing matter, whether or not resolved to our satisfaction, that could be significant to the financial statements or the auditor's report. We are pleased to report that no such disagreements arose during the course of our audit.

*Management Representations*

We have requested certain representations from management that are included in the management representation letter dated October 10, 2012.

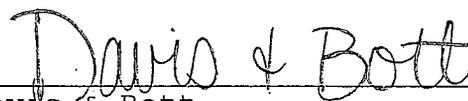
*Management Consultations with Other Independent Accountants*

In some cases, management may decide to consult with other accountants about auditing and accounting matters, similar to obtaining a "second opinion" on certain situations. If a consultation involves application of an accounting principle to the Center's financial statements or a determination of the type of auditor's opinion that may be expressed on those statements, our professional standards require the consulting accountant to check with us to determine that the consultant has all the relevant facts. To our knowledge, there were no such consultations with other accountants.

*Other Audit Findings or Issues*

We generally discuss a variety of matters, including the application of accounting principles and auditing standards, with management each year prior to retention as the Center's auditors. However, these discussions occurred in the normal course of our professional relationship and our responses were not a condition to our retention.

This communication is intended solely for the information and use of management, the Governing Board and others within the organization, and is not intended to be and should not be used by anyone other than these specified parties.



\_\_\_\_\_  
Davis & Bott  
Certified Public Accountants, L.C.

Brigham City, Utah  
October 10, 2012

**The full text of the Bear River Mental Health Services  
Financial Audit Report is on file with Bear River Mental  
Health Services.**

Here is our proposal that we would like to present at your next council meeting:

### **Cache County Community Solar**

We would like to propose a solar group purchase program in Cache County. Would like the opportunity to present the idea for 10 minutes at your next council meeting at 5:00 PM on January 8. Please confirm the time and place of your meeting. My partners, Gardner Engineering, are in the process of completing the Salt Lake Community Solar (SLCS) program. SLCS is an innovative community bulk-purchase solar initiative designed to help homeowners in Salt Lake County overcome the logistical and financial hurdles of purchasing solar for single family residences.

By providing a purchase-in-bulk program, SLCS is able to provide the 63 homeowners that joined in the project a 40% savings on solar installations for their homes. We would like to propose that Cache County consider sponsoring such a program. As sponsor of the group purchase program, the County is not responsible for funding or guaranteeing the project. They simply act as a means to help those already interested in the purchase of a solar array, but at a lower cost by purchasing together. We recommend two similar programs in Cache County: one for businesses and one for residences. Participation in these programs would be totally voluntary.

Clifton Consulting and Gardner Engineering would like to act as the administrators of the program. Gardner Engineering is the premier renewable energy firm in the state of Utah. Clifton Consulting is a public finance firm that has been involved in hundreds of millions of dollars in public finance projects throughout the west. I am one of the principals of Clifton Consulting, and will be personally involved in the project. I am a former faculty member of the Huntsman School of Business at Utah State University and have strong contacts in Cache valley. We would like to involve USU students as interns in this project. We think that it will benefit county citizens and USU students as well. Funding for the administration of the project can be provided either through grants from foundations or county funds. If the council is interested, we would like a chance to formulate a formal proposal to appoint Clifton Consulting and Gardner Engineering as administrators for this project at a future meeting of the council.

Mark D. Thomas

Clifton Consulting  
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Holladay, UT 84124

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CACHE COUNTY  
ORDINANCE NO. 2013 - 01

**AN ORDINANCE RE-ESTABLISHING A BOTANICAL, CULTURAL, RECREATIONAL, AND ZOOLOGICAL (RAPZ) TAX WITHIN CACHE COUNTY, UTAH, AND FOR THE ALLOCATION OF BOTH RAPZ AND RESTAURANT TAX PROCEEDS.**

Section 1. Provisions of Chapter 3.82 are hereby re-enacted and amended as part of the Cache County Code to read as follows:

- 2.92.010 **TAX IMPOSED:** An option sales and use tax is hereby re-imposed in the amount of one-tenth of one percent on all transactions, described in Utah Code Annotated section 59-12-103(1), within Cache County, Utah, including the cities and towns located within Cache County, Utah. This tax is sometimes referred to as "RAPZ" tax in this Chapter.
- 3.82.020: **USE OF REVENUE:** The monies generated from the tax re-imposed in this chapter shall be used for financing recreational and zoological facilities within Cache County or a city or town located in the county; and ongoing operating expenses of botanical, cultural and zoological organizations within the county.
- 3.82.030: **CONTROLLING STATE LAW:** This tax shall be re-imposed, administered and defined as provided in Utah Code Annotated title 59, chapter 12, part 7, as it is presently constituted and amended from time to time.
- 3.82.040: **RAPZ AND RESTAURANT TAX ALLOCATION FINDINGS:**
- A. Voters of Cache County approved the imposition of a one-tenth of one percent sales and use RAPZ tax, as allowed by Utah Code Annotated title 59, chapter 12, part 7, on November 6, 2012, for the purpose of funding cultural, recreational and zoological organizations and facilities; and
  - B. The county council has approved a one percent (1%) restaurant tax; and
  - C. The county council, by statute, is empowered to establish procedures whereby RAPZ and restaurant tax funds are distributed to eligible organizations.

Section 2. This ordinance shall become effective January 1, 2013, or as otherwise set forth in Utah Code Annotated section 59-12-703(f) as amended.

PASSED BY THE COUNTY COUNCIL OF CACHE COUNTY, UTAH  
THIS JANUARY 8, 2013.

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



CACHE COUNTY

By: \_\_\_\_\_

Val K. Potter, Chairman

ATTEST:

  
Jill N. Zollinger, County Clerk

Publication Date: January 23rd, 2013

# CACHE COUNTY, UTAH

RESOLUTION NO. 2013-01

A. RESOLUTION PROVIDING FOR AMENDMENTS TO SERVICE FEE SCHEDULE OF THE OFFICE OF THE CACHE COUNTY CLERK.

The County Council of Cache County, Utah, in regular meeting, lawful notice of which has been given, finds that it is appropriate and necessary that the service fees schedule for services of the Office of the Cache County Clerk be amended.

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

BE IT RESOLVED THAT:

Section 1: Service Fees Schedule.

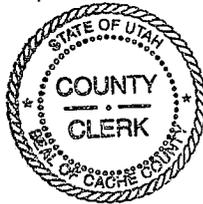
The Service fees schedule attached hereto is hereby approved for the Office of the Cache County Clerk superceding all prior service fee schedules for that office.

Section 2: Effective Date.

This resolution shall become effective immediately.

DATED this 8th Day of January, 2013.

CACHE COUNTY COUNCIL:



By: Val Potter

Val Potter, Chairman

ATTEST TO:

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



**Jill N. Zollinger**  
**Cache County Clerk**  
 179 North Main Suite 102  
 Logan, UT 84321  
 Phone: 435.755.1460 | FAX: 435.755.1980  
[www.cachecounty.org/clerk](http://www.cachecounty.org/clerk)

## CACHE COUNTY Office of the County Clerk

### FEE SCHEDULE

Marriage License .....	\$30.00
Certified Copy .....	\$ 9.00
Uncertified Copy .....	\$ 2.00
Perform Marriage Ceremony .....	\$40.00
Document Certification .....	\$ 5.00
Notarial Certificate .....	\$ 5.00
General Copies .....	\$ 0.25
DVD or CD Copy .....	\$5.00
Returned Check Fee .....	\$25.00
 Voter Information	
Setup Fee ( <i>In Addition To Other Charges.</i> ) .....	\$20.00
Disk .....	one half cent per name
Hard Copy .....	one cent per name
Labels .....	2 cents per name
Voter District Guide .....	\$5.00
Voter Information Card replacement .....	\$2.00
 Business License Fees	
Home Occupation Business .....	\$55.00
Contractors ( <i>Home is base of business but does contracting work away from their home</i> ) ..	\$80.00
Commercial Business ( <i>Less than 10 Employees</i> ) .....	\$105.00
Commercial Business ( <i>More than 10 Employees</i> ) .....	\$230.00
Fire Inspection Fee .....	\$20.00
Late Fee .....	\$50.00
Late Fee (non-compliance after 45 days notification) .....	\$500.00
Temporary Business (Non-permanent Basis or Transit Business Person) .....	\$60.00 per calendar day of operation
 Fair Fees	
Fair Booth Fee (With Electricity) .....	\$150.00 -1,500.00
(Without Electricity) .....	\$150.00
Parking Pass .....	\$5.00
Mutton Bust .....	\$10.00
Cache Valley Idol Contest .....	\$10.00
Rodeo Tickets .....	\$7.00 - 30.00
Carnival Pre-Sale Tickets .....	\$18.00

Effective Date: January 9, 2013

Parcel #: 02-065-0011

Owner: H. Gary & Geraldine Niederhauser Trs.

Phone #: 881-5221

The Recorder made an error in the acreage on this parcel in 2004 . The error wasn't caught until 2012. The taxpayer paid tax for 0.76 acres he did not have. Under Utah Code 59-2-1321 - **Erroneous Assessment**, a refund is due for being over assessed for 0.76 acres.

Year	Acres Assessed	Total Value	Value for 0.76 Acres	Tax Rate	Tax
2004	5.07	\$416,240	\$62,395	0.011877	\$741.07
2005	5.07	\$457,864	\$68,634	0.012099	\$830.40
2006	5.07	\$812,123	\$121,738	0.012005	\$1,461.46
2007	5.07	\$812,123	\$121,738	0.011761	\$1,431.76
2008	5.07	\$812,123	\$121,738	0.01172	\$1,426.77
2009	5.07	\$812,123	\$121,738	0.011611	\$1,413.50
2010	5.07	\$730,908	\$109,563	0.012458	\$1,364.94
2011	5.07	\$730,908	\$109,563	0.012941	\$1,417.85
<b>Total Amount Overpaid</b>					<b>\$10,087.75</b>

50 EAST STREET

Apple Wood Subdivision

LOT 7  
BAR AND GAP  
(CROW 1991)

LOT 6  
BAR AND GAP  
(CROW 1991)

LOT 5  
BAR AND GAP  
(CROW 1994)

358.40' (367.92' E.P.)

380.25' 4.17'

406.50'

MULTI-PARCEL PARCEL  
33,183 sq. ft.  
0.76 acres

NORTH PARCEL  
187,880 sq. ft.  
4.31 acres

R = 231.47'  
L = 285.34'  
A = 19.43° 54'  
C1 = 228.52'  
C2 = N 83° 14' W

N89°45'36"E  
606.97'

206.06' S.A.

N02°05'01"E  
14.70'

N78°31'17"W  
7.81'

STATE ROAD  
MAIN ST

MAIN STREET

WEST SIDE  
PROPERTY LINE  
3.22'  
GATEWAY BUSH  
LOT 1

POINT OF  
BEGINNING

POINT OF  
BEGINNING

CENTER POINT  
55,781 sq. ft.  
1.28 acres

10.5' 1.07' 2.57' 11.00'

C1

C2

C3