

COUNCIL MEETING
MINUTES 09/26/95

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THE CACHE COUNTY COUNCIL MEETING MINUTES

September 26, 1995

The Cache County Council met in regular session on the 26th day of September, 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; Layne M. Beck; H. Craig Petersen; Jerry L. Allen; Darrel L. Gibbons.

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 Planning and Zoning Administrator Lorene Greenhalgh; UAC Insurance Mutual Risk Management Director David Nelson; County Bookmobile Board Chairman Kathy Gibbons; Administrative Assistant to the County Executive Mike Nilson; Representatives from the local news media and other interest 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. Members of the audience were asked to introduce themselves.

INVOCATION

The invocation was given by Cache County Clerk Stephen M. Erickson.

NATIONAL VOTER REGISTRATION ACT: OLENE S WALKER

Chairman Skanchy noted that a letter from the Lt. Governor Olene S. Walker had been received thanking the County Clerk's office for the work they have done to implement the NVRA.

(See attachment #1)

AGENDA & MINUTES

The agenda for the meeting was approved.

The minutes of the regular Council meeting held on September 12, 1995 and sent to all members of the Council were corrected and approved.

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REPORT OF THE COUNTY EXECUTIVE

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

1. Appointments

Appointment: Clements, LaMar to County Board of Adjustments
Appointment: Gibbons, Kathy to County Library Board
Appointment: Chytaus, Mark A. as Deputy County Sheriff
Appointment: Cuttler, Barton J. as a Corrections Officer

A motion to approve the recommended appointments was made by Vice Chairman C. Larry Anhder. It was seconded and carried unanimously.

2. Warrants: The warrants were presented to the County Clerk for filing.

UAC INSURANCE MUTUAL-RISK MANAGEMENT: DAVID NELSON

David Nelson, UAC Insurance Mutual Risk Management Specialist, told the Council that he has been meeting with the County Accident Review Board today and he plans to meet with other county departments to discuss risk management and to review areas of concern that may lead to accidents. Nelson will make available to the County a copy of his report. Nelson said that UAC Mutual is trying to reduce the number of insurance claims which will help keep the cost of insurance down.

BOOKMOBILE OPERATION REPORT: KATHY GIBBONS

Kathy Gibbons, the County Bookmobile Board Chairman, reported to the Council on activities concerning the County Bookmobile. Gibbons said that the Board has been looking for a permanent location to house the Bookmobile and additional books. A letter was sent to all communities asking for a place to locate the Bookmobile. Providence and River Heights responded and said that they would like the opportunity. The Board ok'd the proposal and those cities are working together to expand the old post office in Providence to 2500 square feet and additional parking area. The project is to be completed in June of 1996. Gibbons said that all county citizens will be able to use the facility at no cost to them. The Board also believes that it will take some of the pressure off of the Hyrum and Logan libraries. The Bookmobile will continue to service all areas of the county. A written agreement will be drafted and be presented for approval at a later date.

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AVON-PARADISE LAND USE: NOEL GILL

Noel Gill, representing a group of concerned citizens from the unincorporated area of the county in Avon and surrounding area, told the Council that a petition has been signed by 90 percent of the citizens in the area. They want to control growth and would like to have a say with what is to be developed in that area. Gill said that they don't want a moratorium, but a slow down. He was told to work with the CountyWide Planner, Mark Teusher.

BUDGETARY MATTERS: INTRA-DEPARTMENTAL TRANSFERS

The following Intra-Departmental transfers were presented to the Council for approval:

1. County Attorney: \$800.00
2. County Attorney: \$400.00
3. County Attorney: \$200.00

(See attachment #2)

A motion to approve the transfers was made by Councilman Petersen. It was seconded and carried unanimously.

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

BOARD OF EQUALIZATION: ASSESSMENT ROLLS ALTERATIONS

Some additional changes in the County Tax Assessment Rolls made by the appointed Board of Equalization Officers were presented to the Board for approval by Board Secretary Tamra Stones.

(See attachment #3)

The changes represent a \$11,000 reduction in property valuation. Stones reported that there are still two unresolved requests for tax reduction to be considered.

It was moved by Board member C. Larry Anhder to approve the proposed adjustments to the county tax rolls. It was seconded and carried unanimously.

THE BOARD ADJOURNED BACK INTO THE REGULAR COUNCIL MEETING

FINDINGS OF FACT-DANA YOUNG SPECIAL PERMIT REQUEST: SCOTT WYATT

The County Attorney Scott Wyatt presented to the Council

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written Findings and Order concerning the Dana Young Special Use Permit request and prior Council decision during the last Council meeting.

(See attachment #4)

A motion to approve the Findings was made by Councilman Allen. It was properly seconded and carried unanimously.

COMMUNITY DEVELOPMENT BLOCK GRANT PRIORITIES: DISCUSSION

Chairman Skanchy reported that the "How To Workshops" have been held and those who had attended. Two organizations who have asked for county sponsorship are the proposed Ice Arena and Hispanic Vocational Center. The Ice Arena will apply through the Economic Development program leaving the Hispanic Vocational Center for County Sponsorship. It was determined to wait until after the filing deadline to set priorities for sponsorship.

UAC INSURANCE MUTUAL-RELEASE FORMS: DISCUSSION

Chairman Skanchy explained that the UAC Insurance Mutual is a business and is required to comply with the State Insurance Commission requirements. Release Forms have been sent to Cache County releasing the Insurance Mutual from any repayment obligations to the County. The County Attorney has reviewed the forms and can see no problem.

A motion to authorize the County Executive to execute the release forms to comply with the State Insurance Commission, was made by Councilman Gibbons. It was seconded and carried unanimously.

CLOUD SEEDING PROPOSAL: DISCUSSION

The Council discussed cloud seeding for another year (95-96) and a summary of past years data was presented.

(See attachment #5)

Executive Lemon reported that Box Elder County will be using the program through their Water District and that they had talked about doing the cloud seeding themselves in the future.

Vice Chairman Anhder moved that the County contract with North American Weather Consultants in the amount of \$21,000 to cloud seed four of the winter months. It was properly seconded. An amendment to Anhder's motion to allow the County Executive to reduce the

COUNCIL MEETING
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contract from four to three months if the cost of the four month is significantly more than \$21,000.00 was made by Councilman Gibbons. It was seconded and passed on a 6 "Yes" to 1 "No" vote. The question on the original motion with the adopted amendment was called for and it passed unanimously.

ROAD CLOSURE-SOUTH CANYON:FOREST SERVICE REQUEST

The Forest Service is requesting the Counties support to allow them to close the South Canyon Road in the South end of the County. They want to close the road for its protection from Thanksgiving to about the middle of May every year. It was suggested that the County Road Superintendent may want to close other roads. Executive Lemon was asked to work with Joe Kirby concerning other roads that may be closed for the winter months. The County Attorney recommends that a public hearing be scheduled to receive public input on the matter.

PUBLIC HEARING SET: ROAD CLOSURE

A motion to set a public hearing to receive public comment on the proposed road closure(s) on Nov. 14, 1995 at 6:00 p.m. was made by Councilman Petersen. It was seconded and carried unanimously.

SPECIAL PERMIT REQUEST/LIQUOR LICENSE/SHERWOOD HILLS: DISCUSSION

Chairman Skanchy reviewed the memo that she had sent to members of the Council relating to past history of a previous request for a liquor license by Sherwood Hills Resort.

(See attachment #6)

The memo included a copy of a memo from the County Planning & Zoning Administrator Lorene Greenhalgh and a copy of the Ordinance No. 89-08. The copy of the Ordinance was not included in the attachment for these minutes but can be found in the Clerk's Office.

Attorney Wyatt recommended that the present Ordinance is satisfactory in order for the Council to make a decision. Wyatt recommended that the Council first make a decision before Sherwood Hills applied for a liquor license.

Chairman Skanchy told the Council that the County does not have a beer Ordinance and that Sherwood Hills would only be allowed to sell liquor as it is presently defined.

John Booth, manager of the Sherwood Hills Restaurant, told the Council that he believes that 85 per cent of those who use the

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facility use it as a destination point. Booth said that he feels that they could better control liquor consumption if they have a license and are able to sell at the restaurant. Councilman Gibbons said, that may be so, but if it is, there are others who wouldn't bring their liquor and they would then be able to purchase it.

Councilman Petersen moved to deny the request. Councilman Gibbons seconded the motion.

Councilman Petersen said that he is not convinced that the numbers are correct on the number of people who make the Resort a destination point and it will set a precedence for other businesses and liquor shouldn't be sold in a forest zoned area.

A question on the motion was called for. The motion failed on a vote of 3 "Yes" to 4 "No".

A motion to approve the special use permit was made by Councilman Pulsipher. It was seconded and passed 5 "Yes" to 2 "No" vote. Gibbons & Petersen voted "No".

COUNTY-WIDE LIBRARY PROPOSAL: DISCUSSION

Councilman Petersen reviewed a proposal for County-Wide Library System including a Resolution passed by the County Mayor's Association and a draft Resolution to be adopted by the Council.

(See attachment #7)

Russell Hirst, the Mayor of Lewiston City, said that the plan is a good one that they can work with. He recommends that the County Library Board work together to draft an agreement for Cities in the County to adopt.

Councilman Petersen said that Logan City seems to be in favor of the proposal. Councilman Allen said that he favors the idea and we should move on a proposal as soon as possible.

A formal Resolution will be drafted and presented for approval at the next Council meeting.

UDOT HIGHWAY NEEDS MEETING: OCTOBER 3, 1995

UDOT has scheduled a meeting to receive input on current and future needs on highways in the Northern portion of the State. The meeting is on October 3, 1995 at 6:30 p.m. at the BATC Food Service #5 in Logan. Executive Lemon said that he along with the County Road Superintendent plan to attend. Council members were encouraged to attend.

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It was the consensus of the Council that Highway 91 from Smithfield to the Idaho line and the Highway from Nibley to the Paradise area was most important for improvement and widening.

USU HOMECOMING: PARADE

Chairman Skanchy reminded the Council of the up coming USU Homecoming parade. They are to wear their T Shirts and hand out Centennial materials. The parade will be on October 14th at 1:00 p.m..

OTHER MEETINGS

County Planning meetings are being held in the County districts.

UAC Convention will be held in St. George, Utah on November 8, 9 & 10, 1995. Council members were encouraged to attend.

COUNCIL MEMBER REPORTS

Councilman Allen: Attended a Cache County planned Childrens Justice Center meeting where Jan Graham the Utah Attorney General presented \$3,400 worth of equipment to the Center.

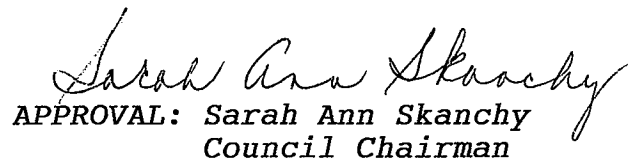
Vice Chairman Anhder: A cloud seeding video is available to council members to view.

ADJOURNMENT

Chairman Skanchy adjourned the meeting at 7:30 p.m.



ATTEST: Stephen M. Erickson
Cache County Clerk



APPROVAL: Sarah Ann Skanchy
Council Chairman



STATE OF UTAH
OFFICE OF THE GOVERNOR
SALT LAKE CITY
84114-0601

MICHAEL O. LEAVITT
GOVERNOR

OLENE S. WALKER
LIEUTENANT GOVERNOR

August 31, 1995

Stephen M. Erikson
Cache County Clerk
170 North Main Street
Logan, Utah 84321-4599

Dear Stephen:

I would like to thank you for all of your hard work in connection with the implementation and administration of the National Voter Registration Act. As explained in the enclosed press release Utah has been named one of the top ten states which have most improved voter registration under NVRA.

The organizations Human Serve, League of Women Voters, NAACP, and Disabled and Able to Vote presented both Kelleen and me with awards at the National Association of Secretaries of State and National Association of State Election Directors conferences this month. Congratulations to you for your efforts in increasing voter registration despite the difficulties which have been encountered with this legislation.

I previously asked for an estimate of the total costs that have been incurred for implementation and operation of NVRA for the first six months. I realize that it is impossible to determine the exact costs of this program, but an estimate from each county would be most helpful.

Once again, congratulations. This honor is a result of your hard work and dedication during this process.

Sincerely,

Olene Walker
Lieutenant Governor

REQUEST FOR INTRA-DEPARTMENTAL BUDGET TRANSFER

Department: County Attorney
Date: September 19, 1995

Amount to be transferred --- (rounded to the nearest dollar) \$ 850.00

Transfer from ---

Line Item No. 10 - 4145 - 310
Fund Designation: Professional + Technical

Original Budget:	\$ <u>2,500.00</u>	\$ _____
Current Budget:	\$ <u>5,000.00</u>	\$ _____
Expenditures to date	\$ <u>3,973.40</u>	\$ _____
Balance before transfer	\$ <u>1,026.60</u>	\$ _____
Balance after transfer	\$ <u>176.60</u>	\$ _____

Transfer to ---

Line Item No. 10 - 4145 - 280
Fund Designation: Telephone

Original Budget:	\$ <u>3,000.00</u>	\$ _____
Current Budget:	\$ <u>3,000.00</u>	\$ _____
Expenditures to date	\$ <u>2,296.21</u>	\$ _____
Balance before transfer	\$ <u>703.79</u>	\$ _____
Balance after transfer	\$ <u>1,553.79</u>	\$ _____

Description of needs and purpose of transfer ---

To cover phone costs through Dec 1995



Department Head

Recommendation: Approval Disapproval

Comments:

Date: 9-20-95

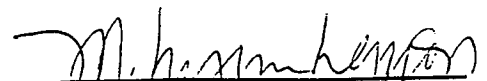


Cache County Auditor

Recommendation: Approval Disapproval

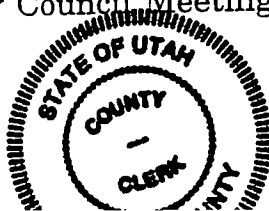
Comments:

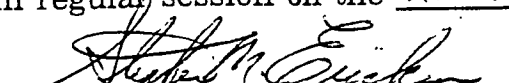
Date: 9-21-95



Cache County Executive

Consented by the Cache County Council Meeting in regular session on the 26th
day of Sept., 1995.





Cache County Clerk

REQUEST FOR INTER-DEPARTMENTAL BUDGET TRANSFER

Department: County Attorney

Date: September 19, 1995

Amount to be transferred --- (rounded to the nearest dollar) \$ 400.00

Transfer from ---

Line Item No. 10 - 4145 - 210

Fund Designation: Subscription Memberships

Original Budget: \$ 3,500.00 \$ _____

Current Budget: \$ 3,500.00 \$ _____

Expenditures to date \$ 2,718.01 \$ _____

Balance before transfer \$ 2,781.99 \$ _____

Balance after transfer \$ 2,381.99 \$ _____

Transfer to ---

Line Item No. 10 - 4145 - 240

Fund Designation: Office Supplies

Original Budget: \$ 3,600.00 \$ _____

Current Budget: \$ 3,600.00 \$ _____

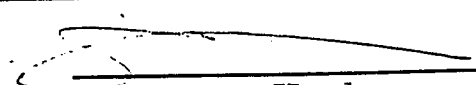
Expenditures to date \$ 2,388.91 \$ _____

Balance before transfer \$ 1,211.09 \$ _____

Balance after transfer \$ 1,611.09 \$ _____

Description of needs and purpose of transfer ---

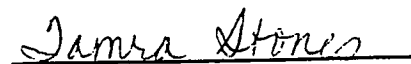
To purchase office supplies and postage


Department Head

Recommendation: Approval
Comments:

Disapproval

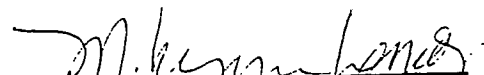
Date: 9/20/95


Cache County Auditor

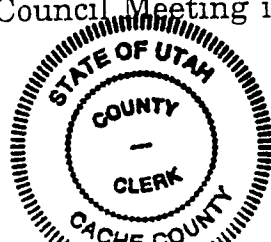
Recommendation: Approval
Comments:

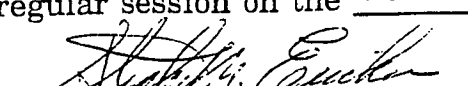
Disapproval

Date: 9/21/95


Cache County Executive

Consented by the Cache County Council Meeting in regular session on the 26th
day of Sept, 1995.




Cache County Clerk

REQUEST FOR INTRA-DEPARTMENTAL BUDGET TRANSFER

Department: County Attorney

Date: September 19, 1995

Amount to be transferred --- (rounded to the nearest dollar) \$ 200 00

Transfer from ---

Line Item No.	<u>10 - 4145 - 251</u>	
Fund Designation:	<u>Equip. Maint. \$200.00</u>	
Original Budget:	\$ <u>200.00</u>	\$ _____
Current Budget:	\$ <u>200.00</u>	\$ _____
Expenditures to date	\$ <u>0</u>	\$ _____
Balance before transfer	\$ <u>200.00</u>	\$ _____
Balance after transfer	\$ <u>0</u>	\$ _____

Transfer to ---

Line Item No.	<u>10 - 4145 - 250</u>	
Fund Designation:	<u>Equip. Supplies</u>	
Original Budget:	\$ <u>2,200.00</u>	\$ _____
Current Budget:	\$ <u>2,200.00</u>	\$ _____
Expenditures to date	\$ <u>2,126.82</u>	\$ _____
Balance before transfer	\$ <u>73.18</u>	\$ _____
Balance after transfer	\$ <u>273.18</u>	\$ _____

Description of needs and purpose of transfer ---

Purchase Toner and Dispersant for photocopier machine


Department Head

Recommendation: Approval Disapproval
Comments:

Date: 9-20-95

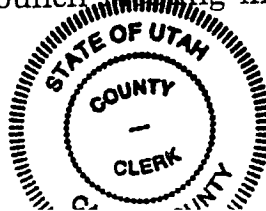
Jamra Jones
Cache County Auditor

Recommendation: Approval Disapproval
Comments:

Date: 9/21/95

M. Kay Henderson
Cache County Executive

Consented by the Cache County Council Meeting in regular session on the 20th day of Sept., 1995.



Stephen L. Evans
Cache County Clerk

Logan, Utah, 26, September 1995. The Board of Equalization Hearing officers of Cache County, duly appointed by the Cache County Council, met on the days mentioned as Board of Equalization for the purpose of examining the Assessment Rolls of Cache County, Utah, for the year 1995 and the preceding changes on these days are ordered to be made on the Assessment Rolls of Cache County, Utah.

Sarah Ann Skanchy
Sarah Ann Skanchy, Chairman

ATTEST:

Tamra Stones
Tamra Stones
Board of Equalization

I, Tamra Stones, do swear that, I have kept correct minutes of all acts of the county board of equalization regarding alterations to the assessment rolls, that all alterations agreed to or directed to be made have been made and entered on the rolls and that no changes or alterations have been made except those authorized by the board or the commission.

Tamra Stones
Tamra Stones, Cache County Auditor

Date: 26, September 1995

CACHE COUNTY CORPORATION
CHANGED VALUATION REPORT FOR 09/13/95 - 09/26/95

DATE	RCEL ##	NAME	USER	TIME	C N/O	TYPE	NEW/OLD	ACRS	NEW/OLD	MARKET	NEW/OLD	TAXABLE	MARKET TAXABLE
19/22/95	01-087-0027	PEARCE, SHAUN H & VA	KATHLEEN	09:58:50	G	PR BR	0.00	0.00	243	0	243	0	243 243
19/13/95	02-089-0006	KNIGHT, GERALD K & T	KATHLEEN	09:16:18	G	LV	2.90	3.17	21,706	21,706	21,705	21,705	0 0
19/18/95	03-116-0006	TORRE, CHARLES G & L	KATHLEEN	08:57:40	G	BR	0.00	0.00	103,030	130,030	56,665	71,515	-27,000 -14,850
19/13/95	03-144-0010	FIFE, JAMES ALBERT &	KATHLEEN	15:37:55	G	LV	0.00	0.35	0	12,063	0	12,065	-12,063 -12,065
19/13/95	03-144-0010	FIFE, JAMES ALBERT &	KATHLEEN	15:38:04	G	BR	0.00	0.00	88,473	0	48,660	0	88,473 48,660
19/13/95	03-144-0010	FIFE, JAMES ALBERT &	KATHLEEN	15:38:04	G	LR	0.35	0.00	12,063	0	6,635	0	12,063 6,635
19/26/95	07-152-0507	MUCEUS, JON C & JAN	KATHLEEN	09:45:13	G	BR	0.00	0.00	774,772	848,276	426,125	466,550	-73,504 -40,425
19/20/95	11-011-0049	KIDMAN, THERESA M	VICKY	12:58:34	G	WW	120.00	0.00	0	0	0	0	0 0
19/19/95	14-019-0004	GIBBONS BROTHERS PAR	VICKY	11:19:24	G	W3	10.88	0.00	0	0	0	0	0 0
19/19/95	14-019-0005	GIBBONS, J WYNN & LA	VICKY	11:18:32	G	W3	1.07	0.00	0	0	0	0	0 0
19/19/95	14-019-0012	GIBBONS, H RAY & AMY	VICKY	11:18:00	G	W3	1.01	0.00	0	0	0	0	0 0
19/19/95	14-019-0013	GIBBONS, MARK A & SH	VICKY	11:18:58	G	W3 LS	0.97	0.00	0	0	0	0	0 0
19/19/95	14-019-0014	GIBBONS, DARREL & KA	VICKY	11:15:35	G	W3 LH	1.07	0.00	0	0	0	0	0 0
19/20/95	15-012-0003	THOMPSON, SEYMOUR &	VICKY	12:41:42	G	WW LR	686.00	0.00	0	0	0	0	0 0
19/20/95	16-046-0009	LOFTHOUSE, PRESTON B	VICKY	12:57:09	G	WW LG	132.80	0.00	0	0	0	0	0 0

GRAND TOTAL CHANGES

-11,788 -11,802

BEFORE THE CACHE COUNTY COUNCIL

IN THE MATTER OF AN APPEAL FROM
PLANNING COMMISSION FILED
BY DANA C. YOUNG

FINDINGS
AND
ORDER

This matter came before the Cache County Council in a regular meeting, lawful notice of which was given, upon the application of DANA C. YOUNG, for approval of a Special Permit under Section 28-5 of the Cache County Land Use Ordinance for the purpose of temporarily maintaining his mobile home on Parcel No. 03-016-011.

FACTS

1. Dana C. Young placed a mobile home onto property in the unincorporated part of the County without zoning clearance or a building permit.
2. The owner of the property is Edward R. Banderob from California.
3. This property has been in violation of the zoning ordinance in excess of one (1) year.
4. After moving onto the property and having been threatened with prosecution, Mr. Young applied for a Conditional Use Permit in February of 1995. Following the denial of the Conditional Use Permit, Mr. Young sought a Special Permit from Cache County.

THE CACHE COUNTY COUNCIL FINDS:

1. Standards for granting a Special Permit are contained in the Cache County Land Use Ordinance Chapter 28-5. Prior to granting a Special Permit the counsel must find that each condition in Section 28-5 is met. The applicant failed to meet the first two conditions under this section.

- A. The first condition in the Special Permit section requires that the property be owned by the applicant and the individual who is seeking to gain the beneficial use of the property.

The council finds that this first condition cannot be met by the Defendant because the Defendant is seeking a Special Permit for him to receive the beneficial use of another's property.

- B. The second condition of the Special Permit section is that the use must not be inconsistent with the general purposes of the zone. The subject property is in the agricultural zone which allows for mobile homes under limited circumstances. The only circumstance that applies to the Defendant is under the emergency exception found in Section 4-Q which only allows for a mobile home to be located on the property under circumstances where the occupant is a member of the owner's immediate family and allows the mobile home to remain for not more than a year.

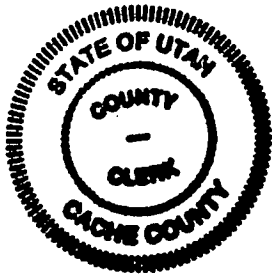
Council finds that because Mr. Young is not the owner or a member of the owner's immediate family, and because Mr. Young has already maintained the use on property in excess of the year allowed, he does not qualify.

ORDER

Based on the foregoing, the council denies the Special Permit request and directs the County Attorney to inform the applicant of this decision and to provide the applicant some amount of time, up to thirty (30) days, to remove the mobile home from the property prior to legal action to enforce the same.

This order shall be effective and approved as to form and content by the Council on the 26th day of September, 1995.

CACHE COUNTY COUNCIL



By: Sarah Ann Skanchy
Sarah Ann Skanchy
Chairman

ATTESTED TO:

Stephen M. Erickson
County Clerk

zoning.clyoung.ind

*Air Quality, Applied Meteorology, Emissions Measurements,
Meteorological Research, Weather Modification*

**RESULT SUMMARY
WATER YEAR 1995 NORTHERN UTAH
WEATHER MODIFICATION PROGRAM**

Northwest Box Elder County

Snowpack Water Content (April 1st) Analysis:

Historical Correlation ---- .97

Seven Year (1989 - 1995) Average Percent Excess ----- 13.6
Average Amount (inches) Excess ----- 1.87

1995 Average Percent Excess ----- 15.7
Average Amount (inches) Excess ----- 2.57

Precipitation (December through March) Analysis:

None - Monthly Precipitation Data Not Available Within Target

Northeast Box Elder/Cache Counties

Snowpack Water Content (April 1st) Analysis:

Historical Correlation ---- .94

Seven Year (1989 - 1995) Average Percent Excess ----- 20.3
Average Amount (inches) Excess ----- 3.53

1995 Average Percent Excess ----- 32.8
Average Amount (inches) Excess ----- 6.22

Precipitation (December through March) Analysis:

Historical Correlation ---- .93

Seven Year (1989 - 1995) Average Percent Excess ----- 18.6
Average Amount (inches) Excess ----- 1.86

1995 Average Percent Excess ----- 32.8
Average Amount (inches) Excess ----- 4.05

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

September 21, 1995
MEMORANDUM

TO: Council Members

FROM: Sarah Ann Skanchy
Chairman

SUBJECT: SHERWOOD HILLS - LIQUOR LICENSE HISTORY

In July of 1987 the County Council began its public discussion of a policy for consents to liquor licenses in the County because Sherwood Hills Resort was in the process of being sold after bankruptcy. Through the months of August, September and October 1987 a great deal of discussion was publicly held on the issue. On October 27, 1987, Ordinance 87-07 was adopted with a split vote 4 to 3. Monson, Miller, Braegger and Skanchy voting in favor and Funk, Gibbons and Weston against.

On June 14, 1988 a public announcement was made at Council Meeting that the Sherwood Hills Resort was sold and was due to re-open. The new owners went to the Planning Commission for a zoning clearance for a restaurant liquor license and it was granted. An appeal from the decision was brought to the Council on December 27, 1988 and a public hearing was set for February 7, 1989. The new owners filed, with the County, a request for consent to the State Liquor License and followed the procedure set forth in Ordinance 87-07.

On February 7, 1989, following the public hearing, the County Council reversed the decision of the Planning Commission on a 4 to 3 vote. Gibbons, Weston, Funk and Kotter voting in favor and Monson, Braegger and Skanchy against. The request for consent to the State Liquor License was deemed moot.

On March 21, 1989, a Chamber of Commerce report on liquor license applications was heard as well as opposing views.

On April 18, 1989, a motion to set up a committee to study the pros and cons of liquor consents

was approved with the Chamber of Commerce to take the initiative. It was not a formal county committee.

On August 1, 1989, the report on Alcoholic Beverage Control was presented by the Chamber's committee to the County Council. The report was discussed and accepted at the August 15, 1989 meeting.

Amendments to Ordinance 87-07 were proposed at the September 5, 1989 meeting with the strict control language incorporated from the Chamber committee report.

On September 19, 1989, Ordinance 87-07 was revised on a 4 for and 2 against vote. Funk, Monson, Morse and Skanchy voting in favor and Kotter and Gibbons against. Weston was absent. The new Ordinance is 89-08 a copy of which is enclosed.

On October 3, 1989 the Sherwood Hills application for State Liquor License was discussed and on November 7, 1989 the County consented to the granting of a license was approved on a 5 to 2 vote. Funk, Monson, Morse, Weston, Skanchy voting in favor and Kotter and Gibbons against.

During 1989, revisions to the County Land Use Ordinance were discussed and adopted and meals were included in the definition of a "Lodge" in the Forest Recreation zone thus making a restaurant at the resort or lodge a legitimate part of the resort.

Lodges are conditional uses and must go through the planning process.

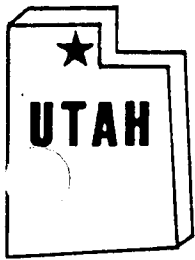
A Special Permit has now been requested to allow Sherwood Hills to go forward with the procedure to request a liquor license. See Greenhalgh memo of September 12, 1995.

It is my understanding that the Planning Commission did not review Ordinance ^{89 JME} 98-08 which is the policy and procedure currently in place for handling requests for State Liquor Licenses.

I am placing the matter on the agenda for limited discussion. Mr. Gibbons requested that we not drag the matter out for years as previously happened.

If you have any questions, give me a call.

SAS:pwp




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: September 12, 1995

SUBJECT: Maple Ridge Restaurant/Weston Sherwood Inc. Special Permit Request

John Booth, agent for Maple Ridge Restaurant owned by Weston Sherwood Inc., requested a special permit to allow him to proceed with the request for a liquor license for the serving of beer and wine in conjunction with serving food at their facility located on 12.11 acres of property in the Forest Recreation (FR-40) Zone in Wellsville Canyon. This is a repeat of a request acted on in 1990.

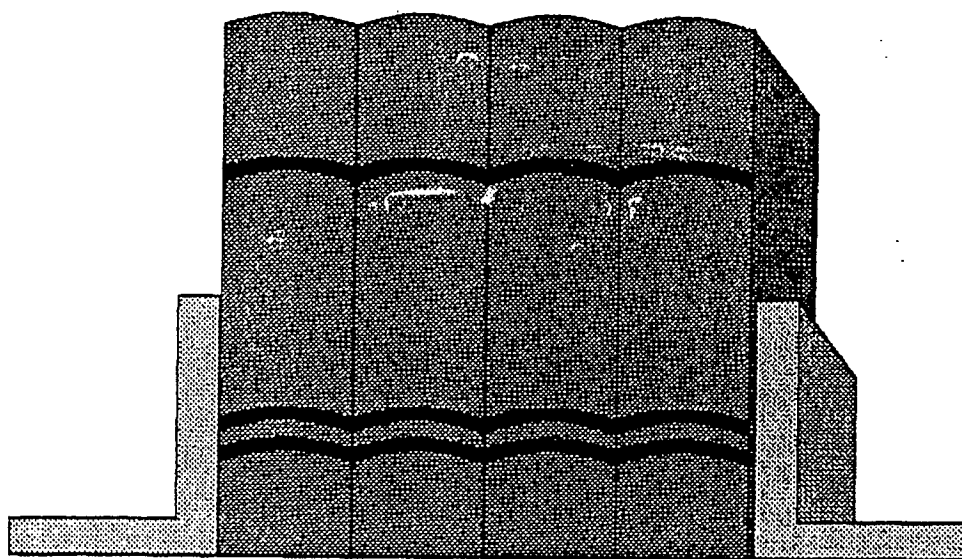
The Planning Commission heard the request, held a public hearing, and debated the issue. The consensus of the board was to recommend denial of the permit for the following reasons:

1. There is no clear ordinance in place to govern the issuance of such a permit with stipulations.
2. The Commission believes that our canyons should be free of the sale of alcoholic beverages for safety reasons.
3. A precedent should be set which prohibits the sale of alcoholic beverages in any of the canyons in Cache County.

Because the Land Use Ordinance requires County Council action on all special permit requests, this should be placed on the earliest possible agenda for action.

LG:pj

COUNTY LIBRARY SYSTEM



SEPT. 9, 1995

7

CACHE COUNTY LIBRARY PROPOSAL

BACKGROUND

1. A significant portion of Cache County residents do not have access to adequate library service.
2. Over a period of years, a number of committees have unsuccessfully tried to establish a Cache County Library System. A major obstacle in those efforts has been devising a plan which would benefit Logan residents without imposing a substantial cost on other county residents.
3. Under current state law, it would be difficult to pass a dedicated property tax to fund libraries. If anything is to be done in the near future, another funding mechanism must be used.
4. For the most part, counties cities do not have the resources to significantly increase their general fund expenditures for library services.
5. Until a county system is established, it will be very difficult to obtain private and other sources to fund library service.

PROPOSAL

A Cache County Library system should be established which, at the present time, excludes Logan. This effort would involve two phases:

Phase I: Interlocal Agreement, Electronic Access, and Inter-library Loan

1. The Cache County Council, by ordinance, would establish a county library system. The existing Bookmobile Board would be expanded and reconstituted as the County Library Board.
2. Initially, the legal address and headquarters of the County Library System would be one of the county's existing libraries. Providence would be a reasonable choice because it houses the county's bookmobile collection.
3. Cities and the unincorporated area would join the Cache County library system by interlocal agreement. These agreements would recognize the financial commitment of cities with existing libraries. Cities would retain ownership and control over their collections and facilities.
4. Residents of cities that participate in the agreement would have access to all library facilities (except Logan) in the county. Compensation to cities with libraries would be specified in the agreement.
5. All libraries in the county (including Logan) would adopt a compatible format for electronically cataloging their holdings. The County Library Board would work with Logan City to develop a master electronic catalog which would show the holdings of all libraries (including Logan) in the county.

The Logan Library would maintain the master catalog. Patrons of libraries in other communities would have access to this catalog. The information could be accessed by modem or maintained as a data base in a library.

6. The state pays for inter-library loan services. Currently, transfers are made by mail. The County Library Board would establish a courier system for transporting books between libraries. Using the electronic catalog, books could be ordered from any library (or a modem) and would be delivered in two days. This service would include the books in the Logan Library collection.
7. The County Library Board would develop and manage a plan to provide Internet connectivity for all libraries. A joint proposal for Cache County libraries would be submitted to the State Library Board. The County Board would also work to secure additional funding for this purpose from other sources.
8. Bookmobile service to Logan and other communities with existing libraries would be redirected to county communities without a library.
9. Each community would provide its own library facilities. Cities without libraries would have the option of establishing reading rooms or small libraries. These facilities would have a computer and, if desired, a small collection of books. Communities with libraries or reading room could have access to the following services:
 - a. Internet resources
 - b. CD-ROM materials
 - c. County-wide electronic catalog.
 - d. Inter-library loans with books provided in two days by courier service.
10. Funding for Phase I would come from the following sources:
 - a. Cities
 - b. County
 - c. State Library Board
 - d. Community Block Development Grants
 - e. Other sources, including Huntsman Foundation, corporations, and individuals.

Phase II: Upgrading and Permanent Funding

1. The County Library Board would develop and implement a plan to upgrade technology and collections in existing libraries and reading rooms. Any purchases paid for by the County Library System would belong to the County System. A major component of this plan would be reliance non-tax funds.
2. A proposal for a dedicated property tax to provide a permanent funding for libraries would be submitted to county residents.

Phase III: Integration With the Logan Library

If circumstances become mutually beneficial, the County Library System would be expanded to include the Logan Library.

Passed by Mayors

CACHE COUNTY LIBRARY RESOLUTION

- WHEREAS, a significant portion of Cache County residents do not have access to adequate library service, and
- WHEREAS, modern technology has greatly increased the amount of information that libraries can provide and can also be used to electronically link libraries, and
- WHEREAS, the benefits of technology can be more effectively provided by a county library system than by individual city libraries, and
- WHEREAS, opportunities to obtain federal, state, and private funding for library service in Cache County would be greater if there is a county library system, and
- WHEREAS, the imbalance of resources between the Logan Library and other libraries in the county are such that it is unlikely that a county system including Logan City could be implemented at this time.
- THEREFORE, the Cache County Mayor's Associations recommends that the Cache County Council establish, by ordinance, a county library system, under the direction of a County Library Board.
1. Cities will join the system by interlocal agreement.
 2. Each community will provide its own library facilities and collections. Communities will retain ownership of their collections and facilities.
 3. A master electronic catalog showing holdings of all libraries in the county will be developed. Communities with existing libraries or who wish to establish libraries or reading rooms will be assisted in obtaining Internet and electronic catalog access.
 4. A rapid system of interlibrary loans will be implemented to transfer materials between libraries and reading rooms in the county, including the Logan Library.
 5. Bookmobile service will be continued, but focused on communities without any other library service.
 6. Some county funding will be required to operate the system, but federal, state, and private funds will be sought to augment county funds.
 7. At this time, Logan City will not be a part of the county system.