

COUNCIL MEETING  
MINUTES 5/09/95

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COUNCIL MEETING  
MINUTES 5/09/95

THE CACHE COUNTY COUNCIL MEETING MINUTES

May 9, 1995

The Cache County Council met in regular session on the 9th day of May, 1995 in the County Council Chambers located at 120 North 100 West, Logan, Utah 84321

ATTENDANCE

Council members present: Chairman Sarah Ann Skanchy, Vice Chairman C. Larry Anhder; Council members present were Guy Ray Pulsipher, H. Craig Petersen, Jerry L. Allen And Darrel L. Gibbons. Councilman Beck was absent and excused.

Others present: Cache County Executive M. Lynn Lemon; Cache County Clerk Stephen M. Erickson; Cache County Auditor Tamra Stones; Cache County Attorney Scott Wyatt; Cache County Planning and Zoning Administrator Lorene Greenhalgh; Logan City Solid Waste Director Roger Sunada; Representatives from 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 Chairman Sarah Ann Skanchy.

AGENDA & MINUTES

The agenda for the meeting was discussed and approved.

The minutes of the regular Council meeting held on April 25, 1995 and sent to all member of the Council were corrected and approved.

REPORT OF THE COUNTY EXECUTIVE

The County Executive M. Lynn Lemon presented the following items to the Council:

1. Appointments: The following individuals were presented to the Council for appointment to the Logan Canyon Cooperating Advisory Team.

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Appointment: Lemon, M. Lynn Logan Canyon Cooperating Team  
Appointment: Seeholzer, Ted Logan Canyon Cooperating Team

It was moved by Councilman Pulsipher to approve the appointments. It was seconded and carried unanimously. (Councilman Beck absent)

2. Emergency Management Exercise: An evaluation of the Emergency Management Exercise that was held on April 18, 1995 was presented to the Council.

(See attachment #1)

The water well that is to give support to the EMC in case of emergency was discussed by the Council. Lemon reported that nothing has been done toward beginning or completing the project.

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

4. Roll Back Tax Proposal: The County Assessor Kathleen C. Howell has proposed that the Roll Back Tax on a County deeded road way on property owned by the Housley Brothers North of Richmond be cancelled. The roadway is owned by the County.

(See attachment #2)

A motion to approve the tax abatement was made by Councilman Gibbons. It was seconded and carried unanimously. (Councilman Beck absent)

INTRA-DEPARTMENTAL BUDGET TRANSFER

The Building & Grounds Department is requesting an intra-departmental budget transfer of \$5,120.00 to pay the salary of a professional painter. BRAG will pay half of the salary.

A motion to approve the transfer was made by Councilman Gibbons. It was properly seconded and carried unanimously. (Councilman Beck absent)

(See attachment #3)

THE COUNCIL ADJOURNED IN TO A BOARD OF EQUALIZATION

PERSONAL PROPERTY APPEAL: BILL VANDYKE

Bill VanDyke, a Nibley resident, has appealed the tax valuation on his automobile. VanDyke is appealing because he

COUNCIL MEETING  
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claims that his van has high mileage and has been beat up from use. He wants the valuation reduced. The County Assessor in a prepared memo to the Council explained the valuation process and she recommends that the request be denied.

(See attachment #4)

Mr. VanDyke was not present at the meeting. The Council tabled any decision until later, when and if he arrives. After other agenda items were discussed it was apparent that Mr. VanDyke was not going to attend the meeting.

It was moved by Councilman Gibbons to deny the request. It was seconded and carried unanimously. (Councilman Beck absent)

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

RESOLUTION NO. 95-18: WEED POLICY AND FEE SCHEDULE (1995)

The adoption of Resolution No. 95-18 will establish the 1995 County Weed Policy and set certain fees in that department.

(See attachment #5)

It was moved by Vice Chairman Anhder to adopt Resolution No. 95-18. It was seconded and carried unanimously. (Councilman Beck absent)

RESOLUTION NO. 95-19: COUNTY PLANNING DISTRICTS APPROVAL

The Council has previously discussed the proposed District alignment for County planning under the direction of the County-Wide Planner. The adoption of Resolution No. 95-19 will approve those proposed districts.

(See attachment #6)

A motion to adopt Resolution No. 95-19 was made by Councilman Allen. It was seconded and carried unanimously. (Councilman Beck absent)

**THE COUNCIL ADJOURNED FROM THE REGULAR COUNCIL MEETING INTO A BOARD OF TRUSTEE'S SOLID WASTE SERVICE DISTRICT #1 MEETING.**

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RESOLUTION NO. 95-01: SOLID WASTE FEE INCREASE-ROGER SUNADA

Roger Sunada, Logan City's Solid Waste Director, is proposing a fee increase that would solve future needs for that department. Sunada said that the Logan City Council has adopted the fee increase contingent on the County Councils decision. The cost of tire disposal was discussed. The size of the tire will now determine the cost of tire disposal. A tractor tire will cost as much as \$100.00 to dispose of. Other disposal fees will also increase if the Resolution is adopted.

Executive Lemon reported that in a meeting of the Solid Waste Advisory Board it was voted not to increase the residential fee because an increase was made last year. They, however would support the other fee increases including commercial usage fees. Vice Chairman Anhder said that some of fee increases are counter productive and cause the citizens of the county not to clean up or to keep clean areas around their homes or farms. Chairman Skanchy said that since the tipping fees have increased illegal dumping has increased, causing a concern. Councilman Gibbons expressed concern about the residential fee increase when the Advisory Board has recommended not to increase those fees.

A motion to adopt Resolution No. 95-01 excluding #1, (residential fee increase) and #7, (the fee increase to dispose of dead animals) was made by Vice Chairman Anhder. It was seconded properly.

Councilman Gibbons moved to amended the motion to include #7. It was seconded and passed on a 4 "Yes" to 2 "No" vote. (Councilman Beck absent)

The vote on the original motion with the added amendment passed unanimously.

(See attachment #7)

THE BOARD OF TRUSTEE'S ADJOURNED BACK INTO THE REGULAR COUNCIL MEETING.

PUBLIC HEARING: SURPLUS PROPERTY

Chairman Skanchy convened a Public Hearing to receive input on whether the County should declare a parcel of property as surplus and to permit the sale thereof.

Executive Lemon told the Council that the property is a 40 acre parcel of property located near Clarkston and is half in Cache

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County and half in Box Elder County. We are only dealing with the property located in Cache County. The property has been appraised at \$200.00 per acre. The family that has offered to purchase the parcel have submitted a bid for \$40.00 an acre. Lemon suggested that if the property is declared surplus other bids will be asked for.

Comments form the audience was asked for? No audience response was offered.

A motion to close the Public Hearing was made by Councilman Allen. It was seconded and carried unanimously. (Councilman Beck absent)

A motion to declare the parcel of property # 15-038-0003 located in Cache County as surplus was made by Councilman Gibbons. It was properly seconded and carried unanimously. (Councilman Beck absent)

SUBSTANCE ABUSE 1995/96 CONTRACT: DISCUSSION

The County Executive M. Lynn Lemon told the Council that the 1995/96 contract for substance abuse in the county has been received from the State. He is concerned about the dollar amount of increase for services provided to the county. They are asking \$60,532.00 and we have only budgeted \$34,259.00. Lemon said that in the past we have been able to exchange certain non budget funds for services but beginning in June money for services have to come from tax revenues. Chairman Skanchy said that we should maintain a cap on the services for what we are able to pay for and the budget for the states services should remain flat. Councilman Petersen said that we should invite the Regional Director, Doug Wiese to attend Council meeting to explain the increase. Councilman Gibbons said that we should keep a flat budget and maybe the state could tighten their belts in some areas. Wiese will be invited to attend the next Council meeting.

SPECIAL PERMIT REQUEST: MITCH OLSEN

Mitch Olsen, who owns a Automobile Repair Shop near Hyrum is asking that he be granted a special permit to expand his business. The County Planning & Zoning Administrator Lorene Greenhalgh reviewed the request and presented an evaluation for the special permit.

(See attachment #8)

The requirements of the special permit was read by Chairman Skanchy.

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Councilman Pulsipher moved that the rules of first and second reading be waived and the special permit request be granted. It was seconded and carried unanimously. (Councilman Beck absent)

SPECIAL PERMIT REQUEST: DENNIS E. SORENSEN

Dennis E. Sorensen, from College Ward is requesting a special permit to allow the construction of a home on his property. Originally Sorensen was trying to get a minor subdivision approved but a neighbor who is a sister is not willing to be part of the subdivision due to giving 8 feet of property for widening of a road way. Sorensen is appealing a previous Planning Commissions decision to deny his subdivision request.

The County Planning and Zoning Administrator Lorene Greenhalgh reviewed the request and presented an evaluation statement.

(See attachments #8 & #9)

A motion to table the special permit request until the scheduled appeal is heard was made by Councilman Petersen. It was seconded and carried unanimously. (Councilman Beck absent)

LITTLE BEAR ESTATES SUBDIVISION: NOEL BESS

Noel Bess from the Paradise area is requesting the approval of a minor subdivision on his property near Paradise. Lorene Greenhalgh, the County Planning and Zoning Administrator, presented an evaluation statement and final plat for approval. Greenhalgh reported that the Planning Commission has approved the subdivision and the Council must approve and sign the final plat. Chairman Skanchy read the requirements for granting the subdivision.

(See attachment #10)

A motion to approve the Little Bear Estates Subdivision and to sign the Final Plat was made by Councilman Petersen. It was seconded and carried unanimously. (Councilman Beck absent)

RESTAURANT TAX PROCEDURES: DISCUSSION

Some Council members expressed concern that some of the applications for Restaurant Tax allocations do not meet the requirements which are necessary to qualify for allocation. Chairman Skanchy suggested that before the next Council meeting is held a workshop to consider the issue should be scheduled.

A letter from some of the Restaurant owners was discussed.

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(See attachment #11)

A Restaurant Tax Workshop was scheduled at 4:00 p.m. before the next Council meeting on May 23, 1995.

PARADES

The Smithfield and Richmond parades were mentioned again and Council members were encouraged to attend.

CLARKSTON PARADE

The Pony Express Days in Clarkston is on June 24, at 1:00 p.m.. Council members are invited to ride in the parade and were asked to attend the Celebration.

COUNCIL MEMBER REPORTS

Councilman Petersen: Reported that he had attended along with Executive Lemon the Mayor's Association meeting. The Mayor's were unanimous in their desire to form a small group to study a Countywide Library.

USU President George Emert will attend and make remarks at the next Council meeting.

Chairman Skanchy reported on the following items:

1. Baxter Letter: A letter has been received from a Baxter couple who recently went through the process of obtaining a building permit to build a home in the County. They reported that the process was long and intimidating but thanked and complemented the county officials for their help during the process. Executive Lemon was asked to show the letter to those county workers who helped the Baxters.

2. Caribou National Forest Overview: A copy of an economic overview of the Caribou National Forest has been received and will be available for use in the Councils Secretary office. The report was prepared by ISU and the Forest Service.

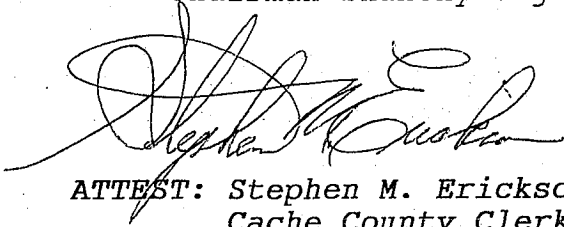
3. Dobson letter: A letter has been received from a Mr. Dobson a resident of Paradise concerning the granting of a permit to develop a recreation site in his area. He would like a copy of the requirements placed on the development.



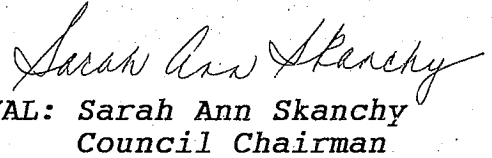
COUNCIL MEETING  
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ADJOURNMENT

Chairman Skanchy adjourned the meeting at 7:00 p.m.



ATTEST: Stephen M. Erickson  
Cache County Clerk



APPROVAL: Sarah Ann Skanchy  
Council Chairman

CACHE COUNTY  
CORPORATION

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

M. LYNN LEMON  
COUNTY EXECUTIVE/SURVEYOR

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

May 9, 1995

TO: County Council Members  
Captain Robert DeGasser

FROM: Lynn Lemon

SUBJECT: Review on April 18, 1995 Emergency Management Exercise

The following is a partial list of items that were brought up in the evaluation and need to be acted upon:

1. Assigned Seats should be made and individuals should remain in those seats through exercise or disaster.
2. Certain individuals or agencies should be grouped together in order to share information readily or discuss situations as a group.
3. Efforts need to be made to held the American Red Cross increase area resources.
4. An interlocal agreement(s) needs to be put in place with local fuel company(ies) for dedication of a portion of fuel to Cache County and/or other agencies.
5. Each individual or agency needs phone book at their assigned work station.
6. Problem Log Board may need to be expanded and the form to log problems and/or messages needs to be revised.
7. Policy room needs to have additional phones and resources.
8. The Public Information Officer may need to be located in the policy room.
9. The manuals need to be updated and placed in working condition for all individuals.
10. An interlocal agreement with border counties needs to be put in place in order to share resources.
11. Interlocal agreements (Mutual Aid Agreement) needs to be put in place with each of the municipalities in Cache County in order to share resources.
12. Agreements between Cache County and the School Districts (Logan and Cache), USU, and Bridgerland ATC needed.

13. Agreements between Cache County and Utilities (UP&L, Mountain Fuel, Logan City and Hyrum City) needed.
14. Agreements between Cache County and local contractors needed.
15. Agreements between Cache County and local banks needed.
16. Well needs to be drilled and hooked to the Emergency Operation Center.

# DELINQUENT PROPERTY TAX RECOMMENDATION FORM

NAME: Cache County Corp.

PARCEL # 09-044-0001

## LEGAL DESCRIPTION:

Beginning at a point 120 feet south from the north quarter corner of section 24, township 14 north, range 1 east of the SLB&M and running thence south 1299.56 feet; thence west 33 feet; thence north 1229.56 feet to the point 120 feet south from the north line of section 24; thence east to the point of beginning.

REASONING FOR RECOMMENDATION: This land was formerly owned by the Housley Brother Partnership. It now belongs to the County because it is a road and has been for some time. Because, it is a road we recommend that the Rollback Tax that is due because it was Greenbelt be cancelled.

Recommended by:

Kathleen C. Howell

County Assessor

Title

Approved by:

James Stokes

County Auditor

Title

Final Approval:

M. Lynn Hansen

County Executive

Title

Date: 5/9/95

When recorded mail to:  
CACHE COUNTY CORP.

ENT 618676 Bk 648 Pg 2  
DATE 18-APR-1995 12:53PM FEE 0.  
MICHAEL L GLEED, RECORDER - FILED B  
CACHE COUNTY, UTAH  
FOR CACHE COUNTY CORP

### QUIT CLAIM DEED

HOUSLEY BROTHERS PARTNERSHIP AND CLINTON WILLARD HOUSLEY AND NED MARSHALL HOUSLEY AND ROBERT J. HOUSLEY grantor of RICHMOND, UTAH hereby Quit Claims to CACHE COUNTY CORP. grantee of CACHE COUNTY for the sum of TEN DOLLARS AND OTHER GOOD AND VALUABLE CONSIDERATION-----DOLLARS, the following described tract of land in CACHE County, State of Utah:

BEGINNING AT THE NORTHWEST CORNER OF SECTION 24, TOWNSHIP 14 NORTH, RANGE 1 EAST OF THE SALT LAKE BASE AND MERIDIAN; AND RUNNING THENCE SOUTH 33 FEET; THENCE SOUTH 88\*23'26" EAST 2281.40 FEET MORE OR LESS TO A POINT 363 FEET WEST FROM A POINT 33 FEET SOUTH FROM THE NORTH QUARTER CORNER OF SECTION 24; THENCE RUNNING NORTH 33 FEET; THENCE WEST 2277 FEET TO THE POINT OF BEGINNING.

Beginning at a point 120 feet south from the north quarter corner of section 24, township 14 north, range 1 east of the SLB&M and running thence south 1229.56 feet; thence west 33 feet; thence north 1229.56 feet to a point 120 feet south from the north line of section 24; thence east to the point of beginning.

WITNESS, the hand of said grantor, this 17 day of APRIL, 1995.

HOUSLEY BROTHERS PARTNERSHIP

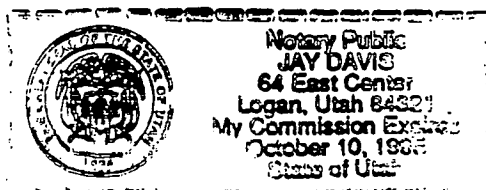
*Clinton Willard Housley Partner*  
\_\_\_\_\_  
CLINTON WILLARD HOUSLEY

*Ned Marshall Housley*  
\_\_\_\_\_  
NED MARSHALL HOUSLEY

*Robert J. Housley Partner*  
\_\_\_\_\_  
ROBERT J. HOUSLEY

State of UTAH }  
County of CACHE } ss:

On the 17 day of APRIL, 1995, before me, the undersigned a notary public, personally appeared CLINTON WILLARD HOUSLEY AND NED MARSHALL HOUSLEY AND ROBERT J. HOUSLEY known to me to be the partner(s) of the partnership that executed the within instrument, and who duly acknowledged to me that such partnership executed the same.



*Jay J Davis*  
\_\_\_\_\_  
Notary Public

# REQUEST FOR INTRA-DEPARTMENTAL BUDGET TRANSFER

Department: Buildings & Grounds

Date: 5-4-95

Amount to be transferred --- (rounded to the nearest dollar) \$ 5,120.00

Transfer from ---

Line Item No. 10 - 4160 - 730

Fund Designation: Improvements

Original Budget:	\$ 45,249	\$ _____
Current Budget:	\$ 45,196	\$ _____
Expenditures to date	\$ 53	\$ _____
Balance before transfer	\$ 45,196	\$ _____
Balance after transfer	\$ 40,076	\$ _____

Transfer to ---

Line Item No. 10 - 4160 - 120

Fund Designation: Temporary Employees

Original Budget:	\$ -0-	\$ _____
Current Budget:	\$ -0-	\$ _____
Expenditures to date	\$ -0-	\$ _____
Balance before transfer	\$ -0-	\$ _____
Balance after transfer	\$ 5,120.00	\$ _____

Description of needs and purpose of transfer ---

The County has the opportunity to have access to a professional painter-for up to eight weeks with BRAG paying half (50%) of their salary. We have several current Painting projects that could utilize someone with these skills.

Michael K. Wilson  
Department Head

Recommendation:  Approval       Disapproval

Comments:

Date: \_\_\_\_\_

James Stones  
Cache County Auditor

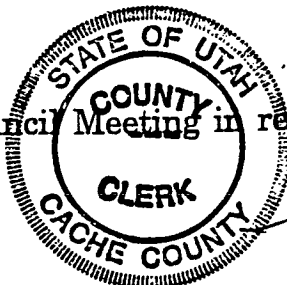
Recommendation:  Approval       Disapproval

Comments:

Date: 5-8-95

M. Lynn Hansen  
Cache County Executive

Consented by the Cache County Council Meeting in regular session on the  
day of 4th May, 1995.



[Signature]  
Cache County 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

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JERRY L. ALLEN

GUY RAY PULSIPHER

H. CRAIG PETERSEN

LAYNE M. BECK

STEPHEN M. ERICKSON

CLERK

May 9, 1995  
MEMORANDUM

TO: Council Members

FROM: Kathleen Howell  
Cache County Assessor

SUBJECT: PERSONAL PROPERTY APPEAL - BILL VANDYKE

This memo is an attempt to provide you with information concerning the valuation appeal filed by Bill VanDyke on his 1989 Ford Aerostar Van.

Upon receiving the mail-in renewal packet, Mr. VanDyke contacted my office requesting a change in the value on his van. Each time Mr. VanDyke called he was informed of his appeal rights and instructed to file an appeal in the Auditor's office. When I spoke to Mr. VanDyke, he was quite unhappy and insisted I could change the value myself without having him file an appeal.

It is the practice in my office not to make adjustments on any vehicle values. We register almost 60,000 vehicles a year and we don't have the man power or knowledge to appraise vehicles based on mileage or body damage. We do, however, check the MSRP the State used to make sure they have used the MSRP for the taxpayers particular vehicle model. If the taxpayer feels the value is out of line we encourage them to file an appeal. To my knowledge this is the first appeal file in Cache County on a motor vehicle. I have attached copies of the law and administrative rule. I have also attached a blue book and high mileage chart and the State Tax Commission's depreciation schedule. I have also highlighted the portions of each page which you will need to make a decision on.

The formula for computing the value on vehicles in Utah is:

$MSRP \times \text{percent good} = \text{value}$

The MSRP is 12,292 x 53% (percent good) = 6510 (value)

Based on the Tax Commission Rule all adjustments should be made using the retail value as a basis. The retail value for his van is 8350. If you allowed a high mileage adjustment of 1850, the value would be 6500. This would make a difference of \$10,00 in value or \$.17 (seventeen cents) in property tax.

As far as an adjustment for vehicle damage, I have no books or material I can supply to help determine what effect it would have on the value.

When the State of Utah adopted this system of taxation for vehicles, they attempted to establish a fair value on all vehicles in the State. It is the practice in all Assessor's offices across the State to use the value established by the State. No adjustments are made for high mileage or body damage. I am sure you can imagine the problems it would cause if we began to make adjustments on each vehicle.

KH:pwp



**EXPIRES** →  
LAST DAY OF MAR. 1996

959CSD  
12.00  
2.50

VANDYKE WILLIAM J OR L DEON

60 W 400 NORTH  
MILLVILLE UT 84326

REGISTRATION FEES 14.50

60 W 400 NORTH  
MILLVILLE UT 84326

X William J. Vandyke  
OWNER'S SIGNATURE - SIGN IN INK

1FMDA31U7KZB17084 PP 89 FORD  
ARO SV 06 00000 6 0012292 007 03  
0 /++959CSD/FORD/03962

← FOLD HERE - DO NOT TEAR APART →  
1995 CERTIFICATE OF ASSESSMENT

VANDYKE WILLIAM J OR L D P FORD ARO SV 89  
60 W 400 NORTH  
MILLVILLE UT 84326 1FMDA31U7KZB17084 007

959CSD ~~6510~~ .017000 ~~118.67~~  
*4250 high miles + damage* ~~49.60~~  
00651000011067703700700000001450++++959CSD03953

NOT VALID UNTIL STAMPED AND NUMBERED

**EXPIRES** →  
LAST DAY OF MAR. 1996

959CSD

60 W 400 NORTH  
MILLVILLE UT 84326

VANDYKE WILLIAM J OR L DE

MAKE ONE CHECK PAYABLE TO:  
CACHE COUNTY ASSESSOR

60 W 400 NORTH  
MILLVILLE UT 84326

*72.25*  
~~118.67~~

1FMDA31U7KZB17084 PP 89 FORD

ARO SU 06 00000 6 0012292 007 03

14.50

X William J. Vandyke  
OWNER'S SIGNATURE - SIGN IN INK

TOTAL AMOUNT DUE

*86.75*  
~~123.17~~

← FOLD HERE - DO NOT TEAR APART →  
1995 CERTIFICATE OF ASSESSMENT

VANDYKE WILLIAM J OR L DE P FORD ARO SV 89  
60 W 400 NORTH  
MILLVILLE UT 84326 1FMDA31U7KZB17084 007

959CSD 6510 .017000 110.67

→  $12.292 \times 53\% = 6510$

Table listing Ford 1990 models including 1990 FORD-AT-PS-AC-Castlesed, ECONOLINE E150-E350, ECONOLINE E250, ECONOLINE E350, PICKUP TRUCKS, and RANGER. Columns include Model No., MS.R.P., Wgt., Loan, and Retail.

Table listing Ford 1990 models including 1990 FORD-AT-PS-AC-Castlesed, MEDIUM DUTY TRUCKS-5 Sp4-PS, 1989 FORD-AT-PS-AC, and MAZDA. Columns include Model No., MS.R.P., Wgt., Loan, and Retail.

TRUCKS

TRUCKS

HIGH MILEAGE TABLE

VALUES SHOWN BELOW TO BE DEDUCTED FROM GUIDEBOOK VALUE

- I-SUB-COMPACT AND COMPACT CARS AND COMPACT TRUCKS
II-INTERMEDIATE AND PERSONAL LUXURY CARS AND MID-SIZED TRUCKS
III-STANDARD SIZE CARS AND TRUCKS
IV-LUXURY CARS

Table showing mileage class values for years 1974 to 1989. Columns include Mileage Class, 1974, 1975, 1976, 1977, 1978, 1979, 1980.

NOTE: DEDUCTION FOR HIGH MILEAGE SHOULD NOT EXCEED % OF TRADE-IN VALUE

HIGH MILEAGE TABLE

VALUES SHOWN BELOW TO BE DEDUCTED FROM GUIDEBOOK VALUE

- I-SUB-COMPACT AND COMPACT CARS AND COMPACT TRUCKS
II-INTERMEDIATE AND PERSONAL LUXURY CARS AND MID-SIZED TRUCKS
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Table showing mileage class values for years 1974 to 1989. Columns include Mileage Class, 1974, 1975, 1976, 1977, 1978, 1979, 1980.

NOTE: DEDUCTION FOR HIGH MILEAGE SHOULD NOT EXCEED % OF TRADE-IN VALUE

Utah Code  
ERRATA

## Title 59. Revenue and Taxation.

Chapter 7. Corporate Franchise and  
Income Taxes.

## 59-7-510. Deficiency - Interest.

Interest upon the amount determined as a deficiency shall be assessed at the same time as the deficiency, shall be paid upon notice and demand from the commission, and shall be collected as a part of the tax at the rate and in the manner prescribed in Section 59-1-402. 1993

## 59-7-512. Addition to tax in case of nonpayment.

Where the entire amount determined by the taxpayer as the tax imposed by this chapter is not paid on or before the date prescribed for its payment, there shall be collected as a part of the tax interest upon such unpaid amount at the rate and in the manner prescribed in Section 59-1-402. 1993

59-7-513. Interest when time for payment  
extended.

If the time for payment of the amount determined as the tax by the taxpayer is extended under the authority of Subsection 59-7-507 (2), there shall be collected as a part of such amount interest at the rate prescribed in Section 59-1-402 from the date when such payment should have been made, if no extension had been granted, until payment is received. 1993

## 59-7-522. Overpayments.

(1) Where there has been an overpayment of any tax imposed by this chapter, the amount of such overpayment and interest calculated at the rate and in the manner prescribed in Section 59-1-402 shall be credited against any tax then due from the taxpayer under this chapter, and any balance shall be refunded immediately to the taxpayer.

(2)(a) A credit or refund may not be allowed or made after three years from the time the tax was paid, unless before the expiration of such period a claim is filed with the commission by the taxpayer.

(b) If the claim for credit or refund relates to an overpayment attributable to a net loss carryback adjustment as provided in Section 59-7-110, in lieu of the three-year period provided for in Subsection (2)(a), the period shall be that period which ends with the expiration of the 15th day of the 40th month following the end of the taxable year of the net loss which results in the carryback.

(c) Where an overpayment relates to adjustments to federal taxable income referred to in Section 59-7-519, credit may be allowed or a refund paid any time before the expiration of the period within which a deficiency may be assessed.

(d) The amount of the credit or refund may not exceed the portion of the tax paid during the three years immediately preceding the filing of the claim, or if no claim was filed, then during the two years immediately preceding the allowance of the credit or

refund.

(3) Except as provided in Subsections (2)(b) and (2)(c), if on appeal a court finds that there is no deficiency and further finds that the taxpayer has made an overpayment of tax in respect of the taxable year in respect to which the commission determined the deficiency, the court shall have jurisdiction to determine the amount of the overpayment and that amount shall, when the court's decision has become final, be credited or refunded to the taxpayer. A credit or refund may not be made of any portion of the tax paid more than three years before the filing of the claim or the filing of the appeal or petition, whichever is earlier. 1993

## 59-7-533. Interest on overpayments.

Interest shall be allowed and paid upon any overpayment in respect of any tax imposed by this chapter at the rate and in the manner prescribed in Section 59-1-402. 1993

Tax Commission Rules  
ERRATAR884-24P-46. Uniform Fee on Tangible Personal  
Property Required to be Registered with the State  
Pursuant to Utah Code Ann. Sections 41-1a-  
202, 59-2-104, 59-2-401, 59-2-402, and  
59-2-405.

A. The uniform fee established in Section 59-2-405 is levied against the following classes of personal property:

1. passenger cars and light trucks;
2. motor homes;
3. street motorcycles;
4. trailers;
5. commercial trucks;
6. commercial trailers;
7. truck campers;
8. off-highway recreational vehicles;
9. motorboats and sailboats;

10. any other tangible personal property that is required by law to be registered with the state before it is used on a public highway, public waterway, or public land, and that is not specifically excluded by Section 59-2-405.

B. The following classes of personal property are not subject to the uniform fee, but remain subject to the ad valorem property tax:

1. antique vehicles;
2. interstate motor carriers;
3. noncommercial trailers weighing 750 pounds or less;
4. mobile and manufactured homes;
5. any personal property that is neither required to be registered nor exempt from the ad valorem property tax;
6. machinery or equipment that can function only when attached to or used in conjunction with motor vehicles.

C. The fair market value of tangible personal property subject to the uniform fee is established by the following methods:

1. passenger cars and light trucks, 17 years old and newer, by National Auto Dealers Association (NADA) average trade-in value;
2. vehicles with a salvage certificate of title, by value as determined by the county assessor; and
3. for the following classes of property as provided in published Tax Commission guides and sch-

adules:

- a) passenger cars and light trucks for which no NADA value has been established;
- b) passenger cars and light trucks, 18 years and older;
- c) motor homes;
- d) street motorcycles;
- e) trailers;
- f) commercial trucks;
- g) commercial trailers;
- h) truck campers;
- i) off-highway recreational vehicles;
- j) motorboats and sailboats;
- k) all other tangible personal property required to be registered with the state.

D. Upon proper documentation, the value used for calculating the uniform fee for personal property subject to the uniform fee and belonging to centrally assessed taxpayers shall be subtracted from the unit value of the centrally assessed property in arriving at the final assessment of the centrally assessed property not subject to the uniform fee.

E. If a property's valuation is appealed to the county board of equalization under Section 59-2-1005, the property shall become subject to a total revaluation. ~~All adjustments are made on the basis of their effect on the property's average retail value as of the January 1st date and according to the published Tax Commission guides and schedules.~~

F. If the personal property is of a type subject to annual registration, the uniform fee is due at the time the registration is due, even if the personal property is not registered at that time. No additional uniform fee may be levied upon vehicles transferred during the current year and for which the uniform fee has been paid for that calendar year.

1. If the personal property is of a type registered for periods in excess of one year, the uniform fee shall be due annually.

2. No uniform fee is due on personal property subject to the uniform fee and transferred into this state if all uniform fees or property taxes required by the prior state have been paid for the current calendar year.

3. The vehicle of a nonresident member of the armed forces stationed in Utah may be registered in Utah without payment of the uniform fee.

4. A vehicle belonging to a Utah resident member of the armed forces stationed in another state is not subject to the uniform fee as long as the vehicle is kept in the other state.

5. When determining the period on which to assess a proportional uniform fee, property will be assessed from the first day of a month, if the property has a taxable status for any portion of that month, until the last day of the calendar year.

6. If a taxpayer's property that is subject to proportional assessment is in the state for less than three months of the tax year, the assessor shall assess the taxpayer 25 percent of the full year's assessment.

G. If the personal property is of a type subject to annual registration, registration of that personal property may not be completed unless the uniform fee has been paid, even if the taxpayer is appealing the uniform fee valuation. Delinquent fees may be assessed in accordance with Sections 59-2-217 and 59-2-309 as a condition precedent to registration.

H. The situs of personal property subject to the uniform fee is determined in accordance with Section 59-2-104.

I. For purposes of Section 59-2-405, personal

property kept in a tax area other than that of the domicile of the owner for more than six months of the year shall be assessed in the other tax area.

a) If personal property is to be registered in a county other than that in which the owner is domiciled, the assessor in the county of registration shall so notify the assessor in the county of domicile. Notification shall be accomplished through the means of a form prescribed by the Tax Commission. In addition, the assessor in the county of registration must provide documentation of situs if so requested. Upon agreement by the assessor in the county of domicile, the form listing the personal property under consideration shall be forwarded to the Motor Vehicle Division.

b) If an assessor discovers personal property that is kept in the assessor's county but registered in another, the assessor may submit an affidavit along with evidence that the property is kept in that county to the assessor of the county in which the personal property is registered. Upon agreement, the assessor of the county of registration shall forward the fee collected to the county of situs within 30 working days. A copy of the affidavit shall be forwarded to the Motor Vehicle Division.

2. If the owner of personal property registered in Utah is domiciled outside of Utah, the taxable situs of the property is presumed to be the county in which the uniform fee was paid, unless an assessor's affidavit establishes otherwise.

3. The Tax Commission shall, on an annual basis, provide each county assessor a list of all personal property subject to state registration and its corresponding taxable situs.

I. The veteran's and blind exemptions provided in Sections 59-2-1104, 59-2-1105, and 59-2-1106 are applicable to the uniform fee.

J. The provisions of this rule refer to the property tax year beginning January 1, 1992 and each succeeding year.

8350 - Retail Value  
 - 1850 High Mileage Adjustment  
 -----  
 6500

State depreciated value  
 6510

**1995 Recommended Personal Property Valuation Schedule for  
CLASS 22  
Passenger Cars and Light Trucks**

The following schedule is recommended for valuing Class 22 Property for the 1995 assessment year:

Percent of M.S.R.P.

MODEL YEAR	DOMESTIC CARS	FOREIGN CARS	TRUCKS/UTILITY
1995 New	88%	92%	98%
1994 - 1st Year	78%	84%	94%
1993 - 2nd Year	66%	76%	88%
1992 - 3rd Year	53%	69%	78%
1991 - 4th Year	44%	58%	69%
1990 - 5th Year	36%	48%	60%
1989 - 6th Year	28%	39%	53%
1988 - 7th Year	22%	33%	46%
1987 - 8th Year	18%	27%	40%
1986 - 9th Year	15%	20%	31%
1985 - 10th Year	12%	16%	26%
1984 - 11th Year	10%	15%	23%
1983 - 12th Year	9%	14%	20%
1982 - 13th Year	7%	10%	15%
1981 - 14th Year	6%	9%	13%
1980 - 15th Year	5%	8%	11%
1979 - 16th Year	4%	7%	10%
1978 - 17th Year	3%	6%	9%
1977 - 18th Year	2%	5%	8%

A residual value of \$500 and a minimum tax of \$8.50 is recommended for passenger cars and light trucks over 18 years old.

An additional 20% reduction in value is recommended for vehicles having a "rebuilt/restored" designation on the title and registration.

board to be incomplete or incorrect.

(3) The clerk of the board of equalization shall notify all interested persons of the day fixed for the investigation of any assessment under consideration by the board by letter deposited in the post office, postpaid, and addressed to the interested person, at least 30 days before action is taken. 1993

**59-2-1003. Power of county board to increase or decrease assessment.**

The county board of equalization may, after giving notice as prescribed by rule, increase or decrease any assessment contained in any assessment book, so as to equalize the assessment of all classes of property under Section 59-2-103. 1988

**59-2-1004. Appeal to county board of equalization - Real property - Time - Decision of board - Extensions approved by commission - Appeal to commission.**

(1) Any taxpayer dissatisfied with the valuation or the equalization of the taxpayer's real property may appeal by filing an application with the county board of equalization no later than 30 days following the mailing of either the combined valuation and tax notice under Section 59-2-1317 or the disclosure notice under Subsection 59-2-919 (2). The contents of the application shall be prescribed by rule of the county board of equalization.

(2) The owner shall include in the application under Subsection (1) the owner's estimate of the fair market value of the property and any evidence which may indicate that the assessed valuation of the owner's property is improperly equalized with the assessed valuation of comparable properties.

(3)(a) The board shall meet and hold public hearings as prescribed in Section 59-2-1001. The board shall render a decision on each appeal no later than October 1. Any extension beyond October 1 shall first be approved by the commission.

(b) The decision of the board shall contain a determination of the valuation of the property based on fair market value, and a conclusion that the fair market value is properly equalized with the assessed value of comparable properties.

(c) If no evidence is presented before the board, it will be presumed that the equalization issue has been met.

(d) If the fair market value of the property that is the subject of the appeal deviates plus or minus 5% from the assessed value of comparable properties, the valuation of the appealed property shall be adjusted to reflect a value equalized with the assessed value of comparable properties. The equalized value shall be the assessed value for property tax purposes until the assessor is able to evaluate and equalize the assessed value of all comparable properties to bring them all into conformity with full fair market value.

(4) If any taxpayer is dissatisfied with the decision of the board, the taxpayer may file an appeal with the commission as prescribed in Section 59-2-1006. 1992

**59-2-1005. Procedures for appeal - Personal property - Time for appeal - Hearing - Decision - Appeal to commission.**

(1) The county legislative body shall include a notice of procedures for appeal of any personal property valuation with each tax notice. If personal property is subject to a fee in lieu of tax or the uniform tax under Article XIII, Sec. 14, Utah Constitution, and the fee or tax is based upon the value of the property, the basis of the value may be

appealed to the commission.

(2) Any taxpayer dissatisfied with the taxable value of the taxpayer's personal property may appeal by filing an application no later than 30 days after the mailing of the tax notice.

(3) After giving reasonable notice, the county legislative body shall hear the appeal and render a written decision. The decision shall be rendered no later than 60 days after receipt of the appeal.

(4) If any taxpayer is dissatisfied with the decision of the county legislative body, the taxpayer may file an appeal with the commission as established in Section 59-2-1006. 1994

**59-2-1006. Appeal to commission - Duties of auditor - Decision by commission.**

(1) Any person dissatisfied with the decision of the county board of equalization concerning the assessment and equalization of any property, or the determination of any exemption in which the person has an interest, may appeal that decision to the commission by filing a notice of appeal specifying the grounds for the appeal with the county auditor within 30 days after the final action of the county board.

(2) The auditor shall:

(a) file one notice with the commission;

(b) certify and transmit to the commission:

(i) the minutes of the proceedings of the county board of equalization for the matter appealed;

(ii) all documentary evidence received in that proceeding; and

(iii) a transcript of any testimony taken at that proceeding that was preserved; and

(c) if the appeal is from a hearing where an exemption was granted or denied, certify and transmit to the commission the written decision of the board of equalization as required by Section 59-2-1102.

(3) In reviewing the county board's decision, the commission may:

(a) admit additional evidence;

(b) issue orders that it considers to be just and proper; and

(c) make any correction or change in the assessment or order of the county board of equalization.

(4) In reviewing the county board's decision, the commission shall adjust property valuations to reflect a value equalized with the assessed value of other comparable properties if:

(a) the issue of equalization of property values is raised; and

(b) the commission determines that the property that is the subject of the appeal deviates in value plus or minus 5% from the assessed value of comparable properties.

(5) The commission shall decide all appeals taken pursuant to this section not later than March 1 of the following year for real property and within 90 days for personal property, and shall report its decision, order, or assessment to the county auditor, who shall make all changes necessary to comply with the decision, order, or assessment. 1992

**59-2-1007. Time for application to correct assessment - Hearings.**

(1) If the owner of any property assessed by the commission, or any county with a showing of reasonable cause, objects to the assessment, either party may, on or before June 1, apply to the commission for a hearing. Both the owner and the county, upon a showing of reasonable cause, shall be allowed to be a party at any hearing under this section.

(2) The owner shall include in the application

CACHE COUNTY  
RESOLUTION NO. 95 18

A RESOLUTION ADOPTING THE 1995 CACHE COUNTY WEED CONTROL POLICY,  
PLAN AND FEE SCHEDULE

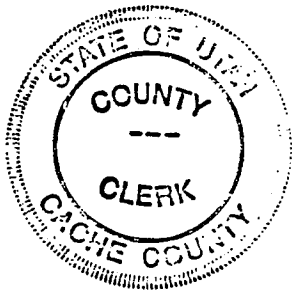
The County Council of Cache County, Utah, in a regular meeting, lawful notice of which had been given, finds that it is appropriate and necessary in accordance with the Utah Noxious Weed Act and Cache County Ordinance 79-11 for Cache County to adopt a weed control policy for the calendar year 1995.

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

BE IT RESOLVED that the 1995 Cache County Weed Control Policy, Plan and Fee Schedule, a copy of which is attached hereto, is hereby adopted.

This resolution shall take effect immediately upon adoption and supersedes any prior resolution, motion, or policy adopted by Cache County.

9th This resolution was adopted by the Cache County Council on the day of May, 1995.



Cache County Council

*Sarah Ann Skanchy*  
\_\_\_\_\_  
Sarah Ann Skanchy, Chairman

ATTESTED:

*Stephen M. Erickson*  
\_\_\_\_\_  
Stephen M. Erickson  
Cache County Clerk

# **1995 CACHE COUNTY WEED CONTROL POLICY**

## **STATEMENT OF INTENT**

The Cache County weed control program will function in accordance with the 1971 Utah State Noxious Weed Act and Cache County Ordinance (79-11) to organize, supervise, and coordinate a noxious weed control plan for Cache County.

Cache County encourages commercial and private weed control efforts where possible. The county weed control personnel will provide weed control in areas where terrain, organizational problems, or special equipment requirements make it difficult for commercial or private control efforts to succeed.

Current weed control practices will be used including chemical, biological and mechanical methods.

## **ANNUAL COORDINATION MEETINGS**

The County Weed Board shall initiate an annual coordination meeting each spring. All organizations concerned with weed control should be invited to have a representative in attendance. The following agencies should be contacted; Utah Department of Transportation, U.S. Forest Service, Utah Division of Wildlife Resources, Bureau of Land Management, Utah Department of Agriculture, Cache County Extension, Union Pacific Railroad, Utah Power & Light, Mountain Fuel, and Canal Companies. Cache County Personnel from the Weed Department as well as the Road Superintendent and the County Executive should be in attendance. Any other interested parties or citizens should be notified of this meeting through a notice in the newspaper.

The purpose of this meeting will be to inventory and record current problem areas, discuss and record any new infestations, discuss effective weed control efforts, and to plan and organize the year's weed control program.

Another meeting shall be held in the fall to inform the Weed Board of the activities of the Weed Control Department for the past weed season. The Annual Weed Progress Report should be presented and a summary of the results of the summer's activities should be discussed.

## **WEED CONTROL SERVICE AREA**

Any individual, corporation, municipality, governmental agency, or organization owning, leasing, or controlling property may request the services of the County Weed Control Department in accordance with weed control priorities established and approved by the Weed Board and the Cache County Council.

Property owners are encouraged to participate in the weed control process by locating and verifying the spraying of specific infestations on their individual properties. The Weed Control Department reserves the right to schedule commercial application



equipment with permission of the property owner when the County equipment is not available.

## **WEED CONTROL PRIORITIES**

1. Control of noxious weeds on County property. Control of any plant deemed a nuisance or hazard on County property.
2. Control of noxious weeds on steams, drainage, and irrigation systems. Also, control of non-noxious plants which impede the water flow in irrigation systems when that control can be accomplished as part of the noxious weed application.
3. Control of noxious weeds on non-cropland areas such as rangeland, wet pastures, fencelines, etc.

## **CATEGORIES OF WEEDS**

For the purpose of organizing and funding control programs, the weeds are classified into four categories. The categories are **INVADING WEEDS**, **SPECIAL EMPHASIS DYER'S WOAD**, **SPECIAL EMPHASIS OTHER**, and **ALL OTHER WEEDS**.

1. **INVADING WEEDS** are those found in small localized infestations. These weeds may or may not appear on State or County noxious weed lists, but are emphasized because of their potential threat. Weeds considered invaders in Cache County are: **YELLOW STAR THISTLE**, **SPOTTED KNAPWEED**, **DALMATION TOADFLAX**, **DIFFUSE KNAPWEED**, **BUFFALO BUR**, **BLACK HENBANE**, **HALOGETON**, and **WILD PROSO MILLET**. There will be no charge to the landowner for the eradication of these weeds. Funding to treat invading weeds will be provided by the County with the property owner aiding in the monitoring and spot treatment of the infestation.
2. **SPECIAL EMPHASIS DYER'S WOAD** is given special consideration by aerial spraying only, with the County paying application costs, subject to available funding, and the landowner paying the chemical cost. All ground rigs will be full charge.
3. **SPECIAL EMPHASIS OTHER** includes **SCOTCH THISTLE**, **RUSSIAN KNAPWEED**, **MUSK THISTLE**, **TALL WHITETOP**, **LEAFY SPURGE**, **PUNCTURE VINE**, and **MEDUSAHEAD RYE**. Landowners will pay fifty percent of the full cost of treating these weeds, including chemical, labor, and equipment.
4. **ALL OTHER WEEDS** is the designation given those noxious weeds and other weeds whose infestation is of a general nature throughout the County.

Grasses that pose a fire hazard will be included in this category. The full cost of treating these weeds will be assumed by the property owner.

### **WEED CONTROL FEE SCHEDULE**

The following charges will be effective for the 1995 spraying season.

1. **INVADING WEEDS** -- No charge to the property owner.
2. **SPECIAL EMPHASIS DYER'S WOAD** -- Where terrain precludes the use of other equipment, the County Weed Department may choose to contract for aerial spraying. Cooperating landowners will pay the chemical cost only for such spraying.
3. **SPECIAL EMPHASIS OTHER** -- Property owners will pay fifty percent of all chemical, equipment, and labor costs.
4. **ALL OTHER WEEDS** -- Property owners will pay all chemical, equipment, and labor costs. Any property owner who will not or cannot provide access to their property for the County trucks and power spray equipment, will pay chemical and labor costs for backpack or Herbie spraying. Municipalities requesting County Weed Department services through Interlocal Agreements will be charged chemical, labor, and equipment costs.

<b>LABOR COST</b>	\$12.00 per man/per hour
<b>EQUIPMENT</b>	\$20.00 per truck/per hour
<b>ATV COST</b>	\$ 7.00 per hour
<b>CHEMICAL</b>	Actual cost of amount used

5. A **MINIMUM FEE** of \$30.00 will apply to all site visits made by Weed Department personnel and vehicles in response to requests to control services, except as provided otherwise in categories 1 thru 3 above. Requests for services or contracts with Cache County Weed Department which, due to distance, terrain, or special personnel requirements, create expenses not anticipated in the above guidelines, will be negotiated on an individual basis with the County Weed Supervisor and, if necessary, the County Executive.

### **PUBLICATION OF NOXIOUS WEED NOTICE**

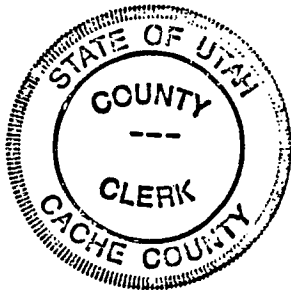
Before May 1 of each year a general notice of the noxious weeds in the County must be posted in at least three public places in the County. The same notice must be published in a newspaper or other publication of general circulation within the County.

### **NOTIFICATION OF PROPERTY OWNERS FAILING TO CONTROL WEEDS**

Property owners, or the person in possession of a piece of ground, may be given notice personally or by certified mail that the weeds on their property must be controlled. The notice shall include the specific actions required to control weeds on

the property and a specific time frame for completion. If no action is taken to remedy the situation the property may be declared a public nuisance.

If the owner or person in possession of the property fails to take action to control the noxious weeds within five working days after the property is declared a public nuisance, the County Weed Department may, after reasonable notification, enter the property, without the consent of the person in control of the property and perform any work necessary to control the weeds. Any expense incurred by the County in controlling the noxious weeds is paid by the property owner or the person in possession of the property. These charges must be paid within 90 days after receipt of the charges. If not paid within 90 days after notice of the charges, the charges become a lien against the property and are collectible with the general property taxes.



Cache County Council

*Sarah Ann Skanchy*  
\_\_\_\_\_  
Sarah Ann Skanchy  
Chairman

ATTEST

*Stephen M. Erickson*  
\_\_\_\_\_  
Stephen M. Erickson  
Cache County Clerk

CACHE COUNTY  
RESOLUTION NO. 95-19

A RESOLUTION APPROVING THE CACHE COUNTY PLANNING DISTRICTS

WHEREAS: The County Council of Cache County, Utah, finds that the designation and approval of Planning Districts will be helpful in the County's current and extensive effort at county-wide planning: and

WHEREAS: Certain districts have been identified that will assist in this comprehensive planning effort.

THEREFORE BE IT RESOLVED THAT:

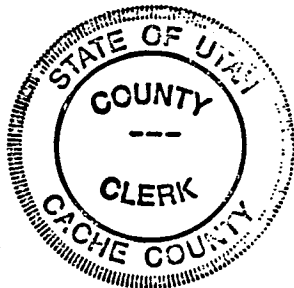
Section 1. Approval of Eight Planning Districts.

The eight Cache County Planning Districts, as identified on Exhibit "A," are hereby approved for the purpose of assisting the County in the development of a county-wide master plan.

Section 2. Effective Date.

This resolution shall become effective immediately upon adoption.

This resolution was adopted by the Cache County Council on the 9th day of May, 1995, in a regular meeting, lawful notice of which was given.



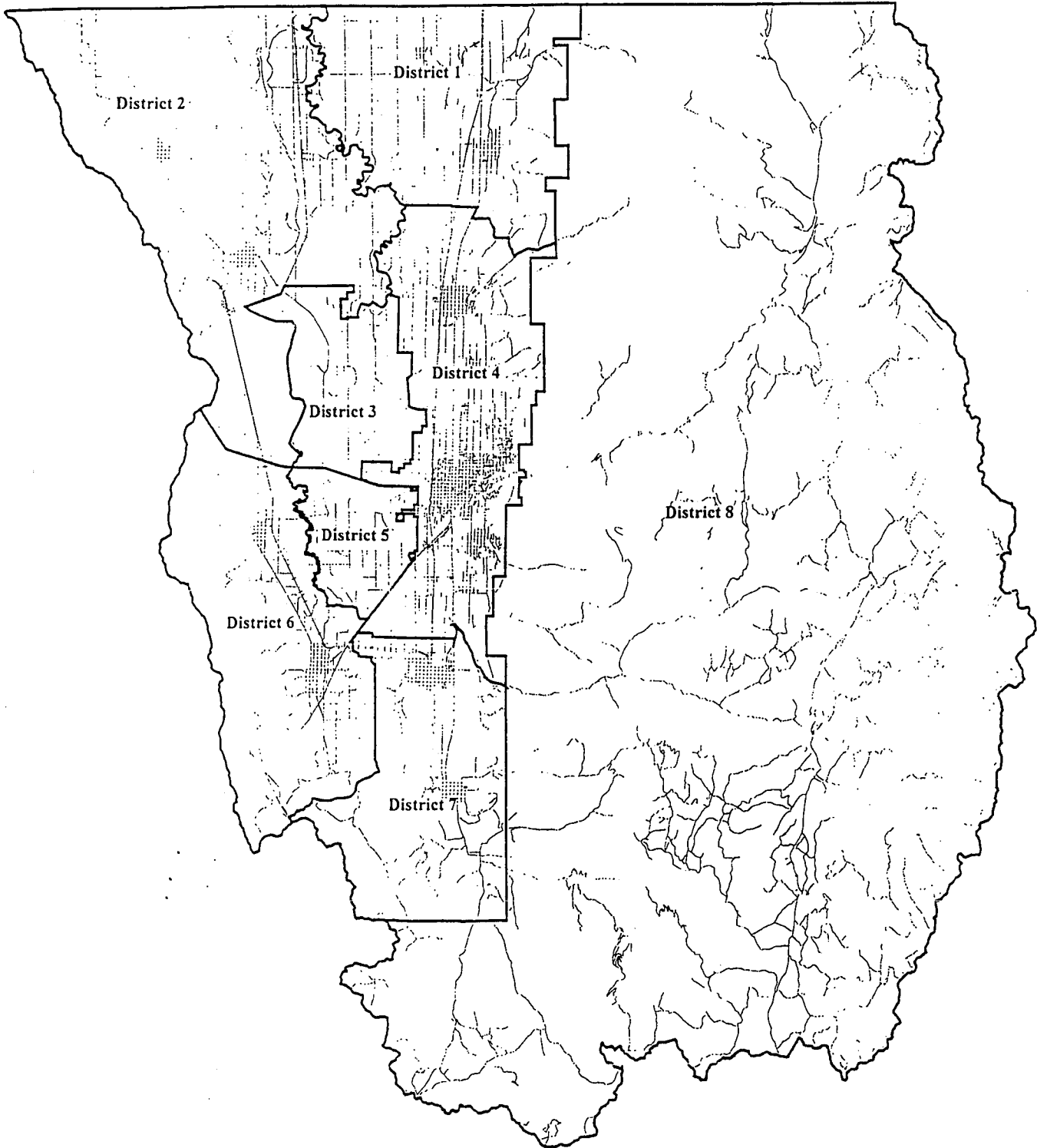
CACHE COUNTY COUNCIL

By: Sarah Ann Skanchy  
Sarah Ann Skanchy  
Chairman

ATTEST

By: Stephen M. Erickson  
Stephen M. Erickson  
Cache County Clerk

# CACHE COUNTY PLANNING DISTRICTS



RESOLUTION NO. 95 01  
BOARD OF TRUSTEES  
COUNTY SERVICE AREA NO. 1

A RESOLUTION PASSED BY THE BOARD OF TRUSTEES FOR CACHE COUNTY SERVICE AREA NO. 1 APPROVING AN INCREASE IN SOLID WASTE COLLECTION FEES FOR CACHE COUNTY SERVICE AREA NO. 1.

The Board of Trustees of Cache County Service Area No. 1, in a regular meeting, lawful notice of which have been given, pursuant to the Utah County Service Area Act as set forth in Chapter 29 of Title 17 of the Utah Code and based upon recommendations submitted to it by the Solid Waste Advisory Board and Resolution No. 90-01 of the Board of Trustees, finds that because of increased maintenance and operational costs as well as an increase in capital expenditure requirements for solid waste collection and disposal, it is necessary to increase some fees for the collection of solid waste from users within the county service area.

BE IT THEREFORE RESOLVED that:

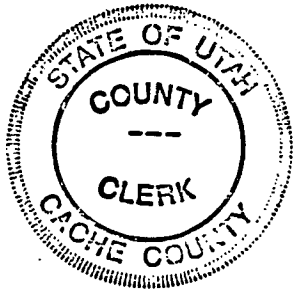
Section 1. Fees:

The solid waste collection fees will be as set forth in the attached fee schedule.

Section 2. Repealer:

This resolution and the rates set forth in the fee schedule supersedes all prior resolutions and fee schedules as of the date of adoption of this resolution.

ADOPTED this 0th day of May, 1995.



Board of Trustees, Cache County  
Service Area No. 1

By: Sarah Ann Skanchy  
Sarah Ann Skanchy, Chairman

ATTESTED:

By: Stephen M. Erickson

Stephen M. Erickson  
Clerk to the Board of Trustees

FEE SCHEDULE  
Effective July 1, 1995

1. RESIDENTIAL GARBAGE PICK-UP

Logan City

90 Gallon	\$ 6.65/mo.
Pilot project - 60 gallon	-0-
Special pick-up	\$ 20.00/ea.

Cache County

90 gallon	\$ 7.15/mo.
Pilot project - 60 gallon	-0-
Special pick-up	\$ 20.00/ea.

Replacing lost or destroyed container \$ 80.00/ea.

2. COMMERCIAL GARBAGE PICK-UP

Commercial garbage hauled by Service Area	\$ 4.15/cu.yd.
Front Load Dumpster rental (temporary construction)	\$ 10.00/wk.
Roll-off	
Each pick-up	\$ 82.50/ea.
plus	\$ 18.50/ton
minimum weekly charge	\$ 40.00/wk.

3. NEW HOMES-AUTOMATED CONTAINER (A.C.) SERVICE FEE

Deliver of A.C. in Logan	\$ 20.00/ea.
Delivery of A.C. in County	\$ 26.00/ea.
Pick-up of A.C. by customer	\$ 5.00/ea.

4. SELF HAULER LANDFILL FEES

Car or truck up to 3/4 ton	\$ 3.00/load
Small single axle trailer	\$ 3.00/load
Dual axle trailer and trucks larger than 3/4 ton	\$ 18.50/ton
General refuse and construction debris	\$ 18.50/ton

5. RECYCLABLE ITEM FEES

A. Tire (size measured by inside diameter)

15 inches or less	\$ 2.00/ea.
larger than 15 but less than 20 inches	\$ 5.00/ea.
20 to 25 inches	\$ 10.00/ea.
over 25 inches	\$100.00/ea.
tires with rim, additional	\$ 5.00/ea.

B.	Pallets	
	Clean to go to compost pile	\$ 9.50/ton
	Contaminated	\$ 18.50/ton
C.	Finished compost (loaded)	\$ 15.00/cu.yd.

**NOTE:** There is no charge for separated, recyclable items such as newspapers, ferrous metals, aluminum, carpet pad, used oil, and compostable yard waste trimmings.

## 6. SPECIAL HANDLING FEES

A.	Medical and Infectious Waste	
	<u>Minimum fee:</u> up to .5 cubic yard or 100 gallons in volume, standard size "Black Beauty" dumpster.	\$ 6.00/load
	If load is greater than .5 cubic yard	\$ 12.00/cu.yd.
B.	Hydrocarbon contaminated soil fees	
	( 1000 ppm in accordance with Landfill Hazardous Waste Disposal Procedures)	\$ 6.00/ton
C.	Stumps of Trees	\$ 6.00 plus \$ 18.50/ton

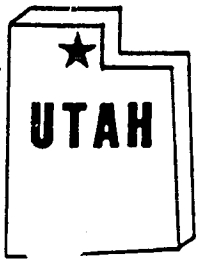
## 7. DEAD ANIMAL FEES

Less than 60 pounds	\$ 3.00/ea.
60 to 600 pounds	\$ 6.00/ea.
601 to 1000 pounds	\$ 12.00/ea.
1001 or more pounds	\$ 24.00/ea.

## 8. VIOLATION OF ORDINANCE FEES

- A. Violators of solid waste rules: (Ordinance 3-73, Section 8: Feb., 1973) "Any person violating any of the provisions of this ordinance is deemed guilty of a misdemeanor and upon conviction thereof, shall be punished by fine of not more than \$299.00 or imprisonment in the County Jail not to exceed six months or by both such fine and imprisonment.
- B. Violators of Hazardous Waste Screening Procedures (March 15, 1995): Effective July 1, 1995.  
First Offense; written notice, subject to frequent inspections.  
Second Offense; written notice, fine of \$1,000.00 plus clean-up fee.  
Third Offense; fine of \$10,000 plus clean-up fees. Banned from landfill use until sufficient proof that no further violations will occur.  
In all cases: the responsible party will be responsible to remove the waste from the landfill and dispose of it properly. In the event the business refuses, Logan City will contact a licensed hazardous waste disposal company and have them remove the waste and the customer will be billed.
- C. Fine for uncovered loads \$ 10.00/load





# Cache County Corporation

LORENE GREENHALGH  
Zoning Administrator  
752-8327

179 North Main, Room 210  
Logan, Utah 84321

## MEMORANDUM

TO: Cache County Council

FROM: Lorene Greenhalgh, Zoning Administrator

DATE: May 4, 1995

SUBJECT: Special Permits: Mitch Olsen - Dennis E. Sorensen

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### Mitch Olsen

Under conditions of the Land Use Ordinance, Mr. Olsen would not be eligible for a conditional use permit to expand his business because of the division of the original 1970 parcel. The business is on a .37-acre parcel apparently divided by the Assessor's office as the owner was unaware of the change because the business is taxed at a different rate than the home which is on .63 acre and the 4-acre agricultural parcel. These 5 acres were part of a 20-acre parcel in 1970. The Olsen home is the only home on the original parcel. The only way to process this application is through the special permit process.

### Dennis E. Sorensen

Mr. Sorensen has tried for over three months without success to gain approval of a 5-lot minor subdivision. One lot owner, Mr. Sorensen's sister, has refused to be a part of the subdivision because of the dedication requirement on new development for upgrading County roads. She has also refused to be left out of the subdivision since that would place a restriction on her lot and no building permits would be allowed to be issued. The only option Mr. Sorensen had was to request a special permit so that his daughter could build on one additional lot. Mr. Sorensen's home is also part of this original 1970 parcel. There would then be three homes on the parcel with the remainder which was to be two additional lots for other family members in the future. If the special permit is issued, there would be no further development allowed on the entire original 1970 parcel until subdivision requirements are met and the subdivision approved.

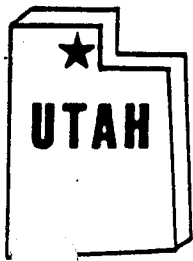
LG:pj

EVALUATION  
MITCH OLSEN  
SPECIAL PERMIT  
1 MAY 1995

Mitch Olsen is requesting a special permit to allow an addition to an automobile repair shop called Mountain View Auto Body on .37 acre of property approved on 1 acre in 1987 after the shop was constructed in 1979. At the time approval was given for the business, the shop was on one acre with the home. The shop has since been divided onto a separate parcel, probably for tax purposes. The home now sits on .63 acre and both parcels were divided from five acres which was part of a 1970 10-acre parcel. Because of the divisions of the property, it appears that this request must be considered as a special permit instead of a conditional use permit since there are no provisions in the Ordinance to accommodate the changes that have been made. The actual use of the property is exactly the same as it was when the first approval was given. There was a review made of the business one year after the approval. The building permit states that there are to be no employees, only the owner. The proposed addition is to be 50' X 35' and attached to the existing shop. A building permit is required as well a current County Business License.

EVALUATION  
DENNIS E. SORENSEN  
SPECIAL PERMIT  
1 MAY 1995

Dennis E. Sorensen is requesting a special permit to allow the division of one lot (1.81 acres) for the construction of a single family dwelling. This lot is part of a 5-lot minor subdivision which was denied approval because of unsolved problems with a lot owned by Mr. Sorensen's sister, Clara Parkinson. The Planning Commission reviewed the preliminary plat on three separate occasions, but were unable to approve the subdivision including Mrs. Parkinson's lot due to her concern that her property would experience a loss in value with the road dedication of 25 feet from the middle of both roads for future widening of roads bordering two sides of this corner lot. Mrs. Parkinson also had concerns with her lot becoming restricted if the subdivision were approved without her lot being included. Every avenue was explored and the determination was made to deny the subdivision for the present time and request a special permit for one additional building lot. Further divisions would not be allowed until all of the subdivision requirements could be met. A well application for the lot was filed 9 January 1995. A feasibility report from the Board of Health states that the property is adequate for a septic system to function properly. If this application is approved, the lot should have a dedicated right-of-way of 25 feet from the center of the road for future widening. The Staff Evaluation point total for this lot is +50.



# Cache County Corporation

LORENE GREENHALGH  
Zoning Administrator  
752-8327

179 North Main, Room 210  
Logan, Utah 84321

## MEMORANDUM

TO: Cache County Council

FROM: Lorene Greenhalgh, Zoning Administrator

DATE: May 4, 1995

SUBJECT: Little Bear Estates Minor Subdivision

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This minor subdivision has received preliminary plat approval and final plat approval from the Planning Commission. All necessary work has been completed and signatures obtained. The original request was for 4 lots with three additional single family dwellings. It was later revised to 3 lots with two additional single family dwellings making the new lots larger with less possibility for contamination of springs by septic systems. Final Plats must be signed by the Chairman of the County Council and attested by the County Clerk if approved after their review.

LG:pj

CACHE COUNTY, UTAH  
PLANNING DEPARTMENT  
STAFF EVALUATION

DATE: 6 March 1996

NO. ACRES: 3 1-acre lots/minor subdivision

APPLICANT: Noel R. Bess

ZONE: Ag

PROPERTY ADDRESS: Approximately 10305 South Highway 165, south of Paradise

NATURE OF REQUEST: 3-lot minor subdivision to be called the Little Bear Estates

A. Water Supply: 1-family well approved 12/8/89; E. Road Conditions: 1st priority +100  
two 1-family, 5 cattle well applications filed 1/10/95

B. Sewage Disposal: feasibility report issued 1/19/95 F. Sensitive or Hazardous area: none +25

C. Farmland Evaluation: Class II Prime -45 G. Mitigation of Sprawl: close to city +35

D. Land Use Compatibility: all in ag -35

H. TOTAL POINTS: +80

STAFF RECOMMENDATION: approval

COMMENTS: This property is shown to be Class II Prime soil, but has a strip of Unclassified, Not Statewide Significant soil through it showing that it may not be good farm soil. There are two applications filed for well permits for single family dwellings and 5 cattle; one well has been approved for one family. There is a feasibility report filed showing that test holes were dug and checked and that it would be feasible to place septic systems on these lots provided that a sufficient supply and quality of culinary water is found and that the septic tanks are located 100 feet away from wells, waterways, springs, or wetlands area. Road conditions are good with sufficient right-of-way for future improvement and widening of the road. The Fire Marshall has indicated that the lots are near other structures and that good protection for single family dwellings can be provided. Tankers would first respond from Paradise with Hyrum as a backup. The area is in the regular automated area for garbage pick-up. There seems to be no problems with having a three-lot minor subdivision in this area. Protective covenants must be on the plat along with addresses and a statement that further division of lots will be prohibited.



May 9, 1995

(801) 752-2161  
(800) 882-4433 FAX (801) 753-3426  
160 North Main Logan, UT 84321-4541

Lynn Lemon  
Cache County Executive  
120 North 100 West  
Logan, UT 84321

Dear Lynn: *MLA-5/9/95*

A recent meeting was held with local restaurant owners, the Chamber of Commerce and the Bridgerland Travel Region to discuss the Cache County Restaurant Tax application process and granting of funds. The restaurant owners and managers would like to offer the following suggestions:

- 1) Develop specific criteria to determine the validity of a project to the tourism and economic growth of Cache County.
- 2) Grant the bulk of the restaurant tax to one large project each year to further tourism or economic growth in Cache County. This project should be designed to significantly increase Cache County Restaurant Tax. The economic spin-off of money generated from a large project will raise additional tax money to pay for community projects.
- 3) Designate a portion of the restaurant tax to fund community projects such as parks, baseball diamonds, restroom facilities, fences, etc.

Can you please share the contents of this letter with the Cache County Council at their meeting on May 9. Thank you for your attention to this matter.

Sincerely,

*Maridene Alexander*  
Maridene Alexander  
Bridgerland Travel Region

Mac MacKay  
Coppermill Restaurant

Ron Adair  
J.J. North's

Jeri Garner  
McDonald's

JoAnn Hoth  
Juniper Inn