

MILLVILLE CITY COUNCIL MEETING
City Hall – 510 East 300 South – Millville, Utah
May 26, 2016

PRESENT: Michael Johnson, Michael Callahan, Cindy Cummings, Julianne Duffin, Mark Williams, Ryan Zollinger, Rose Mary Jones, Tara Hobbs, Gary Larsen, Zan Murray, Martha Balph, Ian Zollinger, Dave Rayfield, Hollie Rayfield, Seth Duffin, Lynette Dickey, Mark Bodily, Dale Willden, Michael Duffin, Logan Davis, Bradley Monson, Ethan Zollinger, Tanner Hill, Ben Checketts, Lisa Welsh, Jordan Caldwell, Peter Whelan, Shane Reed, Harry Meadows, Stuart Todd, Darren Olsen, Bonnie Farmer, Brian Jensen, Bob Fotheringham, Bob Humphreys, Rod Hobbs, Rob Jones, Joel Duffin, Michelle Hill

Call to Order/Roll Call

Mayor Michael Johnson called the City Council Meeting to order for May 26, 2016 at 7 p.m. The roll call indicated Mayor Michael Johnson and Councilmembers Michael Callahan, Julianne Duffin, Mark Williams, and Ryan Zollinger were in attendance with Councilmember Cindy Cummings excused, as she would be late. Also Recorder Rose Mary Jones and Treasurer Tara Hobbs were present.

Opening Remarks/Pledge of Allegiance

Councilmember Williams led all present in the pledge of allegiance and then offered a prayer.

Approval of agenda and time allocations

The agenda for the City Council Meeting of May 26, 2016 was reviewed.

Councilmember Duffin moved to approve the agenda for May 26, 2016.

Councilmember Williams seconded. Councilmembers Callahan, Duffin, Williams and Zollinger voted yes with Councilmember Cummings excused. (A copy of the agenda is included as Attachment “A”.)

Approval of minutes of the previous meeting

The Council reviewed the minutes of the City Council Meeting for May 12, 2016.

Councilmember Williams moved to approve the minutes for May 12, 2016.

Councilmember Duffin seconded. Councilmembers Callahan, Duffin, Williams and Zollinger voted yes with Councilmember Cummings excused. (A copy of the minutes is included as Attachment “B”.)

Report on P & Z Meeting held May 17, 2016

Planning Commissioner Lynette Dickey reported on the Commission Meeting held May 17, 2016. She indicated there had been a long discussion on what developers need to have completed before building clearances are issued. Guidelines need to be set to make sure everything is in place before building structures are approved. The Commission is working through this process with Superintendent Gary Larsen to make sure all is being done correctly. (A copy of the draft minutes is included as Attachment "C".)

Consideration for a Temporary Ban on Fireworks East of 500 East

Mayor Johnson discussed with the Council the fireworks proposal that had been made at the last Council Meeting. As a permanent fireworks ban has not yet been reviewed, it was proposed to do the same as last year in banning the fireworks. The order last year was that there should be no aerial fireworks east of 500 East and no fireworks east of 550 East in the City. There was some discussion about ground fireworks and to what degree they become an aerial firework.

Councilmember Callahan moved to reinstate the same temporary ban on the fireworks as last year. Councilmember Duffin seconded. Martha Balph commented that 93% of those who signed the petition were in favor of the ban of all fireworks east of 500 East permanently. Councilmembers Callahan, Duffin, Williams and Zollinger voted yes with Councilmember Cummings excused. The information informing residents of the ban will be included with the City Newsletter and also posted on the City posting boards.

Request for a Business License for Covenant Consulting Group, Inc. at 190 West 265 South

Ross Bowen had submitted a request for a business license for Covenant Consulting Group, Inc. at 190 West 265 South. He was not present at the Council Meeting.

Councilmember Williams moved to approve a business license for Ross Bowen. Councilmember Duffin seconded. Councilmembers Callahan, Duffin, Williams and Zollinger voted yes with Councilmember Cummings excused. (A copy of the license application is included with the minutes as Attachment "D".)

Request for a Business License for Vivint Solar Developer, LLC for Door-to-Door Solicitation

Dan Black had requested a business license for Vivint Solar Developer LLC. This is a door-to-door solicitation business. There was no representative from the company present at the meeting. Recorder Jones had received a call regarding the status of the license; it was requested even if solicitation was not allowed, they would still like a license as they also do referrals. **Councilmember Callahan moved to approve the business license for Vivant Solar Developer.** Councilmember Zollinger seconded.

Councilmembers Callahan, Duffin, Williams and Zollinger voted yes with Councilmember Cummings excused. (A copy of the license application is included with the minutes as Attachment "E".)

Councilmember Duffin moved to open the Public Hearing regarding the Creation of the Cache Water District. Councilmember Zollinger seconded. Councilmembers Callahan, Duffin, Williams and Zollinger voted yes with Councilmember Cummings excused.

PUBLIC HEARING

PRESENT: Michael Johnson, Michael Callahan, Cindy Cummings, Julianne Duffin, Mark Williams, Ryan Zollinger, Rose Mary Jones, Tara Hobbs, Gary Larsen, Zan Murray, Ian Zollinger, Dave Rayfield, Hollie Rayfield, Seth Duffin, Lynette Dickey, Mark Bodily, Michael Duffin, Logan Davis, Bradley Monson, Ethan Zollinger, Tanner Hill, Ben Checketts, Lisa Welsh, Jordan Caldwell, Peter Whelan, Shane Reed, Harry Meadows, Stuart Todd, Darren Olsen, Bonnie Farmer, Brian Jensen, Bob Fotheringham, Bob Humphreys, Rod Hobbs

Mayor Johnson reviewed information regarding the purpose of the Public Hearing reading from the Cache Water District Hearing Outline. He reported the City Council had already adopted a resolution to initiate the creation of the Cache County Water District. The resolution will allow this to be voted on at the upcoming election. He informed all present of the protest period; all protests are to be filed no later than September 12, 2016 with the Cache County Clerk.

Dave Rayfield and Bob Fotheringham were present to answer questions regarding the proposal. A card addressing frequently asked questions was made available to those wanting to learn more. Mr. Rayfield explained this district will be directed by a water board that is elected; they are to address all needs and issues with decisions coming from that board.

The public comments were as follows in brief:

Brian Jensen – seen this voted down two times before; acknowledged the way it was being handled with the County Council on board; concern for purpose versus cost with the cost coming from taxes, fees over the years will increase. Gave an example in Washington County of payment required to a water district prior to building, was like an impact fee; also a yearly assessment is required. Feels like they are being taxed to death, a lot of bureaucracy behind it with paid employees, etc.

Bob Fotheringham – there is a limit to what can be taxed; the tax is approximately \$20-\$24 annually for an average home, depending on the home value. The tax is proposed to be 2 mil – with a cap of 3 mil only if it is voted for. The tax doesn't keep going up. Mr. Fotheringham then explained the Washington County assessment. With the district, the property value has increased because it can be serviced with water. Without it, the property may possibly not be developable. It costs money to make sure water is supplied.

Brian Jensen – what are the water sources?

Dave Rayfield – conservation is one method. He explained he is a volunteer and not on payroll. Mr. Rayfield gave an example from Beaver Dam and their lack of water and ability to obtain funding to provide it. With a district, the ability to obtain grants helped them to get it. The elected board would look at all issues and based on need, data, and research would be able to make recommendations on how to service different situations.

Mark Bodily – What would the board members make?

Dave Rayfield – in the current resolution there is a proposed stipend of \$5,000; this would be determined and regulated by the elected board.

Harry Meadows – concern for the cost effectiveness of water. About 82% of water is used for agriculture; should require underground irrigation so we would use only what water was needed. Questioned if we have water that is not currently being controlled? Who will pay the fees? If levied against the property tax, not all that use the water will have to pay for it.

Bob Fotheringham – as a landlord, would pass on the cost to the renters.

Harry Meadows – everyone gets to vote, not just the ones that will actually will be paying for this.

Dave Rayfield – there is a resolution which discussed the fees to be paid from the people that benefit from it. If a project is done in Trenton, they would be responsible to pay the user fees. There are bylaws set to help with regulation. There will be one member on the Board that will be appointed and that will be someone from agriculture. The district could supply water to municipalities but could not sell it to them.

Michael Callahan – disclosed he is the Water Master for the Millville Irrigation Company. Explained the law changed a few years ago, the County cannot manage water unless we have a district.

Bob Fotheringham – that is generally true; the County can do some things. The State of Utah is being proactive in providing water supplies through a sales tax that had been approved for that use.

Councilmember Cindy Cummings arrived at the meeting at this time.

Bob Fotheringham explained that wells use to be approved and developed pretty much wherever; now that is not the case. In 1983, Cache Valley created the Bear River Development Act allowing about three-fourths of the water to be claimed down south. The state has a plan; we have a plan and a strategy for the future. The state can plan for meeting needs of citizens, just like the district has the ability to manage to meet our needs and plan for the future as the board directs. The County can provide some services but not to the extent of a district.

With no other comments from those present, Mayor Johnson then read the final protest statement (a second declaration as mandated).

Councilmember Duffin moved to close the public hearing. Councilmember Callahan seconded. Councilmembers Callahan, Cummings, Duffin, Williams and Zollinger voted yes.

(The information reviewed for this agenda item is included with the minutes as Attachment "F".)

Concern for Traffic on 100 North

Lynette Dickey approached the Council concerning high speeds on 100 North. Since there has been more activity in the Mond-Aire Subdivision, this problem has increased dramatically. There are no sidewalks to walk on and explained the safety issue resulting. She questioned if a stop sign could be installed for the east/west traffic flow and have a 4-way stop or if the stop sign could be changed from the north/south and stopping the traffic going the east/ west direction.

Mayor Johnson indicated there are speed problems throughout the community. It was suggested that license plate numbers be taken down and reported to the Sheriff's office. Mayor Johnson indicated the City will make the officers aware of this concern.

Proposal of an Eagle Scout Project to Create a Sign at approximately 550 North 500 West for Millville City

Seth Duffin presented to the Council a proposal to install a sign at approximately 550 North 500 West on City-owned property. (A copy of the information presented is included with the minutes as Attachment "G".) The structure would be approximately six feet wide and seven feet tall. It was proposed to be made from wood, cement, and stainless steel. He had received donations toward the project to help defray part of the costs. This would be built after July 1 and would be proposed to come out of the budget

for the parks department. It was recommended to have no soil against the wood, as it would be the first place to rot. Under the sign, it was proposed to put wood chips. The lighting for the sign is still being reviewed to make sure it would be the most functional. Seth explained this would be a nice introduction into our City, as one of the accesses to the new high school will be in that area. The total cost should not exceed \$1,200 if completed by Seth and would be about \$2,000 otherwise.

Councilmember Cummings moved to approve an Eagle Scout Project as proposed by Seth Duffin, with the cost to not exceed \$1,200, making sure it conforms to the City's sign ordinance. Councilmember Duffin seconded (as long as it was not a conflict of interest). There was discussion about the paint for the sign. The sign would need to be reviewed for compliance with the sign ordinance specifications. Councilmember Cummings and Duffin voted yes with Councilmembers Williams, Zollinger, and Callahan voting no. This will be presented to the Planning Commission for review.

Review of Proposed Revisions to the 2016 Fiscal Year Budget/Review of Fiscal Year Proposal of the 2017 Proposed Budget – Set Required Public Hearings

Mayor Johnson and Recorder Jones reviewed the budget for fiscal year 2017 with the changes noted as follows: increase in the RAPZ revenue and expenses as funding in the amount of \$20,000 had been approved by the County Council plus the population-based amount granted; park impact fees had been reduced, as the RAPZ grant will cover additional costs for the restroom facility at the park; the form-based code was budgeted from the Capital Project Fund and moved to the General Fund; the Emergency Notification System had been included in the General Fund as \$3,000; however, the cost has gone up to \$3,500 annually (this amount will be revised in the budget); the generator for the Emergency Operation Center had been included with the amount allocated to Public Safety; the electrical project bringing power from the high school to 550 North at 300 West had been included in the road budget, as this project is planned to take place after July 1 according to DWA. In the water department, the sewer charges were changed from \$2,500 to \$18,000 which is \$1,500 per month for revenue and expenses. Also the Mini-Miss Millville budget of \$300 will be included with the Parks-Other Budget. (The information on the 2017 budget is included with the minutes as Attachment "H".)

The fiscal year 2015-16 Budget Revisions were reviewed. Each of the funds were reviewed for changes made and proposed by June 30, 2016. In consideration of all of the projects underway, it was proposed to transfer \$30,000 from the General Fund to the Water/Sewer Fund to help defray the cost of the sewer betterment project on 450 North Main. (A copy of the proposed revised budget is included with the minutes as Attachment "I".)

Councilmember Cummings moved to accept the proposed budget for 2015-16 and 2016-17 and set a public hearing on June 9, 2016 at 7:30 p.m. Councilmember Williams seconded. Councilmembers Callahan, Cummings, Duffin, Williams and Zollinger voted yes.

Consideration of an Agreement between Nibley City and Millville City for Sewer Usage

Engineer Zan Murray reported he, along with Superintendent Larsen, Mayor Johnson, and Councilmember Zollinger had met with Attorney Jorgensen with regard to the Nibley City and Millville City Intercity Wastewater Agreement. There were some language changes to be included to show the value of the infrastructure which Millville City has been paying for. This change is recommended in case Nibley City decides they want to change treatment facilities. They will be meeting again with Nibley on Tuesday, May 31 at 2 p.m. There was a clerical correction brought to the attention of Engineer Murray on Item Number 4. This agreement needs to be adopted, as the Sewer system will soon be operational. (A copy of the information regarding this agreement is included with the minutes as Attachment "J".)

This item will be continued to another meeting when more information is available.

Consideration for Adoption of the Final Draft of the Interlocal Agreement for Ridgeline High School between Cache County School District and Millville City

Engineer Murray discussed the Interlocal Agreement as proposed between the Cache County School District and Millville City. There was discussion on the value of the impact fees that were provided to the City. He had requested that Lance Anderson representing the Cache County School District provide information on the total amounts spent on the transportation and water/sewer projects. The agreement shows a calculated amount for the impact fees for 2,000 students for transportation and water/sewer. There was discussion about whether the numbers needed to match exactly with the infrastructure built or whether the number should be taken out of the agreement. Engineer Murray indicated the calculations have varied during the process because of the number of students projected to use the school and the projects that have been done through negotiations. There was additional discussion on what the City has as a betterment versus what actually should be quantified. The feeling was expressed that the school district should be required to cover the impact they have on our community. There are costs to the City that have not been reimbursed by the developer, i.e. the bills to J-U-B for engineering services.

Engineer Murray explained that anyone paying a required impact fee can contest that fee, if they feel it was unjustly measured. The City was able to assess impact fees to the school district because of the state statute requiring a school to provide for a safe means to access that school. However, the fees could be challenged and a court case could ensue. Mayor Johnson indicated with all of the negotiations that took place, he feels the

school has met the impact fee value with the infrastructure built. It was questioned whether the infrastructure benefits the school more than it benefits our City.

Access off of 550 could have been the sole access into that school. The additional roads went in because they were needed. Having only one access road would have hurt the school. Discussions were held over the past three years about roadways, etc. The purpose of this agreement is to actually allow them to have the conditional use permit as required. Supplementary documentation should be provided with this agreement to show that these impact costs are in place and they have been reconciled. The City has never wanted to secure more funds than the amount of the calculated impact fees assessed.

Superintendent Larsen questioned whether the final inspection on roads could be made prior to the agreement being accepted.

Engineer Murray explained the school district is comfortable with this document. After a lengthy discussion, a motion was made as follows: **Councilmember Duffin moved to approve of and move forward with the Interlocal Agreement with Cache County School District.** Councilmember Williams seconded. Councilmembers Callahan, Duffin, and Williams voted in favor with Councilmembers Cummings and Zollinger opposing.

(A copy of the agreement is included with the minutes as Attachment “K”.)

Proposal for Emergency Notification System

Councilmember Callahan reported he had been in contact with representatives of the Emergency Notification System and the cost has increased from \$3,000 to \$3,500 as an annual fee. He indicated they provided him with a power point presentation about the system. The quoted amount includes training for the service. He explained this system is instantaneous and is quick and can cover a lot of information. He declined an upgrade for the Geo Alert system which was an additional \$1,500 and would require a lot of training. The information will be provided to the Council at the next Council Meeting where this item will be continued as an action item.

Bills to be paid

The bills were presented. They are as follows:

Mike Johnson	50.00	Water
Questar	90.54	NorthPark/Building
Staples	97.99	Water
Rocky Mountain Power	1,175.74	Street lights
ACN Communications	16.36	Water
Comcast	75.88	Building

BILLS (Continued)--

Maverik	341.92	Water
Olson & Hoggan	1,018.05	Legal/Road
J-U-B	18,494.61	Gen/Water/Sewer
Utah Local Governments Trust	961.07	Water/Insurance
CenturyLink	181.24	Water
Bear River Health Department	40.00	Water
David Rowell	50.00	Water
Allison Covington	85.27	MissMillville
Whitney Tibbitts	59.66	MissMillville
Melissa Hamilton	39.34	MissMillville
Deb Low	16.20	MissMillville
Brittany Wall	47.15	MissMillville
Heidi Checketts	99.80	MissMillville
Suzie Simmons	159.89	MissMillville
Gloria Jenson	163.12	MissMillville
CNH Capital	4,215.84	COG/Road
Jones Simkins	646.98	Consulting G/W
Nibley City	7,265.49	First Responders
Green Source	1,280.55	Park
Mya Simmons	475.00	Miss Millville
Megan Covington	275.00	Miss Millville
Hailey Checketts	150.00	Miss Millville
MeterWorks	6,131.86	WaterCapReplcmt Fund
HD Supply Waterworks	38,097.80	WaterCapReplcmt Fund
LeGrand Johnson	44,665.20	WaterCapReplcmt Fund
Salary Register	10,339.26	

Councilmember Duffin moved to pay the bills for May 26, 2016. Councilmember Cummings seconded. There was discussion about the projects being paid for by the Water Capital Replacement Fund; the J-U-B payment and whether this is part of CCCOG funds. Councilmembers Callahan, Cummings, Duffin, Williams and Zollinger voted yes.

City Reports

Roads/Sidewalks:

Superintendent Larsen reported the status of the road closure this past week where installation of the sewer infrastructure under the roundabout at 450 North Main was done. There will be an asphalt patch on Main Street estimated to cost \$4,000. This will be covered by the CCCOG funding. According to Jeff Gilbert, as long as the project comes in under budget, this would not be a substantial amount. The intersection is scheduled to be opened for Memorial Day weekend. The 450 North Road east of Main Street is scheduled to be closed for a couple of days next week.

Councilmember Duffin indicated she had received comments about the closure sign; there was not a hyphen between the dates of closure, therefore, it was assumed to be only for the two days listed. Engineer Murray will look into having this corrected.

Engineer Murray reported there had been an Engineer on-site today from CenturyLink. He shared that it will take them about four weeks to complete their project. Engineer Murray was encouraged with this news. He speculated that if they were to start the first part of June, the relocation of the CenturyLink boxes would be moved by the first part of July.

Superintendent Larsen explained the contractor will continue moving forward with the project. They will be installing curb, gutter, and sidewalk along the 450/550 North Road, preparing it for asphalt to be completed to Main Street.

Mayor Johnson and Engineer Murray had met with the Wilker property owners; after this meeting, they are hoping to have the roadway dedication plat resolved within a week or two.

There was also discussion about a retaining wall proposed by Kermit Price because of a slope from the roadway into his property. The original proposal was to have a 4 to 1 slope, which would have impacted about 35 feet of his property. However, Mr. Price wanted to have the least amount of property impacted and so it was changed to a 2 to 1 slope, making this taper on the property out about 17 feet. He is now requesting some type of a retaining wall be built. A proposal for a block wall would be \$50 to \$75 per sq. ft.; large cement blocks were also considered. Superintendent Larsen explained other accommodations have also been made for this parcel with the placement of the roundabout and an irrigation system to his property. After reviewing these concessions provided to him, it was proposed to go ahead without the retaining wall. The City will put in a fence for about \$3,000.

The school will open on August 24; the roadway project will probably not be completed. The City is working with Johnson's to try to keep them on this project, so an additional mobilization fee will not have to be paid.

City Parks:

Superintendent Larsen reported he had received a couple of bids for garage doors. He did not know where they came from. Treasurer Hobbs indicated it was from an individual that has a garage door business in our community. Superintendent Larsen had not requested the bids.

Superintendent Larsen reported the splash pad is now open and ready to be used.

Culinary Water System:

Superintendent Larsen reported that about 30 of the Auto Meter Read meters have been installed to date. They are being installed as time permits. The meters will be read manually until the system is up and operating.

There was a question about the Aquifer Storage and Recovery Project. Superintendent Larsen did not have any further information about this. The City is still awaiting the final report to be issued.

Discussion on the Proposed Sewer Ordinance

Engineer Murray discussed with the Council the proposed Wastewater System Policy. He had been in contact with Walt Baker from the Water Quality Board to clarify when the sewer grant funds are required to be repaid. Mr. Baker indicated this would be when the City went back to them to request funding for building the sewer system. (A copy of correspondence explaining this is included with the minutes as Attachment "L".)

The proposed sewer ordinance was discussed. (This is included with the minutes as Attachment "M".) There was discussion about whether the connection requirements should remain in the ordinance, requiring anyone within 300 feet of a sewer main to connect onto it or whether the sewer line should just be west of 100 West. There also was discussion about having subdivisions put in dry sewer.

The City had an ordinance requiring dry sewers at one time; however, this was removed because legal counsel advised that there would need to be a sewer system in place within a two-year time frame.

Rod Hobbs had checked with the Questar attorneys and indicated that once a sewer system is within the City, it can be required to have dry sewers installed in subdivisions. The current cost is \$145 per foot to install sewer.

Mr. Hobbs also commented that in the 2014 city-wide survey, the respondents that wanted sewer was 68% to 70% in favor; he felt that the City should proceed with it because of the will of the people. It was reported the survey questions were misleading on the cost for the sewer. It was felt that a sewer system this could be looked into may warrant some additional investigation.

Rob Jones questioned what the cost for sewer at \$145 per foot would include. It was explained that this cost includes the funding to patch the roads.

There was the concern brought up about having smaller lots because it opens the door to less than 1/3 acre. The Affordable Housing Plan and the justifications that were just adopted in the General Plan would need to be reviewed.

Councilmember Zollinger asked ‘if we need it at this time?’ Superintendent Larsen identified our current system as an indoor outhouse.

Rob Jones voiced history of Millville and sewer; there was a vote taken by the residents of Millville in the 1980s – the cost would have been \$14 per month and it was voted down. About 18 years ago, the cost was \$40 per month and there was opposition received and the Council voted it down. At this stage in his life, he would just as soon keep the system the way it is.

There was additional discussion about why or why not Millville is an inviting place to live. The sewer ordinance needs to be approved as the sewer west of 100 West will soon be on line. After several concerns and opinions were expressed, it was suggested that a list of questions be made and then discussed with the attorney.

Recorder Jones will receive the electronic version of the ordinance and it will be prepared for the next meeting to again discuss the ordinance. She was requested to remove Items 8-2-2-C and 8-2-2-D Use of Public Sewers and anything requiring an individual to hook onto the sewer. This will again be addressed at the next Council Meeting.

Councilmember Reports

(The Councilmember Reports List is included with the minutes as Attachment “N”.)

Councilmember Cummings reported on the City Celebration as follows:

- She indicated they are planning for 900 people.
- It will be on June 11.
- The committee is requesting the Mayor and Council participate in the parade which will begin at 10 a.m. She asked for suggestions for the Grand Marshall.
- There will be a Trap Shoot which will be held the Wednesday before the celebration. Each participant is to furnish their own gun and shells.
- There is to be a pickle ball tournament.
- The Tennis Tournament has already started.
- Councilmember Cummings reported she had signed a contract for the food with USU Catering.

Councilmember Zollinger had been contacted by the Ridgeline PTA. They are trying to get started with a fundraiser and would like to do a color run. They are hoping to include all ages and do a 5K and 1K run selling the entrance fee and colored chalk. They questioned about conditions they need to meet to be able to do this within the City.

There was also discussion about the Homecoming Parade; it has been tentatively planned to be held in Nibley.

It was the consensus of the Council that the City needs to embrace the high school and welcome activities that are sponsored.

Councilmember Williams reported he had given permission to have a dog euthanized, as recommended by the vet because it was very aggressive.

Other items for Future Agendas

Councilmember Duffin may have additional information regarding an Eagle Project Sign Project by the next Council Meeting.

Treasurer Hobbs requested donating a Reading Box to be installed near the splash pad that will be maintained and installed by her. This would make books available to be used while at the park. She was asked to make a plan and bring it back to the Council for consideration.

Recorder Jones followed up trying to get the electronic version of the General Plan so it could be put on the City's website. Councilmember Duffin and Engineer Murray will look into the status of this.

Adjournment

Councilmember Duffin moved to adjourn the meeting. Councilmember Callahan seconded. Councilmembers Callahan, Cummings, Duffin, Williams and Zollinger voted yes. The meeting adjourned at 11:10 p.m.

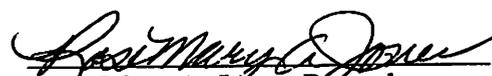
ATTACHMENT "A"
NOTICE AND AGENDA

Notice is hereby given the Millville City Council will hold their regularly scheduled council meeting on Thursday, May 26, 2016, at the Millville City Office, 510 East 300 South in Millville, Utah, which meeting shall begin promptly at 7 p.m. (Please note the time given to each agenda item is an approximate time.)

1. Call to Order / Roll Call – Mayor Michael Johnson.
2. Opening Remarks / Pledge of Allegiance – Councilmember Mark Williams.
3. Approval of agenda and time allocation.
4. Approval of minutes of the previous meeting – May 12, 2016.
5. Action Items—
 - A. Report on P & Z Meeting held May 19, 2016 –Planning Commissioner Lynette Dickey–7:03 p.m.
 - B. Consideration for a Temporary Ban on Fireworks East of 500 East – Mayor Michael Johnson –
 - C. Request for a Business License for Covenant Consulting Group, Inc. at 190 West 265 South – Ross Bowen – 7:05 p.m.
 - D. Request for a Business License for Vivint Solar Developer, LLC for Door-to-Door Solicitation as requested by Dan Black – 7:10 p.m.
 - E. PUBLIC HEARING – 7:15 p.m.
The purpose of the hearing is to receive comment on a Resolution to Initiate the Creation of the Cache Water District.
 - F. Concern for Traffic on 100 North – Lynette Dickey – 7:20 p.m.
 - G. Proposal of an Eagle Scout Project to Create a Sign at approximately 550 North 500 West for Millville City – Seth Duffin – 7:25 p.m.
 - H. Review of Proposed Revisions to the 2016 Fiscal Year Budget/Review of Fiscal Year Proposal of the 2017 Proposed Budget – Set Required Public Hearings – Mayor Michael Johnson – 7:35 p.m.
 - I. Consideration of an Agreement between Nibley City and Millville City for Sewer Usage – Engineer Zan Murray – 7:50 p.m.
 - J. Consideration for Adoption of the Final Draft of the Interlocal Agreement for Ridgeline High School between Cache County School District and Millville City–Engineer Zan Murray–8 p.m.
 - K. Proposal for Emergency Notification System – Councilmember Michael Callahan – 8:10 p.m.
 - L. Bills to be paid.
6. Discussion Items—
 - A. City Reports.
 1. Roads/Sidewalks – Superintendent Gary Larsen.
 2. City Parks – Superintendent Larsen.
 3. Culinary Water System – Superintendent Larsen.
 - B. Discussion on the Proposed Sewer Ordinance – Engineer Zan Murray.
 - C. Councilmember Reports.
 - D. Other items for Future Agendas.
7. Adjournment.

In compliance with the American with Disabilities Act, individuals needing special accommodations (including auxiliary communicative aids and services) during public meetings should notify Rose Mary Jones at (435)752-8943 at least three working days prior to the meeting.

Notice was posted on May 23, 2016, a date not less than 24 hours prior to the date and time of the meeting and remained so posted until after said meeting. A copy of the agenda was sent electronically to the Utah Public Meeting Notices website (<http://www.utah.gov/pmn/index.html>) on May 23, 2016.


Rose Mary A. Jones, Recorder

ATTACHMENT "B"

MILLVILLE CITY COUNCIL MEETING City Hall – 510 East 300 South – Millville, Utah May 12, 2016

PRESENT: Michael Johnson, Michael Callahan, Julianne Duffin, Mark Williams, Rose Mary Jones, Tara Hobbs, Gary Larsen, Zan Murray, Patricia Cronin, Martha Balph, Sally Sears, J. Dayton Crites, Sam Whelan, Landon Vincent, Gabe Whelan

Call to Order/Roll Call

Mayor Michael Johnson called the City Council Meeting to order for May 12, 2016 at 7:06 p.m. The roll call indicated Mayor Michael Johnson and Councilmembers Michael Callahan, Julianne Duffin, and Mark Williams were in attendance with Councilmembers Cindy Cummings and Ryan Zollinger excused. Also Recorder Rose Mary Jones and Treasurer Tara Hobbs were present.

Opening Remarks/Pledge of Allegiance

Councilmember Duffin led all present in the pledge of allegiance and then offered a prayer.

Approval of agenda and time allocations

The agenda for the City Council Meeting of May 12, 2016 was reviewed.

Councilmember Williams moved to approve the agenda for May 12, 2016.

Councilmember Duffin seconded. Councilmembers Callahan, Duffin, and Williams voted yes with Councilmembers Cummings and Zollinger excused. (A copy of the agenda is included as Attachment "A".)

Approval of minutes of the previous meeting

The Council reviewed the minutes of the City Council Meeting for April 28, 2016.

Councilmember Duffin moved to approve the minutes for April 28, 2016.

Councilmember Callahan seconded. Councilmembers Callahan, Duffin, and Williams voted yes with Councilmembers Cummings and Zollinger excused. (A copy of the minutes is included as Attachment "B".)

Report on P & Z Meeting held May 5, 2016

Councilmember Callahan reported on the Planning Commission Meeting held May 5, 2016. (A copy of the draft minutes is included as Attachment "C".) He explained toward the end of the meeting there was an extended and spirited discussion about the need for a checklist for building permits and also various subdivision requirements. He felt this should be addressed.

Councilmember Duffin also asked if the Planning Commission had addressed the development of a map for sidewalks and curb and gutter in specific areas of the City. There was also discussion about high tunnel greenhouses; it was explained they do not require a building permit.

Information Regarding the Cache Valley Transit District

Patricia Cronin reported to the Council, as Millville's representative for the Cache Valley Transit District, regarding an internal review which was published for 2015. She briefly reviewed the history, mission, and value statements of the District. She explained the District has expanded since it started, and at the present time, Wellsville is considering joining with the District within the year. Ms. Cronin reviewed the policies, procedures and practices, which she concurred with most of them. She explained the Board has extra meetings often for the purpose of entertaining one on one discussions for concerns throughout the valley. She also discussed the operation with a zero-fare cost and also other options. She was not entirely favorable of the zero-fare and thought paying something would be feasible; however, she felt those who totally depend on this service with poverty income could be handled in some different manner. She also explained the District's books are transparent and could be reviewed by anyone interested.

The Council then spent time considering the bus stops currently being used and those proposed. There were two new bus stops (to be in close proximity to the new high school) on the 100 West road proposed. Because of the narrow road on 100 West, the Council did not feel this would be the best place, as there is no sidewalk. They had a concern for safety on that road. The new stops are proposed to be implemented by August 1.

Ms. Cronin suggested requesting that a covered stop be built at approximately 200 South and Main Street, as there are individuals riding the bus to work from the businesses on 300 South.

The Council requested Ms. Cronin explain the Council's concerns to the CVTD Board.

(The Internal Review and map which was reviewed are included with the minutes as Attachment "D".)

Proposal for Permanent Restriction of Fireworks east of 500 East

Martha Balph made a presentation to the Council requesting to have a permanent restriction for fireworks east of 500 East. A petition had been circulated and she explained all homeowners in the area east of 500 East were contacted. The response showed 93% were in favor of this proposal. She provided information regarding the cost of funding wildfires and the new Senate Bill which had passed in the last legislative session, which requires funding for wildfires occurring within municipal boundaries.

Mayor Johnson reported on some of the findings he had obtained from the State Code and his interpretation was that cities could be restrictive where structures intermingle with hazardous environmental concerns. Councilmember Duffin questioned the reasoning of those who had declined from signing the petition; Mrs. Balph indicated it was because of their desire to have family events that include fireworks.

(The information prepared by Mrs. Balph is included along with the original signed petition and included with the minutes as Attachment "E".)

Councilmember Callahan moved to draft an ordinance to restrict fireworks to be reviewed at the next possible meeting. Councilmember Duffin seconded. Treasurer Hobbs praised both Martha Balph and Sally Sears for going the extra mile in keeping their large properties cut down and under control. The Council agreed the landowners do have the responsibility in making this effort. Mrs. Balph indicated the type of grass that grows in this area is considered a noxious weed and hard to control. Councilmembers Callahan, Duffin, and Williams voted yes with Councilmembers Cummings and Zollinger excused.

During the process for getting a permanent ordinance prepared and a public hearing held, the Council felt it would be appropriate to consider a temporary ban on fireworks for this year. This will be considered at the next Council Meeting. Councilmember Duffin will work with Attorney Jorgensen in getting an ordinance prepared for a permanent ban.

Proposed Rate Increase on Water Rates and Stormwater Fees

Mayor Johnson discussed with the Council a proposal to increase the water rates by \$.05 per 1000 gallons used and also an increase in the stormwater fees from \$2 to \$3 per month. The amount raised by these increases would be about \$6,000 to the water fund and a 50% increase in the stormwater fund. The needs for the increases were more fully identified in the budget discussion.

(Information in consideration for this increase is included with the minutes as prepared by Superintendent Gary Larsen as Attachment "F".)

Review of System for Emergency Notifications to Residents

Councilmember Callahan discussed with the Council various scenarios of a system for Emergency Notifications and what it could be used for. He pointed out how Nibley City had used this when they had a water contamination incident and how many residents had opted out and then decided they wanted to be part of this service. The cost for this is approximately \$3,000 for one year. It would be available for land lines, cell phones, and other media sources. This cost would include the set up and training. The Emergency Operation Center operators should also be trained to use the system. The system can also

be used for non-emergency calls to remind residents of upcoming events or pertinent information for a specific area of the community.

Treasurer Hobbs indicated there may be grants available for this funding.

The cost could be reduced if the service was signed up for three years or longer. **Councilmember Callahan moved to continue forward with the ReGroup Company people to obtain a written proposal with needed funding to come from the General Fund so this would be available to start on July 1.** Councilmember Williams seconded. Councilmembers Callahan, Duffin, and Williams voted yes with Councilmembers Cummings and Zollinger excused.

Budget Presentation for Fiscal Year 2017

Mayor Johnson and Recorder Jones reviewed information for fiscal year 2017 with the Council. A 'Budget in Brief' showing various projects to be completed in each category and the basis for it was reviewed. (A copy of the budget information is included with the minutes as Attachment "G".)

Additions to the general fund budget were included as follows.

- There was an increase noted regarding the amount for the sidewalk TAP Grant.
- Superintendent Gary Larsen proposed an additional project for having crack seal on some of the park asphalt in this fiscal year.
- Leak detection of water lines to be budgeted for FY2017.
- Extending sidewalk on 450 North eastward to connect the existing sidewalk on the north side of the street. Engineer Murray reported he has a call into Jeff Gilbert to find out if the sidewalk could be extended as part of the 450/550 Road Project. If allowed, this would be a 7% match.
- There is a RAPZ Grant proposed to be awarded to the City in the amount of \$20,000.

The Water/Sewer Fund was then discussed. The betterment projects included with the CCCOG 450/550 North road were reviewed in more depth. The costs for the water line project on 550 North and the dry sewer which will be placed under the 450 North roundabout were discussed for funding possibilities. It was the consensus of the Council to request an additional release of funds from the Division of Drinking Water for monies we have in our Water Capital Replacement Fund. This would be for \$93,000 to pay for the Automatic Meter Read system. Superintendent Larsen indicated the request could be made; this did not mean the funds would have to be spent.

The Council also reviewed the Stormwater Fund with the proposed increased revenue to cover additional mandated requirements.

In the Capital Project Fund, it was proposed to budget for a new city pickup as well as Form Based Code.

The budget for Fiscal Year 2016 will be reviewed at the next Council Meeting as well as additional information on the Fiscal Year 2017 budget.

There was also discussion regarding the Miss Millville Scholarship Funds that had been received and the need to issue the checks to the recipients.

Presentation regarding Trail Systems

County Trail Coordinator Dayton Crites made a presentation to the Council regarding Trail Systems after he introduced himself to the Council. He started working for Cache County in January, 2016. He presented a broad overview of what he would like to see happen in the future as far as planning for trails. He has been working with the DWR on a project which will add about 1.7 miles of river trail along the south side of the Blacksmith Fork River.

He feels by planning the trails, this will also help to make available funding options through grants, etc. He explained the trails infrastructure has an economic benefit to the area where they are included, as well as promoting health and safety factors.

There was discussion about the deer fence trail directly above Millville. He will be working with the DWR and this trail should soon be available spring, summer, and fall, closing in the winter time. This trail will be for non-motorized seasonal use.

By planning the trail system, this helps with development in various areas. Trailhead access points could be included with development.

There was discussion about the property on the south eastern part on Millville extending into the County and whether this will be available for public or just for private use.

He would like to reach out to the canal companies having them include trails in their easements. Councilmember Callahan indicated Millville Irrigation Company only has the easement to get the water down the canal, there is no property easement.

Mr. Crites expressed his willingness to work with Millville and help in any way he could.

Consideration of an Agreement between Nibley City and Millville City for Sewer Usage

Engineer Zan Murray reviewed with the Council an Intercity Wastewater Agreement for sewage between Millville and Nibley Cities. There was concern about this agreement if Nibley were to change from using Logan City as their treatment facility and what affect this would have on Millville City. It was suggested that Attorney Jorgensen review the

document and make sure the way this is written would be in the City's best interest. Millville City bought into the Nibley sewer system and there is a value for it. Nibley City would need to purchase the capacity that is there if the cities were to decide to handle this differently. It is proposed that Millville will bill Cache County School District and the Seminary for their water usage to determine the cost for the wastewater used in these facilities. It was suggested to meet with Attorney Jorgensen and include the Mayor, Superintendent Larsen, and Councilmember Zollinger to review some of these concerns. Engineer Murray will set up the meeting with Attorney Jorgensen. This item will be again discussed after a recommendation is completed with our Attorney.

(The information reviewed is included with the minutes as Attachment "H".)

Consideration for the Proposed Sewer Ordinance

Engineer Murray reviewed with the Council the proposed sewer ordinance for Millville City. This draft is taken from the Nibley City Ordinances as they have them. There were definitions reviewed. There was also a review of how this ordinance is written requiring any building within 300 feet of a line to connect to the sewer at their cost. Engineer Murray brought up a concern from Councilmember Zollinger regarding individuals requesting lot-size reductions if the sewer is available. There was also discussion on whether this would instigate the payment of the Nibley Sewer Upsizing Bond with which Millville participated. There was also discussion about the roadways and how they will be affected.

The interpretation of the way the ordinance was written was discussed. There was discussion if this would be a city-wide system or if a service district could be formed. The Council was asked to read this and think about it.

There was also discussion about the sewer laterals and if the City or the property owner would be responsible for them. If there is a sewer blockage, it may be on the individual's property. The municipalities are going to away from owning the laterals and having them be the property of the homeowner. Insurance companies are also encouraging this to happen that way.

Engineer Murray is awaiting receipt of a letter from Issa Hamud from Logan City to confirm that Nibley will bill Millville and that no bill is to be received from Logan City with regard to the Millville treatment connection for sewage.

There was consideration for whether a sewer enterprise fund needs to be set up at this time. There are calculations that Engineer Murray will go through to determine the costs for the ERUs; a rate will be set. There was a question raised about whether the bonds set between Millville and the State of Utah would then be activated for repayment. Engineer Murray will consult with Walt Baker on this to find out the answer. The proposed

ordinance will need to be reworked so the formatting will be in accordance with Millville's code. Also this may need to be reviewed by our attorney.

This item was continued to the next meeting for clarification, specifically on where hookups for the sewer would be available. (A copy of the information is included with the minutes as Attachment "I".)

Consideration for Adoption of the Final Draft of the Interlocal Agreement for Ridgeline High School between Cache County School District and Millville City

Engineer Murray reviewed with the Council the Interlocal Agreement between Millville and Cache County School District for the high school. The agreement includes an impact fee payment of water and roadways for up to 2,000 students. There was also discussion on the impact fee amount in the agreement and the cost of assets that will be determined for our City asset list; these amounts should match. Engineer Murray will need to work through these fees to calculate the roadway improvements, water improvements, and miscellaneous items such as signs and street lights. This is a transparency issue to show how the impact fees were collected and spent. The number will be changed to match the infrastructure received.

This item will be continued to the next agenda. (Information reviewed is included with the minutes as Attachment "J".)

Power Backup for Emergency Operation Center

Harry Meadows discussed with the Council a generator that could be used as a backup for the Emergency Operation Center. Information was provided for a Kodiak Power Machine at the cost of \$2,080.

There was also discussion about having a generator to back up the wells and booster pumps; this would be a trailer-mounted generator and the cost would be about \$50,000.

The budget was reviewed to see if the generator for the operation center could be purchased in this fiscal year. This will be considered upon finding out what is in the budget. (The information presented was included with the minutes as Attachment "K".)

There was also follow up on the Baker Annexation request. Development Coordinator Meadows had talked with them and informed them that there is more to do with the process before the annexation petition can be acted upon.

Bills to be paid

The bills were presented. They are as follows:

Stephanie Eggleston	3.78	General
Tara Hobbs	79.92	Stormwater
Rose Mary Jones	49.20	General
Adria Davis	10.48	P&Z
Chad Kendrick	65.00	Road
Julianne Duffin	165.99	Youth Council
Heidi Checketts	22.37	Youth Council
Alicia Nyman	53.80	Youth Council
Melanie Nichols	30.00	Youth Council
Angie Spackman	13.27	Youth Council
Utah Division of Finance	91,633.21	Water
Rocky Mountain Power—		
North Park	75.77	Park
Shop	177.90	Building
Crossing Guard	16.94	Crossing Guard
Ball Park	9.85	Park
North Well	17.31	Water
Park Well	1,549.82	Water
Water Treatment	57.23	Water
Highline Reservoir	711.90	Water
Public Treasurers Investment Fund	7,667.00	Water
Cache County Service Area	10,652.77	Sanitation
Cache County Service Area	1,722.00	9-1-1
Cache County Service Area	11.39	Stormwater
Watkins Printing	130.79	MissMillville/Water
AT&T	51.20	General
Caselle	125.00	Water
Maceys	260.78	Miss Millville
Lewis Young Robertson Burningham	2,467.50	General
Intermountain Traffic Safety	512.59	CrossingGuard/Road
J-U-B Engineer	1,375.00	Engineer/Stormwater
Valley Implement	4,090.38	CCCOG/Road
Salary Register	13,042.42	

Councilmember Duffin moved to pay the bills. Councilmember Williams seconded. Councilmembers Callahan, Duffin, and Williams voted yes with Councilmembers Cummings and Zollinger excused.

City Reports

Roads/Sidewalks:

Superintendent Larsen had nothing to report on the roads.

City Parks:

Superintendent Larsen asked if there were any questions about parks. Mayor Johnson asked if there had been any vandalism continuing at the north park. Superintendent Larsen reported there had been none for over a year.

Culinary Water System:

Superintendent Larsen reported he had received the first shipment of the Auto Meter Read meters. They will be installed as soon as time permits.

Treasurer Hobbs requested help with the computer conversion needed to be compatible with this AMR system. Recorder Jones was asked to contact Jeff Young to see if they would be willing to help out in getting us set up with the needed software, etc.

Review of Non-Standard Lots:

Mayor Johnson requested the discussion of non-standard lots be continued to the next Council Meeting agenda for additional discussion.

Subdivision Permitting Criteria Approval

Councilmember Callahan requested that some type of criteria or checklist be developed to make sure all building permits and subdivision approvals are being handled the same way. Mayor Johnson has been in contact with Planning Commission Chairman Hart keeping him abreast of when infrastructure has progressed to the point that the subdivisions could proceed with the building permit process.

There was also discussion about building permit approvals and when impact fees are being paid. It was the consensus of the Council that all fees should be paid at the time of the approval. If an individual's funding is not completed, the building clearance process should not be considered on the P&Z agenda until the funds are available for payment. Treasurer Hobbs indicated that sometimes the building clearances are approved and she could wait three or four months for the requestor to pay their fees; sometimes they do not ever follow up on their building approval.

Councilmember Reports

(A copy of the Councilmember Reports listing is included with the minutes as Attachment "L".)

Councilmember Duffin had the completed General Plans ready to be handed out. The officials wanting a printed copy were given one.

Other items for Future Agendas

Councilmember Callahan requested having the Emergency Notification for Residents considered at the next meeting.

Treasurer Hobbs reported the dumpster which is being used for the spring cleanup has a rental fee of \$5.71 per day. As there is a predetermined amount to be expensed for this project, \$125.61 has been used for the rental fees. The dumpster will be dumped one last time and then this will complete the spring cleanup project for the year.

Mayor Johnson indicated a business license had been received from Mary Kate Johnson with the payment for teaching tennis lessons, as addressed at the last Council Meeting. Although this did not come through the same process as usual, it was the consensus of the Council that this had already been preapproved and so the license is to be issued.

The Emergency Operation Power Backup was again addressed. There is not enough funding in the current budget for this year. The consensus of the Council was to have this item included in the budget for Fiscal Year 2017.

There was a question on the Tibbitts Subdivision and finalizing the plat for it. There is still a Land Agreement outstanding with other property owners. The plat has been signed by the City; the Wilkers still need to sign this after they receive authorization by their bank.

Mayor Johnson requested completing information with Hickman Land Title for a boundary line adjustment. It was a plat that dealt with the corner where Nettleton's home is. Engineer Murray will contact Stacie as Hickman Title to check on what is still needed.

Mayor Johnson reported the authorization for the land acquisition for the CCCOG project is nearly completed; there are still items to be completed with LaMont and Linda Mathews. Mayor Johnson will follow up with Attorney Jorgensen to see what still needs to be completed.

Engineer Murray reported on the 450/550 North Road Project. The City has received easement documents from CenturyLink. One of the documents is for a 10x20' easement for them to place equipment on. There are some errors in the documents received. These

will be fixed and then the Mayor will need to sign them. CenturyLink is still in the design process for the moving of their lines.

Comcast is in the process of moving their lines.

Engineer Murray reviewed the construction phase of this project. Facer is doing the excavation for the piping for the storm drain line. The following week they would like to install the dry sewer at the 450 North Main location. The dry sewer will start at 400 North, go to 450 North, and then eastward on 450 North to approximately 50 East. Each of these projects will require a one week shut down of the roadway. The required signage will be used to make sure the traffic is diverted.

There will be another shut down of the road to tie in 550 North and the collector road. Engineer Murray explained the project is not going to be completed in time for school to start; however, he proposed having all of the other work except for the roundabout completed. When the utility boxes for CenturyLink that sits near Main Street are moved, the contractor will be able to complete the project. The contractor would like to be able to do the road paving (possibly the 2nd or 3rd week of June). This will also close down the road for approximately a week. By completing the paving, all of the project should be completed except for the Main Street corridor.

There was discussion about the contractor demobilizing because of the delay with CenturyLink. He has the right to do this and then would charge the City again for mobilization. The alternatives are being considered. It was proposed to have three road closures instead of two.

To help with public relations, signage will be made for the closures, information will be included in the water bills to let the residents know, and media alerts are available for those who would like to participate in them.

As there will be asphalt cut for the piping projects, the Council determined to have the road patched to help with the control of dust and potholes until CenturyLink can get their lines relocated.

There was a concern expressed about the water being shut off. In the project contract, it requires a 24-hour notice be given; apparently this did not happen. There should have been a door hanger notification made. Engineer Murray will discuss this with the contractor.

Adjournment

Councilmember Callahan moved to adjourn. Councilmember Duffin seconded. Councilmembers Callahan, Duffin, and Williams voted yes with Councilmembers Cummings and Zollinger excused. The meeting adjourned at 10:54 p.m.

ATTACHMENT "C"

MILLVILLE PLANNING COMMISSION MEETING

City Hall - 510 East 300 South - Millville, Utah
May 19, 2016

1. Roll Call:

Chairman Jim Hart, Commissioners Lynette Dickey, Garrett Greenhalgh, Natalie Smith (Alt.) and Larry Lewis (Alt.)

Others Present:

Ezra Eames and Brett Hadfield. Secretary Adria Davis recorded the minutes.

2. Opening Remarks/Pledge of Allegiance

Chairman Hart opened the meeting at 8:00 p.m.
He led those present in the Pledge of Allegiance.

3. Review and Approval of agenda

The agenda for the Planning Commission meeting of May 19, 2016 was reviewed. A motion was made by Commissioner Lewis (Alt.) to approve the agenda as presented. Commissioner Dickey seconded. Commissioners Hart, Dickey, Greenhalgh, Smith (Alt.) and Lewis (Alt.) voted yes, with Commissioners Thompson and Farmer absent.

4. Review and Approval of the Minutes of the Planning Commission Meeting

The minutes for the meeting of May 5, 2016 were reviewed. A motion was made by Commissioner Greenhalgh to approve the minutes as outlined. Commissioner Smith (Alt.) seconded. Commissioners Hart, Dickey, Greenhalgh, Smith (Alt.) and Lewis (Alt.) voted yes, with Commissioners Thompson and Farmer absent.

5.A Consideration of zoning clearance for a building permit by Visionary Homes, for a residence to be located at 134 North 430 East, lot #17 Mond-Aire Heights Subdivision in Millville, Ut.

Garrett Greenhalgh voiced that he had a personal interest in this item as he was representing Visionary Homes in this matter.

Commissioner Farmer arrived at the meeting at this time.

A motion was made by Commissioner Lewis (Alt.) to approve the zoning clearance. Commissioner Smith (Alt.) seconded. Commissioners Hart, Farmer, Dickey, Lewis (Alt.) and Smith (Alt.) voted yes. Commissioner Greenhalgh abstained from the vote.

Commissioner Thompson arrived at the meeting at this time.

6.A. Ordinance change re: facilities for the elderly

Commissioner Greenhalgh had gathered information from multiple other communities for comparison and discussion continued from prior meetings regarding the wording of this ordinance.

Additional topics to consider included:

Parking: min. of 4 spaces plus 1 per resident

Must be resident, no day treatment patients

Definition of Elderly or Disabled as defined by the Utah State code.

Min. of 4, max. of 16 residents

Exclusion of drug, alcohol and violent residents

This item was continued to the next meeting for further input.

6.B. Subdivision requirements checklist prior to building permit issuance

Commissioner Lewis gathered information from surrounding communities regarding their subdivision policies. All of them varied. The commissioners discussed which items they felt should be complete before moving ahead with building permits. They agreed that the Power, Water, Gas, Curb and Gutter, and Asphalt should be complete before issuing building permits. With the Signs, Lights, and Sidewalks to be completed prior to acceptance of the subdivision. However, none of the commissioners felt comfortable moving ahead with permits without the final OK from Gary as to the completion and approval of those listed items.

Brett Hadfield was present and gave input relating to the overall subdivision process. A checklist for the developers had never been provided to them, making it difficult to know what items were actually being required until after multiple reviews by the engineers. An up-front checklist would be very beneficial to those developers in the future.

Ezra Eames also was present and gave some feedback on his progress with Phase II. Curb and Gutter is complete, it has been pinned, and the utilities will be in within the next few days. The asphalt has already been ordered and just waiting on Johnsons to lay the road.

6.C. City Council Reports – review minutes from May 12, 2016 meeting.

The commissioners were given copies of the minutes. No comments were made.

6.D. Agenda Items for Next Meeting

Poss. Building permits dependent upon Phase II completion

Discussion – Ordinance on Elderly facilities

Discussion – Natalie Smith presentation on Trello program

6.E. Other

Commissioner Dickey expressed some concerns about the traffic on 100 North (also seconded by Commissioner Greenhalgh). It was recommended that she address the city council.

7. Calendaring of future Planning and Zoning Meeting

The next meeting will be held Thursday, June 2, 2016.

8. Assignment of Representative for City Council Meeting

Commissioner Dickey was assigned to represent the planning commission at the next City Council meeting.

9. Adjournment

Chairman Hart moved to adjourn the meeting at 9:35 p.m. Commissioner Lewis (Alt.) seconded.



Millville City

PO Box 308
510 East 300 South
Millville, Utah 84326
(435) 750-0924 FAX (435) 750-6206
www.millvillecity.org

CHECK APPLICABLE BOX
Commercial [] New Application [x]
Home Business [] Application Amendment []
CHANGE OF:
Ownership [] Business Name []
Address [] Business Description []

Business License Application

For businesses with a permanent physical location within the Millville City limits.
This is not the application for special events, temporary businesses or solicitors.

License No. _____

Date Received _____

SECTION I: Business Information

Application Contact: Ross Bowen Contact Ph: 435-770-5786
A. Business Name "DBA": Covenant Consulting Group, Inc.
B. Business Location: 190 West 265 South Millville, UT 84326
C. Mailing Address: P.O. Box 723 [] Same as "B. Business Location"
D. Local Business Ph: 435-770-5786 Fax: n/a www: n/a

SECTION II: Business Description - General (complete the commercial or the Home Business AND the far right column)

COMMERCIAL

Building/plaza: _____
Is this a secondary use within an existing business location?
[] Yes, in _____ [] No
Hours of Operation: _____
Type of Operation: (mark all that apply)
[] Sales/Service: Customers typically come on site
[] Sales/Service: Customers rarely come on-site
[] Service no sales
[] Fresh food service and/or preparation
[] Manufacturing
[] Medical/dental
[] Daycare
[] Instruction
[] Preschool
[] Other: _____

Previous use of location: _____

HOME BUSINESS

Please Note:
A home business does not change the aesthetic character of the area and zone.
On-site employees? [] Yes [x] No
If yes,
Up to how many? _____ Working hours? _____
Where will they park? _____
On-site customers? [] Yes [x] No
If yes,
Up to how many per day? _____
Up to how many per week? _____
Where will they park? _____
On-site business will be performed from a:
(mark all that apply)
[x] Home office [] Garage/storage room
[x] Desk and chair [] Carport/driveway
[] Shed/out building [] Vehicle
[] Other: _____
Do you intend to set-up off-site?
(i.e. in parking lot, at festivals, within stores)
[] Yes [x] No
Proposed start date: May 6, 2016

This Business Includes:

Yes No
[] [x] Signage
[] [x] Alcohol sales and/or services
[] [x] Live entertainment on-site
[] [x] Door-to-door solicitation
[] [x] Fireworks sales on-site
[] [x] Vending machines on-site
[] [x] On-site secondary business
[] [x] On-site events (ie. community party parking lot/sidewalk sales)
[x] [] Investment advice and/or service
[] [x] Pesticides use and storage
[] [x] Hazardous materials use and storage
[] [x] Vehicle sales
[] [x] Firearms or explosives sales
[] [x] Care of children or preschool
[] [x] Any construction jobs over \$1,000
[] [x] Piercing, tattooing, perm, make-up
[] [x] Used merchandise transactions
[] [x] Changes to existing garbage service
[] [x] Vehicles, trailers, mowers, etc. (stores on site)
[] [x] Electrical, plumbing, structural, or mechanical changes to site

SECTION III: Business Description - Specific [] (attach additional pages if necessary)

Financial advisory services provided from home office

SECTION IV: Additional Information

E. Utah State Tax Commission — Sales Tax Number: _____ Not applicable

F. State & federal regulatory agency licensing info: Series 65 Not applicable
(Not referring to an EIN or entity number)

G. Did you use "One-Stop Online Business Registration" to Register your business with state and federal agencies?
 Completely Partially Not at all I do not know — someone else did it

H. Previous Business Name: _____ Not applicable

I. Previous Business Location: _____ Not applicable

SECTION V: Ownership (Parent business entity and business officer information)

Parent Entity

Parent Business Name: _____ same as "A. Business Name DBA"

State Entity Type: Sole Proprietorship Partnership LLC Corporation Non-Profit Corporation (w/501 c3 letter)

Officers (1)

Officer Name: Ross Bowen Contact Ph. 435-770-5786

Home Address: 190 West 265 South
Street (include unit #) / PO Box Address City, State, ZIP

This person can be contacted in the event of an after-hours police or fire emergency.

Sole Prop./Partnership	LLC	Corporation
<input type="checkbox"/> Owner	<input type="checkbox"/> Member	<input checked="" type="checkbox"/> President
<input type="checkbox"/> Local Manager	<input type="checkbox"/> Manager	<input type="checkbox"/> Director
	<input type="checkbox"/> Local Manager	<input type="checkbox"/> Officer
		<input type="checkbox"/> Local Manager

Officers (2)

Officer Name: _____ Contact Ph. _____

Home Address: _____
Street (include unit #) / PO Box Address City, State, ZIP

This person can be contacted in the event of an after-hours police or fire emergency.

Sole Prop./Partnership	LLC	Corporation
<input type="checkbox"/> Owner	<input type="checkbox"/> Member	<input type="checkbox"/> President
<input type="checkbox"/> Local Manager	<input type="checkbox"/> Manager	<input type="checkbox"/> Director
	<input type="checkbox"/> Local Manager	<input type="checkbox"/> Officer
		<input type="checkbox"/> Local Manager

SECTION VI: Notification and Verification of Authority

- Mandatory review process** – this application does not constitute a business license. All applications are subject to the review process mandated by Title 5 of the Municipal Code. Incomplete applications will not be processed. Decisions on applications will take 15 days (minimum), and are made based on:
 - the information provided on the application, and
 - review of the Mayor and City Council
- Additional Requirements** – Under the Municipal Code, additional Business License application requirements are necessitated for some business types.
- Denial of License** – Application denial or subsequent license suspension or revocation are most often the result of:
 - an inaccurate or incomplete application, or failure to update information with the City and/or
 - non-compliance with the Municipal Code, Land Use Code, and/or applicable building, fire, and environmental codes.
- Other regulatory bodies** – It is the applicant's responsibility to determine and comply with any requirements from other regulatory agencies.
- Signage** – Permanent signage requires a separate Sign Permit Application, which is located on the city web site, Millvillecity.org.
- Building alterations** All alterations to buildings or spaces, including electrical, plumbing, and mechanical alterations, require a separate building application.

I/We hereby agree to conduct said business strictly in accordance with the business license regulations as set forth in the Millville City Code, and swear under penalty of law the information contained herein is true.

Signature of Owner/Authorized Agent: [Signature] Printed Name: Ross Bowen Date: 5/6/16

SECTION VII: For administration use only

Classification: Conforming Non-Conforming Child Care Home Business Low Impact Medium Impact

Conditional Use: (If box is checked see conditions)

Agree Do not agree Signature: _____ Date: _____

Yes No City Council grants permission Signature: [Signature] Date: 5/26/16

FEES \$25.00

PAYMENT TYPE

RECEIPT

ck # 7110 Tana Hobbs

ATTACHMENT "E"



Millville City
 PO Box 308
 510 East 300 South
 Millville, Utah 84326
 (435) 750-0924 FAX (435) 750-6206
www.millvillecity.org

- CHECK APPLICABLE BOX**
- Commercial New Application
 Home Business Application Amendment
- CHANGE OF:**
- Ownership Business Name
 Address Business Description

Business License Application

For businesses with a permanent physical location within the Millville City limits.
 This is not the application for special events, temporary businesses or solicitors.

License No. _____
 Date Received _____

SECTION I: Business Information

Application Contact: Vivint Solar Developer, LLC Contact Ph: 855-877-2974
 A. Business Name "DBA": _____ 801-229-8986
 B. Business Location: Building 4B, Bay 1, 112 North 700 West Ogden, UT 84404 Millville, UT 84326
Street Address (include unit #)
 C. Mailing Address: 3301 N Thanksgiving Way, Suite 500, Lehi, UT 84043 Same as "B. Business Location"
ATTN: Street (include unit#)/PO Box address City State Zip
 D. Local Business Ph: 855-877-2974 Fax: 801-765-5748 www: vivintsolar.com

SECTION II: Business Description — General (complete the commercial or the Home Business AND the far right column)

COMMERCIAL Not located in City

Building/plaza: _____

Is this a secondary use within an existing business location?

Yes, in _____ No

Hours of Operation: _____

Type of Operation: (mark all that apply)

- Sales/Service: Customers typically come on site
 Sales/Service: Customers rarely come on-site
 Service no sales
 Fresh food service and/or preparation
 Manufacturing
 Medical/dental
 Daycare
 Instruction
 Preschool
 Other: Construction/Sales

Previous use of location: _____

HOME BUSINESS

Please Note:

A home business does not change the aesthetic character of the area and zone.

On-site employees? Yes No

If yes,
 Up to how many? _____ Working hours? _____
 Where will they park? _____

On-site customers? Yes No

If yes,
 Up to how many per day? _____
 Up to how many per week? _____
 Where will they park? _____

On-site business will be performed from a:
(mark all that apply)

- Home office Garage/storage room
 Desk and chair Carport/driveway
 Shed/out building Vehicle
 Other: _____

Do you intend to set-up off-site?
 (i.e. in parking lot, at festivals, within stores)
 Yes No

Proposed start date: _____

This Business Includes:

- | Yes | No |
|-------------------------------------|---|
| <input type="checkbox"/> | <input type="checkbox"/> Signage |
| <input type="checkbox"/> | <input type="checkbox"/> Alcohol sales and/or services |
| <input type="checkbox"/> | <input type="checkbox"/> Live entertainment on-site |
| <input checked="" type="checkbox"/> | <input type="checkbox"/> Door-to-door solicitation |
| <input type="checkbox"/> | <input type="checkbox"/> Fireworks sales on-site |
| <input type="checkbox"/> | <input type="checkbox"/> Vending machines on-site |
| <input type="checkbox"/> | <input type="checkbox"/> On-site secondary business |
| <input type="checkbox"/> | <input type="checkbox"/> On-site events (i.e. community party parking lot/sidewalk sales) |
| <input type="checkbox"/> | <input type="checkbox"/> Investment advice and/or service |
| <input type="checkbox"/> | <input type="checkbox"/> Pesticides use and storage |
| <input type="checkbox"/> | <input type="checkbox"/> Hazardous materials use and storage |
| <input type="checkbox"/> | <input type="checkbox"/> Vehicle sales |
| <input type="checkbox"/> | <input type="checkbox"/> Firearms or explosives sales |
| <input type="checkbox"/> | <input type="checkbox"/> Care of children or preschool |
| <input type="checkbox"/> | <input type="checkbox"/> Any construction jobs over \$1,000 |
| <input type="checkbox"/> | <input type="checkbox"/> Piercing, tattooing, perm, make-up |
| <input type="checkbox"/> | <input type="checkbox"/> Used merchandise transactions |
| <input type="checkbox"/> | <input type="checkbox"/> Changes to existing garbage service |
| <input type="checkbox"/> | <input type="checkbox"/> Vehicles, trailers, mowers, etc. (stores on site) |
| <input type="checkbox"/> | <input type="checkbox"/> Electrical, plumbing, structural, or mechanical changes to site |

SECTION III: Business Description — Specific (attach additional pages if necessary)

Sales, installations, and service of solar energy systems

SECTION IV: Additional Information

E. Utah State Tax Commission — Sales Tax Number: 12887537-004-STC

F. State & federal regulatory agency licensing info: _____ Not applicable
(Not referring to an EIN or entity number) Not applicable

G. Did you use "One-Stop Online Business Registration" to Register your business with state and federal agencies?
 Completely Partially Not at all I do not know — someone else did it

H. Previous Business Name: _____ Not applicable

I. Previous Business Location: _____ Not applicable

SECTION V: Ownership (Parent business entity and business officer information)

Parent Entity
 Parent Business Name: Vivint Solar Holdings, Inc. same as "A. Business Name DBA"

State Entity Type: Sole Proprietorship Partnership LLC Corporation Non-Profit Corporation (w/501 c3 letter)

Officers (1)

Officer Name: C. Dan Black Contact Ph. 855-877-2974

Home Address: 3301 N Thanksgiving Way, Suite 500, Lehi, UT 84043
Street (include unit #) / PO Box Address City State ZIP

This person can be contacted in the event of an after-hours police or fire emergency.

Sole Prop./Partnership	LLC	Corporation
<input type="checkbox"/> Owner	<input type="checkbox"/> Member	<input type="checkbox"/> President
<input type="checkbox"/> Local Manager	<input type="checkbox"/> Manager	<input type="checkbox"/> Director
	<input type="checkbox"/> Local Manager	<input checked="" type="checkbox"/> Officer
		<input type="checkbox"/> Local Manager

Officers (2)

Officer Name: Andrew Walton Contact Ph. 855-877-2974

Home Address: 3301 N Thanksgiving Way, Suite 500, Lehi, UT 84043
Street (include unit #) / PO Box Address City State ZIP

This person can be contacted in the event of an after-hours police or fire emergency.

Sole Prop./Partnership	LLC	Corporation
<input type="checkbox"/> Owner	<input type="checkbox"/> Member	<input type="checkbox"/> President
<input type="checkbox"/> Local Manager	<input checked="" type="checkbox"/> Manager	<input type="checkbox"/> Director
	<input type="checkbox"/> Local Manager	<input type="checkbox"/> Officer
		<input type="checkbox"/> Local Manager

SECTION VI: Notification and Verification of Authority

- Mandatory review process** – this application does not constitute a business license. All applications are subject to the review process mandated by Title 5 of the Municipal Code. Incomplete applications will not be processed. Decisions on applications will take 15 days (minimum), and are made based on:
 - the information provided on the application, and
 - review of the Mayor and City Council
- Additional Requirements** – Under the Municipal Code, additional Business License application requirements are necessitated for some business types.
- Denial of License** – Application denial or subsequent license suspension or revocation are most often the result of:
 - an inaccurate or incomplete application, or failure to update information with the City and/or
 - non-compliance with the Municipal Code, Land Use Code, and/or applicable building, fire, and environmental codes.
- Other regulatory bodies** – It is the applicant's responsibility to determine and comply with any requirements from other regulatory agencies.
- Signage** – Permanent signage requires a separate Sign Permit Application, which is located on the city web site, Millvillecity.org.
- Building alterations** – All alterations to buildings or spaces, including electrical, plumbing, and mechanical alterations, require a separate building application.

I/We hereby agree to conduct said business strictly in accordance with the business license regulations as set forth in the Millville City Code, and swear under penalty of law the information contained herein is true.

Signature of Owner/Authorized Agent: [Signature] Andrew Walton Printed Name 05/06/16 Date

SECTION VII: For administration use only

Classification: Conforming Non-Conforming Child Care Home Business Low Impact Medium Impact

Conditional Use: (If box is checked see conditions)

Agree Do not agree Signature: _____ Date: _____

Yes No City Council grants permission Signature: [Signature] Date: 5/26/16

FEES \$25.00

PAYMENT TYPE CC # 8041 RECEIPT

Tara Hobbs 5/26/16

ATTACHMENT "F"

CITY OF MILLVILLE RESOLUTION NO. 2016-2

A RESOLUTION TO INITIATE THE CREATION OF THE CACHE WATER DISTRICT

WHEREAS, Cache County is referred to herein as the "County"; and

WHEREAS, Amalga Town, Clarkston Town, Cornish Town, Hyde Park City, Hyrum City, Lewiston City, Logan City, Mendon City, Millville City, Newton Town, Nibley City, North Logan City, Paradise Town, Providence City, Richmond City, River Heights City, Smithfield City, Trenton Town, and Wellsville City are referred to herein collectively as the "Municipalities"; and

WHEREAS, the County and some or all of the Municipalities desire to place before their voters the creation of a local district under the Water Conservancy District Act, Utah Code Ann. § 17B-2a-1001 *et seq.*, as provided in this Resolution, to plan for and facilitate the long-term conservation, development protection, distribution, management and stabilization of water sources for domestic, irrigation, power, manufacturing, municipal, recreation and other beneficial uses at a reasonable cost to meet the needs of the residents and growing population of Cache County; and

WHEREAS, the Cache County Council intends to reduce the portion of the County-wide property tax that is utilized for water development by an amount equal to any property tax imposed by the new local district, which will result in a combined county and local district property tax rate that is revenue neutral and will not increase the property tax burden on any property for at least four (4) years; and

WHEREAS, Utah Code Ann. § 17B-1-203 provides that the process to create a local district may be initiated by a resolution adopted by the legislative body of each county whose unincorporated area includes, and each municipality whose boundaries include, any of the proposed local district; and

WHEREAS, the proposed local district will be created only after its creation has been approved by the voters residing within the district; and

WHEREAS, Millville City, being one of the Municipalities located within the boundaries of the proposed local district, desires to join with the County and other Municipalities in presenting the question of creating the proposed local district before their voters.

NOW THEREFORE, be it resolved and enacted by the Millville City Council as follows:

1. In order to allow the citizens of Millville City to vote on the creation of a water conservancy district, Millville City, concurrently with the County and other Municipalities, proposes the creation of a local district under the Water Conservancy District Act, Utah Code Ann. § 17B-2a-1001 *et seq.*, which may include all of the incorporated and unincorporated areas within the boundary of Cache County, Utah, as depicted in the map which is attached as Exhibit "A" to and incorporated as part of this Resolution, conditioned upon each Municipality located within the proposed boundary of the district passing a similar Resolution. If the legislative body of any Municipality fails to adopt a similar Resolution, that Municipality may be excluded from the district.

2. The district that is proposed to be created will be known as the “Cache Water District,” a water conservancy district located in a county of the third class.

3. The service proposed to be provided by the Cache Water District is the operation of a system, or one or more components of a system, for the collection, storage, retention, control, conservation, treatment, supplying, distribution, or reclamation of water, including storm, flood, irrigation, and culinary water, whether the system is operated on a wholesale or retail level or both, as provided in Utah Code Ann. § 17B-1-202(1)(a)(xii).

4. The type of specialized local district that is proposed to be created is a water conservancy district, as provided in the Water Conservancy District Act, Utah Code Ann. § 17B-2a-1001 *et seq.*

5. The anticipated method of paying the costs of providing the proposed service is through the collection of ad valorem property taxes, service fees and charges, and/or levied assessments. It may be some time before the district will be able to provide water service and collect fees and charges for that service. Consequently, the district initially will be funded through Cache County, until the district establishes its own property tax assessment, at which time Cache County is to reduce its property tax rate by an equivalent amount as stated in the foregoing recitals.

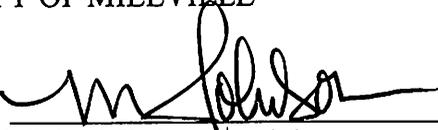
6. The maximum property tax levy a water conservancy district can impose is 0.0001 per dollar before certain activities are commenced, 0.0002 per dollar after certain activities are commenced, and 0.0003 per dollar if an additional levy is necessary to pay maturing bonds or debts. The average home value in Cache County is \$201,182, but the fair market value of residential property is allowed an exemption equal to a 45% reduction in the value of the property for property tax purposes. Taking these factors into consideration, the estimated average annual financial impact on a household within the proposed district will be as follows: the tax on a \$201,182 residence would be \$11.07 using a tax rate of 0.0001, \$22.13 using a tax rate of 0.0002, and \$33.20 using a tax rate of 0.0003. However, for at least the first four (4) years after the creation of the District, the net financial impact on a household may be zero if Cache County reduces its property tax rate by an amount equal to the new rate assessed by the district. Service fees and levied assessments cannot be estimated, and will be charged based upon actual water deliveries or contractually agreed upon amounts.

7. The number of members of the board of trustees of the proposed water conservancy district, consistent with Utah Code Ann. § 17B-1-302(2), will be eleven. The board of trustees will consist of ten elected trustees and one appointed trustee who will be elected or appointed, respectively, pursuant to the procedures set forth in Utah Code Ann. Title 17B, Chapter 1, Part 3 and § 17B-2a-1005. Seven of the elected Trustees will be elected from districts, with one trustee to be elected to represent each of the seven Cache County Council districts, as those districts may be established and modified from time-to-time pursuant to applicable law. The three remaining elected trustees will be elected County-wide. The one Trustee who is appointed by the Cache County Council will, pursuant to Utah Code Ann. § 17B-2a-1005(2)(d), be a person who owns irrigation rights and uses those rights as part of that person’s livelihood. Regarding the ten elected trustee positions, the initial trustees will be appointed by the Cache County Council pursuant to Utah Code Ann. §§ 17B-1-303 and 20A-1-512, with staggered terms and subsequent trustees to otherwise be elected as provided herein.

Approved and passed as of the date set forth below.

CITY OF MILLVILLE

Dated: 4.28.16

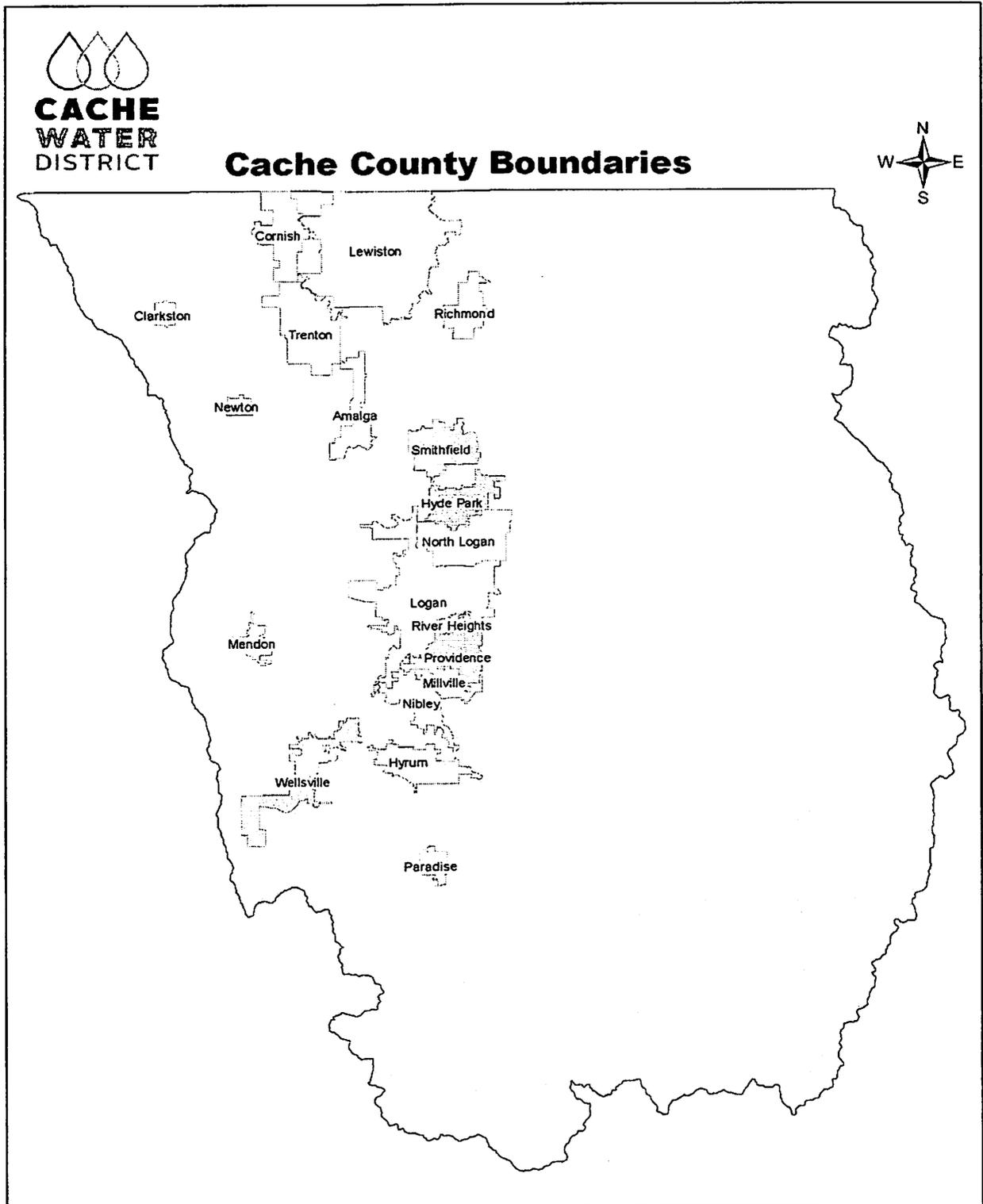
By: 
Michael E. Johnson, Mayor

Attest:


Rose Mary A. Jones, City Recorder

COUNCILMEMBER	YES	NO	ABSENT	ABSTAIN
Michael Callahan	X			
Cindy Cummings	X			
Julianne Duffin	X			
Mark Williams	X			
Ryan Zollinger	X			

EXHIBIT "A"
Map Depicting the Boundaries of the
Cache Water District



CACHE WATER DISTRICT

SUGGESTED PUBLIC HEARING OUTLINE

- I. **Call to Order:** After the pledge of allegiance and/or prayer, according to the custom of the county or municipal council, and any other appropriate business has been conducted, the person chairing the meeting should declare something like: "The public hearing of the _____ [name of municipality or county] Council is called to order for the purpose of allowing the public to ask questions and obtain further information regarding issues contained in or raised by a Resolution adopted by the Council that will place before the voters the question of whether a water conservancy district to be known as the Cache Water District should be created is declared to be open at _____ p.m. on _____ [date] at _____ [location of the public hearing]. The other members of the Council who are present are: _____ [introduce the other members and, if it is a joint public hearing, identify each participating municipality and call upon the Mayor or Council Chair, as appropriate, to introduce the members of the additional Council(s)]."

- II. **First Protest Declaration [A declaration at the start of the hearing is statutorily mandated]:** The person chairing the meeting should declare: "The proposal for the voters to vote on the creation of the Cache Water District is the subject of a series of public hearings to be held by the Cache County Council and by the legislative body of each participating municipality within Cache County. Following the public hearings, the question of whether the Cache Water District will be created will be placed before the voters during the November, 2016 general election. Owners of private land or registered voters residing within a participating municipality who do not want the proposition to be placed before the voters may file a protest with the clerk or recorder of that municipality and owners of private land or registered voters residing within unincorporated portions of Cache County may file a protest with the Cache County Clerk. All protests must be filed by no later than September 12, 2016, which is 60 days after the last public hearing. If sufficient protests are timely filed, either the election will not be held or the municipality or unincorporated Cache County, for which adequate protests have been timely filed, will be removed from the proposal to create the Cache Water District and from the election. Protests are adequate if filed by the owners of at least 25% of the total private land area and at least 15% of the private land value within the subject municipality or unincorporated Cache County (each of which is an "applicable area") or by registered voters residing within the applicable area equal in number to at least 25% of the number of votes cast in the area for the office of President of the United States at the most recent election prior to the adoption of the Resolution. If adequate protests are not filed, the election will be held and the voters will decide whether the Cache Water District will be created."

- III. **Presentation of Information:** The person chairing the meeting should introduce the person(s) who will explain the reasoning behind the proposal to create the Cache Water District and benefits that are anticipated as a result of the creation of the District and will

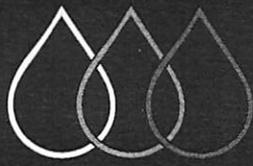
respond to questions from members of the public. Time should then be turned over to the identified person(s) to present basic information.

- IV. **Public Comments and Questions:** The Chair should invite members of the public in attendance to identify themselves for the record and present questions and comments respecting the proposition to present before the voters the creation of the Cache Water District. [Reasonable time limitations may consistently be applied and the chair may exercise reasonable control over the comments, but it is recommended that anyone wishing to speak be given an opportunity to do so. It is also recommended that questions be answered as they are raised, rather than be deferred.]

- V. **Final Protest Statement [A second declaration at the end of the public hearing is mandated by statute]:** After everyone has been heard, the Chair should thank them for attending and participating and state the following: "As stated at the beginning of this public hearing, any owner of private land and any registered voter who desires that the election on the question of the creation of the Cache Water District not take place may file a protest with the Cache County Clerk, if the land is located or the registered voter resides in the unincorporated portion of Cache County, or with the municipal clerk or recorder if the land is located within a participating municipality or the registered voter resides within the municipality. The protest must be filed on or before September 12, 2016, which is 60 days after the date of the last of the series of public hearings dealing with the proposed creation of the Cache Water District."

- VI. **Close Hearing:** Declare the public hearing to be closed.

- VII. **Other Business and Adjournment:** Conduct other business on the agenda, if any, before declaring the meeting to be adjourned.



CACHE WATER DISTRICT

FREQUENTLY ASKED QUESTIONS



What is a water conservancy district?

- Water conservancy districts are used statewide to manage water. Our community does not have representation on any state governing boards that manage water. A district will protect our water allocation and give us credibility and authority on a state level to participate in water management negotiations.
- A district would allow for and facilitate strategic planning for the future of our water.



Will a water conservancy district increase my taxes?

- No new tax will be levied for the first four years of the district.
- After four years, Utah Code restricts the tax amount a water conservancy district may levy. It cannot exceed 0.0002, which is less than \$2 per month for the average household.



Why is a water conservancy district important now?

- A water conservancy district will enable our community to secure and safeguard our allocated water for future generations through smart water management.
- Without a district in Cache County, current water rights/allocations may move to the Wasatch Front where established water districts are organized and operating.
- It allows for a fund to be dedicated to providing water for future generations.



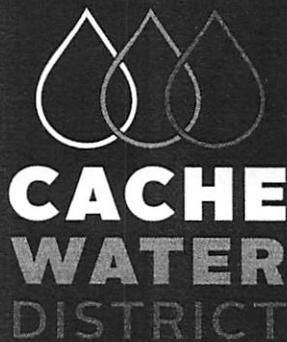
Would a water conservancy district interfere with current water rights?

- No. A district could help protect existing individual water rights.



Will I have a voice in the decisions made by the district Board of Trustees?

- Yes. Ten of the eleven board members will be elected and one board member will be appointed to represent the agriculture community.



Learn more at
cachewaterdistrict.org
or contact us at:
cachewaterdistrict@gmail.com
435.755.1854

Follow us on Facebook & Instagram:

 fb.com/cachewaterdistrict

 @cachewaterdistrict

- **CACHE WATER DISTRICT PURPOSE**

- The District will plan for and facilitate the long-term conservation, development, protection, distribution, management and stabilization of water rights and water supplies for domestic, irrigation, power, manufacturing, municipal, recreation and other beneficial uses, including the natural stream environment, in a cost effective way to meet the needs of the residents and growing population of Cache County.
- In furtherance of protecting and preserving water supplies that are necessary for Cache County's future, the District will:
 - assist in water conservation education and programs
 - assist local municipalities and Cache County as they establish and implement water management policies and ordinances, while maintaining the autonomy of existing water suppliers
 - undertake environmental and other studies to provide information necessary to make proper, timely water use decisions
 - obtain grants and low cost loans for the upgrade and construction of needed water infrastructure