

APPROVED

**CACHE COUNTY
COUNCIL MEETING
MINUTES
APRIL 28, 2015**

COUNTY COUNCIL MEETING

April 28, 2015

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CACHE COUNTY COUNCIL MEETING
April 28, 2015

The Cache County Council convened in a regular session on April 28, 2015 at 5:00 p.m. in the Cache County Council Chamber at 199 North Main, Logan, Utah.

ATTENDANCE:

Chairman: Kathy Robison
Vice Chairman: G. Gregory Merrill
Council Members: David Erickson, Val Potter, Jon White, Cory Yeates & Gordon Zilles.
County Executive: Craig "W" Buttars
County Clerk/Auditor: Jill N. Zollinger
County Attorney: Tony Baird

The following individuals were also in attendance: Janeen Allen, Steven Cox, Craig Curtis, Chris Dallin, Lee Edwards, Matthew Funk, Sharon L. Hoth, Sheriff Chad Jensen, Dave Nielsen, Director Josh Runhaar, Dianna Schaeffer, Zan Summers, Director Cory Wood, **Media:** Shannon Nielsen (Herald Journal), Jennie Christensen (KVNU).

OPENING REMARKS AND PLEDGE OF ALLEGIANCE

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

REVIEW AND APPROVAL OF AGENDA

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

REVIEW AND APPROVAL OF MINUTES

ACTION: Motion by Council member Yeates to approve the minutes of the April 14, 2015 Council meeting as written. White seconded the motion. The vote was unanimous, 7-0.

REPORT OF THE COUNTY EXECUTIVE: CRAIG "W" BUTTARS

APPOINTMENTS: Jenny L. Alder Deputy County Treasurer

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

WARRANTS: Warrants for the periods 04-04-2015 to 04-10-2015 and 04-11-2015 to 04-17-2015 were given to the Clerk for filing.

OTHER ITEMS:

- Water Conservancy District Information Meetings** – Executive Buttars has met with several city councils to acquaint them with the details of a conservancy district and the comments have been favorable. He will be meeting with additional cities in the near future. The next step will be to form groups according to watershed areas and hold public meetings in those locations.

- ❑ **Worm Fence ATV Trail** – Executive Buttars received a request for a letter of support from the County enabling the US Forest Service to apply for a grant to realign about 6,000 feet of the Worm Fence ATV Trail. Buttars will obtain more information and bring it back to the Council.
- ❑ **Outdoor Plaza Tables** – Executive Buttars noted the tables have been installed on the courtyard plaza.
- ❑ **Ice Cream Social** – Executive Buttars asked Council members to serve ice cream at the May 22, 2015 employee ice cream social. It will be held on the courtyard plaza from 2:00 to 4:00 p.m.
- ❑ **Shirts** – Executive Buttars indicated free shirts with the county logo on them are being offered to Council members and county employees as a thank-you for their service. The shirts can be viewed and ordered on the Cache County Intranet site.
- ❑ **Change in Retirement Policy-Tier II Elected Officials** – Director Cory Wood said Utah Retirement Systems notified him of the need to add language in the County's policy dealing with Tier II elected officials. Wood explained that the red section of the amended policy section is the added language. This meets URS requirements and has been approved by them. Wood asked approval of the amendment which states that full-time elected officials are eligible for retirement benefits, but part-time election officials, such as the Council members, are not eligible for URS benefits and the county does not have to pay a contribution rate on them. Buttars observed that the county recognizes a 30-hour week as full-time status for elected officials and not the 40-hour week stated in the amended document. Buttars will make the correction and bring a resolution to the next Council meeting.
- ❑ **IT Director** – Executive Buttars announced the county will begin the search for a new IT Director shortly.

CONSENT AGENDA

- ◇ **Funk Subdivision Amendment** – Matthew Funk requesting an addition of one non-buildable lot to an existing subdivision on 53.3 acres in the Agricultural (A10) Zone located at 1075 South State, Richmond.

(Attachment 1)

ACTION: Motion by Council member Potter to approve the Consent Agenda-Funk Subdivision Amendment-Funk Subdivision Amendment. Yeates seconded the motion. The vote was unanimous, 7-0.

UNIT COMMITTEE REPORTS

- ❑ **School Contracts – Sheriff Chad Jensen** has met with the school districts concerning contracts for school resource officers. Jensen hopes the two new high schools being built in the county will participate in the program to maintain continuity throughout the district. For instance, when Mountain Crest has a football game, the Skyview and North Cache Resource Officers go to Hyrum to work the game and vice versa. Continuity

between the schools and district is paramount for successful law enforcement within the schools. He has begun discussion with the Cache School District on this issue.

- **Audit Committee Report – Greg Merrill** had a favorable report on the significant progress the county has made on compliance issues in recent months. Merrill praised department heads and staff for their willing cooperation and assistance.

Craig Curtis, Internal Auditor, reported he has followed up on items in the Treasurer's Office and will look into the Sheriff's Office next. It has been refreshing to see the spirit of cooperation and Curtis feels positive about the process.

Council member Potter was in the Audit Committee meeting and feels good about what has transpired.

(Attachment 2)

PUBLIC HEARINGS, APPEALS AND BOARD OF EQUALIZATION MATTERS

PUBLIC HEARING SET: MAY 12, 2015 AT 5:30 P.M.-PROPOSED CHANGES TO THE VEHICLE EMISSIONS I/M PROGRAM

PUBLIC HEARING SET: MAY 12, 2015 AT 5:45 P.M.-DISPOSITION OF REAL PROPERTY

ACTION: Motion by Council member Yeates to set a Public Hearing-May 12, 2015-5:30 p.m.-Proposed Changes to the Vehicle Emissions I/M Program AND May 12, 2015-5:45 p.m.-Disposition of Real Property. Zilles seconded the motion. The vote was unanimous, 7-0.

INITIAL PROPOSAL FOR CONSIDERATION OF ACTION

- **Resolution No. 2015-08 – Authorizing the Amendment of an Interlocal Agreement with Weber County for the Partial Development of Powder Mountain within Cache County** – Attorney Baird explained that he and Bob Fotheringham met to formulate the language for the agreement, but paragraph 5 has amended wording as indicated on the document. He has sent the wording to Weber County for review and they have approved it.

Council member White voiced opposition to the agreement on the basis it is not necessarily in the best interests of Cache County. Council member Zilles commented this makes sure that the development will have to use Weber water, not Cache water.

(Attachment 3)

ACTION: Motion by Council member Potter to waive the rules and approve Resolution No. 2015-08 – Authorizing the Amendment of an Interlocal Agreement with Weber County for the Partial Development of Powder Mountain within Cache County. Yeates seconded the motion. The motion passed, 5 aye – Erickson, Merrill, Potter, Yeates & Zilles and 2 nay – Robison & White.

- **Paradise Horizon Subdivision** – Director Runhaar said Ray Balls is requesting a 3-lot subdivision on 20.19 acres in the Agricultural (A10) Zone located approximately 800

East 8600 South, Paradise. The road is substandard but most of the road problems occur east of the property and won't be impacted. There will need to be a design exception for a one-lane bridge. There is 18-feet of clearance and two vehicles can pass on it, but usually just alternate. The fire department has cleared it. Runhaar recommends approval.

Council member Erickson asked if there will be safety reflectors on the sides of the culvert. Runhaar believes there will be, but will check on it.

(Attachment 4)

ACTION: Motion by Council member Yeates to approve the Paradise Horizon Subdivision. Potter seconded the motion. The vote was unanimous, 7-0.

PUBLIC HEARINGS, APPEALS AND BOARD OF EQUALIZATION MATTERS

PUBLIC HEARING: APRIL 28, 2015 AT 6:00 P.M.-OPEN 2015 BUDGET – Executive Buttars explained the amendments to the budget. Chairman Robison opened the Public Hearing and invited public comment. There was none. *(See Attachment 5 to Resolution No. 2015-07 for details.)*

ACTION: Motion by Council member Yeates to close the Public Hearing-April 28, 2015-6:00 p.m.-Open 2015 Budget. White seconded the motion. The vote was unanimous, 7-0.

INITIAL PROPOSAL FOR CONSIDERATION OF ACTION

- **Resolution No. 2015-07 – Amendments to 2015 Budget.**

(Attachment 5)

ACTION: Motion by Council member Yeates to waive the rules and approve Resolution No. 2015-07 – Amendments to 2015 Budget. Potter seconded the motion. The vote was unanimous, 7-0.

- **Property Tax Deferral Requests**

- ✓ 0041, 0043, 0044 – Council member Potter expressed concerns about this deferral request. Executive Buttars asked Deputy Auditor Dianna Schaeffer to explain the details. Schaeffer stated the individual has requested up to a six-year deferral payment plan; however, the individual is presently in default on a previous deferral granted in 2014. Research indicates he is not indigent. Council member White recommended denial by reason of the individual not living up to the conditions of the previous deferral. The Council concurred.

ACTION: Motion by Council member Zilles to deny the property tax deferral request for 0041, 0043 and 0044 based on the fact that the property owner is currently in default on a previous deferral. Erickson seconded the motion. The vote was unanimous, 7-0.

- ✓ 0031, 0033, 0054, 0057 – Deputy Auditor Schaeffer noted the property owner received a previous deferral in 2014. A good faith effort has been made and three of the parcels were paid off completely. Executive Buttars interposed that the individual is owed money on a property sold to General Electric but hasn't

received payment yet. Schaeffer believes the proposed deferral plan is reasonable and sustainable.

ACTION: Motion by Council member Potter to approve the 24-month property tax deferral plan. Yeates seconded the motion. The vote was unanimous, 7-0.

(Details regarding the above property deferrals are on file in the office of the Cache County Clerk/Auditor)

OTHER BUSINESS

- ✓ **2015 UAC Management Conference – April 29, 30, May 1, 2015 – Utah Valley Convention Center** – Buttars, Yeates and Wood will be attending
- ✓ **Health Days Parade – Saturday, May 9, 2015 at 10:00 a.m.** –Erickson, Potter and Merrill will attend. The Council members will use a one-ton flatbed truck from the Road Department for the parade.
- ✓ **Black & White Days Parade – Saturday, May 16, 2016 at 5:00 p.m.** – Buttars, Erickson, Potter and Zilles will attend. Executive Buttars will arrange for the vehicle and said that Governor Herbert is scheduled to attend on one of the days.

COUNCIL MEMBER REPORTS

Greg Merrill remarked there will be a UDOT meeting on Wednesday, April 29, 2015 at 9:00 a.m. in the Council Chambers. Director Runhaar will attend.

Val Potter attended the Downtown Alliance Design Committee meeting where the 100 North design plan was being discussed. Potter feels that since the county owns a good portion of the frontage on 100 North, it should be kept informed of the design plans being proposed. Potter said Logan City has some reservations about the parking in the median in the design. Chairman Robison indicated she also has reservations.

Potter met with the CMPO and they were verbally supportive of the trails plan and the proposed trails coordinator.

Gordon Zilles will attend a victim advocacy meeting with the County Attorney's office.

Cory Yeates will try to attend the UDOT meeting and mention the Highway 30 project as well as the 3200 West intersection which needs a right hand turn heading west.

During the budget process the Council indicated there were some needs for adjustment for salaries of elected officials who have to meet higher standards and/or have additional responsibilities and may need to be compensated differently than other elected officials. There was also discussion that, if there was an opportunity when the Sheriff went through his budget, they would consider salary adjustments for deputies. Council member Potter has talked to Sheriff Jensen and a couple of deputies will be retiring and will not be replaced which may free up some funds. Yeates urged the Council to remember these promises and address them in the immediate future rather than waiting until July or later. Council member Potter said the Employee Compensation Committee will meet and draft a recommendation for the Council on the subject.

Executive Buttar announced there is a meeting tomorrow about the Justice Reinvestment Act dealing with drug offences. He will try to attend and Attorney Swink will attend.

Attorney Baird noted a new attorney has been hired who will begin at the end of May.

ADJOURNMENT

The Council meeting adjourned at 6:45 p.m.

ATTEST: Jill N. Zollinger
County Clerk

APPROVAL: Kathy Robison
Chairman



STAFF REPORT: FUNK SUBDIVISION AMENDMENT

09 APRIL 2015

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

Agent: Matthew Funk
Staff Determination: Approval
Type of Action: Administrative
Land Use Authority: Cache County Council

Parcel ID#: 08-002-0017

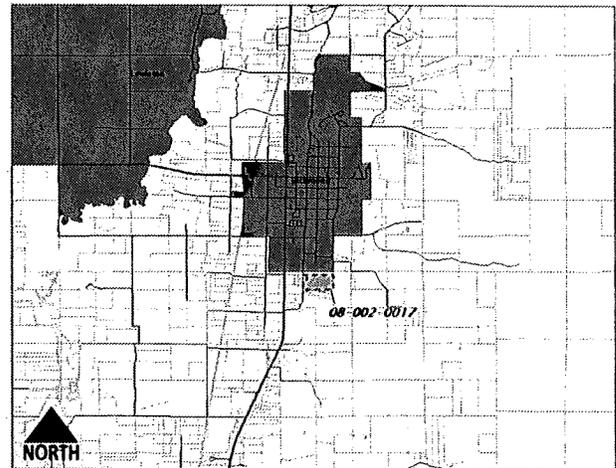
LOCATION

Reviewed by: Stephanie Nelson, Planner I

Project Address:
1075 South State, Richmond

Current Zoning: Agricultural (A10) Zone
Acres: 53.3

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



PURPOSE AND SUMMARY

Purpose:

To review and make a decision regarding the proposed amendment of the Funk Subdivision Amendment.

Summary:

This proposal is to amend the existing Funk Subdivision that was approved via conditional use permit on 08 July 1994. The current amendment proposal reflects the creation of a new lot for a pumping station that will provide water for Lower Foods. This new lot shall not be eligible for development. The proposed amendments meet the current density requirements as provided in §17.09.080.

Access:

- Access to these lots is from 1075 South State Street in Richmond and is adequate, as this is not a buildable lot.

Service Provision:

- Water supply for fire suppression will be provided by the Richmond Fire Department. Access for emergency services is adequate.

Sensitive Areas:

- Wetlands and moderate slopes may be located within the subdivision boundary, but do not appear to be located on the proposed development lots.

Public Comment:

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

STAFF DETERMINATION AND FINDINGS OF FACT (4)

It is staff's determination that the Funk Subdivision Amendment with parcel number(s) 08-002-0017 is in conformance with the Cache County Ordinance requirements and should be approved. This determination is based on the following findings of fact:

1. The Funk Subdivision Amendment has been revised and amended by the conditions of project approval to address the issues and concerns raised within the public and administrative records.
2. The Funk Subdivision Amendment has been revised and amended to conform to the requirements of the Cache County Code, State Code, and the requirements of various departments and agencies.
3. The Funk Subdivision Amendment conforms to the subdivision amendment requirements of the Cache County Subdivision Ordinance.
4. The Funk Subdivision Amendment is compatible with surrounding land uses and will not interfere with the use and enjoyment of adjoining or area properties.

April 28, 2015

Audit Report-Cache County Council

From: Audit Committee, Greg Merrill Chairman

I would like to thank the audit committee for their work during this past year addressing several difficult issues in the county. These issues have been addressed head-on with changes or modifications taking place to put Cache County in compliance with all state and county codes and ordinances. The Audit Committee is comprised of myself, Greg Merrill as chairman, Craig Buttars, our County Executive, Val Potter and Kathy Robison from the County Council and Dwight Cook, former CPA in Logan. I would like to thank our department heads and county employees who have diligently been working with both our external and internal auditors....they include Cameron Jensen, County Financial Director; James Swink, our County Attorney, Tony Baird, Deputy County Attorney; Jill Zollinger, County Clerk/Auditor and Craig McAllister, County Treasurer.

Based on the recommendation of the County Council, an internal auditor was engaged by the county, Craig Curtis. We will hear from Craig shortly. The County Audit Committee has addressed or is addressing each of the recommendations (corrective action plan) that came from the external/extended audit performed last year by Jones Simpkins. The Audit Committee met this morning with our external and internal auditors. As Audit Committee Chairman, I feel that significant progress has been made in the county to be in compliance with all state and county codes and ordinances. Policies and procedures have also been implemented by the county. I commend our Department Heads, County Executive and Council Members for their work to bring Cache County not only into compliance but to set the frame work for years to come. The results should assure the residents of Cache County that their tax money is being utilized efficiently and in their best interest.

Greg Merrill, Audit Committee Chairman
Kathy Robison, County Council Chair
Val Potter, County Council
Craig Buttars, County Executive
Dwight Cook, Outside Representative

**CACHE COUNTY
RESOLUTION NO. 2015-08**

A RESOLUTION AUTHORIZING THE EXECUTION OF AN AMENDED INTERLOCAL AGREEMENT WITH WEBER COUNTY FOR THE PARTIAL DEVELOPMENT OF POWDER MOUNTAIN WITHIN CACHE COUNTY

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 interest of the citizens of Cache County to amend the May 14, 2013 Interlocal Agreement with Weber County for the partial development of Powder Mountain.

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

BE IT RESOLVED that the amended Interlocal Agreement with Weber County as shown in "EXHIBIT A" attached and made part hereof

is hereby approved.

This resolution shall become effective immediately upon adoption.

DATED this 28th Day of April, 2015

CACHE COUNTY COUNCIL

By: Kathy Robison
Kathy Robison, Chair

ATTEST TO:

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

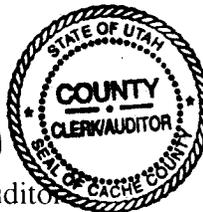


EXHIBIT A

FIRST AMENDMENT TO INTERLOCAL AGREEMENT

This First Amendment to Interlocal Agreement (the "Amendment") is entered into this ___ day of _____ 2015, by and between Cache County, a political subdivision of the state of Utah and Weber County, a political subdivision of the state of Utah. Capitalized terms not otherwise defined herein shall have the meaning set forth in the 2013 Interlocal (defined below). To the extent that any terms or provisions of this Amendment modify or conflict with any provisions of the 2013 Interlocal, including prior amendments or addenda (if any), the terms of this Amendment shall control. All other terms of the 2013 Interlocal (defined below) not specifically modified by this Amendment shall remain the same.

RECITALS

WHEREAS: Utah Code Title 11, Section 13, permits local governments to make the most efficient use of their powers by enabling them to cooperate with other governmental units; and

WHEREAS: On April 9, 2013, the Cache County Council approved Resolution No. 2013-05 – Resolution authorizing the County Executive to Execute an Interlocal Agreement with Weber County – Powder Mountain ("2013 Interlocal").

WHEREAS: On May 14, 2013, the Weber County Commission approved the 2013 Interlocal.

WHEREAS: Pursuant to the 2013 Interlocal, Cache County delegated to Weber County the authority to exercise land use, subdivision and building permit authority over the a portion of the Powder Mountain project described below (the "Project") for the immediate construction of the subdivision and future construction of two cabins and three single-family homes on approximately 3.5 acres located in an unincorporated portion of Cache County.

WHEREAS: Subsequent to the approvals of the 2013 Interlocal by Cache and Weber County, the Counties confirmed the location of the county line. The confirmed location of the county line resulted in an additional seven cabins in Cache County.

WHEREAS: The integrated design of this project has a portion of the proposed development located in Cache County. More specifically, Summit Eden Ridge Nests PRUD, Lots 7-15 (nine total) are located within Cache County with the remaining six lots (Lots 1-6) located in Weber County. Also, Summit Eden Phase 1B, Lots 32-34 (three total) are located completely within Cache County, seven lots (Lots 24-30) are located completely within Weber County, and one lot (Lot 31) is located partially in Cache County (7,560 square feet) and partially in Weber County (29,733 square feet); and

WHEREAS: The purpose of this Amendment is to update the 2013 Interlocal to include the additional seven cabins and PROPERTY DESCRIPTION below in the authority delegated by Cache County to Weber County.

WHEREAS: The boundary of the Property, including all or portions of several parcels, is more particularly described as:

PROPERTY DESCRIPTION (the "Property" is all of the property described below)

All of Lots 7, 8, 9, 10, 11, 12, 13, 14, 15, Summit Eden Ridge Nests PRUD as recorded on January 27, 2014 as entry number 2672949 in the official records of Weber County. Containing 0.29 Acres;

Together with all of Lots 32, 33, 34R, Summit Eden Phase 1B Subdivision as recorded on January 27, 2014 as entry number 2672944 in the official records of Weber County. Containing 2.39 Acres;

Together with Lot 31, Summit Eden Phase 1B Subdivision as recorded on January 27, 2014 as entry number 2672944 in the official records of Weber County; Less and Excepting the portion of said Lot 31 lying south of the County Line. Containing 0.17 Acres.

The Property described above is illustrated on Exhibit "A" and Exhibit "B" attached to this Amendment.

NOW THEREFORE, in consideration of the foregoing Recitals, the mutual covenants set forth herein, and other good and valuable consideration, receipt and sufficiency of which is hereby acknowledged, the parties agree to amend the 2013 Interlocal as follows:

AMENDMENT

1. Authorization to subdivide. Cache County authorizes Weber County to subdivide the Property. Weber County will conduct the subdivision process in adherence to all applicable state laws and Weber County ordinances.
2. Authorization to grant site plan approval. Cache County authorizes Weber County to complete the site plan review of the Project. Weber County will conduct the site plan review in adherence to all applicable state laws and Weber County ordinances.
3. Authorization to issue building permit. Following site plan approval Cache County authorizes Weber County to review all plans, issue all building permits and conduct all inspections in regard to the Project. Weber County will exercise these functions in adherence to all applicable state laws and Weber County ordinances.
4. Authorization to collect fees. Cache County authorizes Weber County to apply its own fee schedule and to collect and retain all development fees associated with the subdivision of land, the site plan approval and the building permit process.
5. Water. Weber County agrees that a building permit in Cache County will only be issued with a current, approved water right that exists as of the date of the signing of this Agreement or with a water right that is subsequently approved by the Utah State Engineer. Cache County does not waive any rights in the matter of Exchange Application E-5382.
6. Authorization to collect property taxes. Cache County is authorized to assess and collect property taxes on structures built in part or in whole within Cache County. Further, Cache County is entitled to keep the taxes collected pursuant to this paragraph.
7. Recording. Cache County and Weber County shall record this Interlocal Agreement and required plats and related documents for the Property.
8. Notices. All notices, requests, and other communication pursuant to this Amendment shall be made in writing and sent by facsimile transmission, certified mail, return receipt requested, or by hand delivery, as follows:

For Cache County:

Cache County
Attn: Cache County Community Development Department
179 North Main, Suite 305
Logan, Utah 84321

For Weber County:

Weber County
Attn: Weber County Planning Division 2380
Washington Blvd., Suite 240
Ogden, Utah 84401

9. Severability. This Amendment is executed by the parties under current interpretation of any and all applicable federal, state, county, or other local statutes, ordinances, or laws. Furthermore, each and every separate division, i.e., each section, paragraph, clause, phrase, item, term, condition, covenant or agreement contained herein, shall have independent and severable status from each other division, or combination thereof, for the determination of legality, so that if any separate division herein is determined to be unconstitutional, illegal, violates trade or commerce, is in contravention of public policy, is void, invalid or unenforceable for any reason, that separate division shall be treated as a nullity but such holding or determination shall have no effect

upon the validity or enforceability of each and every other division, or other combination thereof.

10. Entire Agreement; Counterparts. The 2013 Interlocal, as amended herein shall constitute the entire agreement and understanding of the parties with respect to the subject matter hereof, and shall supersede all offers, negotiations and other agreements with respect thereto. This Amendment may be executed in any number of counterparts and by each of the parties hereto on separate counterparts, each of which when so executed and delivered shall be an original, but all such counterparts shall together constitute but one and the same instrument. Any signature page of this Amendment may be detached from any counterpart and reattached to any other counterpart hereof. The facsimile transmission of a signed original of this Amendment or any counterpart hereof and the retransmission of any signed facsimile transmission hereof shall be the same as delivery of an original.

11. Administration. Weber County designates the Weber County Planning Director, 2380 Washington Blvd., Suite 240, Ogden, Utah 84401, to assist in the management of the 2013 Interlocal and this Amendment. Cache County designates the Cache County Community Development Director, 179 North Main, Suite 305, Logan, Utah 84321, as its representative to assist in the management of the 2013 Interlocal and this Amendment. It is understood and agreed by the parties that the representative shall have no control over the means, methods, techniques or procedures employed in the services of the 2013 Interlocal and this Amendment.

12. Laws of the State of Utah. It is understood and agreed by the parties hereto that this agreement shall be governed by the laws of the state of Utah, both as to interpretation and performance.

IN WITNESS WHEREOF, the parties hereto have caused this Amendment to be executed in duplicate as of the day and year first herein written and have signed the foregoing Amendment by authority of their respective authorizing person or bodies.

DATED this _____ day of _____, 2015.

CACHE COUNTY

By: _____
Cache County Executive

ATTEST:

By: _____
Cache County Clerk/Auditor

LEGAL APPROVAL:

By: _____
Cache County Attorney's Office

BOARD OF COUNTY COMMISSIONERS
OF WEBER COUNTY

By: _____
Title: _____

Commissioner Bell voted _____
Commissioner Ebert voted _____
Commissioner Gibson voted _____

ATTEST:

By: _____
Title: _____



STAFF REPORT: PARADISE HORIZON SUBDIVISION

09 April 2015

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

Agent: Ray Balls

Parcel ID#: 01-093-0014

Staff Determination: Approval with conditions

Type of Action: Administrative

Land Use Authority: Cache County Council

LOCATION

Reviewed by: Stephanie Nelson - Planner I

Project Address:

800 East 8600 South
Paradise, Utah 84302

Current Zoning:

Agricultural (A10)

Acres: 20.19

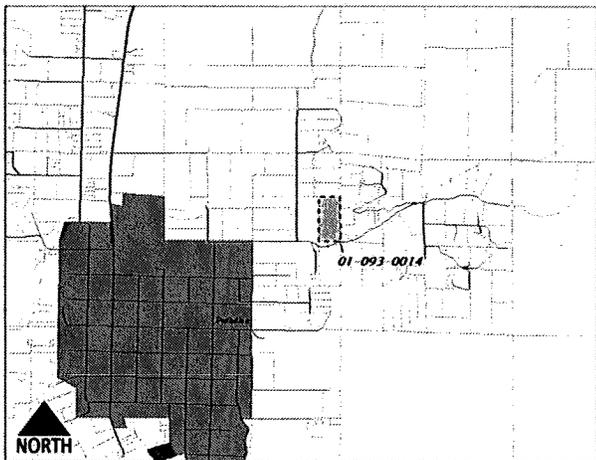
Surrounding Uses:

North – Agricultural/Residential

South – Agricultural/Residential

East – Agricultural/Residential

West – Agricultural/Residential



PURPOSE, APPLICABLE ORDINANCE, AND SUMMARY

Purpose:

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

Ordinance:

As per the Cache County Zoning Ordinance Table §17.10.030 Development Density and Standards Specific to Base Zoning Districts, this proposed subdivision qualifies for a development density of one (1) unit per two (2) acres for the first three lots, then one (1) unit per ten (10) acres thereafter.

4

Summary:

This proposal is to divide parcel number 01-093-0014 into three (3) developable lots. The total developable acreage for this subdivision is 20.19 acres. The maximum development potential is four (4) lots.

Access:

- Access to this property is from county road 8600 South, and is adequate except for the portion at the canal crossing and the private road point of access to 8600 South. These substandard portions are 18' wide.
- The location of the private road access onto 8600 South must be moved to the west, to the portion of 8600 South that meets the minimum county road standards.
- Staff proposes that a design exception be granted to allow the narrow crossing of the 8600 South bridge. At present, this sub-standard bridge serves a number of homes within the Charlieville area. The addition of two more buildable lots does not justify the expansion of the bridge, as ingress/egress function with this single choke point for emergency equipment.
- The access road to the proposed lots must meet the minimum county requirements, specifically, a 22' wide paved surface with 1' wide gravel shoulders from 8600 South. The throat of access must be paved within the county right-of-way.
- The Cache County Manual of Roadway Design and Construction Standards §2.5 specifies that the maximum length of terminal roads shall not be longer than 500 feet from the centerline of the adjoining road to the center of the cul-de-sac. The proposed private road Paradise Horizon Drive is 326' long.
- As this roadway will only service three single family dwellings it is not required that it be considered a county road.
- Dedication of right-of-way for the portion within 38' of centerline of 8600 South.

Water & Septic:

- An adequate, approved, domestic water right must be in place for all buildable lots prior to final plat recordation.
- Only one dry lot is permitted per subdivision. This lot is not buildable until an approved, domestic water right, in the owner's name is in place.
- The proposed lots are feasible for an on-site septic tank system. Additional review and permitting by the Bear River Health Department may be required prior to placement of a septic system.

Service Provision:

- The proponent must provide sufficient shoulder space for the residential refuse and recycle containers to sit four feet apart and be out of the travel lane on 8600 South.
- A school bus stop is located at the intersection of 8600 South 800 East.
- Any driveways shall meet all applicable requirements of the current International Fire Code, minimum county standards, and any other applicable codes.
- Water supply for fire suppression will be provided by the Paradise Fire Department. Access for emergency services will require further review following the construction of the private road.

Sensitive Areas:

- Moderate slopes, and to a minimal degree steep slopes, are located within the subdivision boundary. Any development within moderate slope areas shall require further geotechnical review.
- A geotechnical report was submitted to determine the location of said fault line. The report's conclusions and recommendations stated that earthquake ground shaking is the only geologic hazard posing a high relative risk to the site. A moderate risk may also exist from problem soils. The site is suitable for the proposed development and additional geotechnical engineering studies should be conducted prior to construction.

Public Comment:

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

STAFF DETERMINATION AND FINDINGS OF FACT (5)

It is staff's determination that the Paradise Horizon Subdivision, a 3-lot subdivision for property located at approximately 800 East 8600 South with parcel number 01-093-0014, is in conformance with the Cache County Ordinance requirements and should be forwarded to the County Council with a recommendation of approval. This determination is based on the following findings of fact:

1. The Paradise Horizon Subdivision has been revised and amended by the conditions of project approval to address the issues and concerns raised within the public and administrative records.
2. The Paradise Horizon Subdivision has been revised and amended by the conditions of project approval to conform to the requirements of Titles 16 and 17 of the Cache County Code and the requirements of various departments and agencies.
3. The Paradise Horizon Subdivision conforms to the preliminary and final plat requirements of §16.03.030 and §16.03.040 of the Cache County Subdivision Ordinance.
4. The Paradise Horizon Subdivision is compatible with surrounding land uses and will not interfere with the use and enjoyment of adjoining or area properties.
5. A design exception is granted to allow the 18' wide narrow bridge, as service provision and fire protection can be accommodated with a one lane bridge and fully improved roadway.

CONDITIONS OF APPROVAL (8)

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

1. The proponent shall meet all applicable standards of the Cache County Ordinance.
2. An adequate, approved, domestic water right shall be in place for all building lots within the subdivision.
3. The proponent must provide sufficient shoulder space for the residential refuse and recycle containers to sit four feet apart and be out of the travel lane on 8600 South.
4. The design of the private road providing access to the development shall be reviewed and approved by the Cache County Engineer for compliance with applicable codes. A full set of engineered design and construction plans shall be submitted and shall address issues of grade, drainage, base preparation and construction, and surfacing for the road. Fees for any engineering review of the private road shall be borne by the proponent.
5. 8600 South must be fully improved to the point of access.
6. The right-of-way for the private road Paradise Horizon Drive shall be built to meet and/or exceed county roadway standards, including but not limited to:
 - a. 22' wide paved surface with 1' wide gravel shoulders to the specifications of the Cache County Roadway Construction Manual.
 - b. The throat of access must be paved within the county right-of-way.
7. The applicant shall post MUTCD compliant signage to indicate that the road is private and there shall be no county maintenance or snow removal on Paradise Horizon Drive.
8. It is recommended, as identified in the geotechnical report, that additional geotechnical engineering studies should be conducted prior to construction.

RESOLUTION NO. 2015 - 07

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.

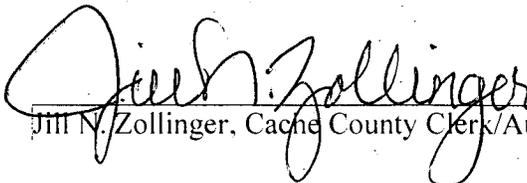
Section 3.

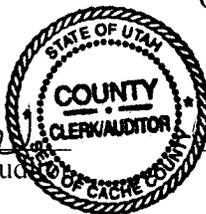
This resolution shall take effect immediately upon adoption and the County Finance Director and other county officials are authorized and directed to act accordingly.

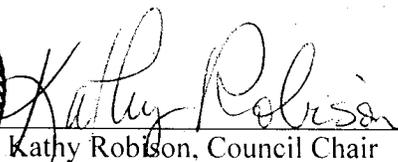
This resolution was duly adopted by the Cache County Council on the 28th day of April, 2015.

ATTESTED TO:

CACHE COUNTY COUNCIL


Jill N. Zollinger, Cache County Clerk/Auditor




Kathy Robison, Council Chair



BUDGET OPENING

Resolution: 2015-07

Hearing: April 28, 2015

6:00 PM

Department	Account	Title	Description	Adjustment
GENERAL FUND		Adopted Budget: \$22,315,465		Proposed Budget: \$22,503,421
Revenues				
MISCELLANEOUS	100-36-90000	SUNDRY REVENUE	Utah Local Governments Trust - TAP Award	4,320
CONTRIB./TRANSFERS	100-38-90000	APPROPRIATED FUND BALANCE	Update Finance Dept A&C Ratio to 10%	112,552
CONTRIB./TRANSFERS	100-38-90000	APPROPRIATED FUND BALANCE	Carry Over - 2014 Fairgrounds Projects	71,084
Total Revenue Adjustment:				187,956
Expenditures				
COUNCIL	100-4112-110	SALARY	Annual Payroll Adjustment	1,200
COUNCIL	100-4112-130	EMPLOYEE BENEFITS	Annual Payroll Adjustment	1,120
WATER DEVELOP.	100-4115-110	SALARY	Annual Payroll Adjustment	3,050
WATER DEVELOP.	100-4115-130	EMPLOYEE BENEFITS	Annual Payroll Adjustment	260
EXECUTIVE	100-4131-110	SALARY	Annual Payroll Adjustment	2,150
EXECUTIVE	100-4131-130	EMPLOYEE BENEFITS	Annual Payroll Adjustment	(2,150)
FINANCE	100-4132-110	SALARY	Annual Payroll Adjustment	1,000
FINANCE	100-4132-115	OVERTIME PAY	Annual Payroll Adjustment	500
FINANCE	100-4132-120	TEMPORARY EMPLOYEES	Annual Payroll Adjustment	9,950
FINANCE	100-4132-130	EMPLOYEE BENEFITS	Annual Payroll Adjustment	10,970
FINANCE	100-4132-999	A&C ALLOC - FINANCE 33%	Update Finance Dept A&C Ratio to 10%	112,552
HUMAN RESOURCES	100-4134-110	SALARY	Annual Payroll Adjustment	(4,000)
HUMAN RESOURCES	100-4134-130	EMPLOYEE BENEFITS	Annual Payroll Adjustment	(1,000)
HUMAN RESOURCES	100-4134-606	EMPLOYEE SAFETY BONUS	Safety Bonuses	4,320
GIS	100-4135-110	SALARY	Annual Payroll Adjustment	10,550
GIS	100-4135-130	EMPLOYEE BENEFITS	Annual Payroll Adjustment	500
ITS	100-4136-110	SALARY	Annual Payroll Adjustment	(18,000)
ITS	100-4136-130	EMPLOYEE BENEFITS	Annual Payroll Adjustment	(22,000)
AUDITOR	100-4141-130	EMPLOYEE BENEFITS	Annual Payroll Adjustment	2,930
CLERK	100-4142-110	SALARY	Annual Payroll Adjustment	1,970
RECORDER	100-4144-110	SALARY	Annual Payroll Adjustment	16,820
RECORDER	100-4144-130	EMPLOYEE BENEFITS	Annual Payroll Adjustment	8,350
ATTORNEY	100-4145-110	SALARY	Annual Payroll Adjustment	(3,350)
ATTORNEY	100-4145-130	EMPLOYEE BENEFITS	Annual Payroll Adjustment	3,350
BLDGS & GROUNDS	100-4160-110	SALARY	Annual Payroll Adjustment	1,320
BLDGS & GROUNDS	100-4160-120	TEMPORARY EMPLOYEES	Annual Payroll Adjustment	2,010
ELECTIONS	100-4170-110	SALARY	Annual Payroll Adjustment	1,860
CRIMINAL	100-4210-110	SALARY	Annual Payroll Adjustment	88,400
CRIMINAL	100-4210-115	OVERTIME PAY	Annual Payroll Adjustment	(28,000)
CRIMINAL	100-4210-130	EMPLOYEE BENEFITS	Annual Payroll Adjustment	39,430
PS ADMIN / SUPPORT	100-4211-110	SALARY	Annual Payroll Adjustment	(59,500)
PS ADMIN / SUPPORT	100-4211-115	OVERTIME PAY	Annual Payroll Adjustment	1,350
PS ADMIN / SUPPORT	100-4211-120	TEMPORARY EMPLOYEES	Annual Payroll Adjustment	10,600
PS ADMIN / SUPPORT	100-4211-130	EMPLOYEE BENEFITS	Annual Payroll Adjustment	(36,000)
FIRE	100-4220-110	SALARY	Annual Payroll Adjustment	7,080
FIRE	100-4220-130	EMPLOYEE BENEFITS	Annual Payroll Adjustment	1,890
COUNTY JAIL	100-4230-110	SALARY	Annual Payroll Adjustment	121,640
COUNTY JAIL	100-4230-115	OVERTIME PAY	Annual Payroll Adjustment	(9,572)
COUNTY JAIL	100-4230-120	TEMPORARY EMPLOYEES	Annual Payroll Adjustment	(4,000)
COUNTY JAIL	100-4230-130	EMPLOYEE BENEFITS	Annual Payroll Adjustment	50,490



BUDGET OPENING

Resolution: 2015-07
Hearing: April 28, 2015

6:00 PM

Department	Account	Title	Description	Adjustment
ANIMAL CONTROL	100-4253-110	SALARY	Annual Payroll Adjustment	1,040
ANIMAL CONTROL	100-4253-115	OVERTIME	Annual Payroll Adjustment	(500)
ANIMAL CONTROL	100-4253-120	TEMPORARY EMPLOYEES	Annual Payroll Adjustment	500
EOC	100-4255-110	SALARY	Annual Payroll Adjustment	10,160
EOC	100-4255-115	OVERTIME PAY	Annual Payroll Adjustment	(5,000)
EOC	100-4255-130	EMPLOYEE BENEFITS	Annual Payroll Adjustment	3,000
FAIRGROUNDS	100-4511-110	SALARY	Annual Payroll Adjustment	3,100
FAIRGROUNDS	100-4511-115	OVERTIME PAY	Annual Payroll Adjustment	800
FAIRGROUNDS	100-4511-720	BUILDINGS	Carry Over - 2014 Fairgrounds Projects	26,728
FAIRGROUNDS	100-4511-730	IMPROVEMENTS	Carry Over - 2014 Fairgrounds Projects	44,356
LIBRARY	100-4581-120	TEMPORARY EMPLOYEES	Annual Payroll Adjustment	4,020
LIBRARY	100-4581-120	TEMPORARY EMPLOYEES	Annual Payroll Adjustment	(500)
USU AG EXTENSION	100-4610-623	CONTRACT SERV W/USU SECRETARY	Cover Temporary Employee	(2,000)
USU AG EXTENSION	100-4610-120	TEMPORARY EMPLOYEES	Cover Temporary Employee	2,000
FAIR	100-4620-115	OVERTIME PAY	Annual Payroll Adjustment	1,260
FAIR	100-4620-130	EMPLOYEE BENEFITS	Annual Payroll Adjustment	(1,260)
MISCELLANEOUS	100-4960-605	COMPENSATION ADJUSTMENTS	Annual Payroll Adjustment	(229,788)
Total Expenditure Adjustment:				187,956

ASSESSING & COLLECTING FUND

Adopted Budget: \$3,573,799

Proposed Budget: \$3,573,799

Revenues

Expenditures

FINANCE	150-4132-999	A&C ALLOC - FINANCE 33%	Update Finance Dept A&C Ratio to 10%	(112,552)
ITS	150-4136-110	SALARY	Annual Payroll Adjustment	(24,260)
ITS	150-4136-130	EMPLOYEE BENEFITS	Annual Payroll Adjustment	(3,790)
ASSESSOR	150-4146-110	SALARY	Annual Payroll Adjustment	24,260
ASSESSOR	150-4146-130	EMPLOYEE BENEFITS	Annual Payroll Adjustment	3,790
CONTRIBUTIONS	150-4800-992	CONTRIBUTION TO FUND BALANCE	Update Finance Dept A&C Ratio to 10%	112,552
Total Expenditure Adjustment:				-
Total Revenue Adjustment:				-

MUNICIPAL SERVICES FUND

Adopted Budget: \$3,943,348

Proposed Budget: \$4,686,348

Revenues

GRANTS	200-33-14500	FEDERAL - ED RR KNA PWEED	US Forest Service Grant	5,000
GRANTS	200-33-44255	STATE - FORESTRY FIRE ST LANDS	Weed Mitigation Grants	24,000
CHARGES FOR SERVICES	200-34-32100	CLASS B CONTRACTS - RDS SPEC S	Road Maintenance Equipment	182,000
MISCELLANEOUS	200-36-90000	SUNDRY REVENUE	Surplus Equipment and Scrap Sales	124,450
CONTRIB./TRANSFERS	200-38-10460	TRANSFER FROM CP - ROADS	Maughan's Corner	32,550
CONTRIB./TRANSFERS	200-38-90000	APPROP. FUND BALANCE - CLASS B	Building, Small Equipment and Bridge	219,000
CONTRIB./TRANSFERS	200-38-92000	APPROPRIATED SURPLUS-MSF	Fire Suppression Fund - Updated Acreage	1,000
CONTRIB./TRANSFERS	200-38-93000	APPROP SURPLUS - PARKS/REC	Highline Canal Project, Trails Coordinator	155,000
Total Revenue Adjustment:				743,000



BUDGET OPENING

Resolution: 2015-07

Hearing: April 28, 2015

6:00 PM

Department	Account	Title	Description	Adjustment
Expenditures				
ZONING	200-4180-110	SALARY	Annual Payroll Adjustment	2,540
ZONING	200-4180-130	EMPLOYEE BENEFITS	Annual Payroll Adjustment	(2,540)
FIRE	200-4220-510	WILDLAND FIRE SUPPRESSION FUND	Fire Suppression Fund - Updated Acreage	1,000
BUILDING INSP.	200-4241-110	SALARY	Annual Payroll Adjustment	6,800
BUILDING INSP.	200-4241-130	EMPLOYEE BENEFITS	Annual Payroll Adjustment	4,500
CLASS - B ROADS	200-4415-110	SALARY	Annual Payroll Adjustment	17,150
CLASS - B ROADS	200-4415-130	EMPLOYEE BENEFITS	Annual Payroll Adjustment	(17,150)
CLASS - B ROADS	200-4415-412	CHIP & SEAL ROADS - COUNTY	Miscellaneous Supplies/Equipment	(20,000)
CLASS - B ROADS	200-4415-416	ROAD SALT	Miscellaneous Supplies/Equipment	(10,000)
CLASS - B ROADS	200-4415-251	NON-CAPITALIZED EQUIPMENT	Miscellaneous Supplies/Equipment	10,000
CLASS - B ROADS	200-4415-720	BUILDINGS	Road Building Remodel	140,000
CLASS - B ROADS	200-4415-740	CAPITALIZED EQUIPMENT	Major Equipment	334,000
CLASS - B ROADS	200-4415-760	NEW ROAD CONSTRUCTION-CAPITA	Match - Bridge Repair	69,000
CLASS - B ROADS	200-4415-760	NEW ROAD CONSTRUCTION-CAPITA	Maughan's Corner	35,000
WEED ERADICATION	200-4450-110	SALARY	Annual Payroll Adjustment	2,900
WEED ERADICATION	200-4450-120	TEMPORARY EMPLOYEES	Weed Sprayer - Seasonal	8,000
WEED ERADICATION	200-4450-251	NON CAPITALIZED EQUIPMENT	Weed Spraying Equipment	13,000
WEED ERADICATION	200-4450-291	CHEMICAL SPRAY	Chemicals for Spraying Weeds	8,000
STORM WATER MGMT	200-4475-110	SALARY & WAGES	Annual Payroll Adjustment	2,200
STORM WATER MGMT	200-4475-130	EMPLOYEE BENEFITS	Annual Payroll Adjustment	4,400
PARKS & TRAILS	200-4780-110	SALARY	Trails Coordinator	10,000
PARKS & TRAILS	200-4780-482	HIGHLINE CANAL TRAIL	Highline Canal Project	145,000
MISCELLANEOUS	200-4960-605	COMPENSATION ADJUSTMENTS	Annual Payroll Adjustment	(20,800)
Total Expenditure Adjustment:				743,000

VISITORS BUREAU FUND

Adopted Budget: \$506,237

Proposed Budget: \$525,677

Revenues				
CONTRIB./TRANSFERS	230-38-90000	APPROPRIATED FUND BALANCE	Northern Utah Film Commission	2,000
CONTRIB./TRANSFERS	230-38-90000	APPROPRIATED FUND BALANCE	Tour of Utah Sponsorship	5,000
CONTRIB./TRANSFERS	230-38-90000	APPROPRIATED FUND BALANCE	Annual Payroll Adjustment	12,440
Total Revenue Adjustment:				19,440
Expenditures				
VISITOR'S BUREAU	230-4780-110	SALARY	Annual Payroll Adjustment	10,730
VISITOR'S BUREAU	230-4780-130	EMPLOYEE BENEFITS	Annual Payroll Adjustment	1,710
VISITOR'S BUREAU	230-4780-490	ADVERTISING & PROMOTIONS	Annual Payroll Adjustment	5,000
VISITOR'S BUREAU	230-4780-495	NORTHERN UTAH FILM COMMISSIO	Northern Utah Film Commission	2,000
Total Expenditure Adjustment:				19,440

COUNCIL ON AGING FUND

Adopted Budget: \$682,002

Proposed Budget: \$688,292

Revenues				
CONTRIB./TRANSFERS	240-38-90000	APPROPRIATED FUND BALANCE	Annual Payroll Adjustment	6,290



BUDGET OPENING

Resolution: 2015-07

Hearing: April 28, 2015

6:00 PM

Department	Account	Title	Description	Adjustment
Total Revenue Adjustment:				6,290
Expenditures				
SC - NUTRITION	240-4970-110	SALARY	Annual Payroll Adjustment	3,200
SC - NUTRITION	240-4970-120	TEMPORARY EMPLOYEES	Annual Payroll Adjustment	560
SC - NUTRITION	240-4970-130	EMPLOYEE BENEFITS	Annual Payroll Adjustment	2,530
SC - SR CENTER	240-4971-110	SALARY	Annual Payroll Adjustment	1,650
SC - SR CENTER	240-4971-120	TEMPORARY EMPLOYEES	Annual Payroll Adjustment	(2,460)
SC - SR CENTER	240-4971-130	EMPLOYEE BENEFITS	Annual Payroll Adjustment	810
SC - ACCESS	240-4974-110	SALARY	Annual Payroll Adjustment	1,600
SC - ACCESS	240-4974-120	TEMPORARY EMPLOYEES	Annual Payroll Adjustment	(2,340)
SC - ACCESS	240-4974-130	EMPLOYEE BENEFITS	Annual Payroll Adjustment	740
Total Expenditure Adjustment:				6,290

AIRPORT

Adopted Budget: \$267,049

Proposed Budget: \$267,049

Revenues

Total Revenue Adjustment: -

Expenditures

AIRPORT	277-4460-110	SALARY	Annual Payroll Adjustment	2,590
AIRPORT	277-4460-120	TEMPORARY EMPLOYEES	Annual Payroll Adjustment	(1,400)
AIRPORT	277-4460-130	EMPLOYEE BENEFITS	Annual Payroll Adjustment	1,730
AIRPORT	277-4460-250	EQUIPMENT SUPPLIES & MAINT	Annual Payroll Adjustment	(1,077)
AIRPORT	277-4460-605	MERIT & MARKET ADJ POOL	Annual Payroll Adjustment	(1,843)

Total Expenditure Adjustment: -

AMBULANCE

Adopted Budget: \$605,000

Proposed Budget: \$855,000

Revenues

CONTRIB./TRANSFERS	295-38-70000	APPROPRIATED FUND BALANCE	South Ambulance Station Construction	250,000
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Total Revenue Adjustment: 250,000

Expenditures

AMBULANCE	295-4262-720	BUILDINGS	South Ambulance Station Construction	250,000
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Total Expenditure Adjustment: 250,000

CAPITAL PROJECTS - ROADS

Adopted Budget: \$3,392,761

Proposed Budget: \$3,392,761

Revenues

Total Revenue Adjustment: -



BUDGET OPENING

Resolution: 2015-07

Hearing: April 28, 2015

6:00 PM

<u>Department</u>	<u>Account</u>	<u>Title</u>	<u>Description</u>	<u>Adjustment</u>
Expenditures				
TRANSFERS OUT	460-4810-200	TRANSFER TO MUNICIPAL SERVICES	Bridge Projects	32,550
ROAD CONSTR.	460-4420-760	NEW ROAD CONSTRUCTION	Bridge Projects	(32,550)
Total Expenditure Adjustment:				