

COUNCIL MEETING  
MINUTES 03/28/95

COUNTY COUNCIL MEETING INDEX

Appeal Findings: Providence City, Pulver & Fisher (2)  
Appointment: Godderidge, Bruce H. To Planning Commission (2)  
APRIL RECYCLING DATES: POCLAMATION (3)  
BOARD OF EQUALIZATION: PROPERTY TAX EXEMPTION REQUESTS (4)  
BUDGET ADJUSTMENT-1995: RESOLUTION NO. 95-11 (4)  
BUDGET OPENING-1995: PUBLIC HEARING (3)  
CAZIER, MARCEE: SENIOR CITIZEN KITCHEN FUNDING (8)  
COUNTYWIDE LIBRARY: MILES JENSEN (7)  
COUNTYWIDE LIBRARY COMMENTS: CRAIG PINDER (7)  
COUNTYWIDE PLANNING WORKSHOP: SCHEDULED (9)  
CULINARY WATER: NIELSEN LETTER (7)  
FOREST SERVICE: STUDY AREAS (9)  
Godderidge, Bruce H.: Appointed to Planning Commission (2)  
GROLL, SIDNEY P: JAIL PROGRAM OFFICER REQUEST (8)  
JAIL PROGRAM OFFICE REQUEST: SIDNEY P. GROLL (8)  
JENSEN, MILES: COUNTYWIDE LIBRARY COMMENTS (7)  
Lemon, M Lynn: Nibley City & County Well permit (7)  
Library System: Miles Jensen comments (7)  
NATIONAL COUNTY GOVERNMENT WEEK: PROCLAMATION (2)  
Nielsen, Joseph: Culinary water letter (7)  
NORTHERN REGIONAL COUNCIL FOR WOMEN AND FAMILIES: PROCLAMATION  
(3)  
PARADE: SMITHFIELD CITY HEALTH DAYS (9)  
PINDER, CRAIG: COUNTYWIDE LIBRARY COMMENTS (7)  
PLANNING DISTRICT: DISCUSSION (8)  
PROCLAMATION: APRIL RECYCLING DATES (3)  
PROCLAMATION: NATIONAL COUNTY GOVERNMENT WEEK (2)  
PROCLAMATION: NORTHERN REGIONAL COUNCIL FOR WOMEN AND  
FAMILIES (3)  
PROPERTY TAX EXEMPTION REQUESTS: BOARD OF EQUALIZATION (4)  
Providence City, Pulver & Fisher: Appeal Findings (2)  
PUBLIC HEARING: BUDGET OPENING-1995 (3)  
RESOLUTION NO. 95-11: BUDGET ADJUSTMENT-1995 (4)  
SENIOR CITIZEN KITCHEN FUNDING : MARCEE CAZIER (8)  
WELL PERMIT-NIBLEY CITY: DISCUSSION (7)

COUNCIL MEETING  
MINUTES 03/28/95

THE CACHE COUNTY COUNCIL MEETING MINUTES

March 28, 1995

The Cache County Council met in regular session on the 28th day of March, 1995 in the County Council Chambers located at 120 North 100 West, Logan, Utah 84321.

ATTENDANCE

Council members present: Chairman Sarah Ann Skanchy, Council members Guy Ray Pulsipher, Layne M. Beck, H Craig Petersen, Jerry L. Allen, Darrel L. Gibbons. Vice Chairman C. Larry Anhder arrived late.

Others present: Cache County Executive M. Lynn Lemon; Cache County Clerk Stephen M. Erickson; Cache County Attorney Scott Wyatt; Cache County Auditor Tamra Stones; Cache County Assessor Kathleen C. Howell; Cache County Treasurer Karen A. Jeppesen; Cache County Sheriff Sidney P. Groll; Cache County Planning & Zoning Administrator Lorene Greenhalgh; Cache County Senior Citizen Director Marcee L. Cazier; The Chairman of the Library Foundation Miles Jensen; Representatives of the local news media and other interested citizens.

CALL TO ORDER

Council Chairman Sarah Ann Skanchy called the meeting to order at 5:00 p.m. and welcomed all who were in attendance.

INVOCATION

The invocation was given by Councilman Jerry L. Allen.

AGENDA & MINUTES

The agenda for the meeting was adjusted and approved.

The minutes of the Special Council meeting held on March 8, 1995 and the minutes of the regular Council meeting held on March 14, 1995 and sent to all members of the Council were corrected and approved.

REPORT OF THE COUNTY EXECUTIVE

The County Executive M. Lynn Lemon reported on the following items:

1. Appointment:

COUNCIL MEETING  
MINUTES 03/28/95

The following individual was presented to the Council for appointment approval.

Appointment: Godderidge, Bruce H. Planning Commission

A motion to approve the appointment was made by Councilman Petersen. It was properly seconded and carried unanimously. (Vice Chairman Anhder absent)

2. Appeal Findings: Providence City, Pulver & Fisher.

Executive Lemon read the prepared findings concerning his decision on the appeal from Providence City & Dr's Pulver & Fisher.

(See attachment #1)

The appeal was denied effective on March 28, 1995.

3. E. A. Miller, Hyrum City meeting: Lemon will represent the County at a special meeting between E. A. Miller and Hyrum City. An agreement has been drafted by E. A. Millers Attorneys for discussion and review.

4. UDOT Letter: A letter has been received from UDOT asking for county input on a bridge reconstruction project over Logan River in the mouth of Logan Canyon. Council members were invited to attend. Lemon will represent the County at the hearing.

5. Health Insurance & Workmans Compensation: There has been a 2% reduction in the Health Insurance premium but the Workmans compensation has increased. The premium for each will probably off-set each other.

6. Warrant Register: The Warrant Register was presented to the County Clerk for filing.

PROCLAMATION: NATIONAL COUNTY GOVERNMENT WEEK

Chairman Sarah Ann Skanchy read a Proclamation proclaiming the week of April 2-8, 1995 as National County Government Week.

(See attachment #2)

A motion to adopt the Proclamation was made by Councilman Gibbons. It was seconded and carried unanimously. (Vice Chairman Anhder absent)

VICE CHAIRMAN ANHDER ARRIVES

COUNCIL MEETING  
MINUTES 03/28/95

Vice Chairman C. Larry Anhder arrived at the meeting at 5:25 p.m.

PROCLAMATION: APRIL RECYCLING DATES

Chairman Skanchy read a Proclamation that if adopted would set dates in the county for a Statewide recycling of household appliances. The Proclamation also sets a date for disposal of household hazardous waste.

(See attachment #3)

A motion to adopt the Proclamation was made by Councilman Petersen. It was seconded and carried unanimously.

PROCLAMATION: NORTHERN REGIONAL COUNCIL FOR WOMEN AND FAMILIES

A Proclamation that recognizes the Northern Regional Council for Women & Families and allows them to perform their functions in the County was read by Chairman Skanchy.

(See attachment #4)

A motion to adopt the Proclamation was made by Councilman Pulsipher. It was seconded and carried unanimously.

BUDGETARY MATTERS

PUBLIC HEARING: BUDGET OPENING-1995

The scheduled public hearing to receive input and to discuss proposed changes in the 1995 budget was convened at 5:30 p.m. by Chairman Skanchy. County Auditor Tamra Stones reviewed the proposed changes in revenue and expenses in the 1995 budget. The County Assessor Kathleen Howell was asked to explain her requested budget increases. Howell said that the county's top appraiser has left the county, creating additional work load on the others in the department. And the necessity to send a new appraiser to school. Her department also is requesting an updated printer to better copy two sided documents. Howell was asked about the work load in her office? She compared our county with Washington County. Washington County has less parcels of property and less citizens and they have 15 employees to our 6. Howell said the mandate from the state to reappraise all property every five years, really adds to the work load. She will be requesting additional help later on this year.

COUNCIL MEETING  
MINUTES 03/28/95

The County Treasurer Karen Jeppesen told the Council that her computers need upgrading to 486 units. Mike Nilson, the Chairman of the County Data Processing Committee defended the request from the Data Processing Department to buy a high tech computer. The County Executive M. Lynn Lemon is recommending the approval of all the budget changes.

Chairman Skanchy asked for further comment from the public. Their were no further comments made.

A motion to close the public hearing was made by Vice Chairman Anhder. It was properly seconded and carried unanimously.

RESOLUTION NO. 95-11: BUDGET ADJUSTMENT-1995

The adoption of Resolution No. 95-11 will increase budget and appropriations in certain County Departments.

(See attachment #)

A motion to adopt Resolution 95-11 was made by Councilman Gibbons. It was seconded and carried unanimously.

THE COUNCIL ADJOURNED FROM THE REGULAR COUNCIL MEETING INTO A BOARD OF EQUALIZATION

BOARD OF EQUALIZATION: PROPERTY TAX EXEMPTION REQUESTS

The Board of Equalization discussed and acted on the following tax exempt requests:

1. Logan Regional Hospital: The Hospital is requesting 100% exemption on the building and land and 20% on personal property. There was some question on the application because there wasn't enough information.

A motion to table the Hospitals request until further information is available was made by Board member Allen. It was seconded and carried unanimously.

2. Space Dymanic Laboratory: The County Assessor Kathleen Howell reviewed the building and the location of the building with the Board. Auditor Stones said that last year the request was granted for educational purposes. There was some concern about the request not meeting the necessary requirements for education because of a possible operation for profit. Councilman Petersen told the Council that a number of students further their education at the facility and it definitely qualifies under the education requirements for tax exemption.

COUNCIL MEETING  
MINUTES 03/28/95

A motion to approve the request was made by Board member Allen. It was properly second and carried unanimously.

(See attachment #6)

3. Chamber of Commerce:

Board Chairman Skanchy told the Board that a subcommittee has met with the Chamber during the past week and have reviewed their application. It was determined that some areas of the building should be exempt because they meet the necessary requirements. The area that the Daughters of the Utah Pioneers and the area where operations for the Spendlove Research takes place qualify for exemption. The County Attorney Scott Wyatt told the Council that his office has reviewed the contract between the County and the Chamber of Commerce on the property exchange. Wyatt said that even though the feeling seemed to be in the contract to grant exemption nothing was in writing. He said that it would not be legal to have a contract that would allow exemption because of binding tax laws that may change from time to time.

A motion to deny the Chambers application was made by Board member Allen. It was properly seconded and carried unanimously.

Board member Anhder moved to amend the motion to give back to the Chamber any tax collected. Anhder feels that the Chamber does a lot for the County and would use the money to better the county.

After discussing the amendment it was determined that it would not be legal to return any tax money collected from the Chamber or anyone else in the same position. Anhder withdrew his amendment.

A motion to exempt the Daughters of the Utah Pioneers portion in the chamber building was made by Board member Allen. It was seconded and carried unanimously.

A motion to exempt the Spendlove Research portion was made by Board member Gibbons. It was seconded and carried unanimously.

(See attachment #7)

4. Rocky Mountain District Council of Assemblies of God:

A motion to approve the request was made by Board member Anhder. It was properly seconded and carried unanimously.

(See attachment #8)

5. Faith & Fellowship Center:

COUNCIL MEETING  
MINUTES 03/28/95

A motion to take the Faith & Fellowship Center off the tax exemption roll because of improper filing procedure was made by Board member Petersen. It was seconded and carried unanimously.

(See attachment #8)

6. First Presbyterian Church:

The Church has a building and two homes that they rent but hold a Sunday School class 1 hour per week in each home. Auditor Stones recommends that the building be granted tax exempt but not the two homes.

A motion to tax the two rental homes and exempt the Church House was made by Board member Gibbons. It was seconded and carried unanimously.

(See attachment #8)

7. Planned Parenthood:

A motion to approve the request was made by Board member Gibbons. It was properly seconded and carried unanimously.

(See attachment #8)

8. New Discoveries Bear River Mental Health:

A motion to approve the request was made by Board member Petersen. It was seconded and carried unanimously and carried unanimously.

(See attachment #8)

9. CAPSA Personal Property:

A motion to approve the request was made by Board member Gibbons. It was properly seconded and carried unanimously.

(See attachment #8)

10. Capital Arts Alliance Personal Property:

A motion to approve the request was made by Board member Gibbons. It was seconded and carried unanimously.

(See attachment #8)

COUNCIL MEETING  
MINUTES 03/28/95

THE BOARD OF EQUALIZATION ADJOURNED FROM THE BOARD MEETING BACK INTO THE REGULAR COUNCIL MEETING.

COUNTYWIDE LIBRARY: MILES JENSEN

The Chairman of the County Library Foundation Miles Jensen appeared before the Council to discuss a proposed Resolution that would create a Countywide Library System. Jensen said that due to SB 254 his committee is not ready to bring the Resolution back to the Council for a second reading. They would like the Council to keep it on the table and bring it back when the committee is ready. County Clerk Erickson was asked to review his memo concerning an election on the Countywide Library System. Erickson presented his memo to the Council.

(See attachment #9)

**CRAIG L. PINDER:** Mr. Pinder, from Young Ward, expressed concern about the proposed Library System. He favors the system but would like more information as to what the cost will be and the location of the buildings etc. before an election takes place.

COUNTY WELL PERMIT-NIBLEY CITY: DISCUSSION

Executive M. Lynn Lemon is proposing that the County give a well permit to Nibley City if they will release the County from any responsibility that may occur because of gravel excavation near Nibley City's water springs. Attorney Wyatt said that if an agreement is signed we will not have to worry about extending the well permit again and we will not have any responsibility providing water to Nibley City because of gravel excavation.

A motion to release the well permit to Nibley City and authorize the County Executive to execute an agreement with Nibley City was made by Vice Chairman Anhder. It was properly seconded and carried unanimously.

CULINARY WATER: NIELSEN LETTER

Joseph S. Nielsen, a citizen of Logan, has sent a letter to the Council and the County Executive expressing his concerns about allowing the development of a seven lot subdivision near Paradise and culinary water needed for the development.

(See attachment #10)

The Planning and Zoning Administrator Lorene Greenhalgh told the Council that there hasn't been a home built in the county where



COUNCIL MEETING  
MINUTES 03/28/95

water has been a problem. There has always been enough water for a family to move into their home. Executive Lemon said that the State Engineer is requiring the County to have a Water Management Plan before any large well permits are issued. Lemon will send the letter to the County Water Policy Board and he recommends that we wait for their recommendation concerning the issue. Lemon will draft a reply to the Nielsen letter.

PLANNING DISTRICT: DISCUSSION

A Memo from the County Planning Administrator Lorene Greenhalgh was discussed by the Council. The Planning Commission is recommending support for Planning Districts in the County as proposed by the Countywide Planner, Mark Tuescher.

(See Attachment #11)

SENIOR CITIZEN KITCHEN FUNDING : MARCEE CAZIER

The Director of the Senior Citizen Center Marcee Cazier reported to the Council that they would like to begin construction of a new kitchen in the Center. They have received a multi year CDBG and want to use \$52,000.00 seed money from their fund balance to begin the project. The time frame for the project was discussed along with various fund raising projects such as 3 on 3 basketball games and a quilt a month program.

A motion to allow the use of the fund balance was made by Councilman Allen. It was properly seconded and carried unanimously.

Wesley Maughan was introduced as the project manager.

(See attachment #12)

JAIL PROGRAM OFFICE REQUEST: SIDNEY P. GROLL

The County Sheriff Sidney P. Groll met with the Council again to request a new position in the Jail Department. Groll said that funding is in place to hire a Jail Program Officer. Funds that are coming from the state prisoner reimbursement program and are only allocated on request, by the County, are dedicated for jail related programs. The expected amount of \$70,000 to \$90,000 this year is more than enough to fund the new position. The County Executive M. Lynn Lemon is recommending that the new position should be funded.

COUNCIL MEETING  
MINUTES 03/28/95

A motion to approve the position of a Jail Program Officer was made by councilman Gibbons. It was seconded and carried unanimously.

Fast Cops grants were discussed by the Council. Sheriff Groll said the grants are for three years. Those communities who have received the grants are aware that they are only for three years and at the end of three years the communities are to pickup the funding for the new officers.

COUNTYWIDE PLANNING WORKSHOP: SCHEDULED

A workshop to discuss efforts of the Countywide planner will be held on March 29, 1995. Council members were encouraged to attend.

FOREST SERVICE: STUDY AREAS

Chairman Skanchy appraised the Council of the studies presently being done by the Forest Service. Executive Lemon was asked to draft a statement to the Forest Service concerning what they are proposing. They are proposing some changes at the Tony Grove area, updating the list of noxious weeds and are studying range land use and grazing management.

PARADE: SMITHFIELD HEALTH DAYS

Council members were invited to ride in the Smithfield Health Days parade on May 13, 1995 at 10:00 a.m.

COUNCIL MEMBER REPORTS

Councilman Allen: Reported that he attended the BRAG meeting in Brigham City. Allen asked what the Westons were doing about their sign. Executive Lemon said that they have applied for a permit and are continuing to meet the requirements set by the Council. Councilman Allen also expressed concern about signs on the Logan City Fire Trucks. He said that the county's name is on the back and Logan City's name is on the sides. Councilman Allen reported that the tower at the airport is in need of repair and something should be done to bring it up to standard.

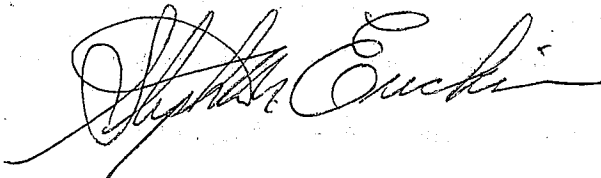
Councilman Petersen: Asked when the Restaurant Tax allocation will take place. He was told that usually the second meeting in May. Petersen requested that the President of USU, George Emert, be invited to meet with the Council.

COUNCIL MEETING  
MINUTES 03/28/95

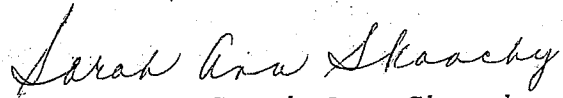
Councilman Pulsipher: Requested that the fence issue at the fairgrounds be put on a future agenda. Pulsipher expressed concern that some large trucks are creating problems on roads in his area. Apparently they are going up impassable roads and are unable to turn around. It was suggested that some directional signs be installed.

ADJOURNMENT

No further business was presented for discussion or action. This meeting was adjourned by Chairman Skanchy at 7:50 p.m.



ATTEST: Stephen M. Erickson  
Cache County Clerk



APPROVAL: Sarah Ann Skanchy  
Council Chairman

BEFORE THE CACHE COUNTY EXECUTIVE

IN THE MATTER OF THE APPEAL OF A  
CONDITIONAL USE PERMIT FOR  
CELCO, INC.

FINDINGS  
AND  
ORDER

The County Executive, Cache County, Utah, makes the following findings in the above designated appeal:

1. Celco, Inc. and/or Mr. Steve Oldfield has requested a conditional use permit to allow the building of a residential home on certain property located on the Providence Canyon Road East of Providence City boundaries.

2. The Cache County Planning Commission granted the conditional use permit to allow the residential home to be built on the subject property.

3. Two appeals to the conditional use permit were filed. The first, by Providence City and the second, jointly by Kerry Pulver and Laura Fisher. A public hearing was held on February 14, 1995, wherein, Providence City appeared through Paul Holden, Chairman of the Providence City Planning Commission. Laura Fisher was present and represented by Attorney Larry Jones; and Celco, Inc. was present and represented by Attorney Lauren M. Lambert. Cache County Executive, M. Lynn Lemon, heard the representations by each of the parties. The Executive asked the parties for a written submission, which all parties submitted on or before February 28, 1995. The Executive also reviewed the entire record concerning this application created by the County Zoning Administrator, the County Planning Commission and the County Council. The entire record is incorporated herein. The Executive makes the following findings in the above designated appeal:

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## FINDINGS

1. The property is described as follows: part of Cache County Property ID Number's 02-116-0007 and 02-114-0014, also described as 1577 East Canyon Road, Providence, Utah.

2. The property is zoned Agricultural, which allows homes to be built if a conditional use permit is obtained.

3. Celco, Inc., as the owner of the property, and as the assignee of any interest Mr. Steve Oldfield has, has standing to seek this application.

4. The subject property is within Providence City's annexation declaration area and is included within its master plan. Providence City has indicated an interest in annexing the property.

5. Providence City Planning and Zoning Commission has, in the past, recommended to the City Council that the area be annexed to Providence City; however, the City has voted against the annexation.

6. The subject property appears to be a part of an area that may become a much larger subdivision. The Cache County Land Use Ordinance defines a subdivision as "the division of a tract, lot or parcel of land into three or more lots." This lot constitutes the second parcel. As soon as a third parcel is created Celco, Inc. must comply with subdivision requirements, but it is not obligated to do so at this point.

7. Providence City has maintained that it will have an absolute obligation to provide services to this lot if the County allows the conditional use permit. This is not accurate as Providence City has no legal obligation to

provide services to any lot outside its boundaries. Providence City may choose to contract with any person building on this lot but has no obligation to do so. It is noted however, that, Providence City has agreed to provide services to adjoining lots outside Providence City boundaries.

8. If the subject property was located within Providence City the size of the lot meets or exceeds what would be required by Providence City for the bordering zone. Further, within the last two years, Providence City has allowed several homes to be built within a very short distance of this proposed home.

9. The subject property is East of the deer fence. The fact that the subject property is East of the deer fence is not dispositive for a determination as to whether a building permit could or should be issued for the subject lot. The deer fence is not contemplated in the County Land Use Ordinance; the zone, within which the subject property lies is the relevant enquiry. The subject property is contained within the agricultural zone, and must be treated consistent with all other lots in the agricultural zone.

10. It has been suggested that granting a conditional use permit is improper as the required notice has not been given to all required adjoining land owners. *Appendix B IV -8.1 of the Cache County Land Use Ordinance* requires "The Planning Commission, through its staff, shall, insofar as practical, notify by mail all property owners appearing on the latest plat in the Cache County Recorder's office within 300 foot radius of the property for which a conditional use permit or zoning amendment is requested." It further states "The above information shall be furnished to the Planning staff by the applicant. Compliance with this subparagraph shall not be a condition precedent to proper

*legal notice and no hearing or action taken thereon shall be deemed invalid or illegal because of the failure to mail the notices provided for in this paragraph.*" It is found, however, that all property owners within a 300 foot radius of the property, if they did not receive notice as indicated above, did in fact receive actual notice and were aware of all proceedings and had full opportunity to provide input to this appeal.

11. Based on the written representations to the County Zoning Office by the Spring Creek Water Users Association, the applicant is capable of satisfying and mitigating any concerns that might endanger waterways and wetland needs.

12. Laura Fisher and Kerry Pulver have a well located on their property adjacent to the subject property and have expressed concerns that, although they are not currently using the well for culinary water uses, may in fact choose to use it for that purpose in the future. Based on written representations made to the County Zoning Office by the Bear River Health Department, the Executive is satisfied that Celco, Inc. can mitigate any potential harm to the well located on the Pulver/Fisher property.

13. With respect to the sensitive area requirements in the Cache County Land Use Ordinance, the Executive is satisfied that through the representations of applicant any concerns can and will be mitigated.

14. The Planning Commission rated the subject property according to rating guidelines at a minus 45. This is not a barrier to a proposed use and was not a barrier to the Planning Commission recommending issuance of the conditional use permit. *Appendix E of the Cache County Land Use Ordinance* provides "Section 23-5.A states that the Planning Commission may establish criteria for the



*consideration of any matters to be brought before the board. No particular point total is mandatory for approval or denial."* The point system is not dispositive but rather instructive in determining whether or not a permit should be issued. The point system may have an impact on the required mitigation. Based on written representations made to the Planning Commission by Christensen Engineering, The Executive is satisfied that a safe home can be constructed on the steep slop and fault area. The Executive is also satisfied that the conditions set forth by the Planning Commission will adequately address the problems that led to the Planning Department's rating. Further, the Executive concludes that the proposed mitigation and studies provided by applicant are adequate to address any and all concerns associated with the subject property.

15. The Executive further finds that granting a conditional use permit to allow applicant to build a single family dwelling unit on the subject property is reasonable and necessary for the public convenience, necessity, welfare and safety based on the following:

- a. The request is reasonable and reasonably necessary to the applicant and the beneficial use of his property.
- b. The request is not inconsistent with the general purpose of the zone. The county's agricultural zone specifically allows for the use requested.
- c. The home would not create nor unreasonably increase hazards or dangers to adjacent property owners or to the community because of a resulting fire, explosion, pollution, increase traffic congestions, increase parking, or from the presence of any

dangerous conditions or materials, more than any other use permitted in the zone.

- d. An injustice would result if a conditional use permit for this home were not granted, as the applicant would be hampered in his ability to make valuable use of the property.

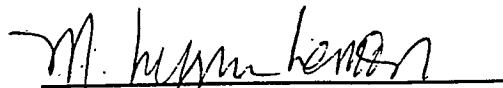
#### ORDER

Based on the foregoing the Cache County Executive orders that:

1. Appellant, Providence City and Kerry Pulver and Laura Fisher's appeals are hereby denied.

2. The decision of the Planning Commission is upheld and incorporated by this reference into this order with any and all conditions contained within the Planning Commission's Decision and consistent with the foregoing.

The effective date of this order is the 28th day of March, 1995.

  
M. Lynn Lemon  
Cache County Executive

CACHE COUNTY  
CORPORATION

M. LYNN LEMON  
COUNTY EXECUTIVE/SURVEYOR

120 NORTH 100 WEST  
LOGAN, UTAH 84321  
Tel 801-752-5935  
Fax 752-9169

COUNTY COUNCIL

SARAH ANN SKANCHY  
CHAIRMAN  
C. LARRY ANHDER  
V. CHAIRMAN  
DARREL L. GIBBONS  
JERRY L. ALLEN  
GUY RAY PULSIPHER  
H. CRAIG PETERSEN  
LAYNE M. BECK  
STEPHEN M. ERICKSON  
CLERK

PROCLAMATION

WHEREAS, county government structure today are as diverse as the people they represent.

WHEREAS, counties provide a wide spectrum of services to their residents, and county employees are proud of the service they provide.

WHEREAS, state constitutions legislate the revenue sources counties may pursue to meet their budget requirements and taxes are the primary revenue source for counties.

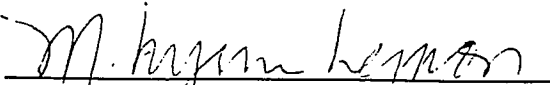
WHEREAS, counties spend more than \$140 billion a year in providing libraries, hospitals, highways, police and fire protection, health and welfare services, parks and recreation and dozens of other services for their citizens.

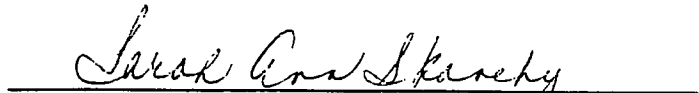
WHEREAS, it is time for this nation to recognize that it is everyone's responsibility to ensue that our children have the opportunity to grow in a nurturing environment to become self-reliant and productive adults. Children are this country's most valuable resource. Like our children, America's counties are America's future.

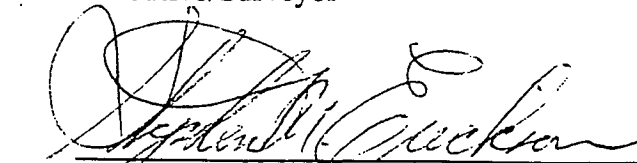
NOW THEREFORE, be it resolved by the Cache County Executive and Cache County Council that April 2 - 8, 1995 be proclaimed

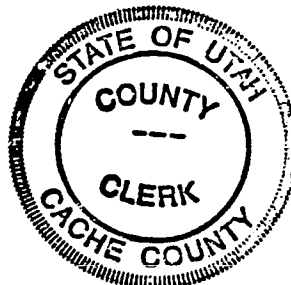
"NATIONAL COUNTY GOVERNMENT WEEK: CHILDREN'S ISSUES"

In witness thereof, the Cache County Council Chairman and the Cache County Executive have hereunto set their hands this 28th day of March, 1995.

  
M. Lynn Lemon  
Executive/Surveyor

  
Sarah Ann Skanchy  
Chairman, Cache County Council

  
Stephen M. Erickson, Clerk



2

CACHE COUNTY  
CORPORATION

M. LYNN LEMON  
COUNTY EXECUTIVE/SURVEYOR  
20 NORTH 100 WEST  
LOGAN, UTAH 84321  
Tel 801-752-5935  
Fax 752-9169

COUNTY COUNCIL  
SARAH ANN SKANCHY  
CHAIRMAN  
C. LARRY ANHDER  
V. CHAIRMAN  
DARREL L. GIBBONS  
JERRY L. ALLEN  
GUY RAY PULSIPHER  
H. CRAIG PETERSEN  
LAYNE M. BECK  
STEPHEN M. ERICKSON  
CLERK

PROCLAMATION  
APRIL RECYCLING DATES

WHEREAS, the Cache County Council serves as the Board of Trustees for Service Area No. 1, and

WHEREAS, the Service Area was organized to promote the orderly pickup and disposal of solid waste in Cache County, and

WHEREAS, Some of its goals are to extend the life of the landfill, recycle marketable products, and prevent the disposal of environmentally unsafe products therein, and

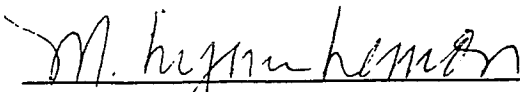
WHEREAS, Cache County Council finds that recycling steel saves energy and natural resources, and

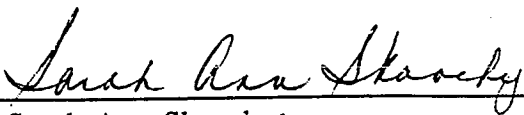
WHEREAS, all appliances are made of steel, contain some recycled steel and are recyclable when they have reached the end of their useful lives.


NOW THEREFORE, be it resolved that the Cache County Executive and Cache County Council will support and promote the

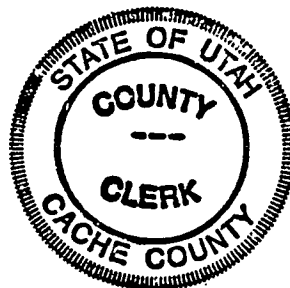
- (1) Statewide recycling and disposal of household appliance dates on April 22, 1995 and April 29, 1995, and
- (2) Disposal of household hazardous waste materials on April 22, 1995.

In witness thereof, the Cache County Council Chairman and the Cache County Executive have hereunto set their hands this 28th day of March, 1995.

  
M. Lynn Lemon  
Executive/Surveyor

  
Sarah Ann Skanchy  
Chairman Cache County Council

  
Stephen M. Erickson  
Clerk



CACHE COUNTY  
CORPORATION

**M. LYNN LEMON**  
COUNTY EXECUTIVE/SURVEYOR

120 NORTH 100 WEST  
LOGAN, UTAH 84321  
Tel 801-752-5935  
Fax 752-9169

**COUNTY COUNCIL**

SARAH ANN SKANCHY  
CHAIRMAN  
C. LARRY ANHDER  
V. CHAIRMAN  
DARREL L. GIBBONS  
JERRY L. ALLEN  
GUY RAY PULSIPHER  
H. CRAIG PETERSEN  
LAYNE M. BECK  
STEPHEN M. ERICKSON  
CLERK

PROCLAMATION

WHEREAS, the Governor of the State of Utah has established a Commission for Women and Families, and

WHEREAS, a Northern Regional Council for Women and Families serving Box Elder, Cache and Rich Counties has been organized, and

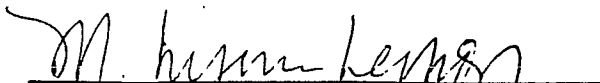
WHEREAS, the purposes of the Northern Regional Council are to identify issues of concern to women and families in this area; provide leadership in establishing a cooperative effort of interested individuals and organizations to advance solutions to the identified areas of concern; report information and issues of concerns annually to the State Commission; and contribute information about local organizations and resources that are concerned about women and family issues to a statewide networking database.

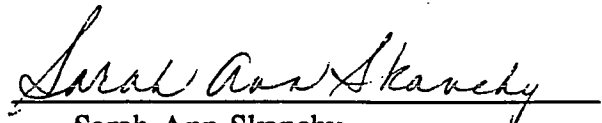
NOW THEREFORE, be it resolved by the County Executive and the County Council of Cache County, Utah that the

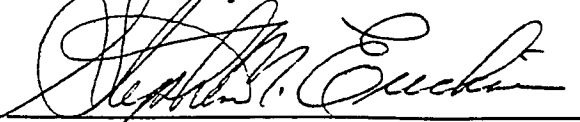
"NORTHERN REGIONAL COUNCIL FOR WOMEN AND FAMILIES"

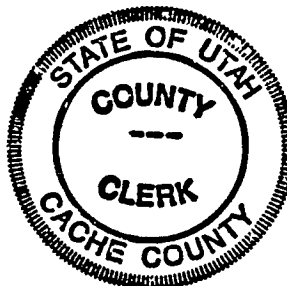
is officially recognized by Cache County to perform its stated functions within the county.

In witness thereof, the Cache County Council Chairman and the Cache County Executive have hereunto set their hands this 28th day of March, 1995.

  
M. Lynn Lemon  
Executive/Surveyor

  
Sarah Ann Skanchy  
Chairman, Cache County Council

  
Stephen M. Erickson  
Clerk



RESOLUTION NO. 95- 11

A RESOLUTION INCREASING THE BUDGET APPROPRIATIONS FOR CERTAIN COUNTY DEPARTMENTS.

The Cache County Council, in a duly convened meeting, pursuant to Sections 17-36-22 through 17-36-26, Utah Code Annotated, 1953 as amended, finds that certain adjustments to the Cache County budget for 1995 are reasonable and necessary; that the said budget has been reviewed by the County Auditor with all affected department heads; that a duly called hearing has been held and all interested parties have been given an opportunity to be heard; that all County Council has given due consideration to matters discussed at the public hearing and to any revised estimates of revenues; and that it is in the best interest of the County that these adjustments be made.

NOW THEREFORE, it is hereby resolved that:

Section 1.

The following adjustments are hereby made to the 1995 budget for Cache County:

See Attached Schedule

Section 2.

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

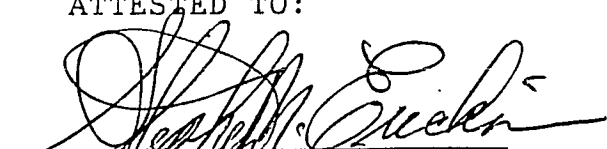
Section 3.

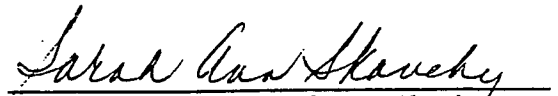
This resolution shall take effect immediately upon adoption and the County Auditor and other county officials are authorized and directed to act accordingly.

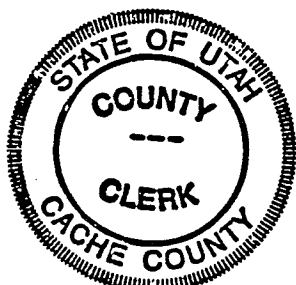
This resolution was duly adopted by the Cache County Council on the 28th day of March, 1995.

ATTESTED TO:

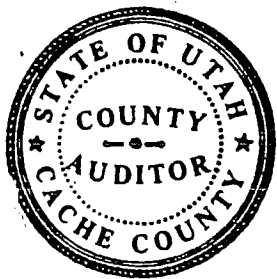
CACHE COUNTY COUNCIL

  
Stephen M. Erickson  
Cache County Clerk

  
Sarah Ann Skanchy, Chairman







CACHE COUNTY  
Office of the County Auditor

179 NORTH MAIN  
LOGAN, UTAH 84321

**MEMORANDUM**

Tamra Stones  
COUNTY AUDITOR

TO: Cache County Council  
FROM: Tamra Stones, Cache County Auditor  
DATE: March 10, 1995  
SUBJECT: Tax Exempt Applications and Affidavits - 1995

---

**Reapplication:** Space Dynamic Laboratory - Seeking exemption of personal property only. 1695 Research Park Way, Logan UT 84321

The application has been reviewed and is complete. The application was received after the deadline to file for exemption for 1995. The foundation conducts research and strives to further the educational goals of Utah State University.

**FINDINGS OF FACT - UAC 59-2-1102**

*Sound tax-exempt*

**DETERMINATION**

APPROVED       TABLED       DENIED

*Sarah Ann Stanchy*  
\_\_\_\_\_  
Cache County Council Chairman

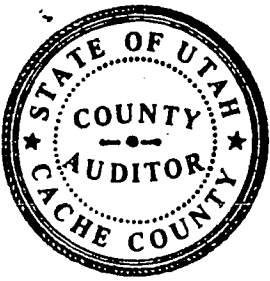
*3/28/95*  
\_\_\_\_\_  
Date

Attested:

*Tamra Stones*  
\_\_\_\_\_  
Tamra Stones, BOE Clerk

6





CACHE COUNTY

Office of the County Auditor

179 NORTH MAIN  
LOGAN, UTAH 84321

Tamra Stones  
COUNTY AUDITOR

MEMORANDUM

TO: Cache County Council  
FROM: Tamra Stones, Cache County Auditor  
DATE: March 2, 1995  
SUBJECT: Tax Exempt Applications and Affidavits - 1995

TO:  
FROM:  
DATE:  
SUBJECT:

New Application: Cache Chamber of Commerce - 06-018-0038 160 North Main  
Logan, UT 84321

The application has been reviewed and is complete. The organization is seeking exemption for public purposes. The Chamber of Commerce seeks to enhance the economic vitality and quality of life of Cache County.

FINDINGS OF FACT - UAC 59-2-1102

*The portion of the building that is use by the Chamber is denied. The DUP museum and <sup>STATE</sup> Spendow Research are exempt. It does not serve religious, educational and charitable uses exclusively.*

DETERMINATION

                     APPROVED

                     TABLED

                      DENIED

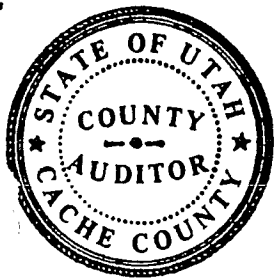
*Sarah Ann Skosky*  
Cache County Council Chairman

                      
3/28/95  
Date

Attested:

                      
*Tamra Stones*  
Tamra Stones, BOE Clerk

7



CACHE COUNTY

Office of the County Auditor

179 NORTH MAIN  
LOGAN, UTAH 84321

Tamra Stones  
COUNTY AUDITOR

**MEMORANDUM**

TO: Cache County Council  
FROM: Tamra Stones, Cache County Auditor  
DATE: March 28, 1995  
SUBJECT: Tax Exempt Applications and Affidavits - 1995

---

Reapplication: Spendlove Research - Located in the Cache Chamber of Commerce building 160 No. Main

The application has been reviewed and is complete. The application was received after the deadline to file for exemption for 1995. The organization serves charitable purposes.

**FINDINGS OF FACT - UAC 59-2-1102**

*qualifies as tax-exempt*

**DETERMINATION**

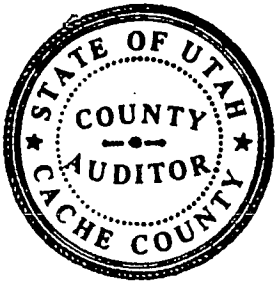
       APPROVED                             TABLED                             DENIED

Sarah Ann Skasch  
Cache County Council Chairman

3/28/95  
Date

Attested:

Tamra Stones  
Tamra Stones, BOE Clerk



CACHE COUNTY

Office of the County Auditor

179 NORTH MAIN  
LOGAN, UTAH 84321

Tamra Stones  
COUNTY AUDITOR

MEMORANDUM

TO: Cache County Council  
FROM: Tamra Stones, Cache County Auditor  
DATE: March 27, 1995  
SUBJECT: Tax Exempt Applications and Affidavits - 1995

New Application: Daughters of the Utah Pioneers Museum - Seeking exemption on personal property only. Located in the Cache Chamber of Commerce building.

The application has been reviewed and is complete. TI organization serves charitable and educational purposes. Museum displays artifacts of Cache County Pioneers.

FINDINGS OF FACT - UAC 59-2-1102

*qualifies as tax-exempt.*

DETERMINATION

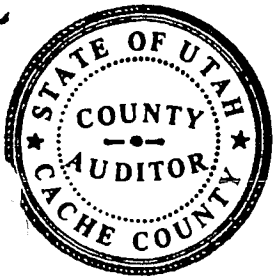
APPROVED       TABLED       DENIED

*Sarah Ann Skanechy*  
Cache County Council Chairman

3/28/95  
Date

Attested:

*Tamra Stones*  
Tamra Stones, BOE Clerk



CACHE COUNTY

Office of the County Auditor

179 NORTH MAIN  
LOGAN, UTAH 84321

MEMORANDUM

Tamra Stones  
COUNTY AUDITOR

TO: Cache County Council  
FROM: Tamra Stones, Cache County Auditor  
DATE: March 6, 1995  
SUBJECT: Tax Exempt Applications and Affidavits - 1995

---

Reapplication: Rocky Mountain District Council of Assemblies of God Inc. - 05-043-0024 - 390 W. 1000 No. Logan, UT 84321

The application has been reviewed and is complete. The application was received after the deadline to file for exemption for 1995. The organization services religious purposes.

FINDINGS OF FACT - UAC 59-2-1102

*qualifies as tax-exempt*

DETERMINATION

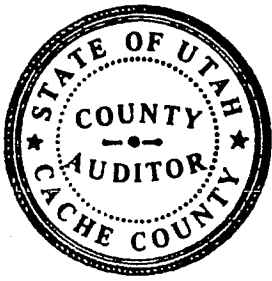
APPROVED       TABLED       DENIED

*Sarah Ann Starchy*  
Cache County Council Chairman

3/28/95  
Date

Attested:

*Tamra Stones*  
Tamra Stones, BOE Clerk



CACHE COUNTY  
Office of the County Auditor

179 NORTH MAIN  
LOGAN, UTAH 84321

Tamra Stones  
COUNTY AUDITOR

**MEMORANDUM**

TO: Cache County Council  
FROM: Tamra Stones, Cache County Auditor  
DATE: March 28, 1995  
SUBJECT: Tax Exempt Applications and Affidavits - 1995

---

Reapplication: Faith and Fellowship Center - 07-007-0009 1315 E.  
700 N. Logan, UT 84321

No application has been received at this time.

**FINDINGS OF FACT - UAC 59-2-1102**  
Due to not filing for exemption within the allotted time the organization was denied tax exemption.

**DETERMINATION**

\_\_\_\_\_ APPROVED

\_\_\_\_\_ TABLED

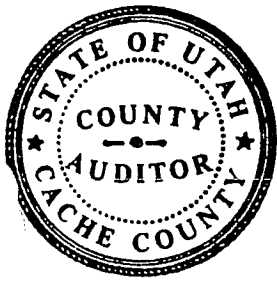
\_\_\_\_\_  DENIED

Sarah Ann Stenchy  
Cache County Council Chairman

3/28/95  
Date

Attested:

Tamra Stones  
Tamra Stones, BOE Clerk



CACHE COUNTY

Office of the County Auditor

179 NORTH MAIN  
LOGAN, UTAH 84321

Tamra Stones  
COUNTY AUDITOR

**MEMORANDUM**

TO: Cache County Council  
FROM: Tamra Stones, Cache County Auditor  
DATE: March 20, 1995  
SUBJECT: Tax Exempt Applications and Affidavits - 1995

---

**New Application:** First Presbyterian Church 06-031-0022, 06-031-0010, 06-031-0022 12 South 200 West Logan, UT 84321

The application has been reviewed and is complete. The application was received after the deadline to file for exemption for 1995. The organization serves religious purposes. The three properties in questions are the church and two rental homes.

**FINDINGS OF FACT - UAC 59-2-1102**

*Sanctuary is used exclusively for religious use, the residences are not used for exclusive religious use*

**DETERMINATION**

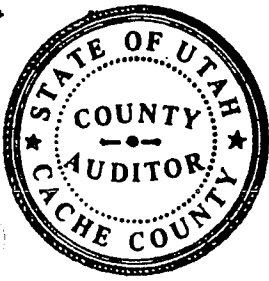
*Partial* APPROVED       TABLED       DENIED

*Sarah Ann Skarby*  
Cache County Council Chairman

3/28/95  
Date

Attested:

*Tamra Stones*  
Tamra Stones, BOE Clerk



CACHE COUNTY  
Office of the County Auditor

179 NORTH MAIN  
LOGAN, UTAH 84321

**MEMORANDUM**

Tamra Stones  
COUNTY AUDITOR

TO: Cache County Council  
FROM: Tamra Stones, Cache County Auditor  
DATE: March 6, 1995  
SUBJECT: Tax Exempt Applications and Affidavits - 1995

---

**Reapplication:** Planned Parenthood 550 North Main Suite 117 Logan, UT 84321 Seeking exemption for personal property only.

The application has been reviewed and is complete. The application was received after the deadline to file for exemption for 1995. The organization service charitable purposes.

**FINDINGS OF FACT - UAC 59-2-1102**

*qualifies as tax-exempt*

**DETERMINATION**

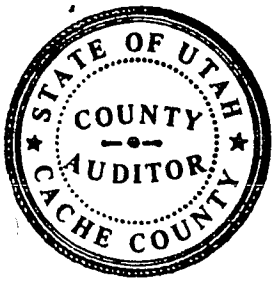
APPROVED       TABLED       DENIED

*Sarah Ann Stoney*  
Cache County Council Chairman

3/28/95  
Date

Attested:

*Tamra Stones*  
Tamra Stones, BOE Clerk



CACHE COUNTY

Office of the County Auditor

179 NORTH MAIN  
LOGAN, UTAH 84321

Tamra Stones  
COUNTY AUDITOR

**MEMORANDUM**

TO: Cache County Council  
FROM: Tamra Stones, Cache County Auditor  
DATE: March 21, 1995  
SUBJECT: Tax Exempt Applications and Affidavits - 1995

---

**Reapplication:** New Discoveries, Inc. - Seeking exemption of personal property only. 88 W. 1000 North Logan, UT 84321

The application has been reviewed and is complete. The application was received after the deadline to file for exemption for 1995. The organization serves a charitable purpose. The organization provides support to past and present patients of Bear River Mental Health.

**FINDINGS OF FACT - UAC 59-2-1102**

*qualifies as tax exempt*

**DETERMINATION**

APPROVED       TABLED       DENIED

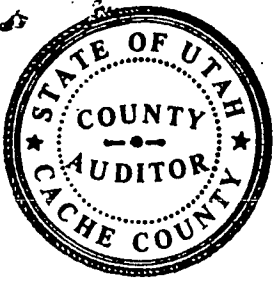
*Jacob Ann Stoney*  
\_\_\_\_\_  
Cache County Council Chairman

*3/28/95*  
\_\_\_\_\_  
Date

Attested:

*Tamra Stones*  
\_\_\_\_\_  
Tamra Stones, BOE Clerk





CACHE COUNTY

Office of the County Auditor

179 NORTH MAIN  
LOGAN, UTAH 84321

Tamra Stones  
COUNTY AUDITOR

**MEMORANDUM**

TO: Cache County Council  
FROM: Tamra Stones, Cache County Auditor  
DATE: March 2, 1995  
SUBJECT: Tax Exempt Applications and Affidavits - 1995

---

**Reapplication:** Citizens Against Physical and Sexual Abuse, Inc. 06-058-0006 The location of the building is confidential.

The application has been reviewed and is complete. The organization is of a charitable purpose. Provides confidential client emergency shelter and food, 24-hour crisis intervention, advocacy and casework, education and prevention.

**FINDINGS OF FACT - UAC 59-2-1102**

*qualifies as tax-exempt*

**DETERMINATION**

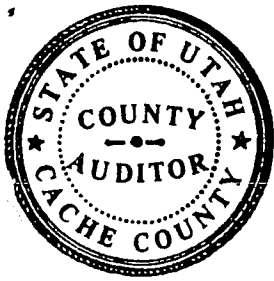
APPROVED       TABLED       DENIED

*Saint Ann Skooby*  
Cache County Council Chairman

3/28/95  
Date

Attested:

*Tamra Stones*  
Tamra Stones, BOE Clerk



CACHE COUNTY

Office of the County Auditor

179 NORTH MAIN  
LOGAN, UTAH 84321

Tamra Stones  
COUNTY AUDITOR

MEMORANDUM

TO: Cache County Council  
FROM: Tamra Stones, Cache County Auditor  
DATE: March 20, 1995  
SUBJECT: Tax Exempt Applications and Affidavits - 1995

Reapplication: Capital Arts Alliance, -Seeking exemption of personal property only. 43 South Main Logan, Ut 84321

The application has been reviewed and is complete. The application was received after the deadline to file for exemption for 1995. The organization serves charitable purposes.

FINDINGS OF FACT - UAC 59-2-1102

*Property only qualifies as tax-exempt for the personal DETERMINATION developed is not exempt. The property that is being held for future*

APPROVED       TABLED       DENIED

*Sarah Ann Stoney*  
Cache County Council Chairman

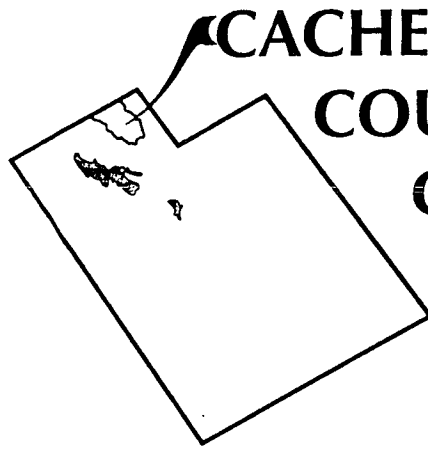
3/28/95  
Date

Attested:

*Tamra Stones*  
Tamra Stones, BOE Clerk

**OFFICE OF THE  
COUNTY CLERK**

170 North Main  
Logan, Utah 84321  
Ph. 752-3542



**CACHE  
COUNTY  
CORPORATION**

Stephen M. Erickson  
Cache County Clerk

Jill Zollinger, Chief Deputy Clerk  
Kim Gardner, Deputy Clerk

**MEMORANDUM**

**TO: Cache County Council**

**FROM: Stephen M. Erickson, Cache County Clerk**

**DATE: March 28, 1995**

**SUBJECT: Special Election (Increase Certified Tax Rate)**

---

The following items are for your information in regards to holding a special election to raise the countys certified tax rate.

1. An ordiance or resolution must be adopted by the Governing Body of the County stating the date and purpose of the election. (SB 254 requires the date of the election to be the last Tuesday of June. In this case it is June 27, 1995) The ordinance or resolution should be adopted at least 45 days before the election.

2. The cost to run the Election will be around \$15,000.00.

Other:

Joseph S. Nielsen  
297 E. 200 N.  
Logan, UT 84321  
752-4819

---

Cache County Executive and Cache County Council  
120 North 100 West  
Logan, UT 84321

February 9, 1995

Dear County Government Officials,

I wish to express some concerns about the "Field of Dreams" subdivision, north of Paradise, Utah, and problems with culinary water.

Facts:

1. The seven lot "Field of Dreams" subdivision was approved by the County with culinary water appropriations for only two homes.
2. Five building permits have been issued (four of those are now occupied) in the subdivision with only water appropriations for two families.
3. The Cache County Zoning Administrator is representing that subdivision approval is granted for Residential Subdivisions when there are applications for culinary water (no actual appropriations are required), and in this case, only applications for two of seven lots.
4. Some of the owners of the lots have applied for water appropriations. However, these applications are pending a water study by the State Engineer to determine if there is any water to appropriate.
5. My family owns property in the area. This property has several free flowing springs and the development of wells is affecting the amount of appropriated water in our springs.

Problems:

What happens if the State Engineer denies the appropriation of additional water for the subdivision? Or if the appropriations are approved and at a later time found to conflict with existing water rights and thus the wells shut down? Since the County approved the subdivision and issued building permits, will the County be required to furnish water for the subdivision? Or what other liabilities are faced by the County because of the subdivision and actions of County employees?

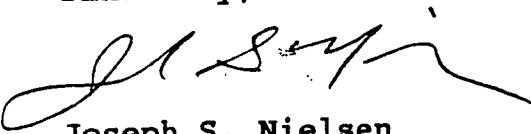
Since the County will be around longer and has more financial resources than the subdivider, it seems to me that there is substantial liability to the county from property owners in the subdivision, lenders, and other water rights in the area.

Corrective Actions:

1. Limit County liability by requiring actual water appropriations for a fully developed subdivision, (not just applications or partial appropriations), before approval is granted.
2. Limit County liability by requiring proof of culinary water for residences before a building permit is issued. This includes having a well or water source completed and the water appropriated by the State Engineer.
3. Limit County liability by having development stop in the "Field of Dreams" subdivision until this issue can be solved.
4. Correct the Zoning and Subdivision laws, if needed, to implement the above corrective actions (#1 and #2).

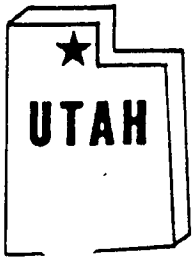
I look forward and expect a response to this problem.

Sincerely,



Joseph S. Nielsen

cc. County Executive  
cc. County Council



# Cache County Corporation

LORENE GREENHALGH  
Zoning Administrator  
752-8327

179 North Main, Room 210  
Logan, Utah 84321

## MEMORANDUM

TO: Cache County Council

FROM: Cache County Planning Commission, *MC*

DATE: March 9, 1995

SUBJECT: Planning Districts in Cache County

---

The Planning Commission has reviewed the proposed Planning Districts as presented and amended by Mark Tuescher, County-wide Planner, and voted unanimously to recommend to the Council that these Planning Districts be adopted as a structural basis for the neighborhood meetings to begin for input on a county-wide plan. Several questions were raised by the Commission and they seemed satisfied with the answers they received. They are anxious for the meetings to begin and look forward to the work session where the roles of the different boards, councils, and offices are defined and clarified. Please accept this memorandum as a recommendation for approval by the Planning Commission.

LG:pj

pc: Mark Tuescher

# MEMO

**To:** Cache County Council  
**From:** Marcee Cazier, Director, Cache County Senior Citizen Center  
**Subject:** CDBG Senior Center Project  
**Date:** March 20, 1995

Cache County has been awarded a Community Development Block Grant for \$214,000.00. This is a multi year grant. We will receive \$107,000.00 this year and \$107,000.00 next year. This is to be used for the kitchen and dining room addition on the Senior Citizen Center.

The match money required is \$52,372.00. The Council needs to approve this amount to be used for this purpose. The Senior Citizen Center has a fund balance of \$124,854.67 and this will be taken from this account. This will leave us a fund balance of \$72,482.67.

The budget for the project is:

	\$214,000.00	CDBG
	\$52,372.00	County
	<u>\$66,162.00</u>	Fund raising
Total	\$332,534.00	

**Estimated time frame for project:**

April: CDBG contract and first \$107,000.00 becomes available  
April and May: Environmental study (grant requirement) Soils testing  
May and June: RFP for architect  
May and ongoing: Fund raising  
June, July, and August: Design of building  
December: Out for bid to general contractor  
March 1996: Second \$107,000.00 becomes available  
March or April: Construction begins

cc: Tamra Stones