

CACHE COUNTY COUNCIL

September 12, 2023 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 David Erickson, Councilmember Barbara Tidwell, Councilmember Karl Ward, Councilmember Sandi Goodlander, Councilmember Nolan Gunnell, Councilmember Mark Hurd (on the phone), Councilmember Kathryn Beus.

MEMEBERS EXCUSED:

STAFF PRESENT: Bart Nelson, David Benson, Saige Crane, Alma Burges, Stephen Nelson, Michael McGinnis, Amy Adams, Chad Jenson, Nathan Argyle, Scott Bodily, Terryl Warner, Ginafer Low.

OTHER ATTENDANCE: Todd Mckee, Tim Smith, Ronda Kershinsnik, Shawn Milne, Hunter Siggard, Patrick Jenkins, Clint Hansen S. Douglas, T.W., Eric Summer

Council Meeting [0:01](#)

1. **Call to Order 5:00p.m.** – Council Chair David Erickson

2. **Opening Remarks and Pledge of Allegiance** – Council Chair David Erickson [0:18](#)

3. **Review and Approval of Agenda APPROVED** [1:59](#)

Action: Motion made by Councilmember Nolan Gunnell to amend the agenda; seconded by Councilmember Kathryn Beus. [2:06](#)

Motion passes.

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

Nay: 0

4. **Review and Approval of Minutes APPROVED** [2:32](#)

Action: Motion made by Councilmember Sandi Goodlander to accept minutes from August 22nd, and August 31st; seconded by Councilmember Nolan Gunnell. [2:52](#)

Motion passes.

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

Nay: 0

5. **Report of the County Executive** [3:02](#)

Report Made by David Zook about many topics including; A third annual suicide prevention concert. [3:10](#); The county fair ended successfully. [4:42](#); Logan airport meeting about snow removal. [5:10](#); There was a successful election. [6:35](#); Talked to new super intendant of school district. [7:05](#); Adding recreation facilities in the valley. [7:50](#); Discus executive order 2023-01 created the office of personnel management. [9:34](#); Appointment of Amy Adams for the director of personnel management permanently. [11:09](#)

Discussion:

Action: Motion made by Councilmember Karl Ward to approve appointment of Amy Adams as the permanent director of personnel management; seconded by Councilmember Kathryn Beus. [12:05](#)

Motion passes.

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

Nay: 0

6. **Items of Special Interest** [12:56](#)

a. Review and Approval of ARPA Applications for County Departments – Alma Burgess [13:01](#)

Discussion: The internal will be county departments, three component units. [15:04](#) Amount requested and suggested amount. [15:20](#) Talked about reviewing applications on line for ARPA. [17:00](#) If approved could be put in the county budget for the applications for ARPA funds. [17:37](#) Allocate 435,000 dollars. [20:01](#) Move 37,000, down to public defender. [28:15](#)

Action: Motion made by Councilmember Nolan Gunnell to approve 36,595 to be given to public defender ; seconded by Councilmember Sandi Goodlander. [30:05](#)

Motion passes.

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

Nay: 0

- b. Review and Approval of ARPA Applications for Non-Profit Organizations – Alma Burgess [33:15](#)
ARPA applications sent out in early august, received 38 applications [33:15](#); 37 non-profits need to be reviewed for award of 515,000 dollars.[34:10](#); Link sent to council to review applications and financials. [34:40](#); Information on all non-profits of the finances and the amounts the Non-profit created. [36:40](#); Thinking about taking more time to review applications. [39:45](#); David Zook Explains Pause Wellness. [41:10](#);
Discussion: David Erickson mentions to put this item of special interest on the agenda for next council meeting on 09/26/2023. [45:29](#)
- c. Request for Approval of County Economic Opportunity (CEO) Advisory Board’s Recommendations – Shawn Milne [1:22:53](#)
Shawn Milne Spoke to the council about the Rural County Grant Program. [1:23:44](#); Talked about Advisor board. [1:25:58](#); Talked about the Logan and Ogden airport. [1:28:22](#); Discussed SWOT analysis. [1:30:34](#) ; Talked about targeted Recruitment [1:33:15](#); Talked about impacts of arts and culture. [1:35:19](#); Total Rural County Grant Cost of 200,000. [1:36:47](#); Subject to change on September 26, 2023. [2:04:34](#);
- d. Presentation Regarding Upcoming Bond for Cache County School District – Tim Smith [1:00:05](#)
Gary Thomas Spoke to the council. [1:00:51](#); Committee to discuss the growth of the area. [1:01:28](#); Last bond in 2013 for 129 Million. [1:02:25](#); Todd McKee Spoke to the council. [1:21:45](#);

7. Department or Committee Reports

8. Public Hearings [45:36](#)

A. Set Public Hearing for September 26, 2023 – Approval for a Lease of the John C. Bailey Building to the Bear River Health Department [46:04](#)

Discussion:

Action: Motion made by Councilmember Karl Ward to approve set public hearing for September 26, 2023; seconded by Councilmember Sandi Goodlander. [46:09](#)

Motion passes.

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

Nay: 0

B. Set Public Hearing for September 26, 2023 – Resolution 2023-15 – Opening the 2023 Budget [46:04](#)

Discussion:

Action: Motion made by Councilmember Karl Ward to approve set public hearing for September 26, 2023; seconded by Councilmember Sandi Goodlander. [46:09](#)

Motion passes.

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

Nay: 0

C. Public Hearing – Appointments to Cache County Drainage districts #3, #4, #5, and #6 [47:00](#)

Names have been given to council for district #4, Anthony Hall. [47:38](#); Drainage district #6 Eric Summers. [47:48](#); District #4, #6 Hunter Siggard. [47:57](#);

Discussion:

Action: Motion made by Councilmember Karl Ward to close the public hearing; seconded by Councilmember Barbara Tidwell. [49:58](#)

Motion passes.

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

Nay: 0

D. Public Hearing – Ordinance 2023-31 – Mountain Home Rezone [50:13](#)

A request to rezone 32.67 acres located at 13165 North Mountain Home Road, Cove, from the Agricultural (A10) Zone to the Rural 5 (RU5) Zone. Stephan Nelson Spoke to the council on ordinance 2023-31. [50:23](#) Rezone application for Parcel 090270006. [50:59](#) Clint Hansen spoke to the council. [52:51](#) Sam Douglass Spoke to the council. [55:18](#)

Discussion:

Action: Motion made by Councilmember Nolan Gunnell to amend the agenda; seconded by Councilmember Barbara Tidwell. [56:24](#)

Motion passes.

Aye: 7 David Erickson, Barbara Tidwell, Kathryn Beus, Nolan Gunnell, Sandi Goodlander, Karl Ward, Mark Hurd
Nay: 0

9. Pending Action [2:30:30](#)

A. Ordinance 2023-28 Graham Addition Rezone

A request to rezone ~125 acres located at 11432 North 2300 East, near Richmond, from the Forest Recreation (FR40) Zone to the Agricultural (A10) Zone. Planning Commission recommended denial. (Item is tabled until September 26 meeting)

Discussion: Moved to September 26, 2023

10. Initial Proposals for Consideration of Action [57:50](#)

A. Resolution 2023-15 Appointments to Cache County Drainage Districts #3, #4, #5, and #6

Discussion:

Action: Motion made by Councilmember Kathryn Beus to approve resolution; seconded by Councilmember by Barbara Tidwell. [58:00](#)

Motion passes.

Aye: 7 David Erickson, Barbara Tidwell, Kathryn Beus, Nolan Gunnell, Sandi Goodlander, Karl Ward, Mark Hurd
Nay: 0

B. Ordinance 2023-33 Financial Controls Amendments [2:04:03](#)

Micah Safsten spoke to the council about the ordinance. [2:05:13](#);

Discussion:

Action: Motion made by Councilmember Barbara Tidwell to amend the ordinance; seconded by Councilmember Karl Ward. [2:15:14](#)

Motion passes.

Aye: 7 David Erickson, Barbara Tidwell, Kathryn Beus, Nolan Gunnell, Sandi Goodlander, Karl Ward, Mark Hurd
Nay: 0

Discussion: Ordinance about policies or gifts. [2:27:35](#); State code prohibits receiving of gift or travel. [2:28:37](#);

Action: Motion made by Councilmember Sandi Goodlander to suspend the rules to approve the ordinance; seconded by Councilmember Kathryn Beus. [2:27:14](#)

Motion passes.

Aye: 7 David Erickson, Barbara Tidwell, Kathryn Beus, Nolan Gunnell, Sandi Goodlander, Karl Ward, Mark Hurd
Nay: 0

C. Ordinance 2023-34 Personnel Management Amendments [2:16:02](#)

Taylor Sorenson spoke to the council. [2:16:56](#);

Discussion:

Action: Motion made by Councilmember Kathryn Beus to suspend the rules and adopt the ordinance; seconded by Councilmember by Sandi Goodlander. [2:21:11](#)

Motion passes.

Aye: 7 David Erickson, Barbara Tidwell, Kathryn Beus, Nolan Gunnell, Sandi Goodlander, Karl Ward, Mark Hurd
Nay: 0

D. Resolution 2023-12 Supporting the Board Apportionment of the Cache Valley Transit District in Compliance with Utah Code [2:23:42](#)

Patrick Jenkins spoke to the council about Resolution. [2:23:49](#);

Discussion:

Action: Motion made by Councilmember Karl Ward to approve the Resolution; seconded by Councilmember Sandi Goodlander. [2:25:10](#)

Motion passes.

Aye: 7 David Erickson, Barbara Tidwell, Kathryn Beus, Nolan Gunnell, Sandi Goodlander, Karl Ward, Mark Hurd
Nay: 0

E. Resolution 2023-13 Amending the Cache County Personnel Policy & Procedure Manual Regarding the Manufacturing of Illegal Drugs [2:21:57](#)

Taylor Sorensen Spoke to the council about the ordinance. [2:22:02](#)

Discussion:

Action: Motion made by Councilmember Barbara Tidwell to suspend the rules and approve resolution; seconded by Councilmember Sandi Goodlander. [2:23:12](#)

Motion passes.

Aye: 7 David Erickson, Barbara Tidwell, Kathryn Beus, Nolan Gunnell, Sandi Goodlander, Karl Ward, Mark Hurd
Nay: 0

F. Ordinance 2023-31 Mountain Home Rezone [59:12](#)

A request to rezone 32.67 acres located at 13165 North Mountain Home Road, Cove, from the Agricultural (A10) Zone to the Rural 5 (RU5) Zone.

Discussion:

Action: Motion made by Councilmember Karl Ward to suspend the rules to approve ordinance; seconded by Councilmember by Barbara Tidwell. [59:23](#)

Motion passes.

Aye: 7 David Erickson, Barbara Tidwell, Kathryn Beus, Nolan Gunnell, Sandi Goodlander, Karl Ward, Mark Hurd
Nay: 0

11. Other Business [2:30:45](#)

- a. USU Homecoming Parade *October 7, 2023 at 10:00 am*
- b. UAC Annual Convention Nov. 15-17, 2023 in St. George
- c. August Expense Report

12. Councilmember Reports [2:31:16](#)

David Erickson –

Sandi Goodlander –

Karl Ward –

Barbara Tidwell – Uac board. Changing the executive elective from November to spring. [2:37:01](#)

Kathryn Beus – Report on open space committee. [2:31:21](#)

Nolan Gunnell –

Mark Hurd –

Adjourn: 7:44 PM [2:43:03](#)



APPROVAL: David Erickson, Chair
Cache County Council



ATTEST: David Benson, Clerk
Cache County Council



Lola Bott, deputy clerk signing for the clerk



CACHE COUNTY
RESOLUTION NO. 2023 - 15

A RESOLUTION RATIFYING THE APPOINTMENTS OF CACHE DRAINAGE DISTRICT #3, #4, #5, AND #6 BOARDS OF TRUSTEES

A. WHEREAS, “the board of trustees of a drainage district shall be appointed by the legislative body of the county in which the district is located,” Utah Code Ann. § 17B-2a-206, and the County Council is the legislative body of Cache County; and

B. WHEREAS, at the County Council meeting held on September 12, 2023, the County Council received the applications of Anthony Hall to serve as a member of the board of trustees of Cache County Drainage District #4 and Hunter Siggard and James Eric Summers to serve as members of the board of trustees of Cache County Drainage District #6; and

C. WHEREAS, during the September 12, 2023 meeting the County Council approved by vote a motion to approve the above applicants; and

D. WHEREAS, when appointing a member of a drainage district board of trustees, “[t]he appointing authority [must] . . . allow any interested persons to be heard; and . . . adopt a resolution appointing a person to the local district board”; and

E. WHEREAS, the County Council properly published notice of a public hearing held on September 12, 2023, where it allowed any interested persons to be heard on the issue of appointments to the board of trustees of Cache County Drainage Districts #3, #4, #5, and #6;

Now, therefore, the Cache County Council hereby ordains, as follows:

BE IT RESOLVED, that the appointment of Anthony Hall to the Cache County Drainage District #4 Board of Trustees and Hunter Siggard and James Eric Summers to the Cache County Drainage District #6 Board of Trustees, which were approved by the County Council on September 12, 2023, are hereby ratified. The appointments shall be effective as of September 12, 2023, and the term of each appointment shall expire on December 31, 2026.


RESOLVED BY THE COUNTY COUNCIL OF CACHE COUNTY, UTAH THIS 12 DAY OF September 2023.

	In Favor	Against	Abstained	Absent
Sandi Goodlander	X			
David Erickson	X			
Nolan Gunnell	X			
Barbara Tidwell	X			




Karl Ward	X			
Mark Hurd	X			
Kathryn Beus	X			
Total	7			

CACHE COUNTY:

By: 
David L. Erickson, Chair

ATTEST:

By: 
David Benson, County Clerk / Auditor
Saige Crane, Deputy Clerk on behalf of Clerk



CACHE COUNTY ORDINANCE No. 2023-33

FINANCIAL CONTROLS AMENDMENTS

- A) WHEREAS, pursuant to Utah Code § 17-53-223(1), 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
- B) WHEREAS, Ordinance 2023-29, passed by the County Council on August 22, 2023, implemented changes to the County’s financial management; and
- C) WHEREAS, circumstances have arisen that require improved internal controls in how county funds are managed; and
- D) WHEREAS, the County Council may take any action required by law and necessary to the full discharge of its duties, even though the action is not expressly authorized by statute;

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

SECTION 1: The following sections of the Cache County Code are amended to read in full as follows, with a redline copy attached as Exhibit 1

2.28.030: COUNTY OFFICERS

Per Utah State Code 17-16-14 as amended, County officers shall not receive any type of additional compensation from the County, including but not limited to incentive pay, bonuses, special project pay, longevity pay, or special assignment pay, beyond the salary set forth in this chapter, other than as set forth by ordinance approved by the County Council.

2.60.050: ADDITIONAL COMPENSATION

Any additional compensation, beyond the employee’s base salary or wage, must be approved by the County Council.



3.04.150: RECATEGORIZATION OF EXPENDITURE ACCOUNTING

The auditor shall prepare a monthly report of all expenditures for which a change has been made to the general ledger account initially assigned to the expenditure and distribute that report to the County Council and Executive.

3.08.060: TRAVEL EXPENSES

Consistent with the procedures set out in 3.08.030, all requests for travel to conventions, seminars, and/or conferences must be approved by the employee’s department head and the elected County Officer to whom that employee reports. Any travel should be authorized prior to any expenditures related to that travel being made. Payment for such approved travel expenses will be authorized by the County Auditor and disbursed by the County Treasurer.

3.48.090: GRANT TIME REPORTING

For all grants that require reporting of employee time, all employees, including exempt employees, shall track and submit hours worked on the grant through an established time reporting system which has been approved by the entity responsible for ensuring compliance with grant conditions. These reports shall be submitted to the elected official responsible for each department on a monthly basis. All employees, including exempt employees, who work under grants, manage or administer grant funds, must attend training on the administration of the grant and compliance with grant conditions.

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 17 DAY OF September 2023.

	In Favor	Against	Abstained	Absent
Sandi Goodlander	X			
David Erickson	X			
Nolan Gunnell	X			
Barbara Tidwell	X			
Karl Ward	X			
Mark Hurd	X			
Kathryn Beus	X			




Total	7			
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CACHE COUNTY:

By: 
David Erickson, Chair

ATTEST:

By: 
David Benson, County Clerk / Auditor
Saige Crane, Deputy Clerk on behalf of Clerk

ACTION OF THE COUNTY EXECUTIVE:

7 Approve

_____ Disapprove (written statement of objection attached)


By: 
David Zook, County Executive

EXHIBIT 1

2.28.030: COUNTY OFFICERS

Per Utah State Code 17-16-14 as amended, County officers shall not receive any type of additional compensation from the County, including but not limited to incentive pay, bonuses, special project pay, longevity pay, or special assignment pay, beyond the salary set forth in this chapter, other than as set forth by ordinance approved by the County Council.

2.60.050: ADDITIONAL COMPENSATION

Any additional compensation, beyond the employee's base salary or wage, must be approved by the County Council.

3.04.150: RECATEGORIZATION OF EXPENDITURE ACCOUNTING



The auditor shall prepare a monthly report of all expenditures for which a change has been made to the general ledger account initially assigned to the expenditure and distribute that report to the County Council and Executive.

3.08.060: TRAVEL EXPENSES

Consistent with the procedures set out in 3.08.030, all requests for travel to conventions, seminars, and/or conferences must be approved by the employee's department head and the elected County Officer to whom that employee reports. Any travel should be authorized prior to any expenditures related to that travel being made. Payment for such approved travel expenses will be authorized by the County Auditor and disbursed by the County Treasurer.

3.48.090: GRANT TIME REPORTING

For all grants that require reporting of employee time, all employees, including exempt employees, shall track and submit hours worked on the grant through an established time reporting system which has been approved by the entity responsible for ensuring compliance with grant conditions. These reports shall be submitted to the elected official responsible for each department on a monthly basis. All employees, including exempt employees, who work under grants, manage or administer grant funds, must attend training on the administration of the grant and compliance with grant conditions.



CACHE COUNTY ORDINANCE No. 2023-34

PERSONNEL MANAGEMENT AMENDMENTS

- A) WHEREAS, State Code 17-33 requires that any county that has greater than 200 employees not covered by the Peace Officer Merit System and Firemen’s Civil Service Commission comply with the provisions of Utah Code 17-33; and
- B) WHEREAS, the number of County employees not covered by the Peace Officer Merit System and Firemen’s Civil Service Commission has surpassed 200 ; and
- C) WHEREAS, State Code 17-33-5 directs the County Executive to create an Office of Personnel Management, administered by a Director of Personnel Management; and
- D) WHEREAS, on September 6, 2023, the Cache County Executive signed Executive Order 2023-01 creating an Office of Personnel Management for Cache County, and
- E) WHEREAS, State Code 17-33-5 authorizes the County Executive to appoint a Director of Personnel Management with the advice and consent of the county legislative body; and
- F) WHEREAS, the County Council is vested with all legislative and determining powers pursuant to Cache County Code 2.12.120 to ensure that County processes and policies are in compliance with State Code; and
- G) WHEREAS, the County Executive has the power and duty pursuant to Cache County Code 2.08.030 to faithfully enforce all applicable laws in compliance with State Code;

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



SECTION 1: Section 2.06 of the Cache County Code is amended to read in full as follows, with a redline copy attached as Exhibit 1

2.60 PERSONNEL SYSTEM

2.60.010 COUNTY PERSONNEL MANAGEMENT ACT

Cache County hereby adopts the county personnel management act as described in Utah Code Annotated title 17, chapter 33, as amended as and for its county merit system for all county employees not otherwise covered by Peace Officer or Firemen Civil Service merit systems.

2.60.030: ELECTIVE OFFICE

No career service county employee may hold any elective political office of the county during his or her employment.

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 12 DAY OF September 2023.

	In Favor	Against	Abstained	Absent
Sandi Goodlander	X			
David Erickson	X			
Nolan Gunnell	X			
Barbara Tidwell	X			
Karl Ward	X			
Mark Hurd	X			
Kathryn Beus	X			
Total	7			



CACHE COUNTY:

By: [Signature]
David Erickson, Chair

ATTEST:

By: [Signature]
David Benson, County Clerk / Auditor
Saige Crane, Deputy Clerk on behalf of Clerk

ACTION OF THE COUNTY EXECUTIVE:

8 Approve

 Disapprove (written statement of objection attached)

By: [Signature]
David Zook, County Executive

EXHIBIT 1

~~2.60.010: EXEMPT AND CLASSIFIED POSITIONS~~

~~All positions in the county government shall be either exempt or classified. Exempt positions shall be those positions which are to be filled by election or appointment as provided herein, and such other positions which are responsible for the formulation or execution of policy where the nature of the policy formulated or the latitude for execution of policy clearly required unity of purpose and philosophy with the county executive and the heads of offices, departments, agencies, boards and commissions. All other positions shall be classified.~~

~~2.60.020: PERSONNEL RULES AND REGULATIONS~~

~~The office of county executive shall prepare for adoption by the county council rules and regulations to effectively administer personnel. The rules shall classify all positions for pay setting purposes. The rules shall set forth policies regarding qualifications, selection, disciplinary action, removal, grievance procedures, vacation, sick leave, personnel records,~~

~~e2.60.030: POLITICAL ACTIVITIES~~

~~No classified county employee may hold any elective political office of the county during his or her employment.~~

~~2.60.01040: COUNTY PERSONNEL MANAGEMENT ACT PERSONNEL~~



Cache County ~~may hereby~~ adopts the county personnel management act as described in Utah Code Annotated title 17, chapter 33, as amended as and for its county merit system for all county employees not otherwise covered by Peace Officer or Firemen Civil Service merit systems. ~~The county executive shall exercise all of the powers and functions therein reserved to the "governing body" by definition.~~

2.60.030: POLITICAL ACTIVITIES/SELECTIVE OFFICE

No classified-career service county employee may hold any elective political office of the county during his or her employment.



CACHE COUNTY
RESOLUTION NO. 2023 - 12

A RESOLUTION SUPPORTING THE BOARD APPORTIONMENT OF THE CACHE VALLEY TRANSIT DISTRICT IN COMPLIANCE WITH UTAH CODE 17B-2a-807 EFFECTIVE JANUARY 1, 2024

- A. WHEREAS, the Utah State Legislature changed Utah Code 17B-2a-807 to alter the current board apportionment for small transit districts; and
- B. WHEREAS, the Cache County Council finds that the current apportionment of the Cache Valley Transit District Board is not in compliance with the code change; and
- C. WHEREAS, the Cache County Council has the authority to change the apportionment of the Cache Valley Transit District Board;

Now, therefore, the Cache County Council hereby ordains, as follows:

That this Council supports the following apportionment for the Cache Valley Transit District Board effective January 1, 2024:

Number of members	Cities	Area
4	Logan	Area 1
1	North Logan / Hyde Park	Area 2
1	Smithfield / Richmond / Lewiston	Area 3
1	Providence / River Heights	Area 4
1	Hyrum / Millville / Nibley	Area 5
1	Cache County	Area 6

RESOLVED BY THE COUNTY COUNCIL OF CACHE COUNTY, UTAH THIS 12 DAY OF September 2023.

	In Favor	Against	Abstained	Absent
Sandi Goodlander	X			
David Erickson	X			
Nolan Gunnell	X			
Barbara Tidwell	X			
Karl Ward	X			
Mark Hurd	X			
Kathryn Beus	X			




Total	7			
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CACHE COUNTY:

By: 
David L. Erickson, Chair

ATTEST:

By: 
David Berison, County Clerk / Auditor
Saige Crane, Deputy Clerk on behalf of Clerk



**CACHE COUNTY
RESOLUTION NO. 2023 - 13**

**RESOLUTION AMENDING THE CACHE COUNTY PERSONNEL POLICY &
PROCEDURE MANUAL REGARDING THE COUNTY'S DRUG-FREE WORKPLACE
POLICY**

- A. WHEREAS, Utah Code Ann. § 17-53-2, gives the Cache County Council the authority to “pass all ordinances and rules and make all regulations, not repugnant to law;”
- B. WHEREAS, Cache County Code § 2.12.120, vests “all legislative and policy determining powers” in the County Council (“County”) and gives the Council the power to “adopt resolutions necessary and appropriate to establish official policy[;]”
- C. WHEREAS, the County receives grant funding that requires the County to prohibit the manufacture of drugs in official policy and the County benefits from such grant funding;
- D. WHEREAS, the County does not currently prohibit the manufacture of drugs in its official policy and to prohibit such behavior complies with the purposes of the County’s Drug-Free Workplace Policy;
- E. WHEREAS, grammatical and other simple errors exist within this policy and there is a need to correct those errors; and
- F. WHEREAS, it is in the best interest of Cache County and its citizens to update Cache County’s Personnel Policy & Procedure Manual to include in its policy a prohibition on the manufacture of drugs and to correct errors;

NOW, THEREFORE, be it ordained by the County Council of Cache County, Utah, that the Cache County Personnel Policy & Procedure Manual be changed as follows:

SECTION VIII -- RULES AND REGULATIONS

T. DRUG-FREE WORKPLACE POLICY



1. Any individual who conducts business for the County, is applying for a position, or is conducting business on the County's property must comply with our drug-free workplace policy. Our policy pertains to but is not limited to elected officials, Department Heads, full-time employees, part-time employees, temporary or seasonal employees, and volunteers who perform functions and duties for the County.

2. The County's drug-free workplace policy is intended to apply whenever anyone is representing or conducting business for the organization. Therefore, this policy applies during all working hours, when conducting business or representing the County, while on call, while on paid standby, while on County property, and at County-sponsored events.

3. It is a violation of our drug-free workplace policy to use, possess, sell, trade, manufacture, and/or offer for sale alcohol, illegal drugs or intoxicants in violation of local, state, or federal law, on County property, or during work hours while employed with the County. All individuals conducting business for the County are prohibited from being under the influence of alcohol or illegal drugs during working hours.

5. Entering the County's property constitutes consent to searches and inspections. If an individual is suspected of violating the drug-free workplace policy, he or she may be asked to submit to a search or inspection at any time. Searches can be conducted of pockets and clothing, lockers, wallets, purses, briefcases, lunch boxes, desks, workstations, and vehicles and equipment.

7. As a condition of employment, employees applying for public safety positions and positions that include the operating of a vehicle requiring a Commercial Driver's License (CDL) will be required to participate in pre-employment drug testing. Employees may be required to participate in random, post-accident, reasonable suspicion, return-to-duty, and follow-up testing upon request of management.

8. Testing for the presence of alcohol will be conducted by analysis of breath and saliva. Testing for the presence of the metabolites of drugs will be conducted by the analysis of urine and/or saliva. Any employee who tests positive will be immediately removed from duty, referred to a substance abuse professional for assessment and recommendations, required to successfully complete recommended rehabilitation, including continuing care, required to pass a Return-to-Duty test, and will be subject to ongoing, unannounced, follow-up testing, and terminated immediately if he/she tests positive a second time or violates the County's drug-free policy in any way.



14. All employees are required to not report to work or be subject to duty while their ability to perform job duties is impaired due to on or off-duty use of alcohol or other drugs. In addition, employees are encouraged to:

- a. Be concerned about working in a safe environment.
- b. Support fellow workers in seeking help.
- c. Report dangerous behavior to their supervisor.

15. It is the supervisor's responsibility to:

- a. Inform and remind employees of the drug-free workplace policy.
- b. Observe employee performance.
- c. Investigate reports of dangerous practices.
- d. Document negative changes and problems in performance.
- e. Clearly state the consequences of policy violations.

16. Cache County has the following substance abuse rules in order to improve job performance, provide safety and protection to employees and the public, and to comply with various federal and state laws.

- a. All individuals conducting business for the County are prohibited from being under the influence of alcohol or illegal drugs during working hours.
- b. The use, sale, manufacture, or possession of an illegal drug or controlled substance while on duty is cause for termination. Certified law enforcement personnel are exempt from sale and possession while in the course of performing authorized job duties.
- c. The sale, possession, transfer, manufacture, or purchase of illegal drugs on Cache County property or while performing job duties, or outside the line of duty, is strictly prohibited and is cause for termination. Such action must be reported to law enforcement officials. Certified law enforcement personnel are exempt while in the course of performing authorized job duties.
- d. No alcoholic beverage will be brought or consumed on Cache County premises except as allowed by law.
- e. Any employee whose off-duty abuse of alcohol, illegal, or prescription drugs results in excessive absenteeism or tardiness, or which could be the cause of accidents or interfere with the proper performance of the employee's duties, will be subject to discipline, up to and including termination.
- f. Cache County is committed to promoting and encouraging drug-free awareness activities and programs and requires all employees to notify the Director of Human Resources in writing within five (5) calendar days of any criminal drug statute conviction.



RESOLVED BY THE COUNTY COUNCIL OF CACHE COUNTY, UTAH THIS 12 DAY OF September 2023.

	In Favor	Against	Abstained	Absent
Sandi Goodlander	X			
David Erickson	X			
Nolan Gunnell	X			
Barbara Tidwell	X			
Karl Ward	X			
Mark Hurd	X			
Kathryn Beus	X			
Total	7			

CACHE COUNTY:

By: [Signature]
David L. Erickson, Chair

ATTEST:

By: [Signature]
David Benson, County Clerk/Auditor
Saige Crane Deputy Clerk on behalf of Clerk

ACTION OF THE COUNTY EXECUTIVE:

7 Approved
 Disapproved

By: [Signature]
David Zook, County Executive

9/12/23
Date

Redline Version:

SECTION VIII -- RULES AND REGULATIONS

T. DRUG-FREE WORKPLACE POLICY



1. Any individual who conducts business for the County, is applying for a position, or is conducting business on the County's property ~~is covered by~~ must comply with our drug-free workplace policy. Our policy pertains to but is not limited to elected officials, Department Heads, full-time employees, part-time employees, temporary or seasonal employees, and volunteers who perform functions and duties for the County.

2. The County's drug-free workplace policy is intended to apply whenever anyone is representing or conducting business for the organization. Therefore, this policy applies during all working hours, ~~when ever~~ conducting business or representing the County, while on call, while on paid standby, while on County property, and at County-sponsored events.

3. It is a violation of our drug-free workplace policy to use, possess, sell, trade, manufacture and/or offer for sale alcohol, illegal drugs or intoxicants in violation of local, state, or federal law, on County property, or during work hours while employed with the County. All individuals conducting business for the County are prohibited from being under the influence of alcohol or illegal drugs during working hours.

5. Entering the County's property constitutes consent to searches and inspections. If an individual is suspected of violating the drug-free workplace policy, he or she may be asked to submit to a search or inspection at any time. Searches can be conducted of pockets and clothing, lockers, wallets, purses, briefcases, lunch boxes, desks, workstations, and vehicles and equipment.

7. As a condition of employment, employees applying for ~~positions in~~ public safety positions, as well as and positions that include the operating of a vehicle requiring a Commercial Driver's License (CDL) will be required to participate in pre-employment drug-testing. Employees may be required to participate in random, post-accident, reasonable suspicion, return-to-duty, and follow-up testing upon request of management.

8. Testing for the presence of alcohol will be conducted by analysis of breath and saliva. Testing for the presence of the metabolites of drugs will be conducted by the analysis of urine and/or saliva. Any employee who tests positive will be immediately removed from duty, referred to a substance abuse professional for assessment and recommendations, required to successfully complete recommended rehabilitation, including continuing care, required to pass a Return-to-Duty test, and will be subject to ongoing, unannounced, follow-up testing, and terminated immediately if he/she tests positive a second time or violates the County's drug-free policy in any way.



14. All employees are required to not report to work or be subject to duty while their ability to perform job duties is impaired due to on or off-duty use of alcohol or other drugs. In addition, employees are encouraged to:

- a. Be concerned about working in a safe environment.
- b. Support fellow workers in seeking help.
- c. Report dangerous behavior to their supervisor.

15. It is the supervisor's responsibility to:

- a. Inform and remind employees of the drug-free workplace policy.
- b. Observe employee performance.
- c. Investigate reports of dangerous practices.
- d. Document negative changes and problems in performance.
- e. Clearly state [the](#) consequences of policy violations.

16. Cache County has the following substance abuse rules in order to improve job performance, provide safety and protection to employees and the public, and to comply with various federal and state laws.

- a. All individuals conducting business for the County are prohibited from being under the influence of alcohol or illegal drugs during working hours.
- b. The use, sale, [manufacture](#), or possession of an illegal drug or controlled substance while on duty is cause for termination. Certified law enforcement personnel are exempt from sale and possession while in the course of performing authorized job duties.
- c. The sale, possession, transfer, [manufacture](#), or purchase of illegal drugs on Cache County property or while performing job duties, or outside the line of duty, is strictly prohibited and is cause for termination. Such action must be reported to law enforcement officials. Certified law enforcement personnel are exempt while in the course of performing authorized job duties.
- d. No alcoholic beverage will be brought or consumed on Cache County premises, except as allowed by law.
- e. Any employee whose off-duty abuse of alcohol, illegal, or prescription drugs results in excessive absenteeism or tardiness, or which could be the cause of accidents or interfere with [the](#) proper performance of the employee's duties, will be subject to discipline, up to and including termination.
- f. Cache County is committed to promoting and encouraging drug-free awareness activities and programs and requires all employees to notify the Director of Human Resources in writing within five (5) calendar days of any criminal drug statute conviction.

Ordinance No. 2023-31
Cache County, Utah
Mountain Home Rezone

An ordinance amending the County Zoning Map by rezoning 32.67 acres from the
Agricultural (A10) Zone to the Rural 5 (RU5) 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 August 3, 2023, 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 September 12, 2023, 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 5 (RU5) Zone as identified under §17.08.030[A] of the Cache County Code as it:

i. The location of the subject property is compatible with the purpose of the Rural 5 (RU5) Zone as identified under §17.08.030[A] of the Cache County Code as it:

- 1.** To allow for residential estate development in a low density pattern that can allow for rural subdivisions and smaller scale agricultural uses. This type of development should be located and designed to not unreasonably impede adjacent agricultural uses, nor to unreasonably conflict with the development standards of adjacent municipalities.
- 2.** To implement the policies of the Cache Countywide Comprehensive Plan, including those regarding agricultural promotion, prime farmlands, improved roadways, density based residential standards, clustering, moderate income housing and municipality standards.
- 3.** The property is appropriately served by a suitable public road, 6800 South, with access to necessary water and utilities, and adequate provision of public services.
- 4.** The recently adopted Cache County General Plan identifies the future land use of this area as "Rural Community" which the purpose and character of this land use is a mix of residential, agricultural, and commercial and/or civic uses that serve local needs and do not require urban level facilities and services. Preferred land uses in the future land use designation include agriculture, ranching, clustered subdivision developments, conservation easements, civic, educational, and mixed use. Secondary land uses include residential uses at densities of less than one unit per 10 acres, commercial retail/office, and flex office/industrial.

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 _____, 2023. 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

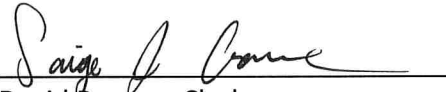
Date: <u>9 / 12 / 2023</u>	<u>Council Votes</u>			
<u>Council members</u>	In Favor	Against	Abstain	Absent
Kathryn Beus	X			
Dave Erickson	X			
Sandi Goodlander	X			
Nolan Gunnell	X			
Mark Hurd	X			
Barbara Tidwell	X			
Karl Ward	X			
Total:	7			
Final action:	<u>7</u> Adopt	<u>0</u> Reject		

Cache County Council:



David Erickson, Chair

Attest:



David Benson, Clerk
Cache County

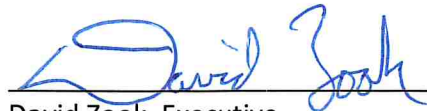
Saige Crane, Deputy Clerk on behalf of Clerk

Action of the County Executive

Regarding Ordinance 2023-31, the Mountain Home Rezone

7 Approve

_____ Disapprove (A Statement of Objection is attached)



David Zook, Executive
Cache County

9/12/23

Date

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Ord 2023-31
Mountain Home Rezone
Amending the Cache County Zoning Map by rezoning
32.67 acres of property from the Agricultural (A10) Zone
to the Rural 5 (RU5) Zone.

County Council action

Hold a public hearing on September 12, 2023.

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

Planning Commission action

Approval (7-yea; 0-nay).

Public hearing held on August 3, 2023.

Conclusion: Based on the findings of fact noted [in the staff report], the Mountain Home 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 5 (RU5) Zone as identified under §17.08.030[A] of the Cache County Code as it:
 - a. To allow for residential estate development in a low density pattern that can allow for rural subdivisions and smaller scale agricultural uses. This type of development should be located and designed to not unreasonably impede adjacent agricultural uses, nor to unreasonably conflict with the development standards of adjacent municipalities.
 - b. To implement the policies of the Cache Countywide Comprehensive Plan, including those regarding agricultural promotion, prime farmlands, improved roadways, density based residential standards, clustering, moderate income housing and municipality standards.
 - c. The property is appropriately served by a suitable public road, 6800 South, with access to necessary water and utilities, and adequate provision of public services.
2. The recently adopted Cache County General Plan identifies the future land use of this area as "Rural Community" which the purpose and character of this land use is a mix of residential, agricultural, and commercial and/or civic uses that serve local needs and do not require urban level facilities and services. Preferred land uses in the future land use designation include agriculture, ranching, clustered subdivision developments, conservation easements, civic, educational, and mixed use. Secondary land uses include residential uses at densities of less than one unit per 10 acres, commercial retail/office, and flex office/industrial.

Staff Report review by Development Services Director

Stephen Nelson

Staff Report by County Planner

Angie Zetterquist

42 **General Description**

43 This ordinance amends the County Zoning Map by rezoning 32.67 acres from the Agricultural (A10)
44 Zone to the Rural 5 (RU5) Zone.

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

47 Staff Report to Planning Commission

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Staff Report: Mountain Home Rezone

3 August 2023

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: SandaLee Douglas
Staff Recommendation: None
Type of Action: Legislative
Land Use Authority: Cache County Council

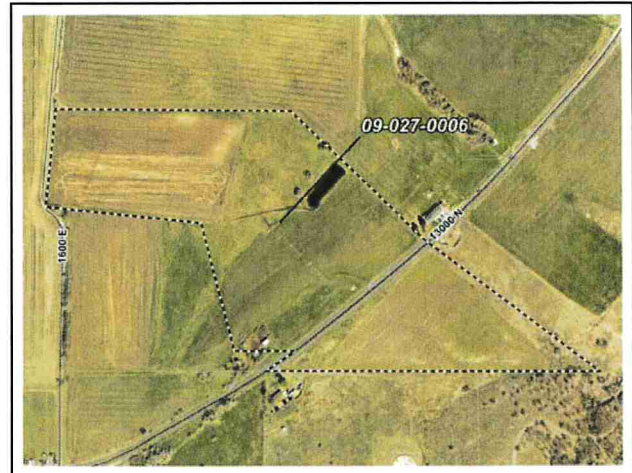
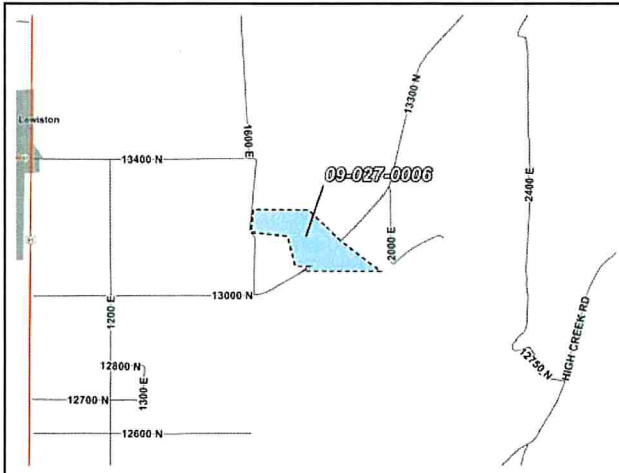
Parcel ID#: 09-027-0006

Location

Reviewed by Angie Zetterquist

Project Address: **Acres:** 32.67
 13165 N. Mountain Home Road
 Cove
Current Zoning: **Proposed Zoning:**
 Agricultural (A10) Rural 5 (RU5)

Surrounding Uses:
 North – Agricultural/Residential
 South – Agricultural/Residential
 East – Agricultural
 West – Agricultural



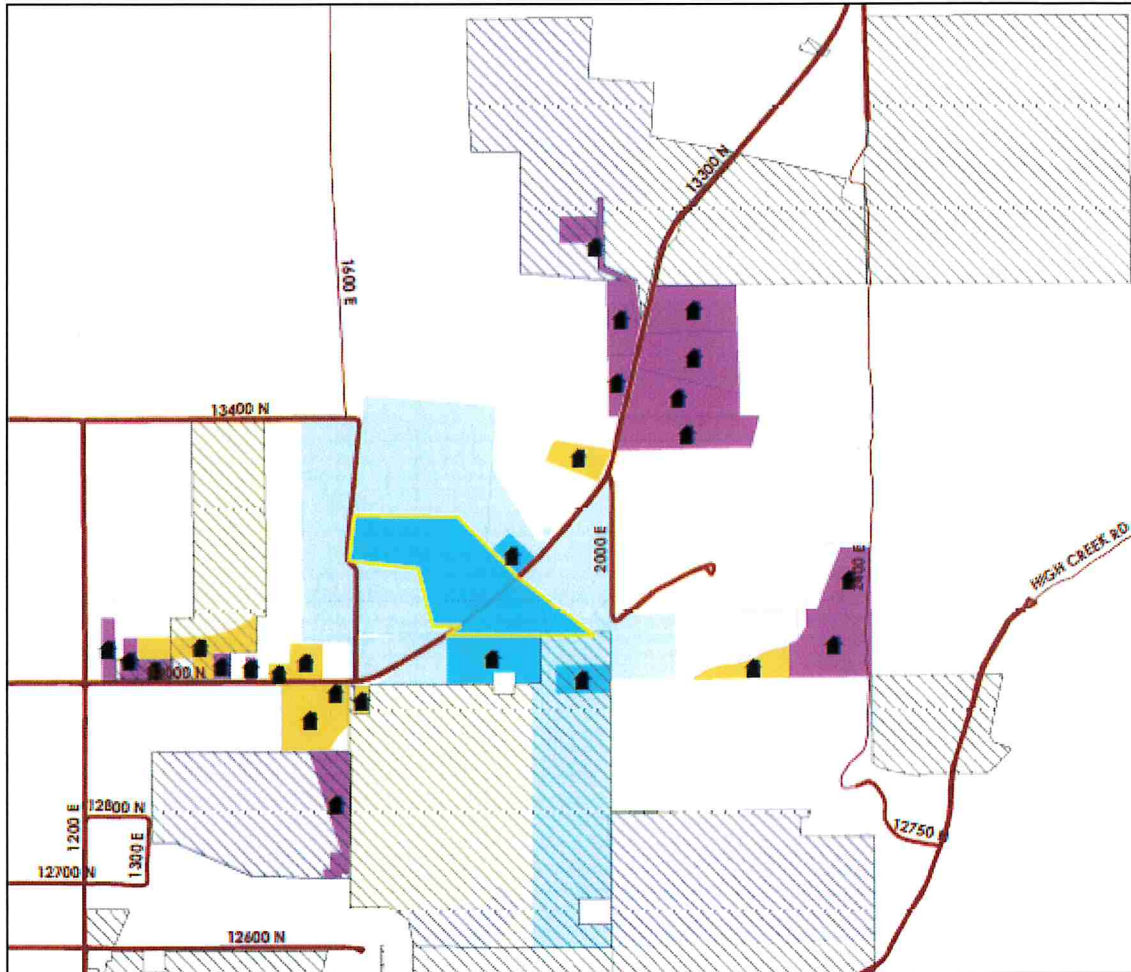
Findings of Fact

A. Request description

1. A request to rezone 32.67 acres from the Agricultural (A10) Zone to the Rural 5 (RU5) Zone.
2. This rezone may allow the parcel to be legally divided into a maximum potential of 6 separate lots as part of a subdivision process. The current A10 Zone allows for a maximum of 3 buildable lots.
3. Staff has identified general information as pertains to the subject property to assist the Planning Commission and County Council in arriving at a decision. This information is reflected in the attached map (Attachment A) and in the following text:

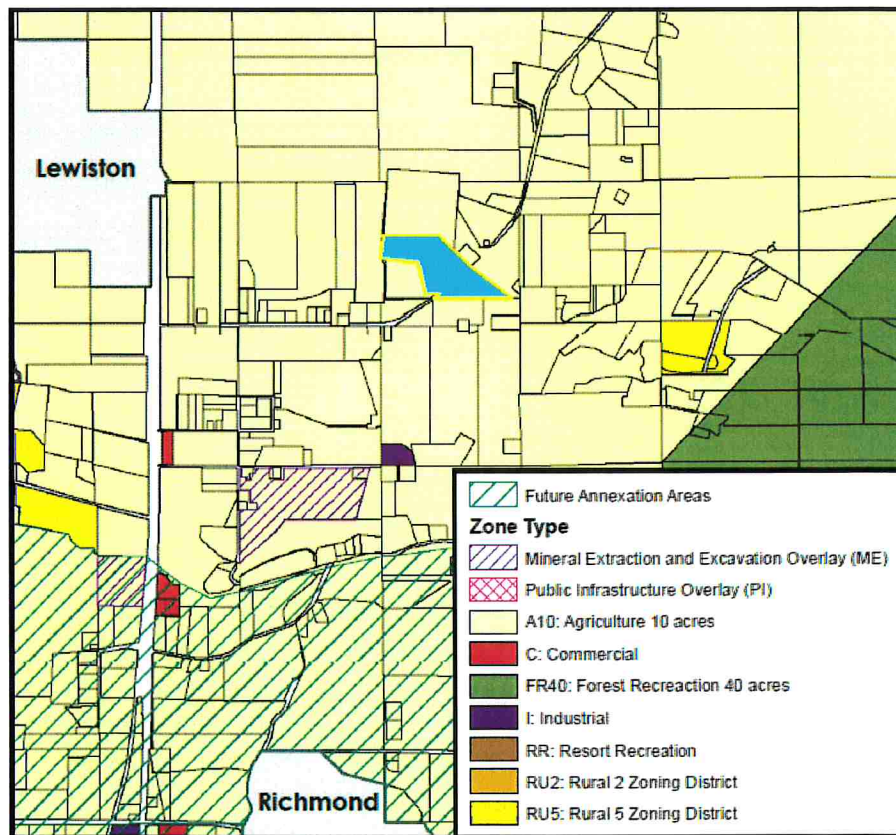
a. Land Use Context:

- i. Parcel status: The subject property is not in the same size and configuration as it was on August 6, 2008, however, it is a legal parcel as the changes occurred as part of boundary line adjustments in 2021 that did not result in the creation of any new parcels.
- ii. Average Lot Size: (See Attachment A)



Average Parcel Size	
Adjacent	With a Home: 5.1 Acres (3 Parcels)
Parcels	Without a Home: 17.1 Acres (12 Parcels)
1/4 Mile	With a Home: 4 Acres (11 Parcels)
Buffer	Without a Home: 15.8 Acres (36 Parcels)
1/2 Mile	With a Home: 4.9 Acres (26 Parcels)
Buffer	Without a Home: 17.3 Acres (66 Parcels)

- iii. The proposed RU5 zone allows a maximum density of 1 lot for every 5 acres, whereas the current A10 zone allows a maximum density of 1 lot for every 10 acres. With approximately 32.67 acres of property, the subject property could be divided into a maximum potential of 3 buildable lots under the current A10 Zone standards, including the parcel with an existing single-family dwelling. A rezone to RU5 may allow up to a maximum potential of 6 buildable lots.
- iv. Schedule of Zoning Uses: Under the current County Land Use Ordinance, the RU5 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 RU5 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 RU5 Zone:
 - Agricultural Manufacturing
 - Recreational Facility
 - Cemetery
 - Private Airport
 - Concentrated Animal Feed Operation
 - Livestock Auction Facility
 - Topsoil Extraction
- v. Adjacent uses: The properties immediately adjacent to the subject rezone are primarily used for agriculture with a few single family dwellings.
- vi. Annexation Areas: The subject property is not located within any municipal future annexation area.



- vii. Zone Placement: As identified by the Planning Commission and the County Council at the time the RU5 Zone was adopted, the intended/anticipated placement of this zone was in areas of the unincorporated county adjacent to municipalities. The nearest RU5 zone is located south and east of the subject property on High Creek Road. This RU5 Zone was approved by the County Council as Ordinance 2012-14, the Michael Allen Rezone, on 31.58 acres in December 2012. A 4-lot subdivision was subsequently approved in May 2013.

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 5 (RU5) Zone but does contain possible guidelines for its implementation. County Land Use Ordinance §17.08.030 [B] identifies the purpose of the RU5 Zone and includes the following:
 - a. “To allow for residential estate development in a low density pattern that can allow for rural subdivisions and smaller scale agricultural uses. This type of development should be located and designed to not unreasonably impede adjacent agricultural uses, nor to unreasonably conflict with the development standards of adjacent municipalities.
 - b. To implement the policies of the Cache Countywide Comprehensive Plan, including those regarding agricultural promotion, prime farmlands, improved roadways, density based residential standards, clustering, moderate income housing and municipality standards.
 - c. This zone must be appropriately served by suitable public roads, have access to the necessary water and utilities, and have adequate provision of public services.”
6. The future land use map (Attachment B) adopted as part of the recently approved Cache County General Plan identifies the area where the subject property is located as “Rural Community.” *Cache County General Plan, Chapter 4, pg. 27*

CHAPTER 4: FUTURE LAND USE PLAN

The use of land is one of the most important and fundamental values for landowners, residents, civic leaders, and elected officials. This determines—in large measure—the future of Cache County. The Future Land Use Map represents the County’s collective vision of our desired future. It conveys the patterns and priorities of economic development and community character, the locations of neighborhoods and industries, and the preservation of natural, agricultural, and rural landscapes.

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

RURAL COMMUNITY

Location:	Existing and emerging unincorporated communities.
Example Areas:	<ul style="list-style-type: none"> • Avon • Cove • Benson • College Ward • Cache Junction • Petersboro • Young Ward
Purpose and Character:	A mix of residential, agricultural, and commercial and/or civic uses that serve local needs and do not require urban level facilities and services. Historic townsites, schools, gathering spaces and similar uses create a focal point and foster social and economic resiliency for a community within an otherwise residential, ranching, or agricultural area.
Preferred Land Uses:	<ul style="list-style-type: none"> • Agriculture • Ranching • Clustered subdivision developments • Conservation Easements (CEs) • Civic • Educational • Mixed Use
Secondary Land Uses:	<ul style="list-style-type: none"> • Residential uses at densities of less than one unit per 10 acres. • Commercial Retail/Office • Flex Office/ Industrial
Discouraged Uses:	<ul style="list-style-type: none"> • Industrial • Heavy Industrial

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

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

8. §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.
9. Table 17.10.040 Site Development Standards – Minimum lot frontage required in the RU5 Zone is 90 feet.
10. §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
11. §16.04.040 [A] Roads – All roads must be designed and constructed in accordance with Title 12 of the County Code.
12. §12.02.010 Roadway Standards – Requirements for roadway improvement are provided in the current Manual of Roadway Design and Construction Standards (Road Manual).
13. A basic review of the access to the subject property identifies the following:
 - a. Primary access to the subject property is from Mountain Home Road, a County road.

14. Mountain Home Road:

- a. Is an existing county facility that provides through access from US Highway 91 into Cove. It then becomes Cove Road after crossing the Idaho border and eventually becomes 100 South in Franklin, Idaho, where it connects back to US Hwy 91.
- b. Services single family homes, commercial properties, and agricultural lands.
- c. There is a speed limit change (i.e., 30 mph to 40 mph if travelling northeast and 40 mph to 30 mph if travelling southwest) that occurs within the parcel’s roadway frontage.
- d. Is classified as a Minor Collector Road.
- e. Minor Collector roads provide service to smaller communities and link important traffic generators with the rural hinterland. These routes should be spaced at intervals consistent with population density in order to accumulate traffic from local roads and bring traffic from all developed areas within a reasonable distance of collector roads.
- f. Is paved and is approximately 22 feet wide.
- g. Is maintained year round by the County.
- h. Is considered substandard as to right-of-way and paved and gravel shoulder width.
- i. Any new access points must meet the minimum standards for a Minor Collector., which is a minimum of 200 feet spacing between driveways and 350 feet spacing between public or private roads.

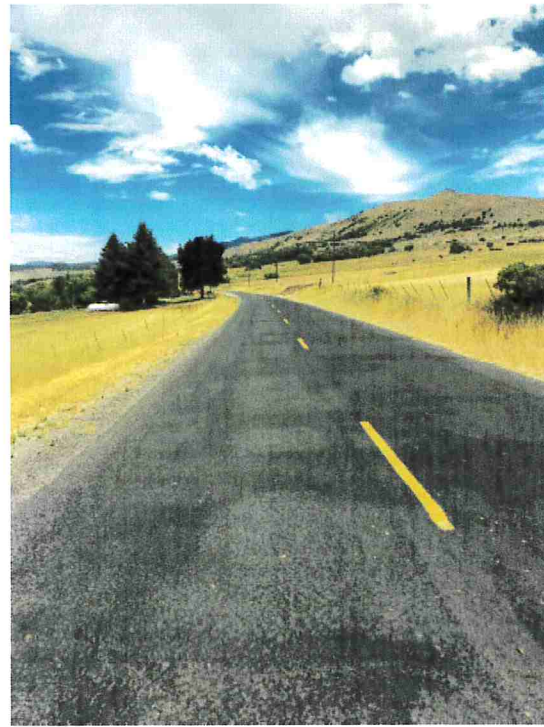
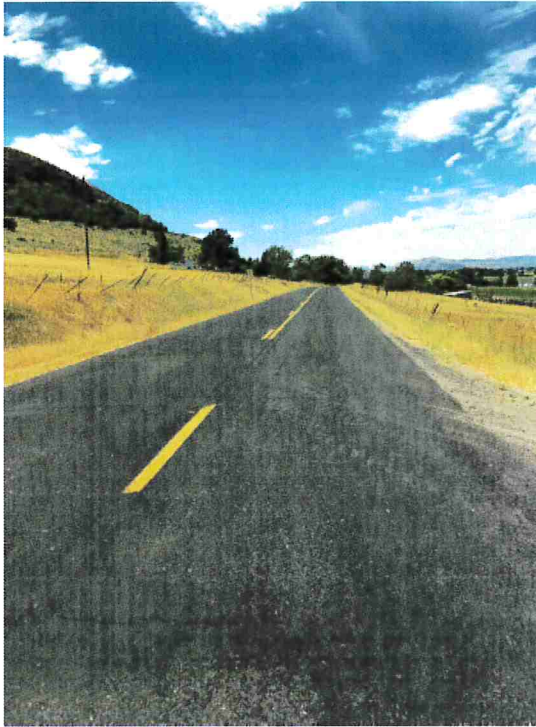
Analysis of Existing Roadway – Along Frontage

Roadway Element	Existing Width (ft)	Required Width (ft)	Comments or Findings
Travel Lanes	22	22	OK
Right-of-Way	66 (ND)	66	Substandard
Paved Shoulder	0	4	Substandard
Gravel Shoulder	0-2	2	Substandard
Clear Zone (4:1)	10	10	OK
Material	Paved	Paved	OK
Structural			OK

Access Management

Classification	Min. Spacing Standard (Feet)		
	Public/Private Roads	Commercial	Residential/Farm Access
Minor Collector	350	200	200

Driveways for all uses except single family homes shall not be closer than eight (8) feet to an adjacent interior property line. Single family homes may be granted with two (2) feet of the property line

Photos**D. Service Provisions:**

15. §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.
16. §16.04.080 [F] Solid Waste Disposal – Logan City Environmental currently provides refuse collection in this area. 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

17. Public notice was posted online to the Utah Public Notice Website on 21 July 2023.
18. Notices were posted in three public places on 21 July 2023.
19. Notices were mailed to all property owners within 300 feet on 21 July 2023.
20. At this time, no written public comments regarding this proposal have been received by the Development Services Office.

Conclusion

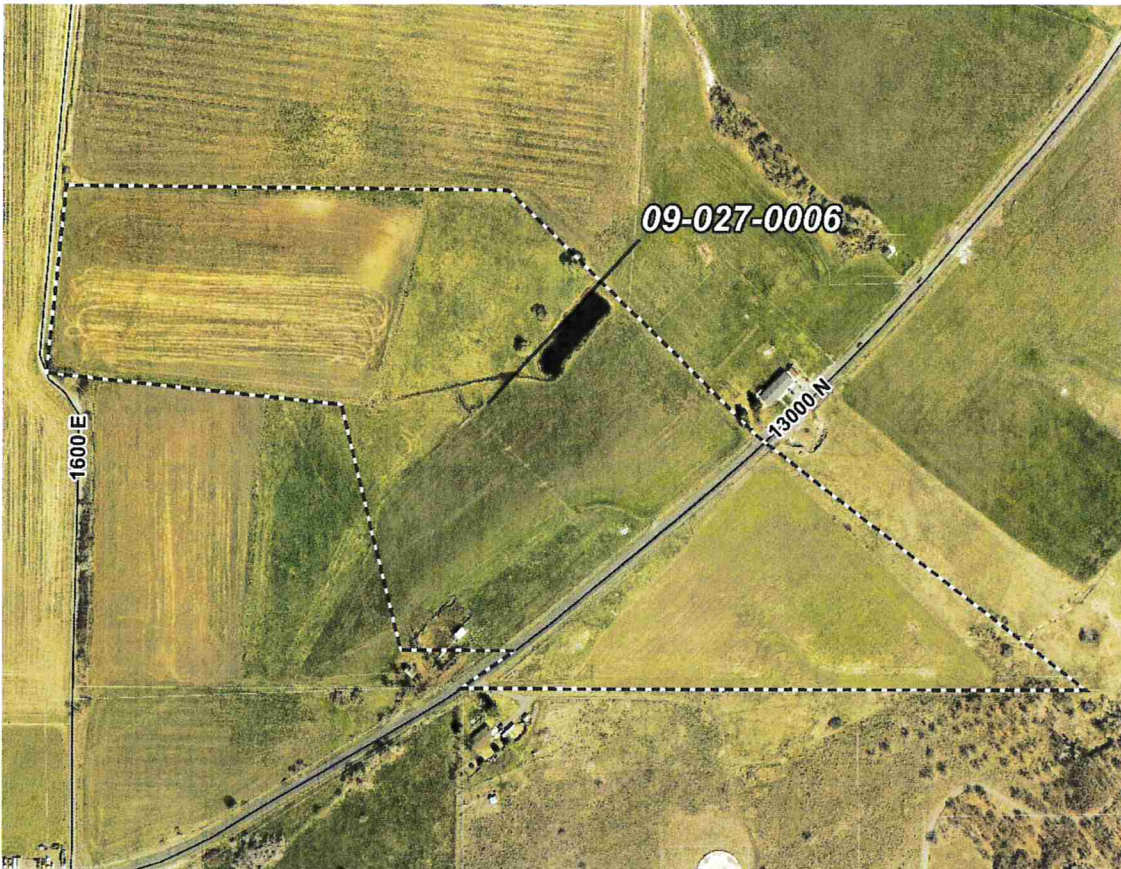
The Mountain Home Rezone, a request to rezone 32.67 acres from the Agricultural (A10) Zone to the Rural 5 (RU5) Zone has been reviewed in conformance with Title 17 of the Cache County Land Use Ordinance and the County Manual of Roadway Design and Construction Standards. Staff has not made a recommendation on this request and can assist the Planning Commission in drafting a recommendation based on the findings of fact identified above and any others identified at the public hearing.

Planning Commission Conclusion

Based on the findings of fact noted herein, the Mountain Home 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 5 (RU5) Zone as identified under §17.08.030[A] of the Cache County Code as it:
 - a. To allow for residential estate development in a low density pattern that can allow for rural subdivisions and smaller scale agricultural uses. This type of development should be located and designed to not unreasonably impede adjacent agricultural uses, nor to unreasonably conflict with the development standards of adjacent municipalities.
 - b. To implement the policies of the Cache Countywide Comprehensive Plan, including those regarding agricultural promotion, prime farmlands, improved roadways, density based residential standards, clustering, moderate income housing and municipality standards.
 - c. The property is appropriately served by a suitable public road, 6800 South, with access to necessary water and utilities, and adequate provision of public services.
2. The recently adopted Cache County General Plan identifies the future land use of this area as “Rural Community” which the purpose and character of this land use is a mix of residential, agricultural, and commercial and/or civic uses that serve local needs and do not require urban level facilities and services. Preferred land uses in the future land use designation include agriculture, ranching, clustered subdivision developments, conservation easements, civic, educational, and mixed use. Secondary land uses include residential uses at densities of less than one unit per 10 acres, commercial retail/office, and flex office/industrial.

Exhibit B: Ordinance 2023-31
Zoning Map of Cache County – Affected Portion
Mountain Home Rezone



The following legal description reflects the noted properties above to be rezoned from Agricultural (A10) to Rural 5 (RU5):

09-027-0006

BEG 8.75 RDS E OF A PT S 4*51' W 85RDS OF NW COR OF NW/4 SEC 12 T 14N R 1E, E 11.65 CH S 6*32' W 15 RDS 7 FT S 16*31' E 6.19 CHS S 44*31' W 2.74 CH S 88*39' E 21.2 CH NW'LY 27.5 CH TO PT 16 CH E OF PT N 4*51' E 7 CH OF BEG W 16 CH S 4*51' W 7 CH TO BEG
LESS AND EXCEPTING THE FOLLOWING DESCRIBED PROPERTY:
BEGINNING AT THE CENTER OF A GRAVEL ROAD AT A POINT LOCATED 495.00 FEET NORTH 00°22'12" WEST (NORTH BY RECORD) ALONG THE WEST LINE OF SAID NORTHWEST QUARTER AND 68.82 FEET SOUTH 89°50'14" EAST (103.12 FEET SOUTH 88°39' EAST BY RECORD) FROM THE SOUTHWEST CORNER OF SAID NORTHWEST QUARTER AND RUNNING THENCE ALONG THE SAID ROAD CENTER THE FOLLOWING FIVE (5) COURSES: (1) NORTH 00°16'37" EAST 105.72 FEET;

Exhibit B: Ordinance 2023-31

Zoning Map of Cache County – Affected Portion
Mountain Home Rezone

(2) NORTH 01°26'03" EAST 522.23 FEET (3) NORTHWESTERLY ALONG THE ARC OF A 75.00 FOOT RADIUS CURVE TO THE LEFT AN ARC LENGTH OF 62.91 FEET, LONG CHORD BEARS NORTH 22°35'42" WEST 61.08 FEET; (4) NORTH 46°37'27" WEST 49.06 FEET; (5) NORTHWESTERLY ALONG THE ARC OF A 100.00 FOOT RADIUS CURVE TO THE RIGHT AN ARC LENGTH OF 28.92 FEET, LONG CHORD BEARS NORTH 38°20'15" WEST 28.82 FEET; THENCE SOUTH 83°57'55" EAST 702.64 FEET; THENCE SOUTH 13°40'42" EAST 595.71 FEET; THENCE SOUTH 89°50'14" EAST 270.54 FEET TO THE CENTER OF EAST MOUNTAIN HOME ROAD; THENCE SOUTH 55°04'16" WEST 156.55 FEET ALONG SAID ROAD CENTER; THENCE NORTH 89°50'14" WEST (NORTH 88°39' WEST BY RECORD) 918.38 FEET TO THE POINT OF BEGINNING.

CONT 32.67 AC NET

SUBJ TO BLA ENT# 1294701

SUBJ TO BLA ENT# 1294702

SUBJ TO BLA ENT#1299961

SUBJ TO ESMNT SEE ENTRY #1310339