

CACHE COUNTY
CORPORATION

M. LYNN LEMON
COUNTY EXECUTIVE/SURVEYOR

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LOGAN, UTAH 84321
Tel 435-755-1850
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COUNTY COUNCIL

CORY YEATES
H. CRAIG PETERSEN
DARREL L. GIBBONS
JOHN A. HANSEN
KATHY ROBISON
BRIAN CHAMBERS
GORDON A. ZILLES

PROCLAMATION

Whereas, *Family Day* is a national effort to promote family dinners as a natural effective way to reduce teen substance abuse risk and is meant to remind Americans of the value of parental engagement and encourage them to make family dinners a regular part of their lives.

Whereas, *Family Day* is an initiative that helps to reduce substance abuse among children and teens throughout America.

Whereas, research by Center on Addiction and Substance Abuse has consistently found that the more often children eat dinner with their parents, the less likely they are to smoke, use illegal drugs or abuse alcohol.

NOW THEREFORE, in recognition of the efforts being made by our nation to promote family dinners as a natural, effective way to reduce teen substance abuse risk, be it resolved that the Cache County Council and the Cache County Executive, County of Cache, State of Utah hereby proclaims September 25, 2006 as

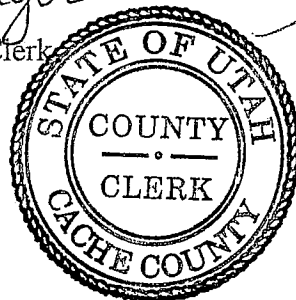
FAMILY DAY - A DAY TO EAT DINNER WITH YOUR CHILDREN

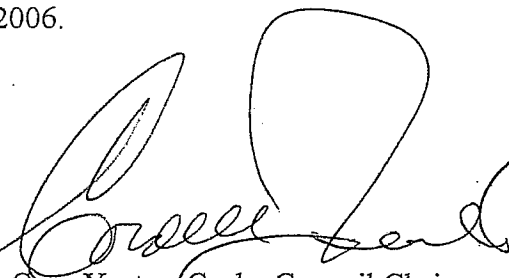
and encourages all citizens to make family dinners a regular part of their lives.

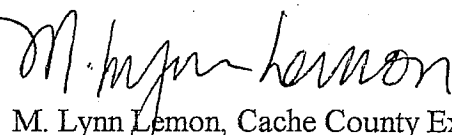
In witness thereof, as Chairman of the Cache County Council and Cache County Executive, we have hereunto set our hand this 27th day of June, 2006.

Attest:


Jill N. Zollinger, County Clerk




Cory Yeates, Cache Council Chairman


M. Lynn Lemon, Cache County Executive

REQUEST FOR INTRA-DEPARTMENTAL BUDGET TRANSFER

DEPARTMENT: TAXES
 DATE: 6/12/2006

FUND 10 GENERAL FUND REVENUES

ACCOUNT	DESCRIPTION	Current Budget	Recommended		Amended Budget
			Decrease DEBIT	Increase CREDIT	
10-31-10000	CURRENT PROPERTY TAXES	(6,578,004)		(64,372)	(6,642,376)
10-31-21000	PRIOR YR TAXES -ASSESS & COLL	-	64,372		64,372
	Totals		64,372	(64,372)	
	Net Adjustment				-

FUND 15 ASSESSING AND COLLECTING FUND REVENUES

ACCOUNT	DESCRIPTION	Current Budget	Recommended		Amended Budget
			Decrease DEBIT	Increase CREDIT	
15-31-60000	MULTI-CO ASSESS & COLL	(605,378)	99,684		(505,694)
15-31-65000	COUNTY ASSESS & COLL	(1,049,790)		(41,637)	(1,091,427)
15-31-66000	PER PARCEL FACTOR (COST OF A&C	-		(104,572)	(104,572)
15-31-71000	FEE-IN-LIEU -MULTICOUNTY A & C	(95,110)	4,888		(90,222)
15-31-72000	FEE-IN-LIEU TAXES-COUNTY A&C	(155,000)	41,637		
	Totals		146,209	(146,209)	
	Net Adjustment				-

FUND 21 HEALTH FUND REVENUES

ACCOUNT	DESCRIPTION	Current Budget	Recommended		Amended Budget
			Decrease DEBIT	Increase CREDIT	
21-31-11000	CURRENT PROPERTY TAXES-HEALTH	(577,385)		(4,661)	(582,046)
21-31-70000	FEE-IN-LIEU OF PROPERTY TAXES	(90,000)	4,661		(85,339)
	Totals		4,661	(4,661)	
	Net Adjustment				-

Description of needs and purpose of transfer ---

adjust to allow revenue to remain at certified rate amounts

 Department Head

Recommendation: [] Approval [] Disapproval
 Comments:

Date: 6/20/2006

James Stones
 Cache County Auditor

Recommendation: [] Approval [] Disapproval
 Comments:

Date: 6/26/06

M. Lynn Lowman
 Cache County Executive

Consented by the Cache County Council meeting in regular session on the 27th day of June, 2006.

Chris J. Zollinger
 Cache County Clerk

2006 CACHE COUNTY WEED CONTROL POLICY

STATEMENT OF INTENT

The Cache County weed control program will function in accordance with the 1971 Utah State Noxious Weed Act and Cache County Ordinance (79-11) to organize, supervise, and coordinate a noxious weed control plan for Cache County.

Cache County encourages commercial and private weed control efforts where possible. The county weed control personnel will provide noxious weed control in areas where terrain, organizational problems, or special equipment requirements make it difficult for commercial or private control efforts to succeed.

Current weed control practices will be used including chemical, biological, cultural and mechanical methods.

ANNUAL COORDINATION MEETINGS

The County Weed Board shall initiate quarterly coordination meetings each year. All organizations concerned with weed control should be invited to have a representative in attendance. The following agencies should be invited:

Utah Department of Transportation, U.S. Forest Service, Utah Division of Wildlife Resources, State Trust Lands, Utah Department of Agriculture and Food, Cache County Extension, Union Pacific Railroad, Pacificorp Corporation, Queststar, and irrigation companies.

Cache County personnel from the Weed Department as well as the Road Superintendent and the County Executive should be in attendance. Any other interested parties or citizens should be notified of these meetings through a notice in the newspaper.

The purpose of the spring meeting will be to inventory and record current problem areas, discuss and record any new infestations, discuss effective weed control efforts, discuss and coordinate county priorities with the Cooperative Weed Management Area (CWMA) priorities, and plan and organize the year's weed control program.

The two mid year meetings will be held to discuss pressing weed control issues such as new weed discoveries, weed law violations, and enforcement.

Another meeting shall be held in the fall to inform the Weed Board of the activities of the Weed Department for the past weed season and to discuss possible county priorities for the CWMA the following year. The *Annual Weed Progress Report* should be presented and a summary of the results of the summer's activities should be discussed.

WEED CONTROL SERVICE AREA

Any individual, corporation, municipality, governmental agency, or organization owning, leasing, or controlling property within Cache County may request the services of the County Weed Department in accordance with weed control priorities established and approved by the Weed Board and the Cache County Council. All requests for agriculture crop spraying and residential yard and/or garden spraying will be referred to commercial applicators.

Property owners are encouraged to participate in the weed control process by locating, identifying and controlling specific infestations on their individual properties. The Weed Control Department reserves the right to schedule commercial application equipment when the County equipment is not available.

WEED CONTROL PRIORITIES

1. Control of noxious weeds or any plant deemed a nuisance or hazard on county property.
2. Control of noxious weeds on steams, drainage, and irrigation systems. Also, control of non-noxious plants which impede the water flow in irrigation systems when that control can be accomplished as part of the noxious weed application.
3. Control of noxious weeds on non-crop land areas such as rangeland, wet pastures, fence lines, vacant land etc.

CATEGORIES OF WEEDS

For the purpose of organizing and funding control programs, noxious and invading weeds are classified into four categories.

A-PRIORITY WEEDS

Qualifications for this class include: Classified as noxious or invading; Less than 25 total acres in Cache County; Reasonable possibility for eradication; Accessible to spray equipment.

These weeds include: **Yellow starthistle, squarrose knapweed, dalmatian toadflax, yellow toadflax, buffalobur, black henbane, Bermudagrass, Johnsongrass, and St. Johnswart.**

B-PRIORITY WEEDS

Qualifications for this class include: Classified as noxious or invading; Poses significant threat to surrounding counties/states; Beyond expectation of eradication due to large acreage and/or poor access; Still considered controllable with herbicide and/or biocontrol.

These weeds include, in order of priority: **Diffuse knapweed, spotted knapweed, Russian knapweed, goatsrue, musk thistle, Scotch thistle, perennial pepperweed, purple loosestrife, leafy spurge, medusahead, velvetleaf, poison hemlock, puncturevine, dyer's woad, hoary cress (whiteweed), and saltcedar (*Tamarix* spp.).**

C-PRIORITY WEEDS

Qualifications for this class include: Weeds that are well beyond expectation of eradication or control because infestation is widespread throughout Cache County, Utah and neighboring states.

These weeds include: **Canada thistle, field bindweed, quackgrass.**

SPECIAL PROJECT WEEDS

Under special circumstances Cache County Weed Department receives funding to do certain projects. In such circumstances, the Weed Department may subsidize a percentage of the project.

NOXIOUS WEED SEED RESTRICTIONS

It shall be unlawful for any person, firm, or corporation to sell, offer, or expose for sale or distribute in the State of Utah any agricultural, vegetable, flower, tree and shrub seeds, or seeds for sprouting for seeding purposes which: Contain, either in part or in whole, any prohibited noxious weed seeds.

"Prohibited" noxious weed seeds are the seeds of any plant determined by Utah Commissioner of Agriculture and Food to be injurious to public health, crops, livestock, land, or other property. (Utah Seed Law, R68-8)

WEED CONTROL FEE SCHEDULE

The following charges will be effective for the 2006 spraying season.

- 1. **GENERAL**

LABOR/EQUIPMENT FEE	\$30.00 per man hour
HERBICIDE FEES	Varies depending on herbicide
- 2. **A-PRIORITY WEEDS** – Projects where the Weed Department treats a majority of weeds in this category a 50% discount will be given. \$30.00 minimum charge.
- 3. **B & C-PRIORITY WEEDS** – Property owners/managers and municipalities will be charged the fees for labor/equipment used to apply herbicides and the price of herbicide applied.
- 4. **SPECIAL PROJECT WEEDS** -- Will be considered upon funding available.
- 5. A **MINIMUM FEE** of \$30.00 will apply to all site visits made by Weed Department personnel and vehicles in response to requests for weed control, except as provided in category 2.
- 6. **LONG DISTANCE FEE** – Work performed in areas beyond ten (10) miles from the Weed Department will be charged a Long Distance Fee of \$5.00.

Requests for services or contracts with Cache County Weed Department which, due to distance, terrain, or special personnel requirements, create expenses not anticipated in the above guidelines (categories 1 through 5), will be negotiated on an individual basis with the County Weed Supervisor and, if necessary, the County Executive.

PUBLICATION OF NOXIOUS WEED NOTICE

Before May 1 of each year a general notice of the noxious weeds in the County must be posted in at least three public places in the County. The same notice must be published in a newspaper or other publication of general circulation within the County.

The following is a list of weeds declared noxious by the state of Utah:

- | | |
|--------------------------------------|------------------------|
| Bermudagrass | Yellow Starthistle |
| Field Bindweed (Morning Glory) | Quackgrass |
| Perennial Pepperweed (Tall Whitetop) | Russian Knapweed |
| Canada Thistle | Squarrose Knapweed |
| Dyer's Woad | Diffuse Knapweed |
| Johnsongrass | Spotted Knapweed |
| Leafy Spurge | Hoary Cress (whitetop) |
| Musk Thistle | Medusahead |
| Scotch Thistle | Purple Loosestrife |

The following weeds are declared noxious by Cache County:

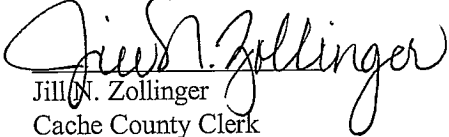
- | | |
|----------------|--------------|
| Goatsrue | Puncturevine |
| Poison Hemlock | |

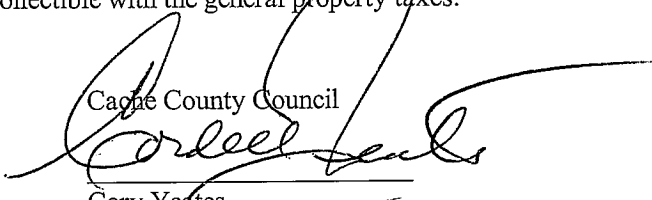
NOTIFICATION OF PROPERTY OWNERS FAILING TO CONTROL WEEDS

Property owners, or the person in possession of a piece of ground, may be given notice personally or by certified mail that the noxious weeds on their property must be controlled. The notice shall include the specific actions required to control weeds on the property and a specific time frame for completion. If no action is taken to remedy the situation, the property may be declared a public nuisance.

If the owner or person in possession of the property fails to take action to control the noxious weeds within five working days after the property is declared a public nuisance, the County Weed Department may, after reasonable notification, enter the property, without the consent of the person in control of the property and perform any work necessary to control the weeds. Any expense incurred by the County in controlling the noxious weeds is paid by the property owner or the person in possession of the property. These charges must be paid within 90 days after receipt of the charges. If not paid within 90 days after notice of the charges, the charges become a lien against the property and are collectible with the general property taxes.

ATTEST:


Jill N. Zollinger
Cache County Clerk

Cache County Council

Cory Yeates
Chairman

6-27-06
Date

revised 04/2006

RESOLUTION NO. 06- 17

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 2006 are reasonable and necessary; that the said budget has been reviewed by the County Auditor with all affected department heads; that a duly called hearing has been held on June 13, 2006 and all interested parties have been given an opportunity to be heard; that all County Council has given due consideration to matters discussed at the public hearing and to any revised estimates of revenues; and that it is in the best interest of the County that these adjustments be made.

NOW THEREFORE, it is hereby resolved that:

Section 1.

The following adjustments are hereby made to the 2006 budget for Cache County:

see attached

Section 2.

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


Section 3.

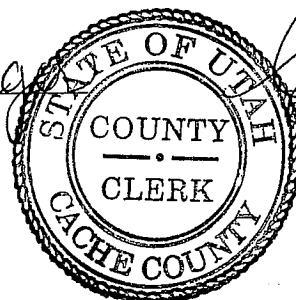
This resolution shall take effect immediately upon adoption and the County Auditor and other county officials are authorized and directed to act accordingly.

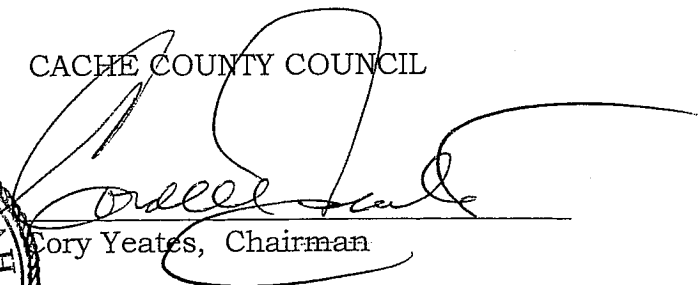
This resolution was duly adopted by the Cache County Council on the 13th day of June, 2006.

ATTESTED TO:

CACHE COUNTY COUNCIL


Jill N. Zollinger
Cache County Clerk




Cory Yeates, Chairman

FUND 10 General Fund REVENUES

budget hearing - 6/13/06 6pm

ACCOUNT	DESCRIPTION	Current Budget	Recommended Decrease DEBIT	Recommended Increase CREDIT	Amended Budget	Reason for Change
10-33-43000	Misc State Grants	(18,750)		(11,850)	(30,600)	Adj per grant award RS2477 mapping
10-33-44200	Voter Outreach Grant	-		(4,400)	(4,400)	Voter Outreach Grant agreement
10-34-23125	Jail -Pay for Stay	(30,000)		(6,000)	(36,000)	revised est of collections for 2006
10-34-94000	Other Current Services	(5,200)		(125)	(5,325)	conference registration reimb from USU
10-38-78100	Contrib - Mounted Posse	(12,635)		(3,665)	(16,300)	Demo Derby Contrib - Logan City
10-38-90000	Appropriated Surplus	(342,232)		(10,507)	(352,739)	to cover expense of gravel pit survey & tires & PRIOR YR P.O.'S
Totals			-	(36,547)	(36,547)	
Net Adjustment						

FUND 10 General Fund EXPENDITURES

ACCOUNT	DESCRIPTION	Current Budget	Recommended Increase DEBIT	Recommended Decrease CREDIT	Amended Budget	Reason for Change
10-4112-250	Council - Equipment Supplies & Maint	135	350		485	transfer to cover expenses
10-4112-620	Council - Misc Services	2,293		(350)	1,943	transfer to cover expenses
10-4115-115	Water Policy - Overtime Pay	-	2,000		2,000	transfer to cover expenses
10-4115-120	Water Policy - Temporary Employees	16,000		(2,000)	14,000	transfer to cover expenses
10-4131-310	Executive - Professional & Technical	-	4,624		4,624	Gravel pit survey approved by Council in 2005
10-4135-110	GIS - Salaries	22,757	2,500		25,257	reverse 50% of May budget transfer (s/b Fund 15)
10-4135-120	GIS - Temporary Employees	10,749		(2,500)	8,249	reverse 50% of May budget transfer (s/b Fund 15)
10-4145-115	Attorney - Overtime	5,000	6,000		11,000	increase overtime for Pay for Stay billings
10-4147-120	Surveyor - temp employees	9,264	4,000		13,264	RS 2477 mapping grant award adjustment
10-4147-130	Surveyor - benefits	35,897	400		36,297	RS 2477 mapping grant award adjustment
10-4147-250	Surveyor - equip supply & maint	4,298	1,450		5,748	RS 2477 mapping grant award adjustment
10-4147-251	Surveyor - non capitalized equip	6,207	3,000		9,207	RS 2477 mapping grant award adjustment
10-4147-480	Surveyor - spec dept supplies	1,910	3,000		4,910	RS 2477 mapping grant award adjustment
10-4170-200	Elections - Supplies and services	132,000		(500)	131,500	transfer to cover mountain alarm expense for offsite storage
10-4170-250	Elections - Equip supply & maint	-	500		500	transfer to cover mountain alarm expense for offsite storage
10-4170-481	Elections - Special Grant Expense	-	4,400		4,400	Voter Outreach Grant expenses
10-4210-620	Sheriff - misc services	9,060	2,232		11,292	Reapprop prior yr PO 19305
10-4211-480	Support Services - Spec dept supplies	5,000	1,751		6,751	Reapprop prior yr PO 19267
10-4217-610	Mounted Posse - Derby Expense	750	3,665		4,415	Demo Derby Contrib - Logan City
10-4220-251	Fire - non capitalized equipment	17,112	1,300		18,412	Reapprop prior yr PO 19333
10-4610-233	Extension - Travel 4H Staff Asst	2,400	125		2,525	conference registration reimb from USU
10-4610-250	Extension - equip supplies & maint	5,000	600		5,600	New tires for truck to pass inspection not included in budget requests
Totals			41,897	(5,350)	36,547	
Net Adjustment						

FUND 15 Assessing & Collecting Fund EXPENDITURES

ACCOUNT	DESCRIPTION	Current Budget	Recommended Increase DEBIT	Recommended Decrease CREDIT	Amended Budget	Reason for Change
15-4112-250	Council - Equipment Supplies & Maint	15	50		65	transfer to cover expenses
15-4112-620	Council - Misc Services	259		(50)	209	transfer to cover expenses
15-4135-110	GIS - Salaries	27,757		(2,500)	25,257	to increase temporary employees by one
15-4135-120	GIS - Temporary Employees	5,749	2,500		8,249	to increase temporary employees by one
Totals			2,550	(2,550)		
Net Adjustment						

FUND 20 MUNICIPAL SERVICES FUND REVENUES

ACCOUNT	DESCRIPTION	Current Budget	Recommended Decrease DEBIT	Recommended Increase CREDIT	Amended Budget	Reason for Change
20-33-56000	Class B Allocation	(1,170,311)		(20,000)	(1,190,311)	
20-34-19000	Building Fee Other	(4,051)		(1,000)	(5,051)	Perform inspections for Nibley/Garden City
20-34-56000	Animal Control Fees - predator match	-		(10,000)	(10,000)	Matching funds for predator control bounty
20-38-90000	Appropriated surplus	-		(13,364)	(13,364)	to fund additional zoning meetings and costs
Totals			-	(44,364)		
Net Adjustment					(44,364)	

FUND 20 MUNICIPAL SERVICES FUND EXPENDITURES

ACCOUNT	DESCRIPTION	Current Budget	Recommended Increase DEBIT	Recommended Decrease CREDIT	Amended Budget	Reason for Change
20-4180-620	Zoning - misc services	3,500	1,500		5,000	to cover extra meetings and additional costs associated
20-4241-250	Building - equip, supplies & maint	7,500	1,000		8,500	to cover additional costs for gas etc
20-4241-740	Building - Capitalized Equipment	5,000	11,864		16,864	Balance on vehicle purchased in 2005 delivered in March 2006
20-4253-480	Animal Control - predator control exp	-	10,000		10,000	predator control bounty expense
20-4415-410	Class B - road maintenance	272,000	20,000		292,000	
Totals			44,364			
Net Adjustment					44,364	

FUND 23 Cache Valley Visitor's Bureau Fund Revenues

ACCOUNT	DESCRIPTION	Current Budget	Recommended Decrease DEBIT	Recommended Increase CREDIT	Amended Budget	Reason for Change
23-38-90000	Approp Surplus	(67,500)		(500)	(68,000)	reappropriated P.O. for Utah Festival Opera 2005 carryover
Totals			-	(500)		
Net Adjustment					(500)	

FUND 23 Cache Valley Visitor's Bureau Fund Expenditures

ACCOUNT	DESCRIPTION	Current Budget	Recommended		Amended Budget	Reason for Change
			Decrease DEBIT	Increase CREDIT		
23-4780-660	Local Matching Program	5,850	500	-	6,350	reappropri closed P.O. for Utah Festival Opera 2005 carryover
	Totals		500			
	Net Adjustment				500	

FUND 24 SENIOR CITIZENS FUND REVENUES

ACCOUNT	DESCRIPTION	Current Budget	Recommended		Amended Budget	Reason for Change
			Decrease DEBIT	Increase CREDIT		
24-34-95000	Contributions - Activities	-	(500)		(500)	Conference Registrations to offset costs
	Totals		(500)			
	Net Adjustment				(500)	

FUND 24 SENIOR CITIZENS FUND EXPENDITURES

ACCOUNT	DESCRIPTION	Current Budget	Recommended		Amended Budget	Reason for Change
			Increase DEBIT	Decrease CREDIT		
24-4971-680	Center - Activities Expense	-	500		500	Costs of Conference Activities
	Totals		500			
	Net Adjustment				500	

FUND 26 RECREATION (RESTAURANT TAX) FUND REVENUES

ACCOUNT	DESCRIPTION	Current Budget	Recommended		Amended Budget	Reason for Change
			Decrease DEBIT	Increase CREDIT		
26-31-31000	1% Restaurant Tax	(780,000)		(33,000)	(813,000)	Amend revenue projection
26-38-90000	Appropriated Surplus	(441,684)		(17,730)	(459,414)	reappropriate prior year 2005 for Paradise Project
	Totals			(50,730)		
	Net adjustment				(50,730)	

FUND 26 RECREATION (RESTAURANT TAX) FUND EXPENDITURES

ACCOUNT	DESCRIPTION	Current Budget	Recommended		Amended Budget	Reason for Change
			Increase DEBIT	Decrease CREDIT		
26-4780-620	RTA - MISC SERVICES	-	17,730		17,730	reappropriate for 2005 Paradise project
26-4780-620	RTA - MISC SERVICES	1,114,684	66,000		1,180,684	ADJ FOR CURRENT YR AWARDS
26-4810-100	TRANSFERS OUT	95,000		(21,000)	74,000	ADJ FOR CURRENT YR AWARDS
26-4810-110	TRANSFERS TO GENERAL FUND	12,000		(12,000)	-	ADJ TO TRANSFERS OUT
	Totals		83,730	(33,000)		
	Net adjustment				50,730	

FUND 27 COUNTY WIDE PLANNING & DEVELOPMENT FUND REVENUES

ACCOUNT	DESCRIPTION	Recommended		Amended		Reason for Change
		Current Budget	Increase DEBIT	Current Budget	Increase CREDIT	
27-33-44200	State Grant Quality Growth	-	(15,000)	(15,000)		Cache Co Trails Master Plan - Contract #060603
27-34-94000	Other Current Services	(4,347)	(6,000)	(10,347)		Socio-Economic Report Preparation Fees 2003-06
27-38-76500	Transfers from RAPZ Tax	-	(30,000)	(30,000)		Award for Trails Coordinator
	Totals		(51,000)			
	Net adjustment			(51,000)		

FUND 27 COUNTY WIDE PLANNING & DEVELOPMENT FUND EXPENDITURES

ACCOUNT	DESCRIPTION	Recommended		Amended		Reason for Change
		Current Budget	Increase DEBIT	Current Budget	Increase CREDIT	
27-4181-110	Salary	82,985	1,600	84,585		adjust for Contract awards
27-4181-120	Temporary Employees	12,000	31,400	43,400		Rapz award for trails coordinator
27-4181-130	Benefits	34,382	3,000	37,382		Rapz award for trails coordinator
27-4181-251	Non Capitalized equipment	1,000	4,000	5,000		transfer from Capitalized equip
27-4181-486	Trails Coordinator Agreement	-	15,000	15,000		Cache Co Trails Master Plan - Contract #060603
27-4181-740	Capitalized equipment	4,000	(4,000)	-		transfer to non capitalized equipment
	Totals		55,000	(4,000)		
	Net adjustment			51,000		

FUND 28 CACHE LIBRARY FUND EXPENDITURES

ACCOUNT	DESCRIPTION	Recommended		Amended		Reason for Change
		Current Budget	Increase DEBIT	Current Budget	Increase CREDIT	
28-4581-210	Subscriptions & Memberships	100		50	(50)	transfer to cover expenses
28-4581-230	Travel	400	100	500		transfer to cover expenses
28-4581-310	Professional & Technical	1,400		1,300	(100)	transfer to cover expenses
28-4581-330	Education & Training	50	50	100		transfer to cover expenses
	Totals		150		(150)	
	Net Adjustment					

FUND 62 RAPZ TAX FUND REVENUES

ACCOUNT	DESCRIPTION	Recommended		Amended		Reason for Change
		Current Budget	Increase DEBIT	Current Budget	Increase CREDIT	
62-31-30000	RAPZ TAX	(1,100,000)		(1,160,028)	(60,028)	Amend revenue projection
	Totals				(60,028)	
	Net adjustment				(60,028)	

FUND 62 RAPZ TAX FUND EXPENDITURES

ACCOUNT	DESCRIPTION	Current Budget	Recommended Increase DEBIT	Recommended Decrease CREDIT	Amended Budget	Reason for Change
62-4780-480	RAPZ -POPULATION AWARDS	165,000	4,664		169,664	ADJ FOR POPULATION AWARDS
62-4780-481	RAPZ - ZOO	108,000	5,110		113,110	ADJ FOR CURRENT YR AWARDS
62-4780-482	RAPZ PROJECTS	1,094,213	116,254		1,210,467	ADJ FOR CURRENT YR AWARDS
62-4810-100	TRANSFERS OUT	120,000		(66,000)	54,000	ADJ TO TRANSFERS OUT
	Totals		126,028	(66,000)		
	Net adjustment				60,028	

FUND 77 AIRPORT FUND REVENUES

ACCOUNT	DESCRIPTION	Current Budget	Recommended Decrease DEBIT	Recommended Increase CREDIT	Amended Budget	Reason for Change
77-33-10420	Fed Grant AIP #16 (Design Grant)			(71,250)	(71,250)	Grant not completed in 2005
77-38-70000	Appropriated surplus	(374,404)		(3,750)	(378,154)	Match for Grant AIP #16
	Totals		-	(75,000)		
	Net Adjustment				(75,000)	

FUND 77 AIRPORT FUND EXPENDITURES

ACCOUNT	DESCRIPTION	Current Budget	Recommended Increase DEBIT	Recommended Decrease CREDIT	Amended Budget	Reason for Change
77-4460-230	Travel	3,500	3,000		6,500	Transfer to meet estimated expenditures
77-4460-250	Equip supply & maint	4,000	3,000		7,000	Transfer to meet estimated expenditures
77-4460-251	Non-capitalized equipment	-	2,000		2,000	Transfer to meet estimated expenditures
77-4460-310	Prof & Tech	6,500		(3,000)	3,500	Transfer to meet estimated expenditures
77-4460-600	Sundry	7,000		(5,000)	2,000	Transfer to meet estimated expenditures
77-4460-739	Grant Projects	3,318,341	75,000		3,393,341	grant AIP #16
	Totals		83,000	(8,000)		
	Net Adjustment				75,000	

ACCOUNT	DESCRIPTION	Current Budget	Recommended Decrease DEBIT	Recommended Increase CREDIT	Amended Budget	Reason for Change
10-36-76000	Contrib - Demolition Derby	-	-	(50,000)	(50,000)	net proceeds from 2 demolition derby's (concessions, gate and drivers registration fees)
	Totals			(50,000)	(50,000)	
	Net Adjustment					

FUND 10 General Fund EXPENDITURES

ACCOUNT	DESCRIPTION	Current Budget	Recommended Increase DEBIT	Recommended Decrease CREDIT	Amended Budget	Reason for Change
10-4623-220	Demo Derby - advertizing	-	2,500	-	2,500	demolition derby advertizing for July 8; Sept 9, 2006
10-4623-250	Demo Derby - Equip Supply & Maint	-	8,000	-	8,000	est supplies for 2 demo derby's
10-4623-480	Demo Derby - Spec Dept supplies - priz	-	7,000	-	7,000	cash prizes and trophies
10-4623-610	Demo Derby - misc supplies	-	7,000	-	7,000	misc supplies for concession stands
10-4623-620	Demo Derby - misc services	-	3,000	-	3,000	ambulance and security services
10-4623-630	Demo Derby - entertainment	-	2,100	-	2,100	entertainment and sound equipment
10-4623-621	Demo Derby - contract	-	2,400	-	2,400	contract for mc and judging services
10-4623-990	Demo Derby - restricted fund balance in	-	18,000	-	18,000	net proceeds to operate search & rescue; mounted posse; dpty assoc
	Totals		50,000	-	50,000	
	Net Adjustment					

CACHE COUNTY
RESOLUTION NO. 2006-18

A RESOLUTION PROVIDING FOR AMENDMENTS TO THE SERVICE FEES SCHEDULE OF THE OFFICE OF THE CACHE COUNTY DEVELOPMENT SERVICES.

The County Council of Cache County, Utah, in a regular meeting, lawful notice of which had been given, finds that it is appropriate and necessary that the service fees schedule for services provided by the Office of the Cache County Development Services be amended.

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

BE IT RESOLVED THAT:

Section 1: Service Fees Schedule.

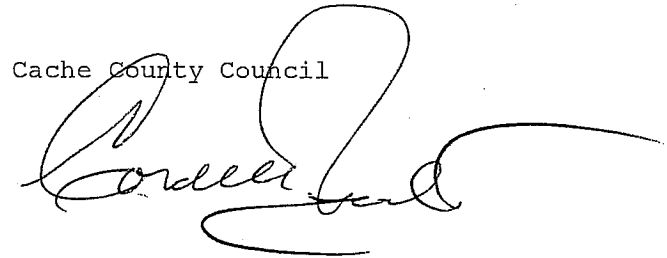
The service fees schedule attached hereto is hereby approved for the Office of Development Services superseding all prior service fees schedules for that office, including Resolution No. 96-36 adopted November 26, 1996.

Section 2: Effective Date.

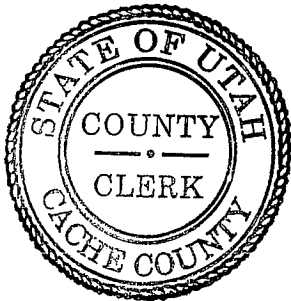
This resolution shall become effective ²⁷~~13~~ June, 2006.

This resolution was adopted by the Cache County Council on the ²⁷~~13~~th day of June, 2006.

Cache County Council



Cory Yeates, Chairman



ATTEST:



By: Jill N. Zollinger
Cache County Clerk

"EXHIBIT A"

FEE SCHEDULE

FOR CACHE COUNTY ZONING OFFICE

EFFECTIVE ~~MARCH 27, 2004~~ June 13, 2006

<u>Application</u>	<u>Fee</u>
Zoning Clearance For Building Permits (Same Day turn-around - only if possible - double fee)	
Farm Building/Accessory Building	\$50.00
Single Family Dwellings	\$50.00
Commercial Buildings	\$100.00
Zoning Clearance for Business License	\$50.00
Special Meeting Fee (in addition to regular fee)	\$200.00
Conditional Use Permit for Commercial Use	\$350.00
Preliminary Plat-Subdivision Applications: _____	\$300+ \$100 per lot
(\$100 refunded if annexed into an incorporated area after application filed)	
3 lot Subdivision _____	\$400.00
4 lot Subdivision _____	\$500.00
5 lot Subdivision _____	\$600.00
for every lot over 5 an additional _____	\$100.00
Final Plat Subdivision Applications:	
3 lot Subdivision _____	\$300.00
4 lot Subdivision _____	\$400.00
5 lot Subdivision _____	\$500.00
for every lot over 5 an additional _____	\$100.00
A Lot Split Application _____	\$150.00
Rezone Application	\$400.00
Board of Adjustment	
Special Exception	\$100.00 \$200.00
Appeal	\$50.00 \$150.00
Photocopies	\$.25 (per 8.5 x 11)
	Colored Copies \$1.00 (per 8.5 x 11)
Black & White Map	\$1.00
Colored Maps	\$5.00

CACHE COUNTY
RESOLUTION NO. 2006-19

A RESOLUTION APPROVING AN INTERLOCAL AGREEMENT BETWEEN NIBLEY CITY AND CACHE COUNTY FOR THE PURPOSES OF CONSTRUCTING AND RECONSTRUCTING 3200 SOUTH BETWEEN STATE ROAD 65 AND HIGHWAY 89/91.

The County Council of Cache County, Utah, in regular meeting, lawful notice of which has been given, finds that it is in the best interests of the citizens of Cache County to enter into an Interlocal Agreement between Nibley City and Cache County for the purposes of constructing and reconstructing 3200 South between State Road 65 and Highway 89/91.

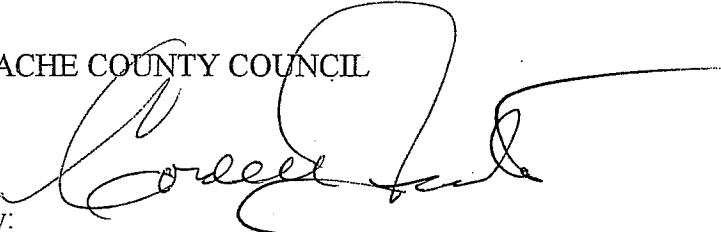
NOW, THEREFORE BE IT RESOLVED that the Cache County Executive is hereby authorized to execute the Interlocal Agreement between Nibley City and Cache County for the purposes of constructing and reconstructing 3200 South between State Road 65 and Highway 89/91 as stated in "Exhibit A" attached hereto and made a part hereof.

This Resolution shall take effect immediately upon adoption.

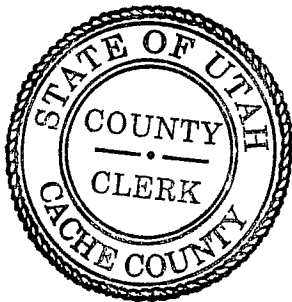
DATED this 27th day of June 2006.

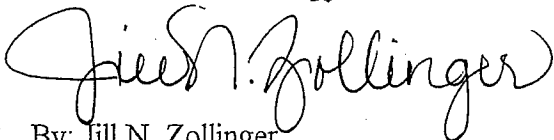
CACHE COUNTY COUNCIL

By:


Cory Yeates, Chairman

ATTEST:





By: Jill N. Zollinger
Cache County Clerk

INTERLOCAL AGREEMENT 3200 SOUTH RECONSTRUCTION PROJECT

THIS INTERLOCAL AGREEMENT is made and entered into this 27 day of June, 2006., by and between NIBLEY CITY, a Utah municipal corporation, hereinafter referred to as Nibley City and CACHE COUNTY, a Utah county, hereinafter referred to as County.

Whereas, Nibley City and Cache County are authorized to enter into this interlocal agreement pursuant to Section 11-13-202, Utah code, the Utah Interlocal Cooperation Act; and

Whereas, Nibley City and the County enter into this agreement for the purpose of constructing and reconstructing 3200 South between state roads 165 and highway 89-91. A portion of the right-of-way is now owned by the County and portion by Nibley City; and

Whereas, Nibley City received an appropriation from the Congress as part of the Safe, Accountable, Flexible, Efficient Transportation Equity Act: A Legacy for Users (SAFETEA-LU) in the amount of \$3,800,000 to reconstruct the road. Nibley City is willing to use a portion of the funds received in order to reconstruct the roadway that is not in the city limits including portions of the street that are in the County's jurisdiction; and

Whereas, one of the requirements of the federal grant is that a local jurisdiction must pay for twenty percent (20%) of the cost of the project.

NOW THEREFORE IT IS AGREED between the parties as follows:

1. Nibley City and Cache County shall work cooperatively to reconstruct 3200 South street. Nibley City shall provide the leadership and be the principal contact with the Utah Department of Transportation. Each entity shall appoint a contact person to be their respective representative.
2. Each entity shall pay their respective portion for their corresponding area. Where ever the road way is bounded on both sides by incorporated Nibley, then Nibley shall be responsible for the full payment of the locally required match (20%) of that portion. The same formula shall apply to areas that are completely in the unincorporated parts of the County. In areas where Nibley City is on one side of the street and Cache County is on the opposite side then the local match shall be paid one

half by each entity. A map is attached showing respective ownership of the street as of April 3, 2006.

Costs incurred that are not directly attributable to construction, i.e. engineering or environmental work, shall be paid at a ratio of Nibley City, 64% and Cache County 36%. This is based on an engineer's estimate of each entity's portion of the total area to be reconstructed.

3. It is the intent of each entity to work cooperatively and harmoniously on this project. In the event that there is not a consensus opinion on any issue that may arise between the two entities concerning the reconstruction of the street, a third party mediator (possibly the Executive Director of the Cache Metropolitan Planning Organization) shall be asked to recommend a solution. If the two parties cannot agree on a mediator, each shall then select a mediator and the two shall then select a third mediator. The three mediators shall reach a decision by majority vote. Nothing in this agreement shall be meant to override or usurp the ultimate authority of each entity's governing body.

4. It is recognized that, as the agency receiving the grant, Nibley City shall sign any appropriate documentation required by state or federal agencies in the financing of this project. It is further recognized that Nibley City will pay all draws, payment requests, etc. during the project and bill Cache County for their corresponding amount of such payments. The county will remit payment to Nibley City within 10 days of receipt of the invoice or billing notice. Nibley City and Cache County shall work out a method of payment and/or reimbursement of the cost of the local match.

5. (a) The laws of the state of Utah shall govern the Agreement and all amendments.

(b) The terms and provisions of the Agreement shall be binding upon and inure to the benefit of the heirs, successors and assigns of the respective parties.

(c) The invalidity or unenforceability of any part of this agreement shall not invalidate or affect the validity or enforceability of any other provision of this agreement which shall continue to govern the rights and obligations of the parties hereto as though the invalid or unenforceable provisions were not a part thereof.

(d) In the event any party shall be in default hereof or violation of the provisions hereof, such defaulting party shall pay the non-defaulting party's attorney's fees and costs incurred by such non-defaulting party in enforcing this agreement whether in court action or otherwise.

6. The undersigned representative of each entity confirms that he/she has the authority to execute this agreement and represent that his/her governing body has authorized this agreement by resolution.

IN WITNESS WHEREOF, the parties hereto have executed this agreement on the day of the year written above.

CACHE COUNTY

By: M. Lynn Lemon
M. Lynn Lemon, County Executive

Attest: Justin Zollinger

NIBLEY CITY

By: _____
Gerald K. Knight, Mayor

Attest: _____

AMENDED
CACHE COUNTY
ORDINANCE NO. 2006-06 (a)

AN ORDINANCE AMENDING THE VEHICLE AND TRAFFIC ORDINANCE,
TITLE 10, CACHE COUNTY CODE.

The County Council of Cache County, Utah, in regular meeting, lawful notice of which has been given, hereby amends the Cache County Traffic Code by adopting a Motor Vehicles and Air Pollution Fee as follows:

CHAPTER 10.20

MOTOR VEHICLES AND AIR POLLUTION FEE

SECTION:

10.20.010 Air Quality Control Fee

10:20.010

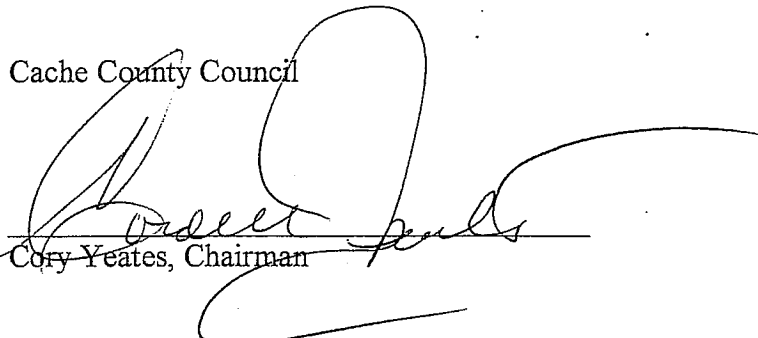
- A. **AIR QUALITY CONTROL FEE:** The following fee is assessed upon every motor vehicle registered in Cache County annually at the time of registration of the vehicle: Air Quality Control Fee of (\$2.00) two dollars.
- B. "Motor vehicle" means a self-propelled vehicle intended primarily for use and operation on the highways. "Motor vehicle" does not include an off-highway vehicle.

Section: This Ordinance shall become effective immediately upon publication, in the manner required by law.

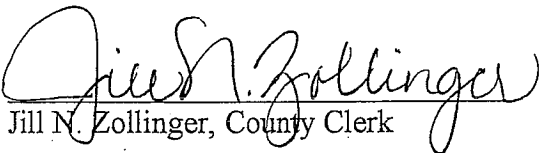
This Ordinance was adopted by the County Council, Cache County, Utah on the 27th day of June, upon the following vote:

	Voting in Favor	Voting Against	Abstaining	Excused/Absent
H. Craig Petersen	X			
Brian Chambers	X			
Darrel L. Gibbons	X			
John H. Hansen	X			
Kathy Robison	X			
Cory Yeates	X			
Gordon Zilles	X			

Cache County Council


Cory Yeates, Chairman

ATTEST:


Jill N. Zollinger, County Clerk

Publication Date: July 12, 2006



JONES
P.C.
SIMKINS

Certified Public Accountants

1011 West 400 North, Suite 100
P.O. Box 747
Logan, UT 84323-0747
Phone: (435) 752-1510 • (877) 752-1510
Fax: (435) 752-4878

OFFICERS:

Paul D. Simkins, CPA
Michael C. Kidman, CPA, MBA
Brent S. Sandberg, CPA
Brett C. Hugie, CPA
Mark E. Low, CPA
H. Paul Gibbons, CPA

To the Cache County Council
Logan, UT 84321

We have audited the financial statements of Cache County, Utah for the year ended December 31, 2005, and have issued our report thereon dated June 12, 2006.

Communications Required Under Professional Standards

Professional standards require that we provide you with the following information related to our audit.

Our Responsibility under Generally Accepted Auditing Standards, Government Auditing Standards and OMB Circular A-133.

As stated in our engagement letter dated February 7, 2006, our responsibility, as described by professional standards, is to plan and perform our audit to obtain reasonable, but not absolute, assurance about whether the financial statements are free of material misstatement. Because of the concept of reasonable assurance and because we did not perform a detailed examination of all transactions, there is a risk that material errors, irregularities, or illegal acts, including fraud and defalcations, may exist and not be detected by us.

As part of our audit, we considered the internal control of Cache County. Such considerations were solely for the purpose of determining our audit procedures and to report on the internal control in accordance with OMB Circular A-133 and not to provide any assurance concerning such internal control.

As part of obtaining reasonable assurance about whether the financial statements are free of material misstatement, we performed tests of Cache County's compliance with certain provisions of laws, regulations, contracts, and grants. However, the objective of our tests was not to provide an opinion on compliance with such provisions. Also, in accordance with OMB Circular A-133, we examined, on a test basis, evidence about Cache County's compliance with requirements applicable to major programs for the purposes of expressing an opinion on Cache County's compliance with those requirements.

Significant Accounting Policies and Audit Adjustments

Management has the responsibility for selection and use of appropriate accounting policies. In accordance with the terms of our engagement letter, we will advise management about the appropriateness of accounting policies and their application. During the year, management adopted and implemented Government Accounting Standards Board (GASB) Statement No. 40 related to deposits and investments and Statement No. 42 related to impairment of capital assets.

For the purposes of this letter, professional standards define a significant audit adjustment as a proposed correction of the financial statements that, in our judgment, may not have been detected except through our auditing procedures. Audit adjustments were made to cash, taxes receivable, interest receivable, accounts payable, accrued liabilities, deferred revenue, fund balance, and expenditures. We also advised management on the appropriate presentation and disclosure of financial information in the financial statements.

Internal Control

In planning and performing our audit of the financial statements of Cache County for the year ended December 31, 2005, we considered its internal control in order to determine our auditing procedures for the purpose of expressing our opinion on the financial statements and not to provide assurance on the internal control. Our consideration of the internal control would not necessarily disclose all matters in the internal control that might be material weaknesses under standards established by the American Institute of Certified Public Accountants. A material weakness is a reportable condition in which the design or operation of one or more of the specific internal control elements does not reduce to a relatively low level the risk that errors or irregularities, including fraud, in amounts that would be material in relation to the financial statements being audited may occur and not be detected within a timely period by employees in the normal course of performing their assigned functions.

We noted no conditions during our review of the internal controls that we believe to be material weaknesses. However, our audit did disclose other matters involving internal control and compliance that, although not considered by us to be material weaknesses, are weaknesses in internal accounting control for which corrective action might be taken or are immaterial instances of non-compliance with laws and regulations.

County Council

1. A follow up on the recommendations in this letter should be made by the Council and reflected in the council minutes before the next year's budget is adopted. Some of the recommendations in this letter are repeated from prior year recommendations. Repeat items have been noted with an "*" by the suggestion number.

2. GASB 34 requires governing bodies to evaluate interfund loans and "if repayment is not expected within a reasonable time, the interfund balances should be reduced and the amount that is not expected to be repaid should be reported as a transfer." We noted that the Council on Aging fund has had an interfund loan payable for several years and has the ability to repay the loan. We suggest that the Council evaluate the interfund loan in accordance with the accounting standard and determine the best course of action for the County.
3. We noted that certain bank accounts and their related activity were omitted from the financial statements. These accounts were extremely insignificant in prior years and were subject to limited internal controls. However, we noted increased activity in these accounts during our audit. We recommend that the Council require all bank accounts in the control of County employees to be evaluated and, where necessary, included in the financial statements. In addition, we recommend that the County Auditor work with others in management to determine the appropriate level of internal control over these accounts.

Council Response:

1. The Council will follow up on the recommendations in this letter.
2. The Council decided several years ago not to require the Council on Aging to repay the loan. Based on the recommendation, the Council will re-evaluate this position and determine the course of action to resolve this matter.
3. These accounts will be evaluated and monitored by the Executive and Auditor and included in the financial statements where necessary.

Information Technology

1. During the course of our audit, we noted that several property tax system reports had deviations that caused elected officials to either reject the report or request significant changes to the report. In addition, certain property tax reports that we requested and tested had discrepancies that required changes to the reports. We understand that the information technology service employees were resolving other systems support issues at the time the property tax reports were needed. We recommend that the County formalize and document its processes for preparing the annual property tax reports. We also recommend that the County ensure that adequate resources are available to properly prepare those reports.

Management Response:

1. The County hired an additional programmer at the beginning of 2006 to expedite the rewrite of the tax roll system. With the rewrite from VB6 to VB.net2005 the County will formalize and document the process.

Compliance Issues

1. State law requires the submission of quarterly reports documenting building permit activity and remittance of a portion of the permit fees collected. Of the four quarterly reports documenting activity in fiscal year 2005, one submission was not remitted to the State within 30 days as required by the State.
- * 2. Based on our inquiries and observations, certain public funds are received by County employees but are not deposited within 3 business days as required by State law. We recommend that the County follow its policy of depositing funds within 3 business days.
3. State law requires that interlocal agreements arranged by multiple counties for the joint provision of mental health services to make several designations or appointments within the interlocal agreement. We noted that the interlocal agreement between Cache County, Box Elder County and Rich County does not contain certain required designations. We recommend that the County Attorney review the agreement and make amendments where appropriate.

Management Response:

1. The reports will be filed with the State in a timely manner.
2. The County will continue to train each department on the State law requiring that funds received be deposited within 3 business days.
3. The County Attorney will review the agreement and make the required designations.

We express our appreciation for the courtesy and assistance extended to us by County officials and their staffs during the course of our audit. A considerable amount of time was provided by department personnel to help prepare schedules, locate documents and meet with our audit staff during the audit. This cooperation was extremely helpful. We will be pleased to discuss any of these recommendations at your convenience.

This report is intended solely for the use of the County council, County officials and certain regulatory bodies and should not be used for any other purposes.



JONES SIMKINS, P.C.
June 12, 2006

ORDINANCE NO. 2006-07

AN ORDINANCE REZONING CERTAIN REAL PROPERTY, AND AMENDING THE
CACHE COUNTY LAND USE ORDINANCE, NO. 90-15

The Cache County Council, in a regular meeting, lawful notice of which has been given, finds that the following rezoning should be approved; and that the Cache County Land Use Ordinance, No. 90-15, together with the official Zoning Map of Cache County, should be amended, accordingly.

Therefore, the Cache County Council ordains as follows:

1. That the following described real property located in Cache County, State of Utah, consisting of approximately 26.35 acres, which is owned by Casper's Ice Cream lying within Township 14 North Range 1 east of the Salt Lake Base and Meridian be rezoned Industrial Manufacturing (IM) more particularly described as follows:

Lot 1 of the Casper's Ice Cream Minor Subdivision

PART OF THE NORTHWEST QUARTER OF SECTION 22, T.14N., R.1E., S.L.B.&M., U.S. SURVEY,
DESCRIBED AS FOLLOWS:

BEGINNING AT A POINT THAT IS SOUTH 5805.90 FEET AND EAST 1841.99 FEET FROM THE NORTHWEST CORNER OF SECTION 15, SAID POINT ALSO BEING SOUTH 571.10 FEET AND WEST 1033.85 FEET FROM THE NORTH QUARTER CORNER OF SAID SECTION 22 (BASIS OF BEARINGS BEING N00°07'08"W ALONG THE SECTION LINE BETWEEN THE NORTHWEST CORNER OF SAID SECTION 15 AND THE WEST QUARTER CORNER OF SECTION 10, T.14N., R.1E., S.L.B.&M., U.S. SURVEY); THENCE S04°25'21"W 418.21 FEET TO THE NORTH RIGHT-OF-WAY LINE OF 11600 NORTH STREET; THENCE ALONG SAID NORTH LINE THE FOLLOWING TWO (2) COURSES: (1) N85°39'30"W 87.58 FEET TO A 1333.00 FOOT RADIUS CURVE THE CENTER OF WHICH BEARS S04°20'30"W, AND (2) WESTERLY ALONG SAID CURVE TO THE LEFT THROUGH A CENTRAL ANGLE OF 09°19'52" A DISTANCE OF 217.09 FEET; THENCE N04°18'48"E 398.79 FEET; THENCE N88°51'30"W 79.79 FEET; THENCE N07°50'11"W 20.25 FEET; THENCE S88°51'30"E 389.04 FEET TO THE POINT OF BEGINNING.

CONTAINS: 2.93 ACRES

Lot 2 of the Casper's Ice Cream Minor Subdivision

PART OF THE SOUTHWEST QUARTER OF SECTION 15 AND THE NORTHWEST QUARTER OF SECTION 22, T.14N., R.1E., S.L.B.&M., U.S. SURVEY, DESCRIBED AS FOLLOWS:

BEGINNING AT A POINT THAT IS WEST 2064.57 FEET AND SOUTH 4128.39 FEET FROM THE NORTHWEST CORNER OF SECTION 15 (BASIS OF BEARINGS BEING N00°07'08"W ALONG THE SECTION LINE BETWEEN THE NORTHWEST CORNER OF SAID SECTION 15 AND THE WEST QUARTER CORNER OF SECTION 10, T.14N., R.1E., S.L.B.&M., U.S. SURVEY); THENCE S04°00'14"W 514.51 FEET; THENCE S86°40'51"E 150.42 FEET TO THE CENTERLINE OF CUB RIVER DRIVE; THENCE ALONG SAID CENTERLINE THE FOLLOWING FIVE (5) COURSES: (1) S04°00'14"W 528.23 FEET TO A 175.00 FOOT RADIUS CURVE THE CENTER OF WHICH BEARS N85°59'46"W, (2) SOUTHERLY ALONG SAID CURVE TO THE RIGHT THROUGH A CENTRAL ANGLE OF 28°32'23" A DISTANCE OF 87.17 FEET, (3) S32°32'37"W 443.99 FEET TO A 175.00 FOOT RADIUS CURVE THE CENTER OF WHICH BEARS S57°27'23"E, (4) SOUTHERLY ALONG SAID CURVE TO THE LEFT THROUGH A CENTRAL ANGLE OF 28°07'16" A DISTANCE OF 85.89 FEET, AND (5) S04°25'21"W 92.03 FEET TO THE NORTH LINE OF LOT 1; THENCE N88°51'30"W ALONG SAID NORTH LINE 389.04 FEET TO THE BOUNDARY LINE OF THE CORPORATION OF THE PRESIDING BISHOP OF THE CHURCH OF JESUS CHRIST OF LATTER-DAY SAINTS; THENCE ALONG SAID BOUNDARY LINE THE FOLLOWING SEVEN (7) COURSES: (1) N07°50'11"W 241.71 FEET, (2) N14°02'49"E 375.53 FEET, (3) N16°27'11"W 251.96 FEET, (4) N03°04'11"W 364.98 FEET, (5) N00°46'11"W 320.93 FEET, (6) N28°27'49"E 149.29 FEET, AND (7) N89°13'49"E 577.48 FEET; TO THE POINT OF BEGINNING;

CONTAINS 23.42 ACRES

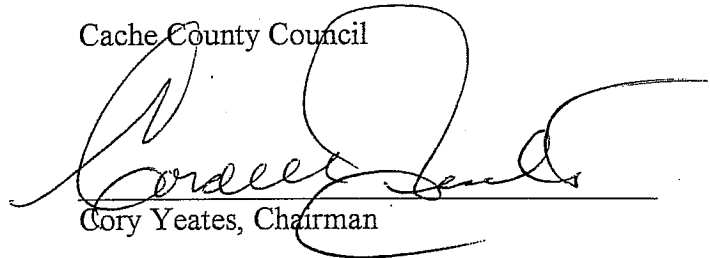
2. That the Cache County Land Use Ordinance, No. 90-15, together with the Official Zoning Map of Cache County, are hereby amended accordingly.

Section: This Ordinance shall become effective immediately upon publication, in the manner required by law.

This Ordinance was adopted by the County Council, Cache County, Utah on the 27th day of June, upon the following vote:

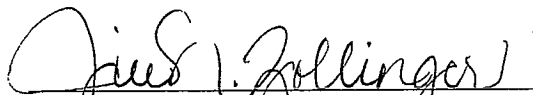
	Voting in Favor	Voting Against	Abstaining	Excused/Absent
H. Craig Petersen	X			
Brian Chambers	X			
Darrel L. Gibbons	X			
John H. Hansen	X			
Kathy Robison	X			
Cory Yeates	X			
Gordon Zilles	X			

Cache County Council



Cory Yeates, Chairman

ATTEST:

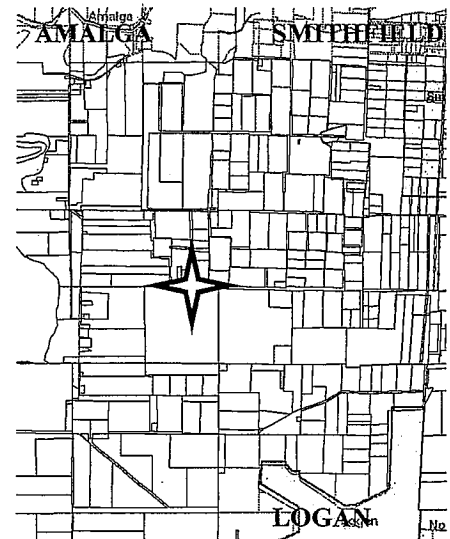


Jill N. Zollinger, County Clerk

Publication Date: July 12, 2006

Development Services Cache County Corporation

Project Name: Rogers Lot Split Subdivision
Agent: Bryan and Chriss Rogers
Request: Lot Split Subdivision
Type of Action: Quasi-Judicial
Current Zoning: Agriculture (A)
Project Address: 1721 West 4200 North (Benson)
Tax ID: 04-021-0011
Staff Recommendation: Recommend Approval with Stipulations
Surrounding Uses: North – Agriculture
South – Agriculture
East – Agriculture
West – Agriculture



Site Location

PROJECT

Request: The applicant is requesting a lot split subdivision to create one (1) building and one remainder parcel. The proposed lot sizes are 1.0 acres (Lot 1) and 17.35 acres (Lot 2). The lot sizes on both Lots 1 and 2 meet the minimum lot size requirements for a small subdivision as provided in §17.09.080. Staff does not have any concerns with this Lot Split Subdivision. The applicant has had a survey waiver form approved by staff for Lot 2, which waives the requirement of a survey for the remainder piece. This in turn does limit Lot 2 for any further development at this time as is noted on the plat.

Water & Septic: Lot 1 and 2 are feasible for a septic system. At this time water is not required as this is part of a lot split subdivision, however, prior to the issuance of a Zoning Clearance, approved water rights will be required.

Access: Both lots within this subdivision are accessed by 4200 North, which has a hard surface width of between 19 and 20 feet.

AGENCY AND COUNTY DEPARTMENT COMMENTS

Bear River Health Department:

- Both Lots 1 and 2 are feasible for on-site wastewater disposal systems.
- Any new septic system shall be between 100 and 200 feet from any water ways or wells, as determined by the Bear River Health Department.

Cache County Road Department:

- The road has a current hard surface width of 19 to 20 feet.
- Dedicate 33 feet from the centerline of 4200 North.
- Install a culvert (18" minimum diameter) under the any approaches to these lots.

Cache County Fire Department:

- No issues for the Lot Split, but will require further approvals prior to the issuance of a zoning clearance.

Cache County School District:

- The nearest bus stop will be located at 4200 North 2400 West.

Cache County Service Area #1

- The container must be placed on an accessible County road (4200 North).

PUBLIC COMMENTS

Notices were mailed to 4 property owners located within three hundred feet of the subject property.

STAFF RECOMMENDATIONS

Action: Staff recommends that the Planning Commission approve a motion to recommend that the County Council approve the Rogers Lot Split Subdivision, a two (2) lot subdivision for property located at approximately 1721 West 2400 North, TIN # 04-021-0011.

Stipulations:

1. Any new septic systems shall meet the requirements of the Bear River Health Department and shall be a minimum of 200 feet from any water way or well unless otherwise designated by the Health Department.
2. Prior to the issuance of a Zoning Clearance for Lots 1 or 2, proof of appropriate water shares will be required.
3. The proponent shall install a culvert (minimum of 18" diameter) on any approach connecting to 4200 North or design the approach so as to not impede the natural drainage of water along the road.

RECOMMENDED FINDINGS OF FACT

The Planning Commission bases its decision on the following findings supported in the administrative record for this project.

1. The Rogers Lot Split Subdivision has been revised and amended by the conditions of project approval to address the issues and concerns raised within the public and administrative records.
2. The Rogers Lot Split Subdivision has been revised and amended by the conditions of project approval to conform to the requirements of Title 17 of the Cache County Code and the requirements of various departments and agencies.
3. The subdivision approval is issued in conformance with Title 17 of the Cache County Code.
4. The Rogers Lot Split Subdivision is compatible with surrounding land uses and will not interfere with the use and enjoyment of adjoining or area properties.
5. 4200 North, the road that provides access to the subject property, has an adequate capacity, or suitable level of service, for the proposed use.

Respectfully submitted,



Josh Runhaar

Cache County Planner & Zoning Administrator

Report Published: May 3, 2006

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 prior to and during the course of the Planning Commission meeting. Additional information may be revealed by participants at the Planning Commission meeting which may modify the staff report. The Zoning Administrator reserves the right to supplement the material in the report with additional information at the Planning Commission meeting.



NOT APPROVED

NOT APPROVED

NOT APPROVED

1 Benson Planning

2 **Minutes for 16 May 2006**

3 Present: Tracy W. Reese, Lanny Ballard, C. Wayne Maughan, Jerry M. Toombs, Josh Runhaar, Brigham Rupp.

4 Start time: 7:30

5 **Approval of Minutes**

6 Ballard welcomed the group and asked about the previous minutes.

7 Reese moved to approve the minutes, Toombs seconded; passed 4,0.

8 **Item 1: Brian and Chris Rogers Lot-Split Subdivision**

9 Ballard read through the item introduction.

10 Ballard asked for questions.

11 Ballard asked if they were going to dig a well.

12 Chris Rogers said they were close enough to the fire hydrant to hook into the culinary water.

13 Maughan asked if they had approved that.

14 Rogers said Nick Galloway said they had approved it but had not sent in a letter certifying it.

15 Ballard asked how far the hydrant is.

16 Rogers said about 200 feet, and they can connect as long as they are within 500 feet.

17 Maughan asked if the hydrant was on the west side of the creek.

18 Rogers said it was.

19 The board looked through the maps to orient themselves.

20 Maughan said the hydrant was on the east side of Brent's house by the road.

21 Toombs asked if the water connection was approved by the committee or Galloway had just said it was.

22 Rogers said Galloway told them it would be approved, but that it was not actually approve yet.

23 Reese asked if they had put their name on the list.

24 Rogers said she thought he did, because he was going to write a letter.

25 Toombs said it's not hard to get to the top of the list.

26 Ballard asked if splitting off one lot restricted further splits.

27 Runhaar said it does not, and they also do not require water at the time of lot split approval, but it will be required when they obtain a Zoning Clearance to build a home.

28 Toombs asked if one acre is all that is required.

29 Runhaar said minimum is .5 acres, but the County defers to Bear River Health which may impose a larger minimum lot size based on water and septic issues.

30 Reese said the water table is going to be good. They picked a high spot.

31 Rogers said they picked the best spot on the lot.

32 Reese asked if they planned to use wells in the future.

33 Rogers said they actually want to buy the rest of the property and keep it open. They don't want people close.

34 Reese said he has no other questions.

NOT APPROVED

NOT APPROVED

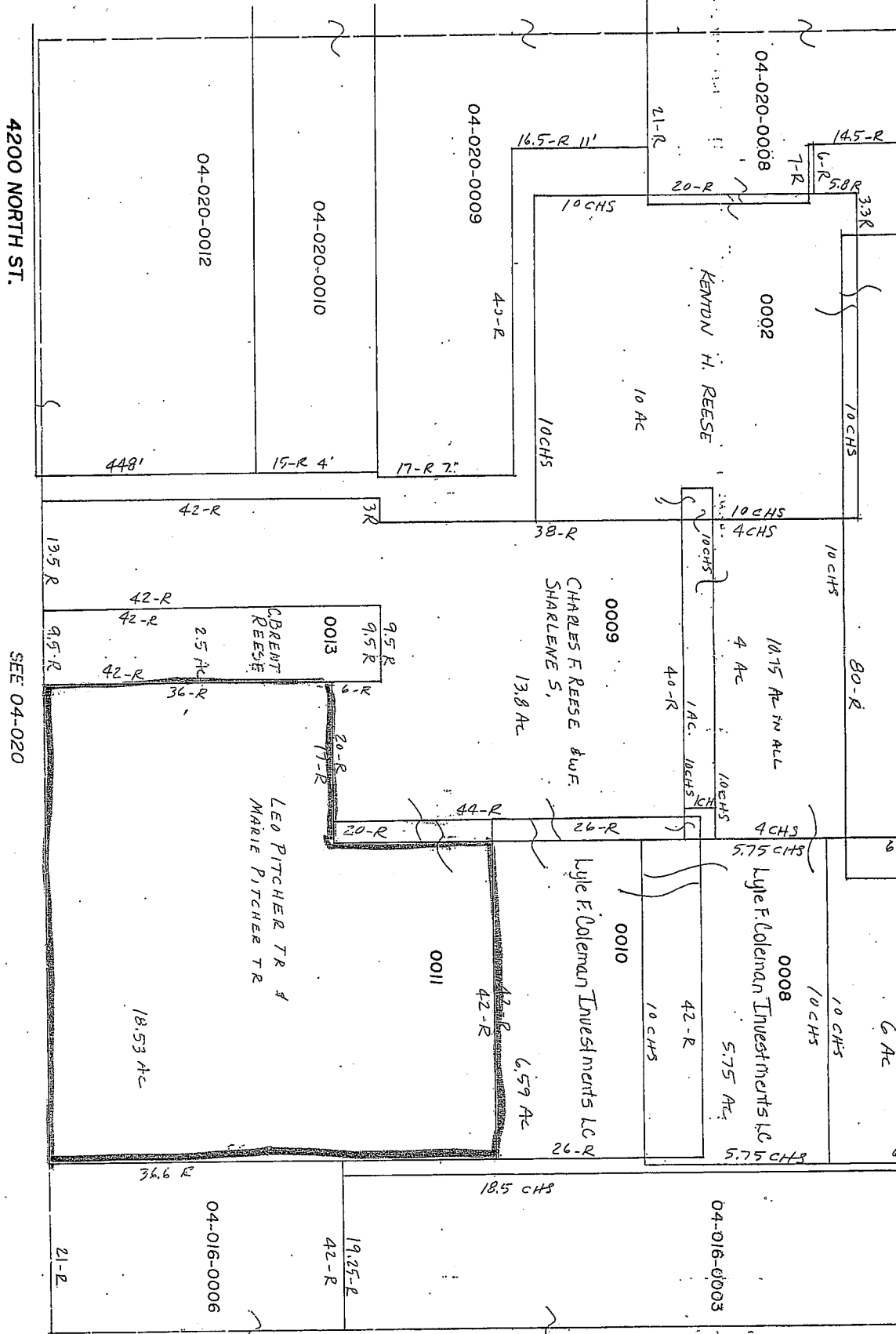
1 Toombs asked when they plan on building.
2 Rogers said hopefully September or October. The septic permit expires in April, so before then.
3 Toombs said he did his subdivision on May 17, a year ago, and he is still building.
4 Ballard asked for a motion.
5 Toombs motioned to approve the lot split subdivision, Maughan seconded; passed 4,0.
6 Meeting adjourned at 7:45.
7

NOT APPROVED

NOT APPROVED

APPROVED

SEE 04-020



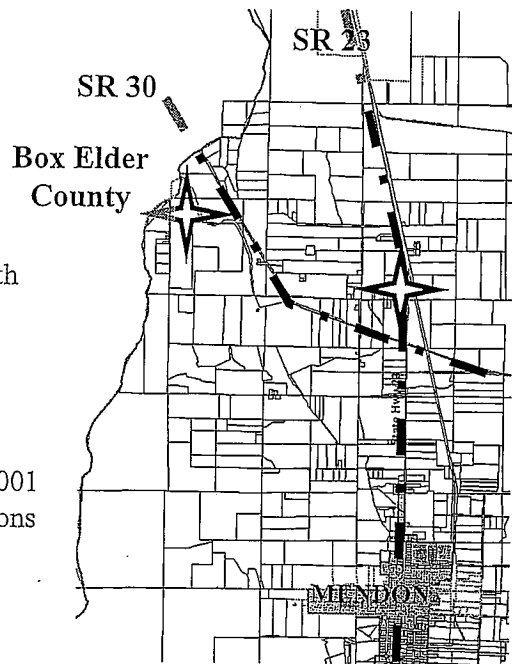
PREPARED BY 04-02110011 ID

SEE 04-016



Development Services Cache County Corporation

Project Name: Spring Ridge Estates
Agent: Allen Burris
Project Address: Approximately 8000 West 2400 North
(Petersboro)
Request: A Thirty-Nine (39) Lot Agricultural
Subdivision
Current Zoning: Agriculture (A)
Type of Action: Quasi-Judicial
Tax ID: 12-045-0009/0026 & 12-047-0010/0001
Staff Recommendation: Recommend Approval with Stipulations
Surrounding Uses: North – Weber County (Agriculture)
South – Agriculture
East – Residential/Agriculture
West – Residential/Agricultural



Site Location

PROJECT

History: A lot split on parcel 12-047-0001 was completed in May of 2005 in order to create a single lot for an existing residence. This lot was included in this subdivision as Lot 39 because the remainder portion of that lot split is being utilized within the proposed subdivision. Lot 39 is 5.60 acres in size and is not changing in any way.

Request: The applicant is requesting a subdivision to create thirty-eight (38) new building parcels, one area of open space (16.34 acres) surrounding a natural spring, and two agricultural remainder parcels (Parcel A is 36.99 acres and Parcel B is 30.80 acres). The thirty-eight proposed lots range in size from 5.52 acres to 8.33 acres, with 27 of the 38 lots being between 5.5 and 6.0 acres. The proposed subdivision meets the minimum lot size requirements of §17.09.040 and §17.09.080. The two agricultural remainder parcels are currently undevelopable, but upon further approvals may be further subdivided or developed at a future date.

The applicant has provided a draft of the restrictive covenants for the subdivision which is currently being reviewed by the Cache County Attorney's office.

Water: The applicant is proposing to utilize a 200,000 gallon water tank that is located within Box Elder County. At the workshop discussions on January 9, 2006, the applicant was asked to provide a mechanism to protect and ensure the water rights for the future lot/homeowners of the proposed subdivision. In response the applicant has submitted a draft water agreement which is currently being reviewed by the Cache County Attorney's office.

Septic: The Bear River Health Department has indicated that the proposed subdivision is feasible for onsite septic systems for each lot. The applicant has also submitted an environmental review of the site which confirms that the soils are adequate for onsite waste water treatment.

Access: The primary access to the subdivision is 2400 North which accesses from Hwy 30. The applicant and staff have worked with UDOT to develop an agreement that will ensure the safety of future land owners and motorists on Hwy 30. A Traffic Impact Study (TIS) was completed by the applicant and was used to determine what improvements would be necessary at the intersection of 2400 North and Hwy 30. The applicant is currently working with UDOT on options in regards to turning lanes and intersection issues at Hwy 30, however no agreements have been completed. Staff is continuing to work with UDOT and the applicant to ensure that this access issue is resolved.

The other access issue identified by staff and discussed at the January 9, 2006, workshop session was the internal road proposed by the applicant. The applicant has proposed a 20-foot wide gravel road with a 50-foot wide easement. Staff is concerned with this road as it has been seen over time with many other private roads throughout the County that maintenance is not completed and the roads fall into disrepair. In addition, the number of lots located within this subdivision require a large amount of service (including fire, sheriff, bus service, and garbage collection to name a few) that would not be able to adequately service this development with gravel roads. Staff is recommending that the road not be left as a private road, but instead a 50 foot wide right-of-way be dedicated to the County and that the road be paved (asphalt) instead of graveled. This will ensure that the road is the best possible road and that maintenance is completed and does not financially burden the County.

Waste Collection: With the current proposal of a gravel road, the Service District is recommending that a central waste center be located for the entire subdivision. Staff is concerned that a central waste center for a 39 lot subdivision would be difficult to maintain and inevitably be a source of visual blight and lead to issues of smells, animals, and other pests. Instead, staff has discussed options with the Service District and with a paved County road that meets fire access standards, the service district will locate individual cans at each lot for collection.

AGENCY AND COUNTY DEPARTMENT COMMENTS

Bear River Health Department:

- Preliminary analysis of the site along with the environmental review completed by BioWest show the site to be feasible for onsite septic systems for each lot. Individual reviews will have to be completed prior to any septic systems being located on the proposed lots.

Cache County School District:

- The nearest bus stop would be located at 2400 North 7600 West unless the internal road meets bus access requirements.

Cache County Road Department:

- 8000 West: The existing hard surface width is 21 feet (chip & seal) with a 45 foot wide disturbed right-of-way. Dedication of 25 feet from the road centerline is recommended.
- 2400 North: The existing hard surface width is 24 feet (chip & seal) with a most areas at 50 feet of disturbed right-of-way, however, dedication is not completed along most of this subdivision. Dedication of 25 feet from the road centerline is recommended.

Cache County Service Area #1

- The garbage collection will need to occur at a central site unless the road access meets all weather standards for fire and garbage collection. Further review is required for either option.

Cache County Fire Department

- Fire protection will be provided from the proposed water tank with fire hydrants located as necessary throughout the subdivision. Further submittals will be required to designate the fire hydrant locations.
- All of the roads shall meet minimum access requirements including grade, width, and turn-arounds for fire equipment.

PUBLIC COMMENTS

Notices were mailed to 12 property owners located within three hundred feet of the subject property and to the Utah Department of Transportation and Box Elder County. At the time the staff report was prepared, one comment had been received by Staff.

STAFF RECOMMENDATIONS

Action: Staff recommends that the Planning Commission approve a motion to recommend that the County Council approve the Spring Ridge Estates Subdivision, a thirty-nine (39) lot subdivision for property located at approximately 8000 West 2400 North, TIN # 12-045-0009/0026, 12-047-0010/0001.

Stipulations:

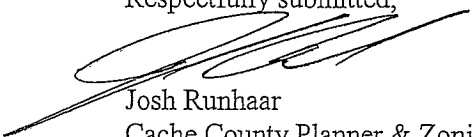
1. The applicant shall continue to work with UDOT to ensure the intersection at 2400 North and Hwy 30 is developed to UDOT standards. The plat shall not be recorded until agreements are in place between the developer, UDOT, and the County for this intersection. Any alterations to the plat required by alterations in this intersection shall be reviewed by staff prior to recordation.
2. The applicant shall dedicate 25 feet from the centerline of both 8000 West and 2400 North.
3. The applicant shall dedicate a 50 foot wide right of way on the entire internal road.
4. The applicant shall pave (asphalt) the internal road with a minimum of 20 feet in width with 4 foot wide shoulders on each side. The applicant shall submit plans and cross sections of the proposed road, as prepared by an appropriate engineer, for review and approval by staff. During all phases of the construction, inspections and approvals by County road staff shall be completed.
5. The plat shall not be recorded until an agreement in regards to the water supply is approved by the Cache County Attorney.
6. The plat shall not be recorded until an agreement in regards to the restrictive covenants is approved by the Cache County Attorney.
7. Prior to the issuance of a zoning clearance for any development on this site, a hydrant location and water pressure plan shall be submitted to and approved by the Cache County Fire Department.
8. The garbage collection shall be reviewed prior to the recordation of the plat to ensure that adequate collection can occur and that the location of the waste does not impose any negative impacts on the area.
9. If the development of the subdivision is phased, a development agreement shall be submitted detailing the phasing plan, infrastructure development, and any other information deemed necessary by staff.
10. All of the utilities and associated easements shall be provided for within lot setbacks throughout the subdivision. The location of utilities and easements shall be approved by staff prior to recordation of the plat.

RECOMMENDED FINDINGS OF FACT

The Planning Commission bases its decision on the following findings supported in the administrative record for this project.

1. The Spring Ridge Estates Subdivision has been revised and amended by the conditions of project approval to address the issues and concerns raised within the public and administrative records.
2. The Spring Ridge Estates Subdivision has been revised and amended by the conditions of project approval to conform to the requirements of Title 17 of the Cache County Code and the requirements of various departments and agencies.
3. The subdivision approval is issued in conformance with Title 17 of the Cache County Code.
4. The Spring Ridge Estates Subdivision is compatible with surrounding land uses and will not interfere with the use and enjoyment of adjoining or area properties.
5. SR 30 and 2400 North, the roads that provide access to the subject property, have an adequate capacity, or suitable level of service, for the proposed use.

Respectfully submitted,



Josh Runhaar
Cache County Planner & Zoning Administrator
Report Published: February 23, 2006

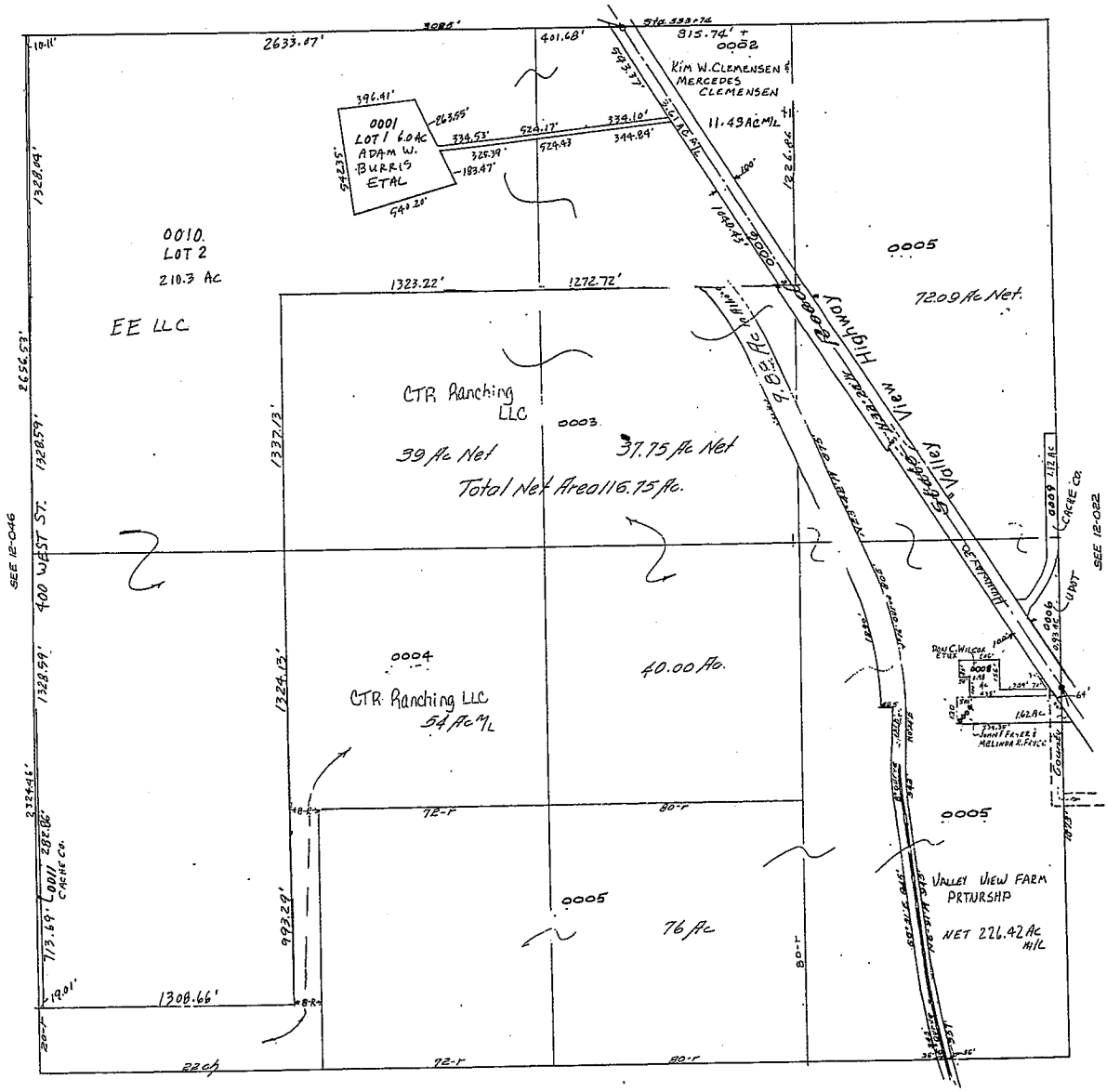
This staff report is an analysis of the application based on adopted County documents, standard County development practices, and available information. The report is to be used to review and consider the merits of the application prior to and during the course of the Planning Commission meeting. Additional information may be revealed by participants at the Planning Commission meeting which may modify the staff report. The Zoning Administrator reserves the right to supplement the material in the report with additional information at the Planning Commission meeting.



SECTION 24, TOWNSHIP 12 NORTH, RANGE 2 WEST.
SCALE 1 INCH = 6 CHAINS.

TAX UNIT 28

SEE 12-045

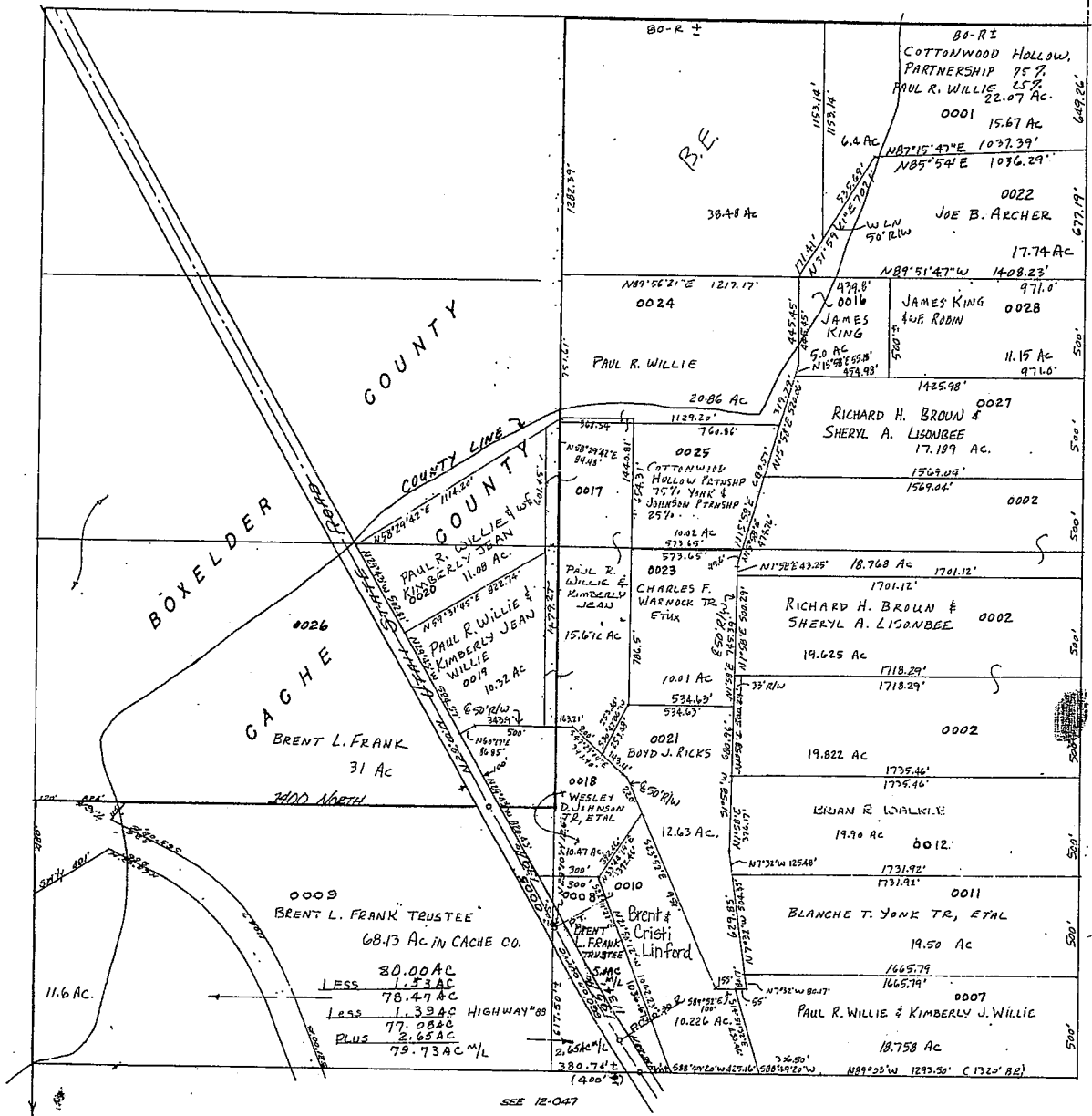


SEE 12-048

SECTION 13, TOWNSHIP 12 NORTH, RANGE 2 WEST.
SCALE 1 INCH = 6 CHAINS.

TAX UNIT 28

SEE 12-044



SEE 12-021

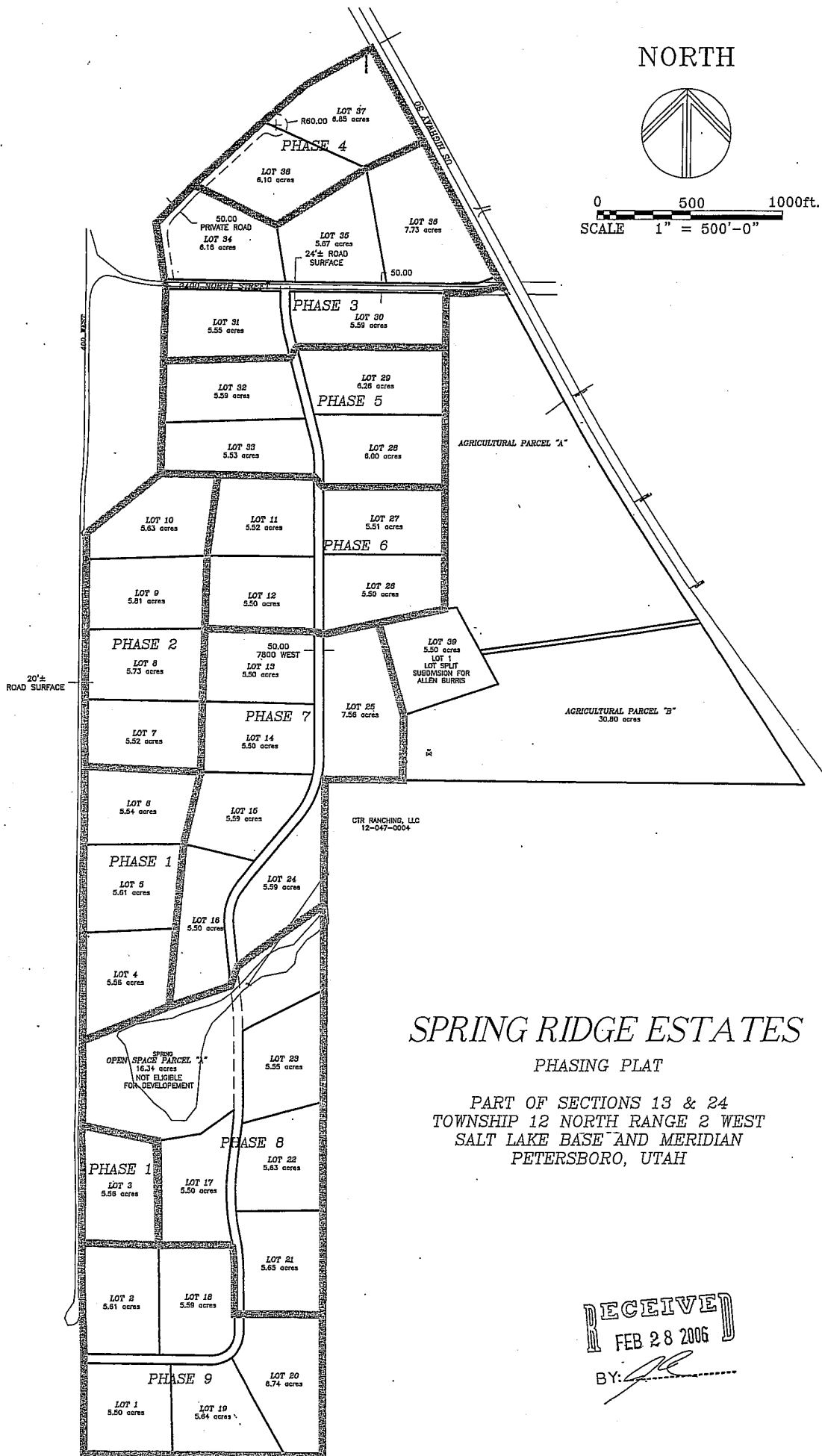
SEE 12-047

31

NORTH



0 500 1000ft.
SCALE 1" = 500'-0"



SPRING RIDGE ESTATES

PHASING PLAT

PART OF SECTIONS 13 & 24
TOWNSHIP 12 NORTH RANGE 2 WEST
SALT LAKE BASE AND MERIDIAN
PETERSBORO, UTAH

RECEIVED
FEB 28 2006

BY: *[Signature]*

Cache County Planning Commission (CCPC)
Minutes for 1 May 2006

Present: Troy Allen, Linda Christiansen, Lee Nelson, Curtis Dent, Jack Draxler, Josh Runhaar, Wendell Morse, and Brigham Rupp. In the audience were: George Daines, Lynn Lemon, and Craig Humphreys

The meeting was called to order at 1:01 p.m.

Nelson welcomed those in attendance; **Christiansen** gave opening remarks.

Approval of Agenda

Nelson recognized a UDOT representative present for the Powder Mountain item. Because he needed to leave soon, Nelson asked that Item 8 be moved to the beginning of the meeting.

Draxler moved to place Item 8 at the front of the agenda; Christiansen seconded; passed 5, 0.

Christiansen motioned to approve the agenda as amended; Allen seconded; motion passed 5, 0.

Approval of Minutes

Dent moved to approve the minutes as presented; Christiansen seconded; motion passed 5, 0.

Item #7: Agricultural Subdivision

Allen Burris, agent (06-11Sub), is requesting a recommendation of approval to the County Council for a 39-lot subdivision to be called Spring Ridge Estates on 319.84 acres of property in the Agricultural Zone located at approximately 8000 West 2400 North, Petersboro (adjacent to Box Elder County).

Runhaar said he did not work up a new staff report. The roads have been the big holdup. He is trying to pin down what the County Council wants as policy. Public roads do not seem to be the answer. Runhaar said he has talked to Daines about a few different options. The State fuel tax pays about 2/3 of the maintenance, so the County pays about \$5,000 a year per mile of road. He and Daines have looked at creating a special fees district or a special tax assessment area based on the road needs. He projected an excel breakdown of the costs for roads provided by Dennis Lower. It showed the extra cost, per lot, to maintain that road. It comes to about \$118 per lot, per year; just under \$10 per month. Runhaar's initial assessment of the cost was only a \$12 difference. These are rough numbers and need to be reviewed. The County can do the best maintenance, but the County cannot afford to maintain the roads. One of these plans may work to recoup the cost of maintaining the road.

Runhaar said they have also worked on a number of stipulations that were on the March 6th staff report. He has gone back and started to edit those based on feedback. Runhaar read through some of the stipulations.

Dennis Lower, representing Spring Ridge Estates, came to the podium.

Nelson said to make a good road; it takes a year or two to stabilize the road base. The County does not expect them to put in the first phase of homes and chip and seal the roads immediately.

Lower asked if he could address the road issue. He said they have hired a firm that can decide what kind of road this development needs. The first thing is to get the topsoil out and fill it with a pit run; they recommend nine inches of material, consistent in sized for road base. As important as the grading is, the road needs to be crowned so that the water runs off. They would like to get the road roughed in, get part of the nine inches of material down, let it settle for a year, and get the construction equipment off of it. This will still provide adequate access, and when most of the construction is done, they want to finish the grade, fill the remainder of the nine inches, and chip and seal it.

Allen asked if they say to take the topsoil off and put crushed road base on.

Lower said the pit run would fill the voids to make everything level, and then the crushed road base goes on top.

Allen said they need to make sure they have sufficient pit run even in the high spots.

Lower said storm water is another issue. They had a study done, based on a 100-year storm, and it calculates the total acreage, how much road there is, and how many houses there are. In this case, the roads and houses are 3 percent of 300 total acres. They are adding 1 percent to the total flow. Flow is determined by time and/or volume. Essentially, there is no need for storm retention based on a 1 percent increase. By the time the water runs to the culvert, the time will be enough that they do not need to do anything additional. They are planning on planting some grasses on the property.

Lower continued that the road cost study is based on a 20-year life span. They will double chip and seal, and then re-chip

every seven years. They are including three re-seals, clean out of culverts, patch holes, and remove snow (up to 80 inches a year).

Nelson asked if the \$118 a year would be paid to the County to maintain the road.

Lower said that cost will be there regardless of who owns the roads; that figure needs to be evaluated and updated over time. He said he agrees with Daines' desire for an improvement district since the County can do a better job than anyone else on the roads.

Lemon asked if that meant the County would put in the chip and seal.

Nelson replied that it did not, they would just maintain the road once it was completed.

Draxler said the homeowners would pay \$120 a year to maintain the roads.

Lower said Daines recommended to put this on the County taxes, not the HOA.

Nelson said that \$120 is pretty cheap.

Morse said that after 20 years, they need to replace the road; they need to have a sinking fund to replace the road.

Lower said the State funding is not in the calculations, but he does not think they will replace the road after 20 years. He said the number one concern with road surface is the volume of traffic, and their subdivision is going to have low traffic volume.

Draxler said chip and seal requires a certain volume of traffic to keep it good.

Nelson asked if Lower knows how much traffic that is.

Lower said he did not know what that amount of traffic was; but it is a good road and will have enough traffic.

Burris explained the process they go through to make the road bond together.

Allen Gardner from Mendon said this is all part of Mendon's annexation declaration. That road is going to have more traffic than just residential; the road needs to be bigger and better. This is going to turn out like Cobblestone, where the road is insufficient and it will never be taken care of. Mendon had to take over Cobblestone's water system. They need someone to maintain that.

Nelson said they have addressed that issue and they are careful with what people do with the roads up there.

Gardner said that when this area develops, they are going to need a better road. He said people like to drive this road just because it is scenic. There is no bypass road west or east of Mendon.

Lower said they are well aware of the cost of maintaining the reservoir. They have provided a spreadsheet of that cost; and the figures are very detailed.

Nelson said he did not see a relationship between this development and Cobblestone.

Lower agreed.

Nelson said they are being very careful.

Daines entered and reviewed the road costs.

Lemon said some of the road is already County.

Lower said yes, but the maintenance figures are for all the roads up there.

Nelson explained that they are recommending a special improvement district.

Daines asked about some of the figures.

Lower said he counted 44 units: their 38 and 6 existing; they figured it would cost \$433 a month for maintenance, divided by the number of units.

Daines said that would be \$5,000 a year.

Runhaar said that was already his ballpark figure for maintenance.

Daines asked if they could provide a similar break down for the water system.

Lower said it is done, and is attached to the HOA.

Lower said it is \$25 per hookup per unit per month, not counting overages. It would generate about \$400 a month. It is detailed and it covers everything: sinking fund, expert maintenance—everything.

Daines said he received the HOA draft.

Lower said it has been updated.

Daines said his draft provided water for a quarter-acre yard per lot.

Lower said they changed it to 7,000 square feet per yard because no one knows what a quarter acre is.

Daines said that a quarter acre is a pretty small piece of grass around the lot.

Lower said the 7,000 is additional to the home. They plan to place the rest of the land in CRP.

Daines said the covenants do not address that as a requirement, and they should make it more affirmative that there is not a weed patch created there.

Lower said they have basically done that, but they may need to put more teeth in it. He said **Daines** needs to see the new draft.

Daines said he is ready to do a review if they are. There should be some requirement to keep the land managed and keep it from becoming weed lots.

Lower said it is in the latest draft as a requirement, not a suggestion.

Daines asked if people can pay more for more water.

Lower said they can pay an overage to a point, but it is not unlimited.

Christiansen asked if the homes are metered.

Lower replied they will be.

Gardner said they tripled Mendon's overage rate.

Lower said theirs is much more.

Lemon asked if the intent was to have the property in greenbelt. They do not qualify for greenbelt if they are not producing on the land.

Christiansen agreed that it has to be producing.

Runhaar said that the State controls greenbelt and the State completes a survey to keep track if the property owner is meeting requirements.

Lemon asked if this would qualify for CRP.

Dent said as individual lots, it will not qualify as CRP.

Draxler said they can plant CRP grass, but not qualify as CRP.

Runhaar said as soon as the subdivision is approved, they will be taken out of greenbelt anyway.

Daines said CRP would be a good use of the land.

Nelson asked if a homeowner could have a few cattle or raise alfalfa.

Lower said no alfalfa will be allowed because it is too water intensive; only some lots can have animals.

Dent said alfalfa roots are deeper than grass and can be dry farmed.

Lower said he was talking about getting a few crops a year.

Daines asked where the Commission is with this item.

Lower said they have met or exceeded all criteria since the beginning.

Daines said the County needs to finish reviewing everything.

Runhaar said they need another review. They are going to hold the plat until everything is done. He warned the applicants that there is going to be a lot of discussion with the County Council. There is no way to do everything before the subdivision is recommended for approval. Most of these things will be done after the subdivision is approved.

Nelson said in his opinion, the applicants have done a good job to provide the requested information. He feels good about what they have done to satisfy all the CCPC's conditions.

Runhaar said the only question he has is the request for peer-reviewed plans. He says they might want to add a condition that they can peer review the plans.

Lower said he has no problem with that as long as they have good, efficient people reviewing.

Daines said as far as he is concerned, he can do more legal work after the approval.

Runhaar showed the list of stipulations on the overhead. He read through the stipulations. He added number 12) that the applicant shall be required to pay for a peer review of water, hydrology, etc... anything that staff considers to need a peer review.

Morse asked if they need to consider a 25-foot wide road surface on the loop.

Nelson said that for the amount of traffic and the size of the lots, a 20-foot wide road surface with 4-foot sides will be adequate.

Dent asked if the review would decide that.

Morse replied it probably would. If a road is to be widened, it would be the one that ties into the main road.

Allen said he thinks that 20 feet is adequate. The density here is the same as downtown Cove.

Gardner asked how far apart the fire hydrants are.

Lower said he could not remember. They worked with the State and have met all their requirements and more.

Runhaar said he had drafted a stipulation 12), but he wanted to go over it and make sure it was agreeable with the Commission.

Christiansen asked if the HOA issues were covered.

Nelson said that was all in the CC&Rs.

Allen said that some of the County Council members have said that they are not sure they will allow subdivisions of this size; if the Commission approves it, then they are showing that they disagree with them.

Christiansen said she agrees, but this application was filed before those decisions. What they do and do not do does not reflect on this board; it reflects on the ordinances.

Runhaar said the Commission is supposed make decisions based on the current ordinances. The County Council can do things based on opinion and not just the ordinances.

Draxler agreed. He is opposed to subdivisions of this size, but they applied and the ordinance allowed it. If the motion is made to recommend, he will vote for it, but he is still in opposition to subdivisions of this size.

Lower said the Commission has approved a lot of these large subdivisions; the numbers do not mean much. He said it is really the density that matters. Whether or not it was the intent of the Commission, it has approved many subdivisions of this type.

Dent agreed. They have approved many. This one will be planned better than most of the linked subdivisions. There are a lot of people who want to keep a few animals who cannot do that in the municipalities; they need somewhere else to go. You cannot get a 5.5-acre lot in the municipalities.

Nelson said he appreciated the patience of the applicants and wished them good luck with the County Council. He did not see any reason not to act on the request.

Dent moved to recommend approval to the County Council for the Spring Ridge Estates subdivision with stipulations and findings of fact as listed by staff. **Allen** seconded; the motion passed 5,0.

Runhaar said staff would like to hold another meeting at noon on May 15th to do additional work; he would like a motion to confirm it.

Allen moved for the Commission to meet at noon on Monday, May 15th, Dent seconded, passed 5,0.

Meeting adjourned at 5:30 p.m.

concerned with extraction happening near their property. She also thought the extraction requires access through their lot. The board can easily stipulate that access would be limited to Lot 5 only and that extraction would not occur on any lot except Lot 5.

Nelson asked for Holly Hardy. She was not present.

Nelson said it is a good thing for them to get the gravel off their own property. He asked how the PC felt about the three-year restriction.

Ellis said this is the first temporary extraction that he has seen. He asked if temporary means non-commercial. He does not see a reason to not use the opportunity for maximum commercial gain.

Runhaar replied they can; but the temporary permit demands that it be used for a specific purpose. In this case, that purpose is the road and driveways.

Ellis said he remembered that the ordinance states that.

Allen asked why they cannot use as many truckloads as quickly as they want if it is for a specific reason. Also, some of the use is not specific, such as, "selling landscape rock to other lots and nearby county roads." The truckloads make no difference, if the projects are specific. The permit needs to be very specific. They should be able to get the project completed as fast as they want.

Clements and Draxler agreed.

Morse asked if the landscape rocks should be limited to the same sites.

Nelson said they should. He said it would be helpful to let them complete the project as quickly as they can.

Allen reminded the board that landscape boulders taken off the ground have nothing to do with the gravel extraction permit.

Runhaar said they can edit Stipulation 4) to say Twin Canyon Estates, Legacy Mountain Estates, and county road 3600 West. As for the truckloads, Runhaar was responding to the applicant's request of 75 truckloads per month.

Allen motioned to approve the CUP with staff recommended stipulations and findings of fact, but with Stipulation 4) revised as discussed and Stipulation 2) stricken (based on no bearing). Clements seconded;

Christiansen reminded the group that they added Stipulation 5) that the extraction be limited to five years.

Allen said he would add to his motion to limit the permit to be five years, not three. Clements seconded the amendment.

Draxler disagreed with the addition to the motion.

The amended motion passed with 6 (Allen, Clements, Christiansen, Ellis, Nelson, and Dent) in favor and 1 (Draxler) opposed.

Item 7: Major Agricultural Subdivision

Allen Burris, agent, is requesting a recommendation of approval to the County Council for a 39-lot subdivision to be called Spring Ridge Estates on 319.84 acres of property in the Agricultural Zone located at approximately 8000 West 2400 North, Petersboro (adjacent to Box Elder County).

Runhaar stated that this item had been before the CCPC repeatedly; last month the PC sent a request to the County Council for standards. He is not sure they have come to specific ways to address the problems that they have. The issues include the need to look at engineering standards on roads, the difference between road surfaces, etc. Runhaar stated the County is still in a state of flux on subdivisions of this type and he is not sure what final decisions the County will make; but he asked where the CCPC would like to start. One recommendation is that a peer review be done on everything that needs to be engineered, and to require the cost of that review to be paid by the developer. Otherwise, they can continue the discussion to see what can be proposed to resolve the major issues.

Nelson said he understands that they can go on with this subdivision since application was made prior to the adoption of the moratorium.

Daines said they should determine the standards that they think should be applied to the subdivision and send those to the CC. If the applicant desires, he can move ahead with meeting those standards.

Ellis said they asked the CC for specific direction on roads and other items; he asked if the CC had provided any specific standards.

Daines said they sent it back to the PC to give their recommendation on standards.

Lemon said there has been a road standard in place for a number of years, but it may not be sufficient.

Ellis said the whole question was gravel, asphalt, or chip and seal.

Daines passed out a letter he wrote responding to questions from County Councilman Craig Peterson. He said it is mostly about roads and that Runhaar had set some standards for discussion. He said these are not the CC's standards, but the PC can recommend a draft to the CC.

Ellis asked if they can recommend dedication of interior roads.

Lemon said they can do what they want.

Daines said they need to answer the first question—whether the roads are to be dedicated to the county or remain private.

Allen asked if it is legal to have the road dedicated to the County in one instance, but be private the next.

Daines said that is legal.

Allen said Burris has been held up for a long time by this, and it has put the County in a tailspin, but maybe they can move ahead if Burris agrees with the higher standard.

Daines said whether the standard is higher or lower is different than the issue of public or private roads.

Nelson asked if Burris had comments.

Burris said they have already completed engineering profiles. Not extensive, but done. He said they are willing to dedicate the road to the County, depending on the results of engineering studies to determine the proper surfacing.

Daines asked if he thought private or public roads would be better.

Burris said he thinks HOAs can work, but do not always. They never considered dedication until they heard that the County would accept the road. A public road is easier for school buses and garbage collection.

There was no public comment.

Draxler stated that in this case, it is certainly appropriate for the road to be dedicated to the County.

Christiansen said that if Burris is willing, they should recommend that.

Christiansen motioned that they dedicate the interior road of this subdivision to the County. Draxler seconded.

Clements said it should be a county road as long as they don't put too great a burden on the developer and landowners. It needs to be built to a high standard, but not too high.

Allen said he is in favor of the dedication in this particular instance, but he wants it to be clear that it is not to be considered a precedent.

Lemon asked if the road ties to a county or state road, and what the surface is on the public road.

Clements said it is a chip and seal county road which then accesses Highway 30.

Burris discussed the roads in the area and explained the type of surface they have.

The motion passed 7,0.

Daines stated the first question listed in the letter is whether the County is willing to require Burris to have and pay for an independent engineer to review the road construction, community culinary water system, community septic system, etc., and if Burris is willing to accept those engineering standards. A reasonable requirement would be to have a quote on the cost for the engineering review first, and have Burris approve the quote.

Ellis asked if that doubles the cost.

Draxler replied that it did not; they review the first study, they do not redo it.

Dent asked if that is a typical procedure for the cities.

Daines replied that it is for some.

Burris said he is worried about expediency and reasonable cost; however, he is willing to work with the County.

Morse said it would only be a couple thousand dollars for the review.

Dent moved to approve as a condition that they have an engineering peer review paid by the developer for those items that need engineering. Draxler seconded; passed 7,0.

The second question in the letter is regarding the installation and maintenance costs of gravel, chip and seal, and asphalt.

Ellis said that cost for the base should be a standard; the difference would be the addition of the chip and seal or asphalt

Daines said Burris has already stated he is willing to provide a chip and seal surface. The County does not need a new study; they need documented proof that his projections are accurate.

Burris said he got the recommendation for chip and seal from the County Road Department.

Daines said the PC needs to know if that standard is accurate. An engineer needs to tell them what the comparative costs are, etc. Burris needs to back up the standard with more than a comment.

Lemon said the County has had good experience with chip and seal, but it is critical to have the right base. They have problems with slopes and water. The requirements may differ from road to road, but not too much.

Draxler said this cost comparison needs to be done. The comparison needs to include estimates on life expectancy for the different surfaces, the cost for each, and recommendations on what surface type should be used.

Daines said different lot sizes make a difference as to what types of road and drainage are prudent.

Ellis said the answers to all their questions on the costs should be available to everyone.

Daines said Burris' study should not involve tax issues and state reimbursement.

Nelson clarified that they need an engineering study comparing cost and maintenance of chip and seal versus asphalt.

Burris said the only thing he wants is for the results of that stipulation to be a staff decision.

Morse said that is a problem because the CC is going to want to have a say in that issue.

Burris said he is concerned with how long this will take.

Daines said he should plan on a substantial amount of time.

Burris said he understands, but he is trying to think of ways to speed it up. There comes a point when they would say lets just asphalt it.

Morse said doing that would be very beneficial.

Daines said the CC will not necessarily approve the subdivision just because Burris will asphalt the road. Burris should see what would be best.

Draxler moved that the applicant include in his engineering study a projection of construction and maintenance costs for the varying road types. Dent seconded; the motion passed with 4 (Draxler, Dent, Christiansen, and Nelson) in favor, 2 (Clements and Ellis) opposed, and 1 (Allen) abstained.

Clements did not think Burris should bear the burden of these studies that are for the County's future benefit.

Johnson asked for the vote on the last motion.

The Commission re-stated their vote with a show of hands.

Nelson asked if there is any way for the County to share the cost for the engineering study.

Daines said the County is going to have to get their own engineer to go over the report they get from Burris, determine if they agree or disagree, and see what kind of tax income the County will receive, etc.

Christiansen said that is above what the Commission is able to determine.

Daines said it is, but not above what the CC can determine.

Christiansen said if Burris is willing to do either, than that should have a bearing on what the CC decides.

Daines asked if Burris is willing to asphalt the roads.

Burris said he is willing to asphalt what they will build.

Daines said they would have to asphalt all the roads around the subdivision.

Draxler said this should not run up the cost of the engineering study. He does not think the review will add much to Burris' costs.

Ellis said they have had the discussion of clustering, with scattered homes so farming can continue. He said they might want to keep that in mind, and it may impact the size of the road.

Burris said they thought about that, but the topographic issues lend themselves to larger lots. There are drainage problems. With the lots designed the way they are, people can build away from the natural drainages.

Ellis said he was not talking about clustering homes together but having smaller lots with ag land in between.

Burris said he has not figured out how that could work very well. This is the best configuration he has been able to figure out.

Nelson asked if they have had enough discussion to send this to the CC.

Daines said the developers are supposed to get a reservoir, a series of water rights, etc. They need an engineering study on the culinary water system. The County can accept his engineer, or have an outside engineer review it. They will need a review of everything that is engineered: roads, utilities, fire, water, etc.

Draxler said he just wants to make sure that there is a good water system that the lot owners can rely on. Once the final proposal is made, they need to evaluate it. An expert will have to review it.

Nelson said they need to decide who will incur the cost of the water, fire, and drainage studies.

Burris said he thinks the drainage is included with the road. He asked why, if the engineers are State bonded, there is a need for this redundancy.

Clements agreed.

Morse said they need an independent review of every aspect for everyone's protection. It is worthwhile on a project of this size.

Lemon said fire protection is a critical issue. They are required by the State Legislature to follow the State Fire Code. They do not want to approve the subdivision and require a fire system that may not be

adequate; that is why they want it engineered.

Clements said but if a licensed engineer certifies it, do they need another engineer to do it over.

Morse said it is only a review, not a redo. It is important. Some engineers are more qualified than others.

Allen said it is for our own protection, but he has talked to a lot of people who do not want to be protected.

Lemon said they hear back from people asking why the County allowed them to build here or there where problems have occurred. It should not be too restrictive, but we do not want people coming back to the County complaining.

Daines said they could have a fire system for subdivision that does not work.

Allen said they could hold the engineer liable.

Daines said they can, if the person is around. You cannot deal with this subdivision like a small lot split. We do not want to guess on these things. If you live in the city, the taxes pay for the engineers. You cannot make it so the County can allow people to go out into the County and do it "on the cheap."

Dent agreed. They keep assuring **Burris** that it will not cost much, but maybe it is time for the County to keep a number of engineers on a per-use basis. He would be nervous that this is going to balloon. Maybe they should have developers submit their engineering plans with a fee; then the County has an engineer to review it.

Morse said they should do that, but currently they do not have the structure in place to do it. The County needs an engineer or to retained firms on by-use basis. Since that is not in place, they should keep the cost as low as possible.

Dent asked why they cannot recommend to the CC that they make a standard fee for this service.

Jack Fryer asked which roads they have been talking about, because there are several houses on an existing road.

Dent said they are talking about all of them.

Ellis said the water is as important as the roads.

Nelson said the county would like to have an independent study look at the water system. They need to decide what to do right here, right now.

Daines said it is only a review of the engineering that has been done.

Ellis moved that there be a review of the engineering on the culinary water system and the fire protection system. Christiansen seconded.

Dent said following this motion, he would like a motion that staff create a preliminary fee schedule for this service.

Zilles said the CC is going to want to know how much water is available, the size of the tank, etc.

Burris said those studies are done. The water rights have been approved. It is not detailed, but it will be.

Daines added that the same problem arises with storm water drainage. Any incremental water should remain on site.

Ellis asked that storm drainage be added to the motion.

Dennis Lower said DEQ has looked at the water and that could be an independent study.

Burris said they look at volume and water quality...

Ellis asked that they have to vote on the motion.

The motion on the table passed 7,0.

Daines said they do not know how much incremental water will be created. The HOA will have to do

some of that maintenance. They need to see the financial modeling, plans for a sinking fund, etc. They need to see what kind of covenants are going to exist and control this and the general maintenance of the lots.

Burriss said there is not sufficient water to do anything but dry farming; therefore, it is not enough to do anything but basic irrigation. Most of the houses are close to the road, so the back of most lots will be pasture. They were planning to seed the entire proposed area in some kind of drought-resistant pasture mix. That whole area is CRP. There is not much farming to the west or to the north. The CCNRs do address the maintenance for the individual lots.

Daines said they need to be submitted to staff for review.

Burriss said they were submitted weeks ago.

Nelson said another item of concern is storm water.

Burriss said they do not have a State Wastewater Permit for storm water yet. There are natural drainages running through this property all the way to the Little Bear River. Burriss tried to point out the drainages on the overhead. Part of the road construction engineering will address the drainage issues.

Daines said they need to make sure the incremental water is maintained on the property. That is all. An engineer needs to design it and his design needs to be reviewed.

Burriss said one percent of the property is road.

Dent asked if the storm water permit is good enough.

Daines said it is all a piece of the same thing.

Ellis asked for more information on a storm water permit.

Lemon said it is a new requirement from the EPA. If more than an acre of property is disturbed, storm water has to be kept on the property during the construction phase.

Nelson said this plan can be designed by the road engineer.

Zilles said there is no question he will have to keep the water on his land.

Dent said not if other landowners agree to where the water goes.

Daines said someone needs to look at that.

Ellis motioned that the storm water plan be a part of the road engineering requirements. Clements seconded; passed 7,0.

Clements asked if the County is comfortable with an engineer on staff, like Dent was talking about.

Daines said the County would be, but at this point it probably is not cost effective.

Clements said he would be much more comfortable with County staff reviewing these items.

Christiansen agreed. If there were a fee charged, then the County could hire an engineer.

Dent moved to recommend to the County Council that the Planning staff initiate fees for the engineering reviews. Clements seconded, passed 7,0.

Daines said they will have to figure out how to secure verification from Burriss that the phases of this subdivision will be completed. They do not need to do that right now, but it will have to be done.

Daines continued that the PC will forward these standards to the CC; the CC will review them as specific to the Burriss subdivision, but also as general standards for future subdivisions. Once the CC has addressed the standards, they will send them back to the PC with their recommendations.

Christiansen asked if the applicant could get the engineering studies completed that quickly.

Daines said they will want to get the standards in place first.

Burriss asked for clarification of the process. He said they may already have most of the studies done.

Daines said the sooner staff gets the studies, the sooner they can get the engineer reviews.

Runhaar said he would contact several engineering companies for comparison costs.

Ellis asked how the moratorium affects this subdivision.

Daines said the moratorium states that vested rights will be reviewed. It depends on how the County Council reacts to these standards.

Item 8: Powder Mountain Reserve Holdings, LLC

Master Plan for the development of 3,580 acres of property in the Resort Recreation Zone located at Powder Mountain, adjacent to Weber County.

Runhaar said that he, Morse, and Cache County Fire and Sheriff personnel went to Weber County two Fridays ago and met with Weber County Planner, Engineer, Fire and Sheriff Departments, and UDOT. Fire and Sheriff issues are the most prominent. The Sheriff departments are quite willing to work out an agreement and staff is sure they will be able to accomplish it. Weber Fire has agreed to construct a station on site with some equipment. If the project fails or does not generate enough revenue, there may be an issue of the fire district not being able to function. The station being built could add Sheriff office space.

Staff had UDOT look at the traffic study provided by the proponent. They met to discuss what needed to be done to make the roads work properly. UDOT is recommending a Level-4 Traffic Impact Study on the State road and connecting roads. Any intersection with the State road may have problems. The proponent has hired an external firm to work that out; and, UDOT is dedicating a lot of time to work it out as well. Staff will forward to the PC what UDOT's recommendations are.

Staff is trying to determine a good system between Weber and Cache County to be sure that there is proper communication between the counties so everything is fair and equal.

Clements asked if the water was coming from the water conservancy district.

Runhaar replied it is. They will have to review where the wells are drilled, the waterline system, etc. Right now the developers are planning to obtain their culinary water from the Weber County Water Conservation District.

Nelson said before that happens, Hyrum would be interested in the location of the proposed wells. People have rights to the water that comes from that area.

Lemon explained if the WBWCD is providing the water, it is not coming from the Cache County side.

Nelson questioned the allowing of new wells to be drilled.

Hontz said the wells will be drilled only on the Weber County side. It will go through a public process; all landowners will be noticed, etc.

Runhaar asked her to notice Cache County as well.

Hontz replied she would.

Dent said they had discussed additional access.

Runhaar said the TIS is going to look at that. It is mostly for an emergency fire exit. Right now it is a dirt trail that a truck may use; they want it to be drivable. When they hit a certain level of development in the area, it will be required.

Christiansen said they were told the development locks the gates on that access.

Morse said it is a public right-of-way, so they can work it out.

Hontz said they are working with the people of that development to be good neighbors; and it is working out. The development standards will be applicable when they start to subdivide.

Ellis asked if these developments ever evolve into towns.

Runhaar said he does not know of any that have.

Zone located at 377 East, 435 East, 489 East, 541 East, and 595 East 8900 South (a private road), east of Paradise.

Runhaar gave the staff report. Staff is somewhat concerned with subdivisions in this area. They have added stipulations to address this issue. Staff recommends approval. Runhaar read four recommended stipulations. The town of Paradise has concerns.

Ellis asked if stipulation 4, regarding the conformance to the standards of Paradise Town, is only concerning the portion of the road inside Paradise Town.

Runhaar replied that is correct. Staff can clarify that.

Ty Haguewood said that in reference to the question regarding water meters, the private line provides water to everyone on that road (and the cemetery) all the way into Paradise; it does not make sense for just five people to be required to meter their water when none of the other users are required to.

Nelson asked if Haguewood knows what his water right is; if Haguewood does not go over that right, then there will not be a problem.

Nelson asked to see where the cemetery is on the map.

Haguewood said that Paradise recommends a 99-foot wide road right-of-way instead of 66 on the road north of the cemetery. He accommodated them and it is on a new plat map.

Zilles asked if Paradise has ever decided where their horse arena will be built as he thought it was to be located in this area.

Nelson said he did not know.

Haguewood said Paradise was trying to negotiate with himself and Bob Day. Day was unwilling to give up any property, so negotiations have ended.

Nelson said Haguewood needs to know that if someone builds homes across from him, he may be required to pave the road. Eventually, there may be dust concerns, and the County has the ability to require a paved road based on the traffic. The County will keep an eye on it.

Runhaar said the stipulation will say that the County has the right to require the paved road.

Nelson said it comes from past experience.

Haguewood asked if the County goes out and looks at the roads.

Runhaar said Darrel Erickson and Craig Humphries check the roads.

Allen asked if the roads will be dedicated.

Haguewood said it is a private road, and asked if the County may come in and take it over.

Runhaar said the county currently does not have staff or funding to maintain the smaller roads, but they want to maintain the longer ones. It will likely be private for a long time.

Christiansen motioned to recommend approval of the minor subdivision to the County Council with staff recommended stipulations and findings of fact and with the changes to stipulations 2, 3, and 4. Dent seconded; passed 6,0.

Item #6: Major Agricultural Subdivision

Allen Burris, agent for EE LLC, Adam W. Burris, David A. Burris, Brent L. Frank (06-11Sub), requested a recommendation of approval to the County Council for a 39-lot subdivision with one existing single family dwelling to be called Spring Ridge Estates on 319.84 acres of property in the Agricultural Zone located at approximately 8000 West 2400 North, Petersboro (adjacent to Box Elder County).

Runhaar gave the staff report. Applicant requests 38 building parcels, 16 acres open space; two remaining ag parcels. The subdivision meets the 5.5-acre requirement for large subdivisions; most of the lots are between 5.5 and 6 acres. Two ag pieces are not being developed currently, but applicant maintains right to

develop in the future if the water rights become available. The water storage tank is in Box Elder County. Applicant provided staff with covenants and restrictions on all the parcels they talked about.

Staff does not initially see a problem with the water coming from Box Elder County; County Attorney George Daines is reviewing it to make sure. The Bear River Health Department is making sure septic tanks are feasible. Access is a concern; staff wants to make sure the access to Highway 30 is as safe as possible. They have been working through the issues. There are a number of options, including another access. Anything UDOT requires will be more than what the County requires. Staff recommends that the interior road for the subdivision have a 20-foot wide asphalt surface with a 50-foot wide ROW. The road is too long to be maintained by a homeowners association. Waste collection is a problem on a gravel road of this size. Logan City Service District requested a centralized location if they cannot go down the road; but staff does not want a centralized location for waste pick-up.

BRH has stated that onsite waste treatment is feasible. Notices were mailed to all surrounding property owners; one comment was received from Deborah Carlson concerning water issues. They are moot since the water is coming from Box Elder County. Staff recommends approval. Staff is concerned that the phases are recorded only as the infrastructure is available. Staff would like to see that the infrastructure for the entire development be in place, even if all phases do not go through. There are ten stipulations and five recommended findings of fact listed in the staff report.

Runhaar asked if Daines had any additions or subtractions.

Daines replied that he did not.

Nelson asked for comment from the Commission.

Ellis asked what the restricted covenants are, in dealing with a county road.

Runhaar said it actually has to do with the lots themselves, to ensure that they will be properly maintained. The County Attorney reviews them. Daines is currently working on the covenants and restrictions, water agreement, and development agreement.

Daines said lot owners enforce restrictive covenants. He reviews them, but he does not enforce them.

Clements asked if Burris writes the restrictive covenants.

Burris said he has completed a draft; Daines was concerned with the water source dove-tailing with the CC&Rs. The language will bind the homeowners to the Homeowners Association in regards to the water.

Christiansen asked Burris if he wants to phase the subdivision and why Phase 1 is located where it is?

Burris said because the road is already finished there.

Christiansen said it is in the middle.

Burris said it is where they can start with the least amount of capital investment. The water line will only go to the north end of each phase. Burris explained where the water line will be.

Clements said he is concerned about the requirement that the road be paved. He asked to see comparisons on the cost of gravel, chip and seal, and asphalt road surfaces.

Runhaar said he got information from Darrel Erickson (County Road Superintendent) and from the Logan City Road Department. He continued that the base should always be the same cost, and then it must be determined how much more it is for chip and seal (69 to 99 cents per square foot) or for asphalt (15 cents per square foot). Using road lengths and worse case scenario, asphalt would be \$157,000 or \$4100 per lot (additional). They recommend asphalt on anything new being built, not on existing roads.

Dent asked about the connection between the cul-de-sac new road and the existing road.

Runhaar said that would have to be reviewed.

Burris said that the owner of a property put a road base down, but did not properly build the road, so it

would have to be modified. They would have to get that section of road approved to get all their stuff done.

Clements asked what chip and seal would cost.

Runhaar, after doing some calculations, said chip and seal would be about \$24,000.

Ellis asked for an estimate for preparing the base.

Dennis Lower said the road base is 10-15% more than the asphalt.

Runhaar said road costs are \$2.50 to \$6 per square foot; a dollar of that is the asphalt.

Burris said his numbers do not include cut and fill, which they will probably have to do.

Daines asked if Runhaar has asked Erickson of the road department what they want.

Runhaar said he wanted asphalt because maintenance for chip and seal is more expensive.

Clements said that asphalt puts too much burden of cost on the property owners, and the County gets reimbursed for maintenance.

Daines said the County does not get reimbursed at the same rate for different surfaces.

Clements said he does not want to put a greater burden on these people than on the other residents of the County.

Daines said there is not enough revenue from the people to maintain the road, so other citizens will pay for it. Someone will pay an additional expense if it is chip and seal.

Clements said the road department will obviously want a more expensive road, but you have to consider what the citizens have to pay.

Ellis asked what the cost difference is.

Daines said the County receives a certain amount of money from the state based on how much asphalt road they maintain. It is not enough to maintain the roads, but they get a higher return from asphalt than chip and seal. They actually go in the red with chip and seal.

Daines said the reality is, this is a long road for a small number of lots, and the cost is disproportionate, but that is the nature of the subdivision.

Ellis said the numbers would be helpful.

Runhaar said they could get the reimbursement amounts compared to the cost amounts.

Daines said if a paved road is well maintained, it does not require maintenance for a long time. Chip and seal has to be done every few years.

Allen said chip and seal needs to be done every 3-5 years. He asked Burris if it was his intention to deed this to the County.

Burris said they thought the County would not even accept the road, but the County has determined they want the road, partly for waste collection, school pick-up, etc. He has just been going with what the County wants.

Allen asked what his preference would be.

Burris said his preference would be a private gravel road.

Christiansen asked why the County wants this road.

Runhaar said this is 8000 linear feet of road, and after three or four years, private roads all over the county are falling apart. With a county road, they can be sure it will be maintained. A private road of this size will fail.

Burris said it depends on how good your Homeowners Association is. It has to be funded properly.

Sometimes they work, sometimes they do not, but it is the same with public roads.

Allen asked what he could do to ensure that the road would be maintained if it were private.

Burris said they would have to set up a sinking fund for maintaining it, along with snow removal, etc.

Allen asked if the cost on that would be more economical than having the County take it over.

Burris said it would be.

Allen said it would be for him up front, but not for the homeowners.

Burris said that depends on how organized the Homeowners Association is.

Allen said ideally, the road would be paved and be a county road. If this were a gated community, they would not want a public road. Are they overstepping their bounds in requiring them to be public roads?

Dent replied no because part of the road is already public.

Runhaar said some are dedicated, some are not; but the County maintains all the existing roads in the area.

Burris said the County has chip and sealed portions of the public road; and they are maintained by the County without dedication.

Ellis asked if the restriction for the dues would be part of the covenants.

Burris said they would be. The covenants empower the HOA.

Dent asked what they do if the homeowner does not pay.

Daines said that the problem is that the HOA are not experienced road maintainers. When the road deteriorates, the County gets called out to maintain it. No developer would be in favor of doing something he could put onto a HOA; but legally, if he builds a less quality infrastructure and dedicates it to the County, they have to maintain it. If it is high quality, then it will cost less to maintain it. In their experience in the County, HOAs do not work for maintaining interior roads.

Ellis asked if Daines could word it so it works.

Daines said it does not work. It is better for people to pay their taxes and let the government maintain them.

Burris said most County roads are either gravel or chip and seal. Why should they have to pay for asphalt?

Daines said it is because usually they are running ag operations in the County with the occasional farm house, but when you put in a 25- to 30-lot subdivision, it is like an urban development.

Burris said all the minor subdivisions are gravel, and they are de facto major subdivisions. He asked why a major subdivision has to be asphalt, when all the minor subdivisions are chip and seal.

Nelson said in a twenty year period, it would be cheaper for the landowners for the County to pave the road and take over the maintenance. The people moving in to the subdivision can pay their taxes and move on. But the cost can be portrayed in what the lots cost. He told Burris he is not just losing on the paving requirement. The lots can be \$70,000 instead of \$65,000, and a landowner would prefer to have a nice paved road.

Ellis asked if it has to be all or nothing, or if they can share the cost.

Daines said they can do whatever they want to do here, but this recommendation just goes to the County Council, who really decides what to do with the County's money. This is one of the first major subdivisions, and they need to take a long look at the precedence being set for this subdivision. The cost of maintenance here is astronomical because each lot has so much road to maintain.

Ellis asked if 5.5 acres is the optimal lot size.

Burris said probably half that size would be good, half-acre lots would be optimal.

Christiansen said that the 5.5 acres allow the parcel/lot to stay in greenbelt.

Burriss said it does. They are not trying to buck anything, but to comply with what the County wants.

Lower commented on the issue of asphalt, chip and seal, or gravel. He asked what if there was a percentage that the County pays for the paved road.

Daines said the money for maintenance does not cover the annual maintenance, but the deficit is greater for chip and seal than paved roads.

Ellis asked if the difference was made up by property tax.

Daines said that is a large portion of County revenue.

Clements asked if the majority of property tax goes to school.

Daines said the point is that the County is not designed to provide urban services to the unincorporated parts of the County.

Dent said he has property at the end of a gravel road that he travels twice each day; and there is one home along that road. If he was a homeowner on that road, he would detest it. Gravel cannot work in this type of subdivision.

Burriss said it is such a large leap from gravel to asphalt; chip and seal may solve the problem.

Daines asked if Burriss was willing to maintain chip and seal every five years.

Burriss asked if he would get the state reimbursement to maintain it.

Daines said he would be better off putting in asphalt roads than maintaining chip and seal.

Lower said you could redo chip and seal three or four times for the cost of asphalt. In addition, no one can get a bid for asphalt for this summer.

Runhaar said no one can get a bid for chip and seal either. In fact, their latest quotes say that chip and seal and asphalt are the same price. On 1200 East, the County was given the same price for chip and seal or asphalt.

Nelson said they have talked a lot about the road. He asked if there is enough water.

Burriss said there is.

Dent said he has a question about the phases. He said they should have only four or five.

Burriss said the reason for the phases was the cost of these lots. They want to do all these phases so they do not have to build so much infrastructure at the same time. The first three phases do not require any road building.

Daines said he will be responsible to finish it no matter how many phases; and they will have to have some type of deadline to finish the subdivision.

Burriss said that it will still help distribute cost.

Jack Fryer, owner of a dry farm southeast of the subdivision, said he does not know the water is okay because no one has ever pumped that much water out of there. Secondly, the road with no curb and gutter is going to be worse than the current flooding in Petersboro. He said the roads are going to wash out.

Allen asked about the water.

Burriss said a long time ago, ten or fifteen years ago, they tested the well at 112 gallons per minute, with a 35 foot draw down. The draw down leveled out and the State Water Engineer's office determined that it was enough water when it is being stored in a 200,000-gallon reservoir.

Allen asked what his gallon-per-minute requirement is.

Burriss said it is 400 gallons a day domestic use.

Allen asked what it would be at peak times.

Burris said he could not tell him what that would be, but Bear River Health, the State Water Engineers, Bio-West, etc., had studied this extensively and concluded that there is enough water. **Burris** said he has the facts to substantiate that there is adequate water.

Fryer said that they go in water cycles. Last year was extremely wet, and right now there is water in the ground, and he is sure the water tested to be plentiful last year, but in eight years that won't be the case.

Don Wilcox, who lives next to Fryer, said he is on a seventy foot well. He is concerned that the septic tanks will affect him, and that they are going to be sandbagging to control flooding.

Burris said if you look at the flooding that has been newsworthy, the slope does not change from the west end of the loop, all the way to the east. The property in question has several natural drainages. The water runs in narrow ditches. He does not think that issue is going to affect his property at all.

Wilcox said it depends on snowfall, freeze, and rainfall.

Rick Peterson asked if the County has a master plan for subdivisions such as this. He said this is lucrative for the developer, but can anyone follow all the ordinances and put a large subdivision on their land? This is not a good location for a major subdivision. Who is going to be responsible to take care of this?

Runhaar said that they have a comprehensive plan that dictates to some degree what the County wants to do. It does not detail where development will be, other than that it should first and foremost go into the cities. Beyond that they do not have a long range plan.

Clements asked Daines about the water and the phasing.

Daines said with the planned loop road, looped water, and fire protection, it works as a completed unit, not as parts. You have to look at where they will be at the end of each phase. To avoid the problem, they can require the developer to make all the improvements before doing anything else. There is a law that says they cannot increase runoff by development.

Clements said it is a concern because it would be a real mess if half the subdivision was finished and then abandoned; the County needs to protect itself.

Daines said that is the danger of phasing.

Allen asked if the road and water are completed, if there are other issues.

Daines said they would have to look at everything. Developers have a tendency to take the low hanging fruit.

Ellis said they need to make it so that wherever it stops, it is okay for it to stop.

Daines said that this is the first time he has seen the phasing plan, and he has not examined what it does to the proposal.

Clements said they have too many questions, and they need to continue to discuss all the issues. It is a big project and they need solutions to the problem.

Daines recommended they send the question on the roads to the County Council. Their opinion would help make decisions. **Runhaar**, **Burris**, and **Nelson** could come and have that matter resolved.

Runhaar said they could put it on the second meeting of this month, and still have the answer back to the CCPC for the next meeting.

Nelson asked if they could be specific in a motion stating that they send the subdivision to the County Council to discuss the roads, phasing, etc.

Runhaar said they still need to make a motion to continue the item.

Allen motioned to continue this item to obtain input from the County Council on the following matters: 1) whether to require the interior road surface to be paved, chip and seal, or gravel; 2) whether the interior road should be dedicated to the County; and 3), phasing of the subdivision. Clements seconded.

Ellis asked if that would be a binding discussion.

Daines said it would not, the Commission still has to make a recommendation.

Passed 6,0.

Staff Discussion

LeGrand Johnson CUP

LeGrand Johnson Construction Company (05-24C) requested and received approval on 12 September 2005 for a conditional use permit to allow the construction of a 40,000 square foot building (to replace the existing shop at 650 South Main, Logan) and an equipment storage area on 20.39 acres of property in the Agricultural Zone located at approximately 170 East 5000 South (450 North 800 East -- Hyrum address), east of Hyrum.

Runhaar brought up the issue of LeGrand Johnson Substantial Compliance. He said their plan has changed; they have added parking lots. Staff is not recommending any changes to the CUP, but they may have some conditional changes. They want to show that the applications need to be complete so that changes like this do not come back to the Commission. They will not bring this one back because it has not changed all that much.

Dent moved to approve the change, Christiansen seconded. Passed 6,0.

Richard Broun/Sheryl Lisonbee Subdivision Concept Plan

Runhaar turned explained that Richard Broun has 120 acres that he would like the PC to consider for the possibility for a 20-lot major subdivision of 5.5 acres each. Staff is concerned about the private access road; the applicants want to do the road right. The same road issues are going to arise in this instance as with the Burris subdivision. State Water Engineer Bob Fotheringham is not sure about the availability of water in that area.

Broun said they are working to get the right-of-way through the adjacent property. They have a verbal agreement. Broun said it may be a dedicated county road. He proposed some ideas for the roads. Currently there is a 16-foot ROW to access the property.

Nelson said his main concern is the water issue. There may not be any water for the wells. They can find out what people will say about how much water there is.

Broun said they definitely want to make the subdivision. They are ready to complete the infrastructure.

Staff Update

Runhaar said that he is updating the application procedure, going from six separate applications to one. He is also working on a draft for policies and procedures.

Clements said that he does not think that it is legal for any three Planning Commission members to call a meeting.


Runhaar said that it is. They can make a meeting happen, but without a quorum, they cannot make any decisions.

Meeting adjourned at 5:30 p.m.

Development Services Cache County Corporation

179 North Main, Room 305
Logan, Utah 84321
(435)716-8350

Memorandum

To: Cache County Planning Commission
From: Josh Runhaar, County Planner & Zoning Administrator 
Date: January 24, 2006
Subject: Powder Mountain & Spring Ridge Estates

Powder Mountain: At the time that staff reports were published, staff has had some additional conversations with the applicant in regards to access issues. Staff has submitted the traffic impact studies to UDOT Region 1 for analysis and has requested that UDOT provide feedback to staff and the Planning Commission. A meeting between the planning staff and attorneys for both Weber and Cache Counties has been arranged for on February 1 to discuss issues of service agreements and the overall planning that will need to occur between Cache and Weber Counties. It is staff's intention to be able to present more information to the Planning Commission at the February 6 meeting based on the meeting with Weber County, the review of UDOT on the traffic impact study, and further staff review.

Spring Ridge Estates: We have continued to have discussions with the applicant and UDOT concerning issues of access from SR30 and the culinary water system. The client has begun to draft the necessary agreements for the water system, which will then be review by the County. The proponent is also working through issues as it relates to the access along SR30. With neither of these issues completed to a point as to be ready for Planning Commission review, the item will be continued until March 6 at which time the primary issues of access and water should be resolved.

Carter said either would work, but they would rather put the utilities above ground.

Runhaar said that they should be able to work with the building department so they can put in the utilities first.

Christiansen asked for additional audience comment. No one replied.

Runhaar said they could add to the end of stipulation two that the applicant work with staff on any issues of utilities and the road.

Ellis said he is okay about the notification.

Clements motioned to approve the conditional use permit based on the findings of fact and stipulations listed in the staff report and with the addition to stipulation 2. Dent second; passed 7,0.

Item 5: Spring Ridge Estates

Continued.

Item 6: CMPO Presentation

Jeff Gilbert passed out a cooperative agreement drafted over the last nine months, involving UDOT, Logan, Nibley, Wellsville, and Hyrum cities, and Cache County. The agreement concerns the use of Cache Valley's south corridor, US 89/91, and a report on a study of the same corridor. They studied private accesses, public roads, and potential signalized intersections. There are varied views of what the corridor should be.

Gilbert made the following points:

- Tenth West will have a signal, based on a prior corridor agreement with Logan.
- 3200 South is going to have a signal, based on the committee views.
- The Western Bypass has a long-term vision; but it is totally conceptual.
- Nibley has conceived a frontage road concept for their commercial development plans.
- They decided to eventually include a light on the northern end when land use matures, which could be many years.

Draxler asked if there is getting to be too many signals to maintain traffic flow.

Gilbert said it was a struggle to balance access, functionality, and mobility. These results are what they had to decide on in order to get an agreement from the parties. He said it is at a point where they need to decide whether this will be a thoroughfare or a stop-and-go main street. Logan City looks at the agreement tonight, UDOT has not decided on it yet.

He pointed out a certain section that may be annexed by Logan or Nibley and said that they left that area flexible since they do not know who will have control of that land. Wellsville has plans for commercial development, and many of the cities admit that they are interested in "zoning for dollars." They are interested in tax revenue from the commercial potential of the corridor.

On the south end, all parties agreed another light should eventually be put in by the Caine Dairy. The 3200 South light is fairly definitive, but this one is sort of "when and if." None of the lights will be put in until the intersections meet Warrants with UDOT, and for most of the intersections, this will probably be many years in the future.

Ellis asked if the agreement deals with non-signal access.

Gilbert replied it does. There are two levels of access: public road and private access. The agreement basically commits the communities to look at a 1,000-foot spacing on the public roads. Private access is dealt with according to the administrative code. In his opinion, this is not going to be enough to keep the corridor from getting chopped up. It may be time to get UDOT to purchase access rights to the road if they want to preserve the corridor.

Nelson said the PC would be as helpful as possible and supportive if they are updated as this develops. He asked

At this point, approximately six different conversations broke out until Nelson called the meeting to order.

Nelson asked what they have decided.

Runhaar said they can probably clear the matter with some phone calls. They need to have the private surveyor look at it, but they could probably get everything figured out today.

J. Lofthouse asked if while they may be approving a subdivision, but only allowing one house, if Summers could do anything they want later.

Runhaar said the County only has jurisdiction on Lots 1 and 2. They could build on Lot 1 in theory, but they would have to deal with the access issue. Lots 3 and 4 would go through Paradise.

Nelson stated he understood they could proceed today with the Planning Commission's recommendation. The Summers have spent a lot of time on this and are anxious to get going on their building.

Christiansen motioned to recommend approval to the County Council with the stipulations listed in the staff report, the additional stipulation that staff will work with the parties involved and the Town of Paradise to work out the property line discrepancy, and the edited stipulation two. Clements seconded; passed 6,0.

Workshop: Spring Ridge Estates

Discussion of a 39-lot subdivision to be called Spring Ridge Estates on 319.84 acres of property in the Agricultural Zone located at approximately 8000 West 2400 North, Petersboro, adjacent to Box Elder County.

Runhaar gave some background and showed the area on a map. He said they had proposed 38 buildable lots with a 39th lot where the original farm house is located which was approved as part of a lot split subdivision called Lot Split Subdivision for Allen Burris recorded 7 June 2005. Runhaar pointed out the roads and access; staff is working with UDOT to determine road improvement requirements at the Highway 30 point of access. He reviewed a list of issues staff wanted the Commission to discuss.

Runhaar stated the fire department is working on fire protection issues. Water is proposed to be serviced by a culinary water company; a 200,000-gallon reservoir has been approved and will be built in spring. He said they need to work with Box Elder County on road agreements because some of the roads are in Box Elder County. They need to require some delineation around the wetlands and the spring per Federal requirements.

Clements asked who owns the spring water rights.

Allen Burris said he does, as part of the LLC.

Nelson asked if that is the source for the reservoir.

Dennis Lower responded that it is not, that will come from the Willowcreek Water Company which currently has six homes connected to the system.

Nelson asked if there is enough water for the 39 homes.

Lower replied that the Utah State Water Engineer is requiring some studies, and it was part of the application process to secure the water rights for the subdivision. The local recommendation is being processed right now.

Daines asked if the water is just enough for the culinary water, or for everything.

Burris said it is enough for everything.

Daines said they need to watch out for that because that amount of water will not be enough to plant and water the entire five acres for all the lots.

Burris said they will be metering the water and homes will only be able to use so much.

Nelson asked if it is okay to take water from Box Elder County and use it in Cache County.

Burris said Bob Fotheringham, a local State Water Engineer, determines that and he has approved it.

Draxler asked if the Willowcreek Water Company has just one well.

Burris replied they do, but they have applied for one more.

Nelson asked if that would provide enough surface water for the subdivision.

Burris replied not surface water, but from the well. He said he has a letter from a Water Engineer stating that the 200,000 gallons is enough for fire protection and the other intended uses.

Burris said the spring can be used if they need to, but they would rather just use pure water from the well.

Daines asked if they will have a situation where some of the lot owners will want additional water for their lot.

Burris said they may have restrictive covenants; they are also thinking of putting the property in a CRP grass.

Daines said they may want to make a restrictive covenant that they do some sort of maintenance of the land so it is not just weeds.

Burris said he would do that through restrictive covenants.

Daines said the Commission would like to review the restrictive covenants.

Nelson said the restriction is that these are agricultural lots, and that requires that they control weeds, etc.

Daines said they need to take a long look at the maintenance so the lots do not look messy.

Dent asked what the two lines in the picture of the property are.

Clements said it was once a railroad ROW.

Burris explained the railroad ROW was abandoned and do not show on current plat maps.

Burris said they do not know if they have enough water to develop the property next to the highway. He is concerned by the wording on the plat stating that it is not for future development, because they may develop it in the future.

Daines said it should say "subject to development after approval from County Council."

Runhaar brought up the requirement for a paved road through the development so that services would not be so difficult. The road department has said they will take over the interior road.

Burris said they are concerned about the cost of paving the road. The County requires a 50-foot ROW with a 20-foot hard surface. It will be expensive to pay for paving, and they do not see a bus problem or a garbage removal issue; with a well maintained gravel road, they will be fine.

Daines said there are issues with unpaved roads for plowing, garbage, and buses. It is too difficult to maintain without paving.

Burris said he had been under the impression that the County will not accept private roads.

Daines said the road department needs to look at the lots. The cost may be prohibitive, but the subdivision probably needs County roads.

Clements asked if they can look into comparing the cost of: 1) magnesium chloride twice a year; 2) a chip seal; and, 3) a regular three-inch asphalt.

Morse said that chip and seal passes the cost to the County instead of having the developer pay for paving, which would most likely increase the home values.

Daines said if the County is going to take responsibility for the road, what type of road do they start with and what do they do to maintain it? The road department can do some cost estimates.

Morse said he would like to give a scenario. The lots in the subdivision are going to be developed in the County for less-per-lot than a subdivision in any city, but will be worth more. They should not use the term "cost prohibitive."

Nelson said that sooner or later the County will probably own the road and have to take care of it.

Daines said the development is a good use of the land, but the County does not want to end up with a maintenance trap.

Burris said some of the roads around are chip and seal roads that hold up fairly well.

Morse said the chip and seal will cost the County much more.

Burris said the taxes will make the County so much money that it will be worth it.

Morse said that every study says the County usually ends up losing because there are so many additional costs in services that the County is required to provide.

Daines said the County receives so much money per mile of paved roads from the State. On paved roads, they probably come out okay; but in the other categories, they lose money.

Lower said it seems that staff is assuming that the homeowners association will not maintain the road; but they may keep it with the homeowners instead of dedicating the roads.

Burris said that garbage services said they would pick up on private roads.

Runhaar said they will if the owners sign a waiver.

Clements pointed out a private rough road to the north of the property where the homeowner association does not take care of the private road as it should.

Daines said they usually end up doing the lowest possible maintenance which creates problems.

Clements said he does not think private roads would work on such a large subdivision.

Christiansen asked why they do not have a park.

Burris said they do not need one because the lots are so big.

Runhaar went back to the last two issues. One being SR30, the other being a method to maintain and monitor the water rights in the reservoir. They need to make sure that the water rights stay with the County lots although the water is across the County line.

Daines asked what percentage of the water company Burris owns.

Burris said the water company has offered to sell him hookups, but they have to have the rights now.

Daines asked if they own the water rights.

Burris replied no; they will get them.

Daines said they need to make sure the rights are never separated from the lots; the County does not want any lots sold without control of the water.

Burris said they do not want that either.

Draxler said he thinks Morse has a valid point about the need to pave the roads. The value of the paved road will increase the value of the lots.

Nelson stated that by next month, they should have the road department look at the area so they can assess some cost and other issues. They have to ask whether it should be a paved road or a gravel road.

Draxler said they need to hear from the people who will go in there with the buses and trucks, etc.

Nelson said he assumed that the water tank is a sufficient size.

Humphreys said they have 120,000 gallons for fire suppression and then rest on top of that.

Nelson said he assumes that the footers will be cement. You are always better off to have more than you think you will need. Too often people do not have enough water.

Burris said they will have to drastically reduce the pressure because the reservoir is 60 feet higher than the

highest lot.

Lower said there is a problem with meeting the fire requirements on a subdivision of this size; the fire department will make the requirements in excess of what they need. He has run a model on the subdivision to see if they have enough water for the fire requirements.

Draxler asked if people on the current water system may develop west of the subdivision.

Burriss replied they do.

Draxler said that in North Logan, a developer built a 200,000-gallon water tank. When others in the immediate area wanted to build, they wanted a 1-million gallon tank. This became a contentious issue, and the city ended up building a bigger water tank; the original developer got out of his obligation to build the tank, which Draxler did not think was right.

Lower asked if the City had an obligation to provide water.

Draxler replied they did not because part of the subdivision was on a private road; there is a lot to consider. It is not Burriss' responsibility to make sure the people in Box Elder County can develop their land; but it is the County's responsibility to make sure the water supply stays safe-guarded for Cache County citizens who buy the lots, so they will always have their water.

Clair Ellis arrived at 3:45 p.m.

Vaughn Peterson asked how the septic systems would work.

Burriss said each lot will have their own system. They have a feasibility report from the Bear River Health Department and a hydro-geologic survey. He assumed that the Commission would like to see some type of outline for the water situation.

Daines said yes; he and Runhaar will work on it and try to make it work for both sides.

Staff Discussion:

Runhaar mentioned a couple of items that did not make the agenda: a rezone adjacent to Logan City and a cell tower on a parcel that adjacent to North Logan. Each of these will have to be worked out with the respective City's involvement.

Cove Heights Subdivision

Runhaar said that the developer started the process a year ago, but the water issues were so severe that they could not get to the site. They are planning to pipe the septic systems together and send it offsite to an adjacent parcel. Staff has asked for easements and engineer's drawings showing that this will actually work. Staff is really concerned with the water issue and does not want to bring it to the PC without verification the septic system will work.

Gravel Pit Study

Runhaar said he inquired about the status of the gravel study project staff has seen nothing of it; the status was also unknown to Lynn Lemon. The problem is that someone wants to submit for a rezone for mineral extraction between Mendon and Wellsville.

Draxler recommended Josh talk to Bryce Tripp at 801-537-3300 from the State Geological Survey.

Runhaar asked if the general consensus of the Commission is that they do not want to see any rezone applications to ME until they obtain the results of this study.

Clements said he did not care because there is a lot of gravel there.

Ellis said the study is redundant if they know there is gravel there.

Draxler said he would oppose any gravel pits until the study is done so that they have validation when someone applies; and they can let people know if there is the possibility of having a gravel pit in a particular area. Property rights work both ways. Once they find out where the deposits are, they can rezone them.

Daines said they are two separate parcels and that is the way it has been interpreted in the County for some time.

Ellis said it would be hard to go back and change that with property owners who have had that type of approval in the past.

Daines said for that reason, they can probably say the count does not include prior natural barrier divisions.

Draxler said he was fine with that as long as it is that limited and clear.

Daines suggested that they make a clause in the ordinance to specify this decision.

Runhaar said he would write this amendment for their review.

Daines said he wondered if the County should just disregard them all together.

Runhaar said he could have it done for the public hearing by January.

Daines stated Mr. Lindley wants to get approval now for what they are changing.

Runhaar said that State code allows them to use it as a code in process and that Lindley can apply today and do it in a month.

Lindley then referred to a small piece of land on the property and said they were going to do a lot line adjustment with it.

Daines said they would treat this as an interpretation and Lindley can proceed now so he does not have to wait a month.

Lindley took a minute to say that he does not have problems or hard feelings with Runhaar or anyone else on the Commission.

Allen Burris 38-Lot Subdivision Concept

Runhaar projected a proposed subdivision to be submitted by Allen Burris with 38 lots that are 5.5 acres or larger in size. The developers are proposing at a joint culinary water system and individual septic tank systems. He said he would probably require a paved road through the subdivision.

Daines said they are ag qualified lots, but it is a major subdivision. This board and the County Council have a whole range of requirements that can be used to control it.

Daines mentioned that it is lousy ag land; they are not dividing prime ag land.

Runhaar described the location, and projected photos of the property.

Daines said they cannot assume that the lot owners will take care of the roads in an acceptable manner. It needs to be treated as a major subdivision with substantial improvements required for 38 homes.

Nelson asked if the County will maintain the road.

Daines replied that it is possible; the County can require the developers to pave the interior roadway.

Nelson asked if the County would maintain all those roads.

Draxler replied only if they meet their requirements.

Daines said this area would be expensive and hard to maintain, but it could be worse.

Morse said the County needs to consider impact fees in this instance because of the cost to the county to maintain these roads and provide the many services.

Draxler asked if the County Council is aware of this.

Daines said yes; and that as of right now, these subdivisions can go all over the County because they are allowed.

Christiansen asked about the area in the middle of the land.

Runhaar said it is the spring area where they will not be able to build.

Daines said they can require that it be a park.

Nelson said a sewer problem would be most expensive.

Runhaar said they were going to do septic tanks.

Christiansen asked where they will get water.

Runhaar said they are planning a central water system, but have not brought in anything more about the water.

Daines said this is an example of how development is going to go with the current ordinance.

Nelson asked if something like this was likely in the mouth of Sardine Canyon.

Runhaar replied it is, but it will probably be worse.

Ellis asked if the lots were going to continue to be farmed after the homes are built.

Daines said it will probably look like it does now, but it will have houses scattered throughout.

Draxler asked about requiring a max number of lots.

Daines said he does not know how the county can provide urban services in urban subdivisions, including school buses, garbage collection, snow removal, etc. At least this development is consistent with what they want. It is better than 1-acre lots.

Ellis asked if there is a demand for this type of lot.

Draxler said he just appraised a home on one of Brian Leishman's lots. This is just like what they have been talking about, 5.5 to 13 acres; and they are all sold.

Daines said he wants to let people live like this if they want.

Draxler asked if the County will be overtaxed by a large number of these subdivisions.

Clements said they may not be overtaxed, because the people will all be paying taxes.

Daines said they can keep the County from being overtaxed by requiring developers and homeowners to literally pay for the services they are receiving.

Morse said that is why they need to come up with an impact fee, because they are going to be faced with this all the time; the County taxes will probably not cover the services to developments like this. The county will have to pick up maintenance on a lot of things and it will be hard for buses, snow removal, fire, etc. If someone wants to live in the County like they can in a city, then they should pay an impact fee like most cities require.

Ellis said they need that analyzed.

Daines said he does not have a problem with the board saying that they should be ten-acre lots instead of five. They can decide on the size. But, there are people throughout the County with varied lot sizes. Lot owners need to pay for the municipal services.

Allen asked if they can require a contract with the County so the County can determine the price.

Daines said they could look at it, but it may end up like Cove, where they are providing municipal services and no one is paying for them.

Allen said as much as he hates it, he feels worse about telling people they cannot do it. If the demand is there, people should be able to do what they want with their land.

Daines said he has a concern that they do not impoverish the county with this format and that it is consistent with the water sources. They need to look at how the land is going to be used.

Draxler said that an impact fee requires documentation that the services and fees are more than the property taxes they will receive. If they cannot prove that, they cannot impose impact fees. But, it is easy to prove.

Morse Logan's engineer came up with \$9800 per resident, even though they only imposed \$2,000. He said the County would have all kinds of expenses from this subdivision.

Allen mentioned that with ten-acre lots, the road would be just as long; it would not help the tax situation.

Draxler said Logan has park impact fees, road fees, and they can have a trails' fee or something similar.

Runhaar said that the problem with impact fees is that once an amount is decided on and is going to be charged, the County has to come up with the existing impact and match the services. It is very nebulous. Logan could not meet the \$9,800 per resident.

Daines said this is an inefficient land use, and they need to assess the costs to make sure that the people who want to live on these lots pay for them.

Draxler said that property with a view should have a higher tax.

Allen asked about the appraisal of these lots with a view. Draxler said they were receiving higher appraisals.

Daines said this is beautiful land in question.

Draxler said property tax is based on market value and the view affects the market value. In almost every case, the County Assessor's Office is below market value.

Nelson said they would earn a lot of taxes if everyone built a barn.

Draxler said they created the situation; it is better than .5- or 1-acre lots, but they have a lot of work to do to protect the County.

Riverview Estates

Runhaar said they have adjusted the access ROW south on one of the lots. It hasn't been recorded yet; he wanted to see if the CCPC had a problem with it and see if Nelson would sign the adjusted plat.

Nelson said it is fine, and expressed thanks for bringing it.

No one else had any issues with it.

Meeting Deadlines

Runhaar said they have a three week cycle for the CCPC and they want to increase it to four weeks. They will internalize agency review, FD, road, school bus stops, and garbage collection. They need an extra week to get the material to the agencies. They cannot include Bear River Health concerning septic tanks. For them, it takes a week to set it up, etc. They cannot internalize that process; the applicants are required to have that work done before they bring their requests to the CCPC.

Runhaar said they would have a digital copy of everything.

Daines said they are trying to improve services.

Allen expressed a concern with internalizing and moving the deadline. If people miss the deadline, it pushes them back another month.

Runhaar said it won't hurt anyone to change the deadline because everyone works according to the deadline anyway.

Allen said that may be, but the process is frustratingly slow.

Morse said they are already missing the deadline and having another week will normally help people.

Runhaar said they can only move so fast because of the requirements of legal noticing.

Daines asked if that could change if they go to an internet noticing system.

Runhaar said they cannot have it only on the website until the website is in a better situation, but it would be quicker if it was not in the paper.