

APPROVED

**CACHE COUNTY
COUNCIL MEETING
MINUTES
MAY 27, 2014**

**CACHE COUNTY COUNCIL
MAY 27, 2014**

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CACHE COUNTY COUNCIL MEETING
May 27, 2014

The Cache County Council convened in a regular session on May 27, 2014 at 5:00 p.m. in the Cache County Council Chamber at 199 North Main, Logan, Utah.

ATTENDANCE:

Chairman: Val Potter
Vice Chairman: Kathy Robison,
Council Members: Craig "W" Buttars, G. Gregory Merrill, Jon White, 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: Jon Alfred, Janeen Allen, Richard Anderson, Jena Ashton, Turner Ashton, Reed Baldwin, Todd Bentley, Jennifer Bohman, Aaron Dickey, Debbie Ditton, Marc Ensign, Kristan Fjeldsted, Leland Foster, Lila Geddes Chris Harrild, Heidi Hodgson, Robyn Hoth, Sharon L. Hoth, Doug Lemon, Dawna Major, Scott Moake, Sharon Moake, Zan Murray, Dave Nielsen, Paul Parkinson, Mike Petersen, Jon Rash, Kody Rash, Carolyn Rasmussen, Director Josh Runhaar, Jason Summers, Doug Thompson, Lance Walker, Brad White, **Media:** Jennie Christensen (KVNU), Shannon Nielsen (Herald Journal).

OPENING REMARKS AND PLEDGE OF ALLEGIANCE

Council member Buttars 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 amended agenda as written. White seconded the motion. The vote was unanimous, 7-0.

REVIEW AND APPROVAL OF MINUTES

ACTION: Motion by Council member Buttars to approve the minutes of the May 13, 2014 Council meeting as written. Merrill seconded the motion. The vote was unanimous, 7-0.

REPORT OF THE COUNTY EXECUTIVE: M. LYNN LEMON

APPOINTMENTS: There were no appointments.

WARRANTS: Warrants for the period 05-17-2014 to 05-23-2014 were given to the Clerk for filing.

OTHER ITEMS:

- Executive Lemon had no items for discussion**

CONSENT AGENDA

- ◇ **Moake Subdivision** – Steven Taylor requesting approval for a 3-lot Subdivision on 10 acres in the Rural (RU2) Zone located approximately 1833 North 8000 West, Petersboro – Council member White expressed his disapproval of the Moake Subdivision noting the probability of other requests in the area resulting in a large residential development in a remote county area.

Council member Merrill observed the Planning Commission unanimously recommended approval because the request meets current county ordinance requirements. Without an updated general zoning plan the request conforms to the present code.

- ◇ **Walker Subdivision** – Lance A. Walker requesting approval for a 2-lot Subdivision on 5.18 acres in the Agricultural (A10) Zone located approximately 6295 North 800 West, north of Smithfield.

(Attachment 1)

ACTION: Motion by Council member Yeates to approve the consent agenda items – Moake Subdivision & Walker Subdivision. Buttars seconded the motion. The motion passed, 6 aye – Buttars, Merrill, Potter, Robison, Yeates & Zilles and 1 nay – White.

ITEMS OF SPECIAL INTEREST

- **Cache Valley Transit District – Aaron Dickey** is the county's representative on the Cache Valley Transit Board and is the current president. Dickey told the county of current projects including the extension to the Transit Center. Dickey turned the time to Doug Thompson, Vice President of the Board.

Thompson reported ridership has increased by 25% since 2008, but operational revenue has only increased 5% and federal support is volatile; hence, the desire to increase revenue through additional sales tax. When Council members suggested charging a fee, Thompson countered that ridership would decrease by 30% to 50% if a fare is imposed and studies indicate the cost of implementing a fee would be more than the revenues received.

Thompson said that according to Utah Code 59-12-2214 public transit can be funded through sales tax and assured Executive Lemon that the county's sales tax that is used for road funding will not be threatened. Thompson explained the Transit District is going before city councils to gain their approval to put the question to their voters.

Executive Lemon and Attorney Swink are under the impression that the Transit District's proposed sales tax increase will endanger Cache County's road tax. Attorney Seth Tate stated the tax for public transit can be imposed under 59-12-2214 OR 59-12-2216, but not both.

Council member White asked if the increased ridership is the same countywide or if the inner Logan area is different from the outer county region. Thompson

didn't have those specific numbers, but invited White to check with the Transit District for the information.

Council member Zilles remarked that the salaries/compensation packages at the Cache Valley Transit District include six that are over \$100,000.00 which seems very high. Dickey and Thompson responded the salaries are approved by an eighteen-member board and were arrived at through an independent consulting firm that did a salary study.

Council member Merrill asked how much revenue the proposed sales tax increase will produce. Thompson replied \$2.8 million.

Executive Lemon will obtain more detailed information from the Transit District and get it to the Council members.

PUBLIC HEARINGS, APPEALS AND BOARD OF EQUALIZATION MATTERS

PUBLIC HEARING: MAY 27, 2014 – 5:30 P.M. – ORDINANCE NO. 2014-06 – Amendments to Title 17.18-Sensitive Areas – Chris Harrild explained the amendments and Chairman Potter opened the Public Hearing and invited public comment.

Heidi Hodgson, Newton, asked the Council for more specific language and measures regarding development in sensitive areas. Hodgson also asked that the sensitive species list include more locally specific issues.

There was no other public comment.

Chairman Potter asked Hodgson to email her concerns to Chris Harrild who will share them with the Council for their review.

ACTION: Motion by Council member Yeates to close the Public Hearing-May 27, 2014-5:30 p.m.-Ordinance No. 2014-06-Amendments to Title 17.18-Sensitive Areas. Buttars seconded the motion. The vote was unanimous, 7-0

PUBLIC HEARING: MAY 27, 2014-5:45 P.M.- ORDINANCE NO. 2014-07 – Amendments to Title 17.20-Telecommunications Facilities – Harrild referred the Council to a fact sheet in their packets describing the various telecommunications poles, types, heights, etc. This is all new information not previously addressed in the code.

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

ACTION: Motion by Council member Yeates to close the Public Hearing – May 27, 2014-5:45 p.m.-Ordinance No. 2014-07-Amendments to Title 17.20-Telecommunications Facilities. White seconded the motion. The vote was unanimous, 7-0.

UNIT OR COMMITTEE REPORTS

- ★ **Road Department – Organization and Projects – Josh Runhaar** displayed via a power point the reorganization of the road department and discussed management, budget, equipment and facility policies, cross training, fleet management and work orders. The crusher operations and current road work were also addressed.

Runhaar said it doesn't matter to him if everything is left under Development Services or a Public Works Department is created. It is up to the Council.

PUBLIC HEARINGS, APPEALS AND BOARD OF EQUALIZATION MATTERS

PUBLIC HEARING – MAY 27, 2014 – 6:00 P.M.- OPEN 2014 BUDGET – Executive Lemon reviewed the adjustments to the budget and Chairman Potter opened the Public Hearing and invited public comment. *(See Attachment 2 to Resolution No. 2014-12-2014 – Budget Amendments – for details.)*

Dave Nielsen asked what kind of mechanism is in place to determine where the county boundary line is. Executive Lemon replied the ridge line is used as the delineating feature.

There was no other public comment.

ACTION: Motion by Council member Yeates to close the Public Hearing – May 27, 2014 – 6:00 p.m.- Open 2014 Budget. Zilles seconded the motion. The vote was unanimous, 7-0.

INITIAL PROPOSAL FOR CONSIDERATION OF ACTION

- **Resolution No. 2014-12 – 2014 Budget Amendments**

(Attachment 2)

ACTION: Motion by Council member Yeates to waive the rules and approve Resolution No. 2014-12 – 2014 Budget Amendments. White seconded the motion. The vote was unanimous, 7-0.

- **Approval of Restaurant/RAPZ Tax Committee Recommendations** – Chairman Potter stated some entities requested time to request additional Restaurant/RAPX Tax funding than was allocated. Potter turned the time to them.

Utah Festival Opera – Marc Ensign, Chairman of the UFO Board of Directors, thanked the county for past support and this year's support. UFO is requesting an additional \$25,000.00 for educational programs. Ensign reminded the Council of the tourism dollars that come to Cache County because of UFO.

Cache Valley Center for the Arts – Leland Foster, Trustee of CVCA, asked for additional funding of \$15,000.00 to publish (online and hard copy) the Arts At a Glance Calendar (\$5,000.00), [This \$5,000.00 allows CVCA to receive \$15,000.00 to \$20,000.00 of additional funding from the Utah Department of Arts

and Museums.] and to help fund their Arts Education and Outreach programs (\$10,000.00).

Four Seasons Theater Company – Jon Rash, co-owner/operator, said the Company is a family-run entity focusing on creating family friendly theater in Cache Valley. They are committed to low ticket prices and they discount ticket prices to family members of the casts. They operate with an all volunteer staff. \$50,000.00 was originally requested but no award was made. Rash asked the Council to reconsider their request.

Whittier Community Center – Jon Alfred, Executive Director, asked for an amount closer to their \$10,000.00 request. Their allocation is presently \$5,000.00.

Council member Yeates remarked the Council needs to know if and how much funding remains before considering these four requests.

Executive Lemon said there is about \$34,000.00 still available. The committee hadn't realized that the \$5,000.00 funding for the Arts at a Glance Calendar would generate three to four times that amount in matching funds. The Four Seasons Theater Company didn't list all of their expenses on their request and have since submitted a revised statement which would probably change their ranking in the allocation process. Lemon said he feels good about \$15,000.00 to CVCA and \$15,000.00 to Four Seasons. The remainder would bring the Whittier Community Center closer to their \$10,000.00 request; however, this doesn't leave anything for UFO, but their allocation was already increased by \$10,000.00 this year.

(Attachment 3)

ACTION: Motion by Council member White to adopt the recommended allocations and render a decision on tonight's additional requests at a future date. Yeates seconded the motion. The vote was unanimous, 7-0.

- **CCCOG Recommendations** – Jeff Gilbert reported all the projects went through the scoring and prioritization process and the eligible requested amounts match the available revenue. The Cache County Council of Governments (CCCOG) recommends funding all the projects for a total of \$2.9 million of CCCOG sales tax funds.

Council member Zilles expressed concern that the CCCOG funds have not been used to purchase right-of-ways which was one of the primary purposes of the tax. He has repeatedly asked that a right-of-way be purchased along 4400 South now to save the county money in the future.

(Attachment 4)

ACTION: Motion by Council member White to approve the CCCOG recommendations. Buttars seconded the motion. The vote was unanimous, 7-0.

- **Paradise Avon Parks and Recreation Service Area Proposal – Jason Summers** asked the Council to certify a petition signed by just over 100 residents asking for the formation of a special tax district to fund parks and recreation.

ACTION: Motion by Council member Zilles to accept the Paradise petition on condition that the names are certified by the Cache County Clerk. White seconded the motion. The vote was unanimous, 7-0.

- **Discussion – Storm Water** – Director Runhaar reviewed the Department of Environmental Quality's (DEQ) storm water requirements and the rejection of Cache County's waiver request. The county now has ninety days to complete a Notice of Intent (NOI) and a Storm Water Master Plan (SWMP). Runhaar's office is stretched thin with the additional responsibilities placed on them of late. Runhaar recommends hiring a full-time person as a Storm Water Coordinator (\$50,000.00 to \$55,000.00) to do the plan and establish the program (\$60,000.00).

A possible future funding source is a monthly fee, but there is a need for funding now. If a fee is included on the garbage billing, Council member Buttars urged wording indicating this is an EPA mandated fee. Council members mentioned taking the money from the Reserve Fund as a possibility for start-up funding.

Chairman Potter indicated a Public Hearing to open the 2014 budget needs to be set tonight so the funding mechanism can be addressed.

ACTION: Motion by Council member Buttars to set a Public Hearing – June 10, 2014 – Open 2014 Budget. Zilles seconded the motion. The vote was unanimous, 7-0.

- **Update on Tax Sale** – Executive Lemon referred the Council to the one-page report in their packets.

PUBLIC HEARINGS, APPEALS AND BOARD OF EQUALIZATION MATTERS

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

THE COUNCIL CONVENED AS A BOARD OF EQUALIZATION

- **Property Tax Exemption Requests** – Family Information and Resource Center
(Details are on file in the Cache County Auditor's Office.)

ACTION: Motion by Council member Buttars to approve the Property Tax Exemption request. White seconded the motion. The vote was unanimous, 7-0.

- **Findings of Fact Report – Center for Excellence in Higher Education** – Council member Zilles and Executive Lemon met with the Center and recommend approval. *(Details are on file in the Cache County Auditor's Office.)*

ACTION: Motion by Council member White to approve the Findings of Fact for the Center for Excellence in Higher Education. Zilles seconded the motion. The vote was unanimous, 7-0.

- **Findings of Fact Report – Cache Valley Community Health Center –**
Executive Lemon noted the county has not yet received the Health Center's charity plan. They have until May 30, 2014 to submit it.

THE COUNCIL ADJOURNED FROM THE BOARD OF EQUALIZATION.

OTHER BUSINESS

- ✓ **Nibley City Heritage Days Parade – Saturday, June 21, 10:00 a.m.** – Lemon, Buttars and Yeates will attend.
- ✓ **Lewiston City 4th of July Parade – Friday, July 4, 2014 at 9:00 a.m.** – Zilles Potter, Merrill and Buttars will attend.
- ✓ **Hyrum City 4th of July Parade – Friday, July 4, 2014 at noon**
- ✓ **Council Photo Session – Tuesday, June 10, 2014 at 4:30 p.m. – Council Chambers**
- ✓ **2014 Summer USACCC Conference – Thursday, June 26, 2014 at Thanksgiving Point in Utah County** – Potter will attend.

COUNCIL MEMBER REPORTS

Craig “W” Buttars reported the upper gate at High Creek Road is not yet open and the sign on the gate says it will open May 15. Executive Lemon spoke with the Forest Service about the gate and Jennifer Parker said it is listed as opening June 1; however, it will open this week. Buttars noted that Memorial Day weekend is a high recreation date and citizens were upset it was still closed.

Buttars said it has been recommended that Secure Rural Schools funding be used to fund improvements to Tony Grove Road.

Val K. Potter asked Attorney Swink for an update on the Powder Mountain agreement issue. Powder Mountain has requested the county to adhere to the original agreement of three home sites and two nests (cabin sites). The original agreement has an incorrect survey associated with it. Swink said Powder Mountain needs to present the Council with a formal question so the county can respond accordingly.

ACTION: Motion by Council member Buttars to adjourn to an Executive Session for a discussion of pending litigation. Yeates seconded the motion. The vote was unanimous, 7-0.

The Council adjourned to an Executive Session at 8:38 p.m.

Cache County Council
05-27-2014

ACTION: Motion by Council member Yeates to adjourn from the Executive Session. Buttars seconded the motion. The vote was unanimous, 7-0.

The Council adjourned from the Executive Session at 8:58 p.m.

ADJOURNMENT

The Council meeting adjourned at 8:59 p.m.

ATTEST: Jill N. Zollinger
County Clerk

APPROVAL: Val K. Potter
Chairman



STAFF REPORT: MOAKE SUBDIVISION

08 May 2014

This staff report is an analysis of the application based on adopted county documents, standard county development practices, and available information. The report is to be used to review and consider the merits of the application. Additional information may be provided that supplements or amends this staff report.

Agent: Steven C. Taylor

Parcel ID#: 12-046-0003

Staff Determination: Approval with conditions

Type of Action: Administrative

Land Use Authority: Cache County Council

LOCATION

Reviewed by: Stephanie Nelson, Planner I

Project Address:

1833 North 8000 West
Petersboro, Utah 84325

Current Zoning:

Rural 2 (RU2) Zone

Acres: 10

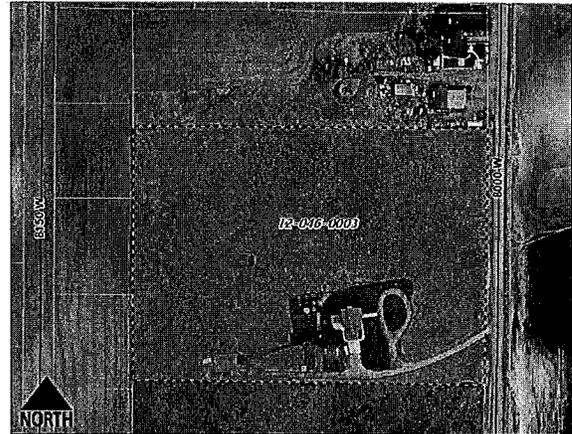
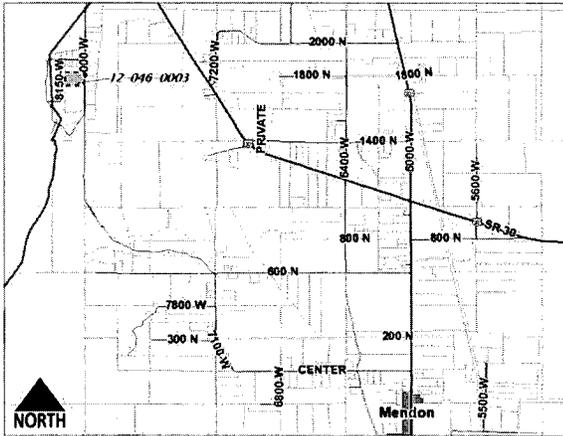
Surrounding Uses:

North – Agricultural/Rural 2/Box Elder County

South – Agricultural/Rural 2/FR40

East – Agricultural/Residential

West – Rural 2/Box Elder County/Residential



PURPOSE, ORDINANCE, AND SUMMARY

Purpose:

To review and make a recommendation to the County Council regarding the proposed Moake Subdivision.

Ordinance:

As per the Cache County Zoning Ordinance Table §17.10.030 Development Density and Standards Specific to Base Zoning Districts, this proposed subdivision qualifies for a development density of one (1) unit per two (2) acres, in the Rural 2 (RU2) Zone.

Summary:

This proposal is to divide a single parcel into three (3) developable lots.

Access:

- Access to this property is from 8000 West and is adequate. At this point, 8000 W is a 22' wide paved road with 2' wide gravel shoulders.
- As determined by Cache County a minimum 18" culvert must be installed at the access points for each lot prior to the issuance of a building permit.

Water & Septic:

- Culinary water is provided by the Willow Creek Water Company. Lot 1 is already a customer of the Willow Creek Water Company.
- There is a septic system for the existing dwelling. Bear River Health Department approved this new lot configuration.

Service Provision:

- There is sufficient shoulder space for the residential refuse and recycle containers to sit four feet apart and be out of the travel lane on 8000 West.
- A school bus stop is located at 14600 North 400 West.
- Water supply for fire protection is provided by a hydrant system. Access for emergency services is adequate.

Public Comment:

Notices were mailed to the property owners located within 300 feet of the subject property. At this time no public comment regarding this proposal has been received by the Development Services Department.

STAFF DETERMINATION AND FINDINGS OF FACT (4)

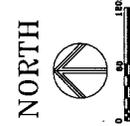
It is staff's determination that the Moake Subdivision, a 3-lot subdivision for property located at approximately 1833 North 8000 West Petersboro, Utah 84325 with parcel number 12-046-0003, is in conformance with the Cache County Ordinance requirements and should be forwarded to the County Council with a recommendation of approval. This determination is based on the following findings of fact:

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

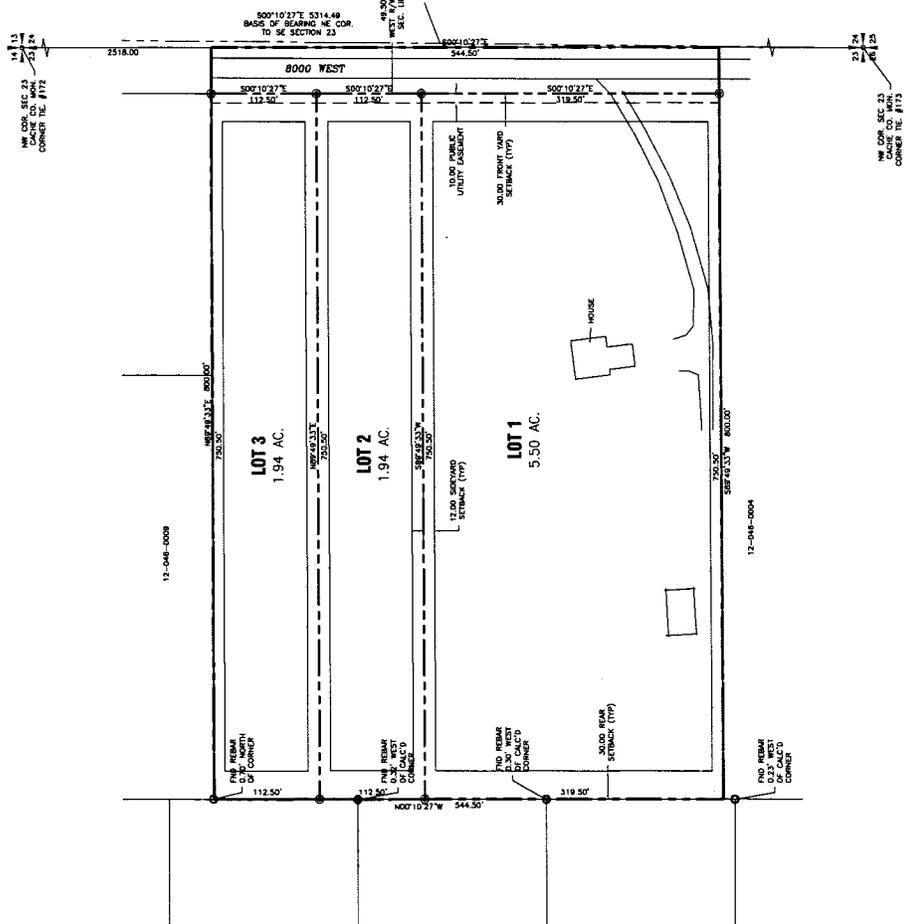
CONDITIONS OF APPROVAL (3)

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

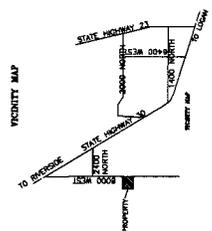
1. Prior to final plat recordation the proponent shall meet all applicable standards of the Cache County Ordinance.
2. The applicant shall reaffirm their 33' portion of Cache County's 66' wide right-of-way for all county roads along the proposed subdivision boundary.
3. As determined by Cache County a minimum 18" culvert must be installed at the access points for each lot prior to the issuance of a building permit.



MOAKE SUBDIVISION
 Part of the East Half of Section 23,
 Township 12 North, Range 2 West,
 Salt Lake Baseline & Meridian
 Cache County, Utah



- LEGEND**
- BOUNDARY LINE
 - FENCE
 - EASEMENT
 - SET POINT / POINT OF BEGINNING
 - FOUND REMAIN
 - DEEP RECORD DISTANCE
 - SECTION CORNER
 - 100' B.P.



NOTES AND PROTECTIVE COVENANTS

- CURRENT AND FUTURE PROPERTY OWNERS MUST BE AWARE THAT THIS SUBDIVISION IS SUBJECT TO THE SUBDIVISION MAP AND THE PERMITTED USES IN APPLICABLE ZONE. SHALL BE ALLOWED TO FLOW FROM ANY SUBDIVISION LOT TO ANY ADJACENT LOT WITHOUT THE WRITTEN AUTHORIZATION OF THE AFFECTED PARTY.
- PARTICULAR COUNTY HAS NOT DETERMINED THE AVAILABILITY AND ADEQUACY OF CULINARY WATER TO ANY OF THE LOTS WITHIN THIS SUBDIVISION. PROPERTY OWNERS SHALL BE RESPONSIBLE FOR THE OBTAINING OF A ZONING CLEARANCE, PRIOR TO THE WATER SOURCE AND TO COMPLY WITH ALL OTHER REQUIREMENTS FOR THE SUBDIVISION.
- SETBACK LINES ARE FOR PRIMARY BUILDINGS ONLY.

CACHE COUNTY SURVEYOR'S CERTIFICATE

I, the undersigned, being duly sworn, do hereby certify that the above described plat is correct and in accordance with the information on file in the County Surveyor's Office and further that I am duly qualified to perform the duties of a County Surveyor under the laws and constitution of the State of Utah.

DATED: _____ 2014
 COUNTY SURVEYOR OFFICE

BEAR RIVER HEALTH DEPARTMENT APPROVAL

THE SUBDIVISION DESCRIBED IN THIS PLAT HAS BEEN APPROVED BY THE BEAR RIVER HEALTH DEPARTMENT THIS _____ DAY OF _____ 2014.

BEAR RIVER HEALTH DEPARTMENT
 TITLE: _____

CACHE COUNTY ATTORNEY

I, the undersigned, being duly sworn, do hereby certify that I have examined this plat and approve the same and that I am duly qualified to perform the duties of an attorney under the laws and constitution of the State of Utah.

DATED THIS _____ DAY OF _____ 2014
 CACHE COUNTY ATTORNEY

CACHE COUNTY PLANNING COMMISSION

THIS PLAT HAS BEEN REVIEWED BY THE CACHE COUNTY PLANNING COMMISSION AND IT IS THE RECOMMENDATION OF THIS BOARD TO APPROVE/DENY THIS SUBDIVISION BASED ON ITS FINDINGS.

DATED THIS _____ DAY OF _____ 2014
 CHAIRMAN
 CACHE COUNTY PLANNING COMMISSION

SURVEYOR'S CERTIFICATE

I, the undersigned, being duly sworn, do hereby certify that the above described plat is correct and in accordance with the information on file in the County Surveyor's Office and further that I am duly qualified to perform the duties of a County Surveyor under the laws and constitution of the State of Utah.

DATED: _____ 2014
 COUNTY SURVEYOR OFFICE

SURVEYOR'S NOTES/NARRATIVE

- The purpose of this survey was to create a three lot subdivision of the East Half of Section 23, Township 12 North, Range 2 West, Salt Lake Baseline & Meridian, Cache County, Utah.
- The base of bearing is S 00°10'27" E from the monument corner to the southeast corner of Section 23 as monumented in the Cache County Surveyor's Office.
- 2.0' north to the end of all property corners.
- The west line was established 48.5' west of the east line of Section 23.

SUBDIVISION BOUNDARY DESCRIPTIONS

Part of the East Half of Section 23, Township 12 North, Range 2 West, Salt Lake Baseline & Meridian, Cache County, Utah, being more particularly described as follows: Beginning at a point S00°10'27" E 231.800 feet along the section line from the southeast corner of Section 23 as monumented in the Cache County Surveyor's Office to the southeast corner of Section 23 as monumented in the Cache County Surveyor's Office; thence S89°49'25" E 800.000 feet to the point of beginning, containing 10.00 AC.

OWNERS ACKNOWLEDGEMENT

I, the undersigned, being duly sworn, do hereby acknowledge that I am the owner of the above described parcel of land and that I have executed this instrument as a voluntary act and for the purposes mentioned.

D. SCOTT MOAKE
 SHARON C. MOAKE

ACKNOWLEDGEMENT

STATE OF UTAH
 COUNTY OF CACHE

I, the undersigned, being duly sworn, do hereby acknowledge that I am the owner of the above described parcel of land and that I have executed this instrument as a voluntary act and for the purposes mentioned.

D. SCOTT MOAKE
 SHARON C. MOAKE

CACHE COUNTY CLERK

THIS PLAT WAS APPROVED BY THE CACHE COUNTY COUNCIL BY MAJORITY VOTE _____ ON THE _____ DAY OF _____ 2014.

DATED THIS _____ DAY OF _____ 2014
 CACHE COUNTY COUNCIL
 ATTESTED TO: CHAIRMAN
 CACHE COUNTY CLERK

CACHE COUNTY RECORDER

State of Utah, County of Cache, recorded and filed in the presence of me, County Recorder, on this _____ day of _____ 2014.

Date: _____ Time: _____ Fee: _____
 Book: _____ Page: _____
 Filed at: File of Plat _____ County Recorder

MOAKE SUBDIVISION
 Part of the East Half of Section 23,
 Township 12 North, Range 2 West,
 Salt Lake Baseline & Meridian
 Cache County, Utah

OWNER: D. SCOTT MOAKE, SHARON C. MOAKE
 ADDRESS: 7300 W 8000 N, SALT LAKE CITY, UTAH 84121
 PHONE: 313-456-7890

ENGINEER: ALLIANCE CONSULTING ENGINEERS
 ADDRESS: 12345 WEST MAIN STREET, SALT LAKE CITY, UTAH 84143
 PHONE: 313-456-7890



STAFF REPORT: WALKER SUBDIVISION

08 May 2014

This staff report is an analysis of the application based on adopted county documents, standard county development practices, and available information. The report is to be used to review and consider the merits of the application. Additional information may be provided that supplements or amends this staff report.

Agent: Lance and Juliann Walker
Staff Determination: Approval with conditions
Type of Action: Administrative
Land Use Authority: Cache County Council

Parcel ID#: 08-039-0013

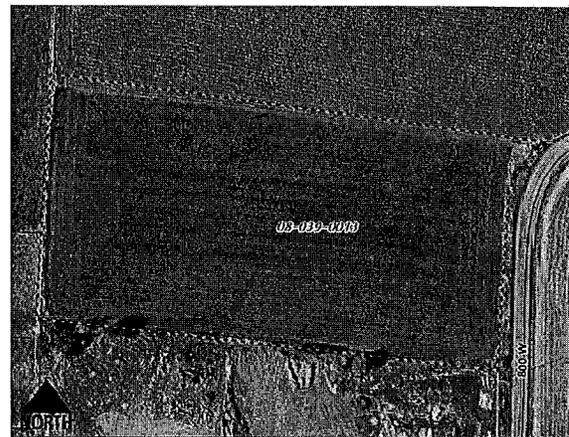
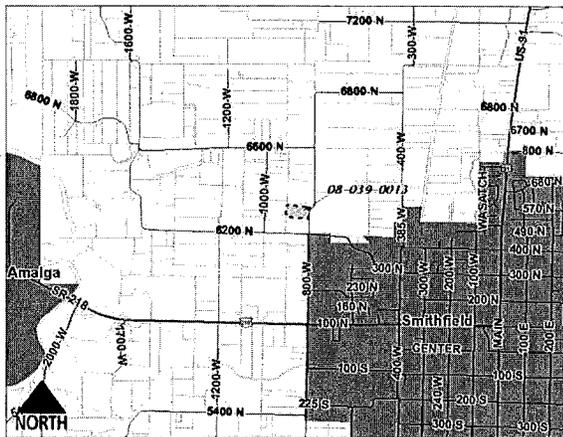
LOCATION

Reviewed by: Stephanie Nelson - Planner I

Project Address:
6295 North 800 West

Surrounding Uses:
North – Agricultural/Residential
South – Agricultural/Smithfield City
East – Agricultural/Residential
West – Agricultural/Residential

Current Zoning: Agricultural (A10) Zone **Acres:** 5.18



PURPOSE, APPLICABLE ORDINANCE, AND SUMMARY

Purpose:

To review and make a recommendation to the County Council regarding the proposed Walker Subdivision.

Ordinance:

As per the Cache County Zoning Ordinance Table §17.10.030 Development Density and Standards Specific to Base Zoning Districts, this proposed subdivision qualifies for a development density of one (1) unit per ten (10) acres, in the Agricultural (A10) Zone.

Summary:

This proposal is to divide parcel number 08-039-0013 and create an additional developable lot.

Access:

- Access to this property is from county road 800 West and is adequate. At this point, 800 West is a 21' wide paved road with 2' wide gravel shoulders.

Water & Septic:

- The Bear River Health Department has approved this new lot configuration.

Service Provision:

- There is sufficient shoulder space for the residential refuse and recycle containers to sit four feet apart and be out of the travel lane on 800 West.
- A school bus stop is located at 6615 North 800 West.
- Any driveways shall meet all applicable requirements of the current International Fire Code, minimum County standards, and any other applicable codes.
- Water supply for fire suppression will be provided by the city of Smithfield Fire Department. Access for emergency services is adequate.

Public Comment:

Notices were mailed to the property owners located within 300 feet of the subject property. At this time no public comment regarding this proposal has been received by the Development Services Department.

STAFF DETERMINATION AND FINDINGS OF FACT (4)

It is staff's determination that the Walker Subdivision, a 2-lot subdivision for property located at approximately 6295 North 800 West with parcel number 08-039-0013, 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 Walker 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 Walker 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 Walker 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 Walker 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 final plat recordation the proponent shall meet all applicable standards of the Cache County Ordinance.
2. The applicant shall reaffirm their 33' portion of Cache County's 66' wide right-of-way for all county roads along the proposed subdivision boundary.

RESOLUTION NO. 2014 - 12

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 2014 are reasonable and necessary; that the said budget has been reviewed by the County Finance Director 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 the 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 2014 budget for Cache County:

See attached

Section 2.

Other than as specifically set forth above, all other matters set forth in the 2014 budget shall remain in full force and effect.

Section 3.

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

This resolution was duly adopted by the Cache County Council on the 27th day of May, 2014.

ATTESTED TO:

CACHE COUNTY COUNCIL


Jill N. Zollinger, Cache County Clerk




Val K. Potter, Chairman

BUDGET OPENING

Resolution: 2014-12
 Hearing: May 27, 2014 6:00 PM

Department	Account	Title	Description	Adjustment
GENERAL FUND		Adopted Budget: \$23,087,774		Proposed Budget: \$23,155,196

Revenues

CONTRIB./TRANSFERS	100-38-90000	APPROPRIATED SURPLUS	Computer Purchase; reopen 2013 PO	67,422
Total Revenue Adjustment:				67,422

Expenditures

ITS	100-4136-740	CAPITALIZED EQUIPMENT	Computer Purchases	67,422
LIBRARY - BOOKMOBILE	100-4580-200	MATERIAL SUPPLIES & SERVICES	Updated contract amount	40
MISCELLANEOUS	100-4960-600	SUNDRY EXPENSE	Updated contract amount	(40)
Total Expenditure Adjustment:				67,422

MUNICIPAL SERVICES FUND

Adopted Budget: \$3,780,916

Proposed Budget: \$4,200,790

Revenues

PERMITS	200-32-21000	BUILDING PERMITS	Updated revenue estimate	22,870
CHARGES FOR SERVICES	200-34-31000	CLASS B - MUNICIPAL CONTRACTS	Estancia Road Revenue	245,000
CHARGES FOR SERVICES	200-34-32000	CLASS B CONTRACTS - OTHER	Estancia Road Revenue	101,504
CHARGES FOR SERVICES	200-34-35000	WEED ERADICATION FEES	Logan City contract	33,500
MISCELLANEOUS	200-36-90000	SUNDRY REVENUE	Scrap metal; Bear River RC&D payment	17,000
Total Revenue Adjustment:				419,874

Expenditures

ZONING	200-4180-305	PROF & TECH - CLASS B PROJECTS	Reassign to Class B Roads	(20,000)
BUILDING INSP.	200-4241-120	TEMPORARY EMPLOYEES	Temp Building Inspector	21,000
BUILDING INSP.	200-4241-130	EMPLOYEE BENEFITS	Temp Building Inspector	1,870
CLASS - B ROADS	200-4415-110	SALARY	Employee reorganization	(24,558)
CLASS - B ROADS	200-4415-120	TEMPORARY EMPLOYEES	Employee reorganization	25,834
CLASS - B ROADS	200-4415-130	EMPLOYEE BENEFITS	Employee reorganization	(15,712)
CLASS - B ROADS	200-4415-140	UNIFORM ALLOWANCE	Purchase direct; no allowance	(4,000)
CLASS - B ROADS	200-4415-230	TRAVEL & TRAINING	Close account 330, +\$1,500	6,500
CLASS - B ROADS	200-4415-240	OFFICE SUPPLIES & EXPENSE	Close account 315, New copier lease	3,700
CLASS - B ROADS	200-4415-250	EQUIPMENT SUPPLIES & MAINT	Reallocate funds	(390,000)
CLASS - B ROADS	200-4415-251	NON-CAPITALIZED EQUIPMENT	Equipment lease; misc replacements	25,000
CLASS - B ROADS	200-4415-252	EQUIPMENT PARTS & SUPPLIES	New account	200,000
CLASS - B ROADS	200-4415-254	FUEL	New account	100,000
CLASS - B ROADS	200-4415-280	COMMUNICATIONS	Upgrade radios	10,000
CLASS - B ROADS	200-4415-310	PROF & TECH -ENGINEER. & ADMIN	Reassigned from Zoning	20,000
CLASS - B ROADS	200-4415-311	SOFTWARE PACKAGES	Work order/Fleet Mgmt software	9,600
CLASS - B ROADS	200-4415-315	MEDICAL EXPENSE	Close account to 240	(1,200)
CLASS - B ROADS	200-4415-330	EDUCATION & TRAINING	Close account to 230	(5,000)
CLASS - B ROADS	200-4415-410	ROAD MAINTENANCE	Reallocate funds	(304,000)
CLASS - B ROADS	200-4415-412	CHIP & SEAL ROADS - COUNTY	New account	126,000
CLASS - B ROADS	200-4415-414	CHIP & SEAL ROADS - MUNICIPAL	New account	174,000
CLASS - B ROADS	200-4415-416	ROAD SALT	New account	50,000
CLASS - B ROADS	200-4415-418	ASPHALT & CONCRETE	New account	75,000
CLASS - B ROADS	200-4415-420	ROAD PAINTING	New account	42,500
CLASS - B ROADS	200-4415-422	PIPE, DRAINAGE & BOXES	New account	25,000
CLASS - B ROADS	200-4415-480	UNIFORM & SAFETY SUPPLIES	Uniforms; Lockout/Tagout	7,200

BUDGET OPENING

Resolution: 2014-12

Hearing: May 27, 2014

6:00 PM

<u>Department</u>	<u>Account</u>	<u>Title</u>	<u>Description</u>	<u>Adjustment</u>
CLASS - B ROADS	200-4415-620	MISC SERVICES	Reallocate funds	(4,500)
CLASS - B ROADS	200-4415-720	BUILDINGS	Bay door replacement/misc upgrades	44,000
CLASS - B ROADS	200-4415-740	CAPITALIZED EQUIPMENT	Equipment replacement	174,140
WEED ERADICATION	200-4450-110	SALARY	Employee reorganization	1,599
WEED ERADICATION	200-4450-130	EMPLOYEE BENEFITS	Employee reorganization	428
WEED ERADICATION	200-4450-230	TRAVEL & TRAINING	Training	850
WEED ERADICATION	200-4450-240	OFFICE EXPENSE	Updated cost estimate	1,300
WEED ERADICATION	200-4450-250	EQUIPMENT SUPPLIES & MAINT	Updated cost estimate	3,000
WEED ERADICATION	200-4450-280	COMMUNICATIONS	Updated cost estimate	500
WEED ERADICATION	200-4450-291	CHEMICAL SPRAY	Updated cost estimate	5,000
PARKS & TRAILS	200-4780-481	LOGAN CANYON TRAIL	Reassign funding for 1700 South trail	(30,000)
CONTRIBUTIONS	200-4800-920	CONTRIBUTIONS TO OTHER UNITS	1/64% Sports & Rec Tax	16,000
TRANSFERS OUT	200-4810-100	CONTRIB TO CAPITAL PROJ FUND	Reassign funding for 1700 South trail	30,000
CONTRIBUTIONS	200-4800-995	CONTRIBUTIONS TO FUND RESERVE	Surplus funding from changes	4,823
MISCELLANEOUS	200-4960-600	SUNDRY EXPENSE	Internal audit of Road department	14,000
Total Expenditure Adjustment:				419,874

DEBT SERVICE FUND*Adopted Budget: \$1,183,895**Proposed Budget: \$1,183,895*

Revenues

-

Total Revenue Adjustment:

-

Expenditures

BOND PAYMENTS	310-4723-830	OTHER CHARGES	Bank service fees	4,500
BOND PAYMENTS	310-4723-999	CONTRIBUTION TO FUND BALANCE	Bank service fees	(4,500)

Total Expenditure Adjustment:

-

CAPITAL PROJECTS - ROADS*Adopted Budget: \$9,872,355**Proposed Budget: \$9,902,355*

Revenues

CONTRIB./TRANSFERS	460-38-10200	TRANSFER IN - MUNICIPAL SERVIC	Reassign funding for 1700 South trail	30,000
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Total Revenue Adjustment:**30,000**

Expenditures

ROAD CONSTR.	460-4420-760	NEW ROAD CONSTRUCTION	Reassign funding for 1700 South trail	30,000
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Total Expenditure Adjustment:**30,000**

CACHE COUNTY

2014 RESTAURANT AND RAPZ TAX AWARDS

No.	Entity	Title	Request	Award
1	Amalga Township	Phase II Utility, Kitchen, furnishings, safety lighting	12,000	12,000
2	American Festival Chorus and Orchestra	American Festival Chorus 2014-2015 Performance Costs	30,000	30,000
3	American West Heritage Center	2014 Programming Operational Support	92,500	80,000
4	American West Heritage Center	2014 Physical Plant Maintenance & Capital Expenses	47,000	8,000
5	Bridgerland Community Ice Arena/NPIC	Original 15 yr commitment to BCIA (maintenance)	92,853	92,853
6	Bridgerland Community Ice Arena	Facility equipment storage and event amenities enhancement	22,860	10,000
7	Bridgerland Community Ice Arena	Exterior Lighting Utility Savings - LED Ballast/Bulb Conversion	13,000	0
8	Cache Children's Choir	Support of Cache Children's Choir 2014-2015 Season	15,000	11,000
9	Cache Community Connections	Logan Tabernacle Concert and Lecture Series	7,000	6,000
10	Cache County - Fair and Rodeo	Advertising and promoting the Cache County Fair and Rodel	20,000	12,000
11	Cache County - Fairgrounds	Cache Arena Improvements and building repairs	63,500	63,500
12	Cache County - Fairgrounds	Outdoor Arena Improvements	40,115	40,000
13	Cache County - Fairgrounds	Disk golf course installation	5,000	
14	Cache County - Fairgrounds	Roping Arena dirt addition	15,818	0
15	Cache Valley Center for the Arts	Ellen Eccles Thtr/Bullen Ctr/Thatcher-Young Mansion Improve	154,000	60,000
16	Cache Valley Center for the Arts	Arts Education & Family Programmin	50,000	30,000
17	Cache Valley Center for the Arts	Marketing: Ellen Eccles Theater World Class Touring Artists	18,000	10,000
18	Cache Valley Arts Summit	Cache Valley Arts at a Glance	5,000	0
19	Cache Valley Center for the Arts	Ellen Eccles Theater Lobby Lavatory Expansion	30,000	0
20	Cache Valley Civic Ballet	Cache Valley Civic Ballet: Performance Season Assistance	25,000	10,000
21	Cache Valley Cowboy Rendezvous, Inc.	Cache Valley Cowboy Rendezvous	10,000	6,000
22	Cache Valley Cruising Association	Cache Valley Cruise-In 2014	48,000	25,000

CACHE COUNTY

2014 RESTAURANT AND RAPZ TAX AWARDS

No.	Entity	Title	Request	Award
23	Cache Valley Musers	K9 Challenge Sled Dog Race	2,500	1,500
24	Cache County - Cache Valley Visitors Bureau	2014 Cache Valley Visitors Bureau Marketing Campaign	134,737	100,000
25	Celebrate America Show	Celebrate America Show and Educational Outreach	45,000	15,000
26	Clarkston Town	Park Improvements - Walking Trail, Parking, and Playground	113,973	15,000
27	Common Ground Outdoor Adventures	Tourism Promotion/Marketing for Cache Valley Century Ride	2,000	0
28	Connection Social Dance Studio	Studio Rent	1,520	0
29	Cornish Town	Cornish Park Improvements - Parking Lot and Fence	51,881	10,000
30	Cub River Sports Complex - Owned and Opera	Cub River Sports Complex Seating	73,244	0
31	Four Seasons Theatre Company	Four Seasons Theaatre 2014-15 Season	50,140	0
32	Hyde Park City	Lions Park Trail, Lee Park Play Structure Addition & Benches	24,552	24,552
33	Hyrum City	Blacksmith Fork Phase I	125,000	65,000
34	Hyrum City	Hyrum City Museum Expansion Phases One and Two	24,385	0
35	Lewiston City	Lewiston City Park/Picnic Pavilion	30,000	30,000
36	Logan City - Parks and Recreation	Logan Community Rec Center Bleachers Replacement	120,000	120,000
37	Logan City - Parks and Recreation	Bridger Park - Phase III Construction	330,082	160,000
38	Logan City - Parks and Recreation	2014 Freedom Fire Independence Day Celebration at USU	20,000	20,000
39	Logan City - Parks and Recreation	Rendezvous Park Trail Extension	25,000	25,000
40	Logan City - Parks and Recreation	Valley View Dog Park Phase 2(b)	40,000	35,000
41	Logan City - Parks and Recreation	Countryside Village Park	154,000	
42	Logan City - Parks and Recreation	"Tunnel to Tunnel" Trail, Kiosk, and Benches	13,500	13,500
43	Logan City - Parks and Recreation	Shade Structure at Jones Neighborhood Park	3,779	3,779
44	Logan Community Foundation dba Cache Reg	Cache Theatre Company Season	50,000	20,000

CACHE COUNTY

2014 RESTAURANT AND RAPZ TAX AWARDS

No.	Entity	Title	Request	Award
45	Logan Downtown Alliance	Logan Film Festival	1,000	0
46	Mendon City	Mendon 100 Est Trail & Safe Route to School	60,000	45,000
47	Mendon Library/Cultural Arts Committee	Mendon Library	100,000	0
48	Millville City	Park Splash Pad Completion	106,210	25,000
49	Music Theatre West	General Operating and Programming	100,000	38,000
50	Newton Town	Landscape and Irrigation Renovation	122,950	0
51	Newton Town	Soccer Equipment	17,200	17,200
52	Newton Town	Tennis Court/Pickleball Court	1,286	1,286
53	Nibley Children's Theatre	2014 Season: The Last Dragon	750	500
54	Nibley City	Heritage Park - Phase 5	120,000	40,000
55	Nordic United	Promotion of Local Winter Tourism; Grooming Trails and Events	14,000	0
56	North Logan Parks and Recreation Departme	Elk Ridge Park Improvements	90,000	70,000
57	Old Lyric Repertory Company	Old Lyric Repertory Company 2014	22,000	15,000
58	Paradise Town	Restrooms, maintenance shed and chain link fence	58,250	30,000
59	Providence City	Pickleball Courts at Braegger Park, 300 E 300 S, Providence	80,000	50,000
60	Richmond City	Black & White 100 years Update	37,000	37,000
61	Shimmering Sands Belly Dance	Shimmering Sands Dance Production & Show Support	3,500	0
62	Smithfield City	Smithfield Health Days - Children's Theatre	1,000	0
63	Smithfield City Parks and Recreation Departm	Richard Hansen Baseball Field Lighting	111,979	90,000
64	Stokes Nature Center	Stokes Nature Center School & Community Programs	30,000	23,000
65	Stokes Nature Center	Stokes Nature Center Summer Citizen Program & Marketing	5,000	0
66	Summerfest Arts Faire	Summerfest Arts Faire	20,000	20,000

CACHE COUNTY

2014 RESTAURANT AND RAPZ TAX AWARDS

No.	Entity	Title	Request	Award
67	Chamber Music Society of Logan	Enhancing Chamber Music in Cache Valley	5,500	5,000
68	Unicorn Theatre	Unicorn Theatre	8,000	5,000
69	Utah Festival Opera	2014 Operating: Summer Festival, Education & Utah Theatre	260,000	150,000
70	Utah Festival Opera	2014 Tourism - Marketing Outside Cache Valley	90,000	80,000
71	Utah State University	Utah State University Summer Citizens Program	48,000	30,000
72	Valley Dance Ensemble	Valley Dance Ensemble Spring 2015 Concert	3,000	2,000
73	Wellsville City	Water Splash Pad	47,100	30,000
74	Whittier Community Center	Utilities Funding/Operating Expenses	9,840	5,000
75	Willow Park Zoo	Willow Park Zoo Operation Budget	119,327	119,763
76	Willow Park Zoo	Willow Park Zoo Capital Improvement Budget	38,980	0
GRAND TOTALS			\$3,983,811	\$2,093,433

Cache County Council of Governments

Mayor Clair Christiansen, Chair
Mayor Ed Buist, Vice Chair

May 20, 2014

Val Potter
Cache County Council Chair
199 N. Main,
Logan UT 84321

Dear Chairman Potter:

On May 19, 2014 the Cache County Council of Governments (CCCOG) unanimously agreed to recommend to the Cache County Council funding in the amount of \$2,894,349 toward eligible roadway improvement projects in Cache County. These projects were selected after completing the application and project prioritization process prescribed in the approved CCCOG Transportation Project Prioritization Process. The recommendation approved is as follows:

2014 Countywide Road Sales Tax Applications (Final Recommendation)							
Cache County Council of Governments							
COG Project Number	Sponsor	Project	Average Score	Project Total Cost	2014 COG Requested Amount	2014 COG Eligible Amount	2014 Recommended Funding
2014-7	Nibley City	2600 S. Hwy 165 Intersection	21.9	\$530,325	\$220,325	\$200,000	\$200,000
2014-4	Logan City	1400 N. 600 W. Intersection	20.8	\$1,900,000	\$200,000	\$200,000	\$200,000
2014-6*	Millville City	550 N (2300 S) Realign to 450 N	18.6	\$200,000	\$186,000	\$200,000	\$200,000
2014-9	No. Logan/Hyde Park	3100 N-200 East to Hwy 91	18.1	\$770,500	\$670,500	\$200,000	\$200,000
2014-5	Logan City	3200 So. Hwy 89/91	16.8	\$1,566,000	\$1,456,000	\$1,456,000	\$1,456,000
2014-2	Hyde Park	400 East	16.8	\$333,000	\$200,000	\$200,000	\$200,000
2014-3	Hyrum City	Hammer Road SR 101 Intersection	15.9	\$234,193	\$218,793	\$200,000	\$200,000
2014-8	No Logan	1200 East	15.4	\$1,244,095	\$205,799	\$205,799	\$205,799
2014-1	Cache County	Maughan's Corner	15.1	\$35,000	\$32,550	\$32,550	\$32,550
Totals				\$6,813,113	\$3,389,967	\$2,894,349	\$2,894,349

Yellow Highlighted Projects are Capped at \$200,000 for "Spot Improvements". (Otherwise project must be identified the CMPO Regional Transportation Plan)

* "Requested" amount differs from "eligible" amount because Millville misapplied the Spot Improvement Policy

You can find digital copies of each of the project applications as well as the Transportation Project Prioritization Process at: http://cachempo.org/?page_id=994

In accordance with the CCCOG requirement as part of Utah State Code 59-12-2208, please accept this formal recommendation of funding for 2014 using countywide, voter approved sales tax revenue collected for the purpose of transportation capacity improvements. Please feel free to contact me if you have any questions.

Sincerely,



Clair Christiansen, Chair
Cache County Council of Governments