

CACHE COUNTY COUNCIL MEETING
August 25, 2009

The Cache County Council convened in a regular session on August 25, 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: Craig W Buttars, Brian Chambers, Kathy Robison, Jon White & Cory Yeates
County Executive: M. Lynn Lemon
County Clerk: Jill N. Zollinger
County Attorney: James Swink

The following individuals were also in attendance: Kent Baker, Kurt Bankhead, Lindy Bankhead, Tanner Barrett, Rod Blossom, Adam Burris, Allen Burris, Kenneth Cardon, Stan Checketts, Norman Doyle, J. Clair Ellis, Jared Gibbons, Thomas Gibbons, Recorder Michael Gleed, Jess M. Harris, Virginia Harris, Annette Haslem, Larry Haslem, Sharon L. Hoth, Clinton Housley, Margaret Housley, Bruce Kidman, Leslie Mascaró, Bonnie F. Nielsen, Larry J. Olsen, Brent Parker, Pat Parker, Jim Parrish, Anthon Pate, Robert Pate, Director Josh Runhaar, Ted Seeholzer, **Media:** Charles Geraci (Herald Journal), Jennie Christensen (KVNU), Jeremy Threlfall (KUTA-TV).

OPENING REMARKS AND PLEDGE OF ALLEGIANCE

Council member Yeates 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 August 11, 2009 Council Meeting as written. Zilles seconded the motion. The vote was unanimous, 7-0.

REPORT OF THE COUNTY EXECUTIVE: M. LYNN LEMON

APPOINTMENTS: There were no appointments.

WARRANTS: Warrants for the period 07-31-2009 to 08-06-2009 were given to the Clerk for filing.

PUBLIC HEARINGS, APPEALS AND BOARD OF EQUALIZATION MATTERS

SET PUBLIC HEARING: SEPTEMBER 8, 2009 – 5:15 P.M. – 1ST CDBG PUBLIC HEARING – Executive Lemon asked that the 1ST CDBG Public Hearing that was set for August 25, 2009 be rescheduled to September 8, 2009 at 5:15 p.m.

ACTION: Motion by Council member Yeates to set a Public Hearing – September 8, 2009 at 5:15 p.m. Zilles seconded the motion. The vote was unanimous, 7-0.

OTHER ITEMS

- ❑ **Robert Weiner, lobbyist for Utah Public Lands** – will be in Cache County Monday, August 31, 2009 from 10:00 a.m. to 3:00 p.m. to look at several roads the county may have issues with as they relate to the Forest Service.
- ❑ **USACCC Meeting** will be from noon September 23, 2009 to noon September 25, 2009 at Park City and Executive Lemon asked Council members to inform Pat Parker if they will be attending so she can make reservation arrangements.
- ❑ **Senior Citizen Center Director Kristine Johnson** has proposed that the night use of the Center be curtailed and is working with those individuals and groups who have scheduled the center for evenings.
- ❑ **Road Projects** – Executive Lemon reported on the Forest Service road projects. Favorable bids have been received on the bridges and road projects are moving forward on the Sinks, Temple Fork, Tony Grove and Franklin Basin roads.
- ❑ **UAC Retirement System** – The Utah Association of Counties (UAC) has asked for input from each county on the Utah Retirement System proposals. The system is \$150 million short and several proposals are being considered by the legislature.

UNIT OR COMMITTEE REPORTS

- ★ **Envision Utah Update** – Director Runhaar reviewed what has been done, the present status of Envision Utah and what remains to be accomplished.

(Attachment 1)

CONSENT AGENDA

- ◇ **Final Plat Approval – South Mount Sterling Subdivision**
- ◇ **Final Plat Approval – Housley Brothers Subdivision Amended**

(Attachment 2)

ACTION: Motion by Council member Buttars to approve the Final Plats for the South Mount Sterling Subdivision and the Housley Brothers Subdivision Amended. Chambers seconded the motion. The vote was unanimous, 7-0.

PUBLIC HEARINGS, APPEALS AND BOARD OF EQUALIZATION MATTERS

SET PUBLIC HEARING: SEPTEMBER 22, 2009 – 6:00 P.M. – CHANGE AGRICULTURAL PROTECTION REQUIREMENTS FROM 10 ACRES TO 5 ACRES

ACTION: Motion by Council member Zilles to set a Public Hearing – September 22, 2009 at 6:00 p.m. – Change Agricultural Protection Requirements from 10 Acres to 5 Acres. Buttars seconded the motion. The vote was unanimous, 7-0.

BOARD OF EQUALIZATION

ACTION: Motion by Council member Robison to convene as a Board of Equalization. Yeates seconded the motion. The vote was unanimous, 7-0.

THE COUNCIL CONVENED AS A BOARD OF EQUALIZATION.

- **Set Board of Equalization Hearing Dates** – Executive Lemon said the recommended dates are for Tuesdays and Thursdays from August 27, 2009 through October 15, 2009 as follows:

Tuesday, September 1, 2009	Thursday, August 27, 2009
Tuesday, September 8, 2009	Thursday, September 3, 2009
Tuesday, September 15, 2009	Thursday, September 10, 2009
Tuesday, September 22, 2009	Thursday, September 17, 2009
Tuesday, September 29, 2009	Thursday, September 24, 2009
Tuesday, October 6, 2009	Thursday, October 1, 2009
Tuesday, October 13, 2009	Thursday, October 8, 2009
	Thursday, October 15, 2009

August 27, September 1, September 3, and September 8 dates were considered and staffed with Hearing Officers.

ACTION: Motion by Council member Yeates to set the Board of Equalization dates as recommended. White seconded the motion. The vote was unanimous, 7-0.

ACTION: Motion by Council member Yeates to adjourn from the Board of Equalization. Zilles seconded the motion. The vote was unanimous, 7-0.

THE COUNCIL ADJOURNED FROM THE BOARD OF EQUALIZATION.

INITIAL PROPOSAL FOR CONSIDERATION

- **Discussion – Cloud seeding 2009/2010** – Executive Lemon said the Council has until October 15, 2009 to decide if the county wants to contract for cloud seeding for the coming year. The state pays a portion and the Cache County cost will be \$45,000.00 to \$50,000.00. This item will be on the September 8, 2009 Council meeting agenda as a decision item.
- **Providence Crossing Sign/Light Request** – Executive Lemon reported that Providence Elementary School has asked Providence to install a flashing light and hire a crossing guard for 200 West at 300 South (Providence road 300 South is county road 1700 South) in Providence. Providence will do the engineering, put in the sign/light and hire the crossing guard and wants to be sure Cache County is aware and approves the action. The consensus of the Council was approval of the request.

(Attachment 3)

- **Day Time Curfew** – Council member Robison explained that law enforcement has asked the county to amend the County Code with an ordinance that would state a day time curfew for school age students so the county and cities have compatible day time curfews. Attorney Swink said the Sheriff's office noted that a student at Skyview High who is skipping school can cross the line into the county and law enforcement has no ordinance to back up the school day curfew. Council members asked for more information before making a decision.

PUBLIC HEARINGS, APPEALS AND BOARD OF EQUALIZATION MATTERS

SET PUBLIC HEARING: SEPTEMBER 22, 2009 – 6:15 P.M. – DAY TIME CURFEW
AMENDMENT TO CACHE COUNTY CODE

ACTION: Motion by Vice Chairman Zilles to set a Public Hearing – September 22, 2009 – 6:15 p.m. Robison seconded the motion. The vote was unanimous, 7-0.

INITIAL PROPOSAL FOR CONSIDERATION

- **2009 County Initiatives** – Chairman Petersen reviewed the initiatives submitted from county departments and asked Department Heads that were present to discuss their initiatives.

Tape 1, Side B

Chairman Petersen suspended the discussion of county initiatives because the time for a Public Hearing arrived.

PUBLIC HEARINGS, APPEALS AND BOARD OF EQUALIZATION MATTERS

PUBLIC HEARING: AUGUST 25, 2009 – 6:00 P.M. – REVISION OF PROPOSED AGRICULTURAL/RESIDENTIAL ZONE ORDINANCE – Director Runhaar reviewed the proposed revisions. Chairman Petersen opened the Public Hearing and invited public comment.

Larry Haslem, Petersboro, did not support the revisions because he believes it will open up nearby land for denser development and disturb the rural atmosphere.

Brent Parker, Allen Burris, Stan Checketts, Norman Doyle, Bonnie Nielsen and Rod Blossom all spoke in support.

Clair Ellis, Cache County Planning Commission member, explained some of the revisions in a little more detail.

Daren Shaw sent the attached email to Chairman Petersen to be included in the public comment.

There was no other public comment.

(Attachment 4)

ACTION: Motion by Council member Yeates to close the Public Hearing. Zilles seconded the motion. The vote was unanimous, 7-0.

PENDING ACTION

- **Discussion – Revision of Agricultural/Residential Zone Ordinance (proposal and timeline for adoption)** - Chairman Petersen asked Director Runhaar to prepare the code language for the proposed revision to be presented at the September 22, 2009 Council meeting as initial action. The timeline for adoption and an effective date will be discussed at that time.

INITIAL PROPOSAL FOR CONSIDERATION

- **2009 County Initiatives** – Chairman Petersen returned to the presentations from Department Heads concerning their initiatives.

Tape 2, Side A

Chairman Petersen asked Council members to review the initiatives and come prepared to discuss Council priorities for the proposed county initiatives at the September 8, 2009 Council meeting.

- **Four Day Work Week** – Executive Lemon observed that the state will make a decision in October concerning whether to continue the four day work week and the county will wait for that decision before taking any action on the issue.

Council member Yeates asked if the county has seen any energy savings on the four day work week?

Executive Lemon stated he didn't know, but will provide a cost comparison for the Council to consider when this item is again discussed.

OTHER BUSINESS

- ✓ **Wellsville Founder's Day Parade – Monday, September 7, 2009 – 10:00 a.m.** – Those attending will be Executive Lemon and Council members White and Zilles.

COUNCIL MEMBER REPORTS

Brian Chambers indicated he made reservations for Council members desiring to attend the Celebrate America Show on September 2, 2009. Council member Yeates said he and his wife will also be attending.

Gordon Zilles noted the Council Summer Social was very enjoyable and successful. Council members agreed.

Cache County Council
08-25-2009

Kathy Robison referred the Council to the Cache County job outlook section of a Workforce Services publication.

ADJOURNMENT

The Council meeting adjourned at 6:57 p.m.

ATTEST: Jill N. Zollinger
County Clerk

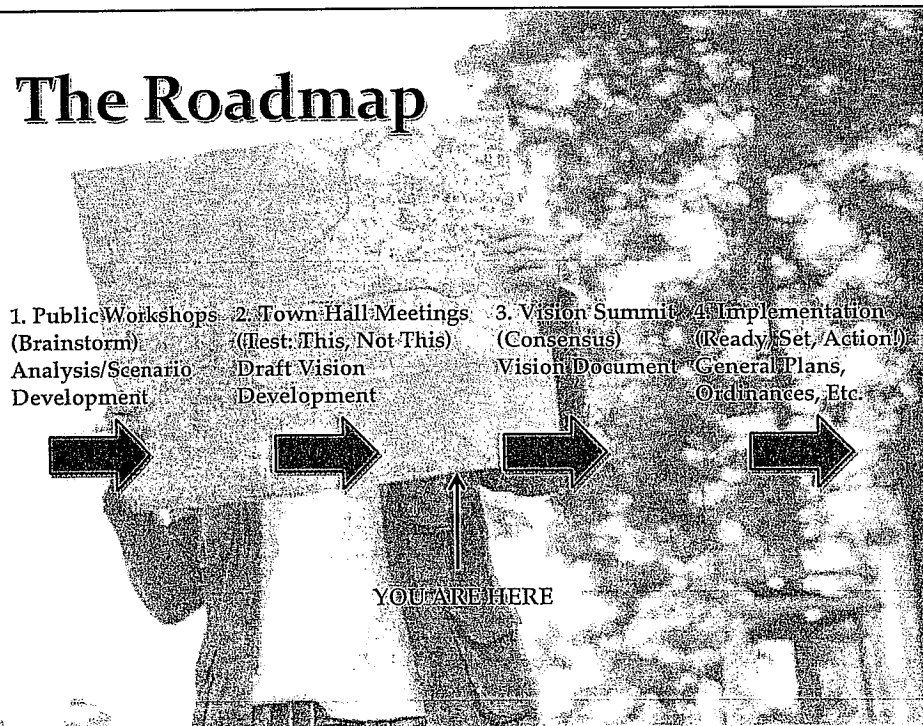
APPROVAL: H. Craig Petersen
Chairman

Envision Cache Valley Participation

250	Growth Summit
350	Visioning Workshops
820	Online Questionnaire
200	Stakeholder Groups/Organizations
125	Town Hall Meetings
500	Online Feedback Survey
400	Dan Jones Survey

2645 TOTAL

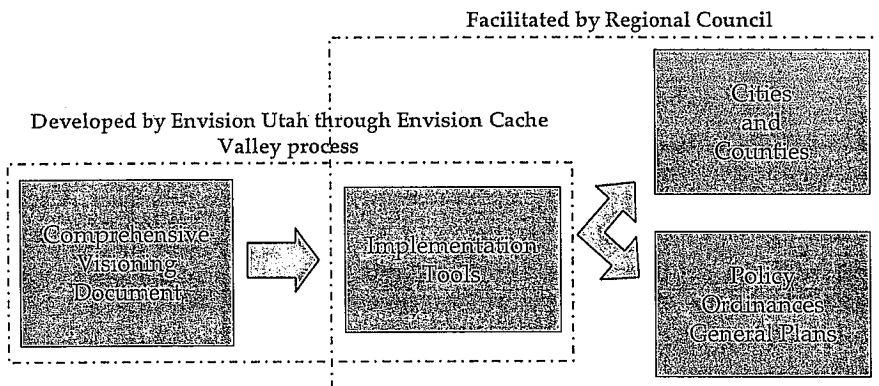
The Roadmap



Proposed Project Schedule

- Survey Results Posted—email/articles (Beginning August 20)
- Steering Committee, Technical Committee and Regional Council Retreat: (4:00 p.m., Sept. 14)
 - Bring regional council back into the process
 - Refine/prioritize principles, review map
 - Brainstorm implementation strategy
(2 steering committee meetings to prepare for summit/forum)
- Vision Principles Public Feedback—email/articles (September 1-21)
- Vision Summit (Tabernacle, 7:00 p.m., Wednesday, October 14)
 - One large public event
 - Review process/results; unveil vision principles and map
(1 steering committee meeting to prepare for forum)
- Implementation Forum (7:00 p.m., Wednesday, November 18?)
 - Key audience: mayors, councils, planning commissions, city/county staff
 - Vision review
 - Evaluation of priorities
 - Implementation tools overview
- Draft Document Review (December)
- Town/City Meetings (January/February)

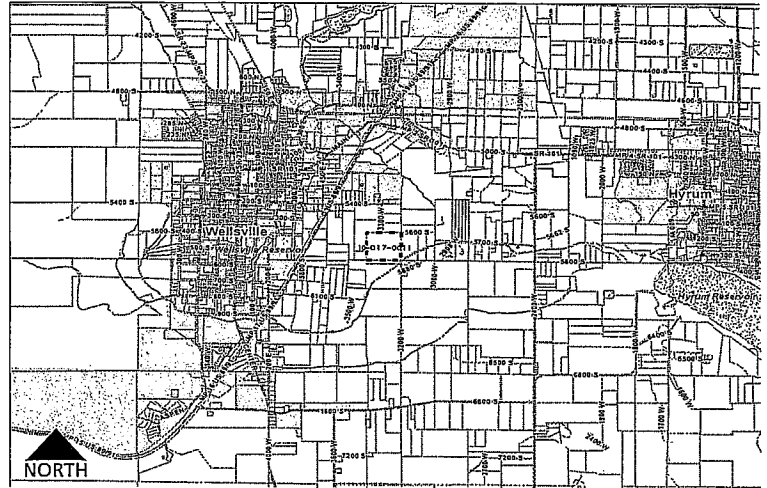
Beyond the Vision Document



For survey results and additional information please visit
www.envisioncachevalley.com

**CACHE COUNTY CORPORATION
DEVELOPMENT SERVICES DEPARTMENT**

Project Name: **South Mount Sterling
Subdivision**
Agent: Kurt Bankhead
Request: 2-lot Subdivision
Type of Action: Recommend to County Council
Current Zoning: Agricultural (A)
Project Address: Approximately 5605 South 3300 West
Staff Recommendation: Approval with Conditions
Tax ID: 10-017-0011
Surrounding Uses: North – Agriculture
South – Agriculture
East – Agriculture
West – Agriculture
Reviewed by: Leslie M. Mascaro, Planner I



PURPOSE: To recommend approval of the preliminary and final plat for the South Mount Sterling Subdivision to the County Council.

PROJECT SUMMARY

The project is located southwest of Hyrum City in the Agricultural Zone. There is one existing parcel that is used for agricultural purposes. There is currently a residential home with accessory structures located on 1.34 acres of this existing parcel. The proposal will subdivide 1.34 acres including the home and accessory structures from the 40 acre parcel. The remaining 38.66 acre parcel will continue being an agricultural parcel.

Access:

- Access from county road 5600 South is adequate.
- The front setback from the road to residential home is currently 25.43'. The existing home was originally built in 1923, making this setback a legal non-conforming use. This subdivision is not increasing this legal non-conformity.

Water & Septic:

- Adequate, approved, domestic water rights will be in place at the time of final plat recordation.
- The only proposed lot for development has an existing septic system.

Service Provision:

- Access for emergency services is adequate.
- All refuse and recycling containers must be placed on the public road for collection. Allow sufficient space along the shoulder of the road for the placement of the containers so that they will not interfere with traffic flow.
- A school bus stop would be located at 3300 West 5600 South, approximately 3 Blocks from the proposed subdivision.

STAFF DETERMINATION

It is staff's determination that the South Mount Sterling Subdivision, a 2-lot subdivision for property located at approximately 5605 South 3300 West, Wellsville TIN # 10-017-0011, is in conformance with the Cache County Ordinance and should be recommended for preliminary and final plat approval to the County Council. This determination is based on the following **findings of fact:**

1. The South Mount Sterling 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 South Mount Sterling Subdivision has been revised and amended by the conditions of project approval to conform to the requirements of Titles 16 and 17 of the Cache County Code and the requirements of various departments and agencies.
3. The South Mount Sterling Subdivision conforms to the Preliminary plat requirements of §16.03.030 Cache County Subdivision Ordinance.
4. South Mount Sterling Subdivision is compatible with surrounding land uses and will not interfere with the use and enjoyment of adjoining or area properties.
5. 5600 South, the road that provides access to the subject property, has an adequate capacity, or suitable level of service, for the proposed level of development.

CONDITIONS OF APPROVAL

The following stipulations must be met for the developments to conform to the County Ordinance and the requirements of county service providers.

1. Prior to final plat recordation the proponent shall meet all applicable standards of the Cache County Ordinance.
2. Adequate, approved, domestic water rights will be in place at the time of final plat recordation.
3. Applicant shall deed right-of-way for County road 5600 South across the entire frontage of the subdivision. The right-of-way, as designated on 5600 South, is 66' or 33' from the centerline of the road.



1 Cache County Planning Commission (CCPC)

2
3 Minutes for 06 August 2009

4
5 **Present:** Josh Runhaar, Jay Baker, Leslie Mascaro, Curtis Dent, Lee Nelson, Lamar Clements,
6 David Erickson, Leslie Larson, Clair Ellis, Megan Izatt, John White

7
8 **Start Time: 5:32:00** (Video time not shown on DVD)

9
10 Nelson welcomed; Ellis gave opening remarks.

11
12 Approval of Agenda

13
14 *Clements moved to approve agenda. Dent seconded; passed 6, 0.*

15
16 Approval of Minutes

17
18 *Erickson moved to approve the 16 July 09 minutes. Clements seconded; passed 3, 0 (Nelson,*
19 *Dent, and Ellis abstained).*

20
21 **5:34:00**

22
23 Consent Agenda

24
25 #1 South Mount Sterling Subdivision (Kurt Bankhead)

26
27 **STAFF DETERMINATION**

28 South Mount Sterling Subdivision, findings of fact

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1. The South Mount Sterling 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 South Mount Sterling Subdivision has been revised and amended by the conditions of project approval to conform to the requirements of Titles 16 and 17 of the Cache County Code and the requirements of various departments and agencies.
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 4. South Mount Sterling Subdivision is compatible with surrounding land uses and will not interfere with the use and enjoyment of adjoining or area properties.
 5. 5600 South, the road that provides access to the subject property, has an adequate capacity, or suitable level of service, for the proposed level of development.

40 **CONDITIONS OF APPROVAL**

41 The following stipulations must be met for the developments to conform to the County Ordinance and the requirements of county service providers.

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1. Prior to final plat recordation the proponent shall meet all applicable standards of the Cache County Ordinance.
 2. Adequate, approved, domestic water rights will be in place at the time of final plat recordation.
 3. Applicant shall deed right-of-way for County road 5600 South across the entire frontage of the subdivision. The right-of-way, as designated on 5600 South, is 66' or 33' from the centerline of the road.

48 #2 Housley Brothers Subdivsion Amended (Clinton & Margaret Housley)

49

1 Mr. Clinton Housley 14 yrs. ago, I built my home in Richmond and at that time I got 3 surveys.
2 We were told we needed a new survey when starting this project. Why isn't one of the previous
3 surveys good?

4
5 Runhaar the only lot that is being built on needs to be re-surveyed.

6
7 Mr. Housley okay, I wish I would have know that, it would have saved us \$2800.

8
9 Nelson any other questions?

10
11 Mr. Housley we've been told we need a 20ft road for this subdivision but it is next to Mountain
12 Shadow, can we combine accesses?

13
14 Nelson is Mountain Shadow going to use that road too?

15
16 Runhaar it is staff's recommendation that the access be combined.

17
18 Mr. Housley I haven't seen their plans, but my road is oiled.

19
20 Dent due to the draw to the west, I'm not sure they'll want to use this access.

21
22 Mr. Housley they have 3 or 4 building lots to the west of my road and I want to build on the east
23 side. This road is already oiled and I'm sure the roads on the west side would want to use that
24 road as well.

25
26 White if we've got two homes there, how can we do that without a 50 ft right of way?

27
28 Runhaar two homes we can get away with 20 ft. because it is a private driveway.

29
30 Ellis there will have to be a turnaround added.

31
32 Mr. Housley yes, when it's done.

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34 **STAFF DETERMINATION**

35 Housley Brothers Subdivision Amendment, findings of fact:

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1. The Housley Brothers Subdivision Amendment has been revised and amended by the conditions of project approval to address the issues and concerns raised within the public and administrative records.
 2. The Housley Brothers Subdivision Amendment has been revised and amended by the conditions of project approval to conform to the requirements of Titles 16 and 17 of the Cache County Code and the requirements of various departments and agencies.
 3. The Housley Brothers Subdivision Amendment conforms to the preliminary and final plat requirements of §16.03.030 and §16.03.040 of the Cache County Subdivision Ordinance.
 4. The Housley Brothers Subdivision Amended is compatible with surrounding land uses and will not interfere with the use and enjoyment of adjoining or area properties.
 5. 11800 North, the road that provides access to the subject property, has an adequate capacity, or suitable level of service, for the proposed level of development.

47 **CONDITIONS OF APPROVAL**

48 The following stipulations must be met for the developments to conform to the County Ordinance and the requirements of county service
49 providers.

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51
1. Prior to final plat recordation the proponent shall meet all applicable standards of the Cache County Ordinance.
 2. Prior to final plat recordation adequate, approved, domestic water rights shall be in place.

- 1 3. The private drive shall meet all applicable requirements of the 2006 International Fire Code and any other applicable codes as adopted by
2 Cache County. Applicant shall upgrade the private drive to meet the 20' wide requirement including an approved turnaround.
3 4. Access to Lots 1 & 2 shall be combined.
4 5. Residents of Lot 1 shall provide sufficient space for placement of refuse and recycle containers so they do not interfere with traffic.
5

6 *Dent moved to recommend approval to the County Council for the South Mount Sterling 2-lot*
7 *Subdivision and the Housley Brothers Subdivision 1-lot amendment to the County Council.*
8 *Clements seconded; passed 6, 0.*
9

10 5:46:00
11

12 # 3 & 4 Wellsville View Estates Subdivision and Sterling Country Estates Subdivision
13 (Stephen Wright)
14

15 **Mascaro** reviewed Mr. Stephen Wright's request for a 3-lot subdivision on 3.35 acres in the
16 Agricultural Zone east of Wellsville and a 5-lot subdivision on 21.20 acres in the Agricultural
17 Zone east of Wellsville. Fire and Garbage have reviewed the road and stated there are no
18 problems. The culvert will need 18 inches of fill over it for it to support 75000 lbs. The county
19 is requesting that Mr. Wright submits a drainage plan due to drainage concerns. The drainage
20 plan will need to include letters of approval from the adjacent property owners if run-off water
21 flows into their properties, and a letter of approval from the canal company.
22

23 **Nelson** will the new homes change the path of runoff?
24

25 **Mr. Stephen Wright** There is over 24 acres and only 8 homes going in so I don't think so. We
26 are meeting the Bureau of Reclamation regarding the canal and I think wings need to be added to
27 the culvert. I don't see how the drainage will affect the intersection of 6100 S and 2400 W. If
28 you're concerned about the road, you could grant me a waiver for the chip and seal.
29

30 **Clements** I don't believe in forcing people to chip and seal a private road.
31

32 **Mr. Wright** it is a private road and it will cost me a minimum of \$70-100,000 to do the road.
33

34 **Clements** if the fuel tax was going towards helping with the cost of the road and maintenance, I
35 wouldn't have a problem with it.
36

37 **Mr. Wright** there is 8 homeowners where I live now and we all got together to do the road as we
38 could afford to do it. If I have to add the chip and seal for the development, that should be my
39 decision.

40 **Nelson** we are in a hard spot because private roads can great problems because people still
41 expect the county to maintain the road.
42

43 **Mr. Wright** the county doesn't maintain the road.
44

45 **Ellis** what is the extent of the road.
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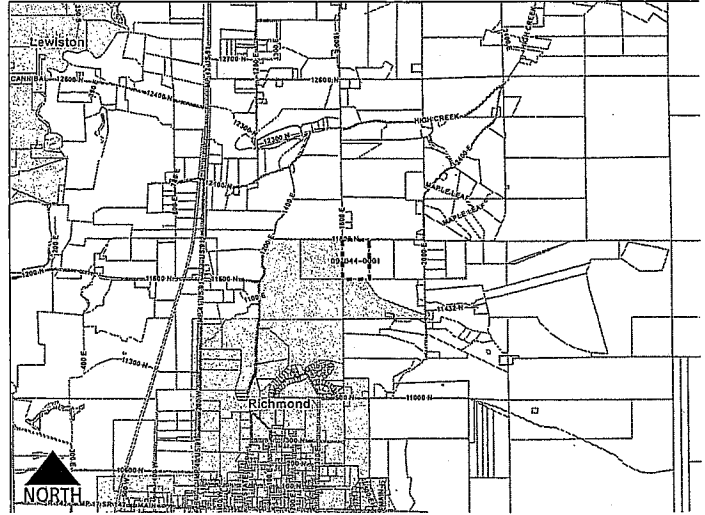
**CACHE COUNTY CORPORATION
DEVELOPMENT SERVICES DEPARTMENT**

Project Name: **Housley Brothers Subdivision
Amendment**

Agent: Clinton & Margaret Housley
Request: 5-lot Subdivision
Type of Action: Recommend to County Council
Current Zoning: Agricultural (A)
Project Address: Approximately 1604 East 11800 North
Staff Recommendation: Approval with conditions
Tax ID: 09-044-0001, 09-044-0033, 09-044-0034,
 09-044-0027

Surrounding Uses: North – Agriculture
 South – Agriculture
 East – Agriculture
 West – Agriculture

Reviewed by: Leslie M. Mascaro, Planner I



PURPOSE: To recommend approval of the preliminary & final plat for the Housley Brothers Subdivision Amendment to the Cache County Council.

PROJECT SUMMARY

The project is located northeast of Richmond City in the Agricultural Zone. There are four existing parcels with homes residing on lots 2 and 5. The other two parcels, 3 and 4, are used for agricultural purposes. The proposal is to create an additional one-acre lot from parcel 1 to build a residential home.

Access:

- Access from County Road 11800 North is adequate.
- Applicant shall share the same access used for the current home.

Water & Septic:

- Adequate, approved, domestic water rights will be in place at the time of final plat recordation.
- Proposed lot is feasible for on-site septic system and well. The two homes in this subdivision have existing septic systems.

Service Provision:

- Private drive must be 20' with an adequate turnaround for emergency vehicles.
- All refuse and recycling containers must be placed along 11800 North for collection. Property owners should allow sufficient space along the shoulder of the road for the placement of the containers so that they will not interfere with traffic flow.
- A school bus stop would be located at 1600 East 11800 North, approximately 4 Blocks from the proposed subdivision.

STAFF DETERMINATION

It is staff's determination that the Housley Brothers Subdivision Amendment, a 5-lot subdivision for property located at approximately 1604 East 11800 North, Richmond with TIN #'s 09-044-0001, 09-044-0033, 09-044-0034, 09-044-0027 is in conformance with the Cache County Ordinance requirements for preliminary and final plat approval to the County Council. This determination is based on the following **findings of fact:**

1. The Housley Brothers Subdivision Amendment has been revised and amended by the conditions of project approval to address the issues and concerns raised within the public and administrative records.

2. The Housley Brothers Subdivision Amendment has been revised and amended by the conditions of project approval to conform to the requirements of Titles 16 and 17 of the Cache County Code and the requirements of various departments and agencies.
3. The Housley Brothers Subdivision Amendment conforms to the preliminary and final plat requirements of §16.03.030 and §16.03.040 of the Cache County Subdivision Ordinance.
4. The Housley Brothers Subdivision Amended is compatible with surrounding land uses and will not interfere with the use and enjoyment of adjoining or area properties.
5. 11800 North, the road that provides access to the subject property, has an adequate capacity, or suitable level of service, for the proposed level of development.

CONDITIONS OF APPROVAL

The following stipulations must be met for the developments to conform to the County Ordinance and the requirements of county service providers.

1. Prior to final plat recordation the proponent shall meet all applicable standards of the Cache County Ordinance.
2. Prior to final plat recordation adequate, approved, domestic water rights shall be in place.
3. The private drive shall meet all applicable requirements of the 2006 International Fire Code and any other applicable codes as adopted by Cache County. Applicant shall upgrade the private drive to meet the 20' wide requirement including an approved turnaround.
4. Access to Lots 1 & 2 shall be combined.
5. Residents of Lot 1 shall provide sufficient space for placement of refuse and recycle containers so they do not interfere with traffic.



HOUSLEY BROTHERS SUBDIVISION
CONVEYED PREVIOUSLY TO HOUSLEY BROTHERS SUBDIVISION
BY H. S. HOUSLEY AND H. W. HOUSLEY
ON 11/12/2009

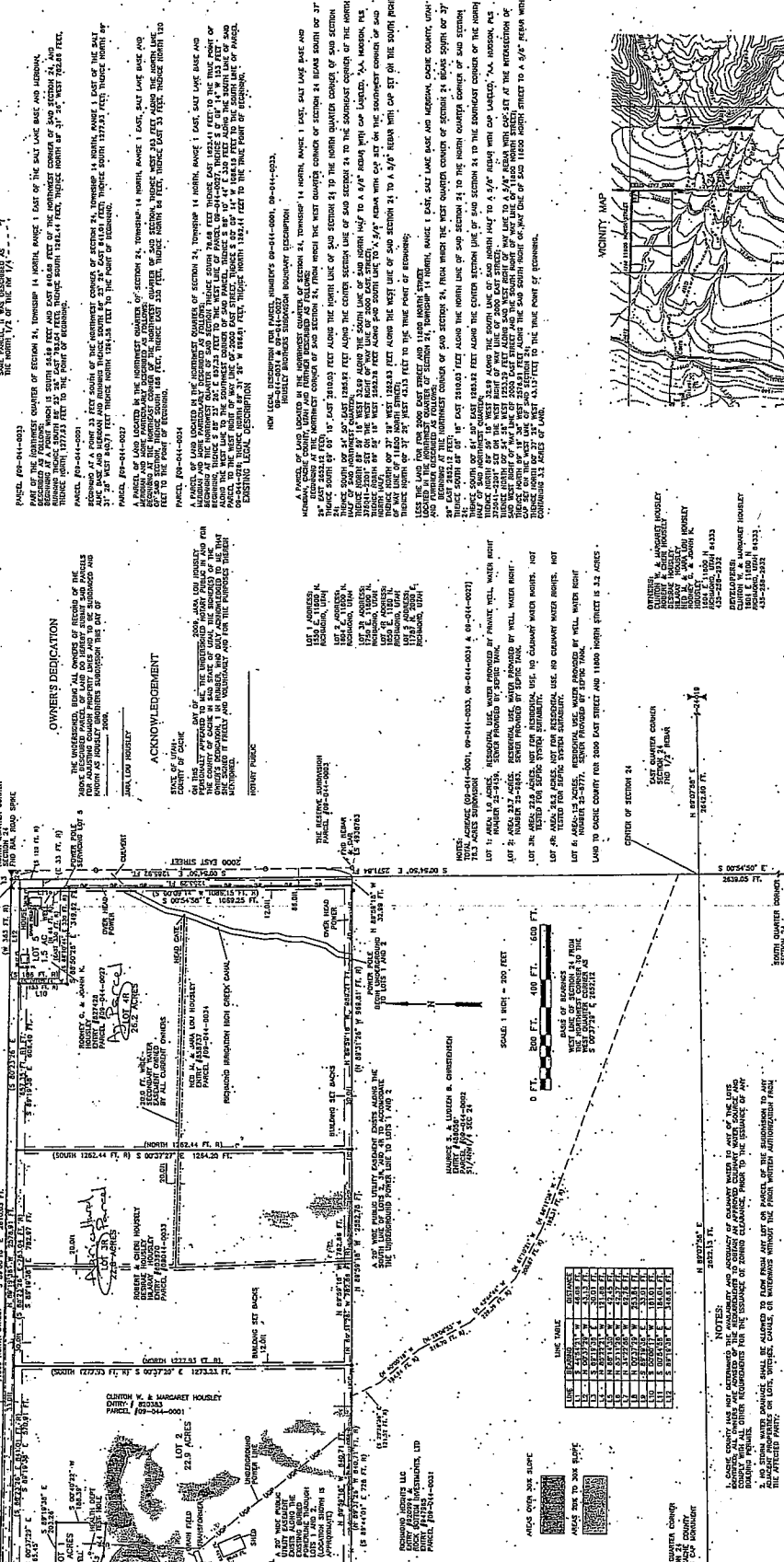
SURVEYOR'S CERTIFICATE
I, THOMAS LYNN CHRISTENSEN, SURVEYOR, DO HEREBY CERTIFY THAT I AM A LICENSED SURVEYOR IN THE STATE OF UTAH AND THAT I AM THE REGISTERED SURVEYOR OF THIS MAP.
I HAVE REVIEWED THIS MAP AND AM SATISFIED THAT IT ACCURATELY REPRESENTS THE FIELD DATA AND CALCULATIONS.
THIS MAP WAS PREPARED BY: _____
DATE: _____

RECORDER'S CERTIFICATE
I, _____, COUNTY CLERK, DO HEREBY CERTIFY THAT THIS MAP WAS FILED IN MY OFFICE ON _____ AT _____ O'CLOCK _____ M., 2009.
I HAVE REVIEWED THIS MAP AND AM SATISFIED THAT IT ACCURATELY REPRESENTS THE FIELD DATA AND CALCULATIONS.
RECORDED BY: _____
DATE: _____

CHIEF DEPUTY COUNTY SURVEYOR'S CERTIFICATE
I HEREBY CERTIFY THAT I AM THE CHIEF DEPUTY COUNTY SURVEYOR AND THAT I AM A LICENSED SURVEYOR IN THE STATE OF UTAH.
I HAVE REVIEWED THIS MAP AND AM SATISFIED THAT IT ACCURATELY REPRESENTS THE FIELD DATA AND CALCULATIONS.
THIS MAP WAS PREPARED BY: _____
DATE: _____

CACHE COUNTY PLANNING COMMISSION
THIS MAP WAS APPROVED BY THE CACHE COUNTY PLANNING COMMISSION ON _____, 2009. IT IS IN ACCORDANCE WITH THE SUBDIVISION MAP ACT, UTAH CODE ANN. § 36-2-101.
APPROVED BY: _____
DATE: _____

CACHE COUNTY ATTORNEY
I, _____, CACHE COUNTY ATTORNEY, DO HEREBY CERTIFY THAT I AM A LICENSED ATTORNEY IN THE STATE OF UTAH.
I HAVE REVIEWED THIS MAP AND AM SATISFIED THAT IT ACCURATELY REPRESENTS THE FIELD DATA AND CALCULATIONS.
THIS MAP WAS PREPARED BY: _____
DATE: _____



OWNERS' DEDICATION
THE UNDERSIGNED, BEING ALL OWNERS OF RECORD OF THE ABOVE DESCRIBED PARCEL OF LAND, DO HEREBY DEDICATE AND CONVEY TO THE PUBLIC AS INDICATED BY THIS INSTRUMENT THE RIGHT OF PUBLIC TRAVEL AND VELOCITARY AND FOR THE PURPOSES HEREIN AUTHORIZED.
SIGNATURE: _____
DATE: _____

ACKNOWLEDGEMENT
I, _____, STATE CLERK, DO HEREBY CERTIFY THAT I AM A LICENSED STATE CLERK IN THE STATE OF UTAH.
I HAVE REVIEWED THIS MAP AND AM SATISFIED THAT IT ACCURATELY REPRESENTS THE FIELD DATA AND CALCULATIONS.
THIS MAP WAS PREPARED BY: _____
DATE: _____

OWNER'S DEDICATION
THE UNDERSIGNED, BEING ALL OWNERS OF RECORD OF THE ABOVE DESCRIBED PARCEL OF LAND, DO HEREBY DEDICATE AND CONVEY TO THE PUBLIC AS INDICATED BY THIS INSTRUMENT THE RIGHT OF PUBLIC TRAVEL AND VELOCITARY AND FOR THE PURPOSES HEREIN AUTHORIZED.
SIGNATURE: _____
DATE: _____

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I, _____, STATE CLERK, DO HEREBY CERTIFY THAT I AM A LICENSED STATE CLERK IN THE STATE OF UTAH.
I HAVE REVIEWED THIS MAP AND AM SATISFIED THAT IT ACCURATELY REPRESENTS THE FIELD DATA AND CALCULATIONS.
THIS MAP WAS PREPARED BY: _____
DATE: _____

1 Cache County Planning Commission (CCPC)

2
3 Minutes for 06 August 2009

4
5 **Present:** Josh Runhaar, Jay Baker, Leslie Mascaro, Curtis Dent, Lee Nelson, Lamar Clements,
6 David Erickson, Leslie Larson, Clair Ellis, Megan Izatt, John White

7
8 **Start Time:** 5:32:00 (Video time not shown on DVD)

9
10 Nelson welcomed; Ellis gave opening remarks.

11
12 Approval of Agenda

13
14 *Clements moved to approve agenda. Dent seconded; passed 6, 0.*

15
16 Approval of Minutes

17
18 *Erickson moved to approve the 16 July 09 minutes. Clements seconded; passed 3, 0 (Nelson,*
19 *Dent, and Ellis abstained).*

20
21 5:34:00

22
23 Consent Agenda

24
25 #1 South Mount Sterling Subdivision (Kurt Bankhead)

26
27 **STAFF DETERMINATION**

28 South Mount Sterling Subdivision, findings of fact:

- 29
30
31
32
33
34
35
36
37
38
1. The South Mount Sterling 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 South Mount Sterling Subdivision has been revised and amended by the conditions of project approval to conform to the requirements of Titles 16 and 17 of the Cache County Code and the requirements of various departments and agencies.
 3. The South Mount Sterling Subdivision conforms to the Preliminary plat requirements of §16.03.030 Cache County Subdivision Ordinance.
 4. South Mount Sterling Subdivision is compatible with surrounding land uses and will not interfere with the use and enjoyment of adjoining or area properties.
 5. 5600 South, the road that provides access to the subject property, has an adequate capacity, or suitable level of service, for the proposed level of development.

39 **CONDITIONS OF APPROVAL**

40 The following stipulations must be met for the developments to conform to the County Ordinance and the requirements of county service providers.

- 41
42
43
44
45
46
47
1. Prior to final plat recordation the proponent shall meet all applicable standards of the Cache County Ordinance.
 2. Adequate, approved, domestic water rights will be in place at the time of final plat recordation.
 3. Applicant shall deed right-of-way for County road 5600 South across the entire frontage of the subdivision. The right-of-way, as designated on 5600 South, is 66' or 33' from the centerline of the road.

48 #2 Housley Brothers Subdivision Amended (Clinton & Margaret Housley)

1 Mr. Clinton Housley 14 yrs. ago, I built my home in Richmond and at that time I got 3 surveys.
2 We were told we needed a new survey when starting this project. Why isn't one of the previous
3 surveys good?

4
5 Runhaar the only lot that is being built on needs to be re-surveyed.
6

7 Mr. Housley okay, I wish I would have know that, it would have saved us \$2800.
8

9 Nelson any other questions?
10

11 Mr. Housley we've been told we need a 20ft road for this subdivision but it is next to Mountain
12 Shadow, can we combine accesses?
13

14 Nelson is Mountain Shadow going to use that road too?
15

16 Runhaar it is staff's recommendation that the access be combined.
17

18 Mr. Housley I haven't seen their plans, but my road is oiled.
19

20 Dent due to the draw to the west, I'm not sure they'll want to use this access.
21

22 Mr. Housley they have 3 or 4 building lots to the west of my road and I want to build on the east
23 side. This road is already oiled and I'm sure the roads on the west side would want to use that
24 road as well.
25

26 White if we've got two homes there, how can we do that without a 50 ft right of way?
27

28 Runhaar two homes we can get away with 20 ft. because it is a private driveway.
29

30 Ellis there will have to be a turnaround added.
31

32 Mr. Housley yes, when it's done.
33

34 **STAFF DETERMINATION**
35 Housley Brothers Subdivision Amendment, findings of fact:

- 36 1. The Housley Brothers Subdivision Amendment has been revised and amended by the conditions of project approval to address the issues
37 and concerns raised within the public and administrative records.
38 2. The Housley Brothers Subdivision Amendment has been revised and amended by the conditions of project approval to conform to the
39 requirements of Titles 16 and 17 of the Cache County Code and the requirements of various departments and agencies.
40 3. The Housley Brothers Subdivision Amendment conforms to the preliminary and final plat requirements of §16.03.030 and §16.03.040 of
41 the Cache County Subdivision Ordinance.
42 4. The Housley Brothers Subdivision Amended is compatible with surrounding land uses and will not interfere with the use and enjoyment of
43 adjoining or area properties.
44 5. 11800 North, the road that provides access to the subject property, has an adequate capacity, or suitable level of service, for the proposed
45 level of development.
46

47 **CONDITIONS OF APPROVAL**

48 The following stipulations must be met for the developments to conform to the County Ordinance and the requirements of county service
49 providers.

- 50 1. Prior to final plat recordation the proponent shall meet all applicable standards of the Cache County Ordinance.
51 2. Prior to final plat recordation adequate, approved, domestic water rights shall be in place.

- 1 3. The private drive shall meet all applicable requirements of the 2006 International Fire Code and any other applicable codes as adopted by
2 Cache County. Applicant shall upgrade the private drive to meet the 20' wide requirement including an approved turnaround.
3 4. Access to Lots 1 & 2 shall be combined.
4 5. Residents of Lot 1 shall provide sufficient space for placement of refuse and recycle containers so they do not interfere with traffic.
5

6 *Dent moved to recommend approval to the County Council for the South Mount Sterling 2-lot*
7 *Subdivision and the Housley Brothers Subdivision 1-lot amendment to the County Council.*
8 *Clements seconded; passed 6, 0.*
9

10 5:46:00
11

12 # 3 & 4 Wellsville View Estates Subdivision and Sterling Country Estates Subdivision
13 (Stephen Wright)
14

15 Mascaro reviewed Mr. Stephen Wright's request for a 3-lot subdivision on 3.35 acres in the
16 Agricultural Zone east of Wellsville and a 5-lot subdivision on 21.20 acres in the Agricultural
17 Zone east of Wellsville. Fire and Garbage have reviewed the road and stated there are no
18 problems. The culvert will need 18 inches of fill over it for it to support 75000 lbs. The county
19 is requesting that Mr. Wright submits a drainage plan due to drainage concerns. The drainage
20 plan will need to include letters of approval from the adjacent property owners if run-off water
21 flows into their properties, and a letter of approval from the canal company.
22

23 Nelson will the new homes change the path of runoff?
24

25 Mr. Stephen Wright There is over 24 acres and only 8 homes going in so I don't think so. We
26 are meeting the Bureau of Reclamation regarding the canal and I think wings need to be added to
27 the culvert. I don't see how the drainage will affect the intersection of 6100 S and 2400 W. If
28 you're concerned about the road, you could grant me a waiver for the chip and seal.
29

30 Clements I don't believe in forcing people to chip and seal a private road.
31

32 Mr. Wright it is a private road and it will cost me a minimum of \$70-100,000 to do the road.
33

34 Clements if the fuel tax was going towards helping with the cost of the road and maintenance, I
35 wouldn't have a problem with it.
36

37 Mr. Wright there is 8 homeowners where I live now and we all got together to do the road as we
38 could afford to do it. If I have to add the chip and seal for the development, that should be my
39 decision.

40 Nelson we are in a hard spot because private roads can great problems because people still
41 expect the county to maintain the road.
42

43 Mr. Wright the county doesn't maintain the road.
44

45 Ellis what is the extent of the road.
46

From: "Randy Eck" <reck@providence.utah.gov>
To: <lynn.lemon@cachecounty.org>
Date: 8/19/2009 1:05:54 PM
Subject: School Crossing request in Providence

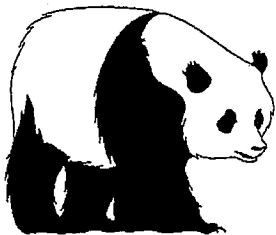
Lynn,

Thanks for talking to me on the phone on Monday. As I stated before, I think it is best to have your approval before I exhaust too many resources and incur costs for this request.

I have attached the request letter from Providence Elementary Principal Mr. Jenkins.

Thanks again,

Randy L. Eck
Providence City
Director of Public Works
15 South Main
Providence, UT 84332
435-753-0313, ext. 11
Fax: 435-753-2345



Providence Elementary School

91 East Center

Providence, Utah 84332

Phone: (435) 752-6010 Fax: (435) 753-1937

Curt Jenkins, Principal Chris Ozmun, Secretary

August 4, 2009

Dear Mayor Simmons,

This letter is a request for an AM & PM crossing guard on the corner of 200 West and 300 South by the home of Paula Gilsdorf. There are several elementary students who do not ride the bus that would benefit from the safety provided by a crossing guard. If you have any questions, please let me know.

Sincerely,

Curt Jenkins

From: "Daren Shaw" <DShaw@dadco.com>
To: <josh.runhaar@cachecounty.org>
Date: 8/17/2009 6:50:15 PM
Subject: Comment on Proposed Ag Zone Ordinance

Josh,

Copied below is an email I recently sent to Craig Petersen.

Thanks,

Daren Shaw

Hi Craig,

Thanks for all your work on the County Council. I have a comment regarding the proposed ag zone ordinance, and I am not able to attend the public hearing scheduled for 8/25. I appreciate the proposed transitional provision that would allow a pre-1970 property to be subdivided into three parcels, notwithstanding the proposed 10-acre minimum. However, given the existing allowance for five parcels from a pre-1970 property, the change to an allowance for only three parcels still results in a meaningful reduction in my property value. Accordingly, I am asking that consideration be given to allow for a transitional four-parcel subdivision from a pre-1970 property (with perhaps a 5-acre minimum). In my case, I acquired a 20-acre parcel of ag land on the east bench between Hyrum and Paradise about five years ago. I some day would like to subdivide it into 4 or 5 parcels of 4-5 acres each for homes (subject to various other conditions being met such as wells, roads, septic etc.) As I understand the proposed ordinance, I would be able to subdivide the property into only three parcels. The loss of 1-2 lots would have a significant impact on my ability to make other necessary improvements such as improving the existing county road. Thanks for your consideration.

Daren Shaw

1161 Woodcrest Lane

North Salt Lake, UT 84054

801-296-2751

shawsic@yahoo.com