

CACHE COUNTY COUNCIL

June 24, 2008

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CACHE COUNTY COUNCIL MEETING

June 24, 2008

The Cache County Council convened in a regular session on June 24, 2008 in the Cache County Council Chamber at 199 North Main, Logan, Utah.

ATTENDANCE:

Chairman: John Hansen
Vice Chairman: H. Craig Petersen
Council Members: Brian Chambers, Darrel Gibbons, Kathy Robison, Cory Yeates & Gordon Zilles.
County Executive: M. Lynn Lemon
County Clerk: Jill N. Zollinger
County Attorney: N. George Daines

The following individuals were also in attendance: Tom Bailey, Dave Bigelow, Aaron Bishop, Josh Chambers, Ray Clawson, LaMar Clements, Darrell Erickson, Reed Ernstrom, Bob Fotheringham, Gay Gunnell-Olsen, Nolan Gunnell, Annette Haslem, Larry Haslem, Tom Hogan, Sharon L. Hoth, Chad Jensen, David Nielsen, Larry Olsen, Pat Parker, Maybelle Romero, Josh Runhaar, Johnnie Sorrentino, Auditor Tamra Stones, James Swink, Aaron Wiser, Kyle Yonk, **Media:** Charles Geraci (Herald Journal), Jennie Christensen, Ryan Yonk (KVNU).

OPENING REMARKS AND PLEDGE OF ALLEGIANCE

Council member Gibbons gave the opening remarks and led those present in the Pledge of Allegiance.

REVIEW AND APPROVAL OF AGENDA

The agenda was approved as written.

REVIEW AND APPROVAL OF MINUTES

ACTION: Motion by Council member Robison to approve the minutes of the June 10, 2008 Council meeting as written. Yeates seconded the motion. The vote was unanimous, 7-0.

REPORT OF THE COUNTY EXECUTIVE: M. LYNN LEMON

APPOINTMENTS: Travis Peterson County Battalion Chief
Shane Maughan County Fire Captain

ACTION: Motion by Council member Yeates to approve the recommended appointments. Gibbons seconded the motion. The vote was unanimous, 7-0.

WARRANTS: Warrants for the periods 04-20-2007 to 04-26-2007, 05-04-2007 to 05-10-2007, 05-11-2007 to 05-17-2007, 05-18-2007 to 05-24-2007, 06-15-2007 to 06-21-2007, 12-19-2007, 02-22-2008 to 02-28-2008, 05-30-2008 to 06-05-2008 and 06-06-2008 to 06-12-2008 were given to the clerk for filing.

OTHER ITEMS

- ❑ **Senator Orrin Hatch** wants to meet with elected officials from Cache County and from the cities on July 2, 2008 at 10:00 a.m. in the Cache County Council Chambers.
- ❑ **External Auditors Report** – Executive Lemon said the external audit report will be presented at the July 8, 2008 Council meeting. Council members will be receiving a copy for review prior to that meeting. Lemon noted that there are some significant findings, but the auditors feel it is still a very good report and are not concerned. Standards have been raised which resulted in some of the findings.
- ❑ **Leonard Black Letter** – Lemon said that the state feels range managers need to be hired and are asking each county to contribute \$10,000.00 to \$20,000.00 and the state will pick up the balance. The discussion on this item will be on the July 8, 2008 Council agenda.
- ❑ **American West Heritage Center Conservation Easement** – Lemon said the county has requested \$75,000.000 from the Quality Growth Commission for the conservation easement at the American West Heritage Center.

ITEMS OF SPECIAL INTEREST

- **Bear River Mental Health Area Plan – Reed Ernstrom** summarized the plan for the Council including services, changes and the mental health court system.

Robison asked what the proposed Deputy Commissioner of Mental Health position would entail. Ernstrom replied that this position would function as a liaison between the court system and other entities.

Chambers reiterated his desire to have a presentation to the Council concerning the mental health court implementation.

- **Senior Citizen Semi-Annual Report – Tom Hogan** reported the Senior Center's Presidents Day celebration was very successful. There was a flag raising ceremony and a breakfast and donated fabric was sold for \$1.00 a yard. To date about \$5,000.00 has been received from the fabric sales. Volunteer hours have increased by 5% this year and the cost of fuel is beginning to impact the Meals on Wheels program.

Hogan indicated he has tried to contact Sunshine Terrace regarding its closure of the Adult Day Care program to offer assistance in retaining the program, but the Terrace has not responded to him.

- **Water Application – Bob Fotheringham** indicated Cache County has filed an application for 13.031.4 acre feet of water with the State Engineer that complies with the ground water management plan adopted by the state in September of 1999. Fotheringham reviewed the application for the Council.

Vice-Chairman Petersen asked if the points of diversion on the map with the application are actual wells? Fotheringham said the points of diversion are locations where wells could be drilled, if needed for the citizens of Cache County. All points of diversion are on property owned by Cache County.

Council member Zilles stated that water that is presently in non-use status could be filed on by entities not in Cache County. Fotheringham said that is correct. This application will close the door to others desiring to file on the water.

Petersen asked what time frame is expected for approval of the application? Fotheringham said it may take two to three years, but could be only six months, but no one else can file while this application is pending.

(Attachment 1)

Tape 1, Side B

BUDGETARY MATTERS

♦ **Intra-Departmental Transfers**
Sheriff

Transfer \$10,000.00 from Software to Non-Capitalized Equipment to purchase printers and stands for patrol vehicles to implement Spillman Software (ticket writer).

(Attachment 2)

ACTION: Motion by Council member Gibbons to approve the budget transfer of \$10,000.00. Yeates seconded the motion. The vote was unanimous, 7-0.

PUBLIC HEARINGS, APPEALS AND BOARD OF EQUALIZATION MATTERS

PUBLIC HEARINGS: JUNE 24, 2008-5:45 P.M. - OPEN 2008 BUDGET

ACTION: Motion by Council member Zilles to open the Public Hearing to Open the 2008 Budget. Robison seconded the motion. The vote was unanimous, 7-0.

Auditor Stones explained the recommended budget appropriations. (See Attachment 3 to Resolution No. 2008-14 – Adjustments to 2008 Budget for details.)

Chairman Hansen invited public comment. There was none.

ACTION: Motion by Vice-Chairman Petersen to close the Public Hearing to Open the 2008 Budget. Yeates seconded the motion. The vote was unanimous, 7-0.

INITIAL PROPOSAL FOR CONSIDERATION OF ACTION

- **Resolution No. 2008-14 – Adjustments to 2008 Budget** – In reviewing the budget adjustments, Auditor Stones indicated the county's assessing and collecting levy needs to be maintained at .000300.

(Attachment 3)

ACTION: Motion by Vice-Chairman Petersen to waive the rules and approve Resolution No. 2008-14-Adjustments to 2008 Budget. Yeates seconded the motion. The vote was unanimous, 7-0.

PUBLIC HEARINGS, APPEALS AND BOARD OF EQUALIZATION MATTERS

PUBLIC HEARINGS: JUNE 24, 2008-6:00 P.M. – THOMAS AND CHARLOTTE BAILEY TRUST AGRICULTURAL PROTECTION AREA – 80.12 ACRES

ACTION: Motion by Council member Gibbons to open the Public Hearing – Thomas and Charlotte Bailey Trust Agricultural Protection Area – 80.12 Acres. Robison seconded the motion. The vote was unanimous, 7-0.

Josh Runhaar explained the area involved and said the Planning Commission unanimously recommended approval of the agricultural protection area.

Chairman Hansen invited public comment. There was none.

ACTION: Motion by Council member Yeates to close the Public Hearing - Thomas and Charlotte Bailey Trust Agricultural Protection Area – 80.12 Acres. Robison seconded the motion. The vote was unanimous, 7-0.

INITIAL PROPOSAL FOR CONSIDERATION OF ACTION

- **Resolution No. 2008-15 – Thomas and Charlotte Bailey Trust Agricultural Protection Area – 80.12 acres**

(Attachment 4)

ACTION: Motion by Council member Yeates to waive the rules and approve Resolution No. 2008-15-Thomas and Charlotte Bailey Trust Agricultural Protection Area – 80.12 acres. Zilles seconded the motion. The vote was unanimous, 7-0.

PUBLIC HEARINGS, APPEALS AND BOARD OF EQUALIZATION MATTERS

PUBLIC HEARINGS: JUNE 24, 2008-6:00 P.M. – NIBLEY OFFICE PARK REZONE OF 10 ACRES OF PROPERTY IN THE AGRICULTURAL ZONE TO THE COMMERCIALZONE LOCATED AT APPROXIMATELY 3800 SOUTH 1200 WEST, WEST OF NIBLEY.

ACTION: Motion by Council member Zilles to open the Public Hearing – Nibley Office Park Rezone of 10 acres of property in the Agricultural Zone to the Commercial Zone located at approximately 3800 South 1200 West, west of Nibley. Yeates seconded the motion. The vote was unanimous, 7-0.

Runhaar said staff had one condition of approval – that the development within the rezoned area will only be approved in conjunction with final approval of a master plan of the entire 10 acres.

Chairman Hansen invited public comment. There was none.

ACTION: Motion by Council member Gibbons to close the Public Hearing - Nibley Office Park Rezone of 10 acres of property in the Agricultural Zone to the Commercial Zone located at approximately 3800 South 1200 West, west of Nibley. Yeates seconded the motion. The vote was unanimous, 7-0.

INITIAL PROPOSAL FOR CONSIDERATION OF ACTION

- **Ordinance No. 2008-04 – Nibley Office Park Rezone of 10 acres of property in the Agricultural Zone to the Commercial Zone located at approximately 3800 South 1200 West, west of Nibley.**

(Attachment 5)

ACTION: Motion by Vice-Chairman Petersen to waive the rules and approve Ordinance No. 2008-04-Nibley Office Park Rezone of 10 acres of property in the Agricultural Zone to the Commercial Zone located at approximately 3800 South 1200 West, west of Nibley. Robison seconded the motion. The vote was unanimous, 7-0.

Ordinance No 2008-04: The vote was 7-0.

	<u>CHAMBERS</u>	<u>ZILLES</u>	<u>GIBBONS</u>	<u>HANSEN</u>	<u>PETERSEN</u>	<u>ROBISON</u>	<u>YEATES</u>	<u>VOTES CAST</u>
AYE	X	X	X	X	X	X	X	7
NAY								0
ABSTAINED								0
ABSENT								0

PUBLIC HEARINGS, APPEALS AND BOARD OF EQUALIZATION MATTERS

PUBLIC HEARING SET: JULY 22, 2008 – 6:00 P.M. - GROUP HOME FACILITIES, CACHE COUNTY ORDINANCE (TITLE 17): AMEND – TITLE 17.02 – ADMINISTRATION
AMEND – TITLE 17.05 – SUPPLEMENTARY AND QUALIFYING REGULATIONS
AMEND – TITLE 17.06 – USES
AMEND – TITLE 17.07 – DEFINITIONS
AMEND – TITLE 17.08 – SCHEDULE OF ZONING USES
AMEND – TITLE 17.16 – GROUP LIVING FACILITIES

ACTION: Motion by Council member Gibbons to set a Public Hearing – July 22, 2008 at 6:00 p.m. – Group Home Facilities, Cache County Ordinance (Title 17): Amend – Title 17.02 – Administration; Amend – Title 17.05 – Supplementary and Qualifying Regulations; Amend – Title 17.06 – Uses; Amend – Title 17.07 – Definitions; Amend – Title 17.08 - Schedule of Zoning Uses; Amend – Title 17.16 – Group Living Facilities. Yeates seconded the motion. The vote was unanimous, 7-0.

PENDING ACTION

- ☐ **Ordinance No. 2007-05 - Agricultural Subdivisions (NO ACTION TAKEN)**
- ☐ **Update on Veibell/Dairy Road, Long Divide Road and Short Divide Road** – Lemon said the traffic concerns are still the same and dust is now becoming a problem as people leave the road and go into fields to pass other vehicles. Lemon said Attorney Daines has advised him that if the county closes the road because of safety factors, it would have to be closed to everyone. Lemon said UDOT is trying to get the east end of

the road completed so that traffic can then be allowed up to the old road, but that may take two to three weeks.

Larry Haslem, resident, said vehicles are having to stop to wait for the dust to clear before proceeding because they cannot see and residents have to keep their windows closed in the summer heat because of choking dust from the traffic.

Kyle Yonk, resident, said that from 5:30 a.m. to 9:00 a.m. and 3:00 p.m. to 7:00 p.m. the traffic is nonstop at sixty miles per hour and the noise, dust and damage to fields is intense. Yonk suggested the county close the road except for residents and agricultural users who would have passes issued by the county.

Sheriff's deputies are uncertain what types of trucks are presently banned from the road, but have been ticketing for other violations.

Council member Gibbons noted that the county needs to clarify with law enforcement what trucks are not allowed on the road and needs to ask the Sheriff's office to post deputies in the area from 5:30 a.m. to 9:00 a.m. and from 3:00 p.m. to 9:00 p.m.

Chairman Hansen agreed that the Sheriff's office should be able to send deputies to the area for the next few weeks.

Lemon noted that UDOT is using the road to transport large construction equipment and vehicles for the highway work.

LaMar Clements raised the question of whether trucks for agricultural purposes can still use the road and said speed is the major problem with other vehicles. Yeates said the county never intended to close the road to agricultural vehicles.

The Council left the discussion on the Veibell/Dairy Road, Long Divide Road and Short Divide Road for the present.

PUBLIC HEARINGS, APPEALS AND BOARD OF EQUALIZATION MATTERS

PUBLIC HEARINGS: JUNE 24, 2008-6:15 P.M. – FLASH CUT ALL CHANNELS FROM ANALOG TO DIGITAL – AUGUST 30, 2008

ACTION: Motion by Council member Gibbons to open the Public Hearing – Flash Cut all Channels from Analog to Digital – August 30, 2008. Zilles seconded the motion. The vote was unanimous, 7-0.

Executive Lemon indicated that August 30, 2008 is the date the county will switch from an analog to a digital signal at the TV translator and residents will need a digital television or a converter box for other televisions in order to receive the signal.

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

ACTION: Motion by Council member Yeates to close the Public Hearing – Flash Cut all Channels from Analog to Digital – August 30, 2008. Gibbons seconded the motion. The vote was unanimous, 7-0.

Chairman Hansen indicated this will be an agenda item for the July 8, 2008 Council agenda when Mike Braegger can be in attendance.

PENDING ACTION

- **Update on Veibell/Dairy Road, Long Divide Road and Short Divide Road (continued)** – The Council returned to the discussion. Vice-Chairman Hansen asked Attorney Daines what the county's options are to resolve the problem. Daines said the Council can do a number of things such as restrict traffic but thought that law enforcement presence is the best solution to the problem.

ACTION: Motion by Council member Gibbons that the intent of the Council would be to have an officer stationed at that site (Veibell Dairy Road, Long Divide Road and Short Divide Road) from 5:30 a.m. to 9:00 a.m. and from 3:00 p.m. to 7:00 p.m. each day and that Sheriff Nelson be asked to have a representative from the Sheriff's office at the July 8, 2008 Council meeting to join the Council in reviewing the effectiveness of law enforcement's presence. Yeates seconded the motion. The vote was unanimous, 7-0.

Zilles and Gibbons suggested that Executive Lemon and Council member Yeates meet and clarify the intent of Yeates' original motion to be able to give the Sheriff's office effective direction.

INITIAL PROPOSAL FOR CONSIDERATION OF ACTION

- **Final Plat Approval – Griffin Subdivision** – A 2-lot subdivision at 7687 North Highway 142, Newton.

(Attachment 6)

Council member Gibbons left the meeting.

ACTION: Motion by Vice-Chairman Petersen to waive the rules and approve the Final Plat for the Griffin Subdivision. Robison seconded the motion. The vote was unanimous, 6-0. Gibbons absent.

Council member Gibbons returned to the meeting.

- **Final Plat Approval – High Creek Subdivision Amended** – Runhaar indicated this is an amendment to the property line and the subdivision was previously approved.

(Attachment 7)

ACTION: Motion by Council member Yeates to waive the rules and approve the Final Plat for the High Creek Subdivision Amended. Petersen seconded the motion. The vote was unanimous, 7-0.

- **Final Plat Approval – Gay C. Gunnell Subdivision** – A 2-lot subdivision at 6597 South 2400 West, Wellsville.

(Attachment 8)

ACTION: Motion by Council member Yeates to waive the rules and approve the Final Plat for the Gay C. Gunnell Subdivision. Gibbons seconded the motion. The vote was unanimous, 7-0.

- **Reconsideration of Green Canyon Paradise Estates** – Runhaar said this subdivision was approved in July of 2007 and the developer is asking that the requirement to asphalt the road be removed. Runhaar said if the road surface requirement is changed, it will require the developer to resubmit plans.

Aaron Wiser, developer, said the hard surface requirement creates a hardship and asked for any help the Council can give. After much discussion, including the proximity of the subdivision to the mouth of Hyrum Dry Canyon, the Council delayed a decision until the July 8, 2008 Council meeting in order to reach a compromise that is acceptable to both parties.

- **Discussion – Consideration of Changing Council Agenda to add Consent Agenda** - Runhaar said the consent agenda concept for requests with no issues involved works well for the Planning Commission. Vice-Chairman Petersen voiced support for the concept noting that it would also be a courtesy to people who shouldn't have to wait two hours for something that takes two minutes. The Council concurred.

ACTION: Motion by Vice-Chairman Petersen to implement a consent agenda for the next six months. Gibbons seconded the motion. The vote was unanimous, 7-0.

Lemon said that under *Review and approval of agenda/consent agenda* there would be a, b, c, etc. items that would be indicated as possible consent agenda items.

OTHER BUSINESS

✓**4th of July Parade – Lewiston City-9:15 a.m.-July 4, 2008** – Gibbons, Yeates and Lemon will attend.

✓**4th of July Parade – Hyrum City-11:00 a.m.-July 4, 2008** – Zilles, Hansen, Yeates, Lemon and possibly Robison will attend.

COUNCIL MEMBER REPORTS

Gordon Zilles reported there has been progress on the Agricultural Subdivisions committee.

Kathy Robison asked Executive Lemon what the make-up of the Advisory Committee for the Hyrum Dry and Ant Flat Road area will be? Lemon said he will get the information to Robison.

John Hansen said a citizen has complained about the traffic to the Cinnamon Creek area. Robison noted that girls' camps are going on in that area right now.

Cache County Council
06-24-2008

Cory Yeates said the Audit Committee discussed the need to revamp the audit committee and will be meeting with Executive Lemon and Cameron Jensen to rework the committee.

The Council meeting adjourned at 7:10 p.m.

ATTEST: Jill N. Zollinger
County Clerk

APPROVAL: John A. Hansen
Chairman

RECEIVED
JUN 17 2008
WATER RIGHTS
LOGAN

FILING FOR WATER IN THE STATE OF UTAH

Rec. by AB ch# 039561

Fee Amt. \$ 500-

Receipt # 08-03113

APPLICATION TO APPROPRIATE WATER

For the purpose of acquiring the right to use a portion of the unappropriated water of the State of Utah, application is hereby made to the State Engineer, based upon the following showing of facts, submitted in accordance with the requirements of Title 73, Chapter 3, Utah Code Annotated 1953, as amended.

WATER RIGHT NUMBER: 25 - 10883

APPLICATION NUMBER: A78054

(ABINGHAM)

1. OWNERSHIP INFORMATION:

LAND OWNED? No

A. NAME: Cache County Corporation
ADDRESS: C/O Bob Fotheringham
199 North Main Street
Logan, UT 84321

B. PRIORITY DATE: June 18, 2008

FILING DATE: June 18, 2008

2. SOURCE INFORMATION:

A. QUANTITY OF WATER: 18.0 cfs OR 13,031.4 acre-feet

B. SOURCE: Underground Water Wells

COUNTY: Cache

C. POINTS OF DIVERSION -- UNDERGROUND:

- (1) S 2,649 feet W 5,281 feet from NE corner, Section 10, T 10N, R 1E, SLBM
WELL DIAMETER: 20 inches WELL DEPTH: 150 to 800 feet
COMMENT: Hyrum
- (2) S 2,632 feet W 1,671 feet from NE corner, Section 33, T 10N, R 1E, SLBM
WELL DIAMETER: 20 inches WELL DEPTH: 150 to 800 feet
COMMENT: Paradise
- (3) S 191 feet W 2,055 feet from NE corner, Section 06, T 11N, R 1E, SLBM
WELL DIAMETER: 20 inches WELL DEPTH: 150 to 800 feet
COMMENT: Logan
- (4) S 4,327 feet W 1,246 feet from NE corner, Section 09, T 11N, R 1E, SLBM
WELL DIAMETER: 20 inches WELL DEPTH: 150 to 800 feet
COMMENT: River Heights
- (5) S 1,846 feet W 2,415 feet from NE corner, Section 10, T 11N, R 1E, SLBM
WELL DIAMETER: 20 inches WELL DEPTH: 150 to 800 feet
COMMENT: Providence
- (6) S 4,422 feet W 2,623 feet from NE corner, Section 15, T 11N, R 1E, SLBM
WELL DIAMETER: 20 inches WELL DEPTH: 150 to 800 feet
COMMENT: Millville
- (7) S 3,593 feet W 1,791 feet from NE corner, Section 19, T 11N, R 1E, SLBM
WELL DIAMETER: 20 inches WELL DEPTH: 150 to 800 feet
COMMENT: College Ward
- (8) S 531 feet W 4,264 feet from NE corner, Section 28, T 11N, R 1E, SLBM
WELL DIAMETER: 20 inches WELL DEPTH: 150 to 800 feet
COMMENT: Nibley

- (9) S 4,617 feet W 793 feet from NE corner, Section 07, T 11N, R 1W, SLBM
WELL DIAMETER: 20 inches WELL DEPTH: 150 to 800 feet
COMMENT: Mendon
- (10) S 2,586 feet W 3,603 feet from NE corner, Section 34, T 11N, R 1W, SLBM
WELL DIAMETER: 20 inches WELL DEPTH: 150 to 800 feet
COMMENT: Wellsville
- (11) S 4,105 feet W 2,540 feet from NE corner, Section 11, T 12N, R 1E, SLBM
WELL DIAMETER: 20 inches WELL DEPTH: 150 to 800 feet
COMMENT: Hyde Park
- (12) S 1,441 feet W 2,814 feet from NE corner, Section 15, T 12N, R 1E, SLBM
WELL DIAMETER: 20 inches WELL DEPTH: 150 to 800 feet
COMMENT: North Logan
- (13) N 2,040 feet W 680 feet from SE corner, Section 33, T 12N, R 1E, SLBM
WELL DIAMETER: 20 inches WELL DEPTH: 150 to 800 feet
COMMENT: Logan
- (14) S 4,960 feet W 5,258 feet from NE corner, Section 28, T 13N, R 1E, SLBM
WELL DIAMETER: 20 inches WELL DEPTH: 150 to 800 feet
COMMENT: Smithfield
- (15) S 17 feet W 1,157 feet from NE corner, Section 23, T 13N, R 1W, SLBM
WELL DIAMETER: 20 inches WELL DEPTH: 150 to 800 feet
COMMENT: Amalga
- (16) S 5,271 feet W 3,925 feet from NE corner, Section 10, T 14N, R 1E, SLBM
WELL DIAMETER: 20 inches WELL DEPTH: 150 to 800 feet
COMMENT: Lewiston
- (17) S 2,336 feet W 1,985 feet from NE corner, Section 27, T 14N, R 1E, SLBM
WELL DIAMETER: 20 inches WELL DEPTH: 150 to 800 feet
COMMENT: Richmond
- (18) S 268 feet W 168 feet from NE corner, Section 05, T 14N, R 1W, SLBM
WELL DIAMETER: 20 inches WELL DEPTH: 150 to 800 feet
COMMENT: Cornish
- (19) S 5,215 feet W 2,603 feet from NE corner, Section 28, T 14N, R 1W, SLBM
WELL DIAMETER: 20 inches WELL DEPTH: 150 to 800 feet
COMMENT: Trenton

D. COMMON DESCRIPTION: Cache County

3. WATER USE INFORMATION:

MUNICIPAL: from Jan 1 to Dec 31. Cache County.

The Acre Foot SOLE SUPPLY contributed by 25-10883 for MUNICIPAL Use in this group is UNEVALUATED.

OTHER: from Jan 1 to Dec 31. Water for any necessary public use.

The Acre Foot SOLE SUPPLY contributed by 25-10883 for this OTHER use in this group is UNEVALUATED.

=====

4. EXPLANATORY:

See attached report.

Place Of Use: All of Cache County

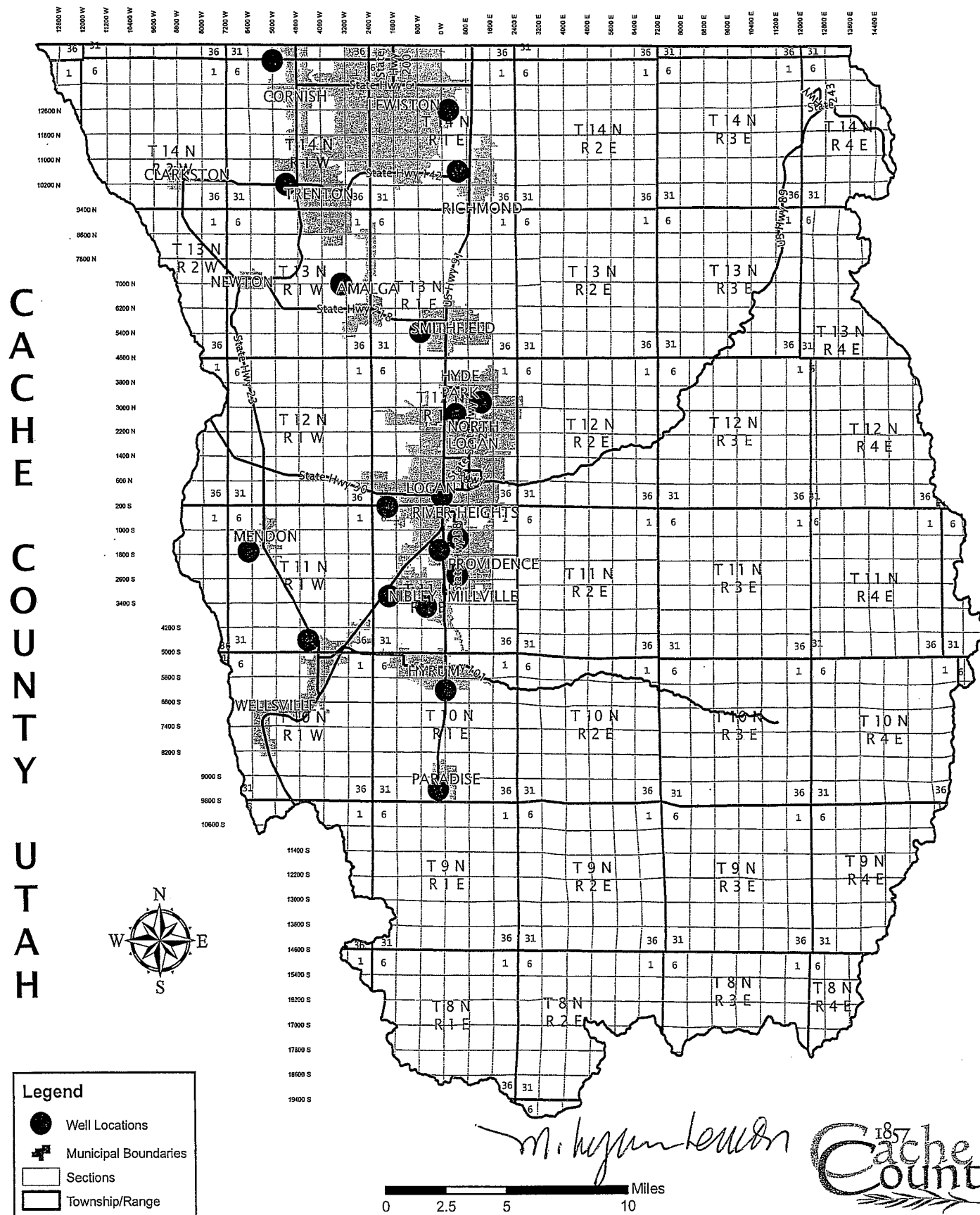
5. SIGNATURE OF APPLICANT(S):

The applicant(s) hereby acknowledge(s) that he/she/they are citizen(s) of the United States of America or intend(s) to become such a citizen(s). The quantity of water sought to be appropriated is limited to that which can be beneficially used for the purposes herein described. The undersigned hereby acknowledges that even though he/she/they may have been assisted in the preparation of the above-numbered application through the courtesy of the employees of the Division of Water Rights, all responsibility for the accuracy of information contained herein, at the time of filing, rests with the applicant(s).



Cache County Corporation

POD Well Locations



Well #	Town	Row	Column	Layer	Easting (NAD27)	Northing (NAD27)
1	Cornish	27	12	4	419363.99468500000	4648831.82750000000
2	Lewiston	28	22	4	431135.12602200000	4645633.06857000000
3	Trenton	33	13	2	420239.62280000000	4640866.88517000000
4	Richmond	31	28	2	431726.49179500000	4641689.61702000000
5	Amalga	38	17	4	423917.33809300000	4634385.37140000000
6	Smithfield	42	27	4	429137.51414100000	4631258.54547000000
7	Hyde Park	48	29	4	433203.77279400000	4626658.59158000000
8	North Logan	51	30	4	431506.34022200000	4625862.61744000000
9	Logan	56	24	4	426888.70263200000	4619778.17942000000
10	Mendon	60	9	4	417580.11924500000	4616851.92334000000
11	Providence	59	28	4	431609.91117200000	4617665.44064000000
12	Millville	62	28	4	431532.24160000000	4615270.15575000000
13	Wellsville	68	15	4	421570.54711700000	4611001.87661000000
14	College Ward	64	21	4	426949.05059200000	4613888.63688000000
15	Hyrum	71	27	2	430697.97313900000	4607691.13558000000
16	Paradise	77	26	2	430142.85486500000	4601189.36680000000
17	Nibley	64	25	4	429417.70431300000	4613200.98305000000
18	River Heights	59	27	4	430346.43004900000	4616908.08447000000

PLSS Description

South 267.88 feet and West 167.78 feet from the NE corner of section 05, township 14N range 1W, SL b&m
South 5270.81 feet and West 3925.36 feet from the NE corner of section 10, township 14N range 1E, SL b&m
South 5214.74 feet and West 2603.08 feet from the NE corner of section 28, township 14N range 1W, SL b&m
South 2335.84 feet and West 1984.98 feet from the NE corner of section 27, township 14N range 1E, SL b&m
South 17.23 feet and West 1156.65 feet from the NE corner of section 23, township 13N range 1W, SL b&m
South 4960.15 feet and West 5258.31 feet from the NE corner of section 28, township 13N range 1E, SL b&m
South 4105.04 feet and West 2539.65 feet from the NE corner of section 11, township 12N range 1E, SL b&m
South 1440.79 feet and West 2813.97 feet from the NE corner of section 15, township 12N range 1E, SL b&m
South 191.33 feet and West 2054.94 feet from the NE corner of section 06, township 11N range 1E, SL b&m
South 4617.06 feet and West 792.61 feet from the NE corner of section 07, township 11N range 1W, SL b&m
South 1845.67 feet and West 2415.39 feet from the NE corner of section 10, township 11N range 1E, SL b&m
South 4422.34 feet and West 2623.06 feet from the NE corner of section 15, township 11N range 1E, SL b&m
South 2585.50 feet and West 3602.93 feet from the NE corner of section 34, township 11N range 1W, SL b&m
South 3592.95 feet and West 1790.54 feet from the NE corner of section 19, township 11N range 1E, SL b&m
South 2648.60 feet and West 5281.28 feet from the NE corner of section 10, township 10N range 1E, SL b&m
South 2632.48 feet and West 1671.27 feet from the NE corner of section 33, township 10N range 1E, SL b&m
South 531.28 feet and West 4264.03 feet from the NE corner of section 28, township 11N range 1E, SL b&m
South 4326.53 feet and West 1246.11 feet from the NE corner of section 09, township 11N range 1E, SL b&m

Introduction

On September 1, 1999, the State Engineer adopted a plan to manage water appropriation in Cache Valley, Utah, due to the close regional hydrologic connection between surface and groundwater. The primary purpose of the Interim Cache Valley Groundwater Management Plan as stated in the plan is to protect prior water rights while placing into beneficial use the greatest amount of available water. This application by Cache County Corp. seeks to appropriate water and to maintain the balance of use in the Bear River Drainage as established by the Groundwater Management Plan.

Background

Geographically, Cache County comprises the entire Utah region of Cache Valley, an agricultural mountain valley extending from northern Utah into southern Idaho. (See Figure 1 for map of Cache County.) The Bear River, which flows through Cache Valley, is the primary source of water in the region. The citizens of Cache Valley have placed water from the Bear River Drainage to beneficial use since the mid eighteen-hundreds. Since that time, water rights in Cache Valley, regardless of how they were acquired, have been documented in the proposed determinations that have been compiled and distributed by the State Engineer. As development continues to press Cache Valley, many of these rights are forgotten or simply fall into non-use as the land goes out of production.

Much of the water in Cache Valley is used during the high demand periods for irrigation, municipal and other beneficial uses. Many of the sub-basins like the Little Bear River, Logan River and High Creek are regulated internally by water commissioners or water masters. The water available for distribution diminishes toward the end of each irrigation season because of climatic conditions. Even though these flows diminish at the end of each year, the State Engineer has not adopted, nor does there appear to be a reason for him to adopt, regulations for groundwater users to meet the needs of surface water users. During low flow periods, the withdrawing of groundwater is additive to the available surface water. Exchanges exist on the Logan River to allow for augmentation of surface water through groundwater withdrawal. The groundwater is not currently experiencing any significant long term drawdown and appears to be stable.

In the document titled "Interim Cache Valley Ground-water Management Plan" the State Engineer's, Table 1 - Estimated water budget for the ground-water flow system in Cache Valley, Utah, 1982-1990 shows the annual withdrawal from wells to be 28,000 acre-feet. A report entitled "Groundwater Conditions in Utah", Cooperative Investigations Report, Number 48, published by the United States Geological Survey shows the average groundwater withdrawal for the years from 1996-2005 to be 28,000 ac-ft. There is essentially no change of groundwater use in Cache Valley between 1982 and 2005.

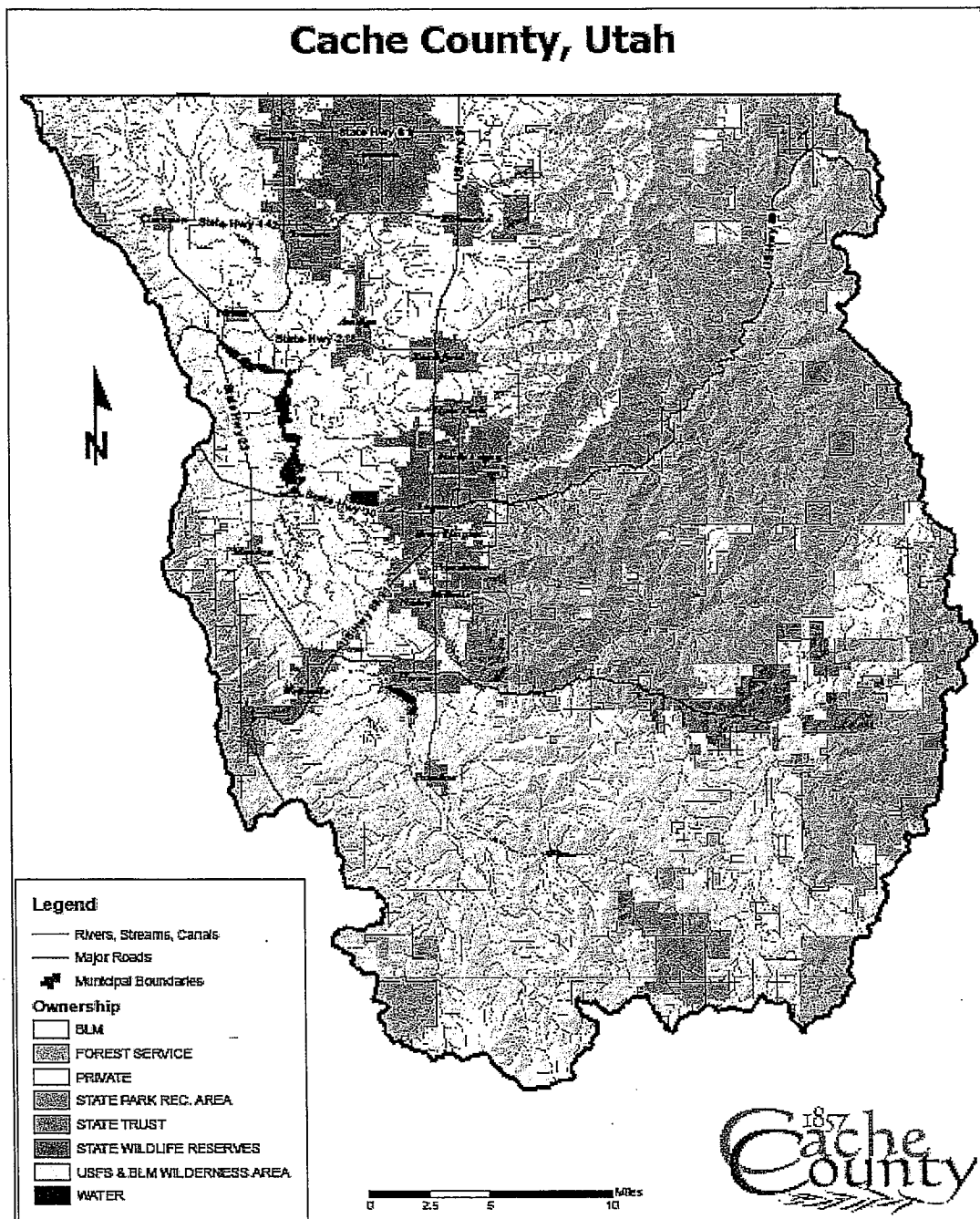


Figure 1. Cache County

Through the Groundwater Management Plan, the State Engineer has sought to keep the balance of water flowing into and out of Cache Valley constant as of September 1, 1999. Much of the pumped ground-water is returned and supplements the surface water flow system. The connectivity of surface and groundwater is documented in the information presented by Kariya et al, HYDROLOGY OF CACHE VALLEY, CACHE COUNTY, UTAH, AND ADJACENT PART OF IDAHO, WITH EMPHASIS ON SIMULATION

Through the adoption of the Groundwater Management Plan, the State Engineer essentially bifurcated the lower division of the Bear River into an upper and lower section of the lower division of the Bear River. The Bear River Drainage is similarly subdivided into sections and divisions in the upper division of the Bear River in the Bear River Compact for distribution purposes.

Even though the State Engineer has a new modeling tool to determine general conditions of the Cache Valley groundwater aquifers, he still lacks all of the data that would be required to determine the specific effects of additional groundwater withdrawal to individual users of the Groundwater System. The model predicts that increased withdrawal will affect seepage to streams, spring discharge, evapotranspiration, and seepage to reservoirs. Cache County has a need to develop more of the available groundwater and place as much of the state's water to beneficial use as possible. The State Engineer's reasonable option is to allow spring (surface) water users to file changes to groundwater when they document losses due to groundwater pumping.

The State Engineer used (Hughes, 1996) as a reasonable basis to evaluate population growth in Cache Valley for the succeeding 20 years following adoption of this plan. The State Engineer has committed to allow an additional 25,000 acre-feet of Groundwater withdrawals based on population growth and other uses. Based on the reasonable estimates of population growth in Cache Valley, Cache County Corp. will require 14,845 acft of additional supply by the year 2020.

Application to Appropriate

This application is filed under Management Guideline number two. The basis of the following discussion is that there is reason to believe that prior water rights above and below Cache Valley, Utah, will not be impaired as a result of approving this application.

The State Engineer enacted his Interim Groundwater Management Plan after considering the total situation in Cache Valley. This included not only the water rights in Cache Valley but all of the demands on the Bear River and its tributaries above and below Cache Valley, Utah. This included an assessment of the Bear River Compact which allows additional depletion above Bear Lake subject to lake levels. The Plan also took into consideration: 1. The water user contracts from PacifiCorp to users along the Bear River for Bear Lake Storage water. 2. The existing water rights and uses in Wyoming, Idaho, and Utah including Summit, Rich, Box Elder and Cache Counties. 3. The other Agreements which help define the "Law of the River," including the Bear Lake Settlement Agreement and the interim procedures developed by the Bear River

Commission for distribution of Bear River and Bear Lake storage waters in the Lower Division of the Bear River.¹

While the rules of how forfeiture is applied are being discussed and resolved, the residents of Cache County cannot afford to lose water rights. This becomes more apparent every day. As each new home is constructed, as every new business opens, all eyes are on the County to accommodate the growth. This growth continues even as existing water rights, as measured and limited by the beneficial use to which they are put, are held without use and hence subject to forfeiture. In conjunction with this application, Cache County Corp. is in the process of analyzing alternatives and applying for grant funding to help owners of water in Cache County better manage this valuable resource.

Under the present management system, water rights forfeited in Cache County would be subject to re-appropriation within Cache Valley because there would be no impact or impairment to users upstream or downstream. Local and regional impacts would be addressed within the Valley (County).

The Groundwater Management Plan (Policy) was adopted to manage and maintain the mass balance of water into and out of Cache Valley at the equilibrium that existed as of September 1, 1999. Cache County has prepared maps and tables showing the amount of land placed in development status or, in the process of being taken from production, from January 1, 2000 (September 1, 1999 is the date of adoption of the management plan) to December 2007. Under the "old" forfeiture statute, the right to use the water ceased after 5 years of non-use. Therefore water rights on the lands that went to development between September 1, 1999 and December 31, 2002 and were actually developed with no modifications of the water right have ceased. The number of acres taken from production (see Table 1) times the duty of 4ac-ft per acre yields a quantity of (795 acres+928 acres = 1723 x 4 AF/acre = 6892 acre-feet) 6892 AF available in Cache County. Appropriating these waters will have no significant impact on the mass balance of water flowing into and out of Cache Valley (County). Subsequently, the County is applying only for the

¹ The applicant notes that the contracts that were written for users along the Bear River gave them **additional** Bear Lake Storage allocations that compensate for groundwater use along the river including Cache Valley. The feeling shared by PacifiCorp and the main stem Bear River water users was that it would be extremely difficult to determine the effect of each well in Cache Valley on the flow of the Bear River. A simpler solution to meet the needs of distribution along the Bear River was to contract for the amounts each main stem user had taken from storage. This would make up for the groundwater diversions along the river that had impacted flows of the Bear River. The sum of their right and the additional contracted storage from Bear Lake would match their current use and thereby compensate and replace for the water being diverted from groundwater. This approach eliminated the need for PacifiCorp to contract with each well owner along the Bear River and its tributaries for a specific quantity that had impacted the flows of Bear River. This alternative alleviated additional exchanges (contracts) for each well owner in the Bear River basin that would need to be managed. The alternative of writing storage contracts for each well owner was insurmountable at the time and is still not possible.

water that is lost to maintain the balance the State Engineer established. Many of the water rights going unused have very senior priorities. In the instance where a water user manages the water, it is not subject to forfeiture. The County will not be able to accrue those amounts of water toward beneficial use under this application.

The number of acres that are being developed may be either irrigated or non-irrigated lands. The Bear River Basin Plan includes numbers that can be used to estimate that 63% of the land being developed is irrigated and 37% is dry land. While development projects are not normally completed in the year they commenced, there are a significant number of developments completed each year in the County. An extrapolation of actual data, such as from Table 1 below, applied to figures used by the Bear River Basin Plan can give us a running average number of acres being taken from irrigation into development each year. For illustration purposes, if the average is only 800 acres per year currently, $800 \text{ acres} \times 0.63 \text{ (percent irrigated)} = 502 \text{ irrigated acres}$, $502 \text{ acres} \times 4 \text{ acft/acre} = 2008 \text{ acft of water (water right) that would be available}$.

LAND GOING TO DEVELOPMENT IN CACHE COUNTY

	Acres	Acres	
Year	Annexed	Subdivided	Total
2000	523	272	795
2001	174	754	928
2002	1399	552	1951
2003	250	504	754
2004	243	356	599
2005	616	330	946
2006	494	1057	1551
2007	1261	347	1635
		Grand Total	9759

Table 1. Development in Cache County

All approved subdivisions in unincorporated Cache County from 2000 through the end of 2007 were tabulated from files maintained by the Development Services Department. These were entered into the County's GIS system by locating the parcels and digitizing the boundaries of the subdivisions. The total acreage of these subdivided areas was tallied by year. All approved municipal annexations for the same period were likewise pulled from the County Recorder's database and digitized, and the total acreage tallied by year. By combining the sums of the subdivided and annexed acres we arrived at the total of 9,159 acres. Of that total, only 58 acres were found to overlap (i.e., a subdivided parcel was subsequently annexed) making the actual total 9,101 acres of land.

This value is a fairly rough indicator of land use change, and would require further refinement and analysis in order to measure actual conversion from agricultural use (see attached map). In the case of annexation, it can generally be assumed that development follows soon after annexation, as annexation increases property taxes and developers and owners seek to recoup this through sale of the land itself once it has been incorporated

and developed. This is especially true of farmlands immediately adjacent to developed municipal lands, as the municipalities are able to provide the services necessary for development. This process is a common and predictable one and we can reasonably establish from extant records when a parcel is removed from active production. We can track the date a parcel is annexed and subdivided and the size of the resulting lots. From building inspection records we can even determine the date any structures were built on the parcel.

Subdivided parcels in the unincorporated county can likewise be examined on a case-by-case basis. More often than not in county subdivisions only a small portion of the parcel is being subdivided for the building of a house, leaving the remainder of the parcel in agricultural production. The acreage lost to production is evident from the plat records of the subdivision and, similar to annexed areas, the building inspection records indicate the date of construction thereon. If necessary, we can also use available remotely sensed data, such as aerial photography or satellite imagery, to verify the switch from agricultural production to development.

During the period from 1980-2007, as irrigated land and its corresponding water use was being taken out of production, no change applications were filed by municipalities to convert the irrigation shares to municipal use. No change applications were filed primarily because of the institutional and legal barriers associated with these transfers. This is unfortunate since the forfeiture statutes provide that a water right ceased after 5 years of non-use. Even with the recent statute amendment in Utah there is a significant amount of water right that is subject to forfeiture. One irrigation canal serving 2400 acres may have had as many as 800 acres taken out of production since its right was adjudicated in the late 60s and early 70s.

This application will be segregated as quantities of water become available to allow those quantities to be placed to beneficial use. The applicant recognizes that where existing water rights are used for development those waters would not be available under this application. The County will develop a method to keep records so that duplication of water use does not occur. Those records would be made available to the State Engineer to justify segregation and change applications. The County could also present data to the State Engineer on regular intervals or as needed to identify water that is being placed to beneficial use under this application. This water will be used in the best public interest for the citizens of Cache County. Based on the above discussion there are no regional and down stream impacts to existing water rights. The local issues will be addressed as the water becomes available, a user is identified, and a change application is filed.

Un-appropriated Water

For the mass balance adopted September 1, 1999, to remain in effect and delivery of water to occur according to the management plan, the State Engineer will need to allow beneficial use in Cache Valley to utilize water rights that may have been forfeited. The County intends to work with irrigation companies, individual land owners and developers

to create agreements, contracts and where necessary, ordinances that will enable water managers to maintain and use their water rights. Where water has been or may be lost to forfeiture and where there is no lawful way to regain control this application will re-appropriate the water for use in Cache County and maintain the balance of use in the Bear River Drainage.

The records of the Division of Water Rights for distribution of the Lower Bear River show that water demands are being met. The most recent Bear Lake storage contracts were written for distribution of natural flow and allocated storage water. For the period of record after the distribution commenced there has not been a year that the users on the Bear River have used their full allocation.

YEAR	ALLOCATION	BEAR LAKE RELEASE	TOTAL USED	REMAINING
2002	215,000	204,201		10,799
2003	181,000		173,884	7,116
2004	85,000		73,348	11,652
2005	141,000		51,314	89,686
2006	225,000		45,895	178,880
2007	218,000		181,313	36,687

Table 2 – Storage Water delivery for the Lower Division of the Bear River 2002-2007

This data demonstrates that the management of water in the Lower Division is working and that the water balance that has been established, if maintained, will continue to serve the public interest and need. It is in the best public interest to maintain a calculated balance of use along the Lower Bear River. This data also shows that there is not a need to forfeit Cache County's interest in its water supplies to manage the concept of over appropriation of the waters of the Bear River. Denying this application would upset the careful balance the State Engineer and users (stakeholders, including compacting states) along the Bear River have established. Again, this proposal will not impair any other upstream user (above Cache Valley) or downstream user (below Cache Valley) on the Bear River. The Regulation of Bear River is occurring according to states' rights and Lower Division compact regulation. The States of Utah and Idaho are using their respective models to distribute natural flow and monitor storage diversions. The data show that even through drought conditions the regulation is working.

Cache County is statutorily empowered to provide for the development of its water resources. Utah Code Ann. § 17-50-316. Cache County's primary objective is to develop these resources by helping water owners manage water so that it is not lost to forfeiture. The County is entitled to expend county funds in accomplishing these goals, and to manage, acquire, hold, purchase, lease, convey, condemn (when appurtenant to the land), and dispose of and contract for water rights. Utah Code Ann. §§ 17-50-302, 17-50-310, 17-50-312, 17-50-317. It would not be in the best public interest to allow or

approve an application of this type to any person or political subdivision that has a smaller geographic or more limited sphere of responsibility politically than a county. This type of un-appropriated water application should only be approved for an applicant that has concern for the general populace of a geographic region. Cache County is particularly responsible to help the citizens of Cache Valley protect its water. In the absence of a water conservancy district, Cache County is the only governmental entity large enough to do this. The state legislature recognized this when in 2006 the Bear River Development Act was amended to allow Cache County to act directly on behalf of its citizens to develop water from the Bear River. See Utah Code Ann. § 73-26-201. Cache County will enact all ordinances, resolutions, and rules to further the purposes of wisely managing county water. The Cache County Council, with input from the Water Department and specialized committees formed solely for counsel on these matters, will help Cache County develop policies to manage the water for the best public interest.

Water demand

Cache County is looking for ways to meet the future demands for water in Cache Valley. While it seems that there are significant water rights and quantities of water in the valley, the mechanisms to use, maintain, and conserve (in other words, to manage) water through the statutory process are limited. The report "Cache County Water Demand/Supply Model (December 1996)" concludes that by the year 2020 the population will increase from 81,883 to 149,889 in Cache Valley. The most current projection from the economic report compiled by the Governor's Office of Planning and Budget estimates the population of Cache County will be 149,322 in 2020. The associated water demand will increase by 14,845 ac-ft. New projections of population increases along with water demand projections will be released by the Division of Water Resources in the near future. Shortages of water will occur in Cache Valley unless existing sources of water are developed, maintained, and conserved. This application seeks to appropriate water that has already been placed to use in Cache Valley, and to broker water that may become subject to non-use.

Brokering

Through brokering, Cache County will manage and assist others in managing water rights in accordance with state law and the State Engineer's Management Plan. Cache County has presented evidence showing that water rights that have ceased or are in non-use in Cache County can be accounted for by the County, and therefore should be made available for appropriation under this application. Furthermore, as shown above, appropriating the water will have no impact on water rights above and below Cache Valley on the Bear River because Cache County seeks simply to maintain the balance established by the State Engineer.

Cache County plans to create a brokering method to provide additional management options to water right owners. It is anticipated that this will give owners the option to

contract with the county for the ac-ft amount of their water right or portion of that water right. The water user would be required to file an extension of time to resume use on the water right. The County would require correspondence initiated by the State Engineer regarding the right be sent also to the County in addition to the applicant of record. If the water owner did not meet the requirements set forth by the State Engineer and the County was required to pay fees or submit documentation to maintain the right, the control of the right would pass by operation of the contract to the County, who would then put the water to beneficial use through the brokering system. If the former holder of that right met all conditions set forth by the State Engineer and reimbursed the County, control of that right would return to the owner. In this fashion, the balance of use in the Bear River Drainage is maintained as contemplated by the Groundwater Management Plan, and the water is continually being applied to beneficial use through the brokering system.

To place the water to beneficial use the County would lease water to water users at a contractual rate agreed upon by the owner and a water board overseeing the brokering. The contractual revenue this generates, less the County's operating costs, would be given to the owner of the water right. This brokering process would place the greatest amount of the state's water to beneficial use and facilitate efficient allocation of Cache Valley water. The County believes that irrigation companies will use brokering to maintain their water right asset and provide a source of revenue for maintenance and repair of infrastructure. This process will provide the management and economic resources to make agriculture a sustainable, viable enterprise in Cache Valley, while at the same time anticipating the inevitability of population growth and development.

Mitigation

Cache County anticipates that as urbanization occurs much of the brokered water will be irrigation water. The un-appropriated water that is available because it is in a non-use status would be applied to beneficial uses (by Cache County) and assigned its associated diversion and depletion. These uses include domestic, culinary, industrial, irrigation, power, mining, manufacturing, agriculture, stockwatering, recreation, municipal, and water for any necessary public use. The irrigation diversion duty is 4 ac-ft/ac and 3 ac-ft/ac in Cache Valley. The depletion associated with irrigation throughout the valley is 2.0 ac-ft/ac. The County will evaluate the acceptable diversion and depletion associated with the new use with the State Engineer's use calculator and adopt methods acceptable to the State Engineer. Records will be maintained so that acre foot quantities (mitigation water) are subtracted from the amount appropriated on this application. This will maintain a balance of used and unused allocation. Maps of the land being removed from production will be provided to show that there is no significant impact to users above and below Cache Valley. The County records from which these maps are generated will be made available to the State Engineer upon request.

Cache County anticipates using this appropriated water as "seed water" to begin the brokering process. As stated above, this would be accomplished by quantitatively connecting the water sought by the County with the lands that have been placed in non-

use status. The County plans to develop ordinances and policies in concert with the State Engineer's practices to assist brokering, and ultimately to evaluate the County's brokering system itself. The County will accept for brokering only those water rights that are in good standing. The water would be required to be in the name of the contractor and sole supplied in ac-ft quantities that conform to the data on the State Engineer's web site. Brokered water would be used as mitigation for purposes of this application until a permanent change application is filed and approved by the State Engineer. For purposes of mitigation, the County may also use water that is purchased, owned, or otherwise transferred to the County as compensation for water approval under this application. Cache County believes this application is in strict compliance with the State Engineer's Groundwater Management Plan.²

² Before the State Engineer adopted the plan, preliminary drafts were distributed for discussion. The March 17, 1997 draft included figures showing areas of general decline were an additional 25,500 ac-ft of water to be pumped from the groundwater. The results of the simulation showed water level declines of 5 feet in a large portion of the valley with decreases in levels of 10 feet and greater in limited areas of the valley. For the purposes of this application Cache County accepts the State Engineer's evaluation of the system. If required, however, Cache County will provide a simulation to duplicate the State Engineer's findings. Subsequent to circulating preliminary drafts, the State Engineer adopted the Groundwater Management Plan allowing an additional 25,000 ac-ft of groundwater withdrawals. Accordingly, any additional drawdown in the aquifer as a result of the additional pumping proposed in this application is within acceptable limits under the Groundwater Management Plan. The several points of diversion listed on the application have the effect of spreading the additional demand proportionately throughout Cache Valley. Therefore, the impact to the Hydrologic system would be very similar to the simulations the State Engineer used to support the additional withdrawal of 25,000 acft.



REQUEST FOR INTRA-DEPARTMENTAL BUDGET TRANSFER

DEPARTMENT: Sheriff
DATE: 6/4/2008

Amount to be transferred -- (rounded to the nearest dollar) \$10,000.00

Transfer From ---

Line Item No. : 10-4210-311
Fund Designation: Software

Original Budget:	<u>\$1,500.00</u>
Current Budget:	<u>\$196,700.00</u>
Expenditures to date:	<u>\$2,682.67</u>
Balance before transfer:	<u>\$194,017.33</u>
Balance after Transfer:	<u>\$184,017.33</u>

Transfer To ---

Line Item No. : 10-4210-251
Fund Designation: Non Capitalized Equipment

Original Budget:	<u>\$58,300.00</u>
Current Budget:	<u>\$58,300.00</u>
Expenditures to date:	<u>\$27,349.48</u>
Balance before transfer:	<u>\$30,950.52</u>
Balance after Transfer:	<u>\$40,950.52</u>

Description of needs and purpose of transfer ---

To purchase printers and stands for patrol vehicles to implement Spillman Software (ticket writer).

Recommendation: [☒] Approval [] Disapproval
Comments:

Date: 6/4/2008

[Signature]
Department Head

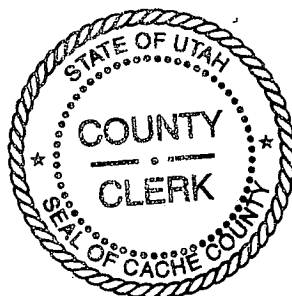
Recommendation: [☒] Approval [] Disapproval
Comments:

Date: 6/17/08

Jamra Stones
Cache County Auditor

M. Kyrre Erickson
Cache County Executive

Consented by the Cache County Council meeting in regular session on the 24th day of June, 2008.



John N. Zollinger
Cache County Clerk

RESOLUTION NO. 08- 14

A RESOLUTION INCREASING THE BUDGET APPROPRIATIONS FOR CERTAIN COUNTY DEPARTMENTS.

The Cache County Council, in a duly convened meeting, pursuant to Sections 17-36-22 through 17-36-26, Utah Code Annotated, 1953 as amended, finds that certain adjustments to the Cache County budget for 2008 are reasonable and necessary; that the said budget has been reviewed by the County Auditor with all affected department heads; that a duly called hearing has been held and all interested parties have been given an opportunity to be heard; that all County Council has given due consideration to matters discussed at the public hearing and to any revised estimates of revenues; and that it is in the best interest of the County that these adjustments be made.

NOW THEREFORE, it is hereby resolved that:

Section 1.

The following adjustments are hereby made to the 2008 budget for Cache County:

see attached

Section 2.

Other than as specifically set forth above, all other matters set forth in the said budget shall remain in full force and effect.

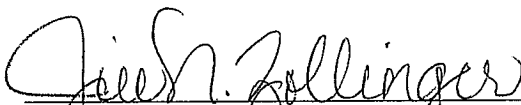
Section 3.

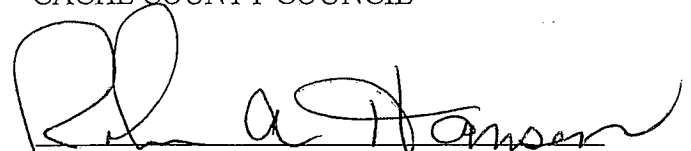
This resolution shall take effect immediately upon adoption and the County Auditor and other county officials are authorized and directed to act accordingly.

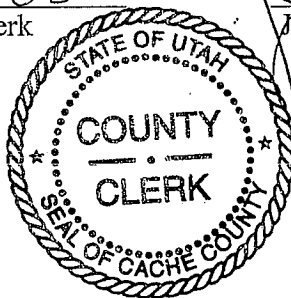
This resolution was duly adopted by the Cache County Council on the 24th day of June, 2008.

ATTESTED TO:

CACHE COUNTY COUNCIL


Jill N. Zollinger, Cache County Clerk


John A. Hansen, Chairman



FUND 10 GENERAL FUND REVENUES

ACCOUNT	DESCRIPTION	Current Budget	Recommended Decrease DEBIT	Increase CREDIT	Amended Budget	Reason for Change
10-31-10000	Current Year Taxes	(7,419,924)		(291,995)	(7,711,919)	Adjust taxes to include Water Dev Fund increase & new growth
10-36-50000	Sale of Surplus Property	(5,000)		(900)	(5,900)	sale of leather riding tack - Search & Rescue
10-38-78000	Contrib - Search & Rescue	-		(1,800)	(1,800)	misc revenue - diving for golf balls at Logan River Golf Course
	Totals			(294,695)		
	Net Adjustment				(294,695)	

FUND 10 GENERAL FUND EXPENDITURES

ACCOUNT	DESCRIPTION	Current Budget	Recommended Increase DEBIT	Decrease CREDIT	Amended Budget	Reason for Change
10-4210-251	Sheriff - Non-Capitalized Equipment	68,300	3,000		71,300	to purchase printers/stands for patrol vehicles - ticket writer
10-4210-311	Sheriff - Software	186,700		(3,000)	183,700	to purchase printers/stands for patrol vehicles - ticket writer
10-4216-250	Search & Rescue - Equip Supplies & Maint	12,000	1,800		13,800	misc revenue - diving for golf balls at Logan River Golf Course
10-4217-250	Mounted Posse - Equip Supplies & Maint	600	900		1,500	sale of leather riding tack
10-4800-922	Transfer to Water Dev fund	-	206,281		206,281	transfer tax increase amount for water dev fund
10-4800-990	Contrib to fund reserve	-	85,714		85,714	to offset tax increase
	Totals		297,695	(3,000)		
	Net Adjustment				294,695	

FUND 15 ASSESSING & COLLECTING FUND REVENUES

ACCOUNT	DESCRIPTION	Current Budget	Recommended Decrease DEBIT	Increase CREDIT	Amended Budget	Reason for Change
15-31-60000	Multi-county Assessing & Collecting	(539,212)		(21,657)	(560,869)	to adjust for new growth & statewide rate adjustment
15-31-65000	County Assessing & Collecting	(1,382,595)		(7,989)	(1,390,584)	to adjust for new growth and maintaining tax rate levy
	Totals			(29,646)		
	Net Adjustment				(29,646)	

FUND 15 ASSESSING & COLLECTING FUND EXPENDITURES

ACCOUNT	DESCRIPTION	Current Budget	Recommended Increase DEBIT	Decrease CREDIT	Amended Budget	Reason for Change
15-4800-992	Contrib - to A & C fund reserve	93,603	29,646		123,249	to capture new growth in rate...
	Totals		29,646	-		
	Net Adjustment				29,646	

FUND 17 WATER DEVELOPMENT FUND REVENUES

ACCOUNT	DESCRIPTION	Current Budget	Recommended Decrease DEBIT	Increase CREDIT	Amended Budget	Reason for Change
17-31-10000	CURRENT PROPERTY TAXES	(202,781)	202,781	(206,281)	(206,281)	REVENUE WILL BE A TRANSFER FROM GEN FUND
17-38-75000	TRANSFERS FROM OTHER FUNDS	-	-	(206,281)	(206,281)	WATER REVENUE FROM TAX INCREASE TO GEN FUND RATE
	Totals		202,781	(206,281)		
	Net Adjustment			(3,500)		

FUND 17 WATER DEVELOPMENT FUND EXPENDITURES

ACCOUNT	DESCRIPTION	Current Budget	Recommended Increase DEBIT	Decrease CREDIT	Amended Budget	Reason for Change
17-4115-120	Temporary Employees	18,833	-	(11,000)	7,833	transfer to cover grant expenses
17-4115-230	Travel	4,500	1,000	-	5,500	to cover travel expenses
17-4115-310	Professional & Technical	-	800	-	800	to cover atty retainer fee - J Chambers
17-4115-620	Misc Services	63,681	-	(800)	62,881	to cover atty retainer fee - J Chambers
17-4115-480	WATER - SPEC GRANT EXPENSE	-	10,000	-	10,000	2008 IRRIG ASSESSMENT GRANT 1/3 OF 3 YR OBLIGATION
17-4115-510	WATER - INSURANCE	-	3,500	-	3,500	TO COVER INSURANCE ASSESSMENT
	Totals		15,300	(11,800)		
	Net Adjustment				3,500	

FUND 20 MUNICIPAL SERVICES FUND REVENUES

ACCOUNT	DESCRIPTION	Current Budget	Recommended Decrease DEBIT	Increase CREDIT	Amended Budget	Reason for Change
20-38-90000	Appropriated Surplus - Class B	(751,716)	-	(305,000)		to cover increased Class B expenses
	Totals		-	(305,000)		
	Net Adjustment				(305,000)	

FUND 20 MUNICIPAL SERVICES FUND EXPENDITURES

ACCOUNT	DESCRIPTION	Current Budget	Recommended Increase DEBIT	Decrease CREDIT	Amended Budget	Reason for Change
20-4415-120	Class B Roads - Temporary Employees	9,281	5,000	-	14,281	to cover estimated expense
20-4415-250	Class B Roads - Equip Supplies & Maint	207,000	200,000	-	407,000	to cover estimated expense
20-4415-410	Class B Roads - Road Maintenance	559,173	100,000	-	659,173	to cover estimated expense
	Totals		305,000	0		
	Net Adjustment				305,000	

FUND 21 HEALTH FUND REVENUES

ACCOUNT	DESCRIPTION	Current Budget	Recommended Decrease DEBIT	Increase CREDIT	Amended Budget	Reason for Change
21-31-11000	CURRENT PROPERTY TAX	(649,819)	-	(7,774)	(657,593)	TO CAPTURE MAXIMUM NEW GROWTH
	Totals		-	(7,774)		
	Net Adjustment				(7,774)	

FUND 21 HEALTH FUND EXPENDITURES

ACCOUNT	DESCRIPTION	Current Budget	Recommended		Amended Budget	Reason for Change
			Increase DEBIT	Decrease CREDIT		
21-4800-996	CONTRIB TO FUND RESERVE	46,504	7,774		54,278	
	Totals		7,774	0		
	Net Adjustment		7,774		7,774	
					-	

FUND 23 CACHE VALLEY VISITORS BUREAU FUND REVENUES

ACCOUNT	DESCRIPTION	Current Budget	Recommended		Amended Budget	Reason for Change
			Increase DEBIT	Decrease CREDIT		
23-33-70200	Grants Other Local - Co-op Match	(23,831)		(2,933)	(26,764)	Box Elder share - Madden Media
23-38-70000	Contrib Private Sources (Ad Partners)	-		(1,400)	(1,400)	adv monies - Bear Lake, UFOC, Logan River Golf, Celebration Centre
23-38-76000	Transfers from Restaurant Tax	(45,000)		(30,000)	(75,000)	
	Totals		-	(34,333)		
	Net Adjustment				(34,333)	

FUND 23 CACHE VALLEY VISITORS BUREAU FUND EXPENDITURES

ACCOUNT	DESCRIPTION	Current Budget	Recommended		Amended Budget	Reason for Change
			Increase DEBIT	Decrease CREDIT		
23-4780-490	Advertising & Promotions	142,667	32,933		175,600	Box Elder share - Madden Media & RTA Marketing award
23-4780-490	Advertising & Promotions	175,600	1,400		177,000	adv monies - Bear Lake, UFOC, Logan River Golf, Celebration Centre
	Totals		34,333	-		
	Net Adjustment				34,333	
					-	

FUND 10 GENERAL FUND REVENUES

ACCOUNT	DESCRIPTION	Current Budget	Recommended Decrease DEBIT	Increase CREDIT	Amended Budget	Reason for Change
10-34-22000	Special Protective Service-Contracts	(440,569)		(75,800)	(516,369)	contract increases from Hyrum & various cities
	Totals		-	(75,800)		
	Net Adjustment				(75,800)	

FUND 10 GENERAL FUND EXPENDITURES

ACCOUNT	DESCRIPTION	Current Budget	Recommended Increase DEBIT	Decrease CREDIT	Amended Budget	Reason for Change
10-4210-110	Sheriff - salary	1,306,279	15,800		1,322,079	new employee request -Hyrum Law Enf Contract
10-4210-130	Sheriff - benefits	734,259	7,300		741,559	new employee request -Hyrum Law Enf Contract
10-4210-250	Sheriff - equip supply & maint	81,400	7,000		88,400	new employee request -Hyrum Law Enf Contract
10-4210-290	Sheriff - gasoline	110,000	10,000		120,000	new employee request -Hyrum Law Enf Contract
10-4210-740	Sheriff - capitalized equipment	160,180	35,000		195,180	new employee request -Hyrum Law Enf Contract
10-4230-130	Jail - uniform allowance	50,000	700		50,700	increase for replacement jailer
	Totals		75,800	-		
	Net Adjustment				75,800	
					-	

COPY

A RESOLUTION APPROVING THE CREATION OF AN AGRICULTURE PROTECTION AREA.

The Cache County Council of Cache County, Utah, in a regular meeting, lawful notice of which as been given, finds that the legal requirements for the creation of an agriculture protection area have been met; and, therefore, that the proposal filed by Thomas G. and Charlotte Bailey should be approved.

THEREFORE, the Cache County Council hereby adopts the following resolution:

BE IT RESOLVED that:

The proposal filed with Cache County by Thomas G. and Charlotte Bailey on April 9, 2008 to create an agriculture protection area on 80.12 acres of real property located at:

See "EXHIBIT A" Attached Hereto and Made a Part Hereof.

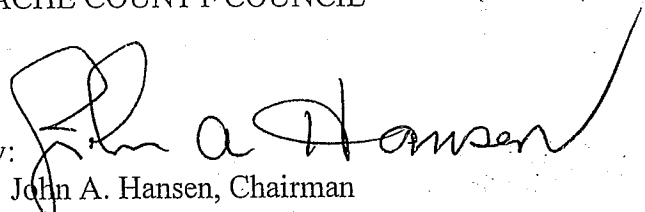
is hereby approved.

This resolution shall become effective immediately upon adoption

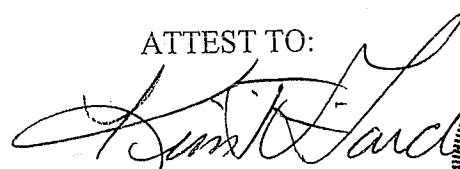
DATED this 24 Day of June 2008 .

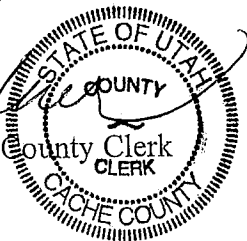
CACHE COUNTY COUNCIL

By:


John A. Hansen, Chairman

ATTEST TO:


Jill N. Zollinger, Cache County Clerk



"EXHIBIT A"

Parcel 10-025-0004

Property Address:

Current Year:

BEG 20 RDS E OF W/4 COR OF SW/4 SEC 3 10N R 1W & TH S 1341 FT TO NE BANK OF CANAL TH NE'LY ALG NE BANK TO ITS INTERSEC WITH E-W CENTER LN OF SW/4 SD SEC TH W 857 FT TO BEG

WITH A 1 RD R/W WITH N LN AS FOLL: BEG 6 RDS W OF NW COR BLK 12 PLT A WELLSVILLE CITY SVY & TH N 89°52'41" W 331.84 FT TO TRUE POB TH W IN S LN OF FIELD ROAD 200 FT M/L TO WELLSVILLE CITY CANAL CONT 13.19 AC

SUBJ TO BNDRY LN AGREEMENT W/PARCEL 0005 ENT 815269 BK 1203 PG 808 WHICH DEFINES THE LOCATION OF THE E SIDE OF THE WELLSVILLE CITY IRRIG CANAL

COPY

Parcel 11-048-0002

Property Address:

Current Year:

BEG N 89°30' W 288.69 FT & S 89° 15.5' W 852.95 FT FROM E/4 COR SEC 21 T 11N R 1W, S 89°15.5' W 850.05 FT S 32°55.2' E 1200.03 FT N 81° 58.3' E 102.25 FT N 60°29.2' E 482.55 FT N 22°51.8' W 832.32 FT TO BEG CONT 15.63 AC SUBJ TO & WITH 40 FT R/W ON DEED WITH R/W OVER ROADS TO PARCEL 11-048-0012

Parcel 11-045-0018

BEG 92.4 FT W OF SE COR OF NW/4 SEC21 11N R 1W N 29°45'W 946.7 FT ALG E R/W LN OF CO RD TO S SIDE OF FLD RD TH S 88°40'E 713.75 FT S 33°53'E941.6 FT W 671.6 FT TO BEG ALSO BEG40 FT E & 838 FT N OF SW COR OF NE/4 SD SEC & ON W SIDE OF RR R/W &THE N SIDE OF FLD RD TH N 88°40'W 633 FT ALG N SIDE OF FLD RD TO ITS INTERSEC WITH E SIDE CO RD TH N 29°45'W 644 FT E 566 FT TO W SIDE OF RR R/W 688 FT TO BEG 20.93 AC

Parcel 11-048-0012

Current Year:

LOT 4 BAILEY ACRES SUBDIVISION CONT 30.42 AC DRY LOT
SIT SE/4 SEC 21 T 11N R 1W

CACHE COUNTY
ORDINANCE NO. 2008-04

AN ORDINANCE REZONING CERTAIN REAL PROPERTY AND AMENDING THE
CACHE COUNTY LAND USE ORDINANCE NO. 90-15.

The Cache County Council, in a regular meeting, lawful notice of which has been given, finds that the following rezoning should be approved; and that the Cache County Land Use Ordinance, No. 90-15, together with the official Zoning Map of Cache County, should be amended, accordingly.

Therefore, the Cache County Council ordains, as follows:

1. That the following described real property located in Cache County, State of Utah, consisting of approximately 10 acres, which is owned by Aaron Bishop NW/4 Section 29, Township 11 North, Range 1 East, Parcel #03-051-0003 and #03-049-0015 be rezoned from Agricultural Zone to Commercial Zone described as follows:

Parcel 03-051-0003

BEG AT NE COR SW/4 SEC 29 T 11N R 1E S 4.7 RDS W 34 RDS N 4.7 RDS E 34 RDS TO BEG CONT 1 AC ALSO BEG 4.7 RDS S OF NE COR SW/4 SD SEC 29 S 23.80 RDS W 34.75 RDS N 23.30 RDSE 34 RDS TO BEG 5 AC CONT 6 AC IN ALL A1966

Parcel 03-049-0015

THE NORTH & WEST FRACT OF LT 16 BLK 15 CHURCH FARM PLAT OF MILLVILLE WEST FIELD SVY BOUNDED ON S & E BY ¼ SEC LN & ON N & W BY LINES OF SD LT SIT IN NW/4 SEC 29 T 11N R 1E CONT 4 AC M/L

2. That the Cache County Land Use Ordinance, No. 90-15, together with the official Zoning Map of Cache County, are hereby amended accordingly.

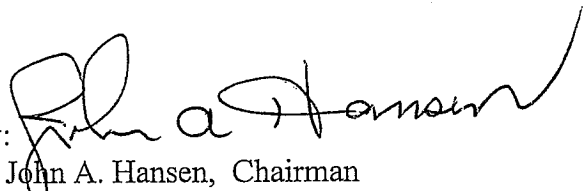
3. This Ordinance shall become effective immediately upon publication, in the manner provided by law.

4. This Ordinance was adopted by the Cache County Council on the 24 day of June 2008 upon the following vote:

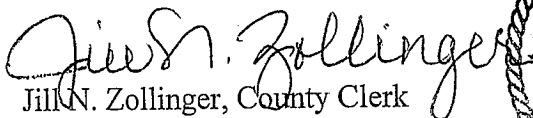
	<u>IN FAVOR</u>	<u>AGAINST</u>	<u>ABSTAINED</u>	<u>ABSENT</u>
Chambers	X			
Gibbons	X			
Hansen	X			
Petersen	X			
Robison	X			
Yeates	X			
Zilles	X			
 TOTAL	 7			

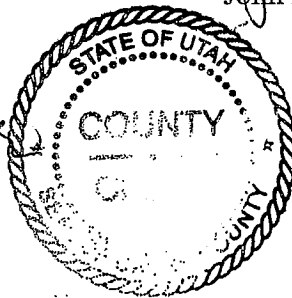
CACHE COUNTY COUNCIL

By:


John A. Hansen, Chairman

ATTESTED BY:

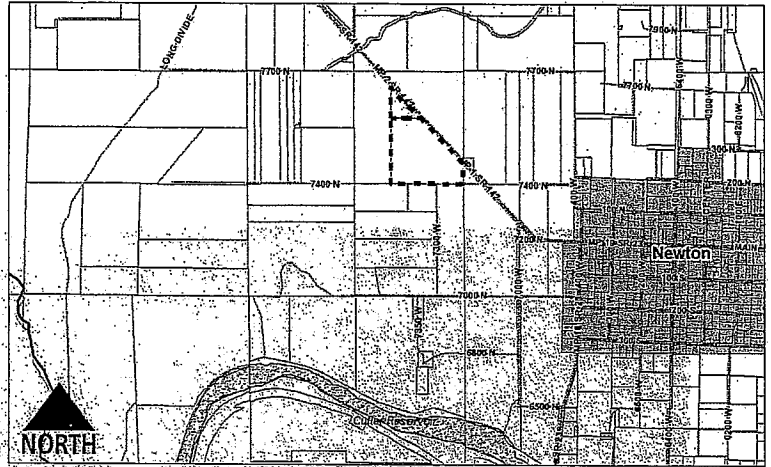

Jill N. Zollinger, County Clerk



Publication Date: **July 9, 2008**

CACHE COUNTY CORPORATION DEVELOPMENT SERVICES DEPARTMENT

Project Name: **Griffin Subdivision**
Agent: John Jolley
Request: 2-Lot Subdivision
Type of Action: Recommend to County Council
Current Zoning: Agricultural (A)
Project Address: 7687 North Hwy 142 (Newton)
Staff Recommendation: Approval with Conditions
Tax ID: 13-063-0010
13-063-0028
Surrounding Uses: North - Agriculture
South - Agriculture
East - Agriculture
West - Agriculture
Reviewed by: Jay Baker, Associate Planner II



PURPOSE: To recommend preliminary and final plat approval to the County Council for the Griffin Subdivision.

PROJECT SUMMARY

The project is located approximately 1.0 mile northwest of Newton City in the Agricultural Zone. Only one developable lot is proposed. Lot 2 will be designated an Agricultural Parcel.

Access:

- Access from State Highway 142 is adequate.
- UDOT spacing requirements can be met without a variance.

Water & Septic:

- Adequate water rights are in place.
- The lot is feasible for an onsite septic system and well.

Service Provision:

- Access for fire protection is adequate. The Newton fire station is 1.9 miles from the site.
- Garbage collection service will be on Highway 142.
- An existing school bus stop is located at 7454 South Highway 142, two blocks from this subdivision.

STAFF DETERMINATION

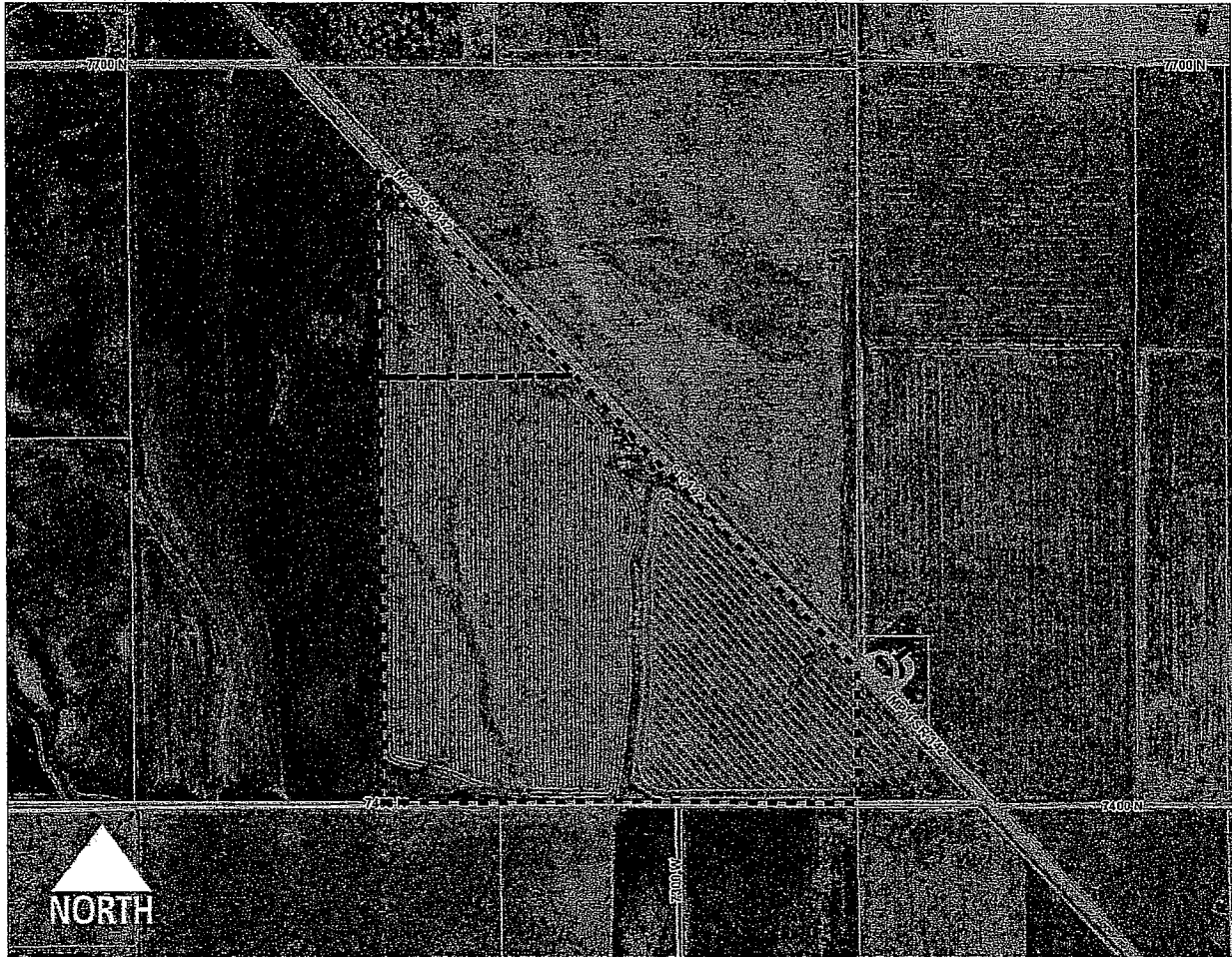
It is staff's determination that the Griffin Subdivision, a two (2) lot subdivision for property located at approximately 7687 North Highway 142 (Newton) TIN# 13-063-0010, and 13-063-0028, is in conformance with the Cache County Ordinance and should be recommended for preliminary and final plat approval to the County Council. This determination is based on the following **findings of fact**:

- The Griffin Subdivision has been revised and amended by the conditions of project approval to address the issues and concerns raised within the public and administrative records.
- The Griffin Subdivision has been revised and amended by the conditions of project approval to conform to the requirements of Titles 16 and 17 of the Cache County Code and the requirements of various departments and agencies.
- The Griffin Subdivision conforms to the Preliminary plat requirements of §16.03.030 Cache County Subdivision Ordinance.
- Griffin Subdivision is compatible with surrounding land uses and will not interfere with the use and enjoyment of adjoining or area properties.
- State Highway 142, the road that provides access to the subject property, has an adequate capacity, or suitable level of service, for the proposed use.

CONDITIONS OF APPROVAL

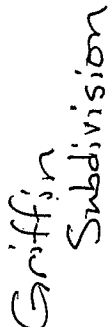
The following stipulations must be met for the development to conform to the County Ordinance and the requirements of county service providers.

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



13-063

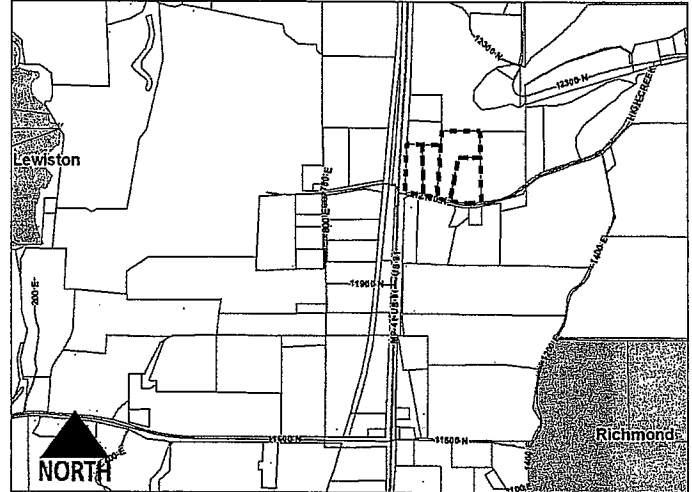
TAX UNIT 25



CACHE COUNTY CORPORATION

DEVELOPMENT SERVICES DEPARTMENT

Project Name: High Creek Subdivision Amended
Agent: Blaine Hansen
Request: Boundary Line Adjustment within a recorded subdivision
Type of Action: Recommend to County Council
Current Zoning: Agricultural (A)
Project Address: 1037 East High Creek Road (Cove)
Staff Recommendation: Approval with Conditions
Tax ID: 09-029-0061 09-029-0062
09-029-0063 09-029-0064
Surrounding Uses: North – Agriculture/Homes
South – Agriculture/Homes
East – Agriculture/Homes
West – Agriculture/Homes
Reviewed by: Jay Baker, Associate Planner II



PURPOSE: To recommend preliminary and final plat approval to the County Council for the High Creek Subdivision Amendment.

PROJECT SUMMARY

The purpose of this subdivision amendment is to adjust the boundary line between Lots 3 and 4. The project is located in the Cove area approximately 1.0 mile north of Richmond City in the Agricultural Zone.

Access:

- Access from County Road 12100 North (High Creek Road) is adequate.

Water & Septic:

- Adequate water rights are in place.
- All lots are feasible for standard onsite septic systems and wells.

Service Provision:

- Access for fire protection is adequate. The Lewiston fire station is 3.9 miles from the site.
- Garbage collection service will be on County Road 12100 North.
- An existing school bus stop is located on the corner of High Creek Road and Highway 91.

STAFF DETERMINATION

It is staff's determination that the High Creek Subdivision Amendment, a boundary line adjustment within a recorded four (4) lot subdivision for property located at approximately 1037 East High Creek Road (Cove) TIN# 09-029-0061, 09-029-0062, 09-029-0063, and 09-029-0064, is in conformance with the Cache County Ordinance and should be recommended for approval to the County Council. This determination is based on the following findings of fact:

- The High Creek Subdivision Amended has been revised and amended by the conditions of project approval to address the issues and concerns raised within the public and administrative records.
- The High Creek Subdivision Amended has been revised and amended by the conditions of project approval to conform to the requirements of Titles 16 and 17 of the Cache County Code and the requirements of various departments and agencies.
- The High Creek Subdivision Amended conforms to the Preliminary plat requirements of §16.03.030 Cache County Subdivision Ordinance.
- High Creek Subdivision Amended is compatible with surrounding land uses and will not interfere with the use and enjoyment of adjoining or area properties.
- High Creek Road, the County Road that provides access to the subject property, has an adequate capacity, or suitable level of service, for the proposed use.

7

CONDITIONS OF APPROVAL

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

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

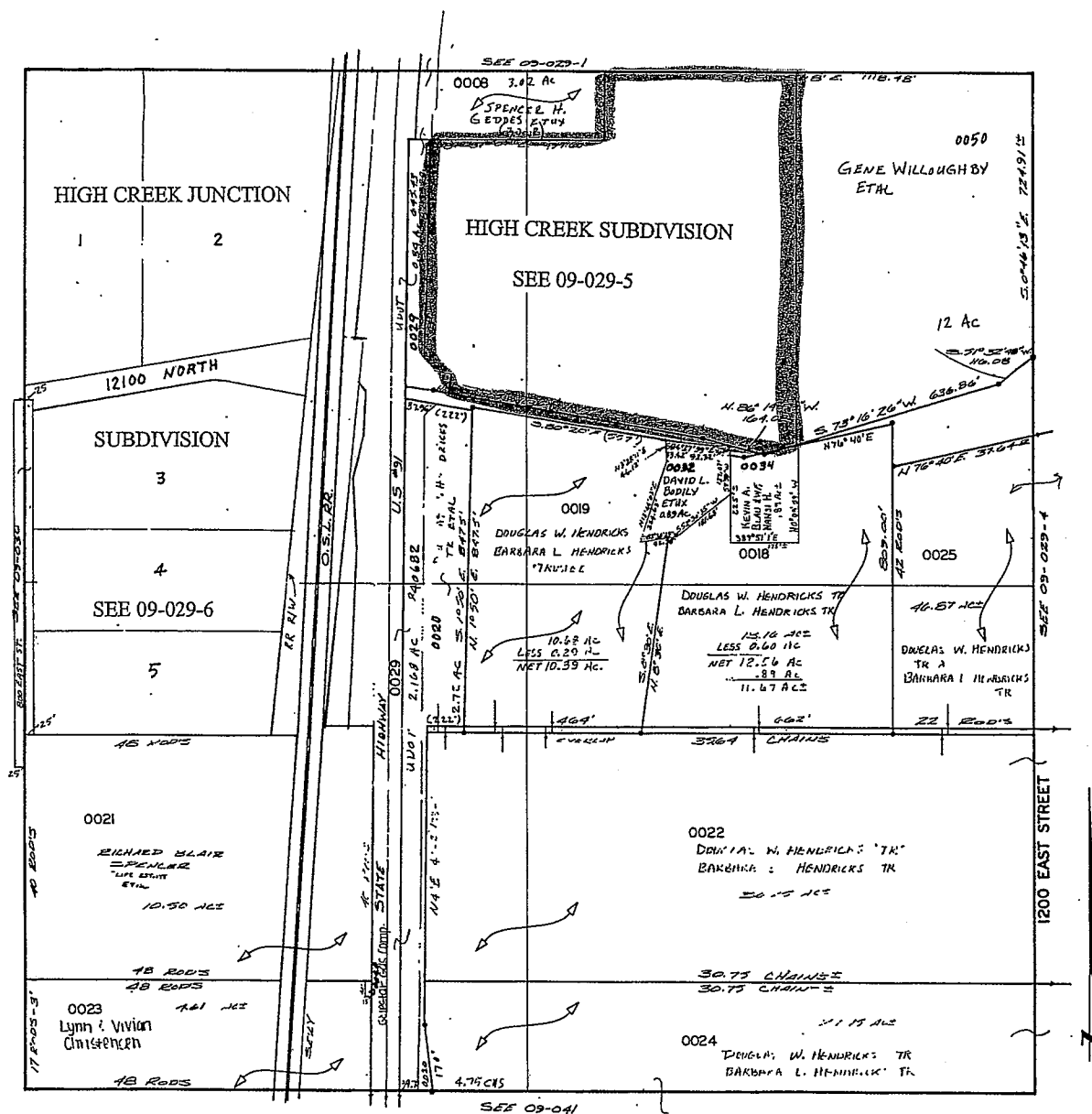


S.W.¼, SECTION 14, TOWNSHIP 14 NORTH, RANGE 1 EAST.

09-029
-3-

SCALE: 1 INCH=200 FEET

TAX UNIT 17



High Creek Subdivision Amendment

A FINAL PLAT FOR:

A PART OF THE SOUTHWEST QUARTER OF SECTION 14,
TOWNSHIP 14 NORTH, RANGE 1 EAST, S.L.B. & M.:

I, K. GREG HANSEN DO HEREBY CERTIFY THAT I AM A REGISTERED LAND SURVEYOR, AND THAT I HOLD CERTIFICATE NO. 167819 AS PRESCRIBED UNDER THE LAWS OF THE STATE OF UTAH. I FURTHER CERTIFY THAT BY AUTHORITY OF THE OWNERS I HAVE MADE A SURVEY OF THE TRACT OF LAND SHOWN ON THIS PLAT AND DESCRIBED BELOW, AND HAVE SUBDIVIDED SAID TRACT OF LAND INTO LOTS AND STREETS, HEREAFTER TO BE KNOWN AS, HIGH CREEK SUBDIVISION AMENDMENT NO. 1, _____ AND THE SAME, HAS BEEN CORRECTLY SURVEYED AND ALL STREETS ARE THE DIMENSIONS SHOWN.

Subdivision Boundary

[illegible]

High Creek Road Dedication

[illegible]

SIGNATURE

DATE	BY	REMARKS
10/10/01	J. J. J.	...

SIGNATURE

OWNER'S DEDICATION

THE UNDERSIGNED, BEING ALL OWNERS OF RECORD OF THE ABOVE-DESCRIBED PARCEL OF LAND DO HEREBY SUBMIT SAID PARCEL OF LAND TO BE SUBDIVIDED AND KNOWN AS HIGH CREEK SUBDIVISION.

_____, HAVE EXECUTED THIS PLAT AND DEDICATION THE _____ DAY OF _____, 2008.

ACKNOWLEDGMENT

on this _____ day of _____, personally appeared before me, the undersigned notary public in and for said county of Cochise, in the state of Utah, the signers of the attached owners dedication, _____ in numbers, who duly acknowledged to me they signed it freely

[illegible]

NOTARY PUBLIC

Cocaine ACKNOWLEDGMENT

on this _____ day of _____, 19____, I, _____, personally appeared before me, the undersigned notary public in and for said _____ County of _____, State of _____, the signers of the attached owners' declaration, _____ in numbers, who duly acknowledged to me they signed it freely and voluntarily.

on this _____ day of _____, personally appeared before me, the undersigned notary public in and for said county of Cache, in the state of Utah, the signers of the attached owners' dedication. In numbers, who duly acknowledged to me they signed it freely.

	1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18	19	20	21	22	23	24	25	26	27	28	29	30	31	32	33	34	35	36	37	38	39	40	41	42	43	44	45	46	47	48	49	50	51	52	53	54	55	56	57	58	59	60	61	62	63	64	65	66	67	68	69	70	71	72	73	74	75	76	77	78	79	80	81	82	83	84	85	86	87	88	89	90	91	92	93	94	95	96	97	98	99	100	101	102	103	104	105	106	107	108	109	110	111	112	113	114	115	116	117	118	119	120	121	122	123	124	125	126	127	128	129	130	131	132	133	134	135	136	137	138	139	140	141	142	143	144	145	146	147	148	149	150	151	152	153	154	155	156	157	158	159	160	161	162	163	164	165	166	167	168	169	170	171	172	173	174	175	176	177	178	179	180	181	182	183	184	185	186	187	188	189	190	191	192	193	194	195	196	197	198	199	200	201	202	203	204	205	206	207	208	209	210	211	212	213	214	215	216	217	218	219	220	221	222	223	224	225	226	227	228	229	230	231	232	233	234	235	236	237	238	239	240	241	242	243	244	245	246	247	248	249	250	251	252	253	254	255	256	257	258	259	260	261	262	263	264	265	266	267	268	269	270	271	272	273	274	275	276	277	278	279	280	281	282	283	284	285	286	287	288	289	290	291	292	293	294	295	296	297	298	299	300	301	302	303	304	305	306	307	308	309	310	311	312	313	314	315	316	317	318	319	320	321	322	323	324	325	326	327	328	329	330	331	332	333	334	335	336	337	338	339	340	341	342	343	344	345	346	347	348	349	350	351	352	353	354	355	356	357	358	359	360	361	362	363	364	365	366	367	368	369	370	371	372	373	374	375	376	377	378	379	380	381	382	383	384	385	386	387	388	389	390	391	392	393	394	395	396	397	398	399	400	401	402	403	404	405	406	407	408	409	410	411	412	413	414	415	416	417	418	419	420	421	422	423	424	425	426	427	428	429	430	431	432	433	434	435	436	437	438	439	440	441	442	443	444	445	446	447	448	449	450	451	452	453	454	455	456	457	458	459	460	461	462	463	464	465	466	467	468	469	470	471	472	473	474	475	476	477	478	479	480	481	482	483	484	485	486	487	488	489	490	491	492	493	494	495	496	497	498	499	500	501	502	503	504	505	506	507	508	509	510	511	512	513	514	515	516	517	518	519	520	521	522	523	52
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CACHE COUNTY COUNCIL

COUNTY OF CACHE.

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BEAR RIVER HEALTH DEPT. APPROVAL

THIS PLAY WAS APPROVED AND ACCEPTED BY THE

SHALL BE FULLY RECORDED IN CACHE COUNTY, UTAH.

AND FURTHER, IT MEETS THE

ORDINANCE THIS _____ DAY OF _____, 2008.

THE-BEAR RIVER HEALTH DEPARTMENT THIS _____ DAY

DATED THIS DAY OF _____, 2008

DATE: _____

100

1

BY: _____ CHAIRMAN

BOOK: _____
PAGE: _____

DEPUTY COUNTY SURVEYOR :

Abstract

1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18	19	20	21	22	23	24	25	26	27	28	29	30	31	32	33	34	35	36	37	38	39	40	41	42	43	44	45	46	47	48	49	50	51	52	53	54	55	56	57	58	59	60	61	62	63	64	65	66	67	68	69	70	71	72	73	74	75	76	77	78	79	80	81	82	83	84	85	86	87	88	89	90	91	92	93	94	95	96	97	98	99	100
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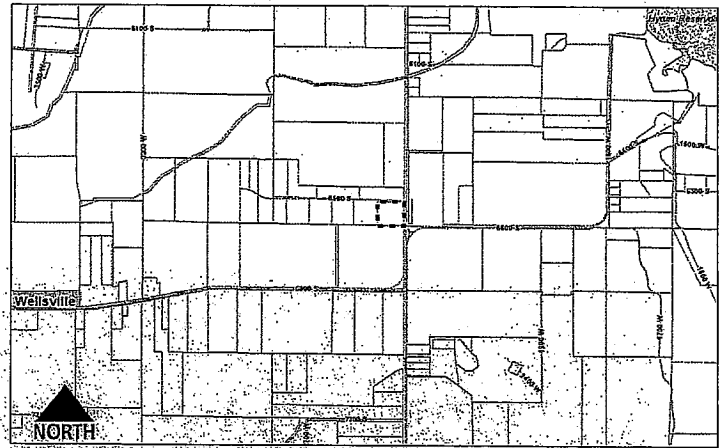
ATTESTED TO:

CACHE COUNTY RECORDER

CACHE COUNTY CORPORATION

DEVELOPMENT SERVICES DEPARTMENT

Project Name: **Gay C. Gunnell Subdivision**
Agent: Larry Olsen
Request: 2-Lot Subdivision
Type of Action: Recommend to County Council
Current Zoning: Agricultural (A)
Project Address: 6597 South 2400 West (Wellsville)
Staff Recommendation: Approval with Conditions
Tax ID: 10-045-0018
Surrounding Uses: North—Agriculture/Homes
South—Agriculture
East—Agriculture
West—Agriculture/Homes
Reviewed by: Jay Baker, Associate Planner II



PURPOSE: To recommend preliminary and final plat approval to the County Council for the Gay C. Gunnell Subdivision.

PROJECT SUMMARY

The project is located approximately 2.0 miles east of Wellsville City in the Agricultural Zone. Only one additional developable lot is proposed. Lot 1 contains an existing home.

Access:

- Access from County Road 2400 West is adequate.
- It is recommended that all access be located on private road 6500 South.

Water & Septic:

- Adequate water rights will be in place at the time of final plat recordation.
- The lots are feasible for onsite septic systems and wells.

Service Provision:

- Access for fire protection is adequate. The Wellsville fire station is 5.1 miles from the site.
- Garbage collection service will be on 2400 West.
- An existing school bus stop is located at 6600 South 2400 West, four blocks from this subdivision.

STAFF DETERMINATION

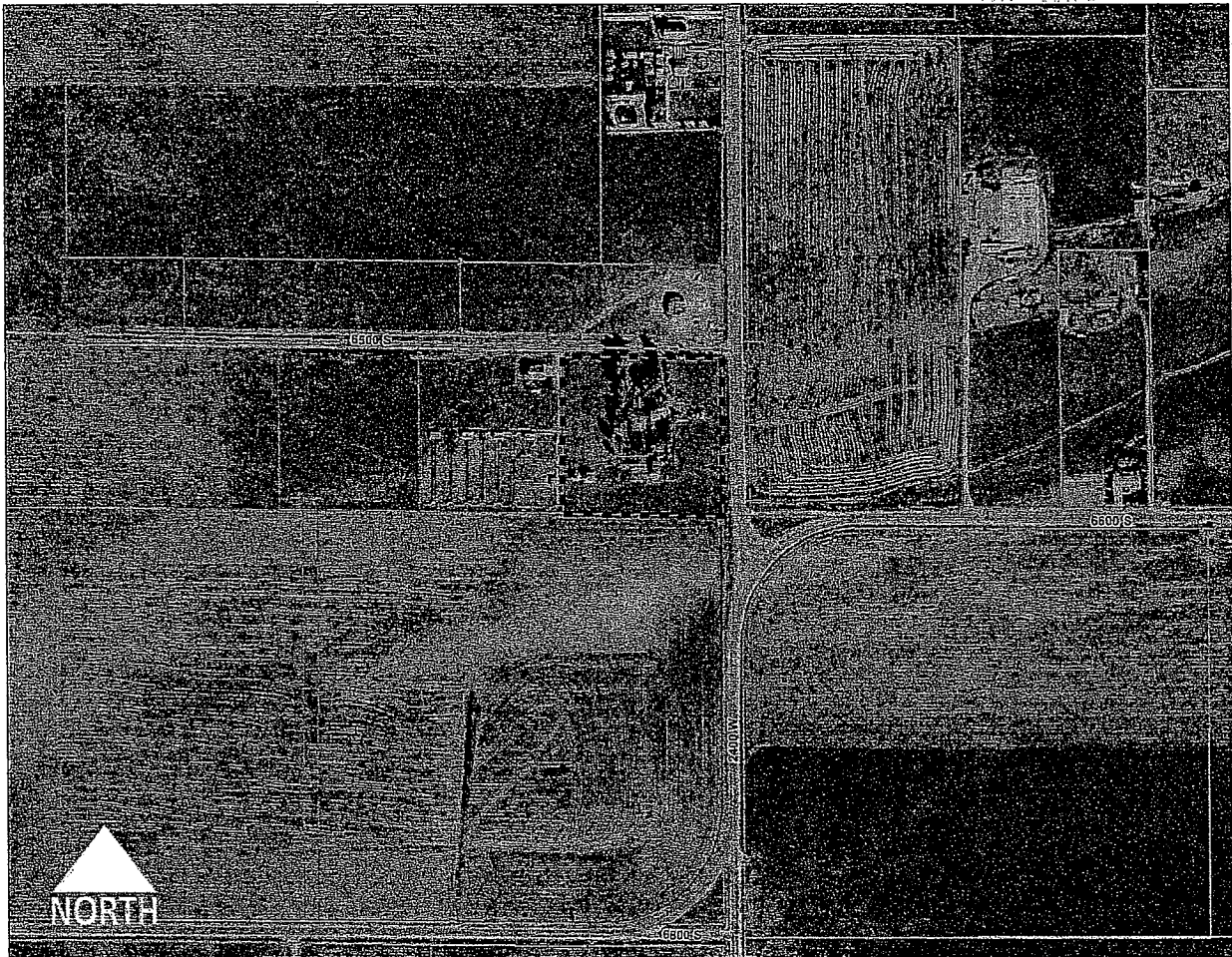
It is staff's determination that the Gay C. Gunnell Subdivision, a two (2) lot subdivision for property located at approximately 6597 South 2400 West (Wellsville) TIN# 10-045-0018, is in conformance with the Cache County Ordinance and should be recommended for preliminary and final plat approval to the County Council. This determination is based on the following **findings of fact**:

- The Gay C. Gunnell Subdivision has been revised and amended by the conditions of project approval to address the issues and concerns raised within the public and administrative records.
- The Gay C. Gunnell Subdivision has been revised and amended by the conditions of project approval to conform to the requirements of Titles 16 and 17 of the Cache County Code and the requirements of various departments and agencies.
- The Gay C. Gunnell Subdivision conforms to the Preliminary plat requirements of §16.03.030 Cache County Subdivision Ordinance.
- Gay C. Gunnell Subdivision is compatible with surrounding land uses and will not interfere with the use and enjoyment of adjoining or area properties.

CONDITIONS OF APPROVAL

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

1. Prior to final plat recordation the proponent shall meet all applicable standards of the Cache County Ordinance.
2. All access shall be located on private road 6500 South.
3. Prior to final plat recordation adequate water rights will be in place.



SECTION 12, TOWNSHIP 10 NORTH, RANGE 1 WEST

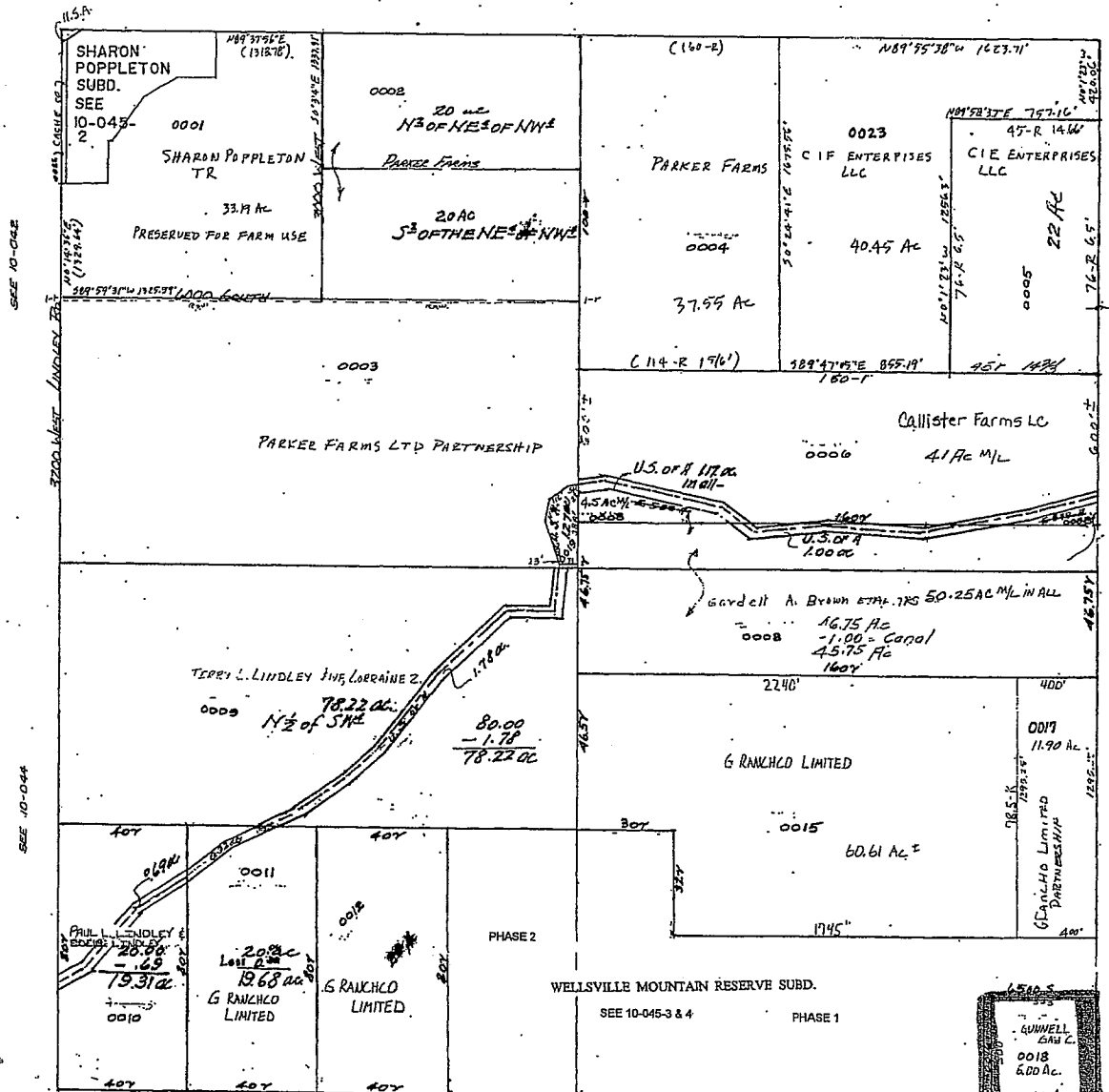
SCALE 1 INCH = 6 CHAINS

10-045
-1-

TAX UNIT 28

SEE 10-012

SEE 10-015



SEE 10-046

Gay C. Ginnell Subdivision

