



November 18, 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. Regular Meeting on TUESDAY, NOVEMBER 22, 2016**

AGENDA

- 5:00 p.m.**
1. **CALL TO ORDER**
 2. **OPENING / PLEDGE** – David Erickson
 3. **REVIEW AND APPROVAL OF AGENDA**
 4. **REVIEW AND APPROVAL OF MINUTES** (November 8, 2016)
 5. **MINUTES FOLLOW-UP**
 6. **REPORT OF COUNTY EXECUTIVE**
 - a. Appointments
 - b. Warrants
 - c. Other Items
- 5:15 p.m.**
- e. **1st CDBG Public Hearing**
 7. **CONSENT AGENDA**
 - a. **Maple Fields Subdivision** – Request for a three-lot subdivision with an agricultural remainder on 7.55 acres in the Agricultural (A10) Zone located at 1100 West 6600 North, west of Smithfield
 8. **ITEMS OF SPECIAL INTEREST**
 - a. Bear River Mental Health Annual Financial Audit Report – Reed Ernstrom
 9. **UNIT OR COMMITTEE REPORTS**
 10. **BUDGETARY MATTERS**
 11. **PUBLIC HEARINGS, APPEALS AND BOARD OF EQUALIZATION MATTERS**
- 5:30 p.m.***
- a. **Public Hearing – Resolution 2016-23 and Resolution 2016-26**

Public Hearing regarding the issuance by the County of its business development revenue refunding bonds in an amount not to exceed \$3,000,000; and related matters.

Consideration for adoption of a resolution providing for the conduit financing by Cache County, Utah (The “Issuer”) for refinancing the costs of the expansion of the existing building and the furnishing and equipping of such building for use as a rehabilitation facility (The “Project”) and land to be located in Logan, Utah in order that Sunshine Terrace Foundation, Inc. (The “Borrower”) may be provided with facilities to promote the general health and welfare within the state of Utah; authorizing and providing for the issuance by the issuer of its not to exceed \$3,000,000 business development revenue refunding bonds (Sunshine Terrace Foundation, Inc. Project) series 2016 which will be payable solely from the revenues arising from the pledge of a loan agreement with the borrower; authorizing the execution and delivery of a loan agreement among the issuer, the borrower, and ZB, National Association (The “Lender”) and related documents; and related matters

- 5:45 p.m.* b. **Public Hearing – Resolution 2016-28**
Cache County Council’s willingness and direction to reestablish the dedication of a portion of the local sales and use tax revenues to be received by the County to the Bridgerland Community Ice Arena, doing business as the George S. Eccles Ice Center (The “Ice Arena”) to assist in the continued funding for and growth of the long-term endowment for the ice arena; and related matters
- 6:00 p.m.* c. **Public Hearing – Open 2016 Budget**
- 6:15 p.m.* d. **Public Hearing – 2017 Budget and Tax Increase Hearing**
Cache County intends to increase the property tax rate above the certified tax rate in order to generate an estimated \$240,121 in additional property tax revenue. These funds will be used to help cover the rising costs of employment and other inflationary costs experienced by the County. The increase is approximately 2.12%

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

12. **PENDING ACTION**

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

- a. **Resolution 2016-26** – A resolution providing for the conduit financing by Cache County, Utah (the “Issuer”) for refinancing the costs of the expansion of the existing building and the furnishing and equipping of such building for use as a rehabilitation facility (the “project”) and land to be located in Logan, Utah in order that Sunshine Terrace Foundation, Inc. (the “Borrower”) may be provided with facilities to promote the general health and welfare within the state of Utah; authorizing and providing for the issuance by the issuer of its not to exceed \$3,000,000 business development revenue refunding bonds (Sunshine Terrace Foundation, Inc. project) series 2016 which will be payable solely from the revenues arising from the pledge of a loan agreement with the borrower; authorizing the execution and delivery of a loan agreement among the issuer, the borrower and ZB, National Association (the “lender”) and related documents; and related matters.
- b. **Resolution 2016-28** – Cache County Council’s willingness and direction to reestablish the dedication of a portion of the local sales and use tax revenues to be received by the County to the Bridgerland Community Ice Arena, doing business as the George S. Eccles Ice Center (The “Ice Arena”) to assist in the continued funding for and growth of the long-term endowment for the ice arena; and related matters
- c. **Resolution 2016-29** – Amendments to 2016 Budget
- d. **Resolution 2016-30** – Authorizing Eminent Domain Proceedings
- e. **Hansen 400 West Subdivision** – Request for a four-lot subdivision on 8.76 acres in the Rural 2 (RU2) Zone located approximately 6500 North 400 West, north of Smithfield
- f. **Property Tax Relief Requests**

14. **OTHER BUSINESS**

- a. Cache County Employees Christmas Dinner – Wednesday, December 14, 2016 at 6:30 p.m.
Riverwoods Conference Center
- b. Open House for Departing Council Members – Friday, December 16, 2016 from 2:00 p.m. to 4:00 p.m.
Historic Courthouse, County Council Chambers

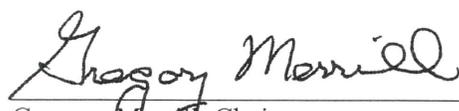
15. **COUNCIL MEMBER REPORTS**

16. **ADJOURN TO CACHE COUNTY COMMUNITY DEVELOPMENT AND RENEWAL AGENCY**

CACHE COUNTY COMMUNITY DEVELOPMENT AND RENEWAL AGENCY

- 6:30 p.m.* 1. **CALL TO ORDER**
2. **PUBLIC HEARING – ADOPT 2017 BUDGET**
3. **ADJOURN TO COUNCIL MEETING**
-

17. **ADJOURN**


Gregory Merrill, Chairman

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

STAFF REPORT: MAPLE FIELDS SUBDIVISION

03 Nov 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: Duane Williams

Parcel ID#: 08-037-0012

Staff Determination: Approval with conditions

Type of Action: Administrative

Land Use Authority: Council

LOCATION

Reviewed by Chris Harrild

Project Address:

1100 W 6600 N
west of Smithfield

Current Zoning:
Agricultural (A10)

Acres: 7.55

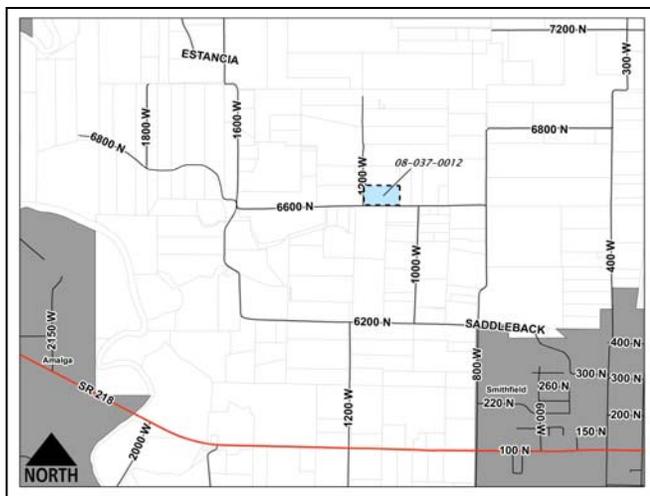
Surrounding Uses:

North – Agricultural/Residential

South – 6600 N/Agricultural/Residential

East – Agricultural/Residential

West – 1200 W/Agricultural/Residential



FINDINGS OF FACT (28)

Summary

1. The Maple Fields Subdivision is a request for three 0.50 acre lots with a 5.51 acre agricultural remainder.

Ordinance—§12.02.010; §16.02.080, §17.02.060, §17.07.040, §17.10.040. See conclusion #1.

2. Title 16 Subdivision and Title 17 Land Use establish the requirements for the subdivision and use of property within the unincorporated county.
3. As per §17.02.060, Establishment of Land Use Authority, the County Council is authorized to act as the Land Use Authority for this application.
4. This parcel is a legal lot, identified as a 1970 parcel as per the “Policy for Determination of Parcel Legality” dated 29 August 2013.

5. For parcels identified as agricultural remainders, a deed restriction stating that the remainder is non-buildable except for agricultural structures is required to be recorded against said parcel. *See conclusion #1.*
6. §12.02.010 adopts the Manual of Roadway Design and Construction Standards (Road Manual) for roadway improvement requirements.

Access—§16.04.040 [A], §16.04.080 [E], Road Manual

7. Primary access to the property and the proposed buildable lots is via county roads 800 West and 6600 North.
8. The Cache County Manual of Roadway Design and Construction Standards (Road Manual) specifies the following:
 - a. Local Road: Roads with more than 30 ADT. This includes roadways that have the capacity for moderate to low speeds and moderate volumes. This category provides a balance between through traffic movements and direct access. These facilities move both regional and local rural traffic with emphasis on local movements, may provide access to proposed commercial or industrial development, and must meet the minimum standard of two, 10' wide paved travel lanes with 2' wide shoulders; 1' paved, 1' gravel (24' total width), 14" depth of granular borrow, a 6" depth of road base, 2.5" of bituminous surface course (asphalt), and a 66' wide right-of-way (ROW).
 - b. 2.4-A-1-c: Development on inadequate roadways is not allowed, and any substandard sections of roadway access must be improved to meet the minimum standards specified in the Road Manual.
 - c. 2.4-A-3-b:
 - i. The proponent must improve the travel lanes of the roadways providing access to the development to the minimum standards identified in Table 2.2 – Roadway Typical Sections.
 - ii. At a minimum, improvement of the shoulder and clear zone is required for the immediate frontage of the developing parcel. Based on traffic volume and site/safety considerations, the County may require that shoulder and clear zone improvements are completed on both sides of the affected roadway.
 - d. 1.8: Consideration and evaluation of a design exception to the Road Manual standards requires full justification and documentation explaining the reasoning as to why the roadway standards cannot be met, why an alternative design or construction method can meet the intent of the roadway standards, and including any other relevant information.

See conclusion #2, #3.

9. A basic analysis of county road 800 West is as follows:
 - a. From the Smithfield City municipal boundary, 800 West currently provides access to three dwellings, several agricultural parcels, and the old Smithfield City dump.
 - b. 800 West consists of an average 20' wide chip seal width with 4' wide gravel shoulders. *See conclusion #2.*
 - c. 800 West is within a county right-of-way (ROW), however the width of that ROW is indeterminate.
 - d. The depth and type of material under 800 West is unknown. However, this is an existing county facility that provides access to the general public. *See conclusion #2.*
 - e. At this location the county provides year round maintenance on 800 West.
10. A basic analysis of county road 6600 North is as follows:
 - a. From the intersection with 800 West, 6600 North currently provides access to six dwellings, several agricultural parcels, and a cabinet manufacturing business that is permitted up to 13 employees.

- b. 6600 North consists of an average 20' wide chip seal width with 2' wide gravel shoulders.
- c. 6600 North is within a county right-of-way (ROW), however the width of that ROW is indeterminate. *See condition #2.*
- d. The depth and type of material under 6600 North is unknown. However, this is an existing county facility that provides access to the general public. *See conclusion #2.*
- e. At this location the county provides year round maintenance on 6600 North.

Water & Septic—§16.04.070, §16.04.080 [A] & [B], §17.10.050 [A-3-b]

- 11. The applicant is in the process of obtaining three domestic-use water rights through the Utah Division of Water Rights. They are not yet approved at this time. *See condition #3.*
- 12. The Bear River Health Department has determined that septic systems are feasible for the proposed lots.
- 13. The northeast corner of the property, part of the proposed agricultural remainder, is within zone 2 of a source water protection zone.
- 14. No proposed septic system shall be permitted within a zone 1 or zone 2 as defined by the current drinking water source protection plan for any public culinary water system. *See condition #4.*
- 15. If future development disturbs land area greater than 5,000 sf., a Notice of Intent (NOI) and Storm Water Pollution Prevention Plan are required. *See condition #5.*
- 16. A portion of the Smithfield Irrigation Company canal borders the eastern property line.

Service Provision—§16.04.080 [C], [D], [F], Road Manual 2.7-D

- 17. The County Fire District has determined that the emergency access to the site meets County Fire Code standards.
- 18. Water supply for fire suppression is provided by the Smithfield Fire Department.
- 19. Logan City Environmental has determined that residential refuse and recycling containers for the proposed lots must be placed across the roadway on the south side of 6600 North for Friday collection.
- 20. A gravel pad of sufficient space for the waste containers is required to safely locate containers outside of travel lanes. *See condition #6.*
- 21. A bus stop for school bus service is provided at 1154 West 6600 North, a ½ block from the property.

Sensitive Areas

- 22. No known Sensitive Areas are present on this parcel.

Public Notice and Comment—§17.02.040

- 23. Public notice was posted online to the Utah Public Notice Website on 17 October 2016.
- 24. Notice was published in the Herald Journal on 24 October 2016.
- 25. Notices were posted in three public places on 17 October 2016.
- 26. Notices were mailed to all property owners within 300 feet of the subject property on 20 October 2016.
- 27. Smithfield City was noticed by e-mail as part of the development review process on 10 October 2016.
- 28. At this time, no written public comment regarding this proposal has been received by the Development Services Office.

CONDITIONS (6)

These conditions are based on the Cache County Subdivision and Land Use Ordinances, Road Manual, and on the findings of fact (F) as noted herein.

1. Prior to recording the subdivision plat or at the time the plat is recorded, a deed restriction stating that “the remainder is non-buildable except for agricultural structures” must be recorded against the parcel identified as an Agricultural Remainder. *See F-5.*
2. Prior to recording the final plat or at the time the plat is recorded, the applicant must reaffirm their 33-foot portion of Cache County’s 66-foot wide right-of-way for all county roads along the proposed subdivision boundary. *See F-10c.*
3. Prior to final plat recordation, adequate, approved domestic-use water rights must be in place for all building lots within the subdivision. *See F-11.*
4. Any septic system must not be located within zone 2 as defined by the current drinking water source protection plan for any public culinary water system. *See F-14.*
5. If future development disturbs land area greater than 5,000 sf., a Notice of Intent (NOI) and Storm Water Pollution Prevention Plan are required. *See F-15.*
6. The applicant must provide sufficient shoulder space on the south side of 6600 North for the residential refuse and recycle containers as specified in the Road Manual §2.7-D. *See F-20.*

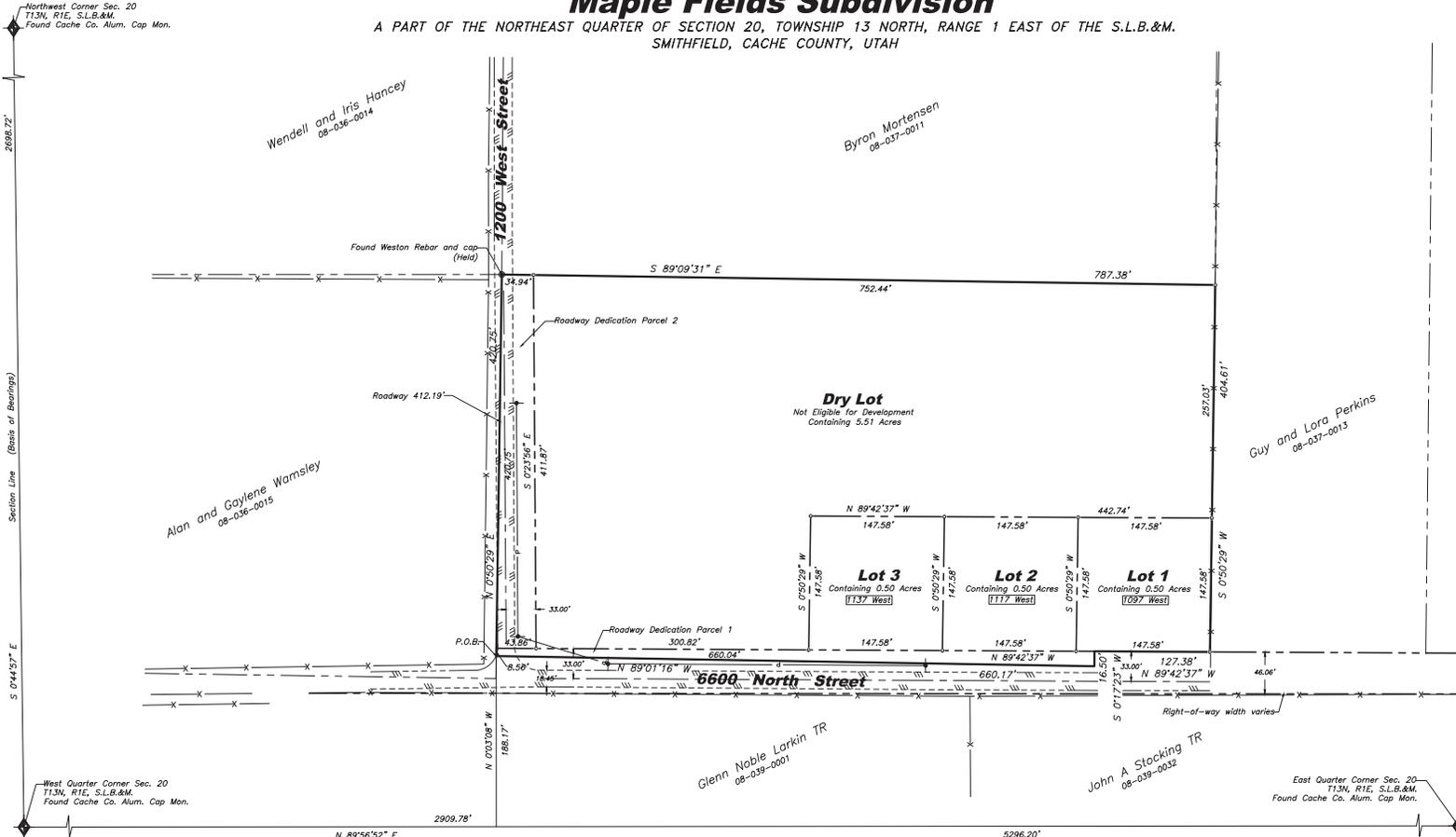
CONCLUSIONS (3)

Based on the findings of fact and conditions noted herein, the Maple Fields Subdivision is hereby approved as follows:

1. The Maple Fields Subdivision has been reviewed in conformance with, and meets the requirements of, the Cache County Subdivision and Land Use Ordinances. *See F-2, 3, 4, 5, 6.*
2. Design Exception: The depth and type of material under 800 West and 6600 North is unknown. *See F-8a, 9b, 10b.* A design exception is hereby approved for the surfacing material type and structural fill as:
 - a. 800 West and 6600 North are public facilities that are owned and maintained by the county.
 - b. The proposed dwellings and agricultural remainder do not create a significant structural impact.
3. Design Exception: The portions of the chip seal width of county roads 800 West and 6600 North do not meet the minimum county standards. *See F-8a, 9b, 10b.* A design exception is hereby approved for the travel lane width of these county roadways as:
 - a. The total roadway width meets or exceeds the minimum county requirements, and;
 - b. The addition of a 2’ wide strip of pavement is not practical and may create future maintenance and structural issues on the roadway.

Maple Fields Subdivision

A PART OF THE NORTHEAST QUARTER OF SECTION 20, TOWNSHIP 13 NORTH, RANGE 1 EAST OF THE S.L.B.&M. SMITHFIELD, CACHE COUNTY, UTAH



Section Line (Basis of Bearings)

S 0°44'57" E

West Quarter Corner Sec. 20
T13N, R1E, S.L.B.&M.
Found Cache Co. Alum. Cap Mon.

N 89°56'52" E 2909.78'

5296.20'

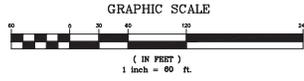
East Quarter Corner Sec. 20
T13N, R1E, S.L.B.&M.
Found Cache Co. Alum. Cap Mon.

- GENERAL NOTES:**
- Cache County has not determined the availability and adequacy of effluent water to any of the lots identified; all users are advised of the requirements to obtain an approved effluent water source and comply with all other requirements for the issuance of a zoning clearance, prior to the issuance of any building permits.
 - Storm Drainage: Comply with the standards of the Cache County Manual of Roadway Design and Construction Standards of the State of Utah storm water permitting are required. This includes, but is not limited to, any increased level of storm water drainage from any portion of any lot or remainder parcel of this subdivision to any adjacent property, either, directly or indirectly, or the alteration of any existing, historic, or natural drainage without prior written authorization provided by the affected party or entity (they include but is not limited to: adjacent property owners, ditch or canal company, Cache County or the State Water Engineers Office.)
 - Current and future property owners must be aware that they will be subject to the rights, smells, and sounds associated with agricultural activities which are the permitted uses in the Agricultural Zone and Forest Recreation Zone.
 - Setback lines are for primary buildings only:
12.00' on alleyway,
30.00' on frontyard,
30.00' on backyard,
30.00' on alleyway along roadway.

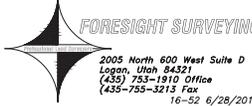
Record Owners: Duane Williams
72 South 500 West
Smithfield, Utah 84335
Phone: (435) 757-0436



Maple Fields
SCALE 1" = 60'



- LEGEND:**
- SUBDIVISION BOUNDARY
 - ADJACENT PROPERTY LINE
 - NEW LOT LINE/RIGHT-OF-WAY LINE
 - OVERHEAD POWER LINE
 - FOSE LINE
 - EDGE OF PAVEMENT
 - Power Pole
 - Found Rebar and Cap
 - Section Corner
 - SET 5/8" REBAR W/ CAP



SURVEYOR'S CERTIFICATE

I, JEFF C. NIELSEN, DO HEREBY CERTIFY THAT I AM A REGISTERED LAND SURVEYOR, AND THAT I HOLD CERTIFICATE NO. 5152661 AS PRESCRIBED UNDER THE LAWS OF THE STATE OF UTAH, I FURTHER CERTIFY THAT BY AUTHORITY OF THE OWNERS I HAVE MADE A SURVEY OF THE TRACT OF LAND SHOWN ON THIS PLAT AND DESCRIBED BELOW, AND HAVE SUBDIVIDED SAID TRACT OF LAND INTO LOTS AND STREETS HEREAFTER TO BE KNOWN AS: MAPLE FIELDS SUBDIVISION AND THE SAME HAS BEEN CORRECTLY SURVEYED AND ALL STREETS ARE THE DIMENSIONS SHOWN.

Subdivision Boundary

A PART OF THE NORTHEAST QUARTER OF SECTION 20, TOWNSHIP 13 NORTH, RANGE 1 EAST OF THE SALT LAKE BASE AND MERIDIAN, BEGINNING AT A POINT LOCATED NORTH LINE OF 6600 NORTH STREET LOCATED NORTH 89°56'52" EAST, A DISTANCE OF 2909.78 FEET AND NORTH 00°03'08" WEST, A DISTANCE OF 188.17 FEET FROM THE WEST QUARTER CORNER OF SAID SECTION 20; RUNNING THENCE NORTH 00°50'29" EAST, A DISTANCE OF 420.75 FEET TO AN EXISTING REBAR AND CAP; THENCE SOUTH 89°09'31" EAST, A DISTANCE OF 787.38 FEET; THENCE SOUTH 00°50'29" WEST, A DISTANCE OF 404.61 FEET TO THE SAID NORTH LINE OF 6600 NORTH STREET; THENCE ALONG SAID NORTH LINE THE FOLLOWING THREE (3) COURSES: (1) NORTH 89°42'37" WEST, A DISTANCE OF 127.38 FEET; (2) SOUTH 00°17'23" WEST, A DISTANCE OF 16.50 FEET; (3) NORTH 89°01'16" WEST, A DISTANCE OF 660.17 FEET TO THE POINT OF BEGINNING. CONTAINING 7.572 ACRES AND THREE LOTS.

Roadway Dedication Descriptions

Roadway Dedication Parcel 1—6600 North Street
A PART OF THE NORTHEAST QUARTER OF SECTION 20, TOWNSHIP 13 NORTH, RANGE 1 EAST OF THE SALT LAKE BASE AND MERIDIAN, BEGINNING AT A POINT LOCATED NORTH 89°56'52" EAST, A DISTANCE OF 2909.78 FEET AND NORTH 00°03'08" WEST, A DISTANCE OF 188.17 FEET FROM THE WEST QUARTER CORNER OF SAID SECTION 20; RUNNING THENCE NORTH 00°50'29" EAST, A DISTANCE OF 8.56 FEET; THENCE SOUTH 89°42'37" EAST, A DISTANCE OF 660.04 FEET; THENCE SOUTH 00°17'23" WEST, A DISTANCE OF 16.50 FEET; THENCE NORTH 89°01'16" WEST, A DISTANCE OF 660.17 FEET TO THE POINT OF BEGINNING. CONTAINING 0.1899 ACRES.

Roadway Dedication Parcel 2—1200 West Street
A PART OF THE NORTHEAST QUARTER OF SECTION 20, TOWNSHIP 13 NORTH, RANGE 1 EAST OF THE SALT LAKE BASE AND MERIDIAN, BEGINNING AT A POINT LOCATED NORTH 89°56'52" EAST, A DISTANCE OF 2909.78 FEET AND NORTH 00°03'08" WEST, A DISTANCE OF 188.17 FEET AND NORTH 00°50'29" EAST A DISTANCE OF 8.56 FEET FROM THE WEST QUARTER CORNER OF SAID SECTION 20; RUNNING THENCE NORTH 00°50'29" EAST, A DISTANCE OF 8.56 FEET; THENCE SOUTH 89°42'37" EAST, A DISTANCE OF 412.19 FEET TO AN EXISTING REBAR AND CAP; THENCE SOUTH 89°09'31" EAST, A DISTANCE OF 34.94 FEET; THENCE SOUTH 00°23'56" EAST, A DISTANCE OF 117.87 FEET; THENCE NORTH 89°42'37" WEST, A DISTANCE OF 43.86 FEET TO THE POINT OF BEGINNING. CONTAINING 0.373 ACRES.



SIGNATURE _____ DATE _____

OWNER'S DEDICATION

KNOW ALL MEN BY THESE PRESENTS THAT WE THE UNDERSIGNED OWNERS OF THE TRACT OF LAND DEPICTED AND DESCRIBED HEREON, HAVING THE SAME TO BE SUBDIVIDED INTO LOTS AND STREETS (AS PERTAINS), THE WHOLE TO BE HEREINAFTER KNOWN AS THE "MAPLE FIELDS SUBDIVISION", FURTHER WE DEDICATE AND/OR QUIT CLAIM AS APPROPRIATE THE PORTION OF PROPERTY OF PARCEL NUMBER 08-037-0012 THAT LIES WITHIN 33.00 FEET OF THE CENTERLINE OF THE EXISTING ROADWAYS AND AS SHOWN ON THIS PLAT, TO CACHE COUNTY, FOR THE USE OF THE PUBLIC FOREVER, AND HEREBY GRANT TO THE COUNTY THE RIGHT TO MAKE ANY AND ALL IMPROVEMENTS FOR THE CONSTRUCTION, MAINTENANCE AND REPAIR OF SAID ROADWAY.

Date _____ Duane Williams _____

ACKNOWLEDGMENT

STATE OF UTAH _____) SS.
County of _____)

This instrument was acknowledged and executed before me this _____ day of 2016 by _____ who acknowledge to be the do, signed the name of the corporation as such officer.

WITNESS my hand and official seal.
Signature: _____
My Commission Expires: _____

CACHE COUNTY COUNCIL

THIS PLAT WAS APPROVED AND ACCEPTED BY THE CACHE COUNTY COUNCIL ON _____ 2016.
DATED THIS DAY OF _____ DAY OF _____, 2016.
BY: _____ CHAIRMAN
ATTESTED TO: _____
CACHE COUNTY CLERK _____

COUNTY RECORDER

STATE OF UTAH, COUNTY OF CACHE, THIS PLAT HAS BEEN DULY ACKNOWLEDGED, CERTIFIED, AND APPROVED AND MAY LAWFULLY BE RECORDED IN CACHE COUNTY, UTAH.
FILED AND RECORDED:
FILED NO.: _____
DATE: _____
TIME: _____
PAGE: _____
REQUEST OF: _____
CACHE COUNTY RECORDER _____

DEPUTY COUNTY SURVEYOR'S CERTIFICATE

I CERTIFY THAT I HAVE HAD THIS PLAT EXAMINED AND FIND THAT IT IS CORRECT AND IN ACCORDANCE WITH THE INFORMATION ON FILE IN THIS OFFICE; AND FURTHER, IT MEETS THE MINIMUM STANDARDS FOR PLATS REQUIRED BY COUNTY ORDINANCE AND STATE LAW.
DATE _____ DEPUTY CACHE COUNTY SURVEYOR _____

CACHE COUNTY PLANNING COMMISSION

THIS PLAT WAS RECOMMENDED FOR APPROVAL/DENIAL BY THE PLANNING COMMISSION ON THE _____ DAY OF _____ 2016. DATED THIS DAY OF _____ DAY OF _____
BY: _____ CHAIR

COUNTY ATTORNEY APPROVAL

I CERTIFY THAT I HAVE EXAMINED THIS PLAT AND APPROVE THIS PLAT AS TO FORM AS REQUIRED BY STATE LAW AND COUNTY ORDINANCE.
DATE _____ CACHE COUNTY ATTORNEY _____

BEAR RIVER HEALTH DEPT. APPROVAL

THE SUBDIVISION DESCRIBED IN THIS PLAT HAS BEEN APPROVED BY THE BEAR RIVER HEALTH DEPARTMENT THIS _____ DAY OF _____, 2016.
BY: _____ TITLE: _____

Consent Item

#1 Maple Fields Subdivision (Duane Williams)

Mr. Duane Williams' is requesting a recommendation of approval to the County Council for a three-lot subdivision with an agricultural remainder on 7.55 acres of property at 1100 West 6600 North, west of Smithfield, in the Agricultural (A10) Zone.

Duane Williams I am the proponent for this and in favor of this project and the next project on the agenda.

Christensen motioned to approve the Maple Field Subdivision with the 28 findings of fact, 6 conditions, and 3 conclusions; *Parker* seconded; **Passed 4, 0.**

05:37:00

**BEAR RIVER MENTAL HEALTH SERVICES, INC.
ANNUAL FINANCIAL REPORT
JUNE 30, 2016 AND 2015**

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INTRODUCTORY SECTION



October 24, 2016

Office of the State Auditor
Utah State Capitol Complex
Senate Office Building, Suite E310
P.O. Box 142310
Salt Lake City, UT 84114

Gentlemen:

The financial statement report of Bear River Mental Health Services, Inc. (Center), a not-for-profit organization, for the fiscal years ended June 30, 2016 and 2015, is submitted herewith. Responsibility for both the accuracy of the data, and the completeness and fairness of the presentation, including all disclosures, rests with the Center. To the best of our knowledge and belief, the enclosed data is accurate in all material respects and is reported in a manner designed to present fairly the financial position and results of operations of the various funds of the Center. All disclosures necessary to enable the reader to gain an understanding of the Center's financial activities have been included.

The financial report is presented in three sections: introductory, financial and supplemental. The introductory section includes this transmittal letter, organizational chart and a list of principal officials. The financial section includes the auditor's report and the June 30, 2016 and 2015, financial statements. The supplemental section consists of a comparative detail statement of activities, the auditor's reports in accordance with government auditing standards and communication with those charged with governance.

The Center contracts with the state of Utah, which dictates that programs be considered for compliance with the requirements governing types of services. Management of the Center is responsible for establishing and maintaining an internal control structure designed to ensure the assets of the Center are protected from loss, theft or misuse; and to ensure that adequate accounting data is compiled to allow for the preparation of financial statements in conformity with accounting principles generally accepted in the United States of America.

The internal control structure is designed to provide reasonable, but not absolute, assurance that these objectives are met. The concept of reasonable assurance recognizes that: (1) the cost of a control should not exceed the benefits likely to be derived; and (2) the valuation of costs and benefits requires estimates and judgments by management.

Office of the State Auditor
October 24, 2016
Page Two

As a recipient of federal, state and county financial assistance, the Center also is responsible for ensuring that an adequate internal control structure is in place to ensure compliance with applicable laws and regulations related to those programs. The internal control structure is subject to a periodic evaluation by management. As demonstrated by the statements and schedules included in the financial section of this report, the Center continues to meet its responsibility for sound financial management.

The preparation of the financial statements and supplemental information was made possible by the dedicated services of the Bear River staff, who assisted with the audit process. Additionally, the excellent work accomplished by the staff from the firm of Davis & Bott made this an extremely useful review and summary for management purposes.

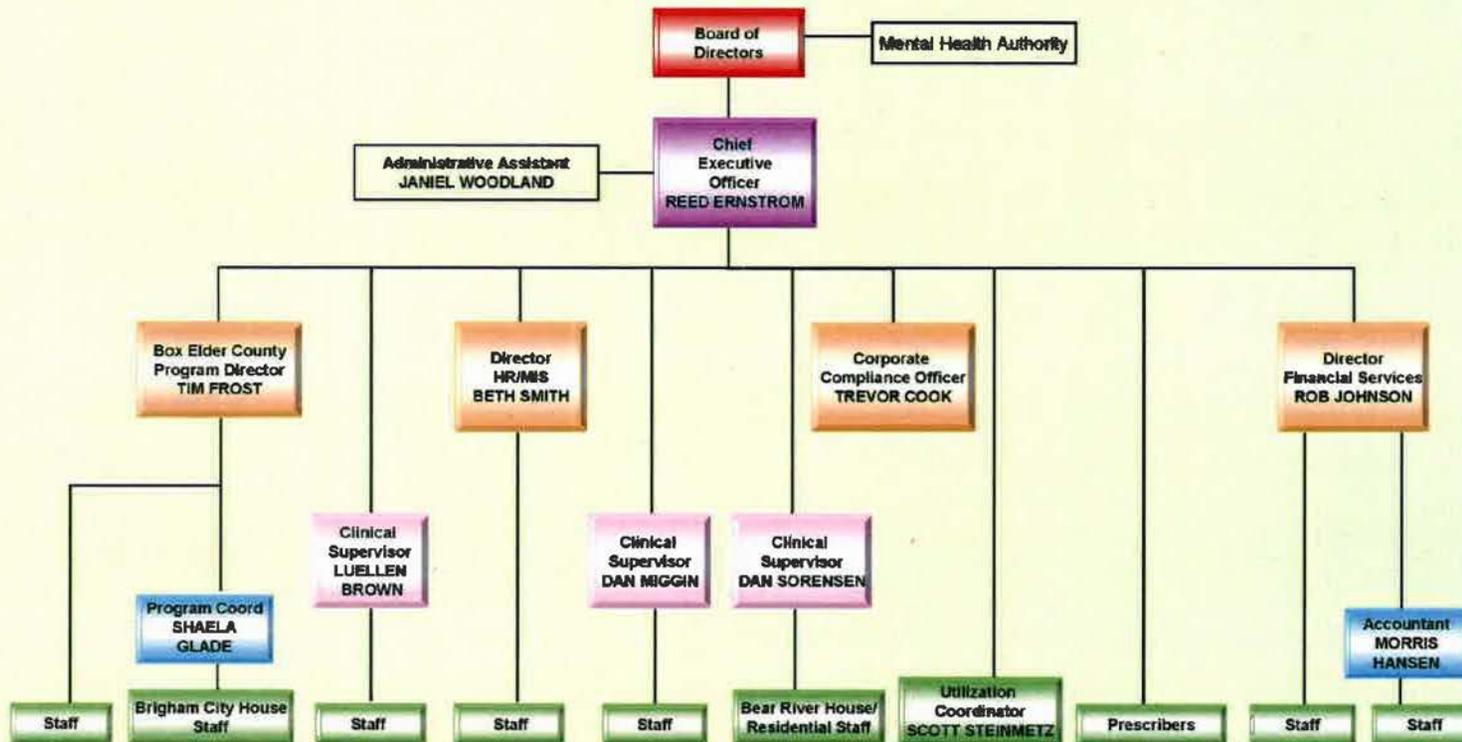
Due credit also should be given to the governing board of the Center for their interest and support in planning and conducting the operations in a responsible and progressive manner.

Respectfully submitted,

C. Reed Ernstrom
President/CEO

Bear River Mental Health - Organizational Chart

as of 06/30/2016



BEAR RIVER MENTAL HEALTH SERVICES, INC.
LIST OF PRINCIPAL OFFICIALS
JUNE 30, 2016

Executive Committee:

President/CEO.....	C. Reed Ernstrom
Director of HR/MIS.....	Beth A. Smith
Director of Financial Services.....	Robert B. Johnson
Box Elder County Program Director.....	Tim Frost
Corporate Compliance Officer.....	Trevor Cook

Board of Directors:

Chair.....	Steve L. Stowers
Vice Chair.....	Gail Godfrey
Member.....	Steve Vincent
Member.....	William Cox
Member.....	Jeff Scott
Member.....	Craig Buttars
Member.....	Kirk Allen
Member.....	Wendy Simmons
Member.....	Brad Mortensen
Member.....	Jared Taylor
Member.....	Jeff Simmons

FINANCIAL SECTION



Certified Public Accountants, L.C.

50 West Forest, Suite 101
P.O. Box 369
Brigham City, Utah 84302
435-723-5224

INDEPENDENT AUDITORS' REPORT

Governing Board
Bear River Mental Health Services, Inc.
Logan, Utah 84321

We have audited the accompanying financial statements of Bear River Mental Health Services, Inc. (a nonprofit organization), which comprise the statements of financial position as of June 30, 2016 and 2015, and the related statements of activities, functional expenses and cash flows for the years then ended, and the related notes to the financial statements.

Management's Responsibility for the Financial Statements

Management is responsible for the preparation and fair presentation of these financial statements in accordance with accounting principles generally accepted in the United States of America; this includes the design, implementation, and maintenance of internal control relevant to the preparation and fair presentation of financial statements that are free from material misstatement, whether due to fraud or error.

Auditor's Responsibility

Our responsibility is to express an opinion on these financial statements based on our audits. We conducted our audits in accordance with auditing standards generally accepted in the United States of America. Those standards require that we plan and perform the audit to obtain reasonable assurance about whether the financial statements are free from material misstatement.

An audit involves performing procedures to obtain audit evidence about the amounts and disclosures in the financial statements. The procedures selected depend on the auditor's judgment, including the assessment of the risks of material misstatement of the financial statements, whether due to fraud or error. In making those risk assessments, the auditor considers internal control relevant to the entity's preparation and fair presentation of the financial statements in order to design audit procedures that are

INDEPENDENT AUDITORS' REPORT
(Continued)

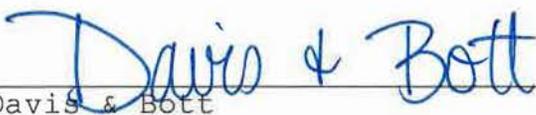
appropriate in the circumstances, but not for the purpose of expressing an opinion on the effectiveness of the entity's internal control. Accordingly, we express no such opinion. An audit also includes evaluating the appropriateness of accounting policies used and the reasonableness of significant accounting estimates made by management, as well as evaluating the overall presentation of the financial statements. We believe that the audit evidence we have obtained is sufficient and appropriate to provide a basis for our audit opinion.

Opinion

In our opinion, the financial statements referred to above present fairly, in all material respects, the financial position of Bear River Mental Health Services, Inc. as of June 30, 2016 and 2015, and the changes in its net assets, functional expenses and its cash flows for the years then ended in accordance with accounting principles generally accepted in the United States of America.

In accordance with *Government Auditing Standards*, we have also issued our report dated October 24, 2016, on our consideration of Bear River Mental Health Services, Inc.'s internal control over financial reporting and our tests of its compliance with certain provisions of laws, regulations, contracts and grants. The purpose of that report is to describe the scope of our testing of internal control over financial reporting and compliance and the results of that testing, and not to provide an opinion on the internal control over financial reporting or on compliance. That report is an integral part of an audit performed in accordance with *Government Auditing Standards* and important for assessing the results of our audit.

Our audits were conducted for the purpose of forming an opinion on the basic financial statements taken as a whole. The accompanying detail statement of activities listed in the table of contents is presented for purposes of additional analysis and is not a required part of the basic financial statements. Such information has been subjected to the auditing procedures applied in the audit of the basic financial statements and, in our opinion, is fairly stated in all material respects in relation to the basic financial statements taken as a whole.



Davis & Bott
Certified Public Accountants, L.C.

Brigham City, Utah
October 24, 2016

BEAR RIVER MENTAL HEALTH SERVICES, INC.
STATEMENTS OF FINANCIAL POSITION
JUNE 30, 2016 AND 2015

	<u>2016</u>	<u>2015</u>
<u>ASSETS</u>		
Current assets:		
Cash and cash equivalents	\$ 4,639,342	\$ 6,066,391
Accounts receivable	1,815,767	922,499
Prepaid expenses	469,076	97,457
Total current assets	6,924,185	7,086,347
Property and equipment (net)	2,944,633	3,065,160
Investments	370,563	365,163
Total assets	\$ 10,239,381	\$ 10,516,670
<u>LIABILITIES</u>		
Current liabilities:		
Accounts payable	\$ 308,591	\$ 362,124
Accrued liabilities	886,226	861,765
Unexpended county funds	57,638	59,300
Deferred revenue	-	564,780
Other current liabilities	2,100	7,600
Total current liabilities	1,254,555	1,855,569
Mortgage payable	309,935	309,935
Total liabilities	1,564,490	2,165,504
<u>NET ASSETS</u>		
Unrestricted net assets		
Operating appropriation	\$ 2,996,166	\$ 2,886,084
Net investment in fixed assets	2,944,633	3,065,160
Fixed asset appropriation	2,734,092	2,399,922
Total unrestricted net assets	8,674,891	8,351,166
Total net assets	8,674,891	8,351,166
Total liabilities and net assets	\$ 10,239,381	\$ 10,516,670

The accompanying notes are an integral part of these statements.

BEAR RIVER MENTAL HEALTH SERVICES, INC.
STATEMENTS OF ACTIVITIES
FOR THE YEARS ENDED JUNE 30, 2016 AND 2015

<u>UNRESTRICTED NET ASSETS</u>	<u>2016</u>	<u>2015</u>
Support and revenues:		
Government support:		
Federal	\$ 134,974	\$ 142,117
State	2,188,029	2,191,655
County	<u>427,289</u>	<u>425,460</u>
Total support	<u>2,750,292</u>	<u>2,759,232</u>
Revenues:		
Medicaid (net)	6,176,006	5,705,429
Service fees	377,453	398,644
Investment income	43,798	33,015
Client living fees	56,288	68,166
Miscellaneous income	<u>16,001</u>	<u>7,688</u>
Total revenue	<u>6,669,546</u>	<u>6,212,942</u>
Total unrestricted support and revenues	<u>9,419,838</u>	<u>8,972,174</u>
Expenses:		
Administration	1,191,910	1,250,251
Outpatient	5,268,953	5,148,923
Adult intensive	<u>2,652,474</u>	<u>2,379,330</u>
Total expenses	<u>9,113,337</u>	<u>8,778,504</u>
Increase (decrease) in unrestricted net assets before non-operating revenue	<u>306,501</u>	<u>193,670</u>
Non-operating revenue		
Gain (loss) on sale of assets	<u>17,223</u>	<u>13,000</u>
Increase (decrease) in unrestricted net assets	<u>323,724</u>	<u>206,670</u>
Net assets at beginning of year	<u>8,351,167</u>	<u>8,144,497</u>
Net assets at end of year	<u>\$ 8,674,891</u>	<u>\$ 8,351,167</u>

The accompanying notes are an integral part of these statements.

BEAR RIVER MENTAL HEALTH SERVICES, INC.
STATEMENTS OF FUNCTIONAL EXPENSES
FOR THE YEARS ENDED JUNE 30, 2016 AND 2015

Functional expenses for the fiscal year ended June 30, 2016, were as follows:

	<u>Admin.</u>	<u>Outpatient</u>	<u>Adult Intensive</u>	<u>June 30, 2016</u>
Personnel	\$1,073,445	\$4,541,283	\$ 991,507	\$6,606,235
Travel/auto	11,436	76,244	35,909	123,589
Office maintenance	4,863	20,502	10,121	35,486
Occupancy	19,762	218,095	166,648	404,505
Professional	18,740	164,713	1,222,704	1,406,157
Staff support	37,427	62,851	19,073	119,351
Data processing	4,773	50,565	13,596	68,934
Program activities	-	18,221	97,235	115,456
Depreciation	9,655	113,185	95,611	218,451
Other	<u>11,809</u>	<u>3,294</u>	<u>70</u>	<u>15,173</u>
 Total expenses	 <u>\$1,191,910</u>	 <u>\$5,268,953</u>	 <u>\$2,652,474</u>	 <u>\$9,113,337</u>

Functional expenses for the fiscal year ended June 30, 2015, were as follows:

	<u>Admin.</u>	<u>Outpatient</u>	<u>Adult Intensive</u>	<u>June 30, 2015</u>
Personnel	\$1,132,316	\$4,430,302	\$ 862,398	\$6,425,016
Travel/auto	18,103	79,133	30,972	128,208
Office maintenance	4,693	23,388	8,005	36,086
Occupancy	19,611	163,145	122,263	305,019
Professional	15,125	136,109	1,130,818	1,282,052
Staff support	33,355	82,506	16,576	132,437
Data processing	6,714	77,171	9,276	93,161
Program activities	-	17,962	92,588	110,550
Depreciation	9,086	136,327	105,572	250,985
Other	<u>11,248</u>	<u>2,880</u>	<u>862</u>	<u>14,990</u>
 Total expenses	 <u>\$1,250,251</u>	 <u>\$5,148,923</u>	 <u>\$2,379,330</u>	 <u>\$8,778,504</u>

The accompanying notes are an integral part of these statements.

BEAR RIVER MENTAL HEALTH SERVICES, INC.
STATEMENTS OF CASH FLOWS
FOR THE YEARS ENDED JUNE 30, 2016 AND 2015

	<u>2016</u>	<u>2015</u>
Cash flow from operating activities:		
Excess of revenues and support over expenses	\$ 323,724	\$ 206,670
Adjustments to reconcile change in net assets to net cash provided by (used in) operating activities:		
Depreciation/amortization	218,451	250,984
(Gain)/loss on sale of assets	(17,223)	(13,000)
(Gain)/loss on investment in LLC	(5,400)	(58,480)
(Increase) decrease in operating assets:		
Accounts receivable	(893,268)	(54,027)
Prepaid assets	(371,619)	(93,774)
Increase (decrease) in operating liabilities:		
Accounts payable	(53,533)	(56,058)
Accrued liabilities	17,300	(22,183)
Deferred revenue	(564,780)	558,193
Medicaid match payable	<u>-</u>	<u>(132,619)</u>
Net cash provided by (used in) operating activities	<u>(1,346,348)</u>	<u>585,707</u>
Cash flows from investing activities:		
Insurance proceeds	34,556	-
Purchase of buildings/equipment	<u>(115,257)</u>	<u>(192,354)</u>
Net cash provided by (used in) investing activities	<u>(80,701)</u>	<u>(192,354)</u>
Net increase (decrease) in cash and cash equivalents	(1,427,049)	393,353
Cash and cash equivalents at beginning of year	<u>6,066,391</u>	<u>5,673,038</u>
Cash and cash equivalents at end of year	<u>\$ 4,639,342</u>	<u>\$ 6,066,391</u>

The accompanying notes are an integral part of these statements.

BEAR RIVER MENTAL HEALTH SERVICES, INC.
NOTES TO FINANCIAL STATEMENTS
JUNE 30, 2016 AND 2015

NOTE 1. NATURE OF ACTIVITIES AND SIGNIFICANT ACCOUNTING POLICIES

Nature of Activities

Bear River Mental Health Services, Inc. (Center) is a not-for-profit organization whose purpose is to provide mental health services to residents of Cache, Rich and Box Elder Counties in the state of Utah. The Center was incorporated as a not-for-profit organization on January 1, 1984. Prior to incorporation, mental health services were performed through a tri-county governmental association. The Center receives funding for its programs from various federal, state and local sources. In addition, the Center receives Medicaid reimbursement for eligible patients on a capitation basis. The Center has facilities in Logan, Brigham City and Tremonton, Utah, with satellite offices in Garden City and Randolph, Utah.

The Center provides comprehensive mental health services to clients including: psychosocial rehabilitation, residential services, inpatient services, individual therapy, group therapy, psychological testing, medication management, etc. These services are provided for individuals who are eligible for Utah State Medicaid, the portion of the population that meets the state of Utah's definition for seriously and persistently mentally ill adults or seriously emotionally disturbed children and adolescents, or those individuals in psychiatric crisis or in need of inpatient hospitalization.

The accounting policies of the Center conform to generally accepted accounting principles as applicable to not-for-profit institutions. The following is a summary of the more significant policies:

Service Fee Revenue

Revenues earned from services provided under third-party reimbursement and private pay arrangements are recognized on a cash basis due to the uncertainty of the timing and amount of collection. As this treatment has an immaterial effect on the financial statements, and due to the uncertainty of collection which is not susceptible to reasonable estimation by management, the Center's treatment is deemed to conform with generally accepted accounting principles.

See Independent Auditors' Report

BEAR RIVER MENTAL HEALTH SERVICES, INC.
NOTES TO FINANCIAL STATEMENTS (Continued)
JUNE 30, 2016 AND 2015

**NOTE 1. NATURE OF ACTIVITIES AND SIGNIFICANT ACCOUNTING POLICIES
(Continued)**

Estimates

The preparation of financial statements in conformity with generally accepted accounting principles requires management to make estimates and assumptions that affect certain reported amounts of assets and liabilities and disclosure of contingent assets and liabilities at the date of the financial statements, and the reported amounts of revenues and expenses during the reported period. Actual results could differ from those estimates.

Property and Equipment

Fixed assets are stated at historical cost. All capital items greater than \$5,000 are classified as capitalized assets. Donated fixed assets are valued at their estimated fair market value on the date donated. A physical inventory of fixed assets is taken periodically and adjustments made to the books to reflect the results. Estimated costs are used when actual costs are not available. Depreciation is computed on the straight-line basis over the estimated useful lives of the assets, as follows:

Buildings.....	25 years
Furniture and fixtures.....	5-10 years
Equipment.....	3-10 years
Automobiles.....	5 years

Deposits

The Center collects refundable deposits for certain monthly living accommodations provided to eligible patients. This liability represents amounts received and held as of June 30, 2016.

Accrued Leave Payable

Unused personal leave that is expected to be liquidated with expendable available resources and paid upon termination has been accrued.

Cash and Cash Equivalents

For purposes of the statement of cash flows, all highly liquid investments (including restricted assets) with a maturity of three months or less when purchased are considered to be cash equivalents.

See Independent Auditors' Report

BEAR RIVER MENTAL HEALTH SERVICES, INC.
NOTES TO FINANCIAL STATEMENTS (Continued)
JUNE 30, 2016 AND 2015

NOTE 1. NATURE OF ACTIVITIES AND SIGNIFICANT ACCOUNTING POLICIES
(Continued)

Income Taxes

The Center is exempt from federal income taxes under section 501(c)(3) of the Internal Revenue Code and, therefore, has made no provision for federal income taxes in the accompanying financial statements. In addition, the Center has been determined by the Internal Revenue Service not to be a "private foundation" within the meaning of Section 509(a) of the Internal Revenue Code. There was no unrelated business income for fiscal year ended June 30, 2016.

Subsequent Events

Subsequent events have been evaluated through October 24, 2016, which is the date the financial statements were available to be issued.

NOTE 2. CASH

Custodial Credit Risk

Custodial credit risk for deposits is the risk that, in the event of a bank failure, the Center's deposits may not be recovered. The Center follows the Utah Money Management Act. The Act requires all deposits of an entity to be in a qualified depository, defined as any financial institution whose deposits are insured by an agency of the federal government and which has been certified by the Commissioner of Financial Institutions as meeting the requirements of the Act and adhering to the rules of the Utah Money Management Council. The balance in the Center's bank accounts exceeded the FDIC limit of \$250,000 by \$51,708 and \$397,674 as of June 30, 2016 and 2015, respectively, which is covered by pledged securities from Cache Valley Bank.

Credit Risk

Credit risk is the risk that the counterparty to an investment will not fulfill its obligations. The Center's policy for limiting the credit risk of investments is to comply with the Money Management Act.

The Center is authorized to invest in the Utah Public Treasurer's Investment Fund (PTIF), an external pooled investment fund managed by the Utah State Treasurer and subject to the Act and council requirements. The PTIF is not registered with the SEC as an investment company and deposits in the PTIF are not insured or otherwise guaranteed by the state of Utah.

See Independent Auditors' Report

BEAR RIVER MENTAL HEALTH SERVICES, INC.
NOTES TO FINANCIAL STATEMENTS (Continued)
JUNE 30, 2016 AND 2015

NOTE 2. CASH (Continued)

The PTIF operates and reports to participants on an amortized cost basis. The income, gains and losses, net of administration fees, of the PTIF are allocated based upon the participants' average daily balances.

The Center had investments with the PTIF of \$4,258,668 and \$5,372,396 as of June 30, 2016 and 2015, respectively. The entire balance had a maturity of less than one year. The PTIF pool has not been rated.

Interest Rate Risk

Interest rate risk is the risk that changes in interest rates of debt investments will adversely affect the fair value of an investment. The Center manages its exposure to declines in fair value by investment mainly in the PTIF and by adhering to the Money Management Act. The Act requires that the remaining term to maturity of investments may not exceed the period of availability of the funds to be invested.

NOTE 3. ACCOUNTS RECEIVABLE

Accounts receivable represent grants and contracted support from federal, state and local governments due to the Center at June 30, 2016 and 2015, as follows:

	<u>2016</u>	<u>2015</u>
Grants:		
Federal	\$ 21,913	\$ 43,552
State	<u>397,764</u>	<u>677,331</u>
Counties:		
Cache	73,466	73,157
Rich	1,250	1,250
Box Elder	<u>31,919</u>	<u>31,773</u>
Total grants	<u>526,312</u>	<u>827,063</u>
Other:		
Title XVIII	105,726	-
Title XIX	1,108,712	41,976
Sales tax	2,038	1,254
Miscellaneous	<u>72,979</u>	<u>52,206</u>
Total other	<u>1,289,455</u>	<u>95,436</u>
Total accounts receivable	<u>\$ 1,815,767</u>	<u>\$ 922,499</u>

See Independent Auditors' Report

BEAR RIVER MENTAL HEALTH SERVICES, INC.
NOTES TO FINANCIAL STATEMENTS (Continued)
JUNE 30, 2016 AND 2015

NOTE 4. PREPAID EXPENSES

Medicaid requires that the state's portion of the Medicaid match be prepaid before Medicaid funds may be received by the Center. The match is estimated on a quarterly basis. Occasionally, the estimated match isn't sufficient to cover the actual match amount. The balances in the prepaid Medicaid match account as of June 30, 2016 and 2015 were \$464,975 and 93,722, respectively.

NOTE 5. INVESTMENTS

Investment in Bear River Valley Mental Health, LLC

On December 28, 2000, the Center entered into an agreement with Utah Non-Profit Housing Corporation (UNP) and First Security Bank (subsequently purchased by Wells Fargo Bank) to own .50 percent of Bear River Valley Mental Health, LLC. The Center donated land with a historical cost of \$96,351 and proceeds of a Community Development Block Grant of \$200,000 to the LLC for the ownership interest. Per agreement with UNP, after 15 years the entire interest in the project will be transferred to the Center for a fee not to exceed \$10. This investment is accounted for on the books of the Center according to the equity method, meaning that on a yearly basis the investment is increased for net income and decreased for net loss or dividends received. The current carrying amount of this investment is \$286,164.

During the years ended June 30, 2016 and June 30, 2015, Bear River Mental Health agreed to pay for its portion of prior losses for the LLC. The payments were recorded as a loan to the LLC. The expectation is that this loan will never be repaid because the LLC will never make any profit. The Center intends to not exercise its option to purchase the entire interest in this project because they feel managing apartments isn't in line with their stated purpose. If the Center chooses not to exercise the option, the entire carrying amount of the investment, plus the amount loaned to the LLC would be written off. The Center is currently working with an organization to take on the management of this LLC and anticipates donating its interest in the LLC to this organization by December 31, 2016.

See Independent Auditors' Report

BEAR RIVER MENTAL HEALTH SERVICES, INC.
NOTES TO FINANCIAL STATEMENTS (Continued)
JUNE 30, 2016 AND 2015

NOTE 5. INVESTMENTS (Continued)

Mental Health Risk Retention Group

In 1984, the Center joined an association to provide liability insurance coverage. The association required that stock be purchased in a corporation by all mental health centers participating in the insurance plan. On January 12, 1988, 40 shares of class "C" common stock were issued to the Center in consideration of \$20,000 paid as a deposit in 1984. The market value of this investment is not available due to the nature of the corporation.

NOTE 6. FIXED ASSETS

Fixed asset activity is as follows at June 30:

	June 30, <u>2015</u>	<u>Additions</u>	<u>Deletions</u>	June 30, <u>2016</u>
Land	\$ 457,429	\$ -	\$ -	\$ 457,429
Buildings	5,623,600	-	-	5,623,600
Equipment and furnishings	392,396	260,847	(47,500)	605,743
Software (not in service)	<u>145,590</u>	<u>-</u>	<u>(145,590)</u>	<u>-</u>
Total	6,619,015	260,847	(193,090)	6,686,772
Accumulated depreciation	<u>(3,553,855)</u>	<u>(218,451)</u>	<u>30,167</u>	<u>(3,742,139)</u>
Net property and equipment	<u>\$ 3,065,160</u>	<u>\$ 42,396</u>	<u>\$ (162,923)</u>	<u>\$ 2,944,633</u>

During the fiscal year ended June 30, 2015, the Center entered into a sales contract to sell a six-plex and adjacent vacant lot. This sale was supposed to close in February of 2016, but the purchaser backed out of the deal. The \$5,000 earnest money was forfeited and included as miscellaneous income during the year ended June 30, 2016.

See Independent Auditors' Report

BEAR RIVER MENTAL HEALTH SERVICES, INC.
NOTES TO FINANCIAL STATEMENTS (Continued)
JUNE 30, 2016 AND 2015

NOTE 7. ACCOUNTS PAYABLE / ACCRUED LIABILITIES

Accounts payable and accrued liabilities consist of amounts incurred and due, which have not yet been paid are as follows at June 30:

	<u>2016</u>	<u>2015</u>
Accounts payable	\$ 308,591	\$ 362,124
Accrued liabilities:		
Accrued payroll and taxes payable	458,111	443,129
Accrued leave payable	377,699	361,378
Other accrued liabilities	50,416	57,258
Total accrued liabilities	<u>886,226</u>	<u>861,765</u>
Total accounts payable/accrued liabilities	<u>\$ 1,194,817</u>	<u>\$ 1,223,889</u>

NOTE 8. MORTGAGE PAYABLE

The Center purchased a building in Brigham City, Utah, to use in their mental health services. This purchase was made with loan proceeds available from the Department of Housing and Urban Development (HUD) through the State of Utah Housing Trust Fund at 0 percent interest. Repayment of the loan is to be made when the project is sold, transferred to another entity or changes use. The amount due at June 30, 2016, was \$309,935, which was for the purchase and renovation of the building.

NOTE 9. UNRESTRICTED NET ASSETS

The Board of Directors has appropriated an amount to be set aside for normal operations of the Center. The operating appropriation has been calculated at 120 days of expenditures, based on 2015/2016 fiscal year expenses. Net investment in fixed assets represents the amount of assets held at year end. The fixed asset appropriation has been appropriated for the future acquisition of fixed assets.

See Independent Auditors' Report

BEAR RIVER MENTAL HEALTH SERVICES, INC.
NOTES TO FINANCIAL STATEMENTS (Continued)
JUNE 30, 2016 AND 2015

NOTE 10. RETIREMENT

By means of its substantial contract with Cache, Box Elder and Rich Counties, eligible employees of the Center can participate in the Local Governmental Noncontributory Retirement System (Noncontributory System), a cost-sharing multiple-employer defined benefit pension plan administered by the Utah Retirement Systems (Systems).

The Systems are comprised of two pension trust funds and several retirement savings plans. The legacy pension fund is referred to as "Tier 1". The second pension fund entitled "Tier 2 Public Employees System Contributory Retirement System" (Tier 2) became effective July 1, 2011. All participating employees beginning on or after July 1, 2011 who had no previous service credit with any of the Utah Retirement Systems, are members of the Tier 2 Retirement System.

The Systems are established and governed by the respective sections of Title 49 of the Utah Code Annotated 1953, as amended. The Systems' defined benefit plans are amended statutorily by the State Legislature. The Utah State Retirement Office Act in Title 49 provides for the administration of the Systems under the direction of the Board, whose members are appointed by the Governor. The Systems are fiduciary funds defined as pension (and other employee benefit) trust funds. URS is a component unit of the State of Utah. Title 49 of the Utah Code grants the authority to establish and amend the benefit terms. URS issues a publicly available financial report that can be obtained by writing Utah Retirement Systems, 560 E. 200 S., Salt Lake City, Utah 84102 or visiting the website: www.urs.org.

The Center was required to contribute a percentage of covered salaries to the respective systems: 18.47 percent to the Tier 1 Noncontributory Retirement System, and 16.69 percent to the Tier 2 Contributory Hybrid Retirement System. The contribution rates are actuarially-determined rates and are approved by the Board as authorized by Utah Code Title 49.

The Center's contributions to the Tier 1 Noncontributory Retirement System for June 30, 2016, 2015 and 2014 were \$513,642, \$553,989, and \$575,711, respectively. The Center's contributions to the Tier 2 Contributory Hybrid Retirement System for June 30, 2016, 2015 and 2014 were \$151,854, \$115,167 and \$59,279, respectively. The contributions were equal to the required contributions for each year.

The Center provides supplemental pension benefits for all of its full-time employees through a defined contribution plan, Section 401(k). Benefits depend solely on amounts contributed to the plan plus investment earnings. Employees are eligible to participate in the plan from the date

See Independent Auditors' Report

BEAR RIVER MENTAL HEALTH SERVICES, INC.
NOTES TO FINANCIAL STATEMENTS (Continued)
JUNE 30, 2016 AND 2015

NOTE 10. RETIREMENT (Continued)

of employment. Employee contributions are optional within prescribed limits. The Board of Directors authorizes the Center to contribute 2 percent of the Tier 1 and Tier 2 employees' retirement salary. The Center's 2 percent contribution is fully vested upon deposit into the plan. The Center made contributions totaling \$128,266, \$114,976 and \$110,882 for 2016, 2015 and 2014. Employees made \$76,599, \$75,021 and \$72,035 in optional contributions for the same periods.

The Center also offers its employees deferred compensation plans created in accordance with Internal Revenue Service Code. The plans, available to all employees eligible for benefits, permit them to defer a portion of their salary until future years. Employees are eligible to voluntarily participate from the date of employment and are vested immediately upon that date. Employee contributions to the Section 457 plan totaled \$20,804, \$12,753 and \$7,509 and the Roth IRA plan totaled \$18,526, \$16,806 and \$7,931 for the years ending June 30, 2016, 2015 and 2014. The Center did not make any contribution to either plan.

Pension Assets and Liabilities

The actuarially determined share of the URS unfunded pension liability and pre-funded assets ascribed to the Center at December 31, 2016 and 2015 is a net pension asset of \$281 and \$3,754, respectively, for the Tier 2 Public Employees System, and a net pension liability of \$2,032,527 and \$1,673,191, respectively, for the Noncontributory System.

NOTE 11. CAFETERIA PLAN

The Center has set up a cafeteria plan to enable employees to have amounts excluded from their income under Section 125(a) and other applicable sections of the Internal Revenue Service Code of 1986, as amended. The plan is to provide contributions from the employees to cover benefits paid. The plan is administered by an independent agency with assets maintained in separate bank accounts.

NOTE 12. LEASES

Rent expense for the fiscal years ending June 30, 2016 and 2015, was \$2,400 and \$2,855.

See Independent Auditors' Report

BEAR RIVER MENTAL HEALTH SERVICES, INC.
NOTES TO FINANCIAL STATEMENTS (Continued)
JUNE 30, 2016 AND 2015

NOTE 13. 2016 MEDICAID RATES

Medicaid rates are typically determined on an actuarial basis and then approved by CMS. The approved rates are then included in the contract between the Center and the State of Utah. For the year ending June 30, 2016, the actuarial rates were included in the State contract, however they were not approved by CMS. Because the rates weren't approved, the amounts paid to the Center by Medicaid for the year were paid at 2015 rates.

As of the date of these financial statements, the rates for 2016 have been certified by the State's contracted actuary, but the State is still waiting for CMS to approve the Medicaid rates. Once the rates are approved, the Center expects to receive additional Medicaid payments for fiscal year 2016. The Center expects to receive an additional \$409,380 from Medicaid for the fiscal year and has booked this amount as income and accounts receivable as of June 30, 2016.

SUPPLEMENTAL SECTION

BEAR RIVER MENTAL HEALTH SERVICES, INC.
DETAILED STATEMENTS OF ACTIVITIES
FOR THE YEARS ENDED JUNE 30, 2016 AND 2015

	Memorandum Only	
	<u>2016</u>	<u>2015</u>
Government Support and Revenues:		
Government support:		
Federal		
Federal block grant	\$ 131,475	\$ 131,976
TANF	3,499	10,141
Total federal	<u>134,974</u>	<u>142,117</u>
State		
State operating grant	1,489,155	1,463,128
State children's grant	208,109	272,844
State Medicaid replacement	177,517	177,980
Early intervention	212,618	213,346
PASRR	44,235	38,585
Family resource facilitator	4,992	3,975
Justice Reinvestment Initiative	49,046	-
Community outplacement grant	2,357	21,797
Total state	<u>2,188,029</u>	<u>2,191,655</u>
County		
County match	427,289	425,460
Total county	<u>427,289</u>	<u>425,460</u>
Total government support	<u>2,750,292</u>	<u>2,759,232</u>
Revenues:		
Medicaid (net)		
Medicaid disability determination	8,608	8,196
Medicaid capitation	8,303,518	7,521,017
Medicaid FFS	106,092	120,785
Medicaid/Medicare crossovers	43,659	56,651
Medicaid match contra revenue	(2,196,206)	(1,919,202)
Medicaid Admin Fee	(89,665)	(82,018)
Total medicaid (net)	<u>6,176,006</u>	<u>5,705,429</u>

The accompanying notes are an integral part of these statements.

BEAR RIVER MENTAL HEALTH SERVICES, INC.
DETAILED STATEMENTS OF ACTIVITIES (Continued)
FOR THE YEARS ENDED JUNE 30, 2016 AND 2015

	Memorandum Only	
	<u>2016</u>	<u>2015</u>
Service fees		
Personal payment	\$ 10,828	\$ 8,580
Debt recovery	1,635	1,027
Insurance	53,655	54,582
Medicare	185,273	202,295
Mental health court	36,775	20,798
Juvenile court	1,139	1,508
Head start	1,238	608
Schools	76,526	85,055
Consult fees	5,632	7,388
Logan Caps/Nucov grant	1,664	12,937
Rainbow Club/New Discovery	3,088	3,866
Total service fees	<u>377,453</u>	<u>398,644</u>
Investment income		
Interest income	<u>43,798</u>	<u>33,015</u>
Total investment income	<u>43,798</u>	<u>33,015</u>
Client living fees		
24-hour supervised living fees	17,090	16,974
Semi-independent living fees	<u>39,198</u>	<u>51,192</u>
Total client living fees	<u>56,288</u>	<u>68,166</u>
Miscellaneous income		
Miscellaneous	8,784	1,274
Day treatment lunch program	<u>7,217</u>	<u>6,414</u>
	<u>16,001</u>	<u>7,688</u>
Total revenues	<u>6,669,546</u>	<u>6,212,942</u>
Total government support and revenues	<u>9,419,838</u>	<u>8,972,174</u>

The accompanying notes are an integral part of these statements.

BEAR RIVER MENTAL HEALTH SERVICES, INC.
DETAILED STATEMENTS OF ACTIVITIES (Continued)
FOR THE YEARS ENDED JUNE 30, 2016 AND 2015

	Memorandum Only	
	<u>2016</u>	<u>2015</u>
Expenses:		
Salaries	\$ 4,251,825	\$ 4,163,859
Employee benefits	2,354,410	2,261,157
Total personnel	<u>6,606,235</u>	<u>6,425,016</u>
Travel - in state	74,948	76,349
Travel - out of state	2,028	7,179
Total travel	<u>76,976</u>	<u>83,528</u>
Office supplies	22,248	21,107
Postage	4,597	4,645
Printing and publications	8,502	9,595
Maintenance	139	739
Total office maintenance	<u>35,486</u>	<u>36,086</u>
Rent	2,400	2,855
Utilities	126,231	118,747
Telephone	54,080	44,941
Insurance	31,899	33,412
Janitorial	52,653	53,303
Maintenance	137,242	51,761
Total occupancy	<u>404,505</u>	<u>305,019</u>
Contract services	185,699	152,074
Inpatient	1,216,471	1,118,603
Residential beds	3,987	11,375
Total professional services	<u>1,406,157</u>	<u>1,282,052</u>
Books and journals	3,076	703
License and memberships	15,444	21,334
Education and training	51,099	64,276
Liability insurance	49,732	46,124
Total support staff	<u>119,351</u>	<u>132,437</u>
Data processing services	3,450	2,819
Data processing supplies/equipment	19,923	29,247
Data processing maintenance	45,561	61,095
Total data processing	<u>68,934</u>	<u>93,161</u>

The accompanying notes are an integral part of these statements.

BEAR RIVER MENTAL HEALTH SERVICES, INC.
DETAILED STATEMENTS OF ACTIVITIES (Continued)
FOR THE YEARS ENDED JUNE 30, 2016 AND 2015

	Memorandum Only	
	<u>2016</u>	<u>2015</u>
Gas and oil	\$ 15,066	\$ 18,200
Maintenance	20,905	15,311
Insurance	10,642	11,169
Total auto expense	<u>46,613</u>	<u>44,680</u>
Advertising	3,723	5,283
Miscellaneous	10,089	7,978
Board of directors	1,361	1,729
Total other expenses	<u>15,173</u>	<u>14,990</u>
Materials	6,618	6,601
Medical supplies	1,335	2,230
Total professional supplies	<u>7,953</u>	<u>8,831</u>
Patient activities	107,503	101,719
Total transitional	<u>107,503</u>	<u>101,719</u>
Equipment and furnishings	260,847	59,766
Software (not in service)	-	145,590
Total capital outlay	<u>260,847</u>	<u>205,356</u>
Total expenditures before adjustment	9,155,733	8,732,875
Total capital outlay	(260,847)	(205,356)
Depreciation	<u>218,451</u>	<u>250,985</u>
Total expenditures	<u>9,113,337</u>	<u>8,778,504</u>
Net income (loss) before non-operating revenue	<u>306,501</u>	<u>193,670</u>
Non-operating revenue	<u>17,223</u>	<u>13,000</u>
Net income	<u>\$ 323,724</u>	<u>\$ 206,670</u>

The accompanying notes are an integral part of these statements.



Certified Public Accountants, L.C.

50 West Forest, Suite 101
P.O. Box 369
Brigham City, Utah 84302
435-723-5224

**REPORT ON INTERNAL CONTROL OVER FINANCIAL
REPORTING AND ON COMPLIANCE AND OTHER
MATTERS BASED ON AN AUDIT OF FINANCIAL
STATEMENTS PERFORMED IN ACCORDANCE WITH
GOVERNMENT AUDITING STANDARDS**

Governing Board
Bear River Mental Health Services, Inc.

In planning and performing our audit of the financial statements of Bear River Mental Health Services, Inc. (Center) as of and for the years ended June 30, 2016 and 2015, in accordance with auditing standards generally accepted in the United States of America, we considered the Center's internal control over financial reporting (internal control) as a basis for designing audit procedures that are appropriate in the circumstances for the purpose of expressing our opinion on the financial statements, but not for the purpose of expressing an opinion on the effectiveness of the Center's internal control. Accordingly, we do not express an opinion on the effectiveness of the Center's internal control.

A *deficiency in internal control* exists when the design or operation of a control does not allow management or employees, in the normal course of performing their assigned functions, to prevent or detect and correct misstatements on a timely basis. A *material weakness* is a deficiency, or a combination of deficiencies, in internal control such that there is a reasonable possibility that a material misstatement of the entity's financial statements will not be prevented or detected and corrected on a timely basis.

Our consideration of the internal control was for the limited purpose described in the first paragraph of this section and was not designed to identify all deficiencies in internal control that might be material weaknesses. Given these limitations, during our audit we did not identify any deficiencies in internal control that we consider to be material weaknesses. However, material weaknesses may exist that have not been identified.

REPORT ON INTERNAL CONTROL OVER FINANCIAL REPORTING
AND ON COMPLIANCE AND OTHER MATTERS BASED ON AN AUDIT OF
FINANCIAL STATEMENTS PERFORMED IN ACCORDANCE WITH
GOVERNMENT AUDITING STANDARDS
(Continued)

Compliance and Other Matters

As part of obtaining reasonable assurance about whether the Center's financial statements are free of material misstatement, we performed tests of its compliance with certain provisions of laws, regulations, contracts and grant agreements, noncompliance with which could have a direct and material effect on the determination of financial statement amounts. However, providing an opinion on compliance with those provisions was not an objective of our audit and, accordingly, we do not express such an opinion. The results of our tests disclosed no instances of noncompliance or other matters that are required to be reported under *Government Auditing Standards*.

This communication is intended solely for the information and use of management and others within the organization and the various state and federal awarding agencies and pass-through entities and is not intended to be and should not be used by anyone other than these specified parties.



Davis & Bott
Certified Public Accountants, L.C.

Brigham City, Utah
October 24, 2016



Certified Public Accountants, L.C.

50 West Forest, Suite 101

P.O. Box 369

Brigham City, Utah 84302

435-723-5224

**COMMUNICATION WITH THOSE
CHARGED WITH GOVERNANCE**

Governing Board
Bear River Mental Health Services, Inc.
Logan, Utah 84321

We have audited the financial statements of Bear River Mental Health Services, Inc. (Center), a not-for-profit organization, for the years ended June 30, 2016 and 2015, and have issued our report thereon dated October 24, 2016. Professional standards require that we provide you with information about our responsibilities under generally accepted auditing standards and *Government Auditing Standards*, as well as certain information related to the planned scope and timing of our audit. We have communicated such information in our letter to you dated November 20, 2013. Professional standards also require that we communicate to you the following information related to our audit.

Significant Audit Findings

Qualitative Aspects of Accounting Practices

Management is responsible for the selection and use of appropriate accounting policies. The significant accounting policies used by the Center are described in Note 1 to the financial statements. No new accounting policies were adopted and the application of existing policies was not changed during the fiscal year ended June 30, 2016. We noted no transactions entered into by the Center during the year for which there is a lack of authoritative guidance or consensus. All significant transactions have been recognized in the financial statements in the proper period.

Accounting estimates are an integral part of the financial statements prepared by management and are based on management's knowledge and experience about past and current events and assumptions about future events.

COMMUNICATION WITH THOSE
CHARGED WITH GOVERNANCE
(Continued)

Certain accounting estimates are particularly sensitive because of their significance to the financial statements and because of the possibility that future events affecting them may differ significantly from those expected. The most sensitive estimates affecting the financial statements were:

Depreciation

The financial statements are prepared in accordance with "generally accepted accounting principles" (GAAP). As such, assets are depreciated using the straight line method of depreciation.

The financial statement disclosures are neutral, consistent, and clear.

Difficulties Encountered in Performing the Audit

We encountered no significant difficulties in dealing with management in performing and completing our audit.

Corrected and Uncorrected Misstatements

Professional standards require us to accumulate all misstatements identified during the audit, other than those that are clearly trivial, and communicate them to the appropriate level of management. There were no such misstatements.

Disagreements with Management

For purposes of this letter, a disagreement with management is a financial accounting, reporting, or auditing matter, whether or not resolved to our satisfaction, that could be significant to the financial statements or the auditor's report. We are pleased to report that no such disagreements arose during the course of our audit.

Management Representations

We have requested certain representations from management that are included in the management representation letter dated October 24, 2016.

COMMUNICATION WITH THOSE
CHARGED WITH GOVERNANCE
(Continued)

Management Consultations with Other Independent Accountants

In some cases, management may decide to consult with other accountants about auditing and accounting matters, similar to obtaining a "second opinion" on certain situations. If a consultation involves application of an accounting principle to the Center's financial statements or a determination of the type of auditor's opinion that may be expressed on those statements, our professional standards require the consulting accountant to check with us to determine that the consultant has all the relevant facts. To our knowledge, there were no such consultations with other accountants.

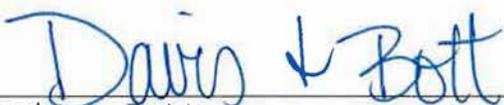
Other Audit Findings or Issues

We generally discuss a variety of matters, including the application of accounting principles and auditing standards, with management each year prior to retention as the Center's auditors. However, these discussions occurred in the normal course of our professional relationship and our responses were not a condition to our retention.

Other Matters

With respect to the supplementary information accompanying the financial statements, we made certain inquiries of management and evaluated the form, content, and methods of preparing the information to determine that the information complies with U.S. generally accepted accounting principles, the method of preparing it has not changed from the prior period, and the information is appropriate and complete in relation to our audit of the financial statements. We compared and reconciled the supplementary information to the underlying accounting records used to prepare the financial statements or to the financial statements themselves.

This information is intended solely for the information and use of management, the Governing Board and others within the organization, and is not intended to be and should not be used by anyone other than these specified parties.



Davis & Bott
Certified Public Accountants, L.C.

Brigham City, Utah
October 24, 2016

November 8, 2016

The County Council (the "County Council") of Cache County, Utah (the "County") met in regular public session at its regular meeting place in Logan, Utah, on Tuesday, November 8, 2016, at 5:00 p.m. The meeting was called to order by the Chairman of the County Council with the following being present, and constituting a quorum:

G. Gregory Merrill	Chairman
David L. Erickson	Vice Chairman
Val K. Potter	Councilmember
Kathy Robison	Councilmember
Jon White	Councilmember
Cory Yeates	Councilmember
Gordon A. Zilles	Councilmember

Also Present:

Absent:

The meeting was duly called to order and the County Clerk presented to the Council a Certificate of Compliance with Open Meeting Law with respect to this November 8, 2016 meeting, a copy of which is attached hereto as Exhibit A.

Thereupon, with respect to this November 8, 2016 meeting, the following resolution was then introduced in written form, was fully discussed, and pursuant to a motion made by Councilmember White and seconded by Councilmember Yeates, adopted by the following vote:

AYE: 7

NAY: 0

This Resolution was then signed in open meeting and recorded by the County Clerk. The Resolution is as follows:

RESOLUTION NO. 2016-23

A RESOLUTION OF THE CACHE COUNTY COUNCIL (THE "COUNTY") SETTING A PUBLIC HEARING REGARDING THE ISSUANCE BY THE COUNTY OF ITS BUSINESS DEVELOPMENT REVENUE REFUNDING BONDS IN AN AMOUNT NOT TO EXCEED \$3,000,000; RATIFYING THE PUBLICATION OF A NOTICE OF BONDS TO BE ISSUED AND A NOTICE OF PUBLIC HEARING; RATIFYING THE RUNNING OF A CONTEST PERIOD; AND RELATED MATTERS.

WHEREAS, pursuant to the Utah Industrial Facilities and Development Act, Title 11, Chapter 17, Utah Code Annotated 1953, as amended (the "Act"), Cache County, Utah (the "Issuer") is authorized to issue its revenue bonds to finance the costs of any "project" as defined in the Act to the end that the Issuer may be able to promote the general health and welfare within the State of Utah; and

WHEREAS, Sunshine Terrace Foundation, Inc. (the "Borrower"), a nonprofit corporation organized under the laws of the State of Utah and authorized to do business in the State of Utah, previously requested the County to issue Business Development Revenue Bonds, Series 2006 (Sunshine Foundation, Inc. Project) (the "Refunded Bonds") to finance the construction of an expansion to the existing rehabilitation facility and the improvement, equipping and furnishing of the rehabilitation facility expansion to be located in Cache County, Utah, and to be owned by the Borrower (collectively, the "Project"); and

WHEREAS, pursuant to the provisions of the Act, the Issuer, proposes to issue its Business Development Revenue Refunding Bonds, Series 2016 (Sunshine Terrace Foundation, Inc. Project) (the "Bonds") in the aggregate principal amount of not to exceed \$3,000,000 for the purpose of refunding the Refunded Bonds; and

WHEREAS, pursuant to the provisions of the Act, the Issuer desires to hold a public hearing regarding the issuance of the Bonds and to allow public input; and

WHEREAS, the Issuer desires to ratify a publication of Notice of Bonds to be Issued and of Public Hearing with respect to the Bonds.

NOW, THEREFORE, BE IT RESOLVED by the County Council of Cache County, Utah as follows:

Section 1. The Issuer hereby sets a public hearing on November 22, 2016 at 5:30 p.m. for the purpose of allowing interested individuals to express their views, both orally and in writing, on the proposed issuance of the Bonds and the nature of the Project.

Section 2. In accordance with the provisions of Section 11-17-16 of the Act, the Issuer has caused the "Notice of Bonds to be Issued and of Public Hearing" to be published one time on November 4, 2016 in The Herald Journal, and the Issuer hereby ratifies the publication.

Section 3. This Resolution shall take effect immediately upon its approval and adoption.

PASSED AND APPROVED BY THE COUNTY COUNCIL OF CACHE COUNTY, UTAH THIS NOVEMBER 8, 2016.



Gregory Norrie
Chair

ATTEST:

Jill Zollinger
County Clerk

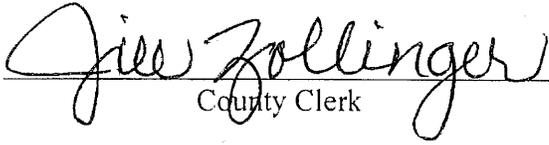
(Here follows business not pertinent to the above.)

Pursuant to motion duly made and seconded, the Council adjourned.



ATTEST:

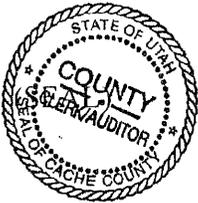

Chair


County Clerk

STATE OF UTAH)
 : ss.
COUNTY OF CACHE)

I, Jill N. Zollinger, the duly qualified and acting County Clerk of Cache County, Utah (the "Issuer"), do hereby certify according to the records of the Issuer's County Council (the "Council") in my possession, that the foregoing constitutes a true, correct and complete copy of a Resolution adopted by the Council at a meeting held on November 8, 2016.

IN WITNESS WHEREOF, I have hereunto subscribed my signature and impressed hereon the official seal of the County Clerk this November 8, 2016.



Jill Zollinger
County Clerk

EXHIBIT A

CERTIFICATE OF COMPLIANCE WITH OPEN MEETING LAW

I, Jill N. Zollinger, the duly qualified and acting County Clerk of Cache County, Utah (the "Issuer"), do hereby certify, according to the records of the Issuer in my official possession, and upon my own knowledge and belief, that in accordance with the requirements of Section 52-4-6(2), Utah Code Annotated 1953, as amended, I gave not less than twenty-four (24) hours public notice of the agenda, date, time, and place of the November 8, 2016 public meeting held by the Issuer as follows:

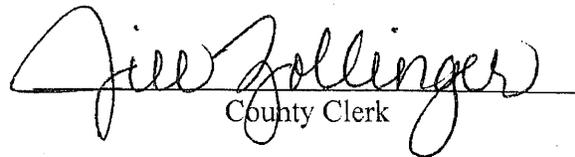
(a) By causing a Notice, in the form attached hereto as Schedule 1, to be posted at the Issuer's principal offices on November 4, 2016, at least twenty-four (24) hours prior to the convening of the meeting, said Notice having continuously remained so posted and available for public inspection until the completion of the meeting.

(b) By causing a Notice, in the form attached hereto as Schedule 1, to be delivered to The Herald Journal, a newspaper of general circulation within the Issuer, on November 4, 2016, at least twenty-four (24) hours prior to the convening of the meeting, and to each local media correspondent requesting notice of the Council's meetings.

In addition, notice of the Council's 2016 annual meeting schedule has been posted at the office of the Council and provided to local media correspondents as provided by law.

IN WITNESS WHEREOF, I have hereunto subscribed my official signature this November 8, 2016.




County Clerk

SCHEDULE 1
MEETING NOTICE

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

November 4, 2016

PUBLIC NOTICE is hereby given that the Cache County Council of Cache County, Utah will hold a **BUDGET WORKSHOP** and **REGULAR MEETING** in the Cache County Historic Courthouse, County Council Chambers, 199 North Main, Logan, Utah 84321 at **3:00 p.m. Budget Workshop and 5:00 p.m. Regular Meeting on TUESDAY, NOVEMBER 8, 2016**

AGENDA

3:00 p.m. BUDGET WORKSHIOP

1. CALL TO ORDER
 2. REVIEW OF 2017 BUDGET
 3. ADJOURN
-

5:00 p.m.

1. CALL TO ORDER
2. OPENING / PLEDGE – Kathy Robison
3. REVIEW AND APPROVAL OF AGENDA
4. REVIEW AND APPROVAL OF MINUTES (October 25, 2016)
5. MINUTES FOLLOW-UP
6. REPORT OF COUNTY EXECUTIVE
 - a. Appointments
 - b. Warrants
 - c. Other Items
 - d. Set 1st CDBG Public Hearing for November 22, 2016 at 5:15 p.m.
7. CONSENT AGENDA
8. ITEMS OF SPECIAL INTEREST
9. UNIT OR COMMITTEE REPORTS
10. BUDGETARY MATTERS
11. PUBLIC HEARINGS, APPEALS AND BOARD OF EQUALIZATION MATTERS
 - a. Set Public Hearing for November 22, 2016 at 5:30 p.m. – *Resolution 2016-23*
Consideration for adoption of a resolution of the Cache County Council (the “County”) setting a public hearing regarding the issuance by the county of its business development revenue refunding bonds in an amount not to exceed \$3,000,000; ratifying the publication of a notice of bonds to be issued and a notice of public hearing; ratifying the running of a contest period; and related matters
 - b. Set Public Hearing for November 22, 2016 at 6:00 p.m. – *Open 2016 Budget*

12. PENDING ACTION

13. INITIAL PROPOSALS FOR CONSIDERATION OF ACTION

a. **Ordinance 2016-17 – Amendments to Title 17**

An ordinance amending and superseding Chapters 7 & 9 of Title 17 of the Cache County Ordinance regarding crematoriums

b. **Resolution 2016-23** - Consideration for adoption of a resolution of the Cache County Council (the "County") setting a public hearing regarding the issuance by the county of its business development revenue refunding bonds in an amount not to exceed \$3,000,000; ratifying the publication of a notice of bonds to be issued and a notice of public hearing; ratifying the running of a contest period; and related matters

c. **Resolution 2016-26** - A resolution providing for the conduit financing by Cache County, Utah (the "Issuer") for refinancing the costs of the expansion of the existing building and the furnishing and equipping of such building for use as a rehabilitation facility (the "project") and land to be located in Logan, Utah in order that Sunshine Terrace Foundation, Inc. (the "Borrower") may be provided with facilities to promote the general health and welfare within the state of Utah; authorizing and providing for the issuance by the issuer of its not to exceed \$3,000,000 business development revenue refunding bonds (Sunshine Terrace Foundation, Inc. project) series 2016 which will be payable solely from the revenues arising from the pledge of a loan agreement with the borrower; authorizing the execution and delivery of a loan agreement among the issuer, the borrower and ZB, National Association (the "lender") and related documents; and related matters.

d. **Resolution 2016-27** – A resolution approving the re-appointment of a trustee to the Cache Mosquito Abatement District Board of Trustees

e. **Property Tax Relief Requests**

14. OTHER BUSINESS

a. UAC Annual Convention -- November 16-18, 2016 - Dixie Convention Center, St. George
All Council Members

b. Cache County Employees Christmas Dinner – Wednesday, December 14, 2016 at 6:30 p.m.
Riverwoods Conference Center

15. COUNCIL MEMBER REPORTS

16. ADJOURN TO CACHE COUNTY COMMUNITY DEVELOPMENT AND RENEWAL AGENCY

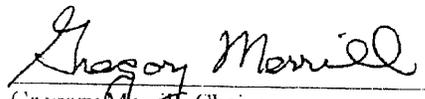
CACHE COUNTY COMMUNITY DEVELOPMENT AND RENEWAL AGENCY

1. CALL TO ORDER

2. SET PUBLIC HEARING FOR NOVEMBER 22, 2016 AT 6:30 P.M. – ADOPT 2017 BUDGET

3. ADJOURN TO COUNCIL MEETING

17. 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

SCHEDULE 2

2016 ANNUAL MEETING NOTICE

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

NOTICE OF THE ANNUAL CACHE COUNTY COUNCIL MEETING AND COUNTY OFFICES HOLIDAY SCHEDULE

PUBLIC NOTICE is hereby given that the 2017 meeting schedule of the Cache County Council is as follows:

JANUARY	10	and	24	JULY	11	and	25
FEBRUARY	14	and	28	AUGUST	8	and	22
MARCH	14	and	28	SEPTEMBER	12	and	26
APRIL	11	and	25	OCTOBER	10	and	24
MAY	9	and	23	NOVEMBER	14	and	21
JUNE	13	and	27	DECEMBER	5	and	12

Regular meetings of the Council will be held in the Cache County Historic Courthouse, 199 North Main, Logan, Utah 84321 beginning at 5:00 p.m. unless notice is given otherwise. Special and emergency meetings may be called as necessary pursuant to Utah State law.

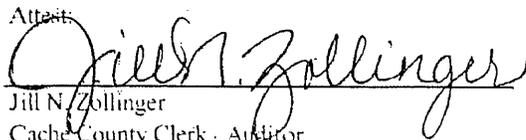
The following legal holidays will be observed in 2017 by Cache County Government. County offices, except emergency services, shall be closed on these days:

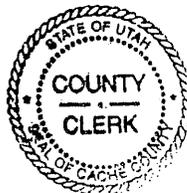
JANUARY	2	Monday	New Year's Day
JANUARY	16	Monday	Dr. Martin Luther King Day
FEBRUARY	20	Monday	Presidents' Day
MAY	29	Monday	Memorial Day
JULY	4	Tuesday	Independence Day
JULY	24	Monday	Pioneer Day
SEPTEMBER	4	Monday	Labor Day
OCTOBER	9	Monday	Columbus Day
NOVEMBER	10	Friday	Veterans Day
NOVEMBER	23	Thursday	Thanksgiving Day
NOVEMBER	24	Friday	Personal Preference Day
DECEMBER	25	Monday	Christmas Day
DECEMBER	26	Tuesday	Christmas Holiday Preference

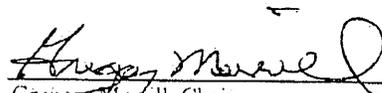
And all days which may be set apart by the President of the United States or the Governor of the State of Utah by proclamation as days of fast or thanksgiving shall also be observed as legal holidays.

Witness my hand and official seal this 11th day of October, 2016.

Attest:


Jill N. Zollinger
Cache County Clerk - Auditor




Gregory Merrill, Chair
Cache County Council

Publication Date October 26, 2016

November 22, 2016

The County Council (the “County Council”) of Cache County, Utah (the “County”) met in regular public session at its regular meeting place in Logan, Utah, on Tuesday, November 22, 2016, at 5:00 p.m. The meeting was called to order by the Chairman of the County Council with the following being present, and constituting a quorum:

Gregory Merrill	Chairman
David L. Erickson	Vice Chairman
Val K. Potter	Councilmember
Kathy Robison	Councilmember
Jon White	Councilmember
Cory Yeates	Councilmember
Gordon A. Zilles	Councilmember

Also Present:

Absent:

The meeting was duly called to order and the County Clerk presented to the Council a Certificate of Compliance with Open Meeting Law with respect to this November 22, 2016 meeting, a copy of which is attached hereto as Exhibit A.

The County Clerk noted that pursuant to the provisions of the Industrial Facilities and Development Act, Chapter 17, Title 11, Utah Code Annotated 1953, as amended, a notice of public hearing with respect to the issuance of the County’s Business Development Revenue Refunding Bonds (Sunshine Terrace Foundation, Inc. Project), Series 2016 (the “Bonds”), in the principal amount of not to exceed \$3,000,000 was published on November 4, 2016 in The Herald Journal, a newspaper of general circulation in the County. The public hearing was held on November 22, 2016, and was opened to all members of the public desiring to give input with respect to the issuance by the County of its Business Development Revenue Refunding Bonds (Sunshine Terrace Foundation, Inc. Project), Series 2016.

Thereupon, with respect to this November 22, 2016 meeting, the following resolution was then introduced in written form, was fully discussed, and pursuant to a motion made by Councilmember _____ and seconded by Councilmember _____, adopted by the following vote:

AYE:

NAY:

This Resolution was then signed in open meeting and recorded by the County Clerk. The Resolution is as follows:

**CACHE COUNTY
RESOLUTION NO. 2016 - 26**

A RESOLUTION PROVIDING FOR THE CONDUIT FINANCING BY CACHE COUNTY, UTAH (THE "ISSUER") FOR REFINANCING THE COSTS OF THE EXPANSION OF THE EXISTING BUILDING AND THE FURNISHING AND EQUIPPING OF SUCH BUILDING FOR USE AS A REHABILITATION FACILITY (THE "PROJECT") AND LAND TO BE LOCATED IN LOGAN, UTAH IN ORDER THAT SUNSHINE TERRACE FOUNDATION, INC. (THE "BORROWER") MAY BE PROVIDED WITH FACILITIES TO PROMOTE THE GENERAL HEALTH AND WELFARE WITHIN THE STATE OF UTAH; AUTHORIZING AND PROVIDING FOR THE ISSUANCE BY THE ISSUER OF ITS NOT TO EXCEED \$3,000,000 BUSINESS DEVELOPMENT REVENUE REFUNDING BONDS (SUNSHINE TERRACE FOUNDATION, INC. PROJECT) SERIES 2016 WHICH WILL BE PAYABLE SOLELY FROM THE REVENUES ARISING FROM THE PLEDGE OF A LOAN AGREEMENT WITH THE BORROWER; AUTHORIZING THE EXECUTION AND DELIVERY OF A LOAN AGREEMENT AMONG THE ISSUER, THE BORROWER AND ZB, NATIONAL ASSOCIATION (THE "LENDER") AND RELATED DOCUMENTS; AND RELATED MATTERS.

WHEREAS, pursuant to the Utah Industrial Facilities and Development Act, Title 11, Chapter 17, Utah Code Annotated 1953, as amended (the "Act"), Cache County, Utah (the "Issuer") is authorized to issue its revenue bonds to finance the costs of any "project" as defined in the Act to the end that the Issuer may be able to promote the general health and welfare within the State of Utah; and

WHEREAS, the Act provides that a county may issue revenue bonds for the purpose of using substantially all of the proceeds thereof to pay or to reimburse a business for the costs of the acquisition and construction of the facilities of a project and that title to or in such facilities may at all times remain in the company, and in such case the bonds of the municipality or county shall be secured by a pledge of one or more notes, debentures, bonds or other secured or unsecured debt obligations of the company; and

WHEREAS, Sunshine Terrace Foundation, Inc. (the "Borrower"), a nonprofit corporation organized under the laws of the State of Utah and authorized to do business in the State of Utah, previously requested the County to issue Business Development Revenue Bonds, Series 2006 (Sunshine Foundation, Inc. Project) (the "Refunded Bonds") to finance the construction of an expansion to the existing rehabilitation facility and the improvement, equipping and furnishing of the rehabilitation facility expansion to be located in Cache County, Utah, and to be owned by the Borrower (collectively, the "Project"); and

WHEREAS, the Borrower has approached the Issuer and requested that the Issuer consider the issuance of business revenue refunding bonds for the purposes of providing proceeds to refinance the Project, which exists within the boundaries of the Issuer and paying costs of issuing the hereinafter referenced bonds; and

WHEREAS, the Project will be of the character and will accomplish the purposes provided by the Act, and the Issuer is willing to issue its Business Development Revenue Refunding Bonds to refinance the Project upon terms which will be sufficient to refinance the Project as evidenced by such bonds, all as set forth in the details and provisions of the Loan Agreement (the "Loan Agreement") among the Issuer, the Borrower and ZB, National Association (the "Lender") in substantially the form attached hereto as Exhibit B; and

WHEREAS, pursuant to the provisions of the Act, the Issuer proposes to enter into the Loan Agreement and related security documents in connection with the refinancing of the Project, pursuant to which the Issuer will issue its not to exceed \$3,000,000 Business Development Revenue Refunding Bonds (Sunshine Terrace Foundation, Inc. Project) Series 2016 (the "Bonds"); and

WHEREAS, the County Council of the Issuer (the "Council") deems it necessary and advisable to authorize the issuance and confirm the sale of the Bonds and to authorize the execution and delivery of the Loan Agreement and related security documents; and

WHEREAS, pursuant to the provisions of the Loan Agreement, the Borrower will promise to pay amounts sufficient to pay, when due the principal of, premium, if any, and interest on the Bonds, all in accordance with the requirements of the Act; and

WHEREAS, the Issuer has agreed to issue the Bonds as a conduit to providing tax-exempt financing, however, the Issuer's authorization herein on behalf of the Borrower shall not be construed as an endorsement of the Borrower or the Project; and

WHEREAS, the Borrower will agree to meet any and all requirements mandated by federal or state law pertaining to the issuance of the Bonds (including, but not limited to federal tax law requirements pertaining to the issuance of tax-exempt bonds) and will take all actions required pursuant to the Loan Agreement and other related documents;

WHEREAS, after published notice, a public hearing was held on November 22, 2016, during which any interested party had an opportunity to comment upon the proposed issuance of the Bonds or any other matter relating to the Project; and

WHEREAS, the Act and the documents to be signed by the Issuer provide that the Bonds shall not constitute nor give rise to a general obligation or liability of the Issuer or be a charge against its general credit or taxing powers and that the Bonds will be payable from and secured only by the revenues arising from the pledge and assignment under the Loan Agreement of the loan repayments to the Lender.

NOW, THEREFORE, BE IT RESOLVED by the County Council of Cache County, Utah as follows:

Section 1. All terms defined in the recitals hereto shall have the same meaning when used herein.

Section 2. The Issuer is authorized to issue the Bonds for the purpose of lending the proceeds thereof to the Borrower to refinance the costs of the Project, all pursuant to the provisions of the Act. All action heretofore taken by the officers of the Issuer directed toward the issuance of the Bonds is hereby ratified, approved and confirmed.

Section 3. The Issuer is authorized and directed to issue the Bonds as fully registered bonds, in the aggregate principal amount of not to exceed \$3,000,000. The Bonds shall initially bear interest at a rate of not to exceed ____% (except as such maximum may be increased under the Loan Agreement), shall be payable on the dates, shall be subject to redemption prior to maturity, and shall mature on or before _____, all as set forth in the Loan Agreement, the form of which is attached hereto as Exhibit B.

The form, terms and provisions of the Bonds and the provisions for the signatures, authentication, payment, registration, transfer, exchange, redemption and number shall be as set forth in the Loan Agreement. The County Executive Officer or Chair and County Clerk are hereby authorized and directed to execute and seal the Bonds and to deliver said Bonds to the Lender. The signatures of the Chair and the County Clerk may be by facsimile or manual execution.

The form of Bond is set out in the Loan Agreement, copies of which were before the Council at this meeting, which form is incorporated herein by reference and made a part hereof.

Section 4. The Bonds are to be issued in accordance with and pursuant to, and the Issuer is authorized and directed to execute and deliver, the Loan Agreement, in substantially the same forms presented to the Council at the meeting at which this resolution was adopted. The Loan Agreement provides for the issuance of the Bonds for the purposes of refunding the Refunded Bonds and paying costs of issuance of the Bonds. The Loan Agreement provides for certain representations and warranties by the Issuer and the Borrower, for certain conditions precedent to the purchase of the Bonds, for certain affirmative and negative covenants, and for remedies in connection with the failure to perform certain covenants thereunder. The Loan Agreement also specifically provides that the Bonds and the Loan Agreement shall not constitute nor give rise to a general obligation or liability of the Issuer or a charge against its general credit or taxing powers. Recourse on the Bonds executed and delivered by the Issuer pursuant to the Loan Agreement may be had only against the security for the Bonds as provided therein and in the Loan Agreement. The issuance of the Bonds shall also be subject to the approval of bond counsel.

Section 5. The Loan Agreement provides that the Borrower has or will cause the Project to be refinanced with proceeds of the Bonds all in accordance with the provisions of the Loan Agreement.

Section 6. The Project constitutes facilities that are being used in the Borrower's non-profit business as contemplated in the Act.

Section 7. The Loan Agreement, in substantially the form presented to the Council of the Issuer at this meeting, with such changes as are authorized by Section 9 hereof, is hereby approved in all respects, and the County Executive Officer or Chair (including any acting Chair) is hereby authorized to execute each of the same on behalf of the Issuer and the County Clerk is authorized to affix the seal of the Issuer thereto and the acts of the Executive County Officer, Chair and County Clerk in so doing are and shall be the act and deed of the Issuer. The Executive County Officer, Chair, County Clerk and all other proper officers and employees of the Issuer are hereby authorized and directed to take all steps on behalf of the Issuer to perform and discharge the obligations of the Issuer under each of said instruments.

Section 8. The sale of the Bonds to the Lender in accordance with the Loan Agreement, is hereby authorized, approved and confirmed.

Section 9. The County Executive Officer or Chair is hereby authorized to make, either prior or subsequent to the execution thereof, any alterations, changes or additions in the Loan Agreement and the Bonds herein authorized which may be necessary to correct any errors or omissions therein, to remove ambiguities therefrom, to conform the same to other provisions of said instruments, to the agreement of the Borrower and the Lender, to the provisions of this resolution, or any other resolution adopted by the Issuer, or the provisions of the laws of the State of Utah or the United States as long as the rights of the Issuer are not materially adversely affected thereby.

Section 10. Section 11-17-13, Utah Code Annotated 1953, as amended, contains a pledge and undertaking of the State of Utah that the State of Utah will not alter, impair or limit the rights vested hereunder or in the Bonds, the Loan Agreement or any of the documents contemplated hereby until the Bonds, together with all interest thereon, have been fully paid and discharged and all obligations of the Issuer thereunder and under the Loan Agreement are fully performed. The Issuer gives no opinion nor makes any representation as to the enforceability of such pledge and undertaking.

Section 11. [For purposes of and in accordance with Section 265 of the Code, the Issuer hereby designates the Bonds as an issue qualifying for the exception for certain qualified tax-exempt obligations to the rule denying banks and other financial institutions 100% of the deduction for interest expenses which is allocable to tax-exempt interest. The Issuer reasonably anticipates that the total amount of tax-exempt obligations (other than obligations described in Section 265(b)(3)(C)(ii) of the Internal Revenue Code of 1986 (the "Code")) which will be issued by the Issuer and by any aggregated issuer during calendar year 2016 will not exceed \$10,000,000. For purposes of this Section 12 "aggregated issuer" means any entity which, (i) issues obligations on behalf of the Issuer,

(ii) derives its issuing authority from the Issuer, or (iii) is directly or indirectly controlled by the Issuer within the meaning of Treasury Regulation Section 1.150-1(e). The Issuer hereby represents that (a) it has not created and does not intend to create and does not expect to benefit from any entity formed or availed of to avoid the purposes of Section 265(b)(3)(C) or (D) of the Code and (b) the total amount of obligations so designated by the Issuer, and all aggregated issuers for calendar year 2016 does not exceed \$10,000,000.]

Section 12. It is hereby declared that all parts of this resolution are severable and that if any section, paragraph, clause or provision of this resolution 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 provisions of this resolution.

Section 13. The County Executive Officer, Chair, County Clerk and other officers of the Issuer are hereby authorized to execute all documents and take such action as they may deem necessary or advisable in order to carry out and perform the purpose of this resolution and the execution or taking of such action shall be conclusive evidence of such necessity or advisability. All action heretofore taken by the Issuer, its officers and employees, with respect to the issuance and sale of the Bonds is hereby ratified and confirmed. Any action authorized by this Resolution to be taken by the Chair may be taken by any duly authorized acting Chair in the absence of the Chair.

Section 14. All resolutions, orders and regulations or parts thereof heretofore adopted or passed which are in conflict herewith are, to the extent of such conflict, hereby repealed. This repealer shall not be construed so as to revive any resolution, order, regulation or part thereof heretofore repealed.

Section 15. This Resolution shall take effect immediately upon its approval and adoption.

PASSED AND APPROVED BY THE COUNTY COUNCIL OF CACHE COUNTY, UTAH THIS NOVEMBER 22, 2016.

(SEAL)

Gregory Merrill, Council Chair

ATTEST:

Jill N. Zollinger, County Clerk/Auditor

(Here follows business not pertinent to the above.)

Pursuant to motion duly made and seconded, the Council adjourned.

(SEAL)

Gregory Merrill, Council Chair

ATTEST:

Jill N. Zollinger, County Clerk/Auditor

EXHIBIT A

CERTIFICATE OF COMPLIANCE WITH OPEN MEETING LAW

I, Jill N. Zollinger, the duly qualified and acting County Clerk of Cache County, Utah (the "Issuer"), do hereby certify, according to the records of the Issuer in my official possession, and upon my own knowledge and belief, that in accordance with the requirements of Section 52-4-6(2), Utah Code Annotated 1953, as amended, I gave not less than twenty-four (24) hours public notice of the agenda, date, time, and place of the November 22, 2016 public meeting held by the Issuer as follows:

(a) By causing a Notice, in the form attached hereto as Schedule 1, to be posted at the Issuer's principal offices on November __, 2016, at least twenty-four (24) hours prior to the convening of the meeting, said Notice having continuously remained so posted and available for public inspection until the completion of the meeting.

(b) By causing a Notice, in the form attached hereto as Schedule 1, to be delivered to The Herald Journal, a newspaper of general circulation within the Issuer, on November __, 2016, at least twenty-four (24) hours prior to the convening of the meeting, and to each local media correspondent requesting notice of the Council's meetings.

In addition, notice of the Council's 2016 annual meeting schedule has been posted at the office of the Council and provided to local media correspondents as provided by law.

IN WITNESS WHEREOF, I have hereunto subscribed my official signature this November 22, 2016.

Jill N. Zollinger, County Clerk/Auditor

(SEAL)

SCHEDULE 1
MEETING NOTICE

SCHEDULE 2

2016 ANNUAL MEETING NOTICE

EXHIBIT B

LOAN AGREEMENT

(See Transcript Document No. 1)

EXHIBIT C

AFFIDAVIT OF PUBLICATION OF
NOTICE OF BONDS TO BE ISSUED AND OF PUBLIC HEARING

**CACHE COUNTY
RESOLUTION NO. 2016 - 28**

RESOLUTION OF THE CACHE COUNTY COUNCIL, CACHE COUNTY, UTAH STATING ITS WILLINGNESS AND DIRECTION TO REESTABLISH THE DEDICATION OF A PORTION OF THE LOCAL SALES AND USE TAX REVENUES TO BE RECEIVED BY THE COUNTY TO THE BRIDGERLAND COMMUNITY ICE ARENA, DOING BUSINESS AS THE GEORGE S. ECCLES ICE CENTER (THE “ICE ARENA”) TO ASSIST IN THE CONTINUED FUNDING FOR AND GROWTH OF THE LONG TERM ENDOWMENT FOR THE ICE ARENA; AND RELATED MATTERS.

WHEREAS, pursuant to the provisions of Article XIII, Section 5 of the Utah Constitution; Title 10, Chapter 8, Utah Code Annotated 1953, as amended and the Interlocal Co-operation Act, Title 11, Chapter 13, Utah Code Annotated 1953, as amended, and Section 59-12-203, Utah Code Annotated 1953, as amended, political subdivisions of the State of Utah are authorized to enter into agreements to share their tax and other revenues with other political subdivisions in order to make the most efficient use of their powers by enabling them to cooperate with each other on a basis of mutual advantage and to provide the benefit of economies of scale for the overall promotion of the general welfare of the State and the political subdivisions; and

WHEREAS, in order to improve local health and the general welfare by developing recreational, educational, cultural and competitive facilities for use by residents of Cache County, the County has assisted in financing the acquisition, construction, and equipping of an ice arena and related facilities (the “Ice Arena Project”) which is located in the County and known as the Bridgerland Community Ice Arena, doing business as the George S. Eccles Ice Center (the “Ice Arena”); and

WHEREAS, the County, Logan, Utah, Hyde Park, Utah and North Logan, Utah formed an Interlocal cooperative known as the North Park Interlocal Cooperative (“NPIC”) to assist in the financing of the Ice Arena Project; and

WHEREAS, as provided in Sections 59-12-204 and 59-12-205 of the Sales and Use Tax Act, Utah Code Annotated 1953 as amended and beginning July 1, 1999, a 1/64% sales and use tax collected by the State Tax Commission became available to the County (the “1/64% Sales Tax Revenues”); and

WHEREAS, although the 1/64% Sales Tax Revenues would have otherwise been available for use at the County’s discretion, the County’s pledge of the 1/64% Sales Tax Revenues to the Ice Arena Project, beginning on or about from July 1, 2000, has not represented an increase or additional tax upon the residents of the County; and

WHEREAS, in order to assist in the financing of the Ice Arena Project, the County has pledged the 1/64% Sales Tax Revenues generated within the County (together with all other cities and towns adopting resolutions similar to this Resolution) and authorized said Sales Tax Revenues be

paid to the County, then transferred into an Ice Arena Fund dedicated to the financing of the Ice Arena Project; and

WHEREAS, the Bond that was issued to provide a portion of the financing required for the Ice Arena Project has been paid in full, with the assistance of the 1/64% Sales Tax Revenues pledged by the County; and

WHEREAS, the Ice Arena has a significant need to continue the funding for and growth of it established Long Term Endowment;

WHEREAS, the County desires to authorize and direct the reestablishment and continuation of the pledge of its 1/64% Sales Tax Revenues to the County and Ice Center (together with all other Cities and Towns within the County adopting similar continuing resolutions, reauthorizing the payment of their respective 1/64% Sales Tax Revenues to the County and Ice Center) to assist in the continued funding for and growth of the Long Term Endowment for the Ice Arena.

NOW, THEREFORE, BE IT RESOLVED BY THE CACHE COUNTY COUNCIL AS FOLLOWS:

Section 1. Terms defined in the foregoing recitals shall have the same meaning when used in this Resolution. All actions not inconsistent with the provisions of this Resolution heretofore taken by the County toward assisting in the financing of the Project and the continued funding for and growth of the Long Term Endowment for the Ice Center are hereby ratified, approved and confirmed.

Section 2. The County may calculate and reestablish and restore payment of the County's portion of the 1/64% Sales Tax Revenues to the County and Ice Arena for the accrual by the Ice Arena and addition to its Long Term Endowment. Such restored payment of the County's portion of said 1/64% Sales Tax Revenues shall continue for ____ additional years, or to the date of _____, 20__ or until this resolution is modified or rescinded by a subsequent Council.

Section 3. The funds received by the Ice Arena pursuant to this Resolution reestablishing and restoring the payment of the County's portion of the 1/64% Sales Tax Revenues shall be accrued by the Ice Center in the separate Long Term Endowment account and be dedicated for use only as allowed by the Ice Center's Long Term Endowment.

Section 4. The Cache County Council Chairman, Cache County Clerk and other appropriate County Officials are authorized and directed to date and sign this Resolution and any other Interlocal agreements, State Tax Commission forms and other documents required to carry out and give effect to the actions authorized by this Resolution.

Section 5. All orders, ordinances and resolutions with respect to this transaction heretofore adopted, or parts thereof, which are in conflict with any of the provisions hereof are, to the extent of such conflict, hereby repealed, except that this repeal shall not be construed to revive any act, order or resolution, or part thereof, heretofore repealed.

Section 6. If any provision of this resolution shall be held or deemed to be or shall, in fact, be invalid, inoperative or unenforceable for any reason, such reason shall not have the effect of rendering any other provision or provisions hereof invalid, inoperative or unenforceable to any extent whatever, this Resolution and the provisions of this Resolution being deemed to be the separate independent and severable act of the Cache County Council.

Section 7. Immediately after its adoption, this Resolution shall be signed by the appropriate officers of the County, shall be recorded in the official records of the County and shall take immediate effect.

PASSED and approved by the Cache County Council, this ____ day of _____, 2016.

CACHE COUNTY COUNCIL

ATTEST:

By: _____
Gregory Merrill, Cache County Council

Chairman

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

STATE OF UTAH)
 : ss.
County of Cache)

I, _____, the duly qualified and acting County Clerk of Cache County, Utah (the "Issuer"), do hereby certify according to the records of the Issuer's Council (the "Council") in my possession that the foregoing constitutes a true, correct and complete copy of the minutes of the regular meeting of the Cache County Council held on _____, 2011, as it pertains to a Resolution adopted by the Council at said meeting, including the Resolution, as said minutes and Resolution are officially of record in my possession.

IN WITNESS WHEREOF, I have hereunto subscribed my signature and impressed hereupon the official seal of the Issuer this ____ day of _____, 2011.

Jill N. Zollinger, County Clerk/Auditor

RESOLUTION NO. 2016 – 29

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 Executive 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 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 Executive and other county officials are authorized and directed to act accordingly.

This resolution was duly adopted by the Cache County Council on the 22nd day of November, 2016.

ATTESTED TO:

CACHE COUNTY COUNCIL

Jill N. Zollinger, Cache County Clerk/Auditor

Greg Merrill, Council Chair



BUDGET AMENDMENT

EXECUTIVE SUMMARY FOR RESOLUTION 2016-29

GENERAL FUND

Total revenues and expenditures increase by \$70,166 or 0.3%

Revenues

Grants – Increases by 1.0%

The VOCA and VAWA grants are adjusted for additional funding that is provided for part time employee work in the amount of \$3,263 and for travel by the special investigator in the amount of \$4,000.

Miscellaneous – Increases by 5.7%

Sundry revenue increases for two different reasons. First, Logan City closed an RDA project and refunded the surplus funding back to the taxing entities, accounting for \$42,380. The Logan City mayor presented the Council with a check for this amount previously and now it is being recognized in the budget. The second amount, \$4,550, is a TAP award from Utah Local Governments Trust (ULGT) for safety.

Contributions – Increases by 1.2%

Zions Bank presented Victim Services with a Smart Women grant in December of 2015, without restrictions on use. This amount was recorded as revenue at that time, but there was no direct use for it and it was saved in the fund balance for use in 2016. The amount is \$3,000 and it is appropriated at this time to cover over time payments, travel for conferences, and additional phone charges. Also, there are two new hires in 2016, which experienced changing medical insurance needs. The budget was sufficient at the time of hiring, but because the needs changed, an additional \$13,000 is needed to cover the associated annual cost.

Expenditures

Water Development – No Change

Funding for professional services is needed to cover costs associated with public education regarding the formation of a water conservancy district. It is proposed to transfer \$27,000 from the water brokering account to fund this need.

Information Technology Systems – Increases by 3.4%

Funding for a waterless fire suppression system is provided in the amount of \$38,500. However, expenditures in this department are offset to the Assessing and Collecting fund at a rate of 30%. For this project, \$11,550 will be allocated to that fund.

Attorney – Increases by 1.1%

Municipal prosecution services are provided to Hyrum City by the Attorney's Office. The amount is then split out to the employees, less amounts for URS contributions, payroll taxes, and related benefits. Revenue amounts were budgeted, but the payments to employees were not. The amount of \$16,200 added to the budget represents the remaining amount after the amounts for contributions, taxes, etc. have been taken out. Additionally, all expenditures in this office are allocated to the Assessing and Collecting fund at the rate of 9%. This amounts to \$1,458.

VOCA – Increases by 8.8%

The increase of \$100 in Overtime Pay is for actual overtime earned. Additional Victims Rights conferences were attended costing approximately \$2,200. Also, desk phone expense and cell phone reimbursement



BUDGET AMENDMENT

EXECUTIVE SUMMARY FOR RESOLUTION 2016-29

costs are higher due to use by the new hires. These costs are all covered by the Smart Women grant. In addition to that grant, the state provided additional funding for hours worked by part time employees in the amount of \$3,236. Insurance changes for the new hires requires an additional \$13,000 to cover the costs incurred from the time of change to the end of the year.

VAWA – Increases by 2.1%

The Special Investigator has done extensive travel related to cases where the person of interest is out of state. The extra \$4,000 needed to cover these costs will be provided by the state.

County Jail – No Change

Milestone software runs the jail camera security system. With an upgrade to the camera system 11 new licenses and 84 renewals are needed. A 3-year maintenance contract will be provided with these licenses and renewals. Some funding is already available, but an additional \$18,000 is needed and can be transferred from the capital equipment account.

Fairgrounds – No Change

The wood bleachers in the Grandstand are being replaced with aluminum bleachers. A RAPZ Tax award was given to fund this project, but was inadvertently allocated to the wrong account. The transfer of \$35,000 allocates the funding to the correct account.

USU Extension – No Change

Minor cuts are proposed in several accounts to transfer funding in the amount of \$6,000 for part time employees.

Contributions – Increases by 0.0% (\$688)

Funds from the RDA refund helped to offset the cost of the fire suppression system and the payments from prosecution services. The remaining amount of \$688 can be contributed to the fund balance.

Miscellaneous – Increases by 3.5%

It is proposed to use funding from the ULGT TAP award in the amount of \$4,550 for employee training supplies from the Arbinger Institute.

ASSESSING AND COLLECTING FUND

Total revenues and expenditures increase by \$13,008 or 0.4%

Revenue

Contributions and Transfers – Increases 7.5%

Fund balance is appropriated in the total amount of \$13,008 to fund the additional allocations from the General fund.

Expenditures

Multiple Departments – Increases 1.9%



BUDGET AMENDMENT

EXECUTIVE SUMMARY FOR RESOLUTION 2016-29

An adjustment is made to reflect the amount allocated to the Assessing and Collecting fund from the General fund. Total expenditures from the IT department and the Attorney's office are offset at 30% and 9% respectively. The purposes are as stated in the General fund.

VISITORS BUREAU FUND

Total revenues and expenditures increase by \$28,437 or 3.9%

Revenues

Grants – Increases by 157.8%

The state tourism office provided funding related to tourism promotion in the amount of \$28,437.

Expenditures

Visitors Bureau – Increases by 3.9%

The state tourism office provided funding that will be spent related to tourism promotion in the amount of \$28,437.

COUNCIL ON AGING FUND

Total revenues and expenditures increase by \$100,000 or 14.8%

Revenue

Grants – Increases 32.1%

A Community Development Block Grant (CDBG) in the amount of \$100,000 has been awarded to the Senior Center for two Meals On Wheels trucks.

Expenditures

Nutrition (Mandated) – No Change

Projected costs for utilities and for communications indicate additional funding is needed in the amounts of \$1,800 and \$200 respectively. Internal cuts are made to fund these additional needs.

AIRPORT FUND

Total revenues and expenditures do not change

Expenditures

Airport – No Change

Projected costs for an unexpected lighting project total \$2,500 and are classified as a buildings and grounds expense. No funding is available in that account, but funds can be reduced from equipment supplies and maintenance to cover the cost.



BUDGET AMENDMENT

Resolution: 2016-29

Hearing: December 8, 2016

6:00 PM

Department	Account	Title	Description	Adjustment
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GENERAL FUND

Adopted Budget: \$25,791,893

Proposed Budget: \$25,810,059

Revenues

GRANTS	100-33-14100	CRIME VICTIM GRANT -VOCA	Additional Grant Funding - PTE	3,236
GRANTS	100-33-14110	CRIME VICTIM SPEC PROS - VAWA	Additional Grant for Travel - Special Investigator	4,000
MISCELLANEOUS	100-36-90000	SUNDRY REVENUE	Logan City - Closed RDA	42,380
MISCELLANEOUS	100-36-90000	SUNDRY REVENUE	TAP Award from ULGT	4,550
CONTRIB./TRANSFERS	100-38-90000	APPROPRIATED FUND BALANCE	Zions - Smart Women Grant	3,000
CONTRIB./TRANSFERS	100-38-90000	APPROPRIATED FUND BALANCE	Benefits for New Hires	13,000

Total Revenue Adjustment: 70,166

Expenditures

WATER DEVELOP.	100-4115-310	PROFESSIONAL & TECHNICAL	Engineering Services for Water Management	27,000
WATER DEVELOP.	100-4115-481	WATER BROKERNG; AQUA STOR/RCVY	Engineering Services for Water Management	(27,000)
ITS	100-4136-740	CAPITALIZED EQUIPMENT	Waterless Fire Suppression System	38,500
ITS	100-4136-999	A&C ALLOCATION - 30%	Waterless Fire Suppression System	(11,550)
ATTORNEY	100-4145-113	MUNICIPAL PROSECUTION	Additional Pay for Prosecution Services	16,200
ATTORNEY	100-4145-999	A&C ALLOC - ATTORNEY 9%	Additional Pay for Prosecution Services	(1,458)
VOCA - VICTIM SRVS	100-4148-115	OVERTIME PAY - VOCA	Over Time Payment	100
VOCA - VICTIM SRVS	100-4148-120	TEMPORARY EMPLOYEES	Additional Grant Funding - PTE	3,236
VOCA - VICTIM SRVS	100-4148-130	EMPLOYEE BENEFITS	Benefits for New Hires	13,000
VOCA - VICTIM SRVS	100-4148-230	TRAVEL	Travel for Victims Rights Conferences	2,200
VOCA - VICTIM SRVS	100-4148-280	COMMUNICATIONS	Additional Office and Cell Phone Charges	700
VAWA - VICTIM SRVS	100-4149-230	TRAVEL	Additional Grant for Travel - Special Investigator	4,000
COUNTY JAIL	100-4230-311	SOFTWARE PACKAGES	Additional Licenses for Milestone Software	18,000
COUNTY JAIL	100-4230-740	CAPITALIZED EQUIPMENT	Additional Licenses for Milestone Software	(18,000)
FAIRGROUNDS	100-4511-720	BUILDINGS	Grandstand Improvement Project	35,000
FAIRGROUNDS	100-4511-730	IMPROVEMENTS	Grandstand Improvement Project	(35,000)
USU EXTENSION	100-4610-120	TEMPORARY EMPLOYEES	Additional Intern Hours for Projects	6,000
USU EXTENSION	100-4610-230	TRAVEL-AG AGENT	Additional Intern Hours for Projects	(1,000)
USU EXTENSION	100-4610-234	TRAVEL-HORTICULTURAL AGENT	Additional Intern Hours for Projects	(1,000)
USU EXTENSION	100-4610-240	OFFICE EXPENSE	Additional Intern Hours for Projects	(1,000)
USU EXTENSION	100-4610-241	POSTAGE FROM USU	Additional Intern Hours for Projects	(2,000)
USU EXTENSION	100-4610-250	EQUIPMENT SUPPLIES & MAINT	Additional Intern Hours for Projects	(1,000)
USU EXTENSION	100-4610-250	EQUIPMENT SUPPLIES & MAINT	4H Expenses	(250)
USU EXTENSION	100-4610-630	4-H CLUB	4H Expenses	250
CONTRIBUTIONS	100-4800-990	CONTRIBUTION TO FUND BALANCE	Remaining RDA Refund	688
MISCELLANEOUS	100-4960-600	SUNDRY EXPENSE	TAP Award - Arbinger Training Supplies	4,550

Total Expenditure Adjustment: 70,166

ASSESSING & COLLECTING FUND

Adopted Budget: \$3,651,236

Proposed Budget: \$3,664,244

Revenues

CONTRIB./TRANSFERS	150-38-90000	APPROPRIATED FUND BALANCE	Waterless Fire Suppression System	11,550
CONTRIB./TRANSFERS	150-38-90000	APPROPRIATED FUND BALANCE	Additional Pay for Prosecution Services	1,458

Total Revenue Adjustment: 13,008

Expenditures

ITS	150-4136-999	A&C ALLOCATION - 30%	Waterless Fire Suppression System	11,550
ATTORNEY	150-4145-999	A&C ALLOC - ATTORNEY 9%	Additional Pay for Prosecution Services	1,458

Total Expenditure Adjustment: 13,008



BUDGET AMENDMENT

Resolution: 2016-29

Hearing: December 8, 2016

6:00 PM

Department	Account	Title	Description	Adjustment
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VISITORS BUREAU FUND

Adopted Budget: \$721,454

Proposed Budget: \$749,891

Revenues

GRANTS	230-33-44100	STATE GRANTS	Utah Office of Tourism Grant	28,437
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Total Revenue Adjustment: 28,437

Expenditures

VISITOR'S BUREAU	230-4780-490	ADVERTISING & PROMOTIONS	Utah Office of Tourism Grant - Tourism Promotion	28,437
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Total Expenditure Adjustment: 28,437

COUNCIL ON AGING FUND

Adopted Budget: \$677,299

Proposed Budget: \$777,299

Revenues

GRANTS	240-33-17000	FEDERAL GRANTS - MISCELLANEOUS	CDBG - Meals On Wheels Trucks	100,000
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Total Revenue Adjustment: 100,000

Expenditures

SC - NUTRITION	240-4970-260	BUILDINGS & GROUNDS MAINT	Funding for Utilities and Communications	(2,000)
SC - NUTRITION	240-4970-270	UTILITIES	Projected Additional Utility Costs	1,800
SC - NUTRITION	240-4970-280	COMMUNICATIONS	Projected Additional Communications Costs	200
SC - NUTRITION	240-4970-740	CAPITALIZED EQUIPMENT	CDBG - Meals On Wheels Trucks	100,000

Total Expenditure Adjustment: 100,000

AIRPORT

Adopted Budget: \$2,043,325

Proposed Budget: \$2,043,325

Revenues

				-
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Total Revenue Adjustment: -

Expenditures

AIRPORT	277-4460-250	EQUIPMENT SUPPLIES & MAINT	Lighting Project	(2,500)
AIRPORT	277-4460-260	BUILDING & GROUNDS	Lighting Project	2,500

Total Expenditure Adjustment: -

CACHE COUNTY, UTAH
RESOLUTION NO. 2016 - 30

A RESOLUTION AUTHORIZING EMINENT DOMAIN PROCEEDINGS

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

Whereas, the Cache County Council; after considering all of the facts and circumstances surrounding what is commonly referred to as the “Davenport Road” identified in Exhibit A and Exhibit A1, has concluded that the Davenport Road is a public right of way; and

Whereas, in 1866, the Cache County Court, authorized the construction of the Davenport Road in either its present location or a location near the Road’s present location; and

Whereas, the Davenport Road appears on an official maps including maps accepted by the Surveyor General of the United States of America in the general area of the current location of the Davenport Road; and

Whereas, the Davenport road has been used in the past as a public road; and

Whereas, in 2010, Four Mile Ranch, Inc. brought a lawsuit against adjacent property owners asking the First District Court to declare that the Davenport Road is not a public road, bringing a claim for trespass, quiet title and injunctive relief; and

Whereas, in 2010, Cache County intervened in the lawsuit in order to preserve public access on the Davenport Road; and

Whereas, opening the Davenport Road to the public would provide access to a right of way that was previously adjudicated as a public right of way in *Lindsay Land Live Stock Co v. Churnos*; and

Whereas, the citizens of Cache County are presently deprived in large measure from use of access to other county roads and other public land that can best be accessed by the Davenport Road; and

Whereas, the deprivation of the use of the Davenport Road for a prolonged period of litigation is expensive and contrary to the best interests of the Citizens of Cache County; and

Whereas, the County has been unable to acquire by negotiation the necessary rights of way from Four Mile Ranch Inc., across parcel numbers: 16-001-0001, 16-012-0002, 16-012-0003, 16-060-0004, 16-061-0002, 16-064-0001, 16-073-0001, 16-074-0001. The portions of these parcels that the County needs to acquire are particularly described and shown in Exhibit A attached hereto and incorporated by reference (the “Properties”); and

Whereas, on or about January 21, 2016 an independent MAI certified appraiser delivered appraisals to the County for the Davenport Road; and

Whereas, on or about July 5, 2016, County staff mailed a written offer to pay the owners of the Properties the appraised value for their respective parcels, which included payment for easements across the Properties; and

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

Whereas, the County Council finds that a public road is a use for which eminent domain may be exercised pursuant to Utah Code 78B-6-501; and

Whereas, the County Council finds and determines that the public interest and necessity require the County to acquire by eminent domain the Davenport Road;

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

Section 1. The Cache County Council finds and determines that the public interest and necessity require the acquisition of the Properties, for the Davenport Road, a mountain road and for other lawful and legitimate public purposes.

Section 2. The Davenport Road requires the County to acquire right of way that will affect a portion of certain real and personal property owned by Four Mile Ranch, Inc., identified by Tax Identification Numbers: 16-001-0001, 16-012-0002, 16-012-0003, 16-060-0004, 16-061-0002, 16-064-0001, 16-073-0001, 16-074-0001.

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

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

1. To acquire fee title, in the name of the County, the Properties and any necessary easements across the Properties as more particularly described in Exhibit A and Exhibit A1, by purchase if a reasonable purchase price can be negotiated, or by eminent domain proceedings in accordance with Utah law;

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

Section 5. This resolution shall take effect immediately.

Adopted by the County Council of Cache County, Utah, this _____ day of _____,
2016.

Cache County Council

Attest:

Gregory Merrill, Council Chair

Jill N. Zollinger, County Clerk/Auditor

Exhibit A

Davenport Road Access and Surrounding Areas

Legend

- Surveyed Legal Description
- County Roads
- Municipal Boundary
- FOREST SERVICE 231,268 ac
- USFS WILDERNESS AREA 54,965 ac
- STATE PARK REC. AREA 315 ac
- STATE WILDLIFE RESERVES 18,162 ac
- STATE TRUST 1,852 ac
- BLM 129 ac
- WATER 3,517 ac
- PRIVATE 426,432 ac

N

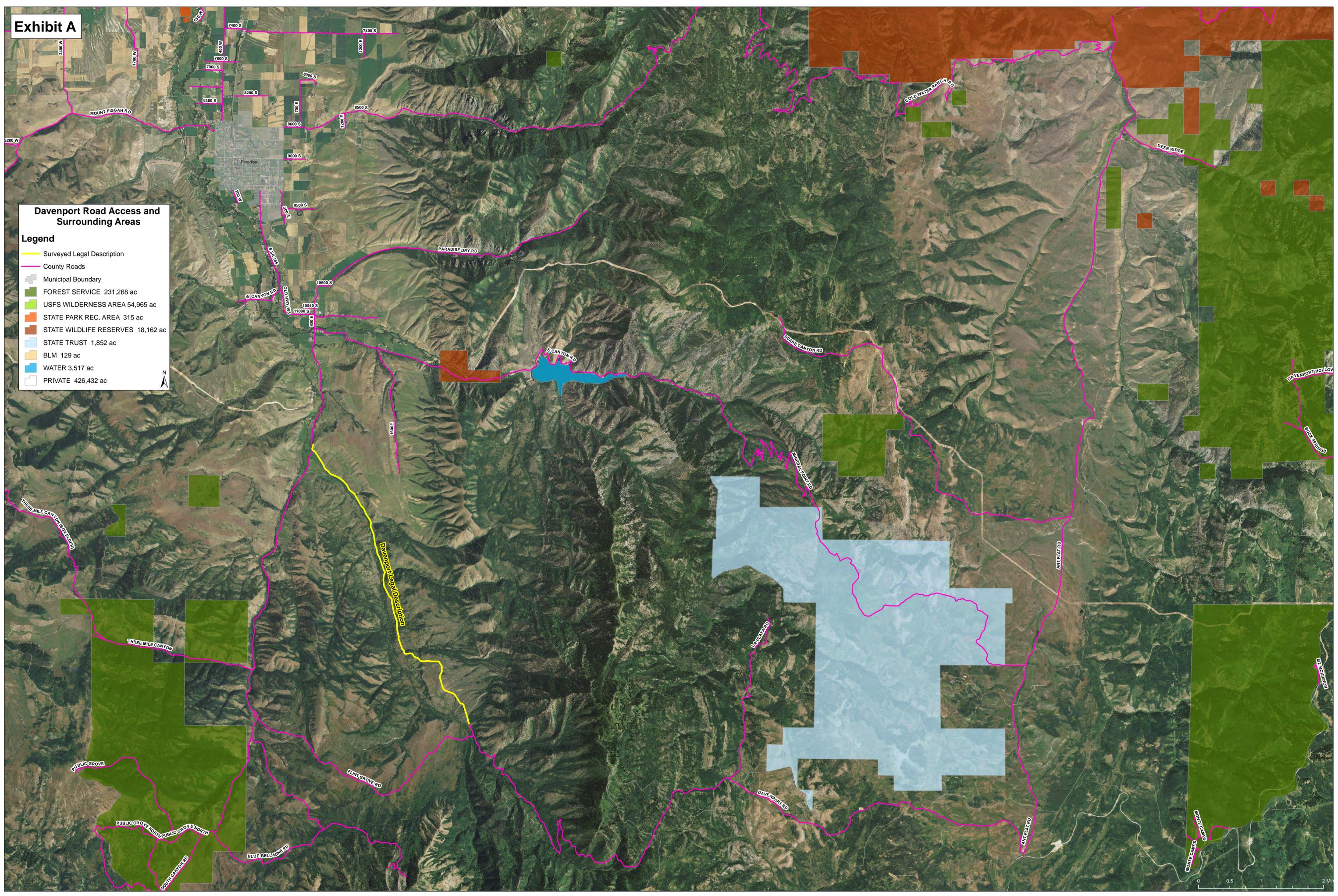


EXHIBIT A1

LEGAL DESCRIPTION

THE CENTERLINE OF DAVENPORT CREEK ROAD RIGHT-OF-WAY, BEING 66.00 FEET WIDE TOTAL, OR 33.00 FEET ON EACH SIDE OF THE FOLLOWING DESCRIBED CENTERLINE:

COMMENCING AT THE NORTHWEST CORNER OF SECTION 14 TOWNSHIP 9 NORTH RANGE 1 EAST SALT LAKE MERIDIAN, MONUMENTED BY A CACHE COUNTY SURVEYOR PIPE AND BRASS CAP;
THENCE S0°34'36"W 8024.21 FEET TO THE WEST QUARTER CORNER OF SECTION 23 TOWNSHIP 9 NORTH RANGE 1 EAST SALT LAKE MERIDIAN, MONUMENTED BY A CACHE COUNTY SURVEYOR PIPE AND ALUMINUM CAP;

THENCE S14°56'09"W 471.48 FEET TO THE POINT OF BEGINNING AT THE INTERSECTION OF SOUTH CANYON ROAD AND DAVENPORT CREEK ROAD;

1. THENCE S31°09'34"E 46.50 FEET;
2. THENCE SOUTHEASTERLY 112.52 FEET ALONG A CURVE CONCAVE TO THE NORTHEAST WITH A RADIUS OF 200.00 FEET AND A LONG CHORD BEARING S47°16'35"E 111.04 FEET;
3. THENCE SOUTHEASTERLY 148.75 FEET ALONG A CURVE CONCAVE TO THE SOUTHWEST WITH A RADIUS OF 400.00 FEET AND A LONG CHORD BEARING S52°44'24"E 147.89 FEET;
4. THENCE S42°05'13"E 122.72 FEET;
5. THENCE SOUTHEASTERLY 184.14 FEET ALONG A CURVE CONCAVE TO THE SOUTHWEST WITH A RADIUS OF 1000.00 FEET AND A LONG CHORD BEARING S36°48'42"E 183.88 FEET;
6. THENCE S31°32'12"E 1049.74 FEET;
7. THENCE SOUTHERLY 147.20 FEET ALONG A CURVE CONCAVE TO THE WEST WITH A RADIUS OF 400.00 FEET AND A LONG CHORD BEARING S20°59'40"E 146.37 FEET;
8. THENCE SOUTHEASTERLY 406.88 FEET ALONG A CURVE CONCAVE TO THE NORTHEAST WITH A RADIUS OF 400.00 FEET AND A LONG CHORD BEARING S39°35'35" 389.57 FEET;
9. THENCE SOUTHEASTERLY 185.88 FEET ALONG A CURVE CONCAVE TO THE SOUTHWEST WITH A RADIUS OF 300.00 FEET AND A LONG CHORD BEARING S50°59'01"E 182.92 FEET;
10. THENCE S33°14'00"E 91.88 FEET;
11. THENCE SOUTHEASTERLY 235.71 FEET ALONG A CURVE CONCAVE TO THE NORTHEAST WITH A RADIUS OF 400.00 FEET AND A LONG CHORD BEARING S50°06'53"E 232.31 FEET;
12. THENCE S66°59'46"E 424.95 FEET;
13. THENCE SOUTHEASTERLY 841.68 FEET ALONG A CURVE CONCAVE TO THE SOUTHWEST WITH A RADIUS OF 2000.00 FEET AND A LONG CHORD BEARING S54°56'24"E 835.48 FEET;
14. THENCE S42°53'01"E 243.72 FEET;
15. THENCE SOUTHEASTERLY 251.25 FEET ALONG A CURVE CONCAVE TO THE SOUTHWEST WITH A RADIUS OF 750.00 FEET AND A LONG CHORD BEARING S33°17'12"E 250.08 FEET;
16. THENCE S23°41'23"E 133.71 FEET;
17. THENCE SOUTHEASTERLY 369.10 FEET ALONG A CURVE CONCAVE TO THE NORTHEAST WITH A RADIUS OF 650.00 FEET AND A LONG CHORD BEARING S39°57'27"E 364.16 FEET;
18. THENCE S56°13'30"E 198.70 FEET;
19. THENCE SOUTHEASTERLY 237.57 FEET ALONG A CURVE CONCAVE TO THE SOUTHWEST WITH A RADIUS OF 500.00 FEET AND A LONG CHORD BEARING S42°36'48"E 235.34 FEET;
20. THENCE S29°00'05"E 971.21 FEET;
21. THENCE SOUTHEASTERLY 238.62 FEET ALONG A CURVE CONCAVE TO THE NORTHEAST WITH A RADIUS OF 750.00 FEET AND A LONG CHORD BEARING S38°06'59"E 237.62 FEET;

22. THENCE SOUTHEASTERLY 360.09 FEET ALONG A CURVE CONCAVE TO THE SOUTHWEST WITH A RADIUS OF 750.00 FEET AND A LONG CHORD BEARING S33°28'36"E 356.64 FEET;
23. THENCE S19°43'20"E 177.03 FEET;
24. THENCE SOUTHEASTERLY 211.56 FEET ALONG A CURVE CONCAVE TO THE NORTHEAST WITH A RADIUS OF 750.00 FEET AND A LONG CHORD BEARING S27°48'11"E 210.86 FEET;
25. THENCE S35°53'02"E 373.28 FEET;
26. THENCE SOUTHEASTERLY 341.11 FEET ALONG A CURVE CONCAVE TO THE SOUTHWEST WITH A RADIUS OF 1000.00 FEET AND A LONG CHORD BEARING S26°06'43"E 339.45 FEET;
27. THENCE SOUTHERLY 197.80 FEET ALONG A CURVE CONCAVE TO THE WEST WITH A RADIUS OF 300.00 FEET AND A LONG CHORD BEARING S2°32'56"W 194.24 FEET;
28. THENCE SOUTHERLY 223.65 FEET ALONG A CURVE CONCAVE TO THE EAST WITH A RADIUS OF 300.00 FEET AND A LONG CHORD BEARING S0°04'51"W 218.51 FEET;
29. THENCE S21°16'35"E 550.74 FEET;
30. THENCE SOUTHERLY 229.18 FEET ALONG A CURVE CONCAVE TO THE WEST WITH A RADIUS OF 1000.00 FEET AND A LONG CHORD BEARING S14°42'39"E 228.68 FEET;
31. THENCE S8°08'43"E 726.01 FEET;
32. THENCE SOUTHERLY 231.75 FEET ALONG A CURVE CONCAVE TO THE EAST WITH A RADIUS OF 750.00 FEET AND A LONG CHORD BEARING S16°59'51"E 230.83 FEET;
33. THENCE SOUTHERLY 365.55 FEET ALONG A CURVE CONCAVE TO THE WEST WITH A RADIUS OF 1000.00 FEET AND A LONG CHORD BEARING S15°22'39"E 363.52 FEET;
34. THENCE SOUTHERLY 471.20 FEET ALONG A CURVE CONCAVE TO THE EAST WITH A RADIUS OF 1000.00 FEET AND A LONG CHORD BEARING S18°24'16"E 466.86 FEET;
35. THENCE SOUTHERLY 226.93 FEET ALONG A CURVE CONCAVE TO THE WEST WITH A RADIUS OF 1000.00 FEET AND A LONG CHORD BEARING S25°24'09"E 226.44 FEET;
36. THENCE S18°54'05"E 999.35 FEET;
37. THENCE SOUTHEASTERLY 173.24 FEET ALONG A CURVE CONCAVE TO THE NORTHEAST WITH A RADIUS OF 500.00 FEET AND A LONG CHORD BEARING S28°49'39"E 172.38 FEET;
38. THENCE SOUTHERLY 113.31 FEET ALONG A CURVE CONCAVE TO THE WEST WITH A RADIUS OF 100.00 FEET AND A LONG CHORD BEARING S6°17'33"E 107.35 FEET;
39. THENCE SOUTHERLY 410.06 FEET ALONG A CURVE CONCAVE TO THE EAST WITH A RADIUS OF 1000.00 FEET AND A LONG CHORD BEARING S14°25'18"W 407.19 FEET;
40. THENCE S2°40'28"W 180.36 FEET;
41. THENCE SOUTHERLY 121.92 FEET ALONG A CURVE CONCAVE TO THE EAST WITH A RADIUS OF 750.00 FEET AND A LONG CHORD BEARING S1°58'57"E 121.78 FEET;
42. THENCE S6°38'22"E 357.48 FEET;
43. THENCE SOUTHERLY 180.35 FEET ALONG A CURVE CONCAVE TO THE EAST WITH A RADIUS OF 500.00 FEET AND A LONG CHORD BEARING S16°58'22"E 179.37 FEET;
44. THENCE S27°18'22"E 756.78 FEET;
45. THENCE SOUTHEASTERLY 146.39 FEET ALONG A CURVE CONCAVE TO THE NORTHEAST WITH A RADIUS OF 500.00 FEET AND A LONG CHORD BEARING S35°41'36"E 145.86 FEET;
46. THENCE S44°04'51"E 145.51 FEET;
47. THENCE SOUTHERLY 263.47 FEET ALONG A CURVE CONCAVE TO THE WEST WITH A RADIUS OF 300.00 FEET AND A LONG CHORD BEARING S18°55'15"E 255.09 FEET;
48. THENCE SOUTHERLY 147.34 FEET ALONG A CURVE CONCAVE TO THE EAST WITH A RADIUS OF 500.00 FEET AND A LONG CHORD BEARING S2°12'11"E 146.81 FEET;
49. THENCE S10°38'42"E 787.29 FEET;
50. THENCE SOUTHERLY 164.56 FEET ALONG A CURVE CONCAVE TO THE EAST WITH A RADIUS OF 1000.00 FEET AND A LONG CHORD BEARING S15°21'34"E 164.37 FEET;

51. THENCE S20°04'25"E 497.23 FEET;
52. THENCE SOUTHERLY 297.08 FEET ALONG A CURVE CONCAVE TO THE WEST WITH A RADIUS OF 1000.00 FEET AND A LONG CHORD BEARING S11°33'47"E 295.99 FEET;
53. THENCE S3°03'09"E 542.47 FEET;
54. THENCE SOUTHERLY 143.43 FEET ALONG A CURVE CONCAVE TO THE EAST WITH A RADIUS OF 1000.00 FEET AND A LONG CHORD BEARING S7°09'41"E 143.31 FEET;
55. THENCE S11°16'13"E 261.08 FEET;
56. THENCE SOUTHERLY 155.57 FEET ALONG A CURVE CONCAVE TO THE EAST WITH A RADIUS OF 800.00 FEET AND A LONG CHORD BEARING S16°50'29"E 155.33 FEET;
57. THENCE SOUTHERLY 147.26 FEET ALONG A CURVE CONCAVE TO THE WEST WITH A RADIUS OF 200.00 FEET AND A LONG CHORD BEARING S1°19'09"E 143.96 FEET;
58. THENCE SOUTHERLY 137.49 FEET ALONG A CURVE CONCAVE TO THE EAST WITH A RADIUS OF 200.00 FEET AND A LONG CHORD BEARING S0°04'50"W 134.80 FEET;
59. THENCE S19°36'47"E 867.27 FEET;
60. THENCE SOUTHEASTERLY 143.55 FEET ALONG A CURVE CONCAVE TO THE NORTHEAST WITH A RADIUS OF 200.00 FEET AND A LONG CHORD BEARING S40°10'29"E 140.49 FEET;
61. THENCE SOUTHEASTERLY 181.06 FEET ALONG A CURVE CONCAVE TO THE SOUTHWEST WITH A RADIUS OF 150.00 FEET AND A LONG CHORD BEARING S26°09'25"E 170.26 FEET;
62. THENCE SOUTHEASTERLY 276.13 FEET ALONG A CURVE CONCAVE TO THE NORTHEAST WITH A RADIUS OF 150.00 FEET AND A LONG CHORD BEARING S44°18'54"E 238.76 FEET;
63. THENCE N82°56'51"E 317.36 FEET;
64. THENCE SOUTHEASTERLY 376.07 FEET ALONG A CURVE CONCAVE TO THE SOUTHWEST WITH A RADIUS OF 300.00 FEET AND A LONG CHORD BEARING S61°08'25"E 351.93 FEET;
65. THENCE SOUTHEASTERLY 251.38 FEET ALONG A CURVE CONCAVE TO THE NORTHEAST WITH A RADIUS OF 300.00 FEET AND A LONG CHORD BEARING S49°14'00"E 244.09 FEET;
66. THENCE S73°14'18"E 134.47 FEET;
67. THENCE SOUTHEASTERLY 228.83 FEET ALONG A CURVE CONCAVE TO THE SOUTHWEST WITH A RADIUS OF 300.00 FEET AND A LONG CHORD BEARING S51°23'11"E 223.33 FEET;
68. THENCE SOUTHEASTERLY 311.57 FEET ALONG A CURVE CONCAVE TO THE NORTHEAST WITH A RADIUS OF 300.00 FEET AND A LONG CHORD BEARING S59°17'14"E 297.75 FEET;
69. THENCE S89°02'24"E 146.27 FEET;
70. THENCE EASTERLY 160.21 FEET ALONG A CURVE CONCAVE TO THE NORTH WITH A RADIUS OF 750.00 FEET AND A LONG CHORD BEARING N84°50'25"E 159.91 FEET;
71. THENCE EASTERLY 250.97 FEET ALONG A CURVE CONCAVE TO THE SOUTH WITH A RADIUS OF 750.00 FEET AND A LONG CHORD BEARING N88°18'25"E 249.80 FEET;
72. THENCE S82°06'23"E 176.43 FEET;
73. THENCE EASTERLY 121.01 FEET ALONG A CURVE CONCAVE TO THE NORTH WITH A RADIUS OF 1000.00 FEET AND A LONG CHORD BEARING S85°34'23"E 120.94 FEET;
74. THENCE S89°02'24"E 500.07 FEET;
75. THENCE SOUTHEASTERLY 98.24 FEET ALONG A CURVE CONCAVE TO THE SOUTHWEST WITH A RADIUS OF 100.00 FEET AND A LONG CHORD BEARING S60°53'51"E 94.33 FEET;
76. THENCE S32°45'19"E 278.40 FEET;
77. THENCE SOUTHERLY 285.84 FEET ALONG A CURVE CONCAVE TO THE WEST WITH A RADIUS OF 500.00 FEET AND A LONG CHORD BEARING S16°22'39"E 281.97 FEET;
78. THENCE S0°00'00"E 208.10 FEET;
79. THENCE SOUTHERLY 251.48 FEET ALONG A CURVE CONCAVE TO THE WEST WITH A RADIUS OF 400.00 FEET AND A LONG CHORD BEARING S18°00'38"W 247.35 FEET;

80. THENCE SOUTHERLY 450.83 FEET ALONG A CURVE CONCAVE TO THE EAST WITH A RADIUS OF 500.00 FEET AND A LONG CHORD BEARING S10°11'26"W 435.71 FEET;
81. THENCE S15°38'24"E 737.62 FEET;
82. THENCE SOUTHEASTERLY 479.04 FEET ALONG A CURVE CONCAVE TO THE NORTHEAST WITH A RADIUS OF 500.00 FEET AND A LONG CHORD BEARING S43°05'14"E 460.93 FEET;
83. THENCE S70°32'03"E 585.09 FEET;
84. THENCE SOUTHEASTERLY 267.18 FEET ALONG A CURVE CONCAVE TO THE SOUTHWEST WITH A RADIUS OF 400.00 FEET ALOND A LONG CHORD BEARING S51°23'56"E 262.24 FEET;
85. THENCE S32°15'49"E 743.00 FEET;
86. THENCE SOUTHEASTERLY 185.75 FEET ALONG A CURVE CONCAVE TO THE NORTHEAST WITH A RADIUS OF 200.00 FEET AND A LONG CHORD BEARING S58°52'16"E 179.15 FEET;
87. THENCE SOUTHEASTERLY 240.53 FEET ALONG A CURVE CONCAVE TO THE SOUTHWEST WITH A RADIUS OF 200.00 FEET AND A LONG CHORD BEARING S51°01'28"E 226.30 FEET;
88. THENCE S16°34'14"E 1083.75 FEET;
89. THENCE SOUTHERLY 156.39 FEET ALONG A CURVE CONCAVE TO THE WEST WITH A RADIUS OF 1000.00 FEET AND A LONG CHORD BEARING S12°05'26"E 156.23 FEET;
90. THENCE SOUTHERLY 282.80 FEET ALONG A CURVE CONCAVE TO THE EAST WITH A RADIUS OF 1000.00 FEET AND A LONG CHORD BEARING S15°42'43"E 281.86 FEET;
91. THENCE S23°48'49"E 121.19 FEET, MORE OR LESS, TO THE SOUTH LINE OF SECTION 7 TOWNSHIP 8 NORTH RANGE 2 EAST SALT LAKE MERIDIAN AND THE POINT OF TERMINUS.

SIDELINES OF SAID RIGHT-OF-WAY ARE CONTINOUS AND EXTEND OR SHORTEN TO MEET THE GRANTOR'S PROPERTY LINES.

STAFF REPORT: HANSEN 400 WEST SUBDIVISION

03 Nov 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 Hansen

Parcel ID#: 08-043-0005

Staff Determination: Approval with conditions

Type of Action: Administrative

Land Use Authority: Council

LOCATION

Reviewed by Chris Harrild

Project Address:

6500 N 400 W
north of Smithfield

Current Zoning:

Rural 2 (RU2)

Acres: 8.76

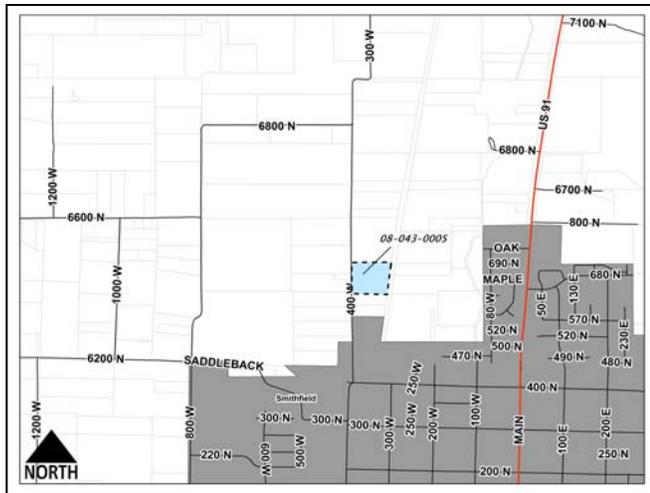
Surrounding Uses:

North – Agricultural/Residential

South – Agricultural/Residential/Smithfield City

East – Railroad/Agricultural

West – 400 W/Agricultural/Residential



FINDINGS OF FACT (24)

Summary

1. The Hansen 400 West Subdivision is a request for a four-lot subdivision consisting of a 2.048 ac. (Lot 1), 1.995 ac. (Lot 2), 1.939 ac. (Lot 3), and 2.636 ac. (Lot 4).

Ordinance—§12.02.010, §17.02.060, §17.10.040. See conclusion #1.

2. Title 16 Subdivision and Title 17 Land Use establish the requirements for the subdivision and use of property within the unincorporated county.
3. As per §17.02.060, Establishment of Land Use Authority, the County Council is authorized to act as the Land Use Authority for subdivisions.
4. Parcel 08-043-0005 was a legal parcel, identified as a 1970 parcel as per the “Policy for Determination of Parcel Legality” dated 29 August 2013. It was legally amended as part of the Bradie Hansen Subdivision 1st Amendment, recorded on 06 Jan 2015.

5. The proposed subdivision qualifies for a maximum development density of four lots.
6. §12.02.010 adopts the Manual of Roadway Design and Construction Standards (Road Manual) for roadway improvement requirements.

Access—§16.04.040 [A], §16.04.080 [E], Road Manual

7. Primary access to the property is via county road 400 West.
8. The Cache County Manual of Roadway Design and Construction Standards (Road Manual) specifies the following:
 - a. Local Road: Roads with more than 30 ADT. This includes roadways that have the capacity for moderate to low speeds and moderate volumes. This category provides a balance between through traffic movements and direct access. These facilities move both regional and local rural traffic with emphasis on local movements, may provide access to proposed commercial or industrial development.
 - b. Local Roads must meet the minimum standard of two, 10' wide paved travel lanes with 2' wide shoulders; 1' paved, 1' gravel (24' total width), 14" depth of granular borrow, a 6" depth of road base, 2.5" of bituminous surface course (asphalt), and a 66' wide right-of-way (ROW).
 - c. 2.4-A-1-c: Development on inadequate roadways is not allowed, and any substandard sections of roadway access must be improved to meet the minimum standards specified in the Road Manual.
 - d. 2.4-A-3-b:
 - i. The proponent must improve the travel lanes of the roadways providing access to the development to the minimum standards identified in Table 2.2 – Roadway Typical Sections.
 - ii. At a minimum, improvement of the shoulder and clear zone is required for the immediate frontage of the developing parcel. Based on traffic volume and site/safety considerations, the County may require that shoulder and clear zone improvements are completed on both sides of the affected roadway.
 - e. Consideration and evaluation of a design exception to the Road Manual standards requires full justification and documentation explaining the reasoning as to why the roadway standards cannot be met, why an alternative design or construction method can meet the intent of the roadway standards, and including any other relevant information.

See conditions #1, #2.

9. A basic analysis of county road 400 West is as follows:
 - a. Between the Smithfield City municipal boundary and the property to be divided, 400 West currently provides access to four dwellings and several agricultural parcels.
 - b. In this same section of roadway 400 West consists of an average 15' wide chip seal width with 2' wide gravel shoulders. **See condition #1.**
 - c. 400 West is within a county right-of-way (ROW), however the width of that ROW is indeterminate. **See condition #2.**
 - d. Rocky Mountain Power transmission lines border the west side of 400 West.
 - e. The depth and type of material under 400 West is unknown. However, this is an existing county facility that provides access to the general public. **See conclusion #2.**
 - f. At this location the county provides year round maintenance on 400 West.

Water & Septic—§16.04.070, §16.04.080 [A] & [B]

10. The applicant is in the process of obtaining approved, domestic-use water rights for each of the lots. They are not yet approved at this time. **See condition #3.**

11. The Bear River Health Department has determined that septic systems are feasible for the proposed lots.
12. If future development disturbs land area greater than 5,000 sf., a Notice of Intent (NOI) and Storm Water Pollution Prevention Plan are required. *See condition #4.*

Service Provision—§16.04.080 [C], [D], [F], Road Manual 2.7-D

13. The County Fire District has determined that emergency access via 400 West to the site does not meet the County Fire Code standard of a minimum 20' wide all-weather drivable surface. *See condition #2.*
14. Water supply for fire suppression would be provided by the Smithfield Fire Department.
15. Logan City Environmental has determined that residential refuse and recycling containers for the proposed lots must be placed on the side of 400 West for Friday collection.
16. A gravel pad of sufficient space for the waste containers is required to safely locate containers outside of travel lanes. *See condition #5.*
17. School bus service would be provided through a stop at 400 North 400 West.

Sensitive Areas

18. No known Sensitive Areas are present on this parcel.

Public Notice and Comment—§17.02.040

19. Public notice was posted online to the Utah Public Notice Website on 17 October 2016.
20. Notice was published in the Herald Journal on 24 October 2016.
21. Notices were posted in three public places on 17 October 2016.
22. Notices were mailed to all property owners within 300 feet of the subject property on 20 October 2016.
23. Smithfield City was noticed by e-mail as part of the development review process on 10 October 2016.
24. At this time, no written public comment regarding this proposal has been received by the Development Services Office.

CONDITIONS (5)

These conditions are based on the Cache County Subdivision and Land Use Ordinances, Road Manual, and on the findings of fact (F) as noted herein.

1. Prior to recording the final plat, the proponent must improve their portion of 400 West to meet the minimum county requirements for a Local Road as specified in County Road Manual. The design of all roads providing access to the development must be reviewed and approved by the Cache County Engineer for compliance with applicable codes. A full set of engineered design and construction plans must be submitted and must address issues of grade, drainage, and base preparation and construction. Fees for any engineering plan and construction review must be borne by the proponent. *See F-8, 9.*
2. Prior to recording the final plat or at the time the plat is recorded, the applicant must reaffirm their 33-foot portion of Cache County's 66-foot wide right-of-way for all county roads along the proposed subdivision boundary. *See F-8b, 9c.*
3. Prior to final plat recordation, adequate, approved domestic-use water rights must be in place for all building lots within the subdivision. *See F-10.*
4. If future development disturbs land area greater than 5,000 sf., a Notice of Intent (NOI) and Storm Water Pollution Prevention Plan are required. *See F-12.*
5. The applicant must provide sufficient shoulder space on 400 West for the residential refuse and recycle containers as specified in the Road Manual §2.7-D. *See F-16.*

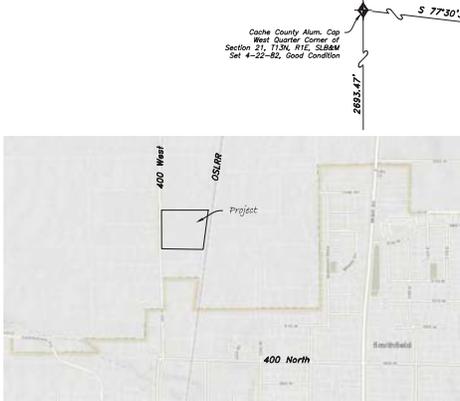
CONCLUSIONS (2)

Based on the findings of fact and conditions noted herein, the Hansen 400 West Subdivision is hereby approved as follows:

1. The Hansen 400 West Subdivision has been reviewed in conformance with, and meets the requirements of, the Cache County Subdivision and Land Use Ordinances. *See F-2, 3, 4, 5, 6.*
2. Design Exception: The depth and type of material of 400 West is either unknown or substandard. *See F-8, 9.* A design exception is hereby approved for the surfacing material type and structural fill as:
 - a. 400 West is a public facility that is owned and maintained by the county.
 - b. The proposed buildable lots do not create a significant structural impact.

Hansen 400 West Subdivision

Near Smithfield, Cache County, Utah
A Part of the Southeast Quarter of Section 21, Township 13 North, Range 1 East, Salt Lake Base & Meridian



DEVELOPER

Gary A. Hansen
435-127-7473
6955 North Highway 91
Smithfield, Utah 84535

RECORD OWNER'S

Gary A. Hansen
6955 North Highway 91
Smithfield, Utah 84535

Cache County Rebar & Cap
Southwest Corner of
Section 21, T13N, R1E, S188M

GENERAL NOTES:

- Culinary Water Note:** Culinary Water: Cache County has not determined the availability or adequacy of culinary water to any of the lots identified. All owners are advised of the requirements to obtain an approved culinary water source and comply with all other requirements for the issuance of a zoning clearance, prior to the issuance of a building permit.
- Storm Water Drainage Note:** Storm Water Drainage: Compliance with the standards of the Cache County Manual of Roadway Design and Construction Standards and State of Utah storm water permitting are required. This includes, but is not limited to, any increased level of storm water drainage from any portion of any lot or remainder parcel of this subdivision to any adjacent properties, ditches, canals, or waterways, or the alteration of any existing, historic, or natural drainage without prior written authorization provided by the affected party or entity (may include but is not limited to adjacent property owners(s), ditch or canal company, Cache County, or the State Water Engineer's Office.)
- Agricultural Note:** Agricultural Uses: Current and future property owners must be aware that they will be subject to the sights, sounds, and smells associated with agricultural activities which are permitted uses in the Agricultural Zone and Forest Recreation Zone.
- Setback Lines for Primary Buildings are:** 12.00' on Side Yards; 30.00' on Front Yards; 30.00' on Rear Yard

NARRATIVE

The Purpose of this Survey was to subdivide the existing parcel as shown and Described Hereon. This Survey was Ordered by Gary Hansen. The Control used to Establish the Property Corners was the existing Cache County Survey monumentations/recordations within Section 21, Township 13 North, Range 1 East, Salt Lake Base and Meridian. The basis of bearings is the West Line of the Southwest Quarter of said Section 21 which bears North 00°03'24" West, Utah North, State Plane NAD83(2011) Calculated Bearing.

COUNTY ATTORNEY APPROVAL

I certify that I have examined this plat and approve this plat as to form as required by State law and County ordinance.

Cache County Attorney Date

DEPUTY COUNTY SURVEYOR'S CERTIFICATE

I certify that I have had this plat examined and find that it is correct and in accordance with the information on file in this office; and further, it meets the minimum standards for plats required by county ordinance and state law.

Deputy County Surveyor Date

COUNTY COUNCIL APPROVAL

Approved & Accepted by the Cache County Council, this ___ day of ___, A.D., 20__.

Chairman County Clerk

COUNTY PLANNING COMMISSION

This plat recommended for approval by the Cache County Planning Commission this ___ day of ___, A.D., 20__.

Chairman

BEAR RIVER HEALTH DEPARTMENT APPROVAL

This subdivision described in this plat has been approved by the Bear River Health Department on the ___ day of ___, A.D., 20__.

By: Title:

SURVEYOR'S CERTIFICATE

I, Clinton G. Hansen, do hereby certify that I am a Registered Land Surveyor, and that I hold certificate No. 7981387, as prescribed under the laws of the State of Utah. I further certify that by authority of the owners I have made a survey of the tract of land shown on this plat and described below, and have subdivided said tract of land hereafter to be known as Hansen 400 West Subdivision and the same had been correctly surveyed and all streets are the dimensions shown.

SUBDIVISION BOUNDARY

A Part of the Southeast Quarter of Section 21, Township 13 North, Range 1 East of the Salt Lake Base and Meridian.

Beginning on the East Right-of-Way Line of 400 West Street at a Point Located South 77°30'39" East 2989.51' Feet from the West Quarter Corner of said Section 21, Sold Point Located by Record as 247.00 Feet East and 683.08 Feet South of the Northwest Corner of said Southeast Quarter, and Running Thence North 89°43'25" East 706.21 Feet to the West Right-of-Way Line of the Oregon Short Line Railroad; Thence South 8°00'33" West 588.25 Feet Along said West Right-of-Way; Thence North 88°42'20" West 619.99 Feet to the East Right-of-Way Line of 400 West Street; Thence Along said East Right-of-Way Line the Following Two (2) Courses: (1) North 1°10'05" West 275.89 Feet; (2) North 0°14'27" East 289.27 Feet to the Point of Beginning, Containing 6.781 Acres.

Clinton G. Hansen Date
P.L.S. No. 7981387



OWNER'S DEDICATION

Know all men by these presents that we the undersigned owners of the tract of land depicted and described herein, having caused the same to be subdivided into lots and streets (as pertinent), the whole to be hereinafter known as the Hansen 400 West Subdivision; Further we dedicate and/or quit claim as appropriate the portion of property of [08-043-0005] that lies within 36' of the center line of the existing roadway, and as shown on this plat, to cache county, for the use of the public forever, and hereby grant to the county the right to make any and all improvements for the construction, maintenance, and repair of said roadway and thereby grant and convey a Public Utility Easement, being the South 60 Feet of the Subdivision Boundary, for Installation, maintenance, repairs, upgrades, and access for any and all existing and/or proposed utility lines with the exception that future utility service lines don't affect the right already granted in Entry Number 279180 of the Official Records of Cache County.

Gary A. Hansen Date

ACKNOWLEDGMENT

State of Utah
County of _____
On this ___ day of _____, 20___, Gary A. Hansen, Personally Appeared before me, the Undersigned Notary Public in and for said County, in the State of Utah, the Signer of the Attached Owners Dedication, who duly Acknowledged to me he Signed it Freely and Voluntarily and for the Purpose Therein Mentioned.

Notary Public

Scale: 1" = 60'
0 60 120
Scale in Feet

LEGEND:

- Subdivision Boundary Line
- - - Lot Line
- · - · - Adjoining property Line
- - - Easement Line
- · - · - Edge of Hard Surface
- · - · - Gravel Shoulder
- · - · - Existing Power
- · - · - Existing Communications
- · - · - Existing Irrigation

Section Corner
Found Survey Point
Set 5/8" by 24" Rebar With Cap

COUNTY RECORDER

State of Utah
County of Cache

This plat has been duly acknowledged, certified, and approved and may lawfully be recorded in Cache County, Utah.

Filed and Recorded:
Filing No.: _____
Date: _____
Time: _____
Book: _____
Page: _____
Request of: _____

Cache County Recorder

ADVANCED
LAND SURVEYING INC.
1770 Research Park Way #11
Logan Utah 84341
(p) 435-779-1985 (f) 435-514-9883
www.advancedland.com

16-131 - COV - 08/26/16 - Rev. 0

Regular Action Items

#2 Hansen 400 West Subdivision (Gary Hansen)

Harrild reviewed the staff report for the Hansen 400 West Subdivision.

05:40:00

Watterson arrived.

Staff and **Commission** discussed the needed road improvements for the Hansen subdivision.

Mr. Gary Hansen I am the property owner. The power lines are right at the road on the west side and that's the reason for the request to move it to the east a little bit.

The width of the dedicated right of way was discussed.

Olsen are you satisfied with what staff is asking you to do?

Mr. Hansen if I do this, is the county going to follow through on their road situations around there that are just as narrow if not narrower or more hazardous?

Runhaar we are working towards that.

Smith the other thing to note is that regulations and requirements change over time so in the future we can't say that the same requirements will be required.

Danny Hansen I live on the south edge of this. We built our house last year and we are for this. The way the road is now, I would hate to that road go wider for a temporary situation. This road is going to be narrow and then flare our and then go narrow again and that seems like a safety issue. I would like to see the road stay the way it is rather than have a temporary widening.

Olsen motioned to recommend approval to the County Council for the Hansen 400 West Subdivision the stated findings of fact, conditions, and conclusions; **Watterson** seconded; **Passed 5, 0.**