

CACHE COUNTY COUNCIL MEETING

January 23, 2007

The Cache County Council convened in a regular session on January 23, 2007 in the Cache County Council Chamber at 199 North Main, Logan, Utah.

ATTENDANCE:

Chairman: Darrel Gibbons
Vice Chairman: John Hansen
Council Members: Brian Chambers, John Hansen, H. Craig Petersen, Kathy Robison, Cory Yeates & Gordon Zilles.
County Executive: M. Lynn Lemon
County Clerk: Jill N. Zollinger

The following individuals were also in attendance: Russ Akina, Jay Baker, Robert Barlow, Pete Brunson, Captain Kim Cheshire, Troy Christensen, Rob Cruz, Attorney George Daines, Kim Datwyler, Scott Datwyler, Nolan Gunnell, Richard Hopkins, Sharon L. Hoth, Richard Justis, Connie McCaughey, Wendell Morse, Sheriff Lynn Nelson, David Nielsen, Brent Parker, Pat Parker, Josh Runhaar, Auditor Tamra Stones, Tim Watkins, Rod Wilhelm, **Media:** Charles Geraci (Herald Journal), Arrin Brunson (Salt Lake Tribune), Jennie Christensen (KVNU).

OPENING REMARKS AND PLEDGE OF ALLEGIANCE

Council member Robison gave the opening remarks and led those present in the Pledge of Allegiance.

REVIEW AND APPROVAL OF AGENDA

The agenda was approved with the removal of Item 11c - Resolution No. 2007-02-A Resolution authorizing the issuance of up to \$8,000,000 aggregate principal amount of Sales Tax Revenue Refunding Bonds, etc. Executive Lemon explained the market had shifted downward and Zion's Public Finance advises waiting.

REVIEW AND APPROVAL OF MINUTES

ACTION: Motion by Council member Yeates to approve the minutes of the January 09, 2007, Council meeting as written. Robison seconded the motion. The vote was unanimous, 7-0.

REPORT OF THE COUNTY EXECUTIVE: M. LYNN LEMON

APPOINTMENTS: Darrel Gibbons Regional Landfill Board

Attorney Daines asked who serves as legal counsel for the Solid Waste Regional Board?

Chairman Gibbons responded Kymber Housley, Logan City Attorney, represents Logan City, but there is no one serving as counsel for the entire entity.

Cache County Council
01-23-07

Daines requested that Gibbons advise the Board that Daines will be serving as legal counsel for Cache County and, as such, all proposed agreements, bylaws, etc. will be reviewed by him.

ACTION: Motion by Council member Yeates to approve the appointment of Chairman Darrel Gibbons to the Regional Landfill Board. Chambers seconded the motion. The motion passed, 6 aye - Zilles, Hansen, Gibbons, Robison, Chambers & Yeates, 1 nay - Petersen.

WARRANTS: The warrants for the periods 12-01-2006, 12-02-06, 12-22-2006 to 12-28-2006, 12-26-2006, 12-28-2006 to 01-04-2007 and 01-05-2007 to 01-11-2007 were given to the clerk for filing.

OTHER ITEMS

- **Non-profit Neighborhood Housing - Kim Datwyler** presented a plaque to the Council in appreciation of the Council's support of their CDBG application.
- **CDBG Applications** - Executive Lemon noted that of the five CDBG projects sponsored by the Council, four received funding.
- **UAC Legislative Committee Meeting** - Lemon noted these meetings are held each Thursday morning at 9:00 a.m. and can be attended at the Bear River Health Department.
- **Weekly Meeting with Legislators** is held each Saturday morning at 11:00 a.m. in the Council Chambers and all the county elected officials meet with Cache County's state legislators. The public is welcome to attend.
- **Bond Rating** - Lemon said the county's rating has improved from AA- to AA.
- **Jail Settlement** - A global settlement was achieved with Sahara, the engineer and the architects. All documents have been signed and no additional county funding was required. Daines said approximately \$150,000.00 was awarded to the Sheriff's Department to be used as needed for floor problems, etc.

ITEMS OF SPECIAL INTEREST

- ▶ **Proposed Admission Fee for Willow Park Zoo - Russ Akina** and Troy Christensen, Willow Park Advisory Board, presented proposed admission fees for Willow Park Zoo in the following amounts:

Adult	\$3.00
Child (4-12)	2.00
Family	10.00
3 and under	free

Zoo member	free
Season pass (indiv)	20.00
Season pass (family)	35.00

These fees would apply from April 1 through October 31 each year. From November 1 to March 31 the volunteer donation would be in effect. One day each month will be a free admission day. An adult fee of \$2.00 and a child fee of \$1.00 has also been discussed by the Board.

Akina said the proposed fees would offset the zoo subsidy in the Cache County budget each year. The visitorship for 2006 was just under 100,000. A reduction in visitors is anticipated if the admission fee is approved. This same proposal will be presented to the Logan City Council.

Council members asked questions relating to enforcement, reduction in visitors, funding for capital improvements and how many other free zoos are in operation.

In general, the Council favors maintaining the voluntary contribution as now instituted and continue to subsidize the zoo.

BUDGETARY MATTERS

◆ **Intra-Departmental Transfer**
Fire Department

Transfer \$61,000.00 from Fire-HLS Grant contrib to other units to Emerg Mgt- Noncapitalized LETP to allow law enforcement to purchase items from remaining LETP funds from 2005 and 2006.

(Attachment 1)

ACTION: Motion by Vice Chair Hansen to approve the budget transfer of \$61,000.00. Yeates seconded the motion. The vote was unanimous, 7-0.

PUBLIC HEARINGS, APPEALS AND BOARD OF EQUALIZATION MATTERS

SET PUBLIC HEARING: FEBRUARY 13, 2007-5:45 P.M.-OPEN 2007 BUDGET

ACTION: Motion by Council member Yeates to set a Public Hearing for February 13, 2007 at 5:45 p.m. - Open 2007 Budget. Robison seconded the motion. The vote was unanimous, 7-0.

SET PUBLIC HEARING: JANUARY 23, 2007-6:00 P.M.-LOGAN CANYON GATEWAY TRAIL APPLICATION.

Cache County Council
01-23-07

Chairman Gibbons explained that the Council needs to ratify a motion at the January 09, 2007, Council meeting to set this Public Hearing.

ACTION: Motion by Council member Chambers to ratify the motion of the January 09, 2007, Council meeting which set a Public Hearing for January 23, 2007 at 6:00 p.m.- Logan Canyon Gateway Trail Application. Hansen seconded the motion. The vote was unanimous, 7-0.

PENDING ACTION

- **Resolution No. 2007-01 - A resolution declaring the intent of Cache County (The "County") to arrange for short-term operating to accommodate the anticipated operating capital deficits by the issuance of tax and revenue anticipation notes ("Trans") as a participant in the Association of Counties ("UAC") combined flow borrowing program. (The "UAC" Program), and related matters** - Chairman Gibbons said these notes are needed to fund the county until taxes are collected in the fall.

(Attachment 2)

ACTION: Motion by Council member Robison to approve Resolution No. 2007-01 - A resolution declaring the intent of Cache County (The "County") to arrange for short-term operating to accommodate the anticipated operating capital deficits by the issuance of tax and revenue anticipation notes ("Trans") as a participant in the Association of Counties ("UAC") combined flow borrowing program. (The "UAC" Program), and related matters. Hansen seconded the motion. The vote was unanimous, 7-0.

INITIAL PROPOSAL FOR CONSIDERATION OF ACTION

- **Ordinance No. 2007-01 - Amending Ordinance No. 77-2, 77-3, 87-8, 89-9 and 97-2 and providing for the control of dogs and other animals, requiring licensing and inoculation of dogs for rabies, impounding and disposition of stray and other dogs, fees for impounding and board, disposition or sale of dogs, and repealing all prior ordinances and amendments to ordinances in conflict with this ordinance** - Clerk Zollinger explained that this Ordinance establishes the licensing fee as \$10.00 per dog and clarifies language stating that a kennel license is required of citizens with four or more dogs.

(Attachment 3)

ACTION: Motion by Council member Zilles to waive the rules and approve Ordinance No. 2007-01-Amending Ordinance No. 77-2, 77-3, 87-8, 89-9 and 97-2 and providing for the control of dogs and other animals, requiring licensing and inoculation of dogs for rabies, impounding and disposition of stray and other dogs, fees for impounding and board,

Cache County Council
01-23-07

disposition or sale of dogs, and repealing all prior ordinances and amendments to ordinances in conflict with this ordinance. Yeates seconded the motion. The vote was unanimous, 7-0.

Ordinance No 2007-01: The vote was 7-0.

	<u>CHAMBERS</u>	<u>ZILLES</u>	<u>GIBBONS</u>	<u>HANSEN</u>	<u>PETERSEN</u>	<u>ROBISON</u>	<u>YEATES</u>	<u>VOTES CAST</u>
AYE	X	X	x	X	X	X	X	7
NAY								0
ABSTAINED								0
ABSENT								0

- **Ordinance No. 2007-02 - Voting Precinct Boundary Changes** - Clerk Zollinger indicated this ordinance adjusts boundaries between Richmond 01 and Cove and boundaries between Smithfield 06 and Hyde Park 02 as well as language corrections in Newton and Mendon precincts.

(Attachment 4)

ACTION: Motion by Council member Yeates to waive the rules and approve Ordinance No. 2007-02-Voting Precinct Boundary Changes. Robison seconded the motion. The vote was unanimous, 7-0.

Ordinance No 2007-02: The vote was 7-0.

	<u>CHAMBERS</u>	<u>ZILLES</u>	<u>GIBBONS</u>	<u>HANSEN</u>	<u>PETERSEN</u>	<u>ROBISON</u>	<u>YEATES</u>	<u>VOTES CAST</u>
AYE	X	X	x	X	X	X	X	7
NAY								0
ABSTAINED								0
ABSENT								0

PUBLIC HEARINGS, APPEALS AND BOARD OF EQUALIZATION MATTERS

PUBLIC HEARING: JANUARY 23, 2007-6:00 P.M.-LOGAN CANYON GATEWAY TRAIL APPLICATION - Countywide Planner Morse and County Trail Coordinator Tim Watkins reviewed the proposed Logan Canyon Gateway Trail which will be completed in two phases and is key to connecting valley and canyon trail systems. The total cost to the county over a three-year period will be \$235,563.00.

(Attachment 5)

Cache County Council
01-23-07

Chairman Gibbons opened the Public Hearing and invited public comment.

Dr. Richard Hopkins spoke in favor of the proposed Logan Canyon Gateway Trail.

There was no other public comment.

ACTION: Motion by Vice Chair Hansen to close the Public Hearing. Yeates seconded the motion. The vote was unanimous, 7-0.

Council member Petersen asked if the proposed road grade crossing is acceptable to UDOT?

Morse said UDOT suggested it so that Phase 1 can be completed

ACTION: Motion by Council member Petersen authorizing the Cache County Development Services Office to proceed with the Logan Canyon Gateway Trail Applications-Phase 1 and Phase 2- including the intention of the county to use RAPZ/Restaurant money to fund the \$235,563.00 over a three-year period. Chambers seconded the motion. The vote was unanimous, 7-0.

- **Discussion - Cache County Planning & Zoning Ordinances and General Plan -**
Morse said the goal of the presentation is to present a plan to accomplish those things that are needed for the county. Morse then turned the time over to Josh Runhaar. Runhaar delivered a power point presentation including:

- Planning Implementation
- Growth and Development Pressures
- 1970 Parcel Base
- Commercial/Industrial Development
- Preservation of Place
- Environmental Standards
- Development Standards
- Enforcement of Ordinances
- County/City/Regional Coordination
- Current Comprehensive Plan
- Desired Development Patterns

Runhaar stressed that planning is useless without implementation and asked the Council's preference between two approaches:

Option #1 - Draft ordinances immediately and focus on specific sections and items as needed or,

Option #2 - Address the Comprehensive Plan and ordinances simultaneously.

Runhaar said staff recommends Option #2.

Council members asked about relationships between cities and the comprehensive plan, how much grant money might be available and 1970 parcels. Zilles said the County Planning and Zoning Commission repeatedly asks when the County Council is going to rewrite the ordinance dealing with large subdivisions in the AG zone.

Morse said the county needs to answer the question, "Why?" before any more ordinances are written. What are the real goals of the county? The county must have a commitment to enforce ordinances as they're formulated.

Chairman Gibbons said the Council will expect to have a discussion focused on the concerns that the Council feels should be addressed with respect to the comprehensive plan at the February 27, 2007, Council meeting.

Morse said his office does not have the capability to address the entire plan at once, but would be willing to bring forth certain parts of the plan for the Council's approval and hold a Public Hearing on that portion and then write the ordinance. Morse said he does feel the Development Office wants to know that the Council and the general public agree with the concepts of the general plan before writing a final copy.

OTHER BUSINESS

- ✓ **Cache County Sheriff's Presentation - Captain Kim Cheshire** presented and played a DVD produced by the Sheriff's Department detailing some of the history of the office of Sheriff and the operations of the Cache County Sheriff's Department. This DVD was produced in commemoration of the 150th anniversary of Cache County and the Cache County Sheriff's Department.

COUNCIL MEMBER REPORTS

Gordon Zilles said he would like to have the Council discuss putting together a fund for the county to purchase right-of-ways for roads and referred to the possibility of taxes on vehicle licensing dedicated to a fund for these purposes. Zilles said it is the Council's responsibility to see these right-of-ways are secured.

Petersen said he agreed and noted that he believes the deadline to declare intent to implement the tax is April of each year.

Morse said it is much more financially sound to do it now when right-of-ways are clear of structures, etc. and can be obtained for less cost. Morse also said he believes there are some matching funds available from the legislature for this program.

Gibbons said this will be an agenda item prior to April.

Cache County Council
01-23-07

Craig Petersen reminded the Council of the meeting with legislators on Saturday morning and said Scott Wyatt has a sales tax distribution bill, there is a push to go back to the state wide sales tax and these could affect the RAPZ tax.

Cory Yeates said he attended the Mayors meeting and the content of the Willow Park meeting he attended was already discussed in the Zoo admission fee proposal.

John Hansen said Jeff McBride had contacted him asking about the funding process for the Hyrum Museum/Library project. Lemon said he will call him. The agreement was for \$25,000.00 for four years and McBride simply needs to request the first \$25,000.00 and the county will pay it.

Hansen also asked if anything had been done about the signage problem in Paradise? Lemon said no, but will see that it's done.

Kathy Robison referred Council members to their packets that have a BRAG Human Services information including the Homeless Project from 2006.

Brian Chambers said Frankie Clark from Sub for Santa is looking for a heated storage facility in which to keep, sort and distribute donations. The space would need to be available in November through about December 21 each year. Clark said they are willing to pay rent and has specifically inquired about a building at Willow Park. Lemon said he will contact Russ Akina. Zilles suggested the Jensen Historical Farm may have space for this purpose.

Lemon reminded Council members that County Officials Day at the Legislature is January 31, 2007, and the deadline for registration is Friday, January 26, 2007.

ADJOURNMENT

The Council meeting adjourned at 8:05 p.m.

ATTEST: Jill N. Zollinger
County Clerk

APPROVAL: Darrel Gibbons
Council Chairman

REQUEST FOR INTER-DEPARTMENTAL BUDGET TRANSFER

DEPARTMENT: Fire Department

DATE: January 17, 2007

Amount to be transferred -- (rounded to the nearest dollar) \$ 61,000

Transfer From ---

ACCOUNT	DESCRIPTION	Current Budget	Increase DR	Decrease CR	Amended Budget
10-4220-254	Fire - Noncapitalized HLS	\$ 40,000			\$ 40,000
10-4220-990	Fire - HLS Grant contrib to other units	\$ 80,000		\$ (61,000)	\$ 19,000
					\$ -

Transfer To ---

10-4255-254	Emerg Mgt - Noncapitalized LETP	\$ -	\$ 61,000		\$ 61,000
10-4255-990	Emerg Mgt - LETP Grant Contrib to other un	\$ -			\$ -

Totals \$ 61,000 \$ (61,000)


Net adjustment \$ -

Description of needs and purpose of transfer ---

Transfer to allow Law enforcement to purchase items from remaining LEPT Funds from 2005 and 2006
Budget amounts will be reinstated when the budget is opened in Feb. 2007.

Recommendation: Approval [] Disapproval

Date: 17-Jan-07


Department Head

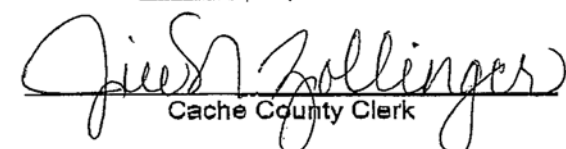

Cache County Auditor

Recommendation: Approval [] Disapproval

Date: _____


Cache County Executive

Consented by the Cache County Council meeting in regular session on the 23rd day of January, 2007.


Cache County Clerk

RESOLUTION NO. 2007-01

A RESOLUTION DECLARING THE INTENT OF CACHE COUNTY (THE "COUNTY") TO ARRANGE FOR SHORT-TERM FINANCING TO ACCOMMODATE THE ANTICIPATED OPERATING CAPITAL DEFICITS BY THE ISSUANCE OF TAX AND REVENUE ANTICIPATION NOTES ("TRANS") AS A PARTICIPANT IN THE UTAH ASSOCIATION OF COUNTIES ("UAC") COMBINED CASH FLOW BORROWING PROGRAM (THE "UAC PROGRAM"), AND RELATED MATTERS.

WHEREAS, it appears that property tax and other revenues will not be received in the next budget year until after significant operating expenses have been incurred, thereby causing operating capital deficits; and

WHEREAS, it will be in the best interest of the County to issue TRANS to provide temporary cash flow capacity to meet operating demands prior to receipt of revenues in adequate amounts; and,

WHEREAS, UAC has invited the County to participate in the UAC Program to facilitate the issuance and sale by the County of its TRANS; and

WHEREAS, UAC has established a Program Implementation Board to solicit and evaluate competitive bids and to select the best bid for the TRANS of participating Counties; and

WHEREAS, it is timely to seek advice from a professional financial consultant concerning the amount and timing of such cash flow borrowing; and

WHEREAS, the UAC Program appears to be the best source of TRANS financing available to the County; and

WHEREAS, it is timely to make a commitment concerning TRANS financing by the County so as to allow UAC and its Placement Agent, _____ (the "Placement Agent"), to determine whether there is sufficient interest to create an adequately sized combined offering of TRANS;

NOW, THEREFORE, be it resolved by the County Council Members of Cache County as follows:

Section 1. It is found and declared to be in the best interest of the County to anticipate cash flow deficiencies and provide operating capital by the issuance of TRANS.

Section 2. The County declares its intentions to issue TRANS for the partial financing of operating during periods when cash flow deficiencies would otherwise occur during the next succeeding year.

Section 3. It is determined that the UAC Program is the best alternative for the County to use in connection with the issuance of its TRANs.

Section 4. If the County determines that it will not need to issue TRANs, then this Resolution shall be of no effect for the next succeeding budget year. If, as it now appears likely, the County determines that it is necessary or prudent to issue TRANs to cover projected cash flow deficiencies, it will utilize the UAC Program for the issuance of such TRANs, providing the UAC Program is then available.

Section 5. One of the purposes of this Resolution is to provide a commitment upon which UAC may rely as it determines the size and feasibility of a combined County TRANs offering. If it is determined that there is insufficient county participation to constitute a feasible offering of TRANs, then it is understood that the Placement Agent will not proceed with the pooling and offering of combined cash flow notes.

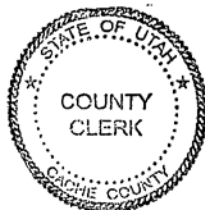
Section 6. Authorization is granted for County officials to consult with the Placement Agent concerning the appropriate size and timing of an issuance of TRANs by the County through the program sponsored by UAC. The Program Implementation Board is authorized to work with the Placement Agent to solicit, receive and evaluate bids for the TRANs and the investment of proceeds of the TRANs. Subject to final approval of the County, the Program Implementation Board is also authorized to select the best bid or bids for the sale of the TRANs and the investment of the proceeds thereof.

ADOPTED AND APPROVED this 9th day of January, 2007.

CACHE COUNTY, UTAH

By: *David L. Gibson*
Chair

ATTEST:



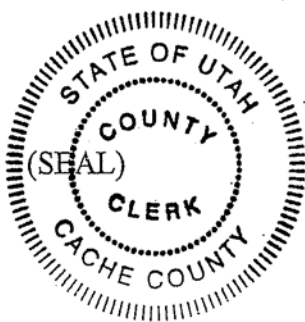
Jill N. Zollinger
Cache County Clerk



STATE OF UTAH)
 :SS.
COUNTY OF CACHE)

I, Jill N. Zollinger, the duly qualified and acting County Clerk of CACHE County, Utah (the "County"), do hereby certify, according to the records of the County Council (the "Council") in my possession, that the foregoing constitutes a true, correct and complete copy of the proceedings of the Council held on January 9, 2007, insofar as said minutes pertain to the matters set forth herein.

IN WITNESS WHEREOF, I have hereunto subscribed my signature and impressed hereon the official seal of the County this 9th day of January, 2007.



Jill N. Zollinger

CACHE, County Clerk

EXHIBIT "A"

CERTIFICATE OF COMPLIANCE WITH OPEN MEETING LAW

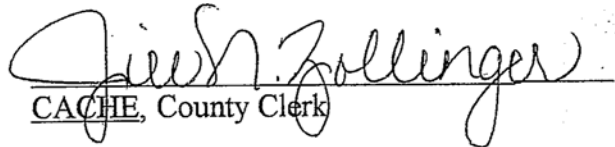
I, Jill N. Zollinger, the duly qualified and acting County Clerk of CACHE County, Utah (the "County"), do hereby certify, according to the records of the County in my official possession, and upon my own knowledge and belief, that:

(a) in accordance with the requirements of Section 52-4-6(2), Utah Code Annotated (1953), as amended, there was given no less than twenty-four (24) hours' public notice of the agenda, date, time and place of the November 14, 2006 public meeting held by the County as follows:

(i) by causing a Notice, in the form attached hereto as Schedule "A", to be posted at the County's offices in Cache County, Utah on November 14, 2006, at least twenty-four (24) hours prior to the convening of said meeting, the Notice having continuously remained so posted and available for public inspection until the completion of said meeting; and

(ii) by causing a copy of such Notice, in the form attached hereto as Schedule "A", to be delivered to the local media correspondent on December 4, 2006, at least twenty-four (24) hours prior to the convening of the meeting.

IN WITNESS WHEREOF, I have hereunto subscribed my official signature this 9th day of January, 2007.


CACHE, County Clerk

SCHEDULE "A"

AGENDA

Cache County, Utah

January 9, 2007

A regular meeting of the County Council Members (the "Council") of Cache County, Utah (the "County"), was held on Tuesday, the 9th day of January, 2007, at the hour of 5:00 p.m. at the regular meeting place of the Council, at which meeting there were present the following members:

Darrel L. Gibbons
John A. Hansen
Cory Yeates
H. Craig Petersen
S. Brian Chambers
Kathy Robison
Gordon Zilles

Also present:

Absent:

After the meeting was duly called to order and after other matters not pertinent to these proceedings had been discussed, the County Clerk presented to the Council a Certificate of Compliance with Open Meeting Law with respect to this January 9, 2007 meeting, a copy of which is attached hereto as Exhibit "A".

After the conduct of business not related to this excerpt of minutes, the following resolution was then introduced in writing, fully discussed by the Council, and, pursuant to motion duly made by Council Member Robison and seconded by Council Member Hansen, adopted by the following vote:

AYE: *Gibbons, Hansen, Yeates, Petersen, Chambers, Robison & Zilles.*

NAY:

ABSTAIN:

CACHE COUNTY
ORDINANCE NO. 2007-01

AN ORDINANCE AMENDING ORDINANCE NO. 77-2, 77-3, 87-8, 89-9 AND 97-2 AND PROVIDING FOR THE CONTROL OF DOGS AND OTHER ANIMALS, REQUIRING LICENSING AND INOCULATION OF DOGS FOR RABIES, IMPOUNDING AND DISPOSITION OF STRAY AND OTHER DOGS, FEES FOR IMPOUNDING AND BOARD, DISPOSITION OR SALE OF DOGS, AND REPEALING ALL PRIOR ORDINANCES AND AMENDMENTS TO ORDINANCES IN CONFLICT WITH THIS ORDINANCE.

In a duly convened meeting and in accordance with its rules, the Cache County Council finds that it is reasonable and necessary for the general welfare of the County and the citizens therein to amend the dog control ordinances of the County.

Therefore, the Cache County Council of Cache County, Utah ordains:

SECTION 1. Licensing of Dogs.

- a. It shall be unlawful for any person or other entity to own, keep, maintain or have permanent or temporary custody of a dog within the limits of Cache County, exclusive of the incorporated areas, without obtaining and possessing a current license or certificate of registration of the dog.
- b. There shall be an annual license fee of \$10.00 per dog. Such license fee may be changed at any time by the Cache County Council by resolution.
- c. Dogs shall not be subject to registration and licensing until they obtain the age of three (3) months.
- d. It shall be unlawful for any person or other entity to own, keep, maintain, or have permanent or temporary custody of a dog within the limits of Cache County, exclusive of the incorporated areas, without having affixed to the dog a collar, which shall be worn at all times by the dog, with a current metallic license tag attached to said collar.
- e. No dog license shall be transferable to another dog.
- f. Replacement tags may be issued by the County Clerk or Animal Control Officer upon presentation of the receipt showing payment of the license fee and the payment for such replacement.

It shall be unlawful for any person to remove a license tag from a dog not owned, kept, maintained, or in the temporary or permanent custody of that person.

SECTION 2. Rabies Certificate and Tag Required of All Dogs in Cache County.

- a. It shall be unlawful for any person or other entity to own, keep, maintain, or have permanent or temporary custody of a dog within the limits of Cache County, exclusive of the incorporated areas, without first having submitted the dog to the Cache County Animal Control Officer or his authorized agent for examination as to rabies or confirmation by that officer that such dog has been inoculated against rabies and presented evidence of such to the animal control officer. Such evidence must clearly indicate that the dog's inoculation is currently effective.
- b. It shall be unlawful for any person or other entity to own, keep, maintain, or have permanent or temporary custody of a dog within the limits of Cache County, exclusive of the incorporated areas, unless such dog has been currently effectively inoculated against rabies.
- c. It shall be unlawful for any person or other entity to own, keep, maintain, or have permanent or temporary custody of a dog within the limits of Cache county, exclusive of the incorporated areas, without having affixed a metallic tag to the dog by its collar, which shall be worn at all times by the dog and which shall show that the dog has been inoculated against rabies within the currently effective time for such rabies inoculation.

SECTION 3. Rabies Tags Non-transferrable or Removable.

- a. It shall be unlawful for any person to transfer a rabies tag indicating the inoculation against rabies to any dog other than the dog to which the tag had been issued.
- b. It shall be unlawful for any person to deprive a dog of its collar having attached to it a rabies tag.

SECTION 4. Animal Control Officer.

- a. The County Animal Control Officer shall be considered the County dog enforcement officer and shall have a badge issued to him showing his authority to act as such officer.
- b. It shall be the duty of the County Animal Control Officer to enforce this ordinance including, but not limited to, the examination of dogs, the capture and impounding of any dogs or other animals running at large or known to be dangerous or vicious, and to perform such other duties as may be assigned to him by the County.
- c. The Animal Control Officer may take possession of any dog or animal running at large or which is being held, kept, or maintained in violation of this ordinance or to take into his possession any dog or animal being treated cruelly or being used or kept in a manner in violation of any state law or this ordinance.
- d. The Animal Control Officer shall be responsible for and authorized to enforce the provisions of Chapter 25 of title 4, Utah Code, relating to estray and trespassing animals.

SECTION 5. Impoundment, Redemption, Sale, and Destruction of Dogs.

- a. Any dog impounded shall be impounded for a period not to exceed three (3) days unless impounded on a Saturday or Sunday in which instance the impoundment shall be for not less than ninety-six (96) hours unless redeemed.
- b. All dogs impounded, unless claimed by their owners within three (3) days, or in the event of a weekend ninety-six (96) hours, shall be destroyed unless a person willing to adopt the said dog is found by the impoundment officer.
- c. The animal control or impounding officer shall notify the owner of the animal, if known, as soon as reasonably practical of the fact of impoundment of the dog.
- d. Whether the animal is redeemed or not, the owner or custodian thereof, shall be responsible for and liable for all impoundment and boarding fees including any additional days that the dog may be kept beyond the three (3) day or ninety-six (96) hour periods as described above.
- e. In the event a dog is not claimed, the dog may be given to a suitable party who shall pay all impound and boarding fees as well as inoculation fees.
- f. The animal control or impounding officer shall maintain a record of all impoundments, redemptions, sales, and destruction of dogs.
- g. All impounded dogs not redeemed within three (3) days of impoundment may be destroyed by the animal control officer or at his direction.
- h. Any impounded dog which is suffering from any serious disease, exclusive of rabies, may be released to the care of a veterinarian at the request of the owner if such owner can be located. If any impounded dog is suffering from such serious disease, exclusive of rabies, and such dog is a stray and the identity of the owner cannot be determined, then such dog may not be sold but must be destroyed unless any person accepting the dog agrees to be responsible for all veterinarian and boarding fees for such dog until such dog has been successfully treated for such disease.
- i. Any impounded dog which appears or is determined to be suffering from rabies shall not be released but must be kept at the designated County pound under observation for a period of at least two weeks. If a qualified veterinarian finds that the dog is not suffering from rabies, the dog may be released to the owner if such owner can be located. If the owner cannot be located and the dog is found not to be suffering from rabies, it must be disposed of or returned as otherwise provided by this ordinance. If the dog is found to be suffering from rabies, the dog must be destroyed.

SECTION 6. Dogs Running at Large.

It shall be unlawful for any owner, keeper, or custodian of a dog to permit, directly or indirectly, such dog to run at large. "At large" shall be deemed to mean that the dog is off of the premises of the owner, keeper, or custodian of the dog and is not within the immediate presence or control of such owner, keeper or custodian, and "control" shall be deemed to mean on a leash, lead rope, harness, or other such means or in such proximity as to be under the effective voice control of such owner, keeper or custodian.

SECTION 7. Dog Pound Facilities.

The County may provide for suitable facilities for impoundment of dogs under the provisions of this ordinance or contract with a licensed veterinarian for the impoundment and treatment of dogs. Dogs shall be maintained in any facility hereunder in a humane manner during the period of impoundment.

SECTION 8. Dangerous or Vicious Dogs.

a. It shall be unlawful for the owner, keeper, or custodian of any fierce, dangerous or vicious dog to directly or indirectly permit the dog to be off the premises of the owner unless such dog is safely muzzled and chained or leashed under the control of the owner or custodian so as to prevent it from injuring any person or property; or to permit or suffer the dog to be on the owner's or custodian's premises unless reasonably restrained by an adequate cage, fence, or chain so as to prevent it from injuring any person, animal, or property.

b. Any dog known to have inflicted any injury upon any person or persons or upon any cattle, horses, sheep, poultry, or other domestic animals or livestock or to have a propensity therefore as evidenced by its general character and conduct including, but not limited to, any threatening conduct, shall be deemed a "vicious" dog under the provisions of this ordinance.

SECTION 9. Lawful to Enter Premises.

In the enforcement of any provision of this ordinance, any peace officer, including the animal control officer or his deputies or assistants, are authorized to enter upon the premises of any person to take possession of any stray, trespassing, collarless, fierce, dangerous, or vicious animal, dog or dogs not having a collar with a current inoculation tag when in fresh pursuit of such dog at the time the dog goes onto such private premises or if the dog is a fierce, dangerous or vicious dog and is not restrained by an adequate cage, fence, or leash and such officer has reason to believe that such dog poses an immediate threat to the safety of any person or other animal.

SECTION 10. Cruelty Prohibited.

It shall be unlawful for any person to maltreat or torture any dog, or having authority to kill any dog, to kill such dog in an inhumane manner.

SECTION 11. Female Dogs in Heat.

It shall be unlawful for the owner or possessor of any female dog to directly or indirectly permit it to run at large while in heat, and any such dog may be impounded and destroyed as hereinafter provided. The owner or custodian of a female dog, which is in heat shall confine such dog in an appropriate manner.

SECTION 12. Disturbing, Molesting or Interfering by Dogs.

It shall be unlawful for the owner, keeper, or custodian of any dog to allow, directly or indirectly, any dog to disturb the neighborhood by allowing it to bark excessively at night, or molest passersby or otherwise interfere with other persons or their property.

SECTION. 13. Dog Kennels.

It shall be unlawful for any person to have more than three (3) dogs upon his premises without having a dog kennel license for the keeping of the dogs and for the purpose of breeding or raising of dogs. The annual license tax for dog kennels shall be established by the County Council by resolution. Owners of more than three (3) dogs must obtain a kennel license which must first receive Zoning Clearance.

SECTION 14. Unlawful to Interfere With Animal Control Officer.

It shall be unlawful for any person to interfere with, molest, hinder or prevent the Animal Control Officer from discharging his duty under this ordinance.

SECTION 15. Duty of Owner to Assist.

When specifically requested by the Animal Control Officer, it shall be the duty of owner, keeper or custodian of such dog to assist the Animal Control Officer in the capture and restraint of any dog or animal which it is the Animal Control Officer's duty to capture, impound or restrain.

SECTION 16. Citations and Failures to Appear.

- a. The Animal Control Officer is hereby authorized to issue citations to the owners, keepers or custodians of any dog or animal who are in violation of any provision of this ordinance.
- b. Any person issued a citation by the Animal Control Officer who has signed such citation promising to appear and who fails to appear on such citation as required shall be deemed guilty of a separate misdemeanor for that failure to appear.

The County Council, may by resolution, establish such fees as are reasonable and necessary for licensing, impounding and boarding of any impounded dogs or animals.

SECTION 18. Penalty.

Any person violating any of the provisions of this Ordinance shall be deemed guilty of a Class "B" misdemeanor, and upon conviction thereof, shall be fined by a fine of not more than \$1,000.00 or by imprisonment in the County Jail for not more than six (6) months or by both such fine and imprisonment.

SECTION 19. Repeal.

Any Ordinance heretofore enacted by the Board of County Commissioners or County Council in conflict with this Ordinance or any part thereof is hereby repealed.

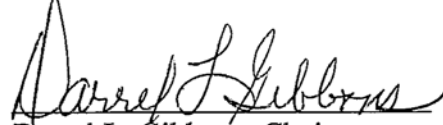
SECTION 20. Validity.

If any part of this Ordinance shall be held invalid, such decision shall not effect the validity of the remainder of this Ordinance.

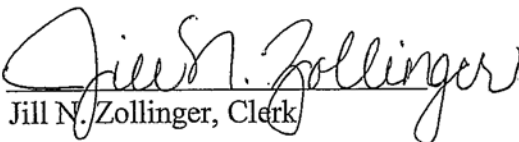
This Ordinance was adopted by the County Council, Cache County, Utah, on the 23rd day of January, 2007, upon the following vote:

	<u>CHAMBERS</u>	<u>ZILLES</u>	<u>GIBBONS</u>	<u>HANSEN</u>	<u>PETERSEN</u>	<u>ROBISON</u>	<u>YEATES</u>	<u>VOTES CAST</u>
AYE	X	X	X	X	X	X	X	7
NAY								
ABSTAINED								
ABSENT								

CACHE COUNTY COUNCIL

By: 
 Darrel L. Gibbons, Chairman

ATTEST:

By: 
 Jill N. Zollinger, Clerk

Publication Date: *February 7, 2007*

CACHE COUNTY ORDINANCE NO. 2007-02

AN ORDINANCE AMENDING ORDINANCE No. 2002-06, 2005-02 and 2005-17 AND ESTABLISHING THE BOUNDARIES OF THE 83 PRECINCTS IN CACHE COUNTY.

Section 1: Chapter 1.12 of the Cache County Code is hereby repealed.

Section 2: Chapter 1.10 is hereby added to the Cache County Code as amended to read as follows:

- 1.1.0.010 There is established 83 precincts in Cache County. All boundary descriptions are set forth below generally and more fully set forth on the Cache County Precinct map available for inspection in the office of the Cache County Clerk. All descriptions start on the Northeast corner and continue clockwise to the point of origin. Where a description refers to streets that do not presently exist follow the lines where the North/South and East/West coordinates would most reasonably place the Street in Cache County.
- 1.10.020 AMALGA PRECINCT. The Amalga Precinct is established with the following general boundaries: The Utah House of Representatives District 2 boundaries on the North, East and South; and 4600 West in Cache County on the West.
- 1.10.030 BENSON PRECINCT. The Benson Precinct is established with the following general boundaries: The Utah House of Representatives District 5 boundaries on the north and East; the Valley View Highway in Cache County on the South and the Utah House of Representatives District 5 Boundaries on the West.
- 1.10.040 CLARKSTON PRECINCT. The Clarkston Precinct is established with the following general boundaries: The Utah State border on the North; the Utah House of Representatives District 2 boundaries on the East; 8800 North in Cache County on the South; and the Cache County boundaries on the West.
- 1.10.050 COLLEGE/YOUNG WARD PRECINCT. The College/Young Ward Precinct is established with the following general boundaries: Valley View Highway in Cache County on the north; the Logan municipal boundaries to 800 West in Cache County, along 800 West southward to the Nibley Municipal boundaries then along the Nibley municipal boundaries to 1500 West in Cache County on the south side of Nibley, then along 1500 West southward to 3600 South in Cache County on the East; 3600 South in Cache County westward to State Highway 89 in Cache County then a

diagonal line to a point at 3000 South and 2800 West in Cache County then westward along 3000 South on the South; and the Utah House of Representatives District 5 boundaries on the West.

- 1.10.060 CORNISH PRECINCT. The Cornish Precinct is established with the following general boundaries: The Utah State border on the North; the Lewiston municipal boundaries on the East; the Trenton municipal boundaries on the South; and the Utah House of Representatives District 3 boundaries on the West.
- 1.10.070 COVE PRECINCT. The Cove Precinct is established with the following general boundaries: The Utah State border on the North; the Utah House of Representatives District 3 boundaries on the East; the intersection of the extension of county road 11400 North and the Utah House of Representatives District 3 boundaries then westerly to county road 2000 east, then westerly along the northern municipal boundary of Richmond to county road 11400 North, then westerly along county road 11400 North and its extension to the Lewiston municipal boundaries on the south; and the Lewiston Municipal boundaries on the West.
- 1.10.080 HYDE PARK PRECINCTS.
- A. The Hyde Park Precinct Number 1 is established with the following general boundaries: Center Street in Hyde Park (3700 North and its extension to the west in Cache County) to East to 400 East Street in Hyde Park; then north along 400 East to the Hyde Park municipal boundaries; then following the municipal boundaries eastward and southward to a point that is the extension to the East of Center Street in Hyde Park then East to the Utah State House of Representatives District 3 boundaries on the North; the Utah State House of Representatives District 3 boundaries on the East; the Hyde Park municipal boundaries on the South; the Utah State House of Representatives District 3 boundaries on the West.
- B. The Hyde Park 2 precinct is established with the following general Boundaries: 600 feet (1 block) north of 4200 North street in Cache County west of State Highway 91, then south along said highway 91 to 4500 north in Cache County, then east along 4500 north and its extension on the North; The Utah State House of Representatives District 3 on the East; the eastward extension of Center Street in Hyde Park westward to the Hyde Park municipal boundaries; then northward and westward following the municipal boundaries to 400 East Street in Hyde Park; then south along 400 East Street to Center Street in Hyde Park; then Westward along Center street to 3700 north Street in Cache County on the South; the Utah State House of Representatives District 3 boundaries on the West.

1.10.090 HYRUM PRECINCTS.

- A. Hyrum Precinct Number 1 is established with the following general boundaries: Main Street in Hyrum on the North; 200 East in Hyrum on the East; 7400 South to 900 West to 1500 West to 8000 South in Cache County on the South; and 2400 West in Cache County on the West.
- B. Hyrum Precinct Number 2 is established with the following general boundaries: The Nibley municipal boundaries on the North; 500 East in Cache County and all territory within Hyrum municipal boundaries North of Highway 101 on the East; Highway 101 in Cache County westward to main Street in Hyrum then along Main Street on the South; and 200 East in Hyrum on the West.
- C. Hyrum Precinct Number 3 is established with the following general boundaries: 4000 South in Cache County on the North; 200 East in Hyrum on the East; Main Street in Hyrum on the South; and 2400 West in Cache County to State Highway 101 in Cache County then along State Highway 101 to the Wellsville municipal boundaries then along the Wellsville municipal boundaries northward on the West.
- D. Hyrum Precinct Number 4 is established with the following general boundaries: Main Street on the North; State Highway 165 on the East; 7400 South in Cache County on the South; and 200 East on the West.
- E. Hyrum Precinct Number 5 is established with the following general boundaries: highway 101 in Cache County on the North; the Utah House of Representatives District 5 boundaries on the East; 7300 South in Cache County on the South; and State Highway 165 on the West. (Ord. 2002-06 Sec.2 (part))

1.10.100 LEWISTON PRECINCTS.

- A. Lewiston Precinct Number 1 is established with the following general boundaries: The Utah State border on the North; Lewiston municipal boundaries on the East; Cub River on the South; and 800 West in Lewiston on the West.
- B. Lewiston Precinct Number 2 is established with the following general boundaries: The Utah State border on the North; 800 West in Lewiston on the East; the Cub River, Bear River and Trenton municipal boundaries on the South; and the Lewiston municipal boundaries on the West.

1.10.110 LOGAN PRECINCTS. The Logan Precincts Number 1 through 33 are established within the Logan municipal boundaries and such internal boundaries as set forth on the Logan Precinct map available for inspection in the office of the Cache County Clerk.

1.10.120 MENDON PRECINCTS.

A. The Mendon Precinct 1 is established with the following general boundaries: 3800 North in Cache County on the North; the Utah House of Representatives District 2 on the East and South and the State Highway 23 on the West.

B. The Mendon Precinct 2 is established with the following general boundaries: 3800 North in Cache County on the North; State Highway 23 on the East; the Utah House of Representatives District 2 on the South and the Cache County boundaries on the West.

1.10.130 MILLVILLE PRECINCTS.

A. The Millville Precinct 1 is established with the following general boundaries: The Millville municipal boundaries on the North; the Utah House of Representatives District 5 on the East; 100 North street and its extensions to the West and East on the South and the Millville municipal boundaries on the West.

B. The Millville Precinct 2 is established with the following general boundaries: 100 North Street and its extensions to the West and East on the North; the Utah House of Representatives District 5 on the East to the southern end of the Nibley municipal boundaries; then the Nibley municipal boundaries on the South; and the Nibley municipal boundaries to 100 North Street on the West.

1.10.140 NEWTON PRECINCT. The Newton Precinct is established with the following general boundaries: 8800 North in Cache County on the North; 4600 West in Cache County on the East; the Utah House of Representatives District 2 boundaries and 3800 North in Cache County on the South; and the Cache County boundaries on the west.

1.10.150 NIBLEY PRECINCTS

A. The Nibley Precinct Number 1 is established with the following general boundaries: Along the Nibley municipal boundaries eastward to 800 West in Cache County then along 800 West northward to the Logan municipal boundaries and then along the Logan municipal boundaries eastward on the North; along the Millville municipal boundaries to the extension of 2600 South Street; then West along 2600 South Street to 600 West Street; then South along 600 West Street to 500 West Street; then south along 500 West to 3200 South Street on the East; thence west on 3200

South Street to the Nibley municipal boundaries on the South; then following the Nibley municipal boundaries on the West.

- B. The Nibley 2 precinct is established with the following general boundaries: along 3200 South East to 500 West then north along 500 West to 600 West then North along 600 West to 2600 South then East following 2600 South and it's extension to the Nibley municipal boundaries on the North: then southerly along the Nibley municipal boundaries to a line from the southern end of the Nibley municipal boundaries to the Utah House of Representatives district 5 boundaries and then along the Utah House of Representatives District 5 boundaries on the East; The Hyrum municipal boundaries, except always staying North of highway 101 in Cache County, to 500 East in Cache County then along 500 East to the Nibley municipal boundaries then following the Nibley municipal boundaries to 700 West in Cache County then along 4000 South in Cache County to the Wellsville municipal boundaries then along the Wellsville municipal boundaries to Highway 89/91 in Cache County on the South; and then along Highway 89/91 northward to 3600 South in Cache County then eastward along 3600 South to 1500 West in Cache County: then Northward along 1500 West to 3200 South on the West.

1.10.160 NORTH LOGAN PRECINCTS

- A. North Logan Precinct Number 1 is established with the following general boundaries: 2200 North in North Logan on the North; 800 East in North Logan on the East and the Logan municipal boundaries on the South and West.
- B. North Logan Precinct Number 2 is established with the following general boundaries: The Hyde Park municipal boundaries on the North; 400 East in North Logan on the East; 2200 North in North Logan on the South and the Logan municipal boundaries on the West.
- C. North Logan Precinct Number 3 is established with the following general boundaries: The Hyde Park municipal boundaries on the North; 1200 East in North Logan southward to 1250 East then South to 2300 North in North Logan then westward to 1200 East in North Logan then southward to 2200 North in North Logan on the East; 2200 North in North Logan on the South and 400 East in North Logan on the West.
- D. North Logan Precinct Number 4 is established with the following general boundaries: The Hyde Park municipal boundaries on the North; the Utah House of Representatives District 3 boundaries on

the East; 2300 North in North Logan on the South; and 1250 East in North Logan northward to 1200 East in North Logan then following 1200 East North on the West.

- E. North Logan Precinct Number 5 is established with the following general boundaries: 2200 North in North Logan eastward to 1200 East in North Logan; then northward on 1200 East to 2300 North in North Logan; then eastward on 2300 North on the North. The Utah House of Representatives District 3 on the East; Green Canyon Road, 1900 North and then on to 1800 North on the South; and 800 East on the West.
- F. North Logan Precinct Number 6 is established with the following general boundaries: 1800 North to 1900 North to the Green Canyon Road on the North; the Utah House of Representatives District 3 boundaries on the East; the Logan municipal boundaries on the South; and 800 East on the West.

1.10.170 PARADISE PRECINCT. The Paradise Precinct is established with the following general boundaries: Starting at 8000 South in Cache County then East to 1500 West then North along 1500 West to 7800 South then East along 7800 South to 900 West then North along 900 West to 7400 South then East along 7400 South to State Highway 165 and North along Highway 165 to 7300 South then the Cache County boundaries on the East and South; 2400 West in Cache County on the West.

1.10.180 PROVIDENCE PRECINCTS

- A. Providence Precinct Number 1 is established with the following general boundaries: The Providence municipal boundaries on the North; the Utah House of Representatives District 5 on the East; Center Street in Providence on the South and Main Street in Providence on the West.
- B. Providence Precinct Number 2 is established with the following general boundaries: Center Street in Providence on the North; the Utah House of Representatives District 5 on the East; Canyon Road westerly to 600 South Street in Providence and then westerly to 650 South in Providence on the South; 100 East in Providence northerly to 200 South Street in Providence then westerly along 200 South to Main Street in Providence then northerly along Main Street to Center Street.
- C. Providence Precinct Number 3 is established with the following general boundaries: 200 South in Providence on the North; Main Street in Providence on the East; the Millville municipal boundaries on the South and the Millville and Logan municipal boundaries on the West.

- D. Providence Precinct Number 4 is established with the following general boundaries: The Providence municipal boundaries on the North; Main Street in Providence on the East; 200 South in Providence on the South and the Logan municipal boundaries on the West.
- E. Providence Precinct Number 5 is established with the following general boundaries: 200 South Street in Providence easterly to 100 East Street in Providence then southerly to 650 South Street in Providence then easterly to 600 South Street in Providence then easterly to Canyon Road in Providence on the North; the Utah House of Representatives District 5 boundaries on the East; the Millville municipal limits on the South; then Main Street in Providence on the West.

1.10.190 RICHMOND PRECINCTS.

- A. Richmond Precinct Number 1 is established with the following general boundaries: Beginning at an extension of county road 11400 North and the Lewiston municipal boundary, then east to the northern Richmond municipal boundary. Then following the Northern boundary of Richmond to county road 2000 East, then continuing easterly along an extension of 11400 North on the North; the Utah House of Representatives District 3 boundaries on the East; 100 South in Richmond and its extension on the south and the Lewiston municipal Boundaries on the west.
- B. Richmond Precinct Number 2 is established with the following general boundaries: 100 South in Richmond on the North; the Utah House of Representatives District 3 boundaries on the East; 8300 North in Cache County on the South; and the Bear River and Cub River on the West.

1.10.200 RIVER HEIGHTS PRECINCTS.

- A. The River Heights Precinct Number 1 is established with the following general boundaries: The Logan municipal boundaries on the North; 600 East Street in River Heights southward to state Highway 238 and then State Highway 238 southward to the Providence municipal boundaries on the East; the Providence municipal boundaries on the South and the Logan municipal boundaries on the West.
- B. The River Heights Precinct Number 2 is established with the following general boundaries: The Logan municipal boundaries on the North and East; the Providence municipal boundaries on the South; State Highway 238 northward to 600 East Street in River Heights northward to the Logan municipal boundaries on the West.

SMITHFIELD PRECINCTS

- A. Smithfield Precinct Number 1 is established with the following general boundaries: 8300 North in Cache County on the North; the Utah House of Representatives District 3 boundaries on the East; Smithfield Canyon Road in Cache County southwesterly to the intersection of Smithfield Canyon Road and Upper Smithfield Canyon Road then along Upper Smithfield Canyon Road westerly to 200 North Street in Smithfield then West on 200 North on the South of State Highway 91 (Smithfield Main street) northward on the west.
- B. Smithfield Precinct Number 2 is established with the following general boundaries: 200 North in Smithfield eastward to the Upper Smithfield Canyon Road then easterly along the Upper Smithfield Canyon Road to the intersection with the Smithfield Canyon Road then northeasterly along the Smithfield Canyon Road on the North; the Utah State House of Representatives District 3 boundaries on the East; Center Street in Smithfield and its extension on the South; State Highway 91 (Smithfield Main street) on the West..
- C. Smithfield Precinct Number 3 is established with the following general boundaries: Center Street in Smithfield and its extension on the North; the Utah State House of Representatives District 3 boundaries on the East; Smithfield Dry Canyon in Cache County westerly to 300 South in Smithfield then westerly along 300 South on the South; State Highway 91 (Smithfield Main Street) on the West.
- D. The Smithfield precinct Number 4 is established with the following general boundaries: 300 South easterly to the Smithfield Dry Canyon Road in Cache County then easterly on the North; the State of Utah House of Representative District 3 boundaries on the East; the Easterly extension of 4500 North in Cache County on the South; 455 East street in Smithfield on the West.
- E. The Smithfield precinct Number 5 is established with the following general boundaries: 300 South Street in Smithfield on the North; 455 East Street in Smithfield on the East; 4500 North in Cache County on the South; State Highway 91 (Smithfield Main Street) on the West.
- F. Smithfield Precinct Number 6 is established with the following general boundaries: State Highway 218 (Smithfield 100 North Street) on the North; State Highway 91 (Smithfield Main Street) on

the East; 600 ft (1 block) north of 4200 North on the south; the Utah House of Representatives District 3 on the West.

- G. Smithfield Precinct Number 7 is established with the following general boundaries: 8300 North Street in Cache County on the North; State Highway 91 (Smithfield Main Street) on the East; State Highway 218 (Smithfield 100 North Street) on the South; the Utah House of Representatives District 3 boundaries on the West.

1.10.220 TRENTON PRECINCT. Trenton Precinct is established with the following general boundaries: The Trenton municipal boundaries on the north; the Lewiston municipal boundaries, Bear River and Trenton municipal boundaries on the East; and the Utah House of Representatives District 3 boundaries on the South and West.

1.10.230 WELLSVILLE PRECINCTS

- A. The Wellsville Precinct Number 1 is established with the following general boundaries. 3000 South Street in Cache County on the North; a line which is the extension on Center Street in Wellsville southward to Center Street on the East; Main Street in Wellsville westerly to the Utah House of Representatives District 5 boundaries on the South and then the Utah House of Representatives District 5 boundaries on the West.
- B. The Wellsville Precinct Number 2 is established with the following general boundaries: Main Street in Wellsville and its extension on the North; Center Street south to State Highway 89/91 then southerly to the Old Sardine Canyon Road in Cache County then southerly along the Old Sardine Canyon Road on the East; the Cache County boundaries on the South and the West.
- C. The Wellsville precinct Number 3 is established with the following general boundaries: 3000 South in Cache County on the North; a diagonal line from a point on 3000 South and 2800 West in Cache County to 3600 South and Highway 89/91 then southward along Highway 89/91 to the Wellsville municipal boundaries then along the Wellsville municipal boundaries to Highway 101 in Cache County on the east. Then following Highway 101 westward to the intersection of Main Street and Center Street in Wellsville on the South; and Center Street in Wellsville and its extension on the West.

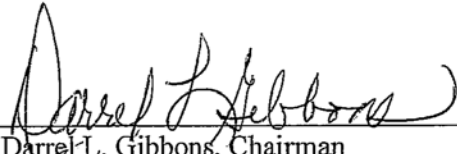
- D. The Wellsville precinct Number 4 is established with the following general boundaries: Main Street in Wellsville and State Highway 101 on the North; 2400 West on the East; the Cache County boundary on the South; the Old Sardine Canyon road in Cache County northward to State Highway 89/91 then northward to Center Street in Wellsville then northward along Center Street on the West.

Section 3: This ordinance shall become effective immediately upon publication, in the manner required by law.

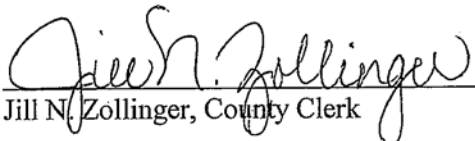
This Ordinance was adopted by the Cache County Council on the 23rd day of January, 2007 on the following vote:

	<u>CHAMBERS</u>	<u>ZILLES</u>	<u>GIBBONS</u>	<u>HANSEN</u>	<u>PETERSEN</u>	<u>ROBISON</u>	<u>YEATES</u>	<u>VOTES CAST</u>
AYE	X	X	X	X	X	X	X	7
NAY								
ABSTAINED								
ABSENT								

CACHE COUNTY COUNCIL

By: 
 Darrel L. Gibbons, Chairman

ATTEST:


 Jill N. Zollinger, County Clerk

February 7, 2007

Publication Date

Logan Canyon Gateway Trail Funding Strategy (2008 to 2010)

	Phase 1	Phase 2 Option	Total Project
Total	\$ 1,213,762	\$ 1,031,552	\$ 2,145,314
2008 & 2009			
UDOT Discretionary Funds	\$ 100,000	\$ 187,500	
Logan City Soft Match	\$ 30,000		
Utah Trails Funding	\$ 75,000	\$ 75,000	
Scenic Byway	\$ 367,010		
Scenic Byways County Match	\$ 91,752		
Transportation Enhancement	\$ 500,000		
Transportation Enhancement County Match	\$ 50,000		
2010			
Scenic Byway		\$ 175,242	
Scenic Byways County Match		\$ 43,810	
Transportation Enhancement		\$ 500,000	
Transportation Enhancement County Match		\$ 50,000	
Donations & Other Grants		\$ -	
	\$ 1,213,762	\$ 1,031,552	
Logan City Soft Match 2008	\$ 30,000		
Cache County Match 2008 & 2009	\$ 141,752		
Cache County Match 2010		\$ 93,810	
Total County 3-Year Match		\$ 235,563	<i>w/out State Trails Fund.</i>
Average 3 Yr. County Match		\$ 78,521	\$ 128,521
Scenic Byways 2008 to 2010 Total		\$ 542,251	

Trail Application Opportunity

Cache County has the opportunity to partner with Logan City and the U.S. Forest Service to create a trail that connects the mouth of Logan Canyon to the popular Logan River Trail near the Stokes Nature Center (about one half mile up the canyon highway road).

Funding for this project could be obtained through a Federal Transportation Enhancement grant administered through UDOT. This funding source awards up to \$500,000 with a 20% match, that could create up to \$625,000 of total matched funding for the project. Matching funds could come from Cache County RAPZ Tax revenues, Cash or in-kind match from Logan City, and in-kind donation from U.S. Forest Service.

The application for funding is due on February 1st, 2007. ***The County Council's approval is sought to pursue grant funding as the lead applicant.*** The county is positioned to be the lead applicant because the majority of the trail lies within unincorporated Forest Service area, and because of the regional significance of the trail. Logan City and the U.S. Forest Service would be listed as co-applicants to support the project.

Background

The existing Logan River Trail is a popular destination for jogging, walking, and biking, but is not easily accessed by pedestrians or cyclists. The new trail project would require a shared trail underpass beneath the Highway river bridge, in addition to a river crossing from the north side of the river to the south side. If Logan City installs the new water transmission line on the north side of the highway and river, a new gravel road would be created that could serve as the connector trail. The trail would also pass through the City's Henry Hugo Hydro Park before connecting to the new highway underpass at 1st Dam Park.

The new trail will begin at the pedestrian highway underpass at Canyon Entrance Park, and head east to nearby Ray Hugie Hydro Park. It will then continue east along an existing gravel maintenance road that traverses the north canyon slopes above HWY 89. A new segment of trail will be required to continue this gravel trail to the HWY passage point at or near the 2nd highway river bridge. At this project terminus location, the trail will require a pedestrian bridge to cross the Logan River, as well as passage beneath the highway to access the existing Logan River Trailhead on the south side of the highway. Safe highway passage could occur by creating a retaining wall/trail beneath the existing highway river bridge. Parking for the Stokes Nature Center is on the north side of the highway, and currently requires pedestrian at the highway grade to access the Logan River trail head. This parking area should connect to the trail extension and pass beneath the highway to discourage frequent pedestrian crossing. This may require an additional pedestrian bridge over the Logan River (on the north side of the highway) to connect parking to the new trail and bridge underpass.

The total new length of this project will be approximately 0.78 miles, and include the following segments (See Map):

Segment 1 - HWY 89 R-O-W from pedestrian under-pass bridge to Hugie Hydro Park. **Segment 2** - Hugie Hydro Park to Logan City Power Generation Plant. **Segment 3** - Existing Logan City gravel power line maintenance road. **Segment 4** - New trail segment - 1500 ft (750 ft grade remodel, 750 ft new trail grade). **Segment 6** - Pedestrian bridge connection. **Segment 7** - Highway underpass (new tunnel or shared Logan River Highway Bridge), with ascent to existing Logan River Trail Head.

825-11

HWY 89 Pedestrian Underpass

Existing Parking
Image © 2006 DigitalGlobe

Canyon Entrance Park

Bonerville Staircase Trail

Existing Parking

Ray Hauge Hydro Park
KAMHC

Segment 3

Existing Parking

Eastfield Gravel Road

Segment 4

Existing Parking

Segment 5

Proposed bridge underpass/
river crossing

Segment 6

Existing River Trail
Trailhead

Foot bridge

Segments 7 & 8

