

**Approved**

**COUNCIL MEETING**

**MINUTES**

**23 MAY 2000**

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## **CACHE COUNTY COUNCIL MEETING MINUTES 23 MAY 2000**

The Cache County Council met in a regular session on 23 May 2000 in the Cache County Council Chamber, 120 North 100 West, Logan, Utah 84321.

### **ATTENDANCE**

Council Chairman: Darrel L. Gibbons

Council Vice-chairman: H. Craig Petersen

Council Members: C. Larry Anhder, Layne M. Beck, Guy Ray Pulsipher, Sarah Ann Skanchy, Cory Yeates

Cache County Executive: M. Lynn Lemon

Cache County Clerk: Daryl R. Downs

The following individuals were also in attendance: Pat Parker, Jim Smith, Ann Peralta, Andy Hofmeister, Scott Huskinson, Mike Glead, Joe Kirby, Tamra Stones, Darrin Henry, Kathy Robison, Mike Weibel (Herald Journal), Jenny Christensen (KVNU).

### **CALL TO ORDER**

Chairman Gibbons called the meeting to order at 5:02 p.m.

### **INVOCATION**

Councilman C. Larry Anhder offered the invocation.

### **REVIEW AND APPROVAL OF AGENDA**

Chairman Gibbons noted that items 10g., 10h., 10i., and 10j. had been listed on the agenda so that the items could be discussed by the council if any new information concerning the items became available.

### **REVIEW AND APPROVAL OF MINUTES**

The minutes from 3 May 2000 and 9 May 2000 were reviewed, corrected, and approved.

### **REPORT OF THE COUNTY EXECUTIVE**

### **Television Translator Discussion**

Lemon invited Norm Jaussi to speak to the council about the television translator. Mr. Jaussi takes care of the Franklin County translator. Because the item was not listed on the agenda, Lemon said that Jaussi may need to speak to the council again on a later date. Lemon also offered the council some background information about the current Cache County translator situation. Approximately two years ago, Cache County performed tests to see if the County could successfully transmit a signal from Clarkston to Little Mountain. The intent was to put an omnidirectional antennae at Little Mountain and then retransmit that signal throughout the valley. This system was not able to cover the entire valley. Due to these limitations and the current problems with the Mount Pisgah site, Lemon said that it had been determined that the best solution would be to work with Franklin County on a joint system. Lemon also stated the FCC had recently sold all of the channels (53-69) that are used by Cache County's translator. Lemon said that \$250,000.00, which was originally appropriated for the translator upgrade, was spent on the INGEO System. It was promised that this money would be re-appropriated for the translator as needed.

Lemon has authorized the County to spend \$500.00 for additional testing of new sites. Mr. Jaussi affirmed that channels 53-59 are being sold by the FCC. Jaussi proposed that Cache County work together with Franklin County to provide television coverage in both counties. Jaussi said the current proposal would cover Franklin County and the northern part of Cache County with a translator at the Clarkston site and then cover the southernmost part of Cache County with a second low-power translator at Hyrum. Such a system, if interlaced with the Franklin County system, would provide full coverage of Cache County. Between July 31<sup>st</sup> through August 4th, Franklin County and Cache County can make application to the FCC for additional channels. Currently, channel 7 and channel 9 will put a translator at the Clarkston site. Jaussi said that he did not know what the costs would be to put all of the necessary channels at the sites. Jaussi said that if the county wanted to put every channel in and had to pay for every channel, it would cost about \$150,000.00 for just the Clarkston site. Jaussi mentioned that KJAZZ and PAX may have some money to help defray some of these costs. Lemon said that the County could transmit from Clarkston and then cover the south end of the county from the Mt. Pisgah site. Another alternative, if Mt. Pisgah is not available, would be to use a low power translator in the south end of the valley. Lemon said that the real issue is if the county is willing to provide access to people for television without having to pay for cable or satellite. The council, according to Lemon, had agreed in the past to provide this service. Jaussi said that Franklin County would provide what it currently has to the new system, but any new funding would need to come from Cache County. Utah State University does not have an initial interest in funding the process; however, the university is interested in knowing what will be available.

Petersen asked if earth-based technology is obsolete in today's world of satellite technology. Lemon agreed that the technology is available, but noted that if the County is trying to provide television as a public service then the translator is needed. Lemon said that Franklin County has better reception with its translator than it gets from cable.

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Anhder is in favor of moving ahead. Beck asked about the digital signal that will be coming in the future. Jaussi said that presently there are two HDTV channels in Salt Lake City. Cable has band-width challenges when handling digital. This is not a problem with satellite-based systems. When a digital signal is translated, a new piece of equipment will be needed to recognize the data stream. Jaussi said that Zenith is currently building a piece of equipment to do this translation. If the county makes application to the FCC, there is no cost to the county. If they do get the channel, they are required to build within 18 months or they will lose the channel. Lemon said a three-way land exchange in Clarkston would also need to be done if the council proceeds.

## **OTHER ITEMS**

Lemon mentioned a letter requesting that the Volunteer Center be placed back into the Senior Reserve Volunteer Program at the Senior Citizen Center.

Lemon met with the County Assessor, Auditor, Recorder, and Treasurer this week. These officials have agreed that it would be most beneficial to hire some members of the INGEO staff on a contract basis to resolve the remaining problems with the INGEO system.

Lemon mentioned that the North Park Interlocal Cooperative (NPIC) met last week. The 3.3 million in funding is now available. The NPIC has agreed to have Hogan Construction build the 3.8 million dollar facility. The contract will allow the contractor to begin construction on June 2nd and spend the remaining balance of \$250,000 that was awarded by the State of Utah. The contractor will then stop construction until the balance of the 3.8 million dollars is raised. The \$500,000 endowment will need to be in place before operation of the facility begins. The awarding of the contract will allow the subcontractors to be chosen and their in-kind commitments to be solidified.

Lemon also mentioned the 30<sup>th</sup> Annual Conference on Seniors. The conference will begin June 5<sup>th</sup> in the Little American Hotel in Salt Lake City.

Lemon gave the County Clerk the warrant register.

## **ITEMS OF SPECIAL INTEREST**

### **Citizen Concerns**

Ms. Melanie Smith wanted to address the council about the some concerns regarding religious freedom. She has written down her concerns and asked that the council take her information and consider it seriously. A brief text of her concerns is included. Ms. Smith proposed that Cache County take the lead in providing an example of appropriate behavior to the rest of the world. She suggested that our society needs to be vigilant in maintaining its standards.

Attachment 1

## Overview of Proposed Subdivision Ordinance

Three separate planning commissions provided recommendations for this proposed ordinance: Benson, Cache County, and College/Young. Mr. Teuscher noted that two sections have differences. The single issue of water requirements listed on page 10 and 22 of the proposed ordinance contains the essential differences. Teuscher said that three public hearings have already been held. One hearing was held at each planning commission's meeting.

Teuscher said that Benson and College/Young have suggested that an Approved -Well Application process be used. The County Planning Commission has not offered a recommendation at this time. The State Engineer has not denied applications in the past; however, he has begun to do so recently. The Benson and College Young Planning Districts have some real concerns about the possibility of applications being denied at the state level. Teuscher said that the County Planning will have a recommendation on the application process at its next meeting.

The document presented to the Council by Teuscher would replace the land-use section of the current code. It delineates how land will be divided, and it incorporates all of the latest legislative changes to state law. Five lots or less will be a minor subdivision; six lots or more will be a major subdivision. On a minor subdivision, the preliminary and final plat will run concurrently. On a major subdivision, the Council will see a preliminary plat and then a final plat. Currently, Cache County's code is not consistent with the state's code. The Council should be the only body that approves new plats. The planning commissions should only make recommendations. This will bring the council to the baseline of state law. Currently, Cache County has some issues of non-compliance.

Lemon said that he was amazed at the requirements of the conditional-use permit process. He noted that regulations in Logan are more demanding than those in California. The new ordinance proposed by the planning commissions will separate the subdivision code from the land use code. This new code will put all of the subdivision information and put it all into one location. It also does away with splitting a piece of property by the conditional-use process. The county's conditional use splitting process as now implemented is not in compliance with current state law.

Teuscher said that most of his complaints are from people who cannot locate everything they need to do. This new subdivision ordinance should put all of that information into one location.

Gibbons asked whose responsibility it is to give the applicant all of the information that they need. Teuscher agreed that providing the information should be the County's responsibility.

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A public hearing on the ordinance will be held at the next council meeting. Teuscher said that only two issues should come up. One is the water issue, and the other is the subdivision issue. Teuscher suggested that the Council simply take public comment at its meeting.

Teuscher mentioned Section 300-8 in the proposed ordinance. This provision recommends a dialogue that can occur between a contiguous property owner and a city to have the individual's property annexed into the city. This is not mandatory, but is an optional situation. This waiting period would be for 90 days.

## **BUDGETARY MATTERS**

### **Intra departmental Transfers**

#### **Senior Citizen Center**

In a recent meeting, \$9,000 dollars had been appropriated for a new bus at the Senior Center. When this bus arrived, the total balance was due. This required a transfer of an additional \$7,356.00.

Attachment 2

#### **Data Processing**

Money was budgeted for an upgrade to the computer servers and wiring. The expense for wiring needs to be moved out of the 740 line item and into the 250 line item.

Attachment 3

**Skanchy moved that the Council approve the recommended transfers. Yeates seconded the motion, and it passed 6-0. Anhder was not present.**

	ANHDER	BECK	GIBBONS	PETERSEN	PULSIPHER	SKANCHY	YEATES	votes cast
AYE		X	X	X	X	X	X	6
NAY								
ABSTAINED								
ABSENT	X							

**PUBLIC HEARINGS SET**

**Yeates moved that the Council set the public hearing for the 2000 Budget Opening on 13 June 2000 at 5:30 p.m. and for the Agricultural Protection Area Hearing of the Bailey Group property in Wellsville on 13 June 2000 at 5:45 p.m. Petersen seconded the motion, and it passed 5-0. Anhder and Pulsipher were absent.**

	ANHDER	BECK	GIBBONS	PETERSEN	PULSIPHER	SKANCHY	YEATES	votes cast
AYE		X	X	X		X	X	5
NAY								
ABSTAINED								
ABSENT	X				X			

**INITIAL PROPOSAL FOR CONSIDERATION OF ACTION**

**May Tax Sale Report**

Ms. Stones reported that only one property will be up for sale on May 31<sup>st</sup>. The rest of the property issues have been resolved. Stones noted that the property owned by Kendrick should be listed as erroneously assessed.

Skanchy asked about the \$14,000.00 Utah State Building Ownership Authority assessment. Stones said that this is the State Liquor Store. These taxes accrue even though they are not assessed. Our system currently does not allow for these charges to be removed.

**Skanchy moved that the Council waive the rules and approve the May Tax Sale Report. Petersen seconded the motion, and it passed 5-0. Anhder and Pulsipher were absent.**

	ANHDER	BECK	GIBBONS	PETERSEN	PULSIPHER	SKANCHY	YEATES	votes cast
AYE		X	X	X		X	X	5
NAY								
ABSTAINED								
ABSENT	X				X			

**Proposed 2000 Restaurant Tax Allocation**

Lemon mailed his recommendation list to the Council members. This year's receipts totaled more than the \$539,000.00 anticipated. This was due to a lump sum payment by one entity that had not paid its assessment.



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Lemon did include the additional \$20,000.00 of Willow Park for the electrical upgrade.

**Skanchy moved that the Council waive the rules and consider the recommendation of the County Executive. Motion to consider passed 6-0. Pulsipher was absent.**

Yeates wanted to have discussion prior to the motion for approval.

Yeates asked how much unallocated funding exists in County's account. Lemon said that the money for these taxes is collected in advance of any appropriation. He said that the current balance in the account is \$1,140,000.00. This allows the council to have the total sum of projects funded immediately. A sum of \$613,000.00 has been previously allocated, and \$539,000.00 is being recommended for allocation. It was suggested that a reserve might be built up if monies became available. It was suggested that excess monies could be saved toward a conference center.

There is currently no closing date on the funding once it has been awarded. There was a suggestion that a closing date should be designated. Lemon said the oldest outstanding project is from 1995. He disagrees with putting a closing date on the money. Lemon says that the funding allows organizations to apply for and get matching funds from grants. The County is then able to leverage the benefit of its allocations.

Lemon said that some of the money for the North Park Interlocal Cooperative could be kept back. There is already a sum of \$60,000.00 in the NPIC account, and only \$102,000.00 is needed.

Chairman Gibbons said that he had called Don Lieber. The Cruise In money is used exclusively for advertising and no salaries are paid from any monies taken in. The cars are easy to get. They are trying to get more spectators to the event. Skanchy said that she had heard that rooms are booked from Preston to Brigham. Yeates said 100 rooms were booked in Ogden last year. Anhder asked if the Council should continue to support the Cache Promotional Travel Region group. He thinks that the Transient Room Tax should be sufficient as a source of funding. Lemon said that they had asked for more money to do remodeling of their building. Lemon said that he didn't think that remodeling would qualify.

Gibbons asked how much had been allocated a year ago to the Utah Opera Festival. Lemon said \$20,000.00. Lemon said that the Utah Opera Festival would like more funding, and he said that the Travel Region said the Festival Opera brings in more spectators than any other event. The Cache Cruise In is second in spectator attendance.

**Skanchy moved that the council approve the recommendation as presented by the County Executive. Pulsipher seconded the motion.**

Yeates asked about the allocation of \$125,000.00 over 5 years from Chairman Gibbons's district. Lemon said that the group asking for the money is spending about \$350,000.00 towards lighting of their sports complex. The group will be able to get matching money equaling \$125,000.00. Lewiston and Richmond have agreed that this will be their total request for the next five years.

**The motion passed 7-0.**

	ANHDER	BECK	GIBBONS	PETERSEN	PULSIPHER	SKANCHY	YEATES	votes cast
AYE	X	X	X	X	X	X	X	7
NAY								
ABSTAINED								
ABSENT								

Attachment 4

**Authorize Executive to Sign CDBG**

Lemon said that a new requirement is authorization by the governing body to sign the CDBG document for the English Language Center grant.

**Anhder moved that Mr. Lemon be authorized to sign the CDBG document. Yeates seconded the motion it passed 7-0.**

	ANHDER	BECK	GIBBONS	PETERSEN	PULSIPHER	SKANCHY	YEATES	votes cast
AYE		X	X	X		X	X	5
NAY								
ABSTAINED								
ABSENT	X				X			

**Expansion of Public Transit Outside of Logan**

The resolution would extend service north to Richmond and south to Hyrum. Pulsipher asked why Lewiston and Wellsville and Paradise were left off. Lemon said that if those outlying communities are interested in being included, a discussion should consider this. Pulsipher felt that it is not that much farther to offer the service. The initial proposal, Lemon said, would have

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been from Smithfield to Nibley, but Richmond and Hyrum asked to be included. The 1/4 cent sales tax would be assessed only on those cities and unincorporated areas that would benefit from the service. A vote on the service would include only those involved in the service. The vote would either be in favor or against and would include all those involved. The vote of the entire district would affect all the cities. There is some question involving the law in this regard.

#### **Resolution 00-A, Public Organization and Incorporation of a Public Transit District.**

Petersen questioned if a tax could be imposed on a city's residents if the residents failed to vote for the issue. Lemon believes that all the entities who agree to put the issue on the ballot would be bound by a majority decision either for or against the district.

#### **Resolution 00-C, Imposition of Sales and Use Tax**

This would be based on the passage of the transit district.

Beck said that he had spoken to Mr. Straw from the Logan transit District. Mr. Straw said that they anticipated putting a park and ride location in the Richmond area for individuals who commute into the area from southern Idaho.

### **OTHER BUSINESS**

#### **Quiet Title Action Letter**

Ms. Skanchy asked about the letter dated 15 May 2000 from Mark Walsh about the Quiet Title action and the County's participation in the project. Skanchy asked if the County is doing anything about the issue. Lemon said that the County would be a part of this project. Written responses are required prior to May 26th.

Chairman Gibbons asked if anyone wanted to attend the NACO convention in North Carolina.

#### **County Jail**

Lemon presented some information on the Jail. He spoke with Kirk Smith from Washington County. Lemon noted that many things have changed in the past year. A history of what is occurring in the jail (numerically) was presented to the Council. Lemon also presented a billing sheet that showed how much the County is charging the different cities for housing inmates. Lemon thinks that one of the most critical issues is to have the County Council determine if it makes sense long term to build a jail or to contract for prisoners to be sent to other locations. The decision needs to be an intelligent one, and Lemon thinks that this will require a significant amount of research. Lemon said that current estimates indicate that the County will spend about \$300,00.00 this year for off-site housing of prisoners.

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Washington County spent about 12.5 million on their jail. They said that they should have spent 15 million. Washington County spends in excess of 5 million per year for operational costs. Lemon said design of the Washington County Jail may have increased the cost for operations. Sheriff Smith from Washington County said that a 1 to 4 guard to prisoner ratio is necessary in their system. They pay twice the cost of their yearly bond payment for operational costs each year.

Lemon said that the question should be which is more cost effective--building new or paying for housing. The state has already made commitments to other county's who have built jails and that the County should have a commitment from the state before they assume that they will have prisoners to fill the cells. Currently, the County pays \$43.00 per day for housing a prisoner in Box Elder County.

Deputy Henry said that in Sacramento, California, two deputies can manage up to 100 prisoners in a pod system. In the event of a disruption, other deputies can respond to deal with the disruption.

Lemon said that a citizen's committee would also be useful and would be able to offer its opinions on the matter.

### **State Courts Building**

Beck had a discussion with the Director of the Division Facilities and Construction Management from the State of Utah. The director told him that State Courts is very close to having an agreement on the Post Office property. Lemon said that the State Courts and the Utah State University project are both very expensive, and some legislators may feel that Cache County is getting more than its share of the money.

## **COUNCIL MEMBER REPORTS**

NACO convention in North Carolina on July

Beck attended the Western Region NACO conference last week. The conference discussed the need for communities to partner with private companies to improve the prospect of getting advanced, high-speed, broad-band, Internet access. Beck said that he is very frustrated by the current situation in our area.

Yeates said that he and a small group of others met with Orrin Hatch at Jack Nixon's house on May 20<sup>th</sup>. Yeates also invited anyone who was interested to join the Cache County Republican Women's Organization.

Anhder said that the Council needed to set a date for the Summer Social.

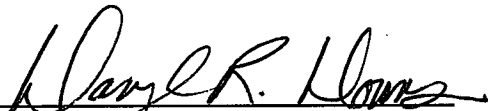
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Governor Leavitt will visit with the mayors on July 15<sup>th</sup>.

Evan Olsen and Brent Parker, candidates for State Legislative District 5, will debate at the Kiwanis Club tomorrow.

Adjourn

Chairman Gibbons adjourned the meeting.

  
\_\_\_\_\_  
Daryl R. Downs  
Cache County Clerk

  
\_\_\_\_\_  
Darrel L. Gibbons  
Chairman, Cache County Council

My desire to address the Cache County Council comes from my anxiety for the freedom and happiness of all. The majority of Cache Valley are good people with desires to do right, and I know that this county can be an example and set the standard to all the world if we choose to stand and defend our precious freedoms. When a people upholds high morals and standards in accordance to the ten commandments of God it will prosper, and if it does not it will fall. True freedom is a blessing from God for the sake of those who do right. From an article I read to the editor written by a person named Lonnie From Grace, Idaho.

Of all the dispositions and habits which lead to political prosperity, religion and morality are indispensable supports. In vain would man claim the tribute of patriotism who should labor to subvert these great pillars of human happiness the mere politician, equally with the pious man, ought to respect and cherish them. A volume could not trace all their connections with private and public felicity And let us with caution indulge the supposition that morality can be maintained without religion Reason and experience both forbid us to expect that national morality can prevail in exclusion of religious principle Franklin said: Only a virtuous people are capable of freedom. As nations become corrupt and vicious, they have more need of masters. John Adams said, Our Constitution was made only for a moral and religious people. It is wholly inadequate to the government of any other. Samuel Adams said, Neither the wisest constitution nor the wisest laws will secure the liberty and happiness of a people whose manners are universally corrupt. What they are saying is this. We can not continue to accept the likes of gambling, abortion, pornography, homosexuality, socialism, etc. and remain a free people. With these kinds of things [including morality] being removed from our textbooks and God being removed from our public schools is it any wonder why parents send their children to private or parochial schools where they are available. And as you can see by what is happening in our schools today and on the streets of America, we are getting a good dose of what human nature evolves to without the restraints of religion and morality.

The writers of the Constitution had the foresight to know that true freedom could not exist without the freedom of religion and of conscience. A peace of conscience is maintained when a person is doing what they know to be right before God and man. When the right to do good, to teach of God, to speak and defend morality and truth in any environment are taken away, so is true freedom and the ability for humans to progress and to be happy. God himself is the author and the giver of true freedom as people are obedient to and support His laws. I desire Cache County to be better, and I desire the world to be better, but it must start here in this good valley. Here is how I propose it will be done. From the Cache County Council to the city councils, and from the city councils to the citizens, schools, businesses, and institutions under their jurisdiction I propose this edict, a title of liberty, to be sent in memory of our God, country, and religion to then be voted on as soon as possible so that it may have the support of the people. Also, I propose this same edict to be presented before our state and federal government leaders-to be the standard by which Logan, Utah will abide by.

There will be no obstruction to any representative in preaching the word of God in any place on this land. They may speak the thoughts of their heart whether it be on government, private, or public land-for all land is God's land. The ten commandments will be the standard to be upheld and accepted in every questionable situation concerning law and ethics. There will be no restriction to where and who should pray publicly or privately. There will be no obstruction in the way of anyone anywhere (including school and work) to the teaching of God of morality and to the discussing of God. There will be no force to any institution to support, advocate, or acknowledge any group that advocates incorrect acts such as homosexuality. Above all what will be defended is a persons right to do good and to have a peace of conscience, for all that is good comes of God. We believe that religion is instituted of God, and that men are amenable to him and to him only, for the exercise of it, unless their religious opinions prompt them to infringe upon the rights and liberties of others; but we do not believe that human law has a right to interfere in prescribing rules of worship to bind the consciences of men, nor dictate forms for public or private devotion, that the civil magistrate should restrain crime, but never control conscience, should punish guilt, but never suppress the freedom of the soul. We will support no institution nor vote for any leader that does not support this edict so that we may maintain our freedoms.

Those who do not support this cause will lose the freedoms they do have. True freedom is always fought for. If we do, we will be an example to the world of prosperity and happiness. God will reign a happy people here. To implement this we must make these issues aware to our community first.

1. USU does not allow representatives of God to go door-to-door on campus housing. Also USU acknowledges as a club the Gay Pride Alliance. Homosexuals may also be getting minority hiring status set forth by the affirmative action group.
2. Monday nights should be respected as a night for the family. Strong families build strong communities.
3. Sundays should be kept holy by all businesses that can possibly do so by not opening on Sunday.
4. The teaching of chastity, morality, and creationism should be allowed in schools.
5. Prayer should be allowed in all schools.
6. Representatives of God should have the right to speak to anyone about God anywhere, including on campus. They should also have the right to go door-to-door on campus resident housing.
7. The importance of the sacred use of the name of God should be made aware in all places.
8. A person's right to a peace of conscience should be the number one policy in all institutions.
9. Health care providers should have the right to teach morality.
10. No employee should be forced to serve or give anyone anything that they believe to be harmful, in order that the employee may maintain a peace of mind and satisfaction in his or her own work.
11. Above all a person's right to have a peace of conscience will be upheld.

All those in support of these things will not support any institution that does not support this edict of freedom. Those who support this edict will place it where others can see it. We must live in accordance to that which is right so that we may defend that which is right. Also, those in support of these things will write a letter to those institutions not upholding this standard stating the reason why they are withdrawing their support, and also to their state and federal leaders of their concerns. I have to support my ideas a report I wrote and ask the Council's serious contemplation and enactment of the things that I have proposed for the good of all in the best interest of those living and of those who will yet live. I thank you for allowing me this time with you.

## **America-Sacred Ground**

In the Book of Mormon Ether 2:12 it reads, "America is a choice land and whatsoever nation shall possess it shall be free from bondage, and from captivity, and from all other nations under heaven, if they will but serve the God of the land, who is Jesus Christ, who has been manifested by the things which we have written." A country who upholds high morals and values will prosper temporally and spiritually, and a country who does not build their foundation on the principle of righteous living will fall. In verse nine of the same book it reads, "And now, we can behold the decrees of God concerning this land, that it is a land of promise; and whatsoever nation shall possess it shall serve God, or they shall be swept off when the fullness of his wrath shall come upon them and the fulness of his wrath cometh upon them when they are ripened in iniquity." Iniquity abounds when God's laws are broken.

## **Obedience to the Commandments and Prosperity**

When a people is disobedient to the commandments of God, His spirit ceases to dwell with them. America seeks to spend time and money investing in programs to fix the problems that disobedience to the commandments creates.<sup>(4)</sup> "Christians, Muslims, and Jews all honor the Ten Commandments, and polls consistently show large majorities in favor of public religious expression. So why should not Congress clarify the legal status of such observance? Our political leaders have addressed such questions before. Indeed, the Declaration of Independence, Thomas Jefferson's immortal testament to liberty under law, and the first of the "organic laws" listed in the U.S. Code, refers to the Creator as the ultimate legislator ("the laws of Nature's God"), executive ("Divine Providence"), and judge ("Supreme Judge of the World"). Congress has spoken with clear voice since the first days of the Constitution.] As recently as 1982, two years after the Supreme Court's decision in Stone V. Graham, Congress enacted a law recognizing "the national need to study and apply the teachings of the Holy Scriptures." Declaring that "the history of our Nation clearly illustrates the value of voluntarily applying the teachings of the Scriptures in the lives of individuals, families, and societies." Congress proclaimed 1983 as the "Year of the Bible." Only last year the House overwhelmingly endorsed a 'sense of Congress' resolution that "the public display, including display in government offices and courthouses, of the Ten Commandments should be permitted." Congress's actions, under both Democrat and Republican leaders, clearly demonstrate that our legislative branch believes the Constitution allows American citizens, through their public institutions, to give due



expedient that ye should always have kings to rule over you. Now I say unto you, that because all men are not just it is not expedient that ye should have a king or kings to rule over you. And even I myself (a King) have labored with all the power and faculties which I have possessed, to teach you the commandments of God, and to establish peace throughout the land, that there should be no wars, nor contentions, no stealing, nor plundering, nor murdering, nor any manner of iniquity." For behold, how much iniquity doth one wicked king cause to be committed, yea, and what great destruction." Verse 21, "And behold, now I say unto you, ye cannot dethrone an iniquitous king save it be through much contention, and the shedding of much blood. For behold, he has his friends in iniquity, and he keepeth his guards about him; and he teareth up the laws of those who have reigned in righteousness before him; and he trampleth under his feet the commandments of God. Therefore, choose you by the voice of this people, judges that ye may be judged according to the laws which have been given you by our fathers, which are correct, and which were given them by the hand of the Lord. Now it is not common that the voice of the people desireth anything contrary to that which is right; but it is common for the lesser part of the people to desire that which is not right; therefore this shall ye observe and make it your law-to do your business by the voice of the people. And if the time comes that the voice of the people doth choose iniquity, then is the time that the judgments of God will come upon you; yea, then is the time he will visit you with great destruction even as he hitherto visited this land. And now if ye have judges, and they do not judge you according to the law of the law which has been given, ye can cause that they may be judged of a higher judge. If your higher judges do not judge righteous judgments, ye shall cause that a small number of your lower judges should be gathered together, and they shall judge your higher judges, according to the voice of the people. Verse 32, And now I desire that this inequality should be no more in this land, especially among this my people; but I desire that this land be a land of liberty, and every man may enjoy his rights and privileges alike, so long as the Lord sees fit that we may live and inherit the land, yea even as long as any of our posterity remains upon the face of the land."

In D&C 134 "We believe that governments were instituted of God for the benefit of man; and that he holds men accountable for their acts in relation to them, both in making laws administering them, for the good and safety of society. We believe that no government can exist in peace, except such laws are framed and held inviolate as will secure to each individual the free exercise of conscience, the right and control of property, and the protection of life. We believe that all governments necessarily require civil officers and magistrates to enforce the laws of the same; and that such as will administer the law in equity and justice should be sought for and upheld by the voice of the people of a republic, or the will of the sovereign. We believe that religion is instituted of God; and that men are amenable to Him and to Him only, for the exercise of it, unless their religious opinions prompt them to infringe upon the rights and liberties of others; but we do not believe that human law has a right to interfere in prescribing rules of worship to bind the consciences of men, nor dictate forms for public or private devotion; that the civil magistrate should restrain crime, but never control conscience; should punish guilt, but never suppress the freedom of the soul. We believe that all men are bound to sustain and uphold the respective governments in which they reside, while protected in their inherent and inalienable rights by the laws of such governments; and that sedition and rebellion are unbecoming every citizen thus protected, and should be punished accordingly; and that all governments have a right to enact such laws as in their own judgments are best calculated to secure the public interest; at the same time, however, holding sacred the freedom of conscience. We believe that every man should be honored in his station, rulers and magistrates as such, being placed for the protection of the innocent and the punishment of the guilty; and that to the laws all men show respect and deference, as without them peace and harmony would be supplanted by anarchy and terror; human laws being instituted for the express interest as individuals and nations, between man and man; and divine laws given of heaven, prescribing rules on spiritual concerns, for faith and worship, both to be answered by man to his Maker. We believe that rulers, states, and governments have a right, and are bound to enact laws for the protection of all citizens in the free exercise of their religious belief; but we do not believe that they have a right in justice to deprive citizens of this privilege, or proscribe them in their

recognition to God and God's Commandments as the ultimate source of our most cherished rights and liberties."(4)

The prophet Moses said when referring to the Ten Commandments in Deuteronomy 4:8 "And what nation is there so great, that hath statutes and judgments so righteous as all this law, which I set before you this day." It is shameful that today in many cases the laws of God are trampled on, and even the disobedient are supported in their acts. America does not sanction any groups in support of adultery, and it should not support verbally or monetarily immoral groups that support homosexuality, an act that destroys the lives of many. It goes against my beliefs to pay money to any agency or school that supports groups I believe are detrimental to human society. The decisions a person makes affects a society. I will give no support to such groups. From the words of a wise Apostle, as soon as we start to tolerate sin, those who engage in it will not tolerate those who are doing right. There is a difference between the respect for differences and condoning wrong behavior. To save God's children the Ten Commandments must be observed. Also I fear, more energy is placed on saving the earth and protecting the animals than saving God's children. Observance of the Ten Commandments brings the Spirit of God into the lives of people, and it is having and obeying the Spirit of God that allows for true liberty.

### **The Spirit of True Freedom**

The Spirit of God is also the spirit of freedom (BOM Alma 61:15). To follow the Spirit, one must have the liberty to follow the dictates of his or her own conscience and be obedient to the commandments of God-that is why the Constitution protects the freedom of conscience. In Mosiah 5:8 of the BOM it reads, "And under this head ye are made free, and there is no other head whereby ye can be made free. There is no other name given whereby salvation cometh; therefore, I would that ye should take upon you the name of Christ, all you that have entered into the covenant with God that ye should be obedient unto the end of your lives." And in Alma 7:12, "And He (Jesus Christ) will take upon him death, that he may loose the bands of death which bind his people; and he will take upon him their infirmities, that his bowels may be filled with mercy, according to the flesh, that he may know according to the flesh how to succor his people according to their infirmities."

### **The Constitution-An Inspired Document**

The Constitution is a document inspired of God. In D&C 101:77-80 the Lord says "According to the laws and constitution of the people, which I have suffered to be established, and should be maintained for the rights and protection of all flesh, according to just and holy principles; that every man may act in doctrine and principle pertaining to futurity, according to the moral agency which I have given unto him, that every man may be accountable for his own sins in the day of judgment. Therefore it is not right that any man should be in bondage one to another. And for this purpose have I established the Constitution of this land, by the hands of wise men whom I raised up unto this very purpose, and redeemed the land by the shedding of blood."

### **The Purpose for Government**

Article of Faith eleven from Joseph Smith, "We believe in being subject to kings, presidents, rulers, and magistrates, in obeying, honoring, and sustaining the law." And to the kings of the world in Mosiah 29:13 "Therefore, if it were possible that you could have just men to be your kings, who would establish the laws of God, and judge this people according to his commandments, yea, if ye could have men for your kings who would do even as my father Benjamin did for this people-I say unto you, if this could be

(10) It (the First Amendment) did not prohibit officially sponsored prayer. As has been seen, Congress itself engaged in officially sponsored, tax-supported prayer, complete with paid official chaplains, from the very outset-and continues to do so to this day. Indeed, in one of the greatest ironies of this historic record, the practice was linked closely with passage of the First Amendment-supplying a refutation of the Court's position that is as definitive as could be wished." The House accordingly called on Pres. Washington to issue a proclamation designating a national day of prayer and thanksgiving (the origin of the current legal holiday). Washington responded: "It is the duty of all nations to acknowledge the providence of Almighty God, to obey His will, to be grateful for His benefits, and to implore His protection and favor... That great and glorious Being who is the beneficent author of all the good that was, that is, or that ever will be, that we may then unite in rendering unto Him our sincere and humble thanks for His kind care and protection of the people." Such were the official sentiments of Congress and the President immediately after the adoption of the First Amendment. These statements are far more doctrinal and emphatic than the modest prayer schoolchildren are forbidden to recite because it allegedly violates the First Amendment. If we accept the reasoning of the modern court, as historian Robert Cord observes, both Congress and George Washington violated the intended meaning of the First Amendment from its inception. The more logical conclusion of course is that Congress knew much better what it meant by the language adopted the preceding day than does the Supreme Court two centuries later. In the view of Congress, there was nothing in law or in logic to bar it from engaging in officially sponsored, tax-supported prayer, then or ever. It follows that the amendment can't possibly bar the states from doing likewise." (10)

(8) Anxiety over a breakdown in the nation's moral values is fueling much state legislative activity as well. Georgian just enacted a law to permit moments of silence. Student-led prayers have been approved in Mississippi, Arkansas, Tennessee, and Virginia. Similar legislation is under consideration in at least six more states. Congress has caught the fever this year as well. Both the Senate and House passed measures that would strip funds from schools that forbid "voluntary prayer". (8)

Where prayer is allowed and given, there is the invitation to the Spirit of God which is so badly needed to the enlightenment and learning of all.

#### *Door-to-Door Canvassing of Church Representatives*

Church representatives are under the direction of the spirit of God, not the state. The state has no right to prevent them from opening their mouths to speak the thoughts of their heart wherever they may be, whether it may be on the grounds of campus or the sidewalk. If I can knock on the door of anyone I choose and speak whatever I may to others with good intent, I am not prevented from doing so, so why are representatives of religious organizations? I contend against no church except the church of the devil, which include all of the false precepts of men and untruths of the world.. It is a violation against the freedom of religion and of equality preventing representatives to go door-to-door on campus. Again this is God's land, and we are only the stewards. Why are His representatives prevented from spreading goodness on this land, while offensive language and false doctrine run rampant in the world?

#### *Creationism*

The teaching of Creationism should be reinstated in schools. Theories that demean the human race such as the theory of evolution which reduce us to mere descendants of monkeys should be the theories banned in schools. If humans are taught that they are from monkeys, they will behave as animals. If we are taught we come from God, we will behave as children of God. Only by teaching by the highest standards and principles will happiness in the souls of individuals abound. (9) For the past 40 years or so, because of a lengthy series of Supreme Court ruling, the tide has generally favored the crucifix submerged in urine, or to utter virtually any conceivable blasphemy in a public place; it is not legal, the federal courts have ruled, to mention God reverently in a classroom, on a football field or at a commencement ceremony

opinions, so long as a regard and reverence are shown to laws and such religious opinions do not justify sedition nor conspiracy. We believe that the commission of crime should be punished according to the nature of the offense; that murder, treason, robbery, theft, and the breach of the general peace, in all respects, should be punished according to their criminality and their tendency to evil among them, by the laws of government in which the offense is committed; and for the public peace and tranquility all men should step forward and use their ability in bringing offenders against good laws to be punished."

### **Religion In Schools**

(2) "...the same Congress that drafted the Bill of Rights also voted to support chaplains in the military and in both of its own houses, and used these words in reenacting the Northwest Ordinance and providing for a system of schools: "Religion, morality, and knowledge being necessary to good government...schools and the means of education shall forever be encouraged."(2) (9) "The fight is not so much over what people ought to believe; it is over what they can say, and where, and to whom.(9) Who is to say what is religion and what is not? The government must be careful, for in believing that they are being just in restricting talk of God on public property, they promote atheism. When allowing only non-denomination prayers they promote non-denominationalism. Total religious freedom must be given or there will be none at all. When removing the name of God off of a premise, they remove the very influence needed for this nation to succeed, for it is He who has given this liberty that we may worship Him according to our wills. It is His help that is needed in the classroom, for it is His Spirit that enlightens the hearts and minds of individuals to the knowledge of truth. (9) A nation's identity is informed by morality, and morality by faith." (9)

(7) America's public schools badly need a spiritual transformation. One of the following assumptions always seems to be cited to justify leaving the spiritual out of public education: 1) parents will take care of that part of education; 2) religious pursuits should be left up to the individual; or 3) religion is simply not an issue that can or should be addressed by public institutions. At the base of these assumptions, however is the mistaken belief that religion and spirituality are identical. Religion is produced by spirituality, rather than the converse. Spirituality is not peculiar to "a people" or to a religion but is what makes us all "people." It is universal. There is no way to educate without including the whole person. Yet there is no "whole person" without the spiritual. When public schools are expected to exclude the spiritual from their education process and curricula, we are creating a policy that is antithetical to sound education. Since it is in the spiritual that the highest meaning, both individual and collective, is to be found, the absence of spirituality equals the absence of education as it should be. Without addressing the needs of the whole person, education is necessarily limited in its possibilities. That despair leads to the perception that pursuit of a social system steeped in spirituality is unreal and, therefore, nonsensical. Consistent with that despair is the perception that schools are to prepare students for success in the real world rather than for the creation of an ideal one. Public school education increasingly is expected to focus on preparing students for success in a "second choice" society that has abandoned spiritual values." (7)

#### *Prayer*

(10) "The official sanction for religious belief provided by the states was equally apparent at the Federal level, during and after the Revolution. Appeals for divine assistance, days of prayer and fasting, and other religious observance were common in the Continental Congress. Among its first items of business in 1774, the Congress decided to appoint a chaplain and open its proceedings with a prayer. When it was objected that this might be a problem because of diversity in religious doctrine, Sam Adams answered: "I am not a bigot. I can hear a prayer from a man of piety and virtue, who is at the same time a friend of his country." On June 12, 1775, the Congress called for a "day of public humiliation, fasting and prayer, "wherein [we] offer up our joint supplications to the all-wise, omnipotent, and merciful disposer of all events." In observance of this fast day, Congress attended an Anglican service in the morning and a Presbyterian service in the afternoon." (10)

(10)The First Amendment depicted by Justice Black and other liberal jurists is a fabrication—a prime example of picking and choosing elements from the past to suit the ideological fashions of the present. An examination of the history of the nation's founding reveals that the Court and its supporters have misstated the material facts about the issue in every possible fashion. To begin with, state papers, legal arrangements, and political comment of the founding generation show that American culture in that period was suffused with religious doctrine. The point made by the very concept of an "establishment of religion." This term had a definite meaning in England and the colonies that is critical to understanding the debate about the First Amendment. It signified an official church that occupied a privileged position with the state, was vested with certain powers denied to others, and was supported from the public treasury. Such was the Church of England in Great Britain, as well as numerous churches in the colonies at the beginning of the American Revolution." Such was the body of doctrine and official practice that surrounded the First Amendment—immediately predating it, adopted while it was being discussed and voted on, and enduring long after it was on the books. The resulting picture is very different from any notion of America as a country run by secularists and deists. Nor does it look very much like a country in which the governing powers were intent on creating a "wall of separation" between church and state, denying official support to the precepts of religion."(10)

(6)The "Lemon test" is the test now used to determine the constitutionality of laws defining the relationship of church and state. In a friend-of-the-court brief, the 15-million-member denomination's Christian Life Commission charged that the two-decade-old Lemon test has fostered secularism as well as hostility toward religion rather than the neutrality advocated by the nation's founders." The Lemon test says that, in order to pass constitutional muster, a government law or activity must have a secular purpose, must not advance or inhibit religion and must not foster excessive government entanglement with religion. The "very formulation of the Lemon test seems to obscure the value of religious liberty," the SBC agency declared in its brief. "By asking the threshold question whether a religious accommodation has a secular purpose and secular effects, the Lemon test has virtually predetermined the outcome against religion," the brief argued. "Thus, the test promotes secularism, not religious liberty." I agree with Michael McConnell, a University of Chicago law professor. McConnell has set forth guide lines to substitute for the Lemon test, asking of a government law or activity: Does it allow or accommodate independent religious choice? Does it interfere with the religious liberty of nonadherents by inducing or coercing them to alter their religious practices? Does it go beyond accommodation to show favoritism toward one religious choice? Does it go beyond accommodation to show favoritism toward one religious choice? And does it use government's taxing and spending power to provide some financial incentive or penalty to a particular religious activity which is not extended to a particular religious activity which is not extended to other religious or nonreligious alternatives?" In *Zorach versus Clawson*, it was concluded that the establishment clause does not mandate absolute separation of church and state because said the majority, "we are a religious people whose institutions presuppose a Supreme Being".(6)

### **Democracy and Religion**

(10)In point of fact, America's constitutional settlement—up to and including the First Amendment—was the work of people who believed in God and expressed their faith as a matter of course in public prayer and other governmental practice." Neuhas, who edits *First Things*, a

as part of a public prayer. This may turn out to be the first accommodationist court in years. "The wall of separation between church and state is a metaphor based on bad history," declared Chief Justice William Rehnquist in 1985. 'It should be frankly and explicitly abandoned.' The Lee case is also the first major test of Justice Clarence Thomas, who remarked in 1985, "My mother says that when they took God out of the schools, the schools went to hell. She may be right." (9)

(9) It is a religious people who have been ostracized, argues lawyer John Whitehead, founder of the Rutherford Institute, a non-for-profit religious liberty advocacy organization backed by conservative Protestants. Whitehead entered the church-state fray in 1976 when he defended a fourth-grade girl in California whose teacher said she could not wear a cross on her necklace. "Society has been secularized, and the religious person finds he's the odd person out," Whitehead says, "In public schools, religion is something to be avoided, obsolete. I see kids expressing their beliefs as healthy." To accommodationists, previous Supreme Court decisions appear to be sending the message that religion is acceptable so long as it is not too public. It is a strange definition of free speech and religious liberty, they note, that prohibits the mention of God. "Angela Davis, a communist was the speaker at my son's high school graduation," says Berkeley law professor Phillip Johnson, "People have to listen to the most heavy-handed dogmatism. Then suddenly the Constitution is violated if the agnostic hearts the word God. This is absurd. If we have to put up with things we don't agree with, why is only God excluded?"(9)

### **Work and the Right to a Peace of Conscience**

In the workplace, all have the right to a peace of conscience. If I am at work and I am offended by the language used or am offended in any way I claim the right to defend what I know to be true. If I work somewhere and it is against my faith to use coffee, tobacco, tea, or alcohol, then I will also feel uncomfortable selling it or bringing it to clients and claim the right to refrain. Also, if I am at work and feel impressed to say something good that is true, I claim the right to do that also. As the prophet Joseph Smith said, "We believe in worshipping the Almighty God according to the dictates of our own conscience and allow all men the same privilege, let them worship how, where or what they may." I am a nurse, and when I teach about anything I will teach according to the highest principles, because I believe that everyone can live up to the highest standards. For instance, instead of safe sex, I will teach abstinence of sexual behavior before marriage. When teaching, the whole person is considered. I treat a person spiritually as well as temporally when I teach high standards, and that is what will help my patients the most.

### **Establishment of Religion Clause**

In section 134 of the D&C, "We do not believe it just to mingle religious influence with civil government, whereby one religious society is fostered and another proscribed in its privileges, and the individual rights of its members, as citizens, denied." (10) In adopting the First Amendment, according to the Court, the Founding Fathers meant to sever all connection between religious faith and government, requiring that religion be a purely private matter. As Justice Hugo Black put it in an oft-quoted statement: "The establishment of religion, clause of the First Amendment means at least this: Neither a state nor the federal government can set up a church. Neither can pass laws which aid one religion, aid all religions, or prefer one religion over another...Nor tax in any amount, large or small, can be levied to support any religious activities or institutions, whatever they may be called, or whatever form they may adopt to teach or practice religion."(10)

religion, I have considered that its free exercise is placed by the Constitution independent of the power of the general government. I have therefore undertaken on no occasion to prescribe the religious exercises suited to it. But I have left them as the Constitution found them, under the direction or discipline of state or church authorities acknowledged by the several religious societies." Jefferson made the same point a few years later to a Presbyterian clergyman, who inquired about his attitude toward Thanksgiving proclamations: "I consider the government of the United States as interdicted from intermeddling with religious institutions, their doctrines, discipline, or exercises. This results from the provision that no law shall be made respecting the establishment of religion or the free exercise thereof, but also from that which reserves to the states the powers not delegated to the United States. Certainly no power over religious discipline has been delegated to the general government. It must thus rest with the states as far as it can be in any human authority." The irresistible conclusion is that there was no wall of separation between religious affirmation and civil government in the several states, nor could be the First Amendment, with or without the Fourteenth Amendment, have been intended to create one. The wall of separation, instead, was between the Federal government and the states and was meant to make sure the central authority did not meddle with the customs of local jurisdictions.(10)

(12) But the Constitution's central guarantee of individual and community rights lies not in its Bill of Rights but in its limitations on the power of any branch of government to act unchecked. In addition, the Constitution's drafters knew that only a virtuous people could maintain limited government. As Georgetown University professor of government George W. Carey has pointed out, the Constitution could not provide the virtue on which it relies. This task was left for the local and religious institutions that limited government would protect. The founders feared any government that might undermine the local institutions in which virtue is taught. To do away with local customs and institutions, even in the name of equality and justice, is to make virtue and limited government impossible." History would seem to indicate that rededication to limited government and the virtues and institutions necessary to maintain it is the surest means by which we can revitalize the well-ordered liberty sustaining our way of life."

In D&C 98:9-10 it reads, "Nevertheless, when the wicked rule the people mourn. Wherefore, honest men and wise men should be sought for diligently, and good men and wise men ye should observe to uphold; otherwise whatsoever is less these cometh of evil." In Mosiah of the BOM 29:27 "Now it is not common that the voice of the people desireth anything contrary to that which is right; but it is common for the lesser part of the people to desire that which is not right; therefore this shall ye observe and make it your law-to do your business by the voice of the people. And if the time comes that the voice of the people doth choose iniquity, then is the time that the judgments of God will come upon you; yea, then is the time he will visit you with great destruction even as he has hitherto visited this land." Let rights be reserved to the localities to make laws in observance of their own morals and values in accordance to the commandments of God so that there will be at least one righteous community where good people may have refuge to even if this whole nation turns to iniquity.

### **Future of America**

The Lord declared in D&C 38:17-22 "And I have made the earth rich, and behold it is my footstool, wherefore, again I will stand upon it. And I hold forth and deign to give unto you greater riches, even a land of promise, a land flowing with milk and honey, upon which there shall



"monthly journal of religion and public life," also took his shots at journalist, but then zeroed in on recent Supreme Court decisions that in his view had "turned the First Amendment on its head." He argued that instead of protecting religion against government interference as intended, the amendment was now cited to uphold the false premise that government needs to be protected against religion. Carter, speaking the next night, often elicited laughter as he described the "cramped" reasoning of the court in these decisions. He was only glad, he said, that this line of reasoning had not been the law of the land during the civil rights era. That movement was inherently religious, he said, "led by the Reverend Martin Luther King and his Southern Christian Leadership Conference." Indeed, Carter asserted, every morally significant movement in American history, going back to abolitionism, the rise of labor and women's suffrage, had "welcomed, or actually been led by, "religious figures." Democracy, both men said, cannot continue without religion because then there is, in Carter's phrase, "no moral horizon" on which citizens can orient themselves."(10)

(11)"The argument can be made that the "wall of separation" doctrine has been misinterpreted, that it was meant to keep government out of religion, not religion out of government. In Article 16 of the Virginia Bill of Rights, drafted in 1776, Patrick Henry wrote that "it is the mutual duty of all to practice Christian forbearance, love and charity towards each other." If the modern Supreme Court were to evaluate the constitutionality of Henry's doctrine, it would probably focus on the word "Christian" and strike it down, eliminating the concept of "mutual duty" in the process. Yet "mutual duty" is an ideal all religions and ethical systems can agree is desperately needed in a society plagued by teenage pregnancies, drug abuse and crumbling families."(1)

(11)The majority of mainstream, heartland Americans hold a deep commitment to Judeo-Christian morals. The graciousness extended by most religious Christians toward their Jewish friends is not the result of having been intimidated by those friends into a mood of sullen acceptance. Rather, it is a wholehearted embrace based on belief in God's words to Abraham:"I will bless those who bless you, and whoever curse you I will curse" (Genesis 12:3). Many Americans revere those words because they revere God Almighty who spoke them. American Jews have always been the beneficiaries of that reverence. I wholeheartedly believe that the joyous serenity of living as an American Jew is safe not because of governmental secularism but only for as long as most Americans continue to subscribe to that biblical belief. It is only due to this belief on the part of so many Americans continue to subscribe to that biblical belief. It is only due to this belief on the part of so many Americans that I could easily imagine any anti-Semitic governmental decree being widely flouted by a majority of Americans. Most Americans, particularly religious Christians, go out of their way to accommodate religious needs. As a Jew, I am extremely grateful to be living in a country that, though founded without one Jewish signature on its Declaration of Independence, has legally granted me full religious expression. I am worried that my grandchildren may not have the same freedoms, not because of Christians, but because of a removal of Judeo-Christian values from this country. This is why, as an orthodox Rabbi, I have no trepidation in noting that America is based on the Christian faith of its founders. As a Jew living in America, I need it to remain that way."(11)

### **Local Jurisdiction**

(10) In his (Jefferson's) second inaugural address, for instance, he stated: "In matters of



be no curse when the Lord cometh; And I will give it unto you for the land of your inheritance, if you seek it with all your hearts. And this shall be my covenant with you, ye shall have it for the land of your inheritance, and for the inheritance of your children forever, while the earth shall stand, and ye shall possess it again in eternity, no more to pass away. But, verily I say unto you that in time ye shall be a free people, and ye shall have no laws but my laws when I come, for I am your lawgiver, and what can stay my hand?"

### Conclusion

(1)"Two presidents began their inaugural addresses by asking that heads be bowed as they recited a personal prayer, Dwight D. Eisenhower (1953) and George Bush (1989), Eisenhower referred to his as "a little private prayer of my own":

Almighty God, as we stand here this moment, my future associates in the executive branch of government join me in beseeching that Thou will make full and complete our dedication to the service of the people in this throng, and their fellow citizens everywhere. Give us, we pray, the power to discern clearly right from wrong, and allow all our words and actions to be governed there by, and by the laws of this land. Especially we pray that our concern shall be for all the people regardless of station, race or calling. May cooperation be permitted and be the mutual aim of those who, under the concepts of our Constitution, hold to differing political faiths; so that all may work for the good of our beloved country and Their glory. Amen."

(1)"Grover Cleveland, the only President who served two non-consecutive terms (1895-1897, 1893-97) humbly, acknowledging the power and goodness of Almighty God, who presides over the destiny of nations, and who has at all times been revealed in our country's history, let us invoke His aid and His blessings upon our labors. Above all, I know there is a Supreme being who rules the affairs of men and whose goodness and mercy have always followed the American people, and I know that He will not turn from us now if we humble and reverently seek his powerful aid."(1)

(1)"And now in the inaugural address on Jan. 20, 1997:  
Having thus imparted to you my sentiments as they have been awakened by the occasion which brings us together, I shall take my present leave, but not without resorting once more to the benign parent of the Human Race in humble supplication that, since He has been pleased to favor the American people with opportunities for deliberating in perfect tranquility, and dispositions for deciding with unparalleled unanimity on a form of government of the security of their union and the advancement of their happiness, so His divine blessing may be equally conspicuous in the enlarged views, the temperate consultations, and the wise measures on which the success of this government must depend. "(1)

I end this document with my own prayer that America will become the ideal place that I will have my children to inherit-a land built on the foundation of righteousness with God as the Head. All that support this document will be blessed. Those who defend the same will enjoy the inheritance of a wonderful world, and those who do not will lose what they have. The meek will inherit this earth. This is a simple message, condemn it not by the weakness in its language. This is my dream from the words of the BOM 4 Nephi 15-16 "And it came to pass that there was no contention in the land, because of the love of God which did dwell in the hearts of the people. And there were no envyings, nor strifes, nor whoredomes, nor lies, nor murders, nor any manner of lasciviousness; and surely there could not be a happier people who had been created by the hand of God. There were no robbers, nor murderers, neither were their Lamanites, nor any

manner of -ites- but they were in one, the children of Christ, and heirs to the kingdom of God.”

It is right and responsibility of all to defend the truths and liberty which they have, or what they do have will slip away. I encourage every honest heart to support with all of their heart this petition by writing their own to the government and to leaders everywhere. This is important. What kind of land do you want your children and their children's children to live in? It is your choice.

## References

- (1) Goldman, A., The word of God: Presidential inaugural addresses. *America*, Nov 16, 1996 v175 n15 p10(4).
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- (4) Bauer, G., Meese, E. *Knight-Ridder/Tribune News Service*, Oct 7, 1998 n280 p 1007K5532.
- (5) Cord, C.L. Church, state, and the Rehnquist Court: the court is doing what the Framers never did; build an impregnable wall between Church and State. *National Review*, August 17, 1992 v44 n16 p35(3).
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- (7) Foxworth, M. Putting spirituality back in public schools. *Tikken*, Nov-Dec 1998 v13 n6 p51(4).
- (8) Ostling, R. Is there a place for God in school? *Time*, April 11, 1994 v143 n15 p60(2).
- (9) Gibbs, N. America's Holy War. *Time*, Dec 9, 1991 v138 n23 p60(1).
- (10) Evans, M.S., Reexamining the religious roots of freedom. *USA Today (Magazine)*, Sept 1995 v124 n2604 p90(3).
- (11) Roberts, S.V. Reaching Out Through a Wall Of Fear. *U.S. News & World Report*, Dec 13, 1993 v115 n23 p10(2).
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**REQUEST FOR INTRA-DEPARTMENTAL BUDGET TRANSFER**

DEPARTMENT: Senior Citizens Center  
 DATE: 09-May-00

Amount to be transferred -- (rounded to the nearest dollar) \$7,356.00

Transfer From ---

Line Item No. : 244971130  
 Fund Designation: Benefits

Original Budget:	<u>\$12,848.00</u>
Current Budget:	<u>\$12,848.00</u>
Expenditures to date:	<u>\$3,888.95</u>
Balance before transfer:	<u>\$8,959.05</u>
Balance after Transfer:	<u>\$1,603.05</u>

Transfer To ---

Line Item No. : 244971620  
 Fund Designation: Misc Services

Original Budget:	<u>\$0.00</u>
Current Budget:	<u>\$9,000.00</u>
Expenditures to date:	<u>\$0.00</u>
Balance before transfer:	<u>\$9,000.00</u>
Balance after Transfer:	<u>\$16,356.00</u>

Description of needs and purpose of transfer ---  
to purchase UDOT Van. Will need a public hearing to open budget and appropriate fund surplus to  
replace budget in benefits account. I should have appropriated \$19000.00 instead of \$9000.00.  
This will allow us to pay the invoice on time and fix the budget later.

Recommendation: [  ] Approval [  ] Disapproval  
 Comments:

Date: 05/09/2000

Marcee Carver  
 Department Head *by James Stones*

Recommendation: [  ] Approval [  ] Disapproval  
 Comments:

Date: 5/9/2000

James Stones  
 Cache County Auditor

M. Lynn Hansen  
 Cache County Executive

**REQUEST FOR INTRA-DEPARTMENTAL BUDGET TRANSFER**

DEPARTMENT: Data Processing  
 DATE: 18-May-00

Amount to be transferred -- (rounded to the nearest dollar) \$18,365.00

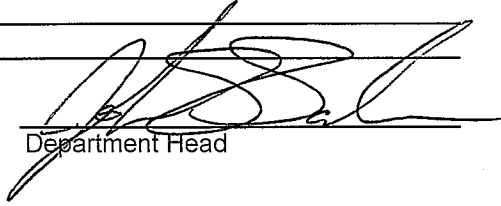
Transfer From ---  
 Line Item No. : 104136740  
 Fund Designation: Equipment

Original Budget:	<u>\$28,546.00</u>
Current Budget:	<u>\$28,546.00</u>
Expenditures to date:	<u>\$6,154.00</u>
Balance before transfer:	<u>\$22,392.00</u>
Balance after Transfer:	<u>\$4,027.00</u>

Transfer To ---  
 Line Item No. : 104136250  
 Fund Designation: Equip Supplies & Maint

Original Budget:	<u>\$4,700.00</u>
Current Budget:	<u>\$4,700.00</u>
Expenditures to date:	<u>\$1,909.37</u>
Balance before transfer:	<u>\$2,790.63</u>
Balance after Transfer:	<u>\$21,155.63</u>

Description of needs and purpose of transfer ---  
To upgrade computer wiring in Court house.

  
 Department Head

Recommendation:  Approval  Disapproval  
 Comments:

Date: 05/18/2000

Jamra Stones  
 Cache County Auditor

Recommendation:  Approval  Disapproval  
 Comments:

Date: 5/19/2000

  
 Cache County Executive

RESTAURANT TAX FUNDS REQUESTED, RECOMMENDED & ALLOCATED  
2000

Entity	Request	Recomm.	Allocated	Prior Allo.
Amalga Town				
Park Pavilion Addition	15,000	15,000		
Parking & Sidewalks	5,000			37,000
Cache County				
Promotion-Fair & Rodeo	5,000	4,000		12,000
Cache County/Logan City				
Willow Park Complex	95,000	95,000		611,275
Cache Valley Cruising				
Promotion-2000 Car Show	20,000	7,000		21,000
Capitol Arts Alliance				
Advertise 2000/2001 Season	12,850	8,500		41,100
Chamber of Commerce				
Tourist Promotion	54,634	30,000		258,785
Clarkston				
Martin Harris Parking Lot Imp.	34,500	18,500		43,000
Hyde Park City				
Community Identification Signs	34,200			67,500
Hyrum City				
East Park Restrooms	50,000	25,000		96,000
Logan City				
Eccles Theatre P.C.I.B. Bond	77,045	77,045		598,663
Annual Payments through 2011				
Mendon City				
Taylor Park Improvements	5,000	5,000		91,800
Pioneer Village	10,000			
Mibley City				
Morgan Park Improvements	40,000	20,000		82,000
North Park Interlocal Cooperative				
Bridgerland Ice Arena****	100,000	102,963		60,000
****100,000/year for 15-16 years				
Paradise Town				
Park & Community Bldg. Imp.	3,490	3,490		43,961
Providence City				
Soccer Fields	26,000	13,000		91,143
Richmond City/Lewiston City				
Lighting-Cub River Sports *	25,000	25,000		209,425
*25,000/year for 5 years				
River Heights City				
Hillside Park Improvements	10,000	10,000		87,800
City Museum	18,000			
Utah Festival Opera Company				
2000 Mkt. Outside Cache Valle	50,000	20,000		100,215
Utah State University				
AWHC-Welcome Center**	90,000	22,500		179,500
**90,000/year for 10 years				
Lyric Theatre***	25,000	25,000		25,000
***50,000/year 1999 & 2000				
Utah Division of Wildlife Resources				
Hardware Ranch Signs	20,000			
Wellsville City				
Imp. to Recreation Complex	25,000	12,500		109,000
TOTAL	850,719	539,498		4