MUNICIPAL BUILDING AUTHORITY and NIBLEY CITY COUNCIL MEETING AGENDA
Thursday, June 9, 2022 – 6:30 p.m.

In accordance with Utah Code Annotated 52-4-207 and Nibley City Resolution 12-04, this meeting may be conducted electronically. The anchor location for the meeting will be Nibley City Hall, 455 West 3200 South, Nibley, Utah. The public may also participate in the meeting via the Zoom meeting link provided at www.nibleycity.com. Public comment should be submitted to cheryl@nibleycity.com by 6:30 p.m. and will be read into the public record.

Meeting of the Municipal Building Authority

1. Call to Order and Ratification of the June 24, 2021 Meeting Minutes and approval of Agenda
2. **Discussion & Consideration** – Resolution MBA 22-01: A Resolution Setting the Officers of the Nibley City Municipal Buidling Authority and Adopting the Fiscal Year 2021-2022 Budget
3. Adjourn to Nibley City Council Meeting

Nibley City Council Meeting

1. Opening Ceremonies (Councilmember Sweeten)
2. Call to Order and Roll Call (Chair)
3. Approval of the May 26, 2022, Meeting Minutes and the Current Agenda (Chair)
4. Planning Commission Report
5. Public Comment Period[1] (Chair)

6. **Discussion & Consideration** – Green Acres Subdivision 1st Amendment (Applicant: Bill Green)
7. **Discussion & Consideration** – Resolution 22-16: A Resolution Amending the Budget for Various Funds of Nibley City for Fiscal year 2021-22, Adopting the Budget for the Various Funds of Nibley City and Other Budgetary Matters for Fiscal year 2022-23 and Adjusting Certain Fees and Payments for Services (Second Reading)
8. **Discussion & Consideration** – Ordinance 22-11: An Ordinance Providing for the Compensation of Elected and Statutory Officers of Nibley City (Second Reading)
9. **Discussion & Consideration** – Ordinance 22-12: Malouf Community Reinvestment Area Draft Project Area Plan by Malouf Industries and Lewis Young Robertson & Burningham (First Reading)
10. **Discussion & Consideration** – Resolution 22-17: Appointing Justin Maughan as Nibley City's Representative to the Municipal Sewer Rate Commitee (First Reading)
11. **Workshop:** Discussion with Nibley Development LLC (Al Bingham) to discuss development goals in the area around 2600 South
12. **Workshop:** Draft Interlocal Agreement for County and Municipal Solid Waste Disposal

13. Council and Staff Report

In compliance with the Americans With Disabilities Act, reasonable accommodations for individuals with disabilities will be provided upon request. For assistance, please call (435) 752-0431.

[1] *Public input is welcomed at all City Council Meetings. 15 minutes have been allotted to receive verbal public comment. Verbal comments shall be limited to 3 minutes per person. A sign-up sheet is available at the entrance to the Council Chambers starting 15 minutes prior to each council meeting and at the rostrum for the duration of the public comment period. Commenters shall identify themselves by name and address on the comment form and verbally for inclusion in the record. Comment will be taken in the order shown on the sign-up sheet. Written comment will also be accepted and entered into the record for the meeting if received prior to the conclusion of the meeting. Comments determined by the presiding officer to be in violation of Council meeting rules shall be ruled out of order.*

Nibley City Municipal Building Authority
Agenda Report for
June 9, 2022

Agenda Item #2

Description	**Discussion & Consideration –** Resolution MBA 22-01: Setting the Officers of the Nibley City Municipal Building Authority and Adopting the Fiscal Year 2022-2023 Budget
Presenter	
Recommendation	Move to approve Resolution MBA 22-01: Setting the Officers of the Nibley City Municipal Building Authority and Adopting the Fiscal Year 2022-2023 Budget
Reviewed By	Mayor, City Manager

Background:

The Nibley City Council established a Municipal Building Authority asa separate legal entity as the financing body through which bonds were issued to pay for the construction of Nibley City Hall. The MBA is the legal entity that owns City Hall and Nibley City pays lease payments to the MBA. The MBA is required to have an annual meeting during which it updates its list of officers and adopts its annual budget. The minutes to be ratified are those from the 6-24-21 MBA meeting.

The officers of the MBA are as follows:

Chair	Mayor
Board Members	City Council Members
Secretary	City Manager

The annual budget for the MBA is included in the Nibley City Budget document. The budget essentially only includes the lease payment from the City, which is then paid against the bond for City Hall.

RESOLUTION MBA 22-01

A RESOLUTION SETTING THE OFFICERS OF THE NIBLEY CITY MUNICIPAL BUILDING AUTHORITY AND ADOPTING THE FISCAL YEAR 2022-2023 BUDGET

WHEREAS, Nibley City has created a Municipal Building Authority of Nibley City, Utah pursuant to provisions of the Utah Local Building Authority Act, Title 17D, Chapter 2, Utah Code Annotated 1953, as amended; and

WHEREAS, the Municipal Building Authority is a component unit of Nibley City, that was established to finance the construction of Nibley City Hall in 2011; and

WHEREAS, the Municipal Building Authority of Nibley City is the legal body that financed the debt for construction of Nibley City Hall; and

WHEREAS, it is necessary to update the board and officers of the Nibley City Building Authority and adopt the budget for fiscal year 2022-2023.

NOW, THEREFORE, BE IT RESOLVED, by the Nibley Municipal Building Authority that:

1. The 2022-2023 Fiscal Year Municipal Building Authority Budget is hereby approved, as included in the Nibley City Budget for Fiscal Year 2022-2023, and

2. The board and officers of the Nibley City Building Authority are set forth as follows:

Chair	Nibley City Mayor
Board Members	Nibley City Council Members
Secretary	Nibley City Manager

This resolution shall take effect immediately upon passage.

Dated this _______ day of _______________, 2022.

____
Larry Jacobsen, Chair

ATTEST: ________________________________
Justin Maughan, Secretary

Nibley City Council
Agenda Report for
June 9, 2022

Agenda Item #6

Description	**Discussion & Consideration** – Green Acres Subdivision 1st Amendment (Applicant: Bill Green)
Presenter	Levi Roberts, Planner
Recommendation	Approval of Green Acres Subdivision 1st Amendment
Reviewed By	Mayor, City Manager, City Planner

Bill Green has submitted a Plat Amendment Application for Green Acres Subdivision. The proposed amendment consolidates 3 of the lots (Lots 2, 3 & 4) within the subdivision and combines them with the adjacent parcel 03-046-0002.

NCC 21.06.060(A) provides that plat amendments are to be approved by City Council, with a recommendation from the Planning Commission. Other than this stipulation, Nibley City Code does not include specific standards for approving subdivision plat amendments. In the absence of City Standards, Utah Code should be referenced. Specifically, UCA 10-9a-608 provides standards for the approval of plat amendments.

UCA 10-9a-608(1)(b) provides the following:

Upon filing a written petition to request a subdivision amendment under Subsection (1)(a), the owner shall prepare and, if approved by the land use authority, record a plat in accordance with Section 10-9a-603 that:

(i) depicts only the portion of the subdivision that is proposed to be amended;
(ii) includes a plat name distinguishing the amended plat from the original plat;
(iii) describes the differences between the amended plat and the original plat; and
(iv) includes references to the original plat.

With his application, the applicant has provided a proposed plat that conforms to these standards, as well as general zoning standards, as applicable. The Planning Commission recommends approval of the application.

Green Acres Subdivision 1st Amendment

A PART OF SECTION 28, T11N, R1E, S.L.B.&M.
NIBLEY, CACHE COUNTY, UTAH
Containing 2.80 Acres in 3 Lots

April 27, 2022

GRAPHIC SCALE

50 0 25 50 100 200

(IN FEET)
1 inch = 50 ft.

THE PURPOSE OF THIS AMENDMENT IS TO ADJUST THE BOUNDARY OF THE ORIGINAL SUBDIVISION TO INCLUDE PARCEL 03-046-0002, ADJUST THE SOUTH LINE OF LOT 1 AND COMBINE LOTS 2, 3, 4 AND PARCEL 03-046-0002

AMENDED PLAT LEGEND:

- AMENDED BOUNDARY LINE
- ORIGINAL BOUNDARY LINE
- LOT LINE
- CENTERLINE
- SETBACK LINE
- PUBLIC UTILITY EASEMENT
- EXIST. FENCE LINE
- FOUND REBAR AND CAP
- SECTION CORNER
- SET 5/8" REBAR W/ CAP

Record Owners: William & Sharie Green TRS
299 West 3650 South
Nibley, Utah 84321

Alan L & Taunie Thomas
296 West 3575 South
Nibley, Utah 84321

GENERAL NOTES:

1. This property is located in the vicinity of property that is used for agricultural purposes. It may be anticipated that such agricultural uses and activities may or may not in the future be conducted in this area and such uses are previously existing uses.
2. Areas in Nibley City have groundwater problems due to the varying depths of a fluctuating water table. The city's approval of a building permit or construction plans does not constitute a representation by the city that building at any specified elevation or location would solve subsurface or groundwater problems. In addition, concerns for building elevation and/or grading and drainage are unique to each building lot and site. Responsibility for these stated concerns, and all other such concerns related to a lot or other building site, remains solely with the building permit applicant, property owner and/or contractor. Nibley City is not responsible for any subsurface or groundwater problems which may occur, nor for other such concerns, including, but not limited to, building location and/or elevation, site grading, and drainage.
3. Current Zoning: Residential R2

Minimum Lot Size: 0.50 Acres
Minimum Lot Frontage: 100.00 feet
Setback lines are for primary buildings only.
Front: 30.00'
Rear: 25.00'
Side: 10.00'
Side along Roadway: 25.00'

Curve Table

Curve #	Length	Radius	Delta	Chord Direction	Chord Length
C1	88.45	160.04	31°39'54"	S73° 41' 48"E	87.33
C2	81.36	160.00	29°08'01"	S72° 25' 44"E	80.48
C3	7.09	159.66	2°32'43"	S88° 15' 57"E	7.09

Parcel Line Table

Line #	Length	Direction
L1	30.98	S57° 51' 43"E

SURVEYOR'S CERTIFICATE

I, JEFF C. NIELSEN , DO HEREBY CERTIFY THAT I AM A REGISTERED LAND SURVEYOR, AND THAT I HOLD CERTIFICATE NO. 5152661 AS PRESCRIBED UNDER THE LAWS OF THE STATE OF UTAH, I FURTHER CERTIFY THAT BY AUTHORITY OF THE OWNERS I HAVE MADE A SURVEY OF THE TRACT OF LAND SHOWN ON THIS PLAT AND DESCRIBED BELOW, AND HAVE SUBDIVIDED SAID TRACT OF LAND INTO LOTS AND STREETS HEREAFTER TO BE KNOWN AS: GREEN ACRES SUBDIVISION 1ST AMENDMENT AND THE SAME HAS BEEN CORRECTLY SURVEYED AND ALL STREETS ARE THE DIMENSIONS SHOWN.

Subdivision Amendment Boundary

PART OF SECTION 28, TOWNSHIP 11 NORTH, RANGE 1 EAST, SALT LAKE BASE AND MERIDIAN.

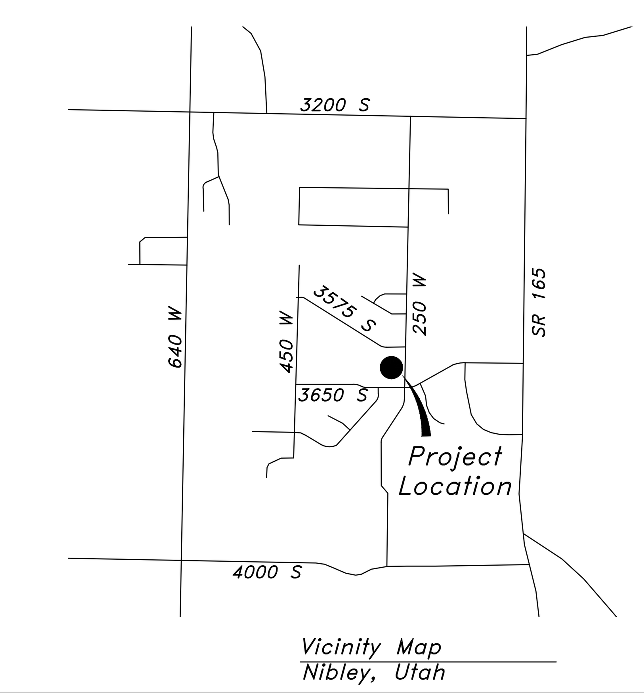
BEGINNING AT THE INTERSECTION OF THE SOUTH LINE OF 3575 SOUTH STREET AND THE WEST LINE OF 250 WEST STREET BEING LOCATED NORTH 22°50'26" WEST, A DISTANCE OF 4283.20 FEET FROM THE NORTHEAST CORNER OF SECTION 33, TOWNSHIP 11 NORTH, RANGE 1 EAST, SALT LAKE BASE & MERIDIAN, SAID POINT BEING LOCATED BY RECORD SOUTH 88°41'03" EAST A DISTANCE OF 1314.50 FEET AND SOUTH 01°44'44" WEST A DISTANCE OF 799.46 FEET FROM THE NORTHWEST CORNER OF LOT 13, BLOCK 17, MILLVILLE WEST FIELD SURVEY, AND RUNNING THENCE SOUTH 1°44'42" WEST, A DISTANCE OF 427.17 FEET ALONG SAID WEST LINE OF 250 WEST STREET TO THE INTERSECTION OF SAID WEST LINE AND THE NORTH LINE OF 3650 SOUTH STREET; THENCE NORTH 89°32'11" WEST, A DISTANCE OF 408.53 FEET ALONG SAID NORTH LINE TO THE SOUTHEAST CORNER OF HERITAGE HILLS PHASE 2 SUBDIVISION; THENCE NORTH 1°44'42" EAST, ALONG SAID SUBDIVISION A DISTANCE OF 236.20 FEET TO THE SOUTHEAST CORNER OF HERITAGE HILLS PHASE 1 SUBDIVISION; THENCE NORTH 21°38'33" EAST, A DISTANCE OF 247.76 FEET ALONG THE EAST LINE OF SAID PHASE 1 TO THE SOUTH LINE OF SAID 3575 SOUTH STREET; THENCE ALONG SAID SOUTH LINE IN THREE COURSES:

1. SOUTH 57°51'43" EAST, A DISTANCE OF 30.98 FEET TO A POINT OF CURVE TO THE LEFT HAVING A RADIUS OF 160.00 FEET AND A CENTRAL ANGLE OF 31°40'26";
2. SOUTHEASTERLY ALONG THE ARC A DISTANCE OF 88.45 FEET, CHORD BEARS SOUTH 73°41'56" EAST A DISTANCE OF 87.33 FEET;
3. SOUTH 89°32'08" EAST, A DISTANCE OF 212.91 FEET TO THE POINT OF BEGINNING.

CONTAINING 2.80 ACRES +/-

DRAFT

SIGNATURE DATE



OWNER'S DEDICATION

THE UNDERSIGNED, BEING ALL OWNERS OF RECORD OF THE ABOVE-DESCRIBED PARCEL OF LAND DO HEREBY SUBMIT SAID PARCEL OF LAND TO BE AMENDED AND KNOWN AS GREEN ACRES SUBDIVISION 1ST AMENDMENT.

______________________, HAVE EXECUTED THIS PLAT AND

DEDICATION THE __________ DAY OF ______________, 20________

FORESIGHT
LAND SURVEYING
2005 North 600 West, Logan, Utah
435-753-1910

Project No. 22-178
Prepared by JH, 4/27/22

TRUSTEE ACKNOWLEDGMENT

state of UTAH
County of CACHE

on this _____day of ______________, ______________

personally appeared before me, the undersigned notary public in and for said county of Cache, in the state of Utah, proved to me on the basis of satisfactory evidence to be the person(s) who executed the within instrument as Trustee(s) of the ______________________________, the signer(s) of the within instrument, who duly acknowledged to me he(she) executed the same pursuant to and in accordance with the power vested in him(her) by the terms of said trust agreement.

NOTARY PUBLIC

CITY ENGINEER'S CERTIFICATE OF APPROVAL

I CERTIFY THAT I HAVE EXAMINED THIS PLAT AND FIND IT TO BE CORRECT AND IN ACCORDANCE WITH THE INFORMATION ON FILE IN THIS OFFICE AND THE CITY ORDINANCE

DATE CITY ENGINEER

PLANNING COMMISSION APPROVAL AND ACCEPTANCE

PRESENTED TO THE NIBLEY CITY COUNCIL THIS_____DAY OF____________, 20___, AT WHICH TIME THIS SUBDIVISION WAS RECOMMENDED TO THE CITY COUNCIL FOR APPROVAL

DATE PLANNING COMMISSION CHAIRMAN

CITY COUNCIL APPROVAL AND ACCEPTANCE

PRESENTED TO THE NIBLEY CITY COUNCIL THIS_____DAY OF____________, 20___, AT WHICH TIME THIS SUBDIVISION WAS APPROVED AND ACCEPTED

DATE MAYOR

ATTORNEY APPROVAL

APPROVED AS TO FORM THIS_____DAY OF_____,20___.

DATE CITY ATTORNEY

ACKNOWLEDGMENT

state of UTAH
County of CACHE

on this _____day of ______________, ______________

personally appeared before me, the undersigned notary public in and for said county of Cache, in the state of Utah, the signers of the attached owners dedication, _____in numbers, who duly acknowledged to me they signed it freely and voluntarily and for the purpose therein mentioned.

NOTARY PUBLIC

COUNTY RECORDER

STATE OF UTAH,
COUNTY OF CACHE.

THIS PLAT HAS BEEN DULY ACKNOWLEDGED, CERTIFIED, AND APPROVED AND MAY LAWFULLY BE RECORDED IN CACHE COUNTY, UTAH.

FILED AND RECORDED:
FILING NO.:
DATE:
TIME:
BOOK:
PAGE:
REQUEST OF:

CACHE COUNTY RECORDER

Agenda Item #7

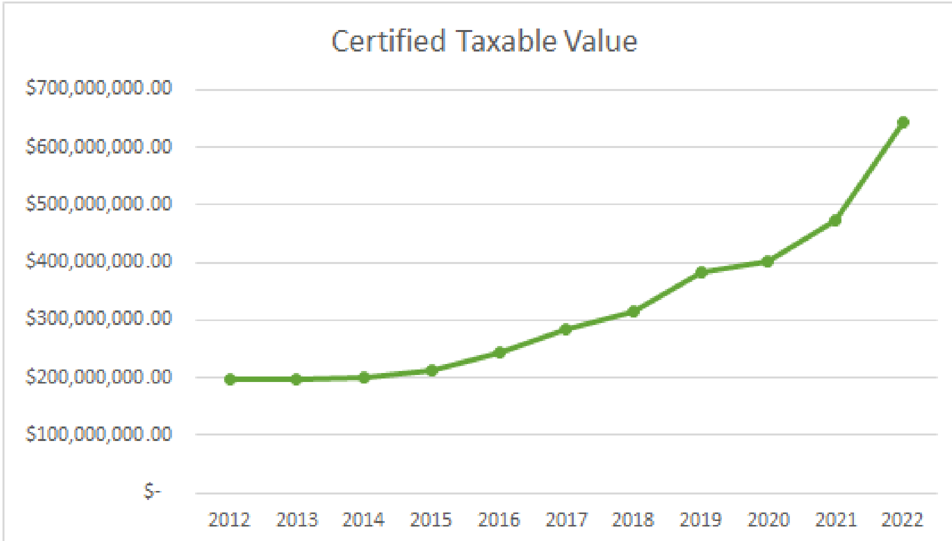
Description	**Discussion & Consideration –** Resolution 22-16: A Resolution Amending the Budget for Various Funds of Nibley City for Fiscal year 2021-22, Adopting the Budget for the Various Funds of Nibley City and Other Budgetary Matters for Fiscal year 2022-23 and Adjusting Certain Fees and Payments for Services (Second Reading)
Presenter	Justin Maughan, City Manager
Recommendation	Move to approve Resolution 22-16: A Resolution Amending the Budget for Various Funds of Nibley City for Fiscal year 2021-22, Adopting the Budget for the Various Funds of Nibley City and Other Budgetary Matters for Fiscal year 2022-23 and Adjusting Certain Fees and Payments for Services
Reviewed By	Mayor, City Manager, Treasurer, Department Heads

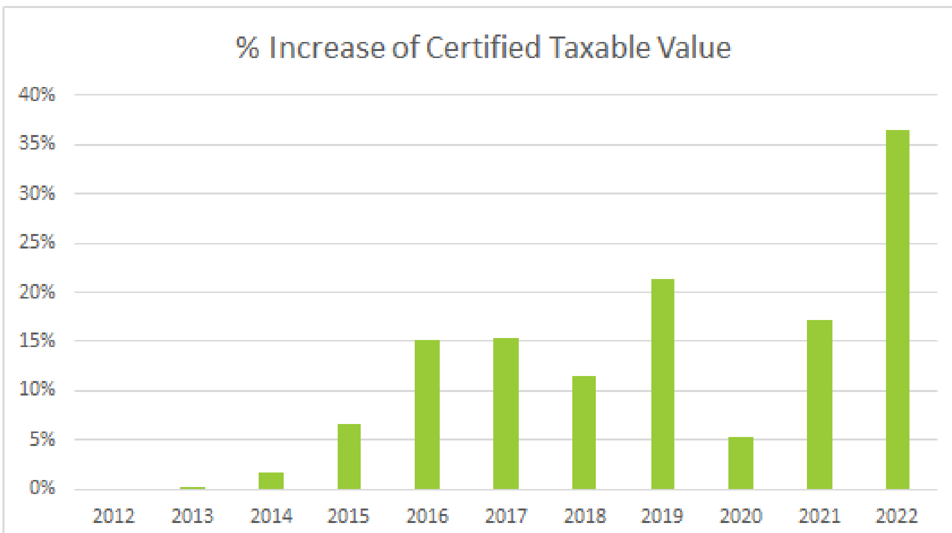
Background since 1st Reading

On 6/2/2022, Cache County Assessors office contacted Nibley City Staff and notified them that the Certified Taxable Value and Certified Tax Rate, have been set. The Certified Taxable Value is the total taxable value of property in Nibley, and the Certified Tax Rate is the rate that would be revenue neutral from last year, ignoring growth. During the past presentations that have been made to Council, regarding the Budget, it was estimated that the County would increase property values by about 15%. This number was used because historically, increases have been around that amount, as you can see in the chart below:

	Cert Tax Value	% increase	Cert Rate
2012	$ 196,104,667.00	0%	0.001723
2013	$ 196,426,496.00	0%	0.001703
2014	$ 199,745,255.00	2%	0.001649
2015	$ 212,836,109.00	7%	0.001608
2016	$ 245,124,052.00	15%	0.001484
2017	$ 282,728,262.00	15%	0.001518
2018	$ 315,514,600.00	12%	0.001548
2019	$ 383,027,057.00	21%	0.001398
2020	$ 403,394,643.00	5%	0.00162
2021	$ 472,779,745.00	17%	0.001484

The Certified Taxable Value for 2022 came in at an unprecedented 37% increase! Which increased Nibley Cities Certified Taxable Value to $645,419,830.00. The following charts show how the Certified Taxable Value and the percent change over the past several years.





The revenue generated from Property Tax into the General Fund is the Certified Taxable Value multiplied by whatever rate that the Council adopts. The following chart shows the revenue that would be brought into the General Fund from Property Tax in FY 2022/23, based on the Certified Tax Value of $645,419,830.00. Three rates are presented in the chart. The first rate is the Certified Tax Rate, that would bring in the same amount of money into the General Fund from property taxes as last fiscal year without growth. The Third is the historic rate that has been adopted in Nibley for the past decade of 1/600 or 0.001667. The second is the halfway point between the two.

	Rate	Revenue
Certified Tax Rate	0.001302	$ 840,336.62
Mid Point Tax Rate	0.0014845	$ 958,125.74
Historic Tax Rate	0.001667	$ 1,075,914.86

The proposed FY 22/23 budget, has been constructed on only receiving $830,000 of income from property tax. This number was the result of an assumed 15% increase in Cert Taxable Value and the historic 1/600 tax rate but did not include increased revenue from new growth. By comparing last year's budgeted revenue of about $740k, which was the product of the 1/600 historic rate and last year's Certified Taxable Value, the increased property tax from new growth is about $840k - $740k = $100,000.

The next chart shows how the three rates presented above will impact individuals, based on the value of their properties. The last two columns show the cost difference between adopting the Certified Rate of 0.001302 and the Historic Rate of 0.001667. Last year, the average home was valued at $352,623. Based on the Certified Taxable Value increase of 37%, staff estimates that the average home in Nibley is now valued between $400,000 and $500,000, putting the increase to a household around $90.00 per year if the Council adopts the historic rate.

	Cert Rate	Mid Point	Historic Rate	Non	Primary
Market	0.001302	0.0014845	0.001667	Primary	Residence
$ 250,000.00	$ 325.50	$ 371.13	$ 416.75	$ 91.25	$ 50.19
$ 352,623.64	$ 459.12	$ 523.47	$ 587.82	$ 128.71	$ 70.79
$ 400,000.00	$ 520.80	$ 593.80	$ 666.80	$ 146.00	$ 80.30
$ 500,000.00	$ 651.00	$ 742.25	$ 833.50	$ 182.50	$ 100.38
$ 600,000.00	$ 781.20	$ 890.70	$ 1,000.20	$ 219.00	$ 120.45
$ 700,000.00	$ 911.40	$ 1,039.15	$ 1,166.90	$ 255.50	$ 140.53
$ 800,000.00	$ 1,041.60	$ 1,187.60	$ 1,333.60	$ 292.00	$ 160.60
$ 900,000.00	$ 1,171.80	$ 1,336.05	$ 1,500.30	$ 328.50	$ 180.68
$ 1,000,000.00	$ 1,302.00	$ 1,484.50	$ 1,667.00	$ 365.00	$ 200.75

The good news is that the proposed FY22/23 budget, was constructed such that no matter what the Council decides to do with the rate, there will not have to be major cuts, or changes to the plan. Ultimately, the decision comes down to how much money is put towards future Capital Projects. By holding the historic rate, an additional $235,578 would come into the General Fund than what has been planned in the draft FY 22/23 budget.

If the Council adopts any rate above the Certified Rate, we must go through the Truth in Taxation process, as we have historically done every year by adopting the historic rate. If the Council desires to adopt a rate, other than what has been proposed in the draft budget of 1/600 or 0.001667, a motion will have to be made during the Council meeting. Another topic of discussion during first reading was the EMS fee that Nibley currently charges of $6.00 per month. Mayor Jacobsen and City Manager Maughan met with Cache County Fire Chief Rod Hammer to discuss the future of EMS. The short answer is that there are probably a lot of changes coming, but nothing definitive at this time. Chief Hammer expects that costs are going to have to go up, but is waiting to get two solid years of operation in the books, before anything is really looked at. That milestone will be reached in December of 2022. The current agreement with Cache County increases the annual cost to Nibley by 3% (based on population estimates) for next fiscal year. This would put the fee for EMS at $116,323 and the fee for managing the First Responders unit at $24,000, for a total of $140,323 that Nibley would pay to the County for EMS services, which is covered in the proposed FY 22/23 budget. Reducing the monthly fee to $5 per month would bring in an estimated $136,370.00. This would be just shy of covering the cost for the year, but is easily covered by what has been built up over the last year.

If the Council desires to change the EMS fee to something other than $6.00 per month, a motion will have to be made to do so.

Original Background:

The first draft of the budget for the next fiscal year will be presented to the City Council and public.

Staff will present and review various changes and proposals in the budget. State law requires the City Council to adopt the first draft of the annual budget by the Council's first meeting in May

.

Also by state law, the budget will also need to be adopted by the first meeting in June if there is not a tax increase, or by the second meeting in August if there is a tax increase. Upon final adoption, this resolution would adopt the budget for the next fiscal year, as well as make any final adjustments to the current-year budget.

This resolution proposes to keep the property tax rate at its current rate of 0.001667. If Cache County certifies a tax rate lower than this rate, which is likely based on real estate value increases over the past year, this rate will not become the final adopted rate until after the City holds a truth in taxation hearing in August.

Summary of Changes since Workshop:

Proposed Changes since workshop at Council on 12 May 2022:

Current Year Budget Change FY 21/22:
Capital Projects - Firefly Park Development, clarified with County on RAPZ:
45-38-612 – from 0 to $411,500
*Note – should receive $78k in 2023 and 2024 as well.

FY 22/23 Budget:
Gen Fund:
10-50-370 Software – Increase from $50,000 to $55,000 for online application software
11-40-650 Class C – Increase from $240,000 up to $300,000 to seal 3200 South

Captial Projects:
45-38-612 Firefly Development – decrease from $411,500 to $0

45-38-725 Grant CCOG from $0 to $2,300,000
45-40-742 Captial Equipment– Increase from $31,000 to $100,000 to purchase tractor for Parks
45-40-731 Major Street Projects – Increase from $0 to $2,775,000 for 1200 West, 450 West ½ road, 1350 West Half Road and 1000 West tie to Firefly Estates

RESOLUTION 21-16

A RESOLUTION AMENDING THE BUDGET FOR VARIOUS FUNDS OF NIBLEY CITY FOR FISCAL YEAR 2021-22, AND ADOPTING THE BUDGET FOR THE VARIOUS FUNDS OF NIBLEY CITY AND OTHER BUDGETARY MATTERS FOR FISCAL YEAR 2022-23 AND ADJUSTING CERTAIN FEES AND PAYMENTS FOR SERVICES

BE IT RESOLOVED BY THE CITY COUNCIL OF NIBLEY CITY, STATE OF UTAH, AS FOLLOWS:

1. The attached Fiscal Year 2021-2022 current-year budget is hereby adopted and approved as the amended budget for the current fiscal year ending June 30, 2022, with amendments, if any, as reflected in the attached budget document and the minutes of this meeting.
2. The attached budget, entitled Nibley City Budget Fiscal Year 2022-23, is hereby adopted and approved for the fiscal year ending June 30, 2023, with amendments, if, any, as reflected in the budget document and the minutes of this meeting.
3. The adopted property tax rate is 0.001667.

PASSED BY THE NIBLEY CITY COUNCIL THIS ______ DAY OF __________, 2022.

____
Larry Jacobsen, Mayor

ATTEST:

____
Cheryl Bodily, City Recorder

Nibley City Budget

Fiscal Year 2022-23

Our Mission:

Our mission is to make life better for our residents.

Our Vision

We envision a community where residents, businesses, and government work together to develop the City in harmony with its natural environment, historical surroundings, and in accordance with Nibley's General Plan.

Our Values

We value fiscally sound municipal services for a safe, attractive, creative and viable community.

GOVERNMENT FINANCE OFFICERS ASSOCIATION

Distinguished Budget Presentation Award

PRESENTED TO

City of Nibley City
Utah

For the Fiscal Year Beginning

July 01, 2021

Christopher P. Morrill
Executive Director

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June 10, 2022

Greetings, Nibley Citizens.

"Show me the money." It is not just a line from the movie, Jerry Maguire (https://www.youtube.com/watch?v=mBS0OWGUidc). It is a statement about what we value. While I cannot guarantee this Budget will provide the same enthusiasm shown in the clip. I can guarantee that thanks to the dedication of city staff who prepare this Nibley City Budget, the days of boring rows and columns of numbers requiring specialized knowledge to interpret are in the distant past. On the contrary, this Budget aims to give clear and transparent communication about the financial status and financial priorities of Nibley City. As you review this Budget, I encourage you to read the narrative associated with each line item to understand the meaning behind the numbers presented in the tables and shown in the charts.

There is a lot to be happy about in this Budget and a couple of things to keep an eye on. The details show that Nibley City operates with a fiscally conservative approach. We have a balanced budget with little debt, conservative revenue projections (despite the growth in our city), and good planning that anticipates future projects needed to provide important services.

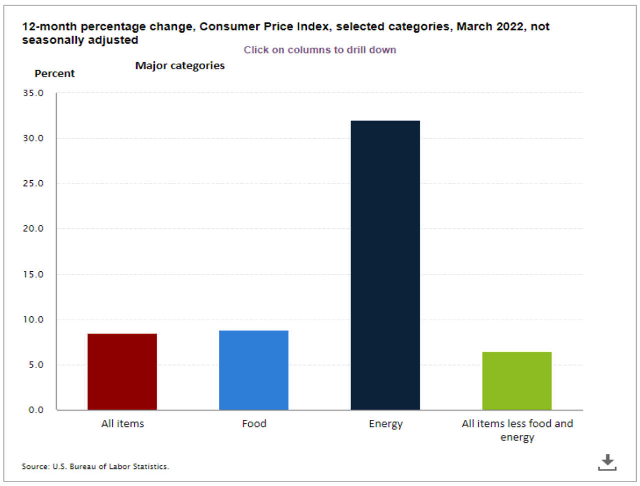
The Nibley City Budget is several budgets within a budget. The utilities (for example, water, sewer, and storm water) are services provided for a fee rather than being funded by taxes. As you can see, each of these pseudo companies have their own stand-alone budgets with their own revenues and expenses. I am pleased with the efficiency that city staff works to provide these utilities throughout the year.

The General Fund is the part of the budget that is mostly funded by taxes, mostly property tax and sales tax. Despite the modest retail activity in Nibley City, sales tax outproduced property tax during our last fiscal year and will do the same this year. Section 10-31-130 explains how the state distributes the local sales tax equally between point-of-sale and municipal population. On-line sales have bolstered Nibley's point-of-sale revenues because our front porches are the that point-of-sale. Still, Nibley remains largely a bedroom community, and we are working on our own retail opportunities on US-89/91 and Hwy 165 to better capture sales tax that "leaks" to neighboring communities.

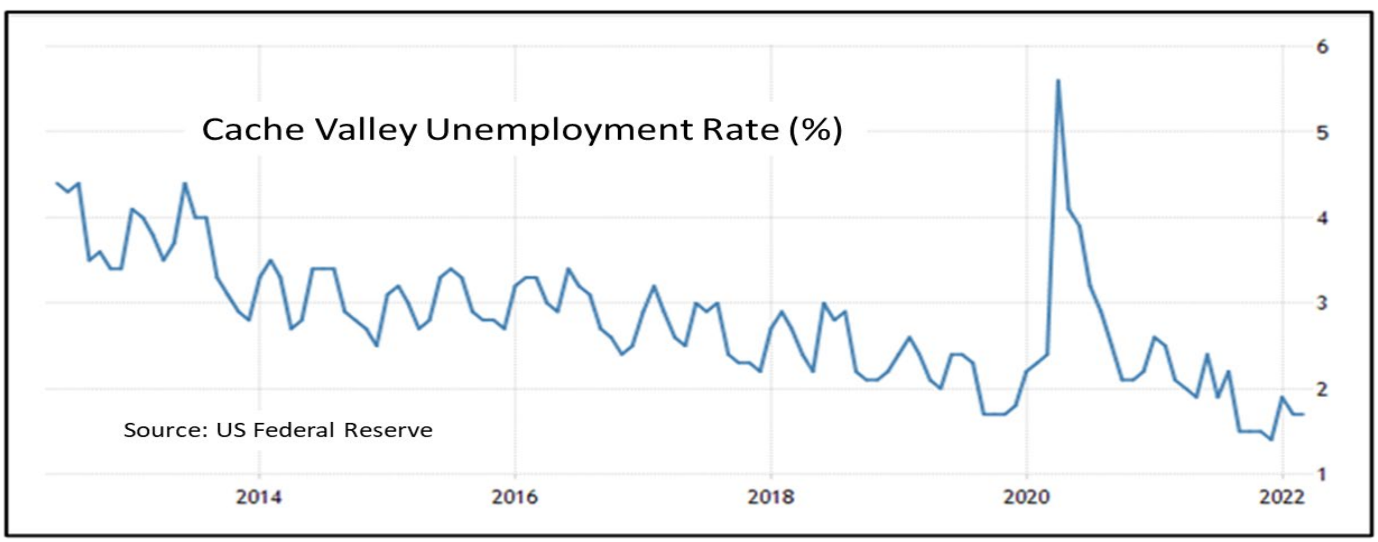
The other main source of revenue for the General Fund comes from property tax. Historically, Nibley City has maintained a tax of 1/600 (0.001667) of taxable property values, and this budget proposes to do the same. This rate has shown to be a practical one that provides the "right" level of local government. It requires efficiency to provide the roads, parks, and trails, and capital-project funding that we treasure as a community. Because property values have increased from last year, maintaining this rate means more dollars collected. Depending on the Council's decision on maintaining our historic rate, we will be working through the Truth in Taxation process this summer.

The expenditure side of General Fund gives us a couple of things to keep our eye on, one longer term and one short term. Regarding the longer term item, we recently completed a Capital Projects Finance Plan (http://nibleycity.com/images/2022_Nibley_City_CPFP.pdf) that evaluates how well the General Fund can satisfy the costs of the capital projects that are currently included in the various Nibley Master Plans. This analysis shows that even with anticipated growth bringing impact fees, we will fall well short of the listed goals, especially for park development. While the Finance Plan shows different scenarios to balance our funding with our desires, it is not clear at the moment what is the best approach. This Budget does not propose a remedy that dilemma. The Parks and Recreation Advisory Committee, the Planning Commission, and the City Council will have ongoing discussions on this topic. I hope you will help us work through this.

The short-term issue I mentioned is one that I feel this Budget must deal with. The chart below shows the inflation rate in the United States for the past twelve months. With all items included, the Consumer Price Index increased by 8.5%. The Utah-specific increase was also 8.5%. Even if we eliminate sky-rocketing costs for energy, along with food increases, the inflation rate was 6.5%.



The next chart shows the other half of our short-term issue. Unemployment in Cache Valley is extremely low, with the Federal Reserve reporting the March 2022 unemployment rate at 1.7%. I'm sure you have noticed the Help Wanted signs around the valley. Employee talent is in demand, and to maintain its staff, Nibley City must compete with other employers.



I learned a new term recently. Shrinkflation is when a company decreases the quantity or quality of its goods or services to offset the increasing cost of producing or providing those services. I don't see shrinkflation as a viable alternative for Nibley City. We have an extremely competent, highly motivated, citizen-centric staff. We want to hold on to them. While I am not aware of employees threatening to quit over compensation levels, I prefer that we stay in step with the competitive labor market by fairly compensating city employees. With that approach, they can focus on doing their jobs rather than thinking about whether they should be looking elsewhere. Given these considerations, this Budget proposes a 7% cost of living adjustment in employee salaries and wages.

Despite some headwinds, Nibley City is on solid footing thanks to the fiscally conservative approach of past Councils and City Staff. I look forward to help keeping us there. I hope you will review this Budget and lend us a hand towards the same goal.

Thank you,
Larry Jacobsen

Strategic Goals and Objectives

<u>Our City Mission Statement is:</u> We make life better for each other. Residents, businesses, and government work together to develop the City in harmony with its natural environment, historical surroundings, and in accordance with the General Plan. We will provide fiscally sound municipal services for a safe, attractive, creative, and viable community.

Our General Plan, found at http://nibleycity.com/index.php/government/planning-zoning/master-plans, identifies our city's goals and strategies that guides everything we do. It provides a framework from which we operate our whole city from. Our General Plan considered current conditions and community needs, and produced a reaffirmed or revised direction for the future of the city. Several community meetings were held as part of the planning process as we developed this plan. This process was last completed in 2016.

This General Plan is updated peridiodically to address what has changed in the community, to confirm the community's core values and to identify new opportunities, while helping to prepare Nibley for the future. Nibley's General Plan helps prioritize public investment and prepare to act on new opportunities. The General Plan is intended to provide for orderly growth and development that is consistent with the character of the City and its residents' core values. The General Plan is one of the most important documents for Nibley City because it answers important questions about what people can expect for the future of their community.

Process for formulating goals:

1. <u>Public Involvement</u>: Community input was solicited to be truly representative of public interests and desires. Many opportunities were given, and a variety of methods were used to engage the public for their opinions.
2. <u>Public Events</u>: Interviews with commissions, interested groups, businesses owners, interested citizens, and City staff were held early and throughout the process to identify and assess issues, needs, attitudes and vision. Residents and stakeholders were also engaged through three public events focusing on that vision and choices. Following each workshop, a summary was made available online.
3. <u>Steering Committee:</u> During the last phase of the process, a Steering Committee was set up to vet ideas and questions in the final plan.

4. <u>City Council and Planning and Zoning Commission:</u> The planning team met several times with the City Council and Planning and Zoning Commission to update them on the process, discuss key issues, and obtain guidance during the process. The Council has the ultimate authority to adopt the proposed plan.

Through this process, it was determined that Nibley's principal issues facing our City Council are:

• Pride in the City's history and heritage
• The rural character, scenic beauty, and natural resources of the area
• Nearby recreation opportunities
• Agricultural fields and open spaces
• A transportation system that promotes safe and efficient travel
• Recognizing and respecting private property rights
• Aesthetically pleasing design of development and public facilities

Plans to Address City Goals

Land Use/Growth

Nibley will be a healthy and sustainable place, where protecting and highlighting natural assets, such as the view of the Wellsville Mountains, the Blacksmith Fork River, key wildlife corridors and open spaces are prioritized. Nibley provides places that create a strong sense of community and a high standard of living for residents that respects and preserves the City's heritage and property values.

Residential Development and Housing

While retaining the character and form of established neighborhoods, residential development in Nibley will emphasize the conservation of open space and, using that conservation process, will incorporate a variety of housing forms.

Commercial and Economic Development

Nibley's commercial development will be compact and economically sustainable, focused in identified centers, balanced with residential growth, and will promote the area's character and charm.

Transportation and Mobility

Nibley supports an efficient circulation system that will allow traffic flow on major streets and create a safe atmosphere that encourages pedestrians and bicyclists. Trails are a critical part of the transportation system.

Parks, Trails, and Open Space

Nibley will have a park system interconnected by trails, community facilities, and cultural features, which are connected to neighboring systems and communities.

Utilities and Municipal Services

Nibley will continue to strategically plan and implement improvements to utilities and public infrastructure to ensure necessary facilities and services are provided to the community and occur in advance of significant growth. Nibley will pursue opportunities to develop information infrastructure to support technology business development.

Pathway at Meadow View

Budget-In-Brief

The City's General Fund accounts for the financial resources necessary to carry out basic governmental activities for the City that are not accounted for in other funds. The General Fund supports essential city services such as law enforcement, fire protection, street maintenance, recreation, and parks and open space maintenance. General Fund revenue is collected from taxes (property, sales, and utility), licenses and permits, service fees, fines, and grants.

Conservative Revenue Growth

General Fund revenues in Fiscal Year 22-23 are expected to remain stable. Nibley has seen a larger amount of growth over the last year than in previous years. 128 new home building permits were issued in calendar year 2021. Budget projections related to home building in the FY 22-23 budget are based conservatively on an estimated 75 homes. Three large developments are currently under construction that should easily produce that many homes over the next fiscal year. An increase of 5% has been assumed for home values throughout Nibley. Sales tax revenue is expected to continue to grow as Nibley's and Utah's economies and populations grow.

Tax Levels and Assessing Fair and Reasonable Fees

The FY 22-23 budget proposes to keep property tax at the same rate as last year. The City's property tax policy is to annually adjust the property tax rate to the historic rate of 0.001667, the rate that allows the City to maintain services at the current level. When there is growth in real estate value, Cache County will certify a lower rate than Nibley's current property tax rate. Therefore, if Nibley maintains the same rate as the previous year, state law considers that to be a tax increase, which would require the City to hold a Truth in Taxation hearing in August.

The sewer revenue amount in this budget reflects a $1 rate increase for Nibley utility users, as adopted by the Nibley City Council in 2018. The sewer fee Nibley City charges residents is currently $54 per month, and will increase to $55 per month in March 2023. Nibley uses those funds to pay Logan City for wastewater treatment for their citizens. The rate being charged by Logan City increased by 10% each July 1st, from 2017 through 2021.

Grant Revenue

Nibley City originally purchased the property for Firefly Park for $442,000.00, with the understanding that the funds would be reimbursed by Cache County RAPZ. The timing however was unknown, and depended on the County redeveloping properties in North Logan that were associated with the development of Green Canyon High School. The properties have been redeveloped and sold, and it is therefore anticipated that Nibley will be reimbursed for the purchase of the land in fiscal year 22-23. The City was also granted money for the development of the park, at a 50% match. Up to $78,000 RAPZ per year was agreed upon through FY 22-23. Nibley has developed the park as planned, and is anticipating a $78,000 award this fiscal year.

Staff has worked with Heritage Elementary and the Cache County School District, and has been awarded $110,000, with a minimum 7% match for a Safe Routes to School Grant. The project identified project was constructing a sidewalk along 3200 South from 800 West to the eastern edge of the Nibley Meadows development. This will complete the sidewalk along the entire length of 3200 South from Hwy 165 to 1600 West.

Staff has commited to diligently working towards a Federal Grant to assist in the construction of Ridgeline Park. A consultant has been selected to assist that has been successful a number of times securing this grant. The grant is reimbursable up to 50% of the cost to construct the park. For a phase one project, staff is seeking $1,000,000 to be reimbursed.

Last fiscal year, Nibley received $422,216 of American Rescue Plan Act money from the Federal Government. It is expected that the same amount will be received FY 22-23.

Maintaining Core Services

As a community, Nibley continues to place the highest of priorities on funding core municipal services to residents. As a result, please note that the FY 22-23 budget reflects the funding of programs and resources across all operating departments that will allow the City to increase or maintain levels of service.

- Continued construction of Firefly Park
- 1200 West and 3200 South Roundabout
- Construction of missing links in the City's sidewalk and trails network
- Begin construction of Ridgeline Park
- Market adjustments in maintenance accounts due to inflationary pressures

Community Development and Recreation: The Nibley City Recreation Department is responsible for coordinating sports and recreation programs, pursuing funding opportunities for City recreation, and organizing and supporting cultural events and other community development programs. It has started new Soccer and Ultimate Frisbee programs and is planning future recreation programs. The City will also continue to provide many of the successful programs offered in years past, such as Heritage Days, the BOOnanza, baseball, softball, and more.

Planning: The planning department has been busy handling subdivision applications in the past year, along with updating ordinances. The City Council has made it a practice to set aside funds on an annual basis for planning. In the next year, Nibley City will work on an update to the City's Parks and Recreation Master Plan. This is particularly important in light of continued rapid growth.

Budget Documentation

Nibley City staff members continue to revise and improve the structure of this budget document in order to make it more easily understandable and compliant with the standard recommended by the Government Finance Officers Association.

Qualified and Motivated Workforce

The ability to provide quality services to Nibley residents is made possible by the City's qualified and motivated workforce. It is Nibley's policy to continue to invest in training and education in order to continue to maintain that standard of quality. It has been the City's practice to adjust the employee pay scale by 2% annually as a cost-of-living adjustment. However, inflation in the US economy in 2021 was 7% and it is estimated that 2022 close out around 4.5%. Staff has collectd data from around the US and the State on what other similar sized Cities are offerng as a COLA. The FY 22-23 budget includes a COLA of 7% for employees and elected officials and accounts for increases in benefit payment amounts, including retirement contributions.

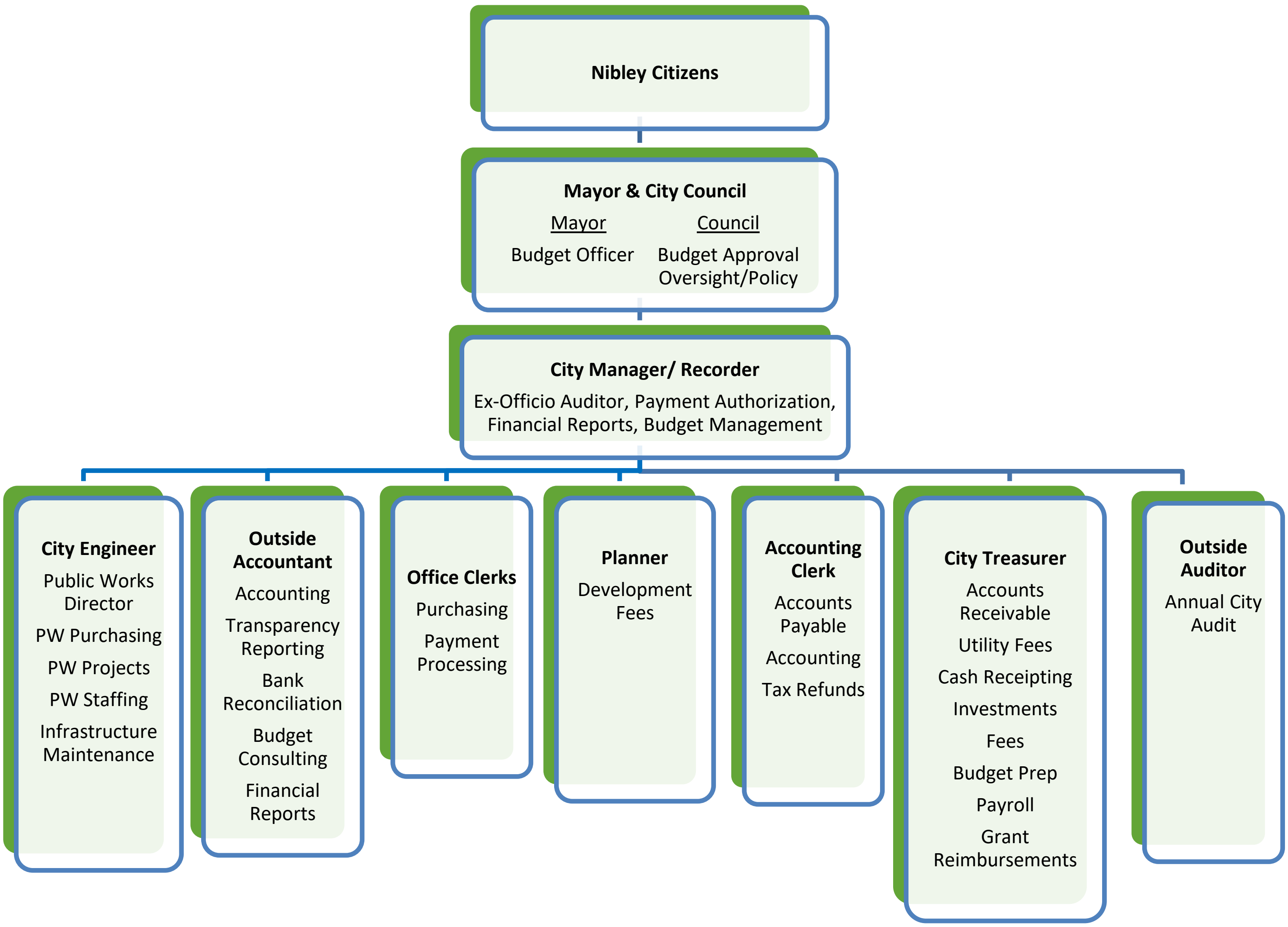
Proposed Timeline for future meetings and approval

- May 26 – First presentation and adoption of tentative budget
- June 9 – Public Hearing and possible budget workshop
- August 11 or 25 – Truth in Taxation Hearing and Final Adoption

Summary of Changes between Proposed to Adopted Budget for 2022-2023

10-50-370 Software: Increase from $50,000 to $55,000 for online application software
11-40-650 Class C Roads: Increase from $240,000 up to $300,000 to seal 3200 South
45-38-612 Firefly Development: Decrease from $411,500 to $0, as funds are expected to be received 21-22.
45-38-725 CCOG Grant: Increase from 0 to $2,300,000, as there may be a delay in receipt of funds.
45-40-742 Capital Equipment: Increase from $31,000 to $100,000 in order to purchase tractor for Parks
45-40-731 Major Street Projects: Increase from $0 to $2,775,000 for 1200 West, 450 West 1/2 road, 1350 West Half Road and 1000 West tie to Firefly Estates.

Nibley City Financial Oversight



Glossary

Administrative Charges: Administrative charges are funds transferred into the General Fund from Enterprise funds to cover expenses that are directly related to Enterprise operations.

Appropriation: An appropriation is a legal authorization to make specified expenditures for specified purposes.

Betterment: "Betterment" occurs when the City makes repairs or improvements with a more expensive design, uses higher quality materials, or increases the useful life of an asset.

CRA: Community Reinvestement Agency, separate legal entity from Nibley City. Board of Directors is established by ordinance as the City Council.

Debt Service Funds: Debt accumulated to finance resources needed in order to meet our City's needs.

Enterprise Funds: An enterprise fund is a self-supporting government fund that sells services to the public for a fee, ie. Utilities.

Fund Balance: The difference between a fund's assets and liabilities.

General Fund: The City's General Fund accounts for the financial resources necessary to carry out basic governmental activities for the City that are not accounted for in other funds. The General Fund supports essential city services such as law enforcement and fire protection, street maintenance, recreation, and parks and open space maintenance. General Fund revenue is collected from taxes (property, sales, and utility), licenses and permits, service fees, fines, and grants.

Internal Service Funds: A method of accounting used to finance goods or services provided by one department or agency to another department or agency on a cost-reimbursement basis.

Major Funds: Major funds are funds who revenues, expenditures/expenses, assets, or liabilities are at least 10 percent of the total for their fund category (governmental or enterprise) and at least 5 percent of the aggregate amount for all governmental and enterprise funds in total.

Non-Major Funds: These funds account for assets held by the City as an agent. The financial activities of these funds are smaller in nature and scope. Only earnings and not principal may be used for purposes that support various programs.

Special Revenue Funds: Used to account for the proceeds of specific revenue sources legally restricted to expenditures for specific purposes.

FUND TYPES AND CLASSIFICATIONS

	MAJOR FUND	NON-MAJOR FUND	SUBJECT TO APPROPRIATION
GOVERNMENTAL FUNDS			
GENERAL FUND			
TAXES	✓		✓
LICENSES, PERMITS, OTHER GOV'T REVENUE	✓		✓
FINES/MISC. REVENUE	✓		✓
TRANSFERS & ADMINISTRATIVE CHARGES	✓		✓
RECREATION	✓		✓
SANITATION	✓		✓
CLASS "C" STREETS	✓		✓
CAPITAL PROJECTS FUNDS			
CAPITAL PROJECTS	✓		✓
DEBT SERVICE FUNDS			
MUNICIPAL BUILDING AUTHORITY		✓	✓
SEWER DEPARTMENT DEBT SERVICE		✓	✓
PROPRIETARY FUNDS			
ENTERPRISE FUNDS			
WATER DEPARTMENT	✓		✓
SEWER DEPARTMENT	✓		✓
STORMWATER DEPARTMENT		✓	✓
INTERNAL SERVICE FUNDS			
EMERGENCY MED SERVICES		✓	✓
FUNCTIONAL UNITS			
PLANNING AND BUILDING		✓	✓
PARKS		✓	✓
IMPACT FEES	✓		✓
PUBLIC SAFETY		✓	✓
PUBLIC WORKS		✓	✓
CITY COUNCIL		✓	✓
ADMINISTRATION	✓		✓
NON-DEPARTMENTAL	✓		✓
STREETS DEPARTMENT		✓	✓
COURT		✓	✓
ELECTIONS		✓	✓

Budget Timeline

January	• Make any mid-year adjustments to current fiscal-year budget • Begin anticipating upcoming capital projects
February	• Meet with department heads to review accomplishments and upcoming priorities
March	• Project expenses for department priorities • Compile anticipated revenue worksheets • Begin compiling salary/benefit information for upcoming year
April	• Finance team meets to review projected revenue and expenditures • Prepare initial draft of budget
May	• Public is invited to participate in process via Facebook and newsletter • Present tentative budget to the City Council by the second meeting in May • Council workshops on budget • Public hearing on budget
June	• Adoption of the Budget not later than the 23rd of June (If no tax increase)
August	• Truth in Taxation Hearing and Final Adoption • Submit budget to State Auditor's office • Submit budget for GFOA certification

Should Nibley City find a need to make an amendment to the budget subsequent to its adoption, a public hearing is held prior to adopting changes. Other less-significant budget amendments are made at year-end, as part of the process of adopting an amended current-year budget.

Fiscal Policies

Nibley City examines statistical and demographic information as part of the financial decision-making process. Nibley City has grown from a population of 2,040 in the 2000 Census to approximately 7,328 in the 2020 census. More than 42% of the City's population is under the age of 18.

The City currently employs 20 full-time employees, 30 part-time employees, 10 seasonal employees, and has multiple contracted positions, including the City Attorney, some Engineering services, Auditor, Accountant, and Commercial Building Inspector. Nibley also contracts with other agencies for Court, Library, Wastewater Treatment, Solid Waste Disposal, Fire, Law Enforcement, Prosecuting, Animal Control and Ambulance services.

Nibley City uses the modified-accrual basis for all budgeted funds, which is also used in preparation of the City's annual financial reports. Modified accrual is a governmental accounting method whereby monies are accounted for when they become measurable and available, which typically occurs when the City is invoiced for the payment. Budgets are subject to ongoing review by City staff. The Nibley City Council and the public are provided with monthly financial statements to keep them updated on the status of each budget department. The basis of budgeting is the same as the basis of accounting used in our audited financial statements.

Revenue projections are made by analyzing the City's population and expenditure growth and projecting the upcoming year's growth based on those trends. Expenditures are, to the extent possible, anticipated and projected in the preparation of each department's budget, and most capital expenditures are accounted for in the preparation of Capital Improvement Plans.

In compliance with the requirements of the laws of the State of Utah, Nibley City staff members present a balanced budget to the City Council for adoption. In order to meet the balanced budget requirements, one of the following must occur: revenues exceed expenditures, revenues equal expenditures, or revenue and any appropriated fund balances equal expenditures.

In preparing and executing each fiscal year's adopted budget, Nibley City adheres to the following principles:

1. Nibley City will practice fiscal conservativism.
2. Nibley City will focus on holistic budget issues and not dedicate unreasonable effort to a single project or item.
3. Nibley City will take responsible steps to pay off the City's debts in a timely manner.
4. Nibley City will make contributions to the City's long-term savings, so that the City will be adequately prepared in the event of a fiscal crisis.
5. Nibley City will keep its residents, City Council and staff apprised of budgetary decisions, so that those decisions can be made in a transparent manner.
6. Nibley City recognizes that, from time to time, it may be necessary to update these principles in order to reflect changes in financial planning practices.

Debt Limit

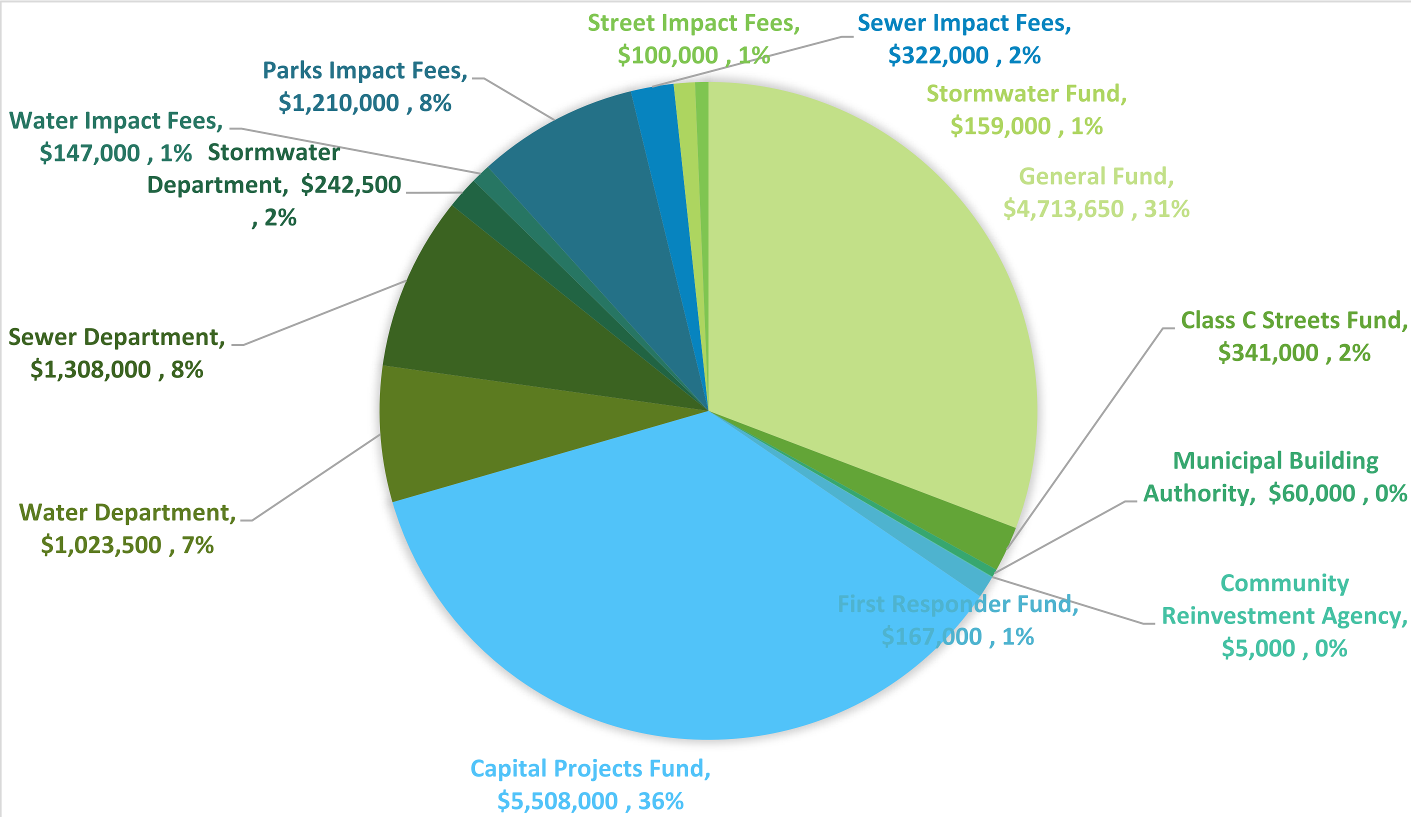
Estimated Market Value	$	699,252,940
Legal Debt Limit (4% of market value)	$	27,970,118
Current Outstanding General Obligation Debt	$	-
Legal Debt Margin	$	27,970,118

Sewer	$	3,116,500
Municipal Building Authority (City Hall Debt)	$	573,000
Total	$	3,689,500

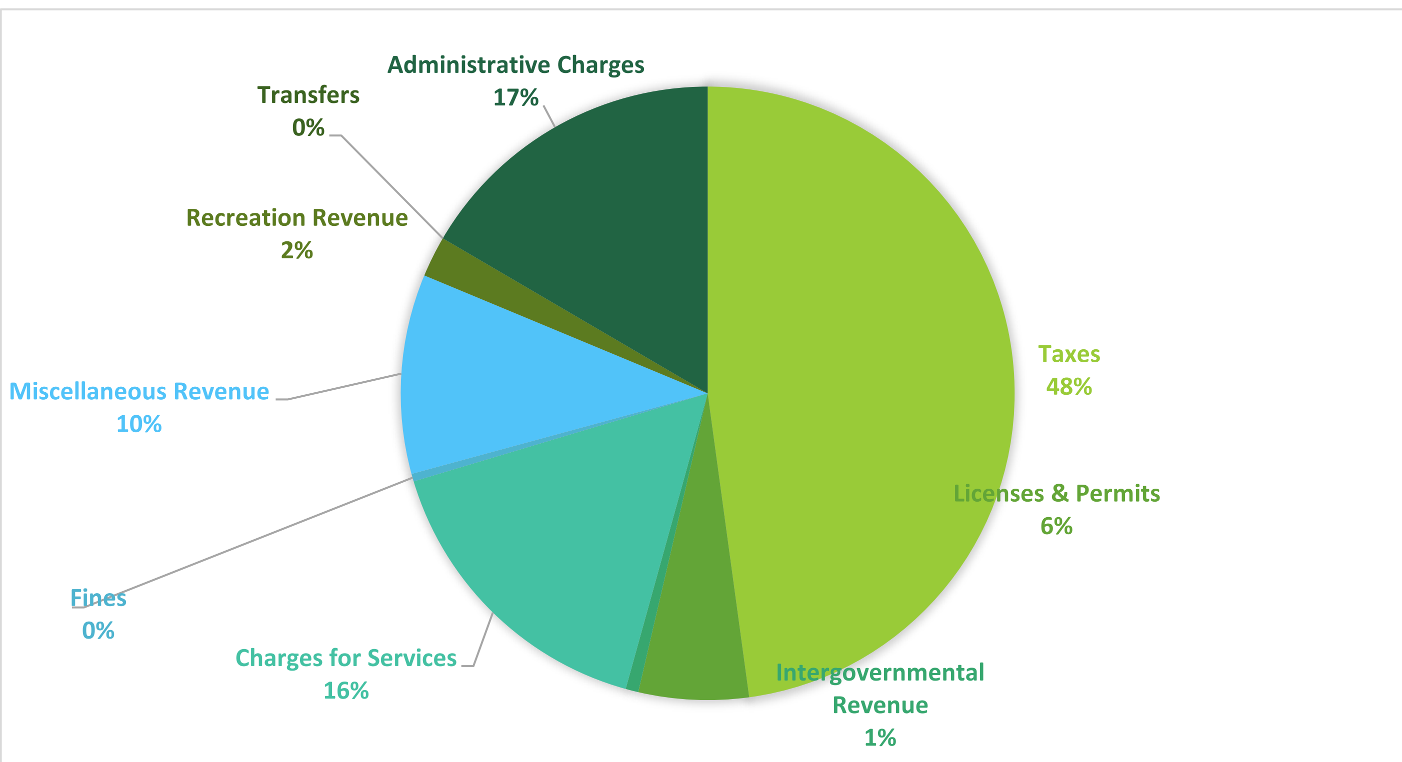
Overall Revenues

Revenue	Acct. Number	Actual FY 2020-21	Actual Year-to-date FY 2021-22	Budget FY 2021-22	Final Budget FY 2022-23
General Fund	10	$ 4,647,596	$ 4,217,873	$ 4,737,366	$ 4,713,650
Class C Streets Fund	11	$ 344,310	$ 356,609	$ 1,270,000	$ 341,000
Municipal Building Authority	20	$ 64,228	$ 45,833	$ 60,000	$ 60,000
Community Reinvestment Agency	22				$ 5,000
First Responder Fund	24	$ 31,207	$ 146,097	$ 132,000	$ 167,000
Capital Projects Fund	45	$ 113,857	$ 2,499,801	$ 4,104,500	$ 5,508,000
Water Department	51	$ 1,007,876	$ 784,901	$ 1,003,000	$ 1,023,500
Sewer Department	52	$ 1,307,629	$ 1,547,518	$ 1,668,500	$ 1,308,000
Stormwater Department	53	$ 243,898	$ 248,179	$ 392,000	$ 242,500
Water Impact Fees	55	$ 162,524	$ 255,841	$ 100,000	$ 147,000
Parks Impact Fees	56	$ 552,826	$ 387,000	$ 380,000	$ 1,210,000
Sewer Impact Fees	57	$ 345,817	$ 414,832	$ 255,000	$ 322,000
Stormwater Fund	58	$ 807	$ -	$ 159,000	$ 159,000
Street Impact Fees	59	$ 77,694	$ 102,485	$ 45,000	$ 100,000
Total Revenues		$ 8,900,268	$ 11,006,969	$ 14,306,366	$ 15,306,650

Nibley City Budget FY 2022/23



General Fund Revenue FY 2022/23



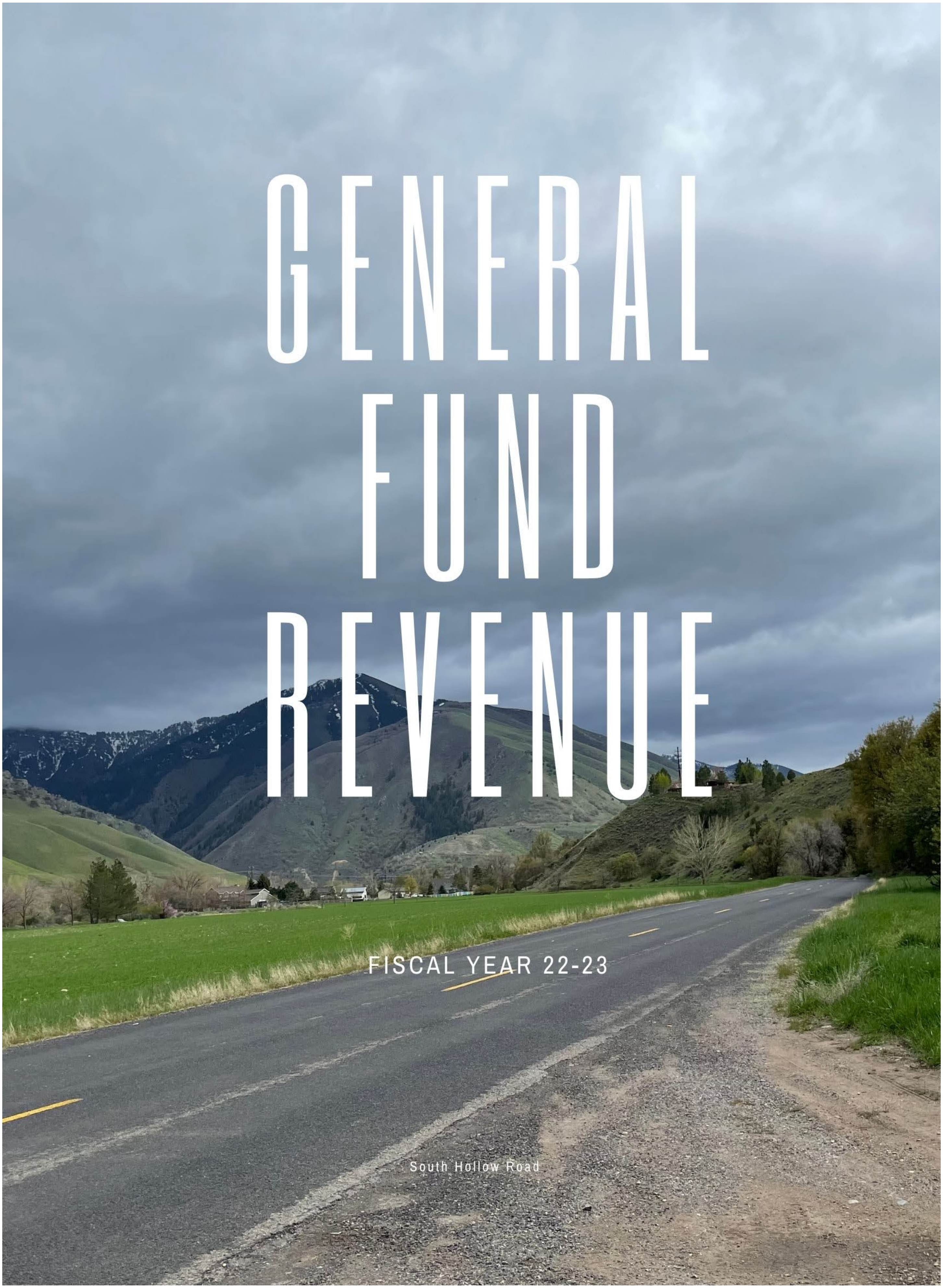
General Fund Overview

Revenue

Revenue	Account Number	Actual FY 2020-21	Actual Year-to-date FY 2021-22	Budget FY 2021-22	Final Budget FY 2022-23
Taxes	10-31	$ 1,966,577	$ 2,126,096	$ 1,847,350	$ 2,255,000
Licenses & Permits	10-32	$ 264,975	$ 381,321	$ 200,000	$ 273,000
Intergovernmental Revenue	10-33	$ 738	$ 5,500	$ 8,000	$ 31,750
Charges for Services	10-34	$ 730,573	$ 807,588	$ 857,000	$ 757,000
Fines	10-35	$ 22,443	$ 24,343	$ 16,000	$ 19,000
Miscellaneous Revenue	10-36	$ 712,596	$ 101,618	$ 489,216	$ 495,500
Recreation Revenue	10-37	$ 59,178	$ 82,990	$ 68,800	$ 101,400
Transfers	10-38	$ 87,997	$ -	$ 500,000	$ -
Administrative Charges	10-39	$ 643,000	$ 688,417	$ 751,000	$ 781,000
Total General Fund Revenue		**$ 4,488,077**	**$ 4,217,873**	**$ 4,737,366**	**$ 4,713,650**

Expenditures

Expenditures	Account Number	Actual FY 2020-21	Actual Year-to-date FY 2021-22	Budget FY 2021-22	Final Budget FY 2022-23
City Council	10-41	$ 40,529	$ 44,874	$ 51,000	$ 54,500
Court	10-42	$ -	$ -	$ -	$ -
Administration	10-43	$ 551,456	$ 532,752	$ 629,000	$ 677,200
Elections	10-47	$ 247	$ 7,822	$ 10,000	$ 2,000
Public Works	10-48	$ 237,922	$ 275,682	$ 438,000	$ 478,000
Non-Departmental	10-50	$ 1,295,537	$ 1,284,818	$ 1,178,216	$ 981,500
Public Safety	10-54	$ 353,717	$ 280,207	$ 481,700	$ 336,700
Streets	10-60	$ 247,858	$ 268,763	$ 288,000	$ 346,500
Sanitation	10-62	$ 519,727	$ 486,734	$ 552,000	$ 562,000
Planning & Building	10-68	$ 276,646	$ 240,868	$ 335,500	$ 425,000
Parks	10-70	$ 331,853	$ 394,509	$ 456,000	$ 475,500
Community Development & Recreation	10-75	$ 253,214	$ 261,276	$ 317,950	$ 374,750
Total General Fund Expenditures		**$ 4,108,708**	**$ 4,078,304**	**$ 4,737,366**	**$ 4,713,650**
Surplus/(Deficit)		**$ 379,370**	**$ 139,568**	**$ -**	**$ -**
Beginning Cash Balance (est.)					**$ 1,500,000**
Reserves (Fund Balance App.)					**$ -**
Ending Cash Balance (est.)					**$ 1,500,000**



GENERAL FUND REVENUE

FISCAL YEAR 22-23

South Hollow Road

Revenue

The Revenue section of the budget shows funds received by Nibley City from various sources, including taxes, fees for permits and licenses, grant funds, etc.

Taxes

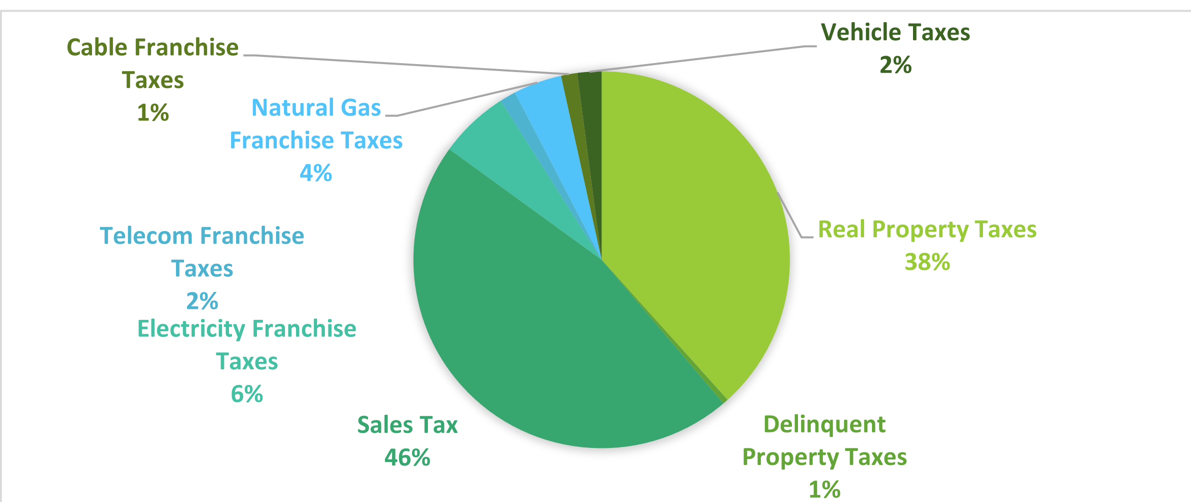
The Taxes portion of the Revenue section of the budget accounts for funds received by Nibley City from taxes on property, sales, utilities, and vehicles.

From the table below, it is clear that Nibley's primary revenue sources are 1) Sales Tax from state sales tax redistribution, and 2) Property Taxes. Nibley's taxation policy should therefore support state sales tax laws that sustain this revenue and the management of staff and finances to maintain an attractive, quality community that is friendly to property owners and supportive of high property values.

General Fund Revenue: Taxes

Revenue	Account Number	Actual FY 2020-21	Actual Year-to-date FY 2021-22	Budget FY 2021-22	Final Budget FY 2022-23
Taxes					
Real Property Taxes	10-31-110	$ 731,786	$ 748,016	$ 737,350	$ 830,000
Delinquent Property Taxes	10-31-120	$ 9,692	$ 5,448	$ 10,000	$ 10,000
Sales Tax	10-31-130	$ 922,394	$ 986,516	$ 800,000	$ 1,000,000
Electricity Franchise Taxes	10-31-140	$ 135,217	$ 121,657	$ 125,000	$ 130,000
Telecom Franchise Taxes	10-31-141	$ 12,983	$ 28,990	$ 25,000	$ 30,000
Natural Gas Franchise Taxes	10-31-142	$ 92,095	$ 87,309	$ 85,000	$ 90,000
Cable Franchise Taxes	10-31-143	$ 38,507	$ 8,269	$ 25,000	$ 30,000
Vehicle Taxes	10-31-150	$ 23,902	$ 58,969	$ 40,000	$ 45,000
Mass Transit	10-31-160	$ -	$ 80,922	$ -	$ 90,000
Total Taxes		**$ 1,966,577**	**$ 2,126,096**	**$ 1,847,350**	**$ 2,255,000**

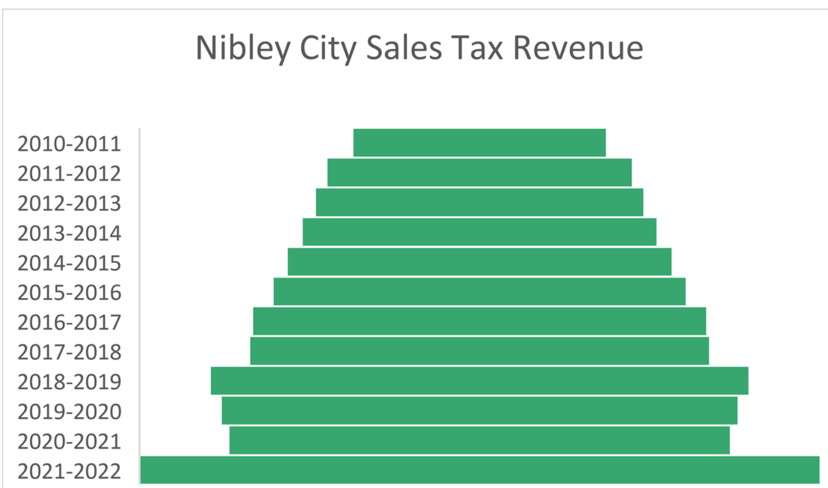
Tax Revenue FY 2022-23



10-31-110 Real Property Taxes – Property tax revenue is determined by multiplying the property tax rate by the value of real property in the City. Property valuations are reviewed by the County annually and new valuations are released by the County each June. Based on the valuations determined by the County, the County adjusts the City's tax rate to a level that, when multiplied against the new year's property value, generates the same amount of dollars of revenue for the City as was generated the previous year. That rate is referred to as the Certified Rate. If property values go up, this would result in the certified tax rate going down. In order to allow the property tax revenue to grow with inflation and expansion, and to maintain sustainable and predicable service as the City grows, it is the City's practice to adjust the City's tax rate annually. This may be an increase or decrease depending on the state of the economy. If the certified rate is raised or lowered by Cache County, a vote of the City Council is required to adjust the tax rate back to the historic level of 0.001667. In order to adjust the rate up to the historical rate, the City is required to hold Truth in Taxation Hearing. If necessary, this hearing is held in August. Homeowners are taxed on 55% of the value on their primary residence. Please see Cache County Tax Rates here at this link: https://www.cachecounty.org/auditor/tax-rates.html.

10-31-120 Delinquent Property Taxes – These are property taxes that were not paid during the year they were due but were received this year.

10-31-130 Sales Tax – These are taxes that are collected from retail sales both in Nibley and throughout the state. For every dollar spent in Nibley, one cent is set aside for cities as the municipal share. Nibley City receives 50% of all the municipal share sales taxes generated within Nibley City; the rest of that sales tax goes to the state's population pot. Sales tax generated in Nibley accounts for about 15% of the City's total sales tax revenue, with about 85% coming from statewide population redistribution. Nibley City receives taxes from the state's population pot based on Nibley City's total population. Sales taxes are collected each month and then distributed about 25 days after the last day of the month that the tax is due. The Sales Tax rate in Nibley is 7%. Of that, 4.85% goes to the state, 1% goes to the municipal share, as described above, 0.25% goes to the county, 0.30% goes to CVTD, 0.25% goes to Cache County for transportation, another .25% for Transportation Infrastructure, and lastly 0.10% goes to the county for Recreation, Arts, Parks, and Zoo (RAPZ) Tax.



***2021-22 is estimated at year end**

10-31-140, 141,142, 143 Franchise Taxes – Revenue generated from taxes and fees paid by utility customers to the utility companies that operate in the city. Franchise agreements are in place with Rocky Mountain Power, Dominion Energy, Comcast, Digital First Telecom, and CenturyLink.

10-31-150 Vehicle Taxes – Revenue generated from the taxes the city receives from vehicle registrations of city residents' vehicles. These taxes are collected and distributed by Cache County once each month.

10-31-160 CVTD (Pass Through) – Revenue received from the State and passed through to CVTD.

Licenses and Permits

The Licenses and Permits portion of the Revenue section of the budget accounts for funds received by Nibley City from residents and businesses as fees for permits and licenses.

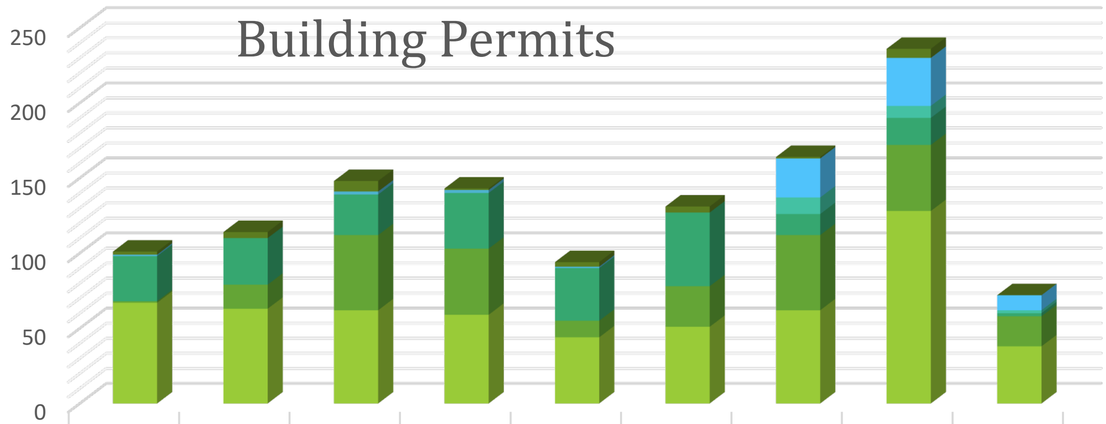
General Fund Revenue: Licenses, Permits, Intergovernmental Revenue, and Charges For Services

Revenue	Account Number	Actual FY 2020-21	Actual Year-to-date FY 2021-22	Budget FY 2021-22	Final Budget FY 2022-23
Licenses and Permits					
Building Permits	10-32-210	$ 238,810	$ 358,304	$ 180,000	$ 250,000
Business Licenses & Fees	10-32-220	$ 8,518	$ 9,180	$ 9,000	$ 9,000
Fire Inspection Fee	10-32-225	$ 215		$ 500	$ 500
Dog Licenses	10-32-250	$ 17,433	$ 13,808	$ 10,000	$ 10,000
Kennel Licenses	10-32-251	$ -	$ 30	$ 500	$ 500
Right of way Permits	10-32-252				$ 3,000
Total Licenses and Permits		**$ 264,975**	**$ 381,321**	**$ 200,000**	**$ 273,000**
Intergovernmental Revenue					
Grant - Children's Theatre	10-33-322	$ 738	$ 5,500	$ 5,500	$ 6,750
Grant - Miscellaneous	10-33-323	$ -		$ 2,500	$ 25,000
Total Intergovernmental		**$ 738**	**$ 5,500**	**$ 8,000**	**$ 31,750**
Charges For Service					
Comm. Center Dispatch	10-34-410	$ 72,816	$ 69,167	$ 70,000	$ 70,000
Planning Review & Inspection	10-34-420	$ 30,764	$ 85,095	$ 45,000	$ 45,000
Development Fees Reimbursed	10-34-422	$ 41,267	$ 86,635	$ 60,000	$ 60,000
Refuse Collection Charges	10-34-430	$ 584,237	$ 554,977	$ 540,000	$ 575,000
Community Center Rental	10-34-431	$ 1,489	$ 11,315	$ 5,000	$ 7,000
EMS Charges	10-34-435	$ -		$ 137,000	$ -
Variance and Appeals	10-34-681		$ 400		
Total Charges for Service		**$ 730,573**	**$ 807,588**	**$ 857,000**	**$ 757,000**

10-32-210 Building Permits – Revenue generated from building permits. There was a total of 236 total building permits in calendar year 2021, 128 of which were new home permits. That is an increase of 65% for new permits overall and an increase of 98% on new home permits from the previous year of 2020.

In addition to the budgeted revenue that would come from new home permits, additional revenue is anticipated for other permits as well, such as for remodels, accessory structures, solar permits, and commercial permits.

The graph below shows the trend in building permits from FY14-15, FY15-16, FY16-17 and FY17-18, FY18-19, FY 19-20, FY 20-21 including the breakdown for the types of permits. As of March 31, 2022, the City had issued 38 new home permits in past 12 months.



	2014	2015	2016	2017	2018	2019	2020	2021	2022 to date
Commercial Remodels	2	4	7	1	3	4	1	6	0
New Commercial	1	0	2	2	1	0	0	0	0
Additions/Remodels/Deck	0	0	0	0	0	0	26	32	10
Basement Finishes	0	0	0	0	0	0	11	8	2
Accessory structures	30	31	27	37	35	49	14	18	2
Solar	1	16	50	44	11	27	50	44	20
New Homes	67	63	62	59	44	51	62	128	38

10-32-220 Business Licenses & Fees - Revenue generated from business licensing fees and late fees, which includes $30 for a home-based business with impact and $150 for a commercial business, as well as a $10 late fee. The City currently has 140 home-based businesses and 26 commercial businesses.

10-32-225 Fire Inspection Fee - Revenue generated from commercial business license fire inspection fees. The fee is collected by Nibley from the business at the time of renewal of the business license. Cache County conducts the inspection, and the cost is passed along to the business owners.

10-32-250 Dog Licenses - Revenue generated from dog license fees, which is $15 for spayed/neutered dogs or $25 for unaltered dogs. Revenue is used to pay for animal control services provided by the Sheriff's office. Reimbursement of dog boarding is also receipted here. See expenditure account 10-54-360 for reference.

10-32-251 Kennel License - Revenue generated from kennel license fees, which are $30 for a multi-dog license for up to 3 dogs. Revenue is used to pay for animal control services provided by the Sheriff's office. See expenditure account 10-54-360 for reference.

Intergovernmental Revenue

The Intergovernmental Revenue portion of the Revenue section of the budget shows funds received by Nibley City from other government agencies, which often includes grant funds.

10-33-322 Children's Theatre Grants - Revenue generated from anticipated grants including: a $1000 State of Utah grant, a $1,250 RAPZ grant, a $3,000 Rocky Mountain Power Grant, a $750 Utah Division of Arts & Museum Grant, and $750 from T-shirt sales. See expenditure account 10-75-661 for reference.

10-33-323 Grants Miscellaneous - Revenue generated from economic development, public safety or other grant sources. We are expected to receive a grant from the State of Utah for the TDR study.

Charges for Services

The Charges for Services portion of the Revenue section of the budget shows funds received by Nibley City as charges for services provided by the City.

10-34-410 Communications Center-Dispatch - Revenue generated from a $3 per residence and business monthly charge to pay for the countywide dispatch center. This charge is passed on to Logan City through expense account 10-54-440. The $2 dispatch center fee provides funds to support the Countywide 911 Emergency Dispatch Center and the $1 Radio Fee provides funds to support the radio and antenna infrastructure around the county that is used by public safety agencies.

10-34-420 Planning Review and Inspection Fees - Revenue generated for application fees, such as for submission of a final plat, to pay for items reviewed by the Planning Commission. This account is also used to account for the fee for a land use appeal hearing. Those hearings typically only occur a couple of times per year. This account also will recieve revenue from charging for development review and inspection fees.

10-34-422 Development Fees Reimbursement - Revenue generated from developers who reimburse the City for fees the City incurs such as: street lights, concrete collars and trees, engineering and legal reviews.

10-34-430 Refuse Collection Service Fees - Revenue generated from fees paid by residents for garbage, recycling and green waste collection services. Revenue is passed through to Logan City through Expenditure account 10-62-320. The City charges an extra 25 cents per can for an administrative fee in addition to what Logan charges for the services.

10-34-431 Community Center Rental Fees - Revenue generated from Community Center/Council Chambers rentals. Community Rental Fees are: Resident Small Gathering $100, Resident Large Gathering $200, Non-Resident Small Gathering $150, Non-Resident Large Gathering $350.

10-34-435 EMS Charges - Revenue generated from a $6 per residence and business monthly charge to pay for the countywide EMS program. This charge is passed on to Cache County through expense account 10-54-330.

General Fund Revenue - Fines/Misc. Revenue

Revenue	Account Number	Actual FY 2020-21	Actual Year-to-date FY 2021-22	Budget FY 2021-22	Final Budget FY 2022-23
Court Fines	10-35-510	$ 22,443	$ 24,343	$ 15,000	$ 18,000
Administrative Fines	10-35-515	$ -		$ 1,000	$ 1,000
Total Fines		**$ 22,443**	**$ 24,343**	**$ 16,000**	**$ 19,000**
Miscellaneous Revenue					
Interest Earnings	10-36-610	$ 13,373	$ 41,411	$ 40,000	$ 40,000
Sale of Surplus Equipment	10-36-670	$ 100	$ 31,887	$ -	$ -
House Rent	10-36-683	$ 10,200	$ 10,370	$ 12,000	$ 18,000
Penalties	10-36-684	$ 3,563	$ 2,391	$ 1,500	$ 2,000
Damage To City Property Reim.	10-36-686	$ 283	$ 7,516	$ 500	$ 500
Miscellaneous Revenue	10-36-690	$ 75,662	$ 4,813	$ 10,000	$ 10,000
Land Leases	10-36-691	$ 1,530	$ 3,230	$ 3,000	$ 3,000
American Rescue Plan Act	10-36-696	$ 607,886		$ 422,216	$ 422,000
Total Miscellaneous Revenues		**$ 712,596**	**$ 101,618**	**$ 489,216**	**$ 495,500**

Fines

The Fines portion of the Revenue section of the budget accounts for fines received by Nibley City from the Justice Court.

10-35-510 Court Fines - Revenue generated from fines paid to the Hyrum City Justice Court for violations in Nibley that are passed on to Nibley through an interlocal agreement with Hyrum. The cities split the revenue and then expenses for defense are deducted from Nibley's half.

10-35-515 Administrative Fines - Revenue generated from nuisance ordinance citations.

Miscellaneous Revenue

The Miscellaneous Revenue portion of the Revenue section of the budget accounts for funds received by Nibley City from a variety of sources.

10-36-610 Interest Earnings - Revenue generated from interest earned by the City on all fund balances of money held in interest-bearing accounts. The interest is apportioned out once per year at the end of the fiscal year to each of the individual funds based on the percentage of each total fund balance.

10-36-670 Sale of Surplus Equipment - No funds are budgeted in this account this year.

10-36-683 House Rent - Revenue generated from this account is for the houses located at 3184 S Main, 3196 S Main, and 465 W 3200 S. The City purchased 2 of the houses in anticipation of the realignments of 3200 South.

10-36-684 Penalties - Revenue generated from penalties/fees related to bank charges and late fees.

10-36-686 Reimbursement for Damage to City Property - Revenue generated for reimbursement from an individual or company if damage is done to any City property. A common source is motor vehicle accidents that damage trees or infrastructure.

10-36-690 Miscellaneous Revenue - Revenue for which there is not an associated revenue account.

10-36-691 Land Leases - Revenue generated from rent paid by individuals leasing city-owned land.

10-36-696 American Rescue Plan Act - Funds allocated from the federal government for expenses related to the COVID-19 pandemic.

General Fund Revenue - Recreation

Revenue	Account Number	Actual FY 2020-21	Actual Year-to-date FY 2021-22	Budget FY 2021-22	Final Budget FY 2022-23
Field Rental	10-37-440	$ 1,699	$ 1,270	$ 5,000	$ 2,200
Youth & Adult Programs	10-37-442	$ 40,736	$ 61,773	$ 43,000	$ 72,000
Nibley Fitness	10-37-444	$ 2,083	$ 6,067	$ 2,700	$ 5,000
Fitness Programs	10-37-445	$ 2,327	$ 2,215	$ 2,500	$ 3,000
Special Events	10-37-446	$ -	$ (125)	$ 600	$ 500
Rec Rental Equipment	10-37-450	$ 5		$ 900	$ 200
Park/Pavilion Rental Fees	10-37-460	$ 2,039	$ 2,450	$ 2,200	$ 3,000
Heritage Days	10-37-660	$ 1,235	$ 745	$ 7,000	$ 7,000
Youth Council Revenue	10-37-661	$ 589	$ 720	$ 2,500	$ 1,500
Nibley Royalty	10-37-662	$ 665	$ 1,400	$ 900	$ 1,000
Sponsorships	10-37-665	$ 7,800	$ 6,475	$ 1,500	$ 6,000
Recreation Grants	10-37-700	$ -	-	$ -	-
Total Recreation		**$ 59,178**	**$ 82,990**	**$ 68,800**	**$ 101,400**

Recreation Revenue

The Recreation Revenue portion of the Revenue section of the budget shows funds received by Nibley City as charges for programs and events run by the City's Recreation Department.

10-37-440 Field Rental - Revenue generated from the rental of Nibley City recreational fields.

10-37-442 Youth & Adult Programs - Revenue generated from Youth Baseball, Softball, Ultimate Frisbee, Super STARt Programs, Youth Soccer, Summer Camp, Clinics and Tournaments and adult drop- in soccer for fall and spring. This is associated with expenditure account 10-75-515.

10-37-444 Nibley Fitness - Revenue generated from fitness classes hosted by the City. This is associated with expenditure account 10-75-670.

10-37-445 Fitness Programs - Revenue generated from recreation races hosted by the City. This is associated with expenditure account 10-75-670.

10-37-446 Special Events - Revenue generated from special events. This is associated with expenditure account 10-75-540.

10-37-450 Rec Rental Equipment - Revenue generated from equipment available to rent for family reunions, family nights, youth groups, etc. This is tied into expenditure account 10-75-500.

10-37-460 Park/Pavilion Rental Fees - Revenue generated from park/pavilion rentals. This is separate from field rentals above.

10-37-660 Heritage Days Revenue - Revenue generated through Heritage Days activities and sponsorships.

10-37-661 Youth Council Revenue - Revenues generated by Youth Council fundraisers and donations.

10-37-662 Nibley Royalty - Revenue generated through participation fees and donations.

10-37-665 Sponsorship - Revenue from recreation sponsor donations.

10-37-700 Recreation Grants - No grant funds are anticipated this year.

General Fund Revenue: Transfers & Administrative Charges

Revenue	Account Number	Actual FY 2020-21	Actual Year-to-date FY 2021-22	Budget FY 2021-22	Final Budget FY 2022-23
Transfers					
Appropriated Fund Balance	10-38-890	$ -	$ -	$ 500,000	$ -
First Responders Transfer to GF	10-38-891	$ 87,997	$ -	$ -	$ -
CRA Transfer to GF	10-38-892	$ -	$ -	$ -	$ -
		$ 87,997	**$ -**	**$ 500,000**	**$ -**
Administrative Charges					
Water	10-39-700	$ 281,000	$ 307,083	$ 335,000	$ 350,000
Sewer	10-39-701	$ 281,000	$ 307,083	$ 335,000	$ 350,000
Stormwater	10-39-702	$ 81,000	$ 74,250	$ 81,000	$ 81,000
Total Administrative Charges		**$ 643,000**	**$ 688,417**	**$ 751,000**	**$ 781,000**
Total General Fund Revenues		**$ 4,647,596**	**$ 4,217,873**	**$ 4,737,366**	**$ 4,713,650**

Transfers & Administrative Charges

The Administrative Charges portion of the Revenue section of the budget shows funds transferred into the General Fund from enterprise funds.

10-38-890 Appropriated Fund Balance - This account is used to allocate funds from the existing fund balance.

10-38-891 First Responder's Transfer to General Fund - No funds are budgeted in this account this year.

10-38-892 CRA Transfer to General Fund - No funds are budgeted for this FY. Per the agreement of the fomation of the CRA, 5% of funds received into the CRA are eligible to transfer into the General Fund as an admin fee for the CRA.

10-39-700, 701 and 702 - Enterprise funds (water, sewer, stormwater) reimburse the General Fund for costs incurred in managing and operating the utility operations. An analysis is performed each year to examine the administrative costs and the costs are adjusted accordingly. These costs include staff, software, equipment, facilities, vehicles, etc.

GENERAL FUND EXPENSES

FISCAL YEAR 22-23

Johnson Road, looking West

City Council

Expenses	Account Number	Actual FY 2020-21	Actual Year-to-date FY 2021-22	Budget FY 2021-22	Final Budget FY 2022-23
Salaries & Wages	10-41-110	$ 30,478	$ 28,726	$ 33,000	$ 36,000
Employee Benefits	10-41-130	$ 7,021	$ 6,252	$ 7,000	$ 7,500
Education, Travel & Training	10-41-230	$ 2,508	$ 8,854	$ 10,000	$ 10,000
Mayor's Discretionary	10-41-620	$ 521	$ 1,042	$ 1,000	$ 1,000
Total Mayor/Council Expenditures		**$ 40,529**	**$ 44,874**	**$ 51,000**	**$ 54,500**

10-41-110 Salaries & Wages - Funds allocated for Councilmember and Mayor stipends. The City's policy is to adjust the stipend annually at the same rate as it is adjusted for other employees.

10-41-130 Employee Benefits - Funds allocated to be paid for Social Security & Medicare withholdings, and telephone/data allowances.

10-41-230 Education, Training & Travel - Funds allocated for hotel costs, mileage, and per diem. The amount is to cover costs for councilmembers and companions to attend the Utah League of Cities & Towns Annual and Mid-Year Conferences, as well as other travel and training.

10-41-620 Mayor's Discretionary - Funds allocated at the Mayor's discretion for city-related needs.

The Nibley City Council

From left to right: Norman Larsen, Kathryn Beus, Nathan Laursen, Mayor Larry Jacobsen, Kay Sweeten, and Tom Bernhardt

Administration

Expenses	Account Number	Actual FY 2020-21	Actual Year-to-Date FY 2021-22	Budget FY 2021-22	Final Budget FY 2022-23
Salaries & Wages	10-43-110	$ 338,287	$ 315,304	$ 337,000	$ 380,000
Employee Benefits	10-43-130	$ 136,233	$ 157,311	$ 175,000	$ 188,000
Education, Travel & Training	10-43-230	$ 13,682	$ 6,942	$ 20,000	$ 20,000
Memberships & Dues	10-43-300	$ 7,711	$ 2,596	$ 9,000	$ 9,000
Professional Services	10-43-310	$ 34,450	$ 32,100	$ 42,000	$ 42,000
Legal Expense	10-43-311	$ -	$ 160	$ 5,000	$ 5,000
Economic Development	10-43-341	$ 27	$ -	$ 4,000	$ 4,000
Department Expenditures	10-43-400	$ 21,066	$ 18,338	$ 37,000	$ 29,200
Total Admin. Expenditures		**$ 551,456**	**$ 532,752**	**$ 629,000**	**$ 677,200**

10-43-110 Salaries & Wages - Funds allocated for salaries of the following employees:
- City Manager
- Treasurer
- Recorder
- Office Specialist/Utility Billing Clerk

10-43-130 Employee Benefits - Funds allocated are based on premium/contribution changes and increases related to salary changes. Funds include costs for Medicare, Social Security, the Utah Retirement System, and telephone/data allowances.

10-43-230 Education, Training, & Travel - Funds are for training conferences and continuing education**,** including hotel costs, mileage, and per diem, as well as for licenses and certification fees.

10-43-300 Memberships & Dues - Funds allocated for professional memberships & dues, which include: the Utah League of Cities and Towns, International City Managers Association, Utah City Managers Association, Utah Municipal Clerk's Association, American Society of Civil Engineers, International Institute of Municipal Clerks, Cache Chamber of Commerce, Utah Association of Public Treasurers, BRAG Area Recorder's and Clerks Association, Government Finance Officers Association, and the Cache Mayor's Association.

10-43-310 Professional Services - Funds allocated for outside auditing and accounting services.

10-43-311 Legal Expenses - Funds allocated for legal services.

10-43-341 Economic Development - Funds allocated for economic development training, consulting and related services.

10-43-400 Department Expenditures - Funds allocated to cover a variety of general department expenditures.

Elections

Expenses	Account Number	Actual FY 2020-21	Actual Year-To-Date FY 2021-2022	Budget FY 2021-22	Final Budget FY 2022-23
Salaries & Wages	10-47-110	$ -		$ -	$ -
Employee Benefits	10-47-130	$ -		$ -	$ -
Education, Travel & Training	10-47-230	$ -		$ -	$ -
Professional Services	10-47-310	$ -		$ -	$ -
Department Expenditures	10-47-400	$ 247	$ 574	$ 2,000	$ 2,000
Cache County	10-47-450	$ -	$ 7,248	$ 8,000	$ -
Total Election Expenditures		**$ 247**	**$ 7,822**	**$ 10,000**	**$ 2,000**

10-47-110 Salaries & Wages - No funds are budgeted in this account this year.

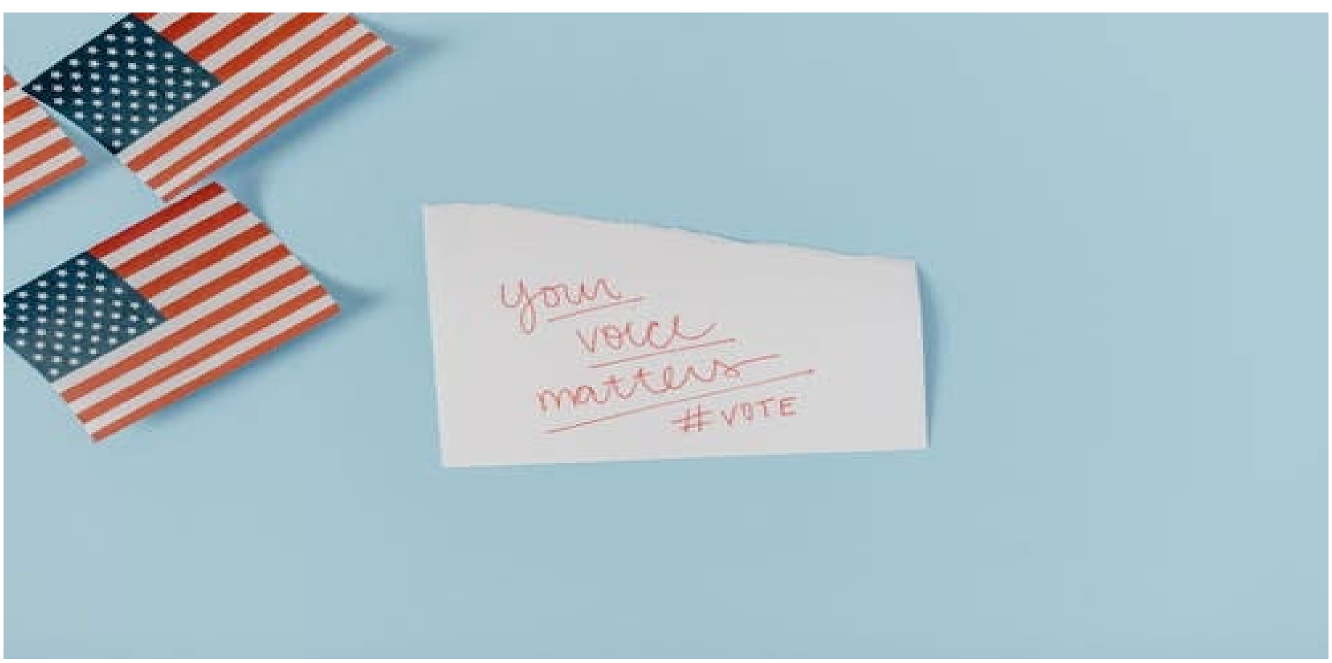
10-47-130 Employee Benefits - No funds are budgeted in this account this year.

10-47-230 Education, Training, & Travel - No funds are budgeted in this account this year.

10-47-310 Professional Services - No funds are budgeted in this account this year.

10-47-400 Department Expenditures - Funds allocated to cover a variety of general department expenditures but will mainly be used to educate the public regarding Rank Choice Voting:
- Designing and mailing an individual flyer included with utility bills
- Advertising at Heritage Days
- Potential election signs as are typically used during political campaigns
- Publish public notices
- Inform candidates and the public of legal requirements governing candidates and campaigns

10-47-450 Cache County - These funds will be used to pay for the contract with the county to run Rank Choice Voting this municpal election. Funds will pay for postage, ballot printing, ballot counting, poll workers, and some publications.



Public Works

Expenses	Account Number	Actual FY 2020-21	Actual Year-To-Date FY 2021-22	Budget FY 2021-22	Final Budget FY 2022-23
Salaries & Wages	10-48-110	$ 100,273	$ 121,282	$ 216,000	$ 230,000
Employee Benefits	10-48-130	$ 43,850	$ 55,308	$ 83,000	$ 90,000
Education, Travel & Training	10-48-230	$ 367	$ 2,132	$ 4,500	$ 6,000
Office Supplies	10-48-240	$ 1,966	$ 1,522	$ 2,000	$ 2,000
Uniforms and PPE	10-48-247	$ 5,108	$ 4,507	$ 7,000	$ 9,000
Facilities and Maintenance	10-48-250	$ 16,600	$ 10,440	$ 10,000	$ 15,000
Vehicle Fuel	10-48-251	$ 29,135	$ 31,273	$ 42,000	$ 50,000
Vehicle Repair and Maintenance	10-48-252	$ 16,396	$ 25,116	$ 30,000	$ 30,000
Utilities	10-48-270	$ 10,272	$ 11,996	$ 9,500	$ 12,000
Memberships & Dues	10-48-300	$ 731	$ 328	$ 3,000	$ 3,000
Professional Services	10-48-310	$ -	$ 89	$ 500	$ 500
Legal Expense	10-48-311	$ -	$ 70	$ 500	$ 500
Department Expenditures	10-48-400	$ 5,142	$ 4,783	$ 7,500	$ 7,500
Engineering Expense	10-48-514	$ 6,274	$ 2,661	$ 8,500	$ 8,500
Emergency Expenses	10-48-515	$ -	$ 827	$ 10,000	$ 10,000
Safety	10-48-516	$ 1,809	$ 3,348	$ 4,000	$ 4,000
Total Public Works Expenditures		**$ 237,922**	**$ 275,682**	**$ 438,000**	**$ 478,000**

10-48-110 Salaries & Wages - Funds allocated for Public Works Director, City Engineer, and 50% of a part-time Public Works Inspector salaries. A part-time public works inspector is being proposed.

10-48-130 Employee Benefits - Funds allocated are based on premium/contribution changes and increases related to salary changes. Funds include costs for Medicare, Social Security, the Utah Retirement System, and telephone/data allowances.

10-48-230 Education, Training, & Travel - Funds are for training conferences and continuing education, including hotel costs, mileage, and per diem, as well as for licenses and certification fees.

10-48-240 Office Supplies - Office supplies for all public works departments.

10-48-247 Uniforms and PPE - Funds allocated for public works safety and cold weather gear, boots, shirts, etc. This account includes funds for all public works departments' uniform expenses.

10-48-250 Facilities and Maintenance - Funds allocated for maintenance of City Hall and Public Works buildings.

10-48-251 Vehicle Fuel - Funds allocated for all vehicle fuel expenses. Enterprise departments reimburse the General Fund for these costs through the administrative charges in accounts 10-39-700 through 10-39-702.

10-48-252 Vehicle Repair and Maintenance - Funds allocated for all vehicle repairs. Enterprise departments reimburse the General Fund for these costs through the administrative charges in accounts 10-39-700 through 10-39-702.

10-48-270 Utilities - Funds allocated for utility costs at the Public Works buildings. Enterprise departments reimburse the General Fund for these costs through the administrative charges in accounts 10-39-700 through 10-39-702.

10-48-300 Memberships & Dues - Funds allocated for professional memberships and dues, which includes the American Public Works Association as well as the City Engineers of Utah. These memberships provide opportunities for educational training and networking with other industry professionals across the state. An increase in this account is allocated for the public works inspector.

10-48-310 Professional Services - Funds allocated for non-engineering or non-legal professional services, including appraisal services.

10-48-311 Legal Expense - These funds are for legal services related to Public Works projects.

10-48-400 Department Expenditures - Funds allocated for general costs related to the public works department.

10-48-514 Engineering Expense - Funds allocated for outside engineering costs related to public works functions.

10-48-515 Emergency Expense - Funds allocated for any unforeseen costs due to an emergency.

10-48-516 Safety - Funds allocated for safety training, equipment, and incentives.

Non-Departmental

Expenses	Account Number	Actual FY 2020-21	Actual Year-To-Date FY 2021-22	Budget FY 2021-22	Final Budget FY 2022-23
Office Supplies	10-50-240	$ 9,034	$ 6,328	$ 6,000	$ 6,000
Postage/Shipping	10-50-243	$ 957	$ 957	$ 4,000	$ 1,500
Utility Billing Postage	10-50-245	$ 11,835	$ 9,564	$ 12,000	$ 14,000
Facilities and Maintenance	10-50-250	$ 1,744	$ 1,057	$ 3,000	$ 3,000
Utilities	10-50-270	$ 11,199	$ 14,009	$ 13,000	$ 15,000
Software	10-50-370	$ 42,027	$ 45,847	$ 50,000	$ 55,000
Bank Charges	10-50-440	$ 9,408	$ 5,755	$ 20,000	$ 20,000
Insurance Expense	10-50-510	$ 47,724	$ 51,280	$ 60,000	$ 60,000
Building Lease	10-50-511	$ 51,000	$ 45,833	$ 50,000	$ 50,000
Emergency Expense	10-50-515	$ -	$ -	$ 10,000	$ 10,000
Information Technology	10-50-518	$ 18,231	$ 16,569	$ 20,000	$ 26,000
Community Center	10-50-520	$ -	$ 1,746	$ 2,000	$ 2,000
Newsletter	10-50-530	$ 5,758	$ 4,951	$ 6,000	$ 7,000
Transfer To Capital Projects	10-50-910	$ 500,000	$ 1,000,000	$ 500,000	$ 200,000
Mass Transit Tax Pass Through	10-50-920	$ -	$ 80,922	$ -	$ 90,000
American Rescue Plan Act	10-50-921	$ 586,619	$ -	$ 422,216	$ 422,000
Total Non-Departmental Expenses		**$ 1,295,537**	**$ 1,284,818**	**$ 1,178,216**	**$ 981,500**

10-50-240 Office Supplies - Office supplies for City Hall.

10-50-243 Postage/Shipping - Funds allocated for the costs of mailing/shipping and stamps.

10-50-245 Utility Billing Postage - Funds allocated for mailing monthly utility statements.

10-50-250 Facilities and Maintenance - Funds allocated for office equipment maintenance; includes copier costs but does not include computers.

10-50-270 Utilities - Funds allocated for City Hall utilities: electricity, natural gas, telephone, internet, etc.

10-50-370 Software - Funds allocated for Microsoft and Adobe subscriptions, Municode, Cloudspeaker Community Alert System, Engineering Software, Caselle software, which includes accounting, document management, timekeeping, business licensing, animal licensing, work orders, and permit management software.

10-50-440 Bank Charges - Funds allocated for credit card merchant fees charged by Xpress Bill Pay for residents' utility payments, as well as merchant fees charged for reservations made through Sportsites. This also includes NSF fees charged to Nibley City for returned checks.

10-50-510 Insurance Expense - Funds allocated for insurance premium costs for City vehicles, City property, worker's compensation, and the City's general liability policy.

10-50-511 Building Lease - Funds allocated for City Hall bond payments paid through the Municipal Building Authority. See account 20-30-500.

10-50-515 Emergency Expense - Funds allocated for unforeseen costs due to an emergency.

10-50-518 Information Technology - Funds allocated for IT, server, email, backup, and tech support. Funds allocated to repair, replace, and upgrade office computers, and to host and manage Nibley City's website. This year costs have increased about $500 per month to increase IT security software.

10-50-520 Community Center - Funds allocated for expenses related to repairs in the City Hall Community Room.

10-50-530 Newsletter - Funds allocated for printing the monthly City newsletter.

10-50-910 Transfer to Capital Project Fund - This account is used to transfer surplus funds from the General Fund into the Capital Projects Fund.

10-50-920 Mass Transit Tax Pass Through - This money is received through the State and passed through to CVTD.

10-50-921 American Rescue Plan Act - Funds allocated from the federal government for expenses related to the COVID-19 pandemic.

PUBLIC SAFETY

FISCAL YEAR 22-23

Public Safety

Expenses	Account Number	Actual FY 2020-21	Actual Year-To-Date FY 2021-22	Budget FY 2021-22	Final Budget FY 2022-23
Salaries & Wages	10-54-110	$ 12,990	$ 12,227	$ 12,000	$ 13,000
Employee Benefits	10-54-130	$ 990	$ 935	$ 2,000	$ 2,000
Education, Travel, & Training	10-54-230	$ 20		$ 3,000	$ 3,000
Memberships & Dues	10-54-300	$ -		$ 500	$ 500
Court Prosecution	10-54-311	$ -		$ 7,200	$ 7,200
Sheriff Contract Services	10-54-320	$ 86,220	$ 103,444	$ 121,000	$ 121,000
Transfer to EMS Services	10-54-330	$ 51,142		$ 167,000	$ -
Fire Protection	10-54-340	$ 74,413	$ 80,608	$ 75,000	$ 90,000
EMS Contract Services	10-54-350	$ 38,607			
Animal Control	10-54-360	$ 19,889	$ 18,761	$ 19,000	$ 19,000
Department Expenditures	10-54-400	$ 3,047	$ 1,964	$ 6,000	$ 6,000
Communication Center	10-54-440	$ 66,399	$ 62,268	$ 69,000	$ 75,000
Total Public Safety Expenditures		**$ 353,717**	**$ 280,207**	**$ 481,700**	**$ 336,700**

10-54-110 - Salaries & Wages - Funds allocated for a part-time emergency manager.

10-54-130 Employee benefits - Funds allocated are based on premium/contribution changes and increases related to salary changes. Funds include costs for Medicare, Social Security, the Utah Retirement System, and telephone/data allowances.

10-54-230 Education, Training, & Travel - Funds are for training conferences and continuing education, including hotel costs, mileage, and per diem, as well as for licenses and certification fees. These funds also include CERT training reimbursement of up to $2,000 for Nibley City residents. CERT training costs are $70.00 per volunteer. Half of this cost can be reimbursed to citizens after completion.

10-54-300 Memberships and Dues - Funds allocated for professional memberships & dues.

10-54-311 Court Prosecution - Funds allocated for prosecution fees that are paid to Cache County, for the amount of $600 per month for 12 months.

10-54-320 Sheriff Contract Services - Funds allocated to fulfill the contracted services provided by the Cache County Sheriff's Office for patrol services, investigations, SWAT, drug task force, and public outreach, such as parades and school assistance.

10-54-330 Transfer to EMS Services - Funds transferred to an internal fund to cover the expense of Emergency Medical Services. See 24-36-603.

10-54-340 Fire Protection - Funds allocated to fulfill the contracted amount with the Hyrum City Fire Department. The 2022-2023 fee is $11.50 per resident per year. The billing is based on the number of residents in Nibley.

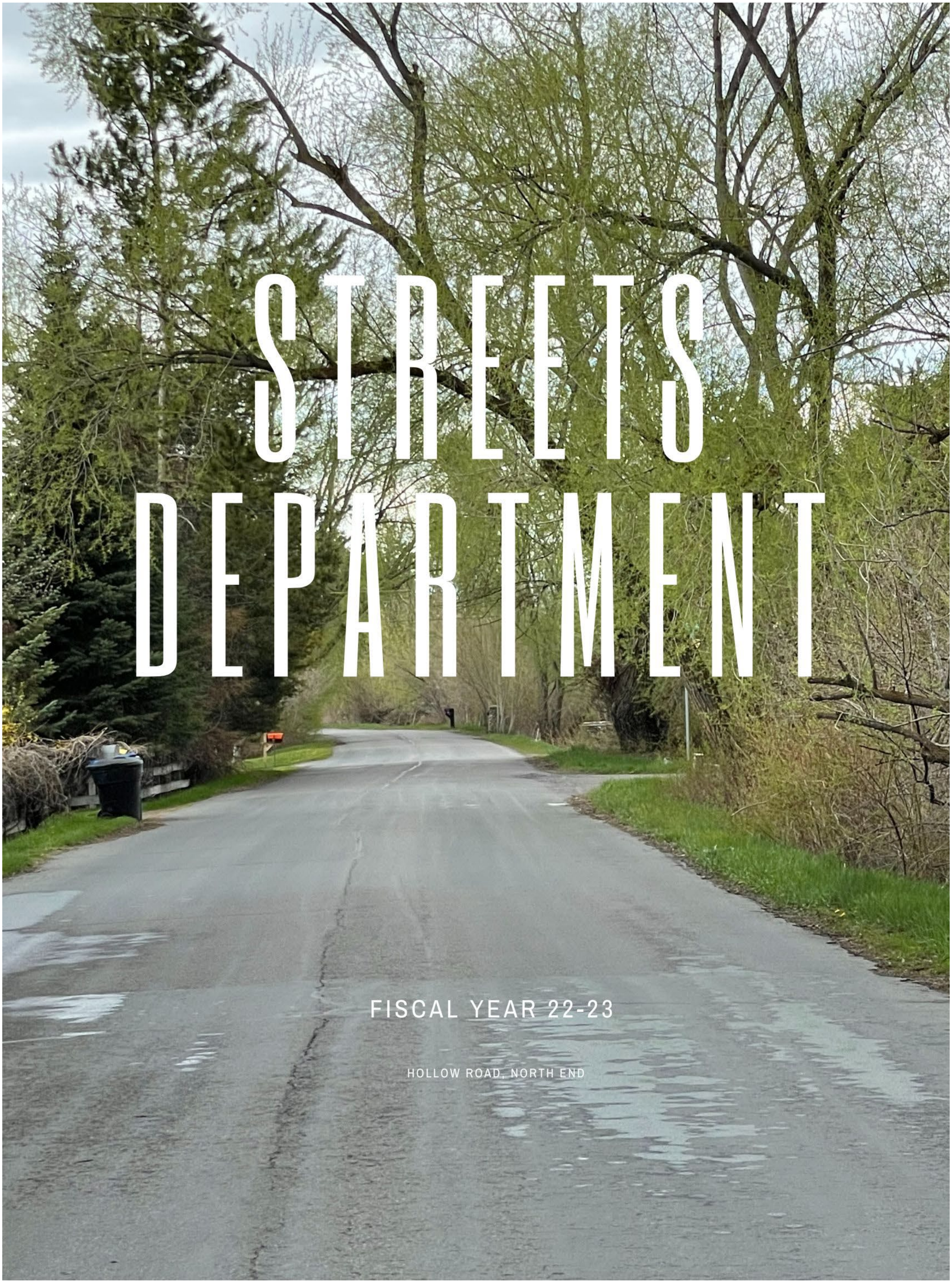
10-54-360 Animal Control - Funds allocated to fulfill the contracted amount with the Sheriff. This amount also includes funds for dog licensing supplies, and costs to house impounded dogs. The contracted amount with the Sheriff's office is $16,640 this year, and remains unchanged from the last fiscal year.

10-54-400 Department Expenditures - Funds allocated for costs related to emergency management.

10-54-440 Communication Center - Funds allocated to pay 911 Dispatch Center Fee. A $3 fee is charged on utility accounts to collect these funds. See 10-34-410.

STREETS DEPARTMENT

FISCAL YEAR 22-23



HOLLOW ROAD, NORTH END

DEPARTMENT DUTIES FOR STREETS

•Maintain 30-40 miles of roads, as well as curbs and gutters
•Maintain all of the sidewalks in Nibley
•Plow all of the city's streets in the wintertime
•Manage the crossing guards
•Paint the city streets

ACCOMPLISHMENTS DURING 2021-2022

- Built two new offices in the Public Works building for the Streets and Water and Sewer Departments
- Repaired street signs
- Plowed snow and maintained all of the plowing equipment
- Attended asphalt conference in Salt Lake City
- Organized Streets shop

PRIORITIES FOR 2022-2023

- Crack Seal Apple Creek and Mt. Vista neighborhoods
- Lay down HA5 for preventative maintenance
- Sweep 3200 South weekly
- Repair city sidewalk on 2550 S 860 W
- Paint all of red curb in new subdivisions
- Repaint all city crosswalks
- Hire a temporary employee to help
- Have everything GPS in the system by the end of the year
- Improve our MS4 with the State of Utah
- Implement maintenance program for city trucks

Streets Department

Expenses	Account Number	Actual FY 2020-21	Actual Year-To-Date FY 2021-22	Budget FY 2021-22	Final Budget FY 2022-23
Salaries & Wages	10-60-110	$ 59,841	$ 53,049	$ 60,000	$ 60,000
Seasonal Salaries And Wages	10-60-115		$ 695	$ 7,000	$ 7,500
Crossing Guard Salaries & Wages	10-60-120	$ 26,392	$ 31,840	$ 45,000	$ 50,000
Employee Benefits	10-60-130	$ 29,658	$ 33,518	$ 29,000	$ 31,000
Crossing Guard Benefits	10-60-135	$ 538	$ 770	$ 4,000	$ 4,000
Education, Travel & Training	10-60-230	$ 2,959	$ 1,081	$ 4,000	$ 4,000
Equipment and Maintenance	10-60-250	$ 37,033	$ 27,140	$ 32,500	$ 37,000
New Development Infrastructure	10-60-262	$ 32,300	$ 62,179	$ 13,000	$ 60,000
Utilities - Crossing Lights	10-60-270	$ 261		$ -	$ -
Utilities - Street Lights	10-60-275	$ 42,289	$ 38,937	$ 50,500	$ 50,000
House Maintenance	10-60-278	$ -	$ 29	$ 1,000	$ 1,000
Professional Services	10-60-310	$ -		$ 500	$ 500
Legal Expense	10-60-311	$ -	$ 50	$ 500	$ 500
Department Expenditures	10-60-400	$ 1,657	$ 183	$ 3,000	$ 3,000
Snow Removal	10-60-450	$ 6,815	$ 17,268	$ 18,000	$ 18,000
Engineering Expense	10-60-514	$ 8,116	$ 2,024	$ 5,000	$ 5,000
Emergency Expense	10-60-515	$ -		$ 10,000	$ 10,000
Streetlights	10-60-611	$ -		$ 5,000	$ 5,000
Total Streets Expenditures		**$ 247,858**	**$ 268,763**	**$ 288,000**	**$ 346,500**

The Streets budget includes all expenditures related to the Nibley City Streets Department.

10-60-110 Salaries & Wages - Funds allocated for 50% of two full-time employees, the streets/stormwater superintendent and one streets/stormwater employee. The other half of their wages are paid through the Stormwater Department.

10-60-115 Seasonal Salaries & Wages - Funds allocated for 50% of one seasonal employee. The other half of the salary for this seasonal employee is paid out of the Stormwater account 53-40-115.

10-60-120 Crossing Guard Salaries & Wages - Funds allocated for wages of seven crossing guards at the following locations; Thomas Edison Charter School (1), Nibley Elementary (3), and Heritage Elementary (3). Crossing Guards are supervised by the Streets Superintendent. There will be one additional crossing guard that will be placed at the new roundabout at 1200 West 3200 South. Nibley also hopes to hire substitute crossing guards, as well, which requires additional funding.

10-60-130 Employee Benefits - Funds allocated are based on premium/contribution changes and increases related to salary changes. Funds include costs for Medicare, Social Security, the Utah Retirement System, and telephone/data allowances.

10-60-135 Crossing Guard Benefits - Social Security & Medicare withholdings.

10-60-230 Education, Training, & Travel - Funds are for training conferences and continuing education, including hotel costs, mileage, and per diem, as well as for licensing and certification fees.

10-60-250 Equipment and Maintenance - Funds allocated for street repair and maintenance (curbs, gutters, sidewalks, signs, striping/markings, etc.). This does not include funds for general pavement maintenance, which is shown in accounts 45-40-734 and 11-40-650.

10-60-262 New Development Infrastructure - Funds allocated for city standard street signs and street lights, which are installed at the time of new development. Funds also include water valve and manhole collar costs. The City pays for signs, street lights, collars, etc. up front, and the cost is reimbursed by developers.

10-60-270 Utilities - Crossing Lights- Funds allocated for this account have been combined with GL 10-60-278.

10-60-275 Utilities–Street Lights - Funds allocated to pay for electricity for all street lights in the city. Rocky Mountain Power charges the City an average of $13.58 per month per streetlight. There are currently 286 lights in the City, and it is estimated that there will be an additional 25 more streelights installed over the next year or two in our new subdivisions. This account also includes school-zone crossing-light electricity.

10-60-278 – House Maintenance - Funds allocated for maintaining the homes rented at SR-165/Main Street, as well as the home located at 465 W 3200 S. The homes are currently being rented out.

10-60-310 Professional Services - Funds allocated for non-engineering or non-legal professional services.

10-60-311 Legal Expense - Funds allocated for legal services related to street projects.

10-60-400 Department Expenditures - Funds allocated for general costs related to the streets department.

10-60-450 Snow Removal - Funds allocated to purchase salt and equipment to remove snow and ice on roadways during winter.

10-60-514 Engineering Expense - Funds allocated for engineering costs for street-related projects.

10-60-515 Emergency Expense - Funds allocated for any unforeseen costs dues to an emergency.

10-60-611 Streetlights - Funds allocated for streetlights that are not installed by developers.

Sanitation

Expenses	Account Number	Actual FY 2020-21	Actual Year-To-Date FY 2021-22	Budget FY 2021-22	Final Budget FY 2022-23
Professional Services	10-62-310	$ -		$ -	
Refuse Collection Services	10-62-320	$ 511,115	$ 486,624	$ 540,000	$ 550,000
Department Expenditures	10-62-400	$ 1,488	$ 110	$ 10,000	$ 10,000
Engineering Expense	10-62-514	$ -	$ -	$ -	$ -
Emergency Expense	10-62-515	$ 7,124	$ -	$ 2,000	$ 2,000
Total Sanitation Expenditures		**$ 519,727**	**$ 486,734**	**$ 552,000**	**$ 562,000**

10-62-310 Professional Services - Funds allocated for non-engineering, legal or other professional services.

10-62-320 Refuse Collection Services - Funds allocated to pay Logan City for garbage, recycling and green waste pick up. Charges are passed through to Nibley residents. Rates are as follows: 90-gallon can $16.40, 60-gallon can $14.15, recycle container $3.25, and a green waste container $5.25.

10-62-400 Department Expenditures - Funds allocated to rent dumpsters for spring cleanup and to dispose of rubbish and recycling dumped at the recycle site.

10-62-514 Engineering Expense - Funds allocated for charges from City engineers relating to Sanitation projects.

10-62-515 Emergency Expense - Funds allocated for any unforeseen costs due to an emergency.

PLANNING AND BUILDING

FISCAL YEAR 22-23

Planning & Building

In the past year, the Planning & Building Department completed Capital Projects Finance Plan and a Parks Signage Plan. These master plans will help the City plan for future growth in the face of increased demand on our infrastructure and services. The Planning Department has also reviewed several subdivision applications, commercial and industrial developments, fence permits, accessory building permits, and conditional use permits during the year. The Planning & Building Department is responsible for Code Enforcement throughout the City. In 2021, Staff responded to more than 70 code enforcement issues, resolving more than 90% of violations.

In 2021, the Planning and Building Department helped write and review 14 new ordinances that have passed and 2 that did not pass. Notable ordinances include:

- Nuisance ordinance amendments
- Mixed Residential Housing Ordinance
- Animal Land Use Ordinance Amendments
- Lot Line & Parcel Boundary Adjustment Review Process
- Short-term rental regulations
- Amendment to ADU and two-family housing ordinance

Nibley has continued to add new real estate value. In 2021, the Building Department issued a record-breaking number of permits. The City issued 236 building, remodel, solar, and accessory structure permits in the 2021 calendar year, of which 128 were new home building permits. There are approximately 59 available building lots in the City. There are currently 104 Homes under construction.

2022 Department Goals/Projects

Review and make recommendations to create/update the following ordinances:

- Landscape Ordinance and Standards
- Town Center Commercial Zone and Standards
- Nibley City Design Standards (in coordination with Public Works/Engineering)
- Cluster Subdivisions
- Conditional Uses
- Subdivision Financial Assurance provisions
- Access, Connectivity Standards, and Intersection spacing
- All required ordinance changes from State legislature
- Create an effective Transfer of Development Rights (TDR) Ordinance and Process
- Develop more robust and standardized public and stakeholder engagement activities to ensure public buy-in of major code changes and plan updates.
- Review future land use for future annexation areas.
- Develop an Economic Development Strategy for Commercial Development in Strategic Locations.

Expenses	Account Number	Actual FY 2020-21	Actual Year-To-Date FY 2021-22	Budget FY 2021-22	Final Budget FY 2022-23
Salaries & Wages	10-68-110	$ 139,834	$ 143,230	$ 176,000	$ 210,000
Employee Benefits	10-68-130	$ 60,270	$ 63,679	$ 76,000	$ 81,000
Education, Travel & Training	10-68-230	$ 2,016	$ 6,432	$ 10,000	$ 10,000
Office Supplies	10-68-240	$ 189	$ 106	$ 1,000	$ 1,000
Memberships & Dues	10-68-300	$ 661	$ 672	$ 2,000	$ 2,000
Professional Services	10-68-310	$ -	$ 10,940	$ 23,000	$ 55,000
Legal Expenses	10-68-311	$ 15,095	$ 7,639	$ 25,000	$ 25,000
Commercial Review	10-68-315	$ 1,210	$ 920	$ 3,000	$ 3,000
Department Expenditures	10-68-400	$ 2,454	$ 311	$ 2,000	$ 2,000
Engineering Expense	10-68-514	$ 47,685	$ 4,923	$ 5,000	$ 20,000
Code Enforcement	10-68-550	$ -	$ 1,103	$ 4,000	$ 4,000
County Planning Assessment	10-68-621	$ 7,232	$ 913	$ 7,500	$ 11,000
Tree City	10-68-655	$ -	$ -	$ 1,000	$ 1,000
Total Planning & Building Expenses		$ 276,646	$ 240,868	$ 335,500	$ 425,000

10-68-110 Salaries & Wages - Funds allocated for salaries for City Planner, Building Inspector, 50% of Public Works/Building Inspector, part-time Commercial Building Inspector, and six planning commissioners.

10-68-130 Employee Benefits - Funds allocated are based on premium/contribution changes and increases related to salary changes. Funds include costs for Medicare, Social Security, the Utah Retirement System, as well as telephone/data allowances.

10-68-230 Education, Training, & Travel - Funds are for training conferences and continuing education, including hotel costs, mileage, and per diem, as well as for licenses and certification fees. This year funds are allocated for the education for the proposed part-time Building Inspector's training and education.

10-68-240 Office Supplies - Funds allocated for the online building code book and yearly updates, as well as any other office supplies required for the use of planning and building.

10-68-300 Memberships & Dues - Funds allocated for professional memberships and dues, which include: American Planners Association, Utah Chapter of APA, Cache Planners Group, State of Utah Residential Home Inspector, and Utah International Code Council.

10-68-310 Professional Services - Funds allocated to hire a consultant to assist with creating a transfer of development rights ordinance in the City. This project started the last fiscal year, and we have completed roughly 20%. The remaining funds are to finish the project. Nibley City received a grant to reimburse $23,000 after completion. There is a $2,000 match. In addition,there is $30,000 budgeted for assistance in finding, researching, and applying for grant funds.

10-68-311 Legal Expenses - Funds allocated for legal review fees, primarily from the City attorney. This also covers the expenses incurred by our administrative appeals hearing officer.

10-68-315 Commercial Reviews - Funds allocated for review of all commercial building plans.

10-68-400 Department Expenditures - Funds allocated for expenses such as online records access and for publishing hearing notices. Costs for public hearing notices are passed on to project applicants. Funds also allocated for communication service provider expenses.

10-68-514 Engineering Expense- Funds allocated for outside engineer specialized development reviews. These fees are generally passed on to developers.

10-68-550 Code Enforcement - Funds allocated to enforce municipal code violations.

10-68-621 County Planning Assessment - Funds allocated for fees paid to Cache County for technical planning and trail assistance and to the Cache Metropolitan Planning Organization for regional transportation planning services. This account also covers our City's GIS membership, as well as other county services.

10-68-655 Tree City - Funds allocated for expenses related to the Tree Board and/or fulfilling the requirements of the City's Tree City USA designation.

PARKS DEPARTMENT

FISCAL YEAR 22-23

Firefly Park Outlook Tower

Parks

2021-2022 Accomplishments:

- Anhder Park sidewalk warranty work completed
- Completed landscape at Firefly Pavilion
- Installed shelving in Firefly pavilion for recreation sports
- Park clean up after early snow storm
- Put part of Anhder park back together
- Replaced Elkhorn playground

2022-23 Construction Goals:

- Complete landscaping at Anhder Park
- Create park amenities assessment rating system
- Ridgeline Park plan done and construction started

Parks

Expenses	Account Number	Actual FY 2020-21	Actual Year-To-Date FY 2021-22	Budget FY 2021-22	Final Budget FY 2022-23
Salaries & Wages	10-70-110	$ 131,632	$ 149,686	$ 175,000	$ 193,000
Seasonal Salaries & Wages	10-70-115	$ 55,306	$ 36,897	$ 50,000	$ 53,500
Employee Benefits	10-70-130	$ 72,497	$ 85,451	$ 110,000	$ 118,000
Education, Travel & Training	10-70-230	$ 1,876	$ 2,920	$ 5,000	$ 5,000
Facilities and Maintenance	10-70-250	$ 59,163	$ 53,641	$ 59,000	$ 70,000
Utilities	10-70-270	$ 5,707	$ 22,889	$ 6,000	$ 25,000
Legal Expense	10-70-311	$ -	$ -	$ 1,000	$ 1,000
Department Expenditures	10-70-400	$ 421	$ 653	$ 3,000	$ 3,000
Trees	10-70-420	$ 2,743	$ 42,371	$ 47,000	$ 7,000
Morgan Farm	10-70-695	$ 1,568	$ -	$ -	$ -
Capital Outlay Equipment	10-70-740	$ 940	$ -	$ -	$ -
Total Parks Expenditures		**$ 331,853**	**$ 394,509**	**$ 456,000**	**$ 475,500**

10-70-110 Salaries & Wages - Funds allocated for wages for the Park Superintendent and three full-time employees.

10-70-115 Seasonal Salaries & Wages - Funds allocated for wages of four seasonal employees.

10-70-130 Employee Benefits - Funds allocated are based on premium/contribution changes and increases related to salary changes. Funds include costs for Medicare, Social Security, the Utah Retirement System, and telephone/data allowances.

10-70-230 Education, Training, & Travel - Funds are for training conferences and continuing education, including hotel costs, mileage, and per diem, as well as for licensing and certification fees.

10-70-250 Facilities and Maintenance - Funds allocated for non-vehicular equipment and facilities maintenance, which includes: mowers, blowers, trimmers, fertilizer, paint, sprinkler repair, hand tools, etc.

10-70-270 Utilities - Funds allocated for park facility utilities – electricity, sewer, and water. Amount will be increased this year to accommodate for Mt. Vista and Nibley Farms open spaces.

10-70-311 Legal Expense - Funds allocated for legal services related to the parks department.

10-70-400 Department Expenditures - Funds allocated for general costs related to the parks department.

10-70-420 Trees - Funds allocated to cover Tree City USA re-certification requirements. Nibley is required to spend $2/person on trees and tree-related expenses, which would be approximately $14,000, based on the city's population of about 7,000. The City anticipates spending half of that cost ($7,000) on trees and the rest will be met with labor costs. This fund also accounts for any new development tree costs that are reimbursed to the city.

10-70-695 Morgan Farm - Funds allocated for minor repairs and needs at Morgan Farm. See also fund 45-40-738.


BOOnanza 2021


Super StartT-Ball 2022

RECREATION DEPARTMENT


Hopstacle 2022


Movies in the Park


Soccer 2021

Community Development and Recreation

Our community has benefited significantly from our Recreation Department through expanded offerings and quality experiences that connect our citizens. Although the socio-economic benefits are challenging to measure, we know that our recreation programs and events not only improve health and wellness, they also help keep law enforcement costs down, create a great place to live, and significantly improve the quality of life for our citizens.

Matching staffing to the growth of our community for this department is a particular challenge. Especially when we find that residents simply want to do more within the existing programs rather than go outside of Nibley for their recreation experiences. This department has seen the fruits of hiring a Full-Time coordinator in addition to the Full-time Recreation Director especially in expanded youth sports offerings and overall youth sports registrations. In addition to the part time fitness coordinator and part time seasonal recreation coordinator, this budget includes a second part time seasonal coordinator to accommodate very significant growth within youth sports programs. Multiple specialist's positions that teach fitness and other recreation specialties also help to fill recreation needs. This staffing model allows this department to leverage the Recreation Director's management, planning, and sponsor outreach experience while also expanding revenue generating youth sports programs significantly. Exponential growth in soccer, flag football, and ultimate frisbee especially offset the additional cost of staffing and allow us to both accommodate growth and conservatively expand opportunities available for the community. This staffing plan more closely matches recreation departments in cities of similar size with a similar level of service. However, as the community grows, programs expand, and additional programs are offered its critical that staffing keep pace with the growth of the community.

With data comparisons from USU Wellbeing Surveys in Nibley, the Imagine Nibley Campaign of 2017, our Parks, Recreation and Trails Plan, continued administration and council direction, post event/program numbers and participant feedback, the department has clear direction regarding recreation that makes a difference in the lives and health of our residents. Supporting this department our Parks and Recreation Advisory Committee continues to support events and offers a continuous connection with the members of our community, to help us provide relevant and effective recreation experiences. This committee will also facilitate ongoing research and planning. This includes exploring the community value of Morgan Farm, and the possibility of moving forward with the creation of indoor recreation and a sports field complex. With the support of this committee, we will continue to more effectively serve this community. Considerations of the impact of meaningful experiences, sustainability, efficient use of resources, and cost/revenue numbers, will continue to be evaluated for both new and existing recreation offerings. Although the overall expenses for this department have increased when compared to the amount budgeted last year, recreation opportunities have expanded, more residents have been served, and revenue generated from programs has significantly increased, surpassing what was projected in last year's revenue for youth sports and fitness programs especially.

Still, anticipated revenue and expenses for this budget are conservative and realistic and well worth the effort considering the mental, emotional, and physical recovery residents are enjoying while returning to pre-Covid19 activities. As new programs are offered staff will continue to carefully create the best forecast of revenue and expenses. However, with cost recovery evaluations, participation data collected, growth trends monitored, along with historical revenue and expense numbers, the department has more effectively forecasted the recreation budget presented here to benefit of residents considered Nibley City's most valuable asset.

Community Development and Recreation

Expenses	Account Number	Actual FY 2020-21	Actual Year-To-Date FY 2021-22	Budget FY 2021-22	Final Budget FY 2022-23
Salaries & Wages	10-75-110	$ 70,877	$ 79,665	$ 102,000	$ 109,000
Seasonal Salaries & Wages	10-75-115	$ 18,360	$ 29,713	$ 22,000	$ 50,000
Employee Benefits	10-75-130	$ 41,958	$ 41,719	$ 65,000	$ 69,000
Education, Travel & Training	10-75-230	$ 2,597	$ 5,907	$ 6,000	$ 6,000
Uniforms	10-75-247	$ -	$ 649	$ 500	$ 500
Memberships & Dues	10-75-300	$ 340	$ 165	$ 750	$ 750
Department Expenditures	10-75-400	$ 3,959	$ 4,164	$ 3,600	$ 4,500
Sponsorships	10-75-415	$ 117	$ -	$ 1,000	$ 1,000
Library	10-75-480	$ 26,814	$ 28,476	$ 30,000	$ 30,000
Rec Rental Equipment	10-75-500	$ -	$ -	$ 300	$ 300
Youth & Adult Programs	10-75-515	$ 36,665	$ 42,829	$ 35,000	$ 50,000
Family Special Events	10-75-540	$ 27	$ 555	$ 400	$ 400
Hyrum Senior Center	10-75-650	$ 1,000	$ 1,000	$ 1,000	$ 1,000
Wildlife	10-75-652	$ -	$ 128	$ 300	$ 300
Special Events	10-75-657	$ 4,460	$ 6,271	$ 4,500	$ 4,500
Heritage Days	10-75-660	$ 30,156	$ 7,415	$ 22,000	$ 22,000
Children's Theater	10-75-661	$ 10,089	$ 349	$ 9,500	$ 9,500
Youth Council	10-75-662	$ 388	$ 4,760	$ 5,500	$ 5,500
Nibley Royalty & Float	10-75-664	$ 529	$ 2,925	$ 3,500	$ 3,500
Nibley Fitness	10-75-669	$ 1,972	$ 741	$ 1,000	$ 2,000
Fitness Programs	10-75-670	$ 2,089	$ 2,557	$ 2,100	$ 3,000
Parks & Rec Committee	10-75-671	$ 817	$ 1,288	$ 2,000	$ 2,000
Total Community Dev. Expenditures		$ 253,214	$ 261,276	$ 317,950	$ 374,750

10-75-110 Salaries & Wages - Funds allocated for Community Development and one full-time Recreation employee.

10-75-115 Seasonal Salaries & Wages - Funds allocated for sports officials, group fitness instructors, seasonal concessions employees, referees, and recreation interns.

10-75-130 Employee Benefits - Funds allocated are based on premium/contribution changes and increases related to salary changes. Funds include costs for Medicare, Social Security, the Utah Retirement System, and telephone/data allowances.

10-75-230 Education, Training, & Travel - Funds are for training conferences and continuing education, including hotel costs, mileage, and per diem, as well as for licenses and certification fees.

10-75-247 Uniforms - Funds allocated for uniforms for employees and volunteers.

10-75-300 Memberships & Dues - Funds allocated for professional memberships and dues, which include the Utah Recreation and Parks Association and the National Recreation and Parks Association.

10-75-400 Department Expenditures - Funds allocated for concessions, supplies, surveys, advertising, promotional materials, signage, banners, flyers, sponsorship programs, and other miscellaneous expenses.

10-75-415 Sponsorships - Funds allocated to purchase banners to display at ballfields for those who sponsor events and programs.

10-75-480 – Library - Funds allocated for fees that Hyrum City assesses to Nibley City for providing Nibley residents access to the Hyrum Library. A fee of $42 is assessed based on active library cards of Nibley residents. There are currently 702 Nibley residents who have library cards. The actual cost to Hyrum City for each card is approximately $114 per resident.

10-75-500 Rec Rental Equipment - Funds allocated for purchasing, maintaining, and replacing recreation equipment that is checked out for residents use. Items include: disc golf sets, Spikeball, and Kubb.

10-75-515 Youth & Adult Programs - Funds allocated for baseball, softball, ultimate Frisbee, Super STARt T-ball and soccer, 5 and 6 year-old soccer, summer camps, clinics and tournaments, and adult soccer.

10-75-540 Family Special Events - Funds allocated for special events for families.

10-75-650 Hyrum Senior Center - Funds allocated for an annual donation to the Hyrum Senior Center as an expression of gratitude for allowing Nibley residents to use the facilities and programs. There is no formal agreement allowing Nibley residents use of the center. Funds are used to purchase equipment for the center such as chairs, tables, etc.

10-75-652 Wildlife - Funds allocated for an annual contribution to the Blacksmith Fork Wildlife Association to help fund their efforts to support wildlife activity in the City.

10-75-657 Special Events - Funds allocated for special events such as Movies in the Park, Halloween BOOnanza, Christmas Live Nativity, etc.

10-75-660 Heritage Days - Funds allocated for the City's contribution to the annual Heritage Days Festival.

10-75-661 Children's Theatre - Funds allocated for expenditures related to the Heritage Days children's play. If awarded, the City anticipates receiving $6,000 in revenue, which includes; a $1,250 RAPZ grant, a $3,000 Rocky Mountain Power Grant, a $1000 State of Utah Arts Council Grant and $750 in revenue from T-shirt sales.

10-75-662 Youth Council - Funds allocated for conference registrations, education, training, travel, shirts, concessions, and miscellaneous Youth Council expenses.

10-75-664 Nibley Royalty and Float - Funds allocated for Nibley Royalty activities, including the pageant and scholarships.

10-75-669 Nibley Fitness - Funds allocated for fitness class equipment, volunteer fitness instructors, and recertification for fitness instructors.

10-75-670 Fitness Programs - Funds allocated for Easter Egg Fun Run, Heritage Days Fun Run, Scarecrow Fun Run, and other fitness events and programs.

10-75-671 Parks & Rec Committee - Funds allocated for the volunteer advisory committee to coordinate volunteers and provide guidance on parks, recreation, art, and culture in Nibley.

Class "C" Streets Fund

Revenue	Account Number	Actual FY 2020-21	Actual Year-To-Date FY 2021-22	Budget FY 2021-22	Final Budget FY 2022-23
Mass Transit Taxes	11-30-135	$ 92,404	$ 94,503	$ 120,000	$ 100,000
Interest Earnings	11-30-400	$ -	$ -	$ 1,000	$ 1,000
Class "C" Street Allotment	11-30-500	$ 251,906	$ 262,106	$ 219,000	$ 240,000
Appropriation Of Fund Balance	11-30-611	$ -	$ -	$ 930,000	$ -
Total Revenues		**$ 344,310**	**$ 356,609**	**$ 1,270,000**	**$ 341,000**

Expenses	Account Number	Actual FY 2020-21	Actual Year-To-Date FY 2021-22	Budget FY 2021-22	Final Budget FY 2022-23
Class "C" Street Projects	11-40-650	$ 18,228	$ 1,148,111	$ 1,150,000	$ 300,000
Mass Transit Road Projects	11-40-700	$ -	$ -	$ 120,000	$ -
Total Capital Expenditures		**$ 18,228**	**$ 1,148,111**	**$ 1,270,000**	**$ 300,000**
Surplus/(Deficit)		**$ 326,082**	**$ (791,502)**	**$ -**	**$ 41,000**
Beginning Cash Balance (Est.)					**$ 223,800**
Reserve					**$ 41,000**
Ending Cash Balance (Est.)					**$ 264,800**

Revenue Accounts:

11-30-135 Mass Transit Taxes – This is money received from the State of Utah for transit purposes.

11-30-400 Interest earnings - Revenue generated from interest by the funds held in the bank.

11-30-500 Class "C" Streets allotment - Revenue generated from the state gas tax.

11-30-611 Appropriation of fund balance - Funds appropriated from the ongoing fund balance.

Expenditure Accounts:

11-40-650 Class "C" Streets Projects - Funds allocated for maintenance of City streets. The City uses a contractor to perform asphalt treatments that meet their specifications for quality and durability.

11-40-700 Mass Transit Road Projects– No projects are planned for this year.

Municipal Building Authority

Revenue	Account Number	Actual FY 2020-21	Actual Year-To-Date 2021-22	Budget FY 2021-22	Final Budget FY 2022-23
Interest Subsidy	20-30-400	$ 9,606		$ 9,000	$ 9,000
Lease (Nibley GF Contribution)	20-30-500	$ 51,000	$ 45,833	$ 51,000	$ 51,000
Interest Earned	20-30-610	$ 3,622			
Appropriation Of Fund Balance	20-30-611	$ -		$ -	$ -
Total Revenues		**$ 64,228**	**$ 45,833**	**$ 60,000**	**$ 60,000**

Expenses	Account Number	Actual FY 2020-21	Actual Year-To-Date 2021-22	Final Budget FY 2021-22	Final Budget FY 2022-23
Reserves	20-40-699	$ -		$ -	$ -
Debt Service	20-40-810	$ 31,000	$ 22,455	$ 32,000	$ 33,000
Debt Service - Interest	20-40-820	$ 24,106	$ 22,455	$ 28,000	$ 27,000
Total Capital Expenditures		**$ 55,106**	**$ 44,910**	**$ 60,000**	**$ 60,000**
Surplus/(Deficit)		**$ 9,122**	**$ 923**	**$ -**	**$ -**
Beginning Cash Balance (est.)					**$ 6,300**
Reserves (Fund Balance App.)					**$ -**
Ending Cash Balance (est.)					**$ 6,300**

Revenue Accounts:

20-30-400 Interest Subsidy - Revenue generated through a federal stimulus program as an interest subsidy.

20-30-500 Lease - Revenue received from the general funds as lease payment to the MBA. See account 10-50-511 for reference.

20-30-611 Appropriation of Fund Balance - This account is used to appropriate funds from the fund balance to be used this fiscal year. The funds reflected here represent refunded interest subsidy funds to be used as an additional principal payment.

Expenditure Accounts:

20-40-810 Debt Service - Funds allocated for the bond payment on the loan.

20-40-820 Debt Service Interest - Funds allocated for interest on the bond payment.

NOTE: The Nibley City Municipal Building Authority is a separate legal entity but is integrated with the City budget for ease of administration.

Municipal Building Authority Debt Service Schedule

Interest Pmt Date	Principal	Interest	Payment Due	Outstanding Principal	Actual Balance Owing
10/1/2011	$ -	$ 26,916	$ 26,916	$ 850,000	
10/1/2012	$ 15,000	$ 34,000	$ 49,000	$ 835,000	
10/1/2013	$ 16,000	$ 33,400	$ 49,400	$ 819,000	
10/1/2014	$ 16,000	$ 32,760	$ 48,760	$ 803,000	
10/1/2015	$ 17,000	$ 32,120	$ 49,120	$ 786,000	
10/1/2016	$ 18,000	$ 31,440	$ 49,440	$ 768,000	
10/1/2017	$ 18,000	$ 30,720	$ 48,720	$ 750,000	
10/1/2018	$ 19,000	$ 30,000	$ 49,000	$ 731,000	
10/1/2019	$ 20,000	$ 29,240	$ 49,240	$ 711,000	
10/1/2020	$ 21,000	$ 28,440	$ 49,440	$ 690,000	
10/1/2021	$ 22,000	$ 27,600	$ 49,600	$ 668,000	
10/1/2022	$ 22,000	$ 26,720	$ 48,720	$ 646,000	$ 573,000
10/1/2023	$ 23,000	$ 25,840	$ 48,840	$ 623,000	
10/1/2024	$ 24,000	$ 24,920	$ 48,920	$ 599,000	
10/1/2025	$ 25,000	$ 23,960	$ 48,960	$ 574,000	
10/1/2026	$ 26,000	$ 22,960	$ 48,960	$ 548,000	
10/1/2027	$ 27,000	$ 21,920	$ 48,920	$ 521,000	
10/1/2028	$ 28,000	$ 20,840	$ 48,840	$ 493,000	
10/1/2029	$ 29,000	$ 19,720	$ 48,720	$ 464,000	
10/1/2030	$ 31,000	$ 18,560	$ 49,560	$ 433,000	
10/1/2031	$ 32,000	$ 17,320	$ 49,320	$ 401,000	
10/1/2032	$ 33,000	$ 16,040	$ 49,040	$ 368,000	
10/1/2033	$ 34,000	$ 14,720	$ 48,720	$ 334,000	
10/1/2034	$ 36,000	$ 13,360	$ 49,360	$ 298,000	
10/1/2035	$ 37,000	$ 11,920	$ 48,920	$ 261,000	
10/1/2036	$ 39,000	$ 10,440	$ 49,440	$ 222,000	
10/1/2037	$ 40,000	$ 8,880	$ 48,880	$ 182,000	
10/1/2038	$ 42,000	$ 7,280	$ 49,280	$ 140,000	
10/1/2039	$ 44,000	$ 5,600	$ 49,600	$ 96,000	
10/1/2040	$ 45,000	$ 3,840	$ 48,840	$ 51,000	
10/1/2041	$ 51,000	$ 2,040	$ 53,040	$ -	
	$ 850,000	$ 653,516	$ 1,503,516		

Community Reinvestment Agency

The Nibley Community Reinvestment Agency was created in 2020, as a tool to encourage economic development along HWY 89/91. Although the Agency was created, agreements with property owners have yet to be completed. However, recent events and discussions are looking favorable for the agency to start receiving money. This budget serves as a frame work in case the agreements come to fruition.

Revenue	Account Number	Actual FY 2020-21	Actual Year-To-Date 2021-22	Budget FY 2021-22	Final Budget FY 2022-23
CRA Received Funds	22-31-400	$ -	$ -	$ -	$ 5,000
Total Revenues		**$ -**	**$ -**	**$ -**	**$ 5,000**

Expenses	Account Number	Actual FY 2020-21	Actual Year-To-Date 2021-22	Budget FY 2021-22	Final Budget FY 2022-23
CRA Redisbursement	21-41-500	$ -	$ -	$ -	$ -
CRA Affordable Housing	21-41-501	$ -	$ -	$ -	$ -
CRA Reserves	21-41-699	$ -	$ -	$ -	$ 5,000
CRA Transfer to General Fund	21-41-742	$ -	$ -	$ -	$ -
Total Expenditures		**$ -**	**$ -**	**$ -**	**$ 5,000**
Surplus/(Deficit)		**$ -**	**$ -**		
Beginning Cash Balance (est.)					**$ -**
Reserves (Fund Balance App.)					**$ 5,000**
Ending Cash Balance (est.)					**$ 5,000**

Revenue Accounts:
22-31-400 CRA Received Funds - Revenue generated through property tax of the area within the CRA boundary.

Expenditure Accounts:
21-41-500 CRA Redispursment - Funds allocated to be redisbursed to Developers for public infrastructure projects constructed within the CRA boundary.

21-41-501 CRA Affordable Housing Projects- Funds allocated to be expended on affordable housing projects, identified by the the CRA Board of Directors. Per the agreement, 10% of funds received into the CRA are to be used for affordable housing projects.

21-41-699 CRA Reserves - Funds not allocated to remain in the CRA Fund.

21-41-742 CRA Transfer to General Fund - Per CRA agreement, 5% of funds received are transferable to the General Fund as an administration fee.

NOTE: The Nibley City Community Reinvestment Agency is a separate legal entity but is integrated with the City budget for ease of administration

Emergency Medical Services

This fund was renamed from First Responders to Emergency Medical Services in fiscal year 2021-22. Nibley City has entered into an agreement with the Cache County Fire District to provide ambulance service, as well as management of the former Nibley Millville First Responders Unit. A fee of $6.00 per utility account per month was passed in June of 2021 by the City Council to cover the expense of the agreement.

Revenue	Account Number	Actual FY 2020-21	Actual Year-To-Date 2021-22	Budget FY 2021-22	Final Budget FY 2022-23
Cache County Grants	24-36-321	$ -	$ -	$ -	-
State Grants	24-36-322	$ -	$ -	$ -	-
Nibley Contribution	24-36-601	$ 26,607	$ -	$ -	-
Millville Contribution	24-36-602	$ 4,197	$ -	$ -	-
Nibley EMS Fee Collection	24-36-603	$ -	$ 146,097	$ 132,000	$ 167,000
Interest Earned	24-36-610	$ 403	$ -	$ -	$ -
Miscellaneous	24-36-690	$ -	$ -	$ -	-
Appropriated Fund Balance	24-36-999	$ -	$ -	$ -	-
Total Revenues		**$ 31,207**	**$ 146,097**	**$ 132,000**	**$ 167,000**

Expenses	Account Number	Actual FY 2020-21	Actual Year-To-Date 2021-22	Budget FY 2021-22	Final Budget FY 2022-23
Stipend	24-40-110	$ 10,000	$ -	$ -	$ -
Employee Benefits	24-40-130	$ 399	$ -	$ -	$ -
Education, Travel & Training	24-40-230	$ 707	$ -	$ -	$ -
Uniforms	24-40-247	$ 452	$ -	$ -	$ -
Equipment/Maintenance	24-40-250	$ 1,828	$ -	$ -	$ -
Vehicle Repair	24-40-252	$ -	$ -	$ -	$ -
Vehicle Fuel	24-40-253	$ 536	$ -	$ -	$ -
Cache County Ambulance	24-40-310	$ -	$ 102,284	$ 108,000	$ 120,000
Cache County First Responders	24-40-311	$ -	$ 24,000	$ 24,000	$ 24,000
Insurance	24-40-510	$ -	$ -	$ -	$ -
Capital Outlay - Equipment	24-40-740	$ 5,845	$ -	$ -	$ -
Transfer to General Fund	24-40-742	$ 99,094	$ -	$ -	$ -
Refund to Millville	24-40-802	$ -	$ -	$ -	$ -
Total Expenditures		**$ 118,860**	**$ 126,284**	**$ 132,000**	**$ 144,000**
Surplus/Deficit		**$ (87,653)**	**$ 19,813**	**$ -**	**$ 23,000**
Beginning Cash Balance (Est.)					**$ 70,000**
Reserves (Fund Balance App.)					**$ 23,000**
Ending Cash Balance (Est.)					**$ 93,000**

EMS Revenue Accounts:

24-36-603 Nibley EMS Fee Collection - Revenue collected monthly from residents to cover City's EMS expenses.

***All other Revenue Accounts are remnants of the old First Responders fund, and are no longer in use.**

EMS Expenditure Accounts:

24-40-310 Cache County Ambulance Service - Funds to cover the cost of the contract with Cache County for Ambulance services provided. The 2022 rate is $15.45 per resident, per year based off most recent census data of 7,382 residents, with a 3% increase per year thereafter.

24-40-311 Cache County First Responders Management - Funds to cover the cost of contract with Cache County for the management of the First Responders.

***All other Expense Accounts are remnants of the old First Responders fund, and are no longer in use.**


Heritage Park Pavilion


Morgan Farm Improvements

CAPITAL PROJECTS


Elkhorn Park


Firefly Park


Firefly Park

Capital Project Revenue

Revenue	Account Number	Actual FY 2020-21	Actual Year-To-Date FY 2021-22	Budget FY 2021-22	Final Budget FY 2022-23
Interest Earnings	45-38-610	$ 3,009	$ -	$ -	$ -
Park Reimb. From County	45-38-612	$ -	$ 411,500	$ -	$ -
Sale Of Fixed Assets	45-38-690	$ -	$ -	$ -	$ -
Transfer From General Fund	45-38-700	$ -	$ -	$ 500,000	$ 2,000,000
Sale Of Surplus Land	45-38-710	$ -	$ 256,235	$ 100,000	$ -
Grant - RAPZ	45-38-720	$ -	$ 316,238	$ 315,500	$ 78,000
Grant - RAPZ Population Allocation	45-38-721	$ 14,594	$ 17,407	$ 10,000	$ 20,000
Grants	45-38-722	$ 96,254	$ 6,000	$ 29,000	$ 110,000
Grant - CCOG	45-38-725	$ -	$ 1,492,421	$ 3,150,000	$ 2,300,000
Grant - Ridgeline Park	45-38-725				$ 1,000,000
Miscellaneous	45-38-800	$ -		$ -	$ -
Appropriated Fund Balance	45-38-910	$ -		$ -	$ -
Total Revenues		**$ 113,857**	**$ 2,499,801**	**$ 4,104,500**	**$ 5,508,000**

Capital Project Revenue Accounts

45-38-610 Interest Earnings- Revenue generated from interest earned by the City on all fund balances of money held in interest-bearing accounts. The interest is apportioned out once per year at the end of the fiscal year to each of the individual funds based on the percentage of each total fund balance.

45-38-612 Park Reimbursement From County - This account reflects funds received in FY 21/22from Cache County as reimbursement for the purchase of Firefly Park in the amount of $411,500**.**

45-38-690 Sale of Fixed Assets - No funds are being budgeted in this account this year.

45-38-700 Transfer from General Fund - Revenue transferred from the General Fund as surplus and placed into the Capital Projects Fund for use on various projects.

45-38-710 Sale of Surplus Land - No revenue is expected this fiscal year.

45-38-720 Grant – RAPZ - Revenue generated from this account is allocated through the Cache County RAPZ Tax program. This money is coming from the reimbursement from the construction of Firefly Park. We are expecting to receive two more disbursements during the years 2023 and 2024.

45-38-721 Grant – RAPZ Population Allocation - Funds distributed to each city in the Cache County each year from the Recreation Arts Parks and Zoo sales tax. Funds are distributed based on population.

45-38-722 Grants - Funds allocated for the technical planning assistant UDOT grant. We will receive $110,000 from Safe Routes to School on 3200 South from 800 West to 1200 West.

45-38-725 Grant – CCOG - See 45-40-731 Major Street Projects for more info. In 2017, Nibley applied for and was awarded $1.9 million from the Cache County Council of Governments to realign 1200 West at 3200 South. In 2019, Nibley applied for and was awarded an additional 1.25 million. This portion will pay for the stretch of 1200 W from 3200 S to 3000 S.

45-38-800 Miscellaneous- Unanticipated income received for capital project purposes.

45-38-910 Appropriated Fund Balance - Revenue allocated from funds that would be appropriated out of the existing Capital Projects fund balance to be used in the current budget year.

Capital Project Expenditures

Expenses	Account Number	Actual FY 2020-21	Actual Year-to-Date 2021-22	Budget FY 2021-22	Final Budget FY 2022-23
Major Street Projects	45-40-731	$ 336,298	$ 1,486,451	$ 2,800,000	$ 2,775,000
Street Maintenance/Construction	45-40-734			$ -	
Public Works/City Hall Building Projects	45-40-735	$ 8,973	$ 1,500	$ 15,000	$ 15,000
Facilities Parking Lot Preservation	45-40-736	$ -		$ -	
Master Plans	45-40-737	$ -		$ -	$ 40,000
Morgan Farm	45-40-738	$ -	$ 2,772	$ 10,000	$ 10,000
Capital Equipment	45-40-742	$ 448,014	$ 43,516	$ 46,000	$ 96,000
River Repair	45-40-745	$ -		$ 5,000	$ 5,000
Active Transportation	45-40-746	$ 237,442	$ 73,596	$ 325,000	$ 275,000
ROW Acquisitions	45-40-747	$ -		$ 10,000	$ 10,000
Capital Projects Miscellaneous	45-40-748	$ -		$ 2,000	$ 2,000
Cottonwoods Infrastructure	45-40-749	$ -		$ 20,000	$ 20,000
Public Art	45-40-750	$ -		$ 5,000	$ 5,000
Elkhorn Playground Replacement	45-40-751		$ 82,582	$ 80,000	$ -
Feasabilty and Planning Studies	45-40-752		$ 2,004	$ 50,000	$ 50,000
Anhder Parking Lot	45-40-753		$ 8,255	$ 100,000	
Property Acquisitions	45-40-760	$ -	$ 402,359	$ -	
Engineering Design	45-40-761		$ -	$ 250,000	$ 100,000
Ridgeline Park	45-40-762				$ 1,000,000
Street Light Conversion to LED	45-40-763				$ 100,000
Park Signage Project	45-40-764				$ 12,000
Elkhorn Park Sidewalk Repairs	45-40-765				$ 4,000
Reserves	45-40-770	$ -		$ 386,500	$ 989,000
Total Capital Expenditures		**$ 1,030,727**	**$ 2,103,035**	**$ 4,104,500**	**$ 5,508,000**
Surplus/(Deficit)		**$ (916,870.00)**	**$ 396,765.37**	**$ -**	**$ -**
Beginning Cash Balance (est.)					**$ 2,472,000**
Reserves (Fund Balance App.)					**$ 989,000**
Right of Way Trails Reserved					**$ 300,000**
Ending Cash Balance (est.)					**$ 3,761,000**

45-40-731 Major Street Projects - 1200 West through Nibley has been a primary focus. Phase 1 and Phase 2 have previously been constructed. Staff is planning on seeking funding from the Cache County Council of Governments (COG) for additional funds to complete Phase 3. Phase 3 is estimated at this time to be a cost of $2,500,000. The COG grant, if successful, covers 93% of that cost. An additional $275,000 is being budgeted to construct partial roadways at the following locations that the City is responsible to construct: 1350 along our Recycling site, 450 West south of Sheridan Ridge, and 1000 West near Firefly Estates.

45-40-734 Street Maintenance/Construction - See 11-40-650.

45-40-735 Public Works/City Hall Building Projects - Funds allocated for the design of City Hall's landscape, as well as remodeling the Public Works building.

45-40-736 Facilities Parking Lot Preservation - Funds allocated to fund maintenance of City parking lots, in order to increase lot longevity. No projects are planned this year.

45-40-737 Master Plans - Funds are budgeted in this account this year for a parks master plan.

45-40-738 Morgan Farm: Funds allocated for various improvement projects at the farm, including a trailway through the farm from 800 West to Elkhorn park to the North. Other projects include fencing repairs, historical gate repair, fertilizer and other nutrient application to pasture, as well as foundation repairs to east side of barn.

45-40-742 Capital Equipment – Funds allocated for the lease on an administration vehicle ($3,600), recreation vehicle ($3,600), two public works vehicles ($3,600), parks vehicle ($3,600), as well as one backhoe and one midi-excavator of $8,000 apiece for the streets and parks departments. We are also budgeting an additional $75,000 for a tractor for the Parks department's use.

45-40-745 River Repair - Funds allocated in order to maintain the improvements made in the Blacksmith Fork River restoration project and to repair damage that occurs during heavy river flows.

45-40-746 Active Transportation - Funds allocated to purchase Right-of-Way for and construct future trails and sidewalk projects. Money in this account will remain in a dedicated fund. Funds will be used for construction of trails as shown in the Trail Master Plan, and to connect missing links in the City's sidewalk network. This account is anticipated to fund a different portion of missing links in the network each year. The sidewalk and trail segments being considered this year are $165,000 for missing sidewalks on the south side of 3200 South between 1200 West and 800 West, $16,000 for Hollow Road Advisory Lanes, $75,000 for Apple Creek Trail, as well as $9,000 for design of Morgan Farm Trail.

45-40-747 ROW Acquisition - Funds allocated to purchase Right-of-Way for future street projects.

45-40-748 Capital Projects Miscellaneous - Funds allocated for Nibley City's match from the technical planning assistant UDOT grant.

45-40-749 Cottonwoods Infrastructure - The Cottonwoods Development paid the City $10,000.00 to install a future water line along an easement located on the northeast side of the subdivision. The Cottonwoods Development also paid the City $9,737.00 in compliance with the Planning Commission Resolution 17-P3 for future improvements along Hollow Road adjacent to the Cottonwoods Subdivision. These terms were placed in the Development Agreement for the Cottonwoods, and that Development Agreement was approved by the City Council on January 17, 2017.

45-40-750 Public Art - Funds allocated for public art to be placed throughout the city.

45-40-751 Elkhorn Park Playground Replacement - Funds allocated for the replacement of the playground structure and swings at Elkhorn park, which were no longer functional.

45-40-752 Feasability and Planning Studies- Funds allocated to study the feasability of constructing an indoor community recreation center, as well as preliminary planning and design for a new Public Works yard and City Hall Expansion.

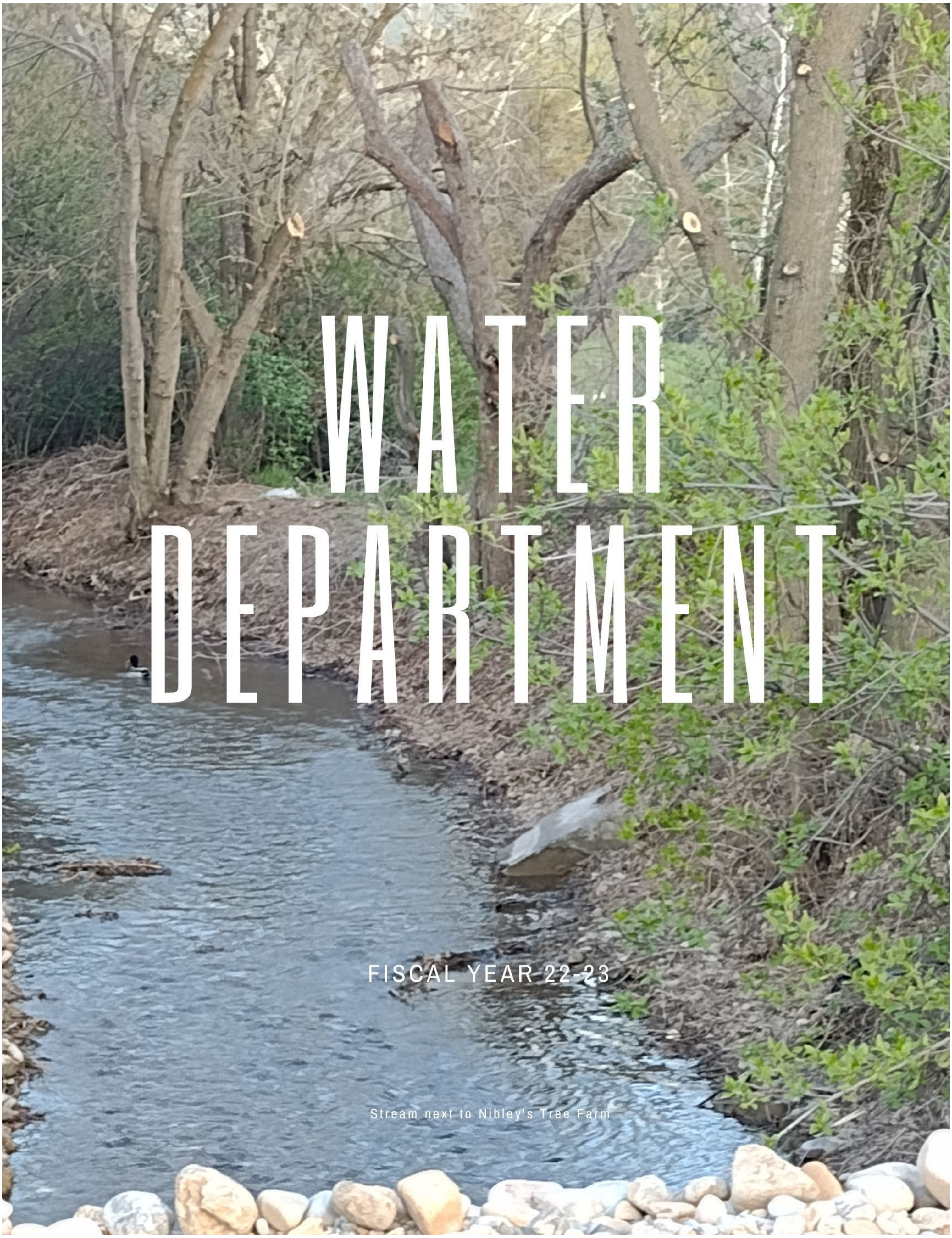
45-40-753 Ahnder Parking Lot- Construction of Parking Lot at Ahnder Park.

45-40-760 Property Acquisition - No funds are budgeted in this account this year.

45-40-761 Engineering Design - Funds allocated for engineering designs for future projects. Staff is looking forward to the possibility of receiving additional ARPA money from the Federal Government. It would be beneficial to have plans ready to apply for those programs, as all CCOG applications require a 90% design. Possible projects are traffic calming and intersection improvements at: 1200 West and 2600 South, 3200 South & 1500 West Intersection, 3200 South & 800 West intersection, 2600 South and 800 West, as well as the Sierra Drive connection to 3200 South. Also $100k budgeted in Street Impact Fee 1200 West that can be used to pay for some design.

45-40-762 Ridgeline Park - Park impact fees allocated for beginning the first phase of Ridgeline Park, with planned amenities.

45-40-770 Reserves - Funds saved in reserve for additional City projects and needs.



WATER DEPARTMENT

FISCAL YEAR 22-23

Stream next to Nibley's Tree Farm

2021-22 Department Accomplishments

* Abandoned the 8 inch line on 3200 South and moved services to the 12 inch line
* Worked with developers to upsize critical lines
* Went through the water system, flushing and maintaining the fire hydrants. Identified hydrants in need of repair
* Continually working to reduce unaccounted water usage
* Actively working on improving our meter maintenance to ensure accurate readings for billing purposes

2022-23 Department Goals

- Continue working on meter maintenance to ensure accurate readings for billing purposes
- Continue to reduce unaccounted water usage
- Repair improperly working fire hydrants that have been identified
- Update GIS mapping of water system when discrepancies are found
- Evaluate and maintain hydraulic control valves (PRVs) for proper operation
- Put in place and begin working on a valve exercising program
- Future Project — Develop a plan for addressing Yeates Spring
- Future Project — 2 or 3 Million Gallon storage tank – approximately 2023
- Future Project — Construct 1200 West well – approximately 2026

Revenue	Account Number	Actual FY 2020-21	Actual Year-To-Date FY 2021-22	Budget FY 2021-22	Final Budget FY 2022-23
Miscellaneous Revenue					
Interest Earned	51-36-610	$ -		$ 7,000	$ 7,000
Reimbursement for Damage	51-36-686	$ -		$ -	$ -
Sale Of Fixed Assets	51-36-690	$ -		$ -	$ -
Water Share Rents	51-36-692	$ -	$ 6,782	$ 500	$ 500
Development Fee In Lieu	51-36-693	$ -		$ -	$ 1,000
New Development Modeling	51-36-694	$ -		$ -	$ 2,500
Miscellaneous Water Revenue	51-36-800	$ 125	$ 651	$ -	$ -
Total Miscellaneous Revenues		**$ 125**	**$ 7,433**	**$ 7,500**	**$ 11,000**
Utility Revenue					
Appropriated Fund Balance	51-37-601	$ -		$ 220,500	$ 175,000
Interest Earned	51-37-610	$ 2,513	$ -		
Water Service Fees	51-37-710	$ 916,944	$ 680,076	$ 710,000	$ 755,000
Connection Fees	51-37-750	$ 58,100	$ 63,289	$ 35,000	$ 52,500
Penalties	51-37-780	$ 30,194	$ 34,104	$ 30,000	$ 30,000
Total Utility Revenue		**$ 1,007,751**	**$ 777,468**	**$ 995,500**	**$ 1,012,500**
Total Utility Fund Revenues		**$ 1,007,876**	**$ 784,901**	**$ 1,003,000**	**$ 1,023,500**
Surplus/Deficit		**$ 217,097**	**$ (5,878)**	**$ 380,736**	**$ -**
Beginning Cash Balance (est.)					**$ 800,000**
Appropriation (Fund Balance App.)					**$ (175,000)**
Ending Cash Balance (est.)					**$ 625,000**

51-37-610 Interest earned - Revenue generated from interest earned on all fund balances of money held in interest bearing accounts. This is apportioned out once per year at the end of the fiscal year to each of the individual funds based on the percentage of the total fund balance.

51-36-686 Reimbursement for Damage - Revenue generated from reimbursement of any damage caused to city's water-related assets or infrastructure.

51-36-690 Sale of Fixed Assets - No funds are anticipated this year.

51-36-692 Water Share Rents - Revenue generated for water shares the city is not using but is renting out to residents.

51-36-693 Development Fee In Lieu- Fee in lieu of dedicating water shares with development.

51-36-694 New Development Modeling- Funds received as reimbursement from developers for water modeling costs.

51-36-800 Miscellaneous Water Revenue - Revenue generated from raising water meters. No funds are anticipated this year.

51-37-601 Appropriated Fund Balance - This account is used to allocate funds from the existing fund balance.

51-37-610 Interest Earned - Revenue generated from interest earned by the City on all fund balances of money held in interest-bearing accounts. The interest is apportioned out once per year at the end of the fiscal year to each of the individual funds based on the percentage of each total fund balance.

51-37-710 Water Service Fees - These funds are fees paid by utility users for water use. The projected amount is based on projected sales and on past year collections.

51-37-750 Connection Fee - Revenue generated from a $700 connection fee to install a water meter. The amount budgeted is $52,500 based on 75 new houses.

51-37-780 Penalties - Expected **r**evenue generated for late bill payment fees.

Water Expenditures

Expenses	Account Number	Actual FY 2020-21	Actual Year-To-Date FY 2021-22	Budget FY 2021-22	Final Budget FY 2022-23
Salaries & Wages	51-40-110	$ 66,962	$ 62,335	$ 90,000	$ 96,000
Seasonal Salaries	51-40-115				$ 5,000
Employee Benefits	51-40-130	$ 35,496	$ 26,815	$ 50,000	$ 53,500
Education, Travel, & Training	51-40-230	$ 1,198	$ (355)	$ 6,000	$ 6,000
Water Meters	51-40-249	$ 37,720	$ 55,009	$ 55,000	$ 65,000
Equipment and Maintenance	51-40-250	$ 61,911	$ 63,694	$ 75,000	$ 75,000
Utilities	51-40-270	$ 88,677	$ 68,870	$ 105,000	$ 85,000
Memberships & Dues	51-40-300	$ 1,212	$ 1,162	$ 3,000	$ 3,000
Professional Services	51-40-310	$ -		$ 5,000	$ 5,000
Legal Expense	51-40-311	$ -	$ 720	$ 5,000	$ 5,000
Water Share Assessments	51-40-335	$ 17,314	$ 20,400	$ 20,000	$ 25,000
Department Expenditures	51-40-400	$ 2,081	$ 395	$ 3,000	$ 3,000
Water Testing	51-40-442	$ 5,974	$ 2,258	$ 6,500	$ 7,000
Water Shares	51-40-443	$ 97,120	$ 1,340	$ 100,000	$ 100,000
Engineering/Planning	51-40-514	$ 5,200	$ 12,538	$ 10,000	$ 10,000
Emergency Expense	51-40-515	$ -		$ 5,000	$ 5,000
Capital Outlay Improvements	51-40-730	$ 6,851		$ 125,000	$ 125,000
Capital Outlay Equipment	51-40-740	$ -		$ 4,500	$ -
Debt Service Principal	51-40-810	$ 80,000		$ -	$ -
Debt Service Interest	51-40-820	$ 2,064		$ -	$ -
Administrative Charge to Gen Fund	51-40-910	$ 280,999	$ 307,083	$ 335,000	$ 350,000
Reserves	51-40-999	$ -		$ -	$ -
Total Water Fund Expenses		**$ 790,779**	**$ 622,264**	**$ 1,003,000**	**$ 1,023,500**

Water Expenditures

51-40-110 Salaries & Wages - Funds allocated for 50% of three full-time employees: water/sewer superintendent, 2 water/sewer employees. The other half of their wages are paid through the sewer department.

51-40-115 Seasonal Salaries - Funds allocated for 50% of a part time employee of 720 hours. The other 50% will be paid for out of Sewer Seasonal Salaries

51-40-130 Employee Benefits - Funds allocated are based on premium/contribution changes and increases related to salary changes. Funds include costs for Medicare, Social Security, the Utah Retirement System, and telephone/data allowances.

51-40-230 Education, Training, & Travel - Funds are for training conferences and continuing education, including hotel costs, mileage, and per diem, as well as for licensing and certification fees.

51-40-249 Water Meters - Funds allocated for purchasing new meters.

51-40-250 Equipment and Maintenance - Funds allocated for repairing and maintaining the water system.

51-40-270 Utilities - Funds allocated for electric utility charges for well pumps.

51-40-300 Memberships & Dues - Funds allocated for professional memberships and dues: American Public Works Association and Rural Water Association (50% Water/50% Sewer).

51-40-310 Professional Services - Funds allocated for professional services other than legal or engineering.

51-40-311 Legal Expense - Funds allocated for services performed by the City Attorney relating to water department.

51-40-335 Water Share Assessments - Funds allocated to pay for the City's water shares: Millville Irrigation Co., Nibley Blacksmith Fork Irrigation Co., College Irrigation Co, Clear Creek Irrigation Co, and Providence/Logan Irrigation Co. Share prices have increased recently.

51-40-400 Department Expenditures - Funds allocated for general costs related to the water department.

51-40-442 Water Testing - Funds allocated for monthly state-required safety testing of culinary water.

51-40-443 Water Shares - This account is used to allocate funds to purchase new water shares that might become available.

51-40-514 Engineering - Funds allocated for engineering costs for water-related projects, and to cover the cost of modeling new water infrastructure.

51-40-515 Emergency/Planning - Funds allocated this year for any unforeseen costs dues to an emergency.

51-40-730 Capital Outlay Improvements - This account includes $50,000 for water line upsizing necessitated by new developments. An additional $75,000 is being budgeted for the design, permitting and site acquisition of a new well located on 1200 West. There is an additional $75,000 being budgeted in GL 56-70-740.

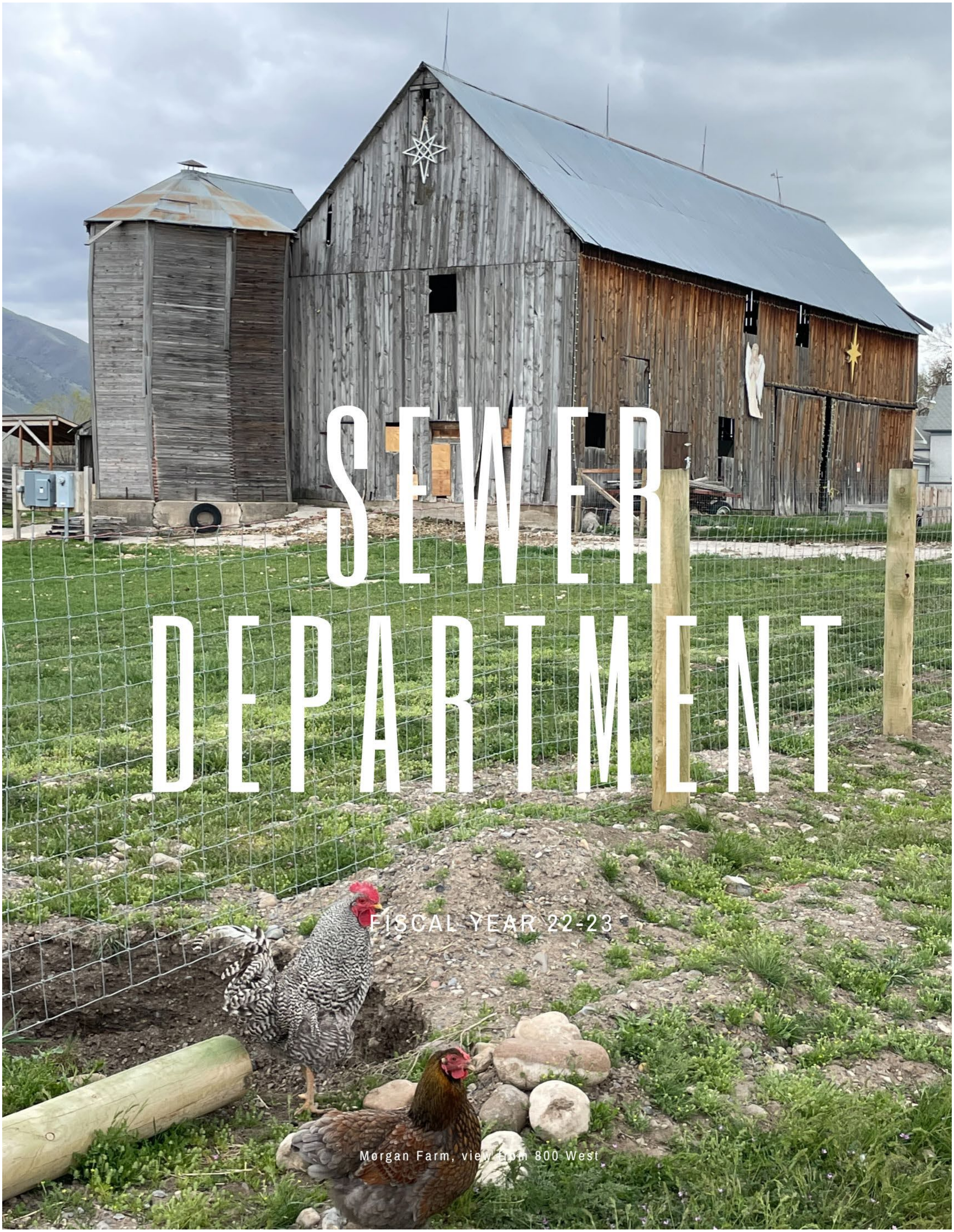
51-40-740 Capital Outlay Equipment - No funds are budgeted in this account this year.

51-40-810 Debt Service Principal - This well debt has been paid off.

51-40-820 Debt Service Interest - This well debt has been paid off.

51-40-910 Administrative Charge to General Fund - Funds transferred to the General Fund based upon Water Department expenses that are incurred through the General Fund.

51-40-999 Reserves - Surplus funds added to the fund balance. Those funds are saved to pay for future capital projects, as shown in the master plan.



SEWER DEPARTMENT

FISCAL YEAR 22-23

Morgan Farm, view from 800 West

Because of its relatively young age, the Nibley City sewer system has low maintenance costs. The majority of the Sewer department's maintenance budget is spent on cleaning and video inspections of the system in order to maintain its efficient operations.

Sewer Department Accomplishments 2021-2022:

- Inspected 30 manholes
- Repaired valving at Hansen Lift Station
- Replaced one pump at Hansen Lift Station
- Cleaned 1000 feet of sewer line
- Identified needed repairs at 4 Points Lift Station

Sewer Department Goals for FY 2022-2023:

- Replace 2 check valves at Hansen Lift Station
- Recondition 4 Points Lift Station
- Inspect all manholes
- Assess sewer lines and clean as needed
- Put in place a weekly cleaning and maintenance evaluation program for all Nibley City lift stations
- Update GIS mapping of wastewater system when discrepancies are found

Sewer Revenue

Revenue	Account Number	Actual FY 2020-21	Actual Year-To-Date FY 2021-22	Budget FY 2021-22	Final Budget FY 2022-23
Millville Maintenance	52-38-550	$ -		$ 10,000	$ 1,000
Millville Sewer Service Fees	52-38-551	$ 3,268	$ 6,778	$ 5,000	$ 6,000
Appropriated Fund Balance	52-38-601	$ -		$ 282,500	$ -
Interest Earned	52-38-610	$ 7,666		$ 1,000	$ 1,000
Sale Of Fixed Assets	52-38-690	$ -	$ 280,000	$ 250,000	$ -
Sewer Service Fees	52-38-710	$ 1,296,695	$ 1,245,390	$ 1,120,000	$ 1,300,000
Miscellaneous Sewer Revenue	52-38-800	$ -	$ 15,350	$ -	$ -
Total Revenues		**$ 1,307,629**	**$ 1,547,518**	**$ 1,668,500**	**$ 1,308,000**

Surplus/Deficit	**$ -**
Beginning Cash Balance (est.)	**$ 1,800,000**
Reserves/(Appropriated funds)	**$ 37,000**
Ending Cash Balance (est.)	**$ 1,837,000**

52-38-550 Millville Maintenance - Revenue generated from charges Nibley levies upon Millville for maintenance of the sewer system for wastewater from Ridgeline High School.

52-38-551 Millville Sewer Service Fees - Revenue generated from charges Nibley levies upon Millville for use of the sewer system for wastewater from Ridgeline High School.

52-38-601 Appropriated Fund Balance - This account is used to appropriate funds from the sewer fund balance to be used in the current year.

52-38-610 Interest Earned - Revenue generated from interest earned on all fund balances of money held in interest bearing accounts. This is apportioned out once per year at the end of the fiscal year to each of the individual funds based on the percentage of the total fund balance.

52-38-690 Sale of Fixed Assets - Revenue generated from the sale of surplus equipment. We do not anticipate any funds this year.

52-38-710 Sewer Service Fees - Revenue generated from sewer service fees; based on the graduated fee schedule adopted by the council in 2018, the fee is now $54. In March of 2023, the fee will become $55.00.

52-38-800 Miscellaneous Sewer Revenue - Revenue generated from miscellaneous sewer income.

Sewer Department Debt Service

Date	Principal Payment	Principal	Actual Balance Owing
5/1/2005	$ 190,000	$ 7,739,000	
5/1/2006	$ 200,000	$ 7,549,000	
5/1/2007	$ 200,000	$ 7,349,000	
5/1/2008	$ 200,000	$ 7,149,000	
5/1/2009	$ 205,000	$ 6,949,000	
5/1/2010	$ 205,000	$ 6,744,000	
5/1/2011	$ 205,000	$ 6,539,000	
5/1/2012	$ 205,000	$ 6,334,000	
5/1/2013	$ 205,000	$ 6,129,000	
5/1/2014	$ 205,000	$ 5,924,000	
5/1/2015	$ 245,000	$ 5,719,000	
5/1/2016	$ 245,000	$ 5,474,000	
5/1/2017	$ 250,000	$ 5,229,000	
5/1/2018	$ 250,000	$ 4,979,000	
5/1/2019	$ 250,000	$ 4,729,000	
5/1/2020	$ 260,000	$ 4,479,000	
5/1/2021	$ 260,000	$ 4,219,000	
5/1/2022	$ 260,000	$ 3,959,000	
5/1/2023	$ 260,000	$ 3,699,000	$ 3,116,500
5/1/2024	$ 270,000	$ 3,439,000	
5/1/2025	$ 270,000	$ 3,169,000	
5/1/2026	$ 270,000	$ 2,899,000	
5/1/2027	$ 270,000	$ 2,629,000	
5/1/2028	$ 270,000	$ 2,359,000	
5/1/2029	$ 290,000	$ 2,089,000	
5/1/2030	$ 290,000	$ 1,799,000	
5/1/2031	$ 290,000	$ 1,509,000	
5/1/2032	$ 324,000	$ 1,219,000	
5/1/2033	$ 440,000	$ 895,000	
5/1/2034	$ 455,000	$ 455,000	

* This is an interest-free loan.

Sewer Expenditures

Expenses	Account Number	Actual FY 2020-21	Actual Year-To-Date FY 2021-22	Budget FY 2021-22	Final Budget 2022-23
Salaries & Wages	52-72-110	$ 67,003	$ 62,335	$ 90,000	$ 96,000
Seasonal Salaries	52-72-115	$ -	$ -	$ -	$ 5,000
Employee Benefits	52-72-130	$ 35,487	$ 26,827	$ 50,000	$ 54,000
Education, Travel, & Training	52-72-230	$ 1,862	$ 1,438	$ 4,000	$ 4,000
Facilities and Maintenance	52-72-250	$ 16,354	$ 18,295	$ 23,000	$ 35,000
Hansen Lift Station Maintenance	52-72-251	$ 1,944	$ 28,957	$ 8,000	$ 8,000
Utilities	52-72-270	$ 10,551	$ 10,235	$ 11,000	$ 11,000
Wastewater Treatment Logan	52-72-275	$ 429,550	$ 466,278	$ 415,000	$ 500,000
Memberships & Dues	52-72-300	$ -	$ -	$ 2,000	$ 2,000
Legal Expense	52-72-311	$ -	$ 120	$ 10,000	$ 10,000
Department Expenditures	52-72-400	$ 237	$ 248	$ 3,000	$ 3,000
Engineering/Planning	52-72-514	$ 1,161	$ 53	$ 10,000	$ 10,000
Emergency Expense	52-72-515	$ -	$ -	$ 10,000	$ 10,000
Sewer Reserve Fund	52-72-636	$ -	$ -	$ 30,000	$ 30,000
Capital Outlay Improvements	52-72-730	$ 6,318	$ -	$ 65,000	$ 40,000
Capital Outlay Equipment	52-72-740	$ -	$ 449,830	$ 472,500	$ 13,000
Four Point Lift Station Repair	52-72-741	$ -	$ -	$ -	$ 40,000
SL RAT Sewer Analysis	52-72-742	$ -	$ -	$ -	$ 50,000
Debt Service	52-72-810	$ 130,000	$ -	$ 130,000	$ -
Administrative Charge To GF	52-72-910	$ 281,000	$ 307,083	$ 335,000	$ 350,000
Reserves	52-72-999	$ -	$ -	$ -	$ 37,000
Total Sewer Fund Expenses		**$ 981,467**	**$ 1,371,698**	**$ 1,668,500**	**$ 1,308,000**

Sewer Expenditures

52-72-110 Salaries & Wages - Funds allocated for 50% of three full-time employees; sewer/water superintendent, two sewer/water employees. The other half of their wages are paid through the water department.

51-40-115 Seasonal Salaries - Funds allocated for 50% of a part time employee of 720 hours. The other 50% will be paid for out of water Seasonal Salaries**.**

52-72-130 Employee Benefits - Funds allocated are based on premium/contribution changes and increases related to salary changes. Funds include costs for Medicare, Social Security, the Utah Retirement System, and telephone/data allowances.

52-72-230 Education, Training, & Travel - Funds are for training conferences and continuing education, including hotel costs, mileage, and per diem, as well as for licenses and certification fees.

52-72-250 Facilities and Maintenance - Funds allocated for repairs on the sewer system.

52-72-251 Hansen Lift Station Maintenance - Funds allocated for cleaning sewer lines that are shared with Millville City.

52-72-270 Utilities - Funds allocated for electricity costs for sewer lift stations pumps.

52-72-275 Wastewater Treatment Logan - Funds paid to Logan City for treatment of the wastewater.

52-72-300 Memberships & Dues - Funds allocated for 50% of professional memberships in American Public Works Association and Rural Water Association. The other 50% of the cost is taken from the sewer department.

52-72-311 Legal Expense - Funds allocated for services performed by the City Attorney relating to the sewer department.

52-72-400 Department Expenditures - Funds allocated covering a variety of general department expenditures, which includes the sewer lift station.

52-72-514 Engineering/Planning - Funds allocated for fees charged by an outside engineers relating to the sewer department. Funds also allocated to complete an impact fee analysis.

52-72-515 Emergency Expense - Funds allocated for any unforeseen costs due to an emergency.

52-72-636 Sewer Reserve Fund - These funds are transferred to a separate account to be held for future capital project needs.

52-72-730 Capital Outlay Improvements - Funds allocated for the potential upsizing of sewer lines in new developments.

52-72-740 Capital Outlay Equipment - Funds allocated for the lease of a sewer department vehicle for $4,500, and the lease of a backhoe for $8,000.

52-72-741 Four Points Lift Station Repair - The Four Points Lift Station needs some repairs and improvements.

52-72-742 SL RAT Sewer Service- Analysis of sewer system to identify deficiencies and problem areas.

52-72-810 Debt Service - This is the portion of the payment on the sewer bond that is paid out of the sewer utility fund. Additional payments are made from the sewer impact fee fund. See 57-40-810 for reference. This is an interest-free loan.

52-72-910 Admin Charge to General Fund - Funds transferred to the General Fund based upon Sewer Department expenses that are incurred through the General Fund.

52-72-999 Reserves - Surplus funds added to the fund balance. Those funds are saved to pay for future capital projects, as shown in the master plan.

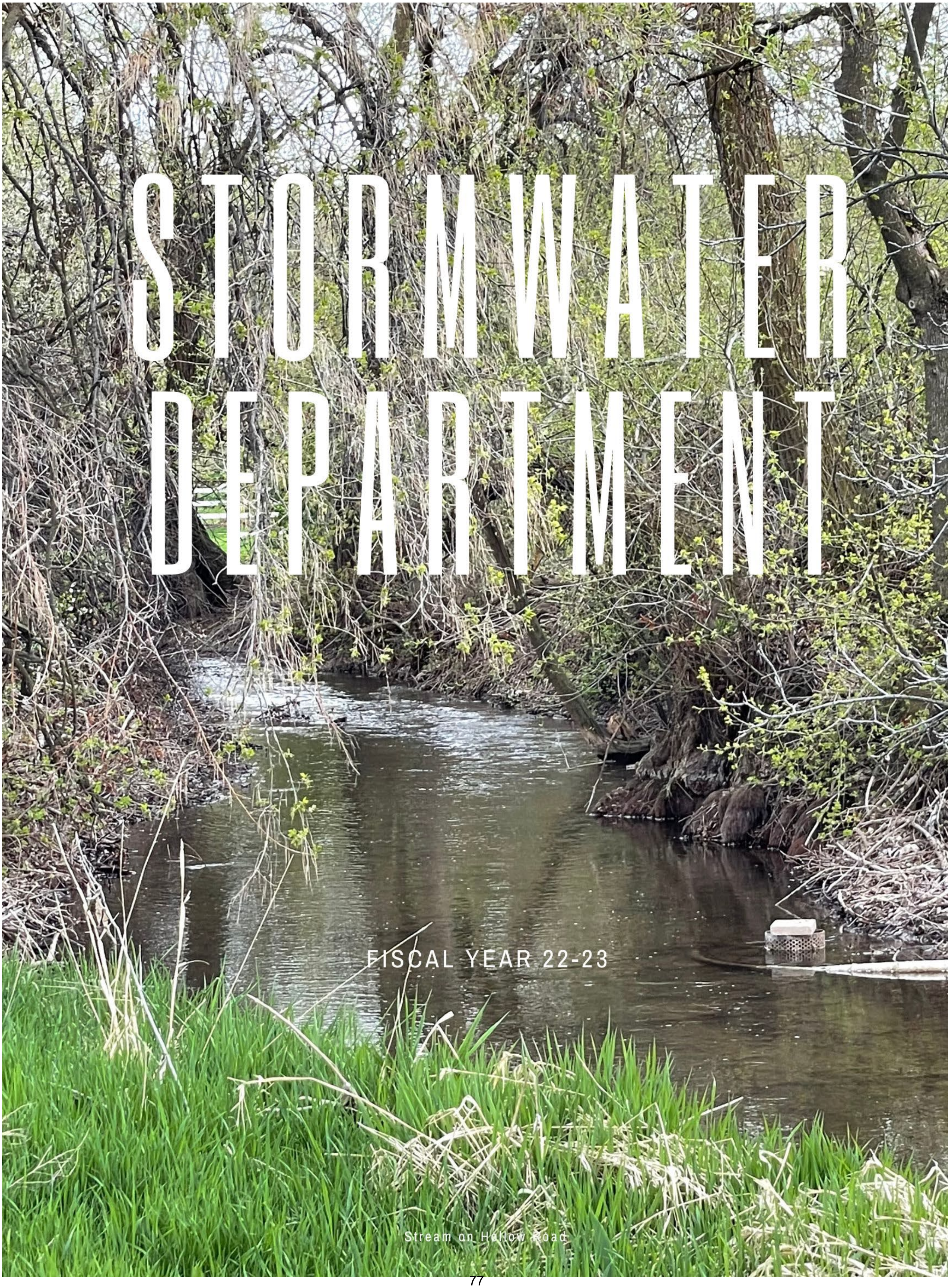
Future Sewer Fee Increases

March 1, 2018	$	50.00
March 1, 2019	$	51.00
March 1, 2020	$	52.00
March 1, 2021	$	53.00
March 1, 2022	$	54.00
March 1, 2023	$	55.00

* Resolution 18-02 for Sewer Fee Increases adopted by Nibley City Council on February 1, 2018

STORMWATER DEPARTMENT

FISCAL YEAR 22-23



Stream on Hollow Road

Stormwater Department Accomplishments 2021-2022:

- Performed monthly inspections on new development
- Swept all streets during spring, summer, and fall
- Reviewed and approved all SWPPP for all construction activity
- Maintained Storm Water system
- Attended all Cache Stormwater Coalition meetings
- Attended Utah Storm Water Advisor Committee meetings

Stormwater Department Goals 2022-2023:

- Clean 1/3 of storm drains and boxes
- Perform monthly site inspections with the SWPPP for construction sites.
- Improve our MS4 with the State of Utah (MS4 is a system that discharges stormwater to bodies of water).
- Maintain compliance with state and federal regulations
- Have two community service projects with youth and Nibey Citizens

Stormwater Revenue

Revenue	Account Number	Actual FY 2020-21	Actual Year-To-Date FY 2021-22	Budget FY 2021-22	Final Budget FY 2022-23
Stormwater Inspection Fee	53-37-411	$ 12,450	$ 18,600	$ 7,500	$ 10,000
Appropriated Fund Balance	53-37-601	$ -	$ -	$ 172,000	$ -
Interest Earned	53-37-610	$ 1,501	$ -	$ 2,500	$ 2,500
Sale of Fixed Assets	53-37-695	$ -	$ -	$ -	$ -
Stormwater Service Fee	53-37-710	$ 229,947	$ 229,579	$ 210,000	$ 230,000
Total Revenues		**$ 243,898**	**$ 248,179**	**$ 392,000**	**$ 242,500**
Surplus/(Deficit)		**$ 48,819**	**$ 91,964**	**$ -**	**$ (32,100)**
Beginning Cash Balance (Est.)					**$ 400,000**
Appropriation (Fund Balance App.)					**$ (32,100)**
Ending Cash Balance (Est.)					**$ 367,900**

53-37-411 Stormwater Inspection Fee - Revenue generated from a fee paid by builders for monthly inspection of their construction site.

53-37-601 Appropriated Fund Balance - Revenue budgeted from funds that can be appropriated from the ongoing fund balance to be expended in the current budget year.

53-37-610 Interest Earned - Revenue generated from interest earned on all fund balances of money held in interest bearing accounts. This is apportioned out once per year at the end of the fiscal year to each of the individual funds based on the percentage of the total fund balance.

53-37-695 Sale of Fixed Assets - No funds have been budgeted this year.

53-37-710 Stormwater Service Fees - Revenue generated from the monthly stormwater fee. It is $8.00 per month per residence.

Stormwater Expenses

Expenses	Account Number	Actual FY 2020-21	Actual Year-To-Date FY 2021-22	Budget FY 2021-22	Final Budget FY 2022-23
Salaries & Wages	53-40-110	$ 51,027	$ 36,852	$ 60,000	$ 60,000
Seasonal Salaries & Wages	53-40-115	$ 1,701	$ 5,889	$ 37,000	$ 40,000
Employee Benefits	53-40-130	$ 27,824	$ 16,714	$ 28,000	$ 30,000
Education, Travel, & Training	53-40-230	$ 235	$ 855	$ 1,500	$ 1,500
Facilities and Maintenance	53-40-250	$ 17,199	$ 12,243	$ 14,000	$ 16,000
Canal Maintenance	53-40-260	$ -	$ 3,500	$ 3,500	$ 3,500
Memberships & Dues	53-40-300	$ -		$ 500	$ 500
Legal Expense	53-40-311	$ -		$ 500	$ 500
Department Expenditures	53-40-400	$ -	$ 248	$ 3,000	$ 3,000
Engineering Expense	53-40-514	$ 1,839	$ 745	$ 30,000	$ 30,000
Emergency Expense	53-40-515	$ -		$ 5,000	$ 5,000
Capital Outlay Improvements	53-40-730	$ -		$ 125,000	$ -
Capital Outlay Equipment	53-40-740	$ 14,255	$ 4,920	$ 3,000	$ 3,600
Administrative Charge	53-40-910	$ 81,000	$ 74,250	$ 81,000	$ 81,000
Reserves	53-40-999	$ -		$ -	$ -
Total Stormwater Fund Expenses		**$ 195,079**	**$ 156,215**	**$ 392,000**	**$ 274,600**

53-72-110 Salaries & Wages - Funds allocated for 50% of two full-time employees; streets/stormwater superintendent, one streets/stormwater employees. The other half of their wages are paid through the street department.

53-40-115 Seasonal Salaries & Wages - Funds allocated for two and a half seasonal employees. The other half of the third salary is paid out of the Stormwater account 10-60-115. This is an increase of one seasonal employees this fiscal year.

53-40-130 Employee Benefits - Funds allocated are based on premium/contribution changes and increases related to salary changes. Funds include costs for Medicare, Social Security, the Utah Retirement System, and telephone/data allowances.

53-40-230 Education, Training, & Travel - Funds are for training conferences and continuing education, including hotel costs, mileage, and per diem, as well as for licenses and certification fees.

53-40-250 Maintenance and Equipment - Funds allocated for repair and maintenance of storm water facilities.

53-40-260 Canal Maintenance - Funds allocated at $3,500 as Nibley City's contribution to the Nibley Blacksmith Fork Canal Company for shared maintenance of stormwater facilities.

53-40-300 Membership Dues - Funds allocated for professional membership in American Public Works Association.

53-40-311 Legal Expense - Funds allocated for services performed by the City Attorney relating to sewer department.

53-40-400 Department Expenditures- Funds allocated covering a variety of general department expenditures, including mobile internet service.

53-40-514 Engineering - Funds allocated for charges by city engineers for services related to stormwater facilities and completion of a Stormwater Master Plan update.

53-40-515 Emergency Expense - Funds allocated for any unforeseen costs dues to an emergency.

53-40-730 Capital Outlay Improvements - Funds allocated for stormwater infrastructure for 1200 W road project.

53-40-740 Capital Outlay Equipment - Funds allocated for the lease of a stormwater department vehicle ($3,600).

53-40-910 – **Admin Charge to General Fund -** Funds transferred to the General Fund based upon Stormwater Department expenses that are incurred through the General Fund.

53-40-999 Reserves - Surplus funds added to the fund balance. Those funds are saved to pay for future capital projects, as shown in the master plan.

IMPACT FEE FUNDS

IMPACT FEES ARE CHARGED WITH RESIDENTIAL AND COMMERCIAL BUILDING PERMITS. THE FUNDS ARE USED TO PAY FOR ADDING CAPACITY THAT IS NECESSARY TO KEEP UP WITH GROWTH.

Meadow Creek Subdivision Pathway

Water Impact Fees

Revenue	Account Number	Actual FY 2020-21	Actual Year-To-Date FY 2021-22	Budget FY 2021-22	Final Budget FY 2022-23
Appropriation Of Fund Balance	55-37-601	$ -	$ -	$ -	$ -
Interest Earned	55-37-610	$ 674	$ -	$ 1,000	$ 1,000
Water Impact Fees	55-37-790	$ 161,850	$ 255,841	$ 99,000	$ 146,000
Miscellaneous Water Revenue	55-37-791	$ -	$ -	$ -	$ -
Total Revenues		**$ 162,524**	**$ 255,841**	**$ 100,000**	**$ 147,000**

Expenses	Account Number	Actual FY 2020-21	Actual Year-To-Date FY 2021-22	Budget FY 2021-22	Final Budget FY 2022-23
Capital Projects	55-40-750	$ -	$ -	$ 75,000	$ 75,000
Water Master Plan	55-40-755	$ -	$ -	$ -	$ -
Reserves	55-40-760	$ -	$ -	$ 25,000	$ 72,000
Debt Service	55-40-810	$ 78,622	$ -	$ -	$ -
Total Capital Expenses		**$ 78,622**	**$ -**	**$ 100,000**	**$ 147,000**
Surplus/(Deficit)		**$ 83,902**	**$ 255,841**		
Beginning Cash Balance (Est.)					**$ 400,000**
Reserves (Fund Balance App.)					**$ 72,000**
Ending Cash Balance (Est.)					**$ 472,000**

Revenue:

55-37-601 Appropriation of Fund Balance - If allocated, these would be funds allocated from the ongoing fund balance to be used in the current year.

55-37-610 Interest Earned - Revenue generated from interest earned on all fund balances of money held in interest bearing accounts. This is apportioned out once per year at the end of the fiscal year to each of the individual funds based on the percentage of the total fund balance.

55-37-790 Water Impact Fees - Revenue based on 75 new homes being built in the coming fiscal year. The water impact fee for a new residential home is $1,950.

55-37-791 Miscellaneous Water Revenue - Revenue generated from fees charged for miscellaneous services, such as raising a water meter, installing a new ring, etc.

Expenditures:

55-40-750 Capital Projects - Funds are being allocated to start the design & concept plan of a capital improvements project. An additonal $75,000 is being budgeted in GL 51-40-740.

55-40-755 Water Master Plan - No funds budgeted this year.

55-40-760 Reserves - Surplus funds that will be added to the fund balance.

55-40-810 Debt Service - No funds budgeted this year. Water debt was paid in full in 2021.

Park Impact Fees

Revenue	Account Number	Actual FY 2020-21	Actual Year-To-Date FY 2021-22	Budget FY 2021-22	Final Budget FY 2022-23
Appropriated Fund Balance	56-37-601	$ -	$ -	$ 75,000	$ 872,000
Interest Earned	56-37-610	$ 3,826	$ -	$ 1,000	$ 1,000
Grant - RAPZ	56-37-720	$ -	$ -	$ 79,000	$ -
Park Impact Fees	56-37-790	$ 549,000	$ 387,000	$ 225,000	$ 337,000
Total Revenues		**$ 552,826**	**$ 387,000**	**$ 380,000**	**$ 1,210,000**

Expenses	Account Number	Actual FY 2020-21	Actual Year-To-Date FY 2021-22	Budget FY 2021-22	Final Budget FY 2022-23
Capital Improvement	56-40-740	$ 44,288	$ 10,230	$ 180,000	$ 90,000
Firefly Park	56-40-751	$ 364,717	$ -	$ 200,000	$ 100,000
Ridgeline Park	56-40-752	$ -	$ -	$ -	$ 1,000,000
Nibley Meadows Park	56-40-753	$ -	$ -	$ -	$ 20,000
Reserves	56-40-760	**$ -**	**$ -**	**$ -**	**$ -**
Total Capital Expenses		**$ 409,005**	**$ 10,230**	**$ 380,000**	**$ 1,210,000**
Surplus/(Deficit)		**$ 143,821**	**$ 376,770**		**$ -**
Beginning Cash Balance (est.)					**$ 1,200,000**
Reserves (Fund Balance App.)					**$ -**
Ending Cash Balance (est.)					**$ 1,200,000**

Revenue:

56-37-601 Appropriated Fund Balance - This account is used to appropriate funds from the fund balance to be used in the current fiscal year. Funds are being appropriated for the capital projects below.

56-37-610 Interest Earned - Revenue generated from interest earned on all fund balances of money held in interest bearing accounts. This is apportioned out once per year at the end of the fiscal year to each of the individual funds based on the percentage of the total fund balance.

56-37-720 Grant RAPZ - No funds are expected this year.

56-37-790 Park Impact Fees - Revenue based on 50 new homes being built in the coming fiscal year. The park impact fee for a new residential home is $4,500. Ridgeline Park is prepaying park impact fees for 40 lots which will be used for the design of Ridgeline Park.

Expenditures:

56-40-740 Capital Improvement - $90,000 is being budgeted to pay for the design of Ridgeline Park. These funds will be reimbursed to the city through impact fees by that development.

56-40-751 Firefly Park - Funds allocated to complete Phase 3 of Firefly Park. Phase 3 includes fence along the north property line, restrooms, amphitheater/instruction area, bird blinds, and additional seating.

56-40-752 Ridgeline Park- Funds allocated to begin construction of the first phase of Ridgeline Park.

56-40-753 Nibley Meadows Park - Funds allocated to begin construction of Nibley Meadows Park.

56-40-760 Reserves - Funds that are not allocated to be spent in this year's budget.

Sewer Impact Fees

Revenue	Account Number	Actual FY 2020-21	Actual Year-To-Date FY 2021-22	Budget FY 2021-22	Final Budget FY 2022-23
Appropriated Fund Balance	57-37-601	$ -	$ -	$ 34,000	$ -
Interest Earned	57-37-610	$ 4,685	$ -	$ 10,000	$ 10,000
Sewer Impact Fees	57-37-790	$ 148,925	$ 222,625	$ 86,000	$ 129,000
Logan City Sewer Impact Fees	57-25-000	$ 192,207	$ 192,207	$ 125,000	$ 183,000
Total Revenues		**$ 345,817**	**$ 414,832**	**$ 255,000**	**$ 322,000**

Expenses	Account Number	Actual FY 2020-21	Actual Year-To-Date FY 2021-22	Budget FY 2021-22	Final Budget FY 2022-23
Debt Service Principal	57-40-810	$ 130,000	$ 260,000	$ 130,000	$ 260,000
Logan City Sewer Impact Fees	57-25-000	$ 194,640	$ 192,207	$ 125,000	$ 183,000
Total Capital Expenditures		**$ 324,640**	**$ 452,207**	**$ 255,000**	**$ 443,000**
Surplus/(Deficit)		**$ 21,177**	**$ (37,375)**	**$ -**	**$ (121,000)**
Beginning Cash Balance (est.)					**$ 840,000**
Reserves (Fund Balance App.)					**$ (121,000)**
Ending Cash Balance (est.)					**$ 719,000**

Revenue:

57-37-601 Appropriated Fund Balance - This account is used to appropriate funds from the fund balance that are mature and must now be paid against the sewer loan. Impact fees must be expended within six years of collection.

57-37-610 Interest Earned - Revenue generated from interest earned on all fund balances of money held in interest bearing accounts. This is apportioned out once per year at the end of the fiscal year to each of the individual funds based on the percentage of the total fund balance.

57-37-790 Sewer Impact Fees - Revenue based on 75 new homes being built in the coming fiscal year. The sewer impact fee for a new residential home is $1,725.

57-25-000 Logan City Sewer Impact Fees - Revenue based on 75 new homes being built in the coming fiscal year. This fee is passed through to Logan City and was established by Logan City to pay for the new regional wastewater treatment plant. The sewer impact fee for a new residential home is $2,433.

Expenditures:

57-40-810 Debt Service Principal - Funds allocated to pay the debt service on the Sewer Loan. $130,000 is being paid from the Sewer Department and $130,000 is being paid from impact fees, to meet the total payment due of $260,000.

57-25-000 Logan City Sewer Impact Fees - Expenditure based on 75 new homes being built in the coming fiscal year. This fee is passed through to Logan City and was established by Logan City to pay for the new regional wastewater treatment plant. The sewer impact fee for a new residential home is $2,433.

Stormwater Impact Fees

Revenue	Account Number	Actual FY 2020-21	Actual Year-To-Date FY 2021-22	Budget FY 2021-22	Final Budget FY 2022-23
Interest Earned	58-37-610	$ 807	$ -	$ 2,000	$ 2,000
Basin Construction Fees	58-37-790	$ -	$ -	$ -	$ -
Appropriated Fund Balance	58-37-990	$ -	$ -	$ 157,000	$ 157,000
Total Revenues		**$ 807**	**$ -**	**$ 159,000**	**$ 159,000**

Expenses	Account Number	Actual FY 2020-21	Actual Year-To-Date FY 2021-22	Budget FY 2021-22	Final Budget FY 2022-23
2600 S Retention Basin	58-40-620	$ -	$ -	$ 159,000	$ 159,000
Reserves	58-40-850	$ -	$ -	$ -	$ -
Total Capital Expenses		$ -	$ -	$ 159,000	$ 159,000
Surplus/(Deficit)		**$ 807**	**$ -**	**$ -**	**$ -**
Beginning Cash Balance (Est.)					**$ 159,000**
Reserves (Fund Balance App.)					**$ (159,000)**
Ending Cash Balance (Est.)					**$ -**

Revenue:

58-37-610 Interest Earned - Revenue generated from interest earned on all fund balances of money held in interest bearing accounts. This is apportioned out once per year at the end of the fiscal year to each of the individual funds based on the percentage of the total fund balance.

58-37-790 Basin Construction Fees - Revenue generated from fees that come from developers paying their portion of the cost to build regional stormwater basins.

58-37-990 Appropriated Fund Balance - Revenue generated from funds being appropriated out of the fund balance from previous contributions.

Expenditures:

58-40-620 2600 S Retention Basin - Funds are anticipated to be allocated here in FY 21-22 for construction of this pond on the west end of 2600 S.

58-40-850 Reserves - Funds that are not allocated to be spent in this year's budget.

Street Impact Fees

Revenue	Account Number	Actual FY 2020-21	Actual Year-To-Date FY 2021-22	Budget FY 2021-22	Final Budget FY 2022-23
Appropriated Fund Balance	59-37-601	$ -	$ -	$ -	$ 44,000
Interest Earned	59-37-610	$ 635	$ -	$ 1,000	$ 1,000
Street Impact Fees	59-37-790	$ 77,059	$ 102,485	$ 44,000	$ 55,000
Total Revenues		**$ 77,694**	**$ 102,485**	**$ 45,000**	**$ 100,000**

Expenses	Account Number	Actual FY 2020-21	Actual Year-To-Date FY 2021-22	Budget FY 2021-22	Final Budget FY 2022-23
1200 West Expenses	59-40-759		$ -		$ 100,000
Reserves	59-40-760	$ -	$ -	$ 45,000	$ -
Total Capital Expenditures		$ -	$ -	$ 45,000	$ 100,000
Surplus/(Deficit)		**$ 77,694**	**$ 102,485**	**$ -**	**$ -**
Beginning Cash Balance (Est.)					**$ 290,000**
Reserves (Fund Balance App.)					**$ -**
Ending Cash Balance (Est.)					**$ 290,000**

Revenue:

59-37-601 Appropriated Fund Balance - This account is used to allocate funds appropriated out of the fund balance from previous contributions.

59-37-610 Interest Earned - Revenue generated from interest earned on all fund balances of money held in interest bearing accounts. This is apportioned out once per year at the end of the fiscal year to each of the individual funds based on the percentage of the total fund balance.

59-37-790 Street Impact Fees - Revenue based on 50 new homes anticipated to be built in the coming fiscal year. The street impact fee for a new residential home is $887.

Expenditures:

59-40-759- 1200 West Expenses- Costs related to the construction and improvement of 1200 West.

59-40-760 Reserves - Surplus funds added to the fund balance. Those funds are saved to pay for future projects, as shown in the master plan.

History of Number of Full Time Employees

1 FTE = 2080 Hours

Department/Position Title	Pay Grade	# FTE FY20-21	# FTE FY21-22	# FTE FY 22-23	Change
Administration					
City Manager	10	1	1	1	0
Treasurer	5	1	1	1	0
Recorder	7	1	1	1	0
AP Clerk	5	1	1	0	-1
Office Specialist	4-5	2	2	3	1
Custodian		1	1	1	0
Public Works					
Public Works Director	9	1	1	1	0
City Engineer	10	0	1	1	0
Inspector 2	6	0	0.50	0.50	0
Parks					
Parks Superintendent	8	1	1	1	0
Parks Employee	3-5	3	3	3	0
Seasonal Parks	3	1.4	1.4	1.4	0
Streets					
Streets Manager	7	0.5	0.50	0.50	0
Streets Operator	6	0.5	0.50	0.50	0
Seasonal Streets	3	0.18	0.18	0.18	0
Crossing Guard	3	1.82	2	2	0
Planning/Building					
City Planner	8	1	1	1	0
Inspector 1	7	0	0.00	1.00	1
Inspector 2	6	1	1.50	0.50	-1
Commercial Inspector	Contract	0.01	0.01	0.01	0
Recreation					
Recreation Director	7	1	1.00	1	0
Recreation Employee	4	1	1.00	1	0
Recreation Seasonal	3	0.96	0.96	1.34	0.38
Emergency Services					
Emergency Manager		1	1	1	0
Stormwater					
Stormwater Manager	7	0.5	0.50	0.50	0
Stormwater Operator	6	0.5	0.50	0.50	0
Seasonal Stormwater	3	0.88	0.88	0.88	0
Water					
Water Manager	8	0.5	0.50	0.50	0
Water Operator	6	1	1	1	0
Water Seasonal	3	0	0	0.175	0.175
Sewer					
Sewer Manager	8	0.5	0.50	0.50	0
Sewer Operator	6	1	1	1	0
Sewer Seasonal	3	0	0	0.175	0.175
		27.24	29.42	29.80	0.73

History of Salaries

		FY 21/22	FY 22/23	Additional $	% change	Reaon for Increase
Administration		$ 337,000.00	$ 380,000.00	$ 43,000.00	11%	1
Public Works		$ 216,000.00	$ 230,000.00	$ 14,000.00	6%	2
Parks		$ 175,000.00	$ 193,000.00	$ 18,000.00	9%	3
Streets		$ 112,000.00	$ 125,000.00	$ 13,000.00	10%	4
Planning and Building		$ 176,000.00	$ 210,000.00	$ 34,000.00	16%	2
Recreation		$ 124,000.00	$ 159,000.00	$ 35,000.00	22%	4
Emergency Services		$ 12,000.00	$ 13,000.00	$ 1,000.00	8%	5
Stormwater		$ 97,000.00	$ 100,000.00	$ 3,000.00	3%	4
Water		$ 90,000.00	$ 101,000.00	$ 11,000.00	11%	4
Sewer		$ 90,000.00	$ 101,000.00	$ 11,000.00	11%	4
City Council		$ 33,000.00	$ 36,000.00	$ 3,000.00	8%	5
Totals:		$ 1,462,000.00	$ 1,648,000.00	$ 186,000.00	11%	

Reason For Increase	
1	7% COLA, and possible merit pay increases
2	7% COLA and increase to shared building and public works inspector position
3	7% COLA, and slight adjustment to seasonals
4	7% COLA,possible merit pay increases, additional seasonal employee
5	7% COLA and rounding

Nibley City Pay Grade System 22-23

5% between steps; 7% COLA from FY21-22

	A	B	C	D	E	F	G	H	I
1	$ 9.68	$ 10.17	$ 10.68	$ 11.21	$ 11.77	$ 12.36	$ 12.98	$ 13.63	$ 14.31
Annual	$ 20,141.68	$ 21,148.76	$ 22,206.20	$ 23,316.51	$ 24,482.34	$ 25,706.45	$ 26,991.78	$ 28,341.37	$ 29,758.43
2	$ 11.17	$ 11.73	$ 12.32	$ 12.93	$ 13.58	$ 14.26	$ 14.97	$ 15.72	$ 16.50
Annual	$ 23,235.26	$ 24,397.03	$ 25,616.88	$ 26,897.72	$ 28,242.61	$ 29,654.74	$ 31,137.48	$ 32,694.35	$ 34,329.07
3	$ 12.89	$ 13.53	$ 14.21	$ 14.92	$ 15.67	$ 16.45	$ 17.27	$ 18.14	$ 19.04
Annual	$ 26,811.20	$ 28,151.76	$ 29,559.35	$ 31,037.32	$ 32,589.18	$ 34,218.64	$ 35,929.57	$ 37,726.05	$ 39,612.35
4	$ 14.90	$ 15.65	$ 16.43	$ 17.25	$ 18.11	$ 19.02	$ 19.97	$ 20.97	$ 22.01
Annual	$ 30,992.00	$ 32,541.60	$ 34,168.68	$ 35,877.11	$ 37,670.97	$ 39,554.52	$ 41,532.24	$ 43,608.86	$ 45,789.30
5	$ 17.24	$ 18.10	$ 19.01	$ 19.96	$ 20.96	$ 22.00	$ 23.10	$ 24.26	$ 25.47
Annual	$ 35,859.20	$ 37,652.16	$ 39,534.77	$ 41,511.51	$ 43,587.08	$ 45,766.44	$ 48,054.76	$ 50,457.50	$ 52,980.37
6	$ 19.93	$ 20.93	$ 21.97	$ 23.07	$ 24.23	$ 25.44	$ 26.71	$ 28.04	$ 29.45
Annual	$ 41,454.40	$ 43,527.12	$ 45,703.48	$ 47,988.65	$ 50,388.08	$ 52,907.49	$ 55,552.86	$ 58,330.50	$ 61,247.03
7	$ 23.08	$ 24.23	$ 25.45	$ 26.72	$ 28.05	$ 29.46	$ 30.93	$ 32.48	$ 34.10
Annual	$ 48,006.40	$ 50,406.72	$ 52,927.06	$ 55,573.41	$ 58,352.08	$ 61,269.68	$ 64,333.17	$ 67,549.83	$ 70,927.32
8	$ 26.71	$ 28.05	$ 29.45	$ 30.92	$ 32.47	$ 34.09	$ 35.79	$ 37.58	$ 39.46
Annual	$ 55,556.80	$ 58,334.64	$ 61,251.37	$ 64,313.94	$ 67,529.64	$ 70,906.12	$ 74,451.43	$ 78,174.00	$ 82,082.70
9	$ 30.99	$ 32.54	$ 34.17	$ 35.87	$ 37.67	$ 39.55	$ 41.53	$ 43.61	$ 45.79
Annual	$ 64,459.20	$ 67,682.16	$ 71,066.27	$ 74,619.58	$ 78,350.56	$ 82,268.09	$ 86,381.49	$ 90,700.57	$ 95,235.60
10	$ 35.93	$ 37.73	$ 39.61	$ 41.59	$ 43.67	$ 45.86	$ 48.15	$ 50.56	$ 53.08
Annual	$ 74,734.40	$ 78,471.12	$ 82,394.68	$ 86,514.41	$ 90,840.13	$ 95,382.14	$ 100,151.24	$ 105,158.81	$ 110,416.75
11	$ 41.32	$ 43.39	$ 45.56	$ 47.83	$ 50.22	$ 52.74	$ 55.37	$ 58.14	$ 61.05
Annual	$ 85,945.60	$ 90,242.88	$ 94,755.02	$ 99,492.78	$ 104,467.41	$ 109,690.78	$ 115,175.32	$ 120,934.09	$ 126,980.79

- Nibley Citizens
  - Mayor / City Council
    - City Manager
      - **Engineering/Public Works**
        - Water/Sewer
        - Parks
        - Streets/Stormwater
      - **Planning/Building**
        - Planning Commission
        - Building Inspector
        - City Planner
      - **Finance**
        - City Treasurer
        - Utility Manager
        - Accounts Payable
        - Accountant
        - Auditor
      - **Public Safety**
        - First Responders
        - Fire Department
        - Emergency Management
        - Law Enforcement
      - **Administration**
        - Office Clerks
        - Deputy Recorder
        - Custodian
        - City Attorney
      - **Community Dev./ Recreation**
        - Volunteers
        - Fitness Instructors
        - Rec Staff
        - Parks & Rec Committee

NIBLEY CITY OVERVIEW

Date of Settlement: 1855
Date of Incorporation: 1935
Population Estimate: 7,382 from 2020 US Census
Form of Government: City Manager by Ordinance
Area: 4.39 sq. miles
Elevation: 4,554
Miles of streets: 37

Police Protection: Cache County Sheriffs Department (Contracted)
Fire protection: Hyrum City (Contracted)
Number of fire stations: 1 (Located in Hyrum City)

First Responders: Cache County EMS

Animal Control: Cache County Animal Control (Contracted)/Cache Humane Society

Schools:

Nibley Elementary
- Number of classrooms: 19
- Number of teachers: 23
- Number of students: 511

Heritage Elementary
- Number of classrooms: 26
- Number of teachers: 30
- Number of students: 728

Thomas Edison Charter School
- Number of classrooms: 50
- Number of teachers: 32
- Number of students: 616

Ridgeline High School (Located in Millville)
- Number of classrooms: 67
- Number of teachers: 67
- Number of students: 1,697

Municipal Water Department

Number of connections: 2,062
Annual consumption in gallons: 700,000
Miles of water mains: 37
Wells: 3
Springs: Yeates Spring (Out of Service)
Storage capacity: 3 Reservoirs 3,350,000 Gallons

Municipal Sewer Department

Number of connections: 2,075
Miles of sewer lines: 30 Miles
Treatment plants: 1, Logan City (Contracted)
Lift Stations: 4

Solid Waste and Disposal Department – Logan City Environmental (Contracted)

Public Buildings:

City Offices/Community Center
Anhder Park Building (Historic City Hall)
Public Works

Public Parks:

Virgil Gibbons Heritage Park
Elk Horn Park
Morgan Farm
Discovery Disc Golf Course
Shadowbrook Park
Meadow View Park
Nibley Gardens
Anhder Park
Clear Creek
Neighborhood Park
Veterans Memorial Park
Firefly Park

Agenda Item #8

Description	**Discussion & Consideration –** Ordinance 22 -11: An Ordinance Providing for the Compensation of Elected and Statutory Officers of Nibley City (Second Reading)
Presenter	Justin Maughan, City Manager
Recommendation	Move to approve Ordinance 22 -11: An Ordinance Providing for the Compensation of Elected and Statutory Officers of Nibley City.
Reviewed By	Mayor, City Manager, Treasurer, Department Heads

Updated Numbers since first reading are as follows.

Office:	**Proposed Salary:**	**Present Salary:**	**Increase:**
Mayor	$921/month	$861/month	$60/month
Councilmember	$367/month	$343/month	$24/month
Treasurer	$35,876-53,005/year	$33,529 – 49,538/year	$2,347-$3,467/year

Original Background

In 2015, the City Council established a policy of adjusting elected official stipends annually at the same rate as salaries are adjusted for other employees. A 7% cost of living adjustment (COLA) is being proposed in this year's budget for employees, therefore elected official compensation is proposed to be increased by an equal amount.

The compensation of the elected and statutory officers is proposed as follows:

Office:	**Proposed Salary:**	**Present Salary:**	**Increase:**
Mayor	$941/month	$828/month	$113/month
Councilmember	$375/month	$330/month	$45/month
Treasurer	$35,859-52,980/year	$33,529 – 49,538/year	$2,330-$3,442/year

ORDINANCE 22-11

AN ORDINANCE PROVIDING FOR THE COMPENSATION OF ELECTED AND STATUTORY OFFICERS OF NIBLEY CITY

WHEREAS, elected and statutory officers are required to devote a significant amount of time and talent to the effective administration of Nibley City; and

WHEREAS, elected and statutory officers should be fairly compensated for their time and expenses; and

WHEREAS, the Nibley City Council established a policy in 2015 of annually adjusting City Council Member compensation commensurate with the cost of living adjustment provided to other City employees; and

WHEREAS, a COLA of 7% is proposed this year for city employees.

NOW, THEREFORE, BE IT ORDAINED BY THE NIBLEY CITY COUNCIL OF NIBLEY, UTAH THAT:

1. All previous salary or compensation ordinances regarding the elected and statutory officers below are hereby repealed.

2. The compensation of the elected and statutory officers shall be as follows:

Office:	**Proposed Salary:**	**Present Salary:**	**Increase:**
Mayor	$921/month	$861/month	$60/month
Councilmember	$367/month	$343/month	$24/month
Treasurer	$35,876-53,005/year	$33,529 – 49,538/year	$2,347-$3,467/year

3. Elected and statutory officers shall be paid on the same schedule as other municipal employees.

4. The compensation listed above is not inclusive of per diem, mileage, phone allowance or other expenses, which may be incurred in the course of conducting Nibley City business.

5. This ordinance shall become effective July 1, 2022.

PASSED BY THE NIBLEY CITY COUNCIL THIS ________ DAY OF _____________, 2022.

____

Larry Jacobsen, Mayor

ATTEST: ____________________________

Cheryl Bodily, City Recorder

Agenda Item #9

Description	**Discussion & Consideration –** Ordinance 22-12: Malouf Community Reinvestment Area Draft Project Area Plan by Malouf Industries and Lewis Young Robertson & Burningham (First Reading)
Presenter	Justin Maughan, City Manager
Recommendation	Move to approve Ordinance 22-12: Malouf Community Reinvestment Area Draft Project Area Plan by Malouf Industries and Lewis Young Robertson & Burningham, and waive second reading.
Reviewed By	Mayor, City Manager, Treasurer, Department Heads

The next steps for the CRA are outlined below by City Attorney.

1. No public hearing is necessary. The Council has to adopt an ordinance adopting the project area plan, and then has to provide notice after the fact of the adoption of the plan and the ordinance. The ordinance doesn't necessarily need to be codified into the city's code, but it can be. Notice requirements are under Utah Code 17C-5-110(1), which require
2. Preparing a notice that includes a copy of the ordinance and a statement that the plan is available for public inspection at the city at business hours
3. Posting that notice in 3 public places within the city
4. Posting that notice on the Utah Public Notice Website.

LYRB, the Consultant for the project prepared the attached Ordinance as well as the Notice. After adoption, City Staff will post the notice at City Hall, Heritage Park Pavilion, and Elk Horn Pavilion, as well as the Utah Public Notice Website.

ORDINANCE 22-12

ORDINANCE OF THE CITY COUNCIL OF NIBLEY CITY, UTAH ADOPTING AN OFFICIAL PROJECT AREA PLAN FOR THE MALOUF COMMUNITY REINVESTMENT PROJECT AREA.

WHEREAS, the Board of the Nibley City Community Reinvestment Agency the "Agency"), having prepared a Project Area Plan (the "Plan") for the Malouf Community Reinvestment Project Area, the legal description attached hereto as **EXHIBIT A**, pursuant to Utah Code Annotated ("UCA") § 17C-5-105, and having held the required public hearing on the plan on May 26, 2022, pursuant to UCA § 17C-5-104, adopted the Plan as the Official Community Reinvestment Plan for the Project Area attached hereto as **EXHIBIT B;** and

WHEREAS, the Limited Purpose Government Entities – Community Reinvestment Agency Act (the "Act") mandates that, before the community reinvestment project area plan approved by an agency under UCA § 17C-5-104 may take effect, it must be adopted by ordinance of the legislative body of the community that created the agency in accordance with UCA § 17C-5-109; and

WHEREAS, the Act also requires that notice, attached herein as Exhibit C, is to be given by the community legislative body upon its adoption of the Plan under UCA § 17C-5-110.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF NIBLEY CITY, UTAH AS FOLLOWS:

1. City Council of Nibley City, Utah hereby adopts and designates the Plan, as approved by the Agency Board, as the Official Community Reinvestment Area Plan for the Project Area (the "Official Plan").
2. City staff and consultants are hereby authorized and directed to publish or cause to be published the notice, attached herein as Exhibit C, as required by UCA § 17C-5-110, whereupon the Official Plan shall become effective pursuant to UCA § 17C-5-110(2).
3. Pursuant to UCA § 17C-5-109, the Agency may proceed to carry out the Official Plan upon its adoption.
4. This ordinance shall take effect upon publication.

APPROVED AND ADOPTED this ___________________ day of __________, 2022.

____

Larry Jacobsen, Mayor

ATTEST:

____

City Recorder

EXHIBIT A:
PROJECT AREA LEGAL DESCRIPTION

EXHIBIT B:
OFFICIAL MALOUF COMMUNITY REINVESTMENT AREA PLAN

EXHIBIT C:
NOTICE OF PLAN ADOPTION

NOTICE OF ADOPTION OF A PROJECT AREA PLAN FOR THE MALOUF COMMUNITY REINVESTMENT PROJECT AREA BY THE NIBLEY CITY COUNCIL

On June 9, 2022, the Nibley City Council, by Ordinance No. 22-13, adopted an official project area plan (the "Plan") for the Malouf Community Reinvestment Project Area. In summary, Ordinance No. 22-13 adopted the Plan in the form approved by the Nibley City Community Reinvestment Agency. The Plan outlines the anticipated reinvestment activities anticipated within the boundaries of the Project Area, with potential public investment through the use of, among other things, Tax Increment revenues. The Boundaries of the Project Area include approximately 143.81 acres located at an area just east of Highway 89 and north of 3200 South at the Nibley and Logan boundary line. Copies of the Plan are and will be available for public inspection at the Agency's offices located at 455 West 3200 South in Nibley City between the hours of 9:00 am and 5:00 pm Monday through Friday, for a period of at least 30 days following the date of publication of this notice. During that 30-day period, any person in interest may contest the Plan or the procedures used to adopt the Plan if the Plan or the procedure fails to comply with applicable statutory requirements. After that 30-day period, no person may contest the Plan, or the procedure used to adopt the Plan, for any cause.

PROJECT AREA PLAN

NIBLEY CITY COMMUNITY REINVESTMENT AGENCY

MALOUF COMMUNITY REINVESTMENT PROJECT AREA (CRA)

2022

NIBLEY CITY, UTAH




VERSION DATED:

MAY 26, 2022

LEWIS YOUNG
ROBERTSON & BURNINGHAM, INC.
GATEWAY PLAZA BUILDING - 41 N. RIO GRANDE, STE 101 - SALT LAKE CITY, UT 84101
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Definitions

As used in this Community Reinvestment Project Area Plan, the term:

"**Act**" shall mean and include the Limited Purpose Local Government Entities – Community Reinvestment Agency Act in Title 17C, Chapters 1 through 5, Utah Code Annotated 1953, as amended, or such other amendments as shall from time to time be enacted or any successor or replacement law or act.

"Agency" shall mean the Nibley City Community Reinvestment Agency, which is a separate body corporate and politic created by the City pursuant to the Act and which was created by Resolution 20-10, approved by the Agency on May 28, 2020.

"**Base taxable value**" shall mean the agreed value specified in a resolution or interlocal agreement under Subsection 17C-1-102(8) from which tax increment will be collected.

"Base year" shall mean the agreed upon year for which the base taxable value is established and shall be incorporated into the interlocal agreements with participating taxing entities.

"**Base taxable year**" shall mean the Base Year during which the Project Area Budget is approved pursuant to Subsection 17C-1-102(9)(d).

"City" or "Community" shall mean Nibley City.

"Legislative body" shall mean the City Council of Nibley which is the legislative body of the City.

"Plan Hearing" shall mean the public hearing on the Project Area Plan required under Subsection 17C-1-102 (41) and 17C-5-104(3)(e).

"Project Area" shall mean the geographic area described in this Project Area Plan where the community development and reinvestment is anticipated to take place, as further referenced and included by this definition in **Exhibit A** and **Exhibit B** attached hereto.

"Net Present Value (NPV)" shall mean the discounted value of a cash flow. The NPV illustrates the total value of a stream of revenue over a number of years expressed in terms of current or present-day dollars.

"Project Area Budget" shall mean (as further described under 17-C-5-303 of the Act) the multi-year projection of annual or cumulative revenues, other expenses and other fiscal matters pertaining to the Project Area that includes:

- the base taxable value of property in the Project Area;
- the projected tax increment expected to be generated within the Project Area;
- the amount of tax increment expected to be shared with other taxing entities;
- the amount of tax increment expected to be used to implement this Project Area Plan;
- if the area from which tax increment is to be collected is less than the entire Project Area:

- the tax identification number of the parcels from which tax increment will be collected; or

- a legal description of the portion of the Project Area from which tax increment will be collected; and

- for property that the Agency owns and expects to sell, the expected total cost of the property to the Agency and the expected selling price.

"Project Area Plan" or **"Plan"** shall mean this written plan (outlined by 17C-5-302 of the Act) that, after its effective date, guides and controls the community reinvestment activities within the Project Area. Project Area Plan refers to this document and all of the attachments to this document, which attachments are incorporated by this reference. It is anticipated that the NIBLEY CITY MALOUF PROJECT AREA PLAN will be subject to an interlocal agreement process with the taxing entities within the Project Area and the interlocal agreements will reference the Project Area Plan and Budget documents.

"Taxes" includes all levies on an ad valorem basis upon land, local and centrally assessed real property, personal property, or any other property, tangible or intangible**.**

"Taxing Entity" shall mean any public entity that levies a tax on any property within the Project Area.

"Tax Increment" shall mean the difference between the amount of property tax revenues generated each tax year by all taxing entities from the Project Area using the current assessed value of the property and the amount of property tax revenues that would be generated from the same area using the base taxable value of the property.

"Tax Increment Collection Period" shall mean the period of time in which the taxing entities from the Project Area consent to a portion of their tax increment to be remitted to the Agency from within the Project Area and used to fund the objectives outlined in this Project Area Plan.

"Tax Year" shall mean the 12-month period between sequential tax roll equalizations (November 1st - October 31st) of the following year, e.g., the November 1, 2021 - October 31, 2022 tax year.

Introduction

The Nibley City Community Reinvestment Agency ("Agency") has the opportunity to enable development to be realized within the vicinity of Nibley City (the "City") East of Highway 89 and just north of 3200 South. It also includes a 55-acre area which is located north of the Malouf Headquarters and are the parcels north of 2600 South. The precise area is shown on the attached map in **Exhibit B**. In consideration of the City's residents, as well as the City's capacity for new development, the Agency has carefully crafted this Project Area Plan (the "Project Area Plan" or "Plan") for the MALOUF COMMUNITY REINVESTMENT PROJECT AREA (the "Project Area"). The purpose of the Project Area is to enable developments that would already be developed or would be under construction, but for specific hurdles that, without assistance, the property owners and or developers could not overcome.

The City and Agency have undergone a comprehensive evaluation of the types of appropriate land-uses and economic development for the land encompassed by the Project Area. The Plan is intended to define the method and means of supporting the property owners and or developers in overcoming the development shortfalls which will improve the Project Area from its current state to a higher and better use. The Project Area Plan is consistent with the General Plan of the City and is believed to facilitate the desired land-uses for the Project Area.

The City has determined it is in the best interest of its residents to assist in the development of the Project Area. It is the purpose of this Plan to clearly set forth the aims and objectives of development, scope, potential financing mechanism, and value to the residents of the City and other taxing entities within the Project Area.

The Project Area is being undertaken as a community reinvestment project area ("CRA") pursuant to certain provisions of Chapters 1 and 5 of the Utah Limited Purpose Local Governmental Entities -- Community Reinvestment Agency Act (the "Act", Utah Code Annotated ("UCA") Title 17C). The requirements of the Act, including notice and hearing obligations, have been observed at all times throughout the establishment of the Project Area. The realization of the Plan is subject to interlocal agreements between the taxing entities individually and the Agency.

Resolution Authorizing the Preparation of a Draft Community Reinvestment Project Area Plan

Pursuant to the provisions of §17C-5-103 of the Act, the governing body of the Agency adopted a resolution authorizing the preparation of a draft Community Reinvestment Project Area Plan on March 11, 2021. This resolution is included as **Exhibit D**.

Utah Code §17C-5-104

Recitals of Prerequisites for Adopting a Community Reinvestment Project Area Plan

In order to adopt a community reinvestment project area plan, the Agency shall;

- Pursuant to the provisions of §17C-5-104(1)(a) and (b) of the Act, the City has a planning commission and General Plan as required by law; and
- Pursuant to the provisions of §17C-5-104 of the Act, the Agency has conducted or will conduct one or more public hearings for the purpose of informing the public about the

Project Area, and allowing public input into the Agency's deliberations and considerations regarding the Project Area; and

- Pursuant to the provisions of §17C-5-104 of the Act, the Agency has allowed opportunity for input on the Project Area Plan and has made the Project Area Plan available to the public at the Agency's offices during normal business hours, provided notice of the plan hearing, sent copies of the Project Area Plan to all required entities prior to the hearing, and provided opportunities for affected entities to provide feedback.

UTAH CODE §17C-5-105(1)

Description of the Boundaries of the Proposed Project Area

A legal description of the Project Area along with a detailed map of the Project Area is attached respectively as **Exhibit A** and **Exhibit B** and incorporated herein. The Plan focuses on the area near and surrounding the current Malouf building. This area is just east of Highway 89 and north of 3200 South at the Nibley and Logan boundary line. The current land use in the Project Area is split between greenbelt, commercial, and vacant land. The Project Area is comprised of 28 parcels, equaling approximately 143.81 acres of land. This is detailed in **Table 1.1** below.

TABLE 1.1: PROJECT AREA PARCELS

Lot Name	PARCEL	Type	ANNUAL TAX	Market Value	Taxable Value	Acreage
Nibley – New building	03-015-0011	Commercial	$165,228	$15,042,650	$15,042,650	20.85
Wesley Nelson Farms Inc	03-007-0019	Greenbelt	2,508	2,908,446	235,455	27.80
Wesley Nelson Farms Inc	03-007-0031	Greenbelt	-	-	-	18.45
Wesley Nelson Farms Inc	03-007-0030	Greenbelt	-	-	-	8.62
Ken Hansen land	03-014-0025	Greenbelt	108	825,800	11,560	25.86
MPI Group lot 10	03-012-0010	Commercial	3,596	312,145	312,145	0.75
Hansen lot 13	03-177-0013	Vacant	879	80,042	80,042	0.49
Hansen lot 14	03-177-0014	Vacant	825	75,143	75,143	0.46
Hansen lot 15	03-177-0015	Vacant	861	78,409	78,409	0.48
Hansen lot 19	03-177-0019	Vacant	8,074	700,845	700,845	0.79
Hansen lot 20	03-177-0020	Vacant	1,412	122,513	122,513	0.75
Hansen lot 21	03-177-0021	Vacant	1,095	99,645	99,645	0.61
Hansen lot 22	03-177-0022	Vacant	879	80,040	80,040	0.49
Poulsen lot 10	03-137-0010	Vacant	935	85,160	85,160	0.46
Spendlove land	03-015-0041	Vacant	2,465	224,400	224,400	7.48
Spendlove lot 9	03-177-0009	Vacant	933	84,941	84,941	0.52
Spendlove lot 10	03-177-0010	Vacant	933	84,941	84,941	0.52
Spendlove lot 11	03-177-0011	Vacant	933	84,941	84,941	0.52
Spendlove lot 12	03-177-0012	Vacant	933	84,941	84,941	0.52
Spendlove lot 24	03-177-0024	Vacant	1,256	114,345	114,345	0.7
Spendlove lot 25	03-177-0025	Vacant	1,705	155,183	155,183	0.95
Spendlove lot 26	03-177-0026	Vacant	2,781	253,193	253,193	1.55
Spendlove lot 27	03-177-0027	Vacant	2,315	210,720	210,720	1.29
Spendlove lot 28	03-177-0028	Vacant	1,705	155,183	155,183	0.95
Spendlove lot 29	03-177-0029	Vacant	1,687	153,548	153,548	0.94

Spendlove corner	03-177-0000	Vacant	11,292	1,028,016	1,028,016	5.9
Spendlove house (1924)	03-137-0050	Commercial	3,627	330,182	330,182	0.64
Zilles land	03-137-0048	Greenbelt	78	2,678,830	7,190	14.47
TOTALS:			**$219,042**	**$26,054,202**	**$19,895,331**	**143.81**

As delineated in the office of the Cache County Recorder, the Project Area encompasses all of the parcels detailed in **Exhibit C.**

UTAH CODE §17C-5-105(1)

General Statement of Land Uses, Layout of Principal Streets, Population Densities, Building Densities and How They Will be Affected by the Project Area

General Land Uses

The land within the Project Area is divided between land zoned for commercial, greenbelt, and vacant land.

Table 1.2 summarizes the approximate acreage of existing land uses by land use type.

TABLE 1.2: LAND USES

Type	Acres	% of Area
Commercial	22.24	15.46%
Greenbelt	95.20	66.20%
Vacant	26.37	18.34%
Total	**143.81**	**100.00%**

This Project Area Plan is consistent with the General Plan of the City and promotes economic activity by virtue of the land uses contemplated. Any zoning change, amendment or conditional use permit necessary to the successful development contemplated by this Project Area Plan shall be undertaken in accordance with the requirements of the City's Code and all other applicable laws including all goals and objectives in the City's General Plan.

Layout of Principal Streets

The principal street within the Project Area focuses on the area near and surrounding the current Malouf building. This area is just east and adjacent to Highway 89. This principal street is critical to the demand anticipated for the type of land use development contemplated by Malouf and others within the Project Area. The boundary is also north of 3200 South at the Nibley and Logan boundary line. 2600 South is the other principal street within the Project Area. Just north of 2600 South is the north end 55-acre parcel. The Project Area map, provided in **Exhibit B**, shows the principal streets located within the Project Area.

Population Densities

The estimated population density of the Project Area is currently 0.0 residents per acre. There are currently no residential buildings within the Project Area.

Building Densities

Currently, Malouf has a Headquarter building based in the Project Area, there are also a couple commercial buildings such as Zollinger Racing Products, and Poulsen Trailer Sales. The Malouf expansion will add several new buildings, a recreation area, a walking trail available for public use, off-site road and public infrastructure and roadway improvements. The expansion will produce a much stronger tax base and the Project Area will be more attractive to commercial developers to further develop the area and spur economic growth. The intent of this Plan is to promote greater economic utilization of the land area and increase overall density.

Impact of Community Development and or Reinvestment on Land Use, Layout of Principal Streets, and Population Densities

Community reinvestment activities within the Project Area will mostly consist of development and economic enhancement of underutilized areas. The types of land uses will consist mostly of office space. In order to promote the development of the Project Area, the Agency, along with property owners, developers, and/or businesses will need to construct infrastructure improvements and create better utilization of land.

Land Use – It is anticipated that the expansion of Malouf will expand its headquarters with several buildings and a recreation area. It is also anticipated that a marketplace and several retail lots will be developed in the 55-acre parcel in the north part of the Project Area.

Layout of Principal Streets – While the Project Area does intend to support development by aiding in the construction of roads, these projects will not alter the configuration of principal streets. The roads will simply tie into the principal streets and enhance the overall accessibility of transportation connectivity. The Project Area has good visibility from Highway 89 which will be beneficial to attract customers to future commercial lots to be developed in the area. Below is a rendering of the potential Malouf Expansion.

Image 1: Malouf Expansion Rendering

Population Densities – The developers interested in future projects within the Project Area currently contemplate 110 townhomes to be built in the north portion of the Project Area, along with 60 Single Family Homes. There are currently no residential buildings in the Project Area, so this development will greatly enhance the population in the Project Area.

UTAH CODE §17C-5-105(C)

Standards Guiding the Community Reinvestment

In order to provide maximum flexibility in the development and economic promotion of the Project Area, and to encourage and obtain the highest quality in development and design, specific development controls for the uses identified above are not set forth herein. Each development proposal in the Project Area will be subject to appropriate elements of the City's General Plan and Area Master Plans; the Zoning Ordinance of the City, including adopted Architectural Design Guidelines pertaining to the area; institutional controls, deed restrictions if the property is acquired and resold by the Agency, other applicable building codes and ordinances of the City; and, as required by ordinance or agreement, review and recommendation of the Planning Commission, approval by the Agency and City Council.

Each development proposal by an owner, tenant, participant or a developer shall be accompanied by site plans, development data and other appropriate material that clearly describes the extent of proposed development and any other data determined to be necessary or requested by the Agency or the City.

UTAH CODE §17C-5-105(D)

How the Purposes of this Title Will Be Attained by Community Reinvestment

It is the intent of the Agency, with the assistance and participation of private developers and property owners, to facilitate new development within the Project Area, including housing, offices, retail, restaurant space and public parking. Although not the expressed intent of this Project Area Plan, certain residential and other mixed-use components are anticipated, which are envisioned to support longer term financial sustainability of the overall Project Area.

UTAH CODE §17C-5-105(E)

Conformance of the Proposed Development to the Community's General Plan

The proposed Community Reinvestment Project Area Plan and the development contemplated are consistent with the City's General Plan, Area Master Plans, and land use regulations.

UTAH CODE §17C-5-105(G)

Describe any Specific Project or Projects that are the object of the Proposed Community Reinvestment

The main project within the Project Area is the Malouf headquarters. Malouf will expand its headquarters with several buildings and a recreation area. Malouf will also develop various infrastructure improvements throughout the project area. Infrastructure and roadway improvements on 1300 W and Heritage Drive are needed for the development to succeed. Malouf and Nibley City have also discussed the creation of a walking trail available to the public to be built in the project area. Over 10 years it is estimated that Malouf will hire an additional 1,250 employees. Wages of the employees is anticipated to be at least 110% of the Cache County average wage. The project will provide many jobs to residents in Nibley and the surrounding Cache Valley area. The development will also produce property tax revenue and provide good reason for developers to construct their own office space and retail space in the area. It is envisioned to act as a major anchor tenant for the Project Area.

The Mixed-Use Development at the North End will include a marketplace acting as a retail anchor in the area, five to eight retail lots which is anticipated to include restaurants, salons, a credit union, 110 townhomes, and 60 single family homes. An estimated timeline to finish this development is 5-10 years. Comparable development templates include the Macey's commercial area in Providence, or the Lee's Marketplace commercial area in Smithfield.

UTAH CODE §17C-5-105(H)

Method of Selection of Private Developers to undertake the Community Reinvestment and Identification of Developers Currently Involved in the Process

The City and Agency will partner with developers to create development as solicited or presented to the Agency and City that meets the development objectives set forth in this Plan. The City and Agency retain the right to approve or reject any such development plan(s) that in their judgment do not meet the development intent for the Project Area. To the extent the RDA owns, controls, or partners on the land, the City and Agency may choose to solicit development through an RFP or RFQ process, through targeted solicitation to specific industries, from inquiries to the City and or Agency.

The City and Agency will ensure that all development conforms to this Plan and is approved by the City. If seeking CRA funds all potential developers may need to provide a detailed development plan including sufficient financial information to provide the City and Agency with confidence in the sustainability of the development and the wherewithal of the developer to successfully finance said development. Such a review may include a series of studies and reviews including reviews of the developer's financial statements, third-party verification of benefit of the development to the City, appraisal reports, etc.

Any participation between the Agency and developers and or property owners shall be governed by a Participation/Development Agreement or similar agreement as approved by the Agency.

UTAH CODE §17C-5-105(I)

Reason for Selection of the Project Area

The Malouf Project area provides an opportunity to accommodate new office, retail, and restaurant space in the City. New developments will create new high to moderate paying jobs and increase the tax base to the City, County, School District and other taxing entities. The main improvements to the Project Area will be the expansion of Malouf which will provide considerable property tax values to each participating taxing entity, and the future commercial development located just north of 3200 South will provide additional benefit to the taxing entities and opportunity for new developers seeking a prime spot to build commercial or office lots. The Malouf expansions will serve as an anchor for economic growth in this Project Area of Nibley. The Malouf expansion estimates adding

1,250 employees over 10 years, with wages that are 110% of the Cache County average pay. The north end development will be important to include in the Project Area because it will generate a high level of increment, as most of the 55-acres is currently vacant land with low taxable value.

UTAH CODE §17C-5-105(J)

Description of Physical, Social and Economic Conditions Existing in the Project Area

Physical Conditions

The Project Area consists of approximately 143.81 acres of land, the majority of the parcels consist of vacant, greenbelt, and commercial types of uses.

Social Conditions

The Project Area will contain the Malouf headquarters and several expansion buildings, the development to the north will bring residents into the Project Area.

Economic Conditions

The Project Area is devoid of any significant development with the exception of the Malouf office headquarters.

UTAH CODE §17C-5-105(K)

Description of any Tax Incentives Offered Private Entities for Facilities Located in the Project Area

Tax increment arising from the development within the Project Area shall be used for reimbursing improvements made by Malouf, and public infrastructure improvements, such as constructing new roads. The Agency requested improvements and upgrades, both off-site and on-site improvements, land and job-oriented incentives, desirable Project Area improvements, and other items as approved by the Agency. Subject to provisions of the Act, the Agency may agree to pay for eligible costs and other items from taxes during the Tax Increment Collection Period which the Agency deems to be appropriate under the circumstances. The Agency will consider each request for support individually, paying close attention to the potential costs and benefits.

In general, tax incentives may be offered to achieve the community reinvestment goals and objectives of this Plan, specifically to:

- Enable and accelerate economic development;
- Stimulate job development;
- Make needed infrastructure improvements to roads, street lighting, water, storm water, sewer, and parks and open space;
- Assist with property acquisition and/or land assembly;
- Provide attractive development for high-quality commercial/office tenants;
- Engineering mitigation and reclamation.

UTAH CODE §17C-5-105(2)

The Project Area Budget will include specific participation percentages and timeframes for each taxing entity. Furthermore, a resolution and interlocal agreement will formally establish the participation percentage and Tax Increment Collection Period for each taxing entity.

LYRB

Anticipated Public Benefit to be Derived from the Community Development

UTAH CODE
§17C-5-105(2)(ii)(A)

The Beneficial Influences upon the Tax Base of the Community

The beneficial influences upon the tax base of the City and the other taxing entities will include increased property tax revenues, increased sales and use tax revenues, and job creation. The increased revenues will come from the property values associated with new construction in the Project Area, as well as increased spending at new commercial properties and spending by the commercial and office space employees.

Job growth in the Project Area will result in increased wages, increasing local purchases and benefiting existing businesses in the Project Area. Job growth will also result in increased income taxes paid, which will be beneficial to the school district and the State of Utah. Additionally, business growth will generate corporate income taxes, also a benefit to the school district and State of Utah. It is anticipated that Malouf will hire an additional 1,250 employees over the next 10 years. These employees will have an anticipated average wage of 110% above the Cache County average salary.

There will also be a beneficial impact on the community through increased construction activity within the Project Area. Positive impacts will be felt through construction wages paid, as well as construction supplies purchased locally.

UTAH CODE
§17C-5-105(2)(ii)(B)

The Associated Business and Economic Activity Likely to be Stimulated

Other business and economic activity likely to be stimulated includes increased spending by new employees in the Project Area and in surrounding areas. This includes both direct and indirect purchases that are stimulated by the spending of the additional employees in the area. The development of a walking trail available for public use that will help to create a gathering area for residents of the city and spur economic growth.

Employees may make some purchases in the local area, such as convenience shopping for personal services (haircuts, banking, dry cleaning, etc.). The employees will not make all of their convenience or personal services purchases near their workplace and each employee's purchasing patterns will be different. However, it is reasonable to assume that a percentage of these annual purchases will occur within close proximity of the workplace (assuming the services are available). The Malouf Project Area is an ideal location for a corporate headquarters.

UTAH CODE
§17C-5-105(2)(B)

Efforts to Maximize Private Investment

Malouf, a national/internationally recognized bedding company desires to continue its growth within the Project Area by expanding its corporate headquarters by investing nearly $100M of private investment and creating hundreds of new high paying jobs to benefit the Cache County market area. One of the chief objectives of the Project Area Plan is to create a public participation vehicle that can encourage and support the private capital investment within the Project Area. Without, the Project Area Plan and its accompanying tools it is unlikely that the level of private investment would even come close to this level and would require decades before that level could ever be achieved. The Agency is in discussions with developers who are looking to develop properties located within the Project Area in the north end development and continuous discussion with Malouf staff. Creating a CRA will act as a catalyst to jumpstart the development of the Project Area and guide the development to be higher density and best uses.

But For Analysis

UTAH CODE
§17C-5-105(2)(C)

The Project Area is located at an area near and surrounding the current Malouf building. This area is just east of Highway 89 and north of 3200 South at the Nibley and Logan boundary line. There are however, hurdles that are preventing further development of this Project Area, such as the need to partner with developers, the requirement to construct roads and other infrastructure. But for the creation of the Project Area and the public participation, some of the planned buildings such as the expansion of the Malouf headquarters and the north end development will likely not get constructed and other developments will be delayed a number of years, or development will not maximize its envisioned potential. The expansion and planned commercial developments are great opportunities to spur economic growth in Nibley and Cache Valley. Without support from the taxing entities in the Project Area, the expansion may not be financially feasible. This would be a potential loss of many future jobs in the area if the Malouf expansion doesn't go through. Based on the Benefits Analysis included in the following section, public participation will bring **$10,433,092** of benefit to the taxing entities over the life of the Project Area, which is depicted in **Table 6** below.

Cost/Benefit Analysis

UTAH CODE
§17C-5-105(2)

Based on the land use assumptions, current economic and market demand factors, tax increment participation levels, public infrastructure, land assemblage, and incentive needs, the following table outlines the benefits (revenues) and costs (expenditures) anticipated in the Project Area. This does not factor in the benefit of other economic multipliers such as job creation, disposable income for retail consumption, etc. For purposes of the RDA, Nibley will only collect incremental property taxes from the taxing entities. Though sales tax and franchise tax will not be included in the City's tax revenues, they have been included in the cost benefit analysis to show the overall benefit of the development to the City. The revenues calculated in this analysis are property, sales, and franchise tax. The expenditures consist of general government, public safety, public works, and property tax participation. The net benefit is calculated using total revenues less total expenditures. As shown below, the proposed community reinvestment will create a net benefit to Nibley City and the other taxing entities that levy a tax within the Project Area.

TABLE 2: TOTAL TAX INCREMENT REVENUES

Entity	Total	NPV at 4%
Cache County	$3,228,902	$2,347,483
Cache County School District	14,872,520	10,812,647
Nibley City	3,372,548	2,451,916
Millville-Nibley Cemetery Maintenance District	151,973	110,488
Cache Mosquito Abatement District	129,073	93,839
Cache Water District	-	-
Total Sources of Tax Increment Funds	**$21,755,016**	**$15,816,373**

TABLE 3: PARTICIPATED TAX INCREMENT FUNDS

Entity	Percentage	Length	Total	NPV at 4%
Cache County	75%	15 Years	$2,421,677	$1,760,612
Cache County School District	75%	12 Years	8,727,324	6,707,197
Nibley City	75%	15 Years	2,529,411	1,838,937
Millville-Nibley Cemetery Maintenance District	75%	15 Years	113,980	82,866
Cache Mosquito Abatement District	75%	15 Years	96,805	70,379
Cache Water District	75%	15 Years	-	-
Total Sources of Tax Increment Funds			**$13,889,196**	**$10,459,990**

TABLE 4: REVENUE ANALYSIS FOR TAXING ENTITIES (20 YEAR TOTAL).

Entity	Property Tax (Total Increment)	Sales Tax	Franchise Tax	Total Incremental Revenues
Cache County	$3,228,902	$818,357	-	$4,047,259
Cache County School District	14,872,520	-	-	14,872,520
Nibley City	3,372,548	1,636,714	$297,970	5,307,232
Millville-Nibley Cemetery Maintenance District	151,973	-	-	151,973
Cache Mosquito Abatement District	129,073	-	-	129,073
Cache Water District	-	-	-	-
Total Revenue	**$21,755,016**	**$2,455,071**	**$297,970**	**$24,508,057**

TABLE 5: COST/BENEFIT ANALYSIS FOR CITY (OVER LIFE OF PROJECT AREA)

City Revenues	Total Incremental Revenues
Property Tax (Increment)	$3,372,548
Sales Tax	1,636,714
Franchise Tax	297,970
TOTAL REVENUES	**$5,307,232**
City Expenditures	**Total Expenses**
CRA Budget	$2,529,411
General Government Services	79,491
Public Safety Services	34,801
Public Works Services	34,425
Parks & Recreation	37,051
TOTAL EXPENDITURES	**$2,715,180**
Total Revenues minus Expenditures	**$2,592,052**

The City's net benefit from the Project Area is estimated to be **$2,592,052**. The total net benefit to the taxing entities is therefore, **$10,433,092** or the total benefit of $24,508,057 minus the CRA budget and additional costs to the taxing entities of $14,074,964.

TABLE 6: NET BENEFIT

Entity	Additional Tax Revenues	Minus	Additional Costs	Equals	Total Net Benefit
Nibley City	$5,307,232	-	$2,715,180	=	$2,592,052
All Taxing Entities	$24,508,057	-	$14,074,964	=	$10,433,092

EXHIBIT A: Legal Description of MALOUF CRA

Parcel 03-007-0030: BEG AT SE COR OF SW/4 OF SEC 17 T 11N R 1E, N 30 RDS W 54 RDS S 30 RDS E 54 RDS TO BEG CONT 10.12 AC===ALSO THAT PT OF SW/4 OF SW/4 SEC 17 LYING S & E OF STATE ROAD== ALSO BEG AT PT 30 RDS N OF S/4 COR SEC 17 N 10 RD W 80 RD S 40 RD E 26 RD N 30 RD E 54 RD TO BEG== ALSO AT SE COR OF NW/4 OF SW/4 SEC 17 N 13 RDS 10 FT W 21 RD 18 FT M/L TO CO RD SWLY ALG SD RD 20 RD 18 FT M/L TO PT DUE W OF BEG E 32 RD 8 FT TO BEG CONT 54.87 AC IN ALL A 1 RD WIDE R/W ON BOTH SIDES & RUNNING FULL LENGTH OF ALL 1/4 SEC LINES WITHIN ABOVE DESC LAND IS DEDICATED AS HIGHWAY
LESS AND EXCEPTING THE FOLLOWING DESCRIBED PARCEL:
Beginning at a point which is North 89°47'28" West 40.39 feet along the section line and North 00°12'32" East 33.00 feet from the North Quarter Corner of Section 20 and running thence:
North 89°47'28" West 40.39 feet; thence North 00°12'32" East 33.00 feet; to the POINT OF BEGINNING thence North 89°47'28" West [1294.17 feet]1630.99 feet; thence northwesterly 113.93 feet along the arc of a 656.00-foot radius non-tangent curve to the right (center bears North 26°43'26" East and the long chord bears North 58°18'02" West 113.79 feet with a
central angle of 09°57'04"); thence North 53°19'30" West 639.52 feet; thence North 55°26'46" West 148.60 feet; thence North 53°19'30" West 73.43 feet to the southerly right-of-way line of Highway 89/91; thence North 36°40'30" East 1300.79 feet along said right-of-way; thence South 74°36'16" East 381.86 feet to the westerly line of Sierra Commercial Park Subdivision; thence South 00°15'51" East 1059.52 feet along said westerly line and beyond; thence southerly 120.06 feet along the arc of a 533.00-foot radius tangent curve to the right (center bears South 89°44'09" West and the long chord bears South 06°11'19" West 119.80 feet with a central angle of 12°54'20"); thence Southerly 107.31 feet along the arc of a 467.00 feet radius curve to the left (center bears South 77°21'31" East and the long chord bears South 06°03'30" West 107.08 feet with a central angle of 13°09'59"); thence South 00°31'29" East 216.95 feet; thence South 89°47'28" East 1294.18 feet; thence South 00°27'41" East 11.00 feet to the Point of Beginning.
CONT 27.80 AC
NET 27.07

LESS AND EXCEPTING THE FOLLOWING DESCRIBED PARCEL:
Beginning at a point which is North 00°27'41" West 44.00 feet from the North Quarter corner of Section 20; and running thence North 89°47'28" West 40.00 feet; thence North 89°47'28" West 1294.18 feet; thence North 00°31'29" West 216.95 feet; thence Northerly 107.31 feet along the are of a 467.00 foot radius tangent tangent to the right (center bears North 89°28'31" East and the long chord bears North 06°03'30" East 107.08 feet with a central angle of 13°09'59"); thence
Northerly 120.06 feet along the arc of a 533.00 foot radius curve to the left (center bears North 77°21 '31" West and the long chord bears North 06°11'19" East 119.80 feet with a central angle of 12°54'20"); thence North 00°15'51" West 180.29 feet to the South line of Sierra Commercial Park Subdivision; thence South 89°54'07" East 1307.74 feet along said South line and beyond to and along the South line Spring Creek Crossing Phase 2 to the North-South Quarter Section line; thence South 00°27'41" East 625.46 feet along said Section line to the point of beginning.
CONT 18.45 AC (CCR)
NET 8.62 AC (CCR)

Parcel 03-007-0031: Beginning at a point which is North 00°27'41" West 44.00 feet from the North Quarter corner of Section 20; and running thence North 89°47'28" West 40.00 feet; thence North 89°47'28" West 1294.18 feet; thence North 00°31'29" West 216.95 feet; thence Northerly 107.31 feet along the are of a 467.00 foot radius tangent tangent to the right (center bears North 89°28'31" East and the long chord bears North 06°03'30" East 107.08 feet with a central angle of 13°09'59"); thence Northerly 120.06 feet along the arc of a 533.00 foot radius curve to the left (center bears North 77°21 '31" West and the long chord bears North 06°11'19" East 119.80 feet with a central angle of 12°54'20"); thence North 00°15'51" West 180.29 feet to the South line of Sierra Commercial Park Subdivision; thence South 89°54'07" East 1307.74 feet along said South line and beyond to and along the South line Spring Creek

Crossing Phase 2 to the North-South Quarter Section line; thence South 00°27'41" East 625.46 feet along said Section line to the point of beginning.
CONT 18.45 AC (CCR)

Parcel 03-007-0019: Beginning at a point which is North 89°47'28" West 40.39 feet along the section line and North 00°12'32" East 33.00 feet from the North Quarter Corner of Section 20 and running thence: North 89°47'28" West 40.39 feet; thence North 00°12'32" East 33.00 feet; to the POINT OF BEGINNING thence North 89°47'28" West [1294.17 feet]1630.99 feet; thence northwesterly 113.93 feet along the arc of a 656.00-foot radius non-tangent curve to the right (center bears North 26°43'26" East and the long chord bears North 58°18'02" West 113.79 feet with a central angle of 09°57'04"); thence North 53°19'30" West 639.52 feet; thence North 55°26'46" West 148.60 feet; thence North 53°19'30" West 73.43 feet to the southerly right-of-way line of Highway 89/91; thence North 36°40'30" East 1300.79 feet along said right-of-way; thence South 74°36'16" East 381.86 feet to the westerly line of Sierra Commercial Park Subdivision; thence South 00°15'51" East 1059.52 feet along said westerly line and beyond; thence southerly 120.06 feet along the arc of a 533.00-foot radius tangent curve to the right (center bears South 89°44'09" West and the long chord bears South 06°11'19" West 119.80 feet with a central angle of 12°54'20"); thence Southerly 107.31 feet along the arc of a 467.00 feet radius curve to the left (center bears South 77°21'31" East and the long chord bears South 06°03'30" West 107.08 feet with a central angle of 13°09'59"); thence South 00°31'29" East 216.95 feet; thence South 89°47'28" East 1294.18 feet; thence South 00°27'41" East 11.00 feet to the Point of Beginning.

Parcel 03-014-0025: BEG AT E/4 COR OF SEC 19 T 11N R 1E & AT SE COR OF HERITAGE BUSINESS PARK PH 1 & NW COR OF MEADOW VIEW PUD & TH S00*29'11"E 1072.50 FT TH N89*31'11"W 228.21 FT TH S00*12'46"E 3.0 FT TO N LN OF 3200 S ST TH N89*14'46"W 593.0 FT TH N04*44'30"E 69.05 FT TH N05*15'00"E 341.30 FT TH N16*51'00"W 30.0 FT TH N20*13'30"W 76.0 FT TH N22*02'00"W 36.5 FT TH N32*09'00"W 14.0 FT TH N48*14'00"W 86.00 FT TH N50*59'00"W 76.15 FT TH S39*21'00"W 61.5 FT TO CL OF SLOUGH TH ALG SLOUGH IN 19 COURSES: N46*07'00"W 26.0 FT TH N72*30'00"W 54.00 FT TH N53*53'00"W 98.0 FT TH N23*57'00"W 70.0 FT TH N59*56'00"W 54.0 FT TH S45*18'00"W 26.00 FT TH S67*39'00"W 43.0 FT TH S57*19'00"W 29.0 FT TH N72*00'00"W 45.0 FT TH N19*00'00"W 158 FT TH N51*41'00"W 78.0 FT TH N66*29'00"W 58 FT TH S67*17'00"W 79.0 FT TH S56*07'00"W 38.0 FT TH S76*58'00"W 29.0 FT TH S53*26'00"W 21.0 FT TH N56*45'00"W 47.0 FT TH N40*33'00"W 82.0 FT TH N69*29'00"W 91.10 FT TO S LN OF RACOON RIDGE MINOR SUBD TH N52*51'46"E 59.22 FT TH N89*31'32"E 189.42 FT TH S89*39'57"E 330.58 FT TO SW COR TO SD HERITAGE BUSINESS PARK PH 1 TH N89*56'00"E 1269.63 FT TO BEG CONT 25.86 AC M/B

Parcel 03-015-0011:
LOT 1 MALOUF SUBDIVISION AMENDED. SIT NW/4 SEC 20 T 11N R 1E
CONT 20.85 AC

Parcel 03-177-0013:
LOT 13 HERITAGE BUSINESS PARK PHASE 1
CONT 0.49 AC

Parcel 03-177-0014:
LOT 14 HERITAGE BUSINESS PARK PHASE 1
CONT 0.46 AC

Parcel 03-177-0015:
LOT 15 HERITAGE BUSINESS PARK PHASE 1
CONT 0.48 AC

Parcel 03-177-0021:
LOT 21 HERITAGE BUSINESS PARK PHASE 1

CONT 0.61 AC

Parcel 03-177-0022:
LOT 22 HERITAGE BUSINESS PARK PHASE 1
CONT 0.49 AC

Parcel 03-137-0010:
LOT 10 NIBLEY BUSINESS PARK UNIT 1
CONT 0.46 AC

Parcel 03-015-0041:
LOT 2 MALOUF SUBDIVISION AMENDED.
SIT NW/4 SEC 20 T 11N R 1E SUBJ TO R/W BEG AT SE COR SD PARCEL & TH N 0*38' E 15 FT TH SW'LY TO PT S 89*35' W 15 FT FROM SE COR TH N 89*35' E 15 FT TO BEG ENT 864835 BK 1304 PG 1429 FOR SEWER LINE.
CONT 7.48 AC

Parcel 03-177-0009:
LOT 9 HERITAGE BUSINESS PARK PH 1
CONT 0.52 AC

Parcel 03-177-0010:
LOT 10 HERITAGE BUSINESS PARK PH 1
CONT 0.52 AC

Parcel 03-177-0011:
LOT 11 HERITAGE BUSINESS PARK PH 1
CONT 0.52 AC

Parcel 03-177-0012:
LOT 12 HERITAGE BUSINESS PARK PH 1
CONT 0.52 AC

Parcel 03-177-0024:
LOT 24 HERITAGE BUSINESS PARK PH 1 (2008 PARTIAL REVISION)
CONT 0.70 AC

Parcel 03-177-0025:
LOT 25 HERITAGE BUSINESS PARK PH 1 (2008 PARTIAL REVISION)
CONT 0.95 AC

Parcel 03-177-0026:
LOT 26 HERITAGE BUSINESS PARK PH 1 (2008 PARTIAL REVISION)
CONT 1.55 AC

Parcel 03-177-0027:
LOT 27 HERITAGE BUSINESS PARK PH 1 (2008 PARTIAL REVISION)
CONT 1.29 AC

Parcel 03-177-0028:
LOT 28 HERITAGE BUSINESS PARK PH 1 (2008 PARTIAL REVISION)

CONT 0.95 AC

Parcel 03-177-0029:
LOT 29 HERITAGE BUSINESS PARK PH 1 (2008 PARTIAL REVISION)
CONT 0.94 AC

Parcel 03-177-0000:
REMAINDER PARCEL "A" HERITAGE BUSINESS PARK PH 1 CONT 7.59 AC
LESS: HERITAGE DRIVE DEDICATED BY PLAT OF HERITAGE BUSINESS PARK PH 1 (2008 PARTIAL REVISION) NET 5.90 AC

Parcel 03-137-0050:
PT OF LT 31 NIBLEY BUSINESS PARK UNIT 1: BEG IN E LN OF US HWY 89-91 1704.17 FT W & 630.14 FT S OF NE COR OF SE/4 OF NE/4 OF SEC 19 T 11N R 1E & TH S 37*06' W 140 FT IN HWY TH S 52*54' E 200 FT TH N 37*06' E 140 FT TH N 52*54' W 200 FT TO BEG 0.64 AC

Parcel 03-137-0048: BEG AT NE COR LOT 13 HERITAGE BUSINESS PARK PH 1 & TH S 89*56' W 471.58 FT TH N 85*18'11" W 67.79 FT TH N 17*39'01" E 30 FT TH N 3*38'37" W 100.0 FT TH N 88*08'49" W 40 FT TH S 37*07' W 65.51 FT TH N 52*53' W 206 FT M/L TO S COR OF LT 10 NIBLEY BUSINESS PARK UNIT 1 TH N 37*06' E 300.0 FT TH N 65*12'24" E 113.37 FT TH S 47*49'42" E 134.7 FT TH S 89*54' E 330.76 FT TO SE COR LT 20 NIBLEY BUSINESS PARK UNIT 1 TH N 400.13 FT TH ALG CURVE TO LEFT 62.76 FT TO N LN SD SUBD TH E 99.93 FT TO NE COR SD SUBD TH S 835.51 FT TO BEG CONT 6.82 AC M/B.

ALSO: THAT PT OF SIERRA DRIVE IN NIBLEY BUSINESS PARK UNIT 1 LYING N OF N LN OF HERITAGE BUSINESS PARK PH 1 CONT 0.85 AC.

ALSO: LOTS 11 THRU 20 NIBLEY BUSINESS PARK UNIT 1 CONT 6.62 AC CONT 14.29 AC IN ALL
ALSO: BEG AT NW COR LOT 17 HERITAGE BUSINESS PARK PHASE 1 & TH N 55*22’26” W 105.15 FT TH N 28*52’36” E 20.21 FT TH N 37*07’ E 65.51 FT TH S 88*08’49” E 40.0 FT TH S 3*38’37” E 100.0 FT TH S 17*39’01” W 30.0 FT TO BEG CONT 0.18 AC.
CONT 14.47 AC IN ALL

Parcel 03-177-0019:
LOT 19 HERITAGE BUSINESS PARK PHASE 1
CONT 0.79 AC

Parcel 03-177-0020:
LOT 20 HERITAGE BUSINESS PARK PHASE 1
CONT 0.75 AC

Parcel 03-012-0010: BEG 20 CHS S & 733.92 FT W OF NE COR SEC 19 T 11N R 1E W 299 FT N 37*06' E 104 FT NW'LY 132 FT M/L N 37*06' E 74 FT SE'LY 403.67 FT TO BEG
SUBJ TO BNDRY LN AGREEMENT W/PARCEL 0010 ENT 990875 BK 1556 PG 1653 NET 0.75 AC M/L
CONT 0.77 AC

EXHIBIT B: Project Area Map

MAP OF PROPOSED PROJECT AREA BOUNDARIES

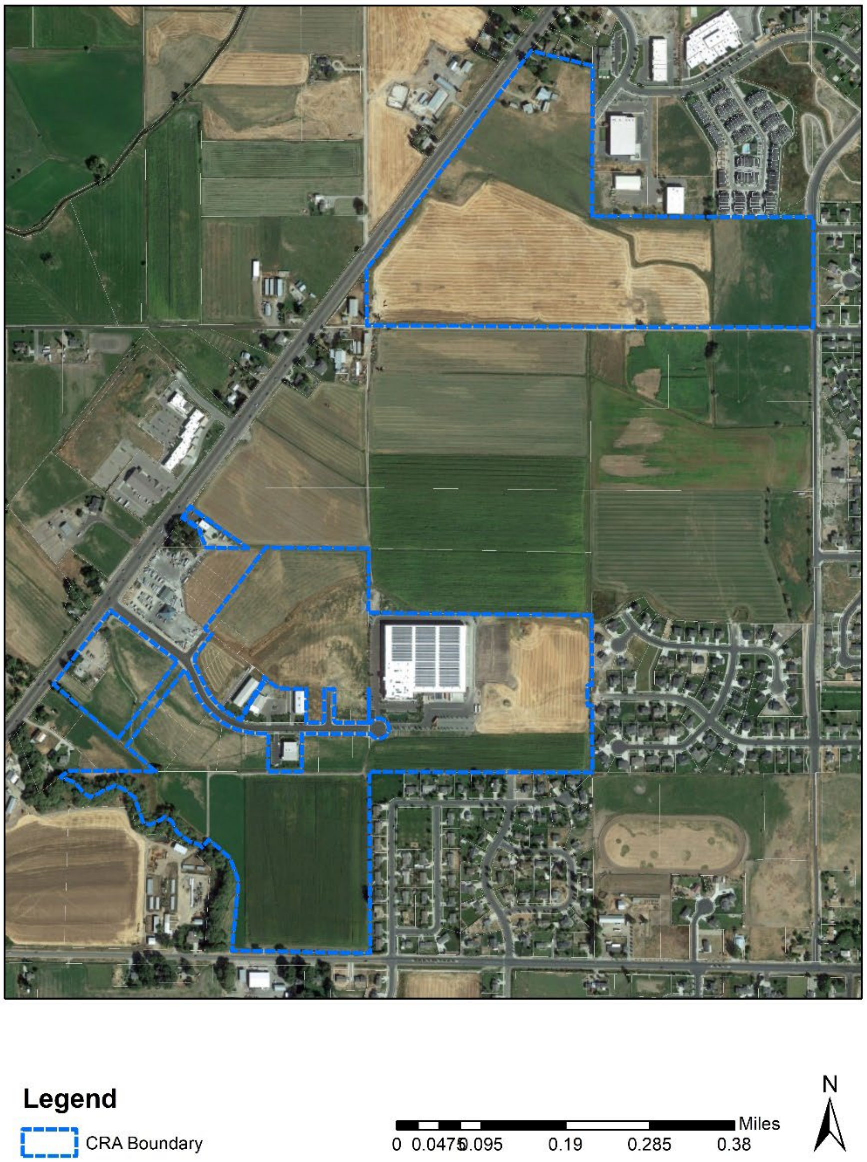

EXHIBIT C: Parcel List

Lot Name	PARCEL	Type	ANNUAL TAX	Market Value	Taxable Value	Acreage
Nibley - New building	03-015-0011	Commercial	$165,228	$15,042,650	$15,042,650	20.85
Wesley Nelson Farms	03-007-0019	Greenbelt	2,508	2,908,446	235,455	27.80
Wesley Nelson Farms	03-007-0031	Greenbelt	-	-	-	18.45
Wesley Nelson Farms	03-007-0030	Greenbelt	-	-	-	8.62
Ken Hansen land	03-014-0025	Greenbelt	108	825,800	11,560	25.86
MPI Group lot 10	03-012-0010	Commercial	3,596	312,145	312,145	0.75
Hansen lot 13	03-177-0013	Vacant	879	80,042	80,042	0.49
Hansen lot 14	03-177-0014	Vacant	825	75,143	75,143	0.46
Hansen lot 15	03-177-0015	Vacant	861	78,409	78,409	0.48
Hansen lot 19	03-177-0019	Vacant	8,074	700,845	700,845	0.79
Hansen lot 20	03-177-0020	Vacant	1,412	122,513	122,513	0.75
Hansen lot 21	03-177-0021	Vacant	1,095	99,645	99,645	0.61
Hansen lot 22	03-177-0022	Vacant	879	80,040	80,040	0.49
Poulsen lot 10	03-137-0010	Vacant	935	85,160	85,160	0.46
Spendlove land	03-015-0041	Vacant	2,465	224,400	224,400	7.48
Spendlove lot 9	03-177-0009	Vacant	933	84,941	84,941	0.52
Spendlove lot 10	03-177-0010	Vacant	933	84,941	84,941	0.52
Spendlove lot 11	03-177-0011	Vacant	933	84,941	84,941	0.52
Spendlove lot 12	03-177-0012	Vacant	933	84,941	84,941	0.52
Spendlove lot 24	03-177-0024	Vacant	1,256	114,345	114,345	0.7
Spendlove lot 25	03-177-0025	Vacant	1,705	155,183	155,183	0.95
Spendlove lot 26	03-177-0026	Vacant	2,781	253,193	253,193	1.55
Spendlove lot 27	03-177-0027	Vacant	2,315	210,720	210,720	1.29
Spendlove lot 28	03-177-0028	Vacant	1,705	155,183	155,183	0.95
Spendlove lot 29	03-177-0029	Vacant	1,687	153,548	153,548	0.94
Spendlove corner	03-177-0000	Vacant	11,292	1,028,016	1,028,016	5.9
Spendlove house (1924)	03-137-0050	Commercial	3,627	330,182	330,182	0.64
Zilles land	03-137-0048	Greenbelt	78	2,678,830	7,190	14.47
TOTALS:			**$219,042**	**$26,054,202**	**$19,895,331**	**143.81**

EXHIBIT D: Resolution Authorizing Preparation of Draft Community Reinvestment Project Area Plan

RESOLUTION CRA 21-01

RESOLUTION OF THE GOVERNING BOARD OF THE NIBLEY CITY COMMUNITY REINVESTMENT AGENCY, DESIGNATING A SURVEY AREA AND AUTHORIZING THE PREPARATION OF A DRAFT COMMUNITY REINVESTMENT PROJECT AREA PLAN AND BUDGET FOR THE PROPOSED NORTHWEST NIBLEY COMMUNITY REINVESTMENT PROJECT AREA

WHEREAS, the Nibley City Community Reinvestment Agency (the "Agency") of Nibley City, Utah (the "City") was created to transact the business and exercise all of the powers provided for in the Limited Purpose Local Government Entities - Community Reinvestment Agency Act (Title 17C, Chapters 1 through 5, UTAH CODE ANNOTATED, 1953, as amended) and any subsequent, replacement or amended law or act (the "Act"); and

WHEREAS, pursuant to Section 17C-5-l 03 of the Act, the Agency's governing board (the "Board") is empowered to initiate the process of adopting a community reinvestment project area plan by adopting a survey area resolution that meets the requirements of that statute; and

WHEREAS, pursuant to Section l7C-5-303 of the Act, the Board also is empowered to prepare a proposed budget for a proposed community reinvestment project area budget; and

WHEREAS, the Board met on March 11, 2021 to consider, among other things, (a) designating the geographic area (the "Survey Area") that is located east of Highway 89/91 and north of 3200 South in Nibley City and is shown on the map (the "Map") attached hereto as **Exhibit A,** as a "Survey Area" for purposes of Section l 7C-5-103 of the Act; (b) authorizing the Agency to prepare a proposed community reinvestment project area plan and budget for each proposed community reinvestment project area; and (c) authorizing the Agency to conduct any examination, investigation, or negotiation regarding the proposed community reinvestment project area that the Agency considers appropriate; and

WHEREAS, the Survey Area requires a study to determine whether project area development is feasible within one or more proposed community reinvestment project areas within the Survey Area; and

WHEREAS, the Board desires to authorize the preparation of a draft community reinvestment project area plan and budget for a proposed community reinvestment project area to be known as the NORTHWEST NIBLEY COMMUNITY REINVESTMENT PROJECT AREA.

NOW, THEREFORE, BE IT RESOLVED by the governing Board of the Agency as follows:

1. The Survey Area shown on the Map, attached hereto as **Exhibit A** is hereby designated as the "Survey Area" for purposes of Section l 7C-5-103 of the Act;
2. The Board affirms that the Survey Area requires study to dete1mine whether project area development is feasible within one or more proposed community reinvestment project areas within the Survey Area;
3. The Agency hereby tentatively designates the Survey Area as the **Northwest Nibley Community Reinvestment Project Area,** the approximate proposed boundaries of which are depicted on the Map attached hereto as **Exhibit A;**
4. The Agency staff are hereby authorized and directed as follows:

    a. Prepare a proposed community reinvestment project area plan and community reinvestment project area budget for the Survey Area as required by the Act.
    b. Conduct any examination, investigation, or negotiation regarding the proposed community reinvestment project area that the Agency and staff considers appropriate.
    c. Obtain whatever information is needed and hire or contract with consultants and others as necessary for the preparation of the draft community reinvestment project area plan and budget.
    d. Take such other and additional actions necessary or prudent in considering and creating the proposed community reinvestment project area in compliance with the Act including, without limitation, the negotiation of agreements with taxing entities and participants, the preparation for all necessary hearings, and the preparation, publication, and/or mailing of all required notices

This RESOLUTION, assigned no. CRA 21-01, shall take effect immediately upon approval of the Board.

ADOPTED by the Governing Board of the Nibley City Community Reinvestment Agency this the 11th day of March 2021.

NIBLEY CITY COMMUNITY REINVESTMENT AGENCY

ATTEST:

Justin Maughan, RDA Chair

Cheryl Bodily

Cheryl Bodily, CRA Secretary and Deputy City Recorder

Exhibit A

Map of Survey Area

Agenda Item #10

Description	**Discussion & Consideration –** Resolution 22-17: Appointing Justin Maughan as Nibley City's Representative to the Regional Wastewater Treatment Rate Committee (First Reading)
Presenter	Justin Maughan, City Manager
Recommendation	Move to approve Resolution 22-17: Appointing Justin Maughan as Nibley City's Representative to the Municipal Sewer Rate Committee and waive the second reading.
Reviewed By	Mayor, City Manager

In June of 2017, Nibley City Council approved an Amended Interlocal Agreement creating Regional Wastewater Treatment Rate Committee. This committee was formed in conjunction with the new treatment plant that Logan City was planning to construct at the time. At that time, the Council appointed former Mayor Shaun Dustin to the committee.

The plant has been constructed, and is just now beginning to come on line and treat sewage from the seven participating municipalities that signed the interlocal agreement.

The authority of the rate committee is outlined in the agreement at the bottom of page 5, and listed here below.

7. **Authority and Action of Rate Committee**. The rate committee shall meet at least once each year, but as often as needed to accomplish its purpose. The Committee shall:

(a) Confirm the votes allocated to the Members of the Rate Committee for that annual meeting pursuant to the procedure described in Section 11 of this Agreement.

(b) Yearly, elect the chair and other officers of the Rate Committee pursuant to Section 8(c) of this Agreement.

(c) Establish or modify bylaws as specified in Section 10 of this Agreement.

(d) Review the annual report prepared by LOGAN pursuant to Section 14 of this Agreement.

(e) Review LOGAN's explanation and accounting of Administration Expenses.

(f) As deemed necessary, select consultants to support User Rate analyses.

(g) Subject to the provisions of Section 5 of this Agreement the Rate Committee shall establish or reaffirm the Fiscal Year User Rate that will serve as the basis for monthly wastewater treatment bills charged to the Parties. The User Rate shall represent the unit cost of wastewater treatment by the Treatment Facility. User Charges will be calculated from the User Rate and the monthly Wastewater Loads of the Parties in order to ensure that each entity will pay its equitable share of wastewater treatment costs.

(h) At the request of a majority of the Contributing Parties, rates adopted by the Rate Committee shall be reviewed by an independent consultant selected by the Committee, as set forth in Section 11d, below. If the reviewer determines that the rates are not fair and equitable, the rates shall be revised to be fair and equitable prior to being imposed.

(i) Recommend the annual wastewater treatment operations budget to the Logan City Mayor.

(j) Take such actions as are necessary or expedient to carry out the intention of this Agreement. However, the Rate Committee shall have no powers other than those granted to it under this Agreement.

After discussion and consideration with Staff, Mayor Larry Jacobsen is proposing to appoint Justin Maughan, Nibley City Manager, as the Nibley City representative on the committee.

RESOLUTION 22-17

A RESOLUTION APPOINTING JUSTIN MAUGHAN AS NIBLEY CITY'S REPRESENTATIVE TO THE REGIONAL WASTEWATER TREATMENT RATE COMMITTEE

WHEREAS, Nibley City Mayor with the advice and consent of the City Council, shall appoint Nibley's representative to the Municipal Sewer Rate Committe; and

WHEREAS, it has become necessary for Nibley City to appoint a new representative to the Municipal Sewer Rate Committe; and

WHEREAS, Nibley City wishes to appoint Justin Maughan as Nibley City representative to the Municipal Sewer Rate Committe.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF NIBLEY CITY, STATE OF UTAH, AS FOLLOWS:

1. Justin Maughan is hereby appointed to serve as the Nibley City representative on the Municipal Sewer Rate Committee beginning July 1, 2022 to July 1, 2024.

PASSED BY THE NIBLEY CITY COUNCIL THIS ______ DAY OF ___________, 2022.

____
Larry Jacobsen, Mayor

ATTEST:

____
Cheryl Bodily, City Recorder

AMENDED INTERLOCAL AGREEMENT
CREATING REGIONAL
WASTEWATER TREATMENT RATE COMMITTEE

THIS AMENDED INTERLOCAL AGREEMENT CREATING REGIONAL WASTEWATER TREATMENT RATE COMMITTEE (this "Agreement") is made and entered into as of this 19TH day of June, 2017, by, between and among the following governmental entities located in Cache County, State of Utah:

THE CITY OF LOGAN, a municipal corporation of the State of Utah (hereinafter referred to as "LOGAN"),

THE CITY OF SMITHFIELD, a municipal corporation of the State of Utah (hereinafter referred to as "SMITHFIELD"),

THE CITY OF HYDE PARK, a municipal corporation of the State of Utah (hereinafter referred to as "HYDE PARK"),

THE CITY OF NORTH LOGAN, a municipal corporation of the State of Utah (hereinafter referred to as "NORTH LOGAN"),

THE CITY OF RIVER HEIGHTS, a municipal corporation of the State of Utah (hereinafter referred to as "RIVER HEIGHTS"),

THE CITY OF PROVIDENCE, a municipal corporation of the State of Utah (hereinafter referred to as "PROVIDENCE"), and

THE CITY OF NIBLEY, a municipal corporation of the State of Utah (hereinafter referred to as "NIBLEY").

This Agreement shall replace the original Interlocal Agreement creating the Regional Wastewater Treatment Rate Committee dated November 9th, 2015 and is amended for the sole purpose of adding the City of River Heights as a member.

The above listed entities are sometimes jointly referred to in this Agreement as "Parties," and individually as a "Party." SMITHFIELD, HYDE PARK, NORTH LOGAN, RIVER HEIGHTS, PROVIDENCE and NIBLEY are sometimes jointly referred to in this Agreement as the "Contributing Parties" and individually as a "Contributing Party."

RECITALS:

A. In the past, LOGAN has owned and operated a wastewater lagoon and treatment facility (the "Existing Facility") and has accepted wastewater from the Contributing Parties for treatment at the Existing Facility.

B. LOGAN anticipates that it will construct a new mechanical wastewater treatment facility (the "Treatment Facility") that will be owned and operated by LOGAN.

C. If LOGAN constructs the Treatment Facility, it anticipates that it will continue to accept wastewater from the Contributing Parties for treatment at the Treatment Facility.

D. The Parties understand that, consistent with the provisions of this Agreement, LOGAN will have the power and authority to impose User Charges upon the Contributing Parties that deliver wastewater to the Treatment Facility so as to cover their proportionate shares of the Operating Expenses of the Treatment Facility and also a Transfer Fee.

E. The Parties desire to create a committee, with representation from each of the Parties, which will have authority to establish rates, within the parameters set forth in this Agreement, for the wastewater treatment services provided by LOGAN.

G. The Parties agree that this Agreement is entered into pursuant to the authority granted by the Utah Interlocal Cooperative Act, as set forth in Chapter 13, Title 11, Utah Code Annotated (1953, as amended).

NOW, THEREFORE, for and in consideration of the mutual covenants and agreements set forth in this Agreement, the Parties hereby agree as follows:

1. **Construction of Treatment Facility**. The Parties acknowledge that it is the present intention of LOGAN to construct the Treatment Facility estimated to be an 18 MGD facility, but actual size will be determined by the number of Contributing Parties who participate. It is understood and agreed that LOGAN may design the Treatment Facility with an operational capacity that is sufficient, in the reasonable judgment of LOGAN, to service the current and reasonably expected future treatment needs of the Parties. However, nothing in this Agreement shall be deemed to create an obligation of LOGAN to construct the Treatment Facility, and no Party shall have the right or power to compel LOGAN to construct the Treatment Facility.

2. **Term of Agreement**. The term of this Agreement shall commence as of the effective date of this Agreement, as set forth in the first paragraph of this Agreement, and shall continue for 30 years. It is the express intent of LOGAN to continue to provide effective and cost-efficient treatment of wastewater for the Contributing Parties for the useful life of the Treatment Facility. Therefore, this agreement may be extended in five year increments by mutual consent of the Parties.

3. **Ownership of Wastewater Collection and Treatment Facilities**. The Parties agree as follows with respect to the ownership of the Treatment Facility and the wastewater collection systems of the Parties:

(a) LOGAN shall be the sole owner and operator of the Treatment Facility, and shall have the sole power and authority to operate and maintain the Treatment

Facility. This power and authority shall include, but not be limited to, the power and authority to hire managers, operators, mechanics, laboratory technicians and such other personnel as LOGAN deems necessary and appropriate for the operation and maintenance of the Treatment Facility. Nothing in this Agreement shall be deemed to give any of the Contributing Parties any ownership interest in the Treatment Facility or any right to operate or maintain the Treatment Facility.

(b) LOGAN shall be the sole owner and operator of its own wastewater collection and transmission facilities, and LOGAN shall be solely responsible for the operation, maintenance, and repair of its own wastewater collection and transmission facilities, and for the Operating expenses associated with these facilities.

(c) Each Contributing Party shall be the sole owner and operator of its own wastewater collection and transmission facilities up to the point where the Contributing Party's collection and transmission facilities connect with LOGAN's wastewater system. These points of connection are more particularly shown on Exhibit "A" attached hereto and incorporated herein by reference. Each Contributing Party shall be solely responsible for the operation, maintenance and repair of its own wastewater collection and transmission facilities and for the collection related operating costs of delivering its wastewater. These may include shared costs between Contributing Parties and LOGAN that may vary for each facility (collection and transfer facilities such as lift stations and trunk lines).

(1) Each Party agrees that it will construct, maintain and operate its wastewater collection and transmission facilities in a manner that will comply with all applicable Federal and State rules and regulations, and that it will use and exercise due diligence in preventing surface and sub-surface water from entering into its collection and transmission facilities.

(2) If it is determined that a Contributing Party is responsible for a violation of LOGAN's operating permit relating to the Treatment Facility, that Contributing Party shall be responsible for the payment of any fees, penalties and remediation expenses incurred by LOGAN with respect to that violation.

(d) Nothing in this Agreement shall preclude a Contributing Party from entering into a separate agreement with LOGAN with respect to the construction, maintenance and operation of a facility that is a part of that Contributing Party's own collection and transmission facilities, including lift stations. However, no part of the cost of the construction or operation of those facilities shall be included in the costs of operation and maintenance of the Treatment Facility that is shared by the Parties pursuant to this Agreement.

4. **Obligation to Accept and Treat Wastewater**. As long as a Contributing Party is in compliance with the provisions of this Agreement and the Contributing Party's specific Sewer Treatment Agreement with Logan, LOGAN shall accept and treat at the Treatment Facility all of the wastewater delivered to the Treatment Facility by that Contributing Party. Treatment of wastewater at the

Treatment Facility shall be on a first come, first served basis among the Parties to this Agreement, up to, but collectively not exceeding the treatment capacity of the Treatment Facility.

5. **User Charges.** The Parties recognize and agree that, as sole owner and operator of the Treatment Facility and the issuer of the bonds described in this Section of this Agreement, LOGAN is legally obligated to pay, from revenues, the Operating Expenses relating to the Treatment Facility. The Parties agree that LOGAN has the right to impose User Charges. To ensure that User Charges are equitable, the fee charged to each Contributing Party in dollars per 1,000 gallons of treated wastewater shall be the same as the per 1,000 gallon fee charged by LOGAN for its estimated flow. The revenue paid into the Wastewater Treatment fund from LOGAN shall be the amount collected from its residential and commercial users based on the estimated per 1,000 gallon rate, while the amount collected from each Contributing Party shall be its measured flow in 1,000 gallons multiplied by the same rate. The Parties agree that the system has inflow and infiltration problems and the Rate Setting Committee may direct the consultant to develop alternative rate/flow schemes to better reflect the estimated inflow and infiltration.

The User Charges shall include Operations and Maintenance Expenses, bond debt service, Administration Expenses, and a Transfer Fee in connection with the treatment of wastewater at the Wastewater Facility as follows (Except that capital expenses shall not be duplicated through depreciation and again through debt service):

(a) Operations and Maintenance Expenses. The Operations and Maintenance Expenses of the Treatment Facility shall include the following elements:

(1) The actual costs of the operation and maintenance of the Treatment Facility, including, but not limited to, costs of maintenance and repair of equipment used in connection with the operation and permit compliance of the Treatment Facility, salaries and wages, health, hospitalization, pension and retirement expenses of employees of the Treatment Facility, fees for services, materials and supplies, rents, insurance expenses, fees and expenses paid for permits, legal, engineering, accounting and financial advisory services and other consulting and technical services, training of personnel, taxes, and other governmental charges imposed by any entity other than LOGAN, fuel costs, payments for the purchase of water for use in connection with the operation of the Treatment Facility, costs of utility services and other auxiliary services, and any other current expenses or obligations required to be paid by LOGAN in connection with the operation and maintenance of the Treatment Facility for treatment of the wastewater load, including I/I.

(2) The costs of repair and replacement of equipment and facilities at the Treatment Facility and the funding of reserves.

(3) Funding future capital replacement/improvement project reserves.

(4) The costs of closing and remediating the existing sewer lagoons as

required by the applicable Federal, state, and/or county regulations. Costs associated with renovation of the sewer lagoons for other uses shall not be included.

(5) Other costs of transitioning from the lagoons to the new facility.

(b) Bond Debt Service. The Bond Debt Service shall mean and include the amounts payable by LOGAN with respect to the following revenue bonds.

(1) Debt Service coverage requirements, debt service reserve fund deposits, and other amounts payable by LOGAN with respect to $3,355,000 in Revenue Bonds (as of 6/30/15) that have been issued by LOGAN and which relate to LOGAN's existing treatment facilities.

(2) Debt service payments, debt service reserve fund deposits, coverage requirements, and other amounts payable by LOGAN with respect to the revenue bonds that will be issued by LOGAN to provide funds with which to construct the Treatment Facility.

(c) Administrative Expenses. The Administrative expense shall be a reasonable allocation of costs incurred by LOGAN to support the operation of the Treatment Facility. The method of allocation shall be based on established accounting procedures and shall be the same as that used for other LOGAN departments.

(d) Transfer Fees. A Transfer Fee (calculated at 5.5% of estimated revenue) will be transferred from the Wastewater Enterprise Fund into the General Fund in accordance with Utah Law. The Transfer Fee is intended to compensate Logan City for the intangible risk and opportunity cost of providing wastewater treatment service to the contributing parties.

6. **Creation of Rate Committee**. There is hereby created a committee to be known as the "Regional Wastewater Treatment Rate Committee." Said committee is referred to in this Agreement as the "Rate Committee." The Rate Committee is formed by this Agreement pursuant to the provisions of Utah Code Annotated §11-13-101 et seq.

7. **Authority and Action of Rate Committee**. The rate committee shall meet at least once each year, but as often as needed to accomplish its purpose. The Committee shall:

(a) Confirm the votes allocated to the Members of the Rate Committee for that annual meeting pursuant to the procedure described in Section 11 of this Agreement.

(b) Yearly, elect the chair and other officers of the Rate Committee pursuant to Section 8(c) of this Agreement.

(c) Establish or modify bylaws as specified in Section 10 of this Agreement.

(d) Review the annual report prepared by LOGAN pursuant to Section 14 of this Agreement.

(e) Review LOGAN's explanation and accounting of Administration Expenses.

(f) As deemed necessary, select consultants to support User Rate analyses.

(g) Subject to the provisions of Section 5 of this Agreement the Rate Committee shall establish or reaffirm the Fiscal Year User Rate that will serve as the basis for monthly wastewater treatment bills charged to the Parties. The User Rate shall represent the unit cost of wastewater treatment by the Treatment Facility. User Charges will be calculated from the User Rate and the monthly Wastewater Loads of the Parties in order to ensure that each entity will pay its equitable share of wastewater treatment costs.

(h) At the request of a majority of the Contributing Parties, rates adopted by the Rate Committee shall be reviewed by an independent consultant selected by the Committee, as set forth in Section 11d, below. If the reviewer determines that the rates are not fair and equitable, the rates shall be revised to be fair and equitable prior to being imposed.

(i) Recommend the annual wastewater treatment operations budget to the Logan City Mayor.

(j) Take such actions as are necessary or expedient to carry out the intention of this Agreement. However, the Rate Committee shall have no powers other than those granted to it under this Agreement.

8. **Committee Membership**. Each Party shall have the power to appoint one member of the Rate Committee for so long as it is delivering wastewater to the Treatment Facility. Each such member is referred to as a "Member" of the Rate Committee.

(a) The Member representing a Party shall be designated and appointed by the duly constituted governing body of that Party. Such Member shall serve at the pleasure of the governing body of that Party, and each Party shall have the right to remove and replace the representative Member of that Party at any time. Initial appointments shall be made within thirty (30) days of the date of this Agreement, and each Party shall give written notice to the other Parties of the identity of the representative Member of that Party.

(b) In the event of the removal and/or resignation, death or incapacity of any Member, the governing body of the Party who appointed that Member shall designate and appoint a new representative Member for that Party to fill the vacancy, and shall give written notice to the other Parties of the identity of the replacement Member who represents the Party on the Rate Committee. All Members shall continue to serve until their respective successors are appointed.

(c) The Rate Committee shall select a chair, a vice-chair and other officers from among the Members, who shall serve until their successors are duly selected by the Members. The Chair and Vice Chair of the Committee shall rotate on an annual basis between LOGAN and the Contributing Parties. The Director of LOGAN's Environmental Department shall serve as the Secretary and as a technical advisor to the Rate Committee. The Secretary shall not have any votes with respect to actions taken or approved by the Rate Committee unless the Secretary is designated by LOGAN as its representative Member on the Rate Committee. The Secretary shall keep minutes of each regular and special meeting of the Rate committee and shall supply to each Member of the Rate Committee copies of those minutes as soon as reasonably possible after each such meeting.

9. **Meetings**. The Rate Committee shall meet as often as necessary to accomplish the business of the Committee. The annual meeting of the Rate Committee shall occur on the second Monday of January each year, or on such other date in a particular year as is determined by the Rate Committee. Any Member may call a special meeting of the Rate Committee at any time upon written notice to all of the Parties, which notice must be given not less than ten (10) days prior to the special meeting.

10. **Bylaws**. The Rate Committee shall establish bylaws, consistent with this Agreement, relating to the activities of the Parties in connection with this Agreement. Those bylaws shall be applied uniformly among all of the Parties.

11. **Voting**. Except as otherwise expressly provided in this Section or otherwise in this Agreement, actions by the Rate Committee shall be on the basis of a majority of the weighted votes allocated to the Members of the Rate Committee. In each fiscal year, each Member of the Rate Committee shall be allotted a number of votes in each fiscal year proportional to the "wastewater revenue" paid to the Treatment Facility by the Party represented by that Member during the prior fiscal year, and the number of votes shall be adjusted each fiscal year. There will be a total of 1000 votes, and the number of each Party's votes will be calculated as a percentage of Wastewater Revenue paid and multiplied by 1000. For purposes of vote allocation, the definition of "Wastewater Revenue" shall be determined by the Committee and may be revised. Until such time as Wastewater Revenue is defined and calculated for each Party, the percentage of annual revenue paid by each Party shall be the basis for apportioning the weighted votes of the Members of the Rate Committee.

(a) Weighted Votes. Initially, the votes of the Members representing the Parties on the Rate Committee shall be allocated as follows, using 2016 revenue data:

Party	2016 Revenue	Proportional Contribution	Number of Votes for 2017
LOGAN	$4,216,157.27	66.5%	665
SMITHFIELD	$398,337.17	6.3%	63
HYDE PARK	$260,873.43	4.1%	41
NORTH LOGAN	$737,548.63	11.6	116
RIVER HEIGHTS	$55,572.54	0.9%	9

PROVIDENCE	$431,445.90	6.8%	68
NIBLEY	$239,384.18	3.8%	38
TOTAL	$6,339,319.12	100%	1,000

(b) Adjustment of Votes. Each fiscal year, the number of votes allocated to each Member shall be adjusted. The number of votes allocated to each Party shall be based on the proportion to the total wastewater revenue paid to the Treatment Facility in the prior fiscal year by the Party represented by that Member, relative to the total wastewater revenue paid to the Treatment Facility by all of the Parties during that prior fiscal year.

(c) Quorum. Five (5) Members, who collectively represent Parties holding not less than sixty percent (60%) of the total votes, shall constitute a quorum for purposes of a meeting of the Rate Committee. No action may be taken by the Rate Committee except at a meeting at which a quorum is present.

(d) The selection of any consultant to provide services relating to the Rate Committee's authority shall require the vote of at least eighty percent (80%) of the Members of the Rate Setting Committee, including at least three of the Contributing Parties.

12. **Separate Metering**. To determine the allocation of User Charges that are to be proportionately allocated among the Parties, Contributing Parties will have separate flow meters and appropriate monitoring equipment installed, calibrated, maintained, and controlled to determine accurate flow and Wastewater Load delivered to the Treatment Facility by each Party. User charges applied to Logan shall be based on estimated flows.

(a) For purposes of this Agreement, Wastewater Load shall be defined by the Rate Committee.

(b) Wastewater Load will be measured monthly by LOGAN.

(c) The cost of installing calibrating, maintaining, and monitoring flow meters and associated equipment for measurement of the Participating Parties' wastewater contributions shall be a cost to the Contributing Parties.

(d) The flow meters and associated monitoring equipment shall be operated, calibrated and maintained by LOGAN in accordance with the equipment manufacturers' printed recommendations. The meters shall be periodically serviced at the Board's direction by an independent contractor approved by the Board.

13. **Wastewater Treatment Enterprise Fund**. Wastewater treatment User Charge amounts received from the Parties shall be deposited in the LOGAN Wastewater Treatment Enterprise Fund. It is acknowledged that a portion of the reserve funds in this account came from payments by the contributing parties. The Transfer Fee and the Administrative Expense portion will be transferred to

Logan's general fund in accordance with Utah law. The only funds transferred from the Wastewater Enterprise Fund shall be the Administrative Expense and Transfer Fee specified in Sections 5c and 5d.

14. **The Annual Report**. Before the next annual meeting of the Rate Committee, LOGAN shall supply to each of the Parties a written report containing the following information:

(a) An independent auditor's report and opinion on the accounting of the Operating Expenses and the reasonableness of the allocated administrative charges of the Treatment Facility incurred during the 12-month period ending on June 30.

(b) A report of the flow and Wastewater Load received from each of the Parties during the 12-month period.

(c) The current budget for the operation of the Treatment Facility.

(d) A detailed explanation and accounting of Administrative Expenses.

15. **Failure to Act by Rate Committee**. If the Rate Committee fails to exercise the rate-setting authority granted to it under this Agreement, LOGAN shall have the power and authority to set rates for treatment of wastewater at the Treatment Facility, after providing written notice to the Contributing Parties.

16. **Protection of Bond Covenants.** Nothing in this agreement shall limit the power of LOGAN to establish fees and charges for wastewater treatment services or to perform in a manner that will satisfy its bond covenants relating to all revenue bonds issued by LOGAN that are secured, in whole or in part, by LOGAN's wastewater collection and treatment system; provided, that the Contributing parties shall not be responsible for the payment of any operation and maintenance or debt service expenses for any bonds issued by LOGAN that do not relate to the wastewater treatment system.

17. **Withdrawal by a Contributing Party**. The Parties acknowledge that, if any Contributing Party were to disconnect from the Treatment Facility, that Contributing Party's share of the cost of the operation and maintenance of the Treatment Facility and the other amounts payable by the Parties would be shifted to the other Parties, potentially increasing the amounts payable by those other Parties. Disconnection from the Treatment Facility will be outlined in detail in each Party's specific Sewer Treatment Agreement with Logan. Therefore, the Parties hereby agree that:

(a) Withdrawal Notice. If a Contributing Party proposes to withdraw from participation in the Rate Setting Committee, it shall give written notice thereof to all of the other Parties.

(b) Effective Date. The effective date of a Contributing Party's disconnection from the Rate Setting Committee shall be the date indicated in the written notice, or if not specified shall be the date received by the Committee.

(c) In the event that a Contributing Party disconnects from the Treatment Facility, the Contributing Party's membership on the Rate Committee shall automatically terminate.

(d) The Parties acknowledge that early disconnection provisions and any equitable adjustments required in the event of early disconnection will be subject to additional conditions established in each Party's specific Sewer Treatment Agreement with LOGAN.

(e) Nothing in this section shall prevent the Parties from pursuing other remedies available to them by law.

18. **Representations of Parties**. Each Party hereby certifies, warrants and represents that (a) it has the power to enter into this Agreement and all necessary action of its city council to authorize the execution and delivery of this Agreement; and (b) this Agreement does not conflict with, and the execution and performance hereof by the Party, will not constitute a breach of or a default under any contract, lease, court order, administrative rule, regulation or law to which the Party or its properties or either of them are subject or by which it is bound.

19. **Default**. In the event any of any default in the performance of any obligation hereunder or any breach of any term hereunder by a Contributing Party, the other Parties shall be entitled, in addition to any other remedy that may be available hereunder or under applicable law, to recover from the defaulting Party the costs incurred by those other Parties in enforcing their rights hereunder or in seeking damages for any breach hereof, including reasonable attorneys' fees, whether such costs are incurred by litigation or otherwise. The remedies available under this Section shall be cumulative and in addition to any other remedies which may be available hereunder or under applicable law, and no election by any Party to exercise, modify or waive any remedy on any occasion shall be deemed to be an election to exercise, modify or waive the same or any other remedy on any other occasion. In the event of a material breach by a Contributing Party of this Agreement, the breaching Contributing Party shall have its Rate Committee membership suspended until the breach is cured. The determination of a "material breach" and the cure of said breach shall be made by the Rate Committee minus the participation of the alleged breaching Contributing Party.

20. **Amendment of Agreement**. It is the intention of the Parties that, if the Parties determine that this Agreement should be amended, an attempt shall be made to reach a consensus with respect to that amendment. However, this Agreement may be amended by a vote of at least eighty percent (80%) of the votes of the Members of the Rate Committee, including at least three of the Contributing Parties; provided, however, that (a) no such amendment shall impose upon any Party the obligation to pay fees and charges or other amounts in excess of the amounts described in this Agreement (unless that Party agrees to those additional amounts), and (b) unless LOGAN agrees otherwise, no such amendment shall amend or modify the protection of LOGAN's bond covenants set forth in Sections 5(b) and 16 of this Agreement.

21. **Assignment**. No Party shall have the authority to transfer or assign any of the rights or delegate any of the duties set forth in this Agreement without the prior written consent of all of the other Parties.

22. **Binding Effect**. This Agreement shall be binding upon each of the Parties hereto and their respective assigns and successors-in-interest.

23. **Severability**. It is hereby declared that all parts of this Agreement are severable, and if any section, paragraph, clause or provision of this Agreement shall, for any reason, be held to be invalid or unenforceable, the invalidity or unenforceability of that section, paragraph, clause or provision shall not affect the validity or enforceability of the remaining sections, paragraphs, clauses and provisions of this Agreement.

24. **Complete Agreement**. This Agreement constitutes the full and complete agreement by, between and among the Parties as to the matters covered hereby, and supersedes all prior oral or written agreements, representations, conversations and understandings of the Parties.

25. **Sewer Treatment Agreement**. This Agreement does not take the place of each Party's individual Sewer Treatment Agreement with Logan. However, each Party's individual agreement may not be contrary to what is in this Agreement.

26. **Governing Law**. This Agreement shall be governed by the laws of the State of Utah.

IN WITNESS WHEREOF, the Parties hereto have caused this Agreement to be executed by and through their duly authorized representatives on the date first above Written.

LOGAN CITY

By: ______________________________
Mayor

Attest:

____
City Recorder

CORPORATE SEAL OF LOGAN CITY, UTAH

Approved as to form:

____
Attorney for Logan City

SMITHFIELD CITY

By: ______________________________
Mayor

Attest:

City Recorder

Attest:

City Recorder

Attest:

City Recorder

Attest:

City Recorder

Attest:

Approved as to form:

Attorney for Smithfield City

HYDE PARK CITY

By: ______________________________
Mayor

Approved as to form:

Attorney for Hyde Park City

NORTH LOGAN CITY

By: ______________________________
Mayor

Approved as to form:

Attorney for North Logan City

RIVER HEIGHTS CITY

By: ______________________________
Mayor

Approved as to form

Attorney for River Heights City

PROVIDENCE CITY

By: ______________________________
Mayor

Approved as to form:

City Recorder

Attorney for Providence City

NIBLEY CITY

By: ______________________
Mayor

Attest:

Approved as to form:

City Recorder

Attorney for Nibley City

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Agenda Item #11

Description	**Workshop –** Discussion with Nibley Development LLC and Nelson Family Farms (Al Bingham) to discuss development goals in the area around 2600 South
Presenter	Councilmember Sweeten
Recommendation	Listen to the land-use desires of Nibley Development, discuss methods with existing ordinance or modified ordinance that might align with those land-use desires.
Reviewed By	Mayor, City Manager, Treasurer, Department Heads

This workshop is intended to be a group discussion with the intent of producing ideas and solving problems. The hope is for specific next steps, along with time frames to achieve those steps, to move forward on meeting expectations of Nibley Development, the Nelson Family, and Nibley City.

Nibley Development LLC and Nelson Family Farms own about 55 acres of land on Nibley City's west end of 2600 South. That land is currently zoned R-2, residential half-acre lots. The goal of this workshop is for Nibley City to better understand the future land-use desires of Nibley Development and the Nelson Family, and for Nibley City to weigh those desires against the General Plan and current ordinance. The goal is to offer ideas on how existing ordinance or modified ordinance might achieve the specified land-use desires of Nibley Development and the Nelson Family. Nibley City Staff will be available to participate in the discussion. The parties can also consider a different set of land-use desires within this discussion.

The discussion should be as specific as possible, without revealing details of potential businesses that might eventually develop or operate within the area. By specific, that means items such as the types of businesses if commercial, along with the amount of land desired for commercial uses, the desired densities if residential, along with the amount of land desired for specific density goals. The discussion should also include how the land-uses within the site will mesh with one another, and how the overall plan interfaces with the surrounding areas.

Agenda Item #12

Description	**Workshop –** Draft Interlocal Agreement for County and Municipal Solid Waste Disposal
Presenter	Mayor Jacobsen
Recommendation	Listen to presentation on waste collection status. Offer advice on preliminary Interlocal Agreement.
Reviewed By	Mayor, City Manager

Effective 1 June 2023, Logan City will terminate the contract to collect county-wide solid waste. The Cache County Attorney has offered his opinion that the capital assets developed under the solid waste contract, in place since 1973, are legally owned by Logan City. State legislation has raised questions about Logan City's ability to operate the recently developed north landfill without also providing landfill service for non-Logan entities. The Cache Mayors, excluding Logan, and including the Cache County Executive have been meeting to investigate a collective solid waste and landfill service. The near-term solution is likely a contract with a private company, and the long-term solution could include a Logan-excluded service area that would develop capital assets. For the private contract, an RFP will be offered with an expected return date of 1 August 2022. The near- and long-term approaches require an interlocal agreement that creates an entity to provide solid waste service. Over the next couple of months, the agreement creating that entity will be proposed, and a very preliminary version of the agreement is provided in this meeting's Agenda and Information Packet. If Nibley City wants to be a part of this service area, then we must to adopt the eventual Interlocal Agreement.

INTERLOCAL AGREEMENT BETWEEN CACHE COUNTY AND THE MUNICIPALTIES OF CACHE COUNTY FOR CREATION OF AN ENTITY FOR COUNTY AND MUNICIPAL SOLID WASTE DISPOSAL

THIS INTERLOCAL AGREEMENT (the "Interlocal Agreement") is made and entered into this ____ day of _______, 2022, by and between the undersigned Public Entities as set forth on the signature pages attached hereto for the creation, management, and administration of **The Cache County Solid Waste Disposal Group** (the "Group").

WITNESSETH:

WHEREAS, CACHE COUNTY is a political subdivision and County of the State of Utah, acting by and through its County Council, the governing body thereof (the "County"), and is vested with authority under the Solid Waste Management Act, at Utah Code section 19-6-503, to supervise and regulate the collection, transportation, and disposition of solid waste generated within its jurisdiction, and to provide a solid waste management facility to adequately handle solid waste generated or existing within or without its jurisdiction; and

WHEREAS, the several Municipalities of Cache County (the "Municipalities"), acting by and through their respective Town or City Councils are likewise vested with authority under the Solid Waste Management Act, at Utah Code section 19-6-503, to supervise and regulate the collection, transportation, and disposition of solid waste generated within their respective jurisdictions, and to provide a solid waste management facility to adequately handle solid waste generated or existing within or without their respective jurisdictions; and

WHEREAS, the purpose of Utah's Interlocal Cooperation Act is "to permit local governments to make the most efficient use of their powers by enabling them to cooperate with each other on a basis of mutual advantage and thereby to provide services and facilities in a manner and under forms of government organization that will accord best with geographic, economic, population and other factors influencing the needs and development of local communities" and "to provide the benefit of economy of scale . . . for the overall promotion of the general welfare of the state," Utah Code Section 11-13-102; and

WHEREAS, the Interlocal Cooperation Act therefore expressly permits "[a]ny power, privilege, or authority exercised or capable of exercise by a [local government to] be exercised and enjoyed jointly with any other [local government] having the same power, privilege, or authority," Utah Code Section 11-13-201; and

WHEREAS, the County and the Municipalities (the "Parties" and each individually as a "Party") have previously entered into interlocal agreements for the management of municipal solid waste from time to time; and

WHEREAS, the County and the Municipalities desire to continue to cooperate with each other in the management of municipal solid waste by creating an interlocal entity, The Cache County Integrated Solid Waste Disposal Group (the "Group"); and,

WHEREAS, the Parties wish to establish this Interlocal Agreement for the creation, management, and administration of the Group for the purpose of collecting taxes and fees, contracting with solid waste collection service providers, and setting policies and regulations for the same;

NOW, THEREFORE, in consideration of the foregoing, the Parties, intending to be legally bound and having authority under the Interlocal Cooperation Act, hereby agree that it is to their mutual advantage to adopt this Interlocal Agreement for the purposes of creating, managing, and administering the Cache County Integrated Solid Waste Disposal Group.

NOW THEREFORE THE SIGNATORY PARTIES OF THIS AGREEMENT AGREE AS FOLLOWS:

1) PURPOSE

The purpose and intent of this Interlocal Agreement is to facilitate the creation and establishment of an interlocal entity for the purpose of solid waste collection and processing within the specified area.

2) CREATION OF ENTITY

The interlocal entity "The Cache County Integrated Solid Waste Disposal Group" is hereby legally created and will be duly registered with the appropriate authorities by the Parties as soon as reasonably practicable.

3) GEOGRAPHICAL AREA INCLUDED IN THE DISTRICT

The geographic area to be included in the Group created by this Interlocal Agreement is the unincorporated area of Cache County and the areas contained in the Municipalities that are party to this Interlocal Agreement.

4) TERM OF AGREEMENT

The Group is hereby authorized to begin to exercise its powers under this agreement and provide services at the time this agreement is executed by Cache County and all of the municipalities in Cache County except Logan City. This Interlocal Agreement will terminate on December 31, 2030. This Interlocal Agreement will automatically renew, with no action required from the Parties, for an additional five-year term at each expiration date.

5) GOVERNING STRUCTURE

Composition

The business and affairs of the Group will be governed by the Governing Board of the Group (the "Board"). The Board will be composed of the following 9 members: 2 mayors from among the mayors of River Heights, Providence, Millville, Nibley, Hyrum, and Paradise; 2 mayors from among the mayors of North Logan, Hyde Park, Smithfield, Amalga, Richmond, and Lewiston; 2 mayors from among the mayors of Wellsville, Mendon, Newton, Clarkston, Trenton, and Cornish; 2 members of the Cache County Council; and the Cache County Executive. Board members who are mayors will be appointed by majority vote of the County Executive and all the mayors whose municipalities are Parties to this Interlocal Agreement. Board members who are members of the Cache County Council will be appointed by majority vote of the Cache County Council.

Board Member Terms

The initial Board members will begin their service when they are appointed as set forth in the "Composition" paragraph of this Section 5 of the Interlocal Agreement. Regardless of when the initial Board members are appointed, the length of the initial Board members' terms will be measured from January 1, 2023. In order for there to be staggered terms among Board members, at its first meeting the Board will determine by lot and in accordance with the following which initial Board members will serve a 1-year term and which initial Board members will serve a 2-year term: 1 of the 2 mayors initially appointed to the Board from among the mayors of River Heights, Providence, Millville, Nibley, Hyrum, and Paradise will serve a 1-year term and the other will serve a 2-year term; 1 of the 2 mayors initially appointed to the Board from among the mayors of North Logan, Hyde Park, Smithfield, Amalga, Richmond, and Lewiston will serve a 1-year term and the other will serve a 2-year term; 1 of the 2 mayors initially appointed to the Board from among the mayors of Wellsville, Mendon, Newton, Clarkston, Trenton, and Cornish will serve a 1-year term and the other will serve a 2-year term; and 1 of the 2 members of the Cache County Council initially appointed to the Board will serve a 1-year term and the other will serve a 2-year term. The Cache County Executive will serve an initial 2-year term.

A person may serve on the Board for an unlimited number of terms but may not serve consecutive terms. After the 1- or 2-year term of the initial Board members, anyone appointed to the Board will serve a 2-year term. Upon the expiration of a Board member's term, a replacement Board member will be appointed in the manner described in the "Composition" paragraph of this Section 5 of the Interlocal Agreement. If a Board member leaves elected office as mayor, county executive, or county council member prior to the expiration of his or her term on the Board, the person selected to replace the Board member as mayor, county executive, or county council member will fill the remainder of that Board member's term on the Board.

Officers

The Board's officers shall consist of a chair and vice chair. At the Board's first meeting of each calendar year, the members of the Board will nominate members to serve as chair and vice chair. Thereafter, by majority vote, the members of the Board will select from among those nominated a chair and vice chair for that year. The chair of the Board will conduct meetings and sign all documents authorized by the Board. If the chair is unavailable, the vice chair of the Board may conduct meetings and sign documents authorized by the Board. Clerk duties for the Board will be provided by an executive assistant appointed by the Board.

Quorum and Voting

A quorum of the Board will consist of not less than one half of the total members of the Board. Board members participating in a Board meeting electronically will count toward a quorum and deemed present at the meeting. If less than a majority of the members is present at a meeting of the Board, a majority of members present must adjourn the meeting until a quorum is present. The vote of a majority of members present at a meeting in which a quorum of members is present will be the act of the Board. No Board member may vote or otherwise act by proxy at any meeting of the Board.

Meetings

The Board will hold meetings as necessary, but must hold no fewer than two meetings per year. Board meetings will be open to the public to the extent required by Utah law governing open and public meetings.

Parliamentary Procedure

The current edition of Robert's Rules of Order will govern proceedings of the Board, subject to exceptions or special rules adopted by the Board.

6) POWERS OF THE GROUP

The Group is empowered to exercise, through its Board, the powers delegated to it by the Parties. The Parties agree and delegate to the Group the authority to do the following:

(1) Supervise and regulate the collection, transportation, and disposition of solid waste generated within the jurisdiction of each Party;

(2) Provide a solid waste management facility to adequately handle solid waste generated or existing within or without the jurisdiction of each Party;

(3) Assume, by agreement, responsibility for the collection and disposition of solid waste whether generated within or without its jurisdiction;

(4) Levy and collect a tax, fee, or charge or require a license as may be appropriate to discharge its responsibility for the acquisition, construction, operation, maintenance, and improvement of a solid waste management facility, including licensing a private collector operating within its jurisdiction;

(5) Require that solid waste generated within its jurisdiction be delivered to a solid waste management facility;

(6) Control the right to collect, transport, and dispose of solid waste generated within its jurisdiction;

(7) Agree that, according to Utah Code section 19-6-505, the exclusive right to collect, transport, and dispose of solid waste within its jurisdiction may be assumed by:

  a. another public entity;
  b. a private person; or
  c. a combination of persons;

(8) Accept and disburse funds derived from a federal or state grant, a private source, or money that may be appropriated by the Legislature for the acquisition, construction, ownership, operation, maintenance, and improvement of a solid waste management facility;

(9) Contract for the lease or purchase of land, a facility, or a vehicle for the operation of a solid waste management facility;

(10) Establish one or more policies for the operation of a solid waste management facility, including:

a. hours of operation;

b. character and kind of wastes accepted at a disposal site;

c. any other policy necessary for the safety of the operating personnel;

(11) Sell or contract for the sale, according to a short or long-term agreement, of usable material, energy, fuel, or heat separated, extracted, recycled, or recovered from solid waste in a solid waste management facility, on terms in its best interest;

(12) Pledge, assign, or otherwise convey as security for the payment of bonds, revenues and receipts derived from the sale or contract or from the operation and ownership of a solid waste management facility or an interest in it;

(13) Issue a bond according to Title 11, Chapter 14, Local Government Bonding Act;

(14) Issue industrial development revenue bonds according to Title 11, Chapter 17, Utah Industrial Facilities and Development Act, to pay the costs of financing a project consisting of a solid waste management facility on behalf of an entity that constitutes the users of a solid waste management facility project within the meaning of Section 11-17-2;

(15) Agree to construct and operate or to provide for the construction and operation of a solid waste management facility project, which project manages the solid waste of a public entity or private person, according to one or more contracts and other arrangements provided for in a proceeding according to which a bond is issued; and

(16) Issue a bond to pay the cost of establishing reserves to pay principal and interest on the bonds as provided for in the proceedings according to which the bonds are issued.

7) REGULATIONS AND POLICIES

The Board is empowered to create such regulations and policies as are necessary in the discharge of its purpose, operations, powers, and authority as set forth above. Policies and regulations shall be adopted or repealed as necessary during the regular meetings of the Board. Such regulations and policies duly adopted will be binding on

Group activities, the provision of waste collection services, and relations with contractors, employees, and the public.

8) BUDGETS

The fiscal period for the Group will be an annual period beginning on January 1 of each year and ending December 31 of the same calendar year. The Board must review, approve, and adopt the Group annual budget for the upcoming year no later than December 31 of each year. During the budget year, the Board may amend the budget in any regular meeting or special meeting called for that purpose.

9) NOTICE

Any notices or other documents permitted or required to be delivered pursuant to this Interlocal Agreement must be delivered to the County at the office of the County Executive and to the other Parties at the offices of their respective City or Town Mayors.

10) TERMINATION

Any Party may terminate its obligations under, and participation in, this Interlocal Agreement, with or without cause, at any time during the term of this Interlocal Agreement by delivering notice to the other Parties to the agreement. Written notice by any Party of the desire to withdraw from the agreement, or to otherwise renegotiate participation, must be made to the other Parties to the agreement no later than 180 days prior to the withdrawal date. Termination by one party will not affect the validity of this Interlocal Agreement as to the remaining parties. If a Party that withdraws from this Interlocal Agreement has a representative serving on the Board at the time of withdrawal, that representative will be deemed to have resigned from the Board at the time of withdrawal, and a new Board member from another Party will be appointed to fill out the remainder of the resigned Board member’s term.

11) SEVERABILITY

If any provision of this Interlocal Agreement is held invalid, the remainder of the agreement will not be affected thereby and all other parts of this agreement will nevertheless be in full force and effect.

12) PRIOR AGREEMENTS

This Interlocal Agreement is the entire agreement between the parties. It supersedes all previous oral and written presentations, understandings, and agreements between the Parties respecting the subject matter of this Interlocal Agreement.

13) ASSIGNMENT

No assignment, delegation, transfer, or novation of this Interlocal Agreement or part thereof may be made unless unanimously approved by the Parties.

14) AMENDMENT

This Interlocal Agreement may be amended only by a writing duly executed by the all of the Parties under the procedure outlined in Section 23 of this Interlocal Agreement.

15) CONSTRUCTION

This Interlocal Agreement will be governed by and construed in accordance with the laws of the State of Utah.

16) BOOKS AND RECORDS

The Parties shall have reasonable access to the books, records, and accounts of the Group, for the purpose of fulfilling any of their obligations under this Agreement. A duly executed copy of this Agreement shall be filed with the keeper of records of each Party, pursuant to Utah Code section 11-13-209.

17) FILING

This Interlocal Agreement and any subsequent amendments hereto will be filed by Cache County with the Cache County Clerk and by the other Parties with their respective City or Town Clerks.

18) INDEMNIFICATION

Each Party agrees to indemnify and hold the other Parties harmless from and against any and all claims, demands, losses, causes of action, damages, lawsuits, and judgments, including attorney's fees and costs, to the extent that such are caused by or arise out of or relate to its own work, errors, omissions, and/or operations. The Parties agree that by execution of this Interlocal Agreement none of them will be deemed to have waived their statutory defenses of sovereign immunity, nor increased their limits of liability as provided for under Utah law.

19) RESERVATION OF RIGHTS

Nothing in this Interlocal Agreement will be deemed or interpreted to prohibit, preclude, or otherwise pre-empt the Parties' rights or abilities to take any lawfully available actions to provide funding, or other support for the Group.

20) DEFAULT

If a Party breaches the terms of this Agreement, the Board may provide written notice of the default, in accordance with the Notice requirements described above. If the breaching Party does not cure the default within 30 days from the date the notice is sent, the Group may terminate this Agreement as to the breaching Party and recover all costs and damages resulting from the breach of this Agreement. Any outstanding funds owed to the breaching Party may be used to offset the damages and costs incurred by the Group. The right to offset is not intended to limit the Group's right to any other remedy available in law or equity.

Failure of the Group to exercise its rights in the event of any breach by a Party will not constitute a waiver of such rights. Nothing in this Interlocal Agreement may be construed to create a cause of action for consequential damages for delay.

21) PROPERTY OWNERSHIP

The Group is authorized to acquire real and personal property in its own name pursuant to Section 6 above. The Group's acquisition of property is not a joint acquisition of property by the Parties to this Interlocal Agreement. No real or personal property will be acquired jointly by the Parties because of this Interlocal Agreement.

22) APPROVAL

Each respective Party's participation in this Interlocal Agreement is conditioned upon the approval and execution of this agreement by the Party pursuant to and in accordance with the provisions of the Interlocal Cooperation Act, including the adoption of resolutions of approval, but only if such resolutions of the legislative bodies of the Parties are required by the Interlocal Cooperation Act. In accordance with Utah Code section 11-13-202.5(3), this Interlocal Agreement must be submitted to the attorney authorized to represent each respective Party for review as to proper form and compliance with applicable law before this Interlocal Agreement may take effect.

IN WITNESS WHEREOF, each party has executed this agreement on the respective signature page of that Party as of the date specified in the signature block.

CACHE COUNTY

Approved as to form and as compatible with State Law:

Cache County Executive, David Zook	Date
Legal Counsel	Date
Clerk	Date

ATTEST:

TOWN OF AMALGA

Approved as to form and as compatible with State Law:

Mayor, David Wood	Date
Legal Counsel	Date
Clerk	Date

ATTEST:

TOWN OF CLARKSTON

Approved as to form and as compatible with State Law:

Mayor, Craig Hidalgo Date

Legal Counsel Date

Clerk Date

ATTEST:

TOWN OF CORNISH

Approved as to form and as compatible with State Law:

Mayor, Matt Leak	Date
Legal Counsel	Date
Clerk	Date

ATTEST:

CITY OF HYDE PARK

Approved as to form and as compatible with State Law:

Mayor, Bryan Cox	Date
Legal Counsel	Date
Clerk	Date

ATTEST:

CITY OF HYRUM

Approved as to form and as compatible with State Law:

Mayor, Stephanie Miller	Date
Legal Counsel	Date
Clerk	Date

ATTEST:

CITY OF LEWISTON

Approved as to form and as compatible with State Law:

Mayor, Jeff W. Hall Date

Legal Counsel Date

Clerk Date

ATTEST:

CITY OF MENDON

Approved as to form and as compatible with State Law:

Mayor, Ed Buist	Date
Legal Counsel	Date
Clerk	Date

ATTEST:

CITY OF MILLVILLE

Approved as to form and as compatible with State Law:

Mayor, David Hair Date

Legal Counsel Date

Clerk Date

ATTEST:

TOWN OF NEWTON

Approved as to form and as compatible with State Law:

Mayor, Mike Benson	Date
Legal Counsel	Date
Clerk	Date

ATTEST:

CITY OF NIBLEY

Approved as to form and as compatible with State Law:

Mayor, Larry Jacobsen Date

Legal Counsel Date

Clerk Date

ATTEST:

CITY OF NORTH LOGAN

Approved as to form and as compatible with State Law:

Mayor, Lyndsay Peterson Date

Legal Counsel Date

Clerk Date

ATTEST:

TOWN OF PARADISE

Approved as to form and as compatible with State Law:

Mayor, Vic Little	Date
Legal Counsel	Date
Clerk	Date

ATTEST:

CITY OF PROVIDENCE

Approved as to form and as compatible with State Law:

Mayor, Kathleen Willardson Alder	Date
Legal Counsel	Date
Clerk	Date

ATTEST:

CITY OF RICHMOND

Approved as to form and as compatible with State Law:

Mayor, Paul J Erickson	Date
Legal Counsel	Date
Clerk	Date

ATTEST:

CITY OF RIVER HEIGHTS

Approved as to form and as compatible with State Law:

Mayor, Jason E Thompson Date

Legal Counsel Date

Clerk Date

ATTEST:

CITY OF SMITHFIELD

Approved as to form and as compatible with State Law:

Mayor, Kris Monson	Date
Legal Counsel	Date
Clerk	Date

ATTEST:

TOWN OF TRENTON

Approved as to form and as compatible with State Law:

Mayor, Lynn G. Payne	Date
Legal Counsel	Date
Clerk	Date

ATTEST:

CITY OF WELLSVILLE

Approved as to form and as compatible with State Law:

Mayor, Thomas Bailey	Date
Legal Counsel	Date
Clerk	Date

ATTEST: