



# COSAC

CACHE OPEN SPACE ADVISORY COMMITTEE

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**PUBLIC NOTICE** is hereby given that the Cache Open Space Advisory Committee will hold a **REGULAR MEETING** at **3:30 p.m.** in the **Cache County Administration Building, 109 Multipurpose Room, 179 North Main Street, Logan, Utah 84321, MONDAY, January 22, 2024.**

## Agenda

- 1. Welcome, Introductions**
- 2. Approval of agenda/minutes**
- 3. Election of New Chair, Vice-Chair, and Secretary**
- 4. Discussion of Open Space Application Evaluation Criteria**
  - Level 1 Evaluation Criteria
  - Trails Evaluation Criteria
- 5. Discussion of Application Process**
- 6. Presentation to County Council**
  - Review Material
  - Select Date
- 7. Gateway Category-Immediate Views and Parcels**
- 8. County Council Update (If any)**

## Next Meeting Agenda

## Notes

## Meeting Schedule



## Cache Open Space Advisory Committee (COSAC) By-laws and Rules of Procedure

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### **Article 1 - Objective**

**1-1.** This committee, established in conformance with the Cache County voter-approved General Obligation Bond on the 8th day of November, 2022, has adopted the following Articles in order to facilitate its powers and duties in accordance with the provisions of Cache County Ordinance No. 2023 – 06. The official title of this Committee shall be the "Cache Open Space Advisory Committee" ("COSAC").

### **Article 2 - Members**

**2-1.** The Cache Open Space Advisory Committee shall consist of (7) voting members and 2 non-voting ex-officio members. 4 of the voting members will be appointed by the County Executive with advice and consent of the County Council, with a preference for those applicants with expertise in agriculture, trails, wildlife, waterways, or outdoor recreation. 3 voting members will be selected from the general public, appointed by the County Executive with advice and consent of the County Council. The 2 ex officio members will be a member of the County Council and an expert in agriculture appointed by the County Executive with advice and consent of the County Council.

**2-2.** Appointed COSAC Members serve 1-year terms and may serve unlimited terms ending on the first meeting of the calendar year or as specified in the ordinance.

**2-3.** The County Council may remove any Member at any time with or without cause.

**2-4.** Upon removal or withdrawal of any Member of COSAC, the County Executive shall appoint a replacement Member with advice and consent of the County Council. The replacement Member shall complete the remainder of the term of the vacant seat.

**2-5.** COSAC may enlist non-voting consultants to participate as needed or advise the COSAC chair in their recommendations to the County Council and their preparations of the proposed acquisitions, including County Staff, members of the Planning Commissions, or other such persons as selected by COSAC. Such consultants shall not be considered Members.

**2-6.** All members shall serve without compensation, but their actual and necessary expenses incurred in the performance of their official duties may be paid or reimbursed by the County at the discretion of the County Council.

**2-7.** The County Attorney or his/her designee shall be legal counsel to the COSAC.

### **Article 3 - Officers and Their Selection**

**3-1.** The officers of the COSAC shall consist of a Chair, a Vice-Chair, and a Secretary. If no Secretary is selected from among the serving Members, the Director of Development Services, or their designee, will serve as Secretary of the Committee.

**3-2.** Officers shall be nominated and selected by majority vote.

**3-3.** Selection of officers shall be provided to the County Council with written notice of such selections.

**3-4.** In the first meeting, and annually at the first meeting of the calendar year thereafter officers of COSAC shall be selected to fill one year terms ending on the first meeting of the calendar year.

### **Article 4 - Duties of Officers**

**4-1.** The Chair shall be an appointed member of the Committee and shall:

**4-1-1.** Preside at all meetings.

**4-1-2.** Appoint committees, special and/or standing and liaisons.

**4-1-3.** Rule on all procedural questions (subject to a reversal by a majority vote of the members present).

**4-1-4.** Be informed immediately of any official communication and report the same at the next regular meeting.

**4-1-5.** Represent the Committee before the County Council and other public bodies except when this responsibility has been delegated to an appropriate Official or Committee member.

**4-1-6.** Carry out other duties as assigned by the Committee.

**4-1-7.** Review and approve agendas prepared by staff and provisions added by Committee members.

**4-2.** The Vice-Chair shall be an appointed member of the COSAC and shall:

**4-2-1.** Act in the absence or inability of the Chair to act.

**4-2-2.** Have the powers to function in the same capacity as the Chair in cases of the Chair's inability to act.

**4-2-3.** Fill immediately any vacancy in the office of Chair.

**4-2-4.** Be responsible for the orientation of new members of the COSAC.

**4-2-5.** In case of mid-year vacancies, COSAC shall appoint a member to fulfill the remainder of the term according to 3.2.

**4-3.** The Secretary shall:

**4-3-1.** Keep a written record of all business transacted by the Committee.

**4-3-2.** Keep a file of all official records and reports of the Committee.

**4-3-3.** Certify all minutes of the Committee.

**4-3-4.** Give notice of all hearings and public meetings.

**4-3-5.** Attend to the correspondence of the Committee.

**4-3-6.** Keep a set of minutes.

**4-3-7.** Prepare and be responsible for the publishing of all advertisements relating to public

hearings.

**4-3-8.** If the Secretary is an appointed member of the Committee, the Secretary may, with the consent of the COSAC, delegate any of the above responsibilities of the Secretary to the Director of Development Services (or similar official), except that the certification of minutes of the Committee may not be delegated.

**4-3-9.** In case of mid-year vacancies, COSAC shall appoint a member to fulfill the remainder of the term according to 3.2.

## **Article 5 - Standing and Special Committees**

**5-1.** Any standing sub committees to serve as recommending bodies to COSAC may be appointed by the Chair.

**5-2.** Any special committees may be appointed by the Chair and shall function for a duration as set by the Chair. The duties and responsibilities of any special committee shall be clearly defined and outlined at a regularly scheduled COSAC meeting.

**5-3.** Each standing and special committee shall prepare a written report of meetings held to become a part of the permanent records of the Committee.

## **Article 6 - Meetings**

**6-1.** COSAC shall adopt a regular meeting schedule at the beginning of the year. The chair or in their absence Vice-Chair may cancel regular meeting schedules on an as needed basis.

**6-2.** Agendas and meeting packets will be provided to COSAC 2 business days (preferred 1 weekend) prior to the meeting.

**6-3.** Special meetings shall be called at the request of the Chair or at the request of any three members of the Committee. Written notice which states the time and purpose of the special meeting shall be given to each member at least five (5) days prior to such meetings. Noticing of special meetings shall be made in compliance with State Code Ann. §17-27a Part 2 and §17-53 Part 4.

**6-4.** A majority of the voting membership of the Committee shall constitute a quorum. When a quorum is present, a majority vote of the members present is sufficient for the adoption of any motion. Voting may be a roll call, in which case a record shall be kept as part of the minutes. Any member shall have the right to demand a roll call vote. A split vote may be advanced as a recommendation to the Council.

**6-5.** Meetings shall be open to the public except when deemed necessary, in which case the Committee may go into Executive (closed) Session, when the provisions of the Utah Open and Public Meetings Act, State Code Ann §17-53 Part 4, shall be in effect.

**6-6.** The rules contained in the current edition of Roberts Rules of Order Newly Revised shall govern the COSAC in all cases to which they are applicable and in which they are not inconsistent with the by-laws, any special rules of order the COSAC may adopt, and County or State code that regulates

the COSAC or its meetings.

## **6-7. Electronic Meetings**

**6-7-1.** A Committee meeting may be convened and conducted by means of telephonic, telecommunications, or computer conference by satisfying the requirements of Utah Code Ann. § 52-4-207.

**6-7-2.** The primary purpose for holding electronic meetings is to enable members of the Committee to participate in the meeting electronically. Provision may be made for a member of the public to monitor an open meeting of the Committee through electronic means, provided that the County will not be required to acquire any equipment, facilities or expertise which the County does not already possess in order to accommodate the request. Notwithstanding anything to the contrary in this Policy, with the exception of a public hearing, the general public and other interested persons need not be provided an opportunity to participate in, as opposed to attend and monitor, an electronic meeting.

**6-7-3.** Not less than 24 hour advance public notice, including the agenda, date, time, location, and a description of how the Committee Members will be connected to the electronic meeting, will be given for each electronic meeting of the Committee by posting a written notice at the principal office of the County, or at the building where the meeting is to be held, and providing written or electronic notice to at least one newspaper of general circulation in the County, and by posting the notice on the Utah Public Notice Website created under Utah Code Ann. § 63F-1-701. In addition, the notice must be provided to all Committee Members at least 24 hours before the meeting. These notice requirements are minimum requirements and are not to be construed as precluding such additional postings and notifications as may be directed by the Committee.

**6-7-4.** The Chair, or the Vice-Chair in the Chair's absence, may determine, based upon budget or logistical considerations, that it is not in the best interest of the County to hold an electronic meeting, in which event the meeting will not be held as an electronic meeting. The Chair, or the Vice-Chair in the Chair's absence, may also restrict the number of separate electronic connections that are allowed for an electronic meeting based on available equipment capacity. The request from a member of the public to participate in a meeting electronically may be denied by the Chair, or Vice-Chair in the Chair's absence, based on budget, public policy, or logistical considerations deemed sufficient by the Chair or Vice Chair.

**6-7-5.** No action may be taken and no business may be conducted at a meeting of the Committee unless a quorum, consisting of a simple majority of the members of the Committee, is present. A Committee Member who is not physically present may nevertheless participate in the meeting through electronic means and be counted toward the required quorum in accordance with Utah Code Ann. § 52-4-207. Any Committee Member participating via electronic means may make, second, and vote on all motions and participate in the discussion as though present.

## **Article 7 - Order of Business**

**7-1.** The order of business for a Regular Meeting shall be:

- 7-1-1.** Call to Order by the Chair
- 7-1-2.** Roll call by the Secretary
  - 7-1-2-1.** Determination of a quorum
- 7-1-3.** Approval of agenda
- 7-1-4.** Approval of minutes
- 7-1-5.** Report of the Secretary
- 7-1-6.** Consent Agenda
- 7-1-9.** Agenda Items
  - 7-1-9-1.** Public Comment
  - 7-1-9-2.** Public Hearings
- 7-1-10.** Report of Special Committees
- 7-1-11.** Liaison Reports
- 7-1-12.** Chair's Report
- 7-1-13.** Adjournment

**7-2.** The Chair is authorized to approve and modify the staff prepared consent agenda for each meeting for consideration by the Committee. The consent agenda may include any item believed by the chair to meet all required ordinances, be routine, and not controversial in nature.

**7-2-1.** A single motion and vote in favor thereof shall approve all items on the consent agenda.

**7-2-2.** Any member of the Committee may request to have any item removed from the consent agenda. Such requests need not be seconded. Such items shall then be taken up for discussion by the Committee as a regular agenda item.

**7-3.** Public Comment portion of the meeting will be limited to 30 minutes for each agenda item unless otherwise specified by the Chair.

**7-3-1.** The agent for the agenda item will be limited to a 5-minute period of open discussion, with additional time allowed to respond to questions of the COSAC

**7-3-2.** Individual speakers from the public will be limited to 3 minutes each unless prior approval is obtained from the Chair.

## **Article 8 – Communication and Correspondence**

**8-1.** To ensure that the decision-making process is fair and impartial, the COSAC is to abide by certain standards regarding "ex parte" communication on cases under review.

**8-1-1.** Ex parte communication is defined as "oral or written, off-the record communication made to or by committee members or committee decision-making personnel, without notice to parties, that is directed to the merits or outcome of an on-the-record proceeding."

**8-1-2.** If prohibited ex parte communication is attempted, the Committee Member involved should first attempt to stop the party from engaging in prohibited behavior, then document the attempt and notify the Secretary. The Secretary will then enter a statement into the public file and make copies of the statement available to other parties in the case.

**8-2.** If the COSAC and/or a Committee Member determines that there is a conflict of interest on an agenda item, that Committee Member shall not participate in the discussion or action on that agenda item. In such an event, the Committee Member shall seat themselves in the audience or leave the room. For purposes of determining the existence of a quorum, that Committee Member shall not be counted.

**8-3.** It shall be the duty of the Secretary to communicate by telephone or other means when necessary to make communications that cannot be carried out as rapidly as required through direct correspondence.

**8-4.** All official papers and plans involving the authority of the Committee shall bear the signature of the Chair or Vice-Chair.

## **Article 9 - Amendments**

**9-1.** These by-laws may be changed by a recorded two-thirds (2/3) vote of the entire COSAC.

## COSAC Open Space Application Evaluation

*Each advisory committee member scores each criterion, and then the total scores are averaged. It is anticipated that projects will not score in every category. The scoring on this sheet represents the opinion of each committee member. These scores are for evaluation and ranking purposes only, are non-binding, and are to help make recommendations to the applicant and County Council for their final determination. The final recommendation and consideration may include additional factors, such as economic value, cost, and other funding sources.*

	Points Possible	Score Given
<p><b>PROTECT SCENIC VISTAS</b></p> <p>The location is along major corridors</p> <ul style="list-style-type: none"> <li>a. Major state highways</li> <li>b. Minor state highways</li> <li>c. Major county</li> <li>d. Visability</li> <li>e. Traffic counts</li> <li>f. Foothills</li> </ul>	<b>20</b>	
<p><b>PRESERVE OPEN LANDS NEAR VALLEY GATEWAYS</b></p> <p>The location is seen from major gateways</p> <ul style="list-style-type: none"> <li>a. View from entry way into the valley at the mouth of Wellsville Canyon or the transit through Wellsville Canyon</li> <li>b. First full view of the valley along Highway 30 heading east from Box Elder county (roughly 1.2 miles from county border)</li> <li>c. View from Highway 89 heading west from Logan canyon, just before the road drops down around the USU campus (roughly at 900 E.)</li> <li>d. View from Highway 91 just south of the Idaho border.</li> <li>e. View from Highway 91 north of Smithfield where the road traverses the side of Crow Mountain</li> <li>f. View from the rise along Highway 165 just north of Hyrum;</li> <li>g. View from the visitor center at the American West Heritage Center</li> </ul>	<b>20</b>	

<p><b>MAINTAINS AGRICULTURE</b></p> <p>Land evaluation components and other considerations</p> <ul style="list-style-type: none"> <li>a. Soil Productivity Index (SPI)</li> <li>b. Land Capability Index (LCI)</li> <li>c. Size of Parcel</li> <li>d. Commercial farm activity</li> <li>e. Proximity to protected lands (APA's &amp; CE's)</li> <li>f. Canals/ Laterals</li> <li>g. Century Farm Dedication</li> </ul>	<b>15</b>	
<p><b>MAINTAINS WATERWAYS</b></p> <p>The following will be included in consideration</p> <ul style="list-style-type: none"> <li>a. Floodplain</li> <li>b. Wetlands</li> <li>c. Major Waterways</li> <li>d. Waterbodies</li> <li>e. Springs</li> </ul>	<b>15</b>	
<p><b>MAINTAINS WILDLIFE HABITAT</b></p> <p>The following will be included in consideration</p> <ul style="list-style-type: none"> <li>a. Important Habitat Areas</li> <li>b. Wildland-Urban Interface</li> <li>c. Migratory Bird Production Area</li> <li>d. Deer &amp; Elk Migration Corridors</li> <li>e. Mule Deer Habitat</li> <li>g. Deer &amp; Elk Winter Range</li> <li>h. Fish Habitat</li> </ul>	<b>15</b>	
<p><b>ALLOWS PUBLIC ACCESS</b></p> <p>Please see the COSAC Trail Application for trail only projects The following will be considered when scoring:</p> <ul style="list-style-type: none"> <li>a. A trail easement will be included in the project</li> <li>b. The project allows for another form of broad public access</li> </ul>	<b>15</b>	
<b>TOTAL</b>		<b>100</b>

## COSAC Trail Application Evaluation

*Each advisory committee member scores each criterion, and then the total scores are averaged. The scoring on this sheet represents the opinion of each committee member. These scores are for evaluation and ranking purposes only, are non-binding, and are to help make recommendations to the applicant and County Council for their final determination. The final recommendation and consideration may include additional factors, such as economic value, cost, and other funding sources.*

	Points possible	Score given
The trail is functional or a contiguous piece that will be used by itself or in conjunction with an existing trail	15	
The trail is on the municipal or county Trails Master Plan	10	
The trail has regional trail connectivity	10	
The trail connects previously unconnected communities by way of active transportation	5	
The trail increases safety for active transportation	10	
Multiple municipalities or population are benefiting from this trail	10	
This is an opportunistic moment to acquire a piece of trail even though trail may not currently be contiguous	10	
The trail has surrounding non-participating land owner support for future acquisition	5	
Other funds for building the trail have been tentatively secured (Open Space Bond funds may not be used for construction of trails)	10	
The trail has a near term completion date	5	
The submitting municipalities are contributing to the acquisition	10	
<b>TOTAL</b>	<b>100</b>	

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A large wooden water wheel is the central focus, partially obscured by a horizontal metal pipe in the foreground. The wheel is situated in a lush green field. In the background, there are dense trees and a sky with soft, warm light, suggesting a sunset or sunrise. The overall scene is peaceful and rural.

# Opens Space Bond Application

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# Open Space Bond Application Process

## Pre-Application

## 1st Round

## Update

## 2nd Round

## Fund

Pre-Application Meeting

COSAC Preliminary Application

County Council Review

Applicant Updates

COSAC Final Application

COSAC Final Application

Project is Funded and Recorded

Applicant may request meeting with COSAC to review concept application

Creation of staff report  
Review and Ranked by COSAC  
COSAC makes preliminary recommendation

County Council reviews application and COSAC recommendation  
Give conditions of approval or denies

Applicant updates the application based on conditions  
Creates a more detailed funding plan  
Appraised the property  
Long term management plan

COSAC review updated application  
Create new score  
COSAC make a recommendation to County Council

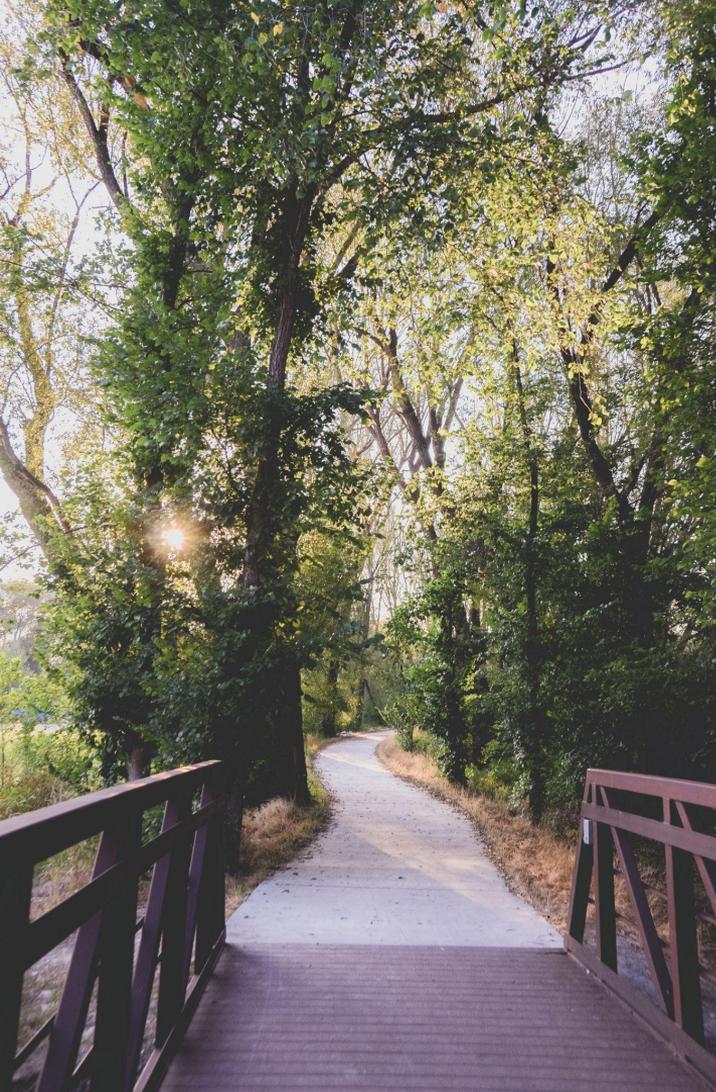
County Council Review application and COSAC recommendation  
Approves, approved with conditions, or denies

If approved, the applicant works to meet the terms of approval and maintain plan  
County helps draft up easement or purchase agreement  
Funds and records



COSAC is a recommendation body; therefore, the process should help applications narrow and meet the county's goals to allow the County Council to make informed decisions on applications that have had proper review and vetting.

- Pre-Application Meeting
  - Applicant may request a pre-application meeting with COSAC to receive initial feedback.
- Preliminary Application and Presentation
  - Creation of a staff report
  - Review by COSAC and ranking
    - Applicant proposes a general idea of how the Open Space Land will be used
    - Site Visit
    - Discussion about scoring in a public meeting
    - Fill in the scoring criteria
    - Provide initial review and recommendation to the applicant based on the preliminary application.
  - County Council Review
    - County Council will review the application and COSAC's recommendation.
    - County Council will approve, approve with conditions, or deny the preliminary application
    - *Note: Approval of preliminary application is not a guarantee of final approval*



- Applicant updates application based on feedback from COSAC and Council and gathers more detail on the following:
  - Long term use of property
  - Appraisal
  - Funding request
  - Matching grants
  - Ownership
  - Long term stewardship
- Second Round Application (Want to make it as simple as possible)
  - Applicant submits a more detailed plan
  - Funding Plan Required
    - How much money is being requested
    - Other funding sources
    - Appraisal of the property (Appraisal and other legal work can be part of the grant application, but the owner takes the risk and upfront cost).
  - Another Site Visit
  - Applicant's Presentation
  - COSAC scores the property based on the specified use. This will require a more detailed scoring sheet for each primary proposed use.
    - Wilderness
    - Farm Land
    - Trails/Public Access Land
    - A combination
    - Etc
  - Recommendation to the County Council
    - Approval of application
    - Approval with conditions
      - Secure additional funding
      - Finetune the application in specific ways
    - Denial
- County Council will outline timeline and require contract with the applicant detailing approval and restriction be fulfilled to be able to receive funding.