

## CACHE COUNTY COUNCIL

SANDI GOODLANDER, CHAIR  
KATHRYN A. BEUS, VICE CHAIR  
DAVID L. ERICKSON  
KEEGAN GARRITY  
NOLAN P. GUNNELL  
MARK R. HURD  
BARBARA Y. TIDWELL



Cache  
County  
1857

199 NORTH MAIN STREET  
LOGAN, UT 84321  
435-755-1840  
www.cachecounty.gov

## REVISED

**PUBLIC NOTICE** is hereby given that the County Council of Cache County, Utah will hold a **REGULAR COUNCIL MEETING** at **5:00 p.m.** in the Cache County Historic Courthouse Council Chambers, 199 North Main Street, Logan, Utah 84321, **Tuesday, February 25, 2025.**

Council meetings are live streamed on the Cache County YouTube channel at:  
<https://www.youtube.com/channel/UCa4xvEI8bnIEz3B9zw2teaA>

## AGENDA

### COUNCIL MEETING

#### 5:00 p.m. 1. CALL TO ORDER

2. OPENING – Nolan Gunnell
3. REVIEW AND APPROVAL OF AGENDA
4. REVIEW AND APPROVAL OF MINUTES (February 11, 2025 meeting)
5. REPORT OF COUNTY EXECUTIVE
  - a. Appointments:
  - b. Other Items:

#### 6. ITEMS OF SPECIAL INTEREST

- a. Bear River Mental Health Audit Report  
– Rob Johnson, CFO for Bear River Mental Health
- b. Report from Trails Division  
– Landis Wenger, Cache County Regional Trails Coordinator

#### 5:30 p.m. 7. PUBLIC HEARINGS

- (Estimated)
- a. Set Public Hearing for March 11, 2025 – **Ordinance 2025-08 – Funk-Richmond Gravel Pit Property Rezone**  
–A request to rezone 286.91 acres located at approximately 8300 N. Highway 91, near Richmond, from the Agricultural (A10) Zone to the Industrial (I) Zone with the Mineral Extraction and Excavation (ME) Overlay.
  - b. Set Public Hearing for March 11, 2025 – **Ordinance 2025-09 – Willets RU5 Rezone**  
–A request to rezone 18.71 acres located at approximately 4200 S. Highway 23, Wellsville, from the Agricultural (A10) Zone to the Rural 5 (RU5) Zone.
  - c. Set Public Hearing for March 11, 2025 – **Ordinance 2025-10 – Gally Subdivision Rezone**

-A request to rezone 30.62 acres located at 3055 S. Highway 23, Wellsville, from the Agricultural (A10) Zone to the Rural 5 (RU5) Zone.

- d. Set Public Hearing for March 11, 2025 – **Resolution 2025-06 – *Opening the 2025 Budget***  
-Proposed amendments to the 2025 (current) budget.

8. **PENDING ACTION**

a. **Ordinance 2025-03 – *Powder Mountain Rezone 2024 Rezone***

– Amends the County Zoning Map by rezoning 1,621 acres from the Forest Recreation (FR40) Zone to the Resort Recreation (RR) Zone.

9. **INITIAL PROPOSALS FOR CONSIDERATION OF ACTION**

a. **Resolution 2025-06 – *Changing the Cache Countywide Policy to the Cache County Administrative Code***

– Jeris Kendall, Deputy Attorney from the Cache County Attorney’s Office

b. **Ordinance 2025-06 – *Amending the Membership of the Cache County Audit Committee***

– Andrew Erickson, Cache County Policy Analyst

10. **OTHER BUSINESS**

a. Directing Cache County Council staff to publish notices of vacancy for Cache County Drainage Districts

b. Council Member Goals Discussion

11. **COUNCIL MEMBER REPORTS**

12. **EXECUTIVE SESSION** – Utah Code 52-4-205(1)(d) – Strategy sessions to discuss pending or reasonably imminent litigation;

13. **ADJOURN**

  
Sandi Goodlander, Council Chair

## CACHE COUNTY COUNCIL

**Date at 5:00 p.m. - Cache County Chamber at 199 North Main, Logan, Utah.**

*In accordance with the requirements of Utah Code Annotated Section 52-4-203, the County Clerk records in the minutes the names of all persons who appear and speak at a County Council meeting and the substance "in brief" of their comments. Such statements may include opinions or purported facts. The County does not verify the accuracy or truth of any statement but includes it as part of the record pursuant to State law.*

**MEMBERS PRESENT:** Madame Chair Sandi Goodlander, Vice-Chair Kathryn Beus, Councilmember David Erickson, Councilmember Barbara Tidwell, Councilmember Keegan Garrity, Councilmember Nolan Gunnell, Councilmember Mark Hurd.

**MEMBERS EXCUSED:**

**STAFF PRESENT:** Matt Funk, Dianna Schaeffer, Jeris Kendall, Wesley Bingham, Nathan Argyle, Chad Jensen , Brett Robinson

**OTHER ATTENDANCE:** Corbin Allen, Brooke Hontz, Jordan Mathis

### Council Meeting

1. Call to Order 5:00p.m. – [0:00](#)

2. Opening Remarks and Pledge of Allegiance – [0:18](#) Kathryn Beus

3. Review and Approval of amended Agenda [1:48](#)

**Action:** Motion made by Chair Goodlander to amended agenda to include Board of Equalization for Ratification of 2025 Board of Equalization decision; seconded by Councilmember Nolan Gunnell.

**Motion passes.**

**Aye:** 7 David Erickson, Barbara Tidwell, Kathryn Beus, Nolan Gunnell, Sandi Goodlander, Karl Ward, Mark Hurd

**Nay:** 0

**Action:** [2:18](#) Motion made by Councilmember David Erickson to amend agenda to move 10b after 11; seconded by Councilmember Nolan Gunnell.

**Motion passes.**

**Aye:** 7 David Erickson, Barbara Tidwell, Kathryn Beus, Nolan Gunnell, Sandi Goodlander, Karl Ward, Mark Hurd

**Nay:** 0

4. Review and Approval of Minutes (January 28, 2025) [2:45](#)

**Action:** Motion made by Vice Chair Kathryn Beus to approve the minutes; seconded by Councilmember David Erickson

**Motion passes.**

**Aye:** 7 David Erickson, Barbara Tidwell, Kathryn Beus, Nolan Gunnell, Sandi Goodlander, Karl Ward, Mark Hurd

**Nay:** 0

5. Report of the County Executive [3:16](#)

Executive Zook provided update on fire district board of trustees that five mayor applications have been accepted and will be appointed in March. He added productive meetings with Utah State University and the Airport Board have been held to work together for changes coming. He closed with appointment of Angie Zetterquist for Director of Development Services.

6. Items of Special Interest

a. Interlocal Updates

[7:14](#) Jeris Kendall updated Council per Utah code a review of the agreement would be done annually. He clarified confusion that the authorized body in an interlocal agreement to appoint per Utah Code is the Council. [10:19](#) Executive Zook asked how we could adopt an interlocal agreement that would contradict statute as Code stated it would be the Executive. Jeris responded when two statutes are against each other the code with met specifics prevailed which this one

had. Executive Zook asked if the interlocal agreement didn't exist who would make the appointment. Jeris answered 26A would be looked at to determine. [13:44](#) Councilmember Keegan Garrity asked Jeris to explain the appointing process. Jeris said Council drafts the agreement and includes the designation and how the appointment happens.

## **7. Tax Relief**

### **a. Hardships- Dianna Schaeffer, Tax Administration Supervisor**

**Discussion:** [14:48](#) Application 0001 recommended for approval

**Action:** Motion made by Councilmember David Erickson to approve 50% Abatement Relief; seconded by Councilmember Mark Hurd.

**Motion passes.**

**Aye:** 7 David Erickson, Barbara Tidwell, Kathryn Beus, Nolan Gunnell, Sandi Goodlander, Karl Ward, Mark Hurd

**Nay:** 0

**Discussion:** Applications 215, 96 recommended for denial

**Action:** Motion made by Councilmember David Erickson to approve Denial of Relief; seconded by Councilmember Barbara Tidwell.

**Motion passes.**

**Aye:** 7 David Erickson, Barbara Tidwell, Kathryn Beus, Nolan Gunnell, Sandi Goodlander, Karl Ward, Mark Hurd

**Nay:** 0

### **b. 2024 Tax Relief Report [17:47](#)**

Dianna gave overview of relief report that veterans received the bulk of abatement. She urged Council to speak up about SB197.

**Action:** Motion made by Councilmember David Erickson to approve Tax Relief Report; seconded by Councilmember Nolan Gunnell.

**Motion passes.**

**Aye:** 7 David Erickson, Barbara Tidwell, Kathryn Beus, Nolan Gunnell, Sandi Goodlander, Karl Ward, Mark Hurd

**Nay:** 0

**Action:** [21:45](#) Motion made by Councilmember Mark Hurd to enter in Board of Equalization; seconded by Councilmember Barbara Tidwell.

**Motion passes.**

**Aye:** 7 David Erickson, Barbara Tidwell, Kathryn Beus, Nolan Gunnell, Sandi Goodlander, Karl Ward, Mark Hurd

**Nay:** 0

## **7.5. Board of Equalization**

[21:59](#) Dianna Schaeffer explained the adjustment history dating back to 2023 for this application. She ended asking for ratification from David Erickson and Barbara Tidwell for that decision. [24:28](#) Councilmember David Erickson said the adjustments made were based off completion and reviews of appraisals. Dianna commented the County's decision was based on the adjustment that came from an appraisal by the taxpayer and review of the appraisal by Terry Jorgenson. [25:33](#) Vice Chair Kathryn Beus asked how the payments are received for a previous years' tax. Dianna explained the refund process using the known value to move forward with. [27:12](#) Councilmember Keegan Garrity asked when property taxes are normally due and what happened in 2024. Dianna answered Nov. 30 and further answered the applicant appealed in 2024 and she expected it to go to beyond there. Vice Chair Kathryn Beus asked if the refund came from the general fund. Dianna answered the steps for the process and said it included the Treasurer. She commented this would impact overall value and in the future minutely move the tax rate up, then ended that the market value is what is being appealed.

**Action:** Motion made by Vice Chair Kathryn Beus to Ratify the BOE decision; seconded by Councilmember Nolan Gunnell.

**Motion passes.**

**Aye:** 7 David Erickson, Barbara Tidwell, Kathryn Beus, Nolan Gunnell, Sandi Goodlander, Karl Ward, Mark Hurd

**Nay:** 0



**Action:** Motion made by Vice Chair Kathryn Beus to leave Board of Equalization; seconded by Councilmember David Erickson.

**Motion passes.**

**Aye:** 7 David Erickson, Barbara Tidwell, Kathryn Beus, Nolan Gunnell, Sandi Goodlander, Karl Ward, Mark Hurd

**Nay:** 0

## 8. Tax Roll Corrections

a. Corrections to the 2024 Assessor Tax Roll (per Utah Code §59-2-1333) – Brett Robinson, Cache County Assessor [30:00](#) Brett Robinson gave overview of property changes. [31:47](#) Councilmember Keegan Garrity asked if the totals were available. Brett answered no but pointed out on the report what the changes were. He continued this is common and said he needs Council approval to move forward.

**Action:** Motion made by Councilmember David Erickson to accept tax roll corrections; seconded by Councilmember Mark Hurd.

**Motion passes.**

**Aye:** 7 David Erickson, Barbara Tidwell, Kathryn Beus, Nolan Gunnell, Sandi Goodlander, Karl Ward, Mark Hurd

**Nay:** 0

## 9. Pending Action

### A. Ordinance 2025-03 – Powder Mountain Rezone 2024 Rezone

- Amends the County Zoning Map by rezoning 1,621 acres from the Forest 43 Recreation (FR40) Zone to the resort Recreation (RR) Zone. [33:46](#) Angie Zetterquist explained the applicant and the County asked for this to be continued at the next meeting in order to address all questions. [35:15](#) Councilmember Keegan Garrity asked if this delayed Powder Mountain's Timeline. [35:24](#) Brooke Hanz answered the timeline is tight however the wait is fine while the Master Plan is still being worked on.

**Action:** Motion made by Vice Chair Kathryn Beus to postpone until next meeting; seconded by Councilmember David Erickson.

**Motion passes.**

**Aye:** 7 David Erickson, Barbara Tidwell, Kathryn Beus, Nolan Gunnell, Sandi Goodlander, Karl Ward, Mark Hurd

**Nay:** 0

### B. Resolution 2025-03 – A Resolution Approving the Re-Drafted Interlocal Agreement for the Bear River Association of Governments (BRAG) [36:13](#)

**Discussion:** Chair Sandi Goodlander urged Council to make a motion as this one has been looked at for quite some time.

**Action:** Motion made by Councilmember Barbara Tidwell to approve Resolution; seconded by Councilmember David Erickson.

**Motion passes.**

**Aye:** 7 David Erickson, Barbara Tidwell, Kathryn Beus, Nolan Gunnell, Sandi Goodlander, Karl Ward, Mark Hurd

**Nay:** 0

### C. Resolution 2025-04 – A Resolution to Provide Approval of the Multicounty United Local Health Department Interlocal Agreement [37:06](#)

**Discussion:** [37:28](#) Councilmember David Erickson said he is satisfied and motioned. Nolan began to second. Chair Goodlander brought discussion to Keegan Garrity. [37:46](#) Councilmember Keegan Garrity asked if appointment authority can be delegated to someone else. Chair Goodlander answered that would be a group decision but the authority falls on the Council. [38:18](#) Executive Zook asked if Keegan was wondering if someone from the Executive Branch would meet this appointment and then explained how the state looks at it and gave his opinion speaking against. Councilmember Keegan Garrity said that answered his question. [36:50](#) Councilmember Barbara Tidwell expressed her confidence in what Jeris has researched.

**Action:** Motion made by Councilmember David Erickson to approve Resolution; seconded by Councilmember Nolan Gunnell

**Motion passes.**

**Aye:** 7 David Erickson, Barbara Tidwell, Kathryn Beus, Nolan Gunnell, Sandi Goodlander, Karl Ward, Mark Hurd

**Nay:** 0

#### 10. Other Business

- a. **Amending the County Holiday and County Council Meeting Schedule** [40:13](#) Andrew gave overview of holiday schedule. Discussion between Chair Goodlander and Andrew.
- **Juneteenth Date Correction** [45:47](#) Vice Chair Kathryn Beus spoke negatively that observing and holding on separate days makes recording difficult. Andrew listened and provided context.
  - **November and December Meetings** [42:48](#) Discussion amongst Council.

**Action:** [47:33](#) Motion made by Vice Chair Kathryn Beus to change November dates of Council Meetings; seconded by Councilmember Keegan Garrity

**Motion passes.**

**Aye:** 7 David Erickson, Barbara Tidwell, Kathryn Beus, Nolan Gunnell, Sandi Goodlander, Karl Ward, Mark Hurd

**Nay:** 0

- b. **Council Member Goals Discussion** [48:06](#) Chair Goodlander pointed out there is not a liaison for the building department and put herself as someone to fill this. Councilmember Mark Hurd asked if she wanted to. Chair Goodlander answered this is fine. [49:58](#) Chair Goodlander said goal setting would be in two weeks.
- c. **Council Group and Individual Photographs** [49:42](#) Postponed

#### 11. Councilmember Reports [50:15](#)

**David Erickson** – [1:01:13](#) David said the Fire District coordination had progressed. He said some volatile legislative sessions have happened and urged Council to get in policy groups and added there have been some inconsistencies with opinions given to the representatives from the Council.

**Sandi Goodlander** – [1:05:23](#) Sandi asked Council to attend the meetings with the department heads they are the liaison for.

**Barbara Tidwell** – [50:12](#) Barbara gave overview of her scheduled upcoming meetings.

**Kathryn Beus** – [55:43](#) Kathryn expressed good things happened at Day on the Hill. She addressed possible refinement to the approach made to legislative representatives and directed to Chair Goodlander how she would like that handled. Chair Goodlander agreed to have communication across among Council anytime outreach happened. Council discussed and agreed.

**Nolan Gunnell** – [52:10](#) Nolan thanked planning and zoning team for their hard work. He brought up concern of water in the County. [53:00](#) Barbara Tidwell said planning and zoning used to provide a report that was reviewed by Council members and wondered if that could be done again. Nolan agreed. He added some meetings get heated with expressed views. [54:00](#) Vice Chair Kathryn Beus asked for the names. Nolan deferred to give them outside the meeting. [54:10](#) Angie provided the names. Discussion among council.

**Mark Hurd** – [1:02:41](#) Mark spoke about the fairgrounds and said the event center is kept busy. He said administrative and compliance challenges may come in future Council meetings. He said RAPZ presentation would be shown to Council soon for reallocation. He asked about the public relations committee yet to be organized and planned to get that done.

**Keegan Garrity** – [51:21](#) Keegan said he had enjoyed the meetings so far and looked forward to getting to know each department head in the County.

[1:06:44](#) Chair Goodlander proceeded to group pictures. Angie notified Council of a name on the planning and zoning board she had not mentioned earlier. [1:07:13](#) Andrew alerted Council to motion for closing of meeting. [1:07:17](#) Vice Chair Kathryn Beus and Chair Sandi Goodlander said session would remain until after executive session.

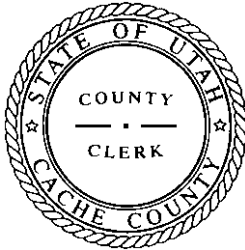
**Adjourn:** 7:30 PM [1:07:32](#)

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**APPROVAL: David Erickson, Chair**  
**Cache County Council**

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**ATTEST: Bryson Behm, Clerk**  
**Cache County Council**





**FINANCIAL STATEMENTS**  
**with**  
**INDEPENDENT AUDITORS' REPORT**  
**For the Years Ended June 30, 2024 and 2023**

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# **INTRODUCTORY SECTION**



December 31, 2024

Office of the State Auditor  
Utah State Capitol Complex  
Senate Office Building, Suite E310  
P.O. Box 142310  
Salt Lake City, UT 84114

The financial statement report of Bear River Mental Health Services, Inc. (Center), a not-for-profit organization, for the fiscal years ended June 30, 2024 and 2023, is submitted herewith. Responsibility for both the accuracy of the data, and the completeness and fairness of the presentation, including all disclosures, rests with the Center. To the best of our knowledge and belief, the enclosed data is accurate in all material respects and is reported in a manner designed to present fairly the financial position and results of operations of the various funds of the Center. All disclosures necessary to enable the reader to gain an understanding of the Center's financial activities have been included.

The financial report is presented in three sections: introductory, financial, and supplemental. The introductory section includes this transmittal letter, organizational chart, and a list of principal officials. The financial section includes the auditor's report and the June 30, 2024 and 2023, financial statements. The supplemental section consists of a comparative detail statement of activities and the auditor's reports in accordance with government auditing standards.

The Center contracts with the State of Utah, which dictates that programs be considered for compliance with the requirements governing types of services. Management of the Center is responsible for establishing and maintaining an internal control structure designed to ensure the assets of the Center are protected from loss, theft or misuse; and to ensure that adequate accounting data is compiled to allow for the preparation of financial statements in conformity with accounting principles generally accepted in the United States of America.

The internal control structure is designed to provide reasonable, but not absolute, assurance that these objectives are met. The concept of reasonable assurance recognizes that: (1) the cost of a control should not exceed the benefits likely to be derived; and (2) the valuation of costs and benefits requires estimates and judgments by management.

As a recipient of federal, state and county financial assistance, the Center also is responsible for ensuring that an adequate internal control structure is in place to ensure compliance with applicable laws and regulations related to those programs. The internal control structure is subject to a periodic evaluation by management. As demonstrated by the statements and schedules included in the financial section of this report, the Center continues to meet its responsibility for sound financial management.

The preparation of the financial statements and supplemental information was made possible by the dedicated services of the Bear River staff, who assisted with the audit process. Additionally, the excellent work accomplished by the staff from the firm of Carver Florek & James, CPA's made this an extremely useful review and summary for management purposes.

Due credit also should be given to the governing board of the Center for their interest and support in planning and conducting the operations in a responsible and progressive manner.

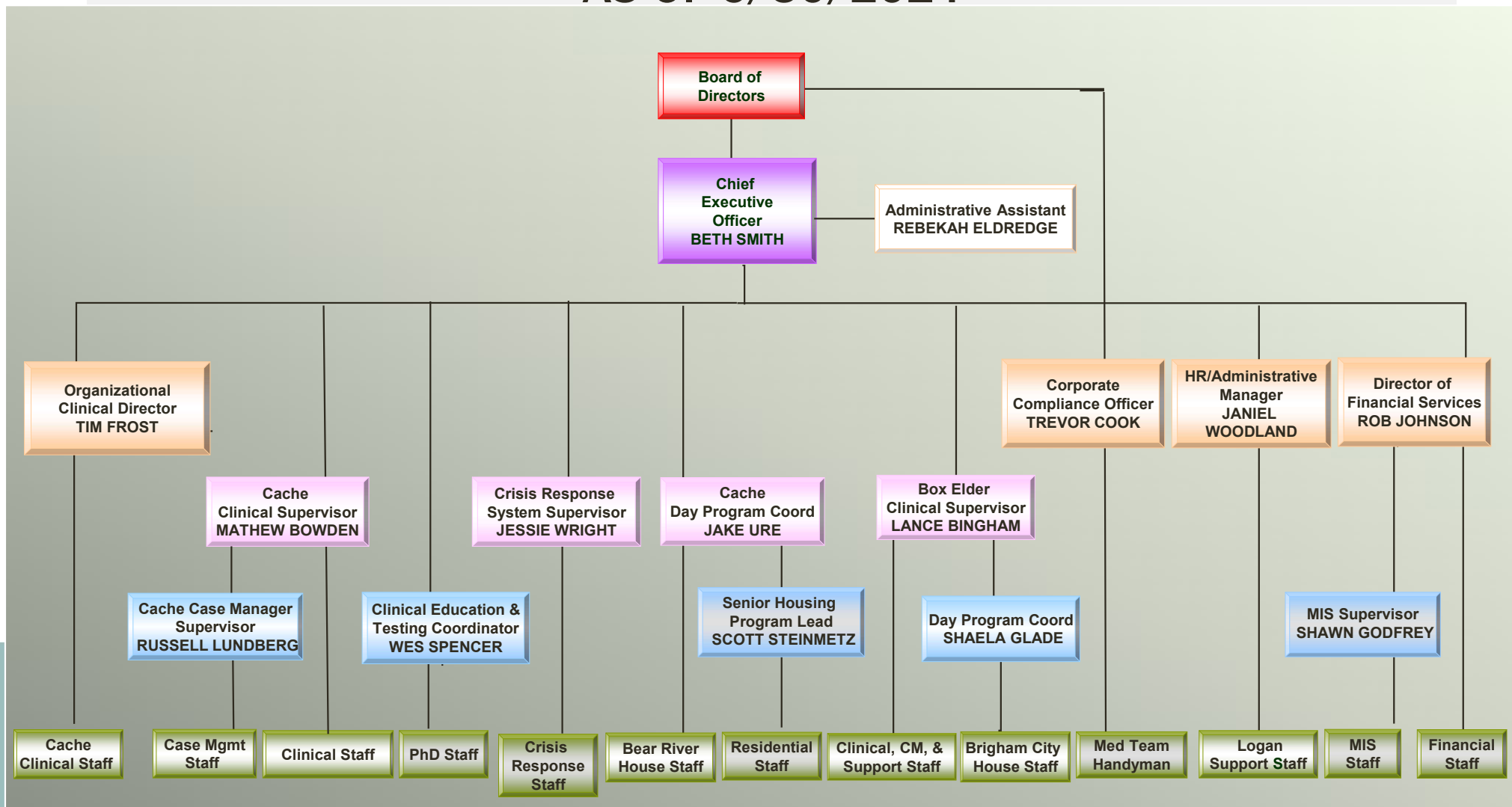
Respectfully,

*BETH SMITH*

Beth A. Smith  
President/CEO



# BEAR RIVER MENTAL HEALTH ORGANIZATIONAL CHART AS OF 6/30/2024



**EXECUTIVE COMMITTEE:**

President/CEO.....Beth A. Smith  
Director of Financial Services.....Robert B. Johnson  
Clinical Director.....Timothy Frost  
Corporate Compliance Officer.....Trevor L. Cook  
HR/Administrative Manager.....Janiel Woodland  
Clinical Supervisor.....Jacob Ure

**BOARD OF DIRECTORS:**

Chair.....Gail Godfrey  
Vice Chair.....Jeffrey Scott  
Member.....Steve Vincent  
Member.....Kirk Allen  
Member.....Kris Monson  
Member.....Steven L. Stowers  
Member.....Reed Ernstrom  
Member.....Jarred Glover

# **FINANCIAL SECTION**

**INDEPENDENT AUDITORS' REPORT**

To the Board of Directors  
Bear River Mental Health Services, Inc.  
Logan, Utah

**Opinion**

We have audited the financial statements of Bear River Mental Health Services, Inc. (the Center) (a nonprofit organization), which comprise the statements of financial position as of June 30, 2024 and 2023, and the related statements of activities, functional expenses, and cash flows for the years then ended, and the related notes to the financial statements.

In our opinion, the accompanying financial statements present fairly, in all material respects, the financial position of Bear River Mental Health Services, Inc. as of June 30, 2024 and 2023, and the changes in its net assets and its cash flows for the years then ended in accordance with accounting principles generally accepted in the United States of America.

**Basis for Opinion**

We conducted our audits in accordance with auditing standards generally accepted in the United States of America (GAAS) and the standards applicable to financial audits contained in *Governmental Auditing Standards*, issued by the Comptroller General of the United States. Our responsibilities under those standards are further described in the Auditor's Responsibilities for the Audit of the Financial Statements section of our report. We are required to be independent of the Center and to meet our other ethical responsibilities, in accordance with the relevant ethical requirements relating to our audits. We believe that the audit evidence we have obtained is sufficient and appropriate to provide a basis for our audit opinion.

**Responsibilities of Management for the Financial Statements**

Management is responsible for the preparation and fair presentation of the financial statements in accordance with accounting principles generally accepted in the United States of America, and for the design, implementation, and maintenance of internal control relevant to the preparation and fair presentation of financial statements that are free from material misstatement, whether due to fraud or error.

In preparing the financial statements, management is required to evaluate whether there are conditions or events, considered in the aggregate, that raise substantial doubt about the Center's ability to continue as a going concern for one year after the date that the financial statements are issued.

## **Auditor's Responsibilities for the Audit of the Financial Statements**

Our objectives are to obtain reasonable assurance about whether the financial statements as a whole are free from material misstatement, whether due to fraud or error, and to issue an auditor's report that includes our opinion. Reasonable assurance is a high level of assurance but is not absolute assurance and therefore is not a guarantee that an audit conducted in accordance with GAAS and *Government Auditing Standards* will always detect a material misstatement when it exists. The risk of not detecting a material misstatement resulting from fraud is higher than for one resulting from error, as fraud may involve collusion, forgery, intentional omissions, misrepresentations, or the override of internal control. Misstatements are considered material if there is a substantial likelihood that, individually or in the aggregate, they would influence the judgment made by a reasonable user based on the financial statements.

In performing an audit in accordance with GAAS and *Government Auditing Standards*, we:

- Exercise professional judgment and maintain professional skepticism throughout the audit.
- Identify and assess the risks of material misstatement of the financial statements, whether due to fraud or error, and design and perform audit procedures responsive to those risks. Such procedures include examining, on a test basis, evidence regarding the amounts and disclosures in the financial statements.
- Obtain an understanding of internal control relevant to the audit in order to design audit procedures that are appropriate in the circumstances, but not for the purpose of expressing an opinion on the effectiveness of the Center's internal control. Accordingly, no such opinion is expressed.
- Evaluate the appropriateness of accounting policies used and the reasonableness of significant accounting estimates made by management, as well as evaluate the overall presentation of the financial statements.
- Conclude whether, in our judgment, there are conditions or events, considered in the aggregate, that raise substantial doubt about the Center's ability to continue as a going concern for a reasonable period of time.

We are required to communicate with those charged with governance regarding, among other matters, the planned scope and timing of the audit, significant audit findings, and certain internal control-related matters that we identified during the audit.

## **Other Reporting Required by Government Auditing Standards**

In accordance with *Government Auditing Standards*, we have also issued our report dated December 31, 2024 on our consideration of the Center's internal control over financial reporting and on our tests of its compliance with certain provisions of laws, regulations, contracts, and grant agreements and other matters. The purpose of that report is solely 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 effectiveness of internal control over financial reporting or on compliance. That report is an integral part of an audit performed in accordance with Government Auditing Standards in considering the Center's internal control over financial reporting and compliance.

## Supplementary Information

Our audits were conducted for the purpose of forming an opinion on the basic financial statements as a whole. The supplementary information included in Schedule 1 is presented for purposes of additional analysis and is not a required part of the basic financial statements. Such information has not been subjected to the auditing procedures applied in the audits of the basic financial statements, and accordingly, we do not express an opinion or provide any assurance on it.

Carver Florek & James, CPAs

Layton, Utah  
December 31, 2024

**BEAR RIVER MENTAL HEALTH SERVICES, INC.**  
**STATEMENTS OF FINANCIAL POSITION**  
**As of June 30, 2024 and 2023**

	<u>2024</u>	<u>2023</u>
<b>ASSETS</b>		
Current assets:		
Cash and cash equivalents	\$ 11,847,937	\$ 13,196,194
Accounts receivable	4,511,998	3,377,696
Prepaid expenses	<u>1,034,930</u>	<u>643,997</u>
Total current assets	17,394,865	17,217,887
Property and equipment, net	2,495,649	1,762,103
Investments	<u>20,000</u>	<u>20,000</u>
Total assets	<u><u>\$ 19,910,514</u></u>	<u><u>\$ 18,999,990</u></u>
 <b>LIABILITIES AND NET ASSETS</b>		
Current liabilities:		
Accounts payable	\$ 696,147	\$ 735,405
Accrued expenses	1,437,676	1,423,185
Unexpended county funds	63,168	62,591
Other current liabilities	<u>33,458</u>	<u>33,561</u>
Total current liabilities	2,230,449	2,254,742
Mortgage payable	<u>309,935</u>	<u>309,935</u>
Total liabilities	<u>2,540,384</u>	<u>2,564,677</u>
Net assets - without donor restrictions		
Operating appropriation	5,609,951	5,423,235
Net investment in fixed assets	2,185,714	1,452,168
Undesignated	<u>9,574,465</u>	<u>9,559,910</u>
Total net assets	<u>17,370,130</u>	<u>16,435,313</u>
Total liabilities and net assets	<u><u>\$ 19,910,514</u></u>	<u><u>\$ 18,999,990</u></u>

See accompanying notes and independent auditors' report

**BEAR RIVER MENTAL HEALTH SERVICES, INC.**  
**STATEMENTS OF ACTIVITIES**  
**For the Years Ended June 30, 2024 and 2023**

	<u>2024</u>	<u>2023</u>
<b>SUPPORT AND REVENUES</b>		
Government support:		
Federal	\$ 416,259	\$ 401,998
State	4,438,009	3,550,928
County	546,701	503,989
Total governmental support	<u>5,400,969</u>	<u>4,456,915</u>
Revenues:		
Medicaid, net	11,222,900	13,340,129
Service fees	190,179	211,239
Investment income	675,189	483,763
Client living fees	59,723	67,140
Miscellaneous	435,456	27,135
Total revenues	<u>12,583,447</u>	<u>14,129,406</u>
Total support and revenues	<u>17,984,416</u>	<u>18,586,321</u>
<b>EXPENSES</b>		
Outpatient	10,604,736	10,245,359
Intensive services	4,667,612	4,605,997
Management and general	1,791,251	1,644,317
Total expenses	<u>17,063,599</u>	<u>16,495,673</u>
<b>NON-OPERATING REVENUES</b>		
Gain on sale of assets	<u>14,000</u>	<u>-</u>
<b>INCREASE (DECREASE) IN NET ASSETS - WITHOUT DONOR RESTRICTIONS</b>	934,817	2,090,648
<b>NET ASSETS - WITHOUT DONOR RESTRICTIONS BEGINNING OF YEAR</b>	<u>16,435,313</u>	<u>14,344,665</u>
<b>NET ASSETS - WITHOUT DONOR RESTRICTIONS END OF YEAR</b>	<u><u>\$ 17,370,130</u></u>	<u><u>\$ 16,435,313</u></u>

See accompanying notes and independent auditors' report



**BEAR RIVER MENTAL HEALTH SERVICES, INC.**  
**STATEMENT OF FUNCTIONAL EXPENSES**  
**For the Year Ended June 30, 2024**

	<i>Program Services</i>		<b>Management and General</b>	<b>Company Total</b>
	<b>Outpatient</b>	<b>Intensive Services</b>		
Personnel	\$ 9,648,145	\$ 1,543,653	\$ 1,595,757	\$ 12,787,555
Travel/auto	60,150	46,396	11,754	118,300
Office maintenance	21,760	3,586	16,384	41,730
Occupancy	290,049	206,355	34,644	531,048
Professional	183,020	2,595,129	33,917	2,812,066
Staff support	62,936	19,044	53,166	135,146
Data processing	197,464	56,983	22,207	276,654
Program activities	22,480	146,329	-	168,809
Depreciation	118,132	50,137	10,330	178,599
Other	600	-	13,092	13,692
Total expenses	<u>\$ 10,604,736</u>	<u>\$ 4,667,612</u>	<u>\$ 1,791,251</u>	<u>\$ 17,063,599</u>
	62.15%	27.35%	10.50%	

See accompanying notes and independent auditors' report

**BEAR RIVER MENTAL HEALTH SERVICES, INC.**  
**STATEMENT OF FUNCTIONAL EXPENSES**  
**For the Year Ended June 30, 2023**

	<i>Program Services</i>		<b>Management and General</b>	<b>Company Total</b>
	<b>Outpatient</b>	<b>Intensive Services</b>		
Personnel	\$ 9,325,712	\$ 1,524,235	\$ 1,445,915	\$ 12,295,862
Travel/auto	58,728	51,231	8,407	118,366
Office maintenance	25,060	4,278	18,990	48,328
Occupancy	266,502	180,280	57,805	504,587
Professional	238,912	2,637,932	34,589	2,911,433
Staff support	59,894	18,863	50,027	128,784
Data processing	125,403	21,812	9,244	156,459
Program activities	22,534	121,328	-	143,862
Depreciation	122,589	46,038	10,359	178,986
Other	25	-	8,981	9,006
Total expenses	<u>\$ 10,245,359</u> 62.11%	<u>\$ 4,605,997</u> 27.92%	<u>\$ 1,644,317</u> 9.96%	<u>\$ 16,495,673</u>

See accompanying notes and independent auditors' report

**BEAR RIVER MENTAL HEALTH SERVICES, INC.**  
**STATEMENTS OF CASH FLOWS**  
**For the Years Ended June 30, 2024 and 2023**

	<u>2024</u>	<u>2023</u>
<b>CASH FLOWS FROM OPERATING ACTIVITIES</b>		
Increase (decrease) in net assets without donor restrictions	\$ 934,817	\$ 2,090,648
Adjustments to reconcile increase (decrease) in net assets to net cash provided (used) by operating activities:		
Depreciation and amortization	178,599	178,986
Gain from sale of property and equipment	(14,000)	-
Changes in operating assets and liabilities:		
Accounts receivable	(1,134,302)	(861,091)
Prepaid expense, deposits, and other assets	(390,933)	323,941
Accounts payable	(39,258)	108,484
Accrued expenses and interest	14,965	198,804
<b>NET CASH PROVIDED (USED) BY OPERATING ACTIVITIES</b>	<u>(450,112)</u>	<u>2,039,772</u>
<b>CASH FLOWS FROM INVESTING ACTIVITIES</b>		
Purchase of property and equipment	(912,145)	(135,027)
Proceeds from sale of assets	14,000	-
<b>NET CASH PROVIDED (USED) BY INVESTING ACTIVITIES</b>	<u>(898,145)</u>	<u>(135,027)</u>
<b>NET INCREASE (DECREASE) IN CASH AND CASH EQUIVALENTS</b>	(1,348,257)	1,904,745
<b>CASH AND CASH EQUIVALENTS AT BEGINNING OF YEAR</b>	<u>13,196,194</u>	<u>11,291,449</u>
<b>CASH AND CASH EQUIVALENTS AT END OF YEAR</b>	<u><u>\$ 11,847,937</u></u>	<u><u>\$ 13,196,194</u></u>

See accompanying notes and independent auditors' report

**BEAR RIVER MENTAL HEALTH SERVICES, INC.**  
**NOTES TO FINANCIAL STATEMENTS**  
**For the Years Ended June 30, 2024 and 2023**

**1. NATURE OF ACTIVITIES AND SUMMARY OF SIGNIFICANT ACCOUNTING POLICIES**

Nature of Activities

Bear River Mental Health Services, Inc. (Center) is a not-for-profit organization whose purpose is to provide mental health services to residents of Cache, Rich and Box Elder Counties in the state of Utah. The Center was incorporated as a not-for-profit organization on January 1, 1984. Prior to incorporation, mental health services were performed through a tri-county governmental association. The Center receives funding for its programs from various federal, state and local sources. In addition, the Center receives Medicaid reimbursement for eligible patients on a capitation basis. The Center has facilities in Logan, Brigham City and Tremonton, Utah, with satellite offices in Garden City and Randolph, Utah.

The Center provides comprehensive mental health services to clients including: psychosocial rehabilitation, residential services, inpatient services, individual therapy, group therapy, psychological testing, medication management, etc. These services are provided for individuals who are eligible for Utah State Medicaid, the portion of the population that meets the State of Utah's definition for seriously and persistently mentally ill adults or seriously emotionally disturbed children and adolescents, or those individuals in psychiatric crisis or in need of inpatient hospitalization.

Basis of Accounting

The financial statements of the Center have been prepared on the accrual basis of accounting in accordance with accounting principles generally accepted in the United States of America.

Basis of Presentation

The Center follows Financial Accounting Standards Board (FASB) Accounting Standards Codification 958, "Not-for-Profit Entities," as the basis of presentation of its financial statements. Therefore, the Center reports information regarding its financial position and activities according to two classes of net assets: net assets without donor restrictions and net assets with donor restrictions. However, the Center had no net assets with donor restrictions during the years ended June 30, 2024 and 2023.

*Net assets without donor restrictions* – Net assets for use in general operations and not subject to donor (or certain grantor) restrictions. The governing board may designate, from net assets without donor restrictions, net assets for any purpose.

**BEAR RIVER MENTAL HEALTH SERVICES, INC.**  
**NOTES TO FINANCIAL STATEMENTS**  
**For the Years Ended June 30, 2024 and 2023**

**1. NATURE OF ACTIVITIES AND SUMMARY OF SIGNIFICANT ACCOUNTING POLICIES (CONTINUED)**

Use of Estimates

The financial statements include estimates and assumptions made by management that affect the carrying amounts of assets and liabilities, the disclosure of contingent assets and liabilities, and the reported amounts of revenues and expenses. Actual results could differ from those estimates.

Property and Equipment

Acquisitions of property and equipment in excess of \$5,000 are capitalized. Property and equipment are carried at cost or, if donated, at the estimated fair value at the date of donation. Depreciation is computed on the straight-line method over the estimated useful lives of the assets (3 – 25 years).

Tenant Deposits

The Center collects refundable deposits for certain monthly living accommodations provided to eligible patients. This liability represents amounts received and held as of June 30, 2024 and 2023 and is reported as other current liabilities on the statement of financial position.

Accrued Leave Payable

Unused personal leave that is expected to be liquidated with expendable available resources and paid upon termination has been accrued.

Advertising Expenses

The Center expenses advertising costs as incurred. Advertising costs were \$1,641 and \$4,608 for the years ended June 30, 2024 and 2023, respectively.

Revenues with and without donor restrictions

Revenues earned from services provided under third-party reimbursement and private pay arrangements are recognized on a cash basis due to the uncertainty of the timing and amount of collection. As this treatment has an immaterial effect on the financial statements, and due to the uncertainty of collection which is not susceptible to reasonable estimation by management, the Center's treatment is deemed to conform with generally accepted accounting principles.

Contributions received are reported as increases in net assets without donor restrictions if the restrictions expire (that is, when a stipulated time restriction ends or purpose restriction is accomplished) in the reporting period in which the revenue is recognized. All other donor-restricted contributions are reported as increases in net assets with donor restrictions. When a restriction expires, net assets with donor restrictions are reclassified to net assets without donor restrictions and reported in the statement of activities as net assets released from restrictions.

**BEAR RIVER MENTAL HEALTH SERVICES, INC.**  
**NOTES TO FINANCIAL STATEMENTS**  
**For the Years Ended June 30, 2024 and 2023**

**1. NATURE OF ACTIVITIES AND SUMMARY OF SIGNIFICANT ACCOUNTING POLICIES (CONTINUED)**

Income Taxes

The Center is exempt from federal income tax under Section 501(c)(3) of the Internal Revenue Code. However, income from certain activities not directly related to the Center's tax-exempt purpose may be subject to taxation as unrelated business income. There was no known unrelated business income during the years ended June 30, 2024 and 2023.

Functional Allocation of Expenses

The costs of program and supporting service activities have been summarized on a functional basis in the statement of functional expenses. The statement of functional expenses presents the natural classification detail of expenses by function. Therefore, expenses require allocation on a reasonable basis that is consistently applied. Expenses are tracked using direct identification methodology of charging specific expenses as either program, management and general, or fundraising. The financial statements report certain categories of expense that are attributable to one or more program of supporting functions. Those expenses primarily include administrative, building, non-personnel, health savings account (HSA), liability insurance, data processing, and depreciation. Administrative building non-personnel and data processing expenses are allocated based upon management estimate. HSA and liability insurance expenses are allocated to the program to which the applicable employees primarily work. Depreciation expense associated with shared admin/program buildings are allocated based upon management's estimate of usage.

Cash and Cash Equivalents

Cash and cash equivalents includes all unrestricted monies in banks and highly liquid investments with maturity dates of less than three months. The carrying value of cash and cash equivalents approximates fair value because of the short maturities of those financial instruments.

Accounts Receivable

All of the Center's accounts receivable is the result of normal business and trade. Accounts receivable is stated at the amount management expects to collect. All billings are based upon contracted terms. Management believes all receivables at June 30, 2024 and 2023 are fully collectible. As such, the Center has not established an allowance for doubtful accounts as of June 30, 2024 and 2023.

Subsequent Events

Management has evaluated subsequent events through December 31, 2024, the date on which the financial statements were available for issue.

**BEAR RIVER MENTAL HEALTH SERVICES, INC.**  
**NOTES TO FINANCIAL STATEMENTS**  
**For the Years Ended June 30, 2024 and 2023**

**2. LIQUIDITY AND AVAILABILITY OF FINANCIAL ASSETS**

The following reflects the Center's financial assets as of June 30, 2024 and 2023, reduced by amounts not available for general use because of contractual or donor-imposed restrictions within one year of June 30, 2024 and 2023:

	2024	2023
Financial assets:		
Cash and cash equivalents	\$ 11,847,937	\$ 13,196,194
Accounts Receivable	4,511,998	3,377,696
Financial assets, end of year	16,359,935	16,573,890
Less: assets unavailable for general expenditures within one year	-	-
Financial assets available to meet cash needs for general expenditures within one year	<u>\$ 16,359,935</u>	<u>\$ 16,573,890</u>

**3. CASH AND CASH EQUIVALENTS**

Custodial Credit Risk

Custodial credit risk for deposits is the risk that, in the event of a bank failure, the Center's deposits may not be recovered. The Center follows the Utah Money Management Act, which requires all deposits of the entity to be in a qualified depository, defined as any financial institution whose deposits are insured by an agency of the federal government and certified by the Commissioner of Financial Institutions as meeting the requirements of the Act and adhering to the rules of the Utah Money Management Council. As of June 30, 2024 and June 30, 2023, none of the Center's bank accounts exceeded the FDIC limit of \$250,000.

Credit Risk

Credit risk is the risk that the counterparty to an investment will not fulfill its obligations. The Center's policy for limiting the credit risk of investments is to comply with the Money Management Act.

The Center is authorized to invest in the Utah Public Treasurer's Investment Fund (PTIF), an external pooled investment fund managed by the Utah State Treasurer and subject to the Act and council requirements. The PTIF is not registered with the SEC as an investment company and deposits are not insured or otherwise guaranteed by the State of Utah.

**BEAR RIVER MENTAL HEALTH SERVICES, INC.**  
**NOTES TO FINANCIAL STATEMENTS**  
**For the Years Ended June 30, 2024 and 2023**

**3. CASH AND CASH EQUIVALENTS (CONTINUED)**

The PTIF operates and reports to participants on an amortized costs basis. The income, gains and losses, net of administration fees, are allocated based upon the participants' average daily balances.

The Center had investments with the PTIF of \$11,982,319 and \$13,190,438 as of June 30, 2024 and 2023, respectively. The entire balance had a maturity of less than one year and is reported as cash and cash equivalents on the statements of financial position. The PTIF has not been rated.

Interest Rate Risk

Interest rate risk is the risk that changes in interest rates of debt investments will adversely affect the fair value of an investment. The Center manages its exposure to declines in fair value by investment; mainly in the PTIF and by adhering to the Money Management Act. The Act requires that the remaining term to maturity of investment may not exceed the period of availability of the fund to be invested.

**4. INVESTMENTS**

Mental Health Risk Retention Group

In 1984, the Center joined an association to provide liability insurance coverage. The association required that stock be purchased in a corporation by all mental health centers participating in the insurance plan. On January 12, 1988, 40 shares of class "C" common stock were issued to the Center in consideration of \$20,000 paid as a deposit. The market value of this investment is not available due to the nature of the corporation.

**5. PREPAID MEDICAID MATCH**

Medicaid requires that the state's portion of the Medicaid match be prepaid before Medicaid funds may be received by the Center. The match is estimated on a quarterly basis. Occasionally, the estimated match isn't sufficient to cover the actual match amount. The balances in the prepaid Medicaid match account as of June 30, 2024 and 2023 were \$932,096 and \$550,217, respectively.



**BEAR RIVER MENTAL HEALTH SERVICES, INC.**  
**NOTES TO FINANCIAL STATEMENTS**  
**For the Years Ended June 30, 2024 and 2023**

**6. PROPERTY AND EQUIPMENT**

Property and equipment consisted of the following as of June 30, 2024 and 2023:

	2024	2023
Land	\$ 1,254,400	\$ 457,429
Buildings and improvements	5,635,762	5,623,600
Furniture and equipment	882,272	855,309
	<u>7,772,434</u>	<u>6,936,338</u>
Accumulated depreciation	<u>(5,276,785)</u>	<u>(5,174,235)</u>
	<u><u>\$ 2,495,649</u></u>	<u><u>\$ 1,762,103</u></u>

**7. RETIREMENT PLANS**

By means of its substantial contract with Cache, Box Elder and Rich Counties, eligible employees of the Center can participate in the Local Governmental Noncontributory Retirement System (Noncontributory System), a cost-sharing multiple-employer defined benefit pension plan administered by the Utah Retirement Systems (Systems).

The Systems are comprised of two pension trust funds and several retirement savings plans. The legacy pension fund is referred to as "Tier 1". The second pension fund entitled "Tier 2 Public Employees System Contributory Retirement System" (Tier 2) became effective July 1, 2011. All participating employees beginning on or after July 1, 2011 who had no previous service credit with any of the Utah Retirement Systems, are members of the Tier 2 Retirement System.

The Systems are established and governed by the respective sections of Title 49 of the Utah Code Annotated 1953, as amended. The Systems' defined benefit plans are amended statutorily by the State Legislature. The Utah State Retirement Office Act in Title 49 provides for the administration of the Systems under the direction of the Board, whose members are appointed by the Governor. The Systems are fiduciary funds defined as pension (and other employee benefit) trust funds. Utah Retirement Systems (URS) is a component unit of the State of Utah. Title 49 of the Utah Code grants the authority to establish and amend the benefit terms. URS issues a publicly available financial report that can be obtained by writing Utah Retirement Systems, 560 E. 200 S., Salt Lake City, Utah 84102 or visiting the website: [www.urs.org](http://www.urs.org).

The Center was required to contribute a percentage of covered salaries to the respective systems: 17.97 percent to the, Tier 1 Noncontributory Retirement System, and 16.19 percent to the Tier 2 Contributory Hybrid Retirement System. The contribution rates are actuarially determined rates and are approved by the Board as authorized by Utah Code Title 49.

**BEAR RIVER MENTAL HEALTH SERVICES, INC.**  
**NOTES TO FINANCIAL STATEMENTS**  
**For the Years Ended June 30, 2024 and 2023**

**7. RETIREMENT PLANS (CONTINUED)**

The Center's contributions to the Tier 1 Noncontributory Retirement System for years ended June 30, 2024, 2023 and 2022 were \$550,530, \$527,302 and \$491,904, respectively. The Center's contributions to the Tier 2 Contributory Hybrid Retirement System for years ended June 30, 2024, 2023 and 2022 were \$611,845, \$581,526 and \$573,225, respectively. The contributions were equal to the required contributions for each year.

The Center provides supplemental pension benefits for all of its fulltime employees through a defined contribution plan, Section 401(k). Benefits depend solely on amounts contributed to the plan plus investment earnings. Employees are eligible to participate in the plan from the date of employment. Employee contributions are optional within prescribed limits; The Board of Directors authorizes the Center to contribute 2 percent of the Tier 1 and Tier 2 employees' retirement salary. The Center's 2 percent contribution is fully vested upon deposit into the plan. The Center made contributions totaling \$312,604, \$281,789 and \$249,217 for years ended June 30 2024, 2023 and 2022. Employees made \$202,728, \$162,295 and \$144,404 in optional contributions for the same periods.

The Center also offers its employees deferred compensation plans created in accordance with Internal Revenue Service Code. The plans, available to all employees eligible for benefits, permit them to defer a portion of their salary until future years. Employees are eligible to voluntarily participate from the date of employment and are vested immediately upon that date. Employee contributions to the Section 457 plan totaled \$48,709, \$48,934 and \$41,987 and the Roth IRA plan totaled \$45,252, \$40,635 and \$33,720 for the years ended June 30, 2024, 2023 and 2022. The Center did not make any contribution to either plan.

Pension Assets and Liabilities

The actuarially determined share of the URS unfunded pension liability and pre-funded assets ascribed to the Center at December 31, 2023 and 2022 is a net pension liability of \$940,300 and \$686,826, respectively, for the Tier 2 Public Employees System, and a net pension liability of \$282,287 and \$176,367, respectively, for the Noncontributory System.

**8. MORTGAGE PAYABLE**

The Center purchased a building in Brigham City, Utah, to use in their mental health services. This purchase was made with loan proceeds available from the Department of Housing and Urban Development (HUD) through the State of Utah Housing Trust Fund at zero percent interest. Repayment of the loan is to be made when the project is sold, transferred to another entity or changes use. The amount due at June 30, 2024 and 2023, was \$309,935, which was for the purchase and renovation of the building.

**BEAR RIVER MENTAL HEALTH SERVICES, INC.**  
**NOTES TO FINANCIAL STATEMENTS**  
**For the Years Ended June 30, 2024 and 2023**

**9. CAFETERIA PLAN**

The Center has set up a cafeteria plan to enable employees to have amounts excluded from their income under Section 125(a) and other applicable sections of the Internal Revenue Service Code of 1986, as amended. The plan is to provide contributions from the employees to cover benefits paid. The plan is administered by an independent agency with assets maintained in separate bank accounts.

**10. DESIGNATED NET ASSETS**

The Board of Directors has appropriated an amount to be set aside for normal operations of the Center. The operating appropriation has been calculated at 120 days of expenditures for year end June 30, 2024. Net investment in fixed assets represents the net book value of capital assets held at year end, net of related debt.

**11. OPERATING LEASES**

Rent expense for years ended June 30, 2024 and 2023 was \$2,443 and \$2,400, respectively.

**12. CONCENTRATIONS OF RISK**

The Center received approximately 66% and 72% of its revenue from Medicaid and approximately 25% and 19% of its revenue from the State of Utah during the years ended June 30, 2024 and 2023, respectively. As of June 30, 2024 and 2023, approximately 29% and 12% of the Center's receivables were from Medicaid and approximately 55% and 74% of the Center's receivables were from the State of Utah, respectively. A change in the level or amount of support could significantly affect the operations of the Center.

**13. POTENTIAL MEDICAID MLR SETTLEMENTS**

The Center's contract with Medicaid stipulates if the expansion Medical Loss Ratio (MLR) is under 85%, the Center will repay Medicaid until the MLR equals 85%. If the MLR is over 91%, Medicaid would pay the Center until this ratio equals 91%.

For the year ended June 30, 2024, the MLR report is not due to the State of Utah until March 31, 2025, which will then be reviewed by the State of Utah. As such, the Center is unable to estimate any potential settlement amount.

# **SUPPLEMENTAL SECTION**

**BEAR RIVER MENTAL HEALTH SERVICES, INC.**  
**SCHEDULE 1: DETAILED STATEMENTS OF ACTIVITIES**  
**Years Ended June 30, 2024 and 2023**

	<i>Memorandum Only</i> <b>2024</b>	<i>Memorandum Only</i> <b>2023</b>
<b>SUPPORT AND REVENUES</b>		
Government support:		
Federal:		
Block grant	\$ 109,556	\$ 106,798
Early intervention	150,859	75,000
Federal MCOT	2,000	21,428
Block grant set aside for children	24,000	24,000
Rapid follow-up	-	43,895
US Supported Employment	105,000	119,415
Family recourse facilitator	11,462	11,462
Child care provider	13,382	-
	<u>416,259</u>	<u>401,998</u>
State:		
State operating grant	2,353,903	2,021,669
State children's grant	200,000	200,000
State Medicaid replacement	63,068	61,879
Justice assistance grant	130,315	130,226
Early intervention	118,101	190,305
Receivign center	530,091	-
State MCOT	983,000	879,444
Pre-admission screening/resident review	5,791	16,822
Justice reinvestment initiative	46,399	46,088
Community outplacement grant	7,341	4,495
Total state	<u>4,438,009</u>	<u>3,550,928</u>
County:		
County match	<u>546,701</u>	<u>503,989</u>
Total governmental support	<u>5,400,969</u>	<u>4,456,915</u>
Revenues:		
Medicaid, net:		
Medicaid disability determination	692	328
Medicaid capitation	13,913,252	15,934,538
Medicaid FFS	250,041	138,744
Medicaid/Medicare crossovers	9,864	15,522
ARPA HCBS Enhancement	573,634	477,125
Medicaid match contra revenue	(3,410,188)	(3,106,174)
Medicaid admin fee	(114,395)	(119,954)
Total Medicaid, net	<u>11,222,900</u>	<u>13,340,129</u>

See accompanying notes and independent auditors' report

**BEAR RIVER MENTAL HEALTH SERVICES, INC.**  
**SCHEDULE 1: DETAILED STATEMENTS OF ACTIVITIES**  
**Years Ended June 30, 2024 and 2023**

	<i>Memorandum Only</i> <b>2024</b>	<i>Memorandum Only</i> <b>2023</b>
Service fees:		
Personal payments	4,273	5,676
Insurance	29,173	24,094
Medicare	33,096	45,780
Mental health court	22,331	15,568
Schools	28,282	56,712
Consult fees	68,295	59,206
Rainbow club/New discovery	4,729	4,203
Total service fees	<u>190,179</u>	<u>211,239</u>
Investment income	675,189	483,763
Client living fees:		
24-hour supervised living fees	12,070	16,411
Semi-independent living fees	47,653	50,729
Total client living fees	<u>59,723</u>	<u>67,140</u>
Miscellaneous:		
Integration Grant	9,000	15,000
Miscellaneous	17,780	3,301
Donations	400,000	1,896
Day treatment lunch program	8,676	6,938
Total miscellaneous	<u>435,456</u>	<u>27,135</u>
Total revenues	<u>12,583,447</u>	<u>14,129,406</u>
Total support and revenues	<u>17,984,416</u>	<u>18,586,321</u>

See accompanying notes and independent auditors' report

**BEAR RIVER MENTAL HEALTH SERVICES, INC.**  
**SCHEDULE 1: DETAILED STATEMENTS OF ACTIVITIES**  
**Years Ended June 30, 2024 and 2023**

	<i>Memorandum Only</i> <b>2024</b>	<i>Memorandum Only</i> <b>2023</b>
<b>EXPENSES</b>		
Salaries	8,542,446	8,125,618
Employee benefits	4,245,109	4,170,244
Total personnel	<u>12,787,555</u>	<u>12,295,862</u>
Travel - in state	52,589	45,904
Travel - out of state	-	421
Gas and oil	22,608	28,738
Maintenance	23,476	23,873
Insurance	19,629	19,430
Total travel/auto	<u>118,302</u>	<u>118,366</u>
Office supplies	27,540	32,146
Postage	5,210	4,411
Printing and publications	8,980	11,312
Maintenance	-	459
Total office maintenance	<u>41,730</u>	<u>48,328</u>
Rent	2,443	2,400
Utilities	166,181	163,713
Telephone	57,307	55,178
Insurance	43,464	42,790
Janitorial	97,868	80,197
Maintenance	163,786	160,309
Total occupancy	<u>531,049</u>	<u>504,587</u>
Contract services	219,127	275,718
Inpatient	2,592,939	2,635,715
Residential beds	-	-
Total professional services	<u>2,812,066</u>	<u>2,911,433</u>
Books and journals	50	659
Licenses and memberships	9,212	8,964
Education and training	34,517	35,825
Liability insurance	91,366	83,336
Total staff support	<u>135,145</u>	<u>128,784</u>

See accompanying notes and independent auditors' report

**BEAR RIVER MENTAL HEALTH SERVICES, INC.**  
**SCHEDULE 1: DETAILED STATEMENTS OF ACTIVITIES**  
**Years Ended June 30, 2024 and 2023**

	<i>Memorandum Only</i> <b>2024</b>	<i>Memorandum Only</i> <b>2023</b>
Data processing services	39,287	29,810
Data processing supplies/equipment	98,571	8,840
Data processing maintenance	138,796	117,809
Total data processing	<u>276,654</u>	<u>156,459</u>
Materials	5,935	8,752
Medical supplies	1,159	1,485
Patient activities	161,714	133,625
Total program activities	<u>168,808</u>	<u>143,862</u>
Advertising	1,641	4,608
Miscellaneous	3,750	1,815
Bank charges	1,030	1,448
Bad debt expense	6,000	-
Board of directors	1,270	1,135
Total other expenses	<u>13,691</u>	<u>9,006</u>
Fixed assets acquired	912,145	135,027
Total capital outlay	<u>912,145</u>	<u>135,027</u>
Total expenditures before adjustment	17,797,145	16,451,714
Capital expenditures	(912,145)	(135,027)
Depreciation	178,599	178,986
Total expenses	<u>17,063,599</u>	<u>16,495,673</u>
Non-operating revenue:		
Gain on sale of asset	14,000	-
Net income (loss)	<u><u>\$ 934,817</u></u>	<u><u>\$ 2,090,648</u></u>

See accompanying notes and independent auditors' report





CARVER  
FLOREK &  
JAMES, CPA's

CERTIFIED PUBLIC ACCOUNTANTS

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**REPORT ON INTERNAL CONTROL OVER FINANCIAL  
REPORTING AND ON COMPLIANCE AND OTHER MATTERS BASED ON  
AN AUDIT OF FINANCIAL STATEMENTS PERFORMED  
IN ACCORDANCE WITH *GOVERNMENT AUDITING STANDARDS***

To the Board of Directors  
Bear River Mental Health Services, Inc.  
Logan, Utah

We have audited, in accordance with the 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, the financial statements of Bear River Mental Health Services, Inc. (a nonprofit Center), which comprise the statement of financial position as of June 30, 2024, and the related statements of activities, and cash flows for the year then ended, and the related notes to the financial statements, and have issued our report thereon dated December 31, 2024

**Report on Internal Control Over Financial Reporting**

In planning and performing our audit of the financial statements, we considered Bear River Mental Health Services, Inc.'s internal control over financial reporting (internal control) as a basis for designing procedures that are appropriate in the circumstances for the purpose of expressing our opinion on the financial statements, but not for the purpose of expressing an opinion on the effectiveness of Bear River Mental Health Services, Inc.'s internal control. Accordingly, we do not express an opinion on the effectiveness of Bear River Mental Health Services, Inc.'s internal control.

*A deficiency in internal control* exists when the design or operation of a control does not allow management or employees, in the normal course of performing their assigned functions, to prevent, or detect and correct, misstatements on a timely basis. A *material weakness* is a deficiency, or a combination of deficiencies, in internal control, such that there is a reasonable possibility that a material misstatement of the entity's financial statements will not be prevented, or detected and corrected on a timely basis. A *significant deficiency* is a deficiency, or a combination of deficiencies, in internal control that is less severe than a material weakness, yet important enough to merit attention by those charged with governance.

Our consideration of internal control was for the limited purpose described in the first paragraph of this section and was not designed to identify all deficiencies in internal control that might be material weaknesses or significant deficiencies. Given these limitations, during our audit we did not identify any deficiencies in internal control that we consider to be material weaknesses. However, material weaknesses may exist that have not been identified.

## Report on Compliance and Other Matters

As part of obtaining reasonable assurance about whether the Bear River Mental Health Services, Inc.'s financial statements are free from material misstatement, we performed tests of its compliance with certain provisions of laws, regulations, contracts, and grant agreements, noncompliance with which could have a direct and material effect on the determination of financial statement amounts. However, providing an opinion on compliance with those provisions was not an objective of our audit, and accordingly, we do not express such an opinion. The results of our tests disclosed no instances of noncompliance or other matters that are required to be reported under *Government Auditing Standards*.

## Purpose of this Report

The purpose of this report is solely to describe the scope of our testing of internal control and compliance and the results of that testing, and not to provide an opinion on the effectiveness of the Bear River Mental Health Services, Inc.'s internal control or on compliance. This report is an integral part of an audit performed in accordance with *Government Auditing Standards* in considering the Bear River Mental Health Services, Inc.'s internal control and compliance. Accordingly, this communication is not suitable for any other purpose.

Carver Florek & James, CPAs

Layton, Utah  
December 31, 2024



## Hold a Public Hearing

### Ordinance 2025-08 – Funk-Richmond Gravel Pit Property Rezone

**Agenda request submitted by:** Angie Zetterquist, Interim Director of Development Services – Forwarded from the County Planning Commission

**Assisting Department:** Development Services

**Requested Council meeting date:** March 11th, 2025

**Agenda Item Language:** Hold a public hearing for Ordinance 2025-08 Funk-Richmond Gravel Pit Property Rezone – A request to rezone 286.91 acres located at approximately 8300 N. Highway 91, near Richmond, from the Agricultural (A10) Zone to the Industrial (I) Zone with the Mineral Extraction and Excavation (ME) Overlay.

**Action:** Planning Commission – Recommendation of Denial (6-yea; 0-nay)

**Background:** A request to rezone 286.91 acres located at approximately 8300 N. Highway 91, near Richmond, from the Agricultural (A10) Zone to the Industrial (I) Zone with the Mineral Extraction and Excavation (ME) Overlay.

**Fiscal Impact:** N/A

**Public Hearing Required:** Rezone requests require a public hearing before the County Planning Commission (PC). This hearing was held on February 6<sup>th</sup>, 2025, and their recommendation to deny the rezone was made on February 6<sup>th</sup>, 2025.

No additional hearing is required under the requirements of the State Code, however, the Council has previously directed it is beneficial to rehear the public comment and hold an additional hearing before the Council. See attached for additional information.

**County Staff Presenter:** Angie Zetterquist, Interim Director of Development Services

**Presentation Time:** 10 minutes.

**County Staff Point of Contact:** Conner Smith, Assistant Planner

**Legal Review:** N/A

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# Amending the Cache County Zoning Map by rezoning 286.91 acres from the Agricultural (A10) Zone to the Industrial (I) Zone with the Mineral Extraction and Excavation (ME) Overlay

Set a public hearing on February 25<sup>th</sup>, 2025 to be held on March 11<sup>th</sup>, 2025.  
If approved, the rezone will take effect 15 days from the date of approval.

Denial (6-yea; 0-nay).

Public hearing held on February 6<sup>th</sup>, 2025

Conclusion: Based on the findings of fact noted [in the staff report], the Funk-Richmond Gravel Pit Property rezone is hereby recommended for denial to the County Council as follows:

- 1.** The nearest area, in the County, that is in the Industrial (I) Zone is located 1.5 miles to the north-west while the nearest parcel with the Mineral Extraction and Excavation (ME) Overlay is located 0.85 miles to the south.
- 2.** The subject property is not consistent with the Industrial (I) Zone or the Mineral Extraction and Excavation (ME) Overlay:
  - a.** Industrial (I) Zone:
    - i. "To provide locations where manufacturing, processing, warehousing, and fabrication of goods and material can be carried on with minimum conflict or deleterious effect upon the surrounding properties. The purpose of this zone is also to promote the economic well being of the citizens and to broaden the tax base."
    - ii. "This zone must be appropriately served by suitable public roads, have access to the necessary water and utilities, and have adequate provision of public services."
  - b.** Mineral Extraction and Excavation (ME) Overlay:
    - i. "The purpose of this zone is to establish locations and to protect the commercial mineral extraction and excavation industry while protecting the environment and county citizens. This zone is to assure that the operations of such sites do not impact adjoining uses and are not encroached upon by surrounding noncompatible land uses within Cache County."
    - ii. "This zone and provisions thereof are deemed necessary in the public interest to affect practices which will, for the economical use of vital materials necessary for our economy, give due consideration to the present and future use of land in the interest of promoting the public health, safety, and general welfare of the residents of Cache County."

41       **3.** The rezone is not consistent with the Cache County General Plan:

42           **a.** This parcel is located in the “Agriculture and Ranching” area which places an  
43           emphasis on agriculture related uses and discourages flex office industrial and heavy  
44           industrial uses.

45       **4.** At this time, the applicant has not had a meeting with the Utah Department of  
46       Transportation (UDOT) to discuss creating an access for this project.

47       **5.** It is likely that a mineral extraction operation, in this case a gravel pit, will impact Crow  
48       Mountain which can be seen as a significant natural heritage site.

49  
50       **Staff Report review by Interim Director**

51       Angie Zetterquist

52  
53       **Staff Report by County Planner**

54       Conner Smith

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56       **General Description**

57       This ordinance amends the County Zoning Map by rezoning 286.91 acres from the Agricultural  
58       (A10) Zone to the Industrial (I) Zone with the Mineral Extraction and Excavation (ME) Overlay.

59  
60       **Additional review materials included as part of Exhibit A**

61       Staff Report to Planning Commission – revised

**Staff Report: Funk-Richmond Gravel Pit Property Rezone**

6 February 2025

This staff report is an analysis of the application based on adopted county documents, standard county development practices, and available information. The report is to be used to review and consider the merits of the application. Additional information may be provided that supplements or amends this staff report.

**Agent:** E. Hal Christensen

**Parcel ID#:** 08-016-0034, 08-017-0004, -0008, -0011, -0012

**Staff Recommendation:** None

**Type of Action:** Legislative

**Land Use Authority:** Cache County Council

**Location**

*Reviewed by Conner Smith*

**Project Address:**

8300 N. Highway 91,  
Near Richmond

**Acres:** 286.91

**Current Zoning:**

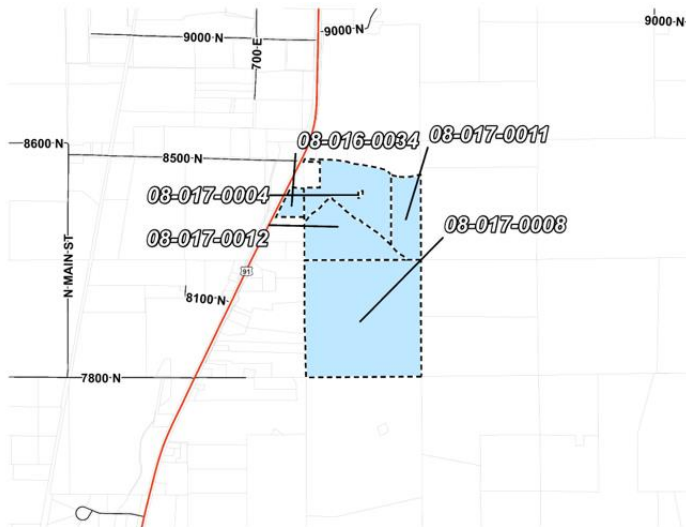
Agricultural (A10)

**Proposed Zoning:**

Industrial (I), Mineral  
Extraction (ME)  
Overlay

**Surrounding Uses:**

North – Agricultural  
South – Agricultural/Residential  
East – Agricultural  
West – Residential



**Findings of Fact**

**A. Request description**

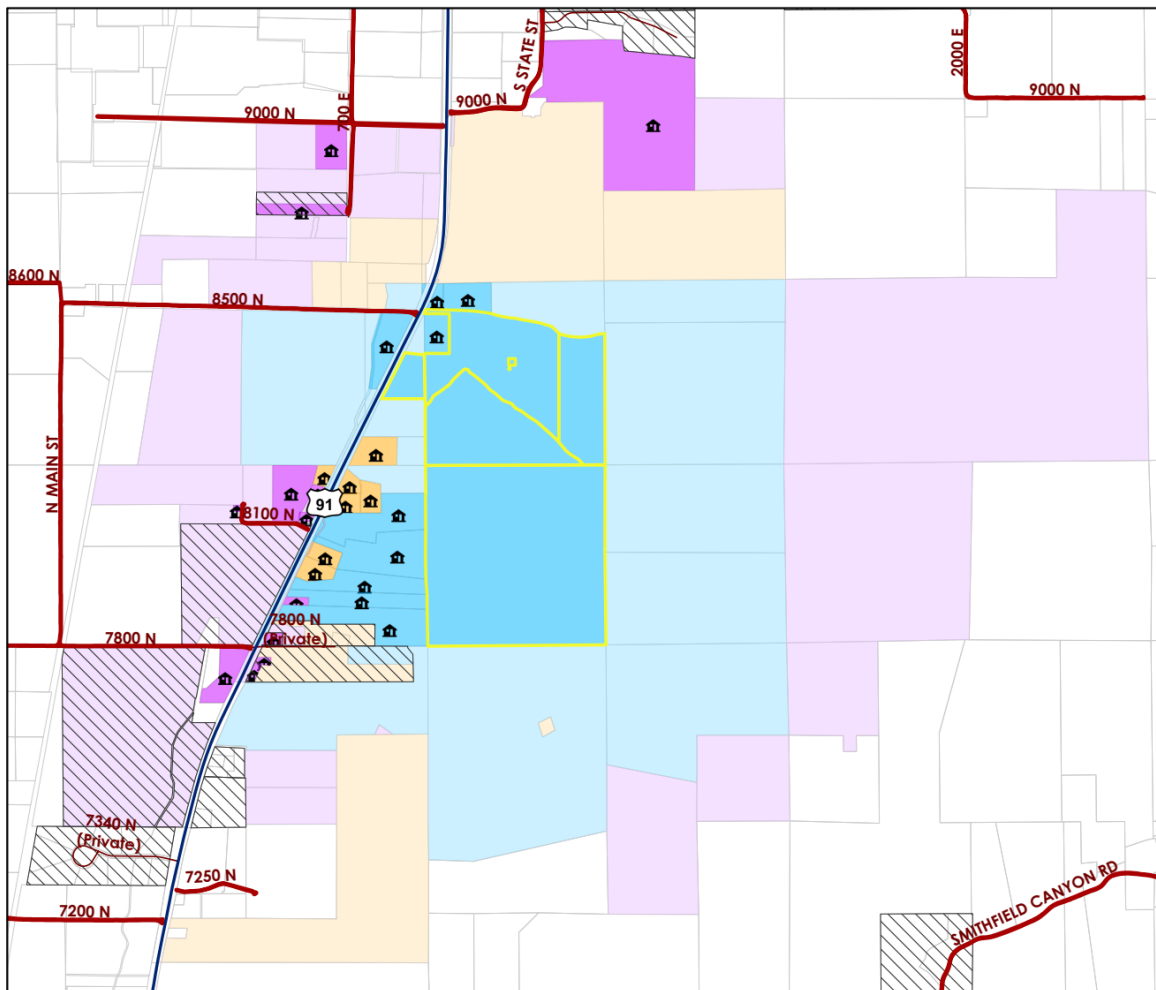
1. A request to rezone 286.91 acres from the Agricultural (A10) Zone to the Industrial (I) Zone with the Mineral Extraction and Excavation (ME) Overlay.
2. This rezone may allow the parcel to establish uses permitted in the Industrial (I) Zone and Mineral Extraction and Excavation (ME) Overlay. A rezone request is general in nature and is not tied to any proposed use. Any impacts related to permitted and conditional uses allowed within the Industrial (I) Zone and Mineral Extraction and Excavation (ME) Overlay will be

addressed as part of each respective approval process required prior to site development activities.

3. Staff has identified general information as pertains to the subject property to assist the Planning Commission and County Council in arriving at a decision. This information is reflected in the attached map (Attachment A) and in the following text.

- a. Land Use Context:

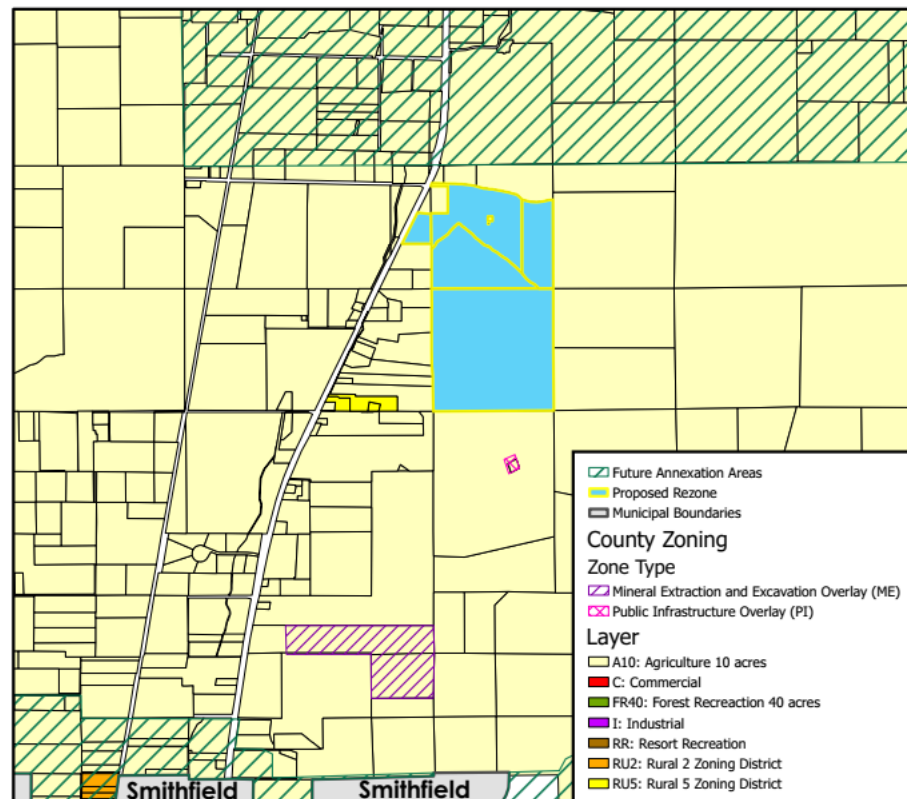
- i. Parcel status: The properties match the configuration they had on August 8, 2006 and are legal.
- ii. Average Lot Size: (See Attachment A)



Average Parcel Size	
Adjacent Parcels	With a Home: 10.5 Acres (9 Parcels)
	Without a Home: 46.1 Acres (24 Parcels)
1/4 Mile Buffer	With a Home: 7.2 Acres (16 Parcels)
	Without a Home: 37.8 Acres (40 Parcels)
1/2 Mile Buffer	With a Home: 8.2 Acres (28 Parcels)
	Without a Home: 35.9 Acres (72 Parcels)

**Revised Pg. 6 and 7 - Planning Commission Recommendation**

- i. **Schedule of Zoning Uses:** The Industrial (I) Zone and Mineral Extraction and Excavation (ME) Overlay allow for a variety of uses with the approval of a zoning clearance and/or conditional use permit. These uses include the following uses, that are not permitted in the current Agricultural (A10) Zone:
  - Mineral Extraction and Excavation (ME) Overlay
    - i. Mineral Extraction
    - ii. Topsoil Extraction
  - Industrial (I) Zone:
    - i. Caretaker's Residence
    - ii. General Manufacturing
    - iii. Commercial Kennel/Animal Shelter
    - iv. Storage and Warehousing
    - v. Self Service Storage Facility
    - vi. Transport Services
    - vii. General Vehicle Repair
    - viii. Mobile Food Truck
    - ix. Sexually Oriented Business
    - x. Telecommunication Facility, Major
- ii. **Adjacent Uses:** The properties adjacent to the subject parcel to the north and east are primarily used for agricultural purposes, properties to the west are primarily residential, and properties to the south are a mix of residential and agricultural. The nearest parcel, in the county, in the Industrial (I) Zone is located 1.5 miles to the north-west while the nearest parcel with the Mineral Extraction and Excavation (ME) Overlay is located 0.85 miles to the south.
- iii. **Annexation Areas:** The subject properties are not located in any future annexation area.





**B. Ordinance—§12.02.010, §17.02.060; §17.08.030 [E]**

4. As per §17.02.060, Establishment of Land Use Authority, the County Council is authorized to act as the Land Use Authority for this application.
5. The current County Land Use Ordinance does not specify appropriate locations for the Industrial (I) Zone but does contain general guidelines for its implementation. County Land Use Ordinance §17.08.030 [E] identifies the purpose of the Industrial (I) Zone and includes the following:
  - a. “To provide locations where manufacturing, processing, warehousing, and fabrication of goods and material can be carried on with minimum conflict or deleterious effect upon the surrounding properties. The purpose of this zone is also to promote the economic well being of the citizens and broaden the tax base.”
  - b. “This zone must be appropriately served by suitable public roads, have access to the necessary water and utilities, and have adequate provision of public services.”
6. The current County Land Use Ordinance does not specify appropriate locations for the Mineral Extraction and Excavation (ME) Overlay but does contain general guidelines for its implementation. County Land Use Ordinance §17.08.030 [E] identifies the purpose of the Mineral Extraction and Excavation (ME) Overlay and includes the following:
  - a. “The purpose of this zone is to establish locations and to protect the commercial mineral extraction and excavation industry while protecting the environment and county citizens. This zone is to assure that the operations of such sites do not impact adjoining uses and are not encroached upon by surrounding noncompatible land uses within Cache County.”
  - b. “This zone and provisions thereof are deemed necessary in the public interest to affect practices which will, for the economical use of vital materials necessary for our economy, give due consideration to the present and future use of land in the interest of promoting the public health, safety, and general welfare of the residents of Cache County.”
7. Chapter 4: Future Land Use Plan of the Cache County General Plan states:
  - a. “The use of land is one of the most important and fundamental values for landowners, residents, civic leaders, and elected officials. This determines, in large measure, the future of Cache County. The Future Land Use Map represents the County’s collective vision of our desired future. It conveys the patterns and priorities of economic development and community character, the locations of neighborhoods and industries, and the preservation of natural, agricultural, and rural landscapes.”
  - b. “The Future Land Use Plan is advisory and does not change the existing zoning of any property or the ability of landowners to continue existing legal uses consistent with the existing zoning or nonconforming uses. It serves as a starting point for conversations about regional initiatives and development proposals by illustrating how sometimes separate and uncoordinated activities can help or harm our desired future. The timing of future development will depend on a number of factors including choices made by individual landowners, aspirations of the community, and future availability of facilities and services.”
8. The future land use map (Attachment B) adopted as part of the Cache County General Plan identifies the area where the subject property is located as “Agriculture and Ranching.” *Cache County General Plan, Chapter 4, Page 26*. This section states:
  - a. Location: Private agriculture landscapes in the Cache Valley outside of municipalities.
  - b. Example Areas: Most of the valley.
  - c. Purpose and Character: Agricultural and rangeland uses on private lands under conservation easements (no public access) are expected to continue in the Valley. Separation from dense residential developments is advantageous. The agricultural

landscape provides separation between adjacent municipalities and protects suitable soils.

- d. Preferred Land Uses: Agriculture, ranching, rural residential uses at densities of less than one unit per 10 acres, Conservation Easements (CEs) and conserved public lands, Agritourism.
- e. Secondary Land Uses: Industrial and Commercial uses directly supportive of agriculture (Processing, Packaging, Distribution), clustered subdivision developments, outdoor recreation, farm worker housing.
- f. Discouraged Uses: Residential developments at densities of greater than one unit per 10 acres if not in a clustered subdivision development, commercial office, commercial retail, flex office/industrial, heavy industrial.

- 9. Consideration of impacts related to uses allowed within the Industrial (I) Zone and Mineral Extraction and Excavation (ME) Overlay will be addressed as part of each respective approval process required prior to site development activities.

**C. Access—16.04.040 [A], 16.04.080 [E], Road Manual**

- 10. §12.02.010 adopts the Manual of Roadway Design and Construction Standards (Road Manual) for roadway improvement requirements.
- 11. §16.02.010 Standards and Lot Size – All subdivisions must meet the minimum lot and development standards as outlined in each base zone of the Cache County Zoning Ordinance and within this title.
- 12. Table §17.10.040 Site Development Standards – Minimum lot frontage required in the Industrial (I) Zone is 150’.
- 13. §17.07.040 General Definitions – Lot/Parcel Frontage: that portion of a development site that abuts a public or private roadway. For the purposes of determining setback requirements on corner lots, all sides of a lot adjacent to a roadway shall be considered frontage
- 14. §16.04.040 [A] Roads – All roads must be designed and constructed in accordance with Title 12 of the County Code.
- 15. §12.02.010 Roadway Standards – Requirements for roadway improvement are provided in the current Manual of Roadway Design and Construction Standards (Road Manual).
- 16. Roadway Functional Classification:
  - a. Principal Arterial: Principal Arterials in rural areas are typically designed to provide relatively high overall travel speeds with minimum interference to through movement.
- 17. A basic review of the access to the subject property identifies the following:
  - a. An analysis of the nearest road, US-91, is below.
- 18. US-91 – Utah Department of Transportation (UDOT) Road:
  - a. West of the subject parcel, US-91 is an UDOT road classified as a Principal Arterial.
  - b. The road services multiple dwellings and agricultural uses but is primarily the main connection between Smithfield and Richmond.
  - c. Is maintained by UDOT.
  - d. This section of US-91 is classified per UDOT as an Access Category 4, which has a minimum driveway spacing of 500 feet and a minimum street spacing of 660 feet.
  - e. All the parcels that are part of this rezone are contiguous. However, the only parcel that has direct access or frontage on a public road is Parcel 08-016-0034. The other parcels would need to be accessed through this parcel.

**D. Service Provisions:**

- 19. §16.04.080 [C] Fire Control – The County Fire District had no comments in regards to this application.

20. §16.04.080 [F] Solid Waste Disposal – Applicant must work with Waste Management for solid waste disposal.

**E. Public Notice and Comment—§17.02.040 Notice of Meetings**

21. Public notice was posted online to the Utah Public Notice Website on 24 January 2024.

22. Notices were posted in three public places on 24 January 2024.

23. Notices were mailed to all property owners within 300 feet on 24 January 2024.

24. At this time, one written public comment regarding this proposal has been received by the Development Services Office.

## **Conclusion**

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The Funk-Richmond Gravel Pit Property rezone, a request to rezone 286.91 acres from the Agricultural (A10) Zone to the Industrial (I) Zone with the Mineral Extraction and Excavation (ME) Overlay has been reviewed in conformance with Title 17 of the Cache County Land Use Ordinance and the County Manual of Roadway Design and Construction Standards. Staff has not made a recommendation based on the findings of fact identified above and any others identified at the public hearing. Although Staff has not made a recommendation for approval or denial, they can help Planning Commission draft a recommendation to County Council.

## **Planning Commission Conclusion**

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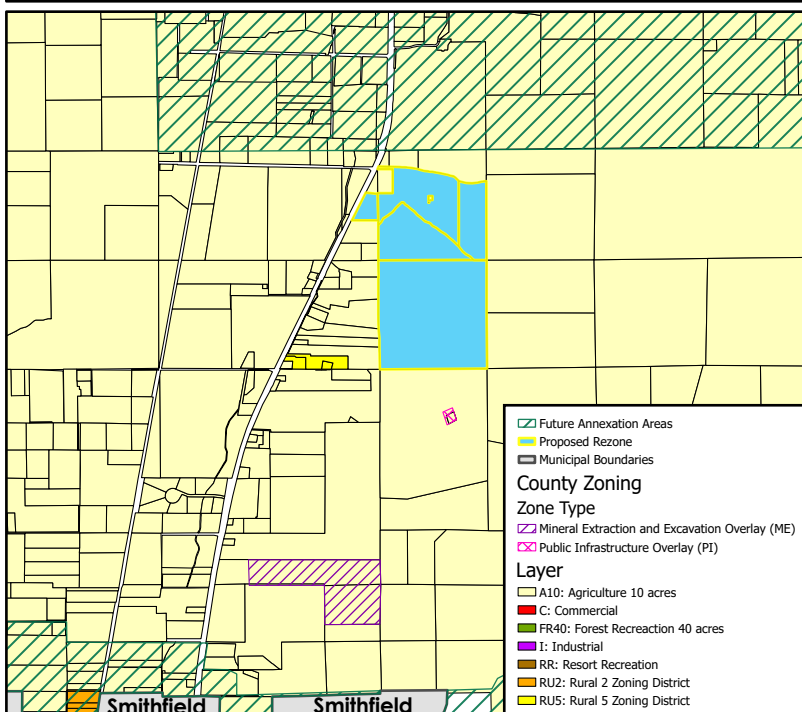
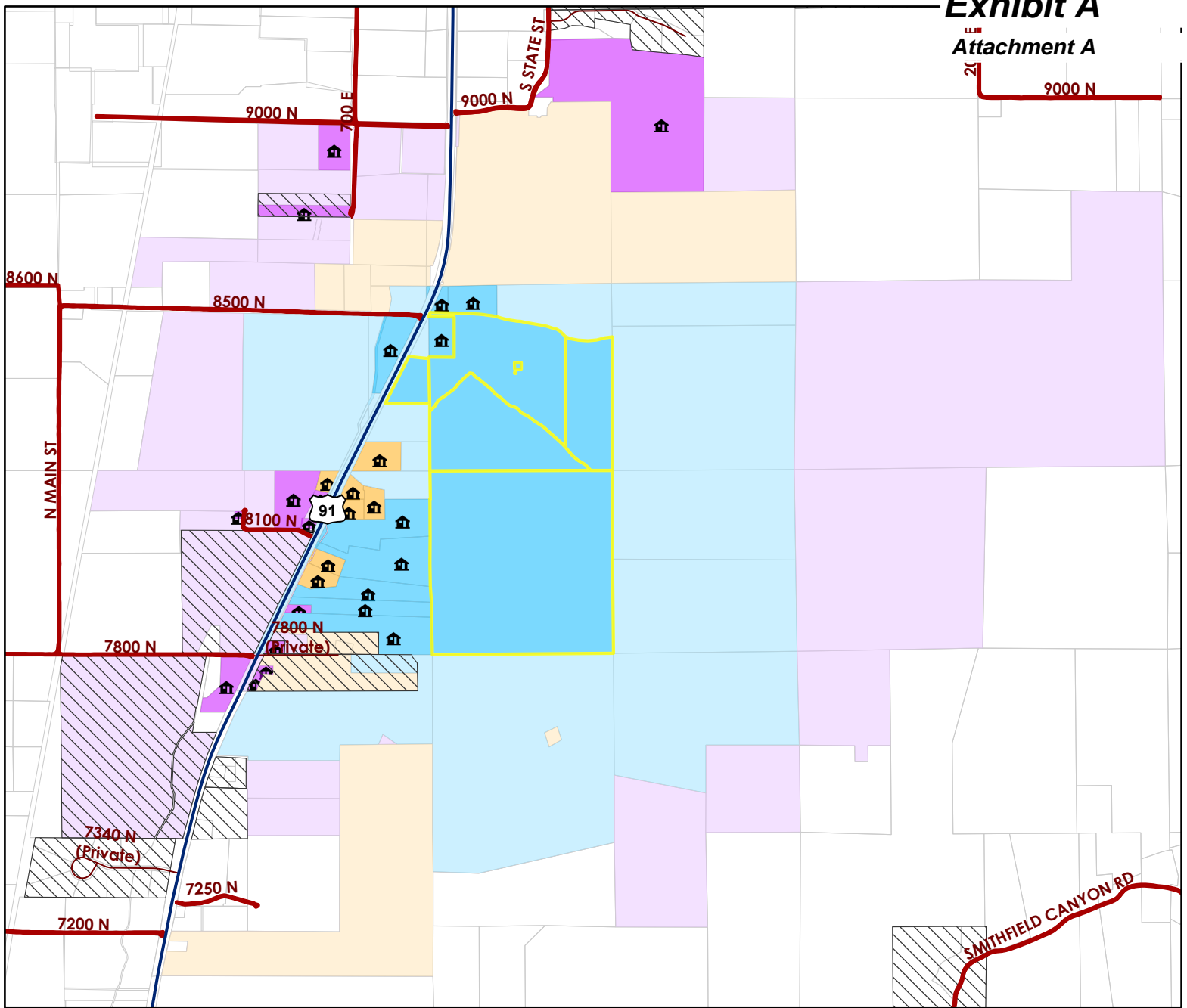
Based on the findings of fact noted herein, the Funk-Richmond Gravel Pit Property rezone is hereby recommended for denial to the County Council as follows:

1. The nearest area, in the County, that is in the Industrial (I) Zone is located 1.5 miles to the north-west while the nearest parcel with the Mineral Extraction and Excavation (ME) Overlay is located 0.85 miles to the south.
2. The subject property is not consistent with the Industrial (I) Zone or the Mineral Extraction and Excavation (ME) Overlay:
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    - ii. “This zone must be appropriately served by suitable public roads, have access to the necessary water and utilities, and have adequate provision of public services.”
  - b. Mineral Extraction and Excavation (ME) Overlay:
    - i. “The purpose of this zone is to establish locations and to protect the commercial mineral extraction and excavation industry while protecting the environment and county citizens. This zone is to assure that the operations of such sites do not impact adjoining uses and are not encroached upon by surrounding noncompatible land uses within Cache County.”
    - ii. “This zone and provisions thereof are deemed necessary in the public interest to affect practices which will, for the economical use of vital materials necessary for our economy, give due consideration to the present and future use of land in the interest of promoting the public health, safety, and general welfare of the residents of Cache County.”
3. The rezone is not consistent with the Cache County General Plan:

- a. This parcel is located in the “Agriculture and Ranching” area which places an emphasis on agriculture related uses and discourages flex office industrial and heavy industrial uses.
- 4. At this time, the applicant has not had a meeting with the Utah Department of Transportation (UDOT) to discuss creating an access for this project.
- 5. It is likely that a mineral extraction operation, in this case a gravel pit, will impact Crow Mountain which can be seen as a significant natural heritage site.

# Exhibit A

## Attachment A



### Legend

- Proposed Rezone
- Municipal Boundaries
- Subdivisions
- Parcels
- Winter Maintenance
- County Roads
- Highways

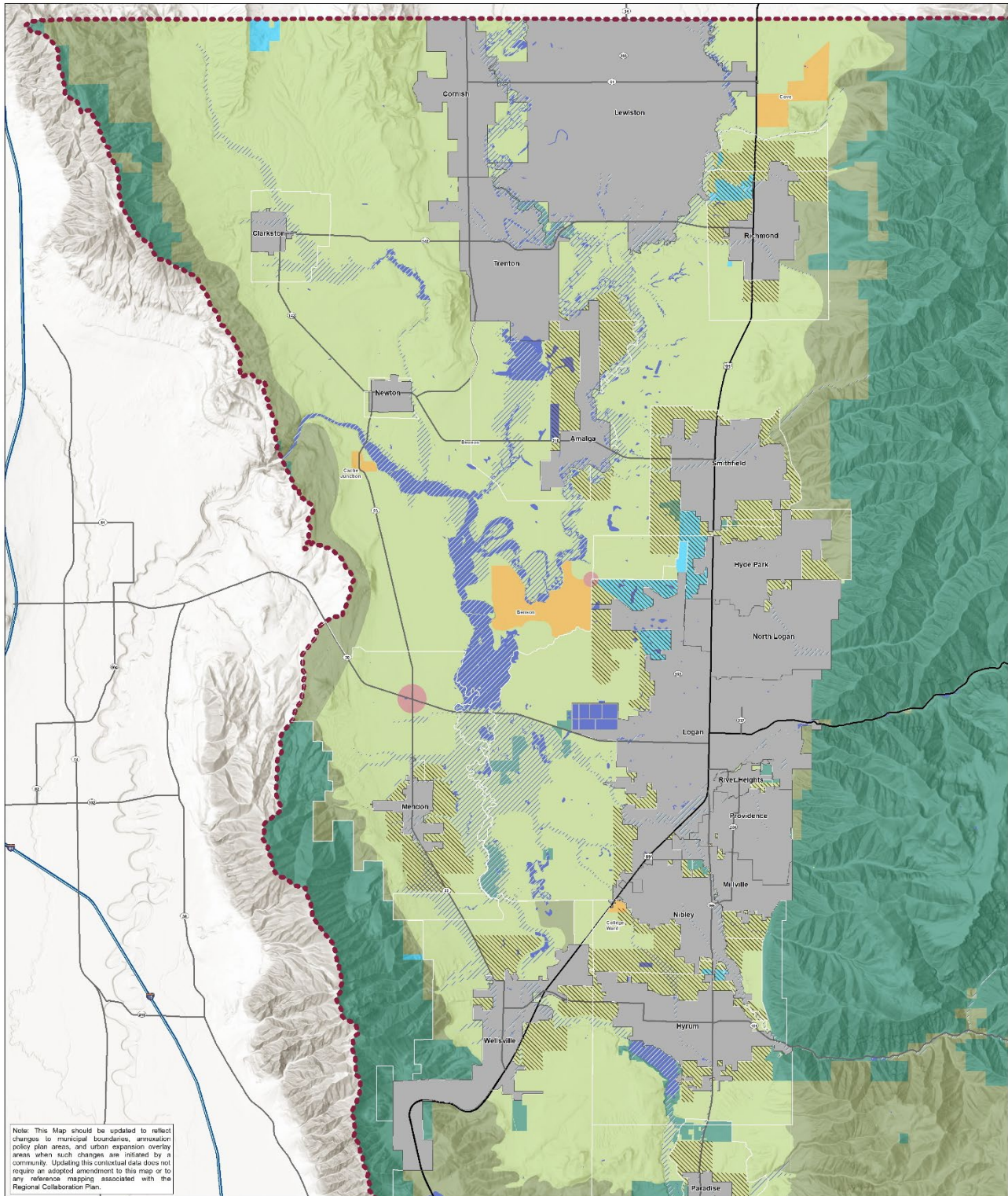
### Average Parcel Size

<b>Adjacent Parcels</b>	With a Home: 10.5 Acres (9 Parcels)
	Without a Home: 46.1 Acres (24 Parcels)
<b>1/4 Mile Buffer</b>	With a Home: 7.2 Acres (16 Parcels)
	Without a Home: 37.8 Acres (40 Parcels)
<b>1/2 Mile Buffer</b>	With a Home: 8.2 Acres (28 Parcels)
	Without a Home: 35.9 Acres (72 Parcels)



1/14/2025





Water Bodies	Urban Expansion Overlay	Agriculture and Ranching
100 Year Floodplain	Retail Commercial	Mountain Rural and Conservation
Municipalities	Rural Community	Forest and Natural Resource
Annexation Policy Plan Areas	Industrial and Mineral Extraction	

**Cache County Future Land Use Map**

Disclaimer: This map is illustrative and for advisory purposes only. This is not a regulatory or zoning document, and locations are generalized to illustrate concepts.

Date: February 28, 2023

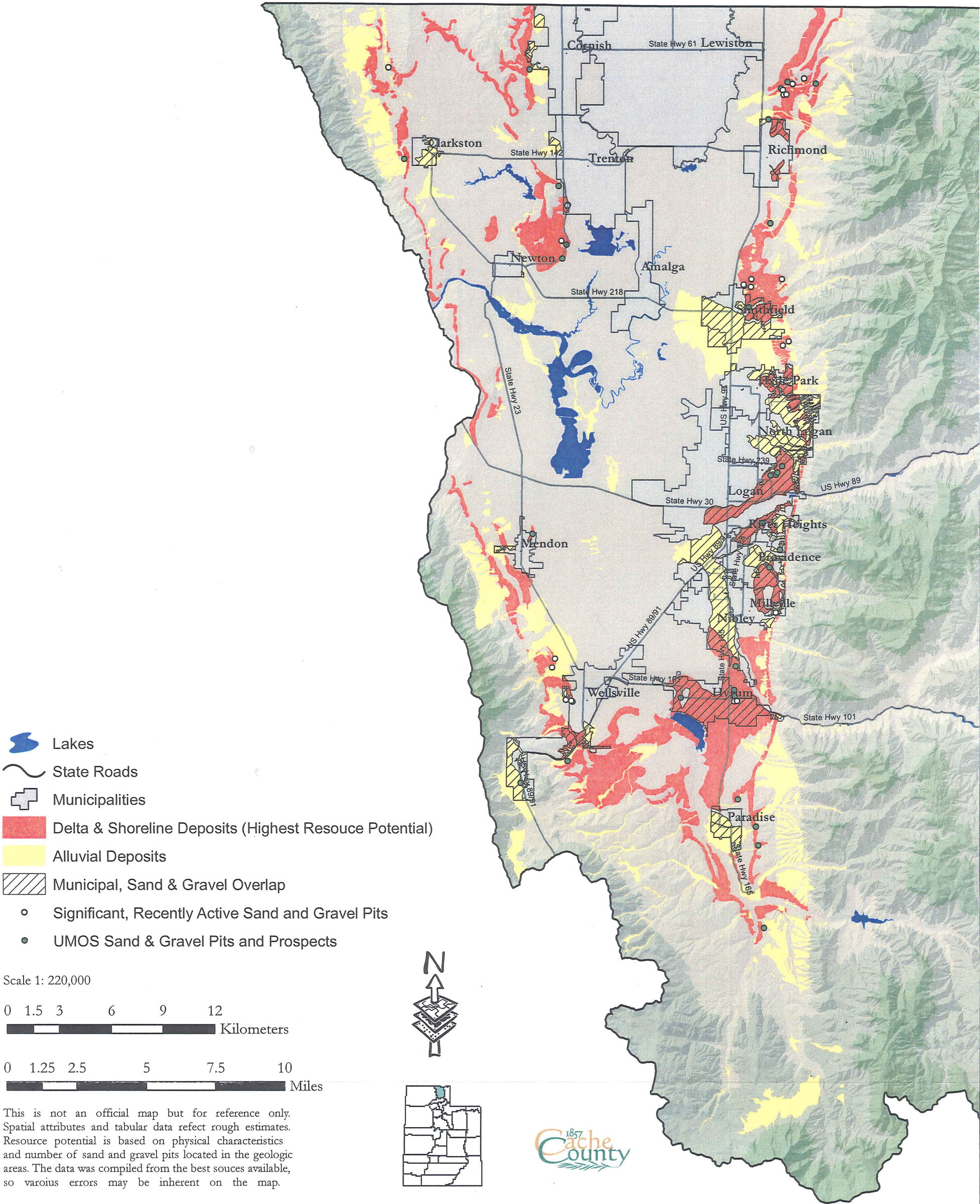




Sand & Gravel Resource Potential

Cache County, Utah

Exhibit A  
Attachment C



SYMBOL	UNIT	MUNICIPAL ACRES	COUNTY ACRES	MAX THICK (FEET)	SORTING	ROUNDING	NUM_PITS
Qlpd	Deltaic deposits, Provo level (regressive)	5791	4984.23	82.02	mod. to well	subrounded to round	23
Qlpg	Lacustrine gravel and sand, Provo shoreline (regressive)	889	3953.86	16.4	well	subrounded to round	9
Qlbd	Deltaic deposits, Bonneville level (transgressive)	665	416.35	16.4	mod. to well	subrounded to round	1
Qlbg	Lacustrine gravel and sand, Bonneville shoreline (transgressive)	9	10402.73	65.62	well	subrounded to round	12
Qaly	Younger stream alluvium	3066	5649.82	32.81		-----	0
Qalp	Stream alluvium, Provo phase	3	119.57	16.4	moderately	subangular to rounded	0
Qalb	Stream alluvium, Bonneville phase	0	498.17	16.4	moderately	subangular to rounded	0
Qaf1	Fan alluvium 1	2478	5730.01	16.4	poorly	angular to subround	0
Qaf2	Fan alluvium 2	1558	2862.06	16.4	poorly	angular to subround	0
Qafy	Younger fan alluvium	1783	5791.91	16.4	poorly	angular to subround	0
Qafp	Fan alluvium (Provo shoreline)	243	100.24	16.4	poorly to moderate	angular to well	0
Qafo	Older fan alluvium	256	6973.7	32.81	poorly	angular to well	0





Conner Smith <conner.smith@cachecounty.gov>

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**Fwd: Funk Richmond-gravel pit property rezone**

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**Cache County DevServices** <devservices@cachecounty.gov>

Mon, Jan 27, 2025 at 3:15 PM

To: Conner Smith <conner.smith@cachecounty.gov>

----- Forwarded message -----

From: **Jamie Ravsten** <jamieravsten@gmail.com>

Date: Mon, Jan 27, 2025 at 3:13 PM

Subject: Funk Richmond-gravel pit property rezone

To: [devservices@cachecounty.gov](mailto:devservices@cachecounty.gov) <[devservices@cachecounty.gov](mailto:devservices@cachecounty.gov)>

Cc: Christian Ravsten <[chrisravsten@gmail.com](mailto:chrisravsten@gmail.com)>

To whom it may concern,

We have received the important notice regarding the request to rezone 286.91 acres for the Funk-Richmond, gravel pit property rezone.

We are not opposed to this rezoning at this time, however, we do have two easements on this property. The first one is access to our residence and the second one is a water easement for a spring that we have on this property.

We will plan on attending the meeting, but we would like assurance that the gravel pit will not affect our water or access to our property.

Thank you very much,  
Christian Ravsten (435)770-7701  
Jamie Ravsten (435)760-0577



Larry E. Copeland

8240 N 690 E

Smithfield, Utah 84335

February 3, 2025

Cache County Development Service Department

179 North Main, Suite 305

Logan, Utah 84321

Dear Planning Commission Members:

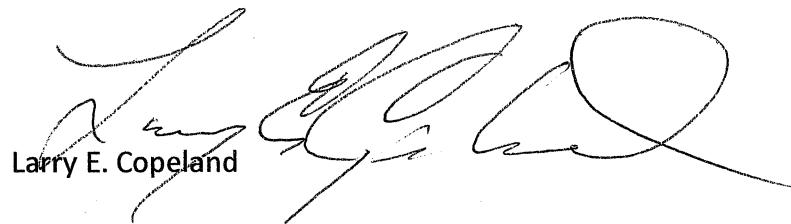
As a nearby property owner I am against rezoning because heavy equipment for a gravel pit would create noise, dust and more importantly vibrations. Earth moving equipment can cause disruption in underground water flows and disrupt spring output, in my well and the neighbor's springs that are located in the rezone area.

Although my greatest concerns are the contamination of my well and the neighbor's springs by the earth moving equipment from the fuel and oils leaked and accidental spills.

With new homes being built near us there will be even greater concerns about potable water.

This project was proposed several years ago and was rejected for the same, continuing concerns.

Sincerely,

  
Larry E. Copeland

ENC. Cache County Important Notice Letter

Edward & J'lene Mendenhall  
que\_yo\_soy@outlook.com  
8472 N Highway 91  
Richmond, UT 84333

connorsmith@cachecounty.gov  
Planning Comission Meeting  
Project Name:  
Funk-Richmond Gravel Pit Property  
Rezone

February 3, 2025

Dear Mr. Smith,

In response to Planning Commission Meeting invitation which Edward and I received, we are presenting the following comments about the creation of a gravel hole on the north side of Crow Mountain.

We live below and slightly to the north of "the Crow". Our water source, and that of the Riehm family and Nannette King's property across Highway 91 is collected from a one acre parcel which Edward & I own. There are two collection cisterns on this property. This acre is surrounded by the Funk property.

We are concerned about the impact this gravel-hole project would have on our clear sweet water source. The impact could be the end of our "Century Farm" and the Mendenhall, King, and Riehm properties being viable places to live.

Even if miraculously our water was not destroyed, we would all be impacted by the noise, dust and other pollution from the equipment, and trucks which would be rumbling down a steep road close to our homes. Another worry is the impact which numerous gravel trucks and other equipment would have on the people who live and travel on Highway 91.

Living on Mendenhall Curve has made us terribly aware of the dangers of this road even as it is today.

We know this would be a life changing tragedy for us on the farm if the project should happen. We also feel it would be a terrible and costly mistake for North Cache Valley to have Crow Mountain and the surrounding land be approved for Mineral Extraction and Excavation Overlay (ME) rezoning.

Thank you for reading this lengthy correspondence.

Sincerely,

J'lene H. and Edward C. Mendenhall



Conner Smith &lt;conner.smith@cachecounty.gov&gt;

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**Fwd: Funk-Richmond Gravel Pit Property Rezone**

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**Cache County DevServices** <devservices@cachecounty.gov>

Wed, Feb 5, 2025 at 8:09 AM

To: Conner Smith &lt;conner.smith@cachecounty.gov&gt;

----- Forwarded message -----

From: **The Riehm Team** <riehmteam@protonmail.com>

Date: Tue, Feb 4, 2025 at 2:23 PM

Subject: RE: Funk-Richmond Gravel Pit Property Rezone

To: devservices@cachecounty.gov &lt;devservices@cachecounty.gov&gt;

To the Cache County Planning Commission,

Our family lives at [8588 North Highway 91, Richmond UT 84333](#). We recently heard about the request to re-zone the agricultural land south of us, and wanted to voice some concerns.

**1. Impact to Our Water Source**

Our water source is accessed via the land that Mr. Funk is trying to sell. A gravel pit operation on the land to the south of us could impact the flow of underground water enough that our source runs dry.

What happens if we turn on the tap and nothing comes out? Do we then have to begin a long court battle to fight for our water rights? If so, how do we get water in the mean time?

What happens if our water source becomes contaminated as a result of the industrial operations?

**2. Air Pollution Concerns**

We are concerned about the effects of increased dust in the air.

What happens if we develop chronic respiratory illnesses (asthma, etc)? How will the increased airborne particulates affect our garden or fruit trees?

**3. Traffic Concerns**

If this gravel pit goes into operation, there will be a lot more traffic entering and exiting on this section of the highway.

How many trucks are expected per day to be going in and out of the facility? Will they run 24/7 or will they only operate during business hours Monday through Friday? Will there be a traffic light put in to facilitate left turns across highway 91?

We look forward to attending the hearing on Thursday, and hope to get some answers to our questions.

Thank you for your time and consideration,

Andrew and Scout Riehm



## Hold a Public Hearing Ordinance 2025-09 – Willets RU5 Rezone

**Agenda request submitted by:** Angie Zetterquist, Interim Director of Development Services – Forwarded from the County Planning Commission

**Assisting Department:** Development Services

**Requested Council meeting date:** March 11th, 2025

**Agenda Item Language:** Hold a public hearing for Ordinance 2025-09 Willets RU5 Rezone – A request to rezone 18.71 acres located at approximately 4200 S. Highway 23, Wellsville, from the Agricultural (A10) Zone to the Rural 5 (RU5) Zone.

**Action:** Planning Commission – Recommendation of Denial (6-yea; 0-nay)

**Background:** A request to rezone 18.71 acres located at approximately 4200 S. Highway 23, Wellsville, from the Agricultural (A10) Zone to the Rural 5 (RU5) Zone.

**Fiscal Impact:** N/A

**Public Hearing Required:** Rezone requests require a public hearing before the County Planning Commission (PC). This hearing was held on February 6<sup>th</sup>, 2025, and their recommendation to deny the rezone was made on February 6<sup>th</sup>, 2025.

No additional hearing is required under the requirements of the State Code, however, the Council has previously directed it is beneficial to rehear the public comment and hold an additional hearing before the Council. See attached for additional information.

**County Staff Presenter:** Angie Zetterquist, Interim Director of Development Services

**Presentation Time:** 10 minutes.

**County Staff Point of Contact:** Conner Smith, Assistant Planner

**Legal Review:** N/A

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## Staff Report: Willets RU5 Rezone

6 February 2025

This staff report is an analysis of the application based on adopted county documents, standard county development practices, and available information. The report is to be used to review and consider the merits of the application. Additional information may be provided that supplements or amends this staff report.

**Agent:** Jed Willets

**Parcel ID#:** 11-069-0007

**Staff Recommendation:** None

**Type of Action:** Legislative

**Land Use Authority:** Cache County Council

## Location

*Reviewed by Conner Smith*

### Project Address:

4200 S. Highway 23  
 Wellsville

**Acres:** 18.71

### Surrounding Uses:

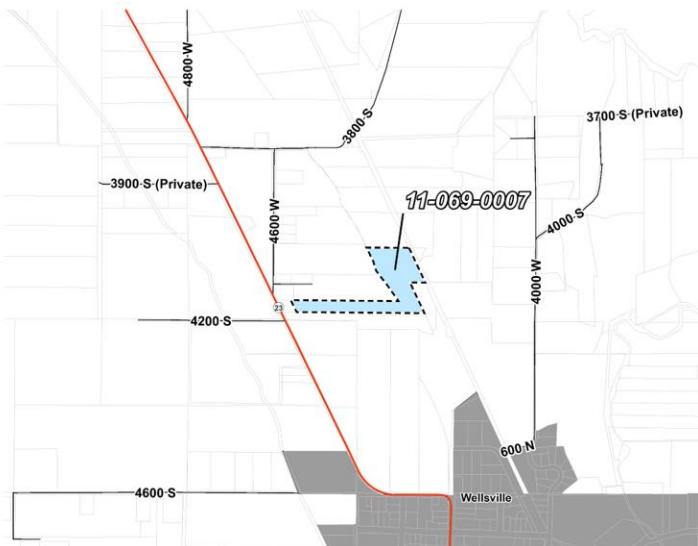
North – Agricultural/Residential  
 South – Agricultural  
 East – Agricultural  
 West – Agricultural/Residential

### Current Zoning:

Agricultural (A10)

### Proposed Zoning:

Rural 5 (RU5)

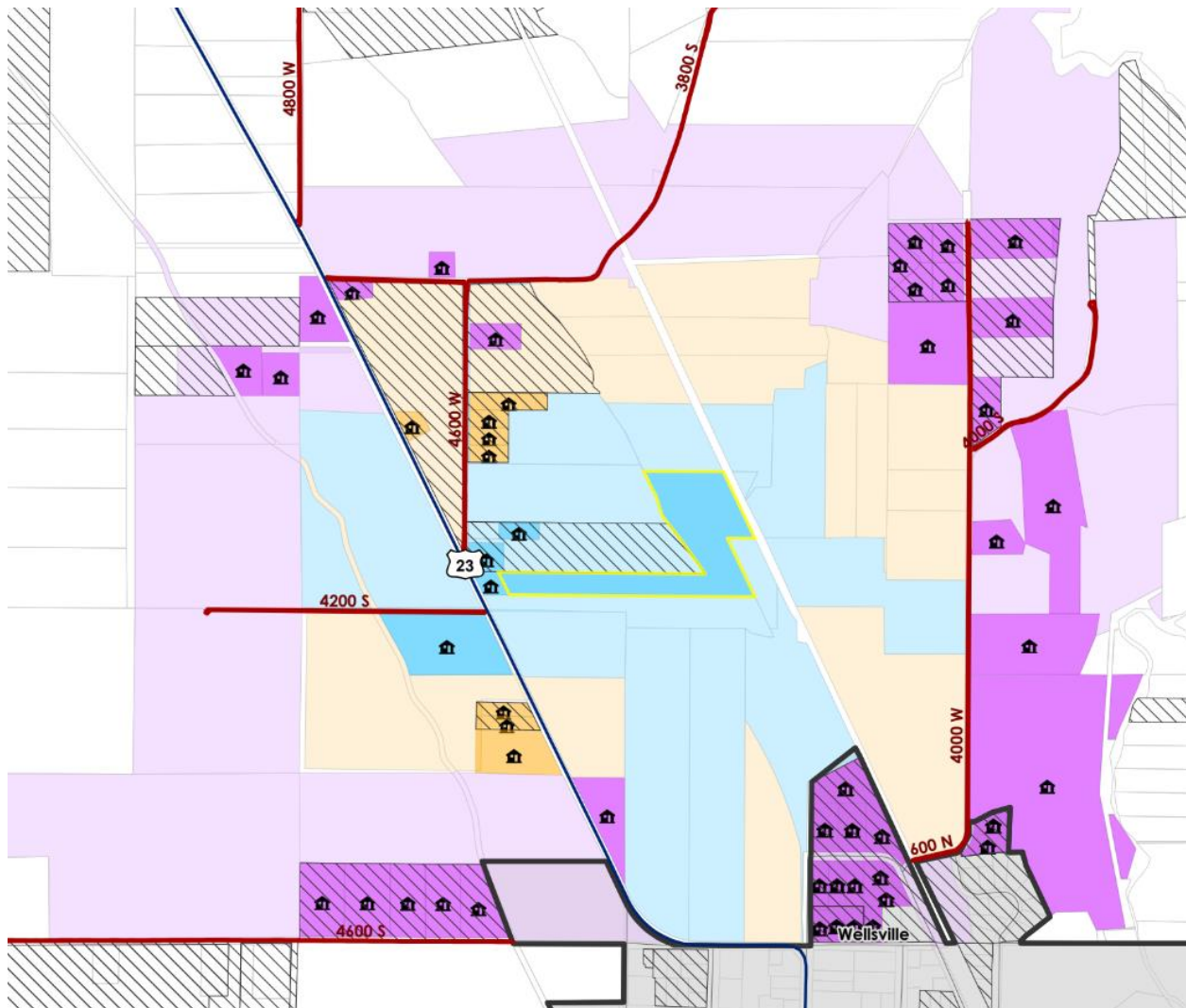


## Findings of Fact

### A. Request description

1. A request to rezone 18.71 acres from the Agricultural (A10) Zone to the Rural 5 (RU5) Zone.
2. History:
  - a. In August of 2024, this parcel went through the rezone application process to go from the Agricultural (A10) Zone to the Rural 2 (RU2) Zone. On 1 August 2024, the Planning Commission unanimously recommended denial to the County Council and on 27 August 2024 the County Council unanimously voted for denial.
3. Should the rezone request be approved, the maximum number of potential lots will be three.

4. This rezone may allow the parcel to establish uses permitted in the Rural 5 (RU5) Zone. A rezone request is general in nature and is not tied to any proposed use. Any impacts related to permitted and conditional uses allowed within Rural 5 (RU5) Zone will be addressed as part of each respective approval process required prior to site development activities.
5. Staff has identified general information as pertains to the subject property to assist the Planning Commission and County Council in arriving at a decision. This information is reflected in the attached map (Attachment A) and in the following text.
  - a. Land Use Context:
    - i. Parcel status: The property does not match the configuration it had on August 8, 2006 as boundary line adjustments and the splitting of a non-contiguous portion of the parcel was done. However, the property is still legal.
    - ii. Average Lot Size: (See Attachment A)

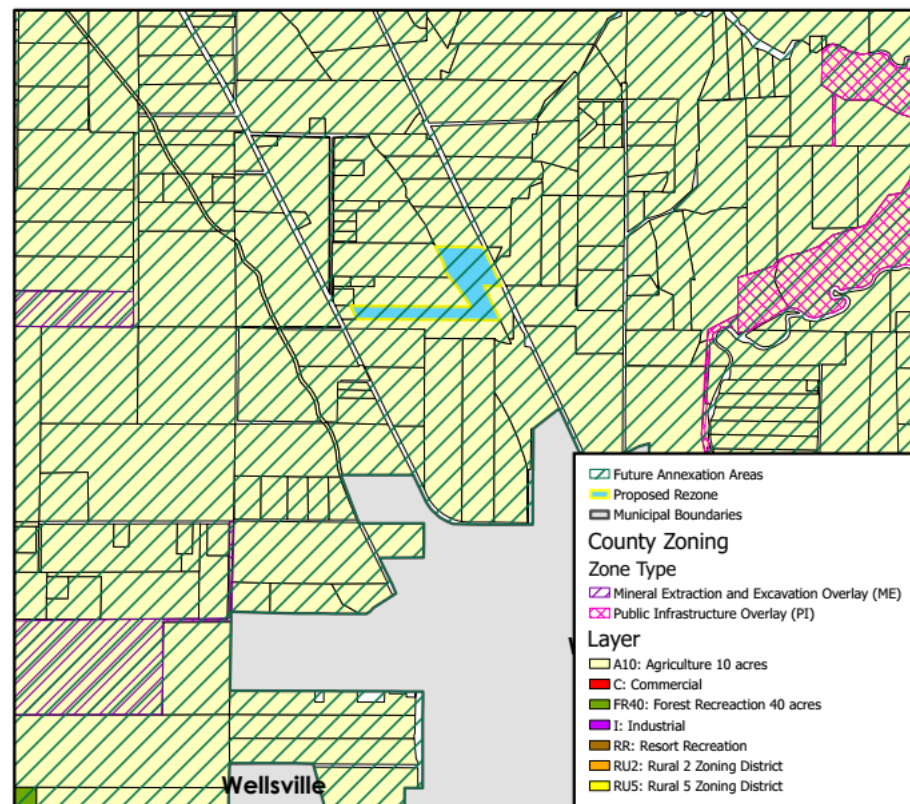




**Revised Pg. 7 - Planning Commission Recommendation**

<b>Average Parcel Size</b>	
<b>Adjacent Parcels</b>	With a Home: 3.2 Acres (4 Parcels)
	Without a Home: 12.9 Acres (19 Parcels)
<b>1/4 Mile Buffer</b>	With a Home: 2.2 Acres (12 Parcels)
	Without a Home: 11.7 Acres (40 Parcels)
<b>1/2 Mile Buffer</b>	With a Home: 4.5 Acres (37 Parcels)
	With a Home in Wellsville City: 1.4 Acres (15 Parcels)
	Without a Home: 13.4 Acres (71 Parcels)
	Without a Home in Wellsville City: 4.4 Acres (5 Parcels)

- i. Schedule of Zoning Uses: The Rural 5 (RU5) Zone is more restrictive than the Agricultural (A10) Zone. The following uses are ones that are permitted, with the use of a zoning clearance or CUP, in the Rural 5 (RU5) Zone:
  - Single Family Dwelling
  - Accessory Apartment
  - Accessory/Agricultural Structures
  - Home Based Business
  - Seasonal Cabin
  - Residential Living Facilities
  - Home Based Kennel
  - Bed and Breakfast Inn
  - Religious Meeting House
  - Utility Facility, Distribution
  - Farm Stand
  - Board Facility
  - Site Grading
- ii. Adjacent Uses: The properties adjacent to the subject parcel to the east and south are primarily used for agricultural purposes while the properties to the north and west are used for agricultural and residential purposes. The nearest parcel, in the county, in the Rural 5 (RU5) Zone is located a mile to the northwest of the subject parcel.
- iii. Annexation Areas: The subject property is located within the Wellsville City future annexation area.



- The Wellsville General Plan Map, an appendix to the Wellsville City General Plan, marks this location as “Farmland Residential Cluster – 5ac”.

**B. Ordinance—§12.02.010, §17.02.060; §17.08.030 [E]**

6. As per §17.02.060, Establishment of Land Use Authority, the County Council is authorized to act as the Land Use Authority for this application.
7. The current County Land Use Ordinance does not specify appropriate locations for the Rural 5 (RU5) Zone but does contain general guidelines for its implementation. County Land Use Ordinance §17.08.030 [E] identifies the purpose of the Rural 5 (RU5) Zone and includes the following:
  - a. “To allow for residential development in a moderately dense pattern that can allow for rural subdivisions, and to allow for clustering plans larger than a single parcel. This type of development should be located and designed to not unreasonably impede adjacent agricultural uses, nor to unreasonably conflict with the development standards of adjacent municipalities.”
  - b. “To implement the policies of Cache countywide comprehensive plan, including those regarding improved roadways, density based residential standards, clustering, moderate income housing and municipality standards.”
  - c. “This zone must be appropriately served by suitable public roads, have access to the necessary water and utilities, and have adequate provision of public services.”
8. Chapter 4: Future Land Use Plan of the Cache County General Plan states:
  - a. “The use of land is one of the most important and fundamental values for landowners, residents, civic leaders, and elected officials. This determines, in large measure, the future of Cache County. The Future Land Use Map represents the County’s collective vision of our desired future. It conveys the patterns and priorities of economic development and

- community character, the locations of neighborhoods and industries, and the preservation of natural, agricultural, and rural landscapes.”
- b.** “The Future Land Use Plan is advisory and does not change the existing zoning of any property or the ability of landowners to continue existing legal uses consistent with the existing zoning or nonconforming uses. It serves as a starting point for conversations about regional initiatives and development proposals by illustrating how sometimes separate and uncoordinated activities can help or harm our desired future. The timing of future development will depend on a number of factors including choices made by individual landowners, aspirations of the community, and future availability of facilities and services.”
  - 9.** The future land use map (Attachment B) adopted as part of the Cache County General Plan identifies the area where the subject property is located as “Agriculture and Ranching.” *Cache County General Plan, Chapter 4, Page 26.* This section states:
    - a.** Location: Private agriculture landscapes in the Cache Valley outside of municipalities.
    - b.** Example Areas: Most of the valley.
    - c.** Purpose and Character: Agricultural and rangeland uses on private lands under conservation easements (no public access) are expected to continue in the Valley. Separation from dense residential developments is advantageous. The agricultural landscape provides separation between adjacent municipalities and protects suitable soils.
    - d.** Preferred Land Uses: Agriculture, ranching, rural residential uses at densities of less than one unit per 10 acres, Conservation Easements (CEs) and conserved public lands, Agritourism.
    - e.** Secondary Land Uses: Industrial and Commercial uses directly supportive of agriculture (Processing, Packaging, Distribution), clustered subdivision developments, outdoor recreation, farm worker housing.
    - f.** Discouraged Uses: Residential developments at densities of greater than one unit per 10 acres if not in a clustered subdivision development, commercial office, commercial retail, flex office/industrial, heavy industrial.
  - 10.** The future land use map (Attachment B) adopted as part of the Cache County General Plan identifies the area where the subject property is located as “Urban Expansion Overlay.” *Cache County General Plan, Chapter 4, Page 29.* This section states:
    - a.** Location: Adjacent to city/town limits within municipal annexation policy areas, where future development could be accommodated with urban-level services. As communities may provide additional information, these reference areas may be updated on the Future Land Use Map without an adopted amendment to reflect the probable expansion of services within a 10 to 20 year timeframe.
    - b.** Example Areas: Unincorporated enclaves between or within cities.
    - c.** Purpose and Character: To provide for unified municipal growth that aligns with the municipal land use plan in an approved annexation policy area with an approved County Intergovernmental Agreement. If developed, these areas would need to be annexed into the neighboring community which would facilitate service provision. The following criteria must be met for these areas
      - i.** Accommodate 20-year growth projections
      - ii.** Plan for urban-level densities, intensities
      - iii.** Meet urban design standards
      - iv.** Connect with water and sewer providers, and urban streets
      - v.** Urban services provided by the County are minimized

- d. Preferred Land Uses: Annexations within these areas should strive to accomplish the densities, intensities, and street patterns contained where urban-level infrastructure is available. Affordable housing options are also appropriate in this area.
- e. Secondary Land Uses: Civic (meeting spaces), residential support uses (e.g. parks, medical, schools, fire and police stations).
- f. Discouraged Uses: Uses that are not consistent with the municipal general plan or existing county zoning.

11. Consideration of impacts related to uses allowed within the Rural 5 (RU5) Zone will be addressed as part of each respective approval process required prior to site development activities.

**C. Access—16.04.040 [A], 16.04.080 [E], Road Manual**

12. §12.02.010 adopts the Manual of Roadway Design and Construction Standards (Road Manual) for roadway improvement requirements.

13. §16.02.010 Standards and Lot Size – All subdivisions must meet the minimum lot and development standards as outlined in each base zone of the Cache County Zoning Ordinance and within this title.

14. Table §17.10.040 Site Development Standards – Minimum lot frontage required in the Rural 5 (RU5) Zone is 90 feet.

15. §17.07.040 General Definitions – Lot/Parcel Frontage: that portion of a development site that abuts a public or private roadway. For the purposes of determining setback requirements on corner lots, all sides of a lot adjacent to a roadway shall be considered frontage

16. §16.04.040 [A] Roads – All roads must be designed and constructed in accordance with Title 12 of the County Code.

17. §12.02.010 Roadway Standards – Requirements for roadway improvement are provided in the current Manual of Roadway Design and Construction Standards (Road Manual).

18. The Road Manual specifies the following:

- a. §2.1 Roadway Functional Classification – Minor Arterial (A): Minor arterial roads link cities, larger towns, and other large traffic generators and are capable of facilitating travel over long distances. These routes have relatively high travel speeds and minimal interferences to the through movement of traffic.

19. A basic review of the access to the subject property identifies the following:

- a. An analysis of the nearest road, SR-23, is below.

20. SR-23 – Utah Department of Transportation (UDOT) Road:

- a. West of the subject parcel, SR-23 is an UDOT road classified as a Minor Arterial.
- b. The road services multiple dwellings and agricultural uses but is primarily the connection between Mendon and Wellsville with access to SR-30 and Highway 89/91.
- c. Is maintained by UDOT.
- d. This section of SR-23 is classified per UDOT as an Access Category 4, which has a minimum driveway spacing of 500 feet and a minimum street spacing of 660 feet.
- e. Frontage for buildable lots in the County requires a minimum of 90 feet on a public or private road. Based on an initial review of the existing County road grid and existing driveways along SR-23, it does not appear access that meets the requirements of the County Road Manual is possible in combination with UDOT requirements. It is possible that the property could be accessed by 4100 S., an existing private road to the North, but the road would have to be extended through another property owner's parcel.

**D. Service Provisions:**

21. §16.04.080 [C] Fire Control – The County Fire District had no comments in regards to this application.

22. §16.04.080 [F] Solid Waste Disposal – Applicant must work with Waste Management for solid waste disposal.

**E. Public Notice and Comment—§17.02.040 Notice of Meetings**

23. Public notice was posted online to the Utah Public Notice Website on 24 January 2024.

24. Notices were posted in three public places on 24 January 2024.

25. Notices were mailed to all property owners within 300 feet on 24 January 2024.

26. At this time, no written public comment regarding this proposal has been received by the Development Services Office.

## **Conclusion**

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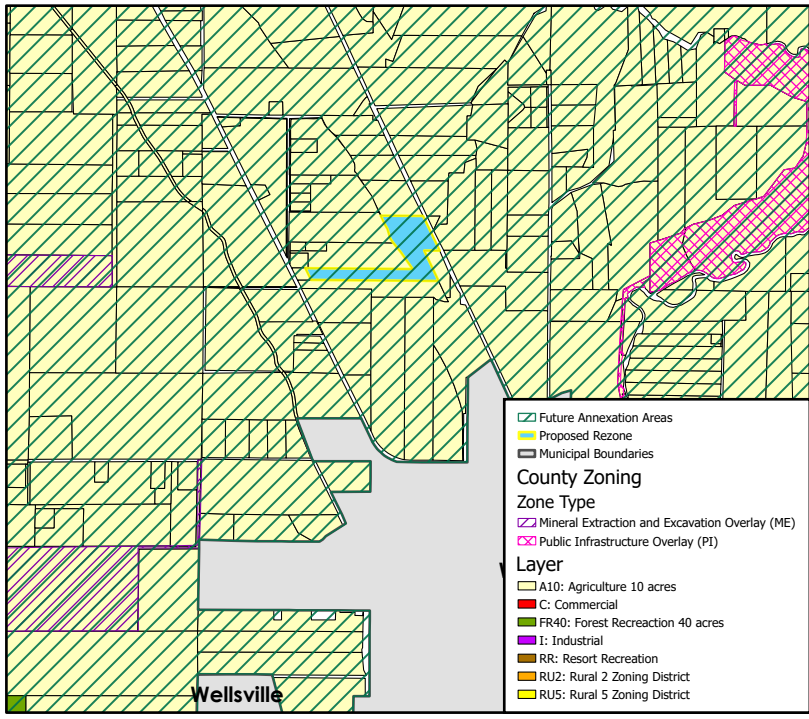
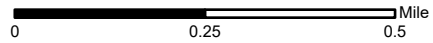
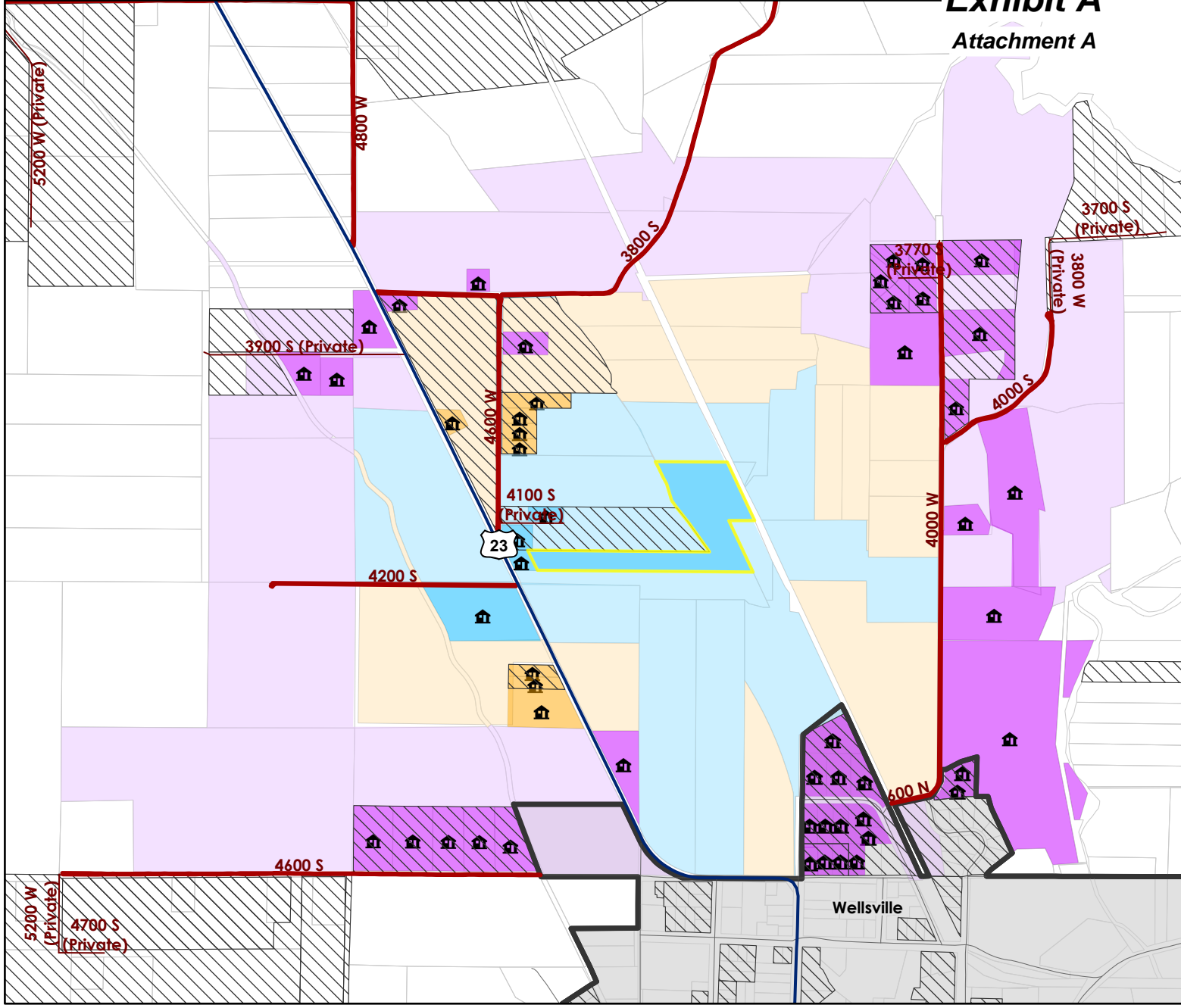
The Willets RU5 rezone, a request to rezone 18.71 acres from the Agricultural (A10) Zone to the Rural 5 (RU5) Zone has been reviewed in conformance with Title 17 of the Cache County Land Use Ordinance and the County Manual of Roadway Design and Construction Standards. Staff has not made a recommendation based on the findings of fact indentified above and any others identified at the public hearing. Although Staff has not made a recommendation for approval or denial, they can help Planning Commission draft a recommendation to County Council.

## **Planning Commission Conclusion**

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Based on the findings of fact noted herein, the Willets RU5 rezone is hereby recommended for denial to the County Council as follows:

1. It is unclear if the provided UDOT permit supports the construction of more than two homes.
2. The nearest area, in the County, that is in the Rural 5 (RU5) Zone is located one mile away.
3. The rezone is partially not consistent with the Cache County General Plan:
  - a. This parcel is located in the “Agriculture and Ranching” area which places an emphasis on agriculture related activities. The Rural 5 (RU5) Zone has fewer agricultural related use types than the Agricultural (A10) Zone.
4. The parcel currently has no road frontage.



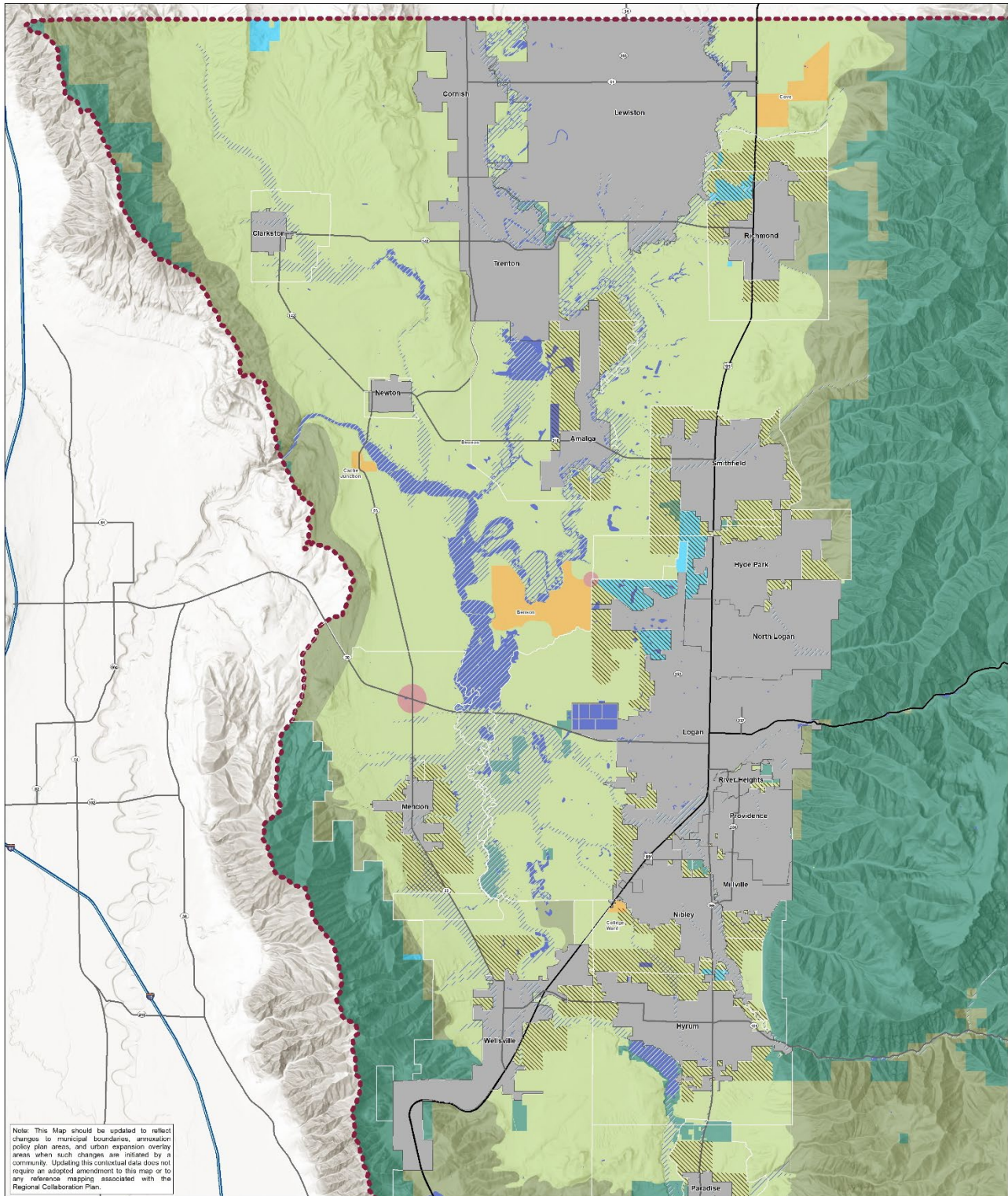
**Legend**

Proposed Rezone	Winter Maintenance
Municipal Boundaries	County Roads
Subdivisions	Highways
Parcels	

Average Parcel Size	
Adjacent Parcels	With a Home: 3.2 Acres (4 Parcels)
	Without a Home: 12.9 Acres (19 Parcels)
1/4 Mile Buffer	With a Home: 2.2 Acres (12 Parcels)
	Without a Home: 11.7 Acres (40 Parcels)
1/2 Mile Buffer	With a Home: 4.5 Acres (37 Parcels)
	With a Home in Wellsville City: 1.4 Acres (15 Parcels)
	Without a Home: 13.4 Acres (71 Parcels)
	Without a Home in Wellsville City: 4.4 Acres (5 Parcels)







Note: This Map should be updated to reflect changes to municipal boundaries, annexation policy plan areas, and urban expansion overlay areas when such changes are initiated by a community. Updating this contextual data does not require an adopted amendment to this map or to any reference mapping associated with the Regional Collaboration Plan.

Water Bodies	Urban Expansion Overlay	Agriculture and Ranching
100 Year Floodplain	Retail Commercial	Mountain Rural and Conservation
Municipalities	Rural Community	Forest and Natural Resource
Annexation Policy Plan Areas	Industrial and Mineral Extraction	

## Cache County Future Land Use Map

Disclaimer: This map is illustrative and for advisory purposes only. This is not a regulatory or zoning document, and locations are generalized to illustrate concepts.

Date: February 28, 2023

0 0.5 1 2 3 4 Miles

Dear [City Council/Committee Members],

I am writing to express my strong opposition to the proposed rezoning request for the Willets RU5 project. As a member of this community and someone who has had direct experience with the safety concerns along Highway 23, I urge you to carefully consider the potential consequences this project could have on the safety of the children who rely on the special needs bus service in the area.

The special needs buses serve children ranging in age from 3 to 19, and they stop multiple times a day—at 6:00 am, 8:00 am (twice), 11:00 am, 2:00 pm, and 3:00 pm—at stops located within 100 feet to the north and 300 feet to the south of the proposed rezoning. The speed limit on Highway 23 is currently 55 mph, and it already carries a significant amount of traffic. I have personally ridden the special needs bus for the past 11 years, and I have witnessed firsthand how dangerous it can be, with drivers frequently passing buses with their red lights on or coming dangerously close to hitting children. This is already a major concern, and adding more traffic to this area by approving the rezoning would only exacerbate the risks.

The increased traffic and the proximity of the proposed development to bus stops will create an unsafe environment for children getting on and off the bus. The concern for the safety of these children should be the primary consideration, as we have a duty to protect their well-being. Passing this rezoning would create a more hazardous situation on Highway 23, and the ripple effect of increased traffic could lead to more accidents and potential fatalities.

I am also concerned about who would be held liable in the event of an accident. Would it be Mr. Jed Willets, the developer, or the council members who approve this rezoning? We need to carefully consider the long-term impacts of this decision and prioritize the safety of our community's children above all else.

Mr. Willets was fully aware of the zoning restrictions when he purchased the property, and this is not the first attempt to rezone it. It is important to note that the northern subdivisions of this property, which consist of only three homes, do not connect directly to Highway 23 and experience less traffic. Expanding the development will only continue to increase traffic, which is already a pressing concern. I also would like to add, that this property doesn't have enough frontage to hold the traffic that will be traveling in and out of it. That poses as a concern as well.

I strongly urge you to reject the rezoning request to ensure the safety of our children, the integrity of our community, and the preservation of safe transportation for all. Please think about the well-being of the children who use this bus service every day. This should be our top priority.

Thank you for your attention to this critical matter.

Sincerely,

Lacie Liechty



Dear Planning Commission Board,

We have concerns about the Willets RU-5 rezone. We attended the previous meeting for this piece of property. Our concerns are still the same with most of them being a safety concern of more traffic in this area. The speed limit on Highway 23 at this point is 55 MPH, with most people realistically going 60-70 MPH. We live off 4600 W. and know that to exit this highway you must be going rather quickly. The exit for this purposed subdivision is an extreme safety concern with multiple cattle semi-trailers and farm equipment that pass this section of highway almost daily. Below are the main concerns we have.

1. With this rezone we have safety concerns about all new traffic that will be exiting/entering Highway 23, that already has a busy intersection just to the North (4600 W.) that has a subdivision and a blue barn Airbnb close to the highway that can congest that intersection and make it dangerous.
2. In the previous rezone attempt of this property, we stated that this piece of property is not for a subdivision. If Mr. Willets gets this rezone, he has the possibility to add three houses. If he obtains the ability to do three houses there with be nothing to stop the landowners to the South (Mr. and Mrs. Larsen) from rezoning to RU-5 and putting two homes on their property which would bring five homes coming onto the highway. The last rezone rejected a five-home proposal.
3. We are concerned that allowing that many homes will put more stress on the springs to the east that water 100's of acres of farmland due to each home having to drill new wells.
4. With Cache County putting an emphasis on open space we have concerns that if you allow parcels that are zoned A10 to be rezoned to either RU-5/RU-2 Cache County will have a problem of when to allow or not allow properties to be rezoned. People should know that when they purchase a piece of property if it zoned A10 then they need 10 acres for one home. Mr. Willets knew this property was A10 when he purchased it, we have no problem with one home the property.

Sincerely,

Derrick and Bessie Hendry



Conner Smith <conner.smith@cachecounty.gov>

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## Wellsville City - Willets RU5 Rezone

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**Scott Wells** <swells@wellsvillecity.com>

Thu, Feb 6, 2025 at 10:38 AM

To: conner.smith@cachecounty.gov, Tom Bailey <tbailey@wellsvillecity.com>

Dear Cache County Planning Commission,

Thank you for the notification regarding the Willets RU5 Rezone request.

Wellsville has no issues because the RU5 is in line with the Wellsville Master Plan and we believe that at some time this parcel will be annexed into Wellsville City.

However, as they move forward we would ask that the developer be required to establish a roadway that is compatible with a grid system and that will allow a future road which will continue through this property and stub east from this development.

Additionally Wellsville City does not allow cul de sacs so we would request that no cul de sacs be allowed in this development or any other development that will potentially be annexed into Wellsville City in the future.

Another concern is the access off of Highway 23. Wellsville City feels this access should be designed and developed so it can accommodate the future growth that will be using the access; not only for this development, but for additional growth to the east. This will need to be part of the discussion with UDOT through the permitting process. Unless UDOT is involved, developers will most likely do the bare minimum. We need to make sure this is not the case for accesses off of Highway 23. These are all future roadways for potential growth going to the east.

Thanks,  
Scott Wells  
City Manager/Recorder  
Wellsville City Corp.  
75 East Main  
PO Box 6  
Wellsville City, Ut 84339  
(435)245-3686

**Hold a Public Hearing****Ordinance 2025-10 – Gally Subdivision Rezone**

**Agenda request submitted by:** Angie Zetterquist, Interim Director of Development Services – Forwarded from the County Planning Commission

**Assisting Department:** Development Services

**Requested Council meeting date:** March 11th, 2025

**Agenda Item Language:** Hold a public hearing for Ordinance 2025-10 Gally Subdivision Rezone – A request to rezone 30.62 acres located at 3055 S. Highway 23, Wellsville, from the Agricultural (A10) Zone to the Rural 5 (RU5) Zone.

**Action:** Planning Commission – Recommendation of Approval (4-yea; 2-nay)

**Background:** A request to rezone 30.62 acres located at 3055 S. Highway 23, Wellsville, from the Agricultural (A10) Zone to the Rural 5 (RU5) Zone.

**Fiscal Impact:** N/A

**Public Hearing Required:** Rezone requests require a public hearing before the County Planning Commission (PC). This hearing was held on February 6<sup>th</sup>, 2025, and their recommendation to approve the rezone was made on February 6<sup>th</sup>, 2025.

No additional hearing is required under the requirements of the State Code, however, the Council has previously directed it is beneficial to rehear the public comment and hold an additional hearing before the Council.

See attached for additional information.

**County Staff Presenter:** Angie Zetterquist, Interim Director of Development Services

**Presentation Time:** 10 minutes.

**County Staff Point of Contact:** Conner Smith, Assistant Planner

**Legal Review:** N/A

**Ord 2025-10**  
**Gally Subdivision Rezone**  
**Amending the Cache County Zoning Map by rezoning 30.62 acres**  
**from the Agricultural (A10) Zone to the Rural 5 (RU5) Zone**

### County Council action

Set a public hearing on February 25<sup>th</sup>, 2025 to be held on March 11<sup>th</sup>, 2025.

If approved, the rezone will take effect 15 days from the date of approval.

## Planning Commission action

Approval (4-yea; 2-nay).

Public hearing held on February 6<sup>th</sup>, 2025

Conclusion: Based on the findings of fact noted [in the staff report], the Gally Subdivision rezone is hereby recommended for approval to the County Council as follows:

1. The subject property is reasonably consistent with the purpose of the Rural 5 (RU5) Zone:
  - a. “To allow for residential estate development in a low density pattern that can allow for rural subdivisions and smaller scale agricultural uses. This type of development should be located and designed to not unreasonably impede adjacent agricultural uses, nor to unreasonably conflict with the development standards of adjacent municipalities.”
  - b. “To impede the policies of Cache countywide comprehensive plan, including those regarding agricultural promotion, prime farmlands, improved roadways, density based residential standards, clustering, moderate income housing and municipality standards.”
  - c. “This zone must be appropriately served by suitable public roads, have access to the necessary water and utilities, and have adequate provision of public services.”
2. The subject property is consistent with the Mendon City General Plan as it is potentially located in the A-1 or A-2 Zone.
  - a. A-1 Agricultural 2.5 acres:
    - i. “Agricultural – (A-1) lot sizes 2.5 acres up to 5 acres with more farm animals and production opportunities. Secondary water (irrigation) is available.”
  - b. A-2 Agricultural from 5 acres up to 10 acres:

- 36 i. "Agricultural – (A-2) lot sizes of 5 acres up to 10 acres with more farm  
37 animals and production opportunities. Secondary water (irrigation) is  
38 available."

- 39 3. The nearest area, in the County, that is in the Rural 5 (RU5) Zone is located directly to  
40 the south.

41  
42 **Staff Report review by Interim Director**

43 Angie Zetterquist

44  
45 **Staff Report by County Planner**

46 Conner Smith

47  
48 **General Description**

49 This ordinance amends the County Zoning Map by rezoning 30.62 acres from the Agricultural  
50 (A10) Zone to the Rural 5 (RU5) Zone.

51  
52 **Additional review materials included as part of Exhibit A**

53 Staff Report to Planning Commission – revised

## Staff Report: Gally Subdivision Rezone

6 February 2025

This staff report is an analysis of the application based on adopted county documents, standard county development practices, and available information. The report is to be used to review and consider the merits of the application. Additional information may be provided that supplements or amends this staff report.

**Agent:** Grey Wilson

**Parcel ID#:** 11-047-0002

**Staff Recommendation:** None

**Type of Action:** Legislative

**Land Use Authority:** Cache County Council

## Location

*Reviewed by Conner Smith*

### Project Address:

3055 S. Highway 23,  
Wellsville

**Acres:** 30.62

### Current Zoning:

Agricultural (A10)

### Proposed Zoning:

Rural 5 (RU5)

### Surrounding Uses:

North – Agricultural/Residential

South – Agricultural/Residential

East – Agricultural/Residential

West – Agricultural/Residential

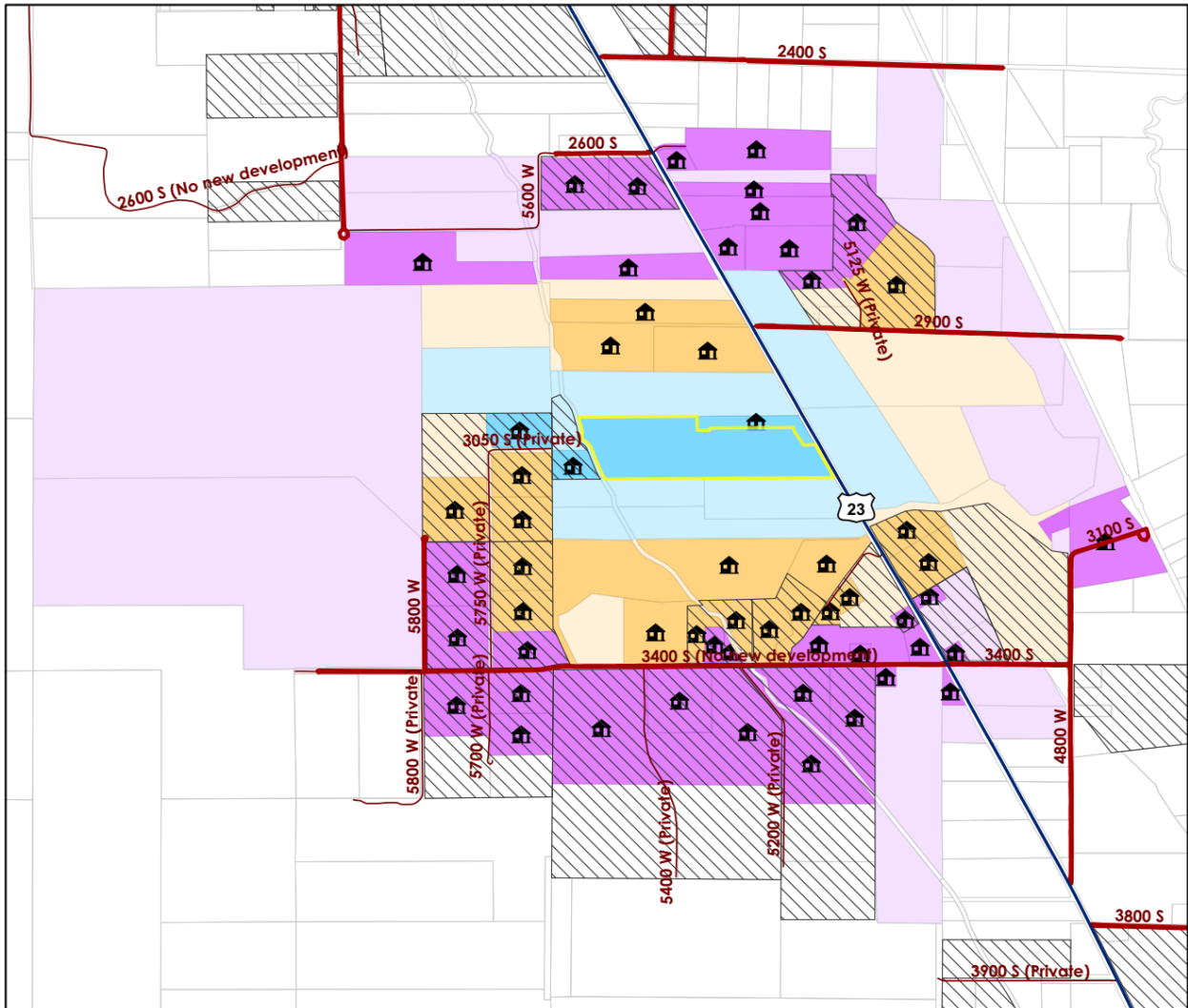


## Findings of Fact

### A. Request description

1. A request to rezone 30.62 acres from the Agricultural (A10) Zone to the Rural 5 (RU5) Zone.
2. Should the rezone request be approved, the maximum number of potential lots will be six.
3. This rezone may allow the parcel to establish uses permitted in the Rural 5 (RU5) Zone. A rezone request is general in nature and is not tied to any proposed use. Any impacts related to permitted and conditional uses allowed within Rural 5 (RU5) Zone will be addressed as part of each respective approval process required prior to site development activities.

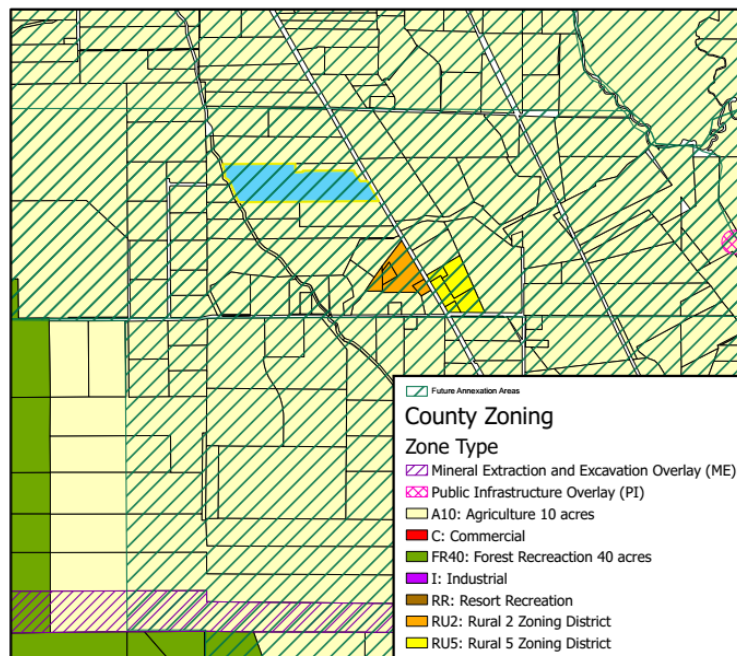
4. Staff has identified general information as pertains to the subject property to assist the Planning Commission and County Council in arriving at a decision. This information is reflected in the attached map (Attachment A) and in the following text.
  - a. Land Use Context:
    - i. Parcel status: The property does not match the configuration it had on August 8, 2006 as a boundary line adjustment was done. However, the property is still legal.
    - ii. Average Lot Size: (See Attachment A)



Average Parcel Size	
Adjacent Parcels	With a Home: 4 Acres (3 Parcels)
	Without a Home: 11.6 Acres (14 Parcels)
1/4 Mile Buffer	With a Home: 8 Acres (23 Parcels)
	Without a Home: 10 Acres (31 Parcels)
1/2 Mile Buffer	With a Home: 8 Acres (58 Parcels)
	Without a Home: 13.1 Acres (69 Parcels)

**Revised Pg. 6 - Planning Commission Recommendation**

- i. Schedule of Zoning Uses: The Rural 5 (RU5) Zone is more restrictive than the Agricultural (A10) Zone. The following uses are ones that are permitted, with the use of a zoning clearance or CUP, in the Rural 5 (RU5) Zone:
- Single Family Dwelling
  - Accessory Apartment
  - Accessory/Agricultural Structures
  - Home Based Business
  - Seasonal Cabin
  - Residential Living Facilities
  - Home Based Kennel
  - Bed and Breakfast Inn
  - Religious Meeting House
  - Utility Facility, Distribution
  - Farm Stand
  - Board Facility
  - Site Grading
- ii. Adjacent Uses: The properties adjacent to the subject parcel to the east and south are primarily used for agricultural purposes while the properties to the north and west are used for agricultural and residential purposes. The nearest parcel, in the county, in the Rural 5 (RU5) Zone is located directly to the south of the subject parcel.
- The Marshall Maughan Trust A10 to RU5 rezone, located directly to the south of the subject parcel, was a request to rezone 14.00 acres from the Agricultural (A10) Zone to the Rural 5 (RU5) Zone, and was approved by County Council on January 14<sup>th</sup>, 2025 as Ordinance 2024-24.
- iii. Annexation Areas: The subject property is located within the Mendon City future annexation area.



- The Mendon City General Plan Map, marks this location as “Agricultural (A-1/A-2/A-3)”.



**B. Ordinance—§12.02.010, §17.02.060; §17.08.030 [E]**

5. As per §17.02.060, Establishment of Land Use Authority, the County Council is authorized to act as the Land Use Authority for this application.
6. The current County Land Use Ordinance does not specify appropriate locations for the Rural 5 (RU5) Zone but does contain general guidelines for its implementation. County Land Use Ordinance §17.08.030 [E] identifies the purpose of the Rural 5 (RU5) Zone and includes the following:
  - a. “To allow for residential development in a moderately dense pattern that can allow for rural subdivisions, and to allow for clustering plans larger than a single parcel. This type of development should be located and designed to not unreasonably impede adjacent agricultural uses, nor to unreasonably conflict with the development standards of adjacent municipalities.”
  - b. “To implement the policies of Cache countywide comprehensive plan, including those regarding improved roadways, density based residential standards, clustering, moderate income housing and municipality standards.”
  - c. “This zone must be appropriately served by suitable public roads, have access to the necessary water and utilities, and have adequate provision of public services.”
7. Chapter 4: Future Land Use Plan of the Cache County General Plan states:
  - a. “The use of land is one of the most important and fundamental values for landowners, residents, civic leaders, and elected officials. This determines, in large measure, the future of Cache County. The Future Land Use Map represents the County’s collective vision of our desired future. It conveys the patterns and priorities of economic development and community character, the locations of neighborhoods and industries, and the preservation of natural, agricultural, and rural landscapes.”
  - b. “The Future Land Use Plan is advisory and does not change the existing zoning of any property or the ability of landowners to continue existing legal uses consistent with the existing zoning or nonconforming uses. It serves as a starting point for conversations about regional initiatives and development proposals by illustrating how sometimes separate and uncoordinated activities can help or harm our desired future. The timing of future development will depend on a number of factors including choices made by individual landowners, aspirations of the community, and future availability of facilities and services.”
8. The future land use map (Attachment B) adopted as part of the Cache County General Plan identifies the area where the subject property is located as “Agriculture and Ranching.” *Cache County General Plan, Chapter 4, Page 26*. This section states:
  - a. Location: Private agriculture landscapes in the Cache Valley outside of municipalities.
  - b. Example Areas: Most of the valley.
  - c. Purpose and Character: Agricultural and rangeland uses on private lands under conservation easements (no public access) are expected to continue in the Valley. Separation from dense residential developments is advantageous. The agricultural landscape provides separation between adjacent municipalities and protects suitable soils.
  - d. Preferred Land Uses: Agriculture, ranching, rural residential uses at densities of less than one unit per 10 acres, Conservation Easements (CEs) and conserved public lands, Agritourism.
  - e. Secondary Land Uses: Industrial and Commercial uses directly supportive of agriculture (Processing, Packaging, Distribution), clustered subdivision developments, outdoor recreation, farm worker housing.

- f. Discouraged Uses: Residential developments at densities of greater than one unit per 10 acres if not in a clustered subdivision development, commercial office, commercial retail, flex office/industrial, heavy industrial.

- 9. Consideration of impacts related to uses allowed within the Rural 5 (RU5) Zone will be addressed as part of each respective approval process required prior to site development activities.

**C. Access—16.04.040 [A], 16.04.080 [E], Road Manual**

- 10. §12.02.010 adopts the Manual of Roadway Design and Construction Standards (Road Manual) for roadway improvement requirements.
- 11. §16.02.010 Standards and Lot Size – All subdivisions must meet the minimum lot and development standards as outlined in each base zone of the Cache County Zoning Ordinance and within this title.
- 12. Table §17.10.040 Site Development Standards – Minimum lot frontage required in the Rural 5 (RU5) Zone is 90 feet.
- 13. §17.07.040 General Definitions – Lot/Parcel Frontage: that portion of a development site that abuts a public or private roadway. For the purposes of determining setback requirements on corner lots, all sides of a lot adjacent to a roadway shall be considered frontage
- 14. §16.04.040 [A] Roads – All roads must be designed and constructed in accordance with Title 12 of the County Code.
- 15. §12.02.010 Roadway Standards – Requirements for roadway improvement are provided in the current Manual of Roadway Design and Construction Standards (Road Manual).
- 16. The Road Manual specifies the following:
  - a. §2.1 Roadway Functional Classification – Minor Arterial (A): Minor arterial roads link cities, larger towns, and other large traffic generators and are capable of facilitating travel over long distances. These routes have relatively high travel speeds and minimal interferences to the through movement of traffic.
- 17. A basic review of the access to the subject property identifies the following:
  - a. An analysis of the nearest road, SR-23, is below.
- 18. SR-23 – Utah Department of Transportation (UDOT) Road:
  - a. East of the subject parcel, SR-23 is an UDOT road classified as a Minor Arterial.
  - b. The road provides access to multiple dwellings and agricultural uses, but is primarily the main connection between Mendon and Wellsville with access to SR-30 and Highway 89/91. Minor Arterials in rural areas are typically designed to provide relatively high overall travel speeds with minimum interference to through movement.
  - c. Is maintained by UDOT.
  - d. This section of SR-23 is classified per UDOT as an Access Category 4, which has a minimum driveway spacing of 500 feet and a minimum street spacing of 660 feet.
  - e. Access to any proposed development must be approved by UDOT.

**D. Service Provisions:**

- 19. §16.04.080 [C] Fire Control – The County Fire District had no comments in regards to this application.
- 20. §16.04.080 [F] Solid Waste Disposal – Applicant must work with Waste Management for solid waste disposal.

**E. Public Notice and Comment—§17.02.040 Notice of Meetings**

- 21. Public notice was posted online to the Utah Public Notice Website on 24 January 2024.
- 22. Notices were posted in three public places on 24 January 2024.
- 23. Notices were mailed to all property owners within 300 feet on 24 January 2024.

24. At this time, no written public comment regarding this proposal has been received by the Development Services Office.

## **Conclusion**

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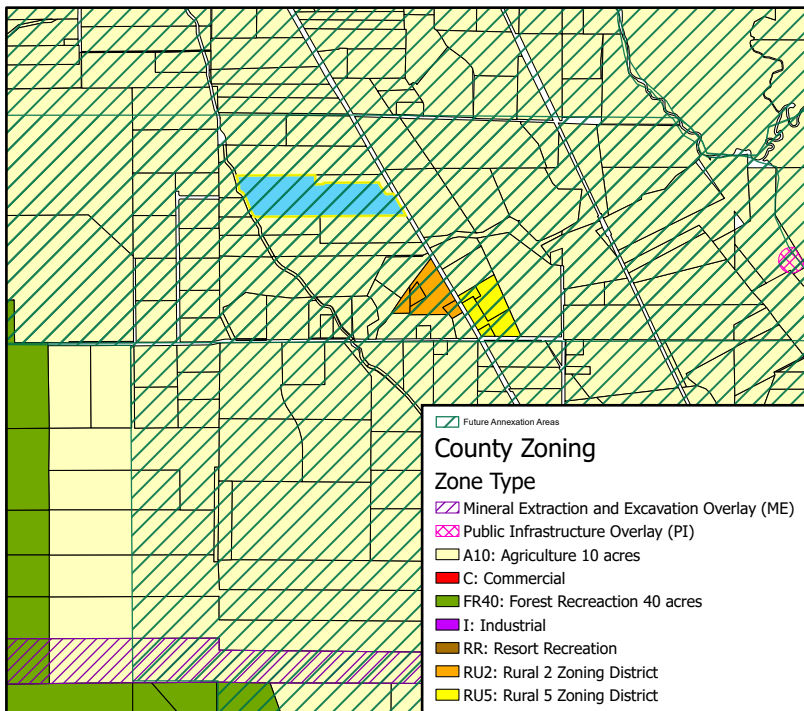
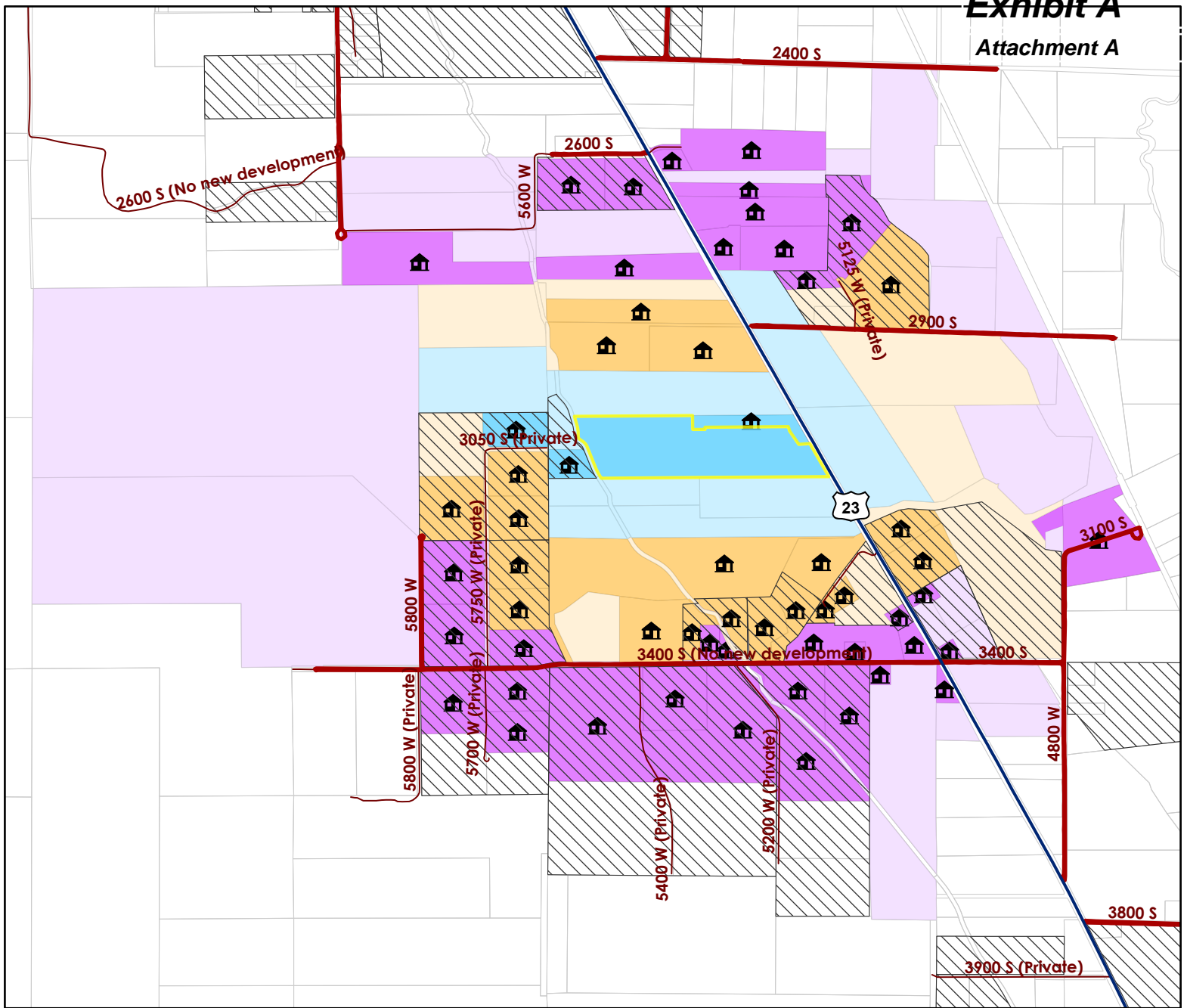
The Gally Subdivision rezone, a request to rezone 30.62 acres from the Agricultural (A10) Zone to the Rural 5 (RU5) Zone has been reviewed in conformance with Title 17 of the Cache County Land Use Ordinance and the County Manual of Roadway Design and Construction Standards. Staff has not made a recommendation based on the findings of fact identified above and any others identified at the public hearing. Although Staff has not made a recommendation for approval or denial, they can help Planning Commission draft a recommendation to County Council.

## **Planning Commission Conclusion**

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Based on the findings of fact noted herein, the Gally Subdivision rezone is hereby recommended for approval to the County Council as follows:

1. The subject property is reasonably consistent with the purpose of the Rural 5 (RU5) Zone:
  - a. “To allow for residential estate development in a low density pattern that can allow for rural subdivisions and smaller scale agricultural uses. This type of development should be located and designed to not unreasonably impede adjacent agricultural uses, nor to unreasonably conflict with the development standards of adjacent municipalities.”
  - b. “To implement the policies of Cache countywide comprehensive plan, including those regarding agricultural promotion, prime farmlands, improved roadways, density based residential standards, clustering, moderate income housing and municipality standards.”
  - c. “This zone must be appropriately served by suitable public roads, have access to the necessary water and utilities, and have adequate provision of public services.”
2. The subject property is consistent with the Mendon City General Plan as it is potentially located in the A-1 or A-2 Zone.
  - a. A-1 Agricultural 2.5 acres:
    - i. “Agricultural – (A-1) lot sizes 2.5 acres up to 5 acres with more farm animals and production opportunities. Secondary water (irrigation) is available.”
  - b. A-2 Agricultural from 5 acres up to 10 acres:
    - i. “Agricultural – (A-2) lot sizes of 5 acres up to 10 acres with more farm animals and production opportunities. Secondary water (irrigation) is available.”
3. The nearest area, in the County, that is in the Rural 5 (RU5) Zone is located directly to the south.



### Legend

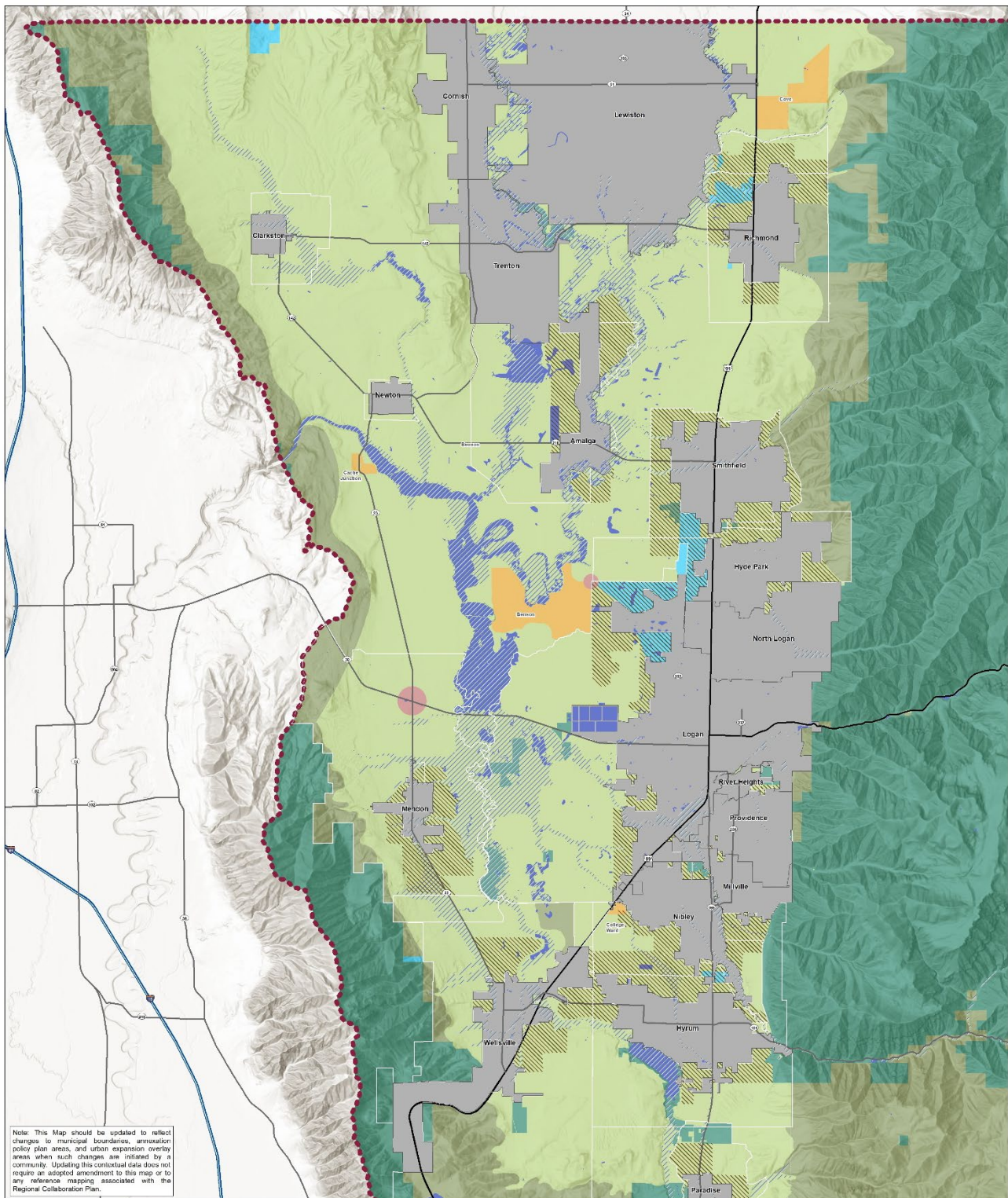
- Proposed Rezone
- Municipal Boundaries
- Subdivisions
- Parcels
- Winter Maintenance
- County Roads
- Highways

### Average Parcel Size

Adjacent Parcels	With a Home: 4 Acres (3 Parcels)
	Without a Home: 11.6 Acres (14 Parcels)
1/4 Mile Buffer	With a Home: 8 Acres (23 Parcels)
	Without a Home: 10 Acres (31 Parcels)
1/2 Mile Buffer	With a Home: 8 Acres (58 Parcels)
	Without a Home: 13.1 Acres (69 Parcels)







# Ordinance No. 2025-03

## Cache County, Utah

### Powder Mountain Rezone 2024 Rezone

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An ordinance amending the County Zoning Map by rezoning 1,621 acres from the Forest Recreation (FR40) Zone to the Resort Recreation (RR) Zone.

**Whereas**, the “County Land Use Development and Management Act,” Utah Code Ann. §17-27a-101 et seq., as amended (the “Act”), provides that each county may enact a land use ordinance and a zoning map establishing regulations for land use and development; and

**Whereas**, pursuant to the Act, the County’s Planning Commission (the “Planning Commission”) shall prepare and recommend to the county’s legislative body, following a public hearing, a proposed land use ordinance and a zoning map, or amendments thereto, that represent the Planning Commission’s recommendations for zoning the area within the county; and

**Whereas**, the Planning Commission caused notice of a public hearing for the rezone to be posted at least ten (10) days before the date of the public hearing; and

**Whereas**, on December 5<sup>th</sup>, 2024, the Planning Commission held a public hearing, accepted all comments, and recommended the approval of the proposed amendments to the County council for final action; and

**Whereas**, the Act also provides certain procedures for the county legislative body to adopt or reject amendments to the land use ordinance and zoning map for the county; and

**Whereas**, on January 28<sup>th</sup>, 2025, the County Council held a public hearing, to consider any comments regarding the proposed rezone. 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 amend and implement this ordinance.

**Now, therefore**, the County Legislative Body of Cache County ordains as follows:

**1. Statutory Authority**

The statutory authority for enacting this ordinance is Utah Code Annotated Sections 17-27a Part 1 and Part 3, and 17-53 part 2(1953, as amended to date).

**2. Adoption of amended Zoning Map**

The County Council hereby amends the County’s Zoning Map to reflect the rezone of the property affected by this ordinance and hereby adopts the amended Zoning Map with the amendment identified as Exhibit B, of which a detailed digital or paper copy is available in the Development Services Department.

### **3. Conclusions**

- A.** The location of the subject properties to be rezoned are compatible with the purpose of the Resort Recreation (RR) Zone:
  - i.** To allow mountain resort and recreation development within Cache County on privately held land. This zone allows for multiple mountain resort and recreation uses within a master planned area. The regulations of the zone are designed to:
    - i.** Provide new recreation opportunities in northern Utah and create destination resort options for the county; and
    - ii.** Promote interesting, creative, and indigenous mountain landscaping, design and architecture that blends in with natural surroundings and follows project specific design guidelines; and
    - iii.** Stimulate the local economy and increase the tax base of the county; and
    - iv.** Protect the county's environment; and
    - v.** Regulate and control development
- B.** The rezone is partially consistent with the Cache County General Plan:
  - i.** The Cache County General Plan has identified this area as "Mountain Rural and Conservation". The preferred land uses of this area includes outdoor recreation and tourism while secondary land uses includes resorts.
- C.** The nearest parcel in the Resort Recreation (RR) Zone is directly adjacent to the south and south-west.

### **4. Prior ordinances, resolutions, policies, and actions superseded**

This ordinance amends and supersedes the Zoning Map of Cache County, 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.

### **5. Exhibits**

- A.** Exhibit A: Rezone summary and information
- B.** Exhibit B: Zoning Map of Cache County showing affected portion.

### **6. Effective date**

This ordinance takes effect on \_\_\_\_\_, 2025. 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.

**7. Council Vote and Final Action**

Date: ____ / ____ / ____	<u>Council Votes</u>			
<u>Council members</u>	In Favor	Against	Abstain	Absent
Kathryn Beus				
Dave Erickson				
Sandi Goodlander				
Nolan Gunnell				
Mark Hurd				
Barbara Tidwell				
Keegan Garrity				
<b>Total:</b>				
<b>Final action:</b>	_____ <b>Adopt</b> _____ <b>Reject</b>			

Cache County Council:

Attest:

\_\_\_\_\_  
Sandi Goodlander, Chair\_\_\_\_\_  
Bryson Behm, County Clerk



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## Action of the County Executive

Regarding Ordinance 2025-03, Powder Mountain Rezone 2024 Rezone

\_\_\_\_\_ Approve

\_\_\_\_\_ Disapprove (A Statement of Objection is attached)

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David Zook, Executive  
Cache County

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**Amending the Cache County Zoning Map by rezoning 1,621 acres  
from the Forest Recreation (FR40) Zone to the Resort Recreation (RR) Zone**

Hold a public hearing on January 28<sup>th</sup>, 2025.  
If approved, the rezone will take effect 15 days from the date of approval.

Approval (4-yea; 0-nay).  
Public hearing held on December 5<sup>th</sup>, 2024

Conclusion: Based on the findings of fact noted [in the staff report], the Powder Mountain Rezone 2024 rezone is hereby recommended for approval to the County Council as follows:

1. The location of the subject properties to be rezoned are compatible with the purpose of the Resort Recreation (RR) Zone:
  - a. To allow mountain resort and recreation development within Cache County on privately held land. This zone allows for multiple mountain resort and recreation uses within a master planned area. The regulations of the zone are designed to:
    - i. Provide new recreation opportunities in northern Utah and create destination resort options for the county; and
    - ii. Promote interesting, creative, and indigenous mountain landscaping, design and architecture that blends in with natural surroundings and follows project specified design guidelines; and
    - iii. Stimulate the local economy and increase the tax base of the county; and
    - iv. Protect the county's environment; and
    - v. Regulate and control development
2. The rezone is partially consistent with the Cache County General Plan:
  - a. The Cache County General Plan has identified this area as "Mountain Rural and Conservation". The preferred land uses of this area includes outdoor recreation and tourism while secondary land uses includes resorts.
3. The nearest parcel in the Resort Recreation (RR) Zone is directly adjacent to the south and south-west.

# Angie Zetterquist

# Conner Smith

41    **General Description**

42    This ordinance amends the County Zoning Map by rezoning 1,621 acres from the Forest  
43    Recreation (FR40) Zone to the Resort Recreation (RR) Zone.

44

45    **Additional review materials included as part of Exhibit A**

46    Staff Report to Planning Commission – revised



**Staff Report:** Powder Mountain Rezone 2024 Rezone

5 December 2024

This staff report is an analysis of the application based on adopted county documents, standard county development practices, and available information. The report is to be used to review and consider the merits of the application. Additional information may be provided that supplements or amends this staff report.

**Agent:** Brooke Hontz

**Parcel ID#:** Multiple, See A-1-a-i

**Staff Recommendation:** None

**Type of Action:** Legislative

**Land Use Authority:** Cache County Council

**Location**

*Reviewed by Conner Smith*

**Project Address:**

**Acres:** 1,621

North of Powder  
Mountain Resort

**Current Zoning:**

Forest Recreation (FR40)

**Proposed Zoning:**

Resort Recreation  
(RR)

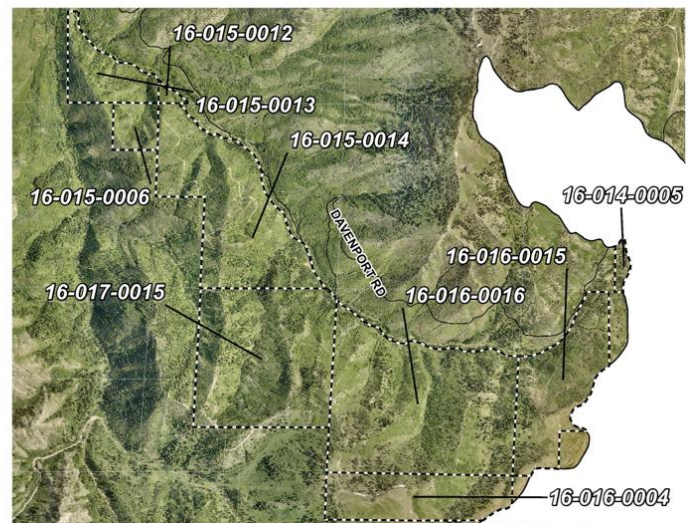
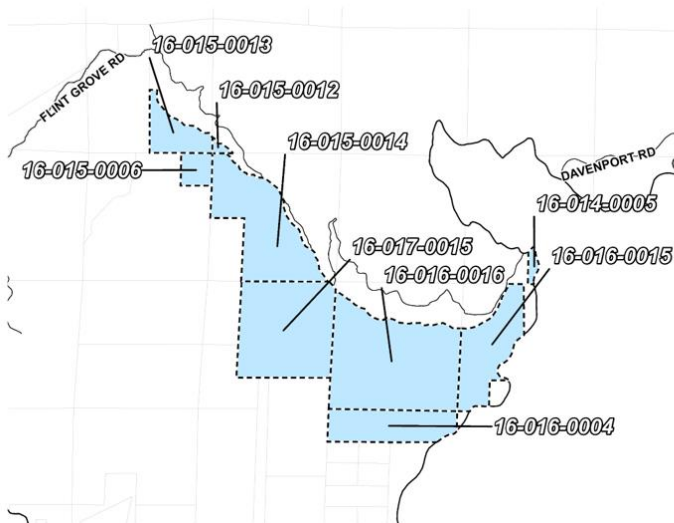
**Surrounding Uses:**

North – Recreation/Forest

South – Recreation/Forest

East – Recreation/Forest

West – Recreation/Forest

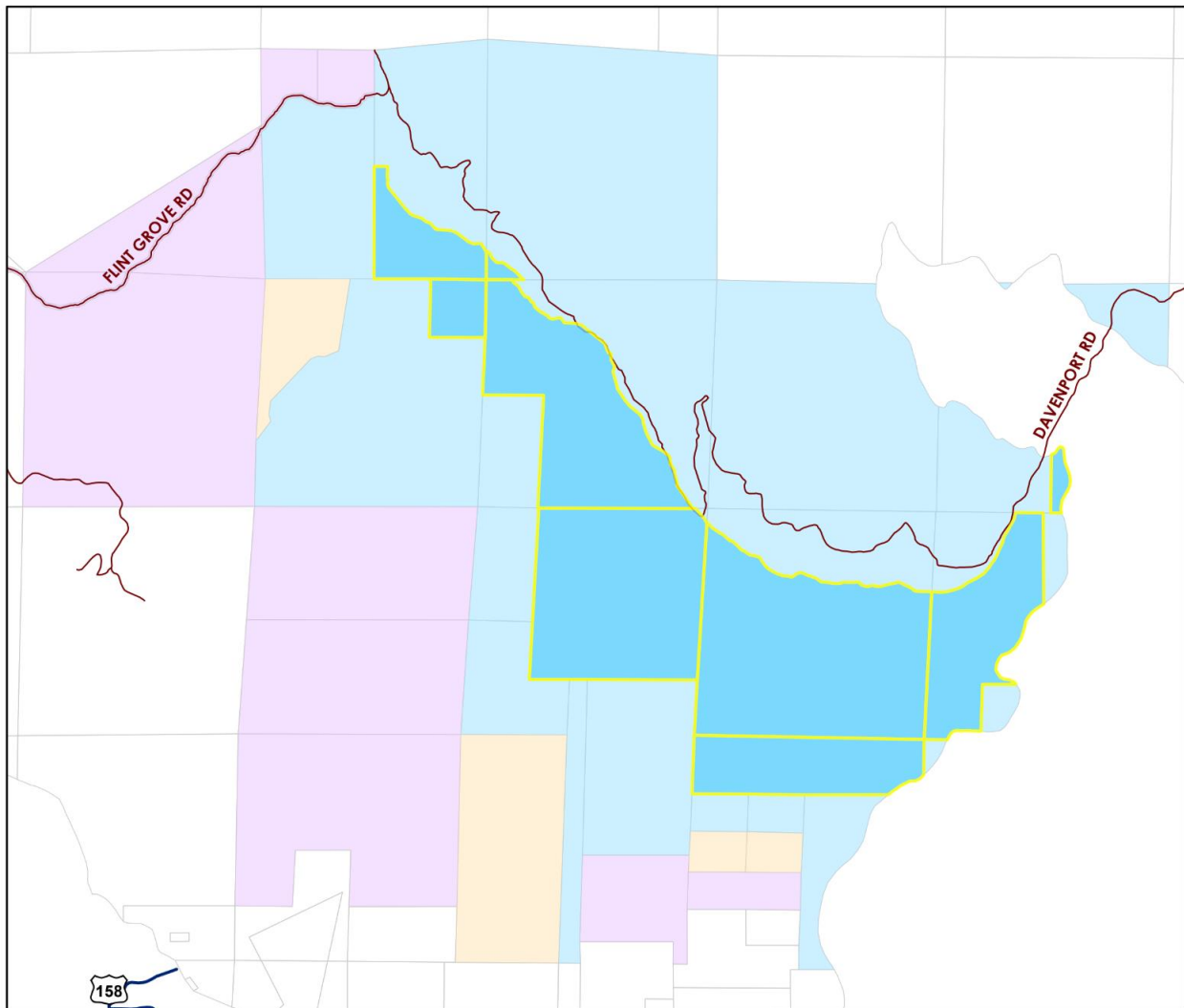


**Findings of Fact**

**A. Request description**

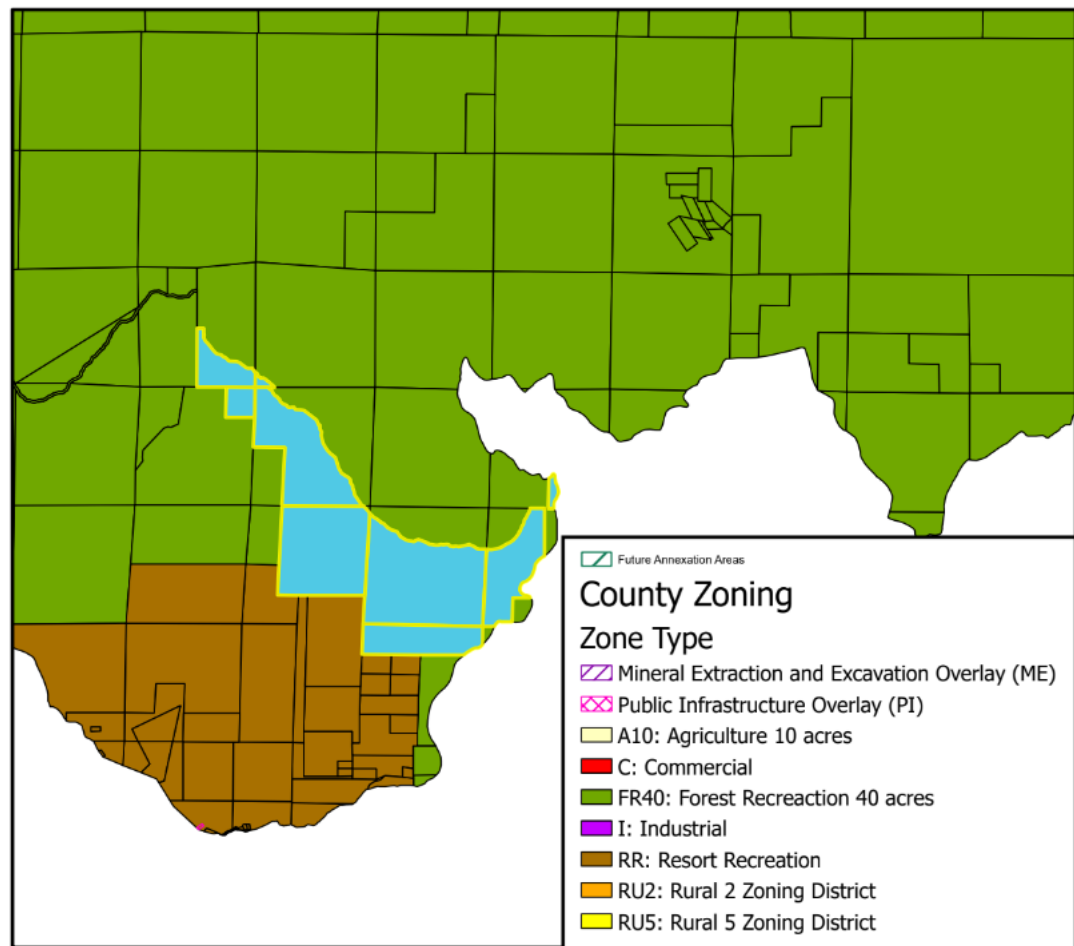
1. A request to rezone 1,621 acres from the Forest Recreation (FR40) Zone to the Resort Recreation (RR) Zone.
  - a. Included parcels:
    - i. 16-014-0005, 16-015-0006, -0012, -0013, -0014, 16-016-0004, -0015, -0016, 16-017-0015
2. This rezone may allow the parcels to establish uses permitted in the Resort Recreation (RR) Zone. A rezone request is general in nature and is not tied to any proposed use.

3. Staff has identified general information as pertains to the subject property to assist the Planning Commission and County Council in arriving at a decision. This information is reflected in the attached map (Attachment A) and in the following text.
- a. Land Use Context:
    - i. Parcel status:
      - 1. Parcels 16-014-0005, 16-015-0012, -0013, -0014, 16-016-0015, -0016, 16-017-0015 were split using a special warranty deed that was recorded on September 30<sup>th</sup>, 2024. As they were split without the necessary Land Use Authority approval, they are restricted.
      - 2. Parcels 16-015-0006 and 16-016-0004 match the configuration they had on August 8<sup>th</sup>, 2006 and are legal.
    - ii. Average Lot Size: (See Attachment A)



<b>Average Parcel Size</b>	
<b>Adjacent Parcels</b>	Without a Home: 173.3 Acres (31 Parcels)
<b>1/4 Mile Buffer</b>	Without a Home: 167.1 Acres (35 Parcels)
<b>1/2 Mile Buffer</b>	Without a Home: 178.6 (45 Parcels)

- i. Schedule of Zoning Uses: The Resort Recreation (RR) Zone allows for a variety of uses with the approval of a zoning clearance and/or Master Plan, including the following uses, that are not permitted in the current Forest Recreation (FR40) Zone.
  - Single Family Dwelling
  - Foster Home
  - Accessory Apartment
  - Home Based Business
  - Multi-Family Dwelling
  - Residential Living Facilities
  - Commercial Business
  - Home Based Kennel
  - General Vehicle Repair
  - Medical Services/Facilities
  - Human Care Services
  - Resort
  - Transient Lodging
  - Restaurant
  - Mobile Food Truck
  - Religious Meeting House
  - Farm Stand
  - Boarding Facility
- ii. Adjacent Uses: The parcels to the north, east, south, and west are primarily used for recreation and/or are forests.
- iii. Annexation Areas: The subject property is not located within any future annexation area.



**B. Ordinance—§12.02.010, §17.02.060; §17.08.030 [E]**

4. As per §17.02.060, Establishment of Land Use Authority, the County Council is authorized to act as the Land Use Authority for this application.
5. The current County Land Use Ordinance does not specify appropriate locations for the Resort Recreation (RR) Zone but does contain general guidelines for its implementation. County Land Use Ordinance §17.08.030 [E] identifies the purpose of the Resort Recreation (RR) Zone and includes the following:
  - a. “To allow mountain resort and recreation development within Cache County on privately held land. This zone allows for multiple mountain resort and recreation uses within a master planned area. The regulations of the zone are designed to:
    - i. Provide new recreation opportunities in northern Utah and create destination resort options for the county; and
    - ii. Promote interesting, creative, and indigenous mountain landscaping, design, and architecture that blends in with natural surroundings and follows project specified design guidelines; and
    - iii. Stimulate the local economy and increase the tax base of the county; and
    - iv. Protect the county’s environment; and
    - v. Regulate and control development”
6. Chapter 4: Future Land Use Plan of the Cache County General Plan states:
  - a. The use of land is one of the most important and fundamental values for landowners, residents, civic leaders, and elected officials. This determines, in large measure, the future

of Cache County. The Future Land Use Map represents the County's collective vision of our desired future. It conveys the patterns and priorities of economic development and community character, the locations of neighborhoods and industries, and the preservation of natural, agricultural, and rural landscapes.

- b. The Future Land Use Plan is advisory and does not change the existing zoning of any property or the ability of landowners to continue existing legal uses consistent with the existing zoning or nonconforming uses. It serves as a starting point for conversations about regional initiatives and development proposals by illustrating how sometimes separate and uncoordinated activities can help or harm our desired future. The timing of future development will depend on a number of factors including choices made by individual landowners, aspirations of the community, and future availability of facilities and services.

- 7. The future land use map (Attachment B) adopted as part of the Cache County General Plan identifies the area where the subject property is located as "Mountain Rural and Conservation" *Cache County General Plan, Chapter 4, Page 25*. This section states:

- a. Location: The majority of privately-owned mountain and foothill areas.
- b. Example Areas: FR-40 zone that is not public land
- c. Purpose and Character: Forestry, recreation, and multiple resource uses on private lands. Forestry and recreation land uses are expected to continue. Maintaining the environmental quality of steep slopes, canyons, and forests with minimal residential development conserves watershed resources and improves resiliency from wildfire, geological, and flood hazards.
- d. Preferred Land Uses: Forestry, agriculture, conservation easements (CEs) and conserved public lands, watershed protection, hazard mitigation (i.e. floodplain management, steep slopes, and high wildfire hazard), outdoor recreation and tourism
- e. Secondary Land Uses: Seasonal residential housing at one unit per 40 acres, clustered subdivision developments, resorts, recreation business, and public institutions.
- f. Discouraged Uses: Residential development at a density greater than one unit per 40 acres, industrial, commercial office, commercial retail, heavy industrial.

- 8. No parcel is located in the Urban Expansion Overlay.

**C. Access—16.04.040 [A], 16.04.080 [E], Road Manual**

- 9. §12.02.010 adopts the Manual of Roadway Design and Construction Standards (Road Manual) for roadway improvement requirements.
- 10. §16.02.010 Standards and Lot Size – All subdivisions must meet the minimum lot and development standards as outlined in each base zone of the Cache County Zoning Ordinance and within this title.
- 11. Table §17.10.040 Site Development Standards – Minimum lot frontage required in the Industrial (I) Zone is 150 feet.
- 12. §17.07.040 General Definitions – Lot/Parcel Frontage: that portion of a development site that abuts a public or private roadway. For the purposes of determining setback requirements on corner lots, all sides of a lot adjacent to a roadway shall be considered frontage
- 13. §16.04.040 [A] Roads – All roads must be designed and constructed in accordance with Title 12 of the County Code.
- 14. §12.02.010 Roadway Standards – Requirements for roadway improvement are provided in the current Manual of Roadway Design and Construction Standards (Road Manual).
- 15. The Road Manual specifies the following:
  - a. §12.1 Roadway Function Classification – Seasonal/Recreation: Seasonal/Recreation roads are found primarily in rural areas and serve lands that are subject to specialized uses,



including parks, tourist attractions, cabins, forest access, and recreation facilities, such as campsites, boat-launch ramps, and trailheads. These routes are typically open to the general public and are more likely that other functional classes of roads to be used by drivers who are unfamiliar them. In many cases these roads are used only seasonally, they accommodate a wide range of speeds, and they may be relatively long.

16. A full road review was not done for this request but will be evaluated as part of any future developments.

**D. Service Provisions:**

17. §16.04.080 [C] Fire Control – The County Fire District had no comments in regards to this application as services will be provided by Weber County.
18. §16.04.080 [F] Solid Waste Disposal – Applicant must work with Waste Management for solid waste disposal.

**E. Public Notice and Comment—§17.02.040 Notice of Meetings**

19. Public notice was posted online to the Utah Public Notice Website on 22 November 2024.
20. Notices were posted in three public places on 22 November 2024.
21. Notices were mailed to all property owners within 300 feet on 22 November 2024.
22. At this time, no written public comment regarding this proposal has been received by the Development Services Office.

## **Conclusion**

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The Powder Mountain Rezone 2024 rezone, a request to rezone 1,621 acres from the Forest Recreation (FR40) zone to the Resort Recreation (RR) Zone has been reviewed in conformance with Title 17 of the Cache County Land Use Ordinance and the County Manual of Roadway Design and Construction Standards. Staff has not made a recommendation based on the findings of fact identified above and any others identified at the public hearing. Although Staff has not made a recommendation for approval or denial, they can help Planning Commission draft a recommendation to County Council.

## **Planning Commission Conclusion**

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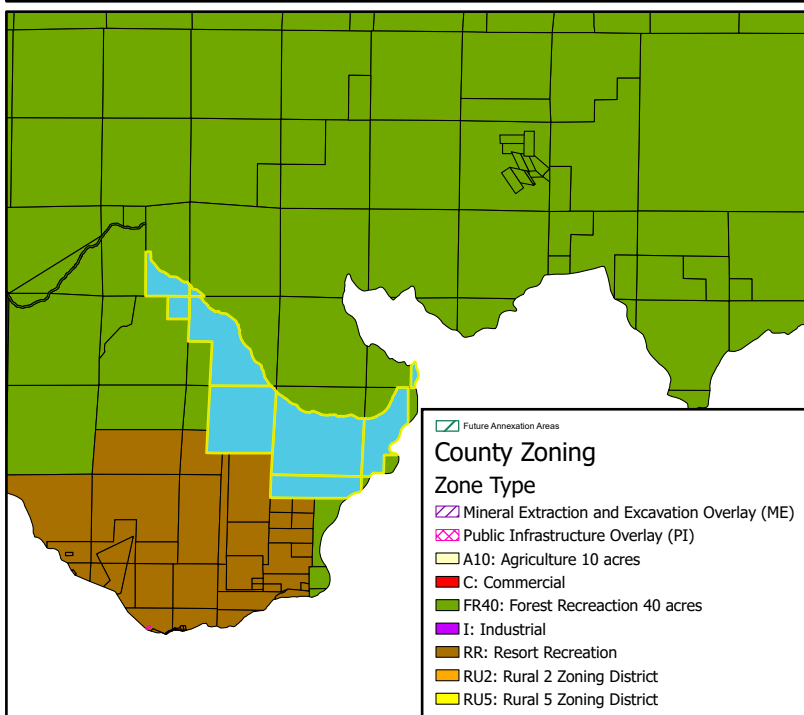
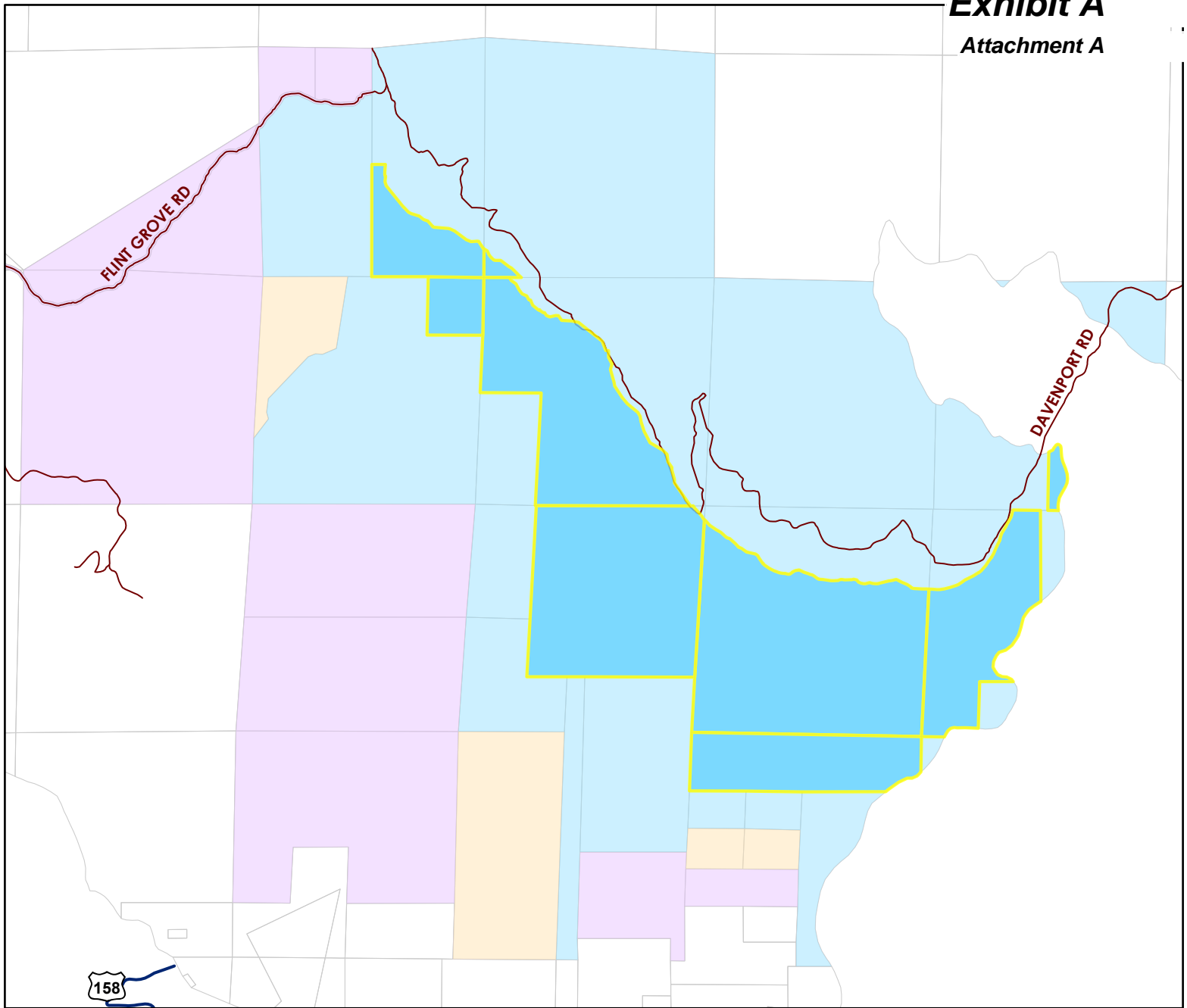
Based on the findings of fact noted herein, the Powder Mountain Rezone 2024 rezone is hereby recommended for approval to the County Council as follows:

1. The location of the subject properties to be rezoned are compatible with the purpose of the Resort Recreation (RR) Zone:
  - a. To allow mountain resort and recreation development within Cache County on privately held land. This zone allows for multiple mountain resort and recreation uses within a master planned area. The regulations of the zone are designed to:
    - i. Provide new recreation opportunities in northern Utah and create destination resort options for the county; and
    - ii. Promote interesting, creative, and indigenous mountain landscaping, design and architecture that blends in with natural surroundings and follows project specified design guidelines; and
    - iii. Stimulate the local economy and increase the tax base of the county; and
    - iv. Protect the county's environment; and
    - v. Regulate and control development
2. The rezone is partially consistent with the Cache County General Plan:
  - a. The Cache County General Plan has identified this area as "Mountain Rural and Conservation". The preferred land uses of this area includes outdoor recreation and tourism while secondary land uses includes resorts.

3. The nearest parcel in the Resort Recreation (RR) Zone is directly adjacent to the south and south-west.

# Exhibit A

## Attachment A



### Legend

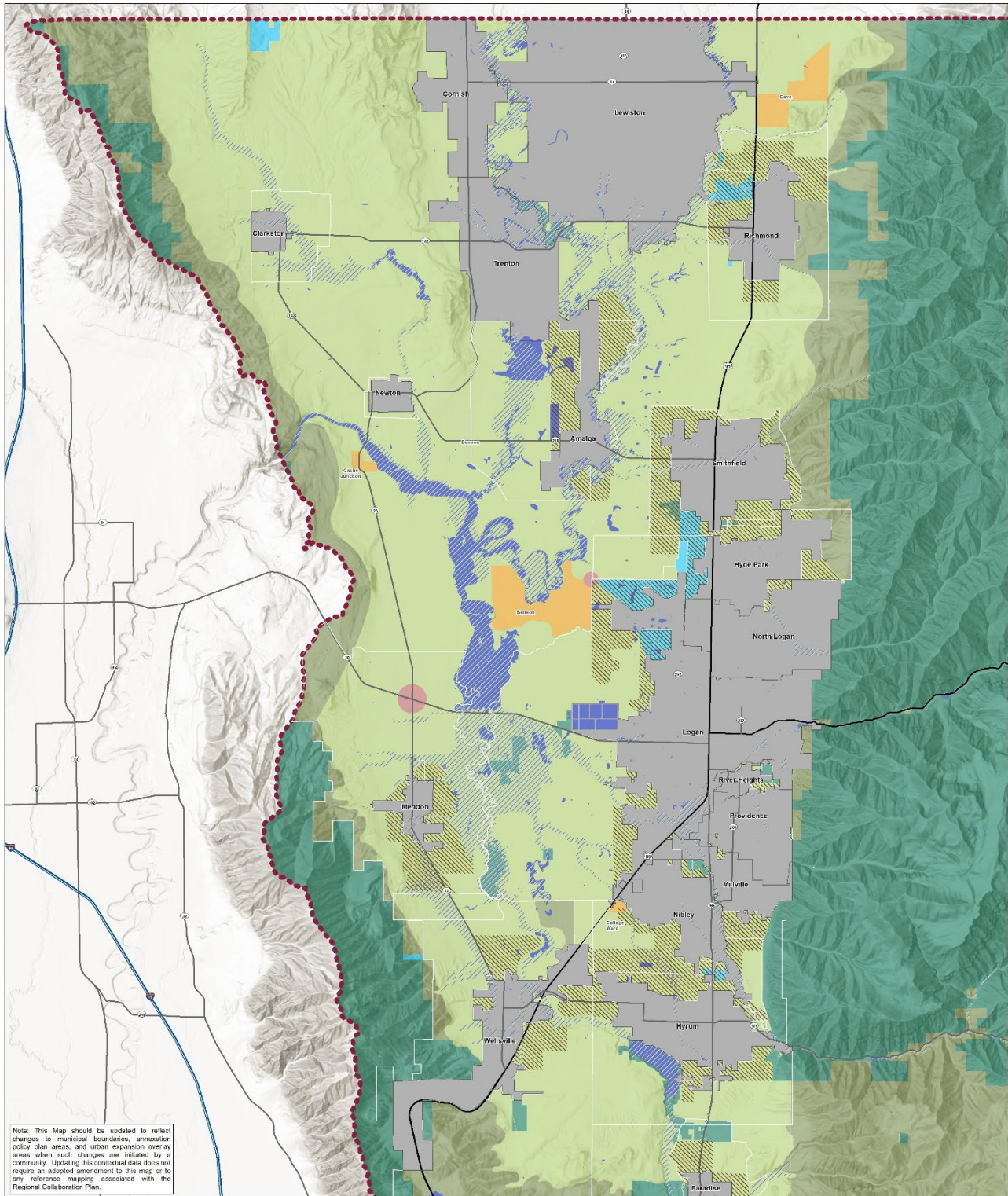
- Proposed Rezone
- Municipal Boundaries
- Subdivisions
- Parcels
- Winter Maintenance
- County Roads
- Highways

### Average Parcel Size

<b>Adjacent Parcels</b>	Without a Home: 173.3 Acres (31 Parcels)
<b>1/4 Mile Buffer</b>	Without a Home: 167.1 Acres (35 Parcels)
<b>1/2 Mile Buffer</b>	Without a Home: 178.6 (45 Parcels)



11/25/2024



Water Bodies	Urban Expansion Overlay	Agriculture and Ranching
100 Year Floodplain	Retail Commercial	Mountain Rural and Conservation
Municipalities	Rural Community	Forest and Natural Resource
Annexation Policy Plan Areas	Industrial and Mineral Extraction	

**Cache County Future Land Use Map**

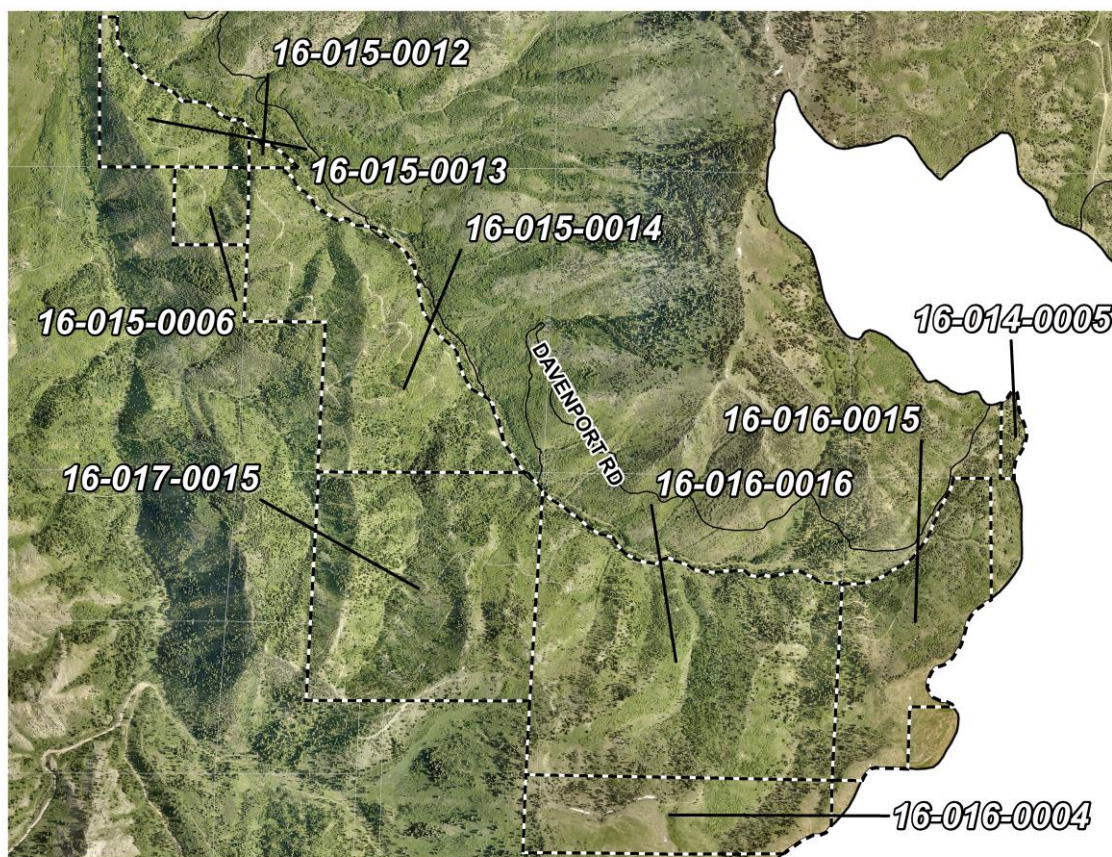
Disclaimer: This map is illustrative and for advisory purposes only. This is not a regulatory or zoning document, and locations are generalized to illustrate concepts.

Date: February 28, 2023

0 0.5 1 2 3 4 Miles







**The following legal description reflects the noted property above to be rezoned to the Resort Recreation (RR) Zone:**

**16-014-0005**

THAT PART OF [SW 1/4 OF THE SE 1/4] SECTION 22 , TOWNSHIP 8 NORTH, RANGE 2 EAST, SALT LAKE BASE AND MERIDIAN, LYING IN CACHE COUNTY, AND LYING EASTERLY OF A LINE RUNNING 60 FEET TO THE EAST OF THE CENTERLINE OF DAVENPORT ROAD. (For reference, approximately 27 acres.) SUBJECT TO THE BOUNDARY LINE AGREEMENTS RECORDED IN BOOK 1575, PAGE 1972, BOOK 1579, PAGE 1784, AND IN BOOK 1580, PAGE 2545 (IN WEBER COUNTY).

CONT 27.00 AC

THE DESCRIPTION USED IN ENTRY #1364605 APPEARS TO BE IN CONFLICT WITH THE BRACKETED INFORMATION SHOWN ABOVE

**16-015-0006**

NE/4 OF NE/4 SEC 19 T 8N R 2E 40 ACA50-1

**16-015-0012**

THAT PART OF THE SOUTHWEST QUARTER OF SECTION 17, TOWNSHIP 8 NORTH, RANGE 2 EAST, SALT LAKE BASE AND MERIDIAN, CACHE COUNTY LYING SOUTHERLY OF A LINE RUNNING 60 FEET TO THE SOUTH OF THE CENTERLINE OF DAVENPORT CREEK. CONT 5.00 AC

**16-015-0013**

THAT PORTION OF THE SOUTHEAST QUARTER OF SECTION 18, TOWNSHIP 8 NORTH, RANGE 2 EAST, SALT LAKE BASE AND MERIDIAN, CACHE COUNTY, LYING SOUTHERLY OF A LINE RUNNING 60 FEET TO THE SOUTH OF THE CENTERLINE OF DAVENPORT CREEK, CONT 85.00 AC

**16-015-0014**

PORTIONS OF THE NORTH HALF; THE SOUTHEAST QUARTER; AND THE EAST HALF OF THE SOUTHWEST QUARTER OF SECTION 20, TOWNSHIP 8 NORTH, RANGE 2 EAST, SALT LAKE BASE AND MERIDIAN, CACHE COUNTY AND BEING MORE PARTICULARLY DESCRIBED AS: BEGINNING AT THE NORTHWEST CORNER OF SECTION 20, TOWNSHIP 8 NORTH, RANGE 2 EAST, SALT LAKE BASE AND MERIDIAN, AND RUNNING THENCE S89°54'55"E 604.89 FEET ALONG THE SECTION LINE; THENCE S19°23'27"E 71.32 FEET; THENCE S55°45'59"E 138.46 FEET; THENCE S27°55'55"E 159.48 FEET; THENCE S37°41'34"E 118.63 FEET; THENCE S65°08'25"E 114.89 FEET; THENCE S28°27'53"E 98.13 FEET; THENCE S73°37'13"E 47.96 FEET; THENCE S20°54'15"E 124.92 FEET; THENCE S50°05'29"E 176.35 FEET; THENCE N60°16'20"E 27.48 FEET; THENCE S27°37'48"E 26.02 FEET; THENCE S56°37'45"E 85.77 FEET; THENCE EAST 35.90 FEET; THENCE S31°23'27"E 80.73 FEET; THENCE S66°49'02"E 84.94 FEET; THENCE N75°33'09"E 140.83 FEET; THENCE S84°08'04"E 67.39 FEET; THENCE S33°11'24"E 125.73 FEET; THENCE S86°03'43"E 237.55 FEET; THENCE S78°41'51"E 160.29 FEET; THENCE S51°33'06"E 701.83 FEET; THENCE S20°53'13"E 229.20 FEET; THENCE S85°45'40"E 60.59 FEET; THENCE S2°55'15"E 162.69 FEET; THENCE S28°12'43"E 166.44 FEET; THENCE S16°43'48"W 135.81 FEET; THENCE S15°54'53"E 309.77 FEET; THENCE S8°28'37"E 86.54 FEET; THENCE S33°54'50"E 325.21 FEET; THENCE S39°05'16"E 182.55 FEET; THENCE S50°22'02"E 313.42 FEET; THENCE S31°40'23"E 105.01 FEET; THENCE S8°55'39"E 134.03 FEET; THENCE S17°47'48"E 233.61 FEET; THENCE S27°13'58"E 293.64 FEET; THENCE S59°56'25"E 338.39 FEET; THENCE S46°16'27"E 138.77 FEET; THENCE S7°46'56"E 181.35 FEET; THENCE S36°11'40"E 156.58 FEET; THENCE SOUTH 60.18 FEET; THENCE S15°05'44"E 228.89 FEET; THENCE SOUTH 78.36 FEET; THENCE S32°42'43"E 417.07 FEET; THENCE S39°49'53"E 156.09 FEET; THENCE S89°07'58"W 3,555.31 FEET ALONG THE SECTION LINE TO THE WEST 1/16TH CORNER BETWEEN SECTIONS 20 AND 23; THENCE N2°58'36"E 2,612.09 FEET ALONG THE 40 ACRE LINE TO THE CENTER-WEST 1/16TH CORNER OF SECTION 20; THENCE N89°32'49"W 1,416.52 FEET ALONG THE 40 ACRE LINE TO THE WEST QUARTER CORNER OF SECTION 20; THENCE N2°35'12"E 1,332.97 FEET ALONG THE SECTION LINE TO THE NORTH 1/ 16TH CORNER BETWEEN SECTIONS 19 & 20; THENCE N1°07'20"E 1,341.40 FEET ALONG THE SECTION LINE TO THE POINT OF BEGINNING. CONT 298.00 AC

**16-016-0004**

THAT PT OF FOLLOWING IN CACHE COUNTY: ALL THE N/2 OF THE N/2 SEC 33 T 8N R 2E NET 155.18 AC

**16-016-0015**

NORTHWEST QUARTER AND THE WEST HALF OF THE SOUTHWEST QUARTER AND THE NORTHEAST QUARTER OF THE SOUTHWEST QUARTER OF SECTION 27, TOWNSHIP 8 NORTH, RANGE 2 EAST, SALT LAKE BASE AND MERIDIAN, LYING IN CACHE COUNTY AND LYING SOUTHERLY AND EASTERLY OF A LINE RUNNING 60 FEET TO THE SOUTH AND EAST OF THE CENTERLINE OF DAVENPORT CREEK. CONT 192.00 AC

**16-016-0016**

THAT PORTION OF SECTION 28, TOWNSHIP 8 NORTH, RANGE 2 EAST, SALT LAKE BASE AND MERIDIAN, CACHE COUNTY, LYING SOUTHERLY OF A LINE RUNNING 60 FEET TO THE SOUTH OF THE CENTERLINE OF DAVENPORT CREEK. CONT 463 AC

**16-017-0015**

THAT PART OF SECTION 29, TOWNSHIP 8 NORTH, RANGE 2 EAST, SALT LAKE BASE AND MERIDIAN, CACHE COUNTY, DESCRIBED AS FOLLOWS: THAT PORTION OF THE NORTHEAST QUARTER LYING SOUTHERLY OF A LINE RUNNING 60 FEET TO THE SOUTH OF THE CENTERLINE OF DAVENPORT CREEK; TOGETHER WITH THE NORTH HALF OF THE SOUTHEAST QUARTER, THE EAST HALF OF THE NORTHWEST QUARTER, AND THE NORTHEAST QUARTER OF THE SOUTHWEST QUARTER. CONT 354.00 AC



**CACHE COUNTY**  
**RESOLUTION NO. 2025 - 06**

**A RESOLUTION TO AMEND THE COUNTYWIDE POLICY MANUAL TO BECOME  
THE CACHE COUNTY ADMINISTRATIVE CODE**

- (A) WHEREAS, the County Council may pass all ordinances and rules and make all regulations, not repugnant to law, necessary for carrying into effect or discharging its powers and duties pursuant to Utah Code 17-53-223(1); and
- (B) WHEREAS, Resolutions 2023-28 and 2024-08 created and organized the Countywide Policy Manual for Cache County; and
- (C) WHEREAS, an administrative code is needed to come into compliance with Article 3 Section 12(d) of the Cache County Organic Act; and
- (D) WHEREAS, the Organic Act requires that the County Council shall establish and adopt, by ordinance, a comprehensive administrative code which shall comprise the rules and regulations governing the procedures, duties and systems of office, departmental, and agency management, control, accounts, records and reports for all offices, departments and agencies of the County; and
- (E) WHEREAS, the Cache County Countywide Policy Manual has enacted policies that cover the areas mentioned above and converting the manual to an administrative code would work to bring the County into compliance with the Organic Act; and

NOW THEREFORE, be it resolved by the County Council of Cache County, Utah, that the Cache County Countywide Policy Manual be changed as follows:

**SECTION 1**

The Cache County Council shall convert the Countywide Policy Manual containing the County's policies enacted by the Council into the Cache County Administrative Code. The organization of the Countywide Policy Manual shall remain the same in the Cache County Administrative Code.

**SECTION 2**

The County Council is responsible for amending the Cache County Administrative Code as needed.





**CACHE COUNTY**  
**RESOLUTION NO. 2025 - 06**

**SECTION 3**

The County Clerk shall maintain the Cache County Administrative Code and the County Council or their designee shall review it regularly for correctness.

**SECTION 4**

The County Clerk and the County Council or their designee are directed to ensure the online publication of the Cache County Administrative Code.

PASSED AND APPROVED BY THE COUNTY COUNCIL OF CACHE COUNTY, UTAH  
THIS \_\_\_\_ DAY OF \_\_\_\_\_ 2025.

	In Favor	Against	Abstained	Absent
Kathryn Beus				
David Erickson				
Keegan Garrity				
Sandi Goodlander				
Nolan Gunnell				
Mark Hurd				
Barbara Tidwell				
Total				

**CACHE COUNTY:**

By: \_\_\_\_\_  
Sandi Goodlander, Chair

**ATTEST:**

By: \_\_\_\_\_  
Bryson Behm, County Clerk



**CACHE COUNTY**  
**ORDINANCE NO. 2025 - 06**

**AN ORDINANCE TO AMEND THE MEMBERSHIP OF THE CACHE COUNTY  
AUDIT COMMITTEE**

- (A) WHEREAS, the County Council may pass all ordinances and rules and make all regulations, not repugnant to law, necessary for carrying into effect or discharging its powers and duties pursuant to Utah Code 17-53-223(1); and
- (B) WHEREAS, Utah Code 17-53-212 permits the County Council to examine and audit the accounts of all officers having the care, management, collection, or disbursement of money belonging to the county; and
- (C) WHEREAS, Ordinances 1990-16 and 2023-20 created and defined the Cache County Audit Committee in Cache County Code 3.32.020 ; and
- (D) WHEREAS, the Cache County Organic Act assigns the County Council the power to “Establish and define the duties and functions of appointed boards and commissions deemed appropriate to expedite and facilitate the duties of the Council or any office, department or agency of the County”; and
- (E) WHEREAS, the audit committee meets to prioritize, coordinate, and review County Audits; and
- (F) WHEREAS, the composition of the audit committee should be specified to meet the particular goals of the County Council;

NOW THEREFORE, be it enacted by the County Council of Cache County, Utah: that

SECTION 1: Cache County Code 3.32.020 shall be changed to as follows, with a redline version attached as “EXHIBIT A”:

**3.32.020: AUDIT COMMITTEE**

- A. The county audit committee shall be comprised of the following seven (7) voting members: Three county council members, the county auditor, along with the county executive and their two (2) citizen appointees. The committee shall be chaired by one of the three (3) county council members who sit on the committee. The three county council members of the committee shall be appointed by the council with the council’s advice and consent. The citizen appointees shall be appointed by the county executive, with advice and consent of the council. Prior to making an appointment of the citizen appointees, the county executive shall publish a public notice of vacancy for a period of no less than thirty (30) days, soliciting applications for the citizen appointee position.



**CACHE COUNTY**  
**ORDINANCE NO. 2025 - 06**

This notice shall be published in at least three locations, including the county's official website and a newspaper of general circulation within the county, and shall be sent directly to no fewer than five Certified Public Accountant firms operating within the county. The citizen appointees shall be selected from among the applicants who respond to this notice. The citizen appointees shall serve for terms lasting two years, with the possibility for renewal, but may be removed by a majority vote of the council. The citizen appointees shall:

1. Hold an active or retired Certified Public Accountant license, as defined in UCA 58-26-102, and be in good standing with the Utah Division of Occupational and Professional Licensing or its successor entity. A license is considered in good standing if it has not been suspended, revoked, or otherwise restricted, and the appointee has not been subject to disciplinary actions or citations issued by the division.
  2. Not have been employed by, or held a contract with, the county at any point within the past five years.
  3. Not hold any other elected or appointed office within the county government, within the governing entity of any municipality or legally established special district within the county, or within any interlocal entity to which the county is a party.
  4. Not have, nor have had within the past five years, any direct or indirect financial, contractual, or business relationship with any current county official, department, agency, division, or entity that receives county funding or assistance, if such a relationship could reasonably be perceived as compromising independent judgment.
  5. Comply with the disclosure obligations as outlined in Chapter 2.62 of this code. Willful failure to comply with these disclosure obligations, or with any of the above eligibility requirements, shall result in immediate removal from the committee.
- B. The committee, shall meet to prioritize, outline, and review county audits and audit procedures as performed by the county auditor's office as defined by UCA Title 17-19a and such other purposes as the county council deems appropriate. Nothing in this section shall limit the statutory authority of the county council, county executive, or county auditor.
- C. The audit committee shall participate in an initial audit entrance conference with the county auditor, county executive and the appointed independent auditor for the purpose



**CACHE COUNTY**  
**ORDINANCE NO. 2025 - 06**

of reviewing the scope and nature of any audit to be performed and also in a closing conference with the same persons to receive, review and make recommendations upon the audit performed and any other information, filings, conclusions and recommendations of the independent auditor.

**SECTION 2**

Existing appointments to the County Audit Committee, duly made and confirmed prior to this ordinance, shall remain valid for the remainder of the appointee's term as applicable.

**SECTION 3**

This ordinance takes effect 15 days following its passage and approval by the County Council.

PASSED AND APPROVED BY THE COUNTY COUNCIL OF CACHE COUNTY, UTAH  
THIS \_\_\_\_ DAY OF \_\_\_\_\_ 2025.

	In Favor	Against	Abstained	Absent
Kathryn Beus				
David Erickson				
Keegan Garrity				
Sandi Goodlander				
Nolan Gunnell				
Mark Hurd				
Barbara Tidwell				
Total				

**CACHE COUNTY:**

By: \_\_\_\_\_  
Sandi Goodlander, Council Chair

**ATTEST:**

By: \_\_\_\_\_  
Bryson Behm, County Clerk



**CACHE COUNTY**  
**ORDINANCE NO. 2025 - 06**

**ACTION OF COUNTY EXECUTIVE:**

\_\_\_\_\_ Approve

\_\_\_\_\_ Disapprove (with written statement of objection attached)

By: \_\_\_\_\_  
David Zook, County Executive      Date \_\_\_\_\_



**CACHE COUNTY**  
**ORDINANCE NO. 2025 - 06**

**EXHIBIT A:**

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**CACHE COUNTY**  
**ORDINANCE NO. 2025 - 06**

**3.32.020: AUDIT COMMITTEE**

A. The county audit committee shall be comprised of the following ~~five~~<sup>seven</sup> (57) voting members: Three county council members, the county auditor, along with the county executive and their two (2) citizen appointees. The committee shall be chaired by one of the three (3) county council members who sit on the committee. The three county council members of the committee shall be appointed by the council with the council's advice and consent. The citizen appointees shall be appointed by the county executive, with advice and consent of the council. Prior to making an appointment of the citizen appointees, the county executive shall publish a public notice of vacancy for a period of no less than thirty (30) days, soliciting applications for the citizen appointee position. This notice shall be published in at least three locations, including the county's official website and a newspaper of general circulation within the county, and shall be sent directly to no fewer than five Certified Public Accountant firms operating within the county. The citizen appointees shall be selected from among the applicants who respond to this notice. The citizen appointees shall serve for terms lasting two years, with the possibility for renewal, but may be removed by a majority vote of the council. The citizen appointees shall:

1. Hold an active or retired Certified Public Accountant license, as defined in UCA 58-26-102, and be in good standing with the Utah Division of Occupational and Professional Licensing or its successor entity. A license is considered in good standing if it has not been suspended, revoked, or otherwise restricted, and the appointee has not been subject to disciplinary actions or citations issued by the division.
2. Not have been employed by, or held a contract with, the county at any point within the past five years.
3. Not hold any other elected or appointed office within the county government, within the governing entity of any municipality or legally established special district within the county, or within any interlocal entity to which the county is a party.
4. Not have, nor have had within the past five years, any direct or indirect financial, contractual, or business relationship with any current county official, department, agency, division, or entity that receives county funding or assistance, if such a relationship could reasonably be perceived as compromising independent judgment.
5. Comply with the disclosure obligations as outlined in Chapter 2.62 of this code. Willful failure to comply with these disclosure obligations, or with any of the



**CACHE COUNTY**  
**ORDINANCE NO. 2025 - 06**

above eligibility requirements, shall result in immediate removal from the committee.

A.B. The committee, shall meet to prioritize, outline, and review county audits and audit procedures as performed by the county auditor's office as defined by UCA Title 17-19a and such other purposes as the county council deems appropriate. Nothing in this section shall limit the statutory authority of the county council, county executive, or county auditor.

B.C. The audit committee shall participate in an initial audit entrance conference with the county auditor, county executive and the appointed independent auditor for the purpose of reviewing the scope and nature of any audit to be performed and also in a closing conference with the same persons to receive, review and make recommendations upon the audit performed and any other information, filings, conclusions and recommendations of the independent auditor.

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