

CACHE COUNTY COUNCIL
June 09, 2009

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CACHE COUNTY COUNCIL MEETING
June 09, 2009

The Cache County Council convened in a regular session on June 09, 2009 at 5:00 p.m. in the Cache County Council Chamber at 199 North Main, Logan, Utah.

ATTENDANCE:

Chairman: H. Craig Petersen
Vice Chairman: Gordon Zilles
Council Members: Brian Chambers, Kathy Robison, Jon White & Cory Yeates.
Craig W Buttars, absent.
County Executive: M. Lynn Lemon
County Clerk: Jill N. Zollinger
County Attorney: Don Linton (**James Swink, absent**)

The following individuals were also in attendance: Alice Adams, R. J. Adams, Mae Amram, Solomon Amram, Gale Anderson, Moonyeen Anderson, Richard W. Anderson, Trevor Q. Anderson, Beverly Arndt, Randall Back, Ben Ballam, Laurie Ballam, Mariann Ballam, Michael Ballam, Olivia Ballam, Vanessa Ballam, Fred Berkenkamp, Ruth Berkenkamp, Phyllis Bickmore, Nancy Blau, Donna Borden, Julie Borgmeier, Phillip Borgmeier, Elizabeth Brooks, Bryan Burr, Gayle Burr, Mary Ann Buscher, H. W. Buttars, Helen Buxton, Bob Chase, Lynn Chase, Chase Cornett, Leo Cortez, Cassandra Coulam, Darlene Courville, George, Courville, Marc A. Day, Stina Eberhardt, Marian Ensor, Stefan Espinosa, George Fastook, Mary Jane Fastook, Melissa Fife, Janet Flinders, L. R. "Skip" Flinders, K. Bernie Ford, Al Foreman, Sandra Foreman, Lila Geddes, Nan Gordon, Betty Grange, Anne Gregerson, Robert N. Gregerson, Gary Griffin, Milton Gross, Muriel Gross, Rosemary Seminara Hagen, Jackie Hansen, Lyle Hansen, Betty Heig, Jim Heig, Daniel Helfgot, Paul Hindenwitt, M. A. Hom, Sharon L. Hoth, Assessor Kathleen Howell, Sally Hunsaker, Jim Huska, Barbara Kalman, Karen Keltner, Rita Keusd, Tom Keusd, Marty Kinnear, Ray D. Kinnear, Bob Kleis, Marge Kleis, Fay Korn, Marc Korn, T. Marc Korn, Barbara Kramer, Bill Kramer, Carmen Land, Merlin Leonhardt, Rita Leonhardt, Mary Ann Liddle, Mary Ruth Linde, Barbara Lindsay, Arlene Link, Gilbert Long, Ilene Long, Kathryn Long, Tina Lovejoy, Jim Lyden, Don Lynn, Gerry Lynn, Dee Masteller, Larry Masteller, Martha Mauchley, T. Davira McClain, Bernice McCowin, Edward McPherson, Cecil Messick, Mary Hart Messick, Robert J. Miller, Tyler Moncur, Kevin Nakafani, Betty Nasinult, Gus Nasinult, , Dave Nielsen, Joshua L. Nuss, Ciara O'Neill-Mendoza, Lynne Paoletti, Pat Parker, Bob Paroubch, Mary Ann Paroubch, Laura Quest, Melanie Raymond, Bruce Rigby, Dorothy, J. Paul Riley, Bill Royal, Sara Ruddy, Josh Runhaar, Elizabeth Russ, Jenny L. Ryan, William Ryan, Lucy Santos, Pete S., Liz S., Maleia R Shef., Mary Shore, Carolyn Shouse, Marjorie Simard, Arline Slattery, James Slattery, Jim Smith, Kyle Stein, Jo Beth Stevens, Lynne Stone, Carol Sund, Jerry Thomas, Kay Thomas, S. R. Thomas, Barbara Day Turner, Do Updyke, Ben L. Vertesi, Campbell Vertesi, Benjamin Wallace, Shirley Wallace, Barbara Wignall, Ron Wignall, Jonathan Zeuf, **Media:** Charles Geraci (Herald Journal), Arrin Brunson (Salt Lake Tribune), Jeremy Threlfall (KUTA-TV), Jennie Christensen (KVNU).

OPENING REMARKS AND PLEDGE OF ALLEGIANCE

Council member Kathy 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 Yeates to approve the minutes of the May 26, 2009 Council Meeting as written. White seconded the motion. The vote was unanimous, 6-0. Buttars absent.

REPORT OF THE COUNTY EXECUTIVE: M. LYNN LEMON

APPOINTMENTS: There were no appointments.

WARRANTS: Warrants for the periods 05-08-2009 to 05-14-2009 and 05-15-2009 to 05-21-2009 were given to the Clerk for filing.

OTHER ITEMS

- ❑ **Utility Fire Truck Sale** – Executive Lemon supplied the Council copies of letters from several individuals asking that the county sell a utility fire truck to a quadriplegic who needs it. Lemon wanted Council members to be aware that the county will be selling it to the individual without putting it on the market. The price offered was appropriate.
- ❑ **Road Maintenance Contract with Forest Service** – Executive Lemon updated the Council on the maintenance process noting that there is a pre-bid meeting on June 17, 2009 and a bid opening on July 10, 2009. The schedule provided the Council listed the time frames for projects as follows:

Bridges- between August 15 and September 15
Franklin Basin and Temple Fork roads – between September 1 and October 15 or later

Some roads will be bid out and the Schedule A road improvements schedule will be determined next.

- ❑ **UAC Long Range Planning Committee** – As a member of this committee, Lemon has sent out letters asking officials to identify the core functions of county government and invited the Council members to offer input.
- ❑ **Energy Efficiency and Conservation Strategy** – This is a plan sponsored by stimulus funds and Cache County is eligible for a grant to make county buildings more energy efficient. Lemon indicated that the jail is the county's largest user of electricity and natural gas totaling about \$250,000.00 a year. The jail is working on a proposal to apply for the funding.

ITEMS OF SPECIAL INTEREST

- **Employee of the Month** award was presented to Meagan Hadfield of the Assessor's Office by Jim Smith.

Chairman Petersen reminded the large audience that the UFOC item later on the agenda will not be a public hearing and there will be no decision announced tonight on UFOC's additional RAPZ/Restaurant Tax request.

UNIT OR COMMITTEE REPORTS

- ★ **Mental Health Court Report – Don Linton** reported that the Drug Court has been very successful in lowering recidivism rates in Cache County and the same appears to be the result of the recently instituted Mental Health Court. Frequently, individuals suffering from mental illnesses commit crimes when they do not take their prescribed medications. The goal is to keep these individuals out of jail, help stabilize them, make sure they take their prescribed medications and attend therapy sessions, place them in appropriate housing, such as group homes, and assist them in getting jobs if they are able to hold a job. Thus far, there has been no cost to the county and the Court has just received a \$100,000.00 grant. The strict criteria for participation in the Mental Health Court requires that only individuals suffering from specific mental illnesses are eligible. Attorney Linton is very pleased with the progress of the program and praised Judge Kevin Allen. Linton invited Council members to observe the Court in action each Wednesday at 1:00 p.m.

- ★ **Report of Revenues and Expenditures – M. Lynn Lemon** gave the Council the most recent figures for the local sales and use tax and the county option tax. The local sales and use tax figures will better reflect reality in the April figures because the repayment of \$212,000.00 to the state will be resolved. Executive Lemon advised the Council that the county option tax shows a definite downward trend; however, there is still \$306,000.00 saved in payroll and benefits presently that more than offsets the tax loss. Firmer property tax figures will be available about mid-July.

PUBLIC HEARINGS, APPEALS AND BOARD OF EQUALIZATION MATTERS

PUBLIC HEARING: JUNE 09, 2009 – 5:45 P.M. – OPEN 2009 BUDGET – Executive Lemon explained the adjustments in the budget (See Attachment 2 to Resolution No. 2009-20-Adjustments to the 2009 Budget-for details.).

Tape 1, Side B

Chairman Petersen corrected a statement made at the last meeting pertaining to whether a motion is needed to open or close a Public Hearing. Clerk Jill Zollinger found a source that indicates the Chairman can declare the meeting open, but a motion is required to close a Public Hearing.

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

ACTION: Motion by Council member Yeates to close the Public Hearing-June 09, 2009 at 5:45 p.m.-Open 2009 Budget. Zilles seconded the motion. The vote was unanimous, 6-0. Buttars absent.

BOARD OF EQUALIZATION

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

THE COUNCIL CONVENED AS A BOARD OF EQUALIZATION.

- **Ratify Board of Equalization Hearing officer Actions** – Assessor Howell addressed Council member concerns over the valuations of two mobile homes. The State Tax

Commission directs Assessors to choose a value halfway between the highest and lowest sales figures of mobile homes and apply to all so as to be equitable. Some will be above the figure and some will be below. Howell had personal contact with each of the mobile home owners and they were satisfied with the valuations. *(Details on file in the Cache County Auditor's Office.)*

Chairman Petersen passed the gavel to Vice Chairman Zilles.

ACTION: Motion by Chairman Petersen to reconsider the Council's May 26, 2009 motion to revalue HT-27-0086 and return HT-27-0258 to Assessor Howell for reconsideration. Yeates seconded the motion. The vote was unanimous, 6-0. Buttars absent.

Vice Chairman Zilles returned the gavel to Chairman Petersen.

ACTION: Motion by Council member White to leave the valuation of \$14,994.00 as presented by the Board of Equalization on HT-27-0086. Zilles seconded the motion. The vote was unanimous, 6-0. Buttars absent.

ACTION: Motion by Council member White to leave the valuation of \$11,542.00 as presented by the Board of Equalization on HT-27-0258. Zilles seconded the motion. The vote was unanimous, 6-0. Buttars absent.

▫ **Tax Exemption Requests**

Cache Valley Center for the Arts
Fast Forward Charter High School
Logan Church of Christ
Mount Horeb Northwest Latin Conference of the International Pentecostal Holiness Church

ACTION: Motion by Council member Yeates to approve the Tax Exemption Requests. Robison seconded the motion. The vote was unanimous, 6-0. Buttars absent.

ACTION: Motion by Council member Robison to adjourn from the Board of Equalization. Yeates seconded the motion. The vote was unanimous, 6-0. Buttars absent.

THE COUNCIL ADJOURNED FROM THE BOARD OF EQUALIZATION.

PENDING ACTION

▫ **Decision – 2009 RAPZ/Restaurant Tax Recommendations**

1. Cruise-In: Executive Lemon said the application from the Cache Valley Cruise-In was received late. They indicated they had been waiting for an application to be sent to them as it has been in the past, but never received one. The request was for \$25,000.00. Lemon recommended approving \$15,000.00 because the Cruise-In is the second largest tourist attraction in Cache County and the club is continually be solicited to move the Cruise-In to another venue.
2. American West Heritage Center: Executive Lemon reminded the Council that a few years ago the county contributed funds to the Center which helped generate about

\$250,000.00 additional funding and the county also worked to get a conservation easement on some of the land. The contribution was made with the stipulation that the county would have the option to buy the land. Lemon said if the payment that will be made with the RAPZ/Restaurant Tax funding is not made, the county will lose the option to purchase the land. Lemon recommended approving the \$72,000.00 from the RAPZ/Restaurant Tax for the American West Heritage Center and work to divest the county of some of the land and preserve the area that will be in the county's best interest.

Vice Chairman Zilles asked if any other RAPZ/Restaurant Tax applicants submitted late applications? Lemon replied two cities did; however, the cities had received application forms with the date of submission on them and the Cruise-In did not.

ACTION: Motion by Vice Chairman Zilles to approve the Cache Valley Cruise-In RAPZ/Restaurant Tax allocation of \$15,000.00 and the American West Heritage Center RAPZ/Restaurant Tax allocation of \$72,000.00. Chambers seconded the motion.

ACTION: Motion by Council member White to amend the motion to consider the Cache Valley Cruise-In and the American West Heritage Center applications separately. Robison seconded the motion. The vote was unanimous, 6-0. Buttars absent.

ACTION: Motion by Vice Chairman Zilles to award the Cache Valley Cruise-In \$15,000.00 from the RAPZ/Restaurant Tax because of the importance of their tourist activity to Cache County the first part of July. Chambers seconded the motion. The motion passed, 4 aye – Chambers, Robison, Yeates & Zilles and 2 nay – Petersen & White. Buttars absent.

ACTION: Motion by Council member Chambers to approve the \$72,000.00 from the RAPZ/Restaurant Tax for the American West Heritage Center with the understanding that the county will make every attempt to divest itself of part of the land and purchase the portion the county deems beneficial to the county. Robison seconded the motion. The vote was unanimous, 6-0. Buttars absent.

- UFOC Update** – Chairman Petersen stated that the UFOC originally submitted three applications for RAPZ/Restaurant Tax allocations. Two were funded for a total of \$255,000.00. The third for \$400,000.00 was not approved for funding. At the May 26, 2009 Council meeting, the Council determined it would consider the \$400,000.00 application with a committee established to review it in greater detail. The committee (Executive Lemon, Chairman Petersen, Attorney Swink, Cameron Jensen-*Cache County Deputy Executive-Finances*, Tami Pyfer-*Logan City Council*, and Rich Anderson-*Logan City Finance Director*) has met twice. The UFOC has been extremely cooperative and forthcoming with all information requested. The committee will meet on Thursday and have a recommendation for the County Council to vote on at the June 23, 2009 meeting; however, as soon as the recommendation is available, it will be made public.

Chairman Petersen recommended having a Public Hearing on the UFOC allocation at that same meeting.

PUBLIC HEARINGS, APPEALS AND BOARD OF EQUALIZATION MATTERS

PUBLIC HEARING SET: JUNE 23, 2009 – 6:00 P.M. – TO TAKE PUBLIC COMMENT ON THE RECOMMENDATION FOR RAPZ/RESTAURANT TAX ALLOCATION FOR UFOC.

ACTION: Motion by Council member Yeates to set a Public Hearing for June 23, 2009 at 6:00 p.m. To Take Public Comment on the Recommendation for RAPZ/Restaurant Tax Allocation for UFOC. Zilles seconded the motion. The vote was unanimous, 6-0. Buttars absent.

Chairman Petersen asked Michael Ballam, UFOC, to make a statement.

Michael Ballam referred the Council to the letter he sent and expressed gratitude for the Council's support over the past years and reiterated that the county is the UFOC's last hope as it has exhausted all possibilities for funding. The UFOC policy is to not go into deficit and money is not available from traditional means due to the downturn in the economy.

- **AG Zone Update – Josh Runhaar** reported the workings of the Planning Commission on the AG Zone ordinance. There was discussion on the number of lots allowed for pre-1970 parcels, but the major point of discussion in the Commission was what the base density should be for the AG Zone. Director Runhaar recommended that each Planning Commission member forward a letter stating his/her position on the base density and reasons for that position.

Tape 2, Side A

Council member Chambers asked what the outcome of the Estancia subdivision request would have been under the new ordinance language? Runhaar responded there would have been fourteen lots instead of the fifteen approved.

Director Runhaar said the next logical step is to set standards for roads, water, fire protection, etc. in the ordinance.

In response to Executive Lemon's question as to how the county can approve the new AG Zone density without having standards in place, Chairman Petersen said the Council could approve the density concept, but not put it in ordinance form until everything is in place that is needed.

Vice Chairman Zilles stated that the new ordinance as explained will enable people to develop their property as they desire and the standards will limit that development.

Runhaar said he doesn't have sufficient staff to pursue every part of the ordinance that needs to be developed and needs the Council to prioritize what they want to see addressed.

Council member White said the Council needs to give direction to Director Runhaar and the Planning Commission.

Council member Robison responded the Council has told Runhaar that it wanted road standards and water is an obvious priority issue.

- **Library Update** –Chairman Petersen observed that the library cards subsidized by the county were available June 1, 2009 and Ron Jenkins of the Logan Library said two people from the unincorporated area of the county had purchased cards.

Chairman Petersen said notices about the cards will be sent out in the county's solid waste billings and cities will also be sending notices in their billings/newsletters.

- **County Planning Process Update – M. Lynn Lemon** reported he had received planning initiatives from fourteen departments thus far.

INITIAL PROPOSAL FOR CONSIDERATION

- **Resolution No. 2009-20 – Adjustments to the 2009 Budget**

(Attachment 1)

ACTION: Motion by Vice Chairman Zilles to waive the rules and approve Resolution No. 2009-20-Adjustments to the 2009 Budget. Yeates seconded the motion. The vote was unanimous, 6-0. Buttars absent.

- **HB 1001 Update – Josh Runhaar** reviewed the implications of the effect of HB 1001 on Cache County development. Council members indicated this bill emphasizes the need for the county to set standards for development.

(Attachment 2)

COUNCIL MEMBER REPORTS

Kathy Robison thanked County Clerk Jill Zollinger for reviewing the populations of the County Council seats in Logan and proposing an adjustment. Zollinger will present an ordinance at the June 23, 2009 Council meeting for proposed boundary changes on Robison's and Yeates' Council districts.

Brian Chambers inquired about the status of the road west of the airport? Executive Lemon said a draft is being prepared of the legal description and property owners must be contacted to come to a consensus on the placement of the road.

ADJOURNMENT

The Council meeting adjourned at 7:03 p.m.

ATTEST: Jill N. Zollinger
County Clerk

APPROVAL: H. Craig Petersen
Chairman

RESOLUTION NO. 09- 20

A RESOLUTION INCREASING THE BUDGET APPROPRIATIONS FOR CERTAIN COUNTY DEPARTMENTS.

The Cache County Council, in a duly convened meeting, pursuant to Sections 17-36-22 through 17-36-26, Utah Code Annotated, 1953 as amended, finds that certain adjustments to the Cache County budget for 2009 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 2009 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.

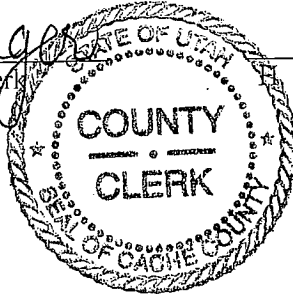
This resolution was duly adopted by the Cache County Council on the 9th day of June, 2009.

ATTESTED TO:

CACHE COUNTY COUNCIL

Jill N. Zollinger
Jill N. Zollinger, Cache County Clerk

Craig Petersen
Craig Petersen, Chairman



FUND 10 GENERAL FUND REVENUES

Resolution #2009-20

Hearing: Jun 9, 2009 5:45pm

ACCOUNT	DESCRIPTION	Recommended		Amended Budget	Reason for Change
		Current Budget	Decrease DEBIT / Increase CREDIT		
103876000	Transfers from Restaurant Tax	(18,330)	760	(70,000)	Fair & rodeo advert /parking improvements
103876500	Transfers from RAPZ Tax	(1,514,046)	10,000	(17,570)	Adjust to actual award RAPZ population
103890000	Approp Surplus			(1,697,279)	approp unexpended \$ for Hillcrest Citizens Corps
103425900	Public Safety Testing Fees	(1,000)		(2,500)	adjust to estimated revenues
	Totals		10,760	(264,733)	
	Net Adjustment			(253,973)	
FUND 10 GENERAL FUND EXPENDITURES					
ACCOUNT	DESCRIPTION	Recommended		Amended Budget	Reason for Change
		Current Budget	Increase DEBIT / Decrease CREDIT		
104135251	GIS - non capitalized equipment	4,000	1,000	5,000	for Archer Field PC package w/hemisphere sub - meter GPS
104135620	GIS - misc services	3,000		2,000	for Archer Field PC package w/hemisphere Sub - meter GPS
104141610	Auditor - misc supplies	12,000	2,500	14,500	to cover postage increase for TNT notices
104141740	Auditor - capitalized equipment	9,000		6,500	to cover postage increase for TNT notices
104145251	Attorney - noncapitalized equipment	24,191		16,538	Sire technologies software & maint exp
104145311	Attorney - software	2,000	7,653	9,653	Sire technologies software & maint exp
104210250	Sheriff - equip supplies and maint	88,400		87,751	to cover line item over expenditures
104210310	Sheriff - prof & tech		30	30	Adjust budget to cover expenses
104210311	Sheriff - software	1,500	341	1,841	Adjust budget to cover expenses
104210740	Sheriff - Capitalized Equipment	61,223	170,278	231,501	Adjust budget to cover expenses & for vehicles transfer funds to meet expenses in 310 & 311
104211250	Support Services - equipment supplies & maint	25,000		21,407	transfer funds to meet expenses in 310 & 311
104211310	Support Services - Prof & Tech	5,500	3,462	8,962	Biological testing to make case
104211311	Support Services - Software	1,500	131	1,631	Adjust budget to cover expenses
104211740	Support Services - Capitalized equipment		21,622	21,622	Added to purchase a vehicle
104220250	Fire - equip supplies & maint	45,000		41,745	to cover repair & maint of air compressors
104220621	Fire - Air compressor Expense	3,000	3,255	6,255	to cover repair & maint of air compressors
104230200	Jail - Commissary	161,300		153,800	to identify costs of pay for stay
104230333	Jail - All P/S Testing fees	2,000	1,500	3,500	Adjust budget to cover expenses
104230483	Jail - Pay for Stay Expenses		7,500	7,500	to identify costs of pay for stay
104255254	Emg Mgmt - HLS noncapitalized equipment	133,244		129,936	reallocate funds to proper account
104255487	Emg Mgmt - Citizens Corps Hillcrest		851	851	approp unexpended \$ for Hillcrest Citizens Corps
104255990	Emg Mgmt - HLS grant contrib to other units	55,272	3,308	58,580	Adjust budget to cover expenses
104511260	Fairgrounds - Bldg & Grds	50,000		48,000	transfer funds to meet contract for cleaning expense
104511620	Fairgrounds - Misc Services	4,500	2,000	6,500	transfer funds to meet contract for cleaning expense
104511720	Fairgrounds - Building	220,362		185,362	to properly classify parking lot upgrade
104511730	Fairgrounds - Improvements		35,000	35,000	to properly classify parking lot upgrade
104511730	Fairgrounds - Improvements	35,000	60,000	95,000	TRCC award for parking Improvements
	Totals		320,431	(66,458)	
	Net Adjustment			253,973	

FUND 20 MUNICIPAL SERVICES FUND REVENUES

ACCOUNT	DESCRIPTION	Current Budget	Recommended		Amended Budget	Reason for Change
			Decrease DEBIT	Increase CREDIT		
203876000	Transfer from RAPZ Tax - Population	(10,292)	945	(3,000)	(9,347)	Adjust to actual award RAPZ population
203892000	Approp Surplus	(62,708)			(65,708)	To approp funds for \$30 Library fees
	Totals		945	(3,000)	(2,055)	
	Net Adjustment					

FUND 20 MUNICIPAL SERVICES FUND EXPENDITURES

ACCOUNT	DESCRIPTION	Current Budget	Recommended		Amended Budget	Reason for Change
			Increase DEBIT	Decrease CREDIT		
204415250	Class B - equip supply & maint	367,445		(10,000)	357,445	transfer to cover costs - inc in oil prices
204415410	Class B -road maint	749,650	10,000		759,650	transfer to cover costs - inc in oil prices
204560480	Recreation - Rapz Tax	10,292		(945)	9,347	Adjust to actual award RAPZ population
204581620	Library - Misc Services	-	3,000		3,000	\$30 fee for Logan Library Use
	Totals		13,000	(10,945)	2,055	
	Net Adjustment					

FUND 23 TOURIST COUNCIL FUND REVENUES

ACCOUNT	DESCRIPTION	Current Budget	Recommended		Amended Budget	Reason for Change
			Decrease DEBIT	Increase CREDIT		
233876000	Transfers from Restaurant Tax	-		(75,000)	(75,000)	TRCC award for Tourism promotion
	Totals			(75,000)	(75,000)	
	Net Adjustment					

FUND 23 TOURIST COUNCIL FUND EXPENDITURES

ACCOUNT	DESCRIPTION	Current Budget	Recommended		Amended Budget	Reason for Change
			Increase DEBIT	Decrease CREDIT		
234780490	Advertizing and Promotions	133,941	75,000		208,941	Tourism promotion award TRCC
	Totals		75,000		75,000	
	Net Adjustment					

FUND 24 SENIOR CITIZENS REVENUES

ACCOUNT	DESCRIPTION	Current Budget	Recommended		Amended Budget	Reason for Change
			Decrease DEBIT	Increase CREDIT		
243875000	Transfers in from Other funds	-		(1,300)	(1,300)	RAPZ award for Exercise Equip upgrade
	Totals			(1,300)	(1,300)	
	Net Adjustment					

FUND 24 SENIOR CITIZENS EXPENDITURES

ACCOUNT	DESCRIPTION	Recommended		Amended Budget	Reason for Change
		Current Budget	Increase DEBIT / Decrease CREDIT		
244971251	Center - Noncapitalized Equipment	-	1,300	1,300	RAPZ award for Exercise Equip upgrade
	Totals	-	1,300	1,300	
	Net Adjustment				

FUND 26 RESTAURANT TAX FUND REVENUES

ACCOUNT	DESCRIPTION	Recommended		Amended Budget	Reason for Change
		Current Budget	Increase DEBIT / Decrease CREDIT		
263890000	1% Restaurant Tax	(900,000)	(17,912)	(917,912)	Revenue projected increase
263890000	Appropriated Surplus	(747,312)	(87,267)	(834,579)	Inc - AWHC Land pmt \$72,267; \$15M Cruise In
	Totals		(105,179)	(105,179)	
	Net Adjustment				

FUND 26 RESTAURANT TAX FUND EXPENDITURES

ACCOUNT	DESCRIPTION	Recommended		Amended Budget	Reason for Change
		Current Budget	Increase DEBIT / Decrease CREDIT		
264780620	Misc Services	1,647,312	(130,000)	1,517,312	Adjust budget for transfers out
264780620	Misc Services	1,517,312	87,267	1,604,579	Inc - AWHC Land pmt \$72,267; \$15M Cruise In
264810201	Transfers out - General Fund	-	70,000	70,000	Fair/Rodeo Advert & \$60,000 Parking Improve Fair
264810210	Transfers out - Tourist	-	75,000	75,000	Tourism award
264780310	Prof & Tech	-	2,912	2,912	study on Rest. Tax - Wickstrom
	Totals		235,179	(130,000)	
	Net Adjustment			105,179	

FUND 27 COUNTYWIDE PLANNING & DEVELOPMENT FUND REVENUES

ACCOUNT	DESCRIPTION	Recommended		Amended Budget	Reason for Change
		Current Budget	Increase DEBIT / Decrease CREDIT		
273876000	Transfers from Restaurant Tax	-	(3,500)	(3,500)	TRCC award Trail Website
273893000	Approp Fund Surplus RAPZ/REST	-	(91,000)	(91,000)	approp for Trails Match & Coordinator expenses
	Totals		(94,500)	(94,500)	
	Net Adjustment				

FUND 27 COUNTYWIDE PLANNING & DEVELOPMENT FUND EXPENDITURES

ACCOUNT	DESCRIPTION	Recommended		Amended		Reason for Change
		Current Budget	Increase DEBIT	Decrease CREDIT	Budget	
274181120	CPDO - temporary employees		10,000		10,000	Trails Coordinator wages
274181130	CPDO - Benefits		1,000		1,000	Trails coordinator benefit costs
274181486	CPDO - Trails Coordinator Agreement		10,000		10,000	Trails Coordinator expenses
274181620	CPDO - misc services		3,500		3,500	TRCC award - Trail Website project
274181621	CPDO - Trails Match		70,000		70,000	Trails Match to UDOT project
	Totals		94,500		94,500	
	Net Adjustment					

FUND 62 RAPZ FUND REVENUES

ACCOUNT	DESCRIPTION	Recommended		Amended		Reason for Change
		Current Budget	Decrease DEBIT	Increase CREDIT	Budget	
623130000	RAPZ (ZOO) Tax	(1,222,000)	51,000		(1,171,000)	Reduce revenue to est. actual
	Totals		51,000		51,000	
	Net Adjustment					

FUND 62 RAPZ FUND EXPENDITURES

ACCOUNT	DESCRIPTION	Recommended		Amended		Reason for Change
		Current Budget	Increase DEBIT	Decrease CREDIT	Budget	
624780482	RAPZ allocations - projects	1,248,037		(39,060)	1,208,977	adjust to match income projection
624780480	RAPZ allocation by population	180,551		(7,488)	173,063	adjust to actual
624780481	RAPZ allocation to Zoo	120,367		(4,992)	115,375	adjust to actual
624810100	Transfers out	18,330		(18,330)	-	adjust to actual admin fee & reclassify acct
624810201	Transfers out - General Fund		17,570		17,570	Administration fee to general fund
624810212	Transfers out - Senior Citizens		1,300		1,300	award for Exercise equipment
	Totals		18,870	(69,870)	(51,000)	
	Net Adjustment					

FUND 76 NPIC FUND REVENUES

ACCOUNT	DESCRIPTION	Current Budget	Recommended Decrease DEBIT	Increase CREDIT	Amended Budget	Reason for Change
763874200	Transfers in from General Fund	-		(50,000)	(50,000)	RAPZ award parking improvements
	Totals			(50,000)		
	Net Adjustment				(50,000)	

FUND 76 NPIC FUND EXPENDITURES

ACCOUNT	DESCRIPTION	Current Budget	Recommended Increase DEBIT	Decrease CREDIT	Amended Budget	Reason for Change
764780730	NPIC - Improvements	-	50,000		50,000	RAPZ award parking improvements
	Totals		50,000		50,000	
	Net Adjustment					

SUBDIVISION APPROVAL AMENDMENTS

2009 FIRST SPECIAL SESSION

STATE OF UTAH

Chief Sponsor: R. Curt Webb

Senate Sponsor: Stephen H. Urquhart

LONG TITLE

General Description:

This bill modifies county land use provisions relating to subdivisions.

Highlighted Provisions:

This bill:

▶ authorizes an owner of at least 100 contiguous acres of agricultural land within a county of the third, fourth, fifth, or sixth class to divide from the land a single lot without complying with subdivision plat requirements or county subdivision ordinances; and

▶ prohibits a county of the third, fourth, fifth, or sixth class from denying a building permit to an owner of a minor subdivision lot if the lot meets the county's reasonable health, safety, and access standards that the county has established and made public.

Monies Appropriated in this Bill:

None

Other Special Clauses:

This bill takes effect on October 1, 2009.

Utah Code Sections Affected:

AMENDS:

17-27a-605, as last amended by Laws of Utah 2006, Chapter 240

Be it enacted by the Legislature of the state of Utah:

Section 1. Section **17-27a-605** is amended to read:

30 **17-27a-605. Exemptions from plat requirement.**

31 (1) Notwithstanding Sections 17-27a-603 and 17-27a-604, the land use authority may
32 approve the subdivision of unincorporated land into ten lots or less without a plat, by
33 certifying in writing that:

34 (a) the county has provided notice as required by ordinance; and

35 (b) the proposed subdivision:

36 (i) is not traversed by the mapped lines of a proposed street as shown in the general
37 plan and does not require the dedication of any land for street or other public purposes;

38 (ii) has been approved by the culinary water authority and the sanitary sewer authority;

39 (iii) is located in a zoned area; and

40 (iv) conforms to all applicable land use ordinances or has properly received a variance
41 from the requirements of an otherwise conflicting and applicable land use ordinance.

42 (2) (a) Subject to Subsection (1), a lot or parcel resulting from a division of
43 agricultural land is exempt from the plat requirements of Section 17-27a-603 if the lot or
44 parcel:

45 (i) qualifies as land in agricultural use under Section 59-2-502;

46 (ii) meets the minimum size requirement of applicable land use ordinances; and

47 (iii) is not used and will not be used for any nonagricultural purpose.

48 (b) The boundaries of each lot or parcel exempted under Subsection (1) shall be
49 graphically illustrated on a record of survey map that, after receiving the same approvals as are
50 required for a plat under Section 17-27a-604, shall be recorded with the county recorder.

51 (c) If a lot or parcel exempted under Subsection (2)(a) is used for a nonagricultural
52 purpose, the county may require the lot or parcel to comply with the requirements of Section
53 17-27a-603.

54 (3) (a) ~~[Documents]~~ Except as provided in Subsection (4), a document recorded in the
55 county recorder's office that ~~[divide]~~ divides property by a metes and bounds description ~~[do]~~
56 does not create an approved subdivision allowed by this part unless the land use authority's
57 certificate of written approval required by Subsection (1)~~[(a)(ii)]~~ is attached to the document.

58 (b) The absence of the certificate or written approval required by Subsection (1) does
59 not affect the validity of a recorded document.

60 (c) A document which does not meet the requirements of Subsection (1) may be
61 corrected by the recording of an affidavit to which the required certificate or written approval
62 is attached in accordance with Section 57-3-106.

63 (4) (a) As used in this Subsection (4):

64 (i) "Divided land" means land that:

65 (A) is described as the land to be divided in a notice under Subsection (4)(b)(ii); and

66 (B) has been divided by a minor subdivision.

67 (ii) "Land to be divided" means land that is proposed to be divided by a minor
68 subdivision.

69 (iii) ~~"Minor subdivision" means a division of at least 100 contiguous acres of~~
70 ~~agricultural land in a county of the third, fourth, fifth, or sixth class to create one or more lots that,~~
71 ~~after the division, is separate from the remainder of the original 100 or more contiguous acres~~
72 ~~of agricultural land.~~

73 (iv) "Minor subdivision lot" means a lot created by a minor subdivision.

74 (b) Notwithstanding Sections 17-27a-603 and 17-27a-604, an owner of at least 100
75 contiguous acres of agricultural land may make a minor subdivision by submitting for
76 recording in the office of the recorder of the county in which the land to be divided is located:

77 (i) a recordable deed containing the legal description of the minor subdivision lot; and

78 (ii) a notice:

79 (A) indicating that the owner of the land to be divided is making a minor subdivision;

80 (B) referring specifically to this section as the authority for making the minor
81 subdivision; and

82 (C) containing the legal description of:

83 (I) the land to be divided; and

84 (II) the minor subdivision lot.

85 ~~(c) A minor subdivision lot:~~

↳ CONT.

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~~(a)~~ may not be less than one acre in size;
~~(ii)~~ may not be within 1,000 feet of another minor subdivision lot; and
~~(iii)~~ is not subject to the subdivision ordinance of the county in which the minor
subdivision lot is located.

(d) Land to be divided by a minor subdivision may not include divided land.

~~(c) A county:~~

~~(i) may not deny a building permit to an owner of a minor subdivision lot based on:~~

~~(A) the lot's status as a minor subdivision lot; or~~

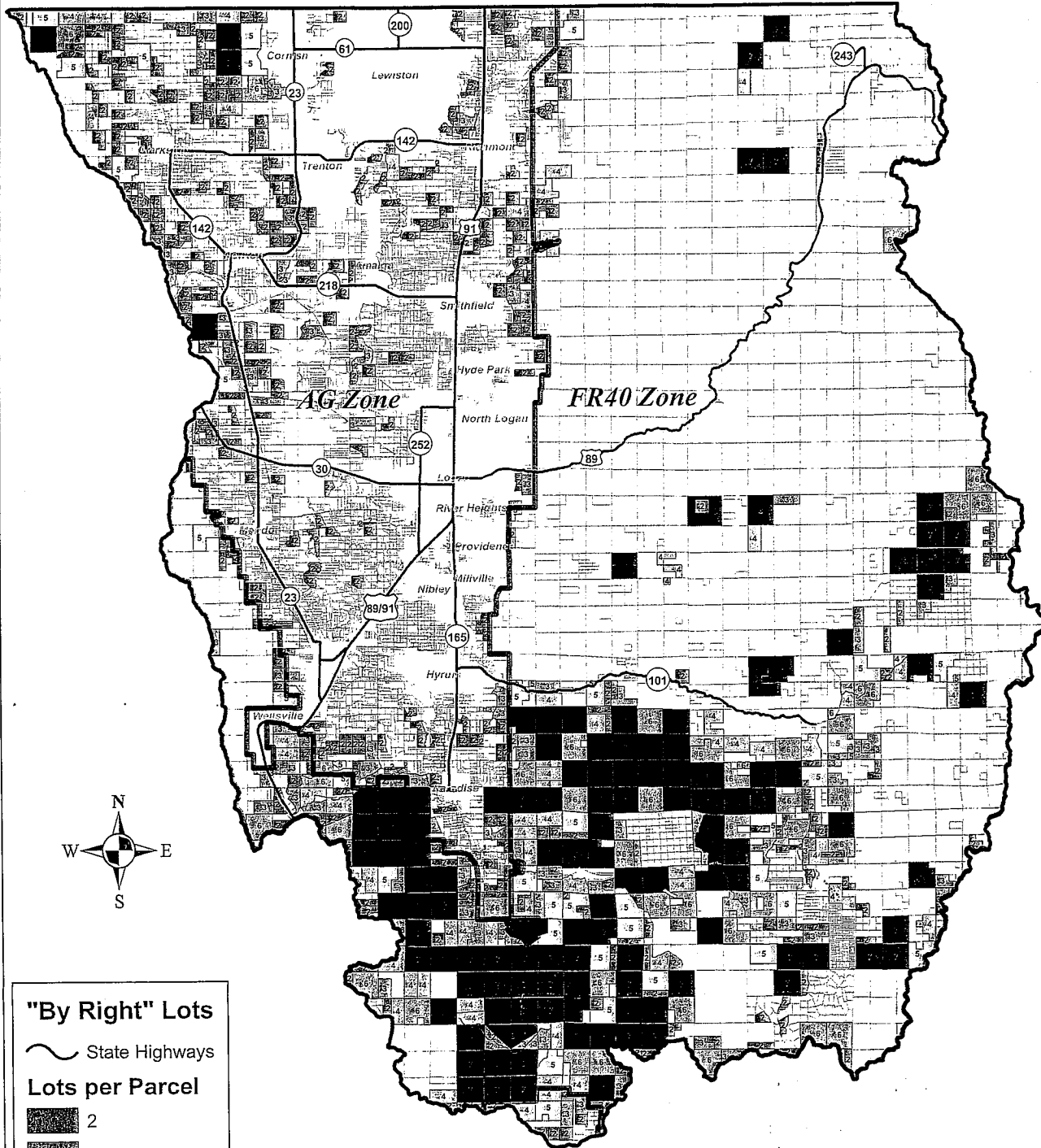
~~(B) the absence of standards described in Subsection (4)(c)(ii); and~~

~~(ii) may, in connection with the issuance of a building permit, subject a minor~~
~~subdivision lot to reasonable health, safety, and access standards that the county has~~
~~established and made public.~~

Section 2. Effective date.

This bill takes effect on ~~October 1, 2009.~~

Cache County, Utah



"By Right" Lots

~ State Highways

Lots per Parcel

2
3
4
5
6
7
7+

1857
Cache County
Development Services
Department

