

**CACHE COUNTY COUNCIL MEETING**  
**May 08, 2007**

The Cache County Council convened in a regular session on May 08, 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, & Gordon Zilles. **Cory Yeates, absent.**  
**County Executive:** M. Lynn Lemon  
**County Clerk:** Jill N. Zollinger

**The following individuals were also in attendance:** Russ Akina, Lance Anderson, Will Atkin, Garth Barker, Robert Barlow, Wally Bloss, Steve Bodily, Steve Bower, John Borg, Monte Bradshaw, Larry Brunson, Peter Brunson, Kurt Chaffin, Captain Kim Cheshire, Rob Cruz, Attorney George Daines, Nathan Daug, Darrell Erickson, Thad Erickson, Carl Fisher, Jeff Gilbert, Colin K. Hadfield, Annette Haslem, Larry Haslem, Sharon L. Hoth, Clark Israelsen, Brian Jensen, Karen Jeppesen, Mike Johnson, Bruce Jorgensen, Kelly Leishman, Lieutenant Brian Locke, Ron Milligan, Wendell Morse, Sheriff G. Lynn Nelson, Evan Olsen, Ines Olsen, Dennis Ostermiller, Pat Parker, Shaun Peck, J. Paul Riley, Josh Runhaar, Bret Selman, Fred Selman, Laura Selman, Jim Smith, Glen Thornley, Gary Van Powell, Preston Ward, Rod Wilhelm, Brad Wood, David Wood, Kyle Yonk, Nancy Yonk, Reed Yonk, Richard Yonk, Ray Zilles, **Media:** Charles Geraci (Herald Journal), Jennie Christensen, Ryan Yonk (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 as written.

**REVIEW AND APPROVAL OF MINUTES**

**ACTION: Motion by Council member Chambers to approve the minutes of the April 24, 2007, Council meeting as written. Robison seconded the motion. The vote was unanimous, 6-0. Yeates absent.**

**ACTION: Motion by Council member Petersen to move to an Executive Session with Countywide Planner Morse and Attorney Daines in attendance. Hansen seconded the motion.**

**Discussion on the motion:**

It was noted that Attorney Daines was still in court and not expected for at least fifteen minutes. Executive Lemon was asked to give his report while the Council awaited the arrival of Daines.

**REPORT OF THE COUNTY EXECUTIVE: M. LYNN LEMON**

**APPOINTMENTS:** There were no appointments.

**WARRANTS:** The warrants for the periods 04-06-2007 to 04-12-2007 and 04-13-2007 to 04-19-2007 were given to the clerk for filing.

**OTHER ITEMS**

- **3200 South Project** – Executive Lemon reported there is not enough money to complete the entire project so the work will begin east of Sid and Jill Zollinger's home to SR 165. Cache County will complete the rest of 3200 South west to Highway 89-91.

Zilles asked why some of the more expensive frills of the project couldn't be eliminated so there would be enough money for the entire project. Morse indicated the project had been pared significantly. There are no sidewalks and no curbs and gutters. Nibley City was advised by UDOT to include everything they may ever want on the project because this funding may not be available again.

Zilles expressed concern over the number of driveways that will be accessing a road with increased traffic capacity. Morse said Nibley had been advised the road needs access management. There will be a Public Hearing on the design and concerned citizens may express their concerns at that time.

- **Cache County Sesquicentennial Celebration** – Lemon invited Clerk Zollinger and Treasurer Jeppesen to report to the Council about the planned events for the 150-year anniversary of the county.

Jeppesen said the date is June 1, 2007 – the date of the second planning meeting for the organization of the county. Permission has been received from UDOT to close Main Street from 100 North to 200 North so traffic noise will be reduced on the courtyard between the Historic Courthouse and the County Administration Building where activities will be taking place.

Special guests will be Governor Huntsman and Apostle M. Russell Ballard with Kenneth Godfrey as the speaker and Warren Burton directing a choir. There will be a brass band, Indian dancers and the introduction of the oldest citizens and ancestors of the founding fathers of Cache County by Chairman Darrel Gibbons. The program will begin at 7:00 p.m. and last approximately 45-60 minutes. Refreshments will be served.

The Herald Journal has agreed to publish a special wraparound page on June 1, 2007 featuring articles about the county and a banner is presently on display in front of the Historic Courthouse advertising the upcoming event. In the event of inclement weather, the celebration will be moved to Logan High School.

- **UDOT Annual Visit – May 9, 2007** – Lemon reminded the Council of the UDOT meeting from 9:00 a.m. to 11:00 a.m. in the County Council Chambers.

- **Transportation Commission Meeting** will be May 23, 2007 in Brigham City.
- **Drug Offenders Reform Act (DORA) Training** will be May 23, 2007 in Summit County. County Commissions/Councils and Sheriffs will attend.
- **National Highway System Update** – Lemon noted that UDOT is including Highway 30 in its revised National Highway System and asks that the county respond to that proposed inclusion by May 11, 2007. Lemon said he is supportive of that action.
- **Lavern and Gladys Riggs Conservation Easement** – Nibley is proposing the Riggs Conservation Easement and is asking for a letter of support from the Cache County Council. Vice Chairman Hansen asked if the Riggs property had been through the LESA scoring program? Lemon said it had not, but they are not asking for money, just a letter of support.

Vice Chairman Hansen said he is willing to make a motion authorizing the Executive to send the letter of support, but is hesitant because all the other applicants have had to go through the LESA process.

**ACTION: Motion by Vice Chairman Hansen to authorize Executive Lemon to send the letter of support for the Lavern and Gladys Conservation Easement.**

**Hansen withdrew the motion.**

Zilles said the AG Advisory Board should also be involved in this conservation easement request.

**ACTION: Motion by Council member Chambers to authorize Executive Lemon to send the letter of support for the Lavern and Gladys Conservation Easement pending the approval of the AG Advisory Board. Zilles seconded the motion. The vote was unanimous, 6-0. Yeates absent.**

- **Hyrum Library/Museum Dedication** – Lemon indicated Bruce Leishman has invited the Council to attend the May 26, 2007 Hyrum Library/Museum dedication at 2:00 p.m.

**ACTION: Chairman Gibbons called for the vote on the motion to move into an Executive Session. The vote was unanimous, 6-0. Yeates absent.**

**The Council convened in an Executive Session to discuss the purchase, exchange or lease of real property at 4:57 p.m.**

**ACTION: Motion by Vice Chairman Hansen to adjourn from the Executive Session. Robison seconded the motion. The vote was unanimous, 5-0. Chambers & Yeates absent.**

**The Council adjourned from the Executive Session at 5:26 p.m.**

**ITEMS OF SPECIAL INTEREST**

- **Employee of the Month** for the month of May was presented to Lieutenant Brian Locke of the County Sheriff's Department by Jim Smith.

**Council member Chambers re-joined the meeting.**

**PUBLIC HEARINGS, APPEALS AND BOARD OF EQUALIZATION MATTERS**

**SET PUBLIC HEARINGS –**

MAY 22, 2007 – 6:00 P.M. – TO CONSIDER THE PURCHASE OF APPROXIMATELY 100 ACRES OF LAND ADJACENT TO THE AMERICAN WEST HERITAGE CENTER OR TO ASSIST THE HERITAGE CENTER IN PURCHASING THAT LAND.

MAY 22, 2007 - 6:30 P.M. – OPEN 2007 BUDGET

JUN 12, 2007 – 6:00 P.M. – AGRICULTURAL SUBDIVISIONS

JUN 26, 2007 – 6:00 P.M. – AGRICULTURAL SUBDIVISIONS

JUL 10, 2007 – 6:00 P.M. – AGRICULTURAL SUBDIVISIONS

**ACTION: Motion by Council member Petersen to set Public Hearings for May 22, 2007 at 6:00 p.m.-To consider the purchase of approximately 100 acres of land adjacent to the American West Heritage Center or to assist the Heritage Center in purchasing that land; May 22, 2007 at 6:30 p.m.-Open 2007 Budget; June 12, 2007 at 6:00 p.m.-Agricultural Subdivisions; June 26, 2007 at 6:00 p.m.-Agricultural Subdivisions and July 10, 2007 at 6:00 p.m.-Agricultural Subdivisions. Hansen seconded the motion. The vote was unanimous, 6-0. Yeates absent.**

**ITEMS OF SPECIAL INTEREST**

- **Proclamation-National Law Enforcement Week** – Chairman Gibbons asked Vice Chairman Hansen to read the Proclamation to the Council.

(Attachment 1)

**ACTION: Motion by Council member Robison to adopt the Proclamation designating May 15, 2007 as Peace Officers' Memorial Day and the week of May 13-19, 2007 as National Law Enforcement Week. Chambers seconded the motion. The vote was unanimous, 6-0. Yeates absent.**

**PUBLIC HEARINGS, APPEALS AND BOARD OF EQUALIZATION MATTERS**

**PUBLIC HEARING** – RESOLUTION NO. 2007-12 – “THREE MILE ROAD” AS IT CONNECTS TO “THE ROCKY DUGWAY ROAD” WILL BE PRESERVED, MAINTAINED, CONTROLLED AND MANAGED BY CACHE COUNTY.

**Chairman Gibbons noted that the time allotted for this Public Hearing is twenty minutes and comments will be limited to three minutes each.**

**ACTION: Motion by Council member Zilles to open the Public Hearing on Resolution No. 2007-12-“Three Mile Road” as it connects to “The Rocky Dugway**

Cache County Council  
05-08-2007

**Road” will be preserved, maintained and managed by Cache County. Hansen seconded the motion. The vote was unanimous, 6-0. Yeates absent.**

**Chairman Gibbons opened the Public Hearing and invited comment.**

Glen Thornley, Smithfield, spoke in favor of the road being kept open and noted that Four-Mile Road was abandoned with the agreement that Three-Mile Road would be kept open.

Kurt Chaffin, Bridgerland Trail Riders Association, spoke in support of Three-Mile Road being maintained as a public right-of-way and suggested good signage to remind users to respect the private property the road passes through.

Attorney Shaun Peck, representing the Selmans, indicated that the location of the road in question has never been properly identified to the Selmans. There is ambiguity in the present wording and Peck asked that the road be articulated.

Garth Barker spoke in support of maintaining public right-of-ways and expressed the opinion that abuse of private property occurs because of a lack of opportunity to traverse on public roads.

John Borg supported the County’s assertion of a public right-of-way and has submitted written comments to the Council.

Kelly Leishman, Top of Utah Snowmobile Association, Support open access and reminded the Council that tourists from other states come here because of the public access available and spend money in Cache County.

Dennis Ostermiller said most users are respectful of the land and supported open access.

Chairman Gibbons asked if there was any other public comment. There was none.

**ACTION: Motion by Council member Zilles to close the Public Hearing. Robison seconded the motion. The vote was unanimous, 6-0. Yeates absent.**

Executive Lemon asked Attorney Peck if the Selman’s agree that Three-Mile Road should remain open as formerly agreed to?

Peck replied that Selman’s had constructed Four-Mile Road and it was not a public road. There was discussion to access to Forest Service land, but Selman’s understood this to be the southern portion of their land.

Lemon indicated that Box Elder County has had Three-Mile Road on their Class B system and Selman’s were present when the ordinance was passed in 2004 that states that Three-Mile Road is a county road and there are no claims or limitations on its continued public use.

Gibbons asked Attorney Daines if there was an adequate description to delineate where the road is?

Cache County Council  
05-08-2007

Daines responded the map attached as Exhibit A to the original resolution was not sufficient, but what is in question is a passage from South Canyon Road to Mantua and there are 150-year-old records indicating that passage.

Gibbons said Daines and Peck need to meet to work out the details on the location of the road or passage.

**PUBLIC HEARING** – GARLAND ACRES SUBDIVISION – A 5-lot subdivision on 81.4 acres at approximately 600 North and 9600 West in Petersboro. Runhaar noted that not all property owners have signed the revised plat; therefore a Public Hearing is required.

Chairman Gibbons opened the Public Hearing and invited comment.

Colin Hadfield said he understood that if one of the involved parties did not agree to the subdivision, it could not be approved and asked if that was correct?

Runhaar responded that if the applicants do not have all of the involved parties' approvals, then a Public Hearing is required for the county to make the decision.

Hadfield said he would like his children to be able to have the option of building a home in the area and this subdivision would preclude that. He also expressed concerns about sufficient water for the development and is worried that his well will not produce if new wells are drilled for the project.

Attorney Bruce Jorgensen, representing the applicants, said Mr. Hadfield has demanded the applicants drill a well for him or he will not sign off on the subdivision. Hadfield's land will be preserved exactly as it is and the applicant's feel this is sufficient and Hadfield should drill his own well, if needed.

Gibbons asked if there was any other comment. There was none.

**(Attachment 2)**

**ACTION: Motion by Vice Chairman Hansen to close the Public Hearing. Robison seconded the motion. The vote was unanimous, 6-0. Yeates absent.**

Gibbons asked the Planning Office to explore the water concerns and place this on the May 22, 2007 Council agenda.

**BUDGETARY MATTERS**

❖ **Intra-Departmental Budget Transfer**  
Cache Valley Visitors Bureau

Transfer \$8,500.00 from Advertising and Promotions to Gift Shop Items for Resale to purchase more gift shop inventory.

**(Attachment 3)**

**ACTION: Motion by Council member Robison to approve the Intra-Departmental Transfer of \$8,500.00. Chambers seconded the motion. The vote was unanimous, 6-0. Yeates absent.**

### **ITEMS OF SPECIAL INTEREST**

- **Report on Water Management for Cache County – Evan Olsen** reported to the Council that he had met with the County Mayors Association and visited all nineteen municipalities in Cache Valley including Idaho cities. Twelve of the cities responded to questions he presented them. He, Council member Zilles, Clark Israelsen, Paul Riley and Jan Chambers reviewed the responses and compiled the following recommendations:
1. Immediate action be taken to form an entity to represent Cache County on water issues with the state.
  2. The County Council should form a water department now to perform the executive functions related to Cache County's Water concerns.
  3. The head of the County Water Department should be hired as soon as possible.
  4. Two boards should act as advisors to the Water Department – a technical advisory board and a citizen's advisory board.
  5. A dedicated tax levy up the one mill should be implemented to fund the needs for water storage projects, etc.

#### **(Attachment 4)**

Olsen also presented a list of his recommendations to the Council which included:

1. A need for a water conservancy district.
2. Open a dialogue with Franklin County immediately.
3. Do not participate in the Washakie Reservoir, but do a study to create a series of smaller reservoirs.
4. Fund with a dedicated one mil tax.
5. Develop additional water for the west side of the valley.
6. Preserve the 60,000 acre feet of water allocated to Cache County in the Bear River.
7. Educate the public.

#### **(Attachment 5)**

Zilles asked Olsen if he felt strongly about implementing a tax to fund water concerns. Olsen replied he feels it is absolutely necessary.

Hansen asked if the suggested Water Commissioner should be ½ or ¼ time? Olsen said ½ time or more, as needed.

Chambers asked how much revenue would be generated from a 1 mil tax? Lemon responded he wasn't certain -- \$75,000.00 to \$120,000.00.

Chairman Gibbons directed that the Council study the recommendations and be prepared to address them at the May 22, 2007 Council meeting.

- **Proposed 2007/2008 Budget for Willow Park – Russ Akina** presented the proposed budget to the Council noting that Logan City is on a fiscal year, while Cache County is on a calendar year. Logan City will begin its budget review on May 16, 2007 and complete the budget on June 15, 2007. Robison asked why the RAPZ/Restaurant Tax funds were not included on the proposed budget? Akina said they are included in the year used, not the year awarded.

Petersen asked if there was some way to identify what the RAPZ contribution to the zoo has been used for? Akina said they were used mostly for exhibit improvements and those could be forwarded in a digital picture for Petersen to see. Petersen responded he would prefer to see the numbers. Akina said he will get those for Petersen.

Chairman Gibbons said this item will be on the May 22, 2007 Council meeting agenda.

#### **PUBLIC HEARINGS, APPEALS AND BOARD OF EQUALIZATION MATTERS**

**ACTION: Motion by Council member Robison to convene as a Board of Equalization. Hansen seconded the motion. The vote was unanimous, 6-0. Yeates absent.**

#### **THE COUNCIL CONVENE AS A BOARD OF EQUALIZATION**

**Everhart – Greenbelt Status** – Lemon said the Everhart property was taken out of greenbelt and Everhart has requested the greenbelt status be reinstated. Assessor Howell has indicated it does not meet the qualifications for greenbelt and recommends denial.

(Attachment 6)

**ACTION: Motion by Council member Chambers to deny the Everhart request for greenbelt status and implement roll back taxes. Robison seconded the motion. The vote was unanimous, 6-0. Yeates absent.**

**ACTION: Motion by Vice Chairman Hansen to adjourn from the Board of Equalization. Robison seconded the motion. The vote was unanimous, 6-0. Yeates absent.**

#### **THE COUNCIL ADJOURNED FROM THE BOARD OF EQUALIZATION**

#### **PENDING ACTION**

- **Resolution No. 2007-12 - A Resolution of Cache County Council, Cache County, State of Utah, setting forth the manner in which that certain road commonly referred to as “Three Mile Road” as it connects to “The Rocky Dugway Road” will be preserved maintained, controlled and managed by**



**Cache County** – Robison asked if there is a problem defining where the road is located? Daines replied that there is a problem with Exhibit A and suggested amending the language of Section 1, get a plat map from the surveyor's office and then submit the new language and map to the Council for review. The date of approval will also need to be corrected.

(Attachment 7)

**ACTION: Motion by Council member Chambers to approve Resolution 2007-12 – A Resolution of Cache County Council, Cache County, State of Utah, setting forth the manner in which that certain road commonly referred to as “Three Mile Road” as it connects to “The Rocky Dugway Road” will be preserved, maintained, controlled and managed by Cache County with subsequent corrected language and proper date. Robison seconded the motion. The vote was unanimous, 6-0. Yeates absent.**

Petersen asked if there was anything about the ambiguity of the road that could pose legal problems for the county? Daines replied he didn't think it would, the county is mostly interested in the passage through as discussed earlier.

- **Ordinance No. 2007-05 – Agricultural Subdivisions** – Gibbons reminded the Council that this item is on the agenda simply to help the Council remember that Public Hearings have been set in respect to that ordinance, but it will not be discussed tonight.
- **Approval – RAPZ/Restaurant Tax Committee Recommendations** – Gibbons said the recommendations were forwarded to the Council last week and they have had time to review them and asked if there were any concerns. Robison complimented the committee on its work and noted that twenty-five projects were awarded 100% of their requests.

(Attachment 8)

**ACTION: Motion by Council member Petersen to approve the RAPZ/Restaurant Tax Committee recommended allocations and a request for a complete record, to include pictures if appropriate, of what has been accomplished by previous allocations. Hansen seconded the motion. The vote was unanimous, 6-0. Yeates absent.**

**INITIAL PROPOSAL FOR CONSIDERATION OF ACTION**

- **Hardship Property Tax Extension Request – Benito Sosa** – Lemon reported that Sosa's have been making payments and this is not an exemption, but an extension, request. They have committed to be paid in full by the end of the year.

**ACTION: Motion by Council member Robison to approve the recommendation to grant the Property Tax Extension Request-Benito Sosa. Hansen seconded the motion. The vote was unanimous, 6-0. Yeates absent.**

- **Resolution No. 2007-13 – Accepting Certain Forest Service Roads into Cache County** – Gibbons said Council member Yeates had called him to express his support for his resolution. Gibbons asked if this includes all of the roads, including the additional roads on the Forest Service list? Daines said it does.

Rob Cruz, U.S. Forest Service, and Daines indicated that the Forest Service's support of this resolution does not mean it agrees these are RS 2477 roads. The Forest Service simply agrees these roads should be maintained.

Daines indicated that Cruz is going to be working in another Ranger District and this will be his last appearance before the Council. The Council expressed its appreciation for Cruz and his work with them.

Petersen reminded Cruz the Forest Service had committed to trail signage and hoped that would still happen. Cruz said it would and said he had enjoyed working with the Cache County Council.

**(Attachment 9)**

**ACTION: Motion by Council member Zilles to waive the rules and approve Resolution No. 2007-13-Accepting Certain Forest Service Roads into Cache County. Chambers seconded the motion. The vote was unanimous, 6-0. Yeates absent.**

- **Resolution No. 2007-14 – Authorizing Executive to sign an agreement between the Forest Service and Cache County for the maintenance of certain county roads within the National Forest Service** – Daines indicated some minor editing changes need to be made to the draft received from the Forest Service, such as changing Commission to Council, but Daines said the Council can still authorize the Executive to enter into the agreement when the editing is completed.

Cruz said the Forest Service will review the language to be sure everything is legal and appropriate. Daines assured the Council the final draft will be presented to them for approval.

**(Attachment 10)**

**ACTION: Motion by Council member Robison to waive the rules and approve Resolution No. 2007-14-Authorizing Executive to sign an agreement between the Forest Service and Cache County for the maintenance of certain county roads within the National Forest Service. Hansen seconded the motion. The vote was unanimous, 6-0. Yeates absent.**

- **Resolution No. 2007-15 – Authorizing Executive to Execute an agreement between Cache County and UDOT concerning 1000 West and 2500 North** – Lemon said two meetings ago there was an agreement between Cache County and several cities exchanging SR 237, 239 and 288 for the state taking over 1000 West and a portion of 2500 North. The Transportation Commission talked about that and noted that if they didn't take the opportunity to transfer SR 238

now, it would probably never happen. So in there motion of support, SR 238 is included. The cities that SR 238 passes through, other than Logan, are not interested in taking over the maintenance of that road. Lemon and Morse believe that it is critical enough for the county to get the funding for 1000 West and 2500 North that the county take SR 238. Lemon was hoping the realignment of Highway 30 could be tied to this, but that is not going to happen presently. The interlocal agreement will be drafted and returned to the Council within a month to six weeks. Lemon turned the time to Commissioner Bodily, UDOT.

Bodily said jurisdictional transfers are discussed frequently, but action doesn't occur very often. This particular jurisdictional transfer has been on UDOT's list for some time. The urgency for the transfer is pushed by funds that have become available. The state's purpose in the proposed transfer is to relive traffic from Logan's Main Street. There is a possibility that the realignment of 200 North (Highway 30) to 400 North (Highway 89) will occur through a later jurisdictional transfer. Transfers are not necessarily mile for mile, but with 1000 West being a five-lane road, the miles are similar. The commission has passed an amended resolution including SR238 and a stipulation that the school district relocates the access to Woodruff Elementary to 600 South. Bodily said there will be a Transportation Commission meeting in Brigham City on May 23, 2007 and the Council is welcome to attend.

Hansen asked if 1000 West will be widened? Bodily said he doesn't know, it is simply listed as being five lanes.

Daines asked if Bodily was aware of the problem for the Sheriff's Complex's access off of Valley View (Highway 30)? Morse said UDOT has agreed to fix that.

Gibbons said the Council would not approve the resolution tonight, but may indicate support of the CMPO letter.

**(Attachment 11)**

**ACTION: Motion by Vice Chairman Hansen in support of the CMPO letter and authorizing Executive Lemon to negotiate with UDOT to accomplish the jurisdictional transfer of roads. Chambers seconded the motion. The vote was unanimous, 6-0. Yeates absent.**

*Resolution No. 2007-15 was not acted on by the Council.*

**(Attachment 12)**

- **Final Plat Approval – Shane Zilles Subdivision Amended** – Runhaar reminded the Council of the proposed procedure where plats that are not contentious or problematic be forwarded on a consent agenda to the Council for approval and asked for the Council's affirmation. Gibbons said the Council is supportive of that procedure.

The Shane Zilles Subdivision is a three- lot subdivision approved in September, 2006, being amended to a five-lot subdivision at 2371 West 3000 South. The Planning Commission was unanimous for approval.

**(Attachment 13)**

**ACTION: Motion by Council member Zilles to waive the rules and approve Final Plat-Shane Zilles Subdivision. Hansen seconded the motion. The vote was unanimous, 6-0. Yeates absent.**

- **Final Plat Approval – Cove Heights Subdivision** – A five-lot subdivision at 13700 North Mountain Home Road, Cove. All the ground water issues have been resolved through engineering reviews.

**(Attachment 14)**

**ACTION: Motion by Vice Chairman Hansen to waive the rules and approve Final Plat-Cove Heights Minor Subdivision. Zilles seconded the motion. The vote was unanimous, 6-0. Yeates absent.**

- **Paradise North Subdivision** – This was a five-lot subdivision returned to the applicant to comply with Paradise City standards for possible future annexation. It is now a four-lot subdivision.

**(Attachment 15)**

**ACTION: Motion by Vice Chairman Hansen to waive the rules and approve Final Plat-Paradise North Subdivision. Gibbons seconded the motion.**

Zilles noted the Planning staff recommended a paved road whereas the Planning Commission only required a hard surface road, which would include a gravel road.

Morse said Paradise Mayor Atwood prefers the paved road because of possible future annexation to Paradise City.

**ACTION: Motion by Council member Zilles to amend the main motion to stipulate the road be a paved road. Robison seconded the motion. The motion passed, 4 aye – Chambers, Petersen, Robison & Zilles and 2 nay – Hansen & Gibbons. Yeates absent.**

**ACTION: Chairman Gibbons called for the vote on the main motion. The motion passed, 5 aye – Chambers, Hansen, Petersen, Robison & Zilles and 1 nay – Gibbons. Yeates absent.**

- **Final Plat Approval – Garland Acres Subdivision** – Gibbons said the Public Hearing was on this subdivision and it will be on the May 22, 2007 Council agenda.

**OTHER BUSINESS**

- ✓ **Smithfield Health Days Parade – May 12, 2007** – Chairman Gibbons and Executive Lemon will meet in the Skyview parking lot at 9:30 a.m. to participate in the parade.

**COUNCIL MEMBER REPORTS**

**Brian Chambers** mentioned the Cronquist's have threatened to close the road across their property. Daines is aware of the situation. Chambers said the meeting with the landowners of property near the airport is scheduled for May 9, 2007 at 7:00 p.m.

**Craig Petersen** asked what the status of the natural barriers ordinance is? Runhaar said the draft only needs some legal points clarified with Attorney Daines.

**Gordon Zilles** said a decision on the water report presented by Evan Olsen needs to be addressed at the next Council meeting so action can be taken.

**Chairman Gibbons** reported that he, Lemon and Hansen accepted an award from the Utah Heritage Foundation with respect to the restoration of the Cache County Historic Courthouse and said each of the Council members will receive a certificate. Newell Daines was presented with a similar award.

**ADJOURNMENT**

The Council meeting adjourned at 7:55 p.m.

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**ATTEST:** Jill N. Zollinger  
County Clerk

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**APPROVAL:** Darrel Gibbons  
Council Chairman

CACHE COUNTY  
CORPORATION

M. LYNN LEMON  
COUNTY EXECUTIVE/SURVEYOR

199 N. MAIN  
LOGAN, UTAH 84321  
Tel 435-755-1850  
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COUNTY COUNCIL

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

PROCLAMATION

- Whereas, the Congress and President of the United States have designated May 15 as Peace Officers' Memorial Day, and the week of May 13-19, 2007 as National Law Enforcement week; and
- Whereas, the members of the Cache County Sheriff's Office play an essential role in safeguarding the rights and freedoms of Cache County; and
- Whereas, it is important that all citizens know and understand the duties, responsibilities, hazards, and sacrifices of their law enforcement agency, and that members of our law enforcement agency recognize their duty to serve the people by safeguarding life and property, by protecting them against violence and disorder, and by protecting the innocent against deception and the weak against oppression; and
- Whereas, the men and women of the Cache County Sheriff's Office unceasingly provide a vital public service;

NOW THEREFORE, in recognition of all law enforcement officers and in particular the men and women in the Cache County Sheriff's Office, be it resolved that the Cache County Council and the Cache County Executive, County of Cache, State of Utah, hereby proclaims the week of May 13 thru May 19, 2007 as

LAW ENFORCEMENT WEEK

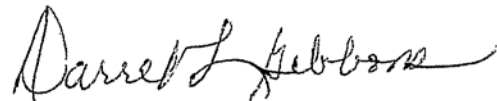
and call upon all citizens of Cache County and all patriotic, civic and educational organizations to observe this week with appropriate ceremonies and observances in which all of our people may join in commemorating law enforcement officers, past and present, who, by their faithful and loyal devotion to their responsibilities, have rendered a dedicated service to their communities and, in so doing, have established for themselves an enviable and enduring reputation for preserving the rights and security of all citizens.

and May 15, 2007 as

PEACE OFFICERS' MEMORIAL DAY

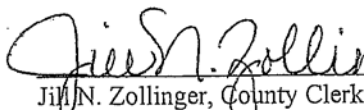
and further call upon all citizens of Cache County to honor those law enforcement officers who, through their courageous deeds, have made the ultimate sacrifice in service to their community or have become disabled in the performance of duty, and let us recognize and pay respect to the survivors of our fallen heroes.

In witness thereof, as Chairman of the County Council and County Executive, we have hereunto set our hand this<sup>th</sup> day of May, 2007.

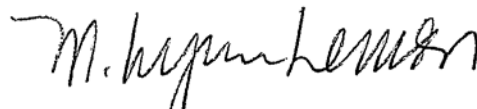


Darrel L. Gibbons, Council Chairman

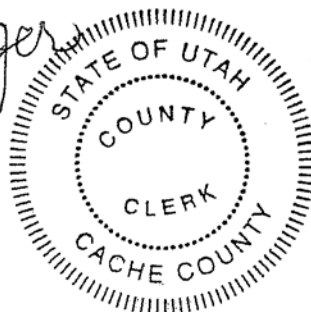
Attest:



Jill N. Zollinger, County Clerk



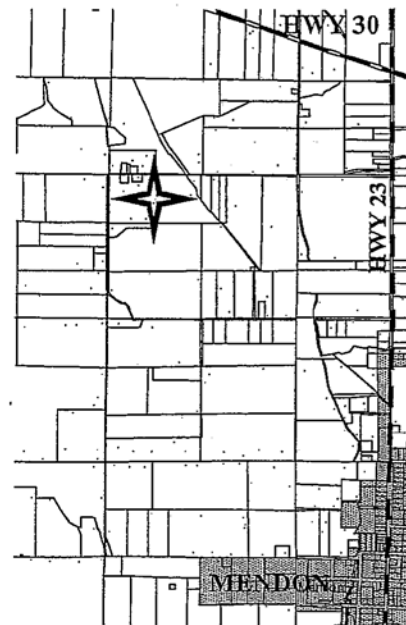
M. Lynn Lemon, County Executive



# Development Services Cache County Corporation

*Project Name:* Garland Acres Subdivision  
*Agent:* Reed Yonk  
*Request:* 5-Lot Subdivision  
*Type of Action:* Quasi-Judicial  
*Current Zoning:* Agriculture (A)  
*Project Address:* 600 North 6900 West  
*Tax ID:* 12-035-0001  
12-035-0002  
12-035-0014

*Staff Recommendation:* Recommend Approval with stipulations  
*Surrounding Uses:* North – Agriculture/Single Family Dwelling  
South – Agriculture/Single Family Dwelling  
East – Agriculture/Single Family Dwelling  
West – Agriculture



Site Location

## PROJECT

*Request:* The applicant is requesting a 5-lot subdivision to create two (2) building parcels in addition to the three existing parcels. The purpose of the subdivision is to create 4 building lots. The fifth lot will be designated as a dry lot. The lots are the following sizes, Lot 1 is 5.17 acres, Lot 2 is 5.11 acres, Lot 3 (existing) is 1.00 acre, Lot 4 (existing) is 1.12 acres, and Lot 5 is 66.20 acres. 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 (there will be five lots from the original 1970 parent parcel).

*Access:* This subdivision is proposing to be serviced from 7200 West and 600 North, both county roads. County Road 7200 West has a 20 wide asphalt surface. County Road 600 North is an asphalt surface with a width of 18 feet. The Road Department recommends that stormwater issue be addressed as lots are developed.

*Water & Septic:* The applicant has been approved by the State of Utah Division of Water Rights for culinary water permits for this subdivision.

The Bear River Health Department has found that the soils on all of the lots are suitable for septic systems. Each home will be required to obtain a permit and install the septic in accordance with R317-4 Utah Administrative Code.

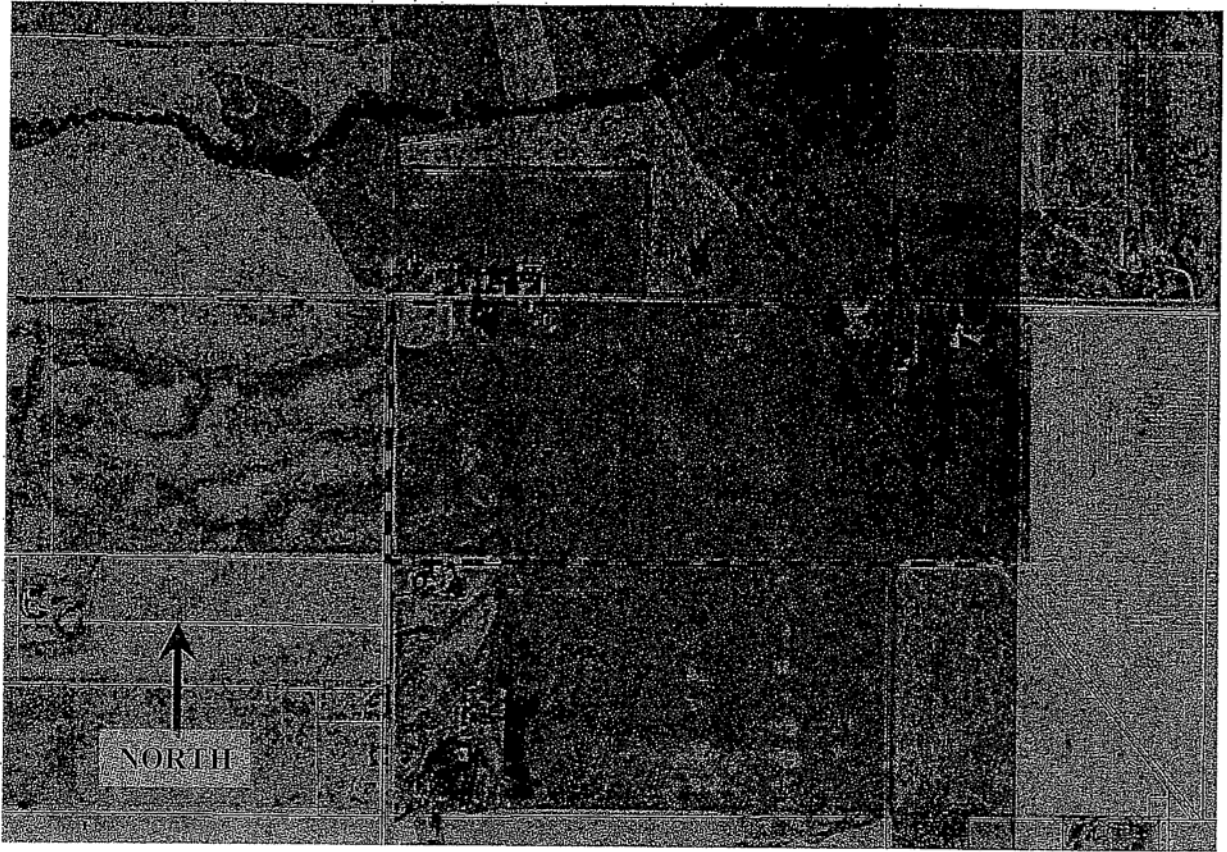
## AGENCY AND COUNTY DEPARTMENT COMMENTS

### *Bear River Health Department:*

- Site and soil conditions on Lots 1 and 2 are suitable for a septic system with a maximum trench depth of 24 inches. A septic permit will be required before installation.
- Due to the natural slope of the area, the septic systems should be placed on the east side of Lots 1 and 2.
- Lots 3 and 4 have existing septic systems.
- Lot 5 was not evaluated because it is designated a dry lot. If it is to be developed in the future a site evaluation, percolation test, and site fee will be required prior to obtaining a permit.
- A significant amount of area will be needed for septic placement because of high percolation rates on the lots.
- Any new septic system shall be between 100 and 200 feet from any water ways or wells, as determined by the Bear River Health Department.

### *Cache County Road Department:*

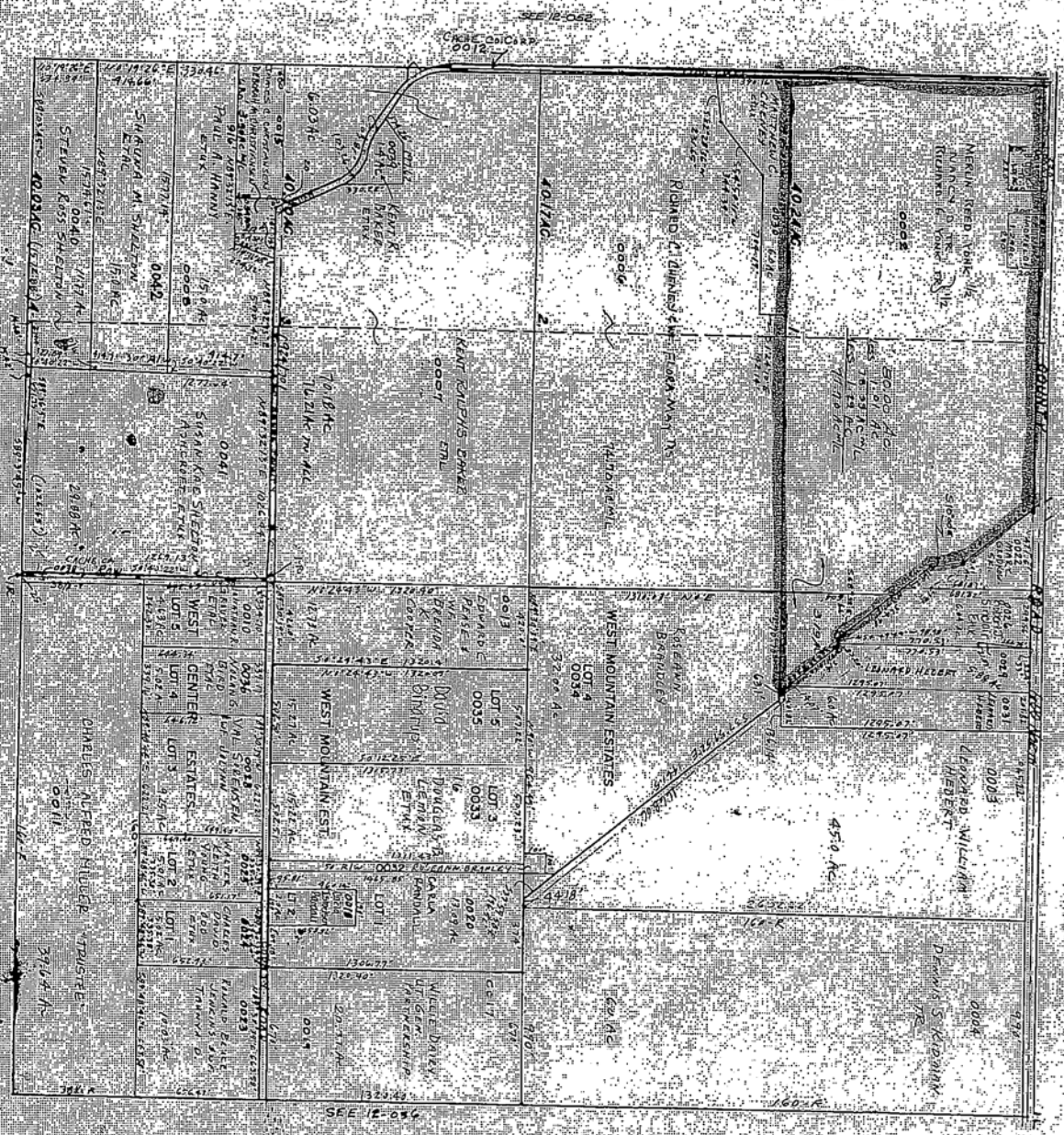
- 7200 West, a County Road, has an existing paved surface width of 19 to 20 feet.
- 600 North, a County Road, has an existing paved surface of 18 feet. (This road-will-need to be widened to 20 feet to accommodate traffic.)
- Stormwater issues will need to be addressed as the lots are developed.





SECTION 31, TOWNSHIP 12 NORTH, RANGE 1 WEST  
 SCALE 1 INCH = 60 FEET

TAX UNIT 28



SEE 12-036

**REQUEST FOR INTRA-DEPARTMENTAL BUDGET TRANSFER**

DEPARTMENT: Cache Valley Visitors Bureau  
 DATE: 4/27/2007

Amount to be transferred -- (rounded to the nearest dollar) \$8,500.00

Transfer From ---

Line Item No. : 23-4780-490  
 Fund Designation: Advertizing and Promotions

Original Budget:	<u>\$122,518.00</u>
Current Budget:	<u>\$123,163.00</u>
Expenditures to date:	<u>\$61,234.80</u>
Balance before transfer:	<u>\$61,928.20</u>
Balance after Transfer:	<u>\$53,428.20</u>

Transfer To ---

Line Item No. : 23-4780-670  
 Fund Designation: Gift Shop items for resale

Original Budget:	<u>\$6,000.00</u>
Current Budget:	<u>\$12,600.00</u>
Expenditures to date:	<u>\$4,233.82</u>
Balance before transfer:	<u>\$8,366.18</u>
Balance after Transfer:	<u>\$16,866.18</u>

Description of needs and purpose of transfer ---  
To purchase more gift shop inventory (Logan Canyon Books etc.)

*Julie Hales*  
 Department Head

Recommendation: [  ] Approval [  ] Disapproval  
 Comments:

Date: 4/27/2007

*Danra Stones*  
 Cache County Auditor

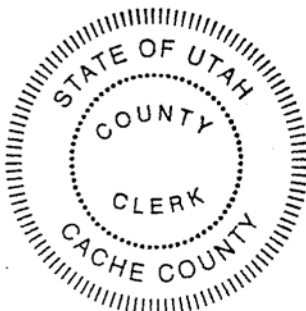
Recommendation: [  ] Approval [  ] Disapproval  
 Comments:

Date: 5/8/07

*M. Lynn Lemon*  
 Cache County Executive

Consented by the Cache County Council meeting in regular session on the 8<sup>th</sup> day of May, 2007.

*John Zollinger*  
 Cache County Clerk



May 2, 2007

Cache County Council  
199 North Main  
Logan, UT 84321

Dear Council Members,

As a committee recently formed by Evan Olsen, we were asked to review the responses to his eight-point questionnaire sent to the elected officials in all of the cities and towns of Cache County in February of this year. We individually reviewed the responses and then met as a group on May 1, 2007, to form consensus recommendations regarding the information gleaned from the respondents. Our recommendations and comments, based upon the desires of the varied communities in Cache County, are as follows:

1. The municipalities are strongly urging that immediate action be taken to form an entity to represent Cache County in discussions with the State of Utah Water Engineer's Office and other parties interested in the Bear River water. For example, there is strong agreement that we need to have a collective voice to protect our 60,000 acre feet of Bear River water apportioned to us by the Utah State Legislature.
2. As the elected legislative body which represents the concerns of the whole county, the Cache County Council should form a water department now to perform the executive functions related to Cache County's water concerns.
3. The head of the Cache County Water Department should be hired as soon as possible to be the spokesperson for Cache County water issues. This person should be technically conversant and knowledgeable about water issues, have excellent communication skills, be an independent voice apart from interested water users, be capable of moving projects along, and be able to educate/inform the public of water issues—taxes especially. (Incorporating public input should be considered by the Cache County Water Department head.)
4. Two boards should act as advisors to the Cache County Water Department: 1. A technical advisory board; 2. A citizen's advisory board including one person elected from the Cache County Mayor's Association and representatives from the north and south ends of the valley. It is further recommended that the current Cache County Water Advisory Board constitute the Cache County Water Department Technical Advisory Board.
5. A dedicated tax levy up to the basic level of one mill should be implemented to fund the needs for water storage projects and administration of the water concerns in Cache County.

Cache County Council  
May 2, 2007

6. As a county we should form associations/relationships with other water conservancy districts (i.e., Franklin County, Bear River Water Users Association, Logan River Water Users Association, etc.) to present a strong and unified voice with respect to water issues in the valley as a whole, including the protection of the 60,000 acre feet of Bear River water allocated to Cache County.

A list of the entities suggested by each respondent and a diagram of the recommended functional hierarchy are included with this letter.

It is this committee's hope that the review process we have completed will be helpful to you in moving forward soon to secure and implement the necessary governing body and personnel imperative to preserve our current and future water rights.

Sincerely,

Clark Israelsen  
Wendell Morse  
Paul Riley  
Gordon Zilles  
Jan Chambers

enc: recommended entities  
hierarchy diagram  
questionnaire

SUGGESTED CACHE COUNTY ENTITIES FOR STATE OF UTAH WATER REPRESENTATION

0 = non-support  
1 = neutral  
2 = support

Hyrum	1	water conservancy district
	2	steering committee to form board
	2	elected water board
	2	appointed commissioner w/only tie-breaking vote
	2+	some type of county-wide governing entity
Lewiston	1+	water conservancy district
	1+	regional council
	1+	county council
	2	water experts involved as decision-makers
	2+	some type of county-wide governing entity
Logan	2	water conservancy district
	2	special service district
	1	county water department--as last resort
	2	some type of county-wide governing entity
Nibley	1+	water conservancy district
	1+	county water department
	1	county government leadership
	2+	some type of county-wide governing entity
North Logan	1	water conservancy district
	2	centralized joint entity
	1	water board
	2	knowledgeable engineering firm
	2+	some type of county-wide governing entity
Paradise		water conservancy district
	2+	county water planning board (el'd officials, canal comp rep's, H2O experts & paid county H2O planner)
Providence	0+	water conservancy district
	2+	some type of county-wide governing entity
Richmond	2	water conservancy district
	2	special service district
	0	water board
	2+	some type of county-wide governing entity
	2+	local representation @ water meetings

Smithfield	2+	some type of county-wide governing entity
Trenton	2+	some type of county-wide governing entity
	2+	more than one storage facility
Wellsville	2+	water conservancy district
		Asks if current water policy advisory board could be increased
	2+	some type of county-wide governing entity

NON-PARTICIPATING MUNICIPALITIES:

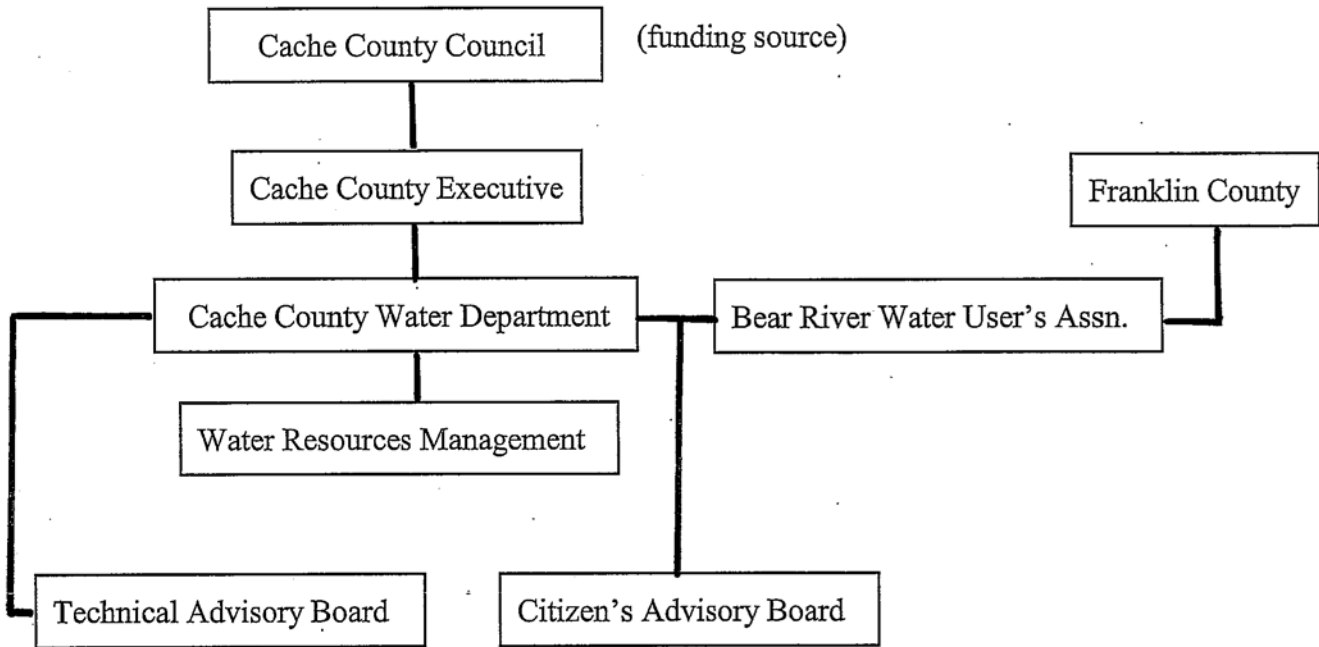
Amalga	Cove	Millville
Benson	Hyde Park	Newton
Cornish	Mendon	River Heights

## Water Questionnaire for Municipalities in Cache County

*by Evan Olsen*

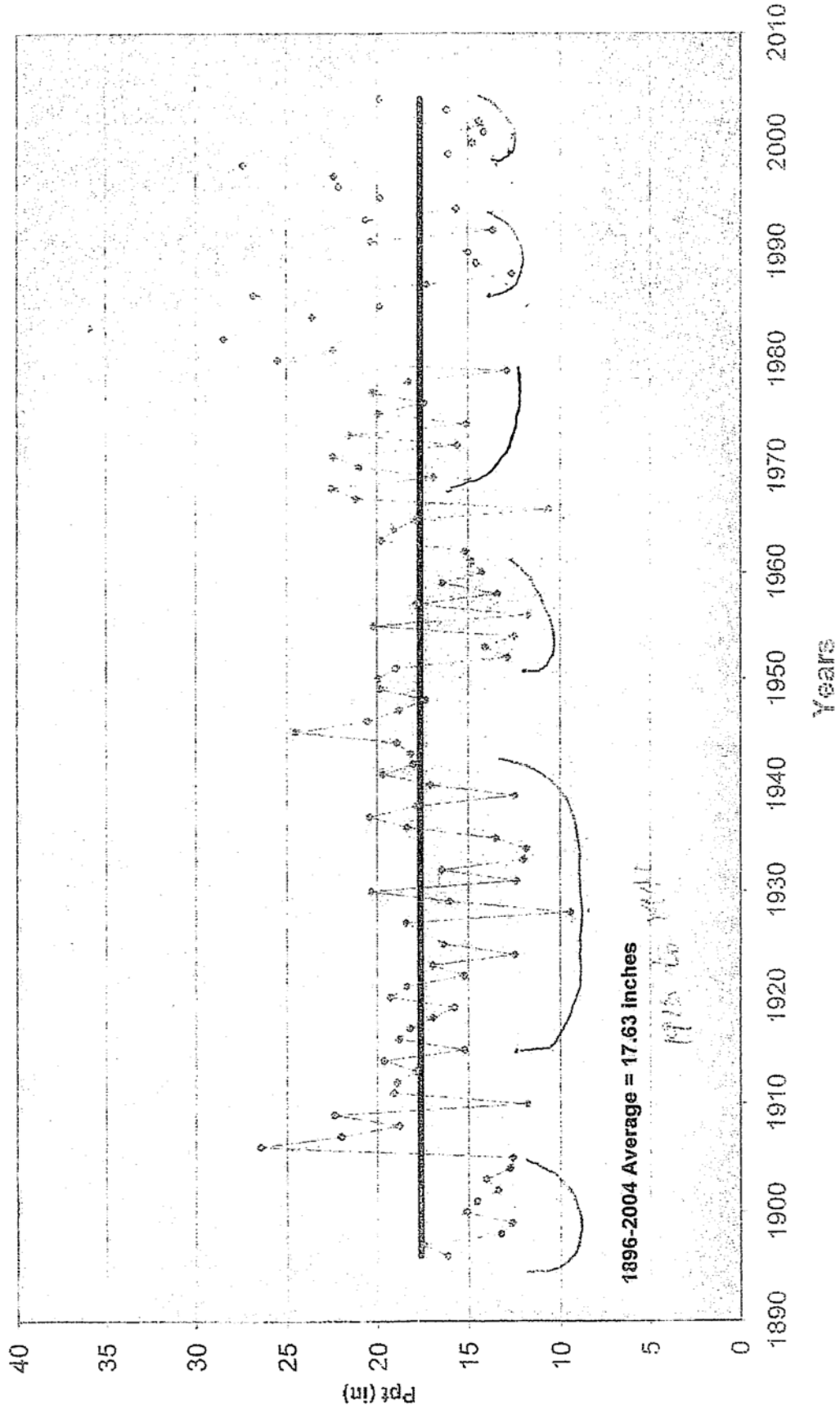
*February 2007*

1. It has been projected that Cache County will double its population by 2030. What are your water needs that will take care of your future growth to 2030 and beyond? Do you need more water? How will you get it, and how will you pay for it?
2. How secure are your water rights?
3. As you grow, will you begin to infringe on your neighboring towns? Water has become very expensive. Will this generate lawsuits?
4. We have been allocated 60,000 acre feet from the Bear River. Do we need it? What do you suggest we do to preserve that allocation? The State Engineer has begun telling individuals that if they are not using their water to full capacity, the state will re-allocate that water.
5. Who in Cache County can the State Engineer or the Director of Water Resources talk to about water? What should we do about it?
6. The water entities that we deal with are Water Conservancy districts. The Wasatch Front districts have multi-million dollar budgets and have been pursuing development on the Bear River. What kind of water entity does Cache County need to have credibility with them? What possibilities should we pursue?
7. The document recommendation of the "Cache Visions 20/20+" submitted to the Cache Valley Regional Council, June 12, 2006, suggests we create a Cache Valley water resource planning and management entity and makes reference to it 15 times in that document. Dennis Strong, State Director of Water Resources, suggests a water entity is needed to represent Cache County to negotiate with the State and other water agencies. Professor Robert Oaks, who has done considerable research in Cache County, states "One recommendation perceived the value of and need for a water management entity to speak for Cache Valley."
8. How do you deal with canal companies about storm water, liabilities, etc. as you surround them with growth?





# Logan USU Ppt 1896-2004



## EVAN'S SUGGESTIONS

After going to more than 25 meetings and purposely not giving my recommendations, I would now like to give you my recommendations. They may differ a little with the recommendations of the committee.

1- I believe we need a water Conservancy District. It should be put to a vote of the people at our next general election in 2008.

For now, hire a Water Commissioner with two Boards to work with. The Water Advisory Committee as a technical Board and an appointed Board of 7 who are knowledgeable in water issues. Two from the North Cache area, two from Central Cache area, two from the South Cache area and one from the Bear River water users association who represent water users throughout the State.

2- Open a dialog with Franklin County immediately.

3- Back away from the involvement in the Washakee Reservoir and do a study within Cache and Franklin County to create a series of smaller reservoirs.

4- Fund the water proposals with a dedicated one mil tax.

5- The communities in the west part of our Valley are short of water. We need to work to develop additional water for them.

6- Do what is necessary to preserve the 60,000 acre feet of water allocated to Cache County in the Bear River.

7- Educate the public that to<sup>do</sup> nothing is not an option.

If we are wise in planning and developing our water resources, we could take care of our water needs for the next 75 years or more.

# CACHE COUNTY BOARD OF EQUALIZATION

Hearing Date: April 11, 2007

RECORD OF APPEARANCE AND MINUTES OF FINAL DECISION AND AUTHORIZATION

Appeal #

#2007-1473

Parcel # 14-047-0019

Dist # 023

Board member(s) or hearing officer(s) attending

Lynn Lemon

Assessor and/or deputies attending

Kathleen C Howell

Taxpayer and or agent attending

Stacey Anne Everhart; Mr. Robert Smith, ATTY Agent

Dismissed because of conflict of interest

Parcel Type	Pre-board market	Pre-board taxable	Equalized market	Equalized taxable
Agriculture Building				
Commercial Building				
Residential Building				
Secondary Building				
Land Agricultural	14,726	14,725	14,726	14,725
Land Commercial				
Land Greenbelt				
Homesite (Greenbelt Land)				
Land Residential				
Land Secondary Res.				
Land Vacant				
<b>Total Value</b>	14,726	14,725	14,726	14,725

### Board Action

Minutes to support Board's final decision

No Change

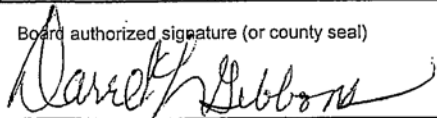
Request for more info. from taxpayer

Adjusted Value

Referred to Assessor for review

The property was removed from FAA (greenbelt) status in Dec. 2006. There is a 120 day appeal window. The assessor explained that there are 2 notices that may be sent. One for a title transfer, or a letter that the land does not meet the criteria and is not eligible to remain in greenbelt status. Mr. Smith indicated that the parcel has always been used for agricultural purposes. The property has been leased to Lance Kingston (June 2005 to June 2010). An affidavit was provided as proof that the lessor would use parcel for agricultural purposes. The water shares for this parcel have been sold. It is now dry and being used for grazing. A supreme court case(Gilmore vs. Wasatch Co.) was sited as president that the land remain in greenbelt. Ms. Howell provided an aerial picture of the parcel. No farming activity is taking place except in front of the canal. She indicated that the parcel needs to be actively devoted to farming each year and you must take 50% of expected gross product off of the property to be eligible to remain in greenbelt status. In her opinion this parcel does not qualify. There isn't enough vegetation to support cattle, and there is no fencing around the parcel. The hearing officer determined that the parcel does not currently meet the FAA standards and should be removed from greenbelt status. The current land classification of this parcel allows for grazing and there is no need to change it. The rollback tax will be implemented.

Board authorized signature (or county seal)



Date signed

May 8, 2007

Auditor's initial

Approved

RESOLUTION NO. 2007-12

A RESOLUTION OF THE CACHE COUNTY COUNCIL, CACHE COUNTY, STATE OF UTAH, SETTING FORTH THE MANNER IN WHICH THAT CERTAIN ROAD COMMONLY REFERRED TO AS "THE ROCKY DUGWAY ROAD" OR "THREE MILE ROAD" WILL BE PRESERVED, MAINTAINED, CONTROLLED AND MANAGED BY CACHE COUNTY.

WHEREAS, Cache County is responsible for the preservation, maintenance, control and management of all county roads within its jurisdiction; and

WHEREAS, that certain road commonly referred to as the "Rocky Dugway Road" or "Three Mile Road" more specifically identified and designated in Exhibit "A" attached hereto, is a county road located within Cache County; and

WHEREAS, various conflicting claims have been made with respect to the use, ownership, access and control of said Rocky Dugway Road or Three Mile Road; and

WHEREAS, both Cache County and Box Elder County have an interest in working together to preserve, maintain, control and manage those portions of the Rocky Dugway Road or Three Mile Road located within each of their respective counties; and

WHEREAS, it would be in the best interests and promote the general health, safety and welfare of the residents of Cache County to know the manner in which the Rocky Dugway Road or Three Mile Road will be preserved, maintained, controlled and managed by Cache County;

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

**SECTION 1:** The portion of that certain road located within Cache County and commonly known as Rocky Dugway Road or Three Mile Road, ~~more specifically identified and designated in Exhibit "A" attached hereto,~~ is a county road and subject to the maintenance, control and management of Cache County.

**SECTION 2:** The Rocky Dugway Road or Three Mile Road is located within both Cache County and Box Elder County, and of significant importance to both counties. Accordingly, Cache County shall cooperate and work closely with Box Elder County in the maintenance, control and management of the Rocky Dugway Road or Three Mile Road.

**SECTION 3:** The Rocky Dugway Road or Three Mile Road shall be improved and thereafter maintained to those specifications and requirements necessary to return it to the status of a Class B road. Such improvements and maintenance shall be accomplished in conjunction with Box Elder County in the manner agreed upon by both Cache County and Box Elder County. Such improvements and maintenance shall include, but not be limited to the following:

- A. Removal of all existing gates upon the road.
- B. Installation of cattle guards where necessary.
- C. Grading and improvements to the existing road surface.
- D. Installation of any reasonably necessary signage to inform the general public of private landowners property rights.
- E. Increasing the presence of law enforcement upon the road in an effort to better enforce trespassing, criminal mischief and other violations of the law.
- F. Seasonal closures of the road to protect the integrity of the road and the sensitive nature of the surrounding areas.
- G. Any other improvements reasonably necessary to return the road to Class B status.

**ADOPTED AND APPROVED** in regular session this <sup>8th</sup> 24<sup>th</sup> day of <sup>May</sup> April, 2007.

\_\_\_\_\_  
Darrel L. Gibbons, Chairman

ATTEST:

\_\_\_\_\_  
Jill N. Zollinger, Clerk

**2007 RAPZ & RESTAURANT TAX FUNDS  
PROPOSED AWARD SCHEDULE**

App. Entry	Project Category	Years	Request	Proposed		Description
				Award		
11	Cache County Planning & Development	Parks & Rec	Multi	69,223	69,223	Logan Canyon Gateway Trail - phase 1
12	Cache County Planning & Development	Tourism	Single	16,500	16,500	Renovated Historic Courthouse plaza enhancements
39	Logan City Parks & Recreation	Parks & Rec	Multi	100,000	55,000	Outdoor Arena Bleacher Renovation
47	Millville City	Parks & Rec	Single	55,000	55,000	Construct new pavilion in the North Park
10	Cache County Fair & Rodeo	Tourism	Single	10,000	10,000	Offset operating expenses - estimated 7%
9	Cache Community Connections	Cultural	Single	8,000	8,000	Performers; Marketing and general expense
63	Utah Festival Opera Company	Cultural	Single	85,000	80,000	Offset costs for opera season/education programs - estimated 3.5%
64	Utah Festival Opera Company	Cultural	Single	65,000	65,000	Offset advertising outside Cache Valley - estimated 45%
54	Providence City	Parks & Rec	Multi	45,000	45,000	Providence Canyon Trail
8	Cache Children's Choir	Cultural	Single	10,000	10,000	Advertising and general expense; special workshop guests and production
46	Mendon City	Tourism	Single	32,161	32,161	Complete the Mendon Station restoration project
55	Richmond City	Parks & Rec	Single	26,800	20,000	Upgrade picnic and cooking facilities for the two city parks
59	Smithfield City Parks & Recreation	Parks & Rec	Multi	64,860	60,000	Forrester Acres Sports/Equestrian Complex
60	Stokes Nature Center	Cultural	Single	22,000	22,000	Offset Center's school and community programs - estimated 10.5%
67	Wellsville City	Parks & Rec	Single	59,849	59,849	Park at Wellsville dam
26	Common Ground Outdoor Adventures	Cultural	Single	10,000	10,000	Art workshops for youth and adults with disabilities - offset 45.5% of cost
2	Amalgia City	Parks & Rec	Single	7,200	7,200	Replace playground equipment
3	American West Heritage Cntr	Cultural	Single	100,000	85,000	Salaries and contracted labor; Marketing and general admin; facility exp
36	Logan City Parks & Recreation	Parks & Rec	Single	12,000	12,000	Willow Park picnic/reservation area upgrade
66	Valley Dance Ensemble	Cultural	Single	3,000	3,000	Offset operating expenses for Spring 2008 concert - estimated 15.2%
21	Cache Valley Cruising Association	Tourism	Single	35,000	20,000	Offset cost of Cache Valley Cruise-In - estimated 17.2%
32	Lewiston City	Parks & Rec	Single	48,967	40,000	Renovate park pavilion and cooking facility for safety standards
62	Unicorn Theatre	Cultural	Single	8,000	5,000	Offset operating expenses - estimated 36.4%
29	Hyde Park City	Parks & Rec	Single	24,560	17,000	Extension of walking paths and trails at Lions Park
44	Mendon City	Cultural	Single	900	900	Offset cost of Concert in the Park - 50%
49	Nibley City	Parks & Rec	Single	150,000	100,000	800 West Park - phase 3
52	Old Lyric Repertory Company	Cultural	Single	16,500	16,000	Advertising, promotional and publicity costs
53	Old Lyric Repertory Company	Cultural	Single	14,500	14,000	Payment for production support; materials and construction
13	Cache County Senior Citizen Center	Parks & Rec	Single	16,450	16,450	Offset cost of Recreation Specialist - 64.4%
15	Cache Regional Theatre	Cultural	Single	22,500	20,000	Offset to production expenses - 31.6%
40	Logan Ranger District	Parks & Rec	Multi	9,480	9,480	Install trail signage
65	Utah State University	Tourism	Single	25,000	25,000	Offset operating expenses of Summer Citizens program - estimated 20.2%
18	Cache Valley Center for the Arts	Cultural	Single	15,000	15,000	Offset costs of out-of-area marketing - estimated 17.3%
19	Cache Valley Center for the Arts	Cultural	Single	25,000	25,000	Education and outreach; offset program cost at 32%
58	River Heights City / Cache Edu. Fdtn	Parks & Rec	Single	58,000	30,000	Construction of Ryan's Place Park (memorial park)
30	Hyrum City	Parks & Rec	Multi	60,000	50,000	Resurface East Park parking lot
41	Mendon Arts Council	Cultural	Single	2,099	-	Portable sound system
20	Cache Valley Civic Ballet	Cultural	Single	10,000	8,000	Offset cost of ballet productions - estimated 17.9%
23	Cache Valley Visitors Bureau	Tourism	Single	96,490	60,000	Marketing campaign
17	Cache Valley Center for the Arts	Cultural	Single	73,000	30,000	Facilities endowment

**2007 RAPZ & RESTAURANT TAX FUNDS  
PROPOSED AWARD SCHEDULE**

App.	Entity	Project Category	Years	Request	Award	Description
24	Celebrate America Show	Cultural	Single	19,500	10,000	Offset cost of Cost of Production - estimated 25% (actual costs)
50	Nordic United	Tourism	Single	5,000	4,000	Tourism promotion of cross-country ski trails
7	Bridgerland Radio Control Club	Tourism	Single	1,500	750	Radio and Newspaper advertising
14	Cache County Sheriff - Search & Rescue	Tourism	Single	30,697	15,000	Offset equipment purchases and general operations - estimated 29.5%
37	Logan City Parks & Recreation	Cultural	Single	15,000	10,000	Sponsor the Cache Community Celebrates New Year's Eve event
51	North Logan City	Parks & Rec	Single	58,089	45,000	Elk Ridge Park Tennis court construction
56	River Heights City	Tourism	Single	22,854	11,000	Construction of city museum
16	Cache Valley Arts Summit	Cultural	Single	6,000	3,000	Brochures to advertise for arts events in Cache Valley
25	Chamber Music Society	Cultural	Single	5,000	5,000	Offset operating expenses - estimated 8%
61	Summerfest Art Faire	Cultural	Single	20,000	15,000	Offset operating costs for annual event - estimated 31.7%
1	Alliance for the Varied Arts	Cultural	Single	38,000	20,000	Salary and wages; building rent; other misc operating expenses
6	Bridger Folk Music Society	Cultural	Single	4,500	4,000	Operating expenses - estimated 20%
34	Logan Aquatic Center	Parks & Rec	Single	35,000	35,000	Thermal pool covers
5	Boys and Girls Club	Cultural	Single	20,000	3,000	Staff wages; instructors for guitar and art lessons; 10 guitars and art supplies
42	Mendon Arts Council	Cultural	Single	6,276	5,000	Offset to operating costs of annual events
33	Lewiston Community Theater	Cultural	Single	40,000	40,000	Replace 70 year-old theater seating
43	Mendon Arts Council	Cultural	Single	479	-	Gallery Hanging System
45	Mendon City	Parks & Rec	Single	117,960	-	Upgrade ball diamond and basketball and volleyball courts
48	Music Theatre West	Cultural	Single	17,000	10,000	Offset operating expenses - estimated 23.8%
69	Youth Symphony Orchestras	Cultural	Single	56,073	20,000	New music equipment; music; wages; scholarships
38	Logan City Parks & Recreation	Parks & Rec	Single	50,000	50,000	Bowery to replace the Presbyterian building
57	River Heights City	Parks & Rec	Single	11,150	-	Baseball diamond renovation
22	Cache Valley Mushers	Tourism	Single	5,000	2,000	Offset cost of Cache Valley K9 Challenge - estimated 34%
68	Wellsville Foundation	Tourism	Single	100,000	-	Wellsville Tabernacle elevator
<b>NEW APPLICATIONS</b>				<b>2,198,117</b>	<b>1,534,513</b>	
<b>COMMITTED ALLOCATIONS</b>						
4	American West Heritage Ctr	Tourism	Multi	22,500	22,500	Bond payment for Welcome Center (\$67,500 from TR1)
27	Eccles Ice Center	Parks & Rec	Multi	92,853	92,853	Payment for construction bond of the arena
28	Eccles Ice Center	Parks & Rec	Multi	30,000	30,000	Payment for bleachers
31	Hyrum Library & Museum Foundation	Tourism	Multi	25,000	25,000	Construction and development of a historical museum
35	Logan City	Tourism	Multi	76,820	76,820	Bond payment for Eccles Theatre renovation
<b>COMMITTED ALLOCATIONS</b>				<b>247,173</b>	<b>247,173</b>	
<b>GRAND TOTALS</b>				<b>\$ 2,445,290</b>	<b>\$ 1,781,686</b>	

RESOLUTION NO. 2007 – 13

A RESOLUTION OF THE COUNTY COUNCIL OF CACHE COUNTY, STATE OF UTAH, AMENDING RESOLUTON NO.2006-31 TO INCLUDE AND DECLARE ADDITIONAL CERTAIN R.S. 2477 ROADWAYS AS PUBLIC ROADS.

The County Council of Cache County, State of Utah, in regular meeting, lawful notice of which has been given, finds that it is in the best interest of the citizens of Cache County to amend Resolution No. 2006-31 to include and declare additional certain R.S. 2477 roadways as public roads as shown on "Exhibit A" attached hereto and made a part hereof.

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

Section 1. Adoption

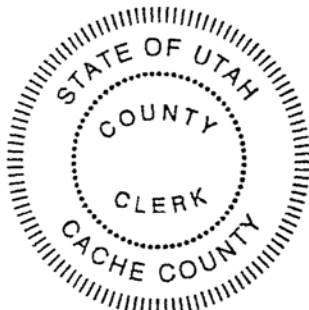
Resolution No. 2006-31 shall be amended to include and declare additional certain R.S. 2477 roadways as public roads as stated in "Exhibit A" attached hereto and made a part hereof)

Section 2. Effective Date

This resolution shall become effective immediately upon adoption.

This resolution was adopted by the Cache County Council on the 8<sup>th</sup> day of May, 2007.

Attest To:



*Jill N. Zollinger*  
By: Jill N. Zollinger, County Clerk

CACHE COUNTY COUNCIL

*Darrel L. Gibbons*  
By: Darrel L. Gibbons, Chairman



**SCHEDULE A**  
**Forest Road Agreement- January 24, 2007**  
**Between**  
**Cache County - Forest Service Cooperative Agreement**  
**(Revised January 24, 2007)**

Road or Road Segment	Main/ Jur.	NFSR Number	County Road No.	Termini	Miles
High Creek	(1)	20048		FS Boundary to Trailhead	2.7
Smithfield Canyon	(1)	20049		FS Boundary to Trailhead	2.4
Providence Canyon	(1)	20090		FS Boundary to NFSR 20022	2.4
Left Hand Fork	(1)	20245		SR 101 to NFSR 20047/20231	5.8
Pig Hole Springs	(1)	20254		NFSR 20150 to NFSR 27018	3.6
Mahogany Road	(1)	20150		NFSR 20054 to Sow Hole Spring	5.5
Hardware Ranch	(A)	20054		SR 101 to Laketown	19.39
Boulder Mint.	(1)	20146		NFSR 20056 to Camps	2.1
Cowley Canyon- Herd Hollow	(1)	20047		NFSR 20081 to NFSR 20245 and 20231	8.8
Marie Spring	(1)	20147		NFSR 20047 to NFSR 20056	5.0
Dip Hollow-Long Hollow	(1)	20056		NFSR 20007 to NFSR 20105	9.8
Hells Hollow-Danish Dugway	(1)	20105		NFSR 20055 to NFSR 20054	11.4
Elk Valley G.S	(1)	20178		NFSR 20105 to Elk Valley Guard Station	1.2
Temple Fork	(1)	20007		U.S 89 to NFSR 20055	11.6
Little Cottonwood	(1)	20153		NFSR 20007 to Cottonwood Spring	4.2
Elk Springs	(1)	20251		NFSR 20055 to NFSR 20252	1.8
Temple Peak	(1)	20252		NFSR 20055 to Temple Peak	2.5
Sinks Road	(1)	20055		U.S 89 to NFSR 20008	11.8
Twin Creeks	(1)	20005		U.S 89 to Bubble Spring	3.9
Peter Sinks	(1)	20173		NFSR 20055 to Gravel Pit	1.0
Tony Grove	(1)	20003		U.S 89 to NFSR 20273 (Trail Head Parking lot)	6.8
Gravel Pit	(1)	20163		NFSR 20003 to Pit	1.1
Steep Hollow	(1)	20289		NFSR 20006 to Trail	2.0
Franklin Basin	(1)	20006		U.S 89 to Idaho State Line	5.8
Beaver Creek	(1)	20011		SR 243 to Idaho State Line	2.6
West Hodges	(1)	20174		NFSR 20004 to Trail Head loop	0.6
Three Mile Creek	(1)	20219		FS. Boundary to Kidman Flt	2.2
Maple Bench	(1)	20086		FS Boundary to Trail Head	2.2
Swan Flat	(1)	20014		U.S 89 to Idaho State Line	4.3
Bug Lake	(1)	20121		NFSR 20060 to NFSR 20054	3.8
North Gorge Canyon	(1)	20213		NFSR 20121 to Pvt Land	0.4
Gorge Canyon	(1)	20124		NFSR 20121Sec 13 Pvt Land	0.6
Rock Creek	(1)	20060		NFSR 20059 to NFSR 20058	8.1
Baxter Sawmill	(1)	20130		NFSR 20060 to Fs Boundary	6.9
Sandy Camp Road	(1)	20212		NFSR 20059 Pvt Land Gate	0.3
Willow Sink Spring	(1)	20028		NFSR 20059 to NFSR 20030/Gate	0.2

**SCHEDULE A**  
**Forest Road Agreement- January 24, 2007**  
**Between**  
**Cache County - Forest Service Cooperative Agreement**  
**(Revised January 24, 2007)**

Road or Road Segment	Main/ Jur.	NFSR Number	County Road No.	Termini	Miles
Six Bit Spring	(1)	20144		NFSR 20059 to NFSR 20144-A	1.6
Running Water Spring	(1)	20192		NFSR 20059 to NFSR 20144	2.4
Zion Springs	(1)	20221		NFSR 20059 to NFSR 20221-A	0.3
Curtis Ridge	(1)	20059		SR 39 to NFSR 20061	16.7
Davenport Hollow	(1)	20196		NFSR 20059 to NFSR 20196-A	5.14
Tin Cup Springs	(1)	20210		NFSR 20197 to NFSR 26102	0.3
Mt. McKinnon	(1)	26713		SR 39 to Peak	0.4
Dry Bread Dispersed Camp	(1)	20116		SR 39 to SR 39	1.0
Three Mile Canyon	(1)	20113		County Road to Pvt Rd	3.0
Sink Hole Loop	(1)	26012		NFSR 20113 to FS Boundary	1.0
Flat Canyon 4x4	(1)	26015		NFSR 20132 to Boulders	0.2
Buck Springs	(1)	20197		NFSR 20196 to NFSR 20210	0.9
<b>TOTAL MILES</b>					<b>197.73</b>

Approved by: \_\_\_\_\_

\_\_\_\_\_  
 Wasatch-Cache National Forest - Forest Supervisor

\_\_\_\_\_  
 Cache County Commissioners

\_\_\_\_\_  
 Effective Date

1 - Roads to be maintained by Cache County  
 A - Roads under Cache County Jurisdiction

**SCHEDULE A**  
**Forest Road Agreement- January 30, 2007**  
**Between**  
**Cache County - Forest Service Cooperative Agreement**  
**(Revised January 30, 2007)**

Road or Road Segment	Main/ Jur.	NFSR Number	County Road No.	Reason	Miles
Green Canyon	(1)	20050		Should be placed under Agreement with North Logan City	4.1
Upper Providence Canyon	(1)	20022		Forest Service does not want this route improved at this time	2.1
Millville Peak	(1)	20168		Currently under an agreement with the State of Utah	13.0
Welch Flat 4x4	(1)	20152		Forest Service does not want this route improved at this time	3.5
Logan Peak	(1)	20042		Currently under an agreement with the State of Utah	3.6
Top of Spring Hollow 4x4	(1)	20126		Forest Service does not want this route improved at this time	1.0
Left Hand Fork 4x4	(1)	20231		Forest Service does not want this route improved at this time	6.1
Corral Hollow	(1)	20255		Forest Service does not want this route improved at this time	0.4
Side Hill Spring	(1)	20256		Forest Service does not want this route improved at this time	3.1
Nebeker Spring	(1)	20211		Forest Service does not want this route improved at this time	0.8
Mill Hollow 4x4	(1)	20248		Forest Service does not want this route improved at this time	2.8
Chicken Creek	(1)	20244		Forest Service does not want this route improved at this time	1.5
Doc Moore's Road	(1)	20238		Access to private land, maintenance could be done by the county can't remember why not	1.0
Sink Hollow	(1)	20110		Forest Service does not want this route improved at this time	1.2
Wasatch Ridge	(1)	20068		Only .1 mile of this road is in Cache County	5.6
Public Grove 4X4	(1)	20220		Forest Service does not want this route improved at this time	5.3
Public Hollow Loop	(1)	20092		Forest Service does not want this route improved at this time	1.2
Buck Springs	(1)	20197		Forest Service does not want a portion of this route improved at this time	1.5
				<b>Total Miles</b>	<b>57.8</b>

Approved by: \_\_\_\_\_

Wasatch-Cache National Forest - Forest Supervisor

Cache County Commissioners

Effective Date \_\_\_\_\_

1 - Roads to be maintained by Cache County  
A - Roads under Cache County Jurisdiction

App

CACHE COUNTY  
RESOLUTION NO. 2007-14

A RESOLUTION APPROVING A FOREST ROAD AGREEMENT BETWEEN CACHE COUNTY AND U.S. DEPARTMENT OF AGRICULTURE FOREST SERVICE FOR PLANNING, SURVEY, DESIGN, CONSTRUCTION, RECONSTRUCTION, IMPROVEMENT AND MAINTENANCE OF CERTAIN FOREST ROADS AND FOREST DEVELOPMENT ROADS IN CACHE COUNTY.

The County Council of Cache County, Utah, in regular meeting, lawful notice of which has been given, finds that it is in the best interests of the citizens of Cache County to enter into a Forest Road Agreement between Cache County and U.S. Department of Agriculture Forest Service for planning, survey, design, construction, reconstruction, improvement and maintenance of certain forest roads and forest development roads in Cache County.

NOW, THEREFORE BE IT RESOLVED that the Cache County Executive is hereby authorized to execute the Forest Road Agreement between Cache County and U.S. Department of Agriculture Forest Service for planning, survey, design, construction, reconstruction, improvement and maintenance of certain forest roads and forest development roads in Cache County as stated in "Exhibit A" attached hereto and made a part hereof.

This Resolution shall take effect immediately upon adoption.

DATED this 8th day of May 2007.

CACHE COUNTY COUNCIL

By:  
Darrel L. Gibbons, Chairman

ATTEST:

By: Jill N. Zollinger  
Cache County Clerk

**FOREST ROAD AGREEMENT**  
**BETWEEN THE**  
**U.S. DEPARTMENT OF AGRICULTURE**  
**FOREST SERVICE**  
**AND**  
**CACHE COUNTY**

**Parties to Agreement:** This agreement, made and entered into this the 9th day of February 2007 by and between the Forest Service, and Cache County of the State of Utah, hereinafter called the "County."

**Purpose of Agreement:** The purpose of this agreement is to set forth the general terms and conditions, acceptable to the parties hereto, for the County planning, survey, design, construction, reconstruction, improvement, and maintenance of certain Forest roads and Forest Development Roads in Cache County, State of Utah, pursuant to the provisions of 16 U.S.C. 532-538, 23 U.S.C. 205, and the regulations issued by the Secretary of Agriculture.

Neither this Agreement, nor the maintenance plans or other documents provided for herein, shall be used by either party as evidence of the ownership or jurisdiction of roads and/or rights-of-way involved, including rights-of-way claimed by the County under R.S. 2477.

The Congress has, from time to time, authorized and appropriated funds for "Forest Development Roads," which are defined as "those Forest roads of primary importance for the protection, administration, and utilization of the National Forests, or where necessary, for the use and development of the resources upon which communities within or adjacent to the National Forests are dependent." Recognizing that substantial benefits will accrue to the Nation and to the State from the construction, reconstruction, improvement, maintenance, and use of certain Forest Development Roads and roads on the State or local road system and further that such roads carry substantial volumes of public service traffic as well as National Forest traffic, and further that the County has road construction, reconstruction, improvement, and maintenance facilities available to assist in the accomplishment of the work, it is accordingly deemed fitting and desirable to the parties hereto to express by this instrument the general terms of their mutual cooperation in that regard to achieve the maximum benefits therefrom in the public interest.

**1. Intent to Cooperate:** It is the intention of the parties under this agreement to cooperate as follows:

- (a) Agree that certain roads that serve the National Forest and carry traffic should be maintained and, if necessary, improved to a standard adequate to accommodate safely and economically all traffic, which uses such roads.
- (b) Agree on the roads or road segments that meet the criteria in item 1(a) and create a list identifying and maps displaying those roads and road segments that will be constructed, reconstructed, improved, and maintained under this agreement.
- (c) Provide for formal meetings and informal consultation on a regular basis to discuss and agree on action with respect to the roads identified pursuant to item 1(b).
- (d) Provide for regular and adequate maintenance of the roads identified in item 1(b).
- (e) Provide for entering into project agreements when the intent of the parties is for one party to provide the funding for a road improvement project while the other party provides the resources and labor. Said project agreements shall specify each party's obligation for funding and resources on a particular road or road segment improvement project.

**2. Identification of Roads:** A list of roads and segments of roads which meet the criteria set forth in item 1(a) is agreed upon and is marked *Schedule A* and attached as part of this agreement. *Schedule A* may be modified from time to time by agreement between the County and Forest Service, by adding or removing roads or road segments, or by altering the description of a road or road segment to give it proper identity. Each such modification shall be indicated by a revised *Schedule A* bearing the signatures of the parties or their authorized representatives and the effective date of the revision.

**3. Maintenance Plans:** The parties shall agree upon plans for maintaining the roads listed in *Schedule A* at the annual meeting provided for in item 6. Such plans shall include assignment of responsibility for maintenance or particular elements of maintenance to the County or Forest Service for each road or segment of road listed in *Schedule A*. To the extent practical, and subject to availability of funds, responsibility for maintenance of each road or road segments shall be assigned in proportion to the public uses of the road or road segment for which each party is properly responsible.

Maintenance shall include preserving and keeping the roads, including structures and related facilities as nearly as possible in their original condition as constructed or reconstructed to provide satisfactory and safe road service to the public.

Each maintenance plan shall allow the parties to make prompt changes in maintenance assignments, upon agreement of both parties or upon the agreement of their designated representatives, during the period said maintenance plan is in effect.

**4. Project Agreements:** When improvement of a road listed in *Schedule A* is to be financed in whole or in part from funds or resources provided by one party and the actual improvement, work, labor, and so forth, are to be provided by other party, the parties shall enter into a project agreement providing for performance of the improvement work and its financing. Project agreements shall be supplements to the general County agreement and subject to the agreements, provisions and conditions herein contained.

(a) A project agreement shall be entered into prior to beginning of improvement or construction work for which a project agreement is required.

(b) The project agreement shall include the following elements:

- (1) Identification of road or road segment to be improved or constructed.
- (2) Plans and specifications for the project or provision for their development and subsequent agreement thereon.
- (3) Schedule of construction or improvement work and designation of the parties to perform the work.
- (4) Estimates of cost of improvement or construction.
- (5) Agreement as to how cost of work is to be borne, including arrangements to share in the work or to deposit funds with the performing party for a share of the costs.

(c) If funds are provided by the County on an advance basis for work to be performed by the Forest Service, they shall be deposited in the Treasury of the United States to the credit of the Forest Service and the particular road improvement project for which the funds are provided. Any unused balance of County funds for the purposes outlined in the project agreement shall be returned to the County after completion of the work performed or upon agreement of the Forest Service. If the County funds are made available on a reimbursement basis as the work progresses or upon its completion, the Forest Service shall submit to the County periodic billings, but not more often than monthly, or a final billing as the case may be.

The amount of County funds as set forth in the project agreement shall be the maximum commitment of the County to the project unless changed by a modification of the project agreement.

(d) If funds are provided by the Forest Service for work to be performed by the County, the arrangements shall be set forth in the project agreement. Payments to the County shall be made as provided for in the project agreement. If it appears that the project cost may exceed the estimate and additional funds may be needed, no obligation shall arise against the Federal government with respect to the increased cost except by modification of the project agreement prior to incurring any commitment.

**5. Rights-of-Way:** Easements or other interests in land acquired by either party shall be adequate to serve the road needs of both parties. The party having jurisdiction of an existing road or intended to have jurisdiction of a road to be constructed shall obtain the needed rights-of-way in its name. There shall be no provisions in any easement document that will prevent either party from using, or

authorizing the use of, roads for which the other party's funds, resources (including but not limited to equipment and material), and/or labor were expended and/or used. Each party must be in a position to assume the continued use by the other party for the period needed. The party acquiring the easement or other interest in land shall obtain such title evidence and title approval as required in its acquisitions for roads of comparable standards.

The costs of such easements or other interests in land are to be at the expense of the acquiring party.

The Forest Service shall cooperate in the procurement of rights-of-way over land administered by other agencies of the United States required for any project included under this agreement and shall furnish the County copies of survey notes, maps, and other records.

**6. Annual Meeting and Continuing Consultation:** The County and Forest Service shall meet at least once each year to review matters covered by this agreement and to agree on actions to implement this agreement including, but not limited to,

- (1) approval of changes in the listing of roads on *Schedule A*;
- (2) approval of the annual maintenance plan;
- (3) approval of project agreements for construction or reconstruction.

It is also the intent of the parties to arrange for continuing consultation between their representatives with the objective of reaching prompt agreement by the parties on all matters of mutual concern, which are covered by this agreement. The **Forest Supervisor** of the Wasatch-Cache National Forest, representing the Forest Service, and **Cache County Engineer**, representing the County shall be responsible for making the arrangements for formal meetings and continuing consultation.

**7. Modifications and Termination:**

- (a) This agreement may be modified by mutual consent.
- (b) This agreement may be terminated by either party upon at least 30 days prior written notice, except that such termination shall in no way affect or change any commitment made authorizing the use of roads or rights-of-way for purposes for which funds from either party were expended, or any operation in progress at time of notice, and provided, that such termination shall in no way affect the agreement of the parties hereto with respect to any obligations incurred under the agreement until a full settlement has been made.

**8. Miscellaneous:**

- (a) It is understood that any default by a permittee or other authorized road user creates no liability on the part of either party.
- (b) Nothing herein contained shall be constructed to obligate either party beyond the extent of available funds allocated or programmed for this work, or contrary to applicable laws, rules, and regulations.



(c) No Member of, or Delegate to, the Congress, or Resident Commissioner, shall be admitted to any share or part of this agreement or to any benefits that may arise there from, unless it is made with a corporation for its general benefit.

(d) Where applicable, any contract, agreement, or understanding entered into pursuant to this agreement providing for work to be performed shall include the requirements of Federal laws, Executive orders, and Regulations.

This agreement shall be effective as of the date herein written and shall supersede all prior existing agreements, if any, for the same roads.

CACHE COUNTY COMMISSION

FOREST SERVICE  
DEPARTMENT OF AGRICULTURE

By: \_\_\_\_\_

By: \_\_\_\_\_  
Faye Krueger, Forest Supervisor  
Wasatch-Cache National Forest

By: \_\_\_\_\_

By: \_\_\_\_\_

## Road Maintenance Standards

Restore the prevailing original road template. Roads with pit run or crushed aggregate surface materials are crowned or out-sloped 2% to 4%. Remove earthen berms along the traveled way and road shoulders. Roads with pit run or crushed aggregate surface remove berms without contaminating surface material. Prevent loss or contamination by mixing of surface material with sub-base or sub-grade material. Smooth over any excess side cast materials to blend into existing terrain.

Remove, re-position, or ramp over slough and slides to provide a travel way width of not less than 12 feet. Blade and shape intersecting roads 25 feet from the shoulder of the project road to provide a smooth transition between the project road and the intersecting road.

Clean or recondition ditches, drainage dips, water bars, and outlet channels to provide functional drainage. The typical spacing for drainage structures is 500 feet. Side cast/dispose of unsuitable materials by side casting materials over the fill slope or tucking against uphill slope EXCEPT do not side cast materials into drainage structures or stream channels or block drainage structures.

Existing road surface materials are to be thoroughly loosened to the depth of the ruts, potholes, or corrugations prior to blading and reshaping. Remove loose rocks and other debris that protrude greater than 4 inches above the road surface.

Native surfaced roads incorporate suitable materials into the traveled way of roads.

### **Traffic Safety**

As a minimum install and maintain, during maintenance operations, signs at the beginning and ending of daily work areas meeting the following requirements: Black over orange signs with lettering "ROAD WORK AHEAD". Signs must conform to the Manual on Uniform Traffic Control Devices (MUTCD).

VARIABLE SLOPE

Existing ditch - 3:1 slope

Roadway width varies  
(24 feet typical)

VARIABLE SLOPE

Existing aggregate/pit-run surfacing (thickness varies)

TYPICAL SECTION  
CROWNED  
Aggregate/Pit-run Surfaced roadway

WASATCH-CACHE NATIONAL FOREST  
TYPICAL SECTION  
CROWNED

VARIABLE SLOPE

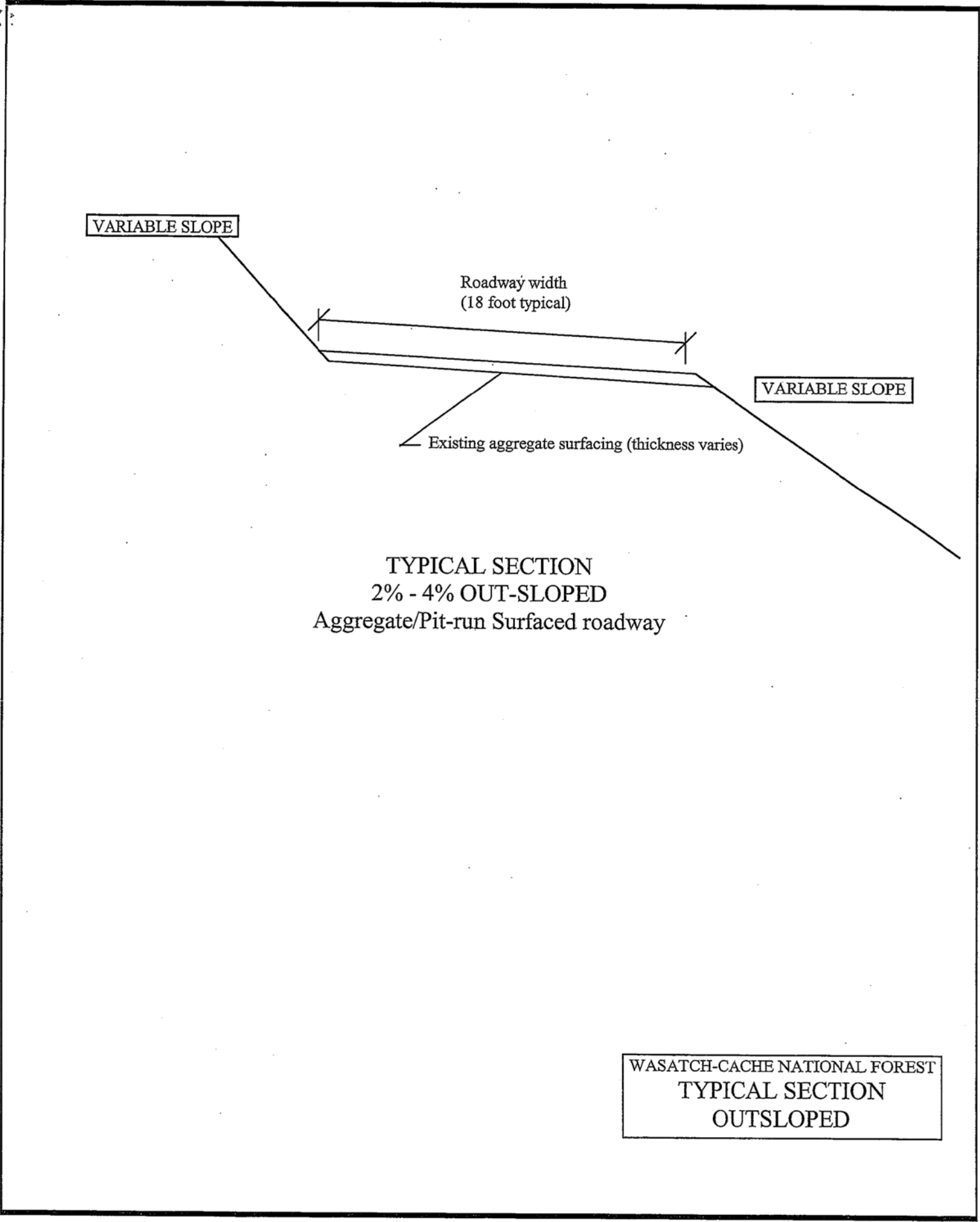
Roadway width  
(18 foot typical)

VARIABLE SLOPE

Existing aggregate surfacing (thickness varies)

TYPICAL SECTION  
2% - 4% OUT-SLOPED  
Aggregate/Pit-run Surfaced roadway

WASATCH-CACHE NATIONAL FOREST  
TYPICAL SECTION  
OUTSLOPED





Mike Johnson, Chair  
Cary Watkins, Vice Chair

James P. Gass, Executive Director

## Cache Metropolitan Planning Organization

179 North Main Street, Rm. 305 Logan, Utah 84321 Phone: 435-755-1634 Fax: 435-755-1987

May 1, 2007

Glen E. Brown, Chair  
Utah Transportation Commission  
P.O. Box 143600  
Salt Lake City, UT 84119

RE: Cache Valley Jurisdictional Transfer of State Road 238

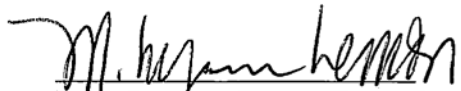
Dear Chairman Brown:

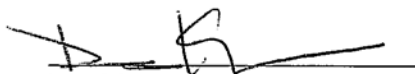
Consistent with the discussion at the April 20, 2007 Transportation Commission meeting, Logan City and Cache County Corporation are willing to assume ownership of State Route 238. This is in addition to the commitment for local ownership offered at the April 20<sup>th</sup> meeting concerning SR 239, SR237 and SR 288 offered in a letter dated April 4, 2007. Logan City will assume ownership of 238 from Highway 89-91 to the south side of the bridge over the Logan River. Cache County Corporation will assume ownership from the south side of the bridge over the Logan River to the intersection of Highway 165. The cities of River Heights, Millville, Providence and Nibley are in agreement with the county taking ownership of SR 238 through their communities (see attached resolutions).

Additionally, a condition of transfer of ownership of these roads is a lump sum payment of maintenance funds to Cache County in the amount of \$303,550 and Hyde Park City in the amount of \$102,000. These funds are needed to moderate the financial impact for these jurisdictions for portions of roads not offset by trade.

Thank you for your consideration of this important matter.

Sincerely,

  
Lynn Lemon, County Executive  
Cache County

  
David Kooyman, Mayor  
Hyde Park City

\_\_\_\_\_  
Randy Watts, Mayor  
Logan City

Executive Council:

Mayors: David Kooyman, Hyde Park; Dean Howard, Hyrum City; William Baker, River Heights; Cary Watkins, North Logan; Mike Johnson, Millville; Randy Simmons, Providence; Gerald Knight, Nibley; Randy Watts, Logan City; Chad Downs, Smithfield; Ruth Maughan, Wellsville.

Other Members: Steven J. Bodily, Utah Transportation Commission; Lynn Lemon, Cache County Executive; Ron Bushman, Logan Transit District  
Laraine Swenson, Logan City Council

# *1000 West/2500 North Jurisdictional Transfer*

## *Discussion Primer/Fact Sheet*

### Regional Importance

An improved 1000 West/ 2500 North (possibly 4 lanes with center turn lane) would significantly contribute to Cache Valleys **regional** mobility needs now and into the future. The road is positioned to be an attractive travel alternative to serve many **regional** origin and destinations trips. Given the associated land use, this road will likely continue to be the most important freight corridor in the valley (with or without improvements). **When modeled for traffic volumes in the year 2030, segments of an improved (4 lane) road would carry as much traffic as downtown Logan Main Street today (~40,000 ADT).** This is even with a four lane “western arterial” road built future west. If 1000 west is not improved, this traffic is going to go somewhere; the question is where and at what cost to our regional travel times?

### Key Opportunity Timing

UDOT is willing to entertain a trade arrangement and seems to be willing to allocate significant funding to roadway improvements. Preliminary UDOT recommendations have \$40 million toward improvements on 1000 west/2500 north and \$15 million to realign SR 30 (Valley View) to 400 North in Logan. **With the last State Legislative Session, UDOT got a rare, if not unprecedented infusion of transportation funding statewide.** Authority was granted for \$ 1 billion in bonding authority. Additionally, Cache Valley currently has a representative on UDOT’s Transportation Commission (Steve Bodily) that understands our issues.

### Positioning Ourselves to have UDOT’s Help

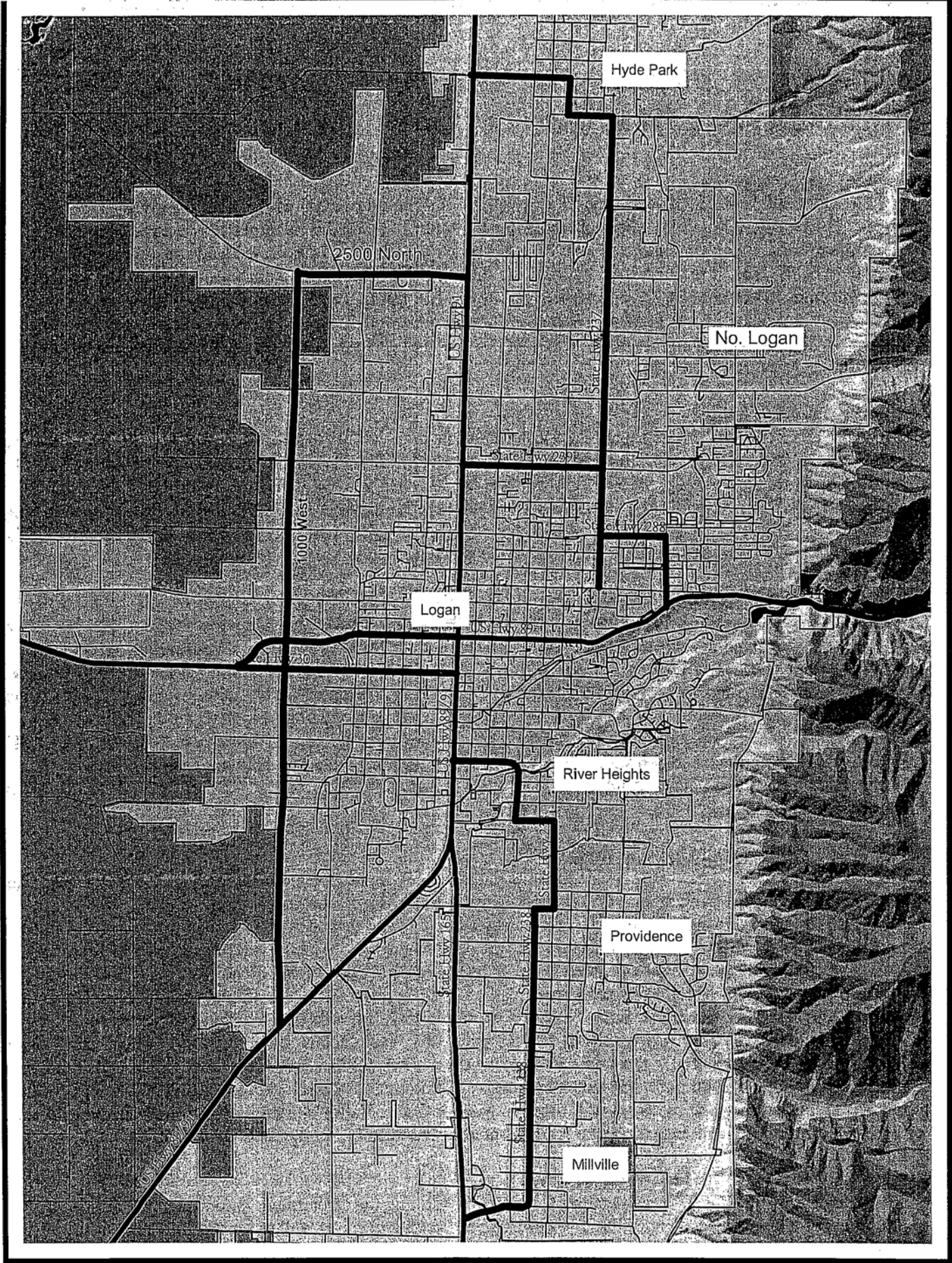
In the long term the Cache Valley has a number of State Routes in & out of the valley that are good candidates for UDOT’s help in expanding road capacity. However, in the urbanized core (where most our traffic congestion problems are located) we lack good candidates (state roads) where UDOT can do improvements and help us solve our long term traffic congestion problems. Other than Main Street, the state roads we have are poorly positioned or have associated land uses that preclude them from any significant capacity improvements. Of the estimated \$761 million in new capacity transportation funding for roads for the Logan Urbanized to the year 2030, 86% is UDOT controlled and can only be used on state roads. **Cache Valley needs good candidate state roads that are positioned to have UDOT help us solve our long term regional mobility needs.** 1000 West/2500 North are one such high value candidate.

### Aren’t these roads already too Compromised?

1000 west (in particular) has existing residential, commercial and industrial land-uses associated with the road. Any improvements will need to be sensitive to these existing uses. UDOT would work with the local jurisdictions to insure concerns related to safety and access are addressed in the project design. This project would not be unlike many other roads in other developed urban areas of the state where UDOT has developed context sensitive solutions. Certainly the access issues related to the Woodruff School are critical. Since removal of the schools access on 1000 west will likely be a condition of road transfer, Logan and CMPO officials have already begun to discuss access alternatives with the School District. **None-the-less, the access characteristics of this road are workable for improved roadway capacity.** The 6.9 mile 1000 West/2500 North currently has 137 private accesses (only 15 these serve residential). **On average these access are spaced 266 feet apart.** A 1.7 mile segment of 1000 west from 330 south to 1000 north has the most accesses (38 non-public) with average spacing of 240 feet. While not without challenges, these roads can still function well for Cache Valley’s mobility. Also, continued application of good access management can ensure the roadway does not diminish in its operational capacity.

### What is the timeframe for Jurisdictional Trade?

At the April 19 & 20<sup>th</sup> UDOT Transportation Commission Meeting the Department introduced their priority list for the “Critical Highway Needs Fund”. The 1000 West/2500 North project (as well as the SR 30 realignment project) was included. The commission took no action on final project funding. At the next meeting to be held on May 22-23<sup>rd</sup> in Brigham City, the Transportation Commission may take action on approving the list. **It would be to our advantage to have reached agreement or be close to reaching agreement with UDOT on the jurisdictional trade issue prior to the discussion on funding for the road.**



Roads Transferred to State



Roads Transferred to Locals

# Jurisdictional Transfer Map



CACHE COUNTY  
RESOLUTION NO. 2007-15

A RESOLUTION APPROVING AN AGREEMENT BETWEEN UDOT, CACHE COUNTY, HYDE PARK CITY AND LOGAN CITY FOR JURISDICTIONAL TRANSFER OF STATE ROADS 238, 237, 239 and 288.

The County Council of Cache County, Utah, in regular meeting, lawful notice of which has been given, finds that it is in the best interests of the citizens of Cache County to enter into an Agreement between UDOT, Cache County, Hyde Park City and Logan City for jurisdictional transfer of State Roads 238, 237, 239 and 288.

NOW, THEREFORE BE IT RESOLVED that the Cache County Executive is hereby authorized to execute the Agreement between UDOT, Cache County, Hyde Park City and Logan City affecting the jurisdictional transfer of state roads 238, 237, 239 and 288 as stated in "Exhibit A" attached hereto and made a part hereof.

This Resolution shall take effect immediately upon adoption.

DATED this 8th day of May 2007.

CACHE COUNTY COUNCIL

By:  
Darrel L. Gibbons, Chairman

ATTEST:

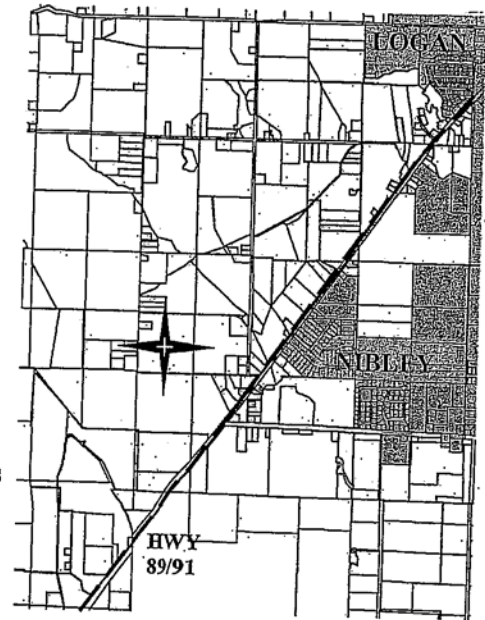
By: Jill N. Zollinger  
Cache County Clerk



# Development Services Cache County Corporation

*Project Name:* Shane Zilles Subdivision Amendment  
*Agent:* Ray & Glenda Zilles  
*Request:* Amendment to Subdivision  
*Type of Action:* Quasi-Judicial  
*Current Zoning:* Agriculture (A)  
*Project Address:* 2371 West 3000 South (College Ward)  
*Tax ID:* 03-011-0007  
03-011-0018  
03-011-0022

*Staff Recommendation:* Recommend Approval with Stipulations  
*Surrounding Uses:* North – Agriculture/Residential  
South – Agriculture  
East – Agriculture  
West – Agriculture



## PROJECT

*History:* The Shane Zilles Subdivision is a three lot subdivision that was originally approved in September 2006. The two lots being added to the subdivision are part of Lot 3.

*Request:* The applicant is requesting to add two lots to the Shane Zilles Subdivision, a three lot subdivision in the Agricultural Zone. There is an existing home on Lot 2. Lot 5 is a Dry Lot for agricultural use only and will remain as such. Proposed lots 3 and 4 are 2.0 acres and 1.75 acres respectively. The lot sizes on all of the lots meet the minimum lot size requirements for a small subdivision as provided in §17.09.080. The subdivision amendment is being completed in compliance with State Code §17.27a Part 6 which requires that the land use authority approve "any proposed vacations, alterations, or amendments of a subdivision plat."

*Water & Septic:* Bear River Health has provided a letter stating that the all lots are suitable for septic systems. Any new septic system shall be between 100 and 200 feet from any water ways or wells, as determined by the Bear River Health Department. Lots 1 and 2 have existing septic systems that are adequate. Lot 5 is a dry lot and was not evaluated for septic feasibility. Soil feasibility is required before obtaining a septic permit for Lot 5. Lots 3 and 4 will require shallow drain fields with trench depth limited to 12 inches. Prior to building and issuance of a septic permit, an engineered plan for diversion of surface water away from each proposed drain field area will need to be submitted and approved by the Bear River Health Department. Water rights have been approved for all lots except Lot 5 which is to be a Dry Lot for agricultural use only.

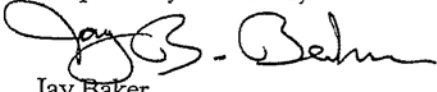
*Access:* All lots will be accessed via 2400 West or 3000 South, both county roads. County Road 3000 South has a 19 foot paved surface. As 2400 West (Meridian Road) is a collector road with a 66 foot wide right-of-way, staff is recommending that no further residential accesses be permitted onto 2400 West from Lot 5. The Road Department recommends acceptance of current road conditions.

*Service Provision:* Water supply tenders are from Logan Fire Department which is 5.2 miles away. An additional inspection by the County Fire Department will be required before building permits are issued for each lot.

The school bus stop is located at 2400 West 3000 South, adjacent to the proposed subdivision.

The residents will need to bring the cans to 2400 West or 3000 South for garbage pickup. Residents should allow sufficient space on the side of the road for trash and recycling containers.

Respectfully submitted,

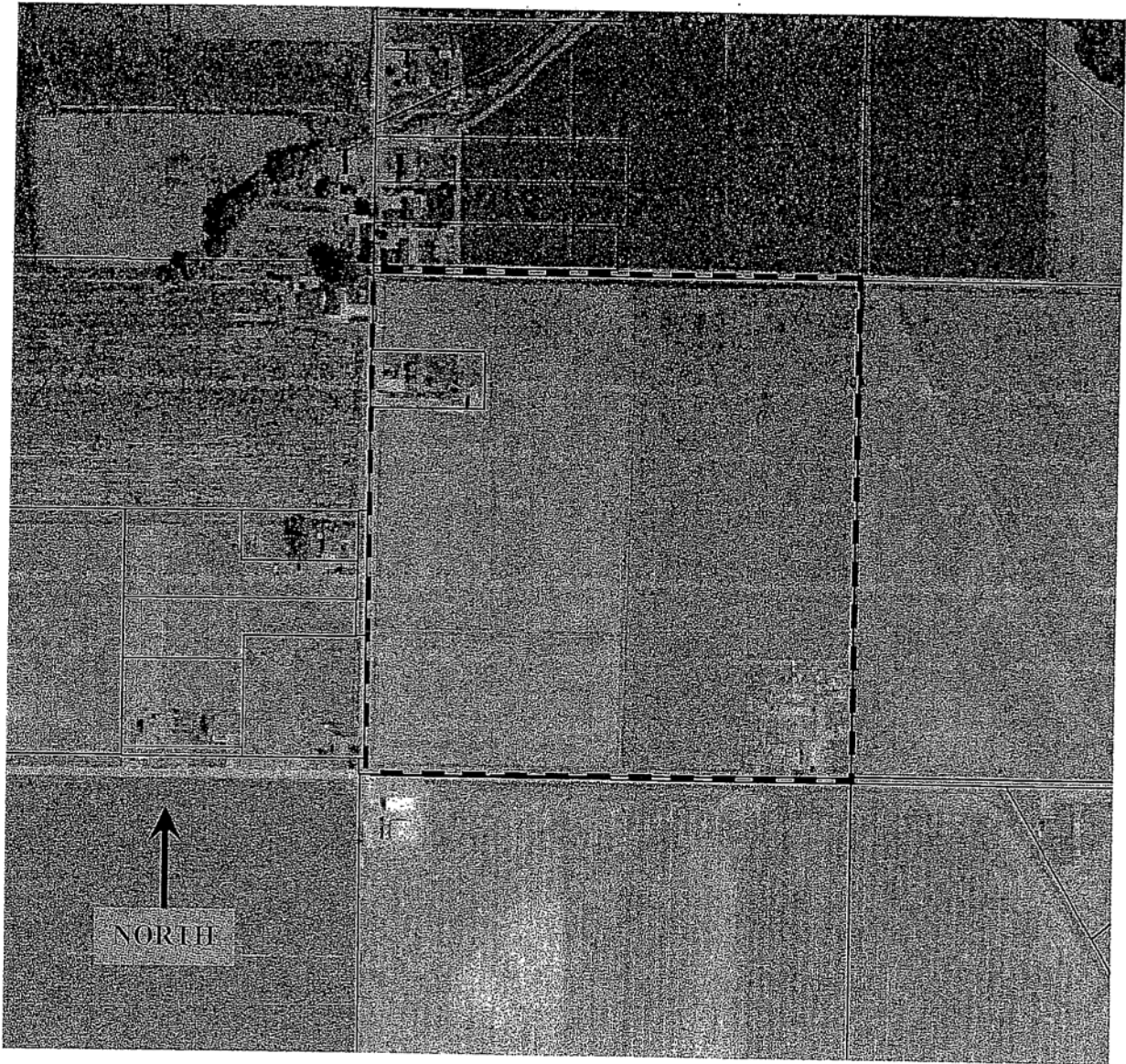


Jay Baker

Associate Planner I

Report Published: March 29, 2007

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.

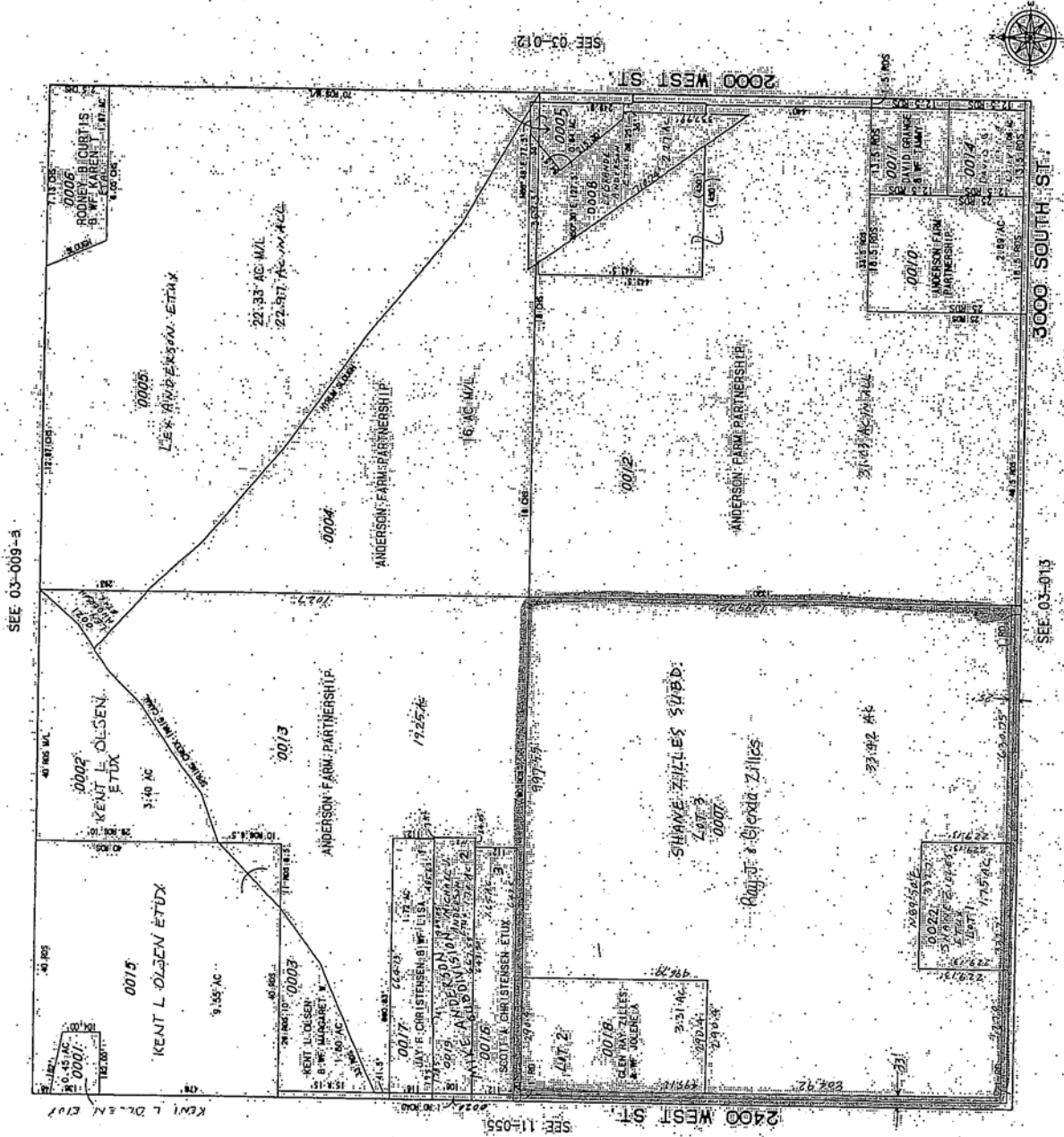


NW/4 Sec 19 Twp 11 North, Range 1 East

03-011

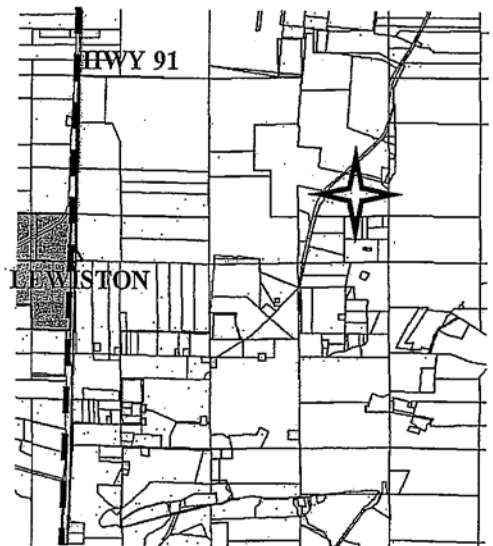
Scale 1" = 200 Feet

TAX UNIT 128



# Development Services Cache County Corporation

*Project Name:* Cove Heights Minor Subdivision  
*Agent:* Ron Milligan  
*Request:* 5 Lot Minor Subdivision  
*Type of Action:* Quasi-Judicial  
*Current Zoning:* Agriculture (A)  
*Project Address:* 13700 North Mountain Home Road  
(Cove)  
*Tax ID:* 09-004-0001  
*Staff Recommendation:* Recommend Approval with Stipulations  
*Surrounding Uses:* North – Agriculture  
South – Agriculture  
East – Agriculture  
West – Agriculture



Site Location

## PROJECT

*History:* This application was continued by the Planning Commission in a meeting on May 1, 2006. The reason for continuation was because of concerns with the location of this proposed subdivision due to the combination of the hillside and the amount of water that exists on this site (seeps, drains, etc.). Because of the excessive amount of water on this site during specific periods of the year, there are concerns with general drainage, the location of basements in this area, the need to locate a communal septic system off-site, and both the proposed private road construction and drainage onto Mt. Home Road.

Staff also presented concerns with the construction of the road and how it relates to the grades and amount of water present. It was recommended that the proponent submit engineered plans for the design and construction of the private road, including an engineering assessment of the surface of the road and all drainage issues that are present.

*Request:* The applicant is requesting a subdivision to create five (5) building parcels that range in size from 7.47 acres to 11.72 acres. 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 (there will be five lots from an original 1970 parent parcel).

*Access:* The primary access to this subdivision is a private access road (Mt. Home Circle) which connects to Mt. Home Road, a county road with a 24 foot wide paved surface and a right-of-way width between 55 and 60 feet wide. The private road is a cul-de-sac that services the five lots and provides the easement for the culinary water system and the communal septic collection system lines.

*Water & Septic:* The applicant has applied to the State of Utah Division of Water Rights for culinary water permits on all five lots and has obtained approvals for six (6) domestic water shares from a spring. The applicant has provided a culinary water easement over the area of the spring and for the water line that connects to the private drive.

The Bear River Health Department has found that this site is infeasible for septic fields and that all septic waste will be required to be piped off-site. See the Bear River Health Department Comments for further information.

*Drainage & Geology:* Due to the amount of water that is naturally occurring on this site through seeps and drains, staff is recommending that the applicant be required to submit an engineered drainage plan showing existing and proposed drainage patterns and how they are affected by the construction of homes and the private drive. Staff is also recommending that the applicant submit a geologic study of the site to determine what issues will be present with the construction of homes and the road and if the hillside is geologically stable.

4. The proponent shall reaffirm the County's right-of-way on all County Roads adjacent to the development area with an easement or dedication to be recorded on the final survey plat.
5. All landowners are required to obtain a Zoning Clearance and all applicable department reviews prior to any construction on the lots.

*Site Specific Stipulations:*

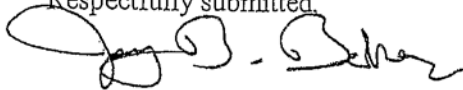
6. The applicant shall enter into an agreement with Cache County for the construction of Mountain Home Circle which may include sureties or bonds as required by the County Attorney.
7. The applicant shall submit a geologic study of the entire subdivision site to determine what issues will be present with the construction of homes and the road and if the hillside is geologically stable for approval by staff. The plans shall be peer reviewed for staff by an independent engineer, the cost of which shall be paid by the applicant.
8. The applicant shall submit an engineered full set of design and construction plans for Mountain Home Circle, the private road providing access to the proposed lots, for approval by staff.  
The plans shall address issues of grade, drainage, base preparation and construction. The applicant shall apply, at a minimum, a 20 foot wide paved surface. 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 International Fire Code 2003 (which allows a maximum of a 10% grade for road surfaces) and any other applicable codes.
9. The applicant shall submit an engineered full set of drainage plans for the Cove Heights Minor Subdivision, including the septic drain field area that is off-site, for approval by staff. The drainage plans shall show the natural flow of water, the effect of home construction on the drainage, the effect of the road construction on drainage, and an analysis of the location of the size of culverts, borrow pits, swales, berms, and/or detention basins. The drainage plans shall be calculated based on a 25 year one-hour storm. The plans shall be peer reviewed for staff by an independent engineer, the cost of which shall be paid by the applicant.
10. The applicant shall construct roadway speed bumps or a slotted drain on Mountain Home Road to intercept and divert storm water runoff in order to prevent icing on the road.
11. Each home shall have an engineered set of surface and subsurface drainage plans to ensure that the lower levels of the homes will not be flooded.
12. The plat shall be amended to show all slopes of 20-30% and 30% or greater.
13. The applicant shall submit an engineering study to determine what the most appropriate surfacing material for Mountain Home Circle is for approval by staff. The plans shall be peer reviewed for staff by an independent engineer, the cost of which shall be paid by the applicant.

**RECOMMENDED FINDINGS OF FACT**

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

1. The Cove Heights Minor Subdivision has been revised and amended by the conditions of project approval to address the issues and concerns raised within the public and administrative records.
2. The Cove Heights Minor Subdivision has been revised and amended by the conditions of project approval to conform to the requirements of Title 17 of the Cache County Code and the requirements of various departments and agencies.
3. The subdivision approval is issued in conformance with Title 17 of the Cache County Code.
4. The Cove Heights Minor Subdivision is compatible with surrounding land uses and will not interfere with the use and enjoyment of adjoining or area properties.

Respectfully submitted,



Jay Baker  
Associate Planner I

Report Published: March 29, 2007

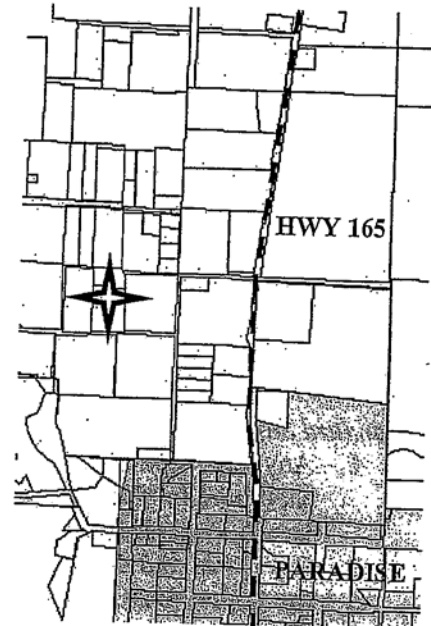
This staff report is an analysis of the application based on adopted County documents, standard County development practices, and available information. The report is to be used to review and consider the merits of the application prior to and during the course of the Planning Commission meeting. Additional 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.



# Development Services Cache County Corporation

*Project Name:* Paradise North Subdivision  
*Agent:* Brad Wood  
*Request:* 4-Lot Subdivision  
*Type of Action:* Quasi-Judicial  
*Current Zoning:* Agriculture (A)  
*Project Address:* 541 West 8300 South  
*Tax ID:* 01-095-0037  
01-095-0066

*Staff Recommendation:* Recommend Approval with stipulations  
*Surrounding Uses:* North – Single Family Dwelling  
South – Agriculture  
East – Agriculture  
West – Agriculture/Single Family Dwelling



Site Location

## PROJECT

*History:* This subdivision was first presented to the Planning Commission on February 1, 2007 as a five (5) lot subdivision. Lots 1-4 were each 1.07 acres and Lot 5 was 1.88 acres. Because of the subdivision's proximity to Paradise town there was concern regarding lot size and road standards. Current lot size standards in Paradise require a minimum 1.25 acres/lot. The subdivision was presented to the County Council who remanded it back to Planning Commission with the stipulation that the subdivision conform to Paradise Town standards. Included are the County Council minutes from the February 21, 2007 meeting.

An existing shed on lot 3 is within the required setback area from the edge of the easement for 540 West, a private road. The applicant requested and was granted a variance from the Board of Adjustments to allow the shed to be located within the setback area.

*Request:* The applicant is now requesting a subdivision to create four (4) building parcels. The purpose of the subdivision is to create 3 building lots. The fourth lot is an existing lot. There is an existing home on Lot 3. Lots 1 and 2 are 1.25 acres. Lots 3 and 5 are 1.78 acres and 1.88 acres respectively. 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 (there will be five lots from the original 1970 parent parcel).

*Access:* This subdivision is proposing to be serviced from 8300 South, a county road. The road is paved with a width of 19 to 20 feet. A private road, 540 West, within the subdivision will provide access to all lots except Lot 2. The Road Department will require an 18-inch minimum pipe be placed in the irrigation ditch for private road access. The Road Department also requires an additional road clearance for the private roads pending additional information regarding access. It is recommended that the private roads be constructed with a 20-foot wide paved surface. Staff recommends the pipe size and placement and the road design be reviewed by the county engineer.

*Water & Septic:* The applicant has been approved by the State of Utah Division of Water Rights for culinary water permits for this subdivision.

The Bear River Health Department has found that the soils on all of the lots are suitable for septic systems with a maximum trench depth of 10 feet. Each home will be required to obtain a permit and install the septic system in accordance with R317-4 Utah Administrative Code. 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.

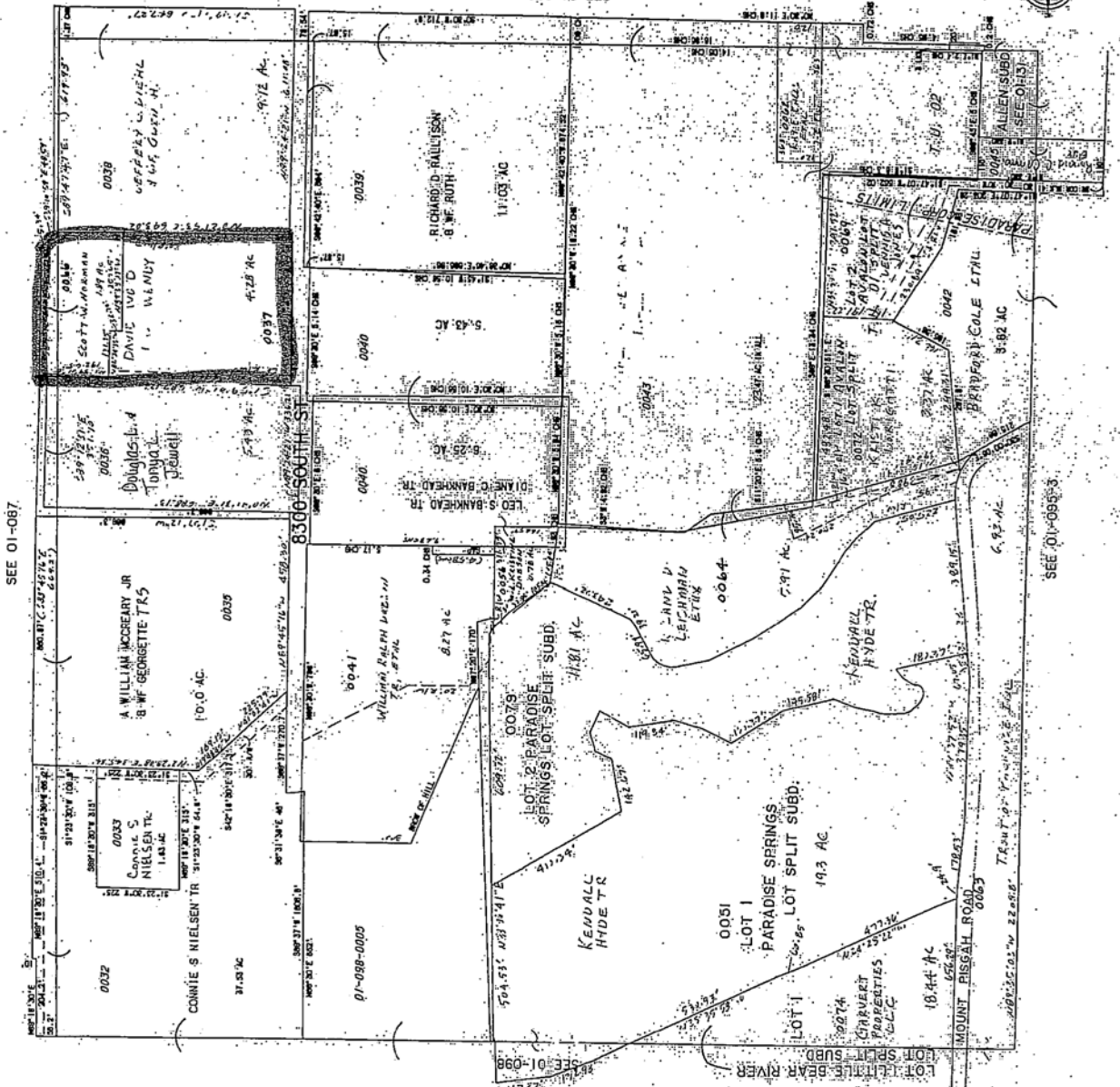




NW/4 Section 28, Township 10 North, Range 1 East

Scale 1" = 200 Feet

01-095



SEE 01-095-3

SEE 01-095-2

SEE 01-087

**Allen** said that they met with the County Council a year ago about road requirements. He however, worries about setting any precedents that would require either a chip-and-seal or gravel road.

**Dent** moved to recommend approval of the application with the added stipulations, **Clements** seconded; passed 6, 0. **Sands** abstained.

*Stipulations:*

1. Any new septic systems shall meet the requirements of the Bear River Health Department and shall be a minimum of 200 feet from any water way or well unless otherwise designated by the Health Department.
2. The applicant shall construct a turnaround at the end of 6500 South with a minimum size determined by the Cache County Fire Department. The applicant shall gain final approval of the turnaround design through review from the county engineer.
3. The hard surface of the private road 6500 South shall be upgraded to a double chip and seal surface and be widened to 26 feet as per the 2006 International Fire Code §D103.4. The final road design shall be subject to review and approval from the county engineer. The applicant shall pay the cost of any and all engineering reviews.
4. Staff shall review the Homeowner's Association CC&Rs with regards to funding and maintenance of the private road 6500 South.

*Findings of Fact:*

1. The Wellsville Mountain Reserve Subdivision Amendment 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 Wellsville Mountain Reserve Subdivision Amendment 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 Wellsville Mountain Reserve Subdivision Amendment is compatible with surrounding land uses and will not interfere with the use and enjoyment of adjoining or area properties.

06:07:27 PM

**Item #3 Paradise North Subdivision**

**Baker** briefed, Paradise North is a five lot subdivision that is just north of Paradise. There is an existing home on lot 3. Staff and the city of Paradise are concerned that 4 of the 5 lots are 1.07 acres and the current zoning in Paradise require 1.25 acres. So if this area were ever annexed into Paradise City these lots would not be in accordance with their ordinance, and would be labeled nonconforming. The Mayor of Paradise is also concerned about the number of wells available in the area.

**Ellis** noticed that one of the requirements would be for a chip-and-seal road.

**Runhaar** said the County engineer is saying a gravel road is unacceptable for a 5 lot subdivision.

4. The Paradise North Subdivision is compatible with surrounding land uses and will not interfere with the use and enjoyment of adjoining or area properties.

**Runhaar** said that they will draw out the points of discussion to reflect that there were disagreements about the road requirements.

**Allen** said that he would like to point out that he understands that the County Road Department is the only department that does chip-and-seal roads and they are not likely to pave small subdivision roads so it would be asking the subdivision developers to pay a significant amount for paving the road.

**Daines** said the Planning Commission must understand the consequence of these decisions because encouraging residential development on the periphery of the city would allow the development access to the cities paved roads and services by way of building gravel road.

**Wood** said he has approached the city about annexation and he was denied.

**Larson** said Paradise City would not be able to annex unless the area was contiguous.

**Runhaar** said the reasons Paradise did not want to annex was because there was no possibility of providing service to the area.

06:44:45 PM

#### Item #4 Allen Gravel Pit

**Baker** briefed, the applicant requested a Conditional Use Permit to locate a gravel pit on a 53.26 acre parcel located at 1500 E 12600 N. The applicant plans on only using approximately 30 acres for the extraction process. Staff has nine stipulations and four Findings of Fact. The applicant notified staff that there is a cemetery on the area. The applicant will designate in the site plan the location of the cemetery.

**Runhaar** said the County staff will have to review the final site plan and master plan for the extraction. The County Engineer would review the site plan, drainage plan, the storm water, and access to the County road.

**Allen** said he agrees that the County Engineer may be necessary, but he would also like to join in the discussion about using a County Engineer.

**Larson** said the wording of the first stipulation needs to be changed to state that the County Engineer will be reviewing the master plan, not approving.

**Runhaar** will change the language throughout to read "shall be reviewed for compliance with the applicable codes and ordinances by the County Engineer."

**Larson** moved to approve the application with the 9 stipulations and 4 recommended Findings of Fact with an amendment to the language of stipulation 1 and 2, **Clements** seconded; passed 6, 0. **Allen** abstains from vote.

- **Final Plat Approval - Paradise North Subdivision** - A subdivision to create five building parcels. The purpose of the subdivision is to create four building lots. The fifth lot is an existing lot. The subdivision is within 0.3 miles of Paradise City limits and current lot size standards in Paradise require a minimum 1.25 acres/lot. Lots 1-4 are slightly larger than one acre and are not consistent with surrounding zoning patterns. Annexation to Paradise is not possible at this time because of intervening properties. Road requirements for Paradise City are different than Cache County requirements and this would raise issues if the property owners were ever desirous of annexation to Paradise City.

Gibbons asked if Paradise City Mayor Atwood had any concerns. Atwood said concerns were that the subdivision may desire annexation in the future as intervening properties are annexed and the lot sizes will not be compatible with Paradise City requirements. Other concerns were roads, turn-around space and water.

Zilles said the county should encourage applicants building by cities to build compatible with the city plan and recommended denying the Final Plat until the subdivision is reworked.

Gibbons concurred that the Final Plat should be remanded to the Planning Commission for the standards to be reworked to be compatible with Paradise City standards.

Yeates also concurred with Zilles.

Lemon asked that if a road is brought up to county standards, is the county willing to take over the road? It has been done with larger subdivisions, but what about a 5-lot subdivision?

Yeates said the county is not obligated to take over any road. In this instance, the applicant should bring the roads to Paradise City standards because it is almost certain to be annexed at a future date.

**(Attachment 4)**

**ACTION: Motion by Council member Yeates to send the Final Plat-Paradise North Subdivision back to the Planning Commission with instructions for the applicant to bring the plat in compliance with Paradise City standards. Hansen seconded the motion. The vote was unanimous, 7-0.**

- **Discussion - Willow Park Zoo Proposed Fees - Russ Akina** reported that the Logan City Municipal Council has approved the Willow Park Zoo Proposed Fees by a 4-1 vote and asked for the County Council's approval.

Akina said the purpose of the proposal is to enhance the zoo and to lessen the burden on taxpayers.