

APPROVED

**CACHE COUNTY
COUNCIL MINUTES
JUNE 29, 2010**

CACHE COUNTY COUNCIL
June 29, 2010

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CACHE COUNTY COUNCIL MEETING
June 29, 2010

The Cache County Council convened in a regular session on June 29, 2010 at 5:00 p.m. in the Cache County Council Chamber at 199 North Main, Logan, Utah.

ATTENDANCE:

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

The following individuals were also in attendance: Scott Burton, Kenneth Cardon, Callie Checketts, LaMar Clements, Karlie Davis, J. Clair Ellis, Jeff Gilbert, Chief Rod Hammer, Kinner Hawes, Sharon L. Hoth, Cameron Jensen, Juan Mariano, Dave Nielsen, Bailee Noble, Morgan Perkins, LaMont Poulsen, Taci Shaffer, Patricia Winn, Lynn Zollinger, **Media:** Jay Patrick (Herald Journal), Jenny 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

Council member Yeates asked that the following be moved to the July 13, 2010 Council Meeting: Item 11a – *Discussion – Proposed Amendments to the Cache County Road Standards* – because Director Runhaar is out of town and Item 11c – *Discussion – Surplus Property along Blacksmith Fork River-approximately 37 acres of Coldwater Property Parcel #17-002-0033* – pending further dialogue on the property.

REVIEW AND APPROVAL OF MINUTES

ACTION: Motion by Council member Chambers to approve the minutes of the June 08, 2010 Council Meeting as corrected. Yeates seconded the motion. The vote was unanimous, 5-0. White & Buttars absent.

Chairman Zilles excused Council member Buttars who is out of town attending meetings as a member of the Secure Rural Schools Resource Advisory Committee (RAC).

REPORT OF THE COUNTY EXECUTIVE: M. LYNN LEMON

APPOINTMENTS: There were none.

WARRANTS: Warrants for the periods 05-07-2010 to 05-13-2010, 05-21-2010 to 05-27-2010, 06-04-2010 to 06-10-2010 & 06-11-2010 to 06-17-2010 were given to the clerk for filing.

OTHER ITEMS

- Board of Equalization - Appeals** – Executive Lemon stated he needs one or two Council members to hear appeals on Monday, July 19, 2010 at 3:00 p.m. and 4:00 p.m. Chairman Zilles will attend the Board of Equalization hearings.
- Forest Service Road Projects** – Executive Lemon said paving on the Temple Fork Bridge will take place Thursday, July 1, 2010 and there will be temporary closures of an hour or two. The girder replacement on the lower Franklin Basin bridge is scheduled for July 28 or 29, 2010. There will be several days of road closure while the bridge work is being done.
- Tax Sale** – There will not be a tax sale this year as all taxes have been collected or agreements reached for extensions.

Vice Chairman White joined the meeting.

ITEMS OF SPECIAL INTEREST

- **Employee of the Month** was presented to Dixie Page of the Assessor's Office by Jim Smith.
- **Introduction of Cache County Rodeo Royalty** – The following introduced themselves:

Morgan Perkins, Junior Princess
Bailee Noble, Princess
Callie Jo Checketts, Second Attendant
Karlie Davis, First Attendant
Taci Shaeffer, Queen

Taci explained that Taylor Anderson, Junior Queen, was unable to attend tonight. Taci presented the speech she gave for the Queen contest. LaMont Poulsen expressed appreciation for the Rodeo Royalty

- **Multi-Cultural Center Report – Director Juan Mariano** reported on the recent Cinco de Mayo activities at the Center which included children's activities, live music, dance performances and outstanding food. Mariano also reviewed the ongoing services of the Center noting that help with obtaining drivers licenses and translation assistance are the most used services.
- **National Children's Study Report – Patricia Winn** described the purpose and composition of the study. The intent is to track children from pre-birth to twenty-one years of age with the aim of obtaining valuable health information. Cache County is one of 105 sites chosen nationwide and one of two in Utah. The goal is to recruit 1,000 families in Cache County during the next four years. Winn invited anyone interested to sign forms she distributed to the Council.

- **External Audit Report – Scott Burton** gave the report noting that no significant issues were found. Executive Lemon observed that interest income was \$200,000.00 this year compared to \$700,000.00 last year – a significant decrease. Lemon complimented all the departments for being willing to save where they could. As a result, only \$200,000.00 to \$300,000.00 was used from the reserve fund instead of the projected \$1.4 million. Property tax revenue is down \$180,000.00 to \$190,000.00 as a result of the changes in the Truth in Taxation formula. In response to Chairman Zilles' question, Lemon said that the county is now okay regarding sales tax revenue and he will continue to monitor it.

(Attachment 1)

PUBLIC HEARINGS, APPEALS AND BOARD OF EQUALIZATION MATTERS

PUBLIC HEARING SET: JULY 13, 2010 – 5:45 P.M. – Open 2010 Budget

ACTION: Motion by Council member Yeates to set a Public Hearing for July 13, 2010 at 5:45 p.m. to Open 2010 Budget. Robison seconded the motion. The vote was unanimous, 6-0. Buttars absent.

PENDING ACTION

- Ordinance No. 2010-03 – Adopting Procedures for the Application, Approval, and Issuing of Permits for Special Events** – Attorney Swink spoke in place of Lieutenant Chad Jensen who was called out of town and said this is a good ordinance that will help correct the problems the county and the Sheriff's department have encountered in the past.

Council member Yeates recommended a twenty-four month review of this ordinance to see how it is working and if corrections are needed.

(Attachment 2)

ACTION: Motion by Council member Robison to approve Ordinance No. 2010-03 – Adopting Procedures for the Application, Approval, and Issuing of Permits for Special Events – with a twenty-four month review from the effective date of the ordinance. Yeates seconded the motion. The vote was unanimous, 6-0. Buttars absent.

Ordinance No. 2010-03: The vote was 6-0. Buttars absent.

	<u>CHAMBERS</u>	<u>YEATES</u>	<u>ZILLES</u>	<u>PETERSEN</u>	<u>WHITE</u>	<u>ROBISON</u>	<u>BUTTARS</u>	<u>VOTES CAST</u>
AYE	X	X	X	X	X	X		6
NAY								0
ABSTAINED								0
ABSENT							X	1

- **County Justice Court-Approve application process** – Attorney Swink commented on the advantages and disadvantages of the proposed Justice Court and presented projected revenue figures. Council member Petersen asked who the administrator of the Justice Court is? Swink responded the administrator is the Administrative Office of the Courts.

ACTION: Motion by Vice Chairman White to proceed with the application process for the County Justice Court. Robison seconded the motion. The vote was unanimous, 6-0. Buttars absent.

INITIAL PROPOSAL FOR CONSIDERATION

- **Review CCCOG scoring process for Right-of-Way projects** – Executive Lemon said he asked Jeff Gilbert to address the question of whether a right-of-way purchase would score high enough to be approved as a project by the

CCCOG. Gilbert indicated that the CCCOG created a system where, of the 33 points that can be awarded a project, 28 are discretionary. The most likely discretionary points to be used for advance purchase of right-of-ways is the CCCOG selective criteria of 10 points. The cover letter for the notice of availability for the application cycle included the following language:

“Considering which projects apply for funding keep in mind that these funds can be used for advance purchase for road rights-of-way. These property acquisition projects are encouraged because of the long-term financial benefits of securing needed property at today’s prices rather than waiting for development pressure to potentially increase the purchase price when funding is finally available for construction.”

Gilbert has heard a couple of cities are considering a right-of-way purchase project.

- **Discussion on projects for CCCOG funding application(s):**
 - (1) **2010 Capital Improvement Plan** – Vice Chairman White commented that generation of a road capital improvement plan should come from the Planning Commission. Attorney Swink said a master road plan for the county is a critical need. Executive Lemon agreed that the Planning Commission develop a transportation plan incorporating the Envision Cache Valley findings. After some discussion, Chairman Zilles directed Executive Lemon and Vice Chairman White to work on a procedure for the development of a county road master plan and what the Planning Commission’s role will be in that procedure.
 - (2) **County Portion of 3200 South between Nibley and Highway 89/91**
 - (3) **1700 South from Highway 165 to Highway 89/91**
 - (4) **4000 South from Highway 165 to Highway 89/91**

Executive Lemon explained that these are some of the projects proposed and applications are due by August 2, 2010 and a courtesy notice of intent to apply is due July 1, 2010. Engineer Lynn Zollinger indicated that the Council should recommend the project that serves the greatest public need. After

some discussion, Chairman Zilles asked Zollinger to prepare report proposals for the three projects (3200 South, 1700 South and 4000 South) for the Council's review so a decision can be made at the July 13, 2010 Council meeting.

(Attachment 3)

- **Motion – Accepting External Audit Report** – *see Attachment 1 for details.*

ACTION: Motion by Council member Yeates to accept the external audit report. White seconded the motion. The vote was unanimous, 6-0. Buttars absent.

- **Resolution No. 2010-18 – Approving Special Events Application and Fee Schedule**

(Attachment 4)

ACTION: Motion by Council member Yeates to waive the rules and approve Resolution No. 2010-18 – Approving Special Events Application and Fee Schedule. Robison seconded the motion. The vote was unanimous, 6-0. Buttars absent.

OTHER BUSINESS

- ✓ **Lewiston City Parade – July 5, 2010 – 9:00 a.m.** – Council member Buttars and Chairman Zilles will attend.
- ✓ **Hyrum City Parade – July 5, 2010 – Noon** - Vice Chairman White and Chairman Zilles will attend. Robison will attend if possible.
- ✓ **Logan City Pioneer Parade – July 24, 2010 – 12:00 noon** – Council members Petersen and Yeates will be attending.
- ✓ **North Logan – July 24, 2010 – 10:00 a.m.** – Council member Chambers will attend.

COUNCIL MEMBER REPORTS

Kathy Robison stated the Homeless Task Force has worked out arrangements with BRAG, Workforce Services and the Church of Jesus Christ of Latter-day Saints for housing, food, etc. to serve the homeless or others in need.

Craig Petersen asked how many people applied for the Executive Secretary's position. Executive Lemon responded there were about forty applicants and six or seven will be interviewed on July 19, 2010. Lemon, Chairman Zilles, Jim Smith and Cameron Jensen will conduct the interviews.

Brian Chambers indicated that former Council member John Hansen and his wife will be serving a mission in the Alexandria Mount Vernon mission.

Cache County Council
06-29-2010

Executive Lemon noted that the ballot language for the countywide library question will be available at the August 10, 2010 Council meeting.

ADJOURNMENT

The Council meeting adjourned at 7:57 p.m.

ATTEST: Jill N. Zollinger
County Clerk

APPROVAL: Gordon A. Zilles
Chairman



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Brent S. Sandberg, CPA
Brett C. Hugie, CPA
Mark E. Low, CPA
H. Paul Gibbons, CPA

INDEPENDENT AUDITORS' REPORT

To the Cache County Council
Logan, Utah

We have audited the accompanying financial statements of the governmental activities, the aggregate discretely presented component units, each major fund, and the aggregate remaining fund information of Cache County, Utah (the County), as of and for the year ended December 31, 2009, which collectively comprise the County's basic financial statements as listed in the table of contents. These financial statements are the responsibility of the County's management. Our responsibility is to express opinions on these financial statements based on our audit. We did not audit the financial statements of Bridgerland Community Ice Arena (a component unit of North Park Interlocal Cooperative), which represent 3 percent, 3 percent, and 6 percent, respectively, of the assets, net assets, and revenues of the aggregate discretely presented component units. We also did not audit the financial statements of Cache County Emergency Medical Service Authority, which represent 9 percent, 5 percent, and 18 percent, respectively, of the assets, net assets, and revenues of the aggregate discretely presented component units. Those financial statements were audited by other auditors whose report thereon has been furnished to us, and our opinion, insofar as it relates to the amounts included for Bridgerland Community Ice Arena and Cache County Emergency Medical Service Authority is based on the report of the other auditors.

We conducted our audit in accordance with auditing standards generally accepted in the United States of America and the standards applicable to financial audits contained in *Government Auditing Standards*, issued by the Comptroller General of the United States. Those standards require that we plan and perform the audit to obtain reasonable assurance about whether the financial statements are free of material misstatement. The financial statements of Bridgerland Community Ice Arena were not audited in accordance with *Government Auditing Standards*. An audit includes examining, on a test basis, evidence supporting the amounts and disclosures in the financial statements. An audit also includes assessing the accounting principles used and significant estimates made by management, as well as evaluating the overall financial statement presentation. We believe that our audit and the report of other auditors provide a reasonable basis for our opinions.

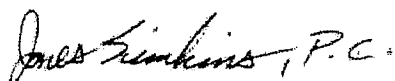
In our opinion, based on our audit and the report of other auditors, the financial statements referred to above present fairly, in all material respects, the respective financial position of the governmental activities, the aggregate discretely presented component units, each major fund, and the aggregate remaining fund information of the County as of December 31, 2009, and the

respective changes in financial position for the year then ended in conformity with accounting principles generally accepted in the United States of America.

In accordance with Government Auditing Standards, we have also issued a report dated June 18, 2010, on our consideration of the County's internal control over financial reporting and on our tests of its compliance with certain provisions of laws, regulations, contracts, grant agreements and other matters. The purpose of that report is to describe the scope of our testing of internal control over financial reporting and compliance and the results of that testing and not to provide an opinion on the internal control over financial reporting or on compliance. That report is an integral part of an audit performed in accordance with Government Auditing Standards and should be considered in conjunction with this report in considering the results of our audit.

Accounting principles generally accepted in the United States of America require that the management's discussion and analysis and budgetary comparison information as listed in the table of contents be presented to supplement the basic financial statements. Such information, although not a part of the basic financial statements, is required by the Governmental Accounting Standards Board, who considers it to be an essential part of financial reporting for placing the basic financial statements in an appropriate operational, economic, or historical context. We have applied certain limited procedures to the required supplementary information in accordance with auditing standards generally accepted in the United States of America, which consisted of inquiries of management about the methods of preparing the information and comparing the information for consistency with management's responses to our inquiries, the basic financial statements, and other knowledge we obtained during our audit of the basic financial statements. We did not express an opinion or provide any assurance on the information because the limited procedures do not provide us with sufficient evidence to express an opinion or provide any assurance.

Our audit was conducted for the purpose of forming opinions on the financial statements that collectively comprise the County's basic financial statements. The supplementary information listed in the table of contents is presented for purposes of additional analysis and is not a required part of the basic financial statements. The accompanying schedule of expenditures of federal awards is presented for purposes of additional analysis as required by U.S. Office of Management and Budget Circular A-133, "*Audits of States, Local Governments, and Non-Profit Organizations*," and is also not a required part of the basic financial statements. The accompanying schedule of expenditures of transient room taxes and tourism, recreation, cultural and convention facilities taxes is presented for purposes of additional analysis as required by the Utah Code section 17-31-5.5(3) and is also not a required part of the basic financial statements. The supplementary information and the schedules described above have been subjected to the auditing procedures applied by us and the other auditors in the audit of the basic financial statements and, in our opinion, based on our audit and the report of other auditors, is fairly stated in all material respects in relation to the basic financial statements taken as a whole.



JONES SIMKINS, P.C.
June 18, 2010

**CACHE COUNTY
ORDINANCE NO. 2010 -03**

Disclaimer: This is provided for informational purposes only. The formatting of this ordinance may vary from the official hard copy. In the case of any discrepancy between this ordinance and the official hard copy, the official hard copy will prevail.

**AN ORDINANCE OF THE COUNTY COUNCIL OF CACHE COUNTY, UTAH,
ADOPTING PROCEDURES FOR THE APPLICATION, APPROVAL, AND ISSUING
OF PERMITS FOR SPECIAL EVENTS.**

WHEREAS, it is in the best interests of Cache County and its citizens to engage in special events on county roads, on county property and on private property within the unincorporated area of Cache County; and

WHEREAS, certain special events may have an impact upon health, fire, police, transportation and other services needed to ensure and promote the public health, safety and welfare; and

WHEREAS, the County Council caused notice of the hearing on Ordinance 2010-03 to be advertised at least ten (10) days before the date of the public hearing in *The Herald Journal*, a newspaper of general circulation in Cache County; and

WHEREAS, on January 26th, 2010, at 6:00 P.M., the County Council held a public hearing to consider any comments regarding the proposed Ordinance 2010-03. The County Council accepted all comments; and

WHEREAS, the Cache County Council has determined that it is both necessary and appropriate for the County to implement this ordinance into the County Code; and

WHEREAS, it is important that any such events do not create nuisances, any menace or threat to life, health or property, or disrupt traffic or threaten or damage private or public property;

NOW THEREFORE, pursuant to the statutory authority granted the Cache County Council pursuant to Utah Code Ann. § 17-53-201 and 17-53-223, the Cache County Council amends Chapter 8 of the CACHE COUNTY ORDINANCES as follows:

Prior Ordinances, Resolutions, Policies And Actions Superseded.

This ordinance repeals in whole and replaces Title 8 Chapter 8.40 of the Cache County Code entitled Public Assemblies and all prior ordinances, resolutions, policies, and actions of the Cache County Council to the extent that the provisions of such prior ordinances, resolutions, policies, or actions are in conflict with this

ordinance. In all other respects, such prior ordinances, resolutions, policies, and actions shall remain in full force and effect.

Effective Date.

This ordinance shall become effective ninety (90) days after its passage and upon proper publication in a newspaper published and having general circulation in Cache County. Following its passage but prior to the effective date, a copy of the Ordinance shall be deposited with the County Clerk and a short summary of the ordinance shall be published in a newspaper of general circulation within the County as required by law. This ordinance will be reviewed by the Cache County Council twenty-four (24) months after its effective date.

Chapter 8.40 – Special Events

8.40.010 Purpose

The following ordinance which shall be effective as provided herein shall govern the time, place and manner of holding certain special events on county roads, on county property, and on private property in the unincorporated area of Cache County when an event's impact upon health, fire, police, transportation and other services exceeds those regularly provided in the unincorporated area of the County. The regulations provided herein are enacted in order to promote and protect the health, safety and welfare of all the persons in the County, including residents and visitors, by ensuring that special events do not create disturbances; become nuisances; menace or threaten life, health, and property; disrupt traffic; or threaten or damage private or public property. It is not the intent of this ordinance to regulate in any manner the content of speech or infringe upon the right to assemble, except for the time, place and manner of speech and assembly, and this Chapter should not be interpreted nor construed otherwise.

8.40.020 Application

- A. Application for a permit to hold an actual or anticipated assembly of 100 or more persons shall be made in writing to the Director of Cache County's Development Services (hereinafter referred to as 'Administrator') at least forty-five (45) calendar days in advance of such assembly.
- B. The special event application form, including information required and fee schedule, shall be approved by the County Council.
- C. Exemptions from obtaining a special event permit:
 - a. Events not utilizing a public road that are organized by a political party or organization, an established religious organization, family reunions, and

school- sponsored activities shall not be required to obtain a permit under this chapter. In the instance where the event utilizes a public road the organizing group shall comply with the approval process set forth in this chapter.

- b. Events held in existing and established recreational facilities, sporting arenas, stadiums, or other similar facilities that have been inspected and approved for the use and safety by Cache County or any other political subdivision of the State of Utah.
- c. Events sponsored in whole by a municipality or Cache County shall not be required to obtain a permit under this chapter.

8.40.030 Definitions. For the purpose of this chapter, the following words shall have the following meanings:

- A. "Athletic event" means an organized competitive or recreational event in which a group of people collectively engage in a sport or form of physical exercise, including but not limited to running, jogging, walking, bicycling or skating, on any county street in unincorporated Cache County or upon public or private property in the unincorporated area of Cache County.
- B. "Entertainment event" means an organized event having as its primary purpose the entertainment or amusement of a group of people, including but not limited to parades, carnivals, fairs, concerts, block parties or neighborhood gatherings, on public or private property within the unincorporated Cache County.
- C. "Political event" means an organized event, not including an athletic or entertainment event, having as its primary purpose the exercise of expressive activities of a political nature, including but not limited to speech making, picketing, protesting, marching, demonstrating or debating public issues, on any county street in unincorporated Cache County or upon property owned by Cache County or private property in the unincorporated area of Cache County.
- D. "Special event" means any athletic event, entertainment event or political event, whether held for profit, non-profit or charitable purposes.
- E. "Utilizing a public road" means using any portion of a public road or the public right of way for an athletic event, entertainment event, political event, or special event. Any other group activity that impedes, blocks, or otherwise interferes with the normal flow of traffic is also considered to be utilizing a public road for purposes of this chapter.

8.40.040 Permit- Application Process.

Special Event Permit application forms may be obtained from the Cache County Development Services Department, 179 North Main, Suite 305, Logan, Utah 84321.

- A. All applications for special event permits shall be made on a special event permit application form and shall include the following information:
- a. Type and description of event;
 - b. Name of the sponsoring entity, contact person, address and telephone number;
 - c. Name of the promoting entity, contact person, address and telephone number;
 - d. Proposed date(s) of the event, together with beginning and ending times for each date;
 - e. Proposed location, including a plat or map of the proposed area to be used, including any barricade, street route plans or perimeter/security fencing;
 - f. Estimated numbers of event staff, participants and spectators;
 - g. Public health plans, including plans for culinary water supplies, solid waste collections and disposal and waste water (toilet facilities);
 - h. Fire prevention and emergency medical services plans;
 - i. Security plans and/or law enforcement response;
 - j. Admission fee, donation, or other consideration to be charged or requested;
 - k. Plans for parking; and
 - k. Signature of applicant.
- B. The applicant for a permit shall circulate copies of the application to the following agencies for the purpose of obtaining their approval or disapproval of the proposed special event. The application is not complete until approved by the following agencies:
- a. Bear River Health Department;
 - b. Cache County Sheriff's Office;
 - c. Cache County Fire District;
 - d. Cache Emergency Medical Services;
 - e. Cache County Clerk if the special event is to be held at the Cache County Fairgrounds or other facility or land owned or managed by Cache County;
 - f. Cache Road Department, if the special event may create traffic impacts by its location, number of attendees or participants;
 - g. Cache County Building Inspector if any temporary facilities are to be constructed or special electrical supplies are considered or warranted;
 - h. Cache County Planning and Zoning, if signs advertising the event are to be placed in the unincorporated area of the County. The applicant shall submit plans drawn to scale, for any signage, noting the location of each sign for which application is made. Signs for temporary special events shall not be subject to the approval process of other County ordinances governing sign display or placement.

- i. Any other County agency which is to provide a service in connection with the special event.

8.40.050 Application Review

- A. The Administrator shall review all special event permit applications for completeness. If an application is incomplete, it shall be returned to the applicant with an explanation for why the application is incomplete within seven (7) calendar days.
- B. The Administrator shall require the review of other County offices, State agencies, Federal agencies, and municipalities as deemed necessary including but not limited to:
 - a. Cache County Sheriff's Office
 - b. Cache County Treasurer's Office
 - c. Cache County Attorney's Office
 - d. Bear River Health Department
 - e. Cache County Fire District
 - f. Cache County Planning and Zoning Office
 - g. Cache County Building Department
 - h. Cache County Road Department
 - i. Municipalities that may be impacted by the event
 - j. Cache Emergency Medical Services
- C. In reviewing an application, the agencies or departments involved shall consider the following:
 - a. The impact of the special event on the traffic, security, health and safety of the public, public facilities, surrounding property owners and the plans of the applicant to address such impacts;
 - b. The demonstrated ability of the applicant to comply with requirements necessary to protect the safety, health and welfare of the public and the past history of the applicant in complying with such requirements;
 - c. The location and duration of the special event and the county's ability to accommodate the event with the necessary resources and the cost of those resources; and,
 - d. Other previously approved special events that could cause scheduling conflicts during the same period and cause over extension of the county's resources.
- D. The agencies involved in reviewing an application may impose additional requirements or conditions necessary to protect the public interest by ensuring traffic management, security of property, or the health and safety of the public.
- E. Notification to municipalities.

- a. Upon receiving an application for a special event, the Administrator shall identify municipalities that may be impacted by the event and notify such municipalities of the application.
 - b. A municipality given notification under this chapter has two (2) weeks from the date the notification was sent by the county to respond. Responses should include comments regarding the impact of the special event on the traffic, security, health and safety of the public, public facilities, surrounding property owners and should set forth any recommendations to the county for ameliorating the impact upon the municipality.
- F. Insurance required.
- a. No special event permit shall be issued unless and until the applicant has submitted to the administrator a certificate of insurance, listing Cache County and other municipalities which the event shall pass through as additional insured parties, on an occurrence policy issued by an insurance company authorized to do business in the State of Utah, showing comprehensive general liability and property damage coverage for the event with minimum limits of One Million Dollars (\$1,000,000) for injury or death for one person in any one occurrence; Three Million Dollars (\$3,000,000) for injury or death for two or more persons in any one occurrence; and Five Hundred Thousand Dollars (\$500,000) for property damage in any one occurrence.
 - b. The following special events shall be exempt from the insurance requirements set forth in this section:
 - i. Political Events;
 - ii. Events sponsored by a religious organization on private property;
 - iii. School events on school property;
 - iv. Events sponsored in whole by the county;
 - v. Block parties and family reunions; and
 - vi. Events sponsored in whole by a municipality.
 - c. In consideration for the issuing of a special event permit, the applicant shall agree to indemnify, save harmless and defend the county, its officers and employees, against any claim for loss, damage or expense sustained by any person on account of injury, death or property damage occurring by reason of or arising out of the special event.
 - d. By issuing a special event permit, Cache County makes no guarantees and assumes no liability for the safety of participants or spectators of special events.

8.40.060 Application Fees

- A. Each initial application for a special event permit shall be accompanied by a non-refundable fee as established by the County Council to defray the administrative costs of processing the application. The following special events shall be exempt from the application fee set forth in this section but shall be subject to fees of other agencies or departments:

- a. Political events;
 - b. School events on school property;
 - c. Events sponsored by a religious organization on private property;
 - d. Events sponsored in whole by the County;
 - e. Block parties and family reunions;
 - f. Revenue-raising events where the revenue flows to the direct benefit of Cache County government; and
 - g. Events sponsored in whole by a municipality.
- B. In order to promote, protect and assure the safety and convenience of the people in their use of public streets, public places, and/or private property, the Sheriff's Office shall coordinate the use of professional peace officers if the special event requires traffic control or police protection. An additional fee may be charged by the Sheriff's Office to cover the costs incurred. The Sheriff's Office shall specify the fee required upon its approval of the special event permit application, based upon the number of officers and amount of support equipment required by such factors as: the date and time of the event; the event location and length; the anticipated traffic and weather conditions; the estimated number of participants and spectators; the nature, composition, format and configuration of the event; and the estimated time for the event. The fee charged for traffic control or police protection shall be paid prior to the issuing of the special event permit.
- C. Additional fees may be charged by the Cache County Health Department, the Cache County Fire District, licensed EMS providers, or other county agencies for special services, equipment or facilities provided by these agencies. Such additional fees shall be specified at the time the agency approves the special event permit application and shall be paid directly to the agency prior to the issuing of the special event permit.

8.40.070 Clean Up Fee Required

- A. Each initial application for a special event permit shall be accompanied by a refundable cleanup fee as established by the County Council. This fee is to insure that the property utilized in the county and municipalities are restored to their proper order after the event. The fee may be refunded in whole or part by the Administrator upon a determination by her/him that the event organizers have restored the grounds to their proper state. If the property utilized by the event organizer is not cleaned appropriately, the fee may be used by the county to first insure that county property is cleaned properly and then used to offset municipalities that are not properly cleaned after the event. The following special events shall be exempt from the clean-up fee set forth in this section but shall be subject to fees of other agencies or departments:
- a. Political events;
 - b. School events on school property;
 - c. Events sponsored by a religious organization on private property;
 - d. Events sponsored in whole by the County;

- e. Block parties and family reunions; and revenue-raising events where the revenue flows to the direct benefit of Cache County government; and
- f. Events sponsored in whole by a municipality.

8.40.080 Special Event Permit Issuance or Denial

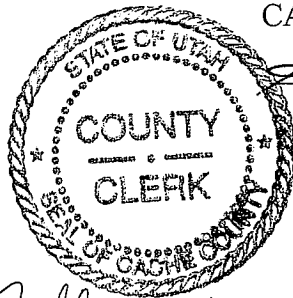
- A. Cache County reserves the right to deny permit applications for proposed special events which pose a significant danger or threat to the public health, safety or welfare, or which may result in unreasonable inconvenience or cost to the public.
- B. If an applicant does not comply with the requirements placed upon them through the permitting process, the County reserves the right to deny or revoke any application or permit granted. The County additionally reserves the right to deny any future applications for non-compliance with the terms and conditions of granting a prior special event permit.
- C. A denial of the application for a special event permit may be appealed to the Cache County Executive.

8.40.090 Violation

- A. Penalty. A violation of this ordinance shall be a Class B misdemeanor. The Cache County Sheriff's Office, in its discretion, may stop an event which has been issued a permit and/or may issue citations where event staff or participants violate other state statutes or county ordinances, terms or conditions specified in the application, and including but not limited to traffic rules and regulations, disturbing the peace, public nuisance, failure to disperse, trespass, or other health and safety regulations.

This ordinance was approved and adopted by the Cache County Council on the 29th day of June 2010, upon the following vote:

	IN FAVOR	AGAINST	ABSTAINED	ABSENT
Craig "W" Buttars				X
S. Brian Chambers	X			
H. Craig Petersen	X			
Kathy Robison	X			
Jon White	X			
Cory Yeates	X			
Gordon A. Zilles (Chair)	X			



CACHE COUNTY COUNCIL

Gordon Zilles

Gordon Zilles, Chair
Cache County Council

ATTEST:

Jill Zollinger

Jill Zollinger

Cache County Clerk

Publication Date: July 14, 2010, 2010

From: "Lynn Zollinger" <lzollinger@jub.com>
To: Lynn.Lemon@cachecounty.org
Date: 6/15/2010 10:25 AM
Subject: CCCOG Project Proposal

Lynn-

In addition to the consideration of forwarding the 3200 South Project to the CCCOG, I would like to offer a second suggestion for your consideration. As you are aware, 1700 South from SR-91 to SR-165 (Zollinger Cold Storage to Zions Bank in Providence) is becoming heavily traveled. Currently, J-U-B is designing a traffic signal for UDOT at the intersection of 1700 South/300 South and SR-165. When this signal is installed, traffic volumes are likely to increase significantly on this portion of 1700 South. There are numerous deficiencies on 1700 South that compromise the traffic handling characteristics including:

- * adequate pavement width,
- * lack of roadway shoulders,
- * steep side slopes in the eastern section,
- * a narrow bridge, and
- * a railroad crossing.

These deficiencies limit the capacity of this roadway which is currently designated as a collector route. 1700 South is on the CMPO Regional Transportation Plan, but is classified in the unfunded needs portion with an unspecified construction date. Together with the above identified deficiencies and high traffic volumes, this route is a prime candidate for funding with the 1/4% sales tax funds.

1700 South falls within the jurisdiction of Cache County, Logan City, and Providence City. The most logical sponsor of this project is the County. This is due to the following reasons: first, it is not common for one jurisdiction to construct infrastructure improvements inside the boundaries of another. In addition, the County can play a unifying role in identifying and helping regional solutions come to fruition. Lastly, the County role will allow stakeholders to be heard and concerns addressed in the design process impartially without biases toward one community or another.

We have spoken with Jeff Gilbert about the applicability of this project for the funding, and Jeff is in full support of this project. I would be happy to meet with you to further discuss the proposal, and with your concurrence move this project forward working with Logan and Providence

to gain their support for this proposal. Please advise me of your opinion on this proposal.

Sincerely,

Lynn Zollinger

J-U-B Engineers, Inc.

CC: Josh.Runhaar@cachecounty.org; Jeff.Gilbert@cachecounty.org; ZPM@JUB.com;
JCP@JUB.com

RESOLUTION 2010 - 18

A RESOLUTION OF CACHE COUNTY APPROVING THE SPECIAL EVENT APPLICATION FORM AND ASSOCIATED FEES

WHEREAS, the Cache County Council has adopted a Special Events Ordinance; and

WHEREAS, the application form for a special event has been reviewed by members of the Cache County Council; and

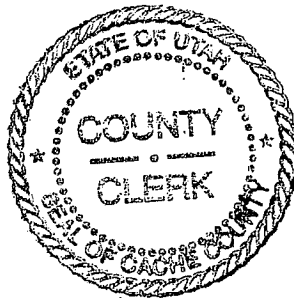
WHEREAS, the Cache County Council has determined that there will be administration expenses incurred in the processing of each special event application and such expenses should be passed on to those individuals necessitating the expenses rather than the residents of Cache County who are not participating in such events; and

WHEREAS, Cache County is authorized by §17-50-302 of the Utah Code to collect fees for services provided by Cache County; and

WHEREAS, the Cache County Council has discussed and reviewed the need to establish fees for the various expenses incurred during the application process for a special event permit so that the appropriate expenses can be passed on to those individuals who have necessitated the expenses rather than having such expenses passed onto the residents of Cache County; and

WHEREAS, the Cache County Council has determined that the establishment of the fee contained in the Special Event Application form is appropriate and in the best interests of the residents of Cache County;

NOW THEREFORE, BE IT RESOLVED by the County Legislative Body of Cache County, State of Utah, with 6 members present and 6 members voting in favor thereof that the Special Event Application form and the fee's specified in such form is hereby approved and authorized.



CACHE COUNTY COUNCIL

Gordon A. Zilles, Chair
Cache County Council

ATTEST:

Jill Zollinger
Cache County Clerk

CACHE COUNTY SPECIAL EVENT APPLICATION AND PERMIT

General Recitals:

Completed application forms shall be submitted to the Cache County Development Services Office forty-five (45) calendar days before the event is scheduled to take place, in order to allow sufficient time for final evaluation of the application and to allow timely appeal to the Cache County Executive in the event the application is denied. Applications submitted less than forty-five calendar days prior to the scheduled event shall be denied unless the applicant demonstrates to the Cache County Executive that compliance with the forty-five day deadline was impractical or impossible due to the nature of the event.

A special event permit application may be approved and a permit issued to the applicant by the Administrator upon approval by all the agencies specified in Section 8.40.40.

Cache County has no authority to approve or permit events other than in the unincorporated area of Cache County. Permits issued by Cache County apply only to the unincorporated area of the county, and if an event crosses into a municipality within Cache County or across the county line, applicants should determine if a permit is necessary in the other jurisdiction.

Cache County reserves the right to deny permit applications for proposed special events which pose a significant danger or threat to the public health, welfare or safety, or which may result in unreasonable inconvenience or cost to the public.

Required Information:

1. Name of applicant:
Mailing address:
Phone number:
Email address:

2. Type and description of event:

3. Name of sponsoring entity
Contact person:
Address:
Phone number:
Email address:

4. Name of promoting entity:
Contact person:
Address:

Phone number:

Email address:

5. Dates of event:
Beginning time for each date:
Ending time for each date:
6. Proposed location, including a plat or map of the proposed area to be used, including any barricade, street route plans or perimeter/security fencing;
7. Estimated numbers of event staff, participants and spectators:
8. Public health plans, including plans for culinary water supplies, solid waste collections and disposal and waste water (toilet facilities):
9. Fire prevention and emergency medical services plans:
10. Security plans and/or law enforcement response:
11. Admission fee, donation, or other consideration to be charged or requested:
12. If the event is a block party or other event planned within a residential area, the applicant must collect and submit with the application form a list of signatures consenting to the street closure from all neighbors whose vehicular access to their property is affected by the street closure.
13. Plans for Parking:
14. Application for special event permit shall be Fifty Dollars (\$50.00) non-refundable.

Clean up deposit:

Less than 250 estimated participants	\$500.00
Between 250 and 500 estimated participants	\$1,000.00
Greater than 500 estimated participants	\$2,500.00

Other fee's which may be added:

Sheriff Fee: _____

Health Department Fee: _____

Emergency Services Fee: _____

Other: _____

As the applicant for the special event described above, I hereby agree to comply with all Federal, State, and County laws, ordinances, and regulations before, during and after the event. I further agree to indemnify and save harmless Cache County, its officers, agents, and employees from and against any and all claims resulting from the use of the premises by the Applicant, the Applicant's invitees, licensees, agents and employees. I agree to permit law enforcement personnel the free and unrestricted access to and upon the premises at all times during the event for all lawful and proper purposes not inconsistent with the intent of the permit.

I understand and agree that this permit may be revoked upon breach of any of the conditions herein or at the discretion of the authorized officer.

I understand that this permit is not transferable and agree not to transfer my permit to any person, corporation, organization or other entity.

In Accordance with Title 8 Section 8.40 of the Cache County Ordinances Adopted on June 29, 2010, I hereby submit and certify that the above information provided is accurate and complete to the best of my knowledge.

Date: _____

Applicant's Signature

Date Received: _____

Cache County Sheriff's Office

Date: _____

Bear River Health Department

Date: _____

Cache Fire District\Emergency Medical Services

Date: _____

Cache County Building Inspector

Date: _____

Cache County Development Services Department

Date: _____

Cache County Clerk

Date: _____

Cache County Road Department

Date: _____

Other

Date: _____