



August 9, 2019

PUBLIC NOTICE is hereby given that the Cache County Council of Cache County, Utah will hold a **BUDGET WORKSHOP** at **3:00 p.m.** and a **REGULAR MEETING** at **5:00 p.m.** in the **Cache County Historic Courthouse Council Chambers**, 199 North Main Street, Logan, Utah 84321, **TUESDAY, AUGUST 13, 2019**

AGENDA

3:00 p.m. BUDGET WORKSHOP

1. **CALL TO ORDER**
2. **REPORT FROM BUDGET COMMITTEE**
3. **REVIEW OF 2020 BUDGET**
4. **ADJOURN**

5:00 p.m. REGULAR MEETING

1. **CALL TO ORDER**
2. **OPENING / PLEDGE** – Councilman Gordon Zilles
3. **REVIEW AND APPROVAL OF AGENDA**
4. **REVIEW AND APPROVAL OF MINUTES** (July 30, 2019)
5. **MINUTES FOLLOW-UP**
6. **REPORT OF COUNTY EXECUTIVE**
 - a. **Appointments:**
 - b. **Financial Reports:** July 2019 Expense Report (Warrant Register)
 - c. **Other Items:** County Administrator Position Job Description • Preliminary County Fair Report

7. CONSENT AGENDA

8. ITEMS OF SPECIAL INTEREST

9. DEPARTMENT OR COMMITTEE REPORTS

10. BOARD OF EQUALIZATION MATTERS

- a. **Set Board of Equalization Dates** – August 28; September 3, 4, 12, 17, 18, 24, 26; October 1, 3

11. PUBLIC HEARINGS

- a. **Public Hearing – Ordinance 2019-05 -- 165 Subdivision Rezone**
Request for a rezone of 32.6 acres in a previously approved four-lot subdivision from the Agricultural (A10) Zone to the Rural 2 (RU2) Zone, located at 10900 South Hwy 165 near Paradise

12. PENDING ACTION

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

a. **Ordinance 2019-05 – 165 Subdivision Rezone**

Request for a rezone of 32.6 acres in a previously approved four-lot subdivision from the Agricultural (A10) Zone to the Rural 2 (RU2) Zone, located at 10900 South Hwy 165 near Paradise

b. **Resolution 2019-26 – Adopting the COG Local Transportation Fund Program Manual**

c. **Egley Design Exception** - Second request for a design exception from the Cache County Manual of Road Design and Construction Standards on a portion of a private road West 4800 North in the Benson area

14. **OTHER BUSINESS**

a. **River Heights Apple Days Parade** – Saturday, August 24, 2019 at 4:00 p.m.

Craig, Karl, Barbara, Gina, Dave

b. **Wellsville Founders' Day Parade** – Monday, September 2, 2019

Karl, Barbara, Jon, Gordon, Paul, Dave

c. **USACCC Fall Conference** – September 25-26, 2019 – Midway

Craig, Dave, Gina, Karl(Thurs), Paul(Thurs), Barbara(?)

d. **USU Homecoming Parade** – Saturday, September 28, 2019 at 10:00 a.m.

Craig, Karl, Barbara, Gina

15. **COUNCIL MEMBER REPORTS**

16. **EXECUTIVE SESSION** – Utah Code 52-4-205(1)(d) – Discussion of purchase, exchange or lease of real property

17. **ADJOURN**



Karl B. Ward, Chairman

DRAFT

**CACHE COUNTY
COUNCIL MEETING
MINUTES
JULY 30, 2019**

**COUNTY COUNCIL MEETING
July 30, 2019**

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**CACHE COUNTY COUNCIL MEETING
JULY 30, 2019**

The Cache County Council convened in a regular session on July 30, 2019 at 5:00 p.m. in the Cache County Council Chamber at 199 North Main, Logan, Utah.

ATTENDANCE:

Chairman: Karl B. Ward
Vice Chair: Gina H. Worthen
Council Members: Paul R. Borup, David L. Erickson, Barbara Tidwell, Jon White, & Gordon A. Zilles
County Executive: Craig "W" Buttars
County Clerk: Jill N. Zollinger
County Attorney: James Swink

The following individuals were also in attendance: Director Amy Adams, Janeen Allen, Jamie Andrus, Dennis Ferguson, Chief Rod Hammer, Chris Harrild, Wendi Hassan, Joe Hawkes, Lindsey Hawkes, Director Cameron Jensen, Vic Little, Wendy Neeley, Cole Richards, Kathryn Rigby, Director Josh Runhaar, Terry Warner.

OPENING REMARKS AND PLEDGE OF ALLEGIANCE

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

REVIEW AND APPROVAL OF AGENDA

ACTION: Motion by Council member Erickson to approve the agenda with Item 11b – *Set Public Hearing for August 13, 2019 at 5:40 p.m. – Ordinance 2019-06-Hansen RU2 Rezone – changed to Set Public Hearing for August 27, 2019 at 5:40 p.m. – Ordinance 2019-06-Hansen RU2 Rezone*. White seconded the motion. The vote was unanimous, 7-0.

REVIEW AND APPROVAL OF MINUTES

ACTION: Motion by Vice Chair Worthen to approve the minutes of the July 09, 2019 Council meeting as written. Tidwell seconded the motion. The vote was unanimous, 7-0.

MINUTES FOLLOW-UP: None

REPORT OF THE COUNTY EXECUTIVE: CRAIG "W" BUTTARS

<u>APPOINTMENTS:</u>	Brooks Tarbet	Cache County Board of Adjustments
	Kelly Olsen	Cache County Board of Adjustments
	Leslie Larson	Cache County Board of Adjustments

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

OTHER ITEMS:

- Financial Statements** for June 2019 were presented to the Council.

- ❑ **UAC Dues & Membership Committee** – Executive Buttars reported UAC will stay with its current dues structure and a weighted voting system I recommended when there is no consensus on by-laws or budget issues.
- ❑ **UAC Interviews for new CEO** will be July 31, 2019 at 10:00 a.m. at the UAC offices. There are two applicants – Brandy Grace and P. Bret Millburn.
- ❑ **Cardboard Recycling** drop sites in Logan have been discontinued because the price received per ton does not cover the cost of collection. The transfer station will still have a cardboard drop site.
- ❑ **Solid Waste Advisory Board Retailer Lunch Meetings** – More effort will be expended in looking for recycling avenues for plastic.
- ❑ **Cache Valley Economic Development Alliance (CVEDA)** has scheduled a site visit to Washington County August 5, 2019 that Buttars and Worthen will attend.
- ❑ **PILT Fly-in to Washington D. C. and White House Invitation – September 10, 2019** – Executive Buttars is checking into the efficacy of attending.
- ❑ **Mayor Daines Letter** – Airport Road between 1000 West and west entrance to the airport will have construction begin in 2-3 weeks causing a road closure for about two weeks. Detours will be provided. Vice Chairman Worthen said that information is pertinent to North Logan City because of the Tour of Utah scheduled in August.
- ❑ **New Countywide Planner** – Executive Buttars introduced Tayler Jensen who stated he was a planner for Eagle Mountain and worked in Bountiful and Cottonwood Heights. He will be working directly with municipalities in the county.

ITEMS OF SPECIAL INTEREST

- **RAPZ Funds Reallocation Request – Newton – Kathryn Rigby** from the Newton Town Council explained that Newton received a \$30,000.00 RAPZ allocation for a community center upgrade. Subsequent engineering studies indicate the building is not structurally sound and needs to be demolished. Rigby asked that Newton be allowed to use the \$30,000.00 for repairs on tennis courts and new pickleball courts instead. Newton has submitted a new application with details of the new project.

ACTION: Motion by Council member Zilles to approved the reallocation request from Newton Town. Erickson seconded the motion. The vote was unanimous, 7-0.

DEPARTMENT OR COMMITTEE REPORTS

- **Fire District – Chief Rod Hammer** reported that there have only been a couple of wildfires in the county which were extinguished quickly. The forecast is for a longer fire season than normal. There have been some agricultural fires. At the recent agricultural fire on Mendon Road Cache firefighters responded within seven minutes and Logan firefighters arrived immediately after. There has only been one small fire from fireworks. The district has earned \$20,000.00 in mitigation work.

PUBLIC HEARINGS, APPEALS AND BOARD OF EQUALIZATION MATTERS

PUBLIC HEARING SET: August 13, 2019 at 5:30 p.m.- Ordinance 2019-05 – 165 Subdivision Rezone – Request for a rezone of 32.6 acres in a previously approved four-lot subdivision from the Agricultural (A10) Zone to the Rural 2 (RU2) Zone, located at 10900 South Hwy 165 near Paradise

PUBLIC HEARING SET: August 27, 2019 at 5:40 p.m.- Ordinance 2019-06 – Hansen RU2 Rezone – Request for a rezone of 14.59 acres from the Agricultural (A10) Zone to the Rural 2 (RU2) Zone, located at 6600 North 400 West near Smithfield

ACTION: Motion by Council member White to set two Public hearings – August 13, 2019 at 5:30 p.m. – Ordinance 2019-05 – 165 Subdivision Rezone – Request for a rezone of 32.6 acres in a previously approved four-lot subdivision from the Agricultural (A10) Zone to the Rural 2 (RU2) Zone, located at 10900 South Hwy 165 near Paradise

AND

August 27, 2019 at 5:40 p.m. – Ordinance 21019-06 – Hansen RU2 Rezone – Request for a rezone of 14.59 acres from the Agricultural (A10) Zone to the Rural 2 (RU2) Zone, located at 6600 North 400 West near Smithfield.
Erickson seconded the motion. The vote was unanimous, 7-0.

INITIAL PROPOSAL FOR CONSIDERATION OF ACTION

- **Ordinance No. 2019-03 – Hawkes Rezone RU5 - Request for a rezone of 19.92 acres from the Agricultural (A10) Zone to the Rural 5 (RU5) Zone located at 8300 South 4000 West near Wellsville** – Chairman Ward asked what had occurred relative to a possible variance. Chris Harrild explained a variance request would go to the state and the Council would have no part of the procedure. It is unlikely a variance would be granted in this instance.

(Attachment 2)

ACTION: Motion by Vice Chair Worthen to waive the rules and deny the Hawkes Rezone request – Ordinance No. 2019-03; White seconded the motion. The vote was unanimous, 7-0.

Ordinance No. 2019-03: The motion passed 7-0.

	<u>BORUP</u>	<u>ERICKSON</u>	<u>TIDWELL</u>	<u>WARD</u>	<u>WHITE</u>	<u>WORTHEN</u>	<u>ZILLES</u>	<u>VOTES CAST</u>
AYE	X	X	X	X	X	X	X	7
NAY								0
ABSTAINED								0
ABSENT								0

- **Ordinance No. 2019-04 – Applewood Hollow RU5 Rezone – Request for a rezone of 22.76 acres from the Agricultural (A10) to the Rural 5 (RU5) Zone located at 4642 Hollow Road near Nibley**

(Attachment 3)

ACTION: Motion by Council member White to waive the rules and deny the Applewood Hollow Rezone RU5 request – Ordinance No. 2019-04. Borup seconded the motion. The motion passed – 6 aye – Borup, Erickson, Tidwell, Ward, White & Worthen and 1 nay – Zilles.

Ordinance No. 2019-04: The motion passed 6-1

	<u>BORUP</u>	<u>ERICKSON</u>	<u>TIDWELL</u>	<u>WARD</u>	<u>WHITE</u>	<u>WORTHEN</u>	<u>ZILLES</u>	<u>VOTES CAST</u>
AYE	X	X	X	X	X	X		6
NAY							X	1
ABSTAINED								0
ABSENT								0

- **Resolution No. 2019-25 – Cache County Support and Sponsorship of Cache Celebration 2020** – Council member Tidwell asked the Council to sponsor the Celebration 2020 with a donation of \$2,500.00 to help with the costs and outlined what displays are proposed. They have received a \$1,500.00 grant from the Better Days 2020 Celebration and will be using their website to promote the event. The props for the displays were created by Bruce McConkie as his Eagle Scout project.

(Attachment 4)

ACTION: Motion by Council member Erickson to waive the rules and approve Resolution No. 2019-25 – Cache County Support and Sponsorship of Cache Celebration 2020. Borup seconded the motion. The vote was unanimous, 7-0.

OTHER BUSINESS

- ✓ **Cache County Fair & Rodeo – August 8-10, 2019**
- ✓ **River Heights Apple Days Parade – Saturday, August 24, 2019 at 4:00 p.m.** – Borup, Tidwell, Ward and Worthen will attend.
- ✓ **Paradise Trout and Berry Days Parade – August 24, 2019 at 10:30 a.m.** – White will attend.
- ✓ **Wellsville Founders' Day Parade – Monday, September 2, 2019 at 10:00 a.m.** – Borup, Erickson, Tidwell, Ward & White will attend.
- ✓ **USACCC Fall Conference – September 25-26, 2019 – Midway** – Borup, Erickson, Tidwell, Ward and Worthen may attend.

- ✓ **USU Homecoming Parade – Saturday, September 28, 2019 at 10:00 a.m.** – Erickson, Tidwell, Ward and Worthen will attend.

PUBLIC HEARINGS, APPEALS AND BOARD OF EQUALIZATION MATTERS

PUBLIC HEARING: July 30, 2019 at 600 p.m. - Open 2019 Budget – Director Jensen stated that the \$2,500.00 sponsorship request by Council member Tidwell could be approved tonight in the budget opening if the Council desires and explained the budget adjustments were discussed in the budget workshop on July 9th except a housekeeping item in the airport fund reclassifying federal dollars to state dollars

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

ACTION: Motion by Council member Zilles to close the Public Hearing, Tidwell seconded the motion. The vote was unanimous, 7-0.

INITIAL PROPOSAL FOR CONSIDERATION OF ACTION

- **Resolution No. 2019-24 – Amending the 2019 Budget** – Council member Zilles asked about a new Grants Compliance Officer position and asked how many grants are handled each year. Worthen asked for a job description for that position as well. Zilles asked if a current employee could handle the Compliance Officer position. Jensen responded his office is handling grants now, but there have been delays in receiving grant monies. Jensen reminded the Council the External Auditor suggested a Grants Compliance Officer, but that was not a finding, only a suggestion. Council member Borup said he checked with Jones-Simpkins' office and feels the position is needed. Chairman Ward asked that the position be scrutinized to see if it is a revenue positive action. Jensen said checking on maintaining grants is just as important as new grants.

Director Runhaar supports the need for a Grants Compliance Officer because of the complex detail required on FEMA grants. Documentation is so time-consuming and difficult there is less incentive to bring in grant money. Terryl Warner said she spends an enormous amount of time on grants and is supportive of the new position. Attorney Swink echoed Runhaar's statement that grants are becoming much more complicated.

Vice Chair Worthen said she understands this position will track grants, not actively seek them, correct? Jensen said that is correct and assistance will be given to make sure documentation is correct and all criteria has been met. Council member Zilles asked if a Compliance Officer would know any more about FEMA grants than Josh's office does. Jensen feels a Compliance Officer would do a better job because they are educated in looking at documentation and understand the controls in place. Jensen said this position would also relieve enough work load from existing staff that the department could absorb the additional billing responsibilities for Logan City garbage which Logan will no longer be doing.

Vice Chair Worthen wants to see a job description before approving the new position. Council member Zilles is hesitant to approve because it becomes a high paying employee with benefits, etc. Worthen also asked about the proposed Assistant County Executive position – how does it fit in the budget? Why not wait until next year's budget? Is there an emergency?

Chairman Ward agreed with Worthen – Why push this so fast?

Council member Zilles asked for a job description showing why it is needed and a statement from Executive Buttars explaining how this will be a help to him. Why not an assistant for Janeen instead? More information is needed because the Council has to let their constituents know exactly what is being done.

Executive Buttars gave an example – he has three meetings in different places he should attend tomorrow and will only be able to make two.

Council member Borup supports the Grants Compliance Officer position. Cache County is a growing county and is falling behind in infrastructure.

Chairman Ward stated he still feels the Council needs a specific job description – what will the Executive do? What will be the assistant's responsibilities?

HR Director Adams said it is important to decide what the position is. An Administrative Assistant is a secretarial position. A County Manager or Administrator is something else. The job title needs to be decided. As far as a job description, Adams said that was given to the Council in the budget workshop – this position would oversee day-to-day activities, oversee departments as directed and report to the Executive on decisions made, give continuity for the County when a new Executive is elected. Adams is happy to send Council members that description again. Council member Borup said he compares this position to an operating officer position.

Vice Chair Worthen again asked – why right now? This is a big expense. How will this play out in the budget? Will the county have to raise taxes or hold the rate in order to fund the positions?

Director Adams responded the hiring process takes a lot of time and doubts if anyone could be in place by December even if the process begins now.

Executive Buttars pointed out that in Utah there are Councils and Commissioners in the various counties and indicated some small counties are able to send their full-time Commissioners to the capital for work on issues pertaining to their county. Counties with appointed or elected Executives are short on the ability to do that. He sees the new position as helping the Executive to be at the capital for important meetings.

Vice Chair Worthen asked how this is going to be funded ongoing? Jensen replied the county would be looking at additional tax revenue to fund the position. This proposed budget with the requested positions assumed holding the tax rate which would increase property tax revenue. This is an executive level professional position and the natural growth would never allow it to be funded without additional revenue.

(Attachment 4)

ACTION: Motion by Council member White to waive the rules and approve Resolution No. 2019-24 – Amending the 2019 Budget – with the addition of the \$2,500.00 county sponsorship of the 2020 Celebration. Tidwell seconded the motion. The motion passed, 5 aye – Borup, Erickson, Tidwell, White & Zilles and 2 nay – Ward & Worthen.

COUNCIL MEMBER REPORTS

Gordon Zilles asked that a letter of thanks and a gift certificate be sent to the individual who provided the grills for the Summer County Employee party.

EXECUTIVE SESSION

ACTION: Motion by Vice Chair Worthen to adjourn to an Executive Session to discuss the purchase of real property. Erickson seconded the motion. The vote was unanimous, 7-0.

The Council adjourned to an Executive Session at 6:55 p.m.

ACTION: Motion by Vice Chair Worthen to adjourn from the Executive Session. Tidwell seconded the motion. The vote was unanimous, 7-0.

The Council adjourned from the Executive Session at 7:18 p.m.

ADJOURNMENT

The Council meeting adjourned at 7:18 p.m.

ATTEST: Jill N. Zollinger
County Clerk

APPROVAL: Karl B. Ward
Chairman

CACHE COUNTY GOVERNMENT
FUND SUMMARY
FOR THE 6 MONTHS ENDING JUNE 30, 2019

GENERAL FUND

	PERIOD ACTUAL	YTD ACTUAL	BUDGET	VARIANCE	PCNT
<u>REVENUE</u>					
TAXES	1,354,355.99	3,214,869.33	20,469,000.00	17,254,130.67	15.7
LICENSES & PERMITS	4,230.00	20,040.00	40,000.00	19,960.00	50.1
INTERGOVERNMENTAL REVENUE	53,039.79	151,786.93	875,500.00	723,713.07	17.3
CHARGES FOR SERVICES	522,722.07	2,376,708.55	6,856,000.00	4,479,291.45	34.7
FINES & FORFEITURES	12,984.82	47,599.01	121,600.00	74,000.99	39.1
MISCELLANEOUS REVENUE	301,367.50	800,511.88	1,567,500.00	766,988.12	51.1
CONTRIBUTIONS & TRANSFERS	.00	3,300.00	1,575,900.00	1,572,600.00	.2
	<u>2,248,700.17</u>	<u>6,614,815.70</u>	<u>31,505,500.00</u>	<u>24,890,684.30</u>	<u>21.0</u>
<u>EXPENDITURES</u>					
COUNCIL	8,600.59	66,152.65	125,100.00	58,947.35	52.9
WATER DEVELOPMENT	.00	300,000.00	300,000.00	.00	100.0
PUBLIC DEFENDER	35,830.50	233,067.06	528,700.00	295,632.94	44.1
EXECUTIVE	12,650.68	117,150.78	198,300.00	81,149.22	59.1
FINANCE	36,861.53	236,952.02	500,000.00	263,047.98	47.4
HUMAN RESOURCES	15,835.03	122,457.07	340,100.00	217,642.93	36.0
GIS DEPT	7,841.29	55,149.92	114,000.00	58,850.08	48.4
INFORMATION TECHNOLOGY SYSTE	71,666.06	477,684.44	968,400.00	490,715.56	49.3
AUDITOR	3,700.21	11,486.61	27,900.00	16,413.39	41.2
CLERK	8,483.18	52,029.58	131,300.00	79,270.42	39.6
TREASURER	(15.68)	.00	.00	.00	.0
RECORDER	10,144.84	63,060.08	179,600.00	116,539.92	35.1
ATTORNEY	129,795.78	775,812.92	1,608,900.00	833,087.08	48.2
VICITM SERVICES -CACHE ACHIEVE	4,962.68	37,227.73	79,500.00	42,272.27	46.8
VOCA -VICTIM SERVICES	41,273.53	203,201.92	373,200.00	169,998.08	54.5
VAWA - ATTORNEY - GRANT SERV	24,209.84	120,668.33	198,500.00	77,831.67	60.8
NON-DEPARTMENTAL	36,647.75	398,605.11	325,900.00	(72,705.11)	122.3
CENTRAL MAIL & COPY	654.93	3,600.38	6,900.00	3,299.62	52.2
BUILDING & GROUNDS	15,934.35	107,707.99	331,900.00	224,192.01	32.5
ELECTIONS	13,456.62	106,298.15	248,700.00	142,401.85	42.7
ADVERT & PROMOTION	27.56	103.41	2,700.00	2,596.59	3.8
ECONOMIC DEVELOPMENT	2,748.50	49,270.00	68,000.00	18,730.00	72.5
SHERIFF - CRIMINAL	331,217.43	1,837,683.41	4,241,000.00	2,403,316.59	43.3
SHERIFF - SUPPORT SERVICES	167,677.22	1,128,871.64	2,454,000.00	1,325,128.36	46.0
SHERIFF - ADMINISTRATION	113,195.11	561,634.79	1,510,100.00	948,465.21	37.2
SHERIFF - SEARCH AND RESCUE	3,102.98	20,805.76	84,700.00	63,894.24	24.6
SHERIFF - MOUNTED POSSE	325.17	1,088.61	25,100.00	24,011.39	4.3
FIRE DEPARTMENT	111,711.53	932,880.08	1,652,600.00	719,719.92	56.5
SHERIFF - CORRECTIONS	590,976.39	3,970,427.17	8,293,600.00	4,323,172.83	47.9
SHERIFF - IT DEPARTMENT	(4,500.00)	.00	27,000.00	27,000.00	.0
BEE INSPECTION	.00	.00	2,500.00	2,500.00	.0
SHERIFF - ANIMAL CONTROL	12,909.20	74,087.77	187,500.00	113,412.23	39.5
SHERIFF - EMERGENCY MANAGEME	8,836.41	60,853.04	171,200.00	110,346.96	35.6
PUBLIC HEALTH	26,344.04	26,344.04	320,600.00	294,255.96	8.2
PUBLIC WELFARE	65,000.00	65,000.00	67,800.00	2,800.00	95.9
FAIRGROUNDS	116,949.53	476,968.58	1,266,100.00	789,131.42	37.7
COMMUNICATIONS	499.73	6,128.68	12,700.00	6,571.32	48.3

CACHE COUNTY GOVERNMENT
 FUND SUMMARY
 FOR THE 6 MONTHS ENDING JUNE 30, 2019

GENERAL FUND

	PERIOD ACTUAL	YTD ACTUAL	BUDGET	VARIANCE	PCNT
LIBRARY	10,274.20	40,386.40	105,700.00	65,313.60	38.2
USU AG EXTENSION SERVICE	262.32	43,860.53	245,500.00	201,639.47	17.9
COUNTY FAIR	2,579.82	9,322.73	159,200.00	149,877.27	5.9
RODEO	.00	3,079.00	179,700.00	176,621.00	1.7
STATE FAIR	.00	.00	1,000.00	1,000.00	.0
AGRICULTURAL PROMOTION	.00	.00	6,000.00	6,000.00	.0
CONTRIBUTIONS	.00	400,000.00	1,126,000.00	726,000.00	35.5
TRANSFERS OUT	.00	.00	2,314,800.00	2,314,800.00	.0
MISCELLANEOUS	2,337.73	159,181.42	393,500.00	234,318.58	40.5
	<u>2,041,008.58</u>	<u>13,356,289.80</u>	<u>31,505,500.00</u>	<u>18,149,210.20</u>	<u>42.4</u>
	<u>207,691.59</u>	<u>(6,741,474.10)</u>	<u>.00</u>	<u>6,741,474.10</u>	<u>.0</u>

CACHE COUNTY GOVERNMENT
FUND SUMMARY
FOR THE 6 MONTHS ENDING JUNE 30, 2019

ASSESSING & COLLECTING FUND

	PERIOD ACTUAL	YTD ACTUAL	BUDGET	VARIANCE	PCNT
<u>REVENUE</u>					
TAXES	218,191.86	327,805.31	3,261,000.00	2,933,194.69	10.1
CHARGES FOR SERVICES	12,140.03	127,840.36	545,000.00	417,159.64	23.5
MISCELLANEOUS REVENUE	252.43	1,226.49	.00	(1,226.49)	.0
CONTRIBUTIONS & TRANSFERS	.00	.00	301,500.00	301,500.00	.0
	<u>230,584.32</u>	<u>456,872.16</u>	<u>4,107,500.00</u>	<u>3,650,627.84</u>	<u>11.1</u>
<u>EXPENDITURES</u>					
COUNCIL	955.62	7,350.29	13,700.00	6,349.71	53.7
EXECUTIVE	2,232.48	20,673.67	35,100.00	14,426.33	58.9
FINANCE	4,095.72	26,328.00	55,600.00	29,272.00	47.4
HUMAN RESOURCES	2,794.42	21,610.07	55,700.00	34,089.93	38.8
GIS DEPT	11,761.93	82,724.87	166,700.00	83,975.13	49.6
INFORMATION TECHNOLOGY SYSTE	60,427.90	393,494.06	805,600.00	412,105.94	48.8
AUDITOR	22,729.85	70,560.57	171,500.00	100,939.43	41.1
TREASURER	19,409.84	123,606.09	300,100.00	176,493.91	41.2
RECORDER	10,144.85	63,060.09	179,700.00	116,639.91	35.1
ATTORNEY	12,836.94	76,728.75	159,200.00	82,471.25	48.2
ASSESSOR	108,264.04	844,436.15	1,920,500.00	1,076,063.85	44.0
NON-DEPARTMENTAL	4,120.15	37,111.68	28,000.00	(9,111.68)	132.5
CENTRAL MAIL & COPY	294.24	1,617.56	3,100.00	1,482.44	52.2
BUILDING & GROUNDS	7,158.91	48,390.55	130,700.00	82,309.45	37.0
ADVERT & PROMOTION	33.69	126.40	3,300.00	3,173.60	3.8
CONTRIBUTIONS	5,088.02	7,914.97	79,000.00	71,085.03	10.0
	<u>272,348.60</u>	<u>1,825,733.77</u>	<u>4,107,500.00</u>	<u>2,281,766.23</u>	<u>44.5</u>
	<u>(41,764.28)</u>	<u>(1,368,861.61)</u>	<u>.00</u>	<u>1,368,861.61</u>	<u>.0</u>

CACHE COUNTY GOVERNMENT
FUND SUMMARY
FOR THE 6 MONTHS ENDING JUNE 30, 2019

MUNICIPAL SERVICES FUND

	PERIOD ACTUAL	YTD ACTUAL	BUDGET	VARIANCE	PCNT
<u>REVENUE</u>					
TAXES	367,599.04	1,593,521.58	3,666,400.00	2,072,878.42	43.5
LICENSES & PERMITS	91,023.53	611,908.94	976,400.00	364,491.06	62.7
INTERGOVERNMENTAL REVENUE	759,719.00	1,261,655.20	4,918,700.00	3,657,044.80	25.7
CHARGES FOR SERVICES	27,522.00	168,888.60	1,082,200.00	913,311.40	15.6
MISCELLANEOUS REVENUE	120,000.00	223,490.74	445,500.00	222,009.26	50.2
CONTRIBUTIONS & TRANSFERS	.00	6,000.00	3,766,300.00	3,760,300.00	.2
	<u>1,365,863.57</u>	<u>3,865,465.06</u>	<u>14,855,500.00</u>	<u>10,990,034.94</u>	<u>26.0</u>
<u>EXPENDITURES</u>					
FINANCE	.00	.00	10,500.00	10,500.00	.0
ZONING DEPARTMENT	28,963.70	178,340.96	837,300.00	658,959.04	21.3
FIRE DEPARTMENT	800.70	31,966.35	173,000.00	141,033.65	18.5
BUILDING INSPECTION	36,201.11	354,654.81	848,500.00	493,845.19	41.8
ANIMAL CONTROL	.00	12,000.00	12,000.00	.00	100.0
ROAD	681,659.72	2,673,046.28	9,763,800.00	7,090,753.72	27.4
SANITATION/WASTE COLLECTION	.00	.00	30,000.00	30,000.00	.0
WEED ERADICATION DEPARTMENT	52,462.91	346,136.62	633,100.00	286,963.38	54.7
PUBLIC WORKS	20,373.48	133,028.87	526,700.00	393,671.13	25.3
TRAILS MANAGEMENT	5,318.83	88,390.64	821,600.00	733,209.36	10.8
CONTRIBUTIONS	.00	14,268.00	949,600.00	935,332.00	1.5
TRANSFERS OUT	.00	.00	247,900.00	247,900.00	.0
MISCELLANEOUS	.00	.00	1,500.00	1,500.00	.0
	<u>825,780.45</u>	<u>3,831,832.53</u>	<u>14,855,500.00</u>	<u>11,023,667.47</u>	<u>25.8</u>
	<u>540,083.12</u>	<u>33,632.53</u>	<u>.00</u>	<u>(33,632.53)</u>	<u>.0</u>

CACHE COUNTY GOVERNMENT
 FUND SUMMARY
 FOR THE 6 MONTHS ENDING JUNE 30, 2019

HEALTH FUND

	<u>PERIOD ACTUAL</u>	<u>YTD ACTUAL</u>	<u>BUDGET</u>	<u>VARIANCE</u>	<u>PCNT</u>
<u>REVENUE</u>					
TAXES	60,491.02	90,958.30	952,000.00	861,041.70	9.6
CHARGES FOR SERVICE	27,744.00	124,223.25	280,000.00	155,776.75	44.4
CONTRIBUTIONS	.00	.00	111,900.00	111,900.00	.0
	<u>88,235.02</u>	<u>215,181.55</u>	<u>1,343,900.00</u>	<u>1,128,718.45</u>	<u>16.0</u>
<u>EXPENDITURES</u>					
PUBLIC HEALTH	.00	632,370.50	1,268,900.00	636,529.50	49.8
CONTRIBUTIONS	.00	.00	75,000.00	75,000.00	.0
	<u>.00</u>	<u>632,370.50</u>	<u>1,343,900.00</u>	<u>711,529.50</u>	<u>47.1</u>
	<u>88,235.02</u>	<u>(417,188.95)</u>	<u>.00</u>	<u>417,188.95</u>	<u>.0</u>

CACHE COUNTY GOVERNMENT
 FUND SUMMARY
 FOR THE 6 MONTHS ENDING JUNE 30, 2019

CACHE CO REDEVELOPMENT AGENCY

	<u>PERIOD ACTUAL</u>	<u>YTD ACTUAL</u>	<u>BUDGET</u>	<u>VARIANCE</u>	<u>PCNT</u>
<u>REVENUE</u>					
TAXES	.00	.00	60,000.00	60,000.00	.0
CONTRIBUTIONS	.00	.00	262,600.00	262,600.00	.0
	<u>.00</u>	<u>.00</u>	<u>322,600.00</u>	<u>322,600.00</u>	<u>.0</u>
<u>EXPENDITURES</u>					
COMMUNITY DEVELOPMENT	.00	7,630.00	300,000.00	292,370.00	2.5
CONTRIBUTIONS	.00	.00	11,000.00	11,000.00	.0
TRANSFERS OUT	.00	.00	11,600.00	11,600.00	.0
	<u>.00</u>	<u>7,630.00</u>	<u>322,600.00</u>	<u>314,970.00</u>	<u>2.4</u>
	<u>.00</u>	<u>(7,630.00)</u>	<u>.00</u>	<u>7,630.00</u>	<u>.0</u>

CACHE COUNTY GOVERNMENT
FUND SUMMARY
FOR THE 6 MONTHS ENDING JUNE 30, 2019

FUND 230

	PERIOD ACTUAL	YTD ACTUAL	BUDGET	VARIANCE	PCNT
<u>REVENUE</u>					
TAXES	57,194.03	222,004.20	1,036,200.00	814,195.80	21.4
INTERGOVERNMENTAL REVENUE	.00	.00	18,100.00	18,100.00	.0
CHARGES FOR SERVICES	4,382.40	17,088.22	35,000.00	17,911.78	48.8
MISCELLANEOUS REVENUE	.00	500.00	100.00	(400.00)	500.0
CONTRIBUTIONS & TRANSFERS	.00	.00	32,300.00	32,300.00	.0
	<u>61,576.43</u>	<u>239,592.42</u>	<u>1,121,700.00</u>	<u>882,107.58</u>	<u>21.4</u>
<u>EXPENDITURES</u>					
VISITORS BUREAU	35,196.21	303,726.82	859,700.00	555,973.18	35.3
TRANSFERS OUT	.00	.00	262,000.00	262,000.00	.0
	<u>35,196.21</u>	<u>303,726.82</u>	<u>1,121,700.00</u>	<u>817,973.18</u>	<u>27.1</u>
	<u>26,380.22</u>	<u>(64,134.40)</u>	<u>.00</u>	<u>64,134.40</u>	<u>.0</u>

CACHE COUNTY GOVERNMENT
 FUND SUMMARY
 FOR THE 6 MONTHS ENDING JUNE 30, 2019

COUNCIL ON AGING

	PERIOD ACTUAL	YTD ACTUAL	BUDGET	VARIANCE	PCNT
<u>REVENUE</u>					
INTERGOVERNMENTAL REVENUE	1,200.00	79,947.35	310,800.00	230,852.65	25.7
CHARGES FOR SERVICES	550.75	1,905.99	8,500.00	6,594.01	22.4
MISCELLANEOUS REVENUE	397.33	2,001.73	4,100.00	2,098.27	48.8
CONTRIBUTIONS & TRANSFERS	6,532.12	39,723.95	400,300.00	360,576.05	9.9
	<u>8,680.20</u>	<u>123,579.02</u>	<u>723,700.00</u>	<u>600,120.98</u>	<u>17.1</u>
<u>EXPENDITURES</u>					
CONTRIBUTIONS	.00	.00	29,800.00	29,800.00	.0
NUTRITION-MANDATED	26,399.26	192,150.40	413,000.00	220,849.60	46.5
SR CITIZENS CENTER-NON-MANDATE	12,352.16	63,471.03	159,600.00	96,128.97	39.8
ACCESS - MANDATED	8,870.99	52,343.52	121,300.00	68,956.48	43.2
	<u>47,622.41</u>	<u>307,964.95</u>	<u>723,700.00</u>	<u>415,735.05</u>	<u>42.6</u>
	<u>(38,942.21)</u>	<u>(184,385.93)</u>	<u>.00</u>	<u>184,385.93</u>	<u>.0</u>

CACHE COUNTY GOVERNMENT
 FUND SUMMARY
 FOR THE 6 MONTHS ENDING JUNE 30, 2019

MENTAL HEALTH FUND

	PERIOD ACTUAL	YTD ACTUAL	BUDGET	VARIANCE	PCNT
<u>REVENUE</u>					
INTERGOVERNMENTAL REVENUE	173,841.08	988,018.53	3,000,000.00	2,011,981.47	32.9
CONTRIBUTIONS	.00	72,624.00	135,000.00	62,376.00	53.8
	<u>173,841.08</u>	<u>1,060,642.53</u>	<u>3,135,000.00</u>	<u>2,074,357.47</u>	<u>33.8</u>
<u>EXPENDITURES</u>					
PUBLIC HEALTH	637,611.55	155,126.25	3,135,000.00	2,979,873.75	5.0
	<u>637,611.55</u>	<u>155,126.25</u>	<u>3,135,000.00</u>	<u>2,979,873.75</u>	<u>5.0</u>
	<u>(463,770.47)</u>	<u>905,516.28</u>	<u>.00</u>	<u>(905,516.28)</u>	<u>.0</u>

CACHE COUNTY GOVERNMENT
 FUND SUMMARY
 FOR THE 6 MONTHS ENDING JUNE 30, 2019

RESTAURANT TAX FUND

	<u>PERIOD ACTUAL</u>	<u>YTD ACTUAL</u>	<u>BUDGET</u>	<u>VARIANCE</u>	<u>PCNT</u>
<u>REVENUE</u>					
TAXES	107,626.00	502,006.42	1,607,200.00	1,105,193.58	31.2
	<u>107,626.00</u>	<u>502,006.42</u>	<u>1,607,200.00</u>	<u>1,105,193.58</u>	<u>31.2</u>
<u>EXPENDITURES</u>					
TOURISM AWARDS	150,000.00	150,000.00	313,400.00	163,400.00	47.9
FACILITY AWARDS	.00	405,447.54	905,100.00	499,652.46	44.8
CONTRIBUTIONS	.00	.00	45,000.00	45,000.00	.0
TRANSFERS	.00	.00	343,700.00	343,700.00	.0
	<u>150,000.00</u>	<u>555,447.54</u>	<u>1,607,200.00</u>	<u>1,051,752.46</u>	<u>34.6</u>
	<u>(42,374.00)</u>	<u>(53,441.12)</u>	<u>.00</u>	<u>53,441.12</u>	<u>.0</u>

CACHE COUNTY GOVERNMENT
 FUND SUMMARY
 FOR THE 6 MONTHS ENDING JUNE 30, 2019

RAPZ TAX FUND

	PERIOD ACTUAL	YTD ACTUAL	BUDGET	VARIANCE	PCNT
<u>REVENUE</u>					
TAXES	120,390.04	519,148.31	1,773,700.00	1,254,551.69	29.3
CONTRIBUTIONS	.00	.00	61,000.00	61,000.00	.0
	<u>120,390.04</u>	<u>519,148.31</u>	<u>1,834,700.00</u>	<u>1,315,551.69</u>	<u>28.3</u>
<u>EXPENDITURES</u>					
FACILITIES AWARDS	238,018.55	719,568.53	981,000.00	261,431.47	73.4
PROGRAM AWARDS	315,000.00	474,000.00	698,800.00	224,800.00	67.8
TRANSFERS OUT	.00	.00	154,900.00	154,900.00	.0
	<u>553,018.55</u>	<u>1,193,568.53</u>	<u>1,834,700.00</u>	<u>641,131.47</u>	<u>65.1</u>
	<u>(432,628.51)</u>	<u>(674,420.22)</u>	<u>.00</u>	<u>674,420.22</u>	<u>.0</u>

CACHE COUNTY GOVERNMENT
 FUND SUMMARY
 FOR THE 6 MONTHS ENDING JUNE 30, 2019

CCCOG FUND

	<u>PERIOD ACTUAL</u>	<u>YTD ACTUAL</u>	<u>BUDGET</u>	<u>VARIANCE</u>	<u>PCNT</u>
<u>REVENUE</u>					
TAXES	301,048.31	1,298,001.15	4,436,200.00	3,138,198.85	29.3
	<u>301,048.31</u>	<u>1,298,001.15</u>	<u>4,436,200.00</u>	<u>3,138,198.85</u>	<u>29.3</u>
<u>EXPENDITURES</u>					
ROAD PROJECTS	.00	477,851.73	4,369,600.00	3,891,748.27	10.9
TRANSFERS OUT	.00	.00	66,600.00	66,600.00	.0
	<u>.00</u>	<u>477,851.73</u>	<u>4,436,200.00</u>	<u>3,958,348.27</u>	<u>10.8</u>
	<u>301,048.31</u>	<u>820,149.42</u>	<u>.00</u>	<u>(820,149.42)</u>	<u>.0</u>

CACHE COUNTY GOVERNMENT
 FUND SUMMARY
 FOR THE 6 MONTHS ENDING JUNE 30, 2019

AIRPORT FUND

	PERIOD ACTUAL	YTD ACTUAL	BUDGET	VARIANCE	PCNT
<u>REVENUE</u>					
INTERGOVERNMENTAL REVENUE	134,272.42	112,810.76	462,500.00	349,689.24	24.4
MISCELLANEOUS REVENUE	2,152.17	7,906.17	62,500.00	54,593.83	12.7
AIRPORT LAND LEASE REVENUES	.00	8,445.83	95,000.00	86,554.17	8.9
CONTRIBUTIONS & TRANSFERS	.00	.00	107,500.00	107,500.00	.0
	<u>136,424.59</u>	<u>129,162.76</u>	<u>727,500.00</u>	<u>598,337.24</u>	<u>17.8</u>
<u>EXPENDITURES</u>					
AIRPORT DEPARTMENT	<u>239,046.97</u>	<u>328,026.93</u>	<u>727,500.00</u>	<u>399,473.07</u>	<u>45.1</u>
	<u>239,046.97</u>	<u>328,026.93</u>	<u>727,500.00</u>	<u>399,473.07</u>	<u>45.1</u>
	<u>(102,622.38)</u>	<u>(198,864.17)</u>	<u>.00</u>	<u>198,864.17</u>	<u>.0</u>

CACHE COUNTY GOVERNMENT
 FUND SUMMARY
 FOR THE 6 MONTHS ENDING JUNE 30, 2019

CHILDREN'S JUSTICE CENTER

	<u>PERIOD ACTUAL</u>	<u>YTD ACTUAL</u>	<u>BUDGET</u>	<u>VARIANCE</u>	<u>PCNT</u>
<u>REVENUE</u>					
INTERGOVERNMENTAL REVENUE	.00	48,408.96	458,200.00	409,791.04	10.6
CONTRIBUTIONS & TRANSFERS	.00	.00	3,900.00	3,900.00	.0
	<u>.00</u>	<u>48,408.96</u>	<u>462,100.00</u>	<u>413,691.04</u>	<u>10.5</u>
<u>EXPENDITURES</u>					
CHILDREN'S JUSTICE CNTR - VOCA	42,665.69	155,194.12	267,400.00	112,205.88	58.0
CHILDREN'S JUSTICE CENTER	23,863.54	97,049.86	194,700.00	97,650.14	49.9
	<u>66,529.23</u>	<u>252,243.98</u>	<u>462,100.00</u>	<u>209,856.02</u>	<u>54.6</u>
	<u>(66,529.23)</u>	<u>(203,835.02)</u>	<u>.00</u>	<u>203,835.02</u>	<u>.0</u>

CACHE COUNTY GOVERNMENT
 FUND SUMMARY
 FOR THE 6 MONTHS ENDING JUNE 30, 2019

AMBULANCE FUND

	PERIOD ACTUAL	YTD ACTUAL	BUDGET	VARIANCE	PCNT
<u>REVENUE</u>					
MISCELLANEOUS REVENUE	.00	33,600.00	.00	(33,600.00)	.0
CONTRIBUTIONS	.00	576,000.00	1,158,000.00	582,000.00	49.7
	<u>.00</u>	<u>609,600.00</u>	<u>1,158,000.00</u>	<u>548,400.00</u>	<u>52.6</u>
<u>EXPENDITURES</u>					
AMBULANCE DEPARTMENT	13,916.94	194,165.82	1,158,000.00	963,834.18	16.8
	<u>13,916.94</u>	<u>194,165.82</u>	<u>1,158,000.00</u>	<u>963,834.18</u>	<u>16.8</u>
	<u>(13,916.94)</u>	<u>415,434.18</u>	<u>.00</u>	<u>(415,434.18)</u>	<u>.0</u>

CACHE COUNTY GOVERNMENT
 FUND SUMMARY
 FOR THE 6 MONTHS ENDING JUNE 30, 2019

DEBT SERVICE FUND

	PERIOD ACTUAL	YTD ACTUAL	BUDGET	VARIANCE	PCNT
<u>REVENUE</u>					
MISCELLANEOUS REVENUE	794.41	3,104.81	.00	(3,104.81)	.0
CONTRIBUTIONS AND TRANSFERS IN	.00	.00	1,795,100.00	1,795,100.00	.0
	<u>794.41</u>	<u>3,104.81</u>	<u>1,795,100.00</u>	<u>1,791,995.19</u>	<u>.2</u>
<u>EXPENDITURES</u>					
CAPITAL LEASE - PATROL VEHICLE	115,682.90	221,883.18	468,800.00	246,916.82	47.3
CAPITAL LEASE - ROAD EQUIPMENT	.00	16,493.53	31,400.00	14,906.47	52.5
SALES TAX REVENUE BONDS	65,509.60	65,509.60	1,274,200.00	1,208,690.40	5.1
CAPITAL LEASE - IT EQUIPMENT	.00	19,166.59	20,700.00	1,533.41	92.6
	<u>181,192.50</u>	<u>323,052.90</u>	<u>1,795,100.00</u>	<u>1,472,047.10</u>	<u>18.0</u>
	<u>(180,398.09)</u>	<u>(319,948.09)</u>	<u>.00</u>	<u>319,948.09</u>	<u>.0</u>

CACHE COUNTY GOVERNMENT
 FUND SUMMARY
 FOR THE 6 MONTHS ENDING JUNE 30, 2019

CAPITAL PROJECTS FUND

	<u>PERIOD ACTUAL</u>	<u>YTD ACTUAL</u>	<u>BUDGET</u>	<u>VARIANCE</u>	<u>PCNT</u>
<u>REVENUE</u>					
CONTRIBUTIONS AND TRANSFERS IN	.00	.00	381,000.00	381,000.00	.0
	.00	.00	381,000.00	381,000.00	.0
<u>EXPENDITURES</u>					
DEPARTMENT 4415	.00	.00	350,000.00	350,000.00	.0
COUNTY EVENT CENTER	.00	(14,224.15)	31,000.00	45,224.15	(45.9)
	.00	(14,224.15)	381,000.00	395,224.15	(3.7)
	.00	14,224.15	.00	(14,224.15)	.0

CACHE COUNTY GOVERNMENT
 FUND SUMMARY
 FOR THE 6 MONTHS ENDING JUNE 30, 2019

CAPITAL ASSETS/ LONG-TERM DEBT

	<u>PERIOD ACTUAL</u>	<u>YTD ACTUAL</u>	<u>BUDGET</u>	<u>VARIANCE</u>	<u>PCNT</u>
<u>REVENUE</u>					
DEFERRED REVENUE ADJUSTMENT	.00	(1,194,551.00)	.00	1,194,551.00	.0
	.00	(1,194,551.00)	.00	1,194,551.00	.0
<u>EXPENDITURES</u>					
	.00	.00	.00	.00	.0
	.00	(1,194,551.00)	.00	1,194,551.00	.0

ORDINANCE NO. 2019-03

CACHE COUNTY, UTAH

HAWKES REZONE RU5

AN ORDINANCE REQUEST TO AMEND THE COUNTY ZONING MAP

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

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

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

WHEREAS, on June 6, 2019, 6:15 p.m., the Planning Commission held a public hearing for a rezone from the Agricultural (A10) Zone to Rural 5 (RU5) Zone, which meeting was preceded by all required legal notice and at which time all interested parties were given the opportunity to provide written or oral comment concerning the proposed rezone; and

WHEREAS, on June 6, 2019 the Planning Commission recommended the denial of said rezone and forwarded such recommendation to the County Council for final action; and

WHEREAS, the Act also provides certain procedures for the county legislative body to adopt or reject amendments to the land use ordinance and zoning map for the county; and

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

WHEREAS, on July 9, 2019, 5:40 p.m., the County Council held a public hearing to consider any comments regarding the proposed rezone. The County Council accepted all comments; and

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

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

1. Statutory Authority

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

2. Action taken

A. This 30th day of July, 2019, in consideration of the request to amend the zoning map under Ordinance 2019-03 the County Legislative Body of Cache County acts as follows:

	In Favor	Against	Abstained	Absent
Borup		X		
Erickson		X		
Tidwell		X		
Ward		X		
White		X		
Worthen		X		
Zilles		X		
Total		7	0	0

B. The County Council hereby rejects Ordinance 2019-03, the rezone of parcel 10-059-0001, 19.92 acres of property as described within Exhibit A.

C. Conclusions

- i. The location of the proposed rezone is not in close proximity to an adjacent municipality where a higher density development is more appropriate.
- ii. The location of the proposed rezone would set a precedent for increased density and development along this corridor and has minimal access to a maintained county road.
- iii. The Cache County Comprehensive Plan does not specifically address the Rural 5 (RU5) Zone and does not make recommendations as to where the zone should be located. An update to the County's General Plan is necessary to better determine appropriate locations for this higher density zone in unincorporated county areas not adjacent to a municipality.

CACHE COUNTY COUNCIL

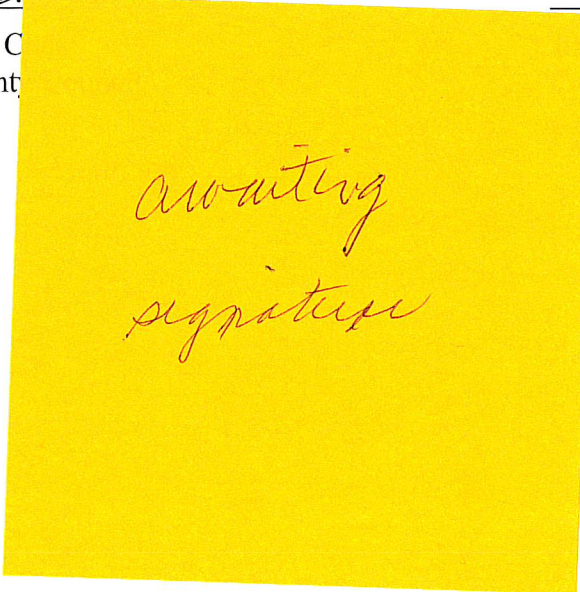
ATTEST:



Karl Ward, C
Cache Count

Zollinger
Cache County Clerk

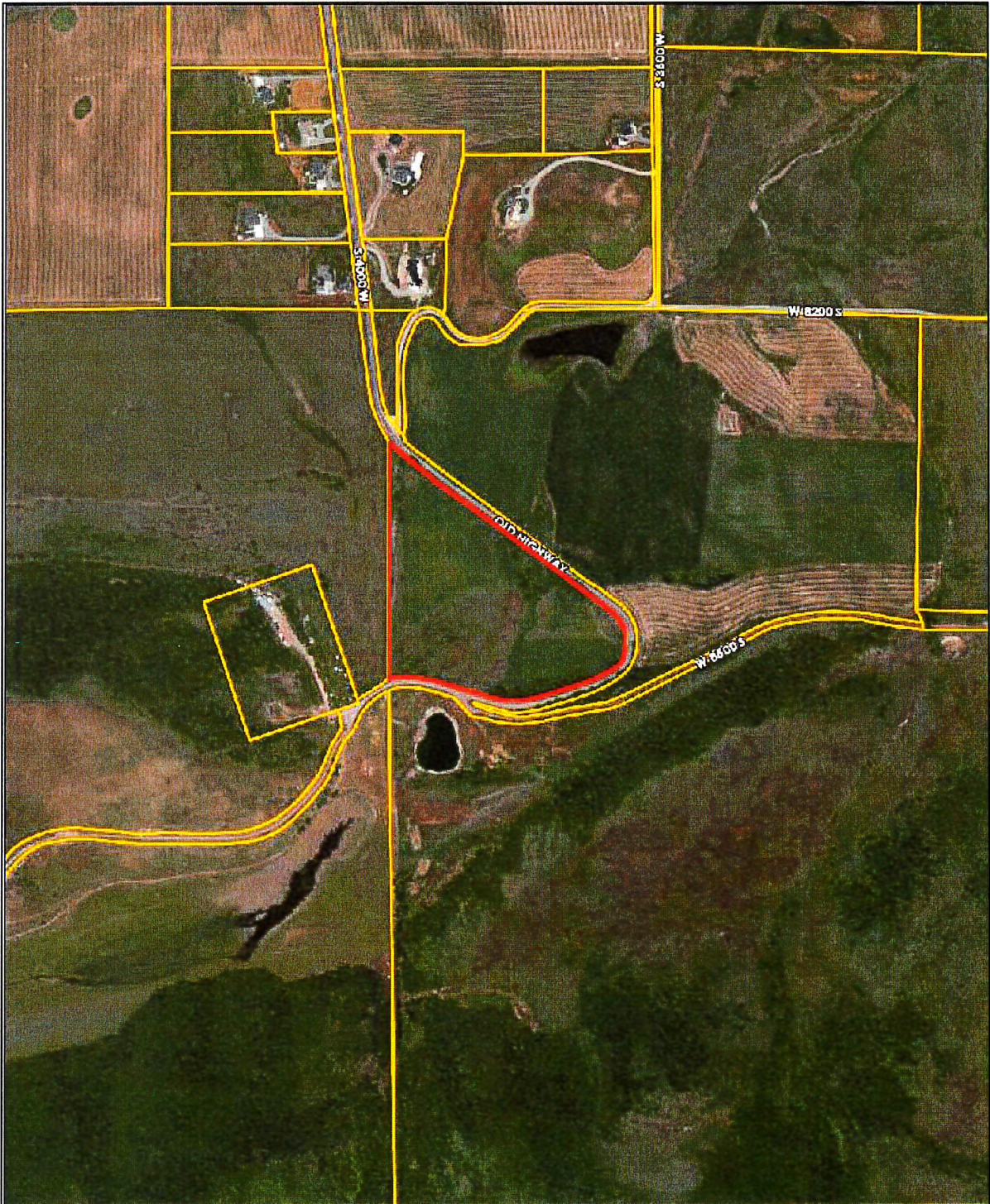
Publication Date:



awaiting
signature

_____, 2019

Exhibit A: Ordinance 2019-03
Zoning map of Cache County affected portion
Hawkes RU5 Rezone



10-059-0001

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

ORDINANCE NO. 2019-04

CACHE COUNTY, UTAH

APPLEWOOD HOLLOW RU5 REZONE

AN ORDINANCE REQUEST TO AMEND THE COUNTY ZONING MAP

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

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

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

WHEREAS, on June 6, 2019, 6:25 p.m., the Planning Commission held a public hearing for a rezone from the Agricultural (A10) Zone to Rural 5 (RU5) Zone, which meeting was preceded by all required legal notice and at which time all interested parties were given the opportunity to provide written or oral comment concerning the proposed rezone; and

WHEREAS, on June 6, 2019 the Planning Commission recommended the approval of said rezone and forwarded such recommendation to the County Council for final action; and

WHEREAS, the Act also provides certain procedures for the county legislative body to adopt or reject amendments to the land use ordinance and zoning map for the county; and

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

WHEREAS, on July 9, 2019, 5:50 p.m., the County Council held a public hearing to consider any comments regarding the proposed rezone. The County Council accepted all comments; and

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

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

1. Statutory Authority

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

2. Action taken

A. This 30th day of July, 2019, in consideration of the request to amend the zoning map under Ordinance 2019-04 the County Legislative Body of Cache County acts as follows:

	In Favor	Against	Abstained	Absent
Borup		X		
Erickson		X		
Tidwell		X		
Ward		X		
White		X		
Worthen		X		
Zilles	X			
Total	1	6	0	0

B. The County Council hereby rejects Ordinance 2019-04, the rezone of parcels 03-066-0017 and 03-066-0033, 22.76 acres of property as described within Exhibit A.

C. Conclusions

- i. The property lacks adequate provision of public services including emergency access, refuse collection, and public infrastructure.
- ii. The access is from a Nibley City road and given the location of the property, the issues with infrastructure would be better addressed as part of a Nibley City development, not a county development on a municipal road.

CACHE COUNTY COUNCIL



Karl Ward, Chair
Cache County Council

ATTEST:

Jill Zollinger
Cache County Clerk

Publication Date:

_____, 2019

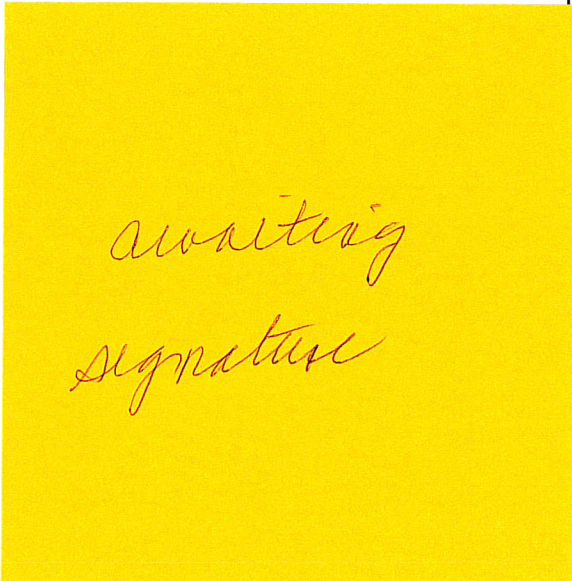
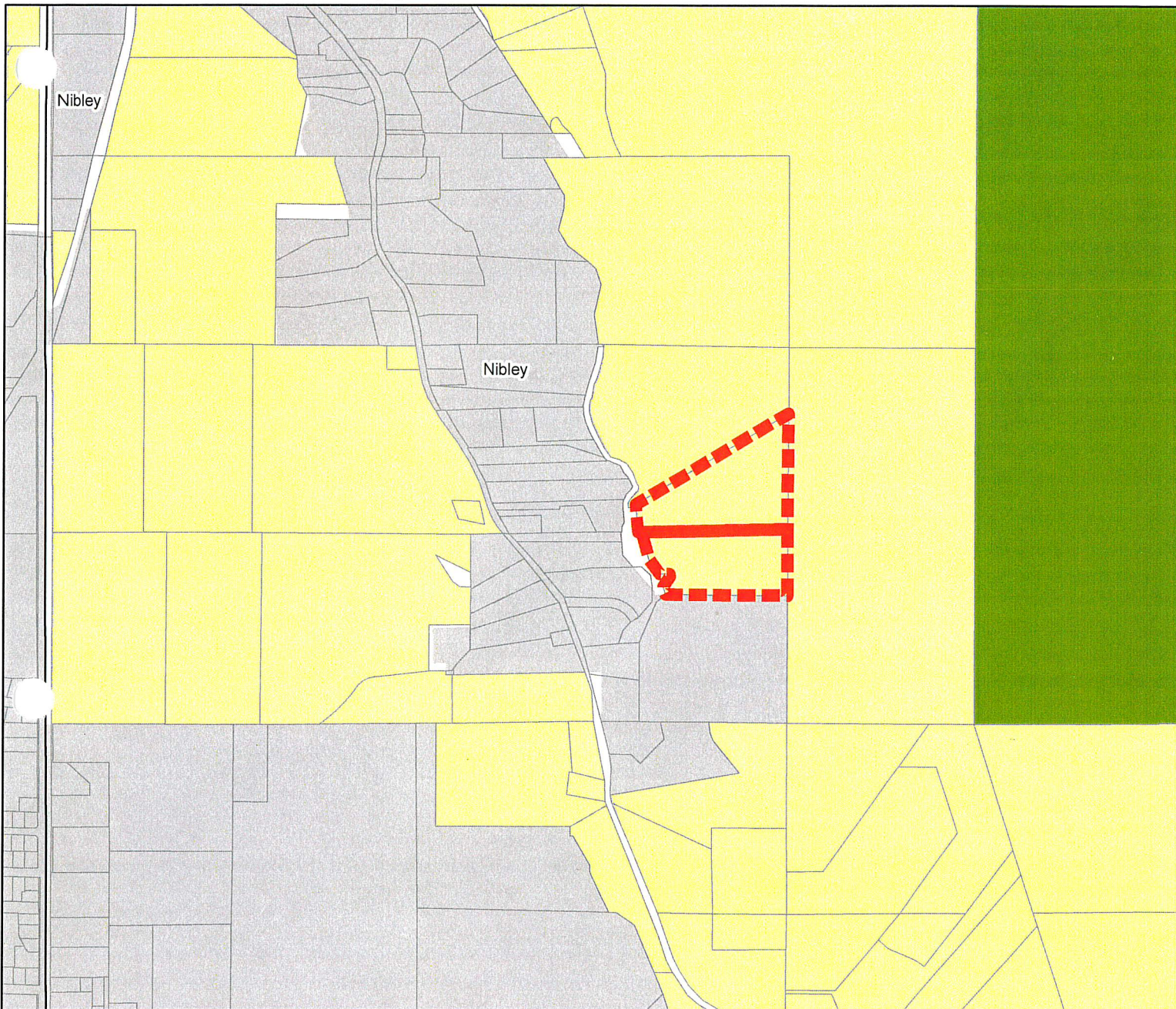













Exhibit A: Ordinance 2019-04 Zoning Map of Cache County Affected Portion Applewood Hollow RU5 Rezone



Legend

-  Major Roads
-  City Boundary

Zone Type

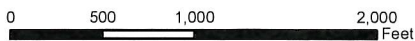
-  Mineral Extraction and Excavation Overlay (ME)
-  Public Infrastructure Overlay (PI)
-  A10: Agriculture 10 acres
-  C: Commercial
-  FR40: Forest Recreation 40 acres
-  I: Industrial
-  RR: Resort Recreation
-  RU2: Rural 2 Zoning District
-  RU5: Rural 5 Zoning District

03-066-0017

BEG AT A PT S 88°32'18"W 142.30 FT FROM SE COR OF NE/4 OF SE/4 SEC 34 T 11N R 1E & TH S 88°32'18"W 921.7 FT TH N 05°40'29" W 204.31 FT ALG BANK OF RIVER TH N 59°53'24"E 1088.42 FT TO PT N OF BEG TH S 752.86 FT TO BEG CONT 10 AC ALSO: BEG 1311 FT S (1320 FT BR) FROM NE COR SE/4 SD SEC & TH S 88°32'18" W 142.3 FT TH N 752.86 FT TH NE'LY TO E LN OF SD SEC TH S TO BEG WITH R/WS ON DEED CONT 12.5 AC IN ALL WITH 20 FT R/W ACROSS 0009 570/779 & 709/8

03-066-0033

BEG NE COR SE/4 SE/4 SEC 34 T 11N R 1E & TH S 1°23'37" W 463.2 FT ALG E LN OF SEC TH W 841.96 FT TO EAST BANK OF BLACKSMITH FORK RIVER TH NE'LY ALG RIVER (SEE 470/584) TO A PT S 88°32'18" W OF BEG TH N 88°32'18" E 1040.05 FT TO BEG CONT 10.26 AC M/B (SEE ENT 1081998, PR DEED FROM ESTATE OF MARGARET F PACE FOR ANY PROP LYING W OF ABOVE PARCEL & RUNNING TO E BANK OF BLACKSMITH FORK RIVER)



RESOLUTION NO. 2019 – 24

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 2019 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 2019 budget for Cache County:

See attached

Section 2.

Other than as specifically set forth above, all other matters set forth in the 2019 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 30th day of July, 2019.

ATTESTED TO:

CACHE COUNTY COUNCIL


Jill N. Zollinger, Cache County Clerk-Auditor




Karl Ward, Council Chair



BUDGET AMENDMENT

EXECUTIVE SUMMARY FOR RESOLUTION 2019-24

July 30, 2019 at 6:00 PM

GENERAL FUND	Budget: \$31,505,500	Proposed: \$31,699,000
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Revenues

Intergovernmental Revenue		Budget: \$875,500	Proposed: \$928,700
100-33-14105	FEDERAL GRANT - VOCA - SAS: Additional grant award for victim advocates		53,200
Total Change			53,200

Contributions and Transfers		Budget: \$1,575,900	Proposed: \$1,716,200
100-38-90000	APPROPRIATED FUND BALANCE: Provide funding for the grants compliance manager position		21,100
100-38-90000	APPROPRIATED FUND BALANCE: Additional County funding for victim advocates		16,000
100-38-90000	APPROPRIATED FUND BALANCE: Provide funding to establish the initial budget for the County administrator department.		103,200
Total Change			140,300

Total General Fund Revenues	\$193,500
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Expenditures

Finance		Budget: \$500,000	Proposed: \$521,100
100-4132-110	FULL TIME EMPLOYEES: Full wage amount for grants compliance officer		14,800
100-4132-120	PART TIME EMPLOYEES: Full payroll tax and benefit amount for grants compliance officer		8,700
100-4132-999	A&C ALLOC - FINANCE 10%: Allocation for grants compliance officer		-2,400
Total Change			21,100

Administrator		Budget: \$0	Proposed: \$103,200
100-4133-110	FULL TIME EMPLOYEES: Establishing the initial budget for the County Administrator and an Executive Assistant, beginning September 1.		54,000
100-4133-115	OVERTIME: Initial budget for County Administrator department.		1,000
100-4133-130	PAYROLL TAXES AND BENEFITS: Initial budget for County Administrator department.		24,200
100-4133-240	OFFICE EXPENSE: Initial budget for County Administrator department.		300
100-4133-250	EQUIPMENT SUPPLIES AND MAINT: Initial budget for County Administrator department.		500
100-4133-251	NON CAPITAL EQUIPMENT: Initial budget for County Administrator department.		3,000
100-4133-280	COMMUNICATIONS: Initial budget for County Administrator department.		500
100-4133-310	PROFESSIONAL AND TECHNICAL: Initial budget for County Administrator department.		1,000
100-4133-610	MISCELLANEOUS SUPPLIES: Initial budget for County Administrator department.		500
100-4133-620	MISCELLANEOUS SERVICES: Initial budget for County Administrator department.		500
100-4133-740	CAPITAL EQUIPMENT: Initial budget for County Administrator department.		36,000
100-4133-999	TAF ALLOC - ADMINISTRATOR 15%: Allocation to the Tax Administration fund.		-18,300
Total Change			103,200

Victim Advocate - VOCA		Budget: \$373,200	Proposed: \$442,400
100-4148-110	FULL TIME EMPLOYEES: Full wage amount for two new victim advocates		42,300



BUDGET AMENDMENT

EXECUTIVE SUMMARY FOR RESOLUTION 2019-24

July 30, 2019 at 6:00 PM

100-4148-120	PART TIME EMPLOYEES: Full payroll tax and benefit amount for two new victim advocates	26,900
Total Change		69,200

Fair		Budget: \$159,200	Proposed: \$160,200
100-4620-620	SECURITY AND OTHER SERVICES: Funds to cover contracts w/schools to clean tables.		1,000
Total Change			1,000

Contributions		Budget: \$1,126,000	Proposed: \$1,125,000
100-4800-990	CONTRIBUTION - FUND BALANCE: Provide funds to cover contracts w/schools to clean tables.		-1,000
100-4800-990	CONTRIBUTION - FUND BALANCE: Provide funding to support the Cache 2020 initiative.		-2,500
Total Change			-3,500

Miscellaneous		Budget: \$393,500	Proposed: \$396,000
100-4960-600	MISCELLANEOUS EXPENSE: Funding to support the Cache 2020 initiative.		2,500
Total Change			2,500

Total General Fund Expenditures		\$193,500	
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TAX ADMINISTRATION FUND		Budget: \$4,107,500	Proposed: \$4,132,800
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Revenues

Contributions and Transfers		Budget: \$301,500	Proposed: \$326,800
150-38-90000	APPROPRIATED FUND BALANCE: Allocation funding for the grants compliance manager position		2,400
150-38-90000	APPROPRIATED FUND BALANCE: Initial budget allocation for County Administrator department.		18,300
150-38-90000	APPROPRIATED FUND BALANCE: Provide funding for increased cost for tax notices.		4,600
Total Change			25,300

Total Tax Administration Fund Revenues		\$25,300	
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Expenditures

Finance		Budget: \$55,600	Proposed: \$58,000
150-4132-999	A&C ALLOC - FINANCE 10%: Allocation funding for the grants compliance manager position		2,400
Total Change			2,400

Administrator		Budget: \$0	Proposed: \$18,300
150-4133-999	TAF ALLOC - ADMINISTRATOR 15%: Initial budget allocation for County Administrator department.		18,300



BUDGET AMENDMENT
EXECUTIVE SUMMARY FOR RESOLUTION 2019-24

July 30, 2019 at 6:00 PM

Total Change	18,300
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Treasurer	Budget: \$300,100	Proposed: \$304,700
150-4143-620	PRINTING - THE DATA CENTER: Funding for increased cost for tax notices.	4,600
Total Change		4,600

Total Tax Administration Fund Expenditures	\$25,300
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MUNICIPAL SERVICES FUND	Budget: \$14,855,500	Proposed: \$14,875,500
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Revenues

Contributions and Transfers	Budget: \$3,766,300	Proposed: \$3,786,300
200-38-92000	APPROP FUND BALANCE - MSF: Appropriate funding for Engineering Services for CCCOG Oversight from 2018.	20,000
Total Change		20,000

Total Municipal Services Fund Revenues	\$20,000
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Expenditures

Building Inspection	Budget: \$848,500	Proposed: \$848,500
200-4241-110	FULL TIME EMPLOYEES: Provide overtime funding to cover additional demand building inspection services. If demand continues to stay high, a full time position will be filled in the 2020 budget.	-20,000
200-4241-115	OVERTIME: Overtime funding to cover additional demand building inspection services.	20,000
Total Change		0

Public Works	Budget: \$526,700	Proposed: \$546,700
200-4475-320	PROF & TECH - ENGINEER REVIEWS: Funding for engineering services for the Benson Bridge.	40,000
200-4475-326	PROF & TECH - SECTION CORNERS: Provide funding for engineering services for the Benson Bridge.	-40,000
200-4475-328	PROF & TECH - CCCOG OVERSIGHT: Funding for Engineering Services for CCCOG Oversight from 2018.	20,000
Total Change		20,000

Total Municipal Services Fund Expenditures	\$20,000
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AIRPORT FUND	Budget: \$727,500	Proposed: \$727,500
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Revenues

Intergovernmental	Budget: \$462,500	Proposed: \$462,500
277-33-10400	FED GRANT PROJ AIP #21: Budgeted UDOT Ramp preservation/wind cone Project in a Federal Grant Account, but needs to be in the State Grant Account	-225,000



BUDGET AMENDMENT

EXECUTIVE SUMMARY FOR RESOLUTION 2019-24

July 30, 2019 at 6:00 PM

277-33-44402	STATE GRANT: Budgeted UDOT Ramp preservation/wind cone Project in a Federal Grant Account, but needs to be in the State Grant Account	225,000
Total Change		0
Total Airport Fund Revenues		\$0

STAFF REPORT: 165 SUBDIVISION REZONE

11 July 2019

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: David Bess

Parcel ID#: 16-046-0010, -0035, 0062, 0063, 0064

Staff Recommendation: Denial

Type of Action: Legislative

Land Use Authority: Cache County Council

LOCATION

Reviewed by Angie Zetterquist

Project Address:

10900 South Hwy 165
Paradise

Acres: 32.64

Surrounding Uses:

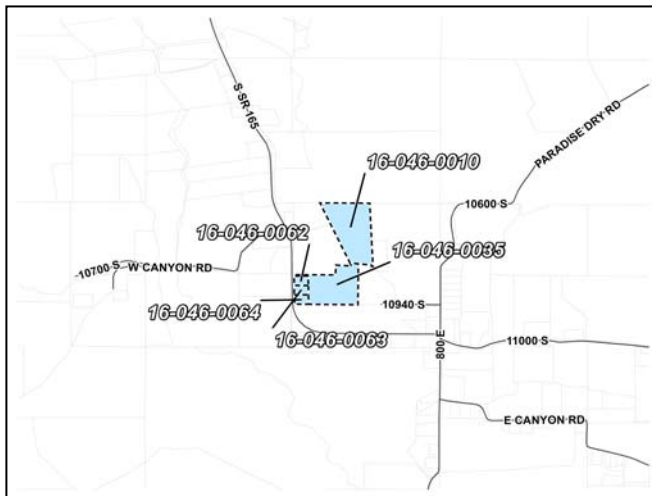
North – Agricultural/Residential
South – Agricultural/Residential
East – Agricultural/Residential/Cemetery
West – Agricultural/Residential

Current Zoning:

Agricultural (A10)

Proposed Zoning:

Rural 2 (RU2)



FINDINGS OF FACT (16)

A. Request description

1. A request to rezone 32.64 acres in an existing four-lot subdivision from the Agricultural (A10) Zone to the Rural 2 (RU2) Zone.
2. This rezone may allow the parcel to be legally divided into a maximum of sixteen (16) separate lots as part of a subdivision amendment process.
3. Staff has identified general information as pertains to the subject property to assist the Planning Commission and County Council in arriving at a decision. This information is reflected in the attached map (Attachment A) and in the following text:
 - a. Land Use Context:

- i. Parcel status: In July 2018, the Planning Commission approved a four-lot subdivision with an agricultural remainder on the original parent parcels (i.e., 16-046-0010, -

0035). Although the original total acreage, 32.64 acres, of the two parent parcels would allow only a maximum of three lots under the existing Agricultural (A10) Zone, a four-lot subdivision was allowed because it was two separate lots with one exceeding 30 acres.

- ii. Average Lot Size: Of the parcels immediately adjacent to the proposed rezone, including the properties in the rezone boundary, there are nine (9) parcels with a home with an average lot size of 11.3 acres. The average lot size of the seven (7) parcels immediately adjacent with no home is 21.1 acres.

Within a ¼ mile of the proposed rezone the average size of parcels (32 parcels) with a dwelling is 6.6 acres; the average size of parcels (12 parcels) without a dwelling is 67.1 acres.

When the buffer is expanded to a ½ mile of the proposed rezone, the average size of parcels with a home (62 parcels) is 5.0 acres and without a home is 38.0 acres (28 parcels). (Attachment A)

The proposed RU2 zone allows a maximum density of 1 lot for every 2 acres, whereas the current A10 zone allows a maximum density of 1 lot for every 10 acres. With approximately 32.64 acres of property, the subject subdivision cannot be divided into any additional lots under the current A10 Zone; a rezone to RU2 may allow up to sixteen (16) buildable lots.

- iii. Schedule of Zoning Uses: Under the current County Land Use Ordinance, the RU2 Zone is more restrictive in the uses allowed when compared to the Agricultural (A10) Zone. There are no uses that are allowed as a permitted or conditional use within the RU2 Zone that are not allowed as a permitted or conditional use within the A10 Zone. The following uses are conditional uses in the A10 Zone but are not allowed in the RU2 Zone:

- Agricultural Manufacturing
- Recreational Facility
- Cemetery
- Private Airport
- Concentrated Animal Feed Operation
- Livestock Auction Facility
- Topsoil Extraction

- iv. Adjacent uses: The properties adjacent to the subject rezone are primarily used for agricultural and single family dwellings with the Avon Cemetery immediately east of the subdivision.

- v. Annexation Areas: The subject properties are not located in any future annexation area. Paradise is the nearest municipality and is approximately 1.35 miles north of the subdivision at its closest point.

- vi. Zone Placement: As identified by the Planning Commission and the County Council at the time the RU2 Zone was adopted, the intended/anticipated placement of this zone was in areas of the unincorporated county adjacent to municipalities. As mentioned previously, the closest point to a municipal boundary is 1.35 miles north.

The nearest RU2 zone is approximately 2.63 miles away from the subject properties by the most direct road route. This RU2 zone, the Reed & Joan Baldwin Rezone, includes a total of 4.18 acres and was approved in 2017. The Baldwin property had been divided without Land Use Authority approved in February 2013 and the two parcels were restricted (i.e., unable to obtain nonagricultural development permits). The approval of the rezone allowed them to legally separate the property into two (2)

parcels and remove the restriction, but, to date, the property owner has not gone through the subdivision process and the properties remain restricted. The next closest higher density zone is the View of the Valley Subdivision, which is zoned RU5, located near Hyrum Dam approximately 6 miles northwest as the crow flies. The rezone for the View of the Valley Subdivision was approved in June 2011 and the current subdivision approved in July 2018.

B. Ordinance—§12.02.010, §17.02.060; §17.08.030 [C]

4. 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.
5. The current County Land Use Ordinance does not specify appropriate locations for the Rural 2 (RU2) Zone but does contain possible guidelines for its implementation. County Land Use Ordinance §17.08.030 [B] [1] identifies the purpose of the RU2 Zone and includes the following:
 - a. “To allow for residential development in a moderately dense pattern that can allow for rural subdivisions, and to allow for clustering plans larger than a single parcel. This type of development should be located and designed to not unreasonably impede adjacent agricultural uses, nor to unreasonably conflict with the development standards of adjacent municipalities.
 - b. To implement the policies of the Cache Countywide Comprehensive Plan, including those regarding improved roadways, density based residential standards, clustering, moderate income housing and municipal standards.
 - c. This zone must be appropriately served by suitable public roads, have access to the necessary water and utilities, and have adequate provision of public services.”
6. Consideration of impacts related to uses allowed within the RU2 Zone will be addressed as part of each respective approval process required prior to site development activities.

C. Access—16.04.040 [A], 16.04.080 [E], Road Manual

7. The Road Manual specifies the following:
 - a. Collector Road: Roads with approximately 1600 to 5000 Average Daily Traffic (ADT). This includes roadways that have the capacity for moderate to low speeds (generally to a speed range of 40 mph or less) and moderate to high traffic volumes. This category provides service to through traffic movements and allows more direct access to occur. These facilities move traffic across multiple communities or jurisdictions, typically connection facilities of system importance.
 - b. Collector Roads must meet the minimum standard of two, 11-foot wide paved travel lanes with 6-foot wide shoulders: 3 feet paved, 3 feet gravel (34 feet total width with a paved width of 28 feet), 14-inches depth of granular borrow, a 6-inches depth of road base, 2.5-inches of bituminous surface course (asphalt), and a 80-foot wide right-of-way (ROW).
8. A basic review of the access to the subject property identifies the following:
 - a. Primary access to the 165 Subdivision is from Old Highway 165.
9. Highway 165:
 - a. Was formally a facility under the jurisdiction of the Utah Department of Transportation (UDOT), but it was understood that it was transferred to the county. Since the approval of the subdivision, the ownership of the road is unclear. The County Engineer and UDOT are working on resolving the inconsistencies with the road ownership.
 - b. Consists of an average 26-foot wide paved width with 4-foot shoulder.

- c. Has an unknown type and depth of material. However, the County Engineer and the County Public Works Inspector did not identify any existing road or surface deformation that would indicate substandard materials.
- d. Is an existing county facility that provides access to the general public.
- e. Has year round county maintenance at this location.

D. Service Provisions:

- 10. §16.04.080 [C] Fire Control – The County Fire District evaluated the access road to the subject property and found that it meets their requirements. Water supply for fire protection will be provided by the Paradise Fire Department.
- 11. §16.04.080 [F] Solid Waste Disposal – Logan City Environmental did not have any comments on the rezone itself but did identify that collection for the subdivision lots will occur on Old Highway 165 for Wednesday collection. The applicant must provide sufficient shoulder space along Old Highway 165 for the refuse and recycling containers to be 3-to-4 feet apart and be placed far enough off the road so as not to interfere with passing traffic.

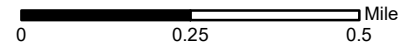
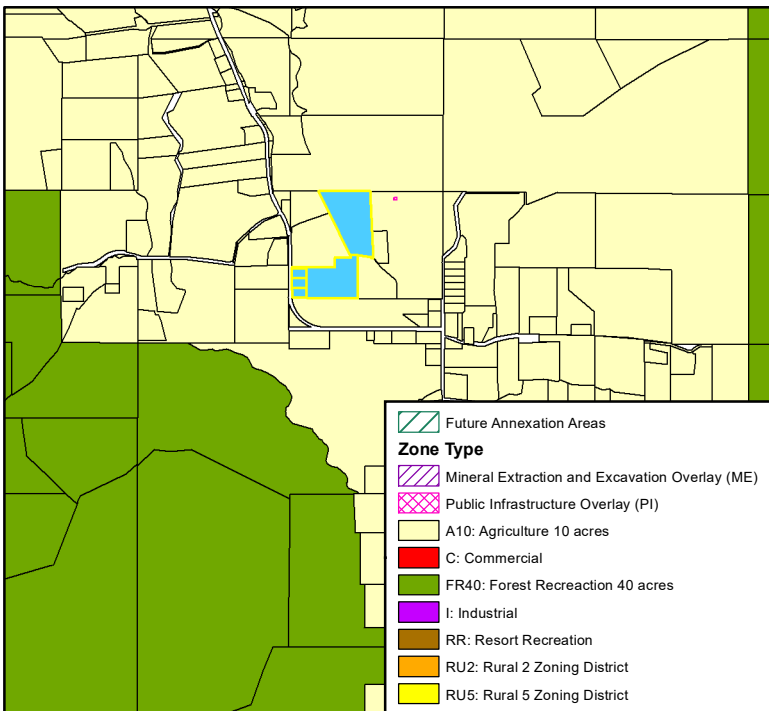
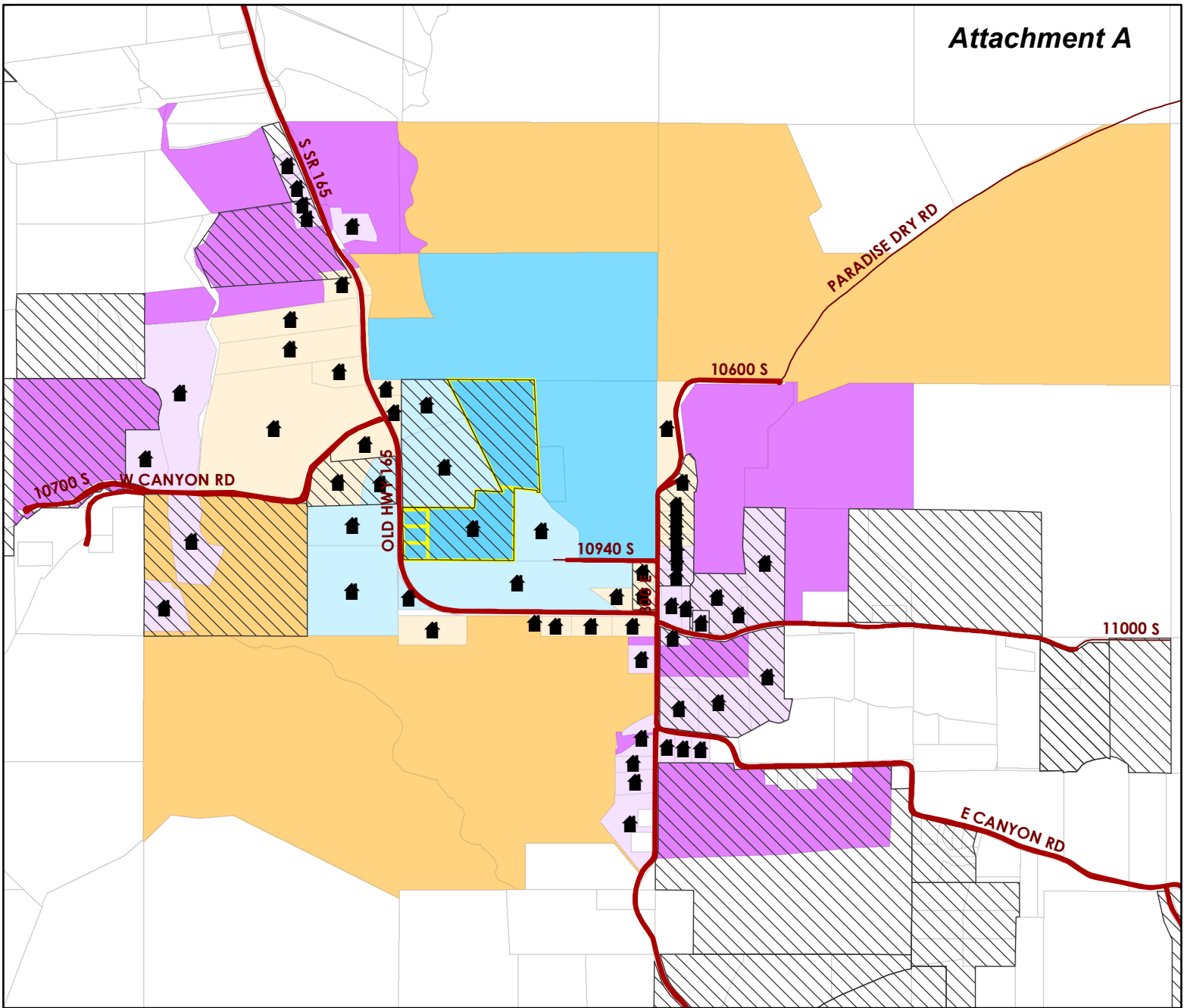
E. Public Notice and Comment—§17.02.040 Notice of Meetings

- 12. Public notice was posted online to the Utah Public Notice Website on 27 June 2019.
- 13. Notice was published in the Herald Journal on 29 June 2019.
- 14. Notices were posted in three public places on 27 June 2019.
- 15. Notices were mailed to all property owners within 300 feet on 27 June 2019.
- 16. At this time, no written public comment regarding this proposal has been received by the Development Services Office.

CONCLUSIONS (4)

Based on the findings of fact noted herein, the 165 Subdivision Rezone is hereby recommended for denial to the County Council as follows:

- 1. The location of the proposed rezone is not in close proximity to an adjacent municipality where a higher density development is more appropriate.
- 2. The location of the proposed rezone would set a precedent for increased density and development along this corridor
- 3. The Cache County Comprehensive Plan does not specifically address the Rural 2 (RU2) Zone and does not make recommendations as to where the zone should be located. An update to the County's General Plan is necessary to better determine appropriate locations for this higher density zone in unincorporated county areas not adjacent to a municipality.
- 4. The existing road does not meet the minimum requirements for a collector road.



Legend

- Proposed Rezone
- Municipal Boundaries
- Subdivisions
- Parcels
- Winter Maintenance
- County Roads
- Highways

Average Parcel Size

Adjacent Parcels	With a Home: 11.3 Acres (9 Parcels)
	Without a Home: 21.1 Acres (7 Parcels)
1/4 Mile Buffer	With a Home: 6.6 Acres (32 Parcels)
	Without a Home: 67.1 Acres (12 Parcels)
1/2 Mile Buffer	With a Home: 5 Acres (62 Parcels)
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- Future Annexation Areas
- Zone Type**
- Mineral Extraction and Excavation Overlay (ME)
- Public Infrastructure Overlay (PI)
- A10: Agriculture 10 acres
- C: Commercial
- FR40: Forest Recreation 40 acres
- I: Industrial
- RR: Resort Recreation
- RU2: Rural 2 Zoning District
- RU5: Rural 5 Zoning District



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- 12 ***Gunnell** motioned to recommend the Newton Lateral Pipeline Conditional Use Permit with the findings
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- 14 **06:36:00**

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16 **Zetterquist** reviewed the staff report for the 165 Subdivision Rezone.

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18 ***Gunnell** motioned to open the public hearing for the 165 Subdivision Rezone; **Parker** seconded; **Passed
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25 **Olsen** asked about eliminating the existing 3 lots.

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28 **06:46:00**

29 ***Gunnell** motioned to close the public hearing for the 165 Subdivision Rezone; **Parker** seconded; **Passed
30 4, 0.***

31 **Commission** discussed RU2 zoning.

1 **Gunnell** motioned to recommend denial to the County Council for the 165 Subdivision Rezone based on
2 the findings of fact and conclusions; **Gunnell** seconded; **Passed 4, 0.**

3 **06:50:00**

4 **#10 Public Hearing (6:20 p.m.) – Hansen RU2 Rezone**

5 **Zetterquist** reviewed the staff report for the Hansen RU2 Rezone and noted the applicant was not in
6 attendance, but submitted a written statement in support of the rezone that had been emailed to the
7 Commissioners and a hard copy had been distributed prior to the meeting.

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12 **Christensen** asked about concerns regarding the width.

13 **Mr. Nielsen** responded the existing width is 15 feet.

14 **Christensen** stated that if approved, the developer would have to meet the county standards; for snow
15 removal the county does its best.

16 **Mr. Nielsen** asked about the likelihood of annexation.

17 **Runhaar** responded that laws have changed regarding annexation and it is property owner driven.

18 **06:59:00**

19 **Gunnell** motioned to close the public hearing for the Hansen RU2 Rezone; **Parker** seconded; **Passed 4,**
20 **0.**

21 **Commission** and **Staff** discussed the development patterns north of Smithfield and roads.

22 **Gunnell** motioned to recommend denial to the County Council for the Hansen RU2 Rezone based on the
23 findings of fact and conclusions; **Parker** seconded; **Passed 4, 0.**

24 **07:05:00**

25 **Runhaar** informed the Commission that an appeal has been filed on the Holyoak Airport CUP and staff
26 was working on processing the appeal with the Board of Adjustments.

27 **07:06:00**

28 **Adjourned**

ORDINANCE NO. 2019-05

CACHE COUNTY, UTAH

165 SUBDIVISION REZONE

AN ORDINANCE REQUEST TO AMEND THE COUNTY ZONING MAP

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

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

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

WHEREAS, on July 11, 2019, 6:10 p.m., the Planning Commission held a public hearing for a rezone from the Agricultural (A10) Zone to Rural 2 (RU2) Zone, which meeting was preceded by all required legal notice and at which time all interested parties were given the opportunity to provide written or oral comment concerning the proposed rezone; and

WHEREAS, on July 11, 2019 the Planning Commission recommended the denial of said rezone and forwarded such recommendation to the County Council for final action; and

WHEREAS, the Act also provides certain procedures for the county legislative body to adopt or reject amendments to the land use ordinance and zoning map for the county; and

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

WHEREAS, on August 13, 2019, 5:30 p.m., the County Council held a public hearing to consider any comments regarding the proposed rezone. The County Council accepted all comments; and

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

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

1. Statutory Authority

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

2. Action taken

A. This 13th day of August, 2019, in consideration of the request to amend the zoning map under Ordinance 2019-05 the County Legislative Body of Cache County acts as follows:

	In Favor	Against	Abstained	Absent
Borup				
Erickson				
Tidwell				
Ward				
White				
Worthen				
Zilles				
Total				

B. The County Council hereby rejects the request for Ordinance 2019-05, the rezone of parcels 16-046-0010, 16-046-0035, 16-046-0062, 16-046-0063, 16-046-0064, 32.64 acres of property.

C. Conclusions

- i. The location of the proposed rezone is not in close proximity to an adjacent municipality where a higher density development is more appropriate.
- ii. The location of the proposed rezone would set a precedent for increased density and development along this corridor.
- iii. The Cache County Comprehensive Plan does not specifically address the Rural 2 (RU2) Zone and does not make recommendations as to where the zone should be located. An update to the County’s General Plan is necessary to better determine appropriate locations for this higher density zone in unincorporated county areas not adjacent to a municipality.
- iv. The existing road does not meet the minimum requirements for a collector road.

CACHE COUNTY COUNCIL

ATTEST:

 Karl Ward, Chair
 Cache County Council

 Jill Zollinger
 Cache County Clerk

Publication Date:

_____, 2019

STAFF REPORT: 165 SUBDIVISION REZONE

11 July 2019

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: David Bess

Parcel ID#: 16-046-0010, -0035, 0062, 0063, 0064

Staff Recommendation: Denial

Type of Action: Legislative

Land Use Authority: Cache County Council

LOCATION

Reviewed by Angie Zetterquist

Project Address:

10900 South Hwy 165
Paradise

Acres: 32.64

Surrounding Uses:

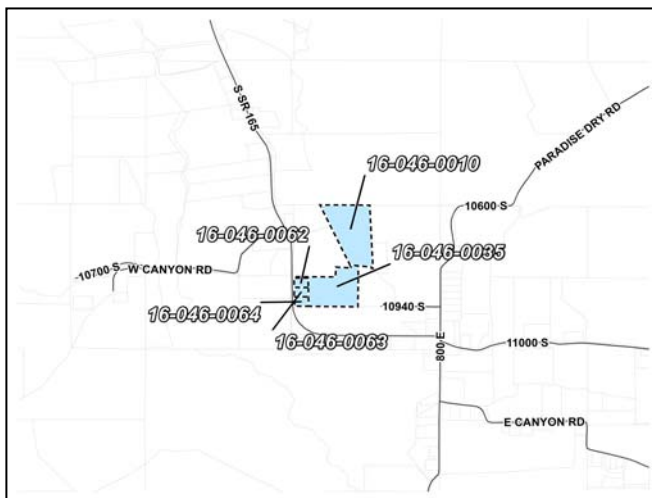
North – Agricultural/Residential
South – Agricultural/Residential
East – Agricultural/Residential/Cemetery
West – Agricultural/Residential

Current Zoning:

Agricultural (A10)

Proposed Zoning:

Rural 2 (RU2)



FINDINGS OF FACT (16)

A. Request description

1. A request to rezone 32.64 acres in an existing four-lot subdivision from the Agricultural (A10) Zone to the Rural 2 (RU2) Zone.
2. This rezone may allow the parcel to be legally divided into a maximum of sixteen (16) separate lots as part of a subdivision amendment process.
3. Staff has identified general information as pertains to the subject property to assist the Planning Commission and County Council in arriving at a decision. This information is reflected in the attached map (Attachment A) and in the following text:
 - a. Land Use Context:

- i. Parcel status: In July 2018, the Planning Commission approved a four-lot subdivision with an agricultural remainder on the original parent parcels (i.e., 16-046-0010, -

0035). Although the original total acreage, 32.64 acres, of the two parent parcels would allow only a maximum of three lots under the existing Agricultural (A10) Zone, a four-lot subdivision was allowed because it was two separate lots with one exceeding 30 acres.

- ii. Average Lot Size: Of the parcels immediately adjacent to the proposed rezone, including the properties in the rezone boundary, there are nine (9) parcels with a home with an average lot size of 11.3 acres. The average lot size of the seven (7) parcels immediately adjacent with no home is 21.1 acres.

Within a ¼ mile of the proposed rezone the average size of parcels (32 parcels) with a dwelling is 6.6 acres; the average size of parcels (12 parcels) without a dwelling is 67.1 acres.

When the buffer is expanded to a ½ mile of the proposed rezone, the average size of parcels with a home (62 parcels) is 5.0 acres and without a home is 38.0 acres (28 parcels). (Attachment A)

The proposed RU2 zone allows a maximum density of 1 lot for every 2 acres, whereas the current A10 zone allows a maximum density of 1 lot for every 10 acres. With approximately 32.64 acres of property, the subject subdivision cannot be divided into any additional lots under the current A10 Zone; a rezone to RU2 may allow up to sixteen (16) buildable lots.

- iii. Schedule of Zoning Uses: Under the current County Land Use Ordinance, the RU2 Zone is more restrictive in the uses allowed when compared to the Agricultural (A10) Zone. There are no uses that are allowed as a permitted or conditional use within the RU2 Zone that are not allowed as a permitted or conditional use within the A10 Zone. The following uses are conditional uses in the A10 Zone but are not allowed in the RU2 Zone:

- Agricultural Manufacturing
- Recreational Facility
- Cemetery
- Private Airport
- Concentrated Animal Feed Operation
- Livestock Auction Facility
- Topsoil Extraction

- iv. Adjacent uses: The properties adjacent to the subject rezone are primarily used for agricultural and single family dwellings with the Avon Cemetery immediately east of the subdivision.

- v. Annexation Areas: The subject properties are not located in any future annexation area. Paradise is the nearest municipality and is approximately 1.35 miles north of the subdivision at its closest point.

- vi. Zone Placement: As identified by the Planning Commission and the County Council at the time the RU2 Zone was adopted, the intended/anticipated placement of this zone was in areas of the unincorporated county adjacent to municipalities. As mentioned previously, the closest point to a municipal boundary is 1.35 miles north.

The nearest RU2 zone is approximately 2.63 miles away from the subject properties by the most direct road route. This RU2 zone, the Reed & Joan Baldwin Rezone, includes a total of 4.18 acres and was approved in 2017. The Baldwin property had been divided without Land Use Authority approved in February 2013 and the two parcels were restricted (i.e., unable to obtain nonagricultural development permits). The approval of the rezone allowed them to legally separate the property into two (2)

parcels and remove the restriction, but, to date, the property owner has not gone through the subdivision process and the properties remain restricted. The next closest higher density zone is the View of the Valley Subdivision, which is zoned RU5, located near Hyrum Dam approximately 6 miles northwest as the crow flies. The rezone for the View of the Valley Subdivision was approved in June 2011 and the current subdivision approved in July 2018.

B. Ordinance—§12.02.010, §17.02.060; §17.08.030 [C]

4. 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.
5. The current County Land Use Ordinance does not specify appropriate locations for the Rural 2 (RU2) Zone but does contain possible guidelines for its implementation. County Land Use Ordinance §17.08.030 [B] [1] identifies the purpose of the RU2 Zone and includes the following:
 - a. “To allow for residential development in a moderately dense pattern that can allow for rural subdivisions, and to allow for clustering plans larger than a single parcel. This type of development should be located and designed to not unreasonably impede adjacent agricultural uses, nor to unreasonably conflict with the development standards of adjacent municipalities.
 - b. To implement the policies of the Cache Countywide Comprehensive Plan, including those regarding improved roadways, density based residential standards, clustering, moderate income housing and municipal standards.
 - c. This zone must be appropriately served by suitable public roads, have access to the necessary water and utilities, and have adequate provision of public services.”
6. Consideration of impacts related to uses allowed within the RU2 Zone will be addressed as part of each respective approval process required prior to site development activities.

C. Access—16.04.040 [A], 16.04.080 [E], Road Manual

7. The Road Manual specifies the following:
 - a. Collector Road: Roads with approximately 1600 to 5000 Average Daily Traffic (ADT). This includes roadways that have the capacity for moderate to low speeds (generally to a speed range of 40 mph or less) and moderate to high traffic volumes. This category provides service to through traffic movements and allows more direct access to occur. These facilities move traffic across multiple communities or jurisdictions, typically connection facilities of system importance.
 - b. Collector Roads must meet the minimum standard of two, 11-foot wide paved travel lanes with 6-foot wide shoulders: 3 feet paved, 3 feet gravel (34 feet total width with a paved width of 28 feet), 14-inches depth of granular borrow, a 6-inches depth of road base, 2.5-inches of bituminous surface course (asphalt), and a 80-foot wide right-of-way (ROW).
8. A basic review of the access to the subject property identifies the following:
 - a. Primary access to the 165 Subdivision is from Old Highway 165.
9. Highway 165:
 - a. Was formally a facility under the jurisdiction of the Utah Department of Transportation (UDOT), but it was understood that it was transferred to the county. Since the approval of the subdivision, the ownership of the road is unclear. The County Engineer and UDOT are working on resolving the inconsistencies with the road ownership.
 - b. Consists of an average 26-foot wide paved width with 4-foot shoulder.

- c. Has an unknown type and depth of material. However, the County Engineer and the County Public Works Inspector did not identify any existing road or surface deformation that would indicate substandard materials.
- d. Is an existing county facility that provides access to the general public.
- e. Has year round county maintenance at this location.

D. Service Provisions:

- 10. §16.04.080 [C] Fire Control – The County Fire District evaluated the access road to the subject property and found that it meets their requirements. Water supply for fire protection will be provided by the Paradise Fire Department.
- 11. §16.04.080 [F] Solid Waste Disposal – Logan City Environmental did not have any comments on the rezone itself but did identify that collection for the subdivision lots will occur on Old Highway 165 for Wednesday collection. The applicant must provide sufficient shoulder space along Old Highway 165 for the refuse and recycling containers to be 3-to-4 feet apart and be placed far enough off the road so as not to interfere with passing traffic.

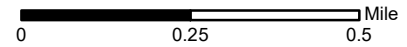
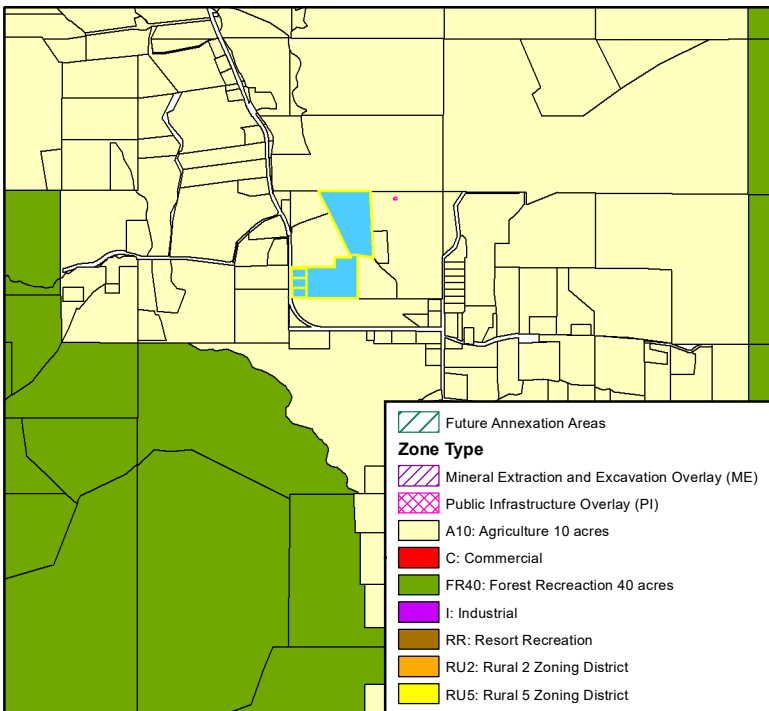
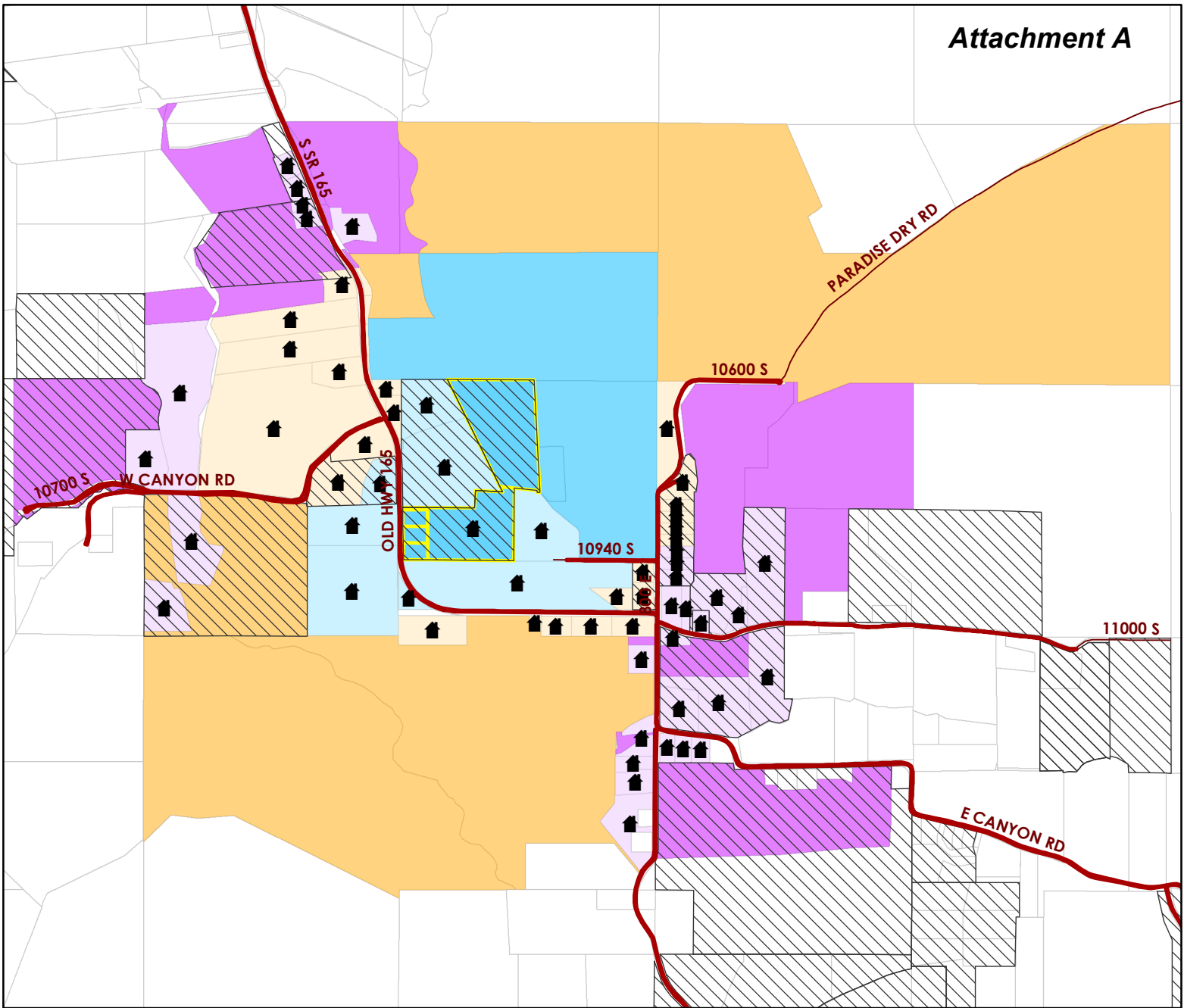
E. Public Notice and Comment—§17.02.040 Notice of Meetings

- 12. Public notice was posted online to the Utah Public Notice Website on 27 June 2019.
- 13. Notice was published in the Herald Journal on 29 June 2019.
- 14. Notices were posted in three public places on 27 June 2019.
- 15. Notices were mailed to all property owners within 300 feet on 27 June 2019.
- 16. At this time, no written public comment regarding this proposal has been received by the Development Services Office.

CONCLUSIONS (4)

Based on the findings of fact noted herein, the 165 Subdivision Rezone is hereby recommended for denial to the County Council as follows:

- 1. The location of the proposed rezone is not in close proximity to an adjacent municipality where a higher density development is more appropriate.
- 2. The location of the proposed rezone would set a precedent for increased density and development along this corridor
- 3. The Cache County Comprehensive Plan does not specifically address the Rural 2 (RU2) Zone and does not make recommendations as to where the zone should be located. An update to the County's General Plan is necessary to better determine appropriate locations for this higher density zone in unincorporated county areas not adjacent to a municipality.
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30 **4, 0.**

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26 was working on processing the appeal with the Board of Adjustments.

27 **07:06:00**

28 **Adjourned**

RESOLUTION NO. 2019-26
CACHE COUNTY, UTAH
CACHE COUNTY COUNCIL OF GOVERNMENTS (COG)
LOCAL TRANSPORTATION FUND PROGRAM MANUAL

ADOPTING THE COG PROGRAM MANUAL

WHEREAS, pursuant to State Code Section 59-12-2217, the State of Utah specifies how sales tax funds collected under this Section are to be allocated; and

WHEREAS, pursuant to Section 59-12-2217, the COG is tasked with general oversight of the allocation and administration process; and

WHEREAS, pursuant to Section 59-12-2217, the COG has reviewed, approved, and compiled this process as the Cache County Local Transportation Fund Program Manual and recommends the County Legislative Body adopt the same; and

WHEREAS, the Cache County Council has determined that it is both necessary and appropriate for the County to adopt the Cache County Local Transportation Fund Program Manual.

NOW, THEREFORE, BE IT RESOLVED that the Cache County Council hereby adopts the following resolution:

The 2019 Cache County Local Transportation Fund Program Manual attached as Exhibit A is hereby adopted, superseding all prior land transportation fund program manuals.

APPROVED AND ADOPTED this 13th day of August, 2019.

	In Favor	Against	Abstained	Absent
Borup				
Erickson				
Tidwell				
Ward				
White				
Worthen				
Zilles				
Total				

CACHE COUNTY COUNCIL

ATTEST:

 Karl Ward, Chair
 Cache County Council

 Jill Zollinger
 Cache County Clerk

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

Exhibit A
COG Local Transportation
Fund Program Manual

Cache County Council of Governments

Approved September 19, 2016

Amended January 23, 2017

Amended June 24, 2019



LOCAL TRANSPORTATION FUND -PROGRAM MANUAL-

Cache County Council of Governments

2019 Membership

- Mayor Jeff Young, Chair
- Mayor John Drew, Vice Chair
- Mayor Sharidean Flint
- Mayor David Wood
- Mayor Craig Hidalgo
- Mayor Matt Leak
- Mayor Stephanie Miller
- Mayor Holly Daines
- Mayor Ed Buist
- Mayor David Hair
- Mayor Kevin Rhodes
- Mayor Shaun Dustin
- Mayor Damon Cann
- Mayor Lee Atwood
- Mayor Shawn Dustin
- Mayor Kelly Field
- Mayor Todd Rasmussen
- Mayor Jeffrey Barnes
- Mayor Lynn Payne
- Mayor Thomas Bailey
- County Executive Craig W Buttars

Staff: James P. Gass, CMPO Executive Director & Jeff Gilbert, CMPO Transportation Planner

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SECTION 1 - OVERVIEW & INTRODUCTION

In 2007 Cache County voters considered a ballot measure establishing a county-wide .25% sales tax to fund transportation improvements.

In accordance with Utah State Code 59-12-2217 (see Appendix A), Cache County residents voted on the following ballot measure to consider the establishment a county-wide .25% sales tax: **"Shall Cache County, Utah, be authorized to impose a .25% sales and use tax for transportation projects, corridor preservation, congestion mitigation, or to expand capacity for regionally significant transportation facilities?"**

Overall Cache County voters approved the ballot question November 2007 54.7% to 45.3%.

REQUIREMENTS OF STATE CODE 59-12-2217

ROLE OF THE CACHE COUNTY COUNCIL OF GOVERNMENTS (COG)

Utah State Code specifies how sales tax funds collected under this code section are to be allocated and administered. State code calls for a Council of Governments (COG). The COG is defined by code to include all Mayors and the Cache County Executive. The COG is tasked with general oversight in addition to creation and administration of a written project prioritization process. After administering the written project prioritization process the COG can approve a prioritized project list to recommend to the Cache County Council. The COG can only submit one recommended priority project list for consideration by the County Council each calendar year.

Cache County organized a COG in 2007 as a result on enactment of this tax. Unlike many counties in Utah, prior to 2007 Cache County did not have an operating COG. To this day the COG's only function is to administer the project prioritization process as described herein and make a prioritized recommendation to the County Council. The COG meets on an "as-needed" basis (See COG By-laws found in Appendix 2).

PROJECT PRIORITIZATION PROCESS

State code requires the COG develop a written project prioritization process. The written project prioritization process must address the following:

- Definition of the type of project to which the written prioritization process applies.
- Specification of a weighted criteria project prioritization system.
- Specification of the data that is necessary to apply the weighted criteria system.
- Other provision the Council of Governments considers appropriate.

WEIGHTED SELECTION CRITERIA FOR PROJECT PRIORITIZATION SYSTEM

State code requires the COG to include certain factors as part of its weighted selection criteria. How these factors are used or the weight they are given is left to the COG. These factors include:

- The cost effectiveness of a project
- The degree to which a project will mitigate regional congestion.
- Compliance with applicable federal laws or regulation.
- The economic impact of a project.
- The degree to which a project will require tax revenues to fund maintenance and operation expenses.
- Any other provision the council consider appropriate.

COG EXECUTIVE COMMITTEE

The COG Executive Committee is composed of the COG Chair, Vice Chair and Cache County Executive. This committee will provide general oversight to the annual prioritization process. Specifically, this committee (with staff support) will:

1. Establish the project application schedule and deadlines.
2. Determine the amount of funding to make available to applicants for each funding cycle.
3. Assist staff in the interpretation of COG policies and procedures (as questions arise).
4. Determine project eligibility of applications and make betterment review decisions.

5. Provide application & plan set completeness reviews

CACHE TECHNICAL ADVISORY COMMITTEE (CTAC)

The CTAC is made up of a representative of each voting COG jurisdiction. Generally, those that participate are city/county professional staff (City Managers, Department Directors, Engineers or Planners). Each jurisdiction is afforded a single vote. Jurisdictions that do not have paid staff can send another representative (e.g. Councilperson assigned to roads). The jurisdiction's representative on the CTAC cannot also be the voting member on the COG board.

SECTION 2- PROJECT ELIGIBILITY

GENERAL PROJECT ELIGIBILITY (ALL PROJECTS)

According to state code, COG funds can be used for a "project or service" related to a "regionally significant transportation facility".

A regionally significant transportation facility is defined by state code as;

- principal arterial highway;
- minor arterial highway;
- major collector highway;
- minor collector road; or
- Logan-Cache Airport (qualifies due to its inclusion in FAA's National Plan of Integrated Airport Systems).

UDOT maintains the "official" database of functional classification for highways and roads (see UDOT website for their functional classification map). UDOT also oversees the process for changes or additions to this classification scheme.

New roads (or new road segments) or existing local roads can be eligible (even if they are not shown in the UDOT system) for COG funds if they are included in the local jurisdiction's transportation master plan **and** are shown as an arterial or collector road. The roadway design submitted as part of the COG application must also demonstrate that it will be constructed consistent with a collector or arterial roadway configuration.

These roads must be shown on the master plan with "logical termini" to other similar classified roads.

ADDITIONAL URBAN AREA PROJECT ELIGIBILITY REQUIREMENTS

REGIONAL TRANSPORTATION PLAN INCLUSION

According to state code, projects located in the planning area of the Cache Metropolitan Planning Organization (CMPO) have the added requirement that the project is for **new roadway capacity or congestion mitigation**.

In addition to the requirements found in state code, the COG has opted to require that any project located in the CMPO planning area (see figure 1) must also be included in phase 1, 2 or 3 of the CMPO's most current adopted Regional Transportation Plan (fiscally constrained project list).

SPOT IMPROVEMENT RTP EXCEPTION (URBAN AREA ONLY)

The CMPO's Regional Transportation Plan (RTP) does not typically identify smaller operational or safety road projects. Generally, the RTP only identifies larger road widening or major capacity improvements (in the 20-year planning horizon). The COG has indicated a commitment to invest primarily in projects that implement the adopted RTP (in the CMPO planning area). Nonetheless, the COG recognizes that limited investments in smaller projects (not included in the RTP) could have value and should be considered.

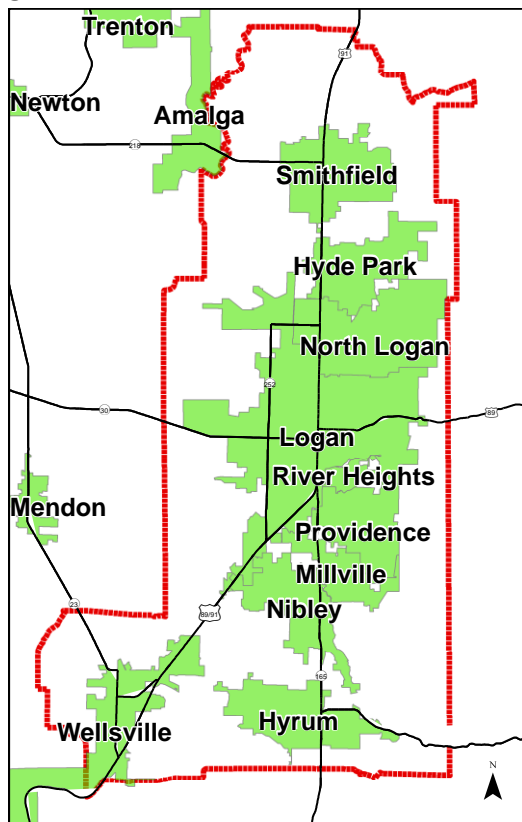
Therefore, the COG has developed a "spot improvement" policy that allows smaller projects not included in the RTP to still be considered for COG funds if they meet the following criteria:

1. Projects are capped at \$200,000 COG sales tax funds.
2. Projects are limited to Intersection or operational roadway improvement and/or a project that is primarily intended to correct a roadway safety issue.
3. A larger project cannot be artificially separated in multiple spot improvement projects.

NON-URBAN (RURAL) AREA PROJECT ELIGIBILITY

Since the rural portions of Cache County are not part of the CMPO's planning area (see figure 1), elected officials from those communities do not directly participate on the CMPO Executive Council (who approves the RTP). Therefore, projects from rural areas are not required to be part of the CMPO's RTP. Any project that meets the general project eligibility requirements of state code can be considered for COG funding. The spot improvement policy does not apply to the rural portions of the county.

Figure 1: Census Urban Areas of Cache County



MULTI-JURISDICTIONAL PROJECTS

Projects that span multiple jurisdictions must select a lead sponsor for the application. Multi-Jurisdictional projects must have a letter from all non-sponsoring jurisdictions indicating support and acknowledgement of project delivery cooperation.

ELIGIBLE PROJECT ACTIVITIES

The COG has established the following policy for eligible project activities using COG funds.

ELIGIBLE COG ROADWAY COSTS

The following elements of roadway construction are eligible for COG fund reimbursement:

1. All roadway construction activities that are associated with constructing the roadway pavement section (including bike lanes).
2. Any required utility system relocations (does not include utility upgrades or improvements).
3. Utility stubs to reduce future road cuts.
4. Sidewalks or shared use paths (within same project limits and contribute to transportation function).
5. Road right-of-way purchase (limited to width needed for road pavement and sidewalks or pathways).
6. Drainage system improvements (required because of the project but does not include curb and gutter).
7. Residential or business relocation costs required by roadway improvement (requires approval of the COG Executive Committee on a case-by-case basis at time of application).
8. Roadway safety elements (e.g. guardrail, signals, cross-walks, signage and pavement marking etc.).
9. Site environmental cleanup or remediation costs will be considered on a case-by-case basis by the COG Executive Committed for eligibility.
10. Native revegetation needed for soil stabilization.
11. Standard roadway traffic safety lighting (basic "cobra" head lights and wooden poles).

INELIGIBLE COG ROADWAY COSTS

The following elements of roadway construction are NOT eligible (some items may be used for local match) for COG fund reimbursement (these elements can be done as part of a COG funded project but will need to

be handled as separate bid items and paid with non-COG funds):

1. Curb, gutter or decorative landscaping
2. Right of way cost beyond that needed to accommodate the actual road cross-section (the local jurisdiction must pay the cost difference of remnant property or full property “takes”).
3. Engineering Costs or COG application development costs.
4. Utility system upgrades including cost to increase capacity, bury overhead utilities, or line extensions.
5. Non-traffic safety roadway lighting

ROAD CONSTRUCTION STANDARDS

Sponsoring jurisdictions should use their own roadway standards when completing engineering design. The following are the only exceptions or other considerations:

- A location specific roadway pavement design is required for construction of new roads or projects that include full depth road replacement.
- Any project that includes a bridge or other roadway structure that costs more than \$1 Million are required to obtain a plan review by the UDOT structures division.

LOCAL MATCH REQUIREMENTS

All COG funded project are required to provide a minimum 7% local match. However, projects are encouraged to provide a higher match percentage. COG members will consider this higher match percentage for project scoring. The percentage of match identified in a project’s application must be documented with any COG funding disbursement request (see section 4). If the COG approves a lesser amount of COG funds then requested (or if less of the COG funds are used then identified in the application), the jurisdiction is only expected to match at the same percentage as identified in the application (this holds true even if the application identifies an actual match dollar amount as opposed to percentage).

COST ITEMS INCLUDED FOR 7% LOCAL MATCH MINIMUM

The following items can be used to document the required 7% local match minimum:

1. Cash contributions to the project (only from local Municipal or County Sources).
2. Project specific engineering & environmental study costs.
3. Appraised value of project right-of-way acquired by the local jurisdiction (must not have been acquired with federal, state or COG funds) in the last 10 years (does not include right-of-way acquired through development dedication and property acquisition must be completed prior to COG application due date).
4. Replacement of existing curb & gutter

PHASED PROJECTS

Often larger road projects must be completed in phases (e.g. right-of-way purchase, staged construction and segmentation). While staged construction phases will be allowed, each phase should have substantial independent utility. Entire project must be described, and eligibility will be determined by overall project.

SECTION 3 - PROJECT PRIORITIZATION

This section describes how the COG will prioritize road projects and develop its annual funding recommendation to the Cache County Council. According to state code, the COG can make one funding recommendation per calendar year to the Cache County Council.

AIRPORT PROJECTS

Any requests for project improvements at the Cache-Logan Airport will be dealt with by the COG on a case-by-case basis and will not use the road project prioritization. An airport project must result in a regionally significant benefit to the public.

PRE-APPLICATION ELIGIBILITY SCREENING

With the assistance of COG staff, the COG Executive Committee will conduct project eligibility reviews and provide project application eligibility determinations. Applicants should request this review early in the application development process to avoid any unnecessary expenditure of time or resources toward an ineligible project. Applicants may appeal eligibility determinations to the full COG.

STEP 1--CALL FOR APPLICATIONS

The COG Executive Committee will determine the timing and schedule for each project application cycle. The COG will make available a funding application that clearly specifies the information needed to be considered for funding and project prioritization. The COG maintains a strict policy that late or incomplete applications will not be accepted.

ELIGIBLE APPLICANTS

Only Cache County Corporation, incorporated cities and towns or the Logan-Cache Airport are eligible applicants for COG funds.

DETERMINING AVAILABLE FUNDS

This COG Executive Committee will authorize the amount of total COG funds that will be made available to applicants each funding cycle (based on review of the latest fund balance). Generally, the amount of funds made available for any given year will be the amount of any residual funds and the estimated dedicated sales tax revenue for the year (until the next funding cycle). The COG Executive Committee will determine the acceptability of the estimation assumptions for future fund revenue. This information will be provided to potential applicants along with the notice requesting applications. Funding made eligible at the time of opening a COG cycle will not be adjusted.

RURAL AREA "SET-ASIDE"

Given that the needs in rural portions of Cache County are often distinctly different than in the more urbanized areas, the COG has established a rural area

"set-aside". These funds will only be available to the rural jurisdictions of the county (see figure 1).

The annual amount of the rural "set-aside" will be based on the latest Class B & C road mileage report available from UDOT (this is the formula used to distribute state gas tax revenue). The total weighted road mileage will be tallied, and the urban/rural split will be calculated. As of June 2016, this weighted mileage split is 87% urban, 13% rural.

Unincorporated Cache County mileage is included in the urban split because Cache County participates as a voting member of the CMPO Executive Council and would still be able to submit a COG application for the Urban portion of COG funds for a project located anywhere in the county.

The U.S. Census Bureau designates the "urbanized" area boundary. The boundary of this designation is revisited after each decennial census. The COG's urban/rural designation will adjust to these new boundaries as necessary

APPLICATION SCHEDULE AND DEADLINES

The annual project prioritization schedule and deadlines will be approved by the COG Executive Committee.

STEP 2--APPLICATION

Application project managers (or designee) must attend a mandatory "How to Apply" meeting held at the beginning of each application cycle.

At a minimum, the following information/items are needed to constitute a complete application:

1. Fully completed COG Road Project Application.
2. 90% level engineering/design (if project does not require engineering, then include bid documentation).
3. 30% level engineering/design for projects that are for purchase of Right-of-way only.
4. Detailed cost estimates (or bid documentation). Cost estimates must clearly breakout non-COG participating betterment items.
5. Engineering plans are required to submit a signed statement by a engineer licensed in the state of Utah that verify the plans and

specifications meet professional standard of practice for 90% (or 30% for projects requesting funding only for right-of-way purchase) complete engineering.

An electronic application and electronic PDF files are required for the application and cost estimates. Engineering/design material may be submitted as electronic PDF files only. All information must be submitted to the Development Services Office by the deadline.

STEP 3--PROJECT PRIORITIZATION

As required by Utah state code, the COG will administer a written weighted project prioritization process that will result in the approval of a prioritized COG funding recommendation to the Cache County Council.

APPLICATION INFORMATION AVAILABILITY

As soon as possible after the application deadline, staff will make publicly available (on the internet) all submitted COG application information (except for the detailed engineering documents). An email will be sent to COG members notifying them of the availability of application information.

SITE VISITS/PROJECT PRESENTATIONS MEETING

At the discretion of the COG, project applicants may be requested to accommodate a project site visit or make a short project presentation. These meetings will be scheduled in advance and made know to applicants and will be open to the public.

PROJECT SCORING SYSTEM

COG road project scoring is divided into two stages. The first stage consists of the Cache Technical Advisory Committee (CTAC) scoring.

CACHE TECHNICAL ADVISORY COMMITTEE (CTAC) PROJECT SCORING.

Figure 2 shows the CTAC scoring system. With assistance from COG staff, the CTAC committee will apply this scoring criteria to projects and develop a scoring recommendation for the following categories: 1) congestion mitigation, 2) advanced corridor preservation and, 3) safety.

CONGESTION MITIGATION

- If available for a project, the level of existing or future congestion (level of service) will be determined using the latest CMPO model. Each project that is applying for congestion mitigation will be modeled through this process.
- Projects requesting Congestion Mitigation funds should also provide improvements that improve capacity, traffic flow, etc.
- Projects can apply for intersection improvements and intersection LOS will be modeled.
- For new roadways, where current LOS does not exist, analysis will be based on the best comparable roadway in terms of expected traffic capacity, alignment with other traffic facilities, and expected benefits. For example: The expansion of 100 East north of 800 North in Logan would model based on 200 East, not Main Street. Connection of an east/west connector would look at other existing east/west corridors in a similar condition, but likely not 400 North in Logan.

ADVANCED CORRIDOR PRESERVATION

- Only projects listed within Phase 2 & 3 of the most recent adopted CMPO RTP plan are eligible
- As these projects are at least 10 years out and no construction is yet contemplated, no points may be awarded for Congestion mitigation or Safety.
- A 30% design is required to ensure that ROW acquisition is in line with the full extent of the future projected roadway.

SAFETY

- This category reviews current and historical (past 5 years) accident and safety data for roadways. Calculation for the financial impact of accidents is based on the severity of the accident and UDOT cost estimation.
- The cost associated with accidents is compared to the cost of the proposed improvements to generate a cost/benefit analysis.
- Safety improvement funds must be used to make improvements that solve the majority or most typical accident types. No safety points will be awarded for projects that do not functionally address safety issues.

The scoring worksheet uses a three-number scoring system that will be multiplied by the category weight to calculate a final weighted project score. Each category can be scored with a 0, 1, 2 or 3 as follows:

- Project score 0=project is anticipated to have negative impacts or is not compliant (or not applicable in the case of corridor preservation).
- Project score 1= project is anticipated to perform less than adequate for any given category
- Project score 2= project is anticipated to perform adequately for any given category.
- Project score 3=project is anticipated to perform exceptional for any given category.

The results of the CTAC scoring will be made available to COG members before they are requested to complete their project ranking. The CTAC Chair will present the scoring results and provide a project briefing at the project presentation meeting of the full COG.

COG MEMBER PROJECT RANKING

Each voting COG member will use the criteria described in this section to rank projects (ranked 1 to N, where “N” is the total number of projects and 1 represents the highest priority). COG staff will use the COG Members scoring key shown in Figure 3 to convert the COG member’s project ranking to a weighted score.

When ranking a project COG member should make their own best judgments about a project’s benefit by applying local knowledge and experience.

URBAN/RURAL PROJECT RANKINGS

All COG members will rank every project regardless if the project is in an urban or rural area (see Figure 1). As part of the recommendation approval process, the urban/rural set aside split will be applied.

CATEGORIES AND INFORMATION COG MEMBERS SHOULD CONSIDER WHEN RANKING PROJECTS

Below is a summary of the categories and factors that should be considered by individual COG members when assigning project ranks:

COST EFFECTIVENESS

As part of assigning project ranking, COG members should consider:

- Overall cost of a project relative to anticipated benefits.
- What is the local match contribution to the project?
- Does the project include donated right-of-way?

- All cost/contribution items listed above for 7% local match minimum.
- In-kind contributions.
- Utility system upgrades.
- Cost of city betterments (curb & gutters, landscaping etc.).

ECONOMIC IMPACT

As part of assigning project ranking, COG members should consider:

- Will the project support the expansion of commercial development in close proximity?
- Will the project include improvements to better support the movement of freight?
- Is the project located in an area with a high concentration of employment?
- Does the project support industrial and manufacturing development that bring wealth into Cache Valley (non-retail)?

FEDERAL LAW COMPLIANCE

As part of assigning project ranking, COG members should consider:

- Does the project include significant environmental impacts?
Does the project negatively impact low income, disabled or minority populations?

MAINTENANCE/OPERATION COSTS

As part of assigning project ranking, COG members should consider:

- Does the project include any elements to reduce the cost of future operation and maintenance costs?
- Does the project include a follow up seal coat treatment?
- Will the project require long term city/county maintenance for adjacent remnant right-of-way?

Figure 2-CTAC Project Scoring

Score	Scoring Criteria (Base Score)	Application of Solutions (modifier scores)	Modifier*	Weight	Total Possible
Congestion Relief**	3 Existing or future (2040) roadway V/C > .75 (LOS D or worst)	Project improves capacity (Add. lanes, new road)	Rating +1	5	15
	2 Existing or future(2040) roadway V/C > .58 (LOS C)	Project improves capacity (Center turn, realignment, Intersection)	Maintain Rating		
	1 Existing or future (2040) roadway V/C <= .57 (LOS A & B)	No Capacity (Maintenance, shouldering, etc.)	Rating -1		
	3 Existing Intersection LOS D to F	Intersection Improves LOS by 2 or more	Rating +1		
	2 Existing Intersection LOS C	Intersection Improves LOS by 1	Maintain Rating		
1 Existing Intersection LOS B					
0 Existing Intersection LOS A					
Advanced Corridor Preservation	3 Project includes ROW acquisition for full road alignment	Project construction > 10 years out	Maintain Rating	3	9
	2	Project construction <= 10 years out	Rating -3		
	1				
	0				
Safety***	3 Safety analysis cost/benefit ratio 1 or greater			5	15
	2 Safety analysis cost/benefit ratio .6 or greater				
	1 Safety analysis cost/benefit ratio .25 or greater				
	0 No analysis or cost/benefit ratio less than .25				

Base score plus modifier score cannot exceed the maximum score nor can scoring result in a overall negative score
 ** Project that include roadway improvements and intersection improvements cannot exceed maximum score of three.
 *** Cost benefit analysis must use UDOT methodology and include a clearly identifiable safety counter-measure included by UDOT or otherwise

Figure 3—Overall Final COG Score Sheet

Scored By	Congestion Relief (Data Scored)				Advanced Corridor Preservation				Safety (Data Scored)				CTAC Scoring Totals				COG Member Project Ranking		COG Member Score	
Category Weight	5	3	5		NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	
Total Possible Points	15	9	15	39	NA	60	99													
Project A																				
Project B																				
Project C																				
Project D																				
Project E																				
Project F																				
Project G																				

Key to COG Member Scores	
Rank	Points
1	60
2	55
3	50
4	45
5	40
6	35
7	30
8	25
9	20
10+	15

STEP 4--APPROVING THE FUNDING RECOMMENDATION

TALLYING OF COG MEMBER/CTAC SCORING

Staff will tally the completed scoresheets (see figure 2) for each voting COG member. Each COG member's resulting score from their ranking for each project will be averaged and then added to the CTAC score to calculate a final overall project score. However, each COG member's lowest ranking project (and resulting points) will not be used to calculate a final average score (each COG member lowest ranked project score will be "thrown out" for purposes of calculating the COG member ranking average project score). As stated, this will be added to the CTAC assigned points to calculate an overall project score.

APPROVING THE PRIORITIZED PROJECT RECOMMENDATION LIST

In a public meeting, the COG will consider approving a project funding recommendation to the Cache County Council.

Prior to this public meeting, COG staff will provide a draft funding recommendation list. This draft list will be developed by applying the urban split funds to the top overall ranked urban projects until funding runs out.

Likewise, COG staff will apply the rural split (set-aside funds) to the top overall ranked rural projects until funding runs out.

If the COG intends to approve a recommendation that would result in prioritizing a project over another project (with a higher rank, unless it is because of applying the rural set-aside policy) the COG must clearly identify the reasons and make them available to the public (state code requirement).

Both the urban and rural project prioritization funding lists will require approval by the entire COG. One combined funding recommendation list will be approved.

SECTION 4--PROJECT ADMINISTRATION (POST AWARD FOR FUNDED PROJECTS)

NOTICE OF AWARD

After the Cache County Council has approved a project as part of the COG funding recommendation, award letters will be sent which identify the amount of COG funds approved and the required local match (consistent with the project's application). The letter will also identify a project number that will be required for all future communication and disbursement requests.

PROJECT CONSTRUCTION OVERSIGHT AND ADMINISTRATION

The local sponsoring jurisdiction is responsible for all aspects of COG project construction oversight and administration. This includes project bidding, consultant contracting, property acquisition and construction engineering/inspection and contractor payment.

COG PROJECT CONTRACT

Any jurisdiction receiving COG funds will be required to enter into a funding cooperative agreement (see Appendix 3).

DISBURSEMENT OF COG FUNDS

COG funds will be disbursed only after expenses have been incurred. The preferred payment method is for a jurisdiction to cash flow all project payments and submit one final project disbursement request. However, if a jurisdiction is not able to cash flow these contractor payments, partial disbursement requests can be accommodated.

Disbursement request should be submitted to Cache County Development Services. All disbursement requests must use the form found in Appendix 4.

Any COG funds that remain after a project is completed will be reallocated to be made available to the next round of COG project applications.

PROJECT INSPECTIONS/BETTERMENT REVIEW

The County will conduct periodic project inspections/site visits. These inspections are to verify a projects consistency with the applicants COG application and to have some level of quality control for the COG's investment.

Each year the COG will include in its recommendation to the Cache County Council a minimum of 1.5% of the available COG funds to be held by Cache County and used for plan set/betterment review and disbursement request project inspections.

TIMELINE FOR USE OF COG FUNDS

Projects must be initiated with some project fund expenditures within 2 years of the final approval from the Cache County Council. All COG funds must be disbursed within 6 years of the final approval from the Cache County Council. Exceptions to this timeline will require a written request for time extension from the sponsoring jurisdiction and will be considered on a case-by-case basis by the COG Executive Committee.

PROPERTY ACQUISITION

All right-of-way purchases must follow the property acquisition procedures found in the Utah Relocation Assistance Act (57-12-12).

ACCESS MANAGEMENT PLAN

Any roadway capacity increasing project funded more than \$200,000 is required to submit an access management plan for the roadway (before a COG funded project can be bid). As an alternative, the city can submit a jurisdiction wide access management ordinance (if one exists).

INTERPRETATION OF COG FUND POLICIES

Project grantees are encouraged to contact COG staff with any questions of cost item eligibility or other concerns as early as possible. Staff will utilize the COG Executive Committee when further clarification is needed on interpretation of how COG policies and procedures are applied.

APPENDIX 1-STATE ENABLING CODE 59-12-2217

Effective 7/1/2019

**59-12-2217 County option sales and use tax for transportation -- Base -- Rate --
Written prioritization process -- Approval by county legislative body.**

(1) Subject to the other provisions of this part, and subject to Subsection (8), a county legislative body may impose a sales and use tax of up to .25% on the transactions described in Subsection 59-12-103(1) within the county, including the cities and towns within the county.

(2)

(a) Except as provided in Subsection (2)(b), and subject to Subsections (3) through (6) and Section 59-12-2207, the revenue collected from a sales and use tax under this section may only be expended as described in Section 59-12-2212.2.

(b) Subject to Subsections (3) through (6), in a county of the first or second class, or if a county is part of an area metropolitan planning organization, that portion of the county within the metropolitan planning organization, the revenue collected from a sales and use tax under this section may only be expended as described in Section 59-12-2212.2, and only if the expenditure is for:

(i) a project or service:

(A) relating to a regionally significant transportation facility for the portion of the project or service that is performed within the county;

(B) for new capacity or congestion mitigation, and not for operation or maintenance, if the project or service is performed within the county; and

(C) on a priority list created by the county's council of governments in accordance with Subsection (5) and approved by the county legislative body in accordance with Subsection (5);

(ii) corridor preservation for a project or service described in Subsection (2)(b)(i)(A) or (B); or

(iii) debt service or bond issuance costs related to a project or service described in Subsection (2)(b)(i)(A) or (B).

(c) The restriction in Subsection (2)(b)(i)(B) from using revenue for operation or maintenance does not apply to any revenue subject to rights or obligations under a contract entered into before January 1, 2019, between a county and a public transit district.

(3) For revenue expended under this section for a project or service described in Subsection (2) that is on or part of a regionally significant transportation facility and that constructs or adds a new through lane or interchange, or provides new fixed guideway public transit service, the project shall be part of:

(a) the statewide long-range plan; or

(b) a regional transportation plan of the area metropolitan planning organization if a metropolitan planning organization area exists for the area.

(4)

(a) As provided in this Subsection (4), a council of governments shall:

- (i) develop a written prioritization process for the prioritization of projects to be funded by revenues collected from a sales and use tax under this section;
 - (ii) create a priority list of transportation projects or services described in Section 59-12-2212.2 in accordance with Subsection (5); and
 - (iii) present the priority list to the county legislative body for approval in accordance with Subsection (5).
- (b) The written prioritization process described in Subsection (4)(a)(i) shall include:
- (i) a definition of the type of projects to which the written prioritization process applies;
 - (ii) subject to Subsection (4)(c), the specification of a weighted criteria system that the council of governments will use to rank proposed projects and how that weighted criteria system will be used to determine which proposed projects will be prioritized;
 - (iii) the specification of data that is necessary to apply the weighted criteria system;
 - (iv) application procedures for a project to be considered for prioritization by the council of governments; and
 - (v) any other provision the council of governments considers appropriate.
- (c) The weighted criteria system described in Subsection (4)(b)(ii) shall include the following:
- (i) the cost effectiveness of a project;
 - (ii) the degree to which a project will mitigate regional congestion;
 - (iii) the compliance requirements of applicable federal laws or regulations;
 - (iv) the economic impact of a project;
 - (v) the degree to which a project will require tax revenues to fund maintenance and operation expenses; and
 - (vi) any other provision the council of governments considers appropriate.
- (d) A council of governments of a county of the first or second class shall submit the written prioritization process described in Subsection (4)(a)(i) to the Executive Appropriations Committee for approval prior to taking final action on:
- (i) the written prioritization process; or
 - (ii) any proposed amendment to the written prioritization process.
- (5)
- (a) A council of governments shall use the weighted criteria system adopted in the written prioritization process developed in accordance with Subsection (4) to create a priority list of transportation projects or services for which revenues collected from a sales and use tax under this section may be expended.
- (b) Before a council of governments may finalize a priority list or the funding level of a project, the council of governments shall conduct a public meeting on:
- (i) the written prioritization process; and
 - (ii) the merits of the projects that are prioritized as part of the written prioritization process.
- (c) A council of governments shall make the weighted criteria system ranking for each project prioritized as part of the written prioritization process publicly available before the public meeting required by Subsection (5)(b) is held.

- (d) If a council of governments prioritizes a project over another project with a higher rank under the weighted criteria system, the council of governments shall:
- (i) identify the reasons for prioritizing the project over another project with a higher rank under the weighted criteria system at the public meeting required by Subsection (5)(b); and
 - (ii) make the reasons described in Subsection (5)(d)(i) publicly available.
- (e) Subject to Subsections (5)(f) and (g), after a council of governments finalizes a priority list in accordance with this Subsection (5), the council of governments shall:
- (i) submit the priority list to the county legislative body for approval; and
 - (ii) obtain approval of the priority list from a majority of the members of the county legislative body.
- (f) A council of governments may only submit one priority list per calendar year to the county legislative body.
- (g) A county legislative body may only consider and approve one priority list submitted under Subsection (5)(e) per calendar year.
- (6) In a county of the first class, revenues collected from a sales and use tax under this section that a county allocates for a purpose described in Subsection 59-12-2212.2(5) shall be:
- (a) deposited in or transferred to the County of the First Class Highway Projects Fund created by Section 72-2-121; and
 - (b) expended as provided in Section 72-2-121.
- (7) Notwithstanding Section 59-12-2208, a county legislative body may, but is not required to, submit an opinion question to the county's registered voters in accordance with Section 59-12-2208 to impose a sales and use tax under this section.
- (8)
- (a)
 - (i) Notwithstanding any other provision in this section, if the entire boundary of a county is annexed into a large public transit district, if the county legislative body wishes to impose a sales and use tax under this section, the county legislative body shall pass the ordinance to impose a sales and use tax under this section on or before June 30, 2022.
 - (ii) If the entire boundary of a county is annexed into a large public transit district, the county legislative body may not pass an ordinance to impose a sales and use tax under this section on or after July 1, 2022.
 - (b) Notwithstanding the deadline described in Subsection (8)(a), any sales and use tax imposed under this section on or before June 30, 2022, may remain in effect.

Amended by Chapter 479, 2019 General Session

APPENDIX 2-COG BYLAWS

CACHE COUNTY COUNCIL OF GOVERNMENTS

BY-LAWS

Amended 3-10-14

1. ORGANIZATION
 - a. These by-laws are established for the Cache County Council of Governments.
 - b. In accordance with Utah Code 72-2-117.5 (1) (a), the Cache County Council of Governments shall be a decision-making body composed of the County Executive and the Mayors of each municipality in the county.
 - c. The authorized acronym for the Cache County Council of Governments shall be CCCOG.
2. PURPOSE
 - a. In accordance with Utah Code Annotated, Section 59-12-2217 (5)(a), the CCCOG shall create a priority list of regionally significant transportation facility projects described in Subsection (4)(a) using the process described in Subsection (5)(b) and present the priority list to the Cache County Council for approval as described in Subsection (6). Subject to Sections 59-12-2217, the CCCOG shall establish a council of governments' endorsement process which includes prioritization and application procedures for use of the revenues Cache County receives under the County Option Sales and Use Tax Transportation Act.
 - b. The CCCOG shall submit the priority list described in II.A. above to the Cache County Council and obtain approval of the list from a majority of the members of the Cache County Council.
 - c. The CCCOG may only submit one priority list per calendar year.
3. MEETINGS
 - a. The CCCOG shall meet as needed, providing that reasonable notice is given to all members of the time and place of each meeting.
 - b. The CCCOG shall comply with the provision of Utah Code Annotated, Section 52-4-201 for open and public meetings. All meetings of the CCCOG shall be open to the public unless closed pursuant to Utah Code.
 - c. Public notice shall be given of all meetings as required by Section 52 Chapter 4 Part 2, and minutes and recordings kept of all meetings as required by Section 52-4-203.
 - d. Electronic meetings are allowed pursuant to Sections 52-4-210 of the Utah Code Annotated for the CCCOG meetings provided they meet the following procedures:
 1. The meeting is properly noticed as per the CCCOG By-laws and Utah Code.
 2. A written notice is posted and the anchor location of the meeting identified (agenda with Electronic Meeting notation).
 3. Notice of the electronic meeting is given to the members at least 24 hours prior to the meeting.
 4. Non-present members are to be connected via electronic means (i.e. telephonic or telecommunications conference)
 5. Space must be provided at the anchor location for members of the public.

6. If comments from the public will be accepted during the electronic meeting, space and facilities at the anchor location must be provided so the public can attend, monitor and participate in the open portions of the meeting.

7. If voting is required, the Chair shall require a roll call vote so that the non-present members' vote may be counted.

4. QUORUM AND VOTING

- a. A quorum shall be required for the transaction of all business of the CCCOG.
- b. A quorum shall consist of a majority (11) of all CCCOG members.
- c. A simple majority vote of the voting members present, provided those present constitute a quorum, is necessary to carry any question.
- d. Each member of the CCCOG shall have one vote.

5. OFFICERS

- a. The CCCOG shall elect by majority vote a Chair and Vice-Chair, to serve for one-year terms with no term limitations, at the first meeting held each year.
- b. The Chair shall be the chief executive officer for CCCOG and shall sign all documents on behalf of CCCOG. The Chair shall also set the agenda for meetings; preside at all meetings; assign responsibilities to members; and such other duties as may be prescribed by the CCCOG.
- c. The Vice-Chair shall assume the Chair's duties and powers in the absence of the Chair.
- d. The CCCOG may appoint a Secretary who shall provide public notice and keep minutes of all meetings and such other duties as may be assigned by the CCCOG.
- e. The CCCOG may from time to time appoint committees, standing or temporary, as may be necessary to carry out the purpose, activities and responsibilities of the CCCOG.
- f. The CCCOG shall use a modified Roberts Rules of Order in conducting meetings, public hearings, etc.

6. EXECUTIVE COMMITTEE

- a. The COG Executive Committee is composed of the COG Chair, Vice Chair and Cache County Executive. This committee will provide general oversight to the annual prioritization process. Specifically, this committee (with staff support) will:
 - i. Establish the project application schedule and deadlines.
 - ii. Determine the amount of funding to make available to applicants for each funding cycle.
 - iii. Assist staff in the interpretation of COG policies and procedures (as questions arise).

7. ADOPTION AND AMENDMENT

- a. These by-laws shall be adopted by a two-thirds (14) vote of the members of CCCOG.
- b. These by-laws may be amended or altered or repealed and new by laws may be adopted by a two-thirds vote of the CCCOG members represented at any regular meeting provided written notice has been given two weeks in advance of intention to alter, amend or repeal or adopt a new set of by-laws.

July 2016

APPENDIX 3-COUNTY COOPERATIVE AGREEMENT

LOCAL TRANSPORTATION FUNDING AGREEMENT BY AND BETWEEN CACHE COUNTY AND «Sponsor»

This Agreement is made effective this _____ day of _____ 2018, by and between Cache County and «Sponsor» (collectively the "Parties" or individually the "Party") witnesses that:

WHEREAS, Utah Code Section 59-12-2217, the County Option Sales and Use Tax for Transportation provides the opportunity for a Council of Governments and the local legislative body to prioritize and approve funding for transportation projects; and

WHEREAS, the Cache County Council of Governments (COG) is the council of governments with the authority to work with Cache County, the local legislative body, to prioritize and approve funding for such transportation projects; and

WHEREAS «Sponsor» is among the qualified projects prioritized for funding by COG and the Cache County Council; and

WHEREAS, «Sponsor» intends to complete the «Project_Name»; and

WHEREAS, «Sponsor» submitted a timely and complete application/request to the Cache County Council of Governments (COG), and accordingly such request was approved by the Cache County Council on October 9, 2018; and

WHEREAS, Cache County has committed to assist with the estimated total project cost (COG eligible items) of \$«Total_Project_Cost» an amount of \$«COG_Funded» . Based on the match amount stated in «Sponsor»'s 2018 COG application for this project, COG funds cannot exceed «F11» of the total cost of COG eligible items;
and

WHEREAS, Cache County and «Sponsor» propose to enter into this Funding Agreement to establish the terms and conditions Cache County and «Sponsor» will be bound to in regard to this agreement;

NOW THEREFORE, it is agreed by and between the parties hereto as follows:

SECTION ONE INTRODUCTION AND BACKGROUND

A. Project Description: «Project_Name»

SECTION TWO OBLIGATIONS

A. County Obligations.

Cache County agrees to contribute up to «COG_Funded» for the construction related costs from the County Option Sales and Use Tax for Transportation Fund as provided for in Utah Code Section 59-12-2217.

B. «Sponsor» Obligations.

- «Sponsor» shall ensure that all applicable State and Federal requirements are followed.
- «Sponsor» will be responsible for all aspects of COG project oversight, administration and construction. This includes project bidding, consultant contracting, property acquisition and construction engineering/inspection and contractor payment.
- «Sponsor» will spend COG funds only on eligible project elements/activities as defined in the approved Local Transportation Fund-Program Manual for the funding year the project was approved.
- «Sponsor» will accommodate periodic project inspections/site visits by Cache County or its representative.
- For projects that receive more than \$200,000 in COG funding, «Sponsor» will submit and access management plan (or jurisdiction wide access management ordinance) for the COG funded roadway.
- «Sponsor» will commence the project with some project fund expenditures within two years of the final approval of funding by the Cache County Council. The project must be completed, and all COG funds disbursed within 6 years. If the project is not able to be completed after an award is made, the city may request an extension. Otherwise all COG funds must be returned

C. Joint Obligations.

Cache County and «Sponsor» agree to jointly develop accounting and reporting procedures for the use and distribution of transportation funds. «Sponsor» must submit final costs with supporting documentation.

SECTION THREE MISCELLANEOUS

A. Indemnification.

«Sponsor» agrees to hold harmless, defend and indemnify Cache County, its officers, employees and agents from and against all claims, suits and costs, including attorney's fees for injury or damage of

any kind, arising out of negligence, wrongful acts, errors or omissions in the performance of this project.

B. Modification.

This Agreement may be modified only upon the written agreement of both parties.

C. Applicable Law.

This Agreement shall be administered and interpreted in accordance with the laws of the State of Utah. Jurisdiction and venue shall be in the First District Court, Cache County, Utah.

D. Term and Termination.

With the exception of the indemnification provision which shall continue until any applicable statute of limitations has run, this agreement shall terminate upon completion of the project referenced herein or within 6 years of the project’s approval by the Cache County Council whichever occurs first.

IN WITNESS THEREOF, the Parties hereto have caused these presents to be executed by their duly authorized officers as of the day, month, and year first above written.

CACHE COUNTY

By _____
CACHE COUNTY EXECUTIVE

ATTEST:

By _____
Title _____

«Sponsor»

By _____
MAYOR

ATTEST:

By _____
Title _____

APPENDIX 4-DISBURSEMENT REQUEST FORM

COG Disbursement Request Form

General Project Information

Date:	
Sponsoring Jurisdiction:	
COG Year Funded:	
COG Project Number:	
COG Awarded Amount:	
Total Project Cost:	
Local Match Percentage*:	

*must be consistent with your COG project application that was used for project prioritization

Disbursement Request Information

You may submit multiple disbursement requests if needed for cash flow purposes for the same project (please limit to as few as possible).

Disbursement Request Number:	
COG Funds Requested:	This Request: \$ Total to Date: \$
Local Match Amount (for COG eligible project costs):	This Request: \$ Total to Date: \$
Non-COG fund Eligible Betterments:	This Request: \$ Total to Date: \$
Notes:	

Required Disbursement Request Documentation

Please attach documentation (invoices, property closing documents, bills etc) that substantiates the amount of COG funds requested and local match that has been paid (or will be paid) by your jurisdiction to the project. Please clearly distinguish documentation that applies to betterment or upgrade items that are not eligible for COG fund reimbursement (or counted toward 7% minimum local match stated in your project’s COG application).

APPENDIX 5-CTAC SCORING TECHNICAL GUIDANCE

This section provides technical guidance related how the CTAC will apply the CTAC Scoring Criteria found in Figure 2.

CONGESTION MITIGATION CRITERIA

ACCEPTABLE DATA SOURCES

Applicants can use road congestion data from the most current version of the CMPO travel demand model or actual traffic counts. Any other source of congestion data must be approved by the CTAC.

Intersection level-of-service (LOS) information must be documented from a recent intersection engineering LOS or warrant study.

The CTAC committee will make the final determination of the acceptability of any data source (or method) to complete this scoring (CTAC's decision can be appeal to the COG Executive Committee).

SAFETY CRITERIA

ACCEPTABLE DATA SOURCES

All applicants must use the latest UDOT/CMPO safety analysis cost/benefit ratio calculation spreadsheet tool. COG staff will complete (or validate) the safety analysis cost/benefit calculations for all projects using the CMPO/UDOT spreadsheet tool. As part of the CTAC scoring approval process, the data and safety countermeasure assumptions used to complete the cost/benefit calculation will be presented by COG staff to the CTAC committee for review and approval.

The CTAC committee will make the final determination of the acceptability of any data source (or method) to complete this scoring (CTAC's decision can be appeal to the COG Executive Committee).

MEMORANDUM

13 August 2019

To: County Council

Subject: West 4800 North – Egley Design Exception: Second Request

A. Description

1. This is the second Design Exception request. The first request was denied by the County Council on May 14, 2019 (Attachment A). This current design exception request is not materially different from the initial request and adequate information to support either request as required by the Road Manual has not been provided.
2. This request has been made by Chris Daines, attorney for Mr. Lynn Egley, for a Design Exception on county road West 4800 North (Attachment B), in relation to the potential division of property and construction of an additional dwelling.
3. Mr. Daines specifically requests that the Council issue an exception for the widening of the portion of a county road that may be required under the County Code for a potential request of a subdivision of property and construction of one additional dwelling. As described by Mr. Daines, the segments of road that may be affected are W 4800 N that is between the point where the private road from two existing lots, 13-055-0026 and 13-055-0027 (and the proposed new lot) meets the private road from lot 13-055-0031, and the point approximately 850 feet east where W 4800 N meets N 2400 W. Staff has included a map to assist the Council in reviewing this description (Attachment C).

B. Design Exception Requirements

1. The Cache County Manual of Roadway Design and Construction Standards (Road Manual) section 1.8 Authority and Design Exceptions, specifies that:

“Full justification and documentation must be provided 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.”

Clarify this

 - a. This means that an applicant may request to build a roadway with alternative construction methodologies due to a different approach, or to account for specific conditions that are present in the environment. This requires a request to be supported by information documenting that an alternative design or construction standard can meet or exceed the minimum safety requirements; it is not an opportunity to waive all requirements.

C. Proponent Justification and Staff Response

1. **Justification 1:** “The road segment leading from the proposed home along east and north to the point where W 4800 N heads east meets the manual standard because, under the definition of ADT each home ‘is designated as impacting a roadway’ with 10 ADT. So with three homes ‘Up to 30’ does not exceed even the ‘Approximate ADT’ of 30.”

a. Staff Response to Justification 1:

- i.** The noted segment is a Private roadway. The Road Manual requires that private roadways serving three single family dwellings must meet the minimum standards for a Private roadway section. In this instance, the minimum structural requirements for a Private roadway section are a 20' wide gravel surface, 14" of subbase, 6" of road base, and a 33' wide right-of-way.
 - ii.** The width and depth of the structural fill and surface material of this segment are presently unknown and an analysis of that section of roadway must be completed to determine if the fill and surfacing meet the minimum standards of the Road Manual.
 - iii.** No justification or documentation has been provided that identifies why the roadway standards cannot be met.
 - iv.** Mr. Daines has identified four alternatives that broadly address his request. However, no actual review or documentation has been provided by Mr. Daines or his clients to support the request as they do not identify the existing status of the roadway, nor do they identify a design or construction method can meet the intent of the roadway standards specific to the provided justification. Mr. Daines also appears to have discounted each of his proposed alternatives due to a supposition of cost or agricultural impact.
- 2. Justification 2:** "The problem with the proposed development, design-wise, is where the road segments from the south and north join and would therefore serve four homes rather than three."

a. Staff Response to Justification 2:

- i.** With the addition of another dwelling, the noted segment would qualify as a Local roadway. The Road Manual requires that Local roadways serving from four and up to 150 single family dwellings must meet the minimum standards for a Local roadway section. In this instance, the minimum structural requirements for a Local roadway section are a 20' wide paved surface, a 2' wide shoulder with 1' paved and 1' gravel, 14" of subbase, 6" of road base, 2.5" of asphalt, and a 66' wide right-of-way.
 - ii.** As noted with the previous segment of roadway, the status of this roadway structure is also undetermined. An analysis of that section of roadway must be completed to determine if the fill and surfacing meet the minimum standards of the Road Manual.
 - iii.** As noted above, and as also applies in this case, no justification or documentation has been provided that identifies why the roadway standards cannot be met. Also, Mr. Daines appears to have identified four alternatives that broadly address his request; however, they do not appear to identify the existing status of the roadway, nor a design or construction method that can meet the intent of the roadway standards specific to the provided justification. Mr. Daines also seems to have discounted each of his proposed alternatives due to the anticipated but unsubstantiated cost or agricultural impact.
- 3. Justification 3:** "A literal reading of Section 1.8 could lead the Council to a conclusion that compliance must be impossible before an exception will be considered. Such an interpretation is untenable. The standards can always be met, but perhaps at an unreasonable expense, A 'reasonability' qualifier should be read into the manual, absent which no-one

would ever qualify for an exception. The roadway standard, in this case, cannot reasonably be met.”

a. Staff Response to Justification 3:

- i. This does not appear to be a specific request for a design exception, but appears to be a challenge to the language in the code manual, and a request to amend that language.
 - ii. As noted above, and as also applies in this case, no justification or documentation has been provided that identifies why the roadway standards cannot be met. Also, Mr. Daines appears to have identified one alternative that speculates on, but does not substantiate his claims regarding the requirements of Section 1.8 of the Road Manual.
4. **Justification 4:** “More importantly, because the private road is truly rural, lowering the actual ADT from the assumed 10 per home, the Council could allow in this case that the ‘approximate’ ADT really is ‘Up to 30.’”

a. Staff Response to Justification 4:

- i. As identified in the Road Manual, the applicable road segments would qualify as Private and Local. It appears that Mr. Daines may be using a broader meaning of the term rural rather than the specifically defined Rural roadway typical section.
- ii. As identified in the Road Manual, the definition of “Average Daily Traffic” includes that, “A single family home is designated as impacting a roadway with ten (10) average trips per day.” Therefore, four dwellings on a roadway would reflect 40 ADT and the minimum of a Local roadway section applies.
- iii. As noted above, and as applies in this case, no justification or documentation has been provided that identifies why the roadway standards cannot be met, and a design or construction method that can meet the intent of the roadway standards has not been identified.

Staff Recommendation and Conclusions

Staff recommends that the Council deny this request for a Design Exception based on the following conclusions:

1. No actual review or documentation has been provided by Mr. Daines or his clients to support this request. Full justification and documentation must be provided explaining the reasoning as to why the roadway standards cannot be met, and why an alternative design or construction method can meet the intent of the roadway standards.
2. Mr. Daines has identified four alternatives that broadly address his request. However, they do not identify the existing status of the roadway, nor do they identify a design or construction method can meet the intent of the roadway standards specific to the provided justification. Mr. Daines also appears to have discounted each of his proposed alternatives due to cost or agricultural impact.

- **Resolution No. 2019-15 – Authorizing Conveyance of Real Property-Chamber of Commerce Building Parcel Number 06-018-0038** – Executive Buttars observed there will have to be a Public Hearing on this issue. The debt the Chamber had on the building will not come out of the County’s portion of the sale. The buyer has agreed that the Daughters of Utah Pioneers Museum can stay in the building.
- **Resolution No. 2019-16 – Authorizing Conveyance of Real Property – Scare Canyon Parcel Number 16-110-0000** – The County received two bids with one being far and above the other.
- **Approval of Updated Interlocal Agreement between Logan City and Cache County to Jointly Own, Manage and Operate Cache County Emergency Medical Services (CCEMS)** – Executive Buttars said this is the first update since CCEMS was established and has been approved by the CCEMS Board. Buttars asked the Council to become familiar with it as it will be on the agenda for action at the next meeting and goes into effect the first of July. He will invite Jim Gass to attend that meeting to provide explanations of the changes.
- **Approval of Annexation of County Property into Hyrum City** – Director Runhaar stated this is for review and approval so he can begin the process for annexation to Hyrum City. The property will be used for the new road shop facility. The Council is supportive of the action.

- **Development Services Staff Report on Design Exception Request** – Director Runhaar explained this party wants to add a 4th home to a private road. The county allows three homes on a private road. There are alternatives for access to the proposed new home and the current private road does not meet county standards. Staff recommends denial.

(Attachment 7)

ACTION: Motion by Council member White to uphold the denial recommendation. Borup seconded the motion. The motion passed, 5 aye – Borup, Tidwell, Ward, White & Zilles and 1 nay – Worthen. Erickson absent.

OTHER BUSINESS

- ✓ **Law Enforcement Memorial Banquet** – Wednesday, May 15, 2019 at 6:00 p.m. – Cache County Events Center.
- ✓ **Richmond Black & White Days Parade** – Saturday, May 18, 2019 at 5:00 p.m. – Buttars, Erickson, Tidwell and Ward will attend.

COUNCIL MEMBER REPORTS

Gina Worthen said she attended a Mayor’s meeting and the north mayors are not happy with putting more firefighters on the south end of the valley. Executive Buttars said he spoke with Chief Hammer about this and Hammer has kept a good history of the issue. Buttars encouraged Worthen to talk with Chief Hammer about it.



Memo

To: Cache County Council
From: Jonathan D. Bingham, P.E.
Subject: Design exception request – Lynn Egley, Benson

Background

On April 19th our office received a request from Lynn Egley asking for an exception for the limit of 3 homes on a private road (Cache County Road Manual Table 2.2). Currently, the private road in question crosses Mr. Egley’s property and serves Mr. Egley’s residence and two others (Figure 1). He wants to build a forth residence on the south west corner of the property.

Argument

Mr. Egley states the construction of a new road “will consume a strip of quality farmland.”

Review Comments

Mr. Egley is correct that a new road would occupy some of his farmland. That being said this is not a design or safety limitation upon which to base an exception. There are other alternatives that would result in less loss of farmland such as changing the position of the home or obtaining an easement to use the neighbor’s road to the south for access.

Recommendation

Taking into account the arguments of the property owner, and the site limitations, I do not find sufficient cause for an exception. I recommend that this design exception be **denied**.

Sincerely,

Jonathan D Bingham, PE, CFM

Cache County Engineer

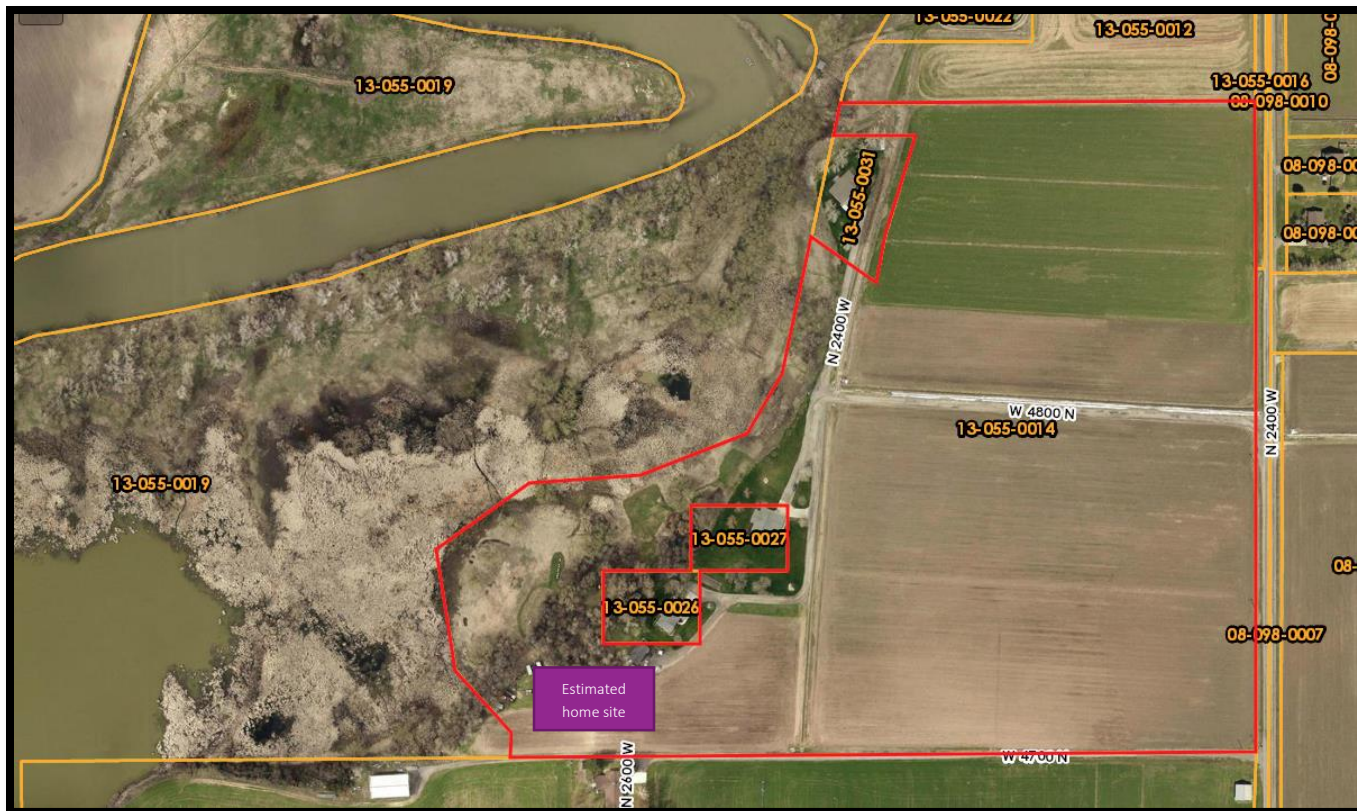


Figure 1

RECEIVED
29 Apr 19

Design Exception
Egley Building Lot Proposal

This exception is in response to a section in the Road Manual that states there should be no more than 3 homes down a private road. We are proposing an exception for access be granted to a proposed 4th home located at approximately 4721 N 2400 W Benson, Utah. The exception would allow access using an existing road. Placement of 4th home is designed to not occupy farmable land. If an exception is not granted, an additional road will be required and will consume a strip of quality farm land to meet the standard.

The current road is located at approximately 4800 North and has a fire hydrant present at the West end of 4800 North (see attachment) that would be accessible to the proposed home, using the current road. The existing private road is approximately 885 ft. long and 19 ft. wide. It was created using good road base with substantial amounts of gravel and 2 layers of asphalt tailings that are maintained as needed (see attachment). The road diverts at the end of 4800 N, with one existing home to the North and 2 existing homes to the South. The proposed home would be located to the South, beyond the two existing homes. The proposed home would be located approximately 200 ft. from the last home to the South (SW corner of parcel #13-005-0014).

We would appreciate the opportunity to meet with the involved parties on sight so they can view the current road and site for proposed home. Please contact me at 435-994-6239.

We appreciate your consideration of this proposal.

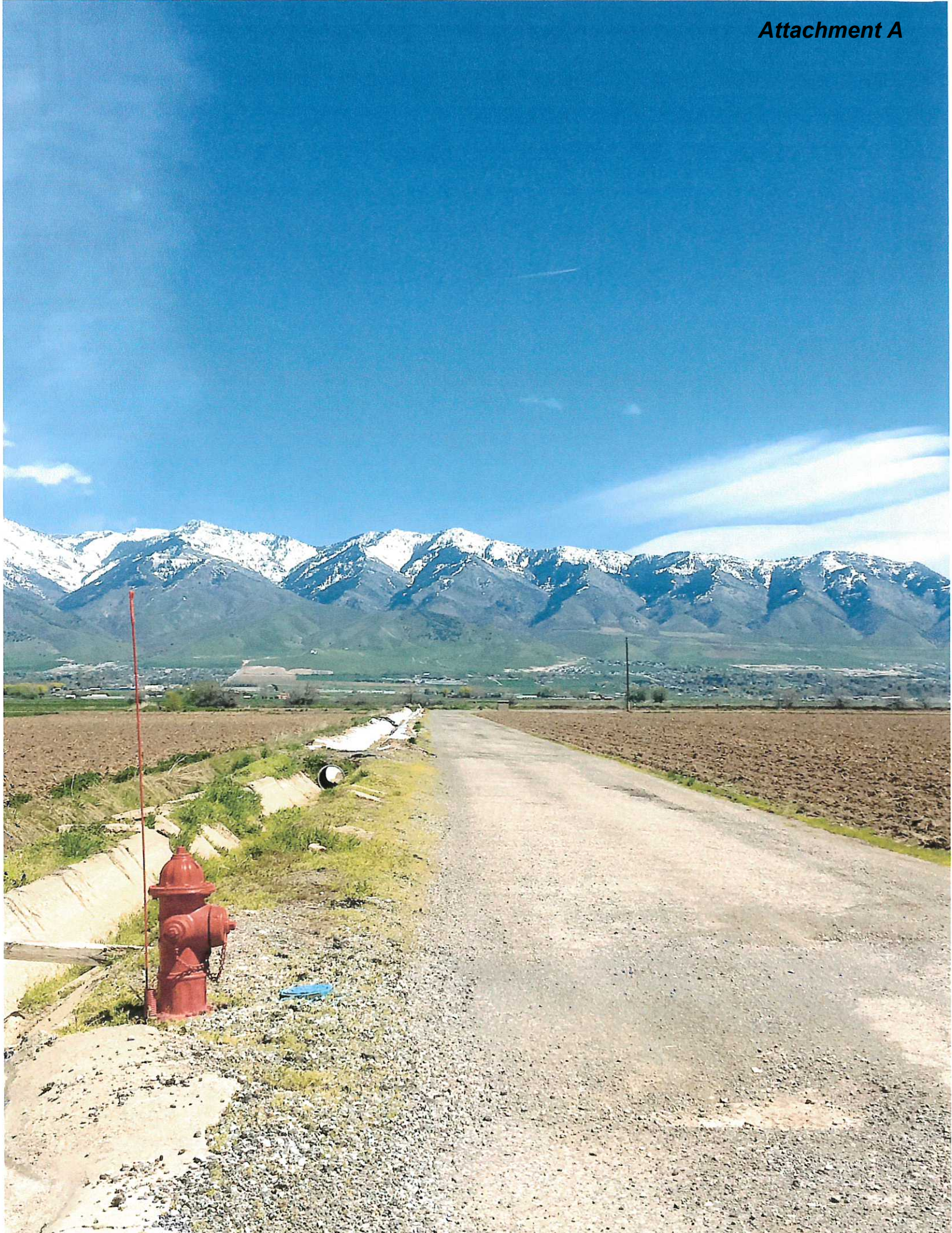


Lynn B. Egley



Paid \$80

29 Apr 2019





received
* Aug 5 19
Repl # 12779
chk: 1546
\$80

August 5, 2019

Via Hand Delivery

Cache County Development Services
179 North Main Street
Logan, Utah 84321

Re: Design Exception Request (2nd) – Lynn Egley, Benson

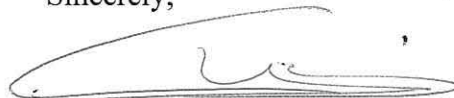
Dear Cache County Development Services:

Please process the attached Request for Design Exception which is being made on behalf of my client, Lynn Egley. We understand that this request will be considered and determined by the Cache County Council because, under section 1.8(C) of the Roadway Manual, this may be a design exception “on land use issues heard by the County Planning Commission.” A subdivision request is scheduled to come before the Planning Commission later this week, also being made by Mr. Egley. The subdivision would, without the requested exception would, as explained in the request, require the widening of a segment of existing road, or the establishment of a new road. Otherwise, the request for exception would have been made to the Director of Development Services as provided under Section 1.8 A and B.

A check in the amount of \$80.00 accompanies this letter. Please let me know immediately if there is anything amiss with the request. Otherwise, we look forward to having the request considered at the August 13th meeting of the Council.

An earlier request for design exception by Mr. Egley was denied by the Council on May 14, 2019. Thank you for your cooperation.

Sincerely,



Chris Daines

Cc: Lynn Egley



**REQUEST FOR DESIGN EXCEPTION (2nd)
LYNN EGLEY - BENSON**

REQUESTED EXCEPTION

Allow subdivision and construction of one additional home near parcel 13-055-0026 without requiring widening of W 4800 N between the point where the private road from two existing lots, 13-055-0026 and 13-055-0027 (and the proposed new lot) meets the private road from lot 13-055-0031, and the point approximately 850 feet east where W 4800 North meets N 2400 W.

CRITERIA FOR EXCEPTION

Section 1.8 of the Roadway Manual states that “Full justification and documentation must be provided 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.

Section 2.3 of the Roadway Manual states that “All Cache County roadways shall comply with the design elements shown on the roadway typical section in Table 2.2. That table provides that for a Private Road the “Planned” “Design Limits – Approximate ADT” is “Up to 30.” “ADT” refers to “Average Daily Traffic” which is defined in Section 1.2(D) as follows:

A measure of the amount of annual average traffic on a roadway per day. A single family home is designated as impacting a roadway with ten (10 average trips per day). Business uses will vary in their impact. Abbreviated as ADT.

DISCUSSION

The road segment leading from the proposed home along east and north to the point where W 4800 N heads east meets the manual standard because, under the definition of ADT each home “is designated as impacting a roadway” with 10 ADT. So with three homes “Up to 30” does not exceed even the “Approximate ADT” of 30. The problem with the proposed development, design-wise, is where the road segments from the south and north join and would therefore serve four homes rather than three.

A literal reading of Section 1.8 could lead the Council to a conclusion that compliance must be impossible before an exception will be considered. Such an interpretation is untenable. The standards can always be met, but perhaps at an unreasonable expense, A “reasonability” qualifier should be read into the manual, absent which no-one would ever qualify for an exception.

The roadway standard, in this case, cannot reasonably be met. More importantly, because the private road is truly rural, lowering the actual ADT from the assumed 10 per home, the Council could allow in this case that the “approximate” ADT really is “Up to 30.”

ALTERNATIVES

1. One of the alternatives would be to have the new home access the private road of 4700 North. That alternative would require an easement from the neighbor. Mr. Egley is doubtful such an easement would be considered at all by the neighbor, and even if it were considered, the easement could be made price-prohibitive. Counsel for Mr. Egley has reached out to the neighbor and will update this request if and when a response is received.
2. Another alternative is running a private road east from the existing homes on parcels 13-055-0026 and -0027, parallel to and between W. 4800 N. and W. 4700 N. Aside from the cost, this would chew up land currently devoted to agriculture and also divide the existing field. It would be best to avoid using up agricultural land. As recognized in the Cache Countywide Comprehensive Plan at Page 17:

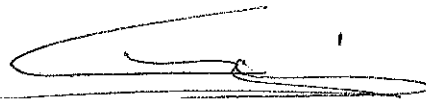
Farmland is one of the most important assets of Cache County; agriculture adds to the quality of life. The economic impact of agriculture can be identified by the number of jobs created and the sales of agricultural products. The need to protect these lands is one of the most important efforts of the County-Wide Comprehensive Plan.

3. Another alternative previously mentioned was relocating the proposed home. This would address the road issue only if the home were located on N. 2400 W. meaning that the lot would entirely consume agricultural land.
4. The last alternative considered is to widen W. 4800 N. to the point where it could count as two private roads. Again, this would retire existing farmland, in addition to the expense. It would be preferable to splitting the field, but would still shrink the field.

Attached is a GIS printout from the County Recorder's office with some notations for your reference. Thank you for your consideration.

Sincerely,

DAINES, THOMAS & SMITH



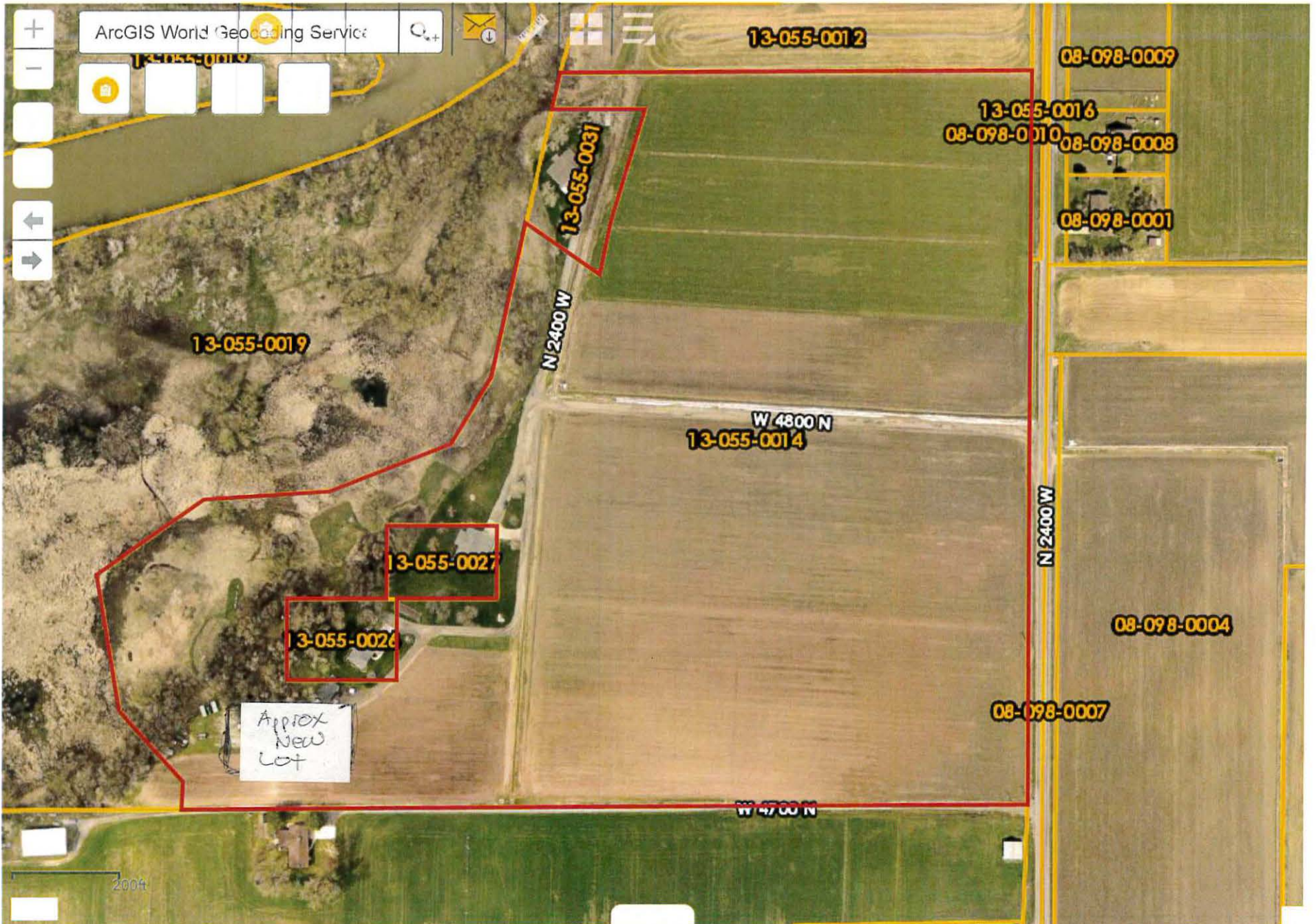
Chris Daines
Attorney for Lynn Egley

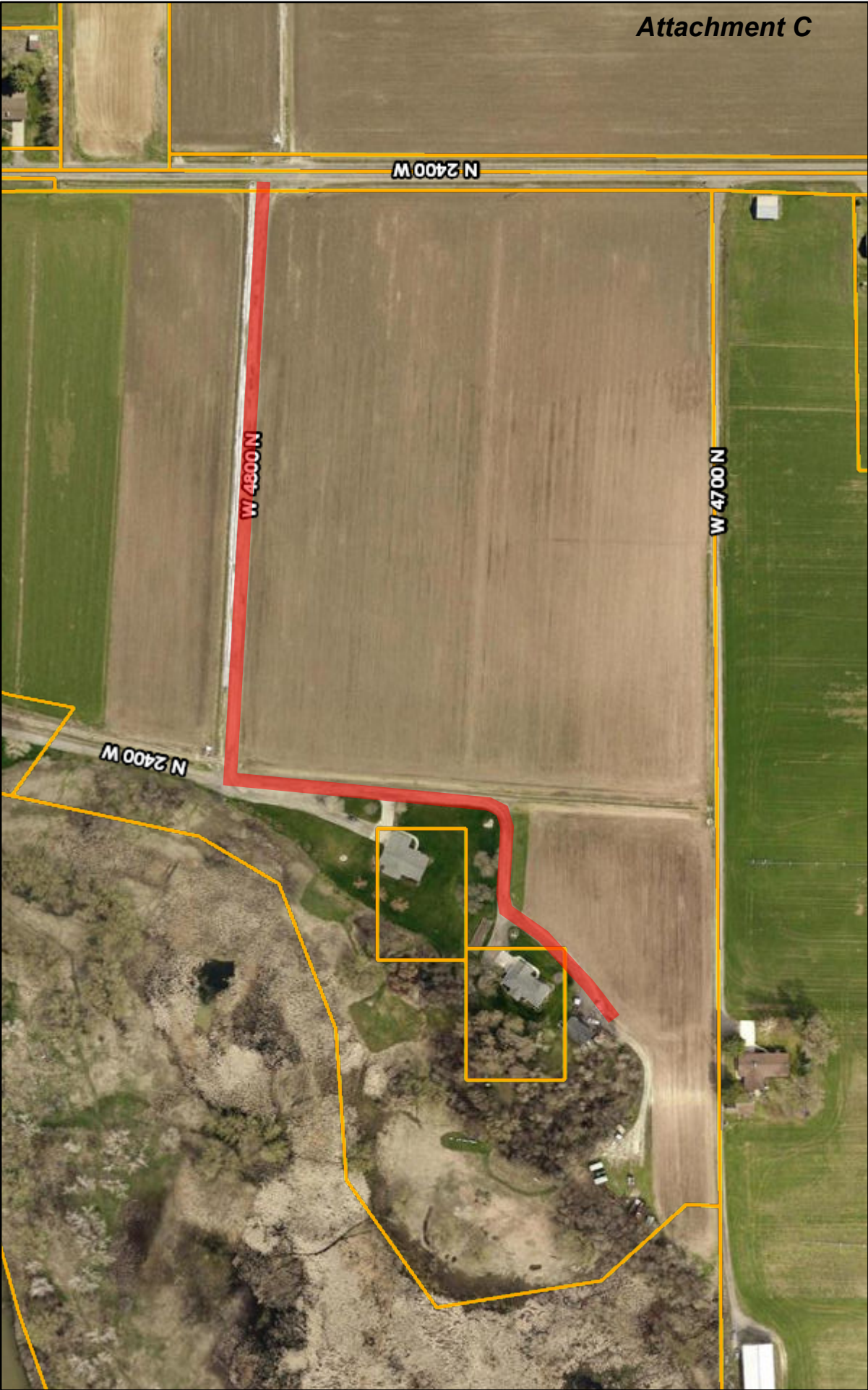
8/5/2019

Parcel & Zoning Viewer

Parcel & Zoning Viewer

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W 4800 N

W 4700 N

N 2400 W

N 2400 N