

CRAIG W BUTTARS
COUNTY EXECUTIVE / SURVEYOR

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



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

June 24, 2016

PUBLIC NOTICE is hereby given that the Cache County Council of Cache County, Utah will hold a **REGULAR MEETING** in the Cache County Historic Courthouse, County Council Chambers, 199 North Main, Logan, Utah 84321 at **5:00 p.m.** on **TUESDAY, JUNE 28, 2016**

AMENDED AGENDA

4:30 p.m. EXECUTIVE SESSION – Utah Code 52-4-205(1)(c) – Discussion of pending litigation

- 5:00 p.m.**
1. **CALL TO ORDER**
 2. **OPENING / PLEDGE** – Val Potter
 3. **REVIEW AND APPROVAL OF AGENDA**
 4. **REVIEW AND APPROVAL OF MINUTES** (June 14, 2016)
 5. **MINUTES FOLLOW-UP**
 6. **REPORT OF COUNTY EXECUTIVE**
 - a. Appointments
 - b. Warrants
 - c. Other Items
 7. **CONSENT AGENDA**
 8. **ITEMS OF SPECIAL INTEREST**
 - a. 2015 External Audit Report – Jones Simkins
 9. **UNIT OR COMMITTEE REPORTS**
 - a. County Assessor's Office – Kathleen Howell
 10. **BUDGETARY MATTERS**
 11. **PUBLIC HEARINGS, APPEALS AND BOARD OF EQUALIZATION MATTERS**
 - a. **Set Public Hearing for August 9, 2016 at 5:30 p.m.**
 - Ordinance 2016-10 – Title 15.32 - Stormwater*
 - Resolution 2016-18 – Stormwater Management Program*
 - Resolution 2016-19 – Updates to Manual of Roadway Design and Construction Standards*
 - b. **Public Hearing – Ballard Agriculture Protection Area**

Request for Agriculture Protection Areas in six separate areas including multiple properties and totaling 1,884.91 acres located in the Agricultural (A10) Zone at approximately 8600 North 800 West, 5800 North (Sam Fellow Road) 4800 West, 5100 North 4200 West (Sam Fellow Road), 3200 West 4600 North, 3200 West 4100 North, and 2600 North 2400 West
- 5:30 p.m.***

- 5:40 p.m.* c. **Public Hearing – Morley Rezone**
Request to rezone 9.09 acres from the Agricultural (A10) Zone to the Rural 2 (RU2) Zone located at 686 East 10850 South, Avon
- 5:50 p.m.* d. **Public Hearing – Hansen Rezone**
Request to rezone 8.76 acres from the Agricultural (A10) Zone to the Rural 2 (RU2) Zone located at approximately 6500 North 400 West, north of Smithfield
- 6:00 p.m.* e. **Public Hearing – Open 2016 Budget**

12. **PENDING ACTION**

13. **INITIAL PROPOSALS FOR CONSIDERATION OF ACTION**

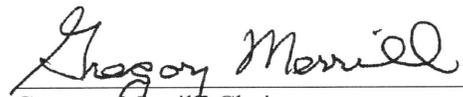
- a. **Ordinance 2016-08 – Amendments to Title 2 and Title 5**
Amending and superseding portions of Title 2 and Title 5.08 and 5.20 of the Cache County Ordinance regarding Department Structure, Historic Preservation and Township Planning Commissions
- b. **Ordinance 2016-09 – Kerr Basin Rezone** – Request to rezone 11.25 acres to add Mineral Extraction and Excavation (ME) Overlay Zone to the existing Forest Recreation (FR40) Zone located approximately 5700 South 5400 West, west of Wellsville City
- c. **Resolution 2016-15 – Ballard Agriculture Protection Area**
Request for Agriculture Protection Areas in six separate areas including multiple properties and totaling 1,884.91 acres located in the Agricultural (A10) Zone at approximately 8600 North 800 West, 5800 North (Sam Fellow Road) 4800 West, 5100 North 4200 West (Sam Fellow Road), 3200 West 4600 North, 3200 West 4100 North, and 2600 North 2400 West
- d. **Resolution 2016-16 – Amendments to 2016 Budget**
- e. **Resolution 2016-17 – Amending the Cache County Corporation Personnel Policy and Procedure Manual Section VIII(O); Section IX(G)(3); and Section X – Grievances and Appeals**
- f. Correction to Service Area No. 1 **Resolution 2016-01** – Change to Service Area No. 1 **Resolution 2016-02**
- g. Property Tax Relief Request

14. **OTHER BUSINESS**

- a. County Employees' Day of Service – Rescheduled to Wednesday, June 29th, 8-noon at The Family Place
- b. Lewiston 4th of July Parade – Monday, July 4, 2016 at 9:00 a.m.
- c. Hyrum 4th of July Parade – Monday, July 4, 2016 at 12:00 p.m.
- d. County Summer Party – Thursday, July 14, 2016 at 6:00 p.m.

15. **COUNCIL MEMBER REPORTS**

16. **ADJOURN**


Gregory Merrill, Chairman

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

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



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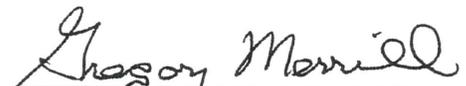
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STAFF REPORT: BALLARD AGRICULTURE PROTECTION AREAS

02 June 2016

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: Jace K. Ballard, Todd N. Ballard
Staff Determination: Approval
Type of Action: Legislative
Land Use Authority: Cache County Council

Parcel ID#: Multiple - See Exhibit B

PROJECT LOCATION

Reviewed by: Chris Harrild, Senior Planner

Multiple - See Exhibit A

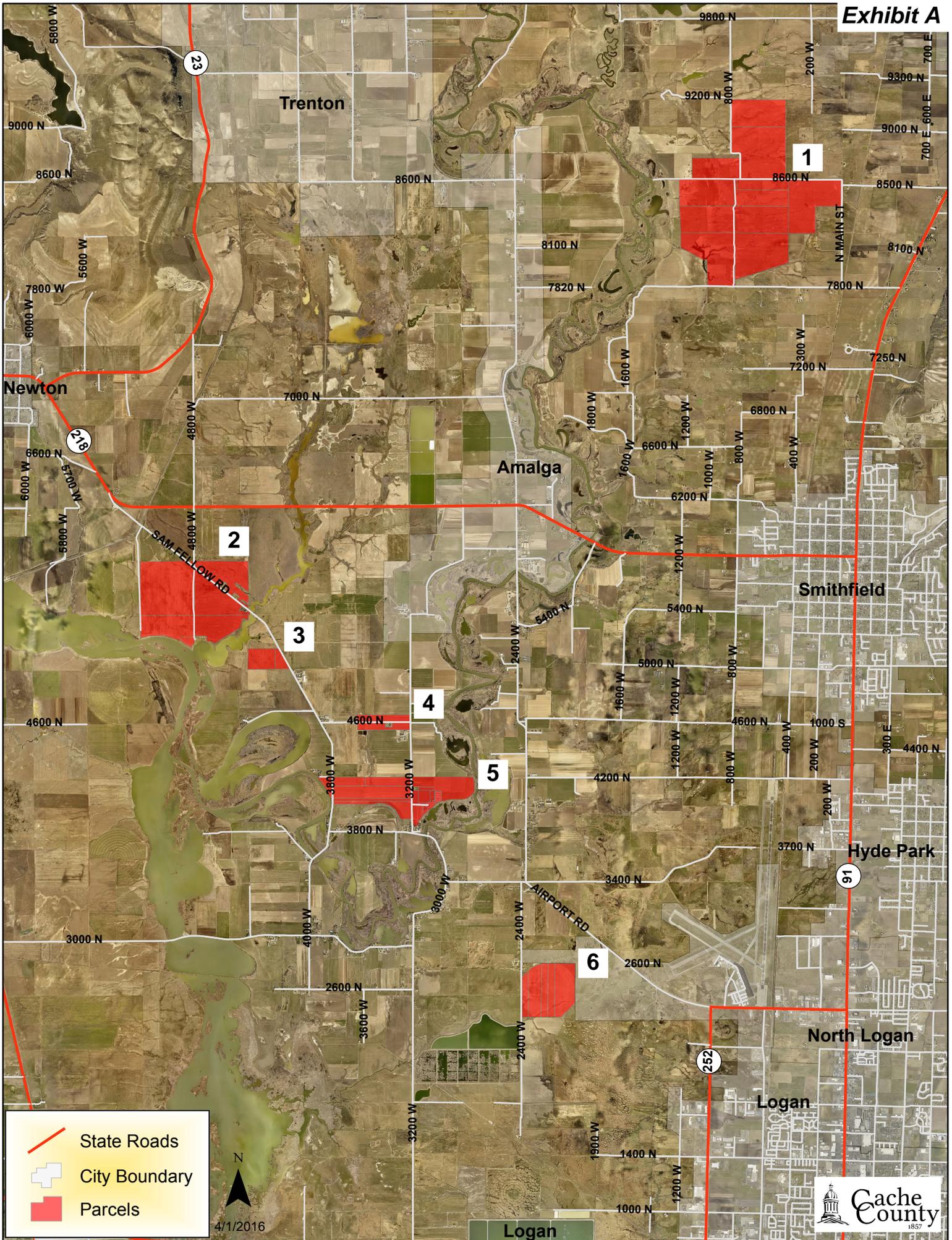
PROJECT PURPOSE

The Cache County Executive has forwarded an application to the Planning Commission for a review and recommendation to the County Council regarding the request for an agriculture protection area. This request includes 6 distinct Agriculture Protection Areas. These areas are described and addressed individually in the attached Exhibit B.

CONCLUSION AND CONDITIONS

The proposed Ballard Agriculture Protection Areas have been reviewed in conformance with, and meet the requirements and criteria of, §17-41-305 of State Code and §2.70 of the County Code and is approved. This conclusion is based on the findings of fact as identified in Exhibit B, and on the following condition:

1. The Ballard Agriculture Protection Areas must not include any portion of the 66 foot wide Cache County rights-of-way, reflecting 33 feet of each side from the existing center line, for any county roads as identified in Exhibit B.

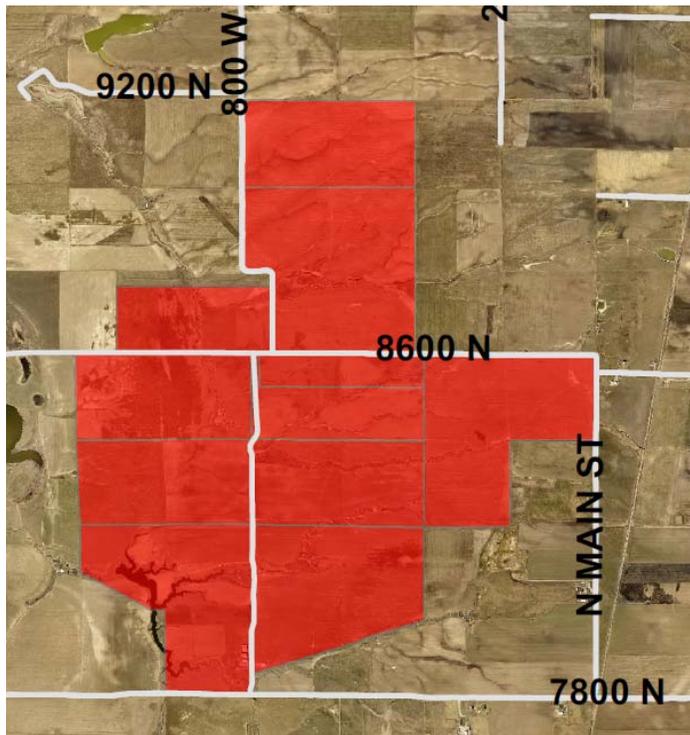


State Roads
City Boundary
Parcels

4/1/2016



Area 1: Ballard Agriculture Protection Area - 875.8 Acres



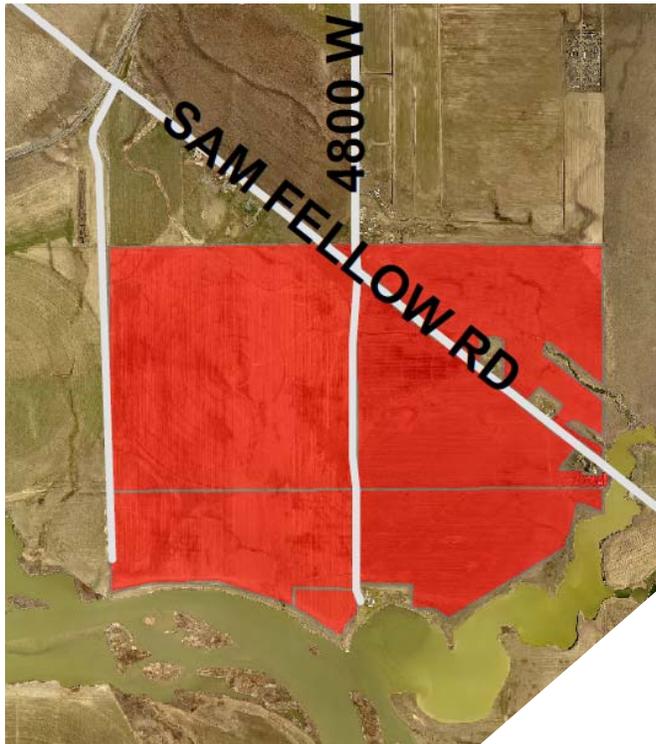
Existing Zone:
Agricultural (A10)

Parcels (11):
08-010-0013
08-010-0014
08-011-0017
08-014-0004
08-014-0005
08-014-0011
08-015-0002
08-015-0003
08-015-0004
08-015-0005
08-015-0007

Findings of Fact:

1. County roads 800 West, 8600 North, N. Main Street, and 7800 North bisect and/or border the proposed Ballard Agriculture Protection Area 1. Certain portions of 800 West and 8600 North are private roads and also bisect and/or border the proposed Ballard Agriculture Protection Area 1.
2. As per State Code §17-41-305 and County Code §2.70, the following criteria have been reviewed and addressed:
 - a. *Is the area proposed greater than 5 acres in size?* Yes.
 - b. *Is the land currently being used for agriculture production?* Yes.
 - c. *Is the land zoned for agricultural use?* Yes.
 - d. *Is the land viable for agriculture production?* Yes.
 - e. *What is the extent and nature of the existing or proposed farm improvements?* Crop and livestock production.
 - f. *What are the anticipated trends in the agricultural and technological conditions?* This is a sizeable piece of agriculture, has functioned as such in the past, and will likely continue to function in that manner into the future.
3. Notice to surrounding property owners has been provided as per State and County Code. At this time, no public comment regarding this proposal has been received by the Development Services Office.

Area 2: Ballard Agriculture Protection Area – 431.19 Acres



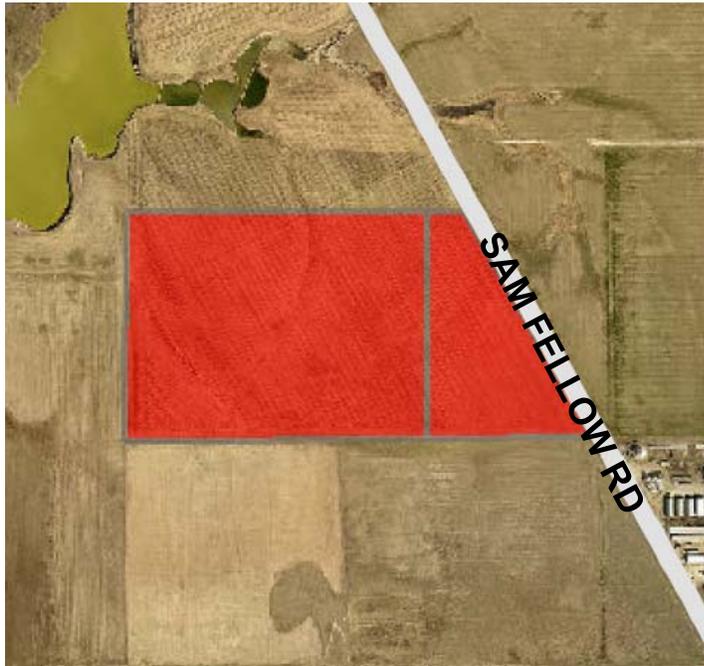
Existing Zone:
Agricultural (A10)

Parcels (5):
13-043-0002
13-044-0009
13-052-0001
13-052-0007
13-053-0001

Findings of Fact:

4. County road Sam Fellow Road and the private road 4800 West bisect the proposed Ballard Agriculture Protection Area 2. Area 2 also includes all lots of the Legacy View 2 Subdivision and Lot 1 of the Legacy View 1 Subdivision.
5. As per State Code §17-41-305 and County Code §2.70, the following criteria have been reviewed and addressed:
 - a. *Is the area proposed greater than 5 acres in size?* Yes.
 - b. *Is the land currently being used for agriculture production?* Yes.
 - c. *Is the land zoned for agricultural use?* Yes.
 - d. *Is the land viable for agriculture production?* Yes.
 - e. *What is the extent and nature of the existing or proposed farm improvements?* Crop and livestock production.
 - f. *What are the anticipated trends in the agricultural and technological conditions?* This is a sizeable piece of agriculture, has functioned as such in the past, and will likely continue to function in that manner into the future.
6. Notice to surrounding property owners has been provided as per State and County Code. At this time, no public comment regarding this proposal has been received by the Development Services Office.

Area 3: Ballard Agriculture Protection Area – 42.2 Acres



Existing Zone:
Agricultural (A10)

Parcels (2):
13-053-0004
13-053-0005

Findings of Fact:

7. County road Sam Fellow Road borders the proposed Ballard Agriculture Protection Area 3.
8. As per Code §17-41-305 and County Code §2.70, the following criteria have been reviewed and addressed:
 - a. *Is the area proposed greater than 5 acres in size?* Yes.
 - b. *Is the land currently being used for agriculture production?* Yes.
 - c. *Is the land zoned for agricultural use?* Yes.
 - d. *Is the land viable for agriculture production?* Yes.
 - e. *What is the extent and nature of the existing or proposed farm improvements?* Crop and livestock production.
 - f. *What are the anticipated trends in the agricultural and technological conditions?* This is a sizeable piece of agriculture, has functioned as such in the past, and will likely continue to function in that manner into the future.
9. Notice to surrounding property owners has been provided as per State and County Code. At this time, no public comment regarding this proposal has been received by the Development Services Office.

Area 4: Ballard Agriculture Protection Area – 36.64 Acres



Existing Zone:
Agricultural (A10)

Parcels (2):
12-002-0029
13-054-0008

Findings of Fact:

10. County roads 4600 North and 3200 West bisect or border the proposed Ballard Agriculture Protection Area 4.
11. As per State Code §17-41-305 and County Code §2.70, the following criteria have been reviewed and addressed:
 - a. *Is the area proposed greater than 5 acres in size?* Yes.
 - b. *Is the land currently being used for agriculture production?* Yes.
 - c. *Is the land zoned for agricultural use?* Yes.
 - d. *Is the land viable for agriculture production?* Yes.
 - e. *What is the extent and nature of the existing or proposed farm improvements?* Crop and livestock production.
 - f. *What are the anticipated trends in the agricultural and technological conditions?* This is a sizeable piece of agriculture, has functioned as such in the past, and will likely continue to function in that manner into the future.
12. Notice to surrounding property owners has been provided as per State and County Code. At this time, no public comment regarding this proposal has been received by the Development Services Office.

Area 5: Ballard Agriculture Protection Area – 237.32 Acres



Existing Zone:
Agricultural (A10)

- Parcels (15):**
12-001-0007
12-001-0008
12-001-0009
12-001-0015
12-001-0016
12-001-0017
12-001-0020
12-001-0025
12-001-0041
12-002-0010
12-002-0011
12-002-0012
12-002-0013
12-002-0016
12-002-0021

Findings of Fact:

13. County roads 3200 West and 3800 West and private roads 4000 North and 4200 North bisect and/or border the proposed Ballard Agriculture Protection Area 5.
14. As per State Code §17-41-305 and County Code §2.70, the following criteria have been reviewed and addressed:
 - a. *Is the area proposed greater than 5 acres in size?* Yes.
 - b. *Is the land currently being used for agriculture production?* Yes.
 - c. *Is the land zoned for agricultural use?* Yes.
 - d. *Is the land viable for agriculture production?* Yes.
 - e. *What is the extent and nature of the existing or proposed farm improvements?* Single family dwellings (12-001-0009, 0015, 0016, 0017, 0025), crop and livestock production, farm equipment storage, a maintenance shop, feed mill, feed manufacturing, grain storage, hog production, and raw manure storage.
 - f. *What are the anticipated trends in the agricultural and technological conditions?* This is a sizeable piece of agriculture, has functioned as such in the past, and will likely continue to function in that manner into the future.
15. Notice to surrounding property owners has been provided as per State and County Code. At this time, no public comment regarding this proposal has been received by the Development Services Office.

Area 6: Ballard Agriculture Protection Area – 148.43 Acres



Existing Zone:
Agricultural (A10)

Parcels (5):
04-067-0004
04-067-0005
04-067-0006
04-067-0007
04-067-0008

Findings of Fact:

16. County road 2400 West borders the proposed Ballard Agriculture Protection Area 6. The Logan City municipal boundary also borders this area.
17. As per State Code §17-41-305 and County Code §2.70, the following criteria have been reviewed and addressed:
 - a. *Is the area proposed greater than 5 acres in size?* Yes.
 - b. *Is the land currently being used for agriculture production?* Yes.
 - c. *Is the land zoned for agricultural use?* Yes.
 - d. *Is the land viable for agriculture production?* Yes.
 - e. *What is the extent and nature of the existing or proposed farm improvements?* Crop and livestock production.
 - f. *What are the anticipated trends in the agricultural and technological conditions?* This is a sizeable piece of agriculture, has functioned as such in the past, and will likely continue to function in that manner into the future.
18. Notice to surrounding property owners has been provided as per State and County Code. At this time, no public comment regarding this proposal has been received by the Development Services Office.

RECEIVED
JUN 03 2016

May 27, 2016

Cache County Council
Attn: County Executive Craig Buttars
179 North Main Suite 309
Logan, UT 84321

Re: Application for Agricultural Protection Area

The Cache County Agriculture Protection Area Advisory Board, as outlined in Utah Code 17-41-303 for Cache County, met to consider a recommendation on the Agriculture Protection Area Application for Jace K. Ballard and Todd N. Ballard on 1884.91 acres of land located in the northern part of Cache County.

The criteria, as stated in Utah Code 17-41-305, were used to evaluate the application. After looking at each item, it is the board's recommendation that the application be approved.

Thank you for the opportunity to review this Agriculture Protection Area application and for the county's efforts in support of agriculture.

Sincerely,



Bruce Karren, Chairman
Cache County Agriculture Protection Area Advisory Board

Tracking sheet for Agricultural Protection Area Applications

Owner/Applicant (s):

Jace K. Ballard and Todd N. Ballard
 3151 W. 4000 N.
 Benson, UT 84335

Date Received

4/27/2016

Date of Notice from APA Advisory Board
 to Cache County Council

(45 Days)

5/26/16

APA Board Member Review

Approve
(Initial)

Reject
(Initial)

Approve with
Modification
(Initial)

Date

Members:

<u>S Bruce Karve</u>	<u>SBK</u>			<u>5-19-16</u>
<u>Shane Munk</u>	<u>SM</u>			<u>5-19-2016</u>
<u>Tommy J. Olson</u>	<u>TO</u>			<u>5-26-16</u>
<u>Thomas J. Bly</u>	<u>TJ</u>			<u>5-25-16</u>
<u>Richard J. Nelson</u>	<u>RJN</u>			<u>5-26-16</u>

Comments:

Action taken:

Approved

1 **#2 Agriculture Protection Areas (Jace K. Ballard, Todd N. Ballard)**

2
3 **Harrild** reviewed Mr. Jace K. and Mr. Todd N. Ballard’s request for a recommendation to the
4 County Council for Agriculture Protection Areas in six separate locations including multiple
5 properties and a total of 1,884.91 acres located in the Agricultural (A10) Zone at approximately
6 8600 North 800 West, 5800 North (Sam Fellow Road) 4800 West, 5100 North 4200 West (Sam
7 Fellow Road), 3200 West 4600 North, 3200 West 4100 North, and 2600 North 2400 West.
8 Notice to surrounding property owners has been provided as per State and County Code. At this
9 time, no public comment regarding this proposal has been received by staff. All areas of the
10 Agriculture Protection Area must meet six criteria: Is the area proposed greater than 5 acres in
11 size; Is the land currently being used for agricultural production; is the land zoned for
12 agricultural use; what is the extent and nature of the existing or proposed farm improvements;
13 and water are the anticipated trends in the agricultural and technological conditions. Each area
14 meets the minimum requirements of the State and County Code.

15
16 **Jace Ballard** we filed for the Agriculture Protection Area a few months ago because sometimes
17 livestock and people don’t always get along well. There was nothing that triggered us filing just
18 decided one day that this is what we wanted to do and wanted to get it taken care of.

19
20 **Staff and Commission** discussed building an Agriculture Protection Area Overlay to show on
21 the GIS maps. Agriculture Protection Areas are required to be reviewed every 20 years and staff
22 will start those reviews soon. Agriculture Protection Areas are created to protect the rights of
23 agriculture production lands from neighbors who claim they are a nuisance.

24
25 *Christensen* motioned to recommend approval to the County Council for the Ballard
26 Agricultural Protection Area with the findings of fact, conclusions, and conditions as noted in
27 the staff report; **Watterson** seconded; **Passed 6, 0.**

28

STAFF REPORT: MORLEY REZONE

28 June 2016

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: Ken Morley

Parcel ID#: 16-046-0031

Staff Recommendation: None

Type of Action: Legislative

Land Use Authority: Cache County Council

LOCATION

Reviewed by: Jacob Adams - Planner 1

Project Address:
686 East 10850 South
Avon, Utah

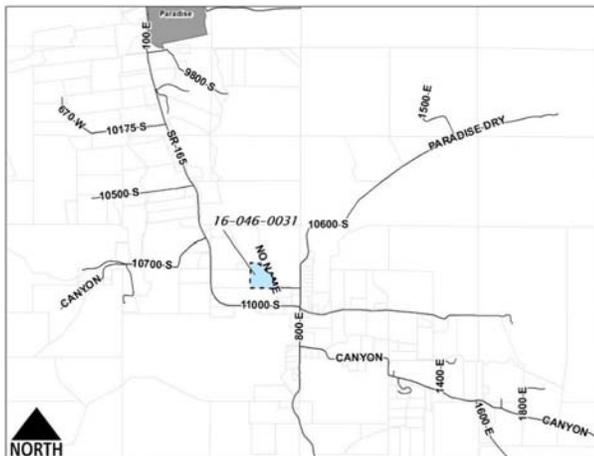
Acres: 9.09

Current Zoning:
Agricultural (A10)

Proposed Zoning:
Rural 2 (RU2)

Surrounding Uses:

North – Avon Cemetery/Agricultural/Residential
South – Agricultural/Residential
East – Agricultural/Residential
West – Agricultural/Residential



PROJECT PURPOSE, APPLICABLE ORDINANCE, SUMMARY, AND PUBLIC COMMENT

Purpose:

To review the proposed Morley Rezone; a request to rezone the 9.09-acre parcel 16-046-0031 currently zoned Agricultural (A10) to the Rural 2 (RU2) Zone.

Ordinance:

Current Ordinance does not specify appropriate locations for the Rural 2 (RU2) Zone. The Cache County Comprehensive Plan also does not currently support the RU2 Zone.

The Cache County Ordinance Title §17.08.030[A] identifies the purpose of the RU2 Zone and includes the following:

“A. Rural 2 Zone (RU2):

1. To allow for residential development in a moderately dense pattern that can allow for rural subdivisions, and to allow for clustering plans larger than a single parcel. This type of development should be located and designed to not unreasonably impede adjacent

agricultural uses, nor to unreasonably conflict with the development standards of adjacent municipalities.

2. To implement the policies of Cache Countywide Comprehensive Plan, including those regarding improved roadways, density based residential standards, clustering, moderate income housing and municipality standards.
3. This zone must be appropriately served by suitable public roads, have access to the necessary water and utilities, and have adequate provision of public services.”

Any impacts related to permitted and conditional uses allowed within the Rural 2 (RU2) Zone will be addressed as part of each respective approval process required prior to site development activities.

Summary:

Staff has identified general information as pertains to the subject property to assist the Planning Commission and County Council in arriving at a decision. This information is reflected in the attached map and in the following text:

Property Context: This is a legal parcel as per a CUP recorded on 13 April 1993. If rezoned, the RU2 Zone would allow the property to be divided at a density of one unit per two acres through the subdivision process according to the county and state laws in place at the time of subdivision. The property currently has one existing dwelling that was built in 1993.

Density (see map, Exhibit A): Within a one-mile radius of this property, the surrounding parcels reflect an average parcel size of 20 acres for properties without a dwelling and 9.3 acres with a dwelling.

Zone Placement: As identified by the Planning Commission and the County Council at the time the RU2 Zone was adopted, the intended/anticipated placement of this zone was in areas of the unincorporated county adjacent to municipalities. This proposed rezone is approximately 1.3 miles south of Paradise and is near the area generally considered as the center of the unincorporated community of Avon. The proposed rezone on this approximately nine-acre parcel would reflect a maximum potential of three or four developable lots, depending on the amount of steep slopes and road rights-of-way.

Access and Maintenance: Access to this property is from county roads 800 East and 10940 South and is currently not adequate (Exhibit B). Creating adequate access may be feasible but may require substantial improvement to the road surface and width, modification of the bridge, and obtaining an extension of services per County Council Resolution 2015-20 (Exhibit C). These requirements will be reviewed when a subdivision application is submitted. Access for fire protection and emergency services will require further review prior to development but appears adequate at this time. There is existing county winter maintenance on both roads, ending at the intersection of 10940 South and the road leading to the Avon Cemetery.

The County Manual of Roadway Design and Construction Standards requires any road providing access to more than three homes to have a minimum of 22-foot paved width with 1-foot-wide gravel shoulders. 800 East has a 19-foot paved width with 3-foot-wide gravel shoulders; 10940 South is a 19-foot wide gravel road. The County road ends at the property boundary; a private road continues into the subject property and crosses a 17-foot concrete bridge before continuing to the existing dwelling. A private road with a 10-foot paved width with 2-foot-wide gravel shoulders runs along the east side of the property and provides access to the Avon cemetery.

Water and utilities: Further development will require additional review of access to culinary water. The property does not have access to any large-scale culinary or sewer system.

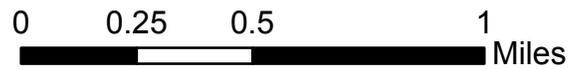
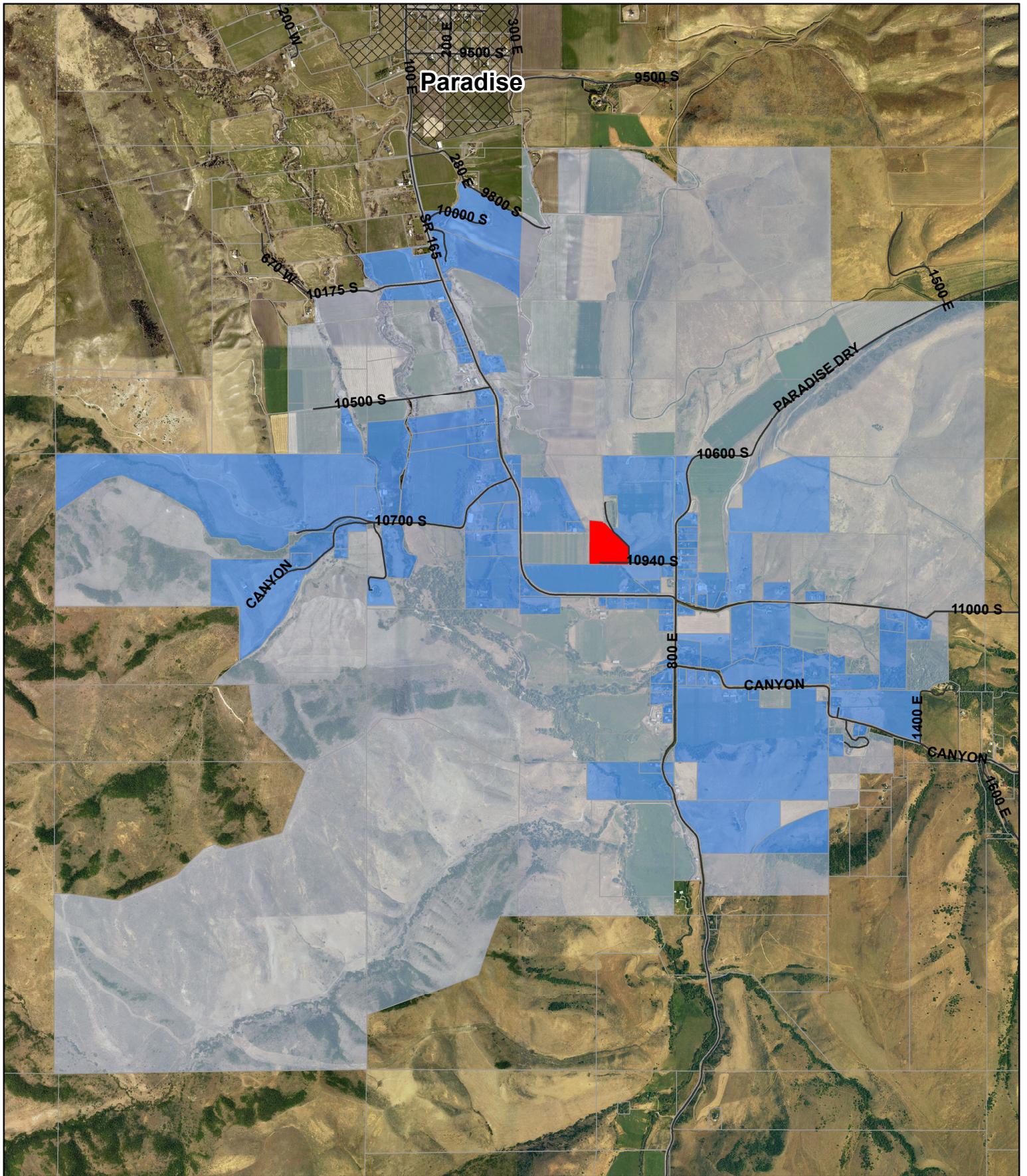
Public Comment:

Public notice was posted online to the Utah Public Notice Website on 19 May 2016. Notice was also published in the Herald Journal on 22 May 2016. Notices were mailed to all property owners within 300 feet of the subject property on 27 May 2016. At this time, no public comment regarding this proposal has been received by the Development Services Office.

DETERMINATION AND FINDINGS OF FACT

It is the Planning Commission's determination that the Morley Rezone from the Agricultural (A10) Zone to the Rural 2 (RU2) Zone on property located at 686 East 10850 South in Avon with parcel number 16-046-0031, should be recommended for approval to the County Council. This determination is based on the following findings of fact:

1. The location of the subject property is compatible with the purpose of the Rural (RU2) Zone as identified under §17.08.030[A] of the Cache County Code as it:
 - a. Allows for residential development in a moderately dense pattern that can allow for rural subdivisions without impeding adjacent agricultural uses.
 - b. Can be served by suitable public roads after appropriate improvements are made.

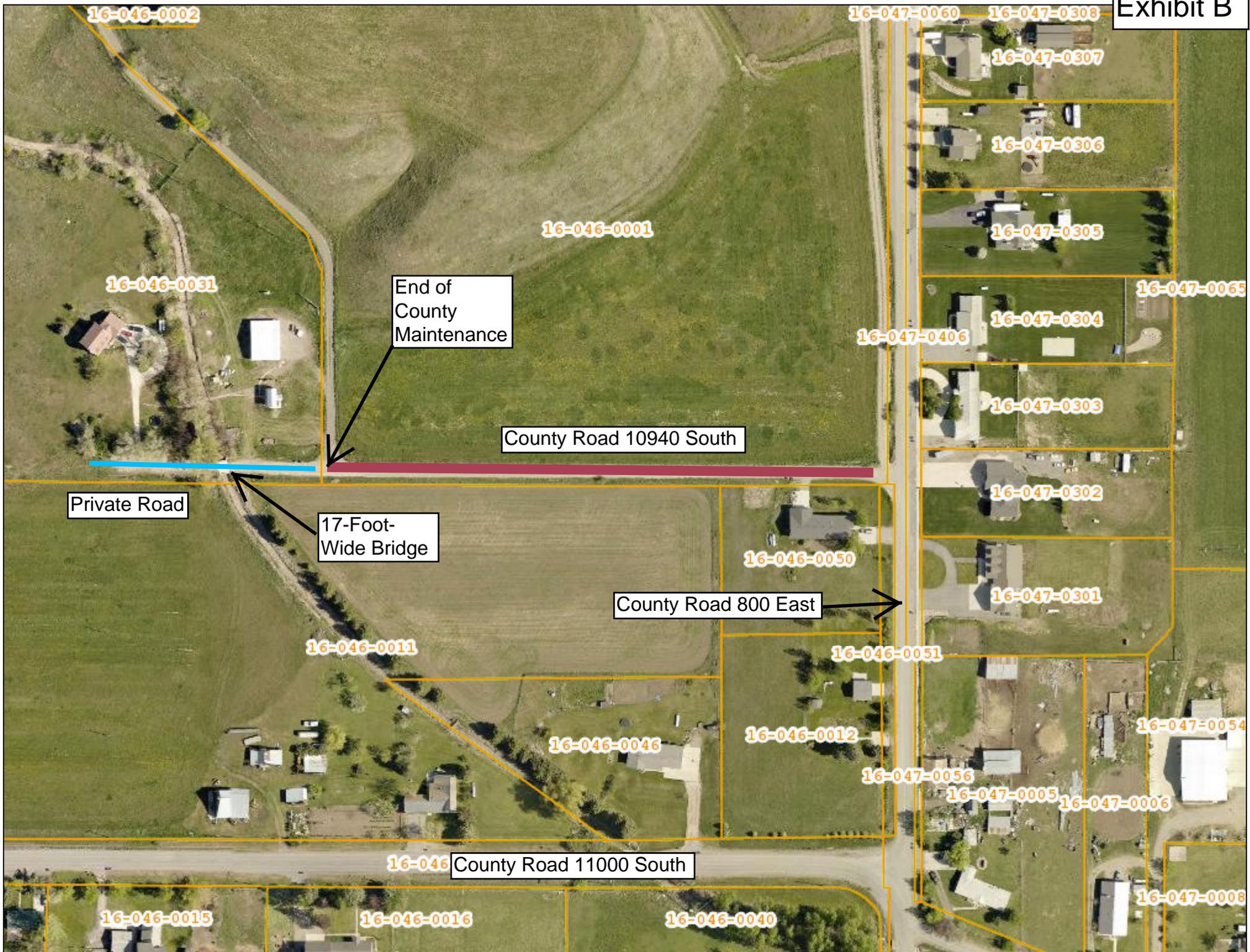


Legend

- Parcels
- Proposed Rezone
- Parcels with Dwellings
- Parcels in 1 Mile Buffer

Average Parcel Size: 20 Acres
Average Parcel Size With a Home: 9.3 Acres

May 2016



16-046-0002

16-047-0060

16-047-0308

16-046-0001

16-047-0307

16-047-0306

16-047-0305

16-047-0065

16-047-0304

16-047-0303

16-047-0302

16-047-0301

16-046-0031

End of
County
Maintenance

County Road 10940 South

Private Road

17-Foot-
Wide Bridge

16-046-0050

County Road 800 East

16-046-0011

16-046-0051

16-046-0046

16-046-0012

16-047-0054

16-047-0056

16-047-0005

16-047-0006

16-046 County Road 11000 South

16-046-0015

16-046-0016

16-046-0040

16-047-0008

1 **3 Public Hearing (5:45 PM) Morley Rezone**

2
3 **Adams** reviewed Mr. Ken Morley’s request for approval to the County Council for a rezone of
4 9.09 acres of property at 686 East 10850 South in Avon from the Agricultural (A10) Zone to the
5 Rural 2 (RU2) Zone. The surrounding parcels reflect an average parcel size of 20 acres for
6 properties without a dwelling and 9.3 acres with a dwelling. Access to the property is from count
7 roads 800 East and 10940 South and is currently not adequate. Creating adequate access may be
8 feasible but may require substantial improved to the road surface and width, modification of the
9 bridge, and obtaining an extension of services per County Council Resolution 2015-20. Water
10 will be through wells; this property does not have access to any large-scale culinary or sewer
11 system. Public notice was sent out and no public comment has been received by staff.

12
13 **Staff and Commission** discussed the roads. There is a possibility for a private road for a
14 subdivision if the applicant is willing to improve the roads. The County did some improvements
15 a year or two ago but the road will still need to be widened and a pavement surface may be
16 required. The bridge is not owned by the County but the bridge would still need to meet the
17 requirements that the Fire District would require for emergency vehicles to access a subdivision.
18 There is a possibility for a design exception but more detail for road improvements would be
19 given and decided on when they applicant comes back for a subdivision application.

20
21 **05:55:00**

22
23 *Watterson to open the public hearing for the Morley Subdivision; Gunnell seconded; Passed 6,*
24 **0.**

25
26 **Ken Morley** I am the owner of the property. The properties on the rights side are all two acres
27 parcel but I’m not sure what zoning they are, do you know?

28
29 **Harrild** they are A10 and were done under an earlier code.

30
31 **Smith** they would predate what we are talking about here.

32
33 **Mr. Morley** I do have a proposed site plan and would like that to be passed out. On the paper
34 sent to me in the mail regarding the requirements for a 22 foot road, my originally proposed plan
35 is four parcels but if it were three would that road improvement requirement change?

36
37 **Runhaar** the width would still be required for fire access but the surface requirements could
38 change.

39
40 **Parker** there are a lot of people in the county who expect it’s easy to develop their land but
41 ordinances have changed. To be able to build two more homes on your property is going to
42 require a lot of expense for the road. I like to see people to be able to use their property the way
43 they would like but because of ordinance changes there have been a number of people who
44 realize they can’t due to the ordinance changes and road improvement requirements. I guess I
45 would like to know if you have looked into that.

46
47 **Mr. Morley** would I need to improve 800 and 10940 to 22 feet?

1
2 **Harrild** with the rezone we don't get to delve into that but will with the subdivision application.
3 You could anticipate it could happen but it might not. After the meeting, tomorrow or next week,
4 you can come in and discuss the roads.

5
6 **Mr. Morley** if it were a private road, how wide would the bridge have to be?
7

8 **Harrild** it's that 20 foot width. Typically it's a minimum for fire access. As soon as it goes to a
9 public road and you are serving more than a certain number of homes the road width changes so
10 it depends.

11
12 **Gunnell** who owns the bridge?
13

14 **Mr. Morley** I don't know.
15

16 **Gunnell** on some of those bridges they are owned by the canal company or the U.S. Government
17 and it can be a lengthy process to go through if the government does.
18

19 **Sands** it's more likely than not that it is the land owner's bridge. If down the road, the fire
20 district would have to approve the design exception?
21

22 **Harrild** yes, the biggest thing is weight bearing capacity so the fire district is hesitant to take big
23 equipment over bridges where they don't know the weight bearing capacity.
24

25 **Mr. Morley** I have had a liquid fuel truck that is fully loaded over that bridge.
26

27 **06:03:00**
28

29 ***Watterson** motioned to close the public hearing; **Sands** seconded the motion; **Passed 6, 0.***
30

31 **Staff** and **Commission** discussed if the rezone change fit the general area. Many members of the
32 Commission felt that the RU2 zone seemed to fit into the general area that is being applied for.
33 The general intent when the RU2 zone was created was that the higher densities be closer to
34 cities. However, there are some areas in the county that due more represent a municipality or a
35 town that is moderately dense where the RU2 zone seems to fit.
36

37 **Staff** and **Commission** discussed language for findings of facts in support of the rezone.
38

39 ***Christensen** motioned to recommend approval to the County Council for the Morley Rezone
40 based on staff's determination and the discussed findings of fact; **Gunnell** seconded; **Passed 6,**
41 **0.***
42

STAFF REPORT: HANSEN REZONE

28 June 2016

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: Gary A Hansen

Parcel ID#: 08-043-0005

Staff Recommendation: None

Type of Action: Legislative

Land Use Authority: Cache County Council

LOCATION

Reviewed by: Jacob Adams - Planner I

Project Address:
~6500 North 400 West
North of Smithfield

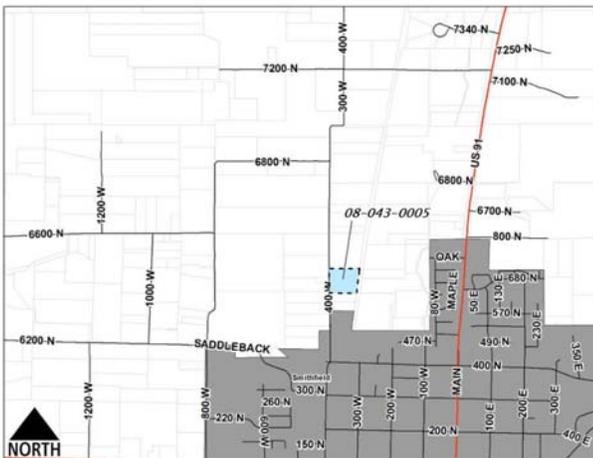
Acres: 8.76

Surrounding Uses:

North – Agricultural/Residential
South – Agricultural/Residential/Smithfield City
East – Agricultural/Residential
West – Agricultural/Residential

Current Zoning:
Agricultural (A10)

Proposed Zoning:
Rural 2 (RU2)



PROJECT PURPOSE, APPLICABLE ORDINANCE, SUMMARY, AND PUBLIC COMMENT

Purpose:

To review the proposed Hansen Rezone; a request to rezone the 8.76-acre parcel 08-043-0005 currently zoned Agricultural (A10) to the Rural 2 (RU2) Zone.

Ordinance:

Current Ordinance does not specify appropriate locations for the Rural 2 (RU2) Zone. The Cache County Comprehensive Plan also does not currently support the RU2 Zone.

The Cache County Ordinance Title §17.08.030[A] identifies the purpose of the RU2 Zone and includes the following:

“A. Rural 2 Zone (RU2):

1. To allow for residential development in a moderately dense pattern that can allow for rural subdivisions, and to allow for clustering plans larger than a single parcel. This type of development should be located and designed to not unreasonably impede adjacent

agricultural uses, nor to unreasonably conflict with the development standards of adjacent municipalities.

2. To implement the policies of Cache Countywide Comprehensive Plan, including those regarding improved roadways, density based residential standards, clustering, moderate income housing and municipality standards.
3. This zone must be appropriately served by suitable public roads, have access to the necessary water and utilities, and have adequate provision of public services.”

Any impacts related to permitted and conditional uses allowed within the Rural 2 (RU2) Zone will be addressed as part of each respective approval process required prior to site development activities.

Summary:

Staff has identified general information as pertains to the subject property to assist the Planning Commission and County Council in arriving at a decision. This information is reflected in the attached map and in the following text:

Property Context: This is a legal parcel whose current configuration is the result of an amendment to the boundary of the subdivision directly to the south. If rezoned, the RU2 Zone would allow the property to be divided at a density of one unit per two acres through the subdivision process according to the county and state laws in place at the time of subdivision.

Density (see map, Exhibit A): Within a one-mile radius of this property, the surrounding parcels within the county (not including properties within Smithfield City itself) reflect an average parcel size of 11.6 acres, and an average parcel size of 5.7 acres of properties with a dwelling.

Zone Placement: As identified by the Planning Commission and the County Council at the time the RU2 Zone was adopted, the intended/anticipated placement of this zone was in areas of the unincorporated county adjacent to municipalities. The proposed rezone is approximately 400 feet from the Smithfield City boundary on the south and approximately 1700 feet from the boundary on the east.

Access and Maintenance: Access to this property is from county road 400 West and is currently not adequate. Creating adequate access may be feasible but would require substantial improvements to 400 West and will be reviewed when a subdivision application is submitted. There is existing county winter maintenance on 400 West.

The County Manual of Roadway Design and Construction Standards requires any road providing access to more than three homes to have a minimum of 22-foot paved width with 1-foot-wide gravel shoulders. Access to this property is from county road 400 West, which has a paved width of 15 feet with 1-foot-wide gravel shoulders and does not meet the minimum standards for width. Access for fire protection and emergency services will require further review prior to development but appears adequate at this time.

Water: Further development will require additional review of access to culinary water. The property does not have access to any large-scale culinary or sewer system.

Smithfield City (Exhibit B): Smithfield City has stated the nearest zoning is residential with a minimum lot size of 12,000 square feet (approximately 0.28 acres). They have no issue with the rezone but wish to make it clear that “no city utilities are accessible to or have access for the property.”

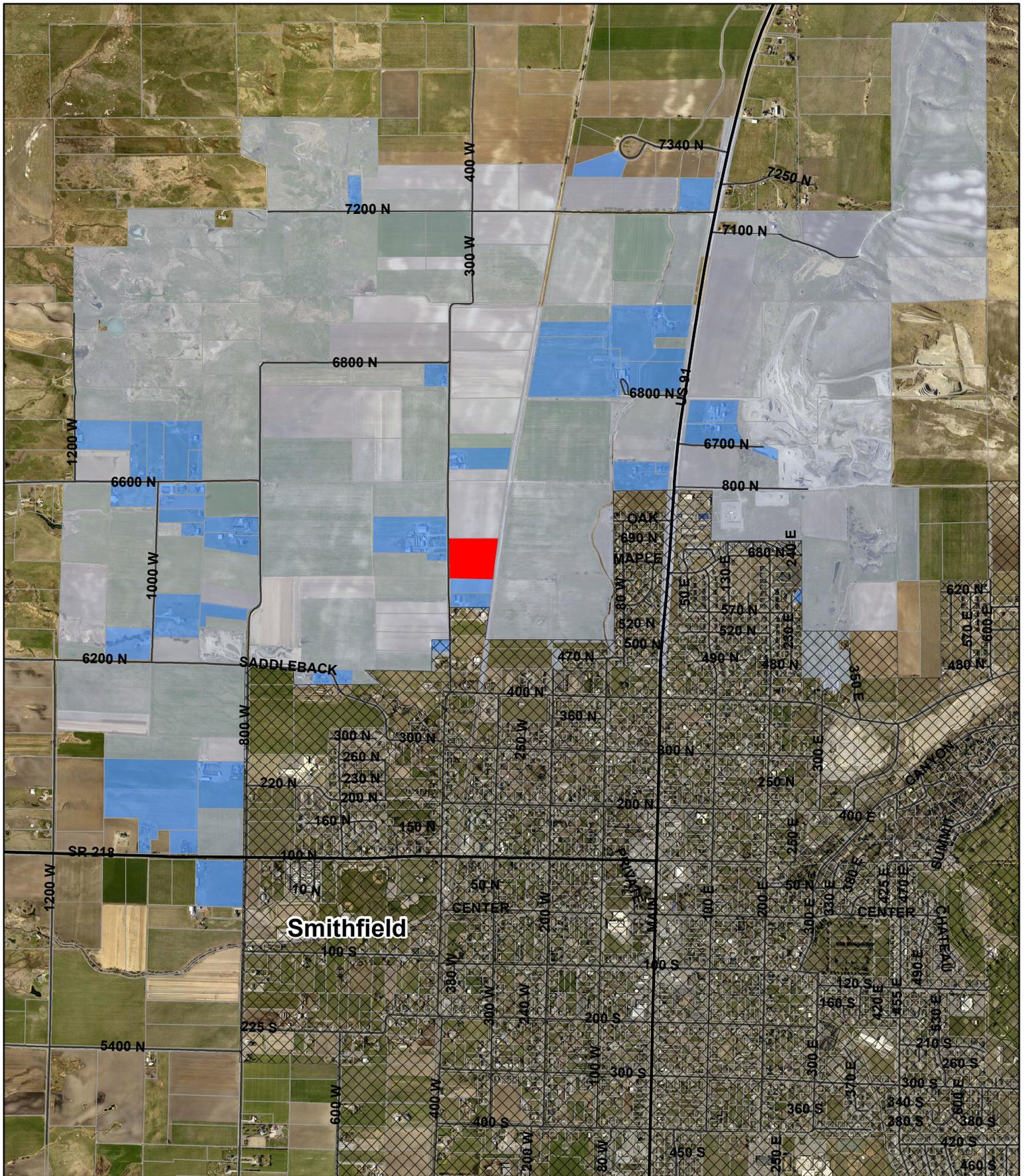
Public Comment:

Public notice was posted online to the Utah Public Notice Website on 19 May 2016. Notice was also published in the Herald Journal on 22 May 2016. Notices were mailed to all property owners within 300 feet of the subject property on 27 May 2016. Smithfield City was noticed as part of the staff review and has provided written comment (Exhibit B). At this time, no other public comment regarding this proposal has been received by the Development Services Office.

DETERMINATION AND FINDINGS OF FACT

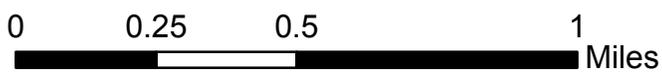
It is the Planning Commission's determination that the Hansen Rezone from the Agricultural (A10) Zone to the Rural 2 (RU2) Zone on property located at approximately 6500 North 400 West, north of Smithfield, with parcel number 08-043-0005, should be recommended for approval to the County Council. This determination is based on the following findings of fact:

1. The location of the subject property is compatible with the purpose of the Rural (RU2) Zone as identified under §17.08.030[A] of the Cache County Code as it allows for residential development in a moderately dense pattern that can allow for rural subdivisions without impeding adjacent agricultural uses.
2. The property is within 400 feet of the Smithfield City boundary.
 - a. The property is within Smithfield City's stated annexation area, and the City has provided a letter stating they have no issues with the rezone.
 - b. Smithfield City's general plan addresses the nearest City parcels under the R-1-12 zoning, which specifies a lot size of 0.275 acres.



Legend

- Parcels
- Proposed Rezone
- Parcels with Dwellings
- Parcels in 1 Mile Buffer



Average Parcel Size: 11.6 Acres
Average Parcel Size With a Home: 5.7 Acres



May 2016

1 **#4 Public Hearing (6:00 PM) Hansen Rezone**
2

3 **Adams** reviewed Mr. Gary A. Hansen’s request for a recommendation to the County Council for
4 a rezone of 8.76 acres of property at approximately 6500 North 400 West, north of Smithfield
5 from the Agricultural (A10) Zone to the Rural 2 (RU2) Zone. Within a one-mile radius of this
6 property, the surrounding parcels within the county (not including properties within Smithfield
7 City itself) reflect an average parcel size of 11.6 acres, and an average parcel size of 5.7 acres or
8 properties with a dwelling. Access to the property is from county road 400 west and is not
9 currently adequate. Creating adequate access may be feasible but would require substantial
10 improvements to 400 west and will be reviewed when a subdivision application is submitted.
11 There is existing county winter maintenance on 400 west. Smithfield City has stated that no city
12 utilities are accessible or have access for the property.
13

14 **Staff and Commission** discussed the roads. There would need to be improvements to the road
15 for a subdivision to go in.
16

17 **06:16:00**

18
19 ***Sands** motioned to open the public hearing for the Hansen Rezone; **Watterson** seconded; **Passed***
20 **6, 0.**
21

22 **Gary Hansen** about the city plowing, they are usually earlier than the county. The city will come
23 out past their city boundaries and turn around in an individual’s driveway, but the county will go
24 right into 400 North and turn around and plow it both ways.
25

26 **Sands** Mr. Hansen, you are aware that there may be a requirement if a subdivision were applied
27 for to improve the road?
28

29 **Mr. Hansen** yes.
30

31 **Parker** the property right to the south, is that your property or someone else’s?
32

33 **Mr. Hansen** that is owned by someone else.
34

35 **Sands** the ones to the south, they must be 3 acres?
36

37 **Mr. Hansen** they are 2.5 acres.
38

39 **Sands** are you intending there to be 4 lots?
40

41 **Mr. Hansen** at the max, most people we talk to only want two acres.
42

43 **Parker** your intent in getting the rezone is to go ahead and sell or develop?
44

45 **Mr. Hansen** yes, the only reason to do this is to settle a family estate and that is what my father
46 suggested.
47

1 **Sands** so presumably they would be like the lots to the south 2-2.5 acres?
2

3 **Mr. Hansen** yes.
4

5 **Christensen** what is the frontage on that acreage?
6

7 **Mr. Hansen** 650 to 670.
8

9 **Christensen** are you attentively proposing splitting this into 4 lots?
10

11 **Mr. Gary** that is what the county suggested. I was told there was a minimum of 200 feet for
12 frontage.
13

14 **Harrild** the county's requirement is 90 feet. Whatever your configuration is you can make work.

15 **Christensen** it's not pertinent to this decision tonight but was just curious if you had a design in
16 mind.
17

18 **Mr. Hansen** that's what I was thinking was the 4 individual lots.
19

20 **06:20:00**
21

22 ***Sands** motioned to close the public hearing for the Hansen rezone; **Watterson** seconded the*
23 *motion; **Passed 6, 0.***
24

25 **Staff** and **Commission** discussed the application. It does seem to fit the area but the potential
26 cost for the road could be prohibitive.
27

28 **Mr. Hansen** the two houses to the south are in the County and then it turns to City. The road
29 asphalt is the same but those houses did gravel the road. It is the same road width the whole way
30 through.
31

32 ***Parker** motioned to recommend approval to the County Council for the Hansen Rezone with the*
33 *stated findings of fact and conditions; **Gunnell** seconded; **Passed 6, 0.***
34



BUDGET AMENDMENT

EXECUTIVE SUMMARY FOR RESOLUTION 2016-16

GENERAL FUND

Total revenues and expenditures increase by \$877,350.

Water Development

Proposing to move \$4,000 internally to facilitate participation in the media campaign related to the Governor's Water Conservation program.

Executive

Received \$33,000 for trade-in of vehicle and put it toward the purchase of a new vehicle for the County Executive's use. An additional internal transfer of \$200 is needed to complete the purchase.

Information Technology

Reducing amounts from wage and benefit lines as part of restructuring services involving IT, the Attorney's Office, and the Sheriff's Office. IT no longer provides application administration to the Sheriff's Office for their public safety software. Instead, total funding of \$17,400 will be transferred to the Sheriff's Office to support that service directly.

Attorney

The Attorney's Office portion of the application administration restructuring is \$2,700.

Elections

A grant was awarded in the amount of \$7,350 from the State of Utah to purchase 3 drop boxes for election ballots.

Patrol

The original budget did not include \$26,500 the Sheriff's Office will receive for rental income from UHP for the first six months of this year. These funds will be used in conjunction with \$100,000 already in the budget to remodel and upgrade a portion of the Sheriff's Complex.

Public Safety – Administrative Support

As explained under Information Technology, total funding of \$20,100 will be transferred to the Sheriff's Office to support direct administration of their public safety software.

Search and Rescue

Reduces spending in the current year by \$62,000 related to equipment purchased in the prior year. The asset was originally planned for acquisition in 2016 with funding coming half in 2015 and half in 2016. Because the asset was acquired by the County in 2015, the expenditure was required to be made all in 2015. Other small, internal transfers are being made to facilitate proper recording of actual operations.

County Jail

An internal transfer of \$14,620 is requested to replace the hot water return used in inmate operations at the Sheriff's Complex.

Fairgrounds

The Fairgrounds received \$150,500 in Restaurant Tax awards this year and has another \$92,000 for projects awarded in prior years. Current awards are being transferred from the Restaurant Tax fund and amounts related to prior years are being appropriated from Fund Balance, where they are sitting in reserve.



BUDGET AMENDMENT

EXECUTIVE SUMMARY FOR RESOLUTION 2016-16

Library

Internet service for the Library used to be provided at no cost from the nearby elementary school. Over time this solution has proven to be a poor one and the Library needs to purchase their internet for direct and better service. The cost for the current year is \$1,800. This amount reduces the new contributions to fund balance.

Rodeo

The original budget provided for \$8,500 for advertising. It was anticipated that this amount would be offset by a 2016 Restaurant Tax award. The actual award allows for \$9,000 and this amendment increases the budget by \$500. The other \$9,000 piece of the total \$18,000 award offsets the amount budgeted for the Fair. With the actual award now provided, a contribution to fund balance for this purpose can be made in the amount of \$17,500.

Contributions Expenditure

The largest amendment, which accounts for more than half of the change in the General fund, is to make contributions to RDA's in the amount of \$550,000. The County has multiple RDA agreements and this amount is an estimate of what will be distributed as the final settlement early in 2017, but it must be recorded as revenue and expenditure in 2016, which is the applicable taxing year. The amendment recognizes revenue related to RDA agreements and the contribution to those entities. After these transactions are made, there is a \$0 net effect on the original budget.

The net reduction in expenditures from the transaction described under Search and Rescue and the amount provided to the Library that can be contributed to Fund Balance is \$60,200.

The net reduction in expenditures that can be contributed to Fund Balance as described under the Rodeo amendment is \$17,500.

The administration fee of \$10,044 for County management of the CDRA that was for 2015 is now being transferred. It was calculated after the final property tax distribution was made.

MUNICIPAL SERVICES FUND

Total revenues and expenditures increase by \$27,473.

Weed Eradication

Additional amounts for Over Time of \$1,000 and Uniform Allowance of \$1,500. These amounts were requested in the original budget, but were removed by error.

Parks and Trails

RAPZ Tax award was provided in the amount of \$13,800 as part of the development of new trails. Also, a \$35,000 Restaurant Tax award for salary assistance, reduces the need to use Fund Balance from prior years.

Contribution Expenditure

The Population Award from the RAPZ Tax in the amount of \$11,173 is kept in reserve for future use.

HEALTH FUND

Total revenues and expenditures increase by \$50,000.



BUDGET AMENDMENT

EXECUTIVE SUMMARY FOR RESOLUTION 2016-16

Contribution Expenditures

The amendment is to make contributions to RDA's in the amount of \$50,000. The County has multiple RDA agreements and this amount is an estimate of what will be distributed as the final settlement early in 2017, but it must be recorded as revenue and expenditure in 2016, which is the applicable taxing year. The amendment recognizes revenue related to RDA agreements and the contribution to those entities. After these transactions are made, there is a \$0 net effect on the original budget.

CDRA FUND

Total revenues and expenditures increase by \$22,383.

CDRA

The tax revenue estimate has been revised. In addition, the amount coming from the County is separated from the amount coming from other entities. The County portion is estimated to be \$45,000 and the amount from other entities is \$197,000, causing the original account balance to be reduced by \$15,861. The amount due to the project increases by \$19,439.

Contribution Expenditure

The CDRA agreement allows for a 4% administration fee payable to the County. The amount will not be paid out until the final tax settlement for 2016 is made in March of 2017. The estimated amount of this payment is \$9,700.

Transfers Out

The amount of \$10,044 is transferring to the General fund and represents the administration fee for 2015.

VISITORS BUREAU FUND

Total revenues and expenditures increase by \$100,000.

Expenditures

Incorporate the \$100,000 award from the Restaurant Tax.

COUNCIL ON AGING FUND

Total revenues and expenditures increase by \$1,488.

Expenditures

Facilitate the payout of leave time for the RSVP employee that was terminated when the program ended. Additional grant revenue of \$200 was added to internal transfers of \$1,925 and appropriated fund balance of \$1,288. The increase in salary was \$2,002, with related benefits of \$1,411.

RESTAURANT TAX FUND

There is no increase or decrease to revenue and expenditures due to these changes.

Expenditures

Awards made from the Restaurant Tax fund to County departments are reallocated from an expenditure account (used for paying external parties) to a transfer account, indicating amounts paid to other funds of the County. The total reallocation is for \$303,500.



BUDGET AMENDMENT

EXECUTIVE SUMMARY FOR RESOLUTION 2016-16

RAPZ TAX FUND

Total revenues and expenditures increase by \$519,890

Expenditures

The total carry over of awards made in a prior year, amount to \$530,550, including \$92,350 for population awards and \$438,200 for projects and programs. Reallocations from expenditure accounts to transfer accounts were made for the County's population award of \$11,173 and a trail project in the amount of \$13,800. Amounts estimated in the budget for the population award and for the award to the zoo were reduced to the actual amounts awarded. The reductions are \$6,608 for the population award and \$4,052 for the zoo award. These amounts are offset against a reduction in estimated tax revenue.

AMBULANCE FUND

Total revenues and expenditures increase by \$462,240

Expenditures

In 2015 the County appropriated and the CCEMS Authority contributed \$250,000 each toward the construction of a new ambulance facility. Progress on this facility began in 2015, but did not get passed design and engineering. The \$462,240 represents amounts that were held in reserve at the end of 2015, and need to be appropriated in the 2016 budget so funds can be spent on the project.

CAPITAL PROJECTS – RIVER PROJECT

Total revenues and expenditures increase by \$456,587

Transfers Out

Remaining funds from projects in prior years in the amount of \$456,587 is being transferred to the General Capital Projects fund for use in future projects. This fund will be closed.

CAPITAL PROJECTS – GENERAL

Total revenues and expenditures increase by \$551,221

Contributions to Fund Balance

Remaining funds from projects in prior years from the River Project fund and the Parking Lot fund in the amounts of \$456,587 and \$94,634 respectively, are being transferred to the General Capital Projects fund for use in future projects.

CAPITAL PROJECTS – PARKING LOT

Total revenues and expenditures increase by \$94,634

Transfers Out

Remaining funds from projects in prior years in the amount of \$94,634 is being transferred to the General Capital Projects fund for use in future projects. This fund will be closed.

CAPITAL PROJECTS – ROADS

Total revenues and expenditures increase by \$380,000

Expenditures

Current funding of CCCOG projects in the amount of \$380,000 from funding accumulated in prior years.



BUDGET AMENDMENT

Resolution: 2016-16

Hearing: June 28, 2016

6:00 PM

Department	Account	Title	Description	Adjustment
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GENERAL FUND

Adopted Budget: \$24,622,892

Proposed Budget: \$25,503,286

Revenues

TAXES	100-31-15000	PROPERTY TAX - RDA AGREEMENTS	Property Tax - Contribute to RDA's	550,000
GRANTS	100-33-13000	FEDERAL GRANTS - MISCELLANEOUS	3 Drop Boxes for Election Ballots	7,350
MISCELLANEOUS	100-36-20000	RENTS & CONCESSIONS	UHP Rent Contract - 6 Months	26,500
MISCELLANEOUS	100-36-51000	SALE OF SURPLUS PROP- VEHICLES	Executive Vehicle Exchange	33,000
CONTRIB./TRANSFERS	100-38-10260	TRANSFER FROM RESTAURANT TAX	Award - Advertising/Promoting the Fair and Rodeo	18,000
CONTRIB./TRANSFERS	100-38-10260	TRANSFER FROM RESTAURANT TAX	Award - Fairgrounds Grandstand Upgrade	35,000
CONTRIB./TRANSFERS	100-38-10260	TRANSFER FROM RESTAURANT TAX	Award - Cache County Events Center - Fairgrounds	100,000
CONTRIB./TRANSFERS	100-38-10260	TRANSFER FROM RESTAURANT TAX	Award - Fairgrounds Outdoor Arena Security Fencing	15,500
CONTRIB./TRANSFERS	100-38-75000	TRANSFERS FROM OTHER FUNDS	2015 CDRA Administration Fee	10,044
CONTRIB./TRANSFERS	100-38-90000	APPROPRIATED FUND BALANCE	Carry Over - Fairgrounds Projects	92,000

Total Revenue Adjustment: 887,394

Expenditures

WATER DEVELOP.	100-4115-310	PROFESSIONAL & TECHNICAL	Governor's Water Conservation - Media Campaign	(4,000)
WATER DEVELOP.	100-4115-490	PUBLIC OUTREACH	Governor's Water Conservation - Media Campaign	4,000
EXECUTIVE	100-4131-230	TRAVEL	Executive Vehicle Exchange	(200)
EXECUTIVE	100-4131-740	CAPITALIZED EQUIPMENT	Executive Vehicle Exchange	33,200
ITS	100-4136-110	SALARY	IT Service Reorganization	(9,500)
ITS	100-4136-130	EMPLOYEE BENEFITS	IT Service Reorganization	(7,900)
ATTORNEY	100-4145-130	EMPLOYEE BENEFITS	IT Service Reorganization	(2,700)
ELECTIONS	100-4170-251	NON-CAPITALIZED EQUIPMENT	3 Drop Boxes for Election Ballots	7,350
PATROL	100-4210-720	BUILDINGS - SHERIFF COMPLEX	Building Remodel and Upgrades	126,500
PATROL	100-4210-740	CAPITALIZED EQUIPMENT	Building Remodel and Upgrades	(100,000)
PS ADMIN / SUPPORT	100-4211-110	SALARY	IT Service Reorganization	8,000
PS ADMIN / SUPPORT	100-4211-130	EMPLOYEE BENEFITS	IT Service Reorganization	12,100
SEARCH & RESCUE	100-4216-140	UNIFORM ALLOWANCE	Parking Lot Grading and Miscellaneous Expense	(1,000)
SEARCH & RESCUE	100-4216-251	NON-CAPITALIZED EQUIPMENT	Additional Training Exercises	(2,000)
SEARCH & RESCUE	100-4216-330	EDUCATION & TRAINING	Additional Training Exercises	2,000
SEARCH & RESCUE	100-4216-480	SPECIAL DEPT SUPPLIES	Mission Management Software	1,000
SEARCH & RESCUE	100-4216-610	MISCELLANEOUS EXPENSES	Parking Lot Grading and Miscellaneous Expense	1,000
SEARCH & RESCUE	100-4216-740	CAPITALIZED EQUIPMENT	Equipment Purchased in 2015	(63,000)
COUNTY JAIL	100-4230-260	BUILDING & GROUNDS	Replace Hot Water Return - Sheriff's Complex	(14,620)
COUNTY JAIL	100-4230-720	BUILDINGS	Replace Hot Water Return - Sheriff's Complex	14,620
FAIRGROUNDS	100-4511-720	BUILDINGS	Award - Fairgrounds Grandstand Upgrade	35,000
FAIRGROUNDS	100-4511-720	BUILDINGS	Award - Cache County Events Center - Fairgrounds	100,000
FAIRGROUNDS	100-4511-730	IMPROVEMENTS	Carry Over - Fairgrounds Projects	92,000
FAIRGROUNDS	100-4511-730	IMPROVEMENTS	Award - Fairgrounds Outdoor Arena Security Fencing	15,500
LIBRARY	100-4581-280	COMMUNICATIONS	Internet Service	1,800
RODEO	100-4621-221	ADVERTISING	Increase to awarded amount	500
CONTRIBUTIONS	100-4800-950	CONTRIBUTIONS - RDA AGREEMENTS	Contributions to RDA's	550,000
CONTRIBUTIONS	100-4800-990	CONTRIBUTION TO FUND BALANCE	Equipment Purchased in 2015	60,200
CONTRIBUTIONS	100-4800-990	CONTRIBUTION TO FUND BALANCE	Award - Advertising/Promoting the Fair and Rodeo	17,500
CONTRIBUTIONS	100-4800-990	CONTRIBUTION TO FUND BALANCE	2015 CDRA Administration Fee	10,044

Total Expenditure Adjustment: 887,394

MUNICIPAL SERVICES FUND

Adopted Budget: \$6,608,900

Proposed Budget: \$6,636,373

Revenues

CONTRIB./TRANSFERS	200-38-10260	TRANSFER FROM RESTAURANT TAX	Award - Trails Planner Salary Assistance	35,000
CONTRIB./TRANSFERS	200-38-76000	TRANSFER FROM RAPZ TAX	RAPZ - Population Award	11,173



BUDGET AMENDMENT

Resolution: 2016-16

Hearing: June 28, 2016

6:00 PM

Department	Account	Title	Description	Adjustment
CONTRIB./TRANSFERS	200-38-76000	TRANSFER FROM RAPZ TAX	RAPZ - Legal Survey of Upper and Lower Canals	13,800
CONTRIB./TRANSFERS	200-38-92000	APPROP FUND BALANCE - MSF	Over Time and Uniform Allowances	2,500
CONTRIB./TRANSFERS	200-38-93000	APPROP SURPLUS - PARKS/REC	Award - Trails Planner Salary Assistance	(35,000)
Total Revenue Adjustment:				27,473
<i>Expenditures</i>				
WEED ERADICATION	200-4450-115	OVERTIME	Over Time - Requested in Original Budget	1,000
WEED ERADICATION	200-4450-140	UNIFORM ALLOWANCE	Uniform Allowance - Requested in Original Budget	1,500
PARKS & TRAILS	200-4780-310	PROFESSIONAL AND TECHNICAL	RAPZ - Legal Survey of Upper and Lower Canals	13,800
CONTRIBUTIONS	200-4800-995	CONTRIBUTION TO FUND BALANCE	RAPZ - Population Award	11,173
Total Expenditure Adjustment:				27,473

HEALTH FUND

Adopted Budget: \$1,153,603

Proposed Budget: \$1,203,603

Revenues

TAXES	210-31-15000	PROPERTY TAXES - RDA AGREEMENTS	Property Tax - Contribute to RDA's	50,000
Total Revenue Adjustment:				50,000

Expenditures

CONTRIBUTIONS	210-4800-950	CONTRIBUTIONS - RDA AGREEMENTS	Property Tax - Contribute to RDA's	50,000
Total Expenditure Adjustment:				50,000

CDRA FUND

Adopted Budget: \$212,861

Proposed Budget: \$252,044

Revenues

TAXES	220-31-10000	PROPERTY TAXES - CDRA	County Portion of CDRA Tax Contributions	45,000
CONTRIB./TRANSFERS	220-38-80000	CONTRIBUTION - TAXING ENTITIES	Tax Contributions from Other Entities	(15,861)
CONTRIB./TRANSFERS	220-38-90000	APPROPRIATED FUND BALANCE	2015 Admin Fee to General Fund	10,044
Total Revenue Adjustment:				39,183

Expenditures

CDRA	220-4193-480	CDRA PROJECTS	Contribution to Pepperidge Farm	19,439
CONTRIBUTIONS	220-4800-990	CONTRIBUTION TO FUND BALANCE	2016 Estimated Admin Fee	9,700
TRANSFERS OUT	220-4810-100	TRANSFER OUT - GENERAL FUND	2015 Admin Fee to General Fund	10,044
Total Expenditure Adjustment:				39,183

VISITORS BUREAU FUND

Adopted Budget: \$528,432

Proposed Budget: \$628,432

Revenues

CONTRIB./TRANSFERS	230-38-76000	TRANSFER FROM RESTAURANT TAX	Award - 2016 Marketing Campaign	100,000
Total Revenue Adjustment:				100,000

Expenditures

VISITOR'S BUREAU	230-4780-490	ADVERTISING & PROMOTIONS	Award - 2016 Marketing Campaign	100,000
Total Expenditure Adjustment:				100,000

COUNCIL ON AGING FUND

Adopted Budget: \$657,711

Proposed Budget: \$659,199



BUDGET AMENDMENT

Resolution: 2016-16

Hearing: June 28, 2016

6:00 PM

Department	Account	Title	Description	Adjustment
Revenues				
GRANTS	240-33-10000	FEDERAL GRANTS-CNS -RSVP FUNDS	Additional Funding - RSVP	200
CONTRIB./TRANSFERS	240-38-90000	APPROPRIATED FUND BALANCE	Payout for RSVP Employee	1,288
Total Revenue Adjustment:				1,488
Expenditures				
SC - RSVP	240-4973-110	SALARY	Payout for RSVP Employee	2,002
SC - RSVP	240-4973-130	EMPLOYEE BENEFITS	Payout for RSVP Employee	1,411
SC - RSVP	240-4973-230	TRAVEL	Payout for RSVP Employee	(100)
SC - RSVP	240-4973-231	TRAVEL - IN STATE	Payout for RSVP Employee	(575)
SC - RSVP	240-4973-610	MISC SUPPLIES-VOL RECOGNITION	Payout for RSVP Employee	(1,250)
Total Expenditure Adjustment:				1,488

RESTAURANT TAX FUND

Adopted Budget: \$1,430,000

Proposed Budget: \$1,430,000

Revenues

Total Revenue Adjustment: -

Expenditures

RESTAURANT TAX	260-4780-620	MISC SERVICES	Awards to County Functions	(303,500)
TRANSFERS OUT	260-4810-201	TRANSFER OUT - GENERAL FUND	Award - Advertising/Promoting the Fair and Rodeo	18,000
TRANSFERS OUT	260-4810-201	TRANSFER OUT - GENERAL FUND	Award - Fairgrounds Grandstand Upgrade	35,000
TRANSFERS OUT	260-4810-201	TRANSFER OUT - GENERAL FUND	Award - Cache County Events Center - Fairgrounds	100,000
TRANSFERS OUT	260-4810-201	TRANSFER OUT - GENERAL FUND	Award - Fairgrounds Outdoor Arena Security Fencing	15,500
TRANSFERS OUT	260-4810-207	TRANSFER OUT - MUNICIPAL SRVC	Award - Trails Planner Salary Assistance	35,000
TRANSFERS OUT	260-4810-210	TRANSFER OUT - VISITORS BUREAU	Award - 2016 Marketing Campaign	100,000

Total Expenditure Adjustment: -

RAPZ TAX FUND

Adopted Budget: \$1,432,000

Proposed Budget: \$1,951,890

Revenues

TAXES	265-31-30000	RAPZ TAX	Adjusted Revenue Estimate	(10,660)
CONTRIB./TRANSFERS	265-38-90500	APP FUND BAL - PO CARRY OVER	Carry Over 2015 Awards	530,550

Total Revenue Adjustment: 519,890

Expenditures

RAPZ TAX	265-4780-480	RAPZ ALLOCATION - POPULATION	Carry Over 2015 Awards	92,350
RAPZ TAX	265-4780-480	RAPZ ALLOCATION - POPULATION	Adjust to Actual Awards	(6,608)
RAPZ TAX	265-4780-480	RAPZ ALLOCATION - POPULATION	Population Award for County	(11,173)
RAPZ TAX	265-4780-481	RAPZ ALLOCATION - ZOO	Adjust to Actual Awards	(4,052)
RAPZ TAX	265-4780-482	RAPZ ALLOCATION - PROJECTS	Carry Over 2015 Awards	438,200
RAPZ TAX	265-4780-482	RAPZ ALLOCATION - PROJECTS	Award - Legal Survey of Upper and Lower Canals	(13,800)
TRANSFERS OUT	265-4810-207	TRANSFER OUT - MUNICIPAL SRVC	Population Award for County	11,173
TRANSFERS OUT	265-4810-207	TRANSFER OUT - MUNICIPAL SRVC	Award - Legal Survey of Upper and Lower Canals	13,800

Total Expenditure Adjustment: 519,890

AMBULANCE

Adopted Budget: \$643,000

Proposed Budget: \$1,105,240



BUDGET AMENDMENT

Resolution: 2016-16

Hearing: June 28, 2016

6:00 PM

Department	Account	Title	Description	Adjustment
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Revenues

CONTRIB./TRANSFERS	295-38-70000	APPROPRIATED FUND BALANCE	2015 Unspent funds for Building	212,240
CONTRIB./TRANSFERS	295-38-70000	APPROPRIATED FUND BALANCE	2015 Contribution from CCEMS for Building	250,000

Total Revenue Adjustment: 462,240

Expenditures

AMBULANCE	295-4262-720	BUILDINGS	Continue Ambulance Building Project	462,240
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Total Expenditure Adjustment: 462,240

CAPITAL PROJECTS - RIVER PROJECT

Adopted Budget: \$2,372

Proposed Budget: \$458,959

Revenues

CONTRIB./TRANSFERS	390-38-90000	APPROPRIATED FUND BALANCE	Close CP - River Project to CP - General	456,587
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Total Revenue Adjustment: 456,587

Expenditures

TRANSFERS OUT	390-4810-400	TRANSFER OUT - CAPITAL PROJ	Close CP - River Project to CP - General	456,587
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Total Expenditure Adjustment: 456,587

CAPITAL PROJECTS - GENERAL

Adopted Budget: \$0

Proposed Budget: \$551,221

Revenues

CONTRIB./TRANSFERS	400-38-21000	TRANSFER FROM CAPITAL PROJECTS	Close CP - Parking Lot Fund to CP - General	94,634
CONTRIB./TRANSFERS	400-38-21000	TRANSFER FROM CAPITAL PROJECTS	Close CP - River Project to CP - General	456,587

Total Revenue Adjustment: 551,221

Expenditures

CONTRIBUTIONS	400-4800-990	CONTRIBUTION TO FUND BALANCE	Close CP - Parking Lot Fund to CP - General	94,634
CONTRIBUTIONS	400-4800-990	CONTRIBUTION TO FUND BALANCE	Close CP - River Project to CP - General	456,587

Total Expenditure Adjustment: 551,221

CAPITAL PROJECTS - PARKING LOT

Adopted Budget: \$0

Proposed Budget: \$94,634

Revenues

CONTRIB./TRANSFERS	410-38-90000	APPROPRIATED FUND BALANCE	Close CP - Parking Lot Fund to CP - General	94,634
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Total Revenue Adjustment: 94,634

Expenditures

TRANSFERS OUT	410-4810-400	TRANSFER TO - CAPITAL PROJECTS	Close CP - Parking Lot Fund to CP - General	94,634
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Total Expenditure Adjustment: 94,634

CAPITAL PROJECTS - ROADS

Adopted Budget: \$6,492,913

Proposed Budget: \$6,872,913

Revenues

CONTRIB./TRANSFERS	460-38-90000	APPROPRIATED FUND BALANCE	Additional Funding for CCCOG Projects	380,000
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BUDGET AMENDMENT

Resolution: 2016-16

Hearing: June 28, 2016

6:00 PM

Department	Account	Title	Description	Adjustment
Total Revenue Adjustment:				380,000
Expenditures				
ROAD CONSTR.	460-4420-760	NEW ROAD CONSTRUCTION	Additional Funding for CCCOG Projects	180,000
TRANSFERS OUT	460-4810-200	TRANSFER TO MUNICIPAL SERVICES	CCCOG Project - County Road 238	200,000
Total Expenditure Adjustment:				380,000

ORDINANCE NO. 2016-08

CACHE COUNTY, UTAH

AMENDMENTS TO TITLE 2 AND TITLE 5

AN ORDINANCE AMENDING AND SUPERSEDING PORTIONS OF TITLE 2 AND TITLE 5.08 & 5.20 OF THE CACHE COUNTY ORDINANCE REGARDING DEPARTMENT STRUCTURE, HISTORIC PRESERVATION AND TOWNSHIP PLANNING COMMISSIONS

WHEREAS, the Cache County code Title 2 establishes County departments and their functions;

WHEREAS, multiple County departments have been restructured and combined in recent years;

WHEREAS, the Cache County code Title 2 establishes a Historic Preservation Commissions which is not and has not been a utilized commission;

WHEREAS, the Cache County code Title 2 establishes Township Planning Commissions which are not in existence and are no longer supported by State code;

WHEREAS, the County Council caused notice of the amendments to Title 2 of the Cache County Code to be advertised in *The Herald Journal*, a newspaper of general circulation in Cache County, and;

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

NOW, THEREFORE, BE IT ORDAINED by the County Legislative Body of Cache County that Title 2 and Title 5 of the Cache County Code is hereby amended and superseded as follows:

1. STATUTORY AUTHORITY

The statutory authority for enacting this ordinance is the Utah Code Annotated §17-53-201 & 223 (1953, as amended).

2. PURPOSE OF PROVISIONS

The purpose of this ordinance is to amend and supersede portions of Title 2 and Title 5 of the Cache County Code regarding department structure, historic preservation and township planning commissions.

3. FINDINGS

- A. The amendments to Title 2 and Title 5 of the Cache County Code are necessary to remove conflicts that exist within the County code.
- B. It is in the interest of the public and the citizens of Cache County that the proposed amendments to Title 2 and Title 5 of the Cache County Code be approved.

ORDINANCE NO. 2016-08

CACHE COUNTY, UTAH

AMENDMENTS TO TITLE 2 AND TITLE 5

4. EXHIBITS

Title 2 of the Cache County Code is amended as follows: See Exhibit A

Title 5 of the Cache County Code is amended as follows: See Exhibit B

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

This ordinance amends and supersedes Title 2.36, 2.40, 2.48, 2.68, 5.08.040(J), and 5.20.050(D) of the Cache County Code, 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 July 13th, 2016. 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 June, 2016.

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

CACHE COUNTY COUNCIL:

ATTEST:

Gregory Merrill, Chair
Cache County Council

Jill Zollinger
Cache County Clerk

Publication Date:

_____, 2016

2.36 Repealed

2.40 DEVELOPMENT SERVICES DEPARTMENT

2.40.010: The Development Services Department shall function under the direction of the County Executive and have the powers and responsibilities necessary to perform the following functions:

- A. Plan, construct and maintain county roads, bridges, culverts, and other roadway facilities.
- B. Develop and administer stormwater and flood control facilities and programs.
- C. Oversee Planning & Zoning, Building Construction, and Countywide Planning functions.
- D. Oversee the development and management of the Geographic Information System (GIS).
- E. Oversee Weed control.
- F. Develop and maintain parks and trails.
- G. Provide engineering and surveying services, including acting as the technical staff to the County Surveyor.
- H. Perform such other duties as shall be assigned by the county executive.

2.40.020: DIRECTOR:

- A. The county executive shall be empowered to appoint, with the advice and consent of the county council, a director to administer the Development Services Department.
- B. The director shall have such powers and responsibilities as is necessary and reasonable for the administration of a department and such other powers and duties as shall be designated and delegated to the director by the county executive and as may be specified in ordinances or policies adopted by the county council.

2.40.030: DIVISIONS:

The Development Services Department shall have such responsibility for and authority over the following departments/divisions:

- A. Planning & Zoning
- B. Countywide Planning
- C. Geographic Information Systems
- D. Building
- E. Weed
- F. Roads
- G. Trails
- H. Stormwater

Other future departments or offices as may be assigned by the county executive or as shall be specified by county ordinance or policy adopted by the county council.

2.48 Repealed

2.68 Repealed

Ordinance 2016-08 Exhibit B

5.08.040: APPLICATION FOR CONSENTS TO STATE RESTAURANT LIQUOR LICENSES:

J. The applicant must provide written confirmation from the Development Services Department that the premises for which the license is sought is within a zone permitting the establishment of a state restaurant liquor outlet.

5.20.050: LICENSE REQUIRED:

D. Application Required: Any person desiring to operate a sexually oriented business shall file an application to the Development Services Department on a form to be provided by the county. All applicants must sign the application and affirm the truthfulness of the contents of the application before a notary public. All applicants must be qualified according to the provisions of this chapter.

2.36 PLANING DEPARTMENT

2.36.010: PLANNING DEPARTMENT:

~~There shall be a planning department. The powers, duties and responsibilities of the planning department shall include the following:~~

- ~~A. Collect, organize and analyze data and other information needed for current and long range research related to county economic, social, physical and environmental problems.~~
- ~~B. Provide technical planning information and advice to the county council, the county executive and the various planning boards, councils and commissions.~~
- ~~C. Fulfill other related tasks assigned by the county council and county executive.~~

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2.36 Repealed

2.40 PUBLIC WORKS DEVELOPMENT SERVICES DEPARTMENT

2.40.010: PUBLIC WORKS DEPARTMENT:

~~There shall be a public works department. The public works department~~ Development Services Department shall function under the direction of the County Executive and have the powers and responsibilities necessary to perform the following functions:

- ~~A. Plan, construct and maintain county streets and highways roads, bridges, culverts, and other roadway facilities.~~
- ~~B. Develop and administer stormwater and flood control facilities and programs.~~
- ~~C. Oversee Planning & Zoning, Building Construction, and Countywide Planning functions.~~
- ~~D. Oversee the development and management of the Geographic Information System (GIS).~~
- ~~B-E. Oversee Weed control.~~
- ~~C. Collect and dispose of refuse, garbage and trash.~~
- ~~D-F. Develop and maintain parks and cemeteries trails.~~
- ~~G. Provide engineering and surveying services, including acting as the technical staff to the County Surveyor.~~
- ~~H. Perform such other duties as shall be assigned by the county executive.~~
- ~~E. Construct and maintain public facilities and equipment.~~
- ~~G. Perform such other duties as shall be assigned by the county council and county executive.~~

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2.40.020: CREATED:

- ~~A. There is created the Cache County public works department (the "department").~~
- ~~B. The department shall be an administrative department under the direct authority and supervision of the county executive.~~

2.40.030: DUTIES AND RESPONSIBILITIES:

~~The public works department shall have the powers and responsibilities necessary to perform the following functions:~~

- ~~A. Manage, maintain and construct public buildings, facilities, property and equipment.~~
- ~~B. Plan, develop, construct, maintain, control and manage county roads, sidewalks, rights of way and bridges within the county.~~

- ~~C. Plan, construct, maintain, control and manage the Logan-Cache airport and all county equipment and facilities located on the airport, including representation of the county with respect to fixed base operators, hangar tenants and scheduled and chartered air services.~~
- ~~D. Develop, manage and administer flood control facilities, equipment, plans and programs.~~
- ~~E. Provide for and manage the collection and disposition of solid waste, including the monitoring, enforcement, renewal and implementation of any necessary interlocal agreements.~~
- ~~F. Plan, develop, obtain, manage, maintain and represent the county with respect to the county fairgrounds, parks, recreational facilities and equipment, cemeteries, water rights and systems, and other county owned or managed property, facilities and equipment.~~
- ~~G. Monitor, supervise, coordinate, obtain and provide necessary professional services, including engineering, technical or other such services, and coordinate county needs with respect to the county surveyor.~~
- ~~H. Identify, evaluate, make recommendations with respect to, and dispose of surplus property of the county.~~
- ~~I. Perform such other duties and assume such other responsibilities as shall be designated and delegated by the county executive or as shall be specifically provided for by ordinance or policy adopted by the county council.~~

2.40.040020: ~~PUBLIC WORKS~~ DIRECTOR:

- A. The county executive shall be empowered to appoint, with the advice and consent of the county council, a ~~public works~~ director to administer the ~~public works department~~[Development Services Department](#).
- B. The ~~public works~~ director shall have such powers and responsibilities as is necessary and reasonable for the administration of a department and such other powers and duties as shall be designated and delegated to the ~~public works~~ director by the county executive and as may be specified in ordinances or policies adopted by the county council.

~~2.40.050: BUDGET:~~

~~The public works department shall be included in the county budget as a separate department.~~

2.40.060030: ~~OTHER DEPARTMENTS~~[DIVISIONS](#):

The ~~public works department~~[Development Services Department](#) shall have such responsibility for and authority over [the following departments/divisions](#):

- [A. Planning & Zoning](#)
- [B. Countywide Planning](#)
- [C. Geographic Information Systems](#)
- [D. Building](#)
- [E. Weed](#)
- [F. Roads](#)
- [G. Trails](#)
- [H. Stormwater](#)

~~Other existing or future departments or offices as may be designated and assigned by the county executive or as shall be specified by county ordinance or policy adopted by the county council.~~

[2.48 Repealed](#)

[2.68 Repealed](#) Chapter 2.48 HISTORIC PRESERVATION COMMISSION

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~~2.48.010: PURPOSE AND INTENT:~~

~~It is the purpose and intent of this chapter to:~~

~~A. Recognize that the historical heritage of Cache County is among its most valued and important assets.~~

~~B. Provide for the identification, preservation, protection and enhancement of the historic, cultural and prehistoric areas, sites, properties and resources within the county.~~

~~2.48.020: ESTABLISHED:~~

~~The Cache County historic and preservation commission is established with the following provisions:~~

~~A. The commission shall consist of at least five (5) members, with a demonstrated interest, competence or knowledge of historic preservation, to be appointed for terms not less than two (2) years each by the county council.~~

~~B. To the extent available in the community, two (2) commission members shall be professionals, as defined by national park service regulation, from the disciplines of history, architecture, architectural history, archeology, planning, urban planning, American studies, American civilization, cultural geography or cultural anthropology.~~

~~C. The commission will meet at least twice a year and conduct business in accordance with the open public meeting laws of the state. This includes public notification of meeting place, time and agenda items.~~

~~D. Written minutes of each commission meeting will be prepared and made available for public inspection.~~

~~2.48.030: DUTIES AND POWERS:~~

~~A. Survey And Inventory Community Historic Resources: The historic preservation commission shall conduct or cause to be conducted a survey of the historic, architectural and archeological resources within the community. The survey shall be compatible with the Utah inventory of historic and archeological sites, and able to be readily integrated into statewide comprehensive historic preservation planning and other planning processes. Survey and Inventory documents shall be maintained and open to the public. The survey will be updated at least every ten (10) years.~~

~~B. Review Proposed Nominations To National Register Of Historic Places: The historic preservation commission shall review and comment to the state historic preservation officer on all proposed national register nominations for properties within the boundaries of the community. When the historic preservation commission considers a national register nomination which is normally evaluated by~~

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~~professionals in a specific discipline and that discipline is not represented on the commission, the commission will seek expertise in this area before rendering its decision.~~

~~C. Provide Advice And Information:~~

~~1. The historic preservation commission shall act in an advisory role to other officials and departments of local government regarding the identification and protection of local historic and archeological resources.~~

~~2. The historic preservation commission shall work toward the continuing education of citizens regarding historic preservation and the community's history.~~

~~D. Enforcement Of State Historic Preservation Laws: The commission shall support the enforcement of all state laws relating to historic preservation. These include, but are not limited to: Utah Code Annotated section 17A-3-1301, as amended, the historic district act; sections 9-8-305, 9-8-307 and 9-8-308, as amended, regarding the protection of Utah antiquities; and section 9-8-404, as amended, regarding notification of the state historic preservation office of any known proposed action which will destroy or effect a site, building, or object owned by the state and included on or eligible for the state or national registers.~~

~~E. Enforcement Of Local Historic Preservation Laws: In the event of the enactment of any historic preservation laws by the county, the commission shall support the enforcement of such local historic preservation laws.~~

~~F. Reviews: The commission shall review all applications for and make recommendations regarding alterations, change of use, or new constructions involving historic sites and properties, subject to the following:~~

~~1. Such review and recommendations shall be binding only upon buildings and properties which are listed on a locally designated site's register; and~~

~~2. Any reviews and recommendations must be compatible with the current United States secretary of the interiors standards for rehabilitation and guidelines for rehabilitating historic buildings.~~

~~G. Powers: The commission shall have those powers necessary and reasonable for the carrying out of its duties and as specified in the Utah historic district act.~~

Chapter 2.68 TOWNSHIPS AND TOWNSHIP PLANNING COMMISSIONS

2.68.010: PURPOSE:

~~Pursuant to the provisions and requirements of the Utah township act, Utah Code Annotated section 17-27-200.5 et seq., hereinafter the "act", the following procedures regarding the time and manner of establishing townships and further the procedures for the election and appointment of township planning commission members and the jurisdiction and authority of township planning commissions are established.~~

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2.68.020: ESTABLISHING A TOWNSHIP:

~~Upon the receipt of a valid petition to create a township, which contains original signatures and which has been reviewed and certified as adequate by the Cache County clerk and Cache County attorney in accordance with the requirements of the act and of state law generally, the Cache County council shall by resolution, set and hold a public hearing on the petition, consider oral and written testimony from the public and vote on the question of whether or not to establish a township.~~

2.68.030: PLANNING COMMISSION MEMBERS:

~~Township planning commissions shall be comprised of seven (7) members. Three (3) members shall be elected and four (4) members shall be appointed as set forth below. At least one member, but not more than two (2) members of the township planning commission's term shall expire at the end of each year.~~

2.68.040: ELECTION OF PLANNING COMMISSION MEMBERS:

- ~~A. Three (3) township planning commission members shall be elected from among residents of the township area in accordance with the provisions of the act.~~
- ~~B. Candidates for elected township planning commission members shall be registered voters and residents of the township area. Candidates shall file a declaration of candidacy for a specific seat with the Cache County clerk on forms prepared by the clerk and shall pay a twelve dollar (\$12.00) filing fee. Unless set forth otherwise in ordinance, when a new township is initially created, the filing period for candidates shall open on the date following the public hearing where the council establishes a township and shall close thirty (30) days before the election. Subsequent elections shall be conducted consistent with Utah law and this chapter.~~
- ~~C. Elected planning commission members shall serve for term of four (4) years; provided, that the terms of board members shall be staggered in accordance with the terms of subsection D of this section.~~
- ~~D. The terms of initial board members may be less than four (4) years and shall be staggered and modified in such a way that members shall stand for reelection in odd numbered years.~~
- ~~E. All aspects of planning commission elections not specifically addressed in this chapter shall be conducted in accordance with standard election procedures as established by the Utah election code, including, but not limited to, voter registration and qualifications, elections judges, ballots and polling procedures, canvass, and all other aspects and procedures of the electoral process. The Cache County clerk shall determine the necessity and manner of consolidation of voting precincts and appointment of election judges, in accordance with state statute. If any aspect of planning commission elections, as set forth in this chapter, is inconsistent with state law, state law shall govern.~~

2.68.050: APPOINTMENT OF PLANNING COMMISSION MEMBERS:

~~In accordance with the provisions of the act, the county executive, with the advice and consent of the county council, shall appoint four (4) township planning commission members who are registered voters and residents of the township. Board members appointed by the county shall serve for staggered four (4) year terms.~~

2.68.060: ORGANIZATION OF COMMISSION:

- ~~A. Quorum:
 - ~~1. A quorum of a township planning commission shall consist of four (4) members present;~~
 - ~~2. A quorum of a township planning commission shall have the authority to conduct all business; and~~~~

~~3.—A majority vote of a township planning commission shall be required to take any action, pass a motion, or approve or grant any application.~~

~~B.—Vacancies:~~

- ~~1.—A township electee or county appointee vacancy of a township planning commission by reason of death, resignation, removal or disqualification shall be filled by appointment by the county executive with the advice and consent of the county council.~~
- ~~2.—Unless otherwise provided by law, vacancies for township electees or appointees shall be filled for the unexpired term of the member replaced.~~
- ~~3.—In the event the county executive is unable, for a period of sixty (60) days, to locate sufficient residents who are willing to serve on the township planning commission to create or maintain a seven (7) member board, the township planning commission shall cease to function. If any township planning commission ceases to function, the Cache County planning commission shall act in the place of the township planning commission. Once the county executive is able to locate sufficient residents who are willing to serve, the township planning commission shall resume its function.~~

~~C.—Meetings:~~

- ~~1.—Township planning commissions shall convene in regular meetings at least once a month for the conduct of its business. If no business has been initiated with the county zoning office to be considered by the township planning commission, then the meeting scheduled for that month is not required.~~
- ~~2.—All meetings shall be open to the public and records and minutes thereof made and maintained by the office of the county zoning administrator.~~
- ~~3.—All meetings shall be held at the same location where the county planning commission meetings are held.~~

2.68.070: POWERS AND DUTIES OF COMMISSION:

- ~~A.—The extent of power conferred by this chapter upon a township planning commission is limited to the territory included within the boundaries of the relevant township and is limited to the powers and duties set forth in county ordinances, including, but not limited to, the Cache County land use ordinance, and state law.~~
- ~~B.—Unless specifically modified by this chapter, or specifically granted by state law, township planning commissions shall be subject to all provisions of the Cache County land use ordinance as it now exists and as it may be amended from time to time.~~
- ~~C.—After a township is created, the duly elected and appointed township planning commission shall act as the planning commission within the township boundaries so far as it is authorized herein and shall:
 - ~~1.—Prepare and recommend a general plan and amendments to the general plan to the county legislative body.~~
 - ~~2.—Recommend zoning ordinances and maps, and amendments to zoning ordinances and maps, to the county legislative body.~~
 - ~~3.—Administer provisions of the zoning ordinance, if specifically provided for in the zoning ordinance adopted by the county legislative body.~~
 - ~~4.—Recommend subdivision regulations and amendments to those regulations to the county legislative body.~~
 - ~~5.—Recommend approval or denial of subdivision applications.~~
 - ~~6.—Advise the county legislative body on matters as the county legislative body directs.~~
 - ~~7.—Hear or decide any matters that the county legislative body designates, including the approval or denial of, or recommendations to approve or deny, conditional use permits.~~~~

- ~~8. Exercise any other powers delegated to it by the county legislative body.~~
- ~~9. Exercise any other powers that are necessary to enable it to perform its functions.~~
- ~~D. The planning commission of a township may recommend to the legislative body of the county in which the township is located:
 - ~~1. That the county legislative body support or oppose a proposed incorporation of an area located within the township.~~
 - ~~2. That the county legislative body file a protest to a proposed annexation of an area located within the township.~~~~
- ~~E. The office of the Cache County zoning administrator shall act as staff for all township planning commissions. Any applications for land use permits or other matters that are to be acted upon by a township planning commission shall be filed with the Cache County zoning administrator.~~
- ~~F. Any appeals from a township planning commission shall not be filed with the county planning commission but shall be filed as if the appeal was taken from the county planning commission in the method provided for by law.~~

ORDINANCE NO. 2016-09

CACHE COUNTY, UTAH

KERR BASIN 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 (the “County Council”) 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 May 5, 2016, at 5:40 P.M. the Planning Commission held a public hearing for a rezone in the Agricultural (A10) Zone to include the Mineral Extraction and Excavation (ME) 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 May 5, 2016 the Planning Commission recommended the approval of said rezone (6, 0) and forwarded such recommendation to the County Council for final action, and;

WHEREAS, on June 14, 2016, 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 described 11.25 acre portion of parcel number 10-031-0005 as described within Exhibit A currently zoned as the Agricultural (A10) Zone to include the Mineral Extraction and Excavation (ME) 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 proposed zone does not impact adjoining land uses and is compatible with adjoining uses as there are several existing gravel pits and Mineral Extraction and Excavation (ME) Overlay Zones in the area.

- i. There are five gravel pits under three owners (LeGrand Johnson Construction, Leatham, and Archibald) and two parcels in the Mineral Extraction and Excavation (ME) Overlay Zone within a two mile radius of the property (Exhibit B).
- ii. The property includes areas likely to contain high resource potential with alluvial and delta & shoreline deposits as identified on the County Sand and Gravel Resource Potential Map.

B. The proposed rezone area is greater than five acres.

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 10-031-0005.

Exhibit B: Zoning Map of Cache County

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.

8. Effective Date.

This ordinance takes effect on July 14, 2016. 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 June, 2016.

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

CACHE COUNTY COUNCIL

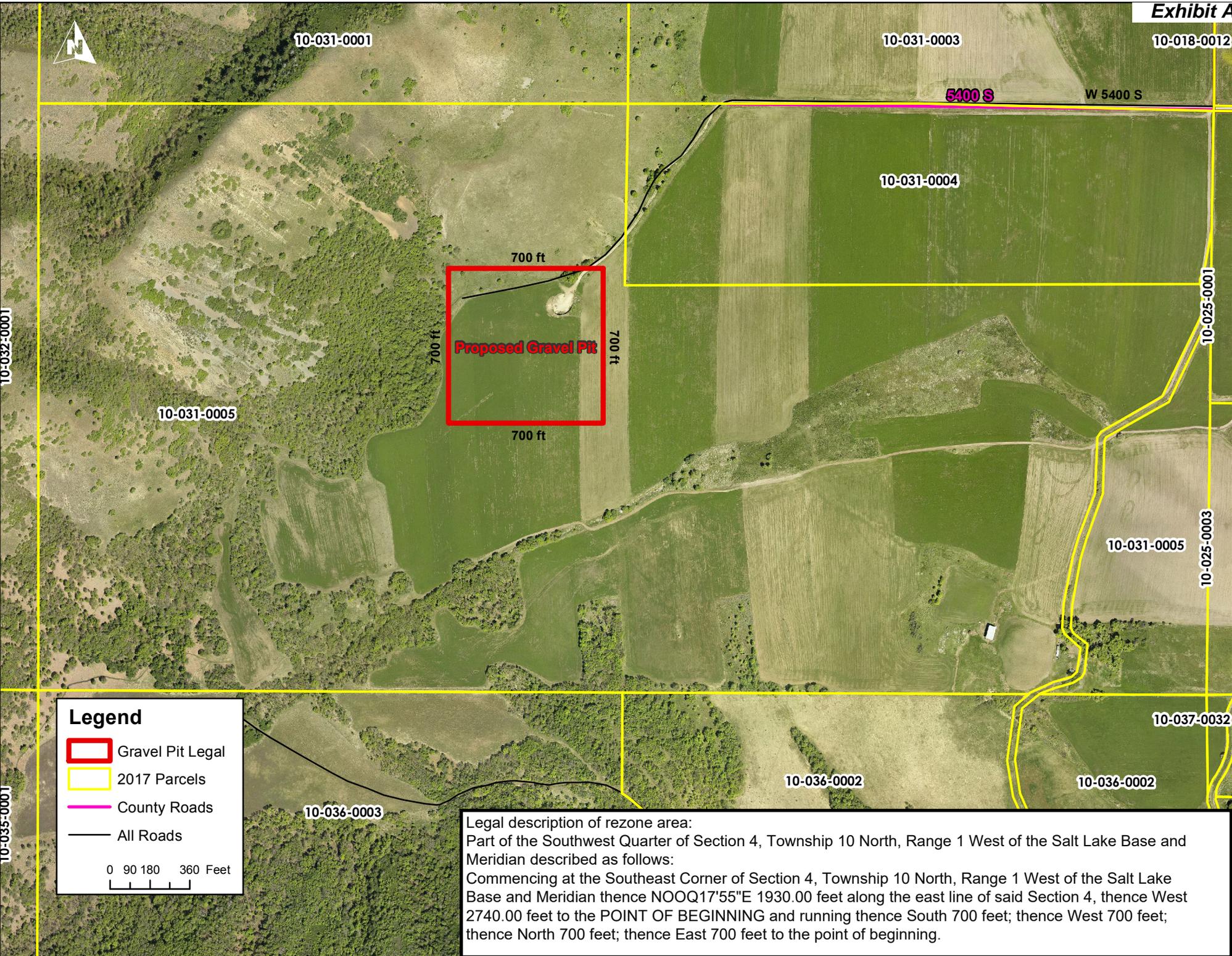
ATTEST:

 Greg Merrill, Chair
 Cache County Council

 Jill Zollinger
 Cache County Clerk

Publication Date:

_____, 2016



10-031-0001

10-031-0003

10-018-0012

5400 S

W 5400 S

10-031-0004

700 ft

Proposed Gravel Pit

700 ft

700 ft

700 ft

10-031-0005

10-031-0005

10-025-0001

10-025-0003

10-037-0032

10-036-0002

10-036-0002

10-036-0003

Legend

- Gravel Pit Legal
- 2017 Parcels
- County Roads
- All Roads

0 90 180 360 Feet

Legal description of rezone area:
 Part of the Southwest Quarter of Section 4, Township 10 North, Range 1 West of the Salt Lake Base and Meridian described as follows:
 Commencing at the Southeast Corner of Section 4, Township 10 North, Range 1 West of the Salt Lake Base and Meridian thence NOOQ17°55"E 1930.00 feet along the east line of said Section 4, thence West 2740.00 feet to the POINT OF BEGINNING and running thence South 700 feet; thence West 700 feet; thence North 700 feet; thence East 700 feet to the point of beginning.

Exhibit B: Ordinance 2016-09 Zoning Map of Cache County



10-031-0005

Legend

-  Major Roads
-  City Boundary
- Zone Type**
-  Mineral Extraction and Excavation Overlay (ME)
-  Public Infrastructure Overlay (PI)
-  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

RESOLUTION NO. 2016-15

CACHE COUNTY, UTAH

BALLARD AGRICULTURE PROTECTION AREAS

THE MODIFICATION AND APPROVAL OF SIX AGRICULTURE PROTECTION AREAS

WHEREAS, County Code §2.70 and Utah Code Annotated (UCA) §17-41-305 establish the requirements for petitions and the consideration of petitions for agriculture protection areas by the County Legislative Body (the “Council”), and;

WHEREAS, the Council caused that notice of the petition for the proposed Ballard Agriculture Protection Areas was provided, and;

WHEREAS, pursuant to the said code sections, the County’s Planning Commission (the “Commission”) and Agriculture Protection Advisory Board (the “Board”) shall provide to the Council, a recommendation to approve, modify and approve, or reject the proposed agriculture protection area, and;

WHEREAS, the Board has reviewed the request as per the state and county requirements and has provided a recommendation to approve the proposed Ballard Agriculture Protection Areas, and;

WHEREAS, the Commission has reviewed the request as per the state and county requirements and has provided a recommendation to modify and approve the proposed Ballard Agriculture Protection Areas, and;

WHEREAS, on June 28, 2016, at 5:30 P.M. the Council held a public hearing for the proposed Ballard Agriculture Protection Areas 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, after careful consideration of the recommendations of the Board, the Commission, and comments at the public hearing and other public meetings where the proposed Ballard Agriculture Protection Areas were discussed;

NOW, THEREFORE, BE IT RESOLVED that the Council hereby modifies and approves the proposed Ballard Agriculture Protection Areas based on the included Findings of Fact, Conclusion, and Conditions (Exhibit A) with the following resolution:

2016-15 Ballard Agriculture Protection Areas

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

APPROVED AND ADOPTED this 28th day of June, 2016.

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

CACHE COUNTY COUNCIL

ATTEST:

Greg Merrill, Chair
Cache County Council

Jill Zollinger
Cache County Clerk

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



DEVELOPMENT SERVICES DEPARTMENT

BUILDING | COUNTYWIDE PLANNING | ENGINEERING | GIS | PLANNING & ZONING

STAFF REPORT: BALLARD AGRICULTURE PROTECTION AREAS

28 June 2016

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: Jace K. Ballard, Todd N. Ballard
Staff Determination: Approval
Type of Action: Legislative
Land Use Authority: Cache County Council

Parcel ID#: Multiple - See attached

PROJECT LOCATION

Reviewed by: Chris Harrild, Senior Planner

Multiple - See attached

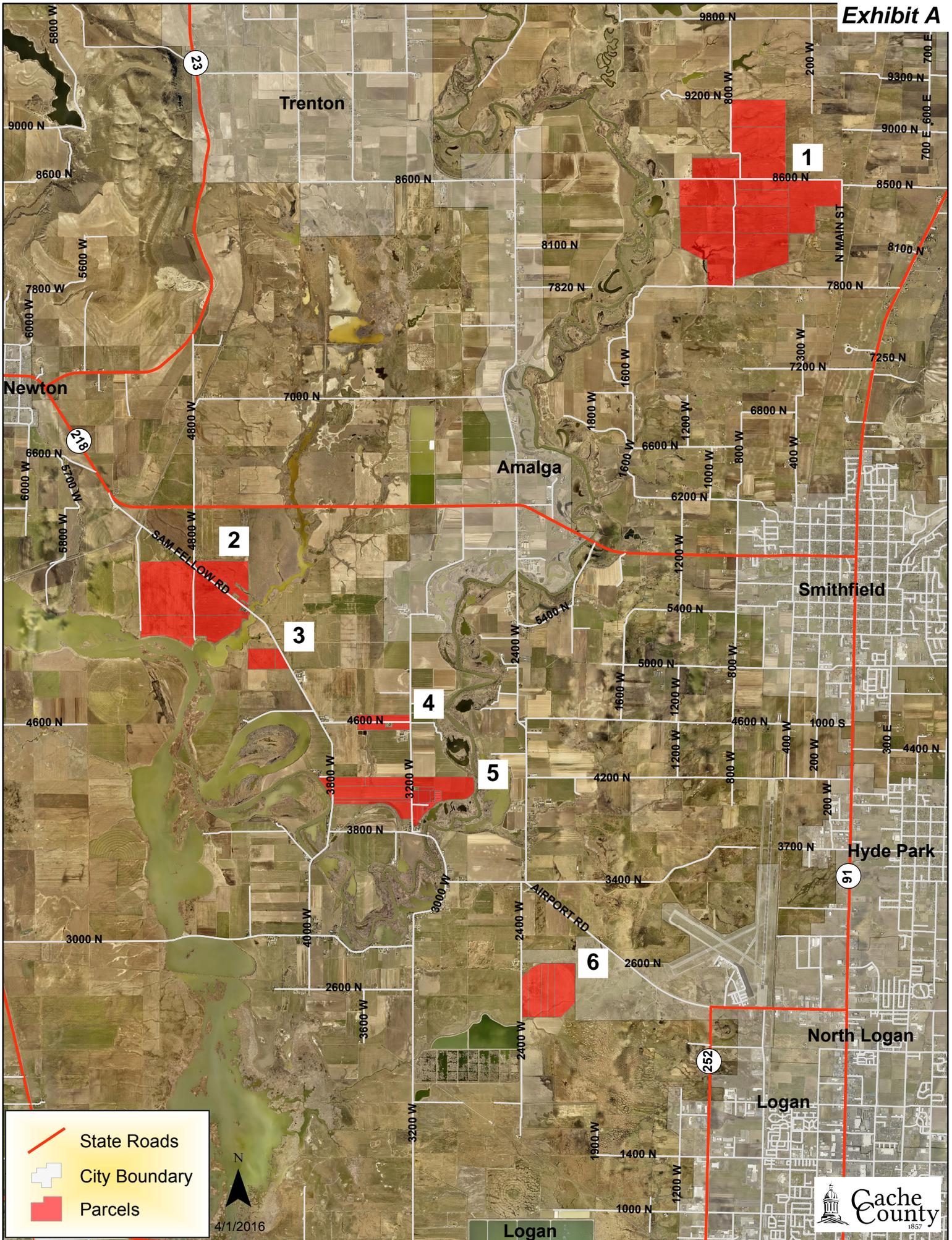
PROJECT PURPOSE

The Cache County Executive has forwarded an application to the Planning Commission for a review and recommendation to the County Council regarding the request for an agriculture protection area. This request includes 6 distinct Agriculture Protection Areas. These areas are described and addressed individually in the attached pages.

CONCLUSION AND CONDITIONS

The proposed Ballard Agriculture Protection Areas have been reviewed in conformance with, and meet the requirements and criteria of, §17-41-305 of State Code and §2.70 of the County Code and is approved. This conclusion is based on the included findings of fact and on the following condition:

1. The Ballard Agriculture Protection Areas must not include any portion of the 66 foot wide Cache County rights-of-way, reflecting 33 feet of each side from the existing center line, for any county roads as identified in Exhibit B.



Trenton

Newton

Amalga

Smithfield

Hyde Park

North Logan

Logan

Logan

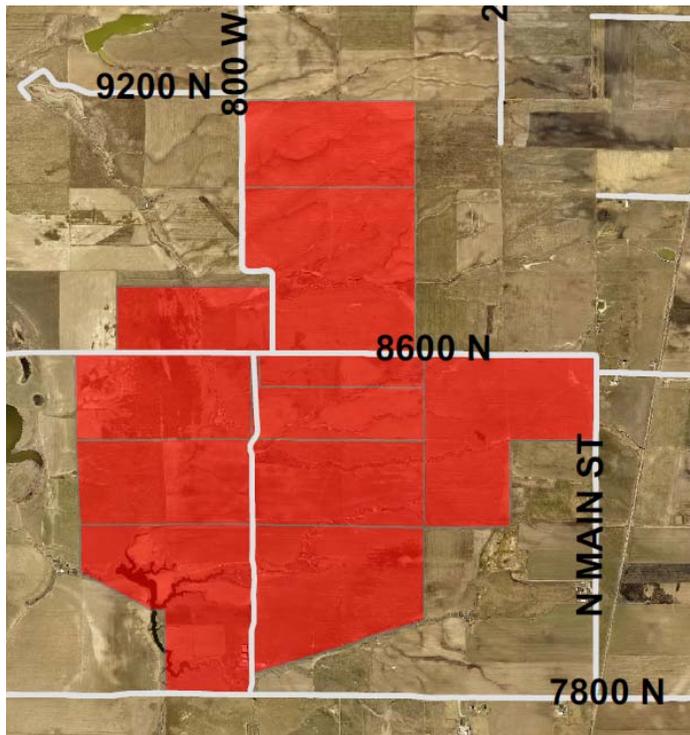


Legend:

- State Roads
- City Boundary
- Parcels

4/1/2016

Area 1: Ballard Agriculture Protection Area - 875.8 Acres



Existing Zone:
Agricultural (A10)

Parcels (11):
08-010-0013
08-010-0014
08-011-0017
08-014-0004
08-014-0005
08-014-0011
08-015-0002
08-015-0003
08-015-0004
08-015-0005
08-015-0007

Findings of Fact:

1. County roads 800 West, 8600 North, N. Main Street, and 7800 North bisect and/or border the proposed Ballard Agriculture Protection Area 1. Certain portions of 800 West and 8600 North are private roads and also bisect and/or border the proposed Ballard Agriculture Protection Area 1.
2. As per State Code §17-41-305 and County Code §2.70, the following criteria have been reviewed and addressed:
 - a. *Is the area proposed greater than 5 acres in size?* Yes.
 - b. *Is the land currently being used for agriculture production?* Yes.
 - c. *Is the land zoned for agricultural use?* Yes.
 - d. *Is the land viable for agriculture production?* Yes.
 - e. *What is the extent and nature of the existing or proposed farm improvements?* Crop and livestock production.
 - f. *What are the anticipated trends in the agricultural and technological conditions?* This is a sizeable piece of agriculture, has functioned as such in the past, and will likely continue to function in that manner into the future.
3. Notice to surrounding property owners has been provided as per State and County Code. At this time, no public comment regarding this proposal has been received by the Development Services Office.

Area 2: Ballard Agriculture Protection Area – 431.19 Acres



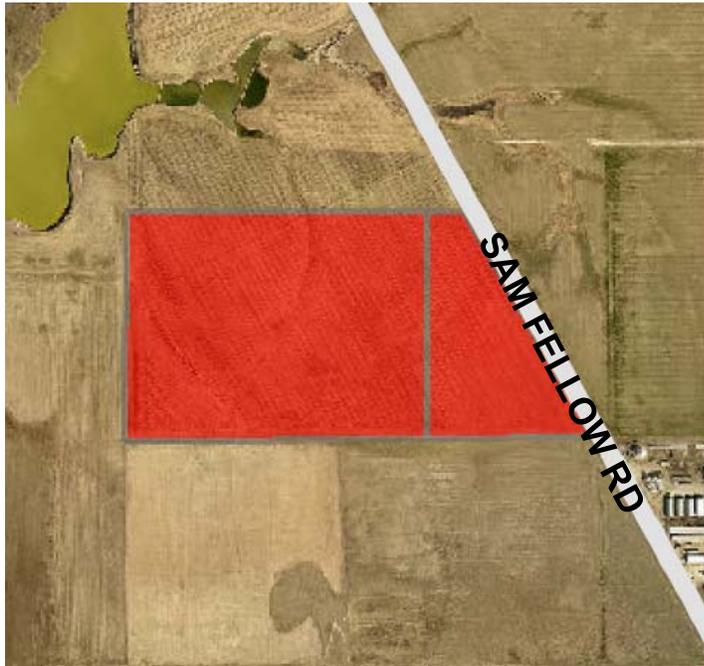
Existing Zone:
Agricultural (A10)

Parcels (5):
13-043-0002
13-044-0009
13-052-0001
13-052-0007
13-053-0001

Findings of Fact:

4. County road Sam Fellow Road and the private road 4800 West bisect the proposed Ballard Agriculture Protection Area 2. Area 2 also includes all lots of the Legacy View 2 Subdivision and Lot 1 of the Legacy View 1 Subdivision.
5. As per State Code §17-41-305 and County Code §2.70, the following criteria have been reviewed and addressed:
 - a. *Is the area proposed greater than 5 acres in size?* Yes.
 - b. *Is the land currently being used for agriculture production?* Yes.
 - c. *Is the land zoned for agricultural use?* Yes.
 - d. *Is the land viable for agriculture production?* Yes.
 - e. *What is the extent and nature of the existing or proposed farm improvements?* Crop and livestock production.
 - f. *What are the anticipated trends in the agricultural and technological conditions?* This is a sizeable piece of agriculture, has functioned as such in the past, and will likely continue to function in that manner into the future.
6. Notice to surrounding property owners has been provided as per State and County Code. At this time, no public comment regarding this proposal has been received by the Development Services Office.

Area 3: Ballard Agriculture Protection Area – 42.2 Acres



Existing Zone:
Agricultural (A10)

Parcels (2):
13-053-0004
13-053-0005

Findings of Fact:

7. County road Sam Fellow Road borders the proposed Ballard Agriculture Protection Area 3.
8. As per Code §17-41-305 and County Code §2.70, the following criteria have been reviewed and addressed:
 - a. *Is the area proposed greater than 5 acres in size?* Yes.
 - b. *Is the land currently being used for agriculture production?* Yes.
 - c. *Is the land zoned for agricultural use?* Yes.
 - d. *Is the land viable for agriculture production?* Yes.
 - e. *What is the extent and nature of the existing or proposed farm improvements?* Crop and livestock production.
 - f. *What are the anticipated trends in the agricultural and technological conditions?* This is a sizeable piece of agriculture, has functioned as such in the past, and will likely continue to function in that manner into the future.
9. Notice to surrounding property owners has been provided as per State and County Code. At this time, no public comment regarding this proposal has been received by the Development Services Office.

Area 4: Ballard Agriculture Protection Area – 36.64 Acres



Existing Zone:
Agricultural (A10)

Parcels (2):
12-002-0029
13-054-0008

Findings of Fact:

10. County roads 4600 North and 3200 West bisect or border the proposed Ballard Agriculture Protection Area 4.
11. As per State Code §17-41-305 and County Code §2.70, the following criteria have been reviewed and addressed:
 - a. *Is the area proposed greater than 5 acres in size?* Yes.
 - b. *Is the land currently being used for agriculture production?* Yes.
 - c. *Is the land zoned for agricultural use?* Yes.
 - d. *Is the land viable for agriculture production?* Yes.
 - e. *What is the extent and nature of the existing or proposed farm improvements?* Crop and livestock production.
 - f. *What are the anticipated trends in the agricultural and technological conditions?* This is a sizeable piece of agriculture, has functioned as such in the past, and will likely continue to function in that manner into the future.
12. Notice to surrounding property owners has been provided as per State and County Code. At this time, no public comment regarding this proposal has been received by the Development Services Office.

Area 5: Ballard Agriculture Protection Area – 237.32 Acres



Existing Zone:
Agricultural (A10)

Parcels (15):
12-001-0007
12-001-0008
12-001-0009
12-001-0015
12-001-0016
12-001-0017
12-001-0020
12-001-0025
12-001-0041
12-002-0010
12-002-0011
12-002-0012
12-002-0013
12-002-0016
12-002-0021

Findings of Fact:

13. County roads 3200 West and 3800 West and private roads 4000 North and 4200 North bisect and/or border the proposed Ballard Agriculture Protection Area 5.
14. As per State Code §17-41-305 and County Code §2.70, the following criteria have been reviewed and addressed:
 - a. *Is the area proposed greater than 5 acres in size?* Yes.
 - b. *Is the land currently being used for agriculture production?* Yes.
 - c. *Is the land zoned for agricultural use?* Yes.
 - d. *Is the land viable for agriculture production?* Yes.
 - e. *What is the extent and nature of the existing or proposed farm improvements?* Single family dwellings (12-001-0009, 0015, 0016, 0017, 0025), crop and livestock production, farm equipment storage, a maintenance shop, feed mill, feed manufacturing, grain storage, hog production, and raw manure storage.
 - f. *What are the anticipated trends in the agricultural and technological conditions?* This is a sizeable piece of agriculture, has functioned as such in the past, and will likely continue to function in that manner into the future.
15. Notice to surrounding property owners has been provided as per State and County Code. At this time, no public comment regarding this proposal has been received by the Development Services Office.

Area 6: Ballard Agriculture Protection Area – 148.43 Acres



Existing Zone:
Agricultural (A10)

Parcels (5):
04-067-0004
04-067-0005
04-067-0006
04-067-0007
04-067-0008

Findings of Fact:

16. County road 2400 West borders the proposed Ballard Agriculture Protection Area 6. The Logan City municipal boundary also borders this area.
17. As per State Code §17-41-305 and County Code §2.70, the following criteria have been reviewed and addressed:
 - a. *Is the area proposed greater than 5 acres in size?* Yes.
 - b. *Is the land currently being used for agriculture production?* Yes.
 - c. *Is the land zoned for agricultural use?* Yes.
 - d. *Is the land viable for agriculture production?* Yes.
 - e. *What is the extent and nature of the existing or proposed farm improvements?* Crop and livestock production.
 - f. *What are the anticipated trends in the agricultural and technological conditions?* This is a sizeable piece of agriculture, has functioned as such in the past, and will likely continue to function in that manner into the future.
18. Notice to surrounding property owners has been provided as per State and County Code. At this time, no public comment regarding this proposal has been received by the Development Services Office.

RESOLUTION NO. 2016 – 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 2016 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 2016 budget for Cache County:

See attached

Section 2.

Other than as specifically set forth above, all other matters set forth in the 2016 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 June, 2016.

ATTESTED TO:

CACHE COUNTY COUNCIL

Jill N. Zollinger, Cache County Clerk/Auditor

Greg Merrill, Council Chair



BUDGET AMENDMENT

EXECUTIVE SUMMARY FOR RESOLUTION 2016-16

GENERAL FUND

Total revenues and expenditures increase by \$877,350.

Water Development

Proposing to move \$4,000 internally to facilitate participation in the media campaign related to the Governor's Water Conservation program.

Executive

Received \$33,000 for trade-in of vehicle and put it toward the purchase of a new vehicle for the County Executive's use. An additional internal transfer of \$200 is needed to complete the purchase.

Information Technology

Reducing amounts from wage and benefit lines as part of restructuring services involving IT, the Attorney's Office, and the Sheriff's Office. IT no longer provides application administration to the Sheriff's Office for their public safety software. Instead, total funding of \$17,400 will be transferred to the Sheriff's Office to support that service directly.

Attorney

The Attorney's Office portion of the application administration restructuring is \$2,700.

Elections

A grant was awarded in the amount of \$7,350 from the State of Utah to purchase 3 drop boxes for election ballots.

Patrol

The original budget did not include \$26,500 the Sheriff's Office will receive for rental income from UHP for the first six months of this year. These funds will be used in conjunction with \$100,000 already in the budget to remodel and upgrade a portion of the Sheriff's Complex.

Public Safety – Administrative Support

As explained under Information Technology, total funding of \$20,100 will be transferred to the Sheriff's Office to support direct administration of their public safety software.

Search and Rescue

Reduces spending in the current year by \$62,000 related to equipment purchased in the prior year. The asset was originally planned for acquisition in 2016 with funding coming half in 2015 and half in 2016. Because the asset was acquired by the County in 2015, the expenditure was required to be made all in 2015. Other small, internal transfers are being made to facilitate proper recording of actual operations.

County Jail

An internal transfer of \$14,620 is requested to replace the hot water return used in inmate operations at the Sheriff's Complex.

Fairgrounds

The Fairgrounds received \$150,500 in Restaurant Tax awards this year and has another \$92,000 for projects awarded in prior years. Current awards are being transferred from the Restaurant Tax fund and amounts related to prior years are being appropriated from Fund Balance, where they are sitting in reserve.



BUDGET AMENDMENT

EXECUTIVE SUMMARY FOR RESOLUTION 2016-16

Library

Internet service for the Library used to be provided at no cost from the nearby elementary school. Over time this solution has proven to be a poor one and the Library needs to purchase their internet for direct and better service. The cost for the current year is \$1,800. This amount reduces the new contributions to fund balance.

Rodeo

The original budget provided for \$8,500 for advertising. It was anticipated that this amount would be offset by a 2016 Restaurant Tax award. The actual award allows for \$9,000 and this amendment increases the budget by \$500. The other \$9,000 piece of the total \$18,000 award offsets the amount budgeted for the Fair. With the actual award now provided, a contribution to fund balance for this purpose can be made in the amount of \$17,500.

Contributions Expenditure

The largest amendment, which accounts for more than half of the change in the General fund, is to make contributions to RDA's in the amount of \$550,000. The County has multiple RDA agreements and this amount is an estimate of what will be distributed as the final settlement early in 2017, but it must be recorded as revenue and expenditure in 2016, which is the applicable taxing year. The amendment recognizes revenue related to RDA agreements and the contribution to those entities. After these transactions are made, there is a \$0 net effect on the original budget.

The net reduction in expenditures from the transaction described under Search and Rescue and the amount provided to the Library that can be contributed to Fund Balance is \$60,200.

The net reduction in expenditures that can be contributed to Fund Balance as described under the Rodeo amendment is \$17,500.

The administration fee of \$10,044 for County management of the CDRA that was for 2015 is now being transferred. It was calculated after the final property tax distribution was made.

MUNICIPAL SERVICES FUND

Total revenues and expenditures increase by \$27,473.

Weed Eradication

Additional amounts for Over Time of \$1,000 and Uniform Allowance of \$1,500. These amounts were requested in the original budget, but were removed by error.

Parks and Trails

RAPZ Tax award was provided in the amount of \$13,800 as part of the development of new trails. Also, a \$35,000 Restaurant Tax award for salary assistance, reduces the need to use Fund Balance from prior years.

Contribution Expenditure

The Population Award from the RAPZ Tax in the amount of \$11,173 is kept in reserve for future use.

HEALTH FUND

Total revenues and expenditures increase by \$50,000.



BUDGET AMENDMENT

EXECUTIVE SUMMARY FOR RESOLUTION 2016-16

Contribution Expenditures

The amendment is to make contributions to RDA's in the amount of \$50,000. The County has multiple RDA agreements and this amount is an estimate of what will be distributed as the final settlement early in 2017, but it must be recorded as revenue and expenditure in 2016, which is the applicable taxing year. The amendment recognizes revenue related to RDA agreements and the contribution to those entities. After these transactions are made, there is a \$0 net effect on the original budget.

CDRA FUND

Total revenues and expenditures increase by \$22,383.

CDRA

The tax revenue estimate has been revised. In addition, the amount coming from the County is separated from the amount coming from other entities. The County portion is estimated to be \$45,000 and the amount from other entities is \$197,000, causing the original account balance to be reduced by \$15,861. The amount due to the project increases by \$19,439.

Contribution Expenditure

The CDRA agreement allows for a 4% administration fee payable to the County. The amount will not be paid out until the final tax settlement for 2016 is made in March of 2017. The estimated amount of this payment is \$9,700.

Transfers Out

The amount of \$10,044 is transferring to the General fund and represents the administration fee for 2015.

VISITORS BUREAU FUND

Total revenues and expenditures increase by \$100,000.

Expenditures

Incorporate the \$100,000 award from the Restaurant Tax.

COUNCIL ON AGING FUND

Total revenues and expenditures increase by \$1,488.

Expenditures

Facilitate the payout of leave time for the RSVP employee that was terminated when the program ended. Additional grant revenue of \$200 was added to internal transfers of \$1,925 and appropriated fund balance of \$1,288. The increase in salary was \$2,002, with related benefits of \$1,411.

RESTAURANT TAX FUND

There is no increase or decrease to revenue and expenditures due to these changes.

Expenditures

Awards made from the Restaurant Tax fund to County departments are reallocated from an expenditure account (used for paying external parties) to a transfer account, indicating amounts paid to other funds of the County. The total reallocation is for \$303,500.



BUDGET AMENDMENT

EXECUTIVE SUMMARY FOR RESOLUTION 2016-16

RAPZ TAX FUND

Total revenues and expenditures increase by \$519,890

Expenditures

The total carry over of awards made in a prior year, amount to \$530,550, including \$92,350 for population awards and \$438,200 for projects and programs. Reallocations from expenditure accounts to transfer accounts were made for the County's population award of \$11,173 and a trail project in the amount of \$13,800. Amounts estimated in the budget for the population award and for the award to the zoo were reduced to the actual amounts awarded. The reductions are \$6,608 for the population award and \$4,052 for the zoo award. These amounts are offset against a reduction in estimated tax revenue.

AMBULANCE FUND

Total revenues and expenditures increase by \$462,240

Expenditures

In 2015 the County appropriated and the CCEMS Authority contributed \$250,000 each toward the construction of a new ambulance facility. Progress on this facility began in 2015, but did not get passed design and engineering. The \$462,240 represents amounts that were held in reserve at the end of 2015, and need to be appropriated in the 2016 budget so funds can be spent on the project.

CAPITAL PROJECTS – RIVER PROJECT

Total revenues and expenditures increase by \$456,587

Transfers Out

Remaining funds from projects in prior years in the amount of \$456,587 is being transferred to the General Capital Projects fund for use in future projects. This fund will be closed.

CAPITAL PROJECTS – GENERAL

Total revenues and expenditures increase by \$551,221

Contributions to Fund Balance

Remaining funds from projects in prior years from the River Project fund and the Parking Lot fund in the amounts of \$456,587 and \$94,634 respectively, are being transferred to the General Capital Projects fund for use in future projects.

CAPITAL PROJECTS – PARKING LOT

Total revenues and expenditures increase by \$94,634

Transfers Out

Remaining funds from projects in prior years in the amount of \$94,634 is being transferred to the General Capital Projects fund for use in future projects. This fund will be closed.

CAPITAL PROJECTS – ROADS

Total revenues and expenditures increase by \$380,000

Expenditures

Current funding of CCCOG projects in the amount of \$380,000 from funding accumulated in prior years.



BUDGET AMENDMENT

Resolution: 2016-16

Hearing: June 28, 2016

6:00 PM

Department	Account	Title	Description	Adjustment
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GENERAL FUND

Adopted Budget: \$24,622,892

Proposed Budget: \$25,503,286

Revenues

TAXES	100-31-15000	PROPERTY TAX - RDA AGREEMENTS	Property Tax - Contribute to RDA's	550,000
GRANTS	100-33-13000	FEDERAL GRANTS - MISCELLANEOUS	3 Drop Boxes for Election Ballots	7,350
MISCELLANEOUS	100-36-20000	RENTS & CONCESSIONS	UHP Rent Contract - 6 Months	26,500
MISCELLANEOUS	100-36-51000	SALE OF SURPLUS PROP- VEHICLES	Executive Vehicle Exchange	33,000
CONTRIB./TRANSFERS	100-38-10260	TRANSFER FROM RESTAURANT TAX	Award - Advertising/Promoting the Fair and Rodeo	18,000
CONTRIB./TRANSFERS	100-38-10260	TRANSFER FROM RESTAURANT TAX	Award - Fairgrounds Grandstand Upgrade	35,000
CONTRIB./TRANSFERS	100-38-10260	TRANSFER FROM RESTAURANT TAX	Award - Cache County Events Center - Fairgrounds	100,000
CONTRIB./TRANSFERS	100-38-10260	TRANSFER FROM RESTAURANT TAX	Award - Fairgrounds Outdoor Arena Security Fencing	15,500
CONTRIB./TRANSFERS	100-38-75000	TRANSFERS FROM OTHER FUNDS	2015 CDRA Administration Fee	10,044
CONTRIB./TRANSFERS	100-38-90000	APPROPRIATED FUND BALANCE	Carry Over - Fairgrounds Projects	92,000

Total Revenue Adjustment: 887,394

Expenditures

WATER DEVELOP.	100-4115-310	PROFESSIONAL & TECHNICAL	Governor's Water Conservation - Media Campaign	(4,000)
WATER DEVELOP.	100-4115-490	PUBLIC OUTREACH	Governor's Water Conservation - Media Campaign	4,000
EXECUTIVE	100-4131-230	TRAVEL	Executive Vehicle Exchange	(200)
EXECUTIVE	100-4131-740	CAPITALIZED EQUIPMENT	Executive Vehicle Exchange	33,200
ITS	100-4136-110	SALARY	IT Service Reorganization	(9,500)
ITS	100-4136-130	EMPLOYEE BENEFITS	IT Service Reorganization	(7,900)
ATTORNEY	100-4145-130	EMPLOYEE BENEFITS	IT Service Reorganization	(2,700)
ELECTIONS	100-4170-251	NON-CAPITALIZED EQUIPMENT	3 Drop Boxes for Election Ballots	7,350
PATROL	100-4210-720	BUILDINGS - SHERIFF COMPLEX	Building Remodel and Upgrades	126,500
PATROL	100-4210-740	CAPITALIZED EQUIPMENT	Building Remodel and Upgrades	(100,000)
PS ADMIN / SUPPORT	100-4211-110	SALARY	IT Service Reorganization	8,000
PS ADMIN / SUPPORT	100-4211-130	EMPLOYEE BENEFITS	IT Service Reorganization	12,100
SEARCH & RESCUE	100-4216-140	UNIFORM ALLOWANCE	Parking Lot Grading and Miscellaneous Expense	(1,000)
SEARCH & RESCUE	100-4216-251	NON-CAPITALIZED EQUIPMENT	Additional Training Exercises	(2,000)
SEARCH & RESCUE	100-4216-330	EDUCATION & TRAINING	Additional Training Exercises	2,000
SEARCH & RESCUE	100-4216-480	SPECIAL DEPT SUPPLIES	Mission Management Software	1,000
SEARCH & RESCUE	100-4216-610	MISCELLANEOUS EXPENSES	Parking Lot Grading and Miscellaneous Expense	1,000
SEARCH & RESCUE	100-4216-740	CAPITALIZED EQUIPMENT	Equipment Purchased in 2015	(63,000)
COUNTY JAIL	100-4230-260	BUILDING & GROUNDS	Replace Hot Water Return - Sheriff's Complex	(14,620)
COUNTY JAIL	100-4230-720	BUILDINGS	Replace Hot Water Return - Sheriff's Complex	14,620
FAIRGROUNDS	100-4511-720	BUILDINGS	Award - Fairgrounds Grandstand Upgrade	35,000
FAIRGROUNDS	100-4511-720	BUILDINGS	Award - Cache County Events Center - Fairgrounds	100,000
FAIRGROUNDS	100-4511-730	IMPROVEMENTS	Carry Over - Fairgrounds Projects	92,000
FAIRGROUNDS	100-4511-730	IMPROVEMENTS	Award - Fairgrounds Outdoor Arena Security Fencing	15,500
LIBRARY	100-4581-280	COMMUNICATIONS	Internet Service	1,800
RODEO	100-4621-221	ADVERTISING	Increase to awarded amount	500
CONTRIBUTIONS	100-4800-950	CONTRIBUTIONS - RDA AGREEMENTS	Contributions to RDA's	550,000
CONTRIBUTIONS	100-4800-990	CONTRIBUTION TO FUND BALANCE	Equipment Purchased in 2015	60,200
CONTRIBUTIONS	100-4800-990	CONTRIBUTION TO FUND BALANCE	Award - Advertising/Promoting the Fair and Rodeo	17,500
CONTRIBUTIONS	100-4800-990	CONTRIBUTION TO FUND BALANCE	2015 CDRA Administration Fee	10,044

Total Expenditure Adjustment: 887,394

MUNICIPAL SERVICES FUND

Adopted Budget: \$6,608,900

Proposed Budget: \$6,636,373

Revenues

CONTRIB./TRANSFERS	200-38-10260	TRANSFER FROM RESTAURANT TAX	Award - Trails Planner Salary Assistance	35,000
CONTRIB./TRANSFERS	200-38-76000	TRANSFER FROM RAPZ TAX	RAPZ - Population Award	11,173



BUDGET AMENDMENT

Resolution: 2016-16

Hearing: June 28, 2016

6:00 PM

Department	Account	Title	Description	Adjustment
CONTRIB./TRANSFERS	200-38-76000	TRANSFER FROM RAPZ TAX	RAPZ - Legal Survey of Upper and Lower Canals	13,800
CONTRIB./TRANSFERS	200-38-92000	APPROP FUND BALANCE - MSF	Over Time and Uniform Allowances	2,500
CONTRIB./TRANSFERS	200-38-93000	APPROP SURPLUS - PARKS/REC	Award - Trails Planner Salary Assistance	(35,000)
Total Revenue Adjustment:				27,473
<i>Expenditures</i>				
WEED ERADICATION	200-4450-115	OVERTIME	Over Time - Requested in Original Budget	1,000
WEED ERADICATION	200-4450-140	UNIFORM ALLOWANCE	Uniform Allowance - Requested in Original Budget	1,500
PARKS & TRAILS	200-4780-310	PROFESSIONAL AND TECHNICAL	RAPZ - Legal Survey of Upper and Lower Canals	13,800
CONTRIBUTIONS	200-4800-995	CONTRIBUTION TO FUND BALANCE	RAPZ - Population Award	11,173
Total Expenditure Adjustment:				27,473

HEALTH FUND

Adopted Budget: \$1,153,603

Proposed Budget: \$1,203,603

Revenues

TAXES	210-31-15000	PROPERTY TAXES - RDA AGREEMENTS	Property Tax - Contribute to RDA's	50,000
Total Revenue Adjustment:				50,000

Expenditures

CONTRIBUTIONS	210-4800-950	CONTRIBUTIONS - RDA AGREEMENTS	Property Tax - Contribute to RDA's	50,000
Total Expenditure Adjustment:				50,000

CDRA FUND

Adopted Budget: \$212,861

Proposed Budget: \$252,044

Revenues

TAXES	220-31-10000	PROPERTY TAXES - CDRA	County Portion of CDRA Tax Contributions	45,000
CONTRIB./TRANSFERS	220-38-80000	CONTRIBUTION - TAXING ENTITIES	Tax Contributions from Other Entities	(15,861)
CONTRIB./TRANSFERS	220-38-90000	APPROPRIATED FUND BALANCE	2015 Admin Fee to General Fund	10,044
Total Revenue Adjustment:				39,183

Expenditures

CDRA	220-4193-480	CDRA PROJECTS	Contribution to Pepperidge Farm	19,439
CONTRIBUTIONS	220-4800-990	CONTRIBUTION TO FUND BALANCE	2016 Estimated Admin Fee	9,700
TRANSFERS OUT	220-4810-100	TRANSFER OUT - GENERAL FUND	2015 Admin Fee to General Fund	10,044
Total Expenditure Adjustment:				39,183

VISITORS BUREAU FUND

Adopted Budget: \$528,432

Proposed Budget: \$628,432

Revenues

CONTRIB./TRANSFERS	230-38-76000	TRANSFER FROM RESTAURANT TAX	Award - 2016 Marketing Campaign	100,000
Total Revenue Adjustment:				100,000

Expenditures

VISITOR'S BUREAU	230-4780-490	ADVERTISING & PROMOTIONS	Award - 2016 Marketing Campaign	100,000
Total Expenditure Adjustment:				100,000

COUNCIL ON AGING FUND

Adopted Budget: \$657,711

Proposed Budget: \$659,199



BUDGET AMENDMENT

Resolution: 2016-16

Hearing: June 28, 2016

6:00 PM

Department	Account	Title	Description	Adjustment
Revenues				
GRANTS	240-33-10000	FEDERAL GRANTS-CNS -RSVP FUNDS	Additional Funding - RSVP	200
CONTRIB./TRANSFERS	240-38-90000	APPROPRIATED FUND BALANCE	Payout for RSVP Employee	1,288
Total Revenue Adjustment:				1,488
Expenditures				
SC - RSVP	240-4973-110	SALARY	Payout for RSVP Employee	2,002
SC - RSVP	240-4973-130	EMPLOYEE BENEFITS	Payout for RSVP Employee	1,411
SC - RSVP	240-4973-230	TRAVEL	Payout for RSVP Employee	(100)
SC - RSVP	240-4973-231	TRAVEL - IN STATE	Payout for RSVP Employee	(575)
SC - RSVP	240-4973-610	MISC SUPPLIES-VOL RECOGNITION	Payout for RSVP Employee	(1,250)
Total Expenditure Adjustment:				1,488

RESTAURANT TAX FUND

Adopted Budget: \$1,430,000

Proposed Budget: \$1,430,000

Revenues

Total Revenue Adjustment: -

Expenditures

RESTAURANT TAX	260-4780-620	MISC SERVICES	Awards to County Functions	(303,500)
TRANSFERS OUT	260-4810-201	TRANSFER OUT - GENERAL FUND	Award - Advertising/Promoting the Fair and Rodeo	18,000
TRANSFERS OUT	260-4810-201	TRANSFER OUT - GENERAL FUND	Award - Fairgrounds Grandstand Upgrade	35,000
TRANSFERS OUT	260-4810-201	TRANSFER OUT - GENERAL FUND	Award - Cache County Events Center - Fairgrounds	100,000
TRANSFERS OUT	260-4810-201	TRANSFER OUT - GENERAL FUND	Award - Fairgrounds Outdoor Arena Security Fencing	15,500
TRANSFERS OUT	260-4810-207	TRANSFER OUT - MUNICIPAL SRVC	Award - Trails Planner Salary Assistance	35,000
TRANSFERS OUT	260-4810-210	TRANSFER OUT - VISITORS BUREAU	Award - 2016 Marketing Campaign	100,000

Total Expenditure Adjustment: -

RAPZ TAX FUND

Adopted Budget: \$1,432,000

Proposed Budget: \$1,951,890

Revenues

TAXES	265-31-30000	RAPZ TAX	Adjusted Revenue Estimate	(10,660)
CONTRIB./TRANSFERS	265-38-90500	APP FUND BAL - PO CARRY OVER	Carry Over 2015 Awards	530,550

Total Revenue Adjustment: 519,890

Expenditures

RAPZ TAX	265-4780-480	RAPZ ALLOCATION - POPULATION	Carry Over 2015 Awards	92,350
RAPZ TAX	265-4780-480	RAPZ ALLOCATION - POPULATION	Adjust to Actual Awards	(6,608)
RAPZ TAX	265-4780-480	RAPZ ALLOCATION - POPULATION	Population Award for County	(11,173)
RAPZ TAX	265-4780-481	RAPZ ALLOCATION - ZOO	Adjust to Actual Awards	(4,052)
RAPZ TAX	265-4780-482	RAPZ ALLOCATION - PROJECTS	Carry Over 2015 Awards	438,200
RAPZ TAX	265-4780-482	RAPZ ALLOCATION - PROJECTS	Award - Legal Survey of Upper and Lower Canals	(13,800)
TRANSFERS OUT	265-4810-207	TRANSFER OUT - MUNICIPAL SRVC	Population Award for County	11,173
TRANSFERS OUT	265-4810-207	TRANSFER OUT - MUNICIPAL SRVC	Award - Legal Survey of Upper and Lower Canals	13,800

Total Expenditure Adjustment: 519,890

AMBULANCE

Adopted Budget: \$643,000

Proposed Budget: \$1,105,240



BUDGET AMENDMENT

Resolution: 2016-16

Hearing: June 28, 2016

6:00 PM

Department	Account	Title	Description	Adjustment
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Revenues

CONTRIB./TRANSFERS	295-38-70000	APPROPRIATED FUND BALANCE	2015 Unspent funds for Building	212,240
CONTRIB./TRANSFERS	295-38-70000	APPROPRIATED FUND BALANCE	2015 Contribution from CCEMS for Building	250,000

Total Revenue Adjustment: 462,240

Expenditures

AMBULANCE	295-4262-720	BUILDINGS	Continue Ambulance Building Project	462,240
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Total Expenditure Adjustment: 462,240

CAPITAL PROJECTS - RIVER PROJECT

Adopted Budget: \$2,372

Proposed Budget: \$458,959

Revenues

CONTRIB./TRANSFERS	390-38-90000	APPROPRIATED FUND BALANCE	Close CP - River Project to CP - General	456,587
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Total Revenue Adjustment: 456,587

Expenditures

TRANSFERS OUT	390-4810-400	TRANSFER OUT - CAPITAL PROJ	Close CP - River Project to CP - General	456,587
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Total Expenditure Adjustment: 456,587

CAPITAL PROJECTS - GENERAL

Adopted Budget: \$0

Proposed Budget: \$551,221

Revenues

CONTRIB./TRANSFERS	400-38-21000	TRANSFER FROM CAPITAL PROJECTS	Close CP - Parking Lot Fund to CP - General	94,634
CONTRIB./TRANSFERS	400-38-21000	TRANSFER FROM CAPITAL PROJECTS	Close CP - River Project to CP - General	456,587

Total Revenue Adjustment: 551,221

Expenditures

CONTRIBUTIONS	400-4800-990	CONTRIBUTION TO FUND BALANCE	Close CP - Parking Lot Fund to CP - General	94,634
CONTRIBUTIONS	400-4800-990	CONTRIBUTION TO FUND BALANCE	Close CP - River Project to CP - General	456,587

Total Expenditure Adjustment: 551,221

CAPITAL PROJECTS - PARKING LOT

Adopted Budget: \$0

Proposed Budget: \$94,634

Revenues

CONTRIB./TRANSFERS	410-38-90000	APPROPRIATED FUND BALANCE	Close CP - Parking Lot Fund to CP - General	94,634
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Total Revenue Adjustment: 94,634

Expenditures

TRANSFERS OUT	410-4810-400	TRANSFER TO - CAPITAL PROJECTS	Close CP - Parking Lot Fund to CP - General	94,634
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Total Expenditure Adjustment: 94,634

CAPITAL PROJECTS - ROADS

Adopted Budget: \$6,492,913

Proposed Budget: \$6,872,913

Revenues

CONTRIB./TRANSFERS	460-38-90000	APPROPRIATED FUND BALANCE	Additional Funding for CCCOG Projects	380,000
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BUDGET AMENDMENT

Resolution: 2016-16

Hearing: June 28, 2016

6:00 PM

Department	Account	Title	Description	Adjustment
Total Revenue Adjustment:				380,000
Expenditures				
ROAD CONSTR.	460-4420-760	NEW ROAD CONSTRUCTION	Additional Funding for CCCOG Projects	180,000
TRANSFERS OUT	460-4810-200	TRANSFER TO MUNICIPAL SERVICES	CCCOG Project - County Road 238	200,000
Total Expenditure Adjustment:				380,000



CACHE COUNTY RESOLUTION 2016 - 17

A RESOLUTION AMENDING THE CACHE COUNTY CORPORATION PERSONNEL POLICY AND PROCEDURE MANUAL SECTION VIII(O); SECTION IX(G)(3); AND SECTION X GRIEVANCES AND APPEALS

WHEREAS, the Cache County Council on _____, _____, in a regular meeting of which lawful notice had been given, considered amending Section VIII(O); Section IX(G)(3); and Section X of the Cache County Corporation Personnel Policy and Procedure Manual which describes Grievances and Appeals; and

WHEREAS, the proposed amendments to the Cache County Corporation Personnel Policy and Procedure Manual are consistent with State law.

WHEREAS, the Cache County Council finds that it is necessary, appropriate, and in the best interest of the County and its personnel that the Cache County Corporation Personnel Policy and Procedure Manual be amended;

NOW THEREFORE, BE IT RESOLVED that the County Council approves the adoption of the following resolution:

- 1 **Amendments:** The Cache County Corporation Personnel Policy and Procedure Manual is hereby amended as set forth in the attached Exhibit A.
- 2 **Application:** The amendment to the Cache County Corporation Personnel Policy and Procedure Manual shall apply to all current and future county employees.
- 3 **Prior Resolution and Policies:** This Resolution and the amendments specified in Exhibit A to the Cache County Corporation Personnel Policy and Procedure Manual supersede all previously adopted resolutions and policies to the extent that they are in conflict with the specified provisions of this Resolution and the attached Exhibit A.
- 4 **Effective Date:** This Resolution shall be effective immediately upon its adoption.

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

CACHE COUNTY COUNCIL

By:

Greg Merrill, Chairman

ATTEST:

By: _____
Jill N. Zollinger, County Clerk



EXHIBIT A

SECTION VIII(O) -- RULES AND REGULATIONS

O. Vehicle Safety & Operator Guidelines

Cache County has established standard operating procedures with regard to the operation of county vehicles and equipment. These procedures include:

1. Any employee or volunteer who will be driving a county owned vehicle will be required to obtain/maintain the following:
 - a. Hold a current valid Utah driver's license of the correct class for the vehicle they will be operating.
 - b. Be age 18 or older.
 - c. Be mentally and physically able to drive safely.
 - d. Obey all traffic laws, rules and regulations and use common sense and good judgment.
 - e. No convictions for driving under the influence of alcohol or drugs or reckless driving offenses within the previous five (5) years or no more than two (2) moving violations within the previous 24 months.
2. An annual review by Human Resources of the Driver's License Record of employees and volunteers who will be operating county owned vehicles, or driving a personal vehicle while on county business. Eligibility will be in accordance with the county's insurance provider and the county's Risk Management Program.
3. While driving any vehicle on County business, employees and volunteers will be subject to the following:
 - a. If an employee's work requires driving, his or her license will be checked before employment and periodically thereafter. The employee must notify their supervisor immediately upon expiration, suspension or revocation. Failure to report or continuing to drive a County vehicle will result in discipline, including possible termination.
 - b. Drive a personal vehicle on county business that is properly registered and insured in the amounts required by State law.
 - c. Observe and inspect a county vehicle for obvious defects and safety hazards. If a hazard is apparent, the vehicle shall not be operated. No employee shall knowingly operate an unsafe vehicle on county business. This includes county owned vehicles and personal vehicles used on county business.



- i. All county vehicle maintenance or safety problems shall be reported immediately to the employee's Department Head.
- d. Drive with courtesy, care, and caution, and make the safety of the driver, passengers, pedestrians, and other drivers, of paramount concern.
- e. Not drive while impaired by alcohol, prescription drugs, or illegal substances.
 - i. If an employee is suspected of being under the influence or impaired the department head or their designee will have the employee immediately go to WorkMed who will conduct the necessary tests to determine the employee's ability to drive.
 - ii. If a volunteer is suspected of being under the influence or impaired, they will be asked to leave and their services will no longer be accepted.
- f. Observe all accident reporting procedures.
- g. Not allow an unauthorized person to have the keys to or operate a County vehicle, unless an emergency requires it.
- h. Ensure that all vehicle occupants properly use the restraint and other protective devices consistent with applicable laws.
- i. Cache County will not be liable for injuries or damages arising from activities outside the scope of employment, including but not limited to personal use of rented vehicles by employees during a County-authorized business trip. If a County employee on county business is involved in an accident while driving a personal vehicle, the employee's personal insurance shall provide the primary coverage.
- j. Drivers of county vehicles shall carry only authorized passengers:
 - a. Persons riding as part of County business;
 - b. Spouse or children of employees traveling to and from an approved office-related out-of-County training session, conference, or seminar.
 - i. Requires written pre-authorization from the Department Head, County Risk Manager, and County Executive.
 - c. Exceptions for public safety personnel may be allowed as per department's policy and procedures.
- k. All employees and volunteers shall abide by Utah State motor vehicle laws including the use of seat belts by all occupants of county owned vehicles. *Any employee who operates a vehicle on County business and does not properly use a seatbelt may be disciplined up to and including termination.*



- l. Any employee or volunteer, with the exception of public safety personnel, and in accordance with public safety policies, who uses a cell phone during the course of county business, including travel time, shall be expected to take the caller's name and phone number and upon safely pulling off the side of the road and parking, then return the call. *If any employee or volunteer is involved in a vehicle accident while talking on a cell phone, while driving on county business, such employee will be subject to scrutiny by the county's Accident Review Board and will merit disciplinary action up to and including termination based on the severity of the accident (see §Q.10.e. - Mobile Computing Device Safety).*
- m. Though the county carries liability and property damage insurance on all county owned vehicles and thereby covers employees while driving county owned vehicles on official county business, accidents which are found to have been preventable or avoidable or to be the fault of the employee may subject the employee to disciplinary action up to and including termination.

SECTION IX(G)(3) – EMPLOYEE BENEFITS

3. Health Insurance

Merit Employees, full-time appointed department heads, and elected officials are eligible for health care insurance benefits. Under the county's current health care plan with PEHP, the county pays 85% of the Advantage or Summit Care plan premium for full-time merit employees, full-time appointed department heads, and full-time elected officials, *if the employee and their spouse participate in the county's wellness program.*

- a. Unlike the dental insurance, a newly hired merit employee may enroll in the health insurance plan within 60 days of their hire date. When an employee enrolls on the health insurance plan, premiums are withheld from the employee's check biweekly. Upon the County withholding the next month's premium (one month in advance) the health insurance coverage becomes effective the first day of the month.
 - i. When a month has three pay periods, the health insurance will only be withheld from the first two paychecks in that month.
 - ii. Regarding employees who leave the county's employment, one of the following will apply:
 - a. If, for any reason, an employee leaves the county's employment *between the first of the month and the first paycheck*, no medical premiums will be withheld from the employee's final paycheck and medical insurance coverage will terminate on the last day of the month in which the employee leaves the county's employment.
 - b. If, for any reason, an employee leaves the county's employment *between the first and second paycheck of the month*, the employee's half of the medical premium captured



in the first paycheck of the month will be refunded in their final paycheck. Medical insurance coverage will then terminate on the last day of the month in which the employee leaves the county's employment.

- c. If, for any reason, an employee leaves the county's employment *between the second paycheck and the end of the month*, the medical insurance coverage will then continue through the end of the next month and no refund will be issued.

- b. Any employee who chooses to not enroll in health care benefits upon their starting with the County must wait until the annual open-enrollment period to do so. The only exception to this policy is if a merit employee or elected official experiences a life-changing event within their personal life (e.g. birth of a child, death of a dependent, loss of benefits when covered by spouse, etc.). Then they must enroll or make changes to their policy within 30 days of the life-changing event. It is the responsibility of the employee to ensure their health care insurance is accurate, complete, and current. Failure to do so will then prohibit enrollment or changes until the annual open-enrollment period.

- c. The County pays a stipend to full-time eligible employees and elected officials who provide proof of coverage through other insurance sources, who elect not to participate in the health insurance program, or who elect single coverage only. Those employees who elect two-party coverage or family coverage are not eligible for the stipend payment.

- d. If, during the course of employment, an employee dies, the county will pay the full health insurance premium for the deceased employee's family for a period of four months as long as the employee meets the following criteria at the time of death:
 - i. The employee is a merit employee with benefits
 - ii. The employee is enrolled in the county's health care plan
 - iii. The county will cover only those family members who are specified on the deceased employee's current health insurance enrollment form or those who legally meet the health insurance provider's criteria (i.e. children must be younger than 26 years of age and unmarried).



SECTION X -- GRIEVANCES AND APPEALS

A. DEFINITION

A grievance is defined as any dispute or complaint arising between an employee and the County. A grievance includes but is not limited to acts of discrimination as defined in Title VII of the Civil Rights Act of 1964, Americans with Disabilities Act of 1990, or the Age Discrimination in Employment Act of 1967 (ADEA), which address race, color, religion, sex, national origin, political affiliation, disability or age.

B. POLICY

It is Cache County's policy to address employee's grievances promptly, fairly, and in accordance with County Policy. The grievance and appeals procedure is available to non-probationary merit employees in the event of dismissal, demotion, suspension or transfer for any reason. This policy does not include merit system deputy sheriffs for a grievance when there is a right to appeal a demotion, reduction in pay, suspension, or discharge to the merit commission as established by Utah law.

1. There may be circumstances in which an employee believes that he or she has been treated unfairly or when an employee feels dissatisfied with some aspect of his or her employment over which he or she has no control and for which he or she desires action. Employees who have grievances created by work situations have the right to submit such grievances for orderly disposition.
2. It is the policy of Cache County that the grievance and appeals policy and procedures set forth herein be used in conjunction with the performance improvement policy described in Section VII. Employees shall not be discriminated against, coerced, restrained nor retaliated against in any way for using the grievance procedure as set forth herein.
3. *Timeframe for Resolution: To any and all timeframes noted within this section, Human Resources shall have the authority to grant extensions based on staff availability or other extenuating circumstances.*

C. STEPS FOR RESOLVING GRIEVANCES

1. **STEP 1: VERBAL TO DEPARTMENT HEAD**

- a. The employee should verbally communicate any complaint or grievance to the department head. The employee should clearly identify the problem and suggest possible solutions to the department head.
- b. All grievances shall be communicated within five (5) working days after the incident occurs or situation arises so that the grievance can be appropriately considered.



- c. After receipt of verbal communication of grievance, the department head shall respond within five (5) working days to the employee with a solution or other response.
- d. The employee, after having received a solution or an answer back from the department head, has ten (10) working days to appeal if not satisfied with the results.

2. **STEP 2: WRITTEN TO DEPARTMENT HEAD**

- a. If the grievance is not satisfactorily resolved with the verbal communication to the department head or within the time allowed for in **Step 1**, a written grievance on the county's Grievance Form (available from the Director of Human Resources) with a clear, detailed statement of the grievance and supporting facts should be hand-carried to the department head and a copy to the Director of Human Resources.
- b. The department head and the Director of Human Resources have ten (10) working days to review and respond to the written grievance. The response to the employee from the department head and the Director of Human Resources shall be in written form.
- c. The employee, after having received a response to the written grievance from the department head and the Director of Human Resources, has ten (10) working days to appeal to the Director of Human Resources if they are not satisfied with the results.

3. **STEP 3: APPEAL TO GRIEVANCE COMMITTEE**

If not satisfied with the written response of the department head and Director of Human Resources and the grievance remains unresolved or the department head and the Director of Human Resources failed to respond within the time allowed for in **Step 2**, an appeal to the grievance committee may be submitted to the Director of Human Resources by the employee.

- a. *All pertinent information (written, photo, video, audio, list of witnesses, witness statements, etc.) is to be provided to the Chair of the Grievance Committee at the time of the filing of the grievance. Documents not provided in a timely manner may not be considered by the Grievance Committee.*

D. THE GRIEVANCE COMMITTEE

The grievance committee shall consist of five members, recommended by the Director of Human Resources, appointed by the County Executive, and confirmed by the County Council. The committee shall consist of:

- One elected official or One Department Head within Cache County who will chair the committee.
- Two merit employees in a supervisory capacity (e.g. Lieutenant, Sergeant, Foreman, etc.)
- Two other merit employees, who are not elected or appointed and not in a supervisory capacity.
- Alternate members for each category shall also be recommended, appointed and confirmed.



1. The Director of Human Resources or HR staff may not serve on the grievance committee. The County Attorney, or designee, will serve as legal counsel to the grievance committee and chair. If any member of the grievance committee has a direct conflict of interest with an appeal or is from the same department as the appealing employee, that member must so state after notification of a pending appeal and an alternate member shall be appointed to replace that member for the specific appeal only.
 - a. If the employee believes that a conflict of interest exists with a member of the grievance committee, the employee may request that that member of the grievance committee be replaced by an alternate member. In that event, an alternate member shall be appointed for that appeal only. Under no circumstances shall more than one alternate member be required to be appointed to replace an original member of the grievance committee.
 - b. The appeal shall include the signed written grievance on the county's Grievance Form with a clear statement of relevant facts and any applicable rules, policies, or laws, along with copies of any supporting documentation (written, photo, video, audio, list of witnesses, witness statements, etc.) and the employee's recommendations or request for a solution.
 - c. The Department may have 10 days to respond to the written documentation submitted by the employee.
 - d. *The grievance committee shall have ten (10) working days to meet and determine if a hearing should be held.*
 - i. If the grievance committee determines that a hearing is not justified, it will explain the decision and recommend a solution in writing to the employee and the department head. The recommendation of the grievance committee is final.
 - ii. If the grievance committee determines that a hearing is justified, it shall give written notice to the employee no less than five working days before the hearing.
2. The procedure for the hearing before the grievance committee shall be as follows:
 - a. At the hearing the employee or their representative shall be placed under oath and shall establish the basis of the employee's grievance.
 - b. The department head shall be placed under oath and will also review his or her findings with the grievance committee.
 - c. Parties to the grievance may call witnesses who shall be sworn in before testifying.
 - d. The grievance committee may ask questions and gather relevant information as it deems appropriate.
 - e. Upon completion of the hearing, the grievance committee shall render a written decision to the employee and the department head within ten working days of the conclusion of the hearing. The decision of the committee shall be final.
 - f. Only the grievance committee shall make a record of the hearing and its decision and may do so by using an audio recorder but no recording shall be made of the deliberations of the committee. *No other recordings of the proceedings will be allowed.* Grieving parties may



- make a written request of an official copy of the record or any recordings.
- g. *Neither the hearing, the deliberations, nor other proceedings before the grievance committee constitute open and public meetings and therefore shall be closed.*
 - i.

E. TERMINATION AND TRANSFER APPEALS

In those cases where a non-probationary merit employee is discharged through involuntary termination, suspended, or transferred through demotion from one position to another with less remuneration for any reason, the non-probationary merit employee has the right to a hearing before the grievance committee in accordance with the following procedures. This policy does not include merit system deputy sheriffs for a grievance when there is a right to appeal a demotion, reduction in pay, suspension, or discharge to the merit commission as established by Utah law.

1. Within ten (10) working days of the discharge, suspension, transfer or demotion, a non-probationary employee requesting an appeal hearing shall submit a written grievance on the county's Grievance Form to the Director of Human Resources with a clear, detailed statement of the grievance and supporting facts. The Director of Human Resources shall then immediately forward the request and all supportive facts to the grievance committee.
 - a. The employee's request for a hearing shall set forth the action being appealed and include a statement by the employee stating in detail the facts of the case, the reasons why the appeal is being taken and what remedial action the employee desires.
 - b. Within ten (10) working days after receipt of the request for a hearing, the grievance committee shall meet and determine if a hearing is justified and if so, establish a hearing date and give written notice of the hearing to the employee not less than five (5) working days before the hearing.
 - i. The written notice should include:
 - The hearing date, time and location;
 - A statement that the employee shall be entitled to appear in person at the hearing to present evidence on their behalf and question witnesses and examine all evidence to be considered by the grievance committee, and that the employee may be represented by a person or legal counsel of the employee's choice and expense;
 - A statement to the effect that the committee will conduct the hearing informally and that:
 - The strict rules of evidence shall *not* apply;
 - That all witnesses will nevertheless be placed under oath by the Committee Chair;
 - That the grievance committee may request that the County Attorney act as counsel for the grievance committee;
 - That the aggrieved employee shall proceed first with the presentation of such facts and issues deemed relevant; and

- That all witnesses shall be subject to cross-examination and questioning by the members of the grievance committee and the employee.
- c. The committee shall make a written report of its findings and decision. The report should contain the material facts brought out in the hearing upon which the committee bases its decision and a copy should be provided to the department head, Human Resources, and the employee within ten (10) working days from conclusion of the hearing.
- d. Only the grievance committee shall make a record of the hearing and its decision and may do so by using an audio recorder but no recording shall be made of the deliberations of the committee. *No other recordings of the proceedings will be allowed.* Grieving parties may make a written request of an official copy of any recordings.
- e. *Neither the hearing, the deliberations, nor other proceedings before the grievance committee constitute open and public meetings and therefore shall be closed.*
- i.

F. GRIEVANCE PROCEDURE FOR HARASSMENT

All county employees are entitled to a work environment free from harassment based on race, color, religion, age, sex, national origin, disability, status as a veteran, or any other protected status.

1. DEFINITIONS

- a. “Sexual Harassment” is defined as follows: Unwelcome sexual advances, requests for sexual favors, and other verbal or physical conduct of a sexual nature constitute sexual harassment when:
 - Submission to such conduct is made either explicitly or implicitly a term or condition of an individual's employment.
 - Submission to or rejection of such conduct by an individual is used as the basis for employment decisions affecting such individual.
 - Such conduct has the purpose or effect of unreasonably interfering with an individual's work performance or creating an intimidating, hostile, or offensive working environment.
- b. “Harassment” includes but is not limited to:
 - Epithets (e.g. nicknames, labels, etc.)
 - Slurs,
 - Derogatory comments or jokes,
 - Intimidation,
 - Negative stereotyping,
 - Physical aggression such as pinching or patting,
 - Threats,
 - Assault
 - Horseplay or bantering of a sexual or off-color nature
 - Any physical interference with an employee’s normal work or movement, directed at individual employees, their relatives,

- Verbal sexual abuse disguised as humor,
 - Obscene gestures,
 - Harassment may also include written or graphic material placed on walls, bulletin boards or elsewhere on the County's premises or circulated in the workplace that denigrates, shows hostility or aversion towards an individual or group.
- friends or associates.
 - Critical or negative remarks made about an employee's performance and not based on characteristics outlined above are not Harassment.

2. POLICY and PROCEDURE

It is the policy of Cache County that harassment of any person based on race, color, religion, age, sex, national origin, disability, status as a veteran, or any other protected status is strictly prohibited, whether directed at an employee, a vendor, or member of the public. County administrators and supervisory personnel are required to immediately report it so that it may be investigated and remedied with appropriate disciplinary action taken against any County employee who engages in harassment. The County encourages the prompt reporting of instances of harassment and will ensure that reporting employees' rights are protected. Confidentiality will, to the extent practical under the law and under the necessities of disciplinary action, be protected. Employees may bring good faith complaints without fear of retaliation.

- a. Employees of the County who are the victim(s), or are otherwise aware of harassment by or against a county employee are encouraged to report such harassment as soon as possible. Anyone who believes they have been discriminated against or harassed has a duty to come forth and report such incidents. Employees may, at their choice, make a report of harassment to any of the following:
 - Any supervisor in the employee's chain of command
 - Any employee in Human Resources
 - The County Attorney or their designee
- b. An employee of the County who believes that he/she has been harassed as defined by the policy should:
 - i. Report the incident(s) to his/her department head immediately; an initial report of harassment need not be in writing.
 - ii. Once an incident has been reported, the employee is to submit a signed, written description of the incident(s) to their immediate department head or supervisor within five (5) working days of the most recent incident. The signed written description shall include a clear statement of relevant facts and any applicable supporting documentation (written, photo, video, audio, witnesses, etc.)



- iii. If the alleged offending party is the department head, functions assigned to the department head under these procedures shall transfer to the Director of Human Resources.
- c. The department head or supervisor shall send a copy of the written complaint and all applicable supporting documentation to the Director of Human Resources.
- d. *If, prior to filing a complaint under these procedures, the offended party seeks resolution of the matter in another form, whether administrative or judicial, the department head or Director of Human Resources shall have no obligation to proceed further with the matter pursuant to this grievance procedure.*
- e. The complainant has the responsibility of demonstrating that the accusation is valid. If the department head and the Director of Human Resources feel an investigation is warranted, they may contact the county attorney (or designee), to assist with an appropriate course of action to the complaint prior to conducting an investigation.
- f. All matters relating to the investigation shall be kept confidential.
- g. If the department head, HR, and the county attorney (or designee), determine further examination of the case is warranted, the department head and HR shall conduct an investigation to ascertain the pertinent facts and make a good faith effort to resolve the complaint through an informal process.
 - i. The alleged offending employee should have the opportunity to respond to the charges prior to the implementation of any disciplinary action.
- h. In examining the evidence, the department head and HR shall consider all of the circumstances including, but not limited to, the nature of the harassing advances and the context in which the alleged incident(s) occurred.
- i. In the event that the department head and HR believes that the complaint is not supported by sufficient evidence, they may dismiss the complaint.
 - a. The claimant employee may appeal the decision to dismiss the complaint to the grievance committee.
- j. The grievance committee will then review the complaint, supportive documentation, and the findings of the investigation and the rationale of the department head and HR as to why the complaint was dismissed.
- k. Upon concluding their review, if the grievance committee finds the department head and HR have acted prudently in their investigation, the decision to dismiss will stand.
- l. If the grievance committee feels the department head and HR did not conduct a fair, thorough investigation, they may direct the department head and HR to seek additional information surrounding the accusations.



- m. If, after preliminary investigation, the department head and HR determine the accusations to be valid, and if informal resolution has failed, the department head shall take immediate and appropriate disciplinary action as determined by the department head, the Director of Human Resources, and the county attorney (or designee).
- n. Any retaliatory action of any kind by any employee against any other employee, as a result of this procedure, is prohibited and shall be regarded as a separate complaint under these procedures.
- o. Any employee, who knowingly files a false complaint or knowingly misrepresents facts or evidence, shall be subject to disciplinary action.
- p. ***Neither the investigation findings, hearing, the deliberations, nor other proceedings before the grievance committee constitute open and public meetings and therefore shall be closed.***
 - i.***

G. DISCIPLINARY ACTION

Harassment is an unlawful activity that violates County employment principles and policies, and such activity is prohibited as a form of discrimination under Title VII of the Civil Rights Act. Any employee who engages in such activity shall be subject to disciplinary action, which may include but is not limited to, disciplinary counseling, probation, suspension without pay, or termination of employment.