CRAIG W BUTTARS
COUNTY EXECUTIVE / SURVEYOR

199 NORTH MAIN
LOGAN, UTAH 84321
TEL: 435-755-1850
FAX: 435-755-1981

Cache County
1857

COUNTY COUNCIL
KATHY ROBISON, *COUNCIL CHAIR*
GREG MERRILL, *COUNCIL VICE CHAIR*
DAVID L. ERICKSON
VAL K. POTTER
JON WHITE
CORY YEATES
GORDON A. ZILLES

August 21, 2015

PUBLIC NOTICE is hereby given that the Cache County Council of Cache County, Utah will hold a **REGULAR MEETING** in the Cache County Historic Courthouse, County Council Chambers, 199 North Main, Logan, Utah 84321 at **5:00 p.m.** on **TUESDAY, AUGUST 25, 2015**

AGENDA

5:00 p.m.

1. **CALL TO ORDER**
2. **OPENING / PLEDGE** – ***David Erickson***
3. **REVIEW AND APPROVAL OF AGENDA**
4. **REVIEW AND APPROVAL OF MINUTES** (August 11, 2015)
5. **REPORT OF COUNTY EXECUTIVE**
   a. Appointments
   b. Warrants
   c. Other Items

6. **CONSENT AGENDA**
   a. **Funk Subdivision Amendment** – Matthew Funk requesting a minor amendment to the approved plat that has not yet been recorded in order to correct a surveying error by shifting the south property line of Lot 2 to the north by 20 feet

7. **ITEMS OF SPECIAL INTEREST**

8. **UNIT OR COMMITTEE REPORTS**
   a. Extension – Adrie Roberts

9. **BUDGETARY MATTERS**

10. **PUBLIC HEARINGS, APPEALS AND BOARD OF EQUALIZATION MATTERS**
    a. **Board of Equalization**
       1. Approve Recommendations of Hearing Officers for the Board of Equalization – Greenbelt Appeals

6:00 p.m.* b. **Public Hearing – Open 2015 Budget**

11. **PENDING ACTION**
    a. ***Ordinance 2015-11*** – **Amendment to Title 17 - Definition of 5100 Recreation Facility**
    b. ***Resolution 2015-18*** – **A Resolution Authorizing Eminent Domain Proceedings**

12. **INITIAL PROPOSALS FOR CONSIDERATION OF ACTION**
    a. ***Resolution 2015-19*** **– Amendments to 2015 Budget**
    b. ***Resolution 2015-20*** **– A Resolution Outlining the County Council's Policy Regarding the Expansion or Continuation of Services on County Roads**
    c. Request for Tax Relief Filing Extension
    d. Request for Approval of Personal Property Tax Cancellations
    e. Discussion – Property Tax Payment Options for Treasurer's Office
    f. Discussion – Vacating 3600 West and 4300 South, north of Wellsville (Little Bear Subdivision)
    g. Discussion – Vacating 1600 West, south of Hyrum (Nautica Subdivision)
    h. Discussion – 2015-2016 Cloud Seeding State Contract

13. **OTHER BUSINESS**
    a. River Heights City Apple Days Parade – Saturday, August 29, 2015 at 4:00 p.m.
    Craig, Gordon, Cory, Kathy(?)
    b. Wellsville Founder's Day Parade – Monday, September 7, 2015 at 10:00 a.m.
    Craig, Dave, Gordon, Cory(?), Val(?), Kathy(?)
    c. USACCC Fall Conference – September 23-24, 2015 – Homestead Resort, Midway

    d. USU Homecoming Parade – October 3, 2015 at 12:00 p.m.

14. **COUNCIL MEMBER REPORTS**

15. **ADJOURNMENT**

Kathy Robison

Kathy Robison, Council Chair

***Citizens desiring to be heard at a public hearing are encouraged to submit their messages in writing prior to or during the hearing**

In compliance with the Americans with Disabilities Act, individuals needing special accommodations (including auxiliary communicative aids and services) during this meeting should notify Janeen Allen at 755-1850 at least three working days prior to the meeting

To: Cache County Council

From: Chris Harrild, Senior Planner, Development Services,

Subject: Development Services agenda items for August 25, 2015

CONSENT

1. **Funk Subdivision Amendment –** Matthew Funk is requesting a minor amendment to the approved plat that has not yet been recorded in order to correct a surveying error by shifting the south property line of Lot 2 to the north by 20 feet.

   Planning Commission Recommendation: Approval (6, 0)
   Council: Approval (7,0)
   Findings of Fact – 4

PENDING

2. **Ordinance 2015-11: Amendment to Title 17 regarding the definition of 5100 Recreation Facility**

   Planning Commission Recommendation: Approval (5, 1)

INITIAL CONSIDERATION

3. **Discussion: Vacating 3600 West and 4300 South, north of Wellsville (Little Bear Subdivision)**
4. **Discussion: Vacating 1600 West, south of Hyrum (Nautica Subdivision)**

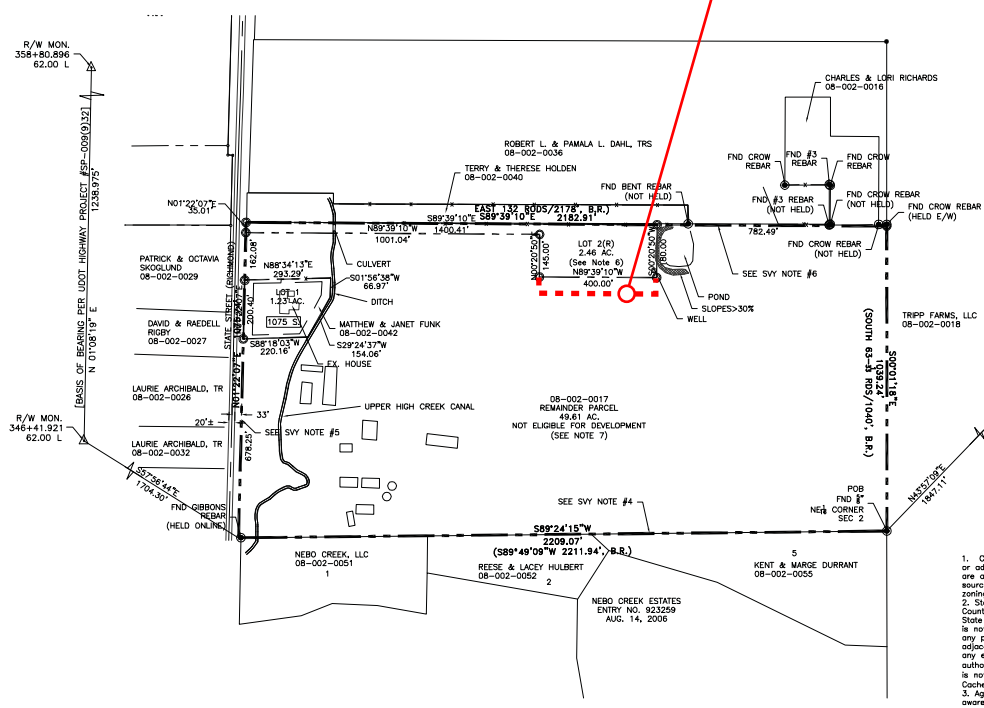
This line moved to the north 20 feet

FUNK SUBDIVISION
FIRST AMENDMENT

Part of the North Half of Section 2, Township 13 North, Range 1 East, Salt Lake Baseline & Meridian Cache County, Utah

NORTH

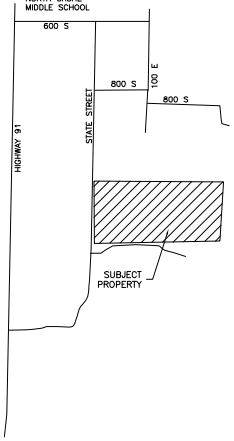
0 200 400ft.
SCALE 1" = 200'-0"



LEGEND

- BOUNDARY LINE
- FENCE
- EASEMENT
- SETBACK
- SET REBAR W/ PLASTIC CAP MARKED PELS 275617
- FOUND REBAR
- (120' B.R.) DEED RECORD DISTANCE
- SECTION CORNER

VICINITY MAP



SURVEYOR'S CERTIFICATE

I, Brian G. Lyon, a Registered Land Surveyor, hold Certificate No. 275617, as prescribed by the laws of the State of Utah, and do hereby certify that by authority of the owners, I have made a survey of the tract of land shown on this plat, which is accurately described thereon, and have subdivided said tract of land into lots and private accesses to be hereafter known as FUNK SUBDIVISION FIRST AMENDMENT and that the same has been surveyed and staked on the ground as shown on this plat.

PROFESSIONAL LAND SURVEYOR 275617 BRIAN G. LYON STATE OF UTAH

SURVEYOR'S NOTES/NARRATIVE

1. The purpose of this survey was to divide one lot from Parcel 08-002-0017 recorded in Book 1729 Page 1051. Parcel 08-002-0042 was included as Lot 1 to meet Cache County Subdivision ordinance. The survey was requested by Matt Funk.
2. The Basis of Bearing is the west right of way line of State Highway 91 from right of way markers found at Engineers P.T. Station 346+41.921 62.00 feet left and the right of way marker found at Engineers P.C. Station 358+80.896 62.00 feet left which bears N 01°08'19"E per U.D.O.T. Highway Plans for Project #SP-009(9)32).
3. 5/8" rebar to be set at property corners as shown.
4. Line was established along the north line of Nebo Estates Subdivision using found rebar as shown. It also follows an existing fence line
5. Re-establish along the east right of way line of State Street being 33' from the center of the road.
6. This line as established along an old fence line runs along over 70% of the length of the line. Several found rebar were found north of the fence which were not held. According to Matt Funk that fence has been there for over 45 years and it is also within 9 inches from record distance from the deed. Therefore, I believe it to be the original surveyed line.

SUBDIVISION BOUNDARY DESCRIPTIONS

Part of the North Half of Section 2, Township 13 North, Range 1 East of the Salt Lake Base and Meridian described as follows:

Beginning at the Southeast Corner of Lot 2 (Northeast 1/16 Corner), Section 2, Township 13 North, Range 1 East of the Salt Lake Baseline and Meridian monumented with a 5/8" Rebar at a fence intersection and running
thence S89°24'15"W 2209.07 feet (S89°49'09"W 2211.94 feet, By record) along the north line of Nebo Creek Estates recorded August 14, 2006 under Entry No. 923259 to the east line of State Street;
thence N01°22'07"E 1075.74 feet along said east line;
thence S89°39'10"E 2182.91 feet (East 132 rods/2178 feet, By Record);
thence S00°01'18"E 1039.24 feet (South 63-1/33 rods/1039.24 feet, By Record) to the point of beginning, containing 53.30 acres.

OWNERS DEDICATION

KNOW ALL MEN BY THESE PRESENTS THAT WE THE UNDERSIGNED OWNERS OF THE TRACT OF LAND DEPICTED AND DESCRIBED HEREON, HAVING CAUSED THE SAME TO BE SUBDIVIDED INTO LOTS, THE WHOLE TO BE HEREINAFTER KNOWN AS THE "FUNK SUBDIVISION FIRST AMENDMENT". FURTHER WE DEDICATE AND/OR QUIT CLAIM AS APPROPRIATE TO CACHE COUNTY, FOR THE USE OF THE PUBLIC FOREVER, AND HEREBY GRANT TO THE COUNTY THE RIGHT TO MAKE ANY AND ALL IMPROVEMENTS FOR THE CONSTRUCTION, MAINTENANCE, AND REPAIR OF SAID ROADWAY AND ALSO DEDICATE THE PUBLIC UTILITY EASEMENT AS SHOWN TO CACHE COUNTY.

MATTHEW C. FUNK JANET M. FUNK

ACKNOWLEDGEMENT

STATE OF UTAH)SS.
COUNTY OF CACHE

THE FOREGOING INSTRUMENT WAS PERSONALLY ACKNOWLEDGED BEFORE ME, THE UNDERSIGNED NOTARY PUBLIC THIS _____ DAY OF _____, 20____, BY _____

WHO PROVED ON BASIS OF SATISFACTORY EVIDENCE TO BE THE PERSON(S) WHOSE NAME(S) IS/ARE SUBSCRIBED TO THIS INSTRUMENT.

WITNESS MY HAND AND OFFICIAL SEAL.

NOTARY PUBLIC

COUNTY COUNCIL APPROVAL AND ACCEPTANCE

THIS PLAT WAS APPROVED BY THE CACHE COUNTY COUNCIL BY MAJORITY VOTE _____ ON THE ____ DAY OF _____,

DATED THIS ____ DAY OF _____, 2015

CACHE COUNTY COUNCIL

BY: _____

ATTESTED TO: *CHAIRMAN*

CACHE COUNTY CLERK

COUNTY RECORDER

State of Utah, County of Cache, recorded and filed at the request of _____

Date _____ Time _____ Fee _____
Entry _____

Index _____
Filed In: File of plats

_____
County Recorder

NOTES AND PROTECTIVE COVENANTS

1. Culinary Water: Cache County has not determined the availability or adequacy of culinary water to any of the lots identified. All owners are advised of the requirements to obtain an approved culinary water source and comply with all other requirements for the issuance of a zoning clearance, prior to the issuance of a building permit.
2. Storm Water Drainage: Compliance with the standards of the Cache County Manual of Roadway Design and Construction Standards and State of Utah storm water permitting are required. This includes, but is not limited to, any increased level of storm water drainage from any portion of any lot or remainder parcel of this subdivision to any adjacent properties, ditches, canals, or waterways, or the alteration of any existing, historic, or natural drainage without prior written authorization provided by the effected party or entity (may include but is not limited to: adjacent property owner(s), ditch or canal company, Cache County, or the State Water Engineer's Office.)
3. Agricultural Uses: Current and future property owners must be aware that they will be subject to the sights, sounds, and smells associated with agricultural activities which are permitted uses in the Agricultural Zone and Forest Recreation Zone.
4. Setback: 30' Front Rear
12' Side Setback
setback lines are for primary buildings only
5. Agriculture Protection Area: This property is located ni the vicinity of an established agriculture protection area in which normal agricultural uses and activities have been afforded the hightest priority use status. It can be anticipated that such agricultural uses and activities may now or in the future be conducted on property included in the agriculture protection area. The use and enjoyment of this property is expressly conditioned on the acceptance of any circumstance related to land use which may result from such normal agricultural uses and activities.
6. Lot 2 is not eligible for residential development – water utility only.
7. Further development of Remainder Parcel may require wetland delineation and geotechnical review.

DEPUTY COUNTY SURVEYOR

I CERTIFY THAT I HAVE EXAMINED THIS PLAT AND FIND IT TO BE CORRECT AND IN ACCORDANCE WITH THE INFORMATION ON FILE IN THE COUNTY SURVEYOR'S OFFICE AND FURTHER THAT IT MEETS THE MINIMUM STANDARDS FOR PLATS REQUIRED BY COUNTY ORDINANCE AND STATE LAW.

DATE DEPUTY COUNTY SURVEYOR

CACHE COUNTY PLANNING COMMISSION

THIS PLAT WAS REVIEWED BY THE CACHE COUNTY PLANNING COMMISSION ON THE _____ DAY OF _____ 2015. IT IS THE RECOMMENDATION OF THIS BOARD TO APPROVE/DENY THIS SUBDIVISION BASED ON ITS FINDINGS.

CACHE COUNTY PLANNING COMMISSION

BY: _____

CHAIRMAN

CACHE COUNTY ATTORNEY

I CERTIFY THAT I HAVE EXAMINED THIS PLAT AND APPROVE THE PLAT AS TO FORM AS REQUIRED BY STATE LAW AND COUNTY ORDINANCE THIS _____DAY OF_____ 2015.

CACHE COUNTY ATTORNEY

SEAL

ALLIANCE CONSULTING ENGINEERS
1500 EAST 1240 NORTH SUITE F
LOGAN, UTAH 84321
(435)755-5121
allianceengr@qwestoffice.net

OWNERS
MATTHEW & JANET FUNK
1075 S. STATE
RICHMOND, UTAH 84333

No.	REVISIONS/ SUBMISSIONS	DATE

REVIEWED :
CAD FILE :
DRAWN :
PROJECT No. :

PROJECT TITLE
FUNK SUBDIVISION
FIRST AMENDMENT
Part of the North Half of Section 2, Township 13 North, Range 1 East, Salt Lake Baseline & Meridian Cache County, Utah

DATE : JULY,3,2015
DRAWING No. 1 of 1

Parcel No.	Appealant	Type of appeal	Action	Date of action	Comment
13-003-0013	Alice Sparks	greenbelt classification	denied	8/11/2015	No proof of production; no change
13-003-0027	Alice Sparks	greenbelt classification	denied	8/11/2015	No proof of production; no change
13-003-0030	Alice Sparks	greenbelt classification	denied	8/11/2015	No proof of production; no change
02-128-0006	David & Sheryl Hair	greenbelt classification	denied	8/11/2015	Fails 5 acre minimum; no change

Dated: _____

Approved by Cache County Board of Equalization

_____

Council Chairperson

Attest:

_____

Clerk of Board of Equalizatioin

BUDGET OPENING

Resolution: 2015-19
Hearing: August 25, 2015 6:00 PM

Department	Account	Title	Description	Adjustment
GENERAL FUND		***Adopted Budget: $23,551,868***	***Proposed Budget: $23,544,799***	
Revenues				
CONTRIB./TRANSFERS	100-38-90000	APPROPRIATED FUND BALANCE	Reimburse 2014 Parking Lot Project	31,070
CONTRIB./TRANSFERS	100-38-90000	APPROPRIATED FUND BALANCE	Updated A&C Allocation - Finance	(5,263)
CONTRIB./TRANSFERS	100-38-90000	APPROPRIATED FUND BALANCE	Caselle - Human Resources	4,624
CONTRIB./TRANSFERS	100-38-90000	APPROPRIATED FUND BALANCE	Senior Accountant	27,500
CONTRIB./TRANSFERS	100-38-90000	APPROPRIATED FUND BALANCE	County Shared Operating Expenses - Airport	(80,000)
CONTRIB./TRANSFERS	100-38-90000	APPROPRIATED FUND BALANCE	Legal Services for Public Defender	15,000
			Total Revenue Adjustment:	**(7,069)**
Expenditures				
PUBLIC DEFENDER	100-4126-310	PROFESSIONAL & TECHNICAL	Legal Services for Public Defender	15,000
FINANCE	100-4132-110	SALARY	Senior Accountant	22,500
FINANCE	100-4132-120	TEMPORARY EMPLOYEES	Senior Accountant	(11,000)
FINANCE	100-4132-130	EMPLOYEE BENEFITS	Senior Accountant	16,000
FINANCE	100-4132-999	A&C ALLOC - FINANCE 10%	Updated A&C Allocation - Finance	(5,263)
HUMAN RESOURCES	100-4134-311	SOFTWARE	Caselle - Human Resources	5,440
HUMAN RESOURCES	100-4134-999	A&C ALLOC - HUMAN RESOURCE 15	Caselle - Human Resources	(816)
ATTORNEY	100-4145-110	SALARY	Part Time Employee	(13,650)
ATTORNEY	100-4145-120	TEMPORARY EMPLOYEES	Part Time Employee	13,650
CONTRIBUTIONS	100-4800-925	TRANSFER TO AIRPORT FUND	County Shared Operating Expenses - Airport	(80,000)
CONTRIBUTIONS	100-4800-925	TRANSFER TO AIRPORT FUND	Reimburse 2014 Parking Lot Project	31,070
			Total Expenditure Adjustment:	**(7,069)**
ASSESSING & COLLECTING FUND		***Adopted Budget: $3,722,439***	***Proposed Budget: $3,748,618***	
Revenues				
CONTRIB./TRANSFERS	150-38-90000	APPROPRIATED FUND BALANCE	Updated A&C Allocation - Finance	5,263
CONTRIB./TRANSFERS	150-38-90000	APPROPRIATED FUND BALANCE	Caselle - Human Resources	816
CONTRIB./TRANSFERS	150-38-90000	APPROPRIATED FUND BALANCE	Programmer Development License	16,100
CONTRIB./TRANSFERS	150-38-90000	APPROPRIATED FUND BALANCE	Board of Equalization - Temporary Staff	4,000
			Total Revenue Adjustment:	**26,179**
Expenditures				
FINANCE	150-4132-999	A&C ALLOC - FINANCE 10%	Updated A&C Allocation - Finance	5,263
HUMAN RESOURCES	150-4134-999	A&C ALLOC - HUMAN RESOURCE 15	Caselle - Human Resources	816
ITS	150-4136-311	SOFTWARE PACKAGES	Programmer Development License	16,100
AUDITOR	150-4141-120	TEMPORARY EMPLOYEES	Board of Equalization - Temporary Staff	4,000
			Total Expenditure Adjustment:	**26,179**
MUNICIPAL SERVICES FUND		***Adopted Budget: $6,028,931***	***Proposed Budget: $6,052,931***	
Revenues				
CHARGES FOR SERVICES	200-34-14000	PLAN CHECKING FEES	Additional Vehicle Purchase Cost	3,000
CHARGES FOR SERVICES	200-34-31000	CLASS B CONTRACTS - MUNICIPAL	Oil Costs for Municipalities	10,000

BUDGET OPENING

Resolution: 2015-19
Hearing: August 25, 2015 6:00 PM

Department	Account	Title	Description	Adjustment
CHARGES FOR SERVICES	200-34-31000	CLASS B CONTRACTS - MUNICIPAL	Updated Billing Estimate	11,000
			Total Revenue Adjustment:	**24,000**
Expenditures				
BUILDING INSP.	200-4241-740	CAPITALIZED EQUIPMENT	Additional Vehicle Purchase Cost	3,000
CLASS - B ROADS	200-4415-254	FUEL	Updated Estimate for Oil Needs	(5,000)
CLASS - B ROADS	200-4415-412	CHIP & SEAL ROADS - COUNTY	Updated Estimate for Oil Needs	24,000
CLASS - B ROADS	200-4415-414	CHIP & SEAL ROADS - MUNICIPAL	Oil Costs for Municipalities	10,000
CLASS - B ROADS	200-4415-740	CAPITALIZED EQUIPMENT	Reduced Equipment Costs	(8,000)
			Total Expenditure Adjustment:	**24,000**

CDRA FUND ***Adopted Budget: $228,801*** ***Proposed Budget: $212,861***

Revenues				
CONTRIB./TRANSFERS	220-38-90000	APPROPRIATED SURPLUS	Prior Year Expenditures	(15,940)
CONTRIB./TRANSFERS	220-38-75000	TRANSFERS IN FROM GEN FUND	Change Accounting Method	(52,187)
CONTRIB./TRANSFERS	220-38-80000	CONTRIBUTION - TAXING ENTITIES	Change Accounting Method	52,187
			Total Revenue Adjustment:	**(15,940)**
Expenditures				
CDRA	220-4193-480	CDRA PROJECTS	Prior Year Expenditures	(20,232)
CONTRIBUTIONS	220-4800-990	CONTRIBUTION TO FUND BALANCE	Offset 2014 Deficit	4,292
			Total Expenditure Adjustment:	**(15,940)**

VISITORS BUREAU FUND ***Adopted Budget: $720,867*** ***Proposed Budget: $720,867***

Revenues				
				-
			Total Revenue Adjustment:	**-**
Expenditures				
VISITOR'S BUREAU	230-4780-480	BROCHURES,MAPS & PRINTING	Printing Brochures - Correct Account	55,000
VISITOR'S BUREAU	230-4780-490	ADVERTISING & PROMOTIONS	Printing Brochures - Correct Account	(55,000)
			Total Expenditure Adjustment:	**-**

AIRPORT ***Adopted Budget: $297,823*** ***Proposed Budget: $382,678***

Revenues				
CONTRIB./TRANSFERS	277-38-10277	CONTRIBUTION - RESTAURANT TAX	County Shared Operating Expenses	80,000
CONTRIB./TRANSFERS	277-38-20000	TRANSFER FROM GENERAL FUND	Reimburse 2014 Parking Lot Project	(80,000)
CONTRIB./TRANSFERS	277-38-20000	TRANSFER FROM GENERAL FUND	Reimburse 2014 Parking Lot Project	31,070
CONTRIB./TRANSFERS	277-38-20460	TRANSFER FROM CAPITAL PROJECTS	2014 Operating Contribution - Logan City	53,785
			Total Revenue Adjustment:	**84,855**

BUDGET OPENING

Resolution: 2015-19
Hearing: August 25, 2015 6:00 PM

Department	Account	Title	Description	Adjustment
Expenditures				
AIRPORT	277-4460-990	CONTRIBUTION TO FUND BALANCE	Reimburse 2014 Parking Lot Project	31,070
AIRPORT	277-4460-990	CONTRIBUTION TO FUND BALANCE	2014 Operating Contribution - Logan City	53,785
			Total Expenditure Adjustment:	**84,855**

CAPITAL PROJECTS - ROADS ***Adopted Budget: $8,797,608*** ***Proposed Budget: $8,851,393***

Revenues				
CONTRIB./TRANSFERS	460-38-90000	APPROPRIATED FUND BALANCE	2014 Operating Contribution - Logan City	53,785
			Total Revenue Adjustment:	**53,785**
Expenditures				
TRANSFERS OUT	460-4810-277	TRANSFER TO AIRPORT	2014 Operating Contribution - Logan City	53,785
			Total Expenditure Adjustment:	**53,785**

To: Cache County Council

From: Chris Harrild, Senior Planner, Development Services,

Subject: Development Services agenda items for August 25, 2015

CONSENT

1. **Funk Subdivision Amendment –** Matthew Funk is requesting a minor amendment to the approved plat that has not yet been recorded in order to correct a surveying error by shifting the south property line of Lot 2 to the north by 20 feet.

   Planning Commission Recommendation: Approval (6, 0)
   Council: Approval (7,0)
   Findings of Fact – 4

PENDING

2. **Ordinance 2015-11: Amendment to Title 17 regarding the definition of 5100 Recreation Facility**

   Planning Commission Recommendation: Approval (5, 1)

INITIAL CONSIDERATION

3. **Discussion: Vacating 3600 West and 4300 South, north of Wellsville (Little Bear Subdivision)**
4. **Discussion: Vacating 1600 West, south of Hyrum (Nautica Subdivision)**

ORDINANCE NO. 2015-11

CACHE COUNTY, UTAH

AMENDMENT TO TITLE 17

AN ORDINANCE AMENDING AND SUPERSEDING CHAPTER 7
OF TITLE 17 OF THE CACHE COUNTY ORDINANCE
REGARDING 5100 RECREATIONAL FACILITY

WHEREAS, the State of Utah has authorized Cache County to adopt Land Use Ordinances, and;

WHEREAS, the purpose of this ordinance is to provide fair, consistent, and equitable land use regulations for all land owners, and;

WHEREAS, the purpose of this ordinance is to provide clarity and ease of use of the County's Land Use Ordinance for all citizens, and;

WHEREAS, on October 3, 2015, the Planning Commission recommended the approval of the amendment to the definition of "5100 Recreational Facility" and forwarded such recommendation to the County Council for final action, and;

WHEREAS, the County Council caused notice of the hearing and the amendment to Title 17 of the Cache County Ordinance to be advertised at least ten (10) days before the date of the public hearing in *The Herald Journal*, a newspaper of general circulation in Cache County, and;

WHEREAS, on August 11, 2015, at 5:30 P.M., the County Council held a public hearing to consider any comments regarding the proposed amendment to Title 17 of the Cache County Ordinance. The County Council accepted all comments, and;

WHEREAS, the Cache County Council has determined that it is both necessary and appropriate for the County to amend and implement these ordinances.

NOW, THEREFORE, BE IT ORDAINED by the County Legislative Body of Cache County that Chapter 7 of Title 17 of the Cache County Ordinance is hereby amended and superseded as follows:

1. STATUTORY AUTHORITY

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

2. PURPOSE OF PROVISIONS

The purpose of this ordinance is to amend and supersede Chapter 7 of Title 17 of the Cache County Ordinance regarding the definition of 5100 Recreation Facility and to insure compatibility with surrounding land uses, conformity with the Cache County Comprehensive Plan, consistency with the characteristics and purposes stated for the zones, and protection, preservation and promotion of the public interest, health, safety, convenience, comfort, prosperity and general welfare.

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.

3. FINDINGS

A. The amendment to Title 17 of the Cache County Ordinance is in conformity with Utah Code Annotated, §17-27a Part 5 (1953, as amended), which requires compliance with standards set forth in an applicable ordinance.

B. The amendment Title 17 of the Cache County Ordinance is necessary to revise definition of 5100 Recreation Facility.

C. It is in the interest of the public and the citizens of Cache County that the proposed amendment to Title 17 of the Cache County Ordinance be approved.

4. EXHIBITS

A. Title 17 Chapter 7 of the Cache County Ordinance is amended as follows: See Exhibit A

5. PRIOR ORDINANCES, RESOLUTIONS, POLICIES AND ACTIONS SUPERSEDED.

This ordinance amends and supersedes Chapter 7 of Title 17 of the Cache County Ordinance, 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.

6. EFFECTIVE DATE.

This ordinance takes effect on September 9th, 2015. 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 25th day of September, 2015.

	In Favor	Against	Abstained	Absent
Potter				
Erickson				
White				
Merrill				
Robison				
Yeates				
Zilles				
Total				

CACHE COUNTY COUNCIL:

_____

Kathy Robison, Chair
Cache County Council

ATTEST:

_____

Jill Zollinger
Cache County Clerk

Publication Date:

_____, 2015

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.

17.07.030: Use Related Definitions

CULTURAL, ENTERTAINMENT, AND RECREATION:

5100 RECREATIONAL FACILITY: A place, either indoor or outdoor, designed and equipped for the conduct of sports and leisure time activities that are operated as a business and/or open to the general public ~~for a fee~~. These facilities are typically operated for a period of greater than 30 days per year. May also include incidental hotel/motel accommodations for up to 15 rooms.

1. Campground: Any area with more than three (3) sites that are improved for occupancy by transients using recreational vehicles, motor homes, mobile trailers, or tents for dwelling, lodging, or sleeping purposes with a maximum duration of stay of two (2) weeks.

CACHE COUNTY, UTAH
RESOLUTION 2015-18

A RESOLUTION AUTHORIZING EMINENT DOMAIN PROCEEDINGS

WHEREAS, Cache County ("County") is a county and political subdivision of the State of Utah and is authorized to acquire private property for public use through the exercise of eminent domain; and

WHEREAS, the Logan City ("City") is located within the County; and

WHEREAS, the City has been providing solid waste collection and landfill services for all of Cache County since 1979; and

WHEREAS, the City's existing landfill has limited capacity and has an expected closing date of 2022; and

WHEREAS, following the recommendation of the Cache County Solid Waste Advisory Board, in 2004 the City purchased approximately 520 acres of property located within unincorporated Cache County, near Clarkston, Utah to construct a future landfill site ("Landfill Site"); and

WHEREAS, in February 2013 the City obtained a Class I Landfill Permit from the State of Utah Division of Solid Waste and Hazardous Waste for the Landfill Site; and

WHEREAS, in August 2013 the City obtained a conditional use permit from the County to develop the Landfill Site and construct the North Valley Landfill Road ("Access Road") to access the Landfill Site; and

WHEREAS, from 2014 to present the City has acquired additional right of way needed to construct the Access Road from 20 of 23 impacted property owners; and

WHEREAS, there are three remaining landowners from whom the City has been unable to acquire the necessary right of way by negotiation; the owners of the remaining parcels are Laurena B. Henderson, Trustee of the Laurena B. Henderson Living Trust, which owns Tax ID Parcel 15-23-0006; Clair Don and Rosemary J. Christiansen, who own Tax ID Parcels 15-014-0005, 15-011-0005, 15-011-0006, 15-002-0009, 15-003-0004 and 15-003-0005; and Wesley G. and Viola S. Malmberg who own Tax ID Parcels 15-027-0003 and 15-023-0023, the portions of these parcels that the County needs to acquire are particularly described and shown in Exhibit A attached hereto and incorporated by reference (the "Properties"); and

WHEREAS, in furtherance of that responsibility, the City and County have executed an Interlocal Cooperation Agreement ("Interlocal Agreement") setting forth the obligations and responsibilities of each entity relating to the acquisition of the Properties; and

WHEREAS, pursuant to the Interlocal Agreement, the County is responsible for acquiring the Properties, which are necessary for the construction of the Access Road; and

WHEREAS, the Interlocal Agreement provides that in the event that the County is unable to acquire the remaining Properties by negotiation, the County may exercise its right of eminent domain to condemn the remaining Properties required to construct the Access Road; and

WHEREAS, on or about July 7, 2015 an independent MAI certified appraiser delivered appraisals to the County for the remaining Properties, a summary of the appraisals is attached as Exhibit B; and

WHEREAS, on or about August 7, 2015, County staff mailed via first class a written offer to pay the owners of the Properties the appraised value for their respective parcels, which included payment for any required easements and fee title of the Properties; and

WHEREAS, to date, a negotiated settlement for the Properties has not been reached; and

WHEREAS, the County Council finds and determines that the public interest and necessity require the County to acquire by eminent domain the Properties for construction of the Access Road to the new Landfill Site.

NOW THEREFORE, IT IS RESOLVED BY THE COUNTY COUNCIL OF CACHE COUNTY, UTAH:

Section 1. The Cache County Council finds and determines that the public interest and necessity require the acquisition and immediate occupancy of the Properties, for construction of the Access Road and for other lawful and legitimate public purposes.

Section 2. The Access Road requires the County to acquire right of way that will affect a portions of certain real and personal property owned by the following parties and identified by Tax ID:

a. Wesley G. & Viola S. Malmberg – Tax ID Parcels 15-027-0003 & 15-023-0023: representing project parcels 11 & 15.

b. Laurena B. Henderson, Trustee of the Laurena B. Henderson Living Trust – Tax ID Parcel 15-023-0006: representing project parcel 21.

c. Clair Don and Rosemary J. Christiansen – Tax ID Parcels 15-014-0005, 15-011-0005, 15-011-0006, 15-002-0009, 15-003-0004 & 15-003-0005: representing project parcels 29, 33, 37 & 38.

Section 3. The proposed location of the public improvements is planned and located in a manner that will be most compatible with the greatest public good and the least private injury.

Section 4. The County Engineer and the County Attorney are directed, on behalf of the County:

1. To acquire fee title, in the name of the County, the Properties and any necessary easements across the Properties as more particularly described in Exhibit A, by purchase if a reasonable purchase price can be negotiated, or by eminent domain proceedings in accordance with Utah law;

2. To prepare and prosecute such proceedings in the proper court having jurisdiction thereof as is necessary for such acquisition;

3. To obtain from the court an order permitting the County to take immediate possession and use of the Properties for the purposes herein described; and

4. To use the services of outside legal counsel as necessary to accomplish these directives.

Section 5. This resolution shall take effect immediately.

Adopted by the County Council of Cache County, Utah, this _____ day of _____, 2015.

Attest:	Cache County Council
_____	_____
Jill N. Zollinger County Clerk / Auditor	Kathy Robison Cache County Council Chair

EXHIBIT A

WHEN RECORDED, MAIL TO:
Logan City Corporation
Environmental Center
153 North 1400 West
Logan, Utah 84321

Warranty Deed

Cache County

Tax ID No. 15-023-0006
Parcel No. 21
Project: North Valley Landfill Road

Laurena B. Henderson, Trustee of the Laurena B. Henderson Living Trust, dated the 5th day of April, 2004, Grantor, of Clarkston, County of Cache, State of Utah, hereby CONVEYS AND WARRANTS to LOGAN CITY CORPORATION, at 290 North 100 West, Logan, Utah 84321, Grantee, for the sum of TEN ($10.00) Dollars, and other good and valuable considerations, the following described parcel of land in Cache County, State of Utah, to-wit:

A parcel of land in fee, being part of an entire tract of property, situate in the NW1/4 of Section 23, T.14N., R.2W., S.L.B.&M., in Cache County, Utah, for the construction of North Valley Landfill Road.

The boundaries of said parcel of land are described as follows:

Beginning at the North Quarter Corner of Section 23, Township 14 North, Range 2 West, Salt Lake Base and Meridian; thence as follows:

South 00°30'25" East 170.00 feet along the east line of the Northwest Quarter of said Section 23 also being the Grantor's east boundary line; thence North 89°59'37" West 40.00 feet; thence North 00°30'25" West 115.00 feet; thence North 89°59'00" West 389.28 feet;

CONTINUED ON PAGE 2

Parcel No. 21
Project: North Valley Landfill Road

thence South 79°07'42" West 185.29 feet; thence North 89°59'00" West 140.39 feet; thence North 63°25'06" West 90.56 feet; thence North 89°59'00" west 489.28 feet to the Grantor's west boundary line; thence North 00°00'00" East 49.50 feet along said Grantor's west boundary line to the north line of said Section 23 also being the Grantor's north boundary line; thence South 89°59'00" East 1321.41 feet along said north line to the point of beginning.

The above described parcel of land contains 83,892 square feet or 1.926 acre in area, more or less, of which 14,863 square feet is occupied by the existing right-of-way, net total of 69,029 square feet or 1.585 acre in area, more or less.

Basis of Bearings: North 89°19'20" East 2637.31 feet along the section line from the North Quarter Corner of Section 23 to the Northeast Corner of Section 23.

CONTINUED ON PAGE 3

Parcel No. 21
Project: North Valley Landfill Road

WITNESS, the hand of said Grantors, this ___ day of _____, A.D. 20 ___.

Signed in the presence of:

_____

STATE OF)
) **ss.**
COUNTY OF)

_____
Laurena B. Henderson, Trustee

On the date first above written personally appeared before me, _____, who, being by me duly sworn, acknowledged to me that he signed the within and foregoing instrument in accordance with the authority as Trustee given under the instrument creating said Trust, and that as Trustee he executed the same.

_____
Notary Public

WHEN RECORDED, MAIL TO:
Logan City Corporation
Environmental Center
153 North 1400 West
Logan, Utah 84321

Warranty Deed

Cache County

Tax ID No. 15-014-0005
Parcel No. 29
Project: North Valley Landfill Road

Clair Don Christiansen and Rosemary J. Christiansen, Grantor, of Newton, County of Cache, State of Utah, hereby CONVEYS AND WARRANTS to LOGAN CITY CORPORATION, at 290 North 100 West, Logan, Utah 84321, Grantee, for the sum of TEN ($10.00) Dollars, and other good and valuable considerations, the following described parcel of land in Cache County, State of Utah, to-wit:

A parcel of land in fee, being part of an entire tract of property, situate in the NW1/4 of Section 14, T.14N., R.2W., S.L.B.&M., in Cache County, Utah, for the construction of North Valley Landfill Road.

The boundaries of said parcel of land are described as follows:

Beginning at a point being North 00°40'06" West 1336.07 feet along the section line from the West Quarter Corner of Section 14, Township 14 North, Range 2 West, Salt Lake Base and Meridian; thence as follows:

North 00°40'06" West 1336.07 feet along the west line of Section 14 also being the Grantor's west boundary line to the north line of Section 14 also being the Grantor's north boundary line; thence North 89°17'47" East 49.50 feet along said Grantor's north boundary;

CONTINUED ON PAGE 2

Parcel No. 29
Project: North Valley Landfill Road

thence South 00°40'06" East 341.95 feet; thence North 89°19'54" East 10.50 feet; thence South 00°40'06" East 500.00 feet; thence South 89°19'54" West 10.50 feet; thence South 00°40'06" East 494.21 feet to the Grantor's south boundary line; thence South 89°24'27" West 49.50 feet along said south boundary line to the point of beginning.

Parcel containing 71,388 square feet or 1.639 acre in area, more or less.

Basis of Bearings: North 00°40'06" West 2672.13 feet along the section line from the West Quarter Corner of Section 14 to the Northwest Corner of Section 14.

CONTINUED ON PAGE 3

Parcel No. 29
Project: North Valley Landfill Road

WITNESS, the hand of said Grantors, this ___ day of _____, A.D. 20 ___.

Signed in the presence of:

_____

STATE OF)
) ss.
COUNTY OF)

_____
Clair Don Christiansen

_____
Rosemary J. Christiansen

On the date first above written personally appeared before me, _____, the signer of the within and foregoing instrument, who duly acknowledged to me that he executed the same.

_____
Notary Public

WHEN RECORDED, MAIL TO:
Logan City Corporation
Environmental Center
153 North 1400 West
Logan, Utah 84321

Warranty Deed

Cache County

Tax ID No. 15-011-0005, 15-011-0006
Parcel No. 33
Project: North Valley Landfill Road

Clair Don Christiansen and Rosemary J. Christiansen, husband a wife, as joint tenants and not as tenants in common, with full rights of survivorship, Grantor, of Newton, County of Cache, State of Utah, hereby CONVEYS AND WARRANTS to LOGAN CITY CORPORATION, at 290 North 100 West, Logan, Utah 84321, Grantee, for the sum of TEN ($10.00) Dollars, and other good and valuable considerations, the following described parcel of land in Cache County, State of Utah, to-wit:

A parcel of land in fee, being part of an entire tract of property, situate in the NW1/4 of Section 11, T.14N., R.2W., S.L.B.&M., in Cache County, Utah, for the construction of North Valley Landfill Road.

The boundaries of said parcel of land are described as follows:

Beginning at the West Quarter Corner of Section 11, Township 14 North, Range 2 West, Salt Lake Base and Meridian; thence as follows:

North 00°37'04" West 2653.50 feet along the west line of Section 11 also being the Grantor's west boundary line to the north line of Section 11 also being the Grantor's north boundary line; thence North 90°00'00" East 65.00 feet along said north line; thence South

CONTINUED ON PAGE 2

Parcel No. 33
Project: North Valley Landfill Road

00°37'04" East 1,018.23 feet; thence South 89°22'56" West 15.50 feet; thence South 00°37'04" East 1635.11 feet to the Grantor's south boundary line; thence South 90°00'00" West 49.50 feet along said south boundary line to the point of beginning.

The above described parcel of land contains 147,123 square feet or 3.377 acre in area, more or less, of which 556 square feet is occupied by the existing right-of-way, net total of 146,567 square feet or 3.365 acre in area, more or less.

Basis of Bearings: North 00°37'04" West 10,672.81 feet along the section line from the Southwest Corner of Section 11 to the Northwest Corner of Section 2.

CONTINUED ON PAGE 3

Parcel No. 33
Project: North Valley Landfill Road

WITNESS, the hand of said Grantors, this ___ day of _____, A.D. 20 ___.

Signed in the presence of:

_____

STATE OF)
) ss.
COUNTY OF)

_____
Clair Don Christiansen

_____
Rosemary J. Christiansen

On the date first above written personally appeared before me, _____, the signer of the within and foregoing instrument, who duly acknowledged to me that he executed the same.

_____
Notary Public

WHEN RECORDED, MAIL TO:
Logan City Corporation
Environmental Center
153 North 1400 West
Logan, Utah 84321

Warranty Deed

Cache County

Tax ID No. 15-002-0009
Parcel No. 37
Project: North Valley Landfill Road

Clair Don Christiansen and Rosemary J. Christiansen, husband a wife, as joint tenants and not as tenants in common, with full rights of survivorship, Grantor, of Newton, County of Cache, State of Utah, hereby CONVEYS AND WARRANTS to LOGAN CITY CORPORATION, at 290 North 100 West, Logan, Utah 84321, Grantee, for the sum of TEN ($10.00) Dollars, and other good and valuable considerations, the following described parcel of land in Cache County, State of Utah, to-wit:

A parcel of land in fee, being part of an entire tract of property, situate in the SW1/4 of Section 2, T.14N., R.2W., S.L.B.&M., in Cache County, Utah, for the construction of North Valley Landfill Road.

The boundaries of said parcel of land are described as follows:

Beginning at the Southwest Corner of Section 2, Township 14 North, Range 2 West, Salt Lake Base and Meridian; thence as follows:

North 00°37'04" West 1326.75 feet along the west line of Section 2 also being the Grantor's west boundary line to the Grantor's north boundary line; thence North 90°00'00" East 49.50 feet along said north line; thence South 00°37'04" East 805.15 feet; thence North 89°22'56"

CONTINUED ON PAGE 2

Parcel No. 37
Project: North Valley Landfill Road

East 15.50 feet; thence South 00°37'04" East 521.77 feet to the south line of said Section 2 also being the Grantor's south boundary line; thence South 90°00'00" West 65.00 feet along said south line to the point of beginning.

The above described parcel of land contains 73,760 square feet or 1.693 acre in area, more or less, of which 2,528 square feet is occupied by the existing right-of-way, net total of 71,232 square feet or 1.635 acre in area, more or less.

Basis of Bearings: North 00°37'04" West 10,672.81 feet along the section line from the Southwest Corner of Section 11 to the Northwest Corner of Section 2.

CONTINUED ON PAGE 3

Parcel No. 37
Project: North Valley Landfill Road

WITNESS, the hand of said Grantors, this ___ day of _____, A.D. 20 ___.

Signed in the presence of:

_____

STATE OF)
) ss.
COUNTY OF)

_____
Clair Don Christiansen

_____
Rosemary J. Christiansen

On the date first above written personally appeared before me, _____, the signer of the within and foregoing instrument, who duly acknowledged to me that he executed the same.

_____
Notary Public

WHEN RECORDED, MAIL TO:
Logan City Corporation
Environmental Center
153 North 1400 West
Logan, Utah 84321

Warranty Deed

Cache County

Tax ID No. 15-003-0004, 15-003-0005
Parcel No. 38
Project: North Valley Landfill Road

Clair Don Christiansen and Rosemary J. Christiansen, husband a wife, as joint tenants and not as tenants in common, with full rights of survivorship, Grantor, of Newton, County of Cache, State of Utah, hereby CONVEYS AND WARRANTS to LOGAN CITY CORPORATION, at 290 North 100 West, Logan, Utah 84321, Grantee, for the sum of TEN ($10.00) Dollars, and other good and valuable considerations, the following described parcel of land in Cache County, State of Utah, to-wit:

A parcel of land in fee, being part of an entire tract of property, situate in the SE1/4 of Section 3, T.14N., R.2W., S.L.B.&M., in Cache County, Utah, for the construction of North Valley Landfill Road.

The boundaries of said parcel of land are described as follows:

Beginning at a point being North 00°37'04" West 1326.75 feet from the Southeast Corner of Section 3, Township 14 North, Range 2 West, Salt Lake Base and Meridian; thence as follows:

North 90°00'00" West 49.50 feet along the Grantor's south boundary line; thence North 00°37'04" West 1326.22 feet; thence North 00°37'00" West 997.57 feet; thence North

CONTINUED ON PAGE 2

Parcel No. 38
Project: North Valley Landfill Road

15°59'35" West 228.17 feet; thence North 00°37'00" West 137.59 feet to the Grantor's north boundary line; thence North 88°52'07" East 110.01 feet along said north line to the east line of said Section 3 also being the Grantor's east boundary line; thence South 00°37'00" East 1356.15 feet along the east line of said Section 3; thence South 00°37'04" East 1326.75 feet along the east line of said Section 3 to the point of beginning.

The above described parcel of land contains 147,776 square feet or 3.392 acre in area, more or less, of which 11,485 square feet is occupied by the existing right-of-way, net total of 136,291 square feet or 3.129 acre in area, more or less.

Basis of Bearings: North 00°37'04" West 10,672.81 feet along the section line from the Southeast Corner of Section 10 to the Northeast Corner of Section 3.

CONTINUED ON PAGE 3

Parcel No. 38
Project: North Valley Landfill Road

WITNESS, the hand of said Grantors, this ___ day of _____, A.D. 20 ___.

Signed in the presence of:

_____

STATE OF)
) ss.
COUNTY OF)

_____
Clair Don Christiansen

_____
Rosemary J. Christiansen

On the date first above written personally appeared before me, _____, the signer of the within and foregoing instrument, who duly acknowledged to me that he executed the same.

_____
Notary Public

WHEN RECORDED, MAIL TO:
Logan City Corporation
Environmental Center
153 North 1400 West
Logan, Utah 84321

Warranty Deed

Cache County

Tax ID No. 15-027-0003
Parcel No. 11
Project: North Valley Landfill Road

Wesley G. Malmberg and Viola S. Malmberg, Trustees, Grantor, of Ogden, County of Weber, State of Utah, hereby CONVEYS AND WARRANTS to LOGAN CITY CORPORATION, at 290 North 100 West, Logan, Utah 84321, Grantee, for the sum of TEN ($10.00) Dollars, and other good and valuable considerations, the following described parcel of land in Cache County, State of Utah, to-wit:

A parcel of land in fee, being part of an entire tract of property, situate in the NE1/4 of Section 26, T.14N., R.2W., S.L.B.&M., in Cache County, Utah, for the construction of North Valley Landfill Road.

The boundaries of said parcel of land are described as follows:

Beginning at a point being South 00°00'00" East 3.22 feet and South 90°00'00" East 2494.23 feet from the North Quarter Corner of Section 26, Township 14 North, Range 2 West, Salt Lake Base and Meridian; thence as follows:

North 00°02'22" East 33.00 feet to the north line of said Section 26 also being the Grantor's north boundary line; thence North 89°18'57" East 125.25 feet along said north line to the west line of Hart's Grave Road also being the Grantor's east boundary line; thence South

CONTINUED ON PAGE 2

Parcel No. 11
Project: North Valley Landfill Road

00°01'12" West 1155.00 feet along said west line of Hart's Grave Road to the north line Hart's Grave Road also being the Grantor's South boundary line; thence North 89°58'48" West 266.46 feet along said north line of Hart's Grave Road to the Grantor's West boundary line; thence North 01°42'17" East 331.02 feet along said west boundary line; thence South 90°00'00" East 148.34 feet; thence North 27°02'09" East 25.21 feet; thence Northerly 309.61 feet along the arc of a 661.50 foot radius curve to the left through a central angle of 26°49'00", the chord of which bears North 13°37'39" East 306.79 feet; thence North 00°01'14" East 470.13 feet; thence South 89°18'57" West 100.51 feet to the point of beginning.

The above described parcel of land contains 119,088 square feet or 2.734 acre in area, more or less, of which 268 square feet is occupied by the existing right-of-way, net total of 118,820 square feet or 2.728 acre in area, more or less.

Basis of Bearings: North 00°10'10" West 2665.94 feet along the section line from the East Quarter Corner of Section 25 to the Northeast Corner of Section 25.

CONTINUED ON PAGE 3

Parcel No. 11
Project: North Valley Landfill Road

WITNESS, the hand of said Grantors, this ___ day of _____, A.D. 20 ___.

Signed in the presence of:

_____

STATE OF)
) **ss.**
COUNTY OF)

_____
Wesley G. Malmberg, Trustee

_____
Viola S. Malmberg, Trustee

On the date first above written personally appeared before me, _____, who, being by me duly sworn, acknowledged to me that he signed the within and foregoing instrument in accordance with the authority as Trustee given under the instrument creating said Trust, and that as Trustee he executed the same.

_____
Notary Public

WHEN RECORDED, MAIL TO:
Logan City Corporation
Environmental Center
153 North 1400 West
Logan, Utah 84321

Warranty Deed

Cache County

Tax ID No. 15-023-0023
Parcel No. 15
Project: North Valley Landfill Road

Wesley G. Malmberg and Viola S. Malmberg, Trustees, Grantor, of Ogden, County of Weber, State of Utah, hereby CONVEYS AND WARRANTS to LOGAN CITY CORPORATION, at 290 North 100 West, Logan, Utah 84321, Grantee, for the sum of TEN ($10.00) Dollars, and other good and valuable considerations, the following described parcel of land in Cache County, State of Utah, to-wit:

A parcel of land in fee, being part of an entire tract of property, situate in the SE1/4 of Section 23, T.14N., R.2W., S.L.B.&M., in Cache County, Utah, for the construction of North Valley Landfill Road.

The boundaries of said parcel of land are described as follows:

Beginning at a point on the east line of Section 23, Township 14 North, Range 2 West, Salt Lake Base and Meridian; said point being South 00°35'00" East 2658.67 feet along said east line of said Section 23 from the Northeast Corner of said Section 23 thence as follows:

South 00°35'00" East 1329.33 feet along said east line of said Section 23 to the south line of the Northeast Quarter of the Southeast Quarter of said Section 23 also being the Grantor's south boundary line; thence North 90°00'00" West 49.50 feet along said south

CONTINUED ON PAGE 2

line; thence North 00°35'00" West 1329.33 feet to the north line of the Northeast Quarter of the Southeast Quarter of said Section 23 also being the Grantor's north boundary line; thence South 90°00'00" East 49.50 feet along said north line to the point of beginning.

Parcel containing 65,798 square feet or 1.511 acres more or less.

Basis of Bearings: North 00°44'27" West 2648.28 feet along the section line from the Northeast Corner of Section 23 to the East Quarter Corner of Section 14.

CONTINUED ON PAGE 3

Parcel No. 15
Project: North Valley Landfill Road

WITNESS, the hand of said Grantors, this ___ day of _____, A.D. 20 ___.

Signed in the presence of:

_____

STATE OF)
) ss.
COUNTY OF)

_____
Wesley G. Malmberg, Trustee

_____
Viola S. Malmberg, Trustee

On the date first above written personally appeared before me, _____, who, being by me duly sworn, acknowledged to me that he signed the within and foregoing instrument in accordance with the authority as Trustee given under the instrument creating said Trust, and that as Trustee he executed the same.

_____
Notary Public

EXHIBIT B

Integra Realty Resources
Salt Lake City

5107 South 900 East
Suite 200
Salt Lake City, UT 84117

T 801.263.9700
F 801.263.9709
dliddell@irr.com
www.irr.com/saltlakecity

July 16, 2015

Mr. Jody K. Burnett
On Behalf of Logan City
Williams & Hunt
257 East 200 South, Suite 500
Salt Lake City, Utah 84145

SUBJECT: Market Value Appraisal
Parcel 21 - Henderson
11800 North 8400 West
Unincorporated, Cache County, Utah 84305
Integra Salt Lake City File No. 160-2015-0668

Dear Mr. Burnett:

Integra Realty Resources – Salt Lake City is pleased to submit the accompanying appraisal report. The purpose of the appraisal is to develop an opinion of the market value of the proposed takings as of July 7, 2015, the date of inspection. The opinion of value reported below is qualified by certain assumptions, limiting conditions and definitions set forth in the report.

Because the proposed taking involves only a partial taking, fee simple value of the subject before the taking is first estimated. Value of the proposed taking, including improvements, is then directly estimated. Value of the remainder after the taking is then estimated as the basis for determining if damages or benefits to the remainder result from the taking. In Utah, value enhancement associated with benefits, if any, can only be used to offset value impairment resulting from damages, if any, not the value of the taking.

The following appraisal sets forth the pertinent data gathered, the techniques employed, and the analyses and conclusions that led to the opinion of value. The analyses, opinions and conclusions were developed based on market data, and this report has been prepared in conformance with our interpretation of the requirements, guidelines and recommendations, as applicable, set forth in the *Uniform Relocation Assistance and Real*

Property Acquisition Policies Act (Uniform Act), the *Uniform Standards of Professional Appraisal Practice* (USPAP), the requirements of the *Code of Professional Ethics* and *Standards of Professional Appraisal Practice* of the Appraisal Institute, and laws of the State of Utah.

Based on the valuation analysis in the accompanying report, and subject to the definitions, assumptions, and limiting conditions expressed in the report, our opinion of market value of the proposed taking s as of July 7, 2015 is as follows:

Value Conclusion

Appraisal Premise	Interest Appraised	Date of Value	Value Conclusion
Market Value	Fee Simple	July 7, 2015	$1,800

Extraordinary Assumptions and Hypothetical Conditions

The value conclusions are subject to the following extraordinary assumptions that may affect the assignment results. An extraordinary assumption is uncertain information accepted as fact. If the assumption is found to be false as of the effective date of the appraisal, we reserve the right to modify our value conclusions.

1. None

The value conclusions are based on the following hypothetical conditions that may affect the assignment results. A hypothetical condition is a condition contrary to known fact on the effective date of the appraisal but is supposed for the purpose of analysis.

1. The before valuation is based on the hypothetical condition that the subject project is not planned as of the valuation date.
2. The after valuation is based on the hypothetical condition that the proposed project improvements are complete as of the valuation date.

If you have any questions or comments, please contact the undersigned. Thank you for the opportunity to be of service.

Respectfully submitted,

Integra Realty Resources - Salt Lake City

Troy A. Lunt, MAI, R/W-AC
Certified General Real Estate Appraiser
(801) 263-9700 ext. 128
tlunt@irr.com

Integra Realty Resources
Salt Lake City

5107 South 900 East
Suite 200
Salt Lake City, UT 84117

T 801.263.9700
F 801.263.9709
dliddell@irr.com
www.irr.com/saltlakecity

July 16, 2015

Mr. Jody K. Burnett
On Behalf of Logan City
Williams & Hunt
257 East 200 South, Suite 500
Salt Lake City, Utah 84145

SUBJECT: Market Value Appraisal
Parcel 29 - Christiansen
12500 North 8800 West
Unincorporated, Cache County, Utah 84305
Integra Salt Lake City File No. 160-2015-0669

Dear Mr. Burnett:

Integra Realty Resources – Salt Lake City is pleased to submit the accompanying appraisal report. The purpose of the appraisal is to develop an opinion of the market value of the proposed takings as of July 7, 2015, the date of inspection. The opinion of value reported below is qualified by certain assumptions, limiting conditions and definitions set forth in the report.

Because the proposed taking involves only a partial taking, fee simple value of the subject before the taking is first estimated. Value of the proposed taking, including improvements, is then directly estimated. Value of the remainder after the taking is then estimated as the basis for determining if damages or benefits to the remainder result from the taking. In Utah, value enhancement associated with benefits, if any, can only be used to offset value impairment resulting from damages, if any, not the value of the taking.

The following appraisal sets forth the pertinent data gathered, the techniques employed, and the analyses and conclusions that led to the opinion of value. The analyses, opinions and conclusions were developed based on market data, and this report has been prepared in conformance with our interpretation of the requirements, guidelines and recommendations, as applicable, set forth in the *Uniform Relocation Assistance and Real*

Property Acquisition Policies Act (Uniform Act), the *Uniform Standards of Professional Appraisal Practice* (USPAP), the requirements of the *Code of Professional Ethics* and *Standards of Professional Appraisal Practice* of the Appraisal Institute, and laws of the State of Utah.

Based on the valuation analysis in the accompanying report, and subject to the definitions, assumptions, and limiting conditions expressed in the report, our opinion of market value of the proposed taking s as of July 7, 2015 is as follows:

Value Conclusion

Appraisal Premise	Interest Appraised	Date of Value	Value Conclusion
Market Value	Fee Simple	July 7, 2015	$1,700

Extraordinary Assumptions and Hypothetical Conditions

The value conclusions are subject to the following extraordinary assumptions that may affect the assignment results. An extraordinary assumption is uncertain information accepted as fact. If the assumption is found to be false as of the effective date of the appraisal, we reserve the right to modify our value conclusions.

1. None

The value conclusions are based on the following hypothetical conditions that may affect the assignment results. A hypothetical condition is a condition contrary to known fact on the effective date of the appraisal but is supposed for the purpose of analysis.

1. The before valuation is based on the hypothetical condition that the subject project is not planned as of the valuation date.
2. The after valuation is based on the hypothetical condition that the proposed project improvements are complete as of the valuation date.

If you have any questions or comments, please contact the undersigned. Thank you for the opportunity to be of service.

Respectfully submitted,

Integra Realty Resources - Salt Lake City

Troy A. Lunt, MAI, R/W-AC
Certified General Real Estate Appraiser
(801) 263-9700 ext. 128
tlunt@irr.com

Integra Realty Resources
Salt Lake City

5107 South 900 East
Suite 200
Salt Lake City, UT 84117

T 801.263.9700
F 801.263.9709
dliddell@irr.com
www.irr.com/saltlakecity

July 16, 2015

Mr. Jody K. Burnett
On Behalf of Logan City
Williams & Hunt
257 East 200 South, Suite 500
Salt Lake City, Utah 84145

SUBJECT: Market Value Appraisal
Parcel 33 & 37 - Christiansen
13400 North 8800 West
Unincorporated, Cache County, Utah 84305
Integra Salt Lake City File No. 160-2015-0670

Dear Mr. Burnett:

Integra Realty Resources – Salt Lake City is pleased to submit the accompanying appraisal report. The purpose of the appraisal is to develop an opinion of the market value of the proposed takings as of July 7, 2015, the date of inspection. The opinion of value reported below is qualified by certain assumptions, limiting conditions and definitions set forth in the report.

Because the proposed taking involves only a partial taking, fee simple value of the subject before the taking is first estimated. Value of the proposed taking, including improvements, is then directly estimated. Value of the remainder after the taking is then estimated as the basis for determining if damages or benefits to the remainder result from the taking. In Utah, value enhancement associated with benefits, if any, can only be used to offset value impairment resulting from damages, if any, not the value of the taking.

The following appraisal sets forth the pertinent data gathered, the techniques employed, and the analyses and conclusions that led to the opinion of value. The analyses, opinions and conclusions were developed based on market data, and this report has been prepared in conformance with our interpretation of the requirements, guidelines and recommendations, as applicable, set forth in the *Uniform Relocation Assistance and Real*

Property Acquisition Policies Act (Uniform Act), the *Uniform Standards of Professional Appraisal Practice* (USPAP), the requirements of the *Code of Professional Ethics* and *Standards of Professional Appraisal Practice* of the Appraisal Institute, and laws of the State of Utah.

Based on the valuation analysis in the accompanying report, and subject to the definitions, assumptions, and limiting conditions expressed in the report, our opinion of market value of the proposed taking s as of July 7, 2015 is as follows:

Value Conclusion

Appraisal Premise	Interest Appraised	Date of Value	Value Conclusion
Market Value	Fee Simple	July 7, 2015	$5,000

Extraordinary Assumptions and Hypothetical Conditions

The value conclusions are subject to the following extraordinary assumptions that may affect the assignment results. An extraordinary assumption is uncertain information accepted as fact. If the assumption is found to be false as of the effective date of the appraisal, we reserve the right to modify our value conclusions.

1. None

The value conclusions are based on the following hypothetical conditions that may affect the assignment results. A hypothetical condition is a condition contrary to known fact on the effective date of the appraisal but is supposed for the purpose of analysis.

1. The before valuation is based on the hypothetical condition that the subject project is not planned as of the valuation date.
2. The after valuation is based on the hypothetical condition that the proposed project improvements are complete as of the valuation date.

If you have any questions or comments, please contact the undersigned. Thank you for the opportunity to be of service.

Respectfully submitted,

Integra Realty Resources - Salt Lake City

Troy A. Lunt, MAI, R/W-AC
Certified General Real Estate Appraiser
(801) 263-9700 ext. 128
tlunt@irr.com

Integra Realty Resources
Salt Lake City

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July 16, 2015

Mr. Jody K. Burnett
On Behalf of Logan City
Williams & Hunt
257 East 200 South, Suite 500
Salt Lake City, Utah 84145

SUBJECT: Market Value Appraisal
Parcel 38 - Christiansen
13800 North 8800 West
Unincorporated, Cache County, Utah 84305
Integra Salt Lake City File No. 160-2015-0671

Dear Mr. Burnett:

Integra Realty Resources – Salt Lake City is pleased to submit the accompanying appraisal report. The purpose of the appraisal is to develop an opinion of the market value of the proposed takings as of July 7, 2015, the date of inspection. The opinion of value reported below is qualified by certain assumptions, limiting conditions and definitions set forth in the report.

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Based on the valuation analysis in the accompanying report, and subject to the definitions, assumptions, and limiting conditions expressed in the report, our opinion of market value of the proposed taking s as of July 7, 2015 is as follows:

Value Conclusion

Appraisal Premise	Interest Appraised	Date of Value	Value Conclusion
Market Value	Fee Simple	July 7, 2015	$3,200

Extraordinary Assumptions and Hypothetical Conditions

The value conclusions are subject to the following extraordinary assumptions that may affect the assignment results. An extraordinary assumption is uncertain information accepted as fact. If the assumption is found to be false as of the effective date of the appraisal, we reserve the right to modify our value conclusions.

1. None

The value conclusions are based on the following hypothetical conditions that may affect the assignment results. A hypothetical condition is a condition contrary to known fact on the effective date of the appraisal but is supposed for the purpose of analysis.

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2. The after valuation is based on the hypothetical condition that the proposed project improvements are complete as of the valuation date.

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Respectfully submitted,

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July 16, 2015

Mr. Jody K. Burnett
On Behalf of Logan City
Williams & Hunt
257 East 200 South, Suite 500
Salt Lake City, Utah 84145

SUBJECT: Market Value Appraisal
Parcel 11 - Malmberg
11000 N Hart's Grave Rd
Unincorporated, Cache County, Utah 84305
Integra Salt Lake City File No. 160-2015-0666

Dear Mr. Burnett:

Integra Realty Resources – Salt Lake City is pleased to submit the accompanying appraisal report. The purpose of the appraisal is to develop an opinion of the market value of the proposed takings as of July 7, 2015, the date of inspection. The opinion of value reported below is qualified by certain assumptions, limiting conditions and definitions set forth in the report.

Because the proposed taking involves only a partial taking, fee simple value of the subject before the taking is first estimated. Value of the proposed taking, including improvements, is then directly estimated. Value of the remainder after the taking is then estimated as the basis for determining if damages or benefits to the remainder result from the taking. In Utah, value enhancement associated with benefits, if any, can only be used to offset value impairment resulting from damages, if any, not the value of the taking.

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Based on the valuation analysis in the accompanying report, and subject to the definitions, assumptions, and limiting conditions expressed in the report, our opinion of market value of the proposed taking s as of July 7, 2015 is as follows:

Value Conclusion

Appraisal Premise	Interest Appraised	Date of Value	Value Conclusion
Market Value	Fee Simple	July 7, 2015	$6,900

Extraordinary Assumptions and Hypothetical Conditions

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1. None

The value conclusions are based on the following hypothetical conditions that may affect the assignment results. A hypothetical condition is a condition contrary to known fact on the effective date of the appraisal but is supposed for the purpose of analysis.

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If you have any questions or comments, please contact the undersigned. Thank you for the opportunity to be of service.

Respectfully submitted,

Integra Realty Resources - Salt Lake City

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July 16, 2015

Mr. Jody K. Burnett
On Behalf of Logan City
Williams & Hunt
257 East 200 South, Suite 500
Salt Lake City, Utah 84145

SUBJECT: Market Value Appraisal
Parcel 15 - Malmberg
11300 N Hart's Grave Rd
Unincorporated, Cache County, Utah 84305
Integra Salt Lake City File No. 160-2015-0667

Dear Mr. Burnett:

Integra Realty Resources – Salt Lake City is pleased to submit the accompanying appraisal report. The purpose of the appraisal is to develop an opinion of the market value of the proposed takings as of July 7, 2015, the date of inspection. The opinion of value reported below is qualified by certain assumptions, limiting conditions and definitions set forth in the report.

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Based on the valuation analysis in the accompanying report, and subject to the definitions, assumptions, and limiting conditions expressed in the report, our opinion of market value of the proposed taking s as of July 7, 2015 is as follows:

Value Conclusion

Appraisal Premise	Interest Appraised	Date of Value	Value Conclusion
Market Value	Fee Simple	July 7, 2015	$2,500

Extraordinary Assumptions and Hypothetical Conditions

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1. None

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1. The before valuation is based on the hypothetical condition that the subject project is not planned as of the valuation date.
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If you have any questions or comments, please contact the undersigned. Thank you for the opportunity to be of service.

Respectfully submitted,

Integra Realty Resources - Salt Lake City

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BUDGET INCREASE

RESOLUTION NO. 2015 – 19

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 2015 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 2015 budget for Cache County:

See attached

Section 2.

Other than as specifically set forth above, all other matters set forth in the 2015 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 25th day of August, 2015.

ATTESTED TO: CACHE COUNTY COUNCIL

_____ _____

Jill N. Zollinger, Cache County Clerk/Auditor Kathy Robison, Council Chair

BUDGET OPENING

Resolution: 2015-19
Hearing: August 25, 2015 6:00 PM

Department	Account	Title	Description	Adjustment
GENERAL FUND		***Adopted Budget: $23,551,868***	***Proposed Budget: $23,544,799***	
Revenues				
CONTRIB./TRANSFERS	100-38-90000	APPROPRIATED FUND BALANCE	Reimburse 2014 Parking Lot Project	31,070
CONTRIB./TRANSFERS	100-38-90000	APPROPRIATED FUND BALANCE	Updated A&C Allocation - Finance	(5,263)
CONTRIB./TRANSFERS	100-38-90000	APPROPRIATED FUND BALANCE	Caselle - Human Resources	4,624
CONTRIB./TRANSFERS	100-38-90000	APPROPRIATED FUND BALANCE	Senior Accountant	27,500
CONTRIB./TRANSFERS	100-38-90000	APPROPRIATED FUND BALANCE	County Shared Operating Expenses - Airport	(80,000)
CONTRIB./TRANSFERS	100-38-90000	APPROPRIATED FUND BALANCE	Legal Services for Public Defender	15,000
			Total Revenue Adjustment:	**(7,069)**
Expenditures				
PUBLIC DEFENDER	100-4126-310	PROFESSIONAL & TECHNICAL	Legal Services for Public Defender	15,000
FINANCE	100-4132-110	SALARY	Senior Accountant	22,500
FINANCE	100-4132-120	TEMPORARY EMPLOYEES	Senior Accountant	(11,000)
FINANCE	100-4132-130	EMPLOYEE BENEFITS	Senior Accountant	16,000
FINANCE	100-4132-999	A&C ALLOC - FINANCE 10%	Updated A&C Allocation - Finance	(5,263)
HUMAN RESOURCES	100-4134-311	SOFTWARE	Caselle - Human Resources	5,440
HUMAN RESOURCES	100-4134-999	A&C ALLOC - HUMAN RESOURCE 15	Caselle - Human Resources	(816)
ATTORNEY	100-4145-110	SALARY	Part Time Employee	(13,650)
ATTORNEY	100-4145-120	TEMPORARY EMPLOYEES	Part Time Employee	13,650
CONTRIBUTIONS	100-4800-925	TRANSFER TO AIRPORT FUND	County Shared Operating Expenses - Airport	(80,000)
CONTRIBUTIONS	100-4800-925	TRANSFER TO AIRPORT FUND	Reimburse 2014 Parking Lot Project	31,070
			Total Expenditure Adjustment:	**(7,069)**
ASSESSING & COLLECTING FUND		***Adopted Budget: $3,722,439***	***Proposed Budget: $3,748,618***	
Revenues				
CONTRIB./TRANSFERS	150-38-90000	APPROPRIATED FUND BALANCE	Updated A&C Allocation - Finance	5,263
CONTRIB./TRANSFERS	150-38-90000	APPROPRIATED FUND BALANCE	Caselle - Human Resources	816
CONTRIB./TRANSFERS	150-38-90000	APPROPRIATED FUND BALANCE	Programmer Development License	16,100
CONTRIB./TRANSFERS	150-38-90000	APPROPRIATED FUND BALANCE	Board of Equalization - Temporary Staff	4,000
			Total Revenue Adjustment:	**26,179**
Expenditures				
FINANCE	150-4132-999	A&C ALLOC - FINANCE 10%	Updated A&C Allocation - Finance	5,263
HUMAN RESOURCES	150-4134-999	A&C ALLOC - HUMAN RESOURCE 15	Caselle - Human Resources	816
ITS	150-4136-311	SOFTWARE PACKAGES	Programmer Development License	16,100
AUDITOR	150-4141-120	TEMPORARY EMPLOYEES	Board of Equalization - Temporary Staff	4,000
			Total Expenditure Adjustment:	**26,179**
MUNICIPAL SERVICES FUND		***Adopted Budget: $6,028,931***	***Proposed Budget: $6,052,931***	
Revenues				
CHARGES FOR SERVICES	200-34-14000	PLAN CHECKING FEES	Additional Vehicle Purchase Cost	3,000
CHARGES FOR SERVICES	200-34-31000	CLASS B CONTRACTS - MUNICIPAL	Oil Costs for Municipalities	10,000

BUDGET OPENING

Resolution: 2015-19
Hearing: August 25, 2015 6:00 PM

Department	Account	Title	Description	Adjustment
CHARGES FOR SERVICES	200-34-31000	CLASS B CONTRACTS - MUNICIPAL	Updated Billing Estimate	11,000
			Total Revenue Adjustment:	**24,000**
Expenditures				
BUILDING INSP.	200-4241-740	CAPITALIZED EQUIPMENT	Additional Vehicle Purchase Cost	3,000
CLASS - B ROADS	200-4415-254	FUEL	Updated Estimate for Oil Needs	(5,000)
CLASS - B ROADS	200-4415-412	CHIP & SEAL ROADS - COUNTY	Updated Estimate for Oil Needs	24,000
CLASS - B ROADS	200-4415-414	CHIP & SEAL ROADS - MUNICIPAL	Oil Costs for Municipalities	10,000
CLASS - B ROADS	200-4415-740	CAPITALIZED EQUIPMENT	Reduced Equipment Costs	(8,000)
			Total Expenditure Adjustment:	**24,000**

CDRA FUND ***Adopted Budget: $228,801*** ***Proposed Budget: $212,861***

Revenues				
CONTRIB./TRANSFERS	220-38-90000	APPROPRIATED SURPLUS	Prior Year Expenditures	(15,940)
CONTRIB./TRANSFERS	220-38-75000	TRANSFERS IN FROM GEN FUND	Change Accounting Method	(52,187)
CONTRIB./TRANSFERS	220-38-80000	CONTRIBUTION - TAXING ENTITIES	Change Accounting Method	52,187
			Total Revenue Adjustment:	**(15,940)**
Expenditures				
CDRA	220-4193-480	CDRA PROJECTS	Prior Year Expenditures	(20,232)
CONTRIBUTIONS	220-4800-990	CONTRIBUTION TO FUND BALANCE	Offset 2014 Deficit	4,292
			Total Expenditure Adjustment:	**(15,940)**

VISITORS BUREAU FUND ***Adopted Budget: $720,867*** ***Proposed Budget: $720,867***

Revenues				
				-
			Total Revenue Adjustment:	**-**
Expenditures				
VISITOR'S BUREAU	230-4780-480	BROCHURES,MAPS & PRINTING	Printing Brochures - Correct Account	55,000
VISITOR'S BUREAU	230-4780-490	ADVERTISING & PROMOTIONS	Printing Brochures - Correct Account	(55,000)
			Total Expenditure Adjustment:	**-**

AIRPORT ***Adopted Budget: $297,823*** ***Proposed Budget: $382,678***

Revenues				
CONTRIB./TRANSFERS	277-38-10277	CONTRIBUTION - RESTAURANT TAX	County Shared Operating Expenses	80,000
CONTRIB./TRANSFERS	277-38-20000	TRANSFER FROM GENERAL FUND	Reimburse 2014 Parking Lot Project	(80,000)
CONTRIB./TRANSFERS	277-38-20000	TRANSFER FROM GENERAL FUND	Reimburse 2014 Parking Lot Project	31,070
CONTRIB./TRANSFERS	277-38-20460	TRANSFER FROM CAPITAL PROJECTS	2014 Operating Contribution - Logan City	53,785
			Total Revenue Adjustment:	**84,855**

BUDGET OPENING

Resolution: 2015-19
Hearing: August 25, 2015 6:00 PM

Department	Account	Title	Description	Adjustment
Expenditures				
AIRPORT	277-4460-990	CONTRIBUTION TO FUND BALANCE	Reimburse 2014 Parking Lot Project	31,070
AIRPORT	277-4460-990	CONTRIBUTION TO FUND BALANCE	2014 Operating Contribution - Logan City	53,785
			Total Expenditure Adjustment:	**84,855**

CAPITAL PROJECTS - ROADS ***Adopted Budget: $8,797,608*** ***Proposed Budget: $8,851,393***

Revenues				
CONTRIB./TRANSFERS	460-38-90000	APPROPRIATED FUND BALANCE	2014 Operating Contribution - Logan City	53,785
			Total Revenue Adjustment:	**53,785**
Expenditures				
TRANSFERS OUT	460-4810-277	TRANSFER TO AIRPORT	2014 Operating Contribution - Logan City	53,785
			Total Expenditure Adjustment:	**53,785**

RESOLUTION NO. 2015-20

CACHE COUNTY, UTAH

SERVICE PROVISION ON COUNTY ROADS

A RESOLUTION OUTLINING THE COUNTY COUNCIL'S POLICY REGARDING THE EXPANSION OR CONTINUATION OF SERVICES ON COUNTY ROADS

Whereas, Cache County has reviewed the impact of new development along unimproved roadways on the safety and welfare of citizens of Cache County, and;

Whereas, Cache County has determined that within the existing budget constraints funding is not sufficient for the existing network of roadways to be properly maintained and that additional road length is a net cost to the county even considering existing Class B allocations from the State and property tax rates, and;

Whereas, it is not in the best interest for the safety and/or welfare of existing or future residents of Cache County to diminish services on existing roadways to maintain new roads or to provided substandard service on new roadways, and;

Whereas, there are nearly 200 miles of existing paved road in Cache County that can accommodate development with little to no impact on the County's ability to serve said development.

NOW, THEREFORE, BE IT RESOLVED that the County Council of Cache County, Utah, in a regular meeting, lawful notice of which has been given, finds that it is in the best interests of the citizens of Cache County to hereby adopt the following resolution:

1) There shall be no further expansion of road services on substandard roads that do not already serve existing homes including:
    a. No expansion of winter maintenance activities (snow plowing).
    b. No gravel roads be paved or "Chip Sealed".
    c. No acceptance of new roadways, gravel or paved.
2) The County Council may grant exceptions to this policy if proposed road improvements improve the health and/or safety of existing subdivisions, homes, or businesses.

APPROVED AND ADOPTED this 25th day of August, 2015.

CACHE COUNTY COUNCIL	ATTEST:
_____	_____
Kathy Robison, Chair Cache County Council	Jill Zollinger Cache County Clerk

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

MEMORANDUM

TO: Cache County Council

FROM: Dianna Schaeffer, Deputy Cache County Auditor

DATE: August 25, 2015

SUBJECT: Request for Tax Relief Filing Extension

Every year Cache County processes hundreds of tax relief applications for various indigent abatements, exclusive use exemptions, military exemptions, blind exemptions, settlements, and deferrals. The application deadline is September 1st in most cases, but may be extended until December 31st if the county finds good cause.

- **Low Income Abatement** - State law §59-2-1107 through §59-2-1109 permits counties to abate taxes for indigent persons subject to proper application, documentation, and deadlines. *Allowable extension* §59-2-1109(2)(d).
- **Blind Exemption** - State law §59-2-1106 provides counties authority to abate taxes for the blind subject to proper application, documentation, and deadlines. *Allowable extension* §59-2-1106(2)(b)(ii).
- **Military Exemption** - State law §59-2-1104 and §59-2-1105 allows counties to abate taxes for veterans and active duty armed forces subject to proper application, documentation, and deadlines. Military applications are allowed an "automatic" one year extension per UCA §59-2-1105(2)(b)(i).
- **Non-Profit Use Exemption** – State law §59-2-1102 provides counties authority to abate taxes for religious charitable, and educational organizations. Applications were due by March 1st and have been processed.
- **Settlement/Deferral** - No deadlines are mandated in §59-2-1347.

After the tax notices are mailed at the end of October, the county will be besieged by citizens in dire need of tax relief. We must be compliant with the law of the land while maintaining the intent of the law to help those in need. Therefore, it is in the best interest of the community that the Cache County Council *extends the filing deadline for low income and blind tax relief to November 30, 2015*. By extending the filing deadline, Cache County can continue helping eligible citizens and remain compliant with the law in regards to applications for tax relief. This would solve the impending problem of processing impoverished applicants while remaining legally compliant.

Request is:

Approved_____ Tabled_____ Denied_____

_____

Kathy Robison, Chairperson

ATTESTED:

_____

Jill Zollinger, Cache County Clerk

Date:

CACHE COUNTY

Office of the County Assessor

179 NORTH MAIN • LOGAN, UTAH 84321
(435) 755-1590 • Fax (435) 755-1989

KATHLEEN C. HOWELL

August 13, 2015

It has come to our attention there are some unpaid taxes owing on these Personal Property accounts. All attempts to collect these taxes have been unsuccessful. Please review and consider a cancellation of tax for the following businesses.

These 2 Businesses have closed, all equipment has been liquidated and business owners are no longer in the state.

Ron Foster Const. Taxes $176.73 Int. $18.49 Penalty $25.00
Total $220.22

Vinyl Technologies Taxes $2,409.32 Int.$57.00
Collected Payment $1,489.20 (from equipment sold)
Total $977.12

Thank you for your time and consideration in this matter.

Sincerely,

Kathleen C. Howell

Kathleen C. Howell
Cache County Assessor

Overview of Business Personal Property Taxes:

Ron Foster Construction: It is our understanding that Ron Foster has been living and working out of state for some time. We have been working with Cache Valley Bank on trying to collect this tax as they liquidate some of his assets. It appears we are not going to get this tax. Total to be cancelled: $220.22.

Vinyl Technologies: This business closed their doors and liquidated their assets in May of 2014. We were able to locate some of the personal property that was sold with the tax owing. We were successful in collecting almost $1500.00 dollars but were unable to locate equipment to cover the balance due. Total to be cancelled: $977.12.

We are asking you to cancel the balance due on both businesses.

Thank you.

Kathleen

TAX NOTICE

Cache County Assessor's Office
179 North Main Suite 205
Logan, Utah 84321
(435) 755-1590

Account Number
BU-27-4124

Due Date
9/1/2015

Make all checks payable to:
CACHE COUNTY ASSESSOR

8/13/2015

BUSINESS ACCOUNT TAX NOTICE FOR THE TAX YEAR 2014

VINYL TECHNOLOGIES INC
1170 WEST 200 NORTH
LOGAN, UT 84321

Please pay the entire amount due immediately.

Taxing District: **027 LOGAN CITY**

Market Value: **190,277**
Taxable Value: **190,277**
Taxes Due: **2,409.32**

FINAL NOTICE

District Breakdown By Taxing Unit (Apportionment)

Entity Code	Entity Description	Tax Rate	Tax Amount
27	LOGAN CITY	0.002247	427.55
28	CACHE CO GENERAL FUND	0.001686	320.81
29	LOGAN SCHOOL DISTRICT	0.006573	1,250.69
38	CACHE CO HEALTH FUND	0.000143	27.21
48	MULTI-CO A & C	0.000158	30.06
58	CACHE CO A & C	0.000320	60.89
69	STWDE SCHOOL LEVY LOGAN	0.001535	292.08
75	CVTD	0.000000	0.00

(Cut along this line)

Please return this portion of the notice with your check remittance. DO NOT send cash.

FINAL NOTICE

Account Number
BU-27-4124

VINYL TECHNOLOGIES INC
1170 WEST 200 NORTH
LOGAN, UT 84321

Due Date
9/1/2015

Taxing District: **027 LOGAN CITY**

TOTAL TAXES	**2,409.32**
EXEMPTIONS	**(0.00)**
PENALTY OWED	**0.00**
PENALTY PAID	**(0.00)**
INTEREST OWED	**57.00**
INTEREST PAID	**(47.05)**
PRINCIPLE PAID	**(1,489.20)**
AMOUNT DUE	**977.12**

8/13/2015

Interest will be charged at 6% per annum above the current federal discount rate on all past due accounts.

TAX NOTICE

Cache County Assessor's Office
179 North Main Suite 205
Logan, Utah 84321
(435) 755-1590

Account Number
BU-28-1462

Due Date
9/1/2015

Make all checks payable to:
CACHE COUNTY ASSESSOR

8/13/2015

BUSINESS ACCOUNT TAX NOTICE FOR THE TAX YEAR 2014

FOSTER RON CONSTRUCTION
3821 NORTH 200 WEST
HYDE PARK, UT 84318

Please pay the entire amount due immediately.

Taxing District: **036 HYDE PARK CITY W/O CEM**

Market Value:	**17,040**
Taxable Value:	**17,040**
Taxes Due:	**176.73**

FINAL NOTICE

District Breakdown By Taxing Unit (Apportionment)

Entity Code	Entity Description	Tax Rate	Tax Amount
14	HYDE PARK CITY	0.001050	17.89
28	CACHE CO GENERAL FUND	0.001686	28.73
30	CACHE CO SCHOOL DISTRICT	0.005391	91.86
38	CACHE CO HEALTH FUND	0.000143	2.44
48	MULTI-CO A & C	0.000158	2.69
58	CACHE CO A & C	0.000320	5.45
60	STWDE SCHOOL LEVY CACHE	0.001535	26.16
70	CACHE MOSQUITO ABATE. DISTRICT	0.000089	1.52

(Cut along this line)

Please return this portion of the notice with your check remittance. DO NOT send cash.

FINAL NOTICE

Account Number
BU-28-1462

FOSTER RON CONSTRUCTION
3821 NORTH 200 WEST
HYDE PARK, UT 84318

Due Date
9/1/2015

Taxing District: **036 HYDE PARK CITY W/O CEM**

TOTAL TAXES	**176.73**
EXEMPTIONS	**(0.00)**
PENALTY OWED	**25.00**
PENALTY PAID	**(0.00)**
INTEREST OWED	**18.49**
INTEREST PAID	**(0.00)**
PRINCIPLE PAID	**(0.00)**
AMOUNT DUE	**220.22**

8/13/2015

Interest will be charged at 6% per annum above the current federal discount rate on all past due accounts.

Cache County 1857

Cache County Treasurer's Office
Craig McAllister – Treasurer
179 North Main Street, Room 201
Logan, Utah 84321
435-755-1500

2015 TAX NOTICE

DUE NOVEMBER 30, 2015

Parcel Number: 11-080-0302

PROPERTY ADDRESS / LEGAL DESCRIPTION

133 E 0400 N, WELLSVILLE

LOT 2 TRAINSIDE ESTATES SUBD CONT 0.38 AC

11-080-0302

**********AUTO**MIXED AADC 840 AA 22804 1/1-P66 T60

HADDOCK, KENT M & DENISE B
735 YELLOWTAIL WAY
HENDERSON NV 89002-9165

TAXES HEREIN ENUMERATED FOR THE CURRENT YEAR ARE DUE AND PAYABLE IN TREASURER'S OFFICE, LAST NOTICE REQUIRED BY LAW.

PROPERTY TYPE	ACRES/COUNT	MARKET VALUE	TAXABLE VALUE	TAX AMOUNT
RESIDENTIAL LAND & BUILDING	0.38	186,635.00	102,650.00	1,173.60
TOTALS	0.38	186,635.00	102,650.00	

ENTITY	TAXING UNIT	TAX RATE	TAX AMOUNT
04	WELLSVILLE CITY	0.001153	118.36
28	CACHE CO GENERAL FUND	0.001786	183.33
30	CACHE CO SCHOOL DISTRICT	0.006389	655.83
38	CACHE CO HEALTH FUND	0.000140	14.37
48	MULTI-CO A & C	0.000013	1.33
58	CACHE CO ASSESS & COLLECTING	0.000445	45.68
60	CACHE - STWDE SCHOOL LEVY	0.001419	145.66
70	CACHE MOSQUITO ABATE. DISTRICT	0.000088	9.03
	TOTALS	0.011433	$1,173.60
		PREPAYMENTS	0.00
		ABATEMENTS	0.00
		2014 TAX DUE	$1,173.60
		Total Due	$7,373.60

A mortgage company has received this tax bill. If you have a mortgage that pays your taxes use this notice for your records.

PLEASE KEEP ABOVE PROTION FOR YOUR RECORDS - DETACH ENTIRE BOTTOM AND RETURN WI

Property Owner/Address: HADDOCK, KENT M & DENISE B
735 YELLOWTAIL WAY
HENDERSON NV 89002-9165

This property may be re-appraised	
Parcel 11-080-0302	
2015 Taxes Due	$ 1,173.60
Delinquent Taxes	$ 6,200.00
Total Due	**$ 7,373.60**
**If paid by November 30, 2015*	
2015 Taxes are past due after November 30, 2015	

If you are interested in making prepayments for 2016 on parcels that are $100 or more, please completely fill in the box below. A coupon book will be sent to you at no additional charge by the end of February 2016.

☐ Yes, I am interested

Make check payable to: Cache County Treasurer
Please include parcel number on all checks or correspondence.

Parcel Number: 11-080-0302

PLEASE NOTE CHANGE OF ADDRESS BELOW:

110800302 2015 117360 Back tax

Payment Options:

Pay by Mail:

▶Send payment stub from this notice with payment in the envelope provided. Your cancelled check will be your receipt. No receipt or notice will be returned. Save this notice for your records.

▶**Payments accepted according to postmark, not the date printed on check.**

▶Please include parcel numbers on check. Multiple parcels may be paid with one check.

▶**Questions, change of address, past due payments, or other correspondence, should be sent directly to:**

179 North Main, Room 201, Logan, Utah 84321. Do not use the enclosed envelope after November 30th.

Current Year	See State Statute 59-2-1331		Total Due	Penalty Included	Interest
	Paid in office or Postmarked by:	11/30/2015	$1,173.60	$ -	$ -
	Paid in office or Postmarked **between:**	12/1/2015 and 1/31/2016	$1,185.34	$ 11.74	$ -
	Paid in office or Postmarked after:	1/31/2016	$1,202.94 + Interest*	$ 29.34	7% from 1/1/2016*

Pay On-line: New this Year

▶Go to: cachecounty.org select "pay taxes." Please follow directions listed on website.

▶A 2.45% processing fee or minimum of $1.95 will be charged by Forte Payments for Credit Transactions.

▶VISA Debit Cards will be a flat $3.95 for any amount paid. VISA Debit Cards only.

▶E-Check may be selected: No fee charged.

Pay at Cache County Treasurer's office:

▶Bring the entire notice to the Cache County Treasurer's office, 179 North Main, Room 201, Logan, Utah.
Cash, Check, Money Order, Credit (2.45% fee or $1.95 applies) or VISA Debit ($3.95 fee applies) will be accepted.

→**CAUTION:** If your mortgage payments include taxes, you may wish to verify payment with your mortgage company. If we have received notice from your mortgage company it is noted on the front of this notice.

→Filing time for property tax abatement for next year is May 1 through September 1 (Veterans, Blind, Circuit Breaker & Indigent)

→If this property is involved in bankruptcy, this notice is for information only and not an attempt to collect taxes.

BUDGET HEARING DATES AND TIMES

NOTICE OF POSSIBLE TAX INCREASES – Each Taxing Entity listed below, in keeping with Utah Law, will conduct a public hearing concerning its 2016 proposed budget. Public comments regarding the proposed budget, including any potential tax increases, may be voiced at the hearing. Persons desiring to speak about the budget or any tax increase should plan on attending. Any Taxing Entity proposing a tax increase will also publish notice.

TAXING ENTITY	DATE	TIME	PLACE
Avon Cemetery	TBD	TBD	1340 East 1100 South, Avon, Utah
Benson Culinary H20 Improvement District	TBD	TBD	Benson LDS Church 3432 North 3000 West, Benson, Utah
Cache County	11/10/15	6:00 PM	Council chambers, 199 North Main, Logan, Utah
Cache Mosquito Abatement District	TBD	TBD	BRHD Conference Room, 85 East 1800 North, N. Logan, Utah
College/Young Ward Mosquito A. District	TBD	TBD	Conference Room, 179 North Main Logan, Utah
Cornish Cemetery	TBD	TBD	12195 North 5800 West, Cornish, Utah
Hyde Park Cemetery	TBD	TBD	Hyde Park Civic Center
Millville/Nibley Cemetery	TBD	TBD	Millville City Offices
Newton Cemetery	TBD	TBD	260 North 100 West, Newton, Utah
Paradise Cemetery	TBD	TBD	Paradise Town Offices

FOR YOUR INFORMATION:

The County Treasurer only collects taxes. It does not assess property, fix valuations, set rates, grant exemptions and has no authority to make changes to the tax roll.

FAILURE TO RECEIVE TAX NOTICE DOES NOT EXCUSE PENALTY OR INTEREST.

The office of the Treasurer is not responsible if you pay taxes on property other than your own.

Newly purchased property is the tax responsibility of the buyer. If this property was subdivided or combined, other delinquencies may apply which do not appear on this notice.

For Office Use

County Council –

Here are a couple of things to point out:

This is not a professional copy of the notice, rather a document showing proposed changes.

A. We will show the total amount due – including past due amounts. Historically we have just shown the current year.
B. The bottom of the notice will have Lock Box encoding (numbers on bottom that look like the bottom of a check)
C. Return envelopes will say not to use after December 1st and will be sent to a local PO Box.
   (The P.O. Box - provided by Cache Valley bank - will be closed and mail received after the first few days of December will be forwarded to Cache County – Again assisting with the postmark requirement also an audit issue in past)
D. The back of the notice is all new. Historically this is how the late penalty has been noted:
   "Payments received on or after DECEMBER 1, 2015 are subject to a per parcel penalty of 2.5% or $10, whichever is greater. If delinquent taxes and this penalty are paid on or before January 31, 2016 this penalty will be reduced to the greater of 1% or $10. Otherwise, interest will be charged starting from January 1, 2015 at the rate defined by state statute 59-2-1331."
   This is confusing – This is replaced this with an easy to read and understand table – see upper right of back.
E. Listed payment options - including payment by credit or debit card in the office.
   (To be perfectly clear - **The COUNTY WILL *NOT* PAY 2.45% or $1.95 or $3.95 either in office or for an online payment** but it is an option that will assist all parties in collecting taxes. Those who choose to pay with this form of payment will pay the fee.) In order to accomplish this, the state Standards of Practice was changed. This was accomplished at the Spring UAC conference. Further negotiations were required with several Credit card processing companies.
F. An exciting and forward looking change is the e-check payment option. We have negotiated a hybrid system. This is extremely exciting. Normally the e-check options would cost the user (taxpayer) $1.50 to $1.70, still a value but this has been lowered to 20 cents (absorbed by county – see below.)

These options to accept Credit Cards and E checks will have the following benefits:

1. Payment gets to the bank faster (interest for county starts sooner).
2. Defined date of payment – This assists in solving previous audit issues.
3. Information – (If you think about it we are a collection agency. Currently we do not have information other than name and address. These changes will allow us to collect several key items such as phone number and email. Not this year but in future the possibility of emailing tax notices is a goal, which would result in huge cost savings to the county. In order to provide this service with tremendous benefit, **20 cents will be absorbed by the county. This is less than a stamp and will benefit both County and taxpayer.**
4. This information will allow future emailing of notices – saving future postage & printing costs.
5. Convenience – many people do not carry checks. We will be able to service all forms of payment and will not have to turn money away.
6. Steps toward some automation – currently almost every payment is hand entered. This is costly. While it will not remove the need of human eyes for problems, many of the standard conventional payments will be processed in a timely and more efficient manner.

The BUCK starts here. All money has to be collected for any budget or benefit to be paid. These additions and changes will help us collect and then distribute to entities which we represent. Thank you for your support in these important upgrades. If there are questions, please know you are welcome in the Treasurer's office. Our staff is willing and wanting to help.

If there are suggestions to the notice, please do not hesitate to contact me directly Craig.mcallister@cachecounty.org

Thank you again.

To: Cache County Council

From: Chris Harrild, Senior Planner, Development Services,

Subject: Development Services agenda items for August 25, 2015

CONSENT

1. **Funk Subdivision Amendment –** Matthew Funk is requesting a minor amendment to the approved plat that has not yet been recorded in order to correct a surveying error by shifting the south property line of Lot 2 to the north by 20 feet.

   Planning Commission Recommendation: Approval (6, 0)
   Council: Approval (7,0)
   Findings of Fact – 4

PENDING

2. **Ordinance 2015-11: Amendment to Title 17 regarding the definition of 5100 Recreation Facility**

   Planning Commission Recommendation: Approval (5, 1)

INITIAL CONSIDERATION

3. **Discussion: Vacating 3600 West and 4300 South, north of Wellsville (Little Bear Subdivision)**
4. **Discussion: Vacating 1600 West, south of Hyrum (Nautica Subdivision)**

MEMORANDUM

Date: 20 August 2015
From: Cache County Development Services
To: County Council
Subject: Vacating County Roads 3600 West, ~0.40 miles (RIN #347)
4300 South, ~0.40 miles (RIN #348)

An informal request has been made to vacate the dead end County Roads 3600 West and 4300 South, north of Wellsville. The intent of this request is to determine Council's general position as regards the vacation of county roads, rights-of-way, or easements in order to allow roadways to function as private roads.

More specifically, this request is made to facilitate development along 3600 West in light of the Cache County policy not to extend or expand county roadway maintenance services for new development on county roads.

The authority to vacate county roads, rights-of-way, or easements rests with the Cache County Council. In addition, vacating public streets, rights-of-way, or easements is regulated by State code which provides the basic process for local jurisdictions. Within 17-27a-208, the requirements indicate the type of notice and the requirement for a public hearing. Additionally, within 72-3-108 the State requires that noticing be placed in the newspaper at least once per week for four (4) weeks prior to the public hearing.

The Development Services staff has completed a review of said request and has identified the following regarding said roadways:

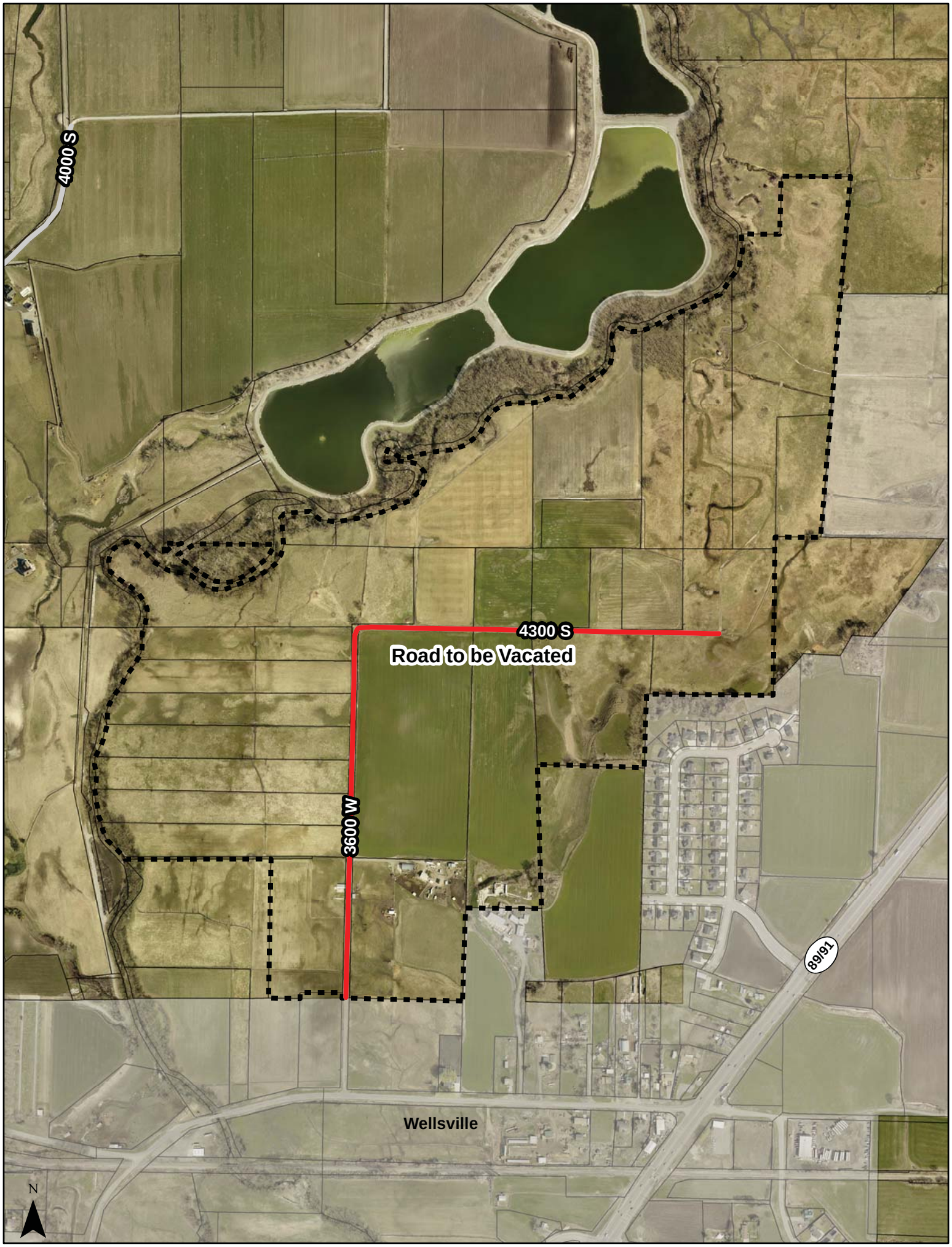
- 3600 West and 4300 South appear to provide farm access to 22 properties consisting of approximately 220 acres of property. 3600 West also provides access to one single family dwelling.
- While 3600 West and 4300 South are County Roads, and while there are gaps that appear to be of an inconsistent width between the adjoining properties that may indicate the presence of a roadway, a dedicated right-of-way does not exist for these roads. However, in cases where a dedicated right-of-way does not exist, the county presumes a 66' wide road by use right-of-way or easement for roadway access and maintenance.
- 3600 West and 4300 South have historically functioned as farm access roads and do not currently receive adequate roadway maintenance services for additional development.
- 3600 West and 4300 South are currently substandard roadways as per the county road manual. Development of property, beyond agriculture, that fronts either roadway shall require the improvement of said roadways to the minimum county requirements as specified in the county road manual. This applies to private as well as public roadways.
- 3600 West and 4300 South are located within Wellsville City's future annexation area and may be relied upon by Wellsville City to service future annexations.

Given the above, and in order to provide clear and sufficient information, staff recommends that if vacation is amenable to the Council that the following items are provided at the time a formal request is made:

1. A survey of the existing roadways including a legal description of the presumed 66' wide road by use right-of-way or easement area for roadway access and maintenance to be vacated.
2. A written indication of agreement from affected property owners bearing the signatures of those who agree with the vacation of the said roadways, and establishing a shared private roadway easement for said properties using the above noted legal description.

After the noted information is supplied and reviewed, the process to begin the four (4) week notice period can be initiated and a public meeting date set. Please contact our office with questions or concerns in regards to this issue.

Christopher Harrild
Senior Planner


4000 S
4300 S
Road to be Vacated
3600 W
89/91
Wellsville
N

To: Cache County Council

From: Chris Harrild, Senior Planner, Development Services,

Subject: Development Services agenda items for August 25, 2015

CONSENT

1. **Funk Subdivision Amendment –** Matthew Funk is requesting a minor amendment to the approved plat that has not yet been recorded in order to correct a surveying error by shifting the south property line of Lot 2 to the north by 20 feet.

   Planning Commission Recommendation: Approval (6, 0)
   Council: Approval (7,0)
   Findings of Fact – 4

PENDING

2. **Ordinance 2015-11: Amendment to Title 17 regarding the definition of 5100 Recreation Facility**

   Planning Commission Recommendation: Approval (5, 1)

INITIAL CONSIDERATION

3. **Discussion: Vacating 3600 West and 4300 South, north of Wellsville (Little Bear Subdivision)**
4. **Discussion: Vacating 1600 West, south of Hyrum (Nautica Subdivision)**

MEMORANDUM

Date: 20 August 2015
From: Cache County Development Services
To: County Council
Subject: Vacating a portion of County Road 1600 West, ~0.75 miles (RIN #142)

An informal request has been made to vacate the portion of the dead end County Road 1600 West that is south of private road 6500 South, south of Hyrum. The intent of this request is to determine Council's general position as regards the vacation of county roads, rights-of-way, or easements in order to allow roadways to function as private roads.

More specifically, this request is made to facilitate development along 1600 West in light of the Cache County policy not to extend or expand county roadway maintenance services for new development on county roads.

The authority to vacate county roads, rights-of-way, or easements rests with the Cache County Council. In addition, vacating public streets, rights-of-way, or easements is regulated by State code which provides the basic process for local jurisdictions. Within 17-27a-208, the requirements indicate the type of notice and the requirement for a public hearing. Additionally, within 72-3-108 the State requires that noticing be placed in the newspaper at least once per week for four (4) weeks prior to the public hearing.

The Development Services staff has completed a review of said request and has identified the following regarding said roadways:

- 1600 West appears to provide farm access to 16 properties consisting of approximately 530 acres of property.
- While 1600 West is a County Road, and existing legal descriptions reference the county road, a dedicated right-of-way does not exist for this portion of roadway. However, in cases where a dedicated right-of-way does not exist, the county presumes a 66' wide road by use right-of-way or easement for roadway access and maintenance.
- The portion of 1600 West that is south of 6500 South has historically functioned as a farm access road and does not currently receive adequate roadway maintenance services for additional development.
- 1600 West is currently a substandard roadways as per the county road manual. Development of property, beyond agriculture, that fronts said roadway shall require the improvement of said roadway to the minimum county requirements as specified in the county road manual. This applies to private as well as public roadways.

Given the above, and in order to provide clear and sufficient information, staff recommends that if vacation is amenable to the Council that the following items are provided at the time a formal request is made:

1. A survey of the existing roadway including a legal description of the presumed 66' wide road by use right-of-way or easement area for roadway access and maintenance to be vacated.
2. A written indication of agreement from affected property owners bearing the signatures of those who agree with the vacation of the said roadways, and establishing a shared private roadway easement for said properties.

After the noted information is supplied and reviewed, the process to begin the four (4) week notice period can be initiated and a public meeting date set. Please contact our office with questions or concerns in regards to this issue.

Christopher Harrild
Senior Planner

6400 S
1800 W
1800 W
1600 W
Road to be Vacated
N