

CACHE COUNTY
CORPORATION

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

M. LYNN LEMON
COUNTY EXECUTIVE/SURVEYOR
199 N. MAIN
LOGAN, UTAH 84321
Tel 435-716-7171
Fax 435-716-7172

PROCLAMATION

Whereas, the Citizen Corps was created in the wake of September 11, 2001 to foster volunteerism throughout the United States; and

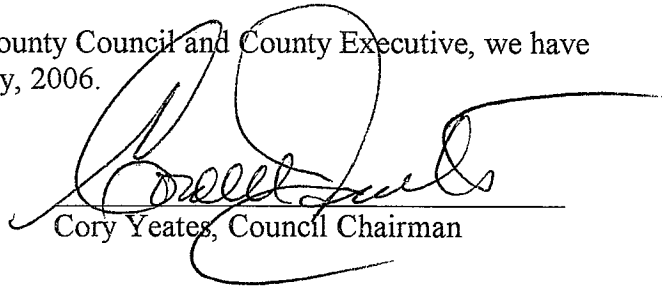
Whereas, the mission of the Citizen Corps is to harness the power of every individual through education, training and volunteer service to make communities safer, stronger and better prepared to respond to the threats of terrorism, crime, public health issues, and disasters of all kinds; and

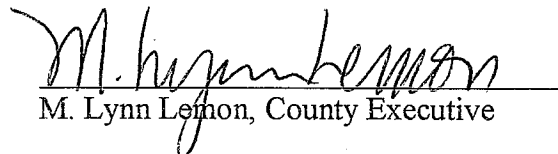
Whereas, the Cache County Citizen Corps Council was formed to promote coordination and sharing among the following local programs: Community Emergency Response Teams (CERT), the Medical Reserve Corps (MRC), Volunteers in Police Service (VIPS), Neighborhood Watch, Fire Corps and 211;

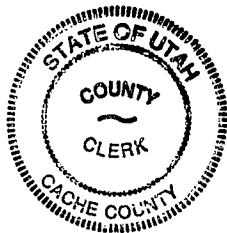
NOW THEREFORE, BE IT RESOLVED that the Cache County Council and the Cache County Executive recognizes and applauds the

CACHE COUNTY CITIZEN CORPS COUNCIL

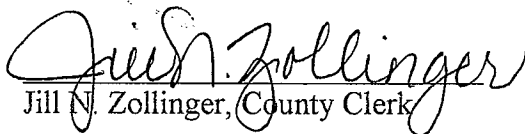
In witness thereof, as Chairman of the County Council and County Executive, we have hereunto set our hand this 25th day of July, 2006.


Cory Yeates, Council Chairman


M. Lynn Lemon, County Executive



Attest:


Jill N. Zollinger, County Clerk

Development Services Cache County Corporation

179 North Main, Room 305
Logan, Utah 84321

Memorandum

To: Cache County Planning Commission
From: Josh Runhaar, County Planner
Date: June 5, 2006
Subject: Staff Recommendation for the Approval of the Powder Mountain Master Plan

At a meeting in the Cache County Administration Building on May 9, 2006 between Cache County Officials/Staff and the agent/staff for the proposed Powder Mountain Master Plan, Cache County requested that the applicant update the following information within the submitted master plan for review by staff prior to the Cache County Planning Commission reviewing the project again:

- 1) Update a submitted title report for Cache County.
- 2) Update agent letters with the proper corporate resolutions/affidavits.
- 3) Provide a front end feasibility study to the County for review that includes a pro forma analysis of the cost of the required infrastructure and utilities (fire, sheriff, road, sewer, water, gas, electricity, etc.) on a year by year and phase by phase basis.
- 4) Provide information on the Powder Mountain Water and Sewer District in regards to:
 - a. Current service levels, capacity, and treatments methods
 - b. Potential service capabilities and treatment methods
 - c. The current cost of connections and financial ability to expand service levels for Powder Mountain
- 5) Provide a copy of the executed contract and mortgage and security agreement for the provision of the 1400 acre feet of water from the Weber Basin Water Conservancy District.

Staff has received and reviewed the requested information as of June 1, 2006, and is recommending that the Cache County Planning Commission approve a motion to approve the Powder Mountain Master Plan, a Conditional Use Permit, with the following stipulations:

- 1) In conformance with §17.14.080 Unit Equivalent Density, the Powder Mountain Master Plan is conditionally approved for a maximum density/size not to exceed the following:
 - a. Hotel or Multifamily C – 300 Units
 - b. Hotel or Multifamily D – 115 Units
 - c. Single-Family Lot – 195 Units
 - d. Equestrian Facility – 40,000 Square Feet
 - e. Ski Area Facility – 40,000 Square Feet
 - f. Commercial – 150,000 Square Feet
 - g. Recreation/Activity Facility – 30,000 Square Feet
 - h. Public Facilities – 15,000 Square Feet
 - i. Air Transportation Facilities – 15,000 Square Feet
- 2) Prior to the issuance of any development permits or the commencement of any site development activities, an development agreement shall be completed and approved in compliance with §17.14.040. That development agreement will include appropriate and reasonable financial assurances that all the required and planned off site and subdivision

improvements will be completed. These financial assurances may take the form of letters of credit, bonds, and/or other similar financial instruments.

- 3) Prior to the issuance of the Development Agreement, agreements shall be in place between Cache County and Weber County (or any districts that provide service within Weber County) for the provision of the following services:
 - a. Sewer Service
 - b. Culinary Water
 - c. Sheriff and Fire Protection
 - d. Road Maintenance
 - e. School Districts

The developer shall be required to provide a financial surety to the service providers and to Cache County to ensure that revenues generated from taxes, special assessments, or other incomes shall cover the cost of the provision of services for each phase of the development and, in the event that further phases are not developed, the ongoing capacity to continue the provision of such services.

- 4) Cache County may require further studies, analyzes, or reports throughout the development of the master plan as conditions of approval for development permits (subdivisions, conditional use permits, zoning clearances, or alterations to the master plan) including but not limited to:
 - a. Traffic Impact Studies
 - b. Geological Studies
 - c. Hydrological Studies (primary and secondary water uses)
 - d. The Provision of Services
- 5) The developer of said project shall be required to post financial security concurrent with the approval of the Development Agreement for the development of infrastructure and other improvements prior to the approval of any subsequent portions of the development. The amount of the surety, its duration, and the phasing of the surety in conjunction with the phasing of development shall be included within the Development Agreement as approved by Cache County. The present cost estimate provided to Cache County for the necessary and required improvements is attached as Exhibit A. This estimate is the basis for the required financial security. These financial estimates may need to be updated as the project proceeds.
- 6) The County retains the option to delay or limit development if it is determined that issues including but not limited to insufficient infrastructure or health & safety concerns are present.
- 7) The developer shall be required to meet the minimum standards of the County Ordinances that are in place at the time development occurs.
- 8) If the development is to be phased, the County Council may require that the Development Agreement be reviewed and/or approved for each phase of the proposed development.

Findings of Fact:

- 1) The Powder Mountain Master Plan 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 Powder Mountain Master Plan 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 Powder Mountain Master Plan is compatible with surrounding land uses and will not interfere with the use and enjoyment of adjoining or area properties.

RESOLUTION NO. 06- 20

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 July 25, 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.

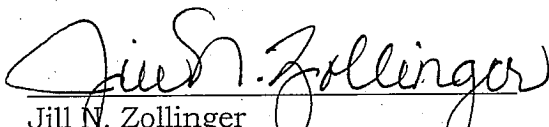
Section 3.

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

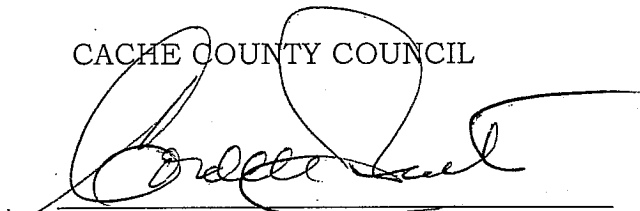
This resolution was duly adopted by the Cache County Council on the 25th day of July, 2006.

ATTESTED TO:

CACHE COUNTY COUNCIL



Jill N. Zollinger
Cache County Clerk



Cory Yeates, Chairman

FUND 10 General Fund REVENUES

ACCOUNT	DESCRIPTION	Current Budget	Recommended		Amended Budget	Reason for Change
			Increase DEBIT	Decrease CREDIT		
10-33-43100	Vol Fire Assistance Grant	-	(5,000)	(5,000)	(5,000)	2006 Fire Dept Assistance Grant
10-38-78000	Contrib For Search & Rescue	-	(9,316)	(9,316)	(9,316)	Search and Rescue contributions
10-33-125000	Fed Grant -Bullet Proof Vest / STAB Vests	-	(6,458)	(6,458)	(6,458)	grant for bullet proof vests
	Totals		(20,774)	(20,774)		
	Net Adjustment			(20,774)		

FUND 10 General Fund EXPENDITURES

ACCOUNT	DESCRIPTION	Current Budget	Recommended		Amended Budget	Reason for Change
			Increase DEBIT	Decrease CREDIT		
10-4220-255	Fire - Wildland Fire Equip & Supplies	10,478	5,000	15,478	15,478	2006 Fire Dept Assistance Grant
10-4216-140	Search & Rescue - uniforms	2,000	18	2,018	2,018	adjust to account for contributions
10-4216-230	Search & Rescue - Travel	-	300	300	300	adjust to account for contributions
10-4216-251	Search & Rescue - noncapitalized equip	3,525	1,000	4,525	4,525	adjust to account for contributions
10-4216-330	Search & Rescue - education & training	-	6,300	6,300	6,300	adjust to account for contributions
10-4216-480	Search & Rescue - spec dept supplies	500	1,598	2,098	2,098	adjust to account for contributions
10-4216-481	Search & Rescue - philanthropic activities	-	100	100	100	adjust to account for contributions
10-4210-251	Sheriff Patrol - Non capitalized equip	32,616	6,458	39,074	39,074	2006 grant award for 50% cost on bullet proof vests
	Totals		20,774		20,774	
	Net Adjustment					

FUND 15 Assessing & Collecting Fund REVENUES

ACCOUNT	DESCRIPTION	Current Budget	Recommended		Amended Budget	Reason for Change
			Increase DEBIT	Decrease CREDIT		
15-34-12000	Recorder fees	(140,000)	(20,000)	(160,000)	(160,000)	increase for revenue collection actual
15-31-66000	Per Parcel factor	(104,572)	(25,000)	(129,572)	(129,572)	increase to estimated revenue
	Totals		(45,000)		(45,000)	
	Net Adjustment					

FUND 15 Assessing & Collecting Fund EXPENDITURES

ACCOUNT	DESCRIPTION	Current Budget	Recommended		Amended Budget	Reason for Change
			Increase DEBIT	Decrease CREDIT		
15-4141-520	Auditor - collection costs	229	700	929	929	to cover all costs of tax sale
15-4141-610	Auditor - misc supplies	7,550	8,950	16,500	16,500	to cover all mailout costs of truth in taxation notices
15-4144-250	Recorder - equip supplies & maint	2,000	10,000	12,000	12,000	maint on large document copier and supplies
15-4144-740	Recorder - capitalized equipment	6,000	11,000	17,000	17,000	to purchase large document copier
15-4146-311	Assessor - software	3,850	14,350	18,200	18,200	to increase to purchase Marshall and Swift
	Totals		45,000		45,000	
	Net Adjustment					

FUND 24 SENIOR CITIZENS FUND EXPENDITURES

ACCOUNT	DESCRIPTION	Current Budget	Recommended Increase DEBIT	Recommended Decrease CREDIT	Amended Budget	Reason for Change
24-4970-383	Nutrition - US Foods	-	20,000	-	20,000	Single line vendor for US Foods
24-4970-381	Nutrition - Meals	102,000	-	(20,000)	82,000	Transfer to single line vendor for US Foods
	Totals		<u>20,000</u>	<u>(20,000)</u>		
	Net Adjustment				<u>20,000</u>	

FUND 29 CHILDREN'S JUVENILE JUSTICE FUND REVENUES

ACCOUNT	DESCRIPTION	Current Budget	Recommended Increase DEBIT	Recommended Decrease CREDIT	Amended Budget	Reason for Change
29-36-90000	Sundry Revenue	-	-	(2,661)	(2,661)	pass-thru monies for Friends of CJC reimb
	Totals			<u>(2,661)</u>		
	Net adjustment				<u>(2,661)</u>	

FUND 29 CHILDREN'S JUVENILE JUSTICE FUND EXPENDITURES

ACCOUNT	DESCRIPTION	Current Budget	Recommended Increase DEBIT	Recommended Decrease CREDIT	Amended Budget	Reason for Change
29-4149-620	CJC - Misc Services	-	2,661	-	2,661	pass-thru monies for Friends of CJC reimb
	Totals		<u>2,661</u>			
	Net adjustment				<u>2,661</u>	

FUND 74 AMBULANCE FUND EXPENDITURES

ACCOUNT	DESCRIPTION	Current Budget	Recommended Increase DEBIT	Recommended Decrease CREDIT	Amended Budget	Reason for Change
74-4262-270	Ambulance - utilities	-	1,800	-	1,800	to pay for Hyrum office utilities
74-4262-480	Ambulance - spec dept supplies	6,000	-	(1,800)	4,200	to pay for Hyrum office utilities
	Totals		<u>1,800</u>	<u>(1,800)</u>		
	Net Adjustment					

FUND 77 AIRPORT FUND REVENUES

ACCOUNT	DESCRIPTION	Current Budget	Recommended Increase DEBIT	Recommended Decrease CREDIT	Amended Budget	Reason for Change
77-33-44402	STATE GRANT	-	-	(45,000)	(45,000)	State UDOT grant fog seal & paint runway and taxiway 17/35
77-38-70000	Appropriated surplus	(378,154)	-	(5,000)	(383,154)	match for state grant on fog seal
	Totals			<u>(50,000)</u>		
	Net Adjustment				<u>(50,000)</u>	

FUND 77 AIRPORT FUND EXPENDITURES

ACCOUNT	DESCRIPTION	Current Budget	Recommended Increase DEBIT	Recommended Decrease CREDIT	Amended Budget	Reason for Change
77-4460-739	Grant Projects	3,318,341	50,000	-	3,368,341	State UDOT grant fog seal & paint runway and taxiway 17/35
	Totals		<u>50,000</u>			
	Net Adjustment				<u>50,000</u>	

FUND 10 General Fund REVENUES

ACCOUNT	DESCRIPTION	Current Budget	Recommended Decrease DEBIT	Recommended Increase CREDIT	Amended Budget	Reason for Change
10-33-43000	Misc State Grants	(30,600)		(10,000)	(40,600)	Adj per grant award RS2477 recordation
	Totals			(10,000)		
	Net Adjustment				(10,000)	

FUND 10 General Fund EXPENDITURES

ACCOUNT	DESCRIPTION	Current Budget	Recommended Increase DEBIT	Recommended Decrease CREDIT	Amended Budget	Reason for Change
10-4147-120	Surveyor - temporary employees	13,264	9,100		22,364	RS2477 Recordation grant
10-4147-130	Surveyor - benefits	36,297	900		37,197	
	Totals		10,000			
	Net Adjustment				10,000	

REQUEST FOR INTRA-DEPARTMENTAL BUDGET TRANSFER

DEPARTMENT: ASSESSOR
DATE: 7/20/2006

Amount to be transferred -- (rounded to the nearest dollar) \$10,000.00

Transfer From ---

Line Item No. : 15-4146-740

Fund Designation: CAPITALIZED EQUIP

Original Budget:	<u>\$44,000.00</u>
Current Budget:	<u>\$44,000.00</u>
Expenditures to date:	<u>\$0.00</u>
Balance before transfer:	<u>\$44,000.00</u>
Balance after Transfer:	<u>\$34,000.00</u>

Transfer To ---

Line Item No. : 15-4146-230

Fund Designation: TRAVEL

Original Budget:	<u>\$10,450.00</u>
Current Budget:	<u>\$10,450.00</u>
Expenditures to date:	<u>\$10,363.04</u>
Balance before transfer:	<u>\$86.96</u>
Balance after Transfer:	<u>\$10,086.96</u>

Description of needs and purpose of transfer ---

To cover travel and training cost for appraisers.

Kathleen C. Howell
Department Head

Recommendation: [] Approval [] Disapproval
Comments:

Date: 7/20/2006

Jamra Stones
Cache County Auditor

Recommendation: [] Approval [] Disapproval
Comments:

Date: 7/23/06

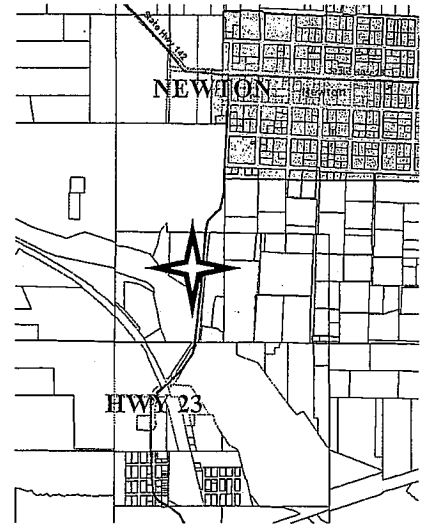
M. [Signature]
Cache County Executive

Consented by the Cache County Council meeting in regular session on the 25th day of July, 2006.

David S. Zollinger
Cache County Clerk

Development Services Cache County Corporation

Project Name: Riverview Estates Subdivision Phase II
Agent: Brian Lyon
Request: 5 Lot Minor Subdivision
Type of Action: Quasi-Judicial
Current Zoning: Agriculture (A)
Project Address: 6900 West 6600 North (Newton)
Tax ID: 13-031-0001
Staff Recommendation: Recommend Approval with Stipulations
Surrounding Uses: North – Agriculture
South – Agriculture
East – Riverview Estates
Subdivision Phase I
West – Agriculture



Site Location

PROJECT

History: Riverview Estates Minor Subdivision (Phase I) was approved by the Cache County Council in July of 2005. This subdivision is located directly east of Phase II, across Hwy 23.

Request: The applicant is requesting a subdivision to create five (5) building parcels of between 4.37 and 5.45 acres each. The proposed subdivision meets the minimum lot size requirements of §17.09.040 and the number of lots/ lot size requirements of §17.09.080.

Access: The subdivision is accessed by a 6600 North, a County road with a hard surface width of 22 feet. The right-of-way that currently exists exceeds the minimum requirements, so no further dedication is required. Lots 1 through 4 are serviced from a private access drive (6900 West) which has a 20 foot wide hard surface and a 50 foot right-of-way. Lot 5 will be accessed from a private driveway which will connect directly to 6600 North.

Water & Septic: The applicant has applied to the State of Utah Division of Water Rights for culinary water permits on all five lots, but at present has not obtained approvals. The subdivision will not be recorded until the appropriate water rights for all of the lots have been approved by the State of Utah Division of Water Rights.

The Bear River Health Department has found that the soils on all of the lots are suitable for septic systems and individual septic tank permits will be required prior to the issuance of Zoning Clearance for individual homes.

AGENCY AND COUNTY DEPARTMENT COMMENTS

Bear River Health Department:

- 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, and must meet all of the requirements for septic systems as required by the Bear River Health Department.

Cache County Road Department:

- 6900 West, the private access drive providing access to Lots 1 through 4, and Lot 5 are accessed from 6600 North which has a 22 foot hard surface and a right-of-way width that varies from between 31 and 40 feet from the centerline of the road.

Cache County Fire Department:

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

Cache County School District:

- A bus stop can be located at 6600 North and Hwy 23.

Cache County Service Area #1

- All containers must be placed on an accessible County Road unless the interior private road meets the requirements of the Solid Waste Department and the required waivers are completed.

PUBLIC COMMENTS

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

STAFF RECOMMENDATIONS

Action: Staff recommends that the Planning Commission approve a motion to recommend that the County Council approve the Riverview Estates Subdivision Phase II, a five (5) lot subdivision for property located at approximately 6900 West 6600 North, TIN #13-031-0001.

Stipulations:

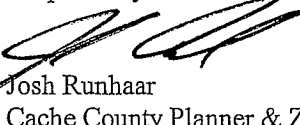
1. Any new septic systems shall meet the requirements of the Bear River Health Department and shall be a minimum of 200 feet from any waterway or well unless otherwise designated by the Health Department. Further review and analysis of soil conditions will be required prior to the issuance of a waste water permit on any of the lots.
2. The applicant shall submit an engineered full set of design and construction plans for 6900 West (the private road) for approval by staff. The plans shall address issues of grade, drainage, base preparation and construction, and surfacing for the road. The plans shall be peer reviewed for staff by an independent engineer, the cost of which shall be paid by the applicant. The road shall meet all applicable requirements of the International Fire Code 2003 and any other applicable codes. The development of the road shall be completed by the applicant, and shall be either completed prior to the recordation of the plat or the applicant shall enter into agreements for the development of the road as required by the Cache County Attorney and the Zoning Administrator.
3. The maintenance of the road, including any areas of the road within the County right-of-way (the apron or connection point to the public road or other areas as determined by County staff), shall be the responsibility of the home owners association.
4. The proponent shall submit detailed information about the Home Owner's Association and any CC&R's that will be present for this subdivision for review and approval by staff.

RECOMMENDED FINDINGS OF FACT

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

1. The Riverview Estates Subdivision Phase II 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 Riverview Estates Subdivision Phase II 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 Riverview Estates Subdivision Phase II is compatible with surrounding land uses and will not interfere with the use and enjoyment of adjoining or area properties.
5. 6600 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 25, 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.



Cache County Planning Commission (CCPC)

Minutes for 5 June 2006

Present: Troy Allen, Lee Nelson, Curtis Dent, Jack Draxler, Clair Ellis, George Daines, Wendell Morse, Josh Runhaar, Brigham Rupp.

Start time: 1:00

Nelson welcomed; Allen gave opening remarks.

Approval of Agenda

Nelson turned to the approval of the agenda.

Runhaar requested that the Planning Commission make a small adjustment to next month's schedule. He recommended that the July 3rd meeting be moved to July 10th, and treat the 3rd as a holiday. He said they would need to make a motion to approve the change.

Dent moved that the July meeting be moved to July 10th instead of the 3rd. Draxler seconded; passed 4, 0.

Allen motioned to approve the agenda; Dent seconded; passed 4, 0.

Approval of Minutes

Dent moved to approve the minutes; Draxler seconded; motion passed 4, 0.

Item 1: Minor/Small Subdivision: Brian G. Lyon, Riverview Estates Sub Phs II (06-26SS)

Runhaar gave the staff report. Applicant requests a five-lot subdivision on 25.8 acres in the Ag Zone at 6900 W 6600 N south of Newton. Across the street is phase 1, and while the two subdivisions are named in phases, they are separate 1970 parcels and will be treated separately. Runhaar showed the location of the proposed lots on an overhead photo. The lots meet all the code requirements. The lots will be accessed by 6600 North, which is a County road with a 20 foot hard surface. Staff recommends that the access remain as it is. Applicant has applied for water rights from state but has not received approval yet; Bear River Health (BRH) has determined the soil is acceptable for septic tanks. The Fire Department and School District have no issues. Notices were mailed to four property owners and Newton with no reply. Staff recommends that the Cache County Planning Commission (CCPC) recommend approval to the County Council. There are four recommended stipulations.

Brian Lyon came to the pulpit.

Nelson said the County Council is very interested in the Homeowners' Associations (HOA) and making sure that they take care of roads. Lyon needs to be prepared, because the County Council will want to know the details.

Lyon said he agreed and is prepared.

Dent asked if they County were not requiring a chip and sealed road.

Runhaar said that staff has asked for an engineered road that addresses the road surface, among other items. They will have to submit an engineering report and staff will review it.

Draxler asked if the surface would be the engineer's choice or the applicants.

Runhaar said they have asked for an engineered road plan with a recommendation from the engineer based on the engineer's opinion on which surface is appropriate. Staff is trying to let a professional make those recommendations, instead of staff making arbitrary decisions themselves.

Ellis and Daines arrived.

Nelson reviewed the item for Ellis.

Draxler said that this subdivision and the prior subdivision across the street are pre-1970 parcels, and so they are separate entities. He asked why they are not looking at them as chained subdivisions.

Runhaar said they are not viewing them as chained subdivisions because there is such a major divider between

them. Even if they looked at both subdivisions as one, there is really no way to make any improvements or further development.

Draxler said he agrees, but he does not understand what the pre-1970 parcel has to do with it.

Runhaar said if there was not a divider between the subdivisions, they would need to look at what kind of development might occur around the proposed subdivision. In this case, there is not really much potential for expansion in at least three directions, and at this point, staff thinks that it is a separate 1970 parcel despite the similarity to the subdivision across the street.

Draxler asked how many lots are in the older subdivision.

Lyon said five. They have all sold.

Lyon said he first looked at access off the highway, and then decided to access off the private road for safety.

Draxler said that was a good move. He asked if they found any water on the five lots across the highway.

Lyon said he does not know about the five lots yet, but other houses in the area have good wells.

Nelson asked if there is more discussion. He asked for audience comment.

John Holland, owner of the house to the west of the proposed subdivision, said he would like to caution that the well he has is on marginal capacity. He is concerned about water availability. He is also concerned because the area is not flat, it is hilly, and the road runs through an area where there is flow in the spring time. He said he is also concerned that having five more septic systems in the area is going to hurt his water quality.

Nelson said BRH will determine the appropriateness of the septic systems, and they have not found any problem with septic systems here. As for water, the State determines water availability, and they may find water, they may not. As for the road, it will have to be well engineered and built well.

Lyon said there is a ravine that has some drainage there, but no slopes are over 20%, and they will be designing a culvert for any running water.

Draxler asked if the gulley mentioned runs to the north.

Lyon said it runs from the center of lot one and runs to the southwest.

Ellis said he has a question on the road. He asked if the decision on the road surface was an engineering decision or an economic decision.

Runhaar explained that they want an engineer's recommendation on the road surface, so that staff does not make arbitrary recommendations about what road types are the best. An engineer is better suited for reviewing all the conditions and giving a recommendation for the most appropriate road surface.

Draxler said that is the beauty of this new policy. It will be in everyone's best interest to have an engineer do it.

Ellis said he still does not understand the surface decision. He questioned whether it was inappropriate for an engineer to make a staff decision.

Runhaar said no, staff really does not know what is best for a road surface, and having an engineer do it is wise. The engineer is only asked to do what is best for the homes.

Ellis said that he was concerned with passing over the economic issues to an engineer. He wondered about taking into account growth and future economic effect on the County.

Runhaar said the potential for the road to ever service more lots is minimal, and they really do not need to outline a standard other than what an engineer can decide for these five lots.

Dent asked how much further the County road goes.

Lyon said it turns to the north at the west boundary of the subdivision.

Nelson asked for a motion.

Draxler moved that the CCPC recommend approval to the CC with stipulations and findings of fact. Allen seconded; passed 5,0.

Item 2: Manufacturing Conditional-Use Permit: D&D Welding and Fabrication (06-027C)

D&D Welding and Fabrication requests a manufacturing CUP in an existing structure located on 5.08 acres of property in the Manufacturing Zone at 1631 East 12600 North, Cove.

Runhaar gave the staff report. He read through the details. As the business stands today, they would like to allow nine employees before review, since nine is the cutoff for the next level of business licenses. Staff does not have issues with this; it is isolated. Staff recommends approval of the conditional-use permit for Welding and Fabrication. Staff received one letter of support. There are three recommended stipulations.

Allen disclosed that he sold the property to the applicant, but he no longer has any economic interest in it.

Nelson asked for the Commission's feelings.

Ellis asked if it was all paid and done.

Allen said yes.

Nelson said Allen was fine to stay in the meeting.

Drysdale came to the podium. He said he understands all the stipulations.

Drysdale asked if the two owners are counted as employees.

Runhaar said the Clerk's office will consider everyone that works there an employee.

Ellis asked what type of work they do.

Drysdale said it was by bid, each job is different.

Ellis asked if this is an operating business already.

Drysdale said that they are currently in Hyde Park and are ready to move.

Draxler asked if they would have to have a business license and if that is a stipulation they should have.

Runhaar said that they could add it but it is a standard requirement.

Dent moved to approve the CUP for D&D Welding and Fabrication. Draxler seconded; passed 5,0.

Item 3: Powder Mountain Master Plan Conditional-Use Permit (06-01MP)

Runhaar provided a memo to the Commission that was completed this morning. Runhaar said the commission should review it. It is in reference to a meeting held on 9 May 2006, with Lynn Lemon, George Daines, Wendell Morse, Josh Runhaar, Mark Arnold, Brook Hontz, and Doyle Pergande, where they went through the unresolved issues thus far. The list on the memo was requested by staff some time ago. Staff requested an updated title report, updated owner affidavits, a front-end feasibility study to the County, a description of the water and sewer district, and a confirmation of the water.

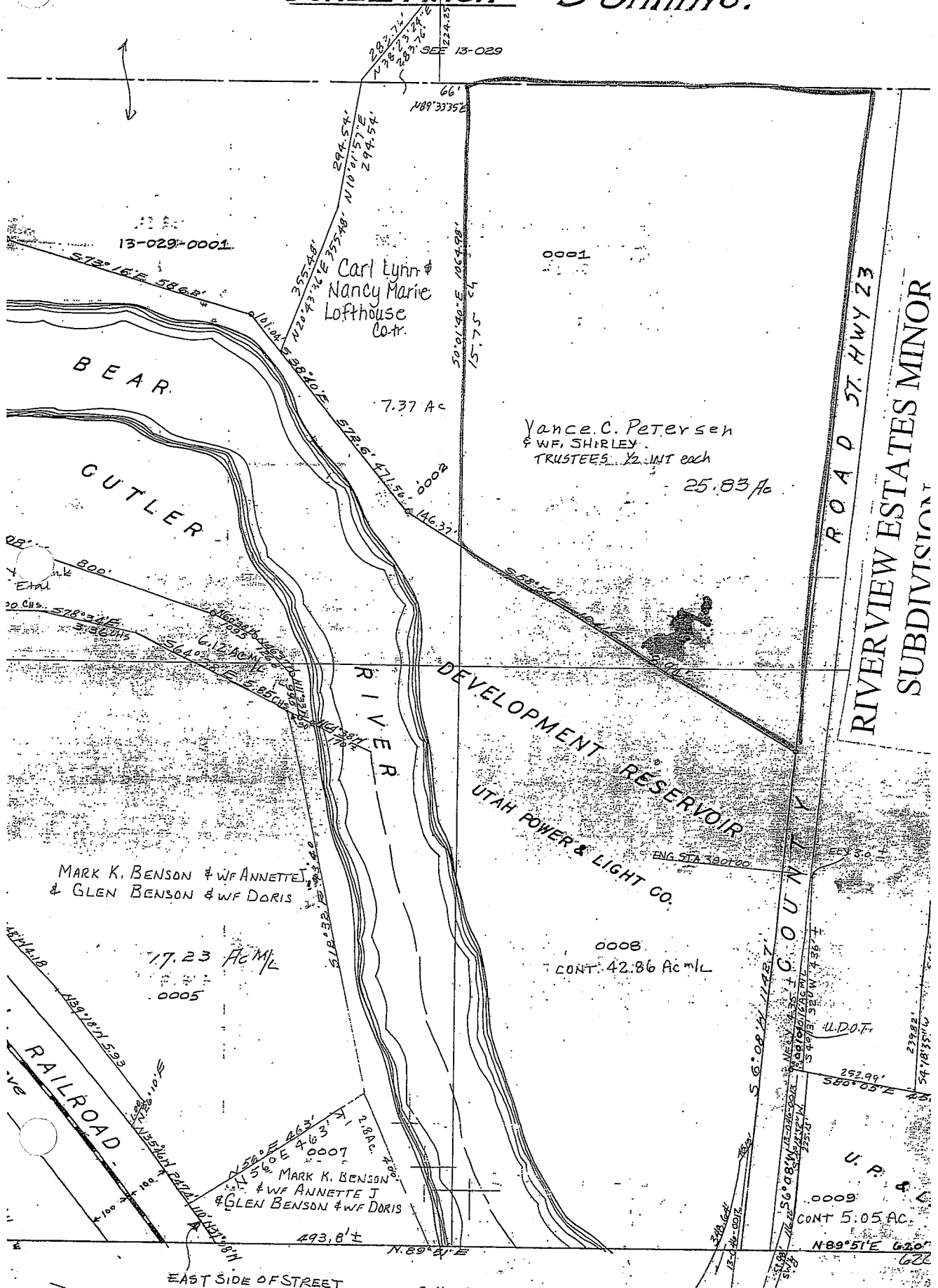
Runhaar said on the title report, they needed some new resolutions because some were missing. The front end feasibility was a concern to make sure the County is not left holding the bag when nothing works out. They want to make sure there was an upfront knowledge of how much the project would cost, etc. They need to see that the sewer issue would be accurate. The powder mountain sewer district already exists, but a lot more will be added to it. They need a confirmation of the 1400 acre feet of water, proving that it is in fact there.

Staff feels comfortable to recommend that the Commission approve a motion to conditionally approve a CUP for the master plan with the following stipulations: as read by Runhaar:

Stipulation 1 discussion:

- 1) In conformance with §17.14.080 Unit Equivalent Density, the Powder Mountain Master Plan is conditionally approved for a maximum density/size not to exceed the following:

SECTION 19, TOWNSHIP 13 NORTH, RANGE 1 WEST
SCALE 1 INCH = 3 CHAINS.



Carl Lynn &
Nancy Marie
Lofthouse
Co-tr.

Vance C. Petersen
& W.F. SHIRLEY
TRUSTEES 1/2 INT each

RIVERVIEW ESTATES MINOR
SUBDIVISION

UTAH POWER & LIGHT CO.
DEVELOPMENT RESERVOIR

MARK K. BENSON & W.F. ANNETTE J.
& GLEN BENSON & W.F. DORIS

MARK K. BENSON
& W.F. ANNETTE J.
& GLEN BENSON & W.F. DORIS

U. P. & N.
0009
CONT. 5.05 AC.
N 89° 51' E 62.0'

RAILROAD

EAST SIDE OF STREET

13-029-0001

0001

7.37 AC

25.83 AC

17.23 AC ML

0008
CONT. 42.86 AC ML

CONT. 5.05 AC.

572° 16' E 58.62'

294.54'
N 10° 15' E
294.54'

355.48'
N 20° 43' E 355.48'

572.6' 41.56'

572.6' 41.56' & 146.37'

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CACHE COUNTY
CORPORATION

COUNTY COUNCIL

CORY YEATES
H. CRAIG PETERSEN
DARREL L. GIBBONS
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M. LYNN LEMON

COUNTY EXECUTIVE/SURVEYOR

199 N. MAIN
LOGAN, UTAH 84321
Tel 435-716-7171
Fax 435-716-7172

July 19, 2006

Dear Members of Congress:

The members of the Cache County Council and the Cache County Executive urges you to vote in favor of H.R. 4761, the Deep Ocean Energy Resources (DOER) Act.

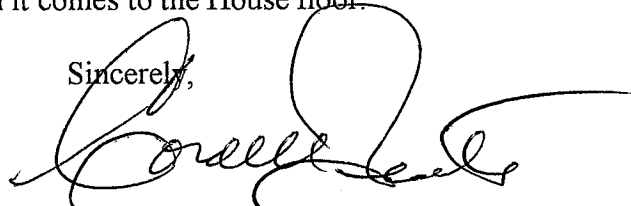
Passage of H.R. 4761 will dramatically increase our nation's domestic energy production and bring us closer to energy independence. Greater energy independence is a worthy goal in and of itself and the Cache County Council and the Cache County Executive stands strongly behind any federal efforts that will foster greater development of our nation's vast energy resources.

In addition to opening up development of our nation's ocean energy, the DOER Act will also boost the development of our country's oil shale and tar sands program. America's western oil shale deposit is the largest unexploited hydrocarbon resource on earth. It is estimated that more than two trillion barrels of oil are held in oil shale deposits scattered across the nation. That represents more oil reserves than are contained in all the countries in the Middle East combined. The richest and most easily recoverable deposits are currently found in the Green River formation in Northeastern Utah, Northwestern Colorado, and Southwestern Wyoming. Estimates suggest that Colorado's total resources alone approach one trillion barrels of oil, nearly four times more than Saudi Arabia's proven oil reserves.

Section 29 of the H.E. 4761 will strengthen the new oil shale program implemented through the Energy Policy Act of 2005 by establishing a royalty framework built upon the successful Canadian model. Under H.R. 4761, producing states receive 2/3 of a 50 percent non-federal share of revenues generated from a lease for the production of oil shale and tar sands. It also ensures that counties that host the oil shale production receive a significant and dedicated share of lease revenues derived from production. In Canada this same royalty regime helped spur the more than 1 million barrels per day in oil production from Alberta's oil sands. The Cache County Council and the Cache County Executive believes that counties in Colorado, Utah, and Wyoming would stand to benefit significantly if this legislation were enacted into law.

Only by developing American's ample onshore and offshore energy resources can we begin to wean our nation off foreign sources of oil. The **Cache County Council** and the **Cache County Executive strongly supports the passage of H.R. 4761** and we **urge** you to **vote in favor** of this legislation when it comes to the House floor.

Sincerely,



Cordell Yeates, Chairman
Cache County Council



M. Lynn Lemon
Cache County Executive

CY/MLL:pwp