

CACHE COUNTY COUNCIL MEETING
May 22, 2007

The Cache County Council convened in a regular session on May 22, 2007 in the Cache County Council Chamber at 199 North Main, Logan, Utah.

ATTENDANCE:

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

The following individuals were also in attendance: Russ Akina, Lawrence Allen, Mashelle Boswell, Peter Brunson, Shelly Cannon, Attorney George Daines, Ralph Darley, Sherien Darley, Steven Delong, Carey Dufner, Carl Duhadway, Sandy Emile, Thad Erickson, Aaron Gardner, Vern Gnehm, Richard Hall, Todd Hallock, Elna Hamilton, Kenzie Hamilton, Claudia Harmon, Annette Haslem, Larry Haslem, Deborah E. Hobbs, Sharon L. Hoth, Bruce Jorgensen, Laura Kent, Shauna Kerr, Curtis Knight, Tom Lachmar, Adie Lundell, Vicky G. Mattson, Mayor Ruth Maughan, Tina Maughan, Cody Merchant, Michael Morgan, Wendell Morse, Dave Nielsen, Evan Olsen, Brent Parker, Pat Parker, Kristi Ragsdale, Josh Runhaar, Breann Sanders, Steve Sandholtz, Jay Dee Scott, Karl Seethaler, Becky Simpson, Zan Summers, Ronda Thompson, David Tolman, Gary Van Powell, Alan Warner, Jayme Warner, Terryl Warner, Marilyn Watts, Dean Willie, Robert Wimmer, Kyle Yonk, Nancy Yonk, Richard Yonk, **Media:** Charles Geraci (Herald Journal), Arrin Brunson (Salt Lake Tribune) Jennie Christensen, Ryan Yonk (KVNU).

OPENING REMARKS AND PLEDGE OF ALLEGIANCE

Vice Chairman Hansen gave the opening remarks and led those present in the Pledge of Allegiance.

REVIEW AND APPROVAL OF AGENDA

ACTION: Motion by Council member Petersen to approve the amended agenda as written. Yeates seconded the motion. The vote was unanimous, 6-0. Chambers absent.

REVIEW AND APPROVAL OF MINUTES

ACTION: Motion by Council member Robison to approve the minutes of the May 08, 2007, Council meeting as written. Hansen seconded the motion. The vote was unanimous, 6-0. Chambers absent.

REPORT OF THE COUNTY EXECUTIVE: M. LYNN LEMON

APPOINTMENTS: Deon Johnson County Library Board

ACTION: Motion by Council member Yeates to approve the recommended appointment. Hansen seconded the motion. The vote was unanimous, 6-0. Chambers absent.

WARRANTS: There were no warrants.

OTHER ITEMS

- **Disposition of Old Computer Materials** – Lemon proposed that it is more profitable to the county to offer used computer equipment/materials for purchase by county workers and distributed a memo from Attorney Daines outlining procedures and value/pricing.
- **Resolution HR 811** – Lemon reported that there is legislation being considered in the Federal congress to eliminate the electronic voting process and urged the Council to support this resolution against that legislation. Clerk Zollinger noted that Utah and Davis County have already passed a similar resolution.

(Attachment 1)

ACTION: Motion by Council member Petersen to approve a Resolution by the Cache County Council expressing its disapproval of the proposed “Voter Confidence and Increased Accessibility Act of 2007” (HR 811). Robison seconded the motion. The vote was unanimous, 6-0. Chambers absent.

- **School Voucher Issue** – Lemon said the Governor has indicated this issue will be on the November 2007 ballot. Lemon and Zollinger are attending a June 6, 2007, 1:00 p.m. meeting at the Lieutenant Governor’s office. Zollinger said there is some confusion in the law as to who will be responsible for the election – cities or the county.
- **Transportation Commission Meeting** is May 23, 2007 at 9:00 a.m. in the Brigham City County Commission Chambers. The main topic for discussion will be the Cache Valley highway transfers. Lemon will attend.
- **Drug Offenders Reform Act Training (DORA)** will be on May 23, 2007 in Summit County. Lemon will attend after the Transportation Commission Meeting.
- **Overview of Wild and Scenic Rivers (WSR) Process** – Lemon said the county received a notice from the Governor’s office in March indicating they were going through another phase of the Wild and Scenic Rivers suitability study and an open house for the Cache area is being held today, May 22, 2007, from 4:00 to 8:00 p.m. at the BRAG building. The county has until June 30, 2007 to make comment. There are 72 miles of river in Cache Valley being considered.
- **Trust for Public Lands** has requested funding to complete a survey to determine what the residents of Cache County are willing to support in regard to funding for open space. The total cost is \$18,000.00. The Trust for Public Lands will pay \$4,500.00, The Nature Conservancy will pay \$4,500.00 and the Critical Lands Committee will pay \$4,500.00 if Cache County will pay \$4,500.00.

ITEMS OF SPECIAL INTEREST

- **History Presentation** – Chairman Gibbons introduced Jayme Warner and asked her to tell the Council about her presentation. Warner said she had won the state history fair and will go on to compete at the national history fair in June. Her presentation was on Mary Surratt, the first woman executed in the United States.

Kenzie Hamilton, Laura Kent and Breann Sanders shared their presentation on the Helmuth Hubener Resistance Group in Germany during Hitler's reign. They also won at the state history fair and will be competing in the national history fair.

- **Various Items of Concern – Jay Dee Scott** told the Council that there are vandalism problems in the Long Divide and Short Divide areas, particularly in the Short Divide to the Idaho Line. He has personally tracked the incidents of gates being left open, damaged fences, etc. The percentage/types of violators are:

Public utilities -	25%
Teenagers -	25%
Adults 45 and over -	50%

Scott said Box Elder County has not been helpful and claims the gates are in Cache County. Scott has reported the problems to the Cache County Sheriff's office and does not feel he has had any help. Scott says the private property owners can no longer handle the vandalism and asks for joint cooperation between Box Elder and Cache Counties. The hunting season is not the problem; it is the pre-hunt and post-hunt time periods when the most damage occurs.

Attorney Daines recommended that the next time Scott files a complaint with the Cache County Sheriff's office that he file a duplicate of the complaint with the County Attorney's office. Daines said his office is anxious to protect private property owners by prosecuting offenders.

- **Proposed 2007/2008 Budget for Willow Park – Russ Akina** said the proposed budget was presented to the Council at the May 8, 2007 Council meeting and asked if the Council had any questions or concerns? Petersen noted he had asked for some documentation of how the RAPZ/Restaurant Tax Funds had been used. Akina distributed a handout to the Council with pictures and dollar amounts listed for projects at the Willow Park Zoo.

Petersen asked how many years Cache County has been allocating RAPZ/Restaurant Tax funds to the zoo? Akina said the zoo is in its fourth year of that funding. Petersen said the handout only reflects about one-third of the total funding allocated. Akina said the remainder is being held for the parking lot improvement project to be completed after exhibits are updated.

Gibbons indicated the total proposed budget is \$905,880.00 with the contribution from Cache County being \$322,027.00.

(Attachment 2)

ACTION: Motion by Council member Petersen to approve the proposed 2007/2008 budget for Willow Park. Yeates seconded the motion. The vote was unanimous, 6-0. Chambers absent.

PENDING ACTION

- ❑ **Final Plat Approval-Garland Acres Subdivision** – Josh Runhaar said there had been a public hearing on this subdivision because all the property owners involved were not agreeing to the plat. As directed by the Council, Runhaar contacted Bear River Health Department with questions regarding water and wells. Bear River Health indicated that Lot 4 could have two lots, but they would have to have off-site culinary water. Gibbons quoted Hadfield's letter as saying that "there is a state law which gives me the right to prevent a subdivision and restrict conditional use permits from being issued on that same parcel that I own property on. I request this right be enforced and the Council take action accordingly." Gibbons asked Daines if that is correct. Daines responded Hadfield has the right to object, not restrict. According to affidavits from the other property owners, Mr. Hadfield is demanding his well be approved by the subdivision proponents as a condition for his signature to be obtained. Daines believes that under those circumstances, if all parties do not sign the proposed plat, that requirement can be waived and the action can proceed.

Zilles pointed out that if there is an adverse influence on his well, there is a legal avenue Hadfield can pursue.

Zilles indicated that because he has family members involved in this subdivision he would abstain from any vote.

(Attachment 3)

ACTION: Motion by Vice Chairman Hansen to approve the final plat for Garland Acres Subdivision. Petersen seconded the motion. The motion passed, 5 aye – Gibbons, Hansen, Petersen, Robison & Yeates and 1 abstention – Zilles. Chambers absent.

PUBLIC HEARINGS, APPEALS AND BOARD OF EQUALIZATION MATTERS

PUBLIC HEARING – CONSIDERATION OF THE PURCHASE OF APPROXIMATELY 100 ACRES ADJACENT TO THE AMERICAN HERITAGE CENTER OR TO ASSIST THE AMERICAN HERITAGE CENTER TO PURCHASE THE LAND – Chairman Gibbons asked Council member Petersen to explain the proposed purchase. Petersen said the Public Hearing will have to do with assisting the Heritage Center with the land purchase and distributed a sheet with a map on the back of the property under consideration for purchase by the Heritage Center. Petersen reviewed the size, price, current market value and proposed uses of the property. The American West Heritage Center will commit \$55,000.00 and two donors have agreed to donate \$100,000.00 each if Cache County commits \$100,000.00 as evidence of local support for the project. Petersen said that the Heritage Center will begin discussions with the County immediately after purchase regarding mutually agreeable short and long term uses for the upper piece of land. The County's \$100,000.00 would be used only for loan closing costs and as part of the purchase price of the land.

(Attachment 4)

ACTION: Motion by Council member Yeates to open the Public Hearing for Consideration of the Purchase of Approximately 100 Acres Adjacent to the American

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Heritage Center or to Assist the American Heritage Center to Purchase the Land. Robison seconded the motion. The vote was unanimous, 6-0. Chambers absent.

Chairman Gibbons opened the Public Hearing and invited comment.

Curtis Knight indicated he had made an offer on the property, but when he decided to accept the Heritage Center's counter offer, he was told it was under contract yet this is one year later and it still hasn't closed.

Brent Parker, real estate agent representing the sellers and the Heritage Center, said the family desires to sell to the Heritage Center because its uses are compatible with what the family wants for the property and have, therefore, extended the time for the Heritage Center to arrange funding.

Sandy Emile, Cache Chamber of Commerce, spoke in favor of the County assisting with the purchase.

Gary Van Powell said he was also interested in purchasing the property and questioned the fact that the wetland portion is not priced separately from the usable acreage.

Others speaking in support of the purchase were:

Steve Delong, Executive Director of the American West Heritage Center

Ronda Thompson, Heritage Center Board member

Cody Merchant, Heritage Center volunteer

Mayor Ruth Maughan, Wellsville

Shauna Kerr, Trust for Public Lands

There was no other comment.

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

PUBLIC HEARING – OPEN 2007 BUDGET – Lemon reviewed adjustments to the budget. (For details see Attachment 4 to Resolution No. 2007-16-Adjustments to the 2007 Budget) Lemon told the Council that the \$4,500.00 requested by the Trust for Public Lands to conduct a survey is not included in these adjustments and asked if the Council wanted that to be included?

Chairman Gibbons said he would consider including the \$4,500.00 request if the TPL will commit that they will not ask the county to put an open space funding issue on a ballot prior to the 2008 general election.

Council member Petersen noted that the school voucher question being on the 2007 Municipal Elections ballot would change the complexion of the election. Gibbons responded that issue would interest specific groups and not necessarily promote the turnout the county would get in a general election.

Vice Chairman Hansen said he supports Gibbons' recommendation.

Countywide Planner Morse said the proposed survey would indicate whether residents support funding for open space as well as anything else residents would or would not support in regard to open space.

Council member Yeates said he questions using tax dollars for finding out public opinion.

ACTION: Motion by Council member Robison to open the Public Hearing to Open the 2007 Budget. Hansen seconded the motion. The vote was unanimous, 6-0. Chambers absent.

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

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

PENDING ACTION

Ordinance No. 2007-05 – Agricultural Subdivisions

There was no action taken on this ordinance.

Chairman Gibbons said portions of Ordinance No. 2007-05 – Agricultural Subdivisions - will be discussed later in the meeting.

- Motion on Residential Facilities** – Josh Runhaar recommended that no action be taken on this item tonight. The planning office has been in discussions concerning this issue with the County Attorney, County Executive and planning staff and a staff decision will be forthcoming shortly.

ACTION: Motion by Vice Chairman Hansen that the Council concur with the recommendation and take no action on the motion on residential facilities. Robison seconded the motion. The vote was unanimous, 6-0. Chambers absent.

Gibbons said the Council will wait to hear from Runhaar before placing this item on a future agenda under pending action.

- Discussion – AG Zone, Clustering Subdivisions, and Natural Barriers** – Runhaar reviewed possible questions to be addressed at the Public Hearing on these items. Petersen then identified the following specific questions for discussion at the Public Hearing:

1. Should the maximum number of lots for a small subdivision be three?
2. Should there be two zones or more – with two or three options presented and what would the base zone be?
3. Should the County or the property owner have the ability to initiate rezones?
4. Should the County provide incentives for clustering?

Runhaar said he will prepare these questions for the Public Hearing as well as a modified version of tonight's presentation.

INITIAL PROPOSAL FOR CONSIDERATION OF ACTION

- **Resolution No. 2007-16 – Adjustments to the 2007 Budget** – Gibbons said this is the appropriate time to discuss any issues the Council has concerns about as well as the American West Heritage proposal since those numbers have been included in the adjustments to the budget.

(Attachment 5)

ACTION: Motion by Council member Petersen to waive the rules and approve Resolution No. 2007-16-Adjustments to the 2007 Budget. Yeates seconded the motion.

Discussion on the motion:

Yeates said he was initially opposed to tax dollars being used for a project like this, but after discussions with Gibbons and Petersen, he feels differently.

ACTION: Motion by Council member Yeates to amend the main motion that the Council not incur General Tax Revenue dollars to secure the land for the American West Heritage Center, but instead sell the land in North Logan, which the county owns, where the equestrian park is located and the revenue derived from that sale be used to secure the land next to the Heritage Center.

The motion died for lack of a second.

Lemon reminded Yeates the County is not using General Tax Revenue dollars to purchase the land and Lemon and several Council members expressed a reluctance to sell the North Logan property at this time.

Daines recommended having a written agreement with the American West Heritage Center regarding the County's options relative to the \$100,000.00.

ACTION: Motion by Council member Petersen to amend the main motion to approve the budget with the \$100,000.0 to the Heritage Center being granted contingent on the Heritage Center and Cache County being able to arrive at a mutually satisfactory resolution of what the uses will be of the land or, alternatively, if not satisfied with the uses, then the Heritage Center would have twelve months to repay the \$100,000.00. Zilles seconded the motion. The vote was unanimous, 6-0. Chambers absent.

ACTION: Motion by Council member Zilles to fund the \$4,500.00 for the survey to be conducted by the Trust for Public Lands with the stipulation that any question related to funding for open space would be on the ballot for the 2008 general election. Hansen seconded the motion. The motion passed, 4 aye – Gibbons, Hansen, Robison & Zilles and 2 nay – Petersen & Yeates. Chambers absent.

ACTION: Chairman Gibbons called for the vote on the amended main motion. The vote was unanimous, 6-0. Chambers absent.

- **Resolution No. 2007-17 – Authorizing Executive to Execute, Deliver a Master Lease Agreement, Equipment Schedule No. 01, an Escrow Agreement, and**

Related Instruments and Determining Other Matters in Connection Therewith –
Lemon explained that this is for the fire equipment.

(Attachment 6)

ACTION: Motion by Council member Yeates to waive the rules and approve Resolution No. 2007-17-Authorizing Executive to Execute, Deliver a Master Lease Agreement, Equipment Schedule No. 01, an Escrow Agreement, and Related Instruments and Determining Other Matters in Connection Therewith. Robison seconded the motion. The vote was unanimous, 6-0. Chambers absent.

- **Discussion - Water Management for Cache County** – Gibbons said Evan Olsen had presented recommendations to the Council last week. Gibbons, Zilles, Hansen and Lemon met this past week and reviewed the recommendations. Gibbons asked Zilles to present their findings and recommendations.

Zilles said the following are recommended:

1. Create a county water department and hire a department head with expertise in water, water law and water management, who reports to the County Executive for the first year.
2. Fund the water department with a dedicated tax of ¼ mil.
3. The Water Policy Advisory Board continues in its responsibilities.

Yeates asked how much ¼ mil will raise? Lemon estimated almost \$180,000.00 a year.

Robison asked if there would be any staff for the water department head?

Lemon said that Pat Parker would be the staff initially.

Petersen said the Regional Council adopted a resolution proposing that Franklin County be involved in any water issues in the valley.

ACTION: Motion by Council member Zilles to form a Cache County Water Department and hire a Water Department Head who will report to the County Executive for the first year; to fund the Water Department with a ¼ mil dedicated tax; to extend an invitation to Franklin County to provide a Franklin County Commissioner as a member of the Cache County Water Committee; and that the Water Policy Advisory Board remains intact. Hansen seconded the motion. The vote was unanimous, 6-0.

OTHER BUSINESS

- ✓ **Hyrum City Library Dedication-May 26, 2007 at 2:00 p.m.**
- ✓ **Joint Meeting with Logan City Council – May 29, 2007-5:00 p.m. – Cache County Administration Building, Multi Purpose Room, Logan, Utah** – Gibbons said items for discussion will be the Willow Park agreement and the parking lot behind the businesses next to the County Administration Building.

COUNCIL MEMBER REPORTS

Kathy Robison said that Steven Branch, ICE, has agreed to a public forum in Cache County with information for a multicultural audience addressing issues such as how to become a legal citizen.

Cory Yeates reported on his WIR excursion to Alaska. Topics of interest were PILT payments, climate change and green space in zoning. Yeates also said there is a June 6, 2007 meeting with the Lieutenant Governor's office concerning the budget responsibilities for the November 2007 election.

Craig Petersen said the Regional Council has adopted a proposal to provide additional services to the Hispanic Community in the valley with regards to learning English and developing orientation materials in Spanish.

Chairman Gibbons reminded the Council of the County Sesquicentennial celebration on June 1, 2007.

ADJOURNMENT

The Council meeting adjourned at 8:33 p.m.

ATTEST: Jill N. Zollinger
County Clerk

APPROVAL: Darrel Gibbons
Council Chairman

A Resolution by the Cache County Council expressing its disapproval
of the proposed "Voter Confidence and Increased Accessibility
Act of 2007" (HR 811)

WHEREAS, the United States House of Representatives of the 110th Congress is considering a bill titled the "Voter Confidence and Increased Accessibility Act of 2007" (HR811); and

WHEREAS, the effect of the Bill, if adopted, would be to render the current DRE electronic voting machines used by Cache County, and other counties throughout the State of Utah unlawful, and require a change to a new voting system; and

WHEREAS, in an independent election survey of voters in the Utah 1st Congressional District general election using the DRE voting machines, conducted by the BYU "Center for the Study of Elections and Democracy", 95.3% of the respondents surveyed felt somewhat confident, or very confident that their ballot would be counted accurately; and

WHEREAS, Cache County currently has 396 DRE electronic voting machines valued at over one-and-a-half million dollars (\$1,500,000.00), and has invested several hundred thousand dollars in additional funds to warehouse said machines, revamp election processes to accommodate said machines, and train election personnel on the use of the machines; and

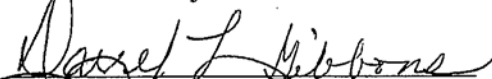
WHEREAS, change to a new voting system would actually erode voter confidence in the election process, and burden Cache County with additional expenses associated with a change to another new voting system;

NOW, THEREFORE, BE IT RESOLVED, that the Cache County Council does express its opposition to HR811, currently before the 110th Congress; and

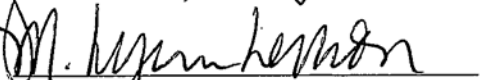
BE IT FURTHER RESOLVED, that the Cache County Council urges the 110th Congress, and in particular the Senators and Representatives serving the citizens of Cache County, and the State of Utah to reject HR811.

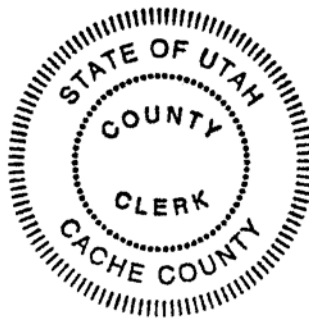
Adopted this 22nd day of May, 2007.

Cache County Council

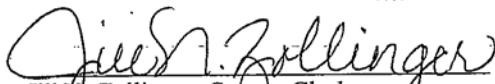

Darrel L. Gibbons, Chairman

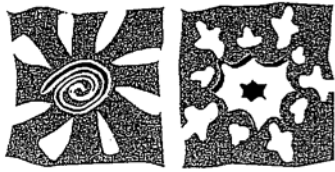

John A. Hansen, Vice Chairman


M. Lynn Lemon, County Executive



Attest: ;


Jill N. Zollinger, County Clerk



L·O·G·A·N
PARKS AND RECREATION

Creating Community through People, Parks, and Programs

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TO: PAT PARKER
FROM: RUSS AKINA
SUBJECT: PROPOSED WILLOW PARK BUDGET
DATE: 5/2/2007

Here is the proposed budget for the Willow Park Complex for the County Council meeting on Tuesday, May 8, 2007.

ACCOUNT NUMBER	ACCOUNT DESCRIPTION	04/05 ACTUALS	05/06 ACTUALS	06/07 BUDGET	Y-T-D ACTUAL	DEPT 2007-2008	MAYOR 2007-2008
WILLOW PARK							
212-0000-331.00-00	FEDERAL GOVERNMENT GRANTS	462	0	0	0	0	0
212-0000-334.00-00	STATE GRANTS	2,700	0	0	68,944	0	0
212-0000-345.40-00	ZOO PROCEEDS	326	0	0	4,380	5,000	5,000
212-0000-347.23-00	PARK RESERVATIONS	5,334	4,129	2,800	2,784	2,800	2,800
212-0000-347.42-00	PARK MISCELLANEOUS FEES	363	805	200	599	200	200
212-0000-347.43-00	FAIRGROUND REVENUE	2,177	166	400	802	600	600
212-0000-347.43-01	GREEN SPACE	0	3,221	2,000	582	2,000	2,000
212-0000-347.43-02	BOWERY	451	494	200	798	500	500
212-0000-347.43-03	4-H BUILDING	75	537	300	583	500	500
212-0000-347.43-04	COMMUNITY ARTS	0	416	300	266	300	300
212-0000-347.43-05	HOME ARTS	0	668	300	632	300	300
212-0000-347.43-06	BOARDWALK CONCESSIONS	226	265	200	266	800	800
212-0000-347.43-07	MILLBURGER CONCESSIONS	0	416	300	1,170	600	600
212-0000-347.43-08	GRAND STAND CONCESSIONS	1,279	1,198	800	1,889	1,200	1,200
212-0000-347.43-09	READER BOARD	0	0	0	0	0	0
212-0000-347.43-10	WORKING ARENAS	0	0	0	0	0	0
212-0000-347.43-11	BLEACHERS	87	23	0	23	0	0
212-0000-347.43-12	PAVILION	2,797	4,656	2,000	1,671	2,000	2,000
212-0000-347.43-13	PORTABLE STAGE	0	0	0	0	0	0
212-0000-347.43-14	OUTDOOR ARENA	3,695	7,339	5,500	4,261	5,500	5,500
212-0000-347.43-15	STAFF HOURS	73	90	30	68	30	33
212-0000-347.44-00	SECURITY HOURS	0	0	0	0	0	0
212-0000-347.44-01	CACHE ARENA REVENUE	19,156	20,689	15,000	16,172	15,000	15,000
212-0000-347.44-02	SPECIAL EVENTS	8,989	9,372	9,400	12,512	9,400	9,400
212-0000-347.44-03	DEMOLITION DERBY	42,769	4,063	2,500	6,269	4,200	4,200
212-0000-347.44-04	RIDING PASS REVENUE	5,681	3,010	3,500	2,699	3,500	3,500
212-0000-347.44-05	CAMPING FEES	8,153	18,629	16,000	20,945	18,000	18,000
212-0000-347.45-00	STALL RENTAL	24,948	9,470	100	4,855	100	100
212-0000-347.51-00	QUADRAPLEX RESERVATIONS	0	63,917	46,176	53,855	46,176	51,841
212-0000-347.52-00	QUAD RECREATION PROGRAMS	0	0	0	0	0	0
212-0000-347.99-00	21st CENTURY SCHOOLS PROG	5,455	0	0	0	0	0
212-0000-361.00-00	INTEREST ON INVESTMENTS	490	168	300	99	300	300
212-0000-363.10-00	RENTS & CONCESSIONS	0	0	0	0	0	0
212-0000-365.00-00	CONTR-PRIVATE SOURCES	0	0	0	0	0	0
212-0000-365.21-00	ZOO DONATIONS	18,721	25,310	20,000	26,049	26,000	26,000
212-0000-366.10-00	OTHER FUNDS ADMIN FEES	0	0	0	0	0	0
212-0000-366.15-00	LIBRARY ADMIN FEES	286,054	303,620	0	321,029	333,324	322,027
212-0000-366.21-00	CONTR FROM CACHE COUNTY	286,054	408,237	0	113,110	21,352	21,352
212-0000-366.21-01	RESTAURANT TAX FUNDS	161,243	102,209	0	78,180	0	0
212-0000-366.21-02	RAPZ TAX FUNDS	77,243	85,160	0	82,000	90,000	90,000
212-0000-366.99-00	CONTR FROM STATE OF UTAH	82,360	1,616	0	25	0	0
212-0000-369.00-00	MISCELLANEOUS INCOME	0	134	0	0	0	0
212-0000-369.10-00	SALES OF SCRAP & SALVAGE	0	4,200	0	0	0	0
212-0000-391.00-00	OTHER FUND TRANSFERS	0	127,015	354,029	265,522	333,324	322,027
212-0000-391.10-00	GENERAL FUND TRANSFERS	0	0	0	0	0	0
212-0000-392.00-00	SALES OF FIXED ASSETS	0	0	0	0	0	0
212-0000-395.00-00	FUND RESERVE	0	0	0	0	0	0

PREPARED 04/27/07, 13:46:47
PROGRAM GM601L

BUDGET PREPARATION WORKSHEET
FOR FISCAL YEAR 2008

ACCOUNT NUMBER	ACCOUNT DESCRIPTION	04/05 ACTUALS	05/06 ACTUALS	06/07 BUDGET	Y-T-D ACTUAL	DEPT 2007-2008	MAYOR 2007-2008
* WILLOW PARK		1,047,361	1,388,946	890,364	1,009,841	922,806	905,880

ACCOUNT NUMBER	ACCOUNT DESCRIPTION	04/05 ACTUALS	05/06 ACTUALS	06/07 BUDGET	Y-T-D ACTUALS	DEPT 2007-2008	MAYOR 2007-2008
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WILLOW PARK

212-4995-581.11-00	FAIRGRND ETC	93,824	95,529	107,433	73,263	112,088	112,088
212-4995-581.11-00	PERMANENT EMPLOYEES	5,389	5,492	0	5,348	0	0
212-4995-581.11-10	VACATION	1,916	1,317	0	1,791	0	0
212-4995-581.11-20	SICK LEAVE	4,450	4,510	0	4,241	0	0
212-4995-581.11-30	HOLIDAY	16,708	8,749	18,560	5,034	22,960	22,960
212-4995-581.12-00	PART-TIME EMPLOYEES	2,434	3,573	2,500	2,799	4,500	4,500
212-4995-581.14-00	OVERTIME	4,868	4,809	5,500	3,845	7,000	7,000
212-4995-581.15-00	OTHER PAY	43,058	49,173	51,966	40,337	55,370	54,927
212-4995-581.19-00	EMPLOYEE BENEFITS	100	0	100	80	130	130
212-4995-581.21-00	SUBSCRIPTIONS & MEMBRSHPS	57	0	0	85	0	0
212-4995-581.22-00	ADS & PUBLICATIONS	0	0	0	0	0	0
212-4995-581.23-00	TRAVEL & TRAINING EXPENSE	198	179	200	186	500	500
212-4995-581.24-00	OFFICE SUPPLIES & POSTAGE	4,833	5,791	4,700	5,222	230	230
212-4995-581.25-00	EQUIP -- OPER SUP & MAINT	4,579	4,903	4,700	5,222	5,700	5,700
212-4995-581.25-60	FUEL	37,581	17,704	19,128	3,970	5,000	5,000
212-4995-581.26-00	BLDG & GRNDS-SUP & MAINT	47,059	54,501	49,354	13,898	21,000	21,000
212-4995-581.27-00	HEAT, POWER, & WATER				48,183	50,935	50,935

LEVEL TEXT HEAT POWER & WATER
MAYR

TEXT AMT
50,935
50,935

212-4995-581.28-00	TELEPHONE EXPENSES	1,930	1,654	2,000	1,325	2,000	2,000
212-4995-581.31-00	PROF & TECHNICAL SERVICES	3,208	3,196	4,400	2,386	4,400	4,400

LEVEL TEXT MISC PROF SERVICE
MAYR

TEXT AMT
4,400
4,400

212-4995-581.43-00	SPECIAL DEPT SUPPLIES	46,125	97,091	26,904	21,367	26,904	26,904
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LEVEL TEXT SPECIAL DEPARTMENT SUPPLIES
MAYR

TEXT AMT
26,904
26,904

212-4995-581.43-10	CHEMICALS	2,895	2,333	3,500	1,935	3,500	3,500
212-4995-581.49-01	I S ASSESSMENTS	3,814	4,116	4,633	3,475	4,928	5,007
212-4995-581.51-00	INSURANCE & SURETY BONDS	17,381	17,159	17,381	16,882	17,381	17,381
212-4995-581.61-00	SUNDRY CHARGES	0	0	4,281	437	3,923	3,363

LEVEL TEXT PAY FOR PERFORMANCE FOR DIV 581
MAYR

TEXT AMT
3,363
3,363

212-4995-581.67-00	RESERVE BUILD UP	0	0	33,000	0	0	0
212-4995-581.70-00	CAPITAL GRANTS	0	28,242	0	115,105	0	0
212-4995-581.72-00	BUILDINGS	130,000	36,765	0	0	0	0

ACCOUNT NUMBER	ACCOUNT DESCRIPTION	04/05 ACTUALS	05/06 ACTUALS	06/07 BUDGET	Y-T-D ACTUALS	DEPT 2007-2008	MAYOR 2007-2008
212-4995-581.74-00	EQUIPMENT	0	0	0	0	12,000	12,000
LEVEL	TEXT						
MAYR	RESTROOM/COCESSION BUILDING RESTAURANT TAX						
	MONEY WILL BE APPROPRIATED THROUGH RESOLUTION						
	RS 2520 MULE TURF KAWASAKI (UNIT # 652)						
			TEXT AMT				
			12,000				
			12,000				
212-4995-581.91-00	TRANSFER TO OTHER FUNDS	7,000	7,000	0	0	7,200	7,632
212-4995-581.98-00	ADMIN FEES	0	0	7,200	5,400	7,200	7,632
		479,407	453,786	367,440	376,594	367,649	367,157
*	WILLOW PRK - FAIRGRND ETC						

ACCOUNT NUMBER	ACCOUNT DESCRIPTION	04/05 ACTUALS	05/06 ACTUALS	06/07 BUDGET	Y-T-D ACTUALS	DEPT 2007-2008	MAYOR 2007-2008
SPORTS COMPLEX							
212-4995-582.11-00	PERMANENT EMPLOYEES	24,980	107	7,852	0	8,244	8,244
212-4995-582.11-10	VACATION	1,338	0	0	0	0	0
212-4995-582.11-20	SICK LEAVE	494	0	0	0	0	0
212-4995-582.11-30	HOLIDAY	1,180	0	0	0	0	0
212-4995-582.12-00	PART-TIME EMPLOYEES	4,354	12,503	21,060	7,752	21,060	21,060
212-4995-582.14-00	OVERTIME	216	56	0	0	0	0
212-4995-582.15-00	OTHER PAY	838	0	0	0	0	0
212-4995-582.19-00	EMPLOYEE BENEFITS	14,154	1,391	6,530	558	4,217	6,537
212-4995-582.25-00	EQUIP -- OPER SUP & MAINT	379	455	1,000	20	1,000	1,000
212-4995-582.25-60	FUEL	483	300	500	48	1,000	1,000
212-4995-582.26-00	BLDG & GRNDS-SUP & MAINT	2,194	592	1,500	35	1,500	1,500
212-4995-582.27-00	HEAT, POWER, & WATER	21,274	17,544	15,168	7,447	15,168	15,168
LEVEL TEXT HEAT POWER & WATER							
MAYR TEXT AMT 15,168							
212-4995-582.28-00	TELEPHONE EXPENSES	454	424	500	261	500	500
212-4995-582.31-00	PROF & TECHNICAL SERVICES	91	24,461	38,000	18,507	38,000	38,000
212-4995-582.43-00	SPECIAL DEPT SUPPLIES	9,890	12,000	12,960	1,609	12,960	12,960
212-4995-582.61-00	SUNDRY CHARGES	0	0	314	0	288	247
LEVEL TEXT PAY FOR PERFORMANCE FOR DIV 582							
MAYR TEXT AMT 247							
212-4995-582.70-00	CAPITAL GRANTS	0	18,359	0	1,615	0	0
212-4995-582.73-00	IMPR OTHER THAN BUILDINGS	14,365	0	0	0	0	0
* SPORTS COMPLEX							
		96,684	88,192	105,384	37,852	103,937	106,216

ACCOUNT NUMBER	ACCOUNT DESCRIPTION	04/05 ACTUALS	05/06 ACTUALS	06/07 BUDGET	Y-T-D ACTUALS	DEPT 2007-2008	MAYOR 2007-2008
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WILLOW PARK ZOO							
212-4995-583.11-00	PERMANENT EMPLOYEES	126,158	120,125	138,423	94,787	132,292	132,292
212-4995-583.11-10	VACATION	8,238	12,919	0	9,069	0	0
212-4995-583.11-20	SICK LEAVE	1,716	1,241	0	3,188	0	0
212-4995-583.11-30	HOLIDAY	5,987	6,027	0	4,307	0	0
212-4995-583.12-00	PART-TIME EMPLOYEES	36,056	39,204	35,450	26,688	36,500	36,500
212-4995-583.14-00	OVERTIME	1,053	457	0	934	0	0
212-4995-583.15-00	OTHER PAY	36	0	1,500	39	1,500	1,500
212-4995-583.19-00	EMPLOYEE BENEFITS	51,592	54,909	68,636	40,943	51,566	55,425
212-4995-583.21-00	SUBSCRIPTIONS & MEMBERSHPS	977	988	1,000	689	1,030	1,030
212-4995-583.23-00	TRAVEL & TRAINING EXPENSE	0	0	0	5	0	0
212-4995-583.24-00	OFFICE SUPPLIES & POSTAGE	247	378	300	349	320	320
212-4995-583.25-00	EQUIP .. OPER SUP & MAINT	412	1,174	1,800	774	1,850	1,850
212-4995-583.25-60	FUEL	2,224	2,080	2,000	1,643	2,100	2,100
212-4995-583.25-70	MAINTENANCE OF VEHICLES	2,896	1,311	800	1,330	825	825
212-4995-583.26-00	BLDG & GRNDS-SUP & MAINT	6,966	4,294	4,300	4,120	4,425	4,425
212-4995-583.27-00	HEAT, POWER, & WATER	20,361	21,085	22,000	16,963	22,600	22,600
212-4995-583.28-00	TELEPHONE EXPENSES	1,523	1,350	900	1,177	1,000	1,000
212-4995-583.31-00	PROF & TECHNICAL SERVICES	4,646	4,495	5,000	4,489	6,000	6,000

LEVEL TEXT MISC PROF & TECH
MAYR TEXT AMT
6,000
6,000

212-4995-583.40-00	OPERATING GRANTS	0	2,696	0	2,734	0	0
212-4995-583.43-00	SPECIAL DEPT SUPPLIES	29,840	26,062	3,909	15,164	3,909	3,909
212-4995-583.49-01	I S ASSESSMENTS	6,340	6,893	7,504	5,628	8,408	8,427
212-4995-583.61-00	SUNDRY CHARGES	0	0	5,654	0	4,630	3,969

LEVEL TEXT
MAYR TEXT AMT
3,969
3,969

212-4995-583.70-00	CAPITAL GRANTS	0	6,740	0	22,170	0	0
212-4995-583.72-00	BUILDINGS	34,271	0	0	0	0	0
212-4995-583.73-00	IMPR OTHER THAN BUILDINGS	13,506	0	0	0	0	0
212-4995-583.91-00	TRANSFERS TO OTHER FUNDS	2,986	2,986	2,986	2,239	2,986	3,165
212-4995-583.98-00	ADMIN FEES	0	0	2,986	0	2,986	0

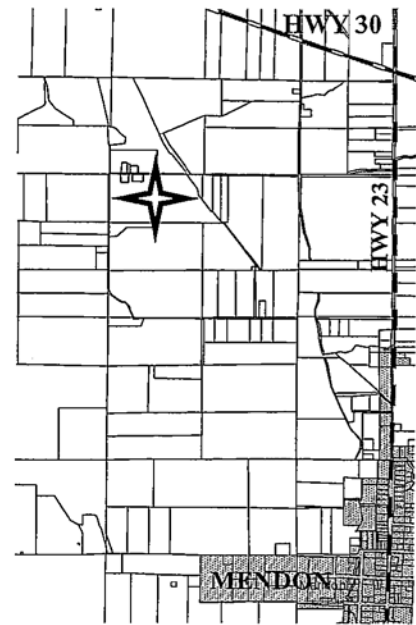
* WILLOW PARK ZOO
358,031 317,414 302,162 259,429 281,941 285,337

ACCOUNT NUMBER	ACCOUNT DESCRIPTION	04/05 ACTUALS	05/06 ACTUALS	06/07 BUDGET	Y-T-D ACTUALS	DEPT 2007-2008	MAYOR 2007-2008
FAIRVIEW & WILLOW PARK							
212-4995-584.11-00	PERMANENT EMPLOYEES	22,406	45,060	53,938	31,277	53,223	53,303
212-4995-584.11-10	VACATION	800	3,901	0	1,732	0	0
212-4995-584.11-20	SICK LEAVE	784	791	0	1,260	0	0
212-4995-584.11-30	HOLIDAY	1,056	2,059	0	1,568	0	0
212-4995-584.14-00	OVERTIME	653	416	500	102	500	500
212-4995-584.15-00	OTHER PAY	0	563	1,000	1,505	1,000	1,000
212-4995-584.19-00	EMPLOYEE BENEFITS	12,623	25,751	29,731	19,192	30,870	30,719
212-4995-584.25-00	EQUIP-OPER SUP & MAINT	893	2,008	2,500	827	2,500	2,500
212-4995-584.25-60	FUEL	374	900	1,200	575	1,200	1,200
212-4995-584.26-00	BLDG & GRNDS-SUP & MAINT	1,410	4,303	5,205	963	5,205	5,205
212-4995-584.27-00	HEAT, POWER & WATER	12,167	8,765	13,646	5,408	13,646	13,646
212-4995-584.31-00	PROF & TECHNICAL SERVICES	650	61	1,500	88	1,500	1,500
212-4995-584.43-00	SPECIAL DEPT SUPPLIES	945	4,097	4,000	841	4,000	4,000
212-4995-584.61-00	SUNDRY CHARGES	0	0	2,158	0	1,863	1,597
LEVEL TEXT TEXT AMT							
MAYR	PAY FOR PERFORMANCE FOR DIV 584			1,597			
				1,597			
212-4995-584.70-00 CAPITAL GRANTS							
212-4995-584.74-00	EQUIPMENT	0	19,291	0	0	32,000	32,000
			0				
LEVEL TEXT TEXT AMT							
MAYR	RS 2520 MULE TURF KAWASAKI (UNIT # 651)			12,000			
	RS OLATHE 166HL SWEEPER (UNIT # 386)			20,000			
				32,000			
* FAIRVIEW & WILLOW PARK							
		54,761	117,966	115,378	65,338	147,507	147,170
** WILLOW PARK							
		988,883	977,358	890,364	739,213	901,034	905,880
*** WILLOW PARK							
		988,883	977,358	890,364	739,213	901,034	905,880

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.

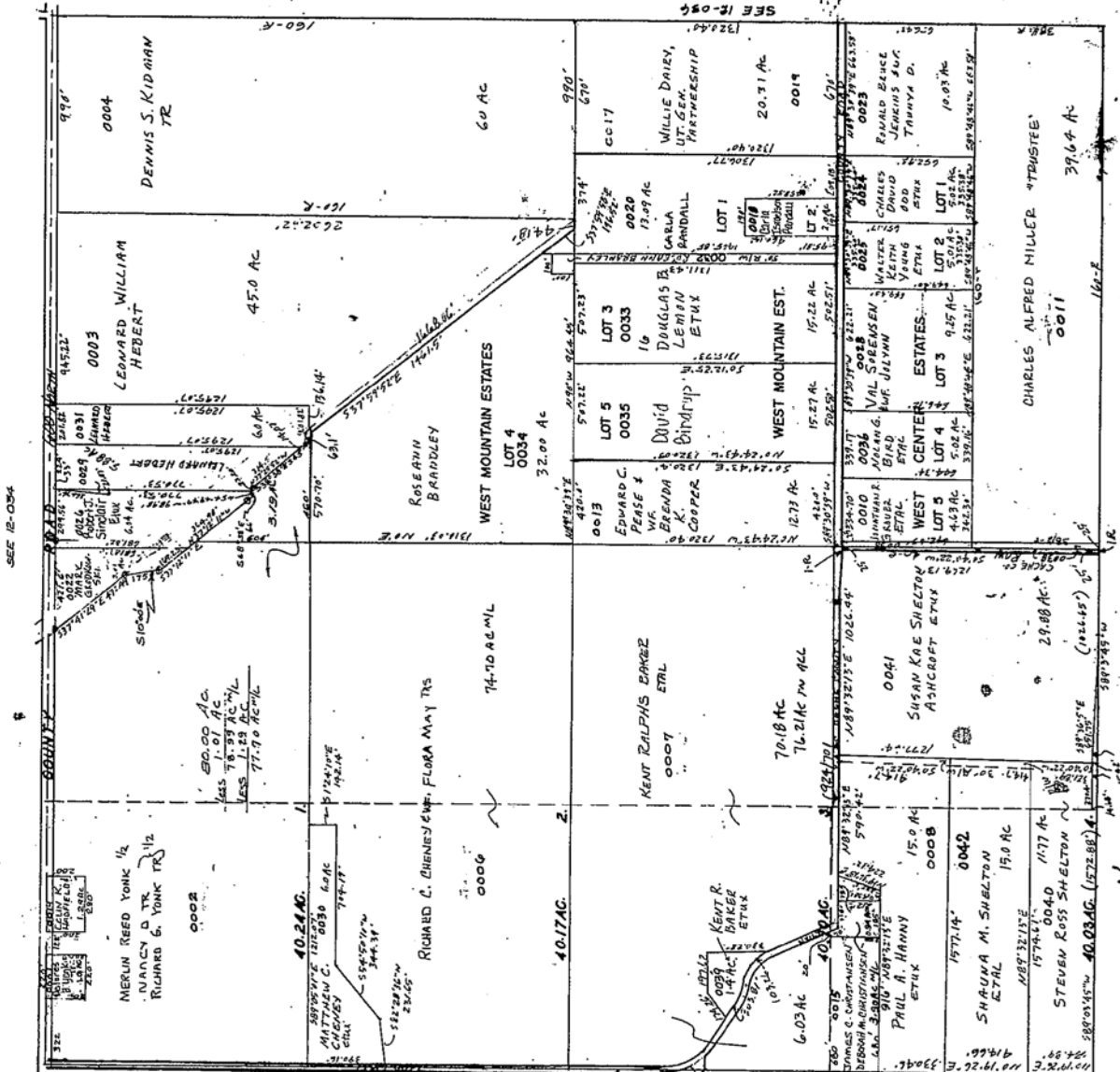


12-035

SECTION 31, TOWNSHIP 12 NORTH, RANGE 1 WEST.

SCALE 1 INCH = 6 CHAINS.

TAX UNIT 28



SEE 12-034

SEE 12-052

SEE 11-014

SEE 12-054

8 May 2007

Subjects:

1. Garland Acres Subdivision comments (and Hilltop Farms Subdivision -1 believe that final approval has been given).
2. Agricultural Subdivisions pending action.

References:

- A. Memorandum for Cache County Council dated 27 March 2007.
- B. Agenda for Cache County Council dated 3 May 2007.

Objectives:

1. To request the Cache County Council members to consider the concerns below.
2. To include this memo in the appropriate minutes of the Council Meeting.

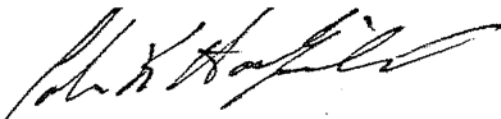
Dear Sirs:

Per reference A. above I expressed my concerns over my water supply. I feel that there are serious water issues that have not been resolved. I request that the subject subdivision not be approved and any building permits related to the Hilltop Farms Subdivision; which, as I understand it was approved previously, not be issued based on major issues that have not been resolved (also see below).

Per reference B. above it appears that there are pending revisions to the Agricultural Subdivisions Ordinance. I feel that the current ordinance was established primarily to preserve agriculture land and if any building was to be allowed - it was only to allow relatives of land owners to build on the land zoned as agriculture. I believe that there should not be any revisions to that policy. Based on my understanding of what I was told, there is a State law that further requires that new subdivisions on the same parcel as an existing home owner(s) needs approval by the existing home owner(s). I feel that any subdivision or building permits should be in harmony with the policy in order for them to be approved. I do not approve. In addition it seems contrary to the State law to allow more homes to be built on agriculture land unless they are for family members. Also as I understand it, it seems that if a conditional use permit was originally approved for a home owner that this State law does not apply. If rights are limited based on a conditional use permit; I do not feel that this is right, and ask that the council not approve the subdivision and ensure that building permits for agriculture land be issued to only family members accordingly. I do not think it should take minimal effort to rezone land simply to make development possible.

Please provide a written response to my written concerns to include detailed explanations of the supporting fact for my better understandings.

Thank you,



Colin K. Hadfield

22 May 2007

Subject:

1. Garland Acres Subdivision comments (and other county Subdivisions).

Objectives:

1. To request the Cache County Council members to consider and take actions requested below.
2. To include this memo in the appropriate minutes of the Council Meeting.

Dear Sirs:

I believe the council has the responsibility to protect the rights of the citizens they represent. As a result, I have sent previous memo to the council. I am again providing written comments to ask that my rights be protected.

I was told by county representatives that there is a state law which gives me the right to prevent a subdivision and restrict conditional use permits from being issues on the same parcel that I own property on. I request that this right be enforced and the council take actions accordingly.

If the council is considering allowing the circumvention of the above, then I request that I be allocated a lot/use permit for use by a family member. I believe that building homes by "family" members to be a justified reason and in harmony with the county and state code and laws.

I believe that the impact and cost of the impacts of development are the responsibility of the development. There is no question that the quantity (and quality) of water (especially on this and surrounding parcels) is very limited. I believe that the cost of ensuring an adequate water supply should be bourn by the development. I again express my concerns over my water supply. I feel that there are serious water issues that have not been resolved. I request that subdivisions and related building permits not be approved unless these major issues are resolved before hand.

I have previously requested written responses to my prior written concerns to include detailed explanations of the supporting fact for my better understandings. I have not received any response to date and again request the same.

As I was told by legal council, public hearings are not a court of law. I think this is true but I also believe that the council should not allow lawyers to use known hearsay in there hearing.

Thank you,



Colin K. Hadfield

COPY

AFFIDAVIT OF BLANCHE T. YONK

TO WHOM IT MAY CONCERN:

STATE OF UTAH)
 : ss.
County of Cache)

BLANCHE T. YONK, being first duly sworn on oath, deposes and says:

1. I am a resident of Cache County, Utah, over the age of twenty-one (21) years, and competent by personal knowledge to state and swear to the things hereinafter set forth.

2. I was the owner, with my deceased husband, of the parcel bearing Tax Identification Number 12-035-0002, which was transferred to my two sons, MERLIN REED YONK and RICHARD G. YONK and their wives before my husband died in 1988.

3. I am aware of and concur in the efforts of my sons and their wives to create the Garland Acres Subdivision on said parcel of real property.

4. I am also aware that the county has, for now, required that the owners of all parcels of real property, whether it be the large parcel bearing the tax number referred to above or the two smaller parcels created from parcel 12-035-0002, bearing tax numbers 12-035-001 and 12-035-0014 sign the Final Plat for the proposed Garland Acres Subdivision.

5. The parcel bearing Tax Identification Number 12-035-0014 is owned by my son-in-law, COLIN K. HADFIELD, who was married to my daughter, REBECCA Y. HADFIELD, who is now deceased.

6. I know that COLIN HADFIELD'S position with respect to signing the Final Plat for the Garland Acres Subdivision has been that he will not sign the plat unless Richard and Reed Yonk build or drill a new well for him. I know this personally because of a conversation I had with COLIN HADFIELD earlier this year.

7. Sometime in February or March, 2007, COLIN HADFIELD came to my house to tell me that he had decided to tell my sons, RICHARD and REED YONK, that instead of asking for two lots in the proposed Garland Acres Subdivision, that he was going to ask them to build him a new well before he would sign off on the subdivision Final Plat. To the best of my knowledge he has not changed his position.

DATED this 22nd day of May, 2007.

Blanche T. Yonk

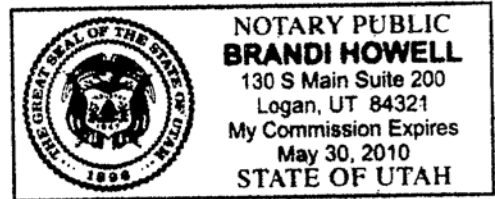
BLANCHE T. YONK

SUBSCRIBED AND SWORN to before me on May 22, 2007.

Brandi Howell

NOTARY PUBLIC

J:\BLJ\SMITHFIELD\affidavit of Blanche Yonk.1.doc
File: N-3471.003



COPY

AFFIDAVIT OF REED YONK

TO WHOM IT MAY CONCERN:

STATE OF UTAH)
 : ss.
County of Cache)

REED YONK, being first duly sworn on oath, deposes and says:

1. I am a resident of Cache County, Utah, over the age of twenty-one (21) years, and competent by personal knowledge to state and swear to the things hereinafter set forth.

2. I am one of the Applicants for the Garland Acres Subdivision, which is proposed for development at approximately 600 North 5900 West in Cache County, Utah.

3. I am also one of the Trustees for the entire parcel of real property bearing Tax Identification Number 12-035-002, the parcel from which the proposed Garland Acres Subdivision will be developed.

4. One of the stipulations for approval of said Subdivision by the Cache County Council has been that all current owners of real property bearing said Tax Identification Number or from which parcel any smaller parcels have been created, should sign the proposed the final plat for Garland Acres Subdivision.

5. One of the individuals who would otherwise be required to sign said Final Plat is Colin K. Hadfield, a brother-in-law to me, who was married to my sister, Rebecca Y. Hadfield, who is now deceased.

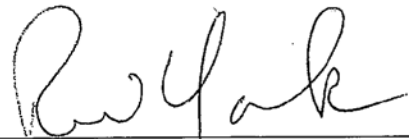
6. Colin Hadfield has made it clear that he will not sign the Final Plat for the Garland Acres Subdivision unless the members of the Yonk family agree to drill a new well or to pay the costs to drill a new well for Colin Hadfield, to service the parcel of property he owns which bears Tax Identification Number 12-035-0014.

7. This was made clear to me on or about February 25, 2007 when Colin Hadfield followed me outside our church-house and said that "If we (the Yonk family) would agree to pay the costs for or help him drill a new well, that he would sign the map."

He further stated that he wouldn't talk to Richard Yonk and Nancy or Kyle Yonk. I told him that I wanted to discuss this with the other property owners, but that the answer would be "No."

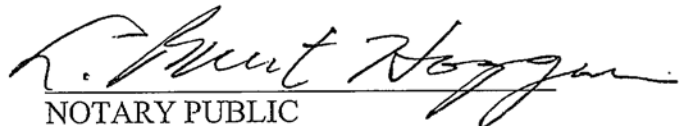
8. My clear understanding at that time was and at the current time is that Colin Hadfield is not going to sign the proposed Final Plat for the Garland Acres Subdivision unless the Yonk family pays for or helps him drill a new well that would service his above-referenced real property.

DATED this 22nd day of May, 2007.

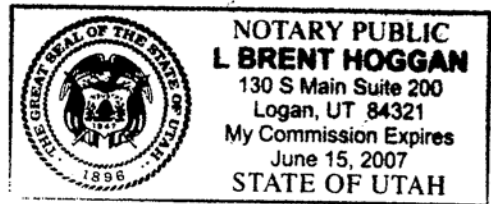


REED YONK

SUBSCRIBED AND SWORN to before me on May 22, 2007.



NOTARY PUBLIC



AWHC PROPERTY ACQUISITION

Background

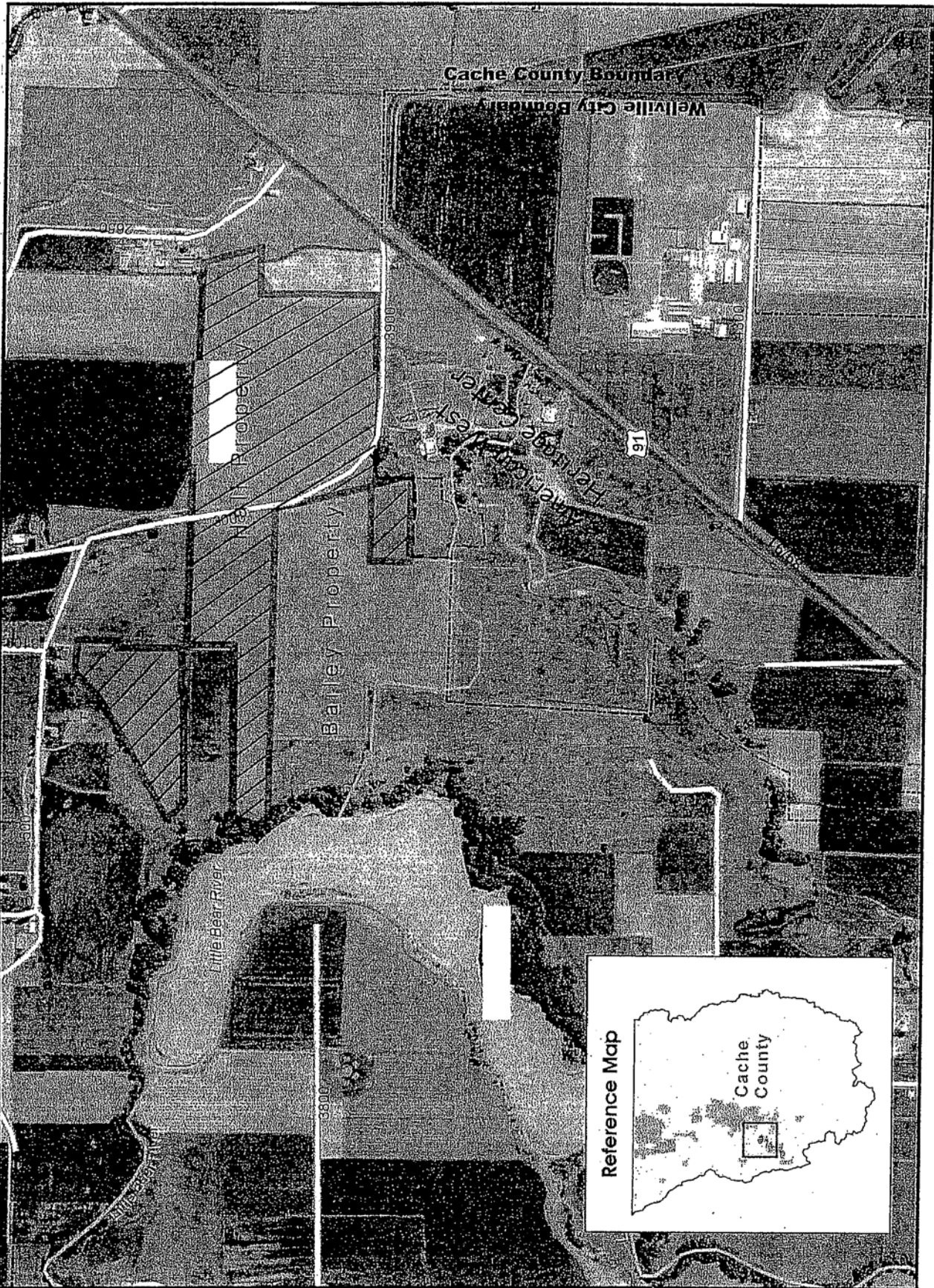
1. Parcel is 97.5 acres (About 45 acres is prime farmland and the rest is bottom land.)
2. AWHC has an option to buy at \$1.1 million which expires May 31, 2007 and that option will not be extended, nor can it be assigned to another party.
3. AWHC has several parties who have expressed interest in buying the property, but all would want to have some control over the use of the land.
4. Current market value of the property is at least \$1.5 million and may be considerably more. A formal appraisal has been commissioned and is nearly complete.
5. Ownership of the property would:
 - a. Give AWHC river access which provides opportunities for trails, handcart treks, and water recreation.
 - b. Prevent development, thus preserving open space and vistas surrounding AWHC.
 - c. Provide land for AWHC expansion.
 - d. Create opportunities for compatible recreational uses on the land by the County. The County owns recreational property in North Logan that could be traded as part of a comprehensive long-term plan.

Proposal

1. AWHC arranges for bank finance to purchase the entire parcel. Terms of the loan have been negotiated and a closing date set.
2. County assists by providing \$100,000 which will be used for closing costs on the loan and funds to match private donations.
3. AWHC will solicit donations:
 - a. AWHC will commit \$55,000 of its funds.
 - b. Two donors have agreed to donate \$100,000 each if the County commits \$100,000 as evidence of local support for the project.
 - c. AWHC will pursue additional contributions.
4. With County participation, \$340,000-\$355,000 will be immediately available to reduce the loan balance.
5. Immediately after purchase, County and AWHC begin discussions regarding mutually agreeable short and long term uses for the upper piece of land. These discussions might also include County representation on the AWHC Board.

**Cache County
Land Evaluation and Site Analysis**

HALL PROPERTY
(cross-hatched area)



RESOLUTION NO. 2007- 16

A RESOLUTION INCREASING THE BUDGET APPROPRIATIONS FOR CERTAIN COUNTY DEPARTMENTS.

The Cache County Council, in a duly convened meeting, pursuant to Sections 17-36-22 through 17-36-26, Utah Code Annotated, 1953 as amended, finds that certain adjustments to the Cache County budget for 2007 are reasonable and necessary; that the said budget has been reviewed by the County Auditor with all affected department heads; that a duly called hearing has been held and all interested parties have been given an opportunity to be heard; that all County Council has given due consideration to matters discussed at the public hearing and to any revised estimates of revenues; and that it is in the best interest of the County that these adjustments be made.

NOW THEREFORE, it is hereby resolved that:

Section 1.

The following adjustments are hereby made to the 2007 budget for Cache County:

see attached

Section 2.

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

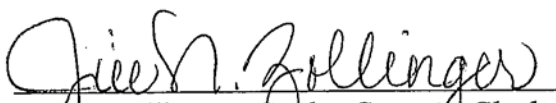
Section 3.

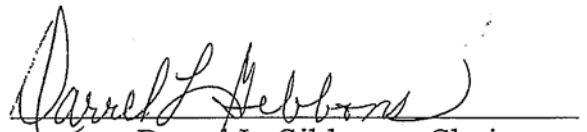
This resolution shall take effect immediately upon adoption and the County Auditor and other county officials are authorized and directed to act accordingly.

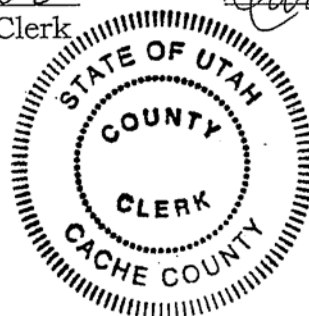
This resolution was duly adopted by the Cache County Council on the 22nd day of May, 2007.

ATTESTED TO:

CACHE COUNTY COUNCIL


Jill N. Zollinger, Cache County Clerk


Darrel L. Gibbons, Chairman



FUND 10 GENERAL FUND REVENUES

ACCOUNT	DESCRIPTION	Current Budget	Recommended Decrease DEBIT	Increase CREDIT	Amended Budget	Reason for Change
10-33-11000	Forest Reserve /Mineral Lease Grant	(71,365)	18,900		(52,465)	reclass portion of min lease fund for secure rural comm grant
10-33-11110	Mineral Lease - Secure Rural Comm (SCSA) grant	-		(18,900)	(18,900)	reclass portion of min lease fund for secure rural comm grant
10-33-44101	State Grant - ICAC	-		(9,000)	(9,000)	FY07 State Grant from Atty General
10-33-70000	Ut- Idaho Co-op Grant	(20,000)		(5,340)	(25,340)	Bag o Wode grant increase
10-35-11000	DUI Fees on Fines	-		(50,000)	(50,000)	Recognize DUI rev used for Alcohol & Drug prevention programs
10-35-14000	Court Fines	(135,000)	50,000		(85,000)	Reclass revenue source for DUI fees on fines
10-38-76000	Transfers In from Restaurant Tax Fund	-		(29,512)	(29,512)	2007 restaurant tax fund awards
10-38-90000	Appropriated Surplus	(376,362)		(144,500)	(520,862)	to write-off 10-year-old (?) S/C loan & \$4500 TPL survey
Totals			50,000	(238,352)		
Net Adjustment					(188,352)	

FUND 10 GENERAL FUND EXPENDITURES

ACCOUNT	DESCRIPTION	Current Budget	Recommended Increase DEBIT	Decrease CREDIT	Amended Budget	Reason for Change
10-4800-915	Transfer to Sr Citizens Fund	124,060	140,000		264,060	to write-off 10-year-old (?) S/C loan
10-4131-620	County Executive - misc serv	770	4,500		5,270	TPL survey (trust lands survey open space for ballot que carry over po from 2006
10-4160-480	Bldg & Grds - Rapz Award	-	4,512		4,512	statute required election mail notices to inactive voters
10-4170-200	Elections - equip supplys and services	15,000	10,000		25,000	FY07 State Grant from Atty General
10-4211-481	Support Svcs - Spec Grant Exp ICAC	-	9,000		9,000	Adj budget to Restaurant Tax Award 2007
10-4216-330	Search & Rescue - Training	8,000	5,000		13,000	Adj budget to Restaurant Tax Award 2007
10-4216-740	Search & Rescue - Capitalized Equip	10,000	10,000		20,000	Adj budget to Restaurant Tax Award 2007
10-4220-255	Fire - Wildland Fire Equip & Supplies	10,000		(982)	9,018	transfer to Class B for moving fire equip from Clearfield
10-4220-999	Fire - Transfers to Other Funds	-	982		982	transfer to Class B for moving fire equip from Clearfield
10-4410-250	Highway - Equip Supplies & Maint	100,000		(2,000)	98,000	transfer for safety supply purchase
10-4410-480	Highway - Spec Dept Safety Supplies	2,000	2,000		4,000	to cover purchase of fall protection devices
10-4450-481	Weed - UT-ID Co-op Grant	20,000	5,340		25,340	grant increase for Bag o' Wode program
Totals			191,334	(2,982)		
Net Adjustment					188,352	

FUND 20 MUNICIPAL SERVICES FUND REVENUES

ACCOUNT	DESCRIPTION	Current Budget	Recommended Decrease DEBIT	Increase CREDIT	Amended Budget	Reason for Change
20-33-56000	Class B Allotment	(1,515,938)		(25,000)	(1,540,938)	to cover increase in oil expense
20-34-31000	Class B - Street & Sidewalk	-		(40,000)	(40,000)	estimated revenue from cities
20-38-76000	Transfers from RAPZ Tax -Population	(12,000)		(1,088)	(13,088)	2007 award by population RAPZ
20-38-71000	Transfers to Class B Rev from other funds	-		(982)	(982)	transfer in from Gen fd for moving fire equip
20-38-90000	Appropriated surplus	(62,146)		(5,000)	(67,146)	Plan check reviews
	Totals			(72,070)		
	Net Adjustment				(72,070)	

FUND 20 MUNICIPAL SERVICES FUND EXPENDITURES

ACCOUNT	DESCRIPTION	Current Budget	Recommended Increase DEBIT	Decrease CREDIT	Amended Budget	Reason for Change
20-4241-310	Bldg Insp - Prof & Tech	1,000	5,000		6,000	Plan Check Reviews by Engineer
20-4560-480	Recreation - RAPZ Tax	12,000	1,088		13,088	2007 award by population RAPZ
20-4415-250	Class B Road - equip supplies & maint	210,006	982		210,988	move fire equip from Clearfield to Cache Co
20-4415-410	Class B Road - Road Maintenance	355,290	65,000		420,290	to cover increase in oil expense
	Totals		72,070			
	Net Adjustment				72,070	

FUND 23 CACHE VALLEY VISITORS BUREAU FUND REVENUES

ACCOUNT	DESCRIPTION	Current Budget	Recommended Decrease DEBIT	Increase CREDIT	Amended Budget	Reason for Change
23-33-10000	Federal Grants - Byway Seed	(20,000)		(6,600)	(26,600)	UDOT Logan Canyon Byway Proj Coop Agreement - increase for other expenses defer bal for 2008 salary adjust to actual
23-38-76500	Transfer from RAPZ Fund	(35,000)	35,000		-	
23-38-76000	Transfer from Restaurant Fund	-		(82,500)	(82,500)	Restaruant Tax award \$60K Adv / \$22,5k for AWHC
23-34-94000	Items sold - taxable sales	(11,100)		(10,000)	(21,100)	
	Totals		35,000	(99,100)		
	Net Adjustment				(64,100)	

FUND 23 CACHE VALLEY VISITORS BUREAU FUND EXPENDITURES

ACCOUNT	DESCRIPTION	Current Budget	Recommended Increase DEBIT	Decrease CREDIT	Amended Budget	Reason for Change
23-4780-115	Overtime	-	1,000		1,000	to pay for overtime during busy vacation season
23-4780-241	Postage	12,000	1,100		13,100	Increase for postage costs
23-4780-481	Byway Grant Expenses	2,279	6,600		8,879	increase for coop agreement signed 2007
23-4780-490	Advertising	114,663	32,500		147,163	Restaurant tax award & \$8500 from items sold
23-4780-670	Items for resale	21,100	400		21,500	to meet costs
23-4780-920	Contrib to other units	67,500	22,500		90,000	AWHC pmt increased by Restaurant tax award
	Totals		64,100			
	Net Adjustment				64,100	

FUND 24 COUNCIL ON AGING FUND REVENUES

ACCOUNT	DESCRIPTION	Current Budget	Recommended Decrease DEBIT	Increase CREDIT	Amended Budget	Reason for Change
24-38-75000	Transfers In	(20,000)			(16,450)	Restaurant tax award 2007
24-38-11000	Transfer from General Fund	(124,060)	3,550	(140,000)	(264,060)	to write-off 10-year-old (?) loan
	Totals		3,550	(140,000)		
	Net Adjustment				(136,450)	

FUND 24 COUNCIL ON AGING FUND EXPENDITURES

ACCOUNT	DESCRIPTION	Current Budget	Recommended Increase DEBIT	Decrease CREDIT	Amended Budget	Reason for Change
24-4990-990	Contributions to Fund Reserve	-	140,000		140,000	to write-off 10-year-old (?) loan
24-4970-110	Nutrition - Salary	84,555		(2,000)	82,555	transfer to cover expenses
24-4970-120	Nutrition - temporary salary	32,722		(3,550)	29,172	adj positions will be filled in June
24-4970-210	Nutrition - Subscriptions & Memberships	250	200		450	improved expenditure tracking
24-4970-250	Nutrition - Transportation	13,000	400	(600)	12,400	transfer to cover expenses
24-4970-280	Nutrition - Telephone	1,500			1,900	improved expenditure tracking
24-4970-382	Nutrition - Food Supplements	53,000		(40,000)	13,000	budget transfer correction
24-4970-383	Nutrition - US Foodservice	20,000	40,000		60,000	budget transfer correction
24-4971-110	Center - Salary	41,361	2,000		43,361	to cover salary percentage changes
24-4971-240	Center - Supplies	5,700	900		6,600	improved expenditure tracking
24-4971-260	Center - Building & Grounds Maint	4,800		(900)	3,900	transfer to cover expenses
24-4974-110	Access - Salary	40,129		(1,600)	38,529	transfer to cover expenses
24-4974-120	Access - Temporary Employees	6,369	1,000		7,369	to cover increased personnel costs
24-4974-240	Access - Office Supplies	1,300	1,600		2,900	improved expenditure tracking
24-4974-260	Access - Building & Grounds Maint	2,400		(1,000)	1,400	transfer to cover expenses
	Totals		186,100	(49,650)		
	Net Adjustment				136,450	

FUND 29 CHILDREN'S JUSTICE CENTER FUND REVENUES

ACCOUNT	DESCRIPTION	Current Budget	Recommended Decrease DEBIT	Increase CREDIT	Amended Budget	Reason for Change
29-38-90000	Appropriated Surplus	(920)		(3,564)	(4,484)	to fund single insurance amount
	Totals			(3,564)		
	Net Adjustment				(3,564)	

FUND 29 CHILDREN'S JUSTICE CENTER FUND EXPENDITURES

ACCOUNT	DESCRIPTION	Current Budget	Recommended Increase DEBIT	Decrease CREDIT	Amended Budget	Reason for Change
29-4149-130	Benefits	25,236	3,564		28,800	to fund single insurance coverage for director
29-4149-230	Travel	2,000		(200)	1,800	transfer to cover estimated expenses
29-4149-251	Non-Capitalized Equipment	1,050		(650)	400	transfer to cover estimated expenses
29-4149-270	Utilities	1,025		(25)	1,000	transfer to cover estimated expenses
29-4149-280	Telephone/Communications	2,710		(100)	2,610	transfer to cover estimated expenses
29-4149-610	Misc Supplies	407	975		1,382	transfer to cover estimated expenses
	Totals		4,539	(975)		
	Net Adjustment				3,564	

FUND 46 CAPITAL (RD) PROJECTS FUND REVENUES

ACCOUNT	DESCRIPTION	Current Budget	Recommended Decrease DEBIT	Increase CREDIT	Amended Budget	Reason for Change
46-38-90000	Appropriated Surplus	-		(2,425)	(2,425)	to pay Surveyor 12th East project
	Totals			(2,425)		
	Net Adjustment				(2,425)	

FUND 46 CAPITAL (RD) PROJECTS FUND EXPENSES

ACCOUNT	DESCRIPTION	Current Budget	Recommended Increase DEBIT	Decrease CREDIT	Amended Budget	Reason for Change
46-4410-310	Prof & Tech	-	2,425		2,425	to pay Surveyor 12th East project
	Totals		2,425			
	Net Adjustment				2,425	

FUND 26 RESTAURANT TAX FUND REVENUES

ACCOUNT	DESCRIPTION	Current Budget	Recommended Decrease DEBIT	Increase CREDIT	Amended Budget	Reason for Change
26-31-31000	1% Restaurant Tax	(810,000)		(19,181)	(829,181)	to adjust estimate for tax receipts
26-38-90000	Appropriated surplus	(640,685)		(100,000)	(740,685)	AMWH Center Land
	Totals			(119,181)		
	Net Adjustment				(119,181)	

FUND 26 RESTAURANT TAX FUND EXPENDITURES

ACCOUNT	DESCRIPTION	Current Budget	Recommended Increase DEBIT	Decrease CREDIT	Amended Budget	Reason for Change
26-4780-620	MISC SERVICES	1,446,173	100,000	(51,269)	1,494,904	adjust budget for 2007 awards
26-4810-100	TRANSFERS OUT	4,512	70,450		74,962	adjust budget for 2007 awards
	Totals		170,450	(51,269)		
	Net Adjustment				119,181	

FUND 27 CACHE PLANNING & DEVELOPMENT REVENUES

ACCOUNT	DESCRIPTION	Current Budget	Recommended Decrease DEBIT	Increase CREDIT	Amended Budget	Reason for Change
27-38-76500	Transfer in - RAPA tax	(30,000)		(85,023)	(115,023)	2007 RAPZ award \$69223/ 2005 PO carryover \$45800
	Totals			(85,023)		
	Net Adjustment				(85,023)	

FUND 27 CACHE PLANNING & DEVELOPMENT EXPENDITURES

ACCOUNT	DESCRIPTION	Current Budget	Recommended Increase DEBIT	Decrease CREDIT	Amended Budget	Reason for Change
27-4181-486	TRAILS COORDINATOR AGREEMENT	5,000	85,023		90,023	2007 Rapz award & 2005 CW trails planning carryover
	Totals		85,023			
	Net Adjustment				85,023	

FUND 62 RAPZ TAX FUND REVENUES

ACCOUNT	DESCRIPTION	Current Budget	Recommended Decrease DEBIT	Increase CREDIT	Amended Budget	Reason for Change
62-38-70000	Appropriated surplus	(580,362)		(64,713)	(645,075)	
	Totals		-	(64,713)	(64,713)	
	Net Adjustment				(64,713)	

FUND 62 RAPZ TAX FUND EXPENDITURES

ACCOUNT	DESCRIPTION	Current Budget	Recommended Increase DEBIT	Decrease CREDIT	Amended Budget	Reason for Change
62-4780-480	RAPZ Allocation by Population	180,000		(5,833)	174,167	adjust budget for 2007 awards
	RAPZ Allocation by Population- County	-	4,837		124,837	information only \$13,088 included in transfers out
62-4780-481	RAPA Allocation to Zoo	120,000		(42,402)	1,382,844	adjust budget for 2007 awards
62-4780-482	RAPZ Allocations - Projects	1,425,246		(20,000)	-	adjust budget for 2007 awards
62-4780-960	Contrib to other funds	20,000			163,111	adjust budget for 2007 awards
62-4810-100	Transfers Out	35,000	128,111			adjust budget for 2007 awards
	Totals		132,948	(68,235)	64,713	
	Net Adjustment				64,713	

CACHE COUNTY
RESOLUTION NO. 2007-17

A RESOLUTION APPROVING THE DELIVERY OF A MASTER LEASE AGREEMENT, EQUIPMENT SCHEDULE NO. 01, AN ESCROW AGREEMENT, AND RELATED INSTRUMENTS, AND DETERMINING OTHER MATTERS IN CONNECTION THEREWITH FOR THE PURCHASE OF FIRE TRUCKS WITH SUNTRUST LEASING CORPORATION.

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 master lease agreement, equipment schedule No. 1, an escrow agreement, and related instruments, and determining other matters in connection therewith for the purchase for fire trucks with Suntrust Leasing Corporation.

NOW, THEREFORE BE IT RESOLVED that the Cache County Executive is hereby authorized to execute the master lease agreement, equipment schedule No. 1, an escrow agreement, and related instruments, and determining other matters in connection therewith for the purchase of fire trucks with Suntrust Leasing Corporation as stated in "Exhibit A" attached hereto and made a part hereof.

This Resolution shall take effect immediately upon adoption.

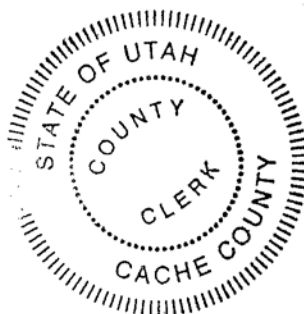
DATED this 22nd day of May 2007.

CACHE COUNTY COUNCIL

By: 
Darrel L. Gibbons, Chairman

ATTEST:


Julie N. Zollinger
Cache County Clerk



[Escrow]

RESOLUTION OF GOVERNING BODY

At a duly called meeting of the governing body of Lessee held in accordance with all applicable legal requirements, including open meeting laws, on the ____ day of _____, _____, the following resolution was introduced and adopted:

RESOLUTION AUTHORIZING THE EXECUTION AND DELIVERY OF A MASTER LEASE AGREEMENT, EQUIPMENT SCHEDULE NO. 01, AN ESCROW AGREEMENT, AND RELATED INSTRUMENTS, AND DETERMINING OTHER MATTERS IN CONNECTION THEREWITH.

WHEREAS, the governing body of **CACHE COUNTY** ("Lessee") desires to obtain certain equipment (the "Equipment") described in Equipment Schedule No. 01 to the Master Lease Agreement (collectively, the "Lease") with **SUNTRUST LEASING CORPORATION**, the form of which has been available for review by the governing body of Lessee prior to this meeting; and

WHEREAS, the Equipment is essential for the Lessee to perform its governmental functions; and

WHEREAS, the funds made available under the Lease will be deposited with **SUNTRUST BANK** (the "Escrow Agent") pursuant to an Escrow Agreement between Lessee and the Escrow Agent (the "Escrow Agreement") and will be applied to the acquisition of the Equipment in accordance with said Escrow Agreement; and

WHEREAS, Lessee has taken the necessary steps, including those relating to any applicable legal bidding requirements, to arrange for the acquisition of the Equipment; and

WHEREAS, Lessee proposes to enter into the Lease with **SUNTRUST LEASING CORPORATION** and the Escrow Agreement with the Escrow Agent substantially in the forms presented to this meeting.

NOW, THEREFORE, BE IT RESOLVED BY THE GOVERNING BODY OF LESSEE AS FOLLOWS:

Section 1. It is hereby found and determined that the terms of the Lease and the Escrow Agreement (collectively, the "Financing Documents") in the forms presented to this meeting and incorporated in this resolution are in the best interests of Lessee for the acquisition of the Equipment.

Section 2. The Financing Documents and the acquisition and financing of the Equipment under the terms and conditions as described in the Financing Documents are hereby approved. The Executive of Lessee and any other officer of Lessee who shall have power to execute contracts on behalf of Lessee be, and each of them hereby is, authorized to execute, acknowledge and deliver the Financing Documents with any changes, insertions and omissions therein as may be approved by the officers who execute the Financing Documents, such approval to be conclusively evidenced by such execution and delivery of the Financing Documents. The Clerk of the Lessee and any other officer of Lessee who shall have power to do so be, and each of them hereby is, authorized to affix the official seal of Lessee to the Financing Documents and attest the same.

Section 3. The proper officers of Lessee be, and each of them hereby is, authorized and directed to execute and deliver any and all papers, instruments, opinions, certificates, affidavits and other documents and to do or cause to be done any and all other acts and things necessary or proper for carrying out this resolution and the Financing Documents.

Section 4. Pursuant to Section 265(b) of the Internal Revenue Code of 1986, as amended (the "Code"), Lessee hereby specifically designates the Lease as a "qualified tax-exempt obligation" for purposes of Section 265(b)(3) of the Code.

The undersigned further certifies that the above resolution has not been repealed or amended and remains in full force and effect and further certifies that the Lease and Escrow Agreement executed on behalf of Lessee are the same as presented at such meeting of the governing body of Lessee, excepting only such changes, insertions and omissions as shall have been approved by the officers who executed the same.

Date: _____, _____

CACHE COUNTY,
Lessee

By: _____

Name: Lynn Lemon

Title: Executive

Attested By: _____

Name: Jill Zollinger

Title: Clerk

Cache County Fire Department:

- Water supply tenders from Mendon Fire are 4.8 miles away.
- Access from 7200 West and 600 North is adequate.
- Each new home will require additional review when their location on the lots is determined.
- Due to the distance from the fire department, residential fire sprinklers are recommended.

Cache County School District

- Bus Stop is located at 341 North 7200 West.

Cache County Service Area #1:

- Garbage cans must be placed on county road 7200 West for lots 1 and 2.
- Lots 3 and 4 are required to place garbage cans on 600 North for collection.

PUBLIC COMMENTS

Notices were mailed to 9 property owners located within three hundred feet of the subject property.

STAFF RECOMMENDATIONS

Action: Staff recommends that the Planning Commission approve a motion to recommend approval to the County Council of the Garland Acres Subdivision, a five (5) lot subdivision for property located at approximately 600 North 6900 West (Petersboro), TIN #12-035-0001, 12-035-0002, and 12-035-0014.

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 reaffirm the County's right-of-way on all county roads adjacent to the subdivision.

RECOMMENDED FINDINGS OF FACT

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

1. The Garland Acres 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 Garland Acres 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 Garland Acres 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: February 20, 2007

Republished: March 9, 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.