

APPROVED

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

COUNTY COUNCIL MEETING

July 28, 2015

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**CACHE COUNTY COUNCIL MEETING
July 28, 2015**

The Cache County Council convened in a regular session on July 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: Lee Edwards

The following individuals were also in attendance: Janeen Allen, Kyler Archibald, Sue Fuhriman, Chief Rod Hammer, Chris Harrild, Mike Haslam, Ryan Hatch, Nathan Holyoak, Rachel Holyoak, Sharon L. Hoth, Sheriff Chad Jensen, Kirk Jensen, Cyndee Musselman, Greg Musselman, Director Bartt Nelson, Dave Nielsen, Tim Rawlings, Jason Watterson, Cory Wood, **Media:** Clayton Gefre (Herald Journal), Jennie Christensen (KVNU).

OPENING REMARKS AND PLEDGE OF ALLEGIANCE

Council member Cory Yeates 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 July 14, 2015 Council Meeting as written. Erickson seconded the motion. The vote was unanimous, 7-0.

REPORT OF THE COUNTY EXECUTIVE: CRAIG "W" BUTTARS

APPOINTMENTS: There were no appointments.

WARRANTS: Warrants for the period 07-18-2015 to 07-22-2015 were given to the Clerk for filing.

OTHER ITEMS:

- Financial report corrected copy** – Executive Buttars verified that Council members received the corrected copy of the financial report. There was a page left out of the previous copy.
- State Auditor's Office** – The Utah State Auditor's Office notified Finance Director Jensen that it has been determined that no additional information on compliance issues is required and Cache County will be removed from their "watch list."

- ❑ **Highline Trail Agreement** – Executive Buttars has signed the Highline Trail agreement with Logan City and Keith Meikle (canal company) still needs to sign it.
- ❑ **Water Conservancy District** – Executive Buttars asked Council members and other volunteers to help man the Water Conservancy District booth at the Fair.
- ❑ **Employee Summer Party** – Executive Buttars thanked Janeen Allen and all who helped with the County Party.
- ❑ **Fairgrounds Building** – Referring the Council to the footprint sketch of the new building, Executive Buttars indicated it will be where part of the carnival is usually located at the Fair. The current buildings will be removed and replaced with additional green space. The proposed cost is \$5.2 million and the county is exploring various funding options including RAPZ tax, reserve fund money, individual donations, etc. and Buttars urged Council members to share any ideas they may have in this regard.

CONSENT AGENDA

- ◇ **Marcus Subdivision** – Request for approval of a 2-lot subdivision on 77.55 acres located at 7561 West 1000 South, Mendon in the Forest Recreation (FR40) Zone & Agricultural (A10) Zone. Staff and Planning Commission recommend approval.

(Attachment 1)

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

ITEMS OF SPECIAL INTEREST

- **Utah Local Governments Trust Award Presentation** – Ryan Hatch presented the county with a liability dividend check for \$8,785.08 and congratulated Cache County on its performance.

Jason Watterson, Loss Prevention Manager, stated Cache County has also qualified for the Trust Accountability Award for 2014 equal to about \$4,000.00.

UNIT OR COMMITTEE REPORTS

- * **Information Technology (IT) – Bartt Nelson** reported on operations of the IT Department including staff/team, projects and planning and IT goals. Nelson noted that IT provides the services that allow the County to operate.

PENDING ACTION

- ❑ **Resolution No. 2015-15-A resolution consenting to the Logan Redevelopment Agency receiving the Cache County Tax Increment generated in the Auto Mall Community Development Project Area** – Kirk Jensen reviewed the details discussed at the July 14, 2015 Council meeting. Council members asked several questions:
 - Is the Gnehm property being purchased? No.
 - Assume the Young Group initiated this action? Yes.

- What is the process for qualifying for an RDA? Several factors looked at, ultimately decision rests with city or county councils.
- No specific protocol? No.
- What happens if property values plummet? Increment reduced, but cannot go to a negative figure.

Council member White questioned if there is any benefit to the County and doesn't feel the proposal is in the best interests of Cache County citizens.

Vice Chair Merrill is a proponent of RDA's because of positive growth experiences for business.

Council member Zilles observed the County operates on property tax and provides law enforcement, roads, etc. and if any of that revenue is given up, the County has a struggle to support services for its citizens.

Council member Potter remarked he can see both sides of the issue and leans towards a compromise of 80% of the tax increment for ten years.

After much discussion, the Council determined on a compromise proposal.

ACTION: Motion by Council member Zilles that the percentage of Cache County's tax increment received by the Agency shall be 100% for 6 years. Potter seconded the motion. The motion passed, 5 aye – Merrill, Robison, Potter, Yeates & Zilles and 2 nay – Erickson & White.

PUBLIC HEARINGS, APPEALS AND BOARD OF EQUALIZATION MATTERS

PUBLIC HEARING: JULY 28, 2015-6:00 P.M.-OPEN 2015 BUDGET – Executive Buttars explained the budget adjustments. *(See Attachment 2 to Resolution 2015-16 for details.)*

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

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

PUBLIC HEARING SET: AUGUST 11, 2015-5:30 P.M.-ORDINANCE NO. 2015-11-AMENDMENT TO TITLE 17-DEFINITION OF 5100 RECREATION FACILITY

ACTION: Motion by Council member Yeates to set a Public Hearing-August 11, 2015-5:30 p.m.-Ordinance No. 2015-11-Amendment to title 17-Definition of 5100 Recreation Facility. Potter seconded the motion. The vote was unanimous, 7-0.

INITIAL PROPOSAL FOR CONSIDERATION OF ACTION

- **Resolution No. 2015-16 – Amendments to 2015 Budget**

(Attachment 2)

ACTION: Motion by Council member Potter to waive the rules and approve Resolution No. 2015-16-amendment to 2015 Budget. Erickson seconded the motion. The vote was unanimous, 7-0.

- **Ordinance No. 2015-07 – Fuhriman Farm Rezone** – Request to rezone 20.18 acres from Forest Recreation (FR40) Zone to Agricultural (A10) Zone located at 8400 South 3700 West. Old Sardine Road, Mt. Sterling.

(Attachment 3)

ACTION: Motion by Council member White to waive the rules and approve the Fuhriman Farm Rezone-Request to rezone 20.18 acres from Forest Recreation (FR40) Zone to Agricultural (A10) Zone, etc. Zilles seconded the motion. The vote was unanimous, 7-0.

Ordinance No. 2015-07: The motion passed 7-0.

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

- **Ordinance No. 2015-08 – UT1 Wellsville V2W Rezone** – Request to rezone a leased portion of 42.14 acres to include the Public Infrastructure (PI) Overlay Zone located in the Agricultural (A10) Zone at 6100 South 3200 West, east of Wellsville.

(Attachment 4)

ACTION: Motion by Council member Yeates to waive the rules and approve Ordinance No. 2015-08-UT1 Wellsville V2W Rezone – Request to rezone a leased portion of 42.14 acres to include the Public Infrastructure (PI) Overlay Zone, etc. Erickson seconded the motion. The vote was unanimous, 7-0.

Ordinance No. 2015-08: The motion passed 7-0.

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

- **Ordinance No. 2015-09 – Amendment to Title 17 regarding Airports** – Council member Potter asked if, as the county grows and rezones occur, can private airstrips be

done away with. Chris Harrild replied they must comply with FAA standards and requirements so if development occurs close by, they are not grandfathered in.

(Attachment 5)

ACTION: Motion by Council member White to waive the rules and approve Ordinance No. 2015-09-Amedment to Title 17 regarding Airports. Merrill seconded the motion. The vote was unanimous, 7-0.

Ordinance No. 2015-09: The motion passed 7-0.

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

- **Little Bear Field Subdivision - Request for approval of 1-lot subdivision and agricultural remainder on 6.19 acres located at 4341 South 3600 West, Wellsville, Agricultural (10) Zone.** – Chris Harrild explained the concern is a substandard road and the level of service that will be required to maintain it. Staff and Planning Commission recommend denial. The property owner is willing to make the improvements to the road as well as maintenance, but the county cannot have others performing maintenance on county roads because of liability issues.

Mike Haslam, nearby property owner, stated the road has been plowed by the county for 25 years. He conceded it was only plowed if there was “two feet of snow dropped at once” and then the county would plow it.

Harrild said he is unaware that the road has ever been plowed by the county and will follow up on the claim, but reiterated the concern is the level of service.

Kyler Archibald asked if he can take responsibility to maintain and plow. Liability issues preclude that. Archibald also asked why the procedure to get to this point is the way it is. It is costly to the individual. Why can't the county simply go out and review the property first? Harrild responded the review is not done first because it is costly to the county to review the property and have the property owner decide not to pursue the application. The basic fee covers the cost to do basic inspections.

More information will be gathered and this item will be on the August 11, 2015 County Council agenda.

Executive Buttars left the meeting at 7:14 p.m.

OTHER BUSINESS

- ✓ **Cache County Fair & Rodeo – August 6, 7, 8, 2015.**

- ✓ **County Council Summer Social – Tuesday, August 18, 2015**
- ✓ **River Heights City Apple Days Parade – Saturday, August 29, 2015** – Zilles and Yeates will attend.

COUNCIL MEMBER REPORTS

Val Potter has received emails from individuals wanting to help with the Water Conservancy District booth at the Fair and Todd Adams, State Department of Water Resources, wants to assist the county with a marketing plan for the conservancy district. Potter asked Council members to sign up to assist at the booth.

Director Runhaar has sent out some information on the Trails Coordinator and Potter doesn't know if any feedback has been received on it yet.

Gordon Zilles is reactivating the Roads Committee and offered the following names as possible members: Cory Yeates, David Erickson, Gordon Zilles, Preston Ward, a representative from the Road Department, and a member of the community with a recreation background. Attorney Lee Edwards suggested anyone who has used roads on a continuous basis. Council member Potter recommended the committee come up with a comprehensive road plan for the county. Council member White added that Director Runhaar's office has been doing an inventory of the roads in the county. The fourth Tuesday in August is the tentative date for the committee to meet.

Cory Yeates said that some of the former Road Committee members may be willing to serve again.

He passed a sign-up sheet for Council members to sign to serve at the Republican Party Fair booth.

ADJOURNMENT

The Council meeting adjourned at 7:26 p.m.

ATTEST: Jill N. Zollinger
County Clerk

APPROVAL: Kathy Robison
Chair



STAFF REPORT: MARCUS SUBDIVISION

09 July 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: Todd Marcus

Parcel ID#: 11-095-0007

Staff Determination: Approval with conditions

Type of Action: Administrative

Land Use Authority: Cache County Council

LOCATION

Reviewed by: Stephanie Nelson - Planner I

Project Address:

7561 West 1000 South
Mendon, Utah 84325

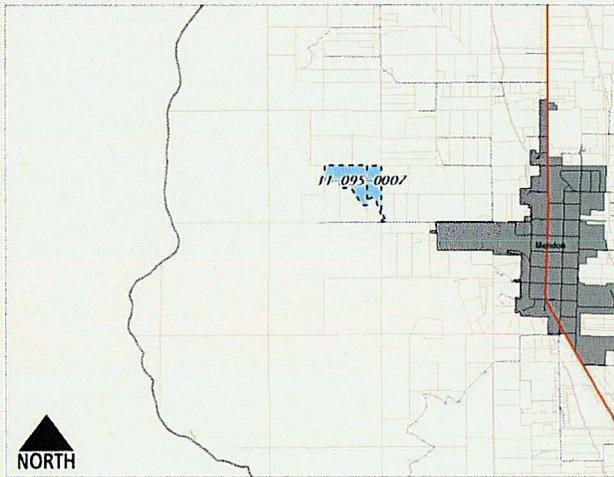
Surrounding Uses:

North – Agricultural/Residential
South – Forest Recreation/Residential
East – Agricultural/Residential
West – Forest Recreation

Current Zoning:

Acres: 77.55

Agricultural (A10) & Forest Recreation (FR40)



PURPOSE, APPLICABLE ORDINANCE, AND SUMMARY

Purpose:

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

Ordinance:

As per the Cache County Zoning Ordinance Table §17.10.030 Development Density and Standards Specific to Base Zoning Districts, a development density of one (1) unit per ten (10) acres is permitted in this zone. Adequate acreage is available for both the amendment and subdivision.

Summary:

This proposal is to correct the existing parcel configuration by dividing parcel number 11-095-0007 into two (2) developable lots that reflect the existing zoning. There is an existing home on the 37.55 acre proposed Lot #1 in the A10 zone. Lot #2, the 40 acre FR40 zoned parcel, is vacant.

Access:

- Access to the existing dwelling is from county road 1000 South, and is not adequate for further residential development. However, given that the new lot is in the FR40 zone and would only allow a recreational cabin, and that access to a cabin only requires a 12' wide gravel roadway, the existing access is acceptable.

Water & Septic:

- 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:

- Due to the steepness of 1000 South, residents in this area share a frontload dumpster located at the Mendon City shop at approximately 350 West 200 North (1000 South).
- A school bus stop is located at the intersection of 162 West 300 North, Mendon.
- 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 Mendon Fire Department. Access for emergency services is adequate.

Sensitive Areas:

- Moderate slopes and steep slopes are located within the subdivision boundary. Any development, including roadways, within moderate slope areas shall require further geotechnical review.

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 Marcus Subdivision, a 2-lot subdivision for property located at approximately 7561 West 1000 South with parcel number 11-095-0007, 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 Marcus 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 Marcus 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 Marcus 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 Marcus Subdivision is compatible with surrounding land uses and will not interfere with the use and enjoyment of adjoining or area properties.

CONDITIONS OF APPROVAL (2)

The following conditions must be met 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 access agreement for Lot 2 must be included on the final subdivision plat, or recorded as a separate document prior to final plat recordation.

RESOLUTION NO. 2015 – 16

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.

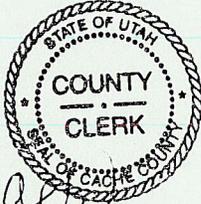
Other than as specifically set forth above, all other matters set forth in the 2015 budget shall remain in full force and effect.

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 July, 2015.

ATTESTED TO:



CACHE COUNTY COUNCIL

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

Kathy Robison
Kathy Robison, Council Chair



BUDGET OPENING

Resolution: 2015-16

Hearing: July 28, 2015

6:00 PM

Department	Account	Title	Description	Adjustment
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GENERAL FUND

Adopted Budget: \$23,473,858

Proposed Budget: \$23,551,868

Revenues

CONTRIB./TRANSFERS	100-38-90000	APPROPRIATED FUND BALANCE	Training Facility	45,000
CONTRIB./TRANSFERS	100-38-90000	APPROPRIATED FUND BALANCE	Restore Over Time Hours	28,000
CONTRIB./TRANSFERS	100-38-90000	APPROPRIATED FUND BALANCE	Postage for Payments	2,700
CONTRIB./TRANSFERS	100-38-90000	APPROPRIATED FUND BALANCE	Bookmobile Service - Additional Cost	2,310

Total Revenue Adjustment: 78,010

Expenditures

FINANCE	100-4132-240	OFFICE SUPPLIES	Postage for Payments	2,700
CRIMINAL	100-4210-115	OVERTIME PAY	Restore Over Time Hours	28,000
FIRE	100-4220-720	BUILDINGS	Training Facility	85,000
FIRE	100-4220-740	CAPITALIZED EQUIPMENT	Training Facility	(40,000)
BOOKMOBILE	100-4580-200	MATERIAL SUPPLIES & SERVICES	Bookmobile Service - Additional Cost	2,310
LIBRARY	100-4581-120	TEMPORARY EMPLOYEES	Internet Access	(900)
LIBRARY	100-4581-130	EMPLOYEE BENEFITS	Internet Access	(100)
LIBRARY	100-4581-280	COMMUNICATIONS	Internet Access	1,000

Total Expenditure Adjustment: 78,010

MUNICIPAL SERVICES FUND

Adopted Budget: \$5,387,931

Proposed Budget: \$6,028,931

Revenues

GRANTS	200-33-44000	STATE GRANTS	Predator Match	7,000
GRANTS	200-33-56000	CLASS B ALLOTMENT	Additional Class B - Dirt Road Reclassification	50,000
CHARGES FOR SERVICES	200-34-14000	PLAN CHECKING FEES	Plan Review Fees	42,000
CHARGES FOR SERVICES	200-34-31000	CLASS B CONTRACTS - MUNICIPAL	City Chip/Seal Work	106,000
CHARGES FOR SERVICES	200-34-31000	CLASS B CONTRACTS - MUNICIPAL	Municipal Chipping Oil	195,000
CHARGES FOR SERVICES	200-34-35000	WEED ERADICATION FEES	Chemical Costs for Canal Contract	5,000
MISCELLANEOUS	200-36-90000	SUNDRY REVENUE	Scrap and Surplus Equipment Sales	101,500
CONTRIB./TRANSFERS	200-38-20000	CONTRIBUTIONS - MISC PUBLIC	Predator Match	7,000
CONTRIB./TRANSFERS	200-38-90000	APPROP. FUND BALANCE - CLASS B	Equipment Purchases	125,500
CONTRIB./TRANSFERS	200-38-90000	APPROP. FUND BALANCE - CLASS B	Cover Additional Work for SRS Funding	2,000

Total Revenue Adjustment: 641,000

Expenditures

BUILDING INSP.	200-4241-310	PROFESSIONAL & TECHNICAL	Plan Review Services	10,000
BUILDING INSP.	200-4241-740	CAPITALIZED EQUIPMENT	New Vehicle	32,000
ANIMAL CONTROL	200-4253-480	PREDATOR CONTROL EXPENSE	Predator Match	14,000
CLASS - B ROADS	200-4415-140	UNIFORM ALLOWANCE	Uniform Stipends	2,900
CLASS - B ROADS	200-4415-280	COMMUNICATIONS	Uniform Stipends	(2,900)
CLASS - B ROADS	200-4415-310	PROF & TECH -ENGINEER. & ADMIN	Admin Parking Lot - Patch Asphalt	(1,500)
CLASS - B ROADS	200-4415-412	CHIP & SEAL ROADS - COUNTY	Excess Chips; Lower Oil Prices	(76,000)
CLASS - B ROADS	200-4415-414	CHIP & SEAL ROADS - MUNICIPAL	Municipal Chipping Oil	195,000
CLASS - B ROADS	200-4415-416	ROAD SALT	Excess Salt; No Real Snow Season 2014/15	(20,000)
CLASS - B ROADS	200-4415-418	ASPHALT & CONCRETE	Admin Parking Lot - Patch Asphalt	1,500
CLASS - B ROADS	200-4415-740	CAPITALIZED EQUIPMENT	Paving Machine	145,000
CLASS - B ROADS	200-4415-740	CAPITALIZED EQUIPMENT	Patrol/Grader (Rebuild)	110,000



BUDGET OPENING

Resolution: 2015-16

Hearing: July 28, 2015

6:00 PM

Department	Account	Title	Description	Adjustment
CLASS - B ROADS	200-4415-740	CAPITALIZED EQUIPMENT	Plow Truck	184,000
CLASS - B ROADS	200-4415-740	CAPITALIZED EQUIPMENT	Asphalt Roller (Used)	40,000
WEED ERADICATION	200-4450-140	UNIFORM ALLOWANCE	Uniform Stipends	1,100
WEED ERADICATION	200-4450-240	OFFICE EXPENSE	Increased Print Costs	1,500
WEED ERADICATION	200-4450-254	FUEL	Uniform Stipends	(1,100)
WEED ERADICATION	200-4450-295	CHEMICAL SPRAY - CONTRACTS	Chemical Costs for Canal Contract	5,000
WEED ERADICATION	200-4450-311	SOFTWARE	Increased Print Costs	(1,500)
MISCELLANEOUS	200-4960-600	SUNDRY EXPENSE	Cover Additional Work for SRS Funding	2,000
Total Expenditure Adjustment:				641,000

VISITORS BUREAU FUND

Adopted Budget: \$665,867

Proposed Budget: \$720,867

Revenues

CONTRIB./TRANSFERS	230-38-90000	APPROPRIATED FUND BALANCE	Printing Brochures	55,000
Total Revenue Adjustment:				55,000

Expenditures

VISITOR'S BUREAU	230-4780-490	ADVERTISING & PROMOTIONS	Printing Brochures	55,000
Total Expenditure Adjustment:				55,000

AIRPORT

Adopted Budget: \$297,823

Proposed Budget: \$297,823

Revenues

Total Revenue Adjustment: -

Expenditures

AIRPORT	277-4460-260	BUILDING & GROUNDS	Surface Water Drain System - Taxiway Juliet	17,800
AIRPORT	277-4460-261	SNOW REMOVAL	Surface Water Drain System - Taxiway Juliet	(17,800)
Total Expenditure Adjustment:				-

ORDINANCE NO. 2015-07

CACHE COUNTY, UTAH

FUHRIMAN FARM REZONE

AN ORDINANCE AMENDING THE COUNTY ZONING MAP

WHEREAS, the "County Land Use Development and Management Act," Utah Code Ann. §17-27a-101 *et seq.*, as amended (the "Act"), provides that each county may enact a land use ordinance and a zoning map establishing regulations for land use and development; and

WHEREAS, pursuant to the act, the County's Planning Commission (the "Planning Commission") shall prepare and recommend to the county's legislative body, following a public hearing, a proposed land use ordinance and a zoning map, or amendments thereto, that represent the Planning Commission's recommendations for zoning the area within the county, and;

WHEREAS, the act also provides certain procedures for the county's legislative body to adopt or amend the land use ordinance and zoning map for the county, and;

WHEREAS, the County Council caused notice of the hearing 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 June 4, 2015, at 5:40 P.M. the Planning Commission held a public hearing for a rezone from the Forest Recreation (FR40) Zone to the Agricultural (A10) Zone, which meeting was preceded by all required legal notice and at which time all interested parties were given the opportunity to provide written or oral comment concerning the proposed rezone, and;

WHEREAS, on June 4, 2015 the Planning Commission recommended the approval of said rezone (4, 0) and forwarded such recommendation to the County Council for final action, and;

WHEREAS, on July 14, 2015, 5:30 P.M., the County Council held a public hearing to consider any comments regarding the proposed rezone. The County Council accepted all comments, and;

WHEREAS, after careful consideration of the recommendation of the Planning Commission, comments at the public hearing and other public meetings where such proposed rezone was discussed, and recommendation of county staff, the Council has determined that it is in the best interest of the health, safety and welfare of the citizens of Cache County to approve such rezone:

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.

NOW, THEREFORE, the County Legislative Body of Cache County ordains as follows:

1. Statutory Authority.

The statutory authority for enacting this ordinance is Utah Code Annotated Sections 17-27a Part 1 and Part 3, and 17-53 Part 2 (1953, as amended to date).

2. Approval of Rezone.

The County Council hereby rezones the 20.18 acre parcel 10-059-0001 (Exhibit A), currently zoned as the Forest Recreation (FR40) Zone, to the Agricultural (A10) Zone.

3. Adoption of Amended Zoning Map.

The County Council hereby amends the county's zoning map to reflect the rezone of the property affected by this ordinance and hereby adopts the amended zoning map (Exhibit B), of which a detailed digital or paper copy is available in the Development Services Department.

4. Findings

A. The location of the subject property is compatible with the purpose of the proposed Agricultural (A10) Zone.

B. The historic and current use of this property is agricultural, and the subject property is suitable for development within the Agricultural (A10) Zone district without increasing the need for variances or special exceptions within this zone.

5. Severability.

All parts of this ordinance are severable, and if any section, paragraph, clause or provision of this ordinance shall, for any reason, be held to be invalid or unenforceable, the invalidity or unenforceability of any such section, paragraph, clause or provision shall not affect the remaining sections, paragraphs, clauses or provisions of this ordinance.

6. Prior Ordinances, Resolutions, Policies and Actions Superseded.

This ordinance amends and supersedes the Zoning Map of Cache County, 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.

7. Exhibits.

Exhibit A: Description/map of parcel 10-059-0001.

Exhibit B: Zoning Map of Cache County

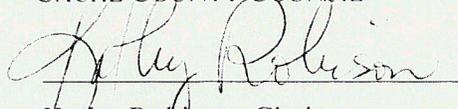
8. Effective Date.

This ordinance takes effect on August 12, 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.

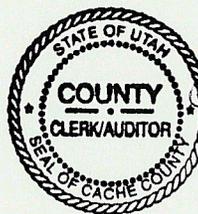
APPROVED AND ADOPTED this 28th day of July, 2015.

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

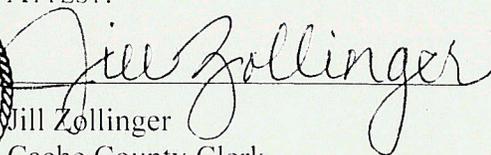
CACHE COUNTY COUNCIL



Kathy Robison, Chair
Cache County Council



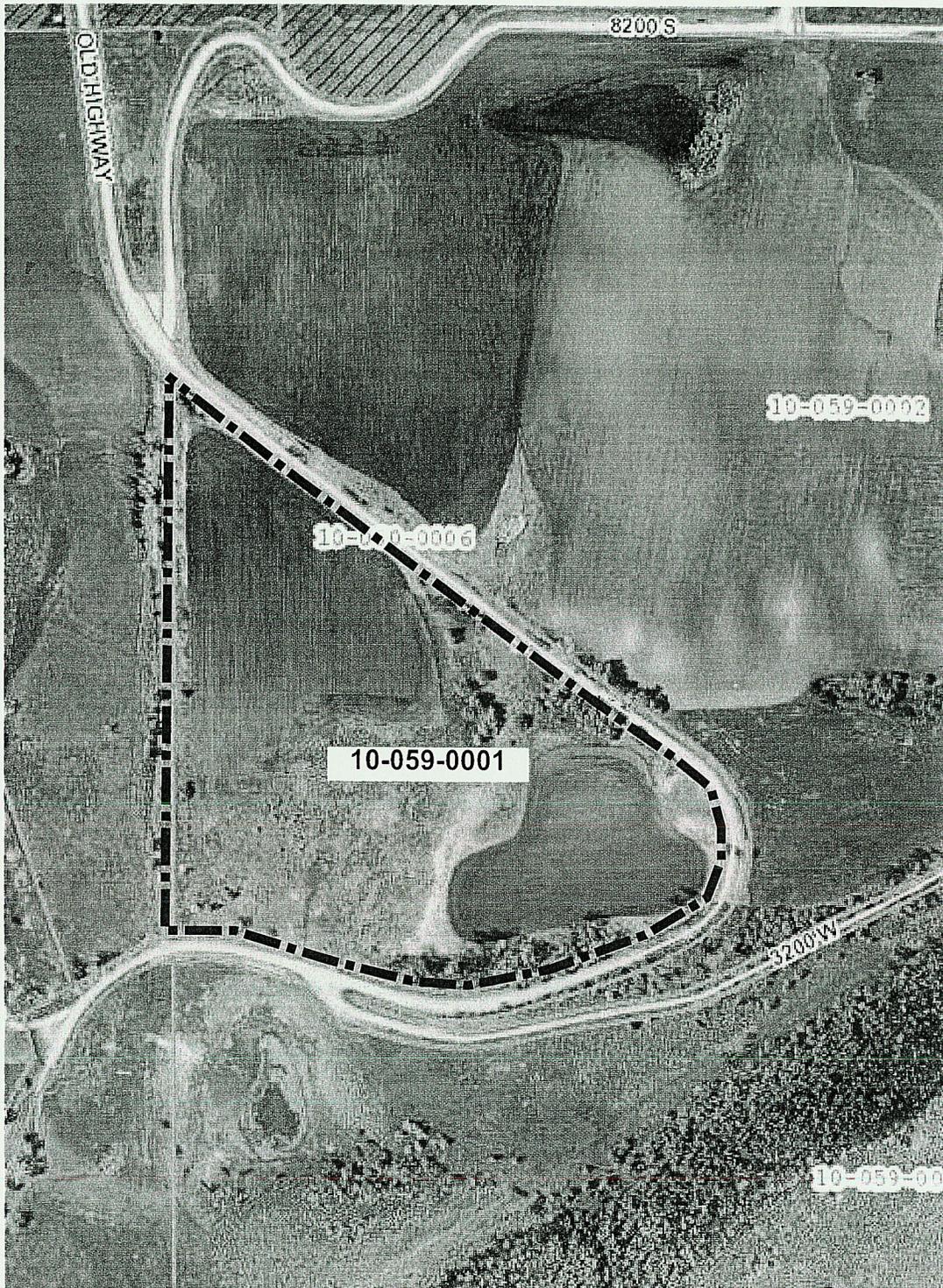
ATTEST:



Jill Zollinger
Cache County Clerk

Publication Date:

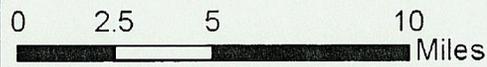
August 12, 2015



10-059-0001

BEG S 696 FT FROM N/4 COR OF NW/4 SEC 26 T 10N R 1W, S 53*41'E
1476.3FT S 28*52' E 95 FT S 58' W 95.4 FT S 24*34' W 119.5 FT S 62*29'
W 120.4 FT S 69*53' W 258.8 FT S 81* 17' W 161.9 FT N 86*38' W 117.4
FT N 72*54' W 333.1 FT N 77*16' W 92.6FT N 89*20' W 144.8 FT N 1202
FT TOBEG 20.176 AC E726A

Zoning Map of Cache County



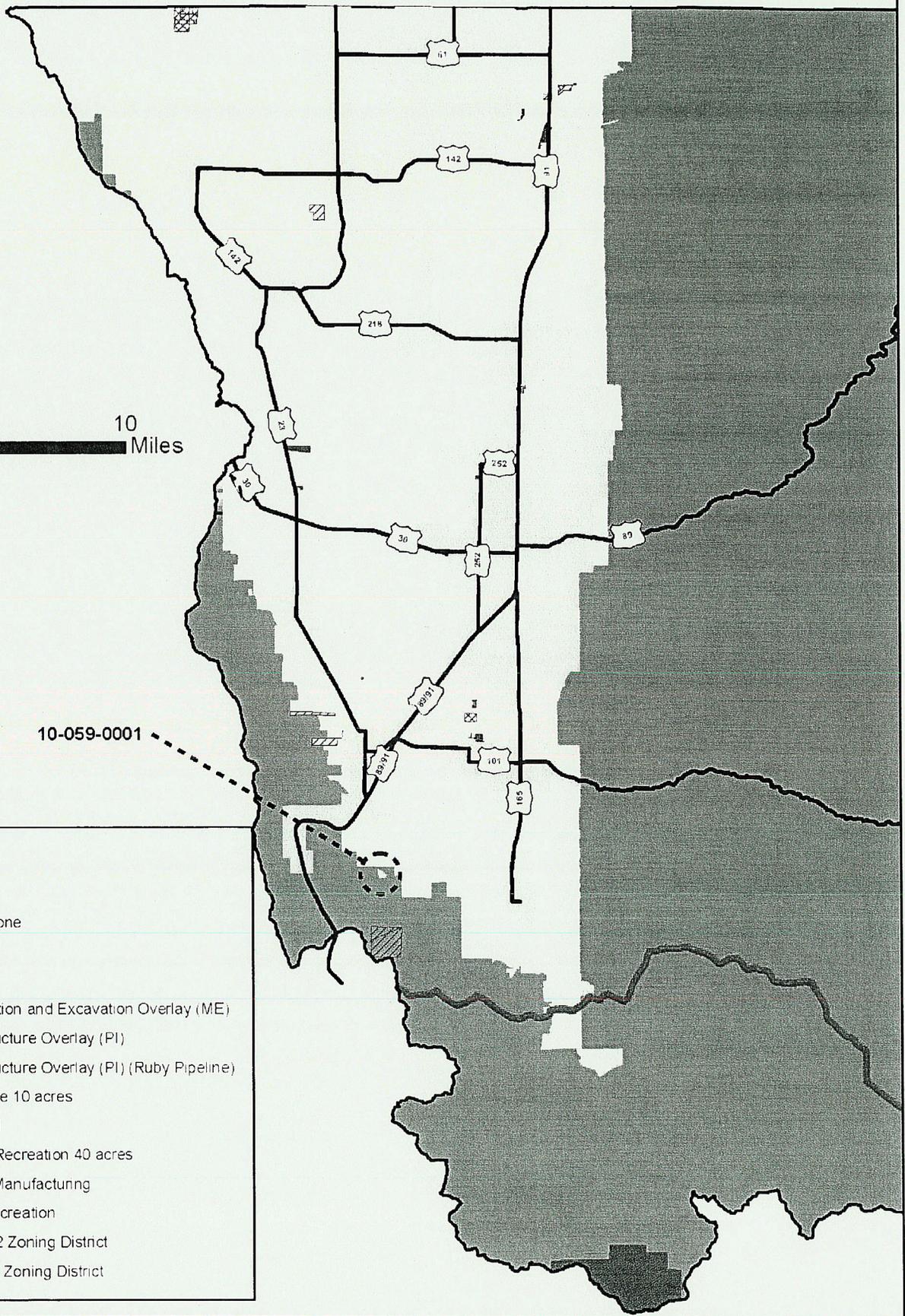
10-059-0001

Legend

- Major Roads
- Proposed Rezone
- City Boundary

Zone Type

- Mineral Extraction and Excavation Overlay (ME)
- Public Infrastructure Overlay (PI)
- Public Infrastructure Overlay (PI) (Ruby Pipeline)
- A10: Agriculture 10 acres
- C: Commercial
- FR40: Forest Recreation 40 acres
- IM: Industrial/Manufacturing
- RR: Resort Recreation
- RU-2 Rural - 2 Zoning District
- RU-5 Rural - 5 Zoning District



ORDINANCE NO. 2015-08

CACHE COUNTY, UTAH

UT1 WELLSVILLE V2W REZONE

AN ORDINANCE AMENDING THE COUNTY ZONING MAP

WHEREAS, the "County Land Use Development and Management Act," Utah Code Ann. §17-27a-101 *et seq.*, as amended (the "Act"), provides that each county may enact a land use ordinance and a zoning map establishing regulations for land use and development; and

WHEREAS, pursuant to the act, the County's Planning Commission (the "Planning Commission") shall prepare and recommend to the county's legislative body, following a public hearing, a proposed land use ordinance and a zoning map, or amendments thereto, that represent the Planning Commission's recommendations for zoning the area within the county, and;

WHEREAS, the act also provides certain procedures for the county's legislative body to adopt or amend the land use ordinance and zoning map for the county, and;

WHEREAS, the County Council caused notice of the hearing 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 June 4, 2015, at 5:50 P.M. the Planning Commission held a public hearing for a rezone in the Agricultural (A10) Zone to include the Public Infrastructure (PI) Overlay Zone, which meeting was preceded by all required legal notice and at which time all interested parties were given the opportunity to provide written or oral comment concerning the proposed rezone, and;

WHEREAS, on June 4, 2015 the Planning Commission recommended the approval of said rezone (4, 0) and forwarded such recommendation to the County Council for final action, and;

WHEREAS, on July 14, 2015, 5:40 P.M., the County Council held a public hearing to consider any comments regarding the proposed rezone. The County Council accepted all comments, and;

WHEREAS, after careful consideration of the recommendation of the Planning Commission, comments at the public hearing and other public meetings where such proposed rezone was discussed, and recommendation of county staff, the Council has determined that it is in the best interest of the health, safety and welfare of the citizens of Cache County to approve such rezone;

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.

NOW, THEREFORE, the County Legislative Body of Cache County ordains as follows:

1. Statutory Authority.

The statutory authority for enacting this ordinance is Utah Code Annotated Sections 17-27a Part 1 and Part 3, and 17-53 Part 2 (1953, as amended to date).

2. Approval of Rezone.

The County Council hereby rezones the described ~1,700 square foot portion of parcel number 10-042-0015 (Exhibit A) currently zoned as the Agricultural (A10) Zone to include the Public Infrastructure (PI) Overlay Zone.

3. Adoption of Amended Zoning Map.

The County Council hereby amends the county's zoning map to reflect the rezone of the property affected by this ordinance and hereby adopts the amended zoning map that is attached as Exhibit B, of which a detailed digital or paper copy is available in the Development Services Department.

4. Findings

A. The location of the subject property is compatible with the purpose of the proposed Public Infrastructure (PI) Overlay Zone.

B. The subject property is suitable for development within the Public Infrastructure (PI) Overlay Zone district without increasing the need for variances or special exceptions within this zone or the underlying Agricultural (A10) Zone.

5. Severability.

All parts of this ordinance are severable, and if any section, paragraph, clause or provision of this ordinance shall, for any reason, be held to be invalid or unenforceable, the invalidity or unenforceability of any such section, paragraph, clause or provision shall not affect the remaining sections, paragraphs, clauses or provisions of this ordinance.

6. Prior Ordinances, Resolutions, Policies and Actions Superseded.

This ordinance amends and supersedes the Zoning Map of Cache County, 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.

7. Exhibits.

Exhibit A: Description/map of the affected portion of parcel number 10-042-0015.

Exhibit B: Zoning Map of Cache County

8. Effective Date.

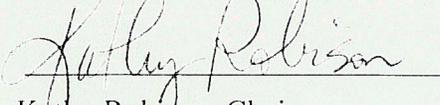
This ordinance takes effect on August 12, 2015. Following its passage but prior to the effective date, a copy of the ordinance shall be deposited with the County Clerk and a short summary of the ordinance shall be published in a newspaper of general circulation within the county as required by law.

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.

APPROVED AND ADOPTED this 28th day of July, 2015.

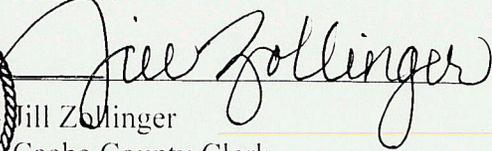
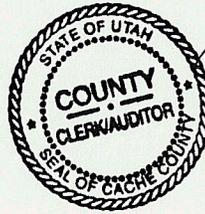
	In Favor	Against	Abstained	Absent
Potter	X			
Buttars	X			
White	X			
Merrill	X			
Robison	X			
Yeates	X			
Zilles	X			
Total	7			

CACHE COUNTY COUNCIL



Kathy Robison, Chair
Cache County Council

ATTEST:

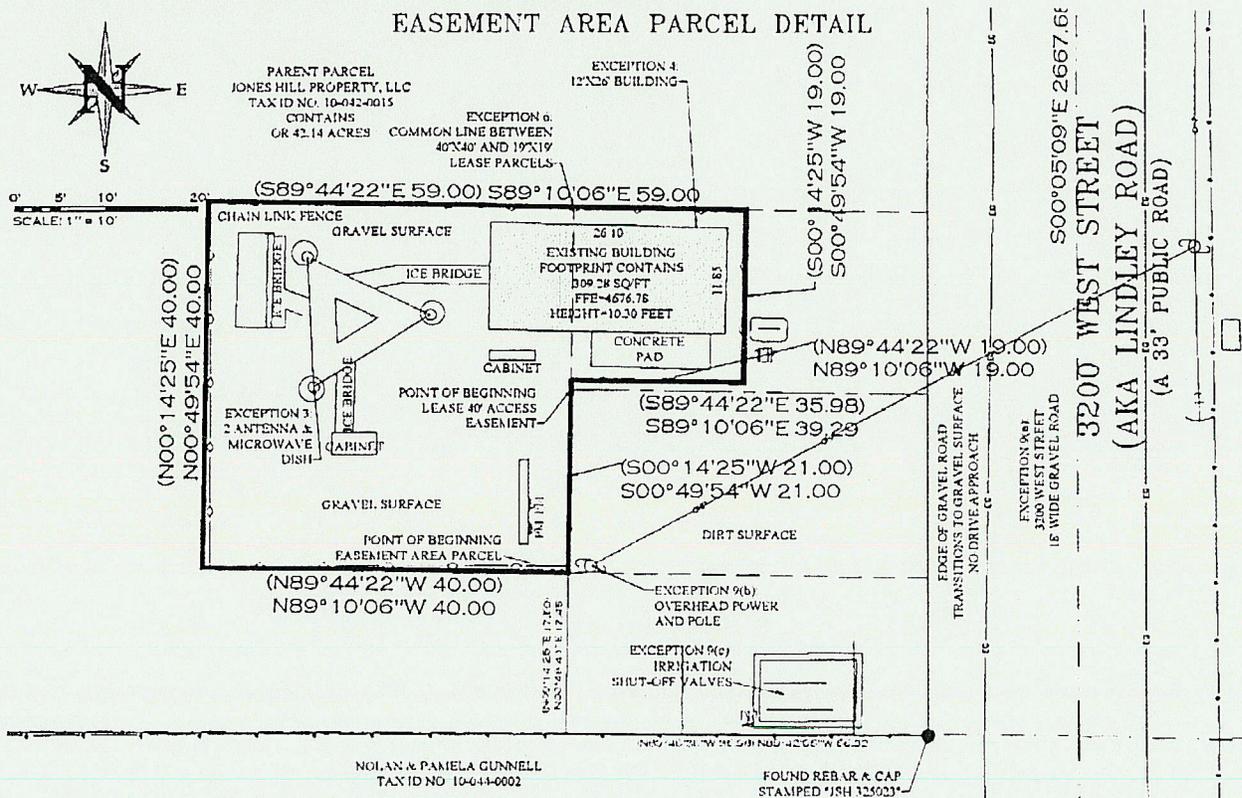
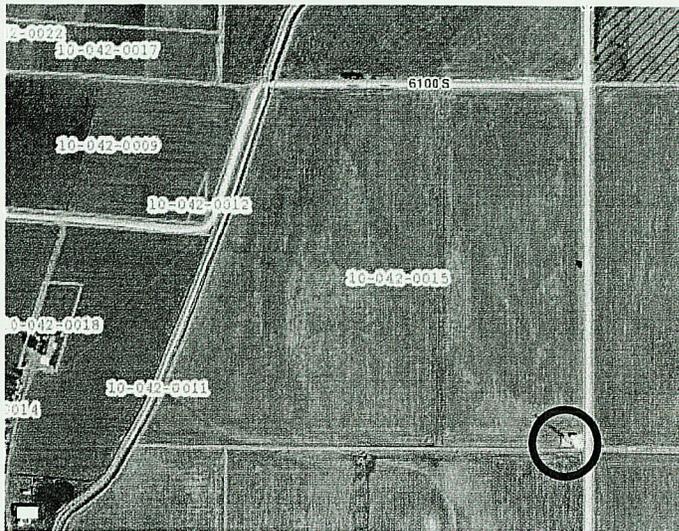


Jill Zollinger
Cache County Clerk

Publication Date:

August 12, 2015

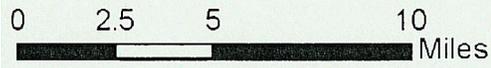
Disclaimer: This is provided for informational purposes only. The formatting of this ordinance may vary from the official hard copy. In the case of any discrepancy between this ordinance and the official hard copy, the official hard copy will prevail.



PARCEL 1: Being a portion of the Southeast Quarter of the Northeast Quarter of Section 11, Township 10 North, Range 1 West, Salt Lake Base and Meridian, County of Cache, State of Utah, described as follows: Commencing at the Southeast Corner of said Southeast Quarter; thence North 89°45'35" West on and along the South line of said Southeast Quarter, a distance of 35.98 feet; thence North 00°14'25" East 17.50 feet to the true point of beginning; thence North 89°44'22" West, a distance of 40.00 feet; thence North 00°15'38" East, a distance of 40.00 feet; thence South 89°44'22" East, a distance of 40.00 feet; thence South 00°15'38" West, a distance of 40.00 feet to the true point of beginning.

PARCEL 2: An easement for ingress, egress and public utility purposes, 40 feet in width, 20 feet on each side of the following described centerline: Commencing at the Southeast Corner of said Southeast Quarter; thence North 89°45'35" West on and along the South line of said Southeast Quarter, a distance of 35.98 feet; thence North 00°14'25" East, along the Easterly line of the above described Parcel 1, a distance of 37.50 feet to the true point of beginning: thence South 89°44'22" East 35.98 feet. more or less to the Westerly line of Lindlev Road. and there terminating.

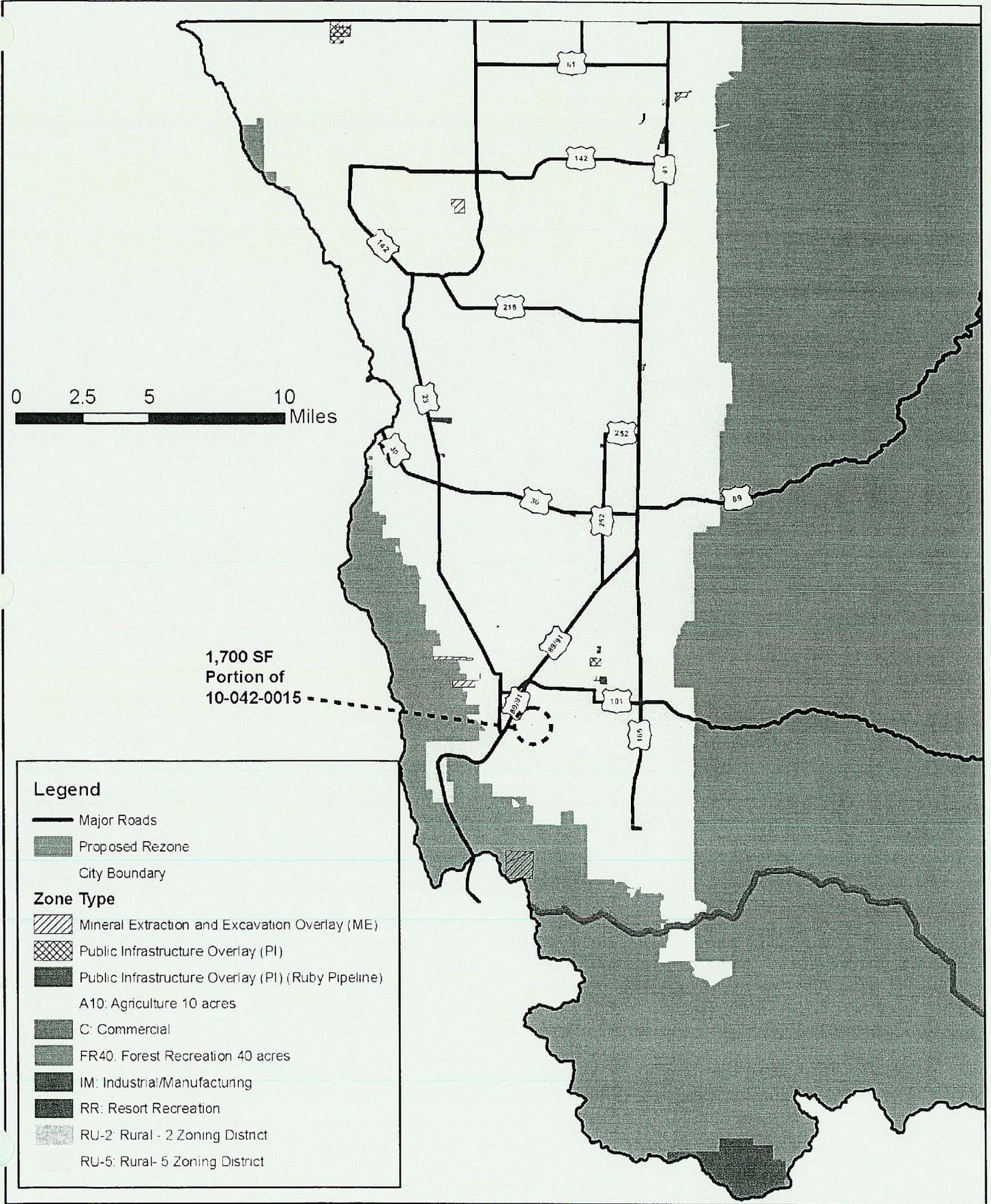
Zoning Map of Cache County



1,700 SF
Portion of
10-042-0015

Legend

- Major Roads
- Proposed Rezone
- City Boundary
- Zone Type**
- Mineral Extraction and Excavation Overlay (ME)
- Public Infrastructure Overlay (PI)
- Public Infrastructure Overlay (PI) (Ruby Pipeline)
- A10: Agriculture 10 acres
- C: Commercial
- FR40: Forest Recreation 40 acres
- IM: Industrial/Manufacturing
- RR: Resort Recreation
- RU-2: Rural - 2 Zoning District
- RU-5: Rural - 5 Zoning District



ORDINANCE NO. 2015-09

CACHE COUNTY, UTAH

AMENDMENTS TO TITLE 17

AN ORDINANCE AMENDING AND SUPERSEDING CHAPTERS 7 AND 9
OF TITLE 17 OF THE CACHE COUNTY ORDINANCE
REGARDING AIRPORTS

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 June 4, 2015 at 6:00 P.M., the Planning Commission held a public hearing for the amendment to Title 17, which meeting was preceded by all required legal notice and at which time all interested parties were given the opportunity to provide written or oral comment concerning the proposed rezone, and;

WHEREAS, on June 4, 2015, the Planning Commission recommended the approval of said amendments and forwarded such recommendation to the County Council for final action, and;

WHEREAS, the County Council caused notice of the hearing and the amendments 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 July 14, 2015, at 5:45 P.M., the County Council held a public hearing to consider any comments regarding the proposed amendments 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 Chapters 7 and 9 of Title 17 of the Cache County Ordinance are 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).

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.

2. PURPOSE OF PROVISIONS

The purpose of this ordinance is to amend and supersede Chapters 7 and 9 of Title 17 of the Cache County Ordinance regarding airports, 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.

3. FINDINGS

- A. The amendments to Title 17 of the Cache County Ordinance are 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 amendments to Title 17 of the Cache County Ordinance are necessary to establish standards for airports.
- C. It is in the interest of the public and the citizens of Cache County that the proposed amendments to Title 17 of the Cache County Ordinance be approved.

4. EXHIBITS

- A. Title 17, Chapters 7 and 9 of the Cache County Ordinance are amended as follows: See Exhibit A

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

This ordinance amends and supersedes Chapters 7 and 9 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.

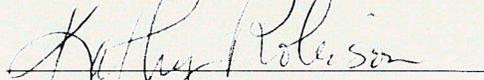
6. EFFECTIVE DATE.

This ordinance takes effect on August 12, 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 28th day of July, 2015.

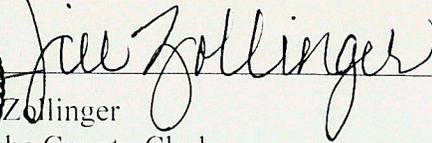
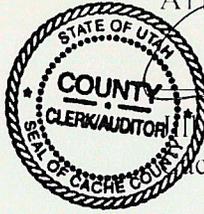
	In Favor	Against	Abstained	Absent
Potter	X			
Erickson	X			
White	X			
Merrill	X			
Robison	X			
Yeates	X			
Zilles	X			
Total	7			

CACHE COUNTY COUNCIL:



Kathy Robison, Chair
Cache County Council

ATTEST:



Jill Zollinger
Cache County Clerk

Publication Date:

August 12, _____, 2015

Proposed Amendments to 17.07 DEFINITIONS and 17.09 USE CHART

17.07

6300 PUBLIC AIRPORT: An area where aircraft can land and take off A site licensed by the State for the takeoff or landing of aircraft, including uses that may be appurtenant and accessory to said activity (e.g., ~~Accessory uses include~~ runways, hangars, facilities for refueling and repair), ~~and various accommodations for passengers.~~ The following are required at the time of application:

1. -A copy of any and/or all FAA reviews, forms, and analyses regarding the airport location, activity, and design including:
 - a. The current FAA Form 7480-1, and;
 - b. FAA response to Form the 7480-1 submission.
 - c. A copy of the Airport Master Record.
2. A copy of the design criteria as per the current FAA Airport Design Advisory Circular AC 150/5300-13A as applicable to the type of aircraft proposed to operate at the site. Said design criteria must be implemented at the site.
3. A copy of the State of Utah license as issued by the Utah Division of Aeronautics.

6310 PRIVATE AIRPORT: Any area for the takeoff or landing of aircraft and that is not open to the public, including uses that may be appurtenant and accessory to said activity (e.g., runways, hangars, facilities for refueling and repair). The following are required at the time of application:

1. A copy of any and/or all FAA reviews, forms, and analyses regarding the airport location, activity, and design including:
 - a. The current FAA Form 7480-1, and;
 - b. FAA response to the Form 7480-1 submission.
 - c. A copy of the Airport Master Record.
2. A copy of the design criteria as per the current FAA Airport Design Advisory Circular AC 150/5300-13A as applicable to the type of aircraft proposed to operate at the site. Said design criteria must be implemented at the site.

Permitting is not required for temporary or intermittent airports as defined by the Federal Aviation Administration (FAA) under Title 14 of the Code of Federal Regulations Part 157 Notice of Construction, Alteration, Activation, and Deactivation of Airports.

17.09

Index	Description	Base Zone							Overlay Zone	
		RU2	RU5	A10	FR40	RR	C	I	ME	PI
6300	Public Airport	N	N	N	N	N	N	N	N	C
6310	Private Airport	N	N	C	C	C	C	C	-	-