

APPROVED

CACHE COUNTY COUNCIL

December 6, 2022 at 5:00 p.m. - Cache County Chamber at 199 North Main, Logan, Utah.

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

MEMBERS PRESENT: Chair Barbara Tidwell, Vice Chair Paul Borup, Councilmember Nolan Gunnell, Councilmember Gina Worthen, Councilmember Karl Ward, Councilmember David Erickson, Councilmember Gordon Zilles

MEMEBERS EXCUSED:

STAFF PRESENT: County David Zook, Interim County Attorney Dane Murray, Sheriff Chad Jensen Finance Director Cameron Jensen, HR Director Amy Adams, Bartt Nelson

OTHER ATTENDENCE: Michelle Watkins, Lyndsay Peterson

Council Meeting

1. Call to Order 5:00p.m. – Chair Barbara Tidwell

2. Opening Remarks and Pledge of Allegiance – County Executive David Zook [0:21](#)

3. Review and Approval of Agenda APPROVED [2:13](#)

Action: Motion made by Paul Borup to amend the agenda to remove 10A and postpone indefinitely; seconded by Gina Worthen [8:10](#)

Motion passes.

Aye: 7 Barbara Tidwell, Nolan Gunnell, Paul Borup, Gina Worthen, Karl Ward, David Erickson, Gordon Zilles

Nay: 0

Absent:

Action: Motion made by Karl Ward to amend the agenda to move 6B to the next meeting; seconded by Gordon Zilles [8:26](#)

Motion fails.

Aye: 3 Barbara Tidwell, Karl Ward, Gordon Zilles

Nay: 4 Nolan Gunnell, Paul Borup, Gina Worthen, David Erickson

Absent:

Action: Motion made by Paul Borup to approve the agenda as amended; seconded by Gina Worthen [11:50](#)

Motion passes.

Aye: 5 Nolan Gunnell, Paul Borup, Gina Worthen, David Erickson, Gordon Zilles

Nay: 2 Barbara Tidwell, Karl Ward

Absent:

4. Review and Approval of Minutes APPROVED [12:24](#)

Action: Motion made by Gina Worthen to approve the minutes as amended; seconded by Karl Ward [12:58](#)

Motion passes.

Aye: 7 Barbara Tidwell, Nolan Gunnell, Paul Borup, Gina Worthen, Karl Ward, David Erickson, Gordon Zilles

Nay: 0

Absent:

5. Report of the County Executive [13:47](#)

6. Items of Special Interest [18:28](#)

a. Consideration of 2023 Sheriff's Office Fee Schedule [18:37](#)

b. Discussion of the County Clerk/Auditor's move to part-time [22:28](#) & [39:06](#)

7. Department or Committee Reports

8. Board of Equalization Matters

9. Public Hearings [32:31](#)

a. Set a Public Hearing for December 13 2022 – Ordinance 2022-28 [32:39](#)

A comprehensive amendment to the Cache County General Plan including the Regional Collaboration Plan and Urban and Rural Area Assessment (URAA) / Cost of Services (COS) Plan appendices / plan elements

Action: Motion made by Gina Worthen to set a public hearing for Ordinance 2022-28; Seconded by Dave Erickson [33:08](#)

Motion passes.

Aye: 7 Barbara Tidwell, Nolan Gunnell, Paul Borup, Gina Worthen, Karl Ward, David Erickson, Gordon Zilles

Nay: 0

Absent:

b. Public Hearing – Ordinance 2022-33 Sand Castle Ranch Rezone [33:37](#)

A request to rezone 5.0 acres from the Agricultural (A10) Zone to the Rural 2 (RU2) Zone, located at 420 South 3200 West, near Logan

Action: Motion made by Dave Erickson to close the public hearing; Seconded by Gina Worthen [36:18](#)

Motion passes.

Aye: 7 Barbara Tidwell, Nolan Gunnell, Paul Borup, Gina Worthen, Karl Ward, David Erickson, Gordon Zilles

Nay: 0

Absent:

c. Public Hearing – Resolution 2022-32 [36:37](#)

Approving the appointment of a representative to the Avon Cemetery District Board of Trustees

Action: Motion made by Dave Erickson to close the public hearing; Seconded by Nolan Gunnell [38:45](#)

Motion passes.

Aye: 7 Barbara Tidwell, Nolan Gunnell, Paul Borup, Gina Worthen, Karl Ward, David Erickson, Gordon Zilles

Nay: 0

Absent:

10. Pending Action [1:00:19](#)

a. Ordinance 2022-32

Was removed from the agenda and tabled indefinitely [8:10](#)

b. Resolution 2022-28 APPROVED [1:00:25](#) ATTACHMENT 1

A Resolution Establishing County Policy on Supporting Local Non-profit Organizations

Action: Motion made by Gina Worthen to substitute Resolution 2022-28 second amended in place of the first amended; Seconded by Paul Borup [1:01:07](#)

Motion passes.

Aye: 7 Barbara Tidwell, Nolan Gunnell, Paul Borup, Gina Worthen, Karl Ward, David Erickson, Gordon Zilles

Nay: 0

Absent:

Action: Motion made by Gina Worthen to approve second amended Resolution 2022-28; Seconded by Paul Borup [1:01:38](#)

Motion passes.

Aye: 7 Barbara Tidwell, Nolan Gunnell, Paul Borup, Gina Worthen, Karl Ward, David Erickson, Gordon Zilles

Nay: 0

Absent:

11. Initial Proposals for Consideration of Action [1:03:34](#)

a. Ordinance 2022-33 Sand Castle Ranch Rezone APPROVED [1:03:41](#) ATTACHMENT 2

A request to rezone 5.0 acres from the Agricultural (A10) Zone to the Rural 2 (RU2) Zone, located at 420 South 3200 West, near Logan

Action: Motion made by Karl Ward to waive the rules and approve Ordinance 2022-33; Seconded by Dave Erickson [1:03:59](#)

Motion passes.

Aye: 7 Barbara Tidwell, Nolan Gunnell, Paul Borup, Gina Worthen, Karl Ward, David Erickson, Gordon Zilles

Nay: 0

Absent:

b. Ordinance 2022-36 APPROVED [1:04:38](#) ATTACHMENT 3

An Ordinance amending Section 2.08 of the Cache County Code

Action: Motion made by Gina Worthen to amend the wording and change the word revert to convert; seconded by Paul Borup [1:09:51](#)

Motion passes.

Aye: 7 Barbara Tidwell, Nolan Gunnell, Paul Borup, Gina Worthen, Karl Ward, David Erickson, Gordon Zilles

Nay: 0

Absent:

Action: Motion made by Councilmember Gina Worthen to amend Ordinance 2022-36; seconded by Councilmember Dave Erickson [1:16:18](#)

Motion passes.

Aye: 7 Barbara Tidwell, Nolan Gunnell, Paul Borup, Gina Worthen, Karl Ward, David Erickson, Gordon Zilles

Nay: 0

Absent:

Action: Motion made by Councilmember Gina Worthen to waive the rules and approve Ordinance 2022-36; seconded by Councilmember Paul Borup [1:17:58](#)

Motion passes.

Aye: 7 Barbara Tidwell, Nolan Gunnell, Paul Borup, Gina Worthen, Karl Ward, David Erickson, Gordon Zilles

Nay: 0

Absent:

c. Resolution 2022-32 APPROVED [1:18:27](#) ATTACHMENT 4

A Resolution approving the appointment of a representative to the Board of Trustees for the Avon Cemetery District

Action: Motion made by Dave Erickson to waive the rules and approve Resolution 2022-32 and appointment of Michelle Watkins to the Avon Cemetery District Board of Trustees; seconded by Gordon Zilles [1:18:45](#)

Motion passes.

Aye: 7 Barbara Tidwell, Nolan Gunnell, Paul Borup, Gina Worthen, Karl Ward, David Erickson, Gordon Zilles

Nay: 0

Absent:

d. Resolution 2022-33 APPROVED [1:19:32](#) ATTACHMENT 5

A Resolution establishing a Council Special Audit Committee

Action: Motion made by Gina Worthen to waive the rules and approve Resolution 2022-33; seconded by Dave Erickson [1:21:01](#)

Aye: 7 Barbara Tidwell, Nolan Gunnell, Paul Borup, Gina Worthen, Karl Ward, David Erickson, Gordon Zilles

Nay: 0

Absent:

12. Cache County Service Area No. 1 Board of Trustees [1:21:30](#)

Action: Motion made by Dave Erickson to enter in as the Cache County Service Area No. 1 Board of Trustees; seconded by Nolan Gunnell [1:21:33](#)

Aye: 7 Barbara Tidwell, Nolan Gunnell, Paul Borup, Gina Worthen, Karl Ward, David Erickson, Gordon Zilles

Nay: 0

Absent:

a. Memorandum of Understanding between Logan City and Cache County Service Area No. 1 [1:22:25](#)

Action: Motion made by Karl Ward to approve the Memorandum of Understanding between Logan City and Cache County Service Area No. 1; Motion dies with a lack of second.

Action: Motion made by Nolan Gunnell to leave the Cache County Service Area No. 1 Board of Trustees; seconded by Dave Erickson [1:52:42](#)

Aye: 7 Barbara Tidwell, Nolan Gunnell, Paul Borup, Gina Worthen, Karl Ward, David Erickson, Gordon Zilles

Nay: 0

Absent:

13. Other Business [1:52:56](#)

a. Outgoing Council Members Open House: Tuesday, December 13, 2022 at 4:00 in the County Council Chambers

b. Swearing-In Ceremony for Newly Elected Officer: Tuesday, January 3, 2023 at 12:00 noon in the County Council Chambers

14. Councilmember Reports [1:54:07](#)

David Erickson – No Report

Gordon Zilles – No Report

Karl Ward – No report

Barbara Tidwell – No Report

Paul Borup – No Report

Nolan Gunnell – Reported on the council gifts to the planning and zoning commission.

Gina Worthen – No Report

15. EXECUTIVE SESSION - Utah Code 52-4-205(1)(a) – Discussion of the character, professional competence, or physical or mental health of an individual [1:54:58](#) **ATTACHMENT 6**

Action: Motion made by Gordon Zilles to move into Executive Session; seconded by Councilmember Nolan Gunnell [1:55:02](#)

Motion passes.

Aye: 7 Barbara Tidwell, Nolan Gunnell, Paul Borup, Gina Worthen, Karl Ward, David Erickson, Gordon Zilles

Nay: 0

Absent:

Action: Motion made by Karl Ward to adjourn out of Executive Session; seconded by Paul Borup

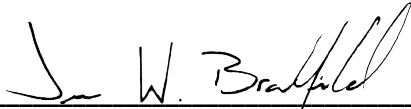
Motion passes.

Aye: 7 Barbara Tidwell, Nolan Gunnell, Paul Borup, Gina Worthen, Karl Ward, David Erickson, Gordon Zilles

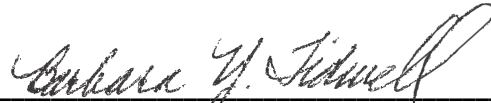
Nay: 0

Absent:

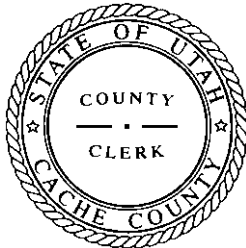
Adjourn: 7:30 PM



ATTEST: Jess W. Bradfield
County Clerk/Auditor



APPROVAL: Barbara Tidwell
Chair



**CACHE COUNTY COUNCIL MEETING
DECEMBER 6, 2022**

ATTACHMENT 1

2nd Amended
CACHE COUNTY
RESOLUTION 2022-28
A RESOLUTION ESTABLISHING COUNTY POLICY ON SUPPORTING
LOCAL NONPROFIT ORGANIZATIONS

WHEREAS, the Cache County Council recognizes the significant and important contribution of local nonprofit and volunteer organizations that provide social services in Cache County; and

WHEREAS, because these services are not provided by government, these organizations save taxpayers money; and

WHEREAS, the contributions of these organizations strengthen the community; and

WHEREAS, local social services nonprofits specialize in providing for specific and complex needs of residents, and some organizations have served the community for more than 20 years; and

WHEREAS, these organizations provide services based on relationships of trust with clients, and many clients will not seek help from government affiliated agencies; and

WHEREAS, nonprofit organizations have formalized and well-established systems in place to coordinate with each other, with government agencies, and with service providers;

NOW, THEREFORE BE IT RESOLVED that the Cache County Council establishes the following County policy:

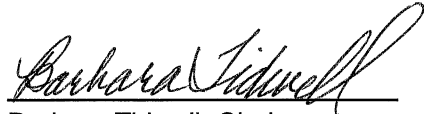
County Support of Nonprofit Organizations

1. Cache County shall not establish programs or services that compete with non-profit organizations which are designated by the Internal Revenue Service to be tax-exempt under section 501(c)(3) of the Internal Revenue Code.
2. Cache County shall keep an ongoing dialogue with social services nonprofits to understand community needs and available services, even if there is no forthcoming funding.
3. No remuneration or privileges of any kind shall be expected or given to any county officer, employee, or county elected official due to donations given to non-profit or volunteer organizations.

This resolution shall take effect immediately upon adoption.

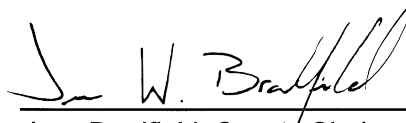
Resolved this 6th day of December, 2022

COUNTY COUNCIL:

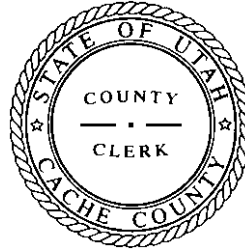


Barbara Tidwell, Chair

ATTEST:



Jess Bradfield, County Clerk



Redline version:

County Support of Nonprofit Organizations

1. Cache County shall not establish programs or services that compete with non-profit organizations which are designated by the Internal Revenue Service to be tax-exempt under section 501(c)(3) of the Internal Revenue Code.

2. Cache County shall keep an ongoing dialogue with social services nonprofits to understand community needs and available services, even if there is no forthcoming funding.

~~3. Cache County may support 501(c)(3) nonprofits with funding or with in-kind donations. All such support will be conducted in an open and fair manner, with equal opportunity to and input from all nonprofits.~~

4. 3. No remuneration or privileges of any kind shall be expected or given to any county officer, employee, or county elected official due to donations given to non-profit or volunteer organizations.

**CACHE COUNTY COUNCIL MEETING
DECEMBER 6, 2022**

ATTACHMENT 2

Ordinance No. 2022-33
Cache County, Utah
Sand Castle Ranch Rezone

An ordinance amending the County Zoning Map by rezoning 5.0 acres from the Agricultural (A10) Zone to the Rural 2 (RU2) Zone

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

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

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

Whereas, on November 3, 2022, the Planning Commission held a public hearing, accepted all comments, and recommended the approval of the proposed amendments to the County Council for final action; and

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

Whereas, following proper notice, the County Council held a public hearing on December 6, 2022, to consider any comments regarding the proposed rezone. The County Council accepted all comments; and

Whereas, the Cache County Council has determined that it is both necessary and appropriate for the County to amend and implement this ordinance.

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

1. Statutory Authority

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

2. Adoption of amended Zoning Map

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

3. Conclusions

- A. The location of the subject property is compatible with the purpose of the Rural 2 (RU2) Zone as identified under §17.08.030[A] of the Cache County Code as it:
- i. To allow for residential development in a moderately dense pattern that can allow for rural subdivisions, and to allow for clustering plans larger than a single parcel. This type of development should be located and designed to not unreasonably impede adjacent agricultural uses, nor to unreasonably conflict with the development standards of adjacent municipalities.
 - ii. Does not unreasonably impede adjacent agricultural uses, nor unreasonably conflict with the development standards of adjacent communities.
 - iii. The property is appropriately served by a suitable public road, 3200 West, has access to necessary water and utilities, and adequate provision of public services.
- B. The location of the subject property is not located adjacent to a municipal boundary, but is located within close proximity to other properties in the RU2 Zone and is consistent with the character and development pattern in the surrounding area.

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

This ordinance amends and supersedes the Zoning Map of Cache County, and all prior ordinances, resolutions, policies, and actions of the Cache County Council to the extent that the provisions of such prior ordinances, resolutions, policies, or actions are in conflict with this ordinance. In all other respects, such prior ordinances, resolutions, policies, and actions shall remain in full force and effect.

5. Exhibits

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

6. Effective date

This ordinance takes effect on December 20, 2022. Following its passage but prior to the effective date, a copy of the ordinance shall be deposited with the County Clerk and a short summary of the ordinance shall be published in a newspaper of general circulation within the County as required by law.

7. Council Vote and Final Action

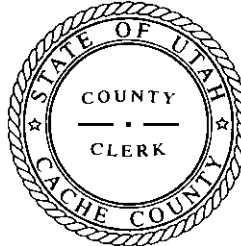
Date: <u>12/6/22</u>	<u>Council Votes</u>			
<u>Council members</u>	In Favor	Against	Abstain	Absent
Paul Borup	✓			
Dave Erickson	✓			
Nolan Gunnell	✓			
Barbara Tidwell	✓			
Karl Ward	✓			
Gina Worthen	✓			
Gordon Zilles	✓			
Total:	7			
Final action:	<u>7</u> Adopt _____ Reject			

Cache County Council:

Barbara Tidwell
Barbara Tidwell, Chair

Attest:

Jess W. Bradfield
Jess Bradfield, Clerk
Cache County



Action of the County Executive

Regarding Ordinance 2022-23, the William Cody Pitcher Rezone

Approve

Disapprove (A Statement of Objection is attached)



David Zook, Executive
Cache County

12/8/22
Date



Development Services Department

Building | GIS | Planning & Zoning

Staff Report: Sand Castle Ranch Rezone

3 November 2022

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

Agent: Christopher Sands
Staff Recommendation: None
Type of Action: Legislative
Land Use Authority: Cache County Council

Parcel ID#: 11-002-0024

Location

Reviewed by Angie Zetterquist

Project Address:
420 South 3200 West
near Logan

Acres: 5.0

Surrounding Uses:

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

Current Zoning:
Agricultural (A10)

Proposed Zoning:
Rural 2 (RU2)



Findings of Fact

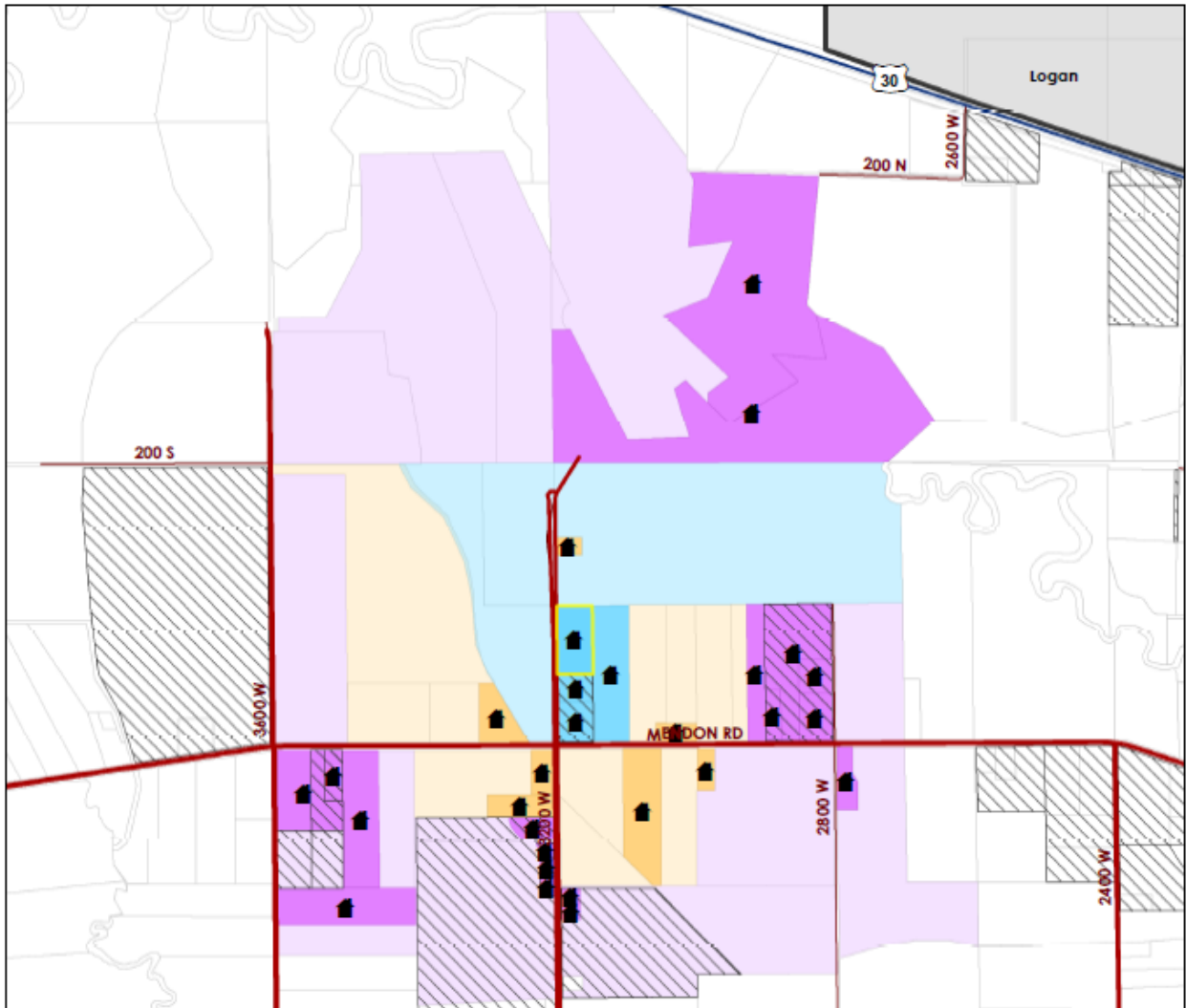
A. Request description

- 1. A request to rezone 5.0 acres from the Agricultural (A10) Zone to the Rural 2 (RU2) Zone.
2. This rezone may allow the parcel to be legally divided into a maximum potential of 2 separate lots as part of a subdivision process. The current A10 Zone allows for a maximum of 1 buildable lot.
3. Staff has identified general information as pertains to the subject property to assist the Planning Commission and County Council in arriving at a decision. This information is reflected in the attached map (Attachment A) and in the following text:

Exhibit A

a. Land Use Context:

- i. Parcel status: The subject properties are legal as it is in the same size and configuration as it was on August 6, 2008.
- ii. Average Lot Size: (See Attachment A)



Average Parcel Size	
Adjacent Parcels	With a Home: 4.9 Acres (4 Parcels)
	Without a Home: 48.6 Acres (3 Parcels)
1/4 Mile Buffer	With a Home: 3.9 Acres (11 Parcels)
	Without a Home: 20.5 Acres (14 Parcels)
1/2 Mile Buffer	With a Home: 7.5 Acres (29 Parcels)
	Without a Home: 26.3 Acres (30 Parcels)

The proposed RU2 zone allows a maximum density of 1 lot for every 2 acres, whereas the current A10 zone allows a maximum density of 1 lot for every 10 acres. With approximately 5.0 acres of property, the subject property cannot be further divided under the current A10 Zone standards. A rezone to RU2 may allow up to a maximum potential of 2 buildable lots, including one lot with the existing single-family dwelling.

- iii. **Schedule of Zoning Uses:** Under the current County Land Use Ordinance, the RU2 Zone is more restrictive in the uses allowed when compared to the Agricultural (A10) Zone. There are no uses that are allowed as a permitted or conditional use within the RU2 Zone that are not allowed as a permitted or conditional use within the A10 Zone. The following uses are conditional uses in the A10 Zone but are not allowed in the RU2 Zone:
 - Agricultural Manufacturing
 - Recreational Facility
 - Cemetery
 - Private Airport
 - Concentrated Animal Feed Operation
 - Livestock Auction Facility
 - Topsoil Extraction
- iv. **Adjacent uses:** The properties adjacent to the subject rezone are primarily used for agriculture with a few single family dwellings. The closest Logan City boundary is located approximately 1.4 miles east of the subject property along 600 South; and the closest Mendon City boundary is located approximately 3.15 miles to the west of the subject property along 600 South.
- v. **Annexation Areas:** The subject property is located within the Logan City future annexation area. Logan City was notified of the proposed rezone as part of the noticing requirements, but have not provided written comments to staff as of the preparation of this staff report.
- vi. **Zone Placement:** As identified by the Planning Commission and the County Council at the time the RU2 Zone was adopted, the intended/anticipated placement of this zone was in areas of the unincorporated county adjacent to municipalities. The nearest RU2 zone is immediately to the subject property on the south side at the corner of 600 South and 3200 West. This RU2 Zone was approved as the Whittier Rezone on 5.0 acres in 2016 per Ordinance 2016-01. The Whittier Subdivision was subsequently approved as a 2-lot subdivision in 2016. The next closest RU2 Rezone, approximately 1.85 miles away from the subject property as the crow flies, was approved in 2013, per Ordinance 2013-10, as the Daus Minor Subdivision Rezone. The original Daus Minor Subdivision was approved in 2000 as a 3-lot subdivision on 12.8 acres in the Agricultural Zone under a different subdivision code that allowed for a higher density. After the 2013 rezone was approved, a subdivision amendment was recorded in 2014 creating a 4th lot within the subdivision; no additional lots have been created since then. The next closest RU2 Rezones are located along the eastern (i.e., Mountain View Rezone (2021-08)) and south-eastern municipal boundaries of Mendon City (i.e., Mountain View Meadow Rezone (2018-13), Christy Rezone (2021-17) & Christy Farm Rezone (2022-15). The Mountain View Rezone was approved on 6.7 acres allowing a maximum of 3 building lots; a 3-lot subdivision has been approved but has not yet been recorded. The Mountain View Meadows Rezone was approved on 6.3

acres and a 3-lot subdivision was recorded in 2019. Christy Rezone was approved on 5.0 acres immediately west of the Mountain View Meadows Rezone as Ordinance 2021-17 allowing a maximum of 2 building lots instead of one under the A10 Zone; a subdivision application has not been submitted to date. The other RU2 Rezone on the south side of 2000 South across from the Christy Rezone was approved earlier this year as Ordinance 2022-15 on 7.41 acres allowing a maximum of 3 lots instead of one.

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

4. As per §17.02.060, Establishment of Land Use Authority, the County Council is authorized to act as the Land Use Authority for this application.
5. The current County Land Use Ordinance does not specify appropriate locations for the Rural 2 (RU2) Zone but does contain possible guidelines for its implementation. County Land Use Ordinance §17.08.030 [B] [1] identifies the purpose of the RU2 Zone and includes the following:
 - a. “To allow for residential development in a moderately dense pattern that can allow for rural subdivisions, and to allow for clustering plans larger than a single parcel. This type of development should be located and designed to not unreasonably impede adjacent agricultural uses, nor to unreasonably conflict with the development standards of adjacent municipalities.
 - b. To implement the policies of the Cache Countywide Comprehensive Plan, including those regarding improved roadways, density based residential standards, clustering, moderate income housing and municipal standards.
 - c. This zone must be appropriately served by suitable public roads, have access to the necessary water and utilities, and have adequate provision of public services.”
6. Consideration of impacts related to uses allowed within the RU2 Zone will be addressed as part of each respective approval process required prior to site development activities.

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

7. §16.02.010 Standards and Lot Size – All subdivisions must meet the minimum lot and development standards as outlined in each base zone of the Cache County Zoning Ordinance and within this title.
8. Table 17.10.040 Site Development Standards – Minimum lot frontage required in the RU2 Zone is 90 feet.
9. §17.07.040 General Definitions – Lot/Parcel Frontage: that portion of a development site that abuts a public or private roadway. For the purposes of determining setback requirements on corner lots, all sides of a lot adjacent to a roadway shall be considered frontage
10. §16.04.040 [A] Roads – All roads must be designed and constructed in accordance with Title 12 of the County Code.
11. §12.02.010 Roadway Standards – Requirements for roadway improvement are provided in the current Manual of Roadway Design and Construction Standards (Road Manual).
12. A basic review of the access to the subject property identifies the following:
 - a. Primary access to the subject property is from 3200 West, a County road.
13. 3200 West:
 - a. Is an existing county facility that provides to a few residential dwellings, agricultural lands, and a farm.
 - b. Is classified as a Minor Local Road.
 - c. Is paved (i.e., double chip) and is approximately 17-18 feet wide.
 - d. Road is currently a dead end that meanders through a farm operation.

- e. Is maintained year round by the County.
- f. Future development will require road improvements along the frontage of the property at a minimum to meet the Minor Local Road Standards. The property to the west is in an Agricultural Protection Area, which may affect the ability to improve or expand the road.
- g. A draft Transportation Master Plan is considering 3200 West as a collector type road direct access to State Route 30.
- h. Is considered substandard as to standards of a Minor Local Road standard as to right-of-way, travel lane width, paved and gravel shoulder widths, and clear zones. The paved surface material is considered “OK” and the structural condition is “Fair”, per the County Engineer’s review.

D. Service Provisions:

- 14. §16.04.080 [C] Fire Control – The County Fire District had no comments on the rezone. Future access must be reevaluated and may require improvements based on the location of any proposed structure on lots created through a subdivision process.
- 15. §16.04.080 [F] Solid Waste Disposal – Logan City Environmental provides refuse collection in this area and states refuse containers must be placed on 3200 West for collection. The specific collection location and further requirements will be reevaluated based on any future development.

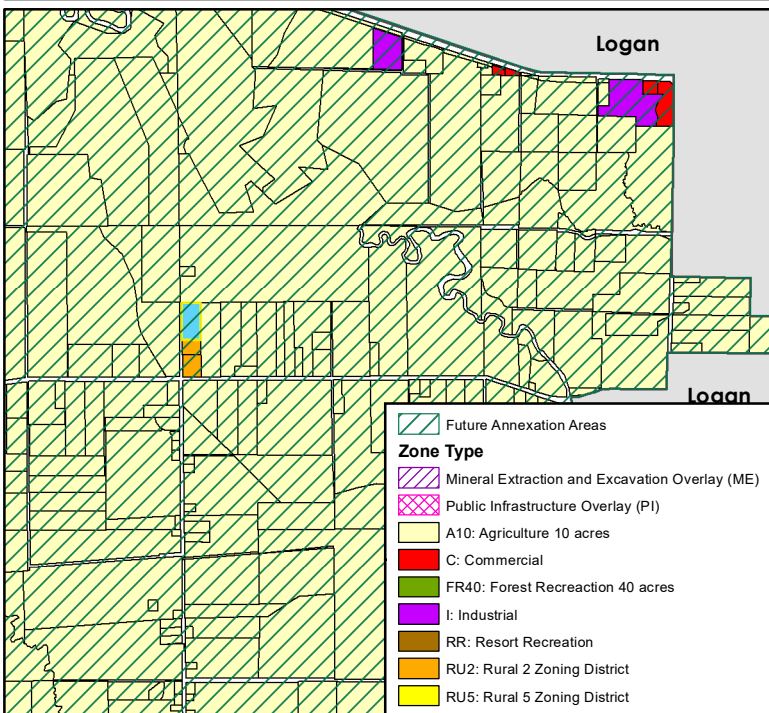
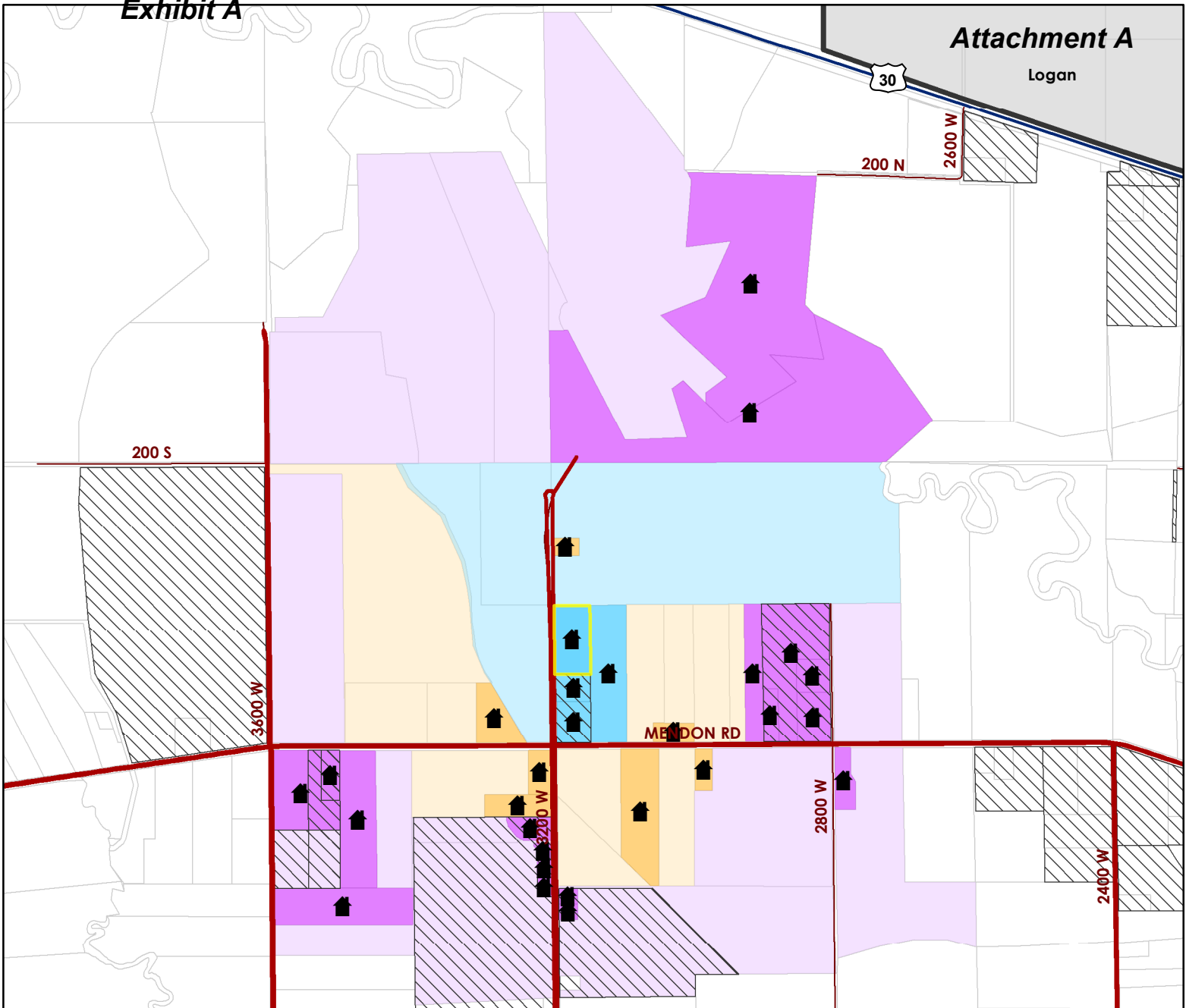
E. Public Notice and Comment—§17.02.040 Notice of Meetings

- 16. Public notice was posted online to the Utah Public Notice Website on 21 October 2022.
- 17. Notices were posted in three public places on 21 October 2022.
- 18. Notices were mailed to all property owners within 300 feet and Logan City on 21 October 2022.
- 19. At this time, no written public comments regarding this proposal have been received by the Development Services Office.

Planning Commission Conclusion

Based on the findings of fact noted herein, the Sand Castle Ranch Rezone is hereby recommended for approval to the County Council as follows:

- 1. The location of the subject property is compatible with the purpose of the Rural 2 (RU2) Zone as identified under §17.08.030[A] of the Cache County Code as it:
 - a. To allow for residential development in a moderately dense pattern that can allow for rural subdivisions, and to allow for clustering plans larger than a single parcel. This type of development should be located and designed to not unreasonably impede adjacent agricultural uses, nor to unreasonably conflict with the development standards of adjacent municipalities.
 - b. Does not unreasonably impede adjacent agricultural uses, nor unreasonably conflict with the development standards of adjacent communities.
 - c. The property is appropriately served by a suitable public road, 3200 West, has access to necessary water and utilities, and adequate provision of public services.
- 2. The location of the subject property is not located adjacent to a municipal boundary, but is located within close proximity to other properties in the RU2 Zone and is consistent with the character and development pattern in the surrounding area.



Legend

- Proposed Rezone (Blue box)
- Municipal Boundaries (Grey box)
- Subdivisions (Hatched box)
- Parcels (White box)
- Winter Maintenance (Red line)
- County Roads (Brown line)
- Highways (Blue line)

Average Parcel Size	
Adjacent Parcels	With a Home: 4.9 Acres (4 Parcels)
	Without a Home: 48.6 Acres (3 Parcels)
1/4 Mile Buffer	With a Home: 3.9 Acres (11 Parcels)
	Without a Home: 20.5 Acres (14 Parcels)
1/2 Mile Buffer	With a Home: 7.5 Acres (29 Parcels)
	Without a Home: 26.3 Acres (30 Parcels)



Exhibit B: Ordinance 2022-33

Zoning Map of Cache County – Affected Portion
Sand Castle Ranch Rezone



The following legal description reflects the noted properties above to be rezoned from Agricultural (A10) to Rural 2 (RU2):

11-002-0024

BEG S 89*48' W 971.93 FT ALG CO ROAD & N 0*23'29" W 647.65 FT FROM SE COR LT 53 RICHLAND ACRES SUBD & TH S 89*48' W 336.38 FT TH N 0*23' 29" W 291.86 FT TH N 89*48'E 336.38FT TH S 0*23'29" E 291.86 FT TO BEG CONT 2.25 AC ALSO: BEG S 89*48'W 971.93 FT ALG N R/W LN OF CO RD & N 23'29" W 1165.77 FT FROM SE COR LT 53 RICHLAND ACRES SUBD & TH N 0*23'29" W 128.3 FT TH N 89*53'44" W 336.38 FT TH S 0*23'29" E 356.7 FT TH N 89*48' E 336.38 FT TH N 0*23'29" W 226.26 FT TO BEG CONT 2.75 AC CONT 5.0 AC IN ALL

**CACHE COUNTY COUNCIL MEETING
DECEMBER 6, 2022**

ATTACHMENT 3



**CACHE COUNTY
ORDINANCE NO. 2022-36**

AN ORDINANCE AMENDING SECTION 2.08 OF THE CACHE COUNTY CODE

- (A) WHEREAS, Cache County has an executive-council form of government, as described in Utah Code 17-52a-203, wherein the County Executive is the chief executive officer, and the County Council is the county legislative body; and
- (B) WHEREAS, the County Council has the powers, duties, and functions of a legislative body and the county executive has the powers, duties, and functions of an executive; and
- (C) WHEREAS, the power to appoint and to remove officers has been generally deemed an executive power; and
- (D) WHEREAS, The County Council respects the legitimate enumerated powers of the executive; and
- (E) WHEREAS, the County Council may pass all ordinances and rules and make all regulations, not repugnant to law, necessary for carrying into effect or discharging its powers and duties; and
- (F) WHEREAS, the County Council has an interest in maintaining long term institutional expertise and knowledge within the several County departments; and
- (G) WHEREAS; the proposed regulations and processes do not interfere with the County Executive's appointment, suspension and removal powers of appointed department heads;

NOW, THEREFORE, the County Legislative Body of Cache County ordains as follows:

SECTION 1:

Section 2.08.060 of the Cache County Code is amended to read in full as follows:

2.08.060: GENERAL ADMINISTRATION:

A. Except where otherwise provided in this title or by the County Council, the County Executive shall appoint all officers and heads of departments upon the advice and consent of the County Council, the same being approved by the affirmative vote of four (4) council members.

B. Appointed Department Heads serve at the pleasure of the County Executive, in an exempt position, under Cache County Code 2.60.010. The County Executive may suspend or terminate the employment of a Department Head at any time for cause consistent with the Cache County Personnel Policy and Procedure Manual. Department Heads who have been employed by Cache



County for less than six months may be suspended or terminated by the County Executive at any time without cause.

C. The Cache County Executive may remove an appointed Department Head from their Department Head position at any time. However, if the County Executive removes a Department Head from their position for any reason except for cause, the Department Head will be relieved of their duties to formulate and execute Department policy, supervise, manage, or direct the business affairs of their department, but the removed Department Head shall then convert to a classified employee under 2.60.010 retaining their salary and benefits at the same rate they received as a Department Head and shall be assigned work within their current department or within another County department that reports to the County Executive for which they are qualified to perform the duties.

D. A Department Head removed from their position without cause may choose to receive severance instead of converting to a classified employee. The severance pay shall be six months of their salary. Department heads who have been employed more than 10 years shall receive an additional week's severance pay for each year above 10 years that they have been employed at the County.

E. A Department Head shall only be suspended consistent with the Performance Improvement Policy set forth in the Cache County Personal Policy and Procedure Manual. The policy shall be approved by the County Council.

F. When the County Executive removes a Department Head from their position consistent with this part or terminates a Department Head for cause, the County Executive or his designee shall, at the next scheduled meeting of the County Council, inform the Council of the removal, suspension, or termination and provide an explanation for the removal, suspension, or termination. If the County Executive's explanation involves the character, professional competence, or physical or mental health of the Department Head, such explanation and discussion shall take place in a closed meeting, consistent with Utah Code § 52-4-205 (1)(a).

G. Nothing in this part shall be interpreted to give the County Council authority to advise and consent to, or veto, the County Executive's removal of a Department Head, nor the County Executive's suspension or termination of a Department Head for cause.

SECTION 2:

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



PASSED AND APPROVED BY THE COUNTY COUNCIL OF CACHE COUNTY, UTAH
THIS 6 DAY OF December 2022.

	In Favor	Against	Abstained	Absent
Paul R. Borup	✓			
David Erickson	✓			
Nolan Gunnell	✓			
Barbara Tidwell	✓			
Karl Ward	✓			
Gina H. Worthen	✓			
Gordon Zilles	✓			
Total	7			

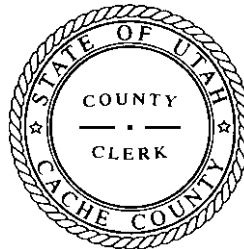
CACHE COUNTY:

By: Barbara Tidwell
Barbara Tidwell, Chair

ATTEST:

By: Jess W. Bradfield
Jess Bradfield, County Clerk / Auditor

By: _____
David Zook, County Executive





Redline version of Chapter 2.08.060 to show proposed change:

Redlined Version

2.08.060: GENERAL ADMINISTRATION:

A. Except where otherwise provided in this title or by the County Council, the County Executive shall appoint all officers and heads of departments upon the advice and consent of the County Council, the same being approved by the affirmative vote of four (4) council members.

B. Appointed Department Heads serve at the pleasure of the County Executive, in an exempt position, under Cache County Code 2.60.010. The County Executive may suspend or terminate the employment of a Department Head at any time for cause consistent with the Cache County Personnel Policy and Procedure Manual. Department Heads who have been employed by Cache County for less than six months may be suspended or terminated by the County Executive at any time without cause.

C. The Cache County Executive may remove an appointed Department head from their Department Head position at any time. If the County Executive removes a Department Head from their position for any reason except for cause, the Department Head will be relieved of their duties to formulate and execute Department policy, supervise, manage, or direct the business affairs of their department, but the removed Department Head shall then convert to a classified employee under 2.60.010 retaining their salary and benefits at the same rate they received as a Department Head and shall be assigned work within their current department or within another County department that reports to the County Executive for which they are qualified to perform the duties.

D. A Department Head removed from their position without cause may choose to receive severance instead of converting to a classified employee. The severance pay shall be six months of their salary. Department heads who have been employed more than 10 years shall receive an additional week's severance pay for each year above 10 years that they have been employed at the County.

E. A Department Head shall only be suspended consistent with the Performance Improvement Policy set forth in the Cache County Personal Policy and Procedure Manual. The policy shall be approved by the County Council.



F. When the County Executive removes a Department Head from their position consistent with this part or terminates a Department Head for cause, the County Executive or his designee shall, at the next scheduled meeting of the County Council, inform the Council of the removal, suspension, or termination and provide an explanation for the removal, suspension, or termination. If the County Executive's explanation involves the character, professional competence, or physical or mental health of the Department Head, such explanation and discussion shall take place in a closed meeting, consistent with Utah Code § 52-4-205 (1)(a).

G. Nothing in this part shall be interpreted to give the County Council authority to advise and consent to, or veto, the County Executive's removal of a Department Head, nor the County Executive's suspension or termination of a Department Head for cause.

**CACHE COUNTY COUNCIL MEETING
DECEMBER 6, 2022**

ATTACHMENT 4

CACHE COUNTY
RESOLUTION 2022 – 32

A RESOLUTION APPROVING THE APPOINTMENT OF A REPRESENTATIVE TO
THE AVON CEMETERY DISTRICT BOARD OF TRUSTEES

The County Council of Cache County, Utah, in a regular meeting lawful notice of which has been given, finds that pursuant to 17B-2a-106 of the Utah Code, each vacancy on a Cemetery District Board of Trustees shall be filled by a person appointed by the legislative body of the county in which the district is located, as provided in Section 17B-1-304.

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

BE IT RESOLVED, that the following individuals have expressed interest and have been recommended to serve on the Avon Cemetery District Board of Trustees

Section 1. Appointment

Please see Exhibit A attached hereto and made a part hereof.

Section 2. Authorization

The Cache County Council hereby appoints the individual listed on Exhibit A attached hereto and made a part hereof to the Avon Cemetery District Board of Trustees.

Section 3. Terms

The term of the appointment shall be four years which expires on December 31, 2025.

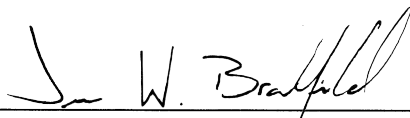
Section 4. Effective Date

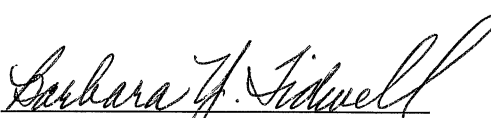
This appointment shall become effective immediately upon the adoption of this resolution.

This resolution was adopted by the Cache County Council on the 6th day of December, 2022.

Attest:

Cache County Council

By: 
Jess Bradfield, County Clerk/Auditor

By: 
Barbara Y. Tidwell, Chair

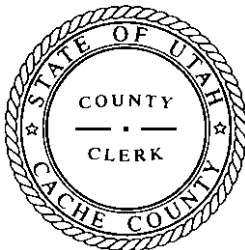


EXHIBIT A

APPOINTMENTS

12/06/2022

AVON CEMETERY DISTRICT BOARD OF TRUSTEES

BOARD MEMBER

APPOINTED TO FILL THE

VACANCY LEFT BY

MARK WILLIAMS

MICHELE WATKINS

10589 S Hwy 165

Paradise, UT 84328

435-764-3123

micheleww@gmail.com

Appointed to a Four-Year Term

Beginning: 12/06/2022

Expiring: 12/31/2025

**CACHE COUNTY COUNCIL MEETING
DECEMBER 6, 2022**

ATTACHMENT 5



**CACHE COUNTY
RESOLUTION NO. 2022-33**

A RESOLUTION ESTABLISHING A COUNCIL SPECIAL AUDIT COMMITTEE

WHEREAS, County Code enables the County Council to “establish and define the duties and functions of appointed boards and commissions deemed appropriate to expedite and facilitate the duties of the council” (Cache County Code 2.12.120H); and

WHEREAS, State Code empowers the County Council to “examine and audit the accounts of all county officers having the care, management, collection, or distribution of money belonging to the county, appropriated to the county, or otherwise available for the county’s use and benefit” (Title 17, Chapter 53, Section 106(2)(a)(iii), Utah Code Annotated, 1953, as amended); and

WHEREAS, State Code also empowers the County Council to “investigate any matter pertaining to a county officer or to the county or its business or affairs” (Title 17, Chapter 53, Section 106(2)(a)(iv), Utah Code Annotated, 1953, as amended); and

WHEREAS, the County Council provides for an annual audit but may also provide for a special audit of accounts to be made (County Code 2.12.120G); and

WHEREAS, the County Council has deemed it necessary to conduct a special audit; and

WHEREAS, assigning a committee to coordinate and oversee the audit will allow the Council to focus on its regular duties, provide for continuity, and ensure the proper completion of the audit;

NOW, THEREFORE, be it resolved that the Cache County Council establishes the following:

CACHE COUNTY COUNCIL SPECIAL AUDIT COMMITTEE

1. DUTIES

The Special Audit Committee shall work closely with the external auditors, including reviewing auditing approaches, coordinating the audit, and directing the external auditors. Committee members shall have access to County information as requested. The committee shall maintain communication with and report to the Council Chair. When the audit is complete, the committee will review the audit and help the County Council interpret and understand the report.

2. MEMBERSHIP

The committee shall consist of two to three members appointed by the County Council. Term of office shall be two years. The term may be extended by the County Council. Members shall be removed for cause, by a majority vote of the Council.



3. MEETING SCHEDULE

The committee meets as needed to fulfill its responsibilities, but shall meet at least quarterly. The committee shall meet privately in order to discuss matters that should not be disclosed as part of the audit effort.

4. COMPENSATION

This is a volunteer committee without compensation.

5. COMMITTEE MEMBERS

Paul Borup

Term Expires 12/31/2024

Nolan Gunnell

Term Expires 12/31/2024

Alan Allred

Term Expires 12/31/2024

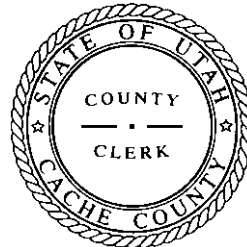
This resolution shall take effect immediately upon passage by the County Council. Adopted this 6th day of December, 2022, by the Cache County Council.



Barbara Tidwell, Chair

ATTEST:


Jess Bradfield, County Clerk



**CACHE COUNTY COUNCIL MEETING
DECEMBER 6, 2022**

ATTACHMENT 6

DAVID N. ZOOK
COUNTY EXECUTIVE

199 NORTH MAIN STREET
LOGAN, UT 84321
435-755-1850
WWW.CACHECOUNTY.ORG



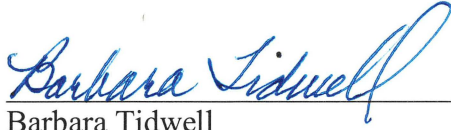
COUNTY COUNCIL
BARBARA Y. TIDWELL, CHAIR
PAUL R. BORUP, VICE CHAIR
DAVID L. ERICKSON
NOLAN P. GUNNELL
KARL B. WARD
GINA H. WORTHEN
GORDON A. ZILLES

CLOSED MEETING DECLARATION

I, Barbara Tidwell, Council Chair for the Cache County Council, do solemnly swear under penalty of law that the Cache County Council did close a portion of the ~~November 8~~^{December 6}, 2022 meeting of the Cache County Council for the sole purpose of discussing the character, professional competence, or physical or mental health of an individual, in accordance with Utah Code § 52-4-205 (1)(a). Furthermore, this portion of the meeting of the Cache County Council was not recorded, consistent with Utah Code § 52-4-206 (6).

I declare under criminal penalty under the law of Utah that the foregoing is true and correct.

SIGNED ON THIS 6th DAY OF DECEMBER, 2022, AT LOGAN, UTAH.



Barbara Tidwell
Cache County Council Chair