

APPROVED

**CACHE COUNTY
COUNCIL MINUTES
FEBRUARY 28, 2012**

CACHE COUNTY COUNCIL
February 28, 2012

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CACHE COUNTY COUNCIL MEETING
February 28, 2012

The Cache County Council convened in a regular session on February 28, 2012 at 5:00 p.m. in the Cache County Council Chamber at 199 North Main, Logan, Utah.

ATTENDANCE:

Chairman: Craig "W" Buttars
Vice Chairman: Val Potter
Council Members: H. Craig Petersen, Kathy Robison, Jon White, Cory Yeates & Gordon Zilles.
County Executive: M. Lynn Lemon
County Clerk: Jill N. Zollinger
County Attorney: James Swink

The following individuals were also in attendance: Janeen Allen, Mikelshan Bartschi, Brenda Brown, Kevin Brown, Denise Cieben, David Grange, Sharon L. Hoth, Cameron Jensen, Lieutenant Brian Locke, Tom Maughan, Dave Nielsen, Director Josh Runhaar, Garwood Walton, JoAnne Williams **Media:** Charles Geraci (Herald Journal).

OPENING REMARKS AND PLEDGE OF ALLEGIANCE

Council member Craig Petersen gave the opening remarks and led those present in the Pledge of Allegiance.

REVIEW AND APPROVAL OF AGENDA

ACTION: Motion by Council member Zilles to approve the agenda as written. Yeates seconded the motion. The vote was unanimous, 7-0.

REVIEW AND APPROVAL OF MINUTES

ACTION: Motion by Council member Yeates to approve the minutes of the February 07, 2012 Council Meeting as written. White seconded the motion. The vote was unanimous, 7-0.

REPORT OF THE COUNTY EXECUTIVE: M. LYNN LEMON

APPOINTMENTS: Hal Olsen Cache County Board of Adjustments
Kip E. Panter TRCC/RAPZ/Restaurant Tax Committee

ACTION: Motion by Council member Yeates to approve the recommended appointments. Potter seconded the motion. The vote was unanimous, 7-0.

WARRANTS: There were no warrants.

OTHER ITEMS

- TRCC/RAPZ/Restaurant Tax Applications** are due this Friday by 5:00 p.m. Executive Lemon said a number have already been received.

UNIT OR COMMITTEE REPORTS

- ★ **Dynamics GP Update – Cameron Jensen** reported on the new accounting software program. Problems that have arisen with implementation are being corrected and once the backbone is finished being set up enhancements will be set up such as: electronic timecards (which some departments are already putting into practice), a budget forecaster that will allow department heads to see accounts in real time and allow them to submit budget requests electronically, enable the county to pay vendors electronically and enable electronic invoice submission.

Council member Zilles asked about 401K payment problems and Jensen said the year-end payments have been resolved and the current ones are in the process of being resolved.

PUBLIC HEARINGS, APPEALS AND BOARD OF EQUALIZATION MATTERS

ACTION: Motion by Vice Chairman Potter to convene as a Board of Equalization. Yeates seconded the motion. The vote was unanimous, 7-0.

THE COUNCIL CONVENED AS A BOARD OF EQUALIZATION.

BOARD OF EQUALIZATION

- **Property Tax Exemption Requests** *(Details are on file in the office of the Cache County Auditor)*
 - American West Heritage Center
 - Assembly of God/Casa Del Alfarero
 - Bear River Head Start
 - Bear River Mental Health Services
 - Boy Scouts of America-Logan Scout Shop
 - Bridgerland Community Ice Arena, Inc.
 - CAPSA
 - Cache Community Food Pantry
 - Cache County Children's Justice Center
 - Cache Employment and Training Center
 - Cache Humane Society
 - Cache Valley Bible Evangelical Free Fellowship Church
 - Cache Valley Unitarian Universalists
 - Carl Inoway Senior Housing Corporation
 - Centro de la Familia de Utah
 - Child and Family Support Center
 - Church of Jesus Christ of Latter-day Saints
 - Community Nursing Services
 - Daughters of the Utah Pioneers Leavitt-Layne Camp
 - Ebenezer Church of God (Iglesia de Dios)
 - Faith and Fellowship Center
 - Family Institute of Northern Utah (Personal Property Only)
 - First Presbyterian Church
 - Harmony Lodge #21 F & AM of Utah
 - Holy Trinity Lutheran Church
 - Logan Lighthouse Ministry
 - Mental Health Systems
 - New Life Fellowship (Formerly Cache Valley Christian Center)
 - Roman Catholic Church

Second Baptist Church
Thomas Edison Charter School
Trapper Trails Council, BSA

ACTION: Motion by Council member Robison to approve the Property Tax Exemption requests. White seconded the motion. The vote was unanimous, 7-0.

ACTION: Motion by Council member Yeates to adjourn from the Board of Equalization. Robison seconded the motion. The vote was unanimous, 7-0.

THE COUNCIL ADJOURNED FROM THE BOARD OF EQUALIZATION

PUBLIC HEARING SET: MARCH 13, 2012 at 5:30 P.M. – PINE CANYON GRAVEL PIT REZONE – Thomas G. Maughan and Dorcus M. Kleinschuster requesting a recommendation of approval for a rezone of 135.51 acres from the Agricultural (A-10) Zone to the Mineral Extraction and Excavation (ME) Zone located at approximately 4870 West 4600 South, Wellsville.

ACTION: Motion by Council member Zilles to set a Public Hearing – March 13, 2012 at 5:30 p.m.-Pine Canyon Gravel Pit Rezone. Potter seconded the motion. The vote was unanimous, 7-0.

PUBLIC HEARING SET: MARCH 13, 2012 AT 6:00 P.M.- OPEN 2012 BUDGET

Action: Motion by Council member Yeates to set a Public Hearing-March 13, 2012 at 6:00 p.m. to Open 2012 Budget. Robison seconded the motion. The vote was unanimous, 7-0.

PENDING ACTION

- DD Auto & Salvage Conditional Use Permit Expansion** – David Grange requesting approval for the expansion of an existing conditional use permit to allow the construction of additional buildings, fencing, storm drainage system, and truck scale located partially in the Industrial Manufacturing (IM) and Commercial (C) Zones at approximately 1976 West 200 North, west of Logan.

Director Runhaar observed that this request was discussed in detail at the February 07, 2012 Council Meeting. The letter issued to Logan City has been discussed with Logan City and they are fine with the county's action.

The Council discussed past and current violations on the property.

Council member Yeates, on an unrelated issue, asked about the Cherry Creek Ski Resort request. Runhaar said that will not be coming before the Council.

(Attachment 1)

ACTION: Motion by Council member Zilles to approve DD Auto & Salvage Conditional Use Permit Expansion if the stipulated conditions are met. White seconded the motion. The vote was unanimous, 7-0

NITIAL PROPOSAL FOR CONSIDERATION

- **Resolution No. 2012-04 – Travel and Reimbursement Policy** – Executive Lemon explained that this was approved last year, but the Ordinance Review Committee has reviewed it and cleared up some of the language.

(Attachment 2)

ACTION: Motion by Vice Chairman Potter to waive the rules and approve Resolution No. 2012-04 – Travel and Reimbursement Policy. Robison seconded the motion. The vote was unanimous, 7-0.

- **Discussion – HJR 13 Joint Resolution – Tax Opinion Question** – Executive Lemon expressed concerns that if this resolution passes, it could require Cache County to place the opinion question on the same ballot with the RAPZ/Restaurant Tax question and voters will be confused. The resolution proposes an additional .05 tax for the arts to be distributed statewide to those entities with the greatest economic impact. It is only an opinion question and does not institute the tax. Representative Menlove tried, unsuccessfully, to amend the resolution and exempt Cache County from placing the question on the ballot. Lemon has asked Senator Hillyard to ask the Senate to approve the amendment.

Chairman Buttars suggested asking for an amendment that would lift the requirement for the RAPZ/Restaurant Tax to be on the ballot every ten years and Council member Petersen suggested an amendment that would delay having the RAPZ/Restaurant Tax question on the ballot for two years. Executive Lemon said he will discuss the suggestions with Senator Hillyard.

Vice Chairman Potter said there was great support from the Mayors for the RAPZ/Restaurant Tax at the recent Mayors Association Meeting. Chairman Buttars proposed that cities have open houses and show their citizens what the RAPZ/Restaurant Tax projects have done for their communities.

- **Tax Deferral Requests** – *(Details are on file in the office the Cache County Auditor)* Executive Lemon said penalties and interest will not be waived and each applicant will make payments until the tax is paid. Council members voiced support for the deferral requests.

ACTION: Motion by Council member Yeates to approve the first tax deferral request discussed. White seconded the motion. The vote was unanimous, 7-0.

ACTION: Motion by Council member Yeates to approve the second tax deferral request discussed. White seconded the motion. The vote was unanimous, 7-0.

OTHER BUSINESS

- ✓ **Legislators' Meetings** – The final meeting will be Saturday, March 03, 2012 at 7:30 a.m. in Room 109 of the County Administration Building. Executive Lemon said there has been relatively good attendance.

- ✓ **2012 UAC Management Conference – April 18-20, 2012 – Ogden Eccles Conference Center** – Council members are to inform Allen if they will attend.

COUNCIL MEMBER REPORTS

Jon White asked for suggestions from the Council on how to induce the Planning Commission to be more timely in their proceedings and actions as many items are on hold awaiting action from the Planning Commission. Attorney Swink observed that the Council does have some say concerning the time frame for the Commission to address matters.

Kathy Robison asked for an update on the date for the Mt. Pisgah Road seasonal closure. Lemon said the closure won't be implemented until the next winter season.

Val Potter reported the Employee Compensation Committee is meeting and making progress. Lemon said the main issue to be resolved is whether to implement a step-in-grade or pay-for-performance program. It will probably be a combination of the two.

Potter asked when the Council should discuss air quality controls? Lemon responded the Work Groups will finish up in March and the public process will begin in April and he has asked the Health Department to come up with some less expensive options for the county to consider. Potter recommended that the Council propose less oppressive control strategies. Lemon agreed, referring to a possible phased-in plan that will be less onerous for citizens.

Gordon Zilles asked what is happening with the Davenport Road? Chairman Buttars replied the County Attorney will make a presentation and answer Council members' questions on this topic at the March 14, 2012 meeting.

Craig "W" Buttars reminded the Council that dues for membership in the Western Counties Alliance are owing and asked if the Council wanted to retain membership. Executive Lemon quoted Bob Weidner's opinion that WCA does not have any influence in D.C. Council member Yeates commented that once Chris Cannon left Washington, WCA lost much of its clout.

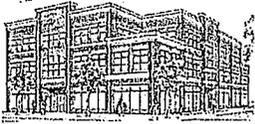
The consensus of the Council was to not renew membership in the Western Counties Alliance.

ADJOURNMENT

The Council meeting adjourned at 6:10 p.m.

ATTEST: Jill N. Zollinger
County Clerk

APPROVAL: Craig "W" Buttars
Chairman



CACHE COUNTY CORPORATION
DEVELOPMENT SERVICES DEPARTMENT

JOSH RUNHAAR, AICP
 DIRECTOR / ZONING ADMINISTRATOR
 PAUL BERTSON
 CHIEF BUILDING OFFICIAL

179 NORTH MAIN, SUITE 305 LOGAN, UTAH 84321 ♦ (435)755-1640 ♦ FAX (435)755-1987

Project Name: DD Auto and Salvage

Agent: David Grange

Request: Conditional Use Permit Expansion

Tax ID: 05-059-0012, 05-060-0001

Current Zoning: Commercial (C)
 Industrial/Manufacturing (IM)

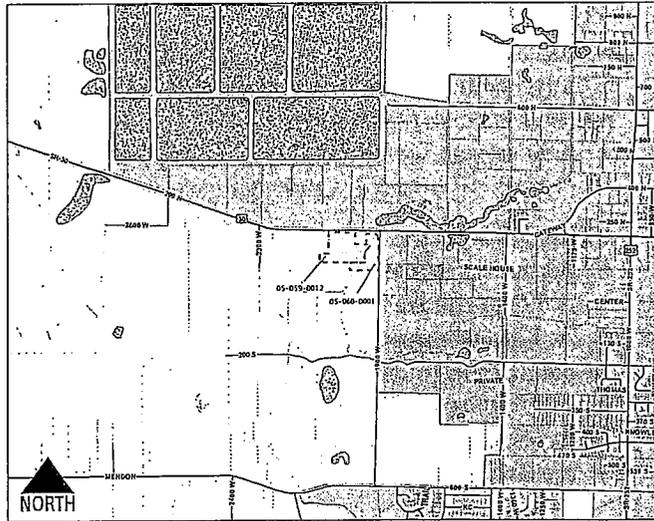
Project Address: 1976 West 200 North
 Logan, Utah 84321

Surrounding Uses: North – Agricultural/Highway 30
 South – Agricultural
 East – City of Logan (Industrial)
 West – Agricultural/Residential

Type of Action: Recommend to County Council

Staff Advisement: Approval with conditions

Reviewed by: Christopher S. Harrild, Planner II



PURPOSE: To make a recommendation to the Cache County Council concerning the DD Auto and Salvage conditional use permit expansion request.

PROJECT SUMMARY

The applicant has provided all necessary information for a full review of the proposed expansion and has made the necessary changes to the existing parcels to remove their restricted status and establish the parcels as legal. This request for approval for the expansion of an existing conditional use permit was most recently continued from the December 1, 2011 Planning Commission meeting to allow staff to revise the list of conditions following the Planning Commission’s review.

The project is located at approximately 1976 West 200 North, off Highway 30, west of Logan in the Commercial and Industrial Manufacturing Zones. David Grange, representing himself and the Michael K. Jones Trust, is requesting an expansion to the existing Conditional Use Permit. The applicant has previously been in violation of the conditions of the Conditional Use Permit in the storage of vehicles on property not included in the permit and also due to a lack of general upkeep of the salvage yard. The applicant brought the salvage yard into compliance and is currently again in violation of the Conditional Use Permit due to the unapproved expansion of the salvage yard car storage on parcel 05-059-0012.

This request is also considered ‘urban development’ as defined by State Code §10-2-401[1] [k]) which states that commercial or industrial development for which cost projections exceed \$750,000 for all phases. State Code §10-2-402 (5) also states that the County may not approve urban development within a city’s expansion area without the city’s consent, or a formal response to any objections made by the city.

Cache County has requested comment from Logan City and received a letter regarding the proposed use. Logan City has provided a list of recommended conditions of approval with the understanding that this project is subject to the proponent or property owner agreeing to comply with the conditions as written, or as may be amended by the Planning Commission and County Council. The Planning Commission has amended Logan City’s recommended conditions to reflect the needs of the County, and as required by

State Code, the Development Services Office will send a letter to Logan City regarding the City's comments and also identifying the amendments made by the County.

The current request for an expansion of the Conditional Use Permit consists of three phases:

Phase I: 0-3 years

- Fencing of property along the property lines adjacent to Highway 30 and 1900 West, this would also include signage that would be located at the northwest corner of the salvage yard at the entrance to the property along Highway 30, and at the northeast corner of the salvage yard.
- SR-30 access improvements.
- A 6,000 square foot truck and storage shop.
- The piping of the existing slough from 1900 West to the southern extent of the property.

Phase II: 3-10 years

- An additional access with a truck scale from 1900 West at approximately 100 North.
- A 3,200 square foot temporary office.
- A 12,000 square foot main office building that will function as an office, warehouse, and retail pick-n-pull parts counter.
- A 7,500 square foot shop and storage building.
- An open face steel building to house new lift racks and the environmental equipment used in the removal of liquids from vehicles.

Phase III: 10+ years

- A 12,000 square foot building located on the south side of the proposed access from 1900 North for use as a tow truck office and maintenance building.
- A 2,500 square foot building for a caretaker's residence.

Access:

- The existing access to the salvage yard is from Highway 30. UDOT maintains this roadway and the applicant has attended a CAMP meeting where UDOT specified the need for a traffic impact study for the access from Highway 30 prior to any expansion.
- UDOT has reviewed a completed traffic impact study for the access to the site from Highway 30 and granted a variance for the proposed access based on the conditions listed in their letter.
- Logan City maintains 1900 West where a proposed access is located. Logan City has not provided comment concerning the proposed access at this time.

Water & Septic:

- If individual buildings add restrooms, the Bear River Health Department will review them when a Zoning Clearance application has been submitted.
- A right for and access to culinary will also be required for the proposed structures and for the addition of restrooms.

Service Provision:

- Access for fire protection must meet minimum County standards of a 20 foot wide all weather surface.
- All proposed buildings will need to meet the most current adopted requirements of the International Fire Code and Building Code. This may require the inclusion of fire sprinklers and ADA accessibility for the structures.
- All refuse and recycling containers shall be placed along the side of 200 North for collection.
- The applicant shall provide sufficient shoulder space for the residential refuse and recycle containers to sit four feet apart and be out of the travel lane.

STAFF DETERMINATION

It is staff's determination that the expansion of the existing conditional use permit that includes all phases of the DD Auto and Salvage Master Plan, located in the Commercial (C) and Industrial Manufacturing (IM) Zones at approximately 1976 West 200 North (Hwy. 30) with TIN #'s 05-059-0012 and 05-060-0001 is in conformance with the Cache County Ordinance and should be recommended for approval to the Cache County Council. This determination is based on the following findings of fact:

FINDINGS OF FACT (6)

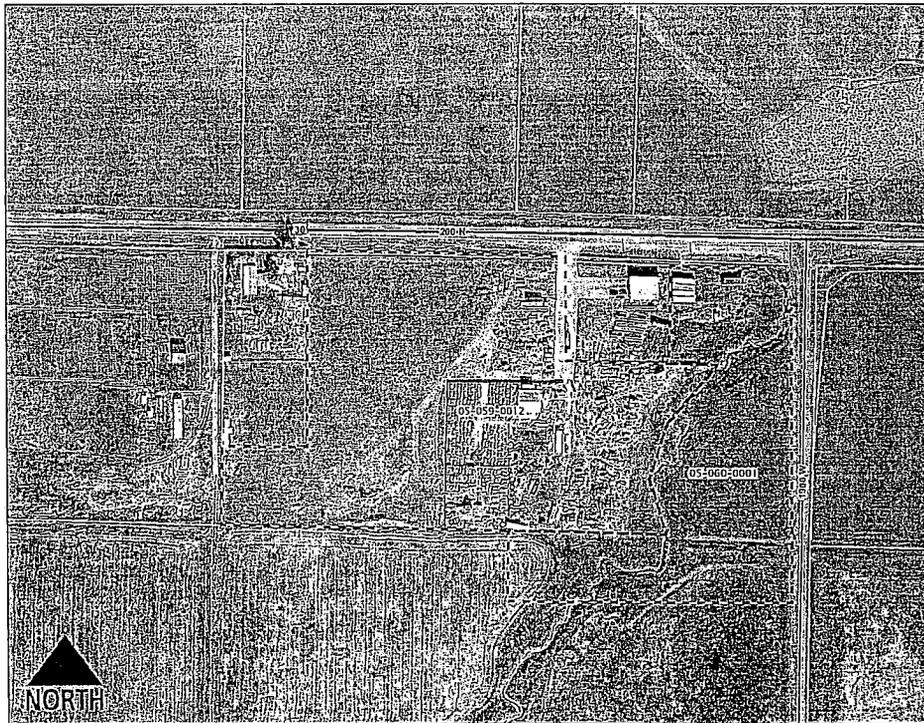
1. The DD Auto and Salvage Conditional Use Permit Expansion has been revised and amended by the conditions of project approval to address the issues and concerns raised within the public and administrative records.
2. The DD Auto and Salvage Conditional Use Permit Expansion has been revised and amended by the conditions of project approval to conform to the requirements of Titles 16 and 17 of the Cache County Code and the requirements of various departments and agencies.
3. The DD Auto and Salvage Conditional Use Permit Expansion is issued in conformance with the standards and criteria for a Conditional Use within Title 17 of the Cache County Code.
4. The DD Auto and Salvage Conditional Use Permit Expansion is compatible with surrounding land uses and will not interfere with the use and enjoyment of adjoining or area properties.
5. The request for a caretaker's residence has not been considered as part of this application. The Cache County Ordinance does not specifically allow caretaker's residences and as per §17.06.020 this use is prohibited.
6. The requirements of §17.10.020 [D][1][d] are waived as they are deemed unnecessary.

CONDITIONS OF APPROVAL (11)

Staff has identified the following concerns and items of significance in regard to the proposed expansion:

1. Prior to recordation the proponent shall meet all applicable standards of the Cache County Ordinance and the conditions of this permit.
2. The conditions of approval as put forth by UDOT in regard to access from Highway 30 shall be completed and a copy of any final approval from UDOT must be submitted to the Cache County Development Services Office.
3. A screen must be constructed around the site and must include the following:
 - a. A decorative concrete/masonry wall and berm at a total minimum height of eight (8) feet measured from the crown of the adjacent roadway and shall be located on the following:
 - i) The entire length of the property lines facing Highway 30 to the north, including a portion of parcel ID# 05-060-0015.
 - ii) Starting at the northern property line, a length of 16 feet of the western property line.
 - iii) The length of the property line that faces 1900 West on the east as far as feasible to the south in consideration of the wetlands in the area.
 - b. Fencing around the remainder of the site shall be a minimum six (6) foot tall chain link fence with neutral tone, privacy slats.
4. Requested signage shall be limited to the areas designated as part of the screen in the master plan and shall require UDOT and County permitting prior to installation.
5. Prior to recordation, the following must be submitted to the Development Services Office for review and approval:
 - a. An updated master plan reflecting all changes, including an easement for the proposed screen on the screened portion of the north property line across the neighboring parcel #05-060-0015, and the identification of site surface materials.
 - b. A general site maintenance plan including a detailed account of how items on the site will be stored, specifically how high any salvage materials will be stacked in relation to the screening.
 - i) Salvage materials shall be stacked no higher than the height of the fence or as to not be visible from Highway 30 travel lanes. A site stacking analysis shall be submitted and administratively approved based on visual access to the site from the travelled way.

6. The applicant must abide by the site plan and construction specifications as submitted to the Cache County Development Services Office. Any further expansion or modification of the facility, site, or of the business shall require a review by the designated Land Use Authority and must meet the requirements of the Cache County Ordinance.
7. Any future development on the site shall also be considered a phase of this development and may be considered urban development as defined in §10-2-401 U.C.A. As such the development shall be subject to all State regulations pertaining to urban development.
8. All landowners are required to obtain a Zoning Clearance and all applicable department reviews prior to any construction or the placement of structures on the subject parcels. This includes the identification and provision of sufficient off street parking for each structure.
9. This commercial business shall obtain and keep current a County Business License as long as the business is in operation.
10. Piping of the slough will require coordination with the U.S. Army Corps of Engineers (USACE) and the State of Utah. All requirements of the USACE and the State of Utah must be met regarding mitigation for impacts to existing wetlands and stream channel. A copy of any permits must be submitted to the Development Services Office.
11. All exterior lighting shall be down lit and dark sky compliant.

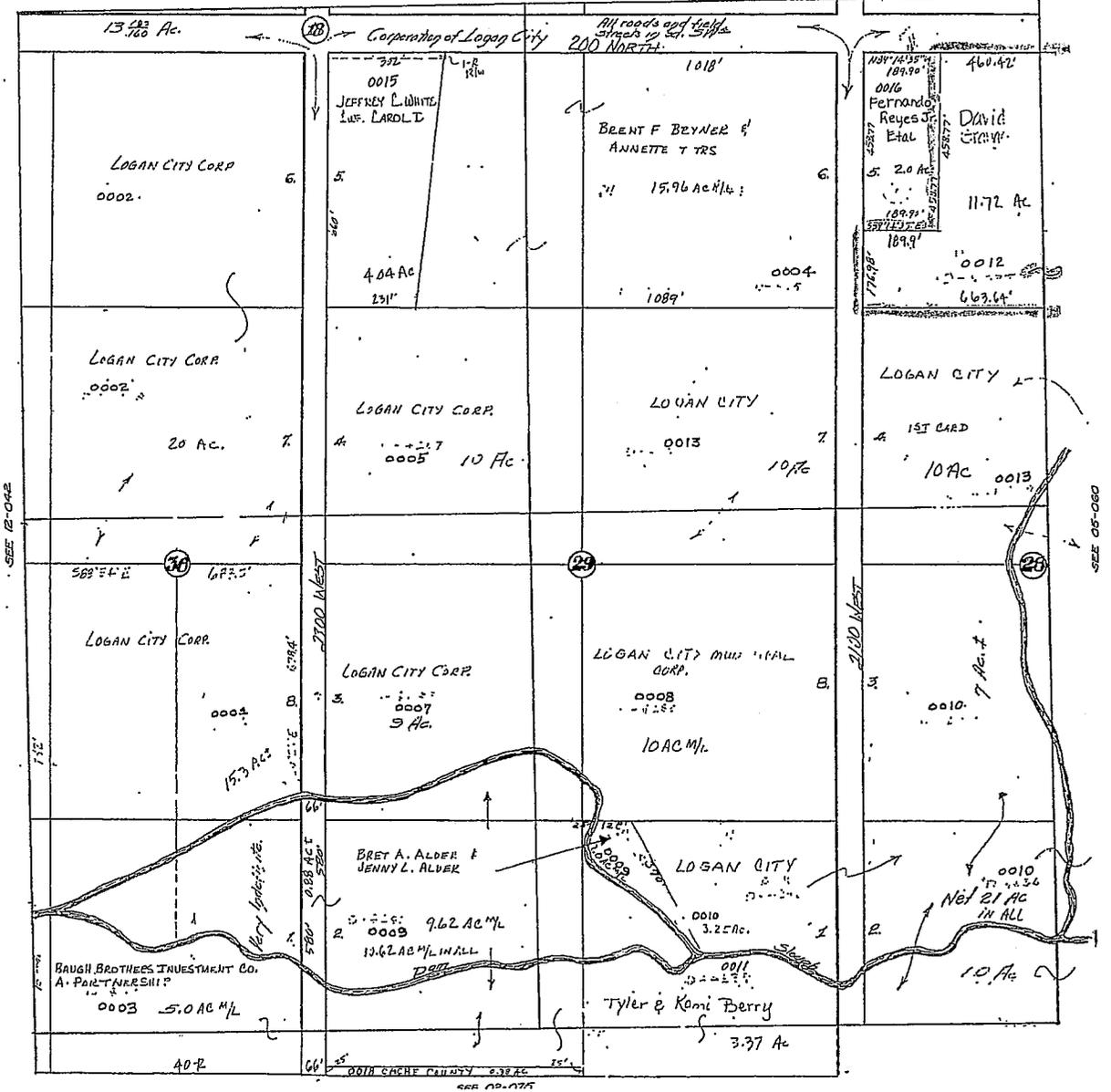


Part Plat E Logan Farm

SWth SECTION 31 TOWNSHIP 12 NORTH, RANGE 1 East
SCALE 1 INCH = 3 CH.

TAX UNIT 128

SEE 05-057



SEE 12-042

SEE 05-060

Cache County Planning Commission

Minutes for 05 January, 2012

Present: Chris Harrild, Josh Runhaar, Chris Sands, David Erickson, Clair Ellis, Leslie Larson, Phillip Olsen, Denise Ciebien, Jon White, Megan Izatt

Start Time: 5:31:00 (Video time not shown on DVD)

Ellis welcomed and Erickson gave opening remarks.

5:33:00

Agenda

Passed with moving of action item #1 until the end of the meeting.

Minutes

December 1, 2011 – passed with noted edits to pages 4 and 7

5:39:00

#1 DD Auto & Salvage Conditional Use Permit Expansion (CUP)

Harrild reviewed Mr. David Grange's request for a recommendation of approval to the County Council for a CUP including construction of additional buildings, fencing, storm drainage system, and truck scale located partially in the Industrial Manufacturing (IM) and Commercial (C) Zones at approximately 1976 West 200 North, west of Logan; continued from December 1, 2011 meeting. Conditions 3 and 5 were reworded to reflect the suggestions from the Planning Commission from the last meeting. New requirements for the screen on the west property line include the concrete/masonry wall and berm for 50 feet and then security fencing for the remainder of the western property line.

Ellis I noticed in the minutes we discussed a more detailed landscape plan, what's happened there?

Runhaar we didn't add one because it seemed like the discussion last time was to not require a vegetative plan. Without that they are going to plant UDOT accepted grasses and mow it down a couple of times during the summer. If we have the masonry wall built, I believe that was the screening the Planning Commission was looking for.

David Grange on these items 3 and 5 in the preliminary thing they wanted to go all the way down the west side with the masonry and now they have scaled that back. We don't see the need for the masonry to continue on the side at all. The neighbor already has a fence up on that side already, and even though it's not for sale now or anything we hope it eventually will come up for sale and be able to purchase it and then do a masonry wall. It will be screened, but we would

prefer it not have to be concrete at all on the west side. On number 5, b, 1 it talks about not having stacks any higher than six feet. You can't put a car on top of another one and not have it be six feet.

Harrild that used to read no higher than 6 feet, and now it reads no higher than the screening.

Runhaar there is no point in having a screen if we are going to have 15 foot high stacks.

Mr. Grange that is going to be real hard to figure out what it says. Right now we hardly ever stack anything over 15 feet high and that's on the interior of the lot. Driving down the road no one is ever going to see it.

Runhaar I would like to see an actual visual analysis of that because I highly doubt that a car can't see a stack from the roadway. Maybe it could read, "not visible from the outside the property".

Larson not visible from the outside of the property can be interpreted several ways. Obviously an airplane could see that, and people on the benches, etc.

Harrild it was worded to read that stacks of material be no higher than the fence and therefore not visible. We certainly could add language that says not visible from Highway 30 or 19th west.

Ellis I think if you are standing at the fence you wouldn't see a stack 12 feet tall a 100 feet in.

Larson 19th west is the dump road, you're driving past the dump. To hold him to a higher standard when you have a hill of blowing trash, doesn't seem fair.

Runhaar it's not a safety issue, it's an aesthetic issue.

White if he's got to be held to that, it doesn't seem fair.

Olsen how high do you have to stack?

Mr. Grange typically 12 feet.

Sands when you're on the road looking at the 8 feet of fence, the farther in you go the higher he can stack. I like the way this is worded, to me he has a lot of flexibility.

Runhaar we can reword it to add or as not to be visible from Highway 30. They can do a site analysis regarding how high he can stack things and that would be the best way to determine where and how high he can stack.

Mr. Anderson the other thing that needs to be considered is speed of highway 30. Once you get the fence up the visual is going to change, you are going to see 8 feet of fence and then the mountains.

Mr. Grange the average traveler isn't going to notice the fence.

Sands sure they are, some people do care about how the side of the highway looks.

Mr. Grange I don't consider you the average traveler.

Runhaar we can also add the language that a site stacking analysis will be administratively approved.

Staff and planning commission discussed condition 3, a, ii. The justification for 50 feet of the masonry wall on the west side is to put that fence just past the home on the other piece of property and because it also is what was proposed originally on the applicant's site plan. No comment has been provided from the adjacent homeowners regarding what type of fence would be acceptable or on the project in general. Many members of the commission felt the chain link security fence was acceptable along the west side. Staff suggested instead of 50 feet requiring at least one panel of the masonry wall to help the transition around the corner of the property. The Planning Commission requested that the masonry wall continue for two panels, or approximately 16 feet.

Erickson** motioned to recommend approval to the County Council with the stated conditions and findings of fact with the word changes to Conditions 3 and 5 for the DD Auto & Salvage Conditional Use Permit Expansion; **Olsen** seconded; **Passed 5, 0.

As per State requirements for urban development, the County must respond to and address Logan City's comments on the proposed expansion as the proposal is within Logan City's annexation area.

6:10:00

Sands** motioned to amend the agenda to move Pepperidge farm to the next item; **Larson** seconded; **Passed 5, 0.

6:12:00

#2 Pepperidge Farm Master Plan Expansion

Harrild reviewed Mr. J. Victor Mahoney's request for a recommendation of approval to the County Council for a CUP to allow the expansion of an existing CUP to include the expansion of the finished product warehouse, a new packing area building, modification of the existing sub-station building, modification of the refrigeration engine room, expansion of the fabrication shop, expansion of the production area, the enclosing the recycling center, and expansion of the receiving warehouse on 298.19 acres of property in the IM Zone located at approximately 901 North 200 West (Highway 91), Richmond. Access is from Highway 91 and will need to be addressed by UDOT. Water rights are in place for this, and as far as waste is concerned, Richmond City takes care of human waste and they do have an agreement to make sure it meets Richmond City's requirements. We have received no comment stating it doesn't meet standards for other entities needs. Richmond City is supportive of proposed expansion. Staff recommends this request be recommended for approval to the County Council. Pepperidge Farm is going to



CACHE COUNTY FISCAL PROCEDURES ORDINANCE

Appendix
CACHE COUNTY
RESOLUTION NO. 2012 - 04

A RESOLUTION SETTING THE AMOUNT OF REIMBURSEMENTS FOR TRAVEL AND PER DIEM COSTS FOR COUNTY EMPLOYEES AND OFFICERS.

The Cache County Council, in a regular meeting, lawful notice of which has been given, finds that it is in the best interest of the management and administration of the County that rates for reimbursement for travel and per diem costs for county employees, officers, or representatives incurred for the primary purpose of conducting bona fide county business be set.

IT IS THEREFOR HEREBY RESOLVED THAT:

TRAVEL for COUNTY BUSINESS

An employee, officer or representative of the county who incurs travel expenses for an authorized trip for county business such as attendance at a convention, conference, seminar or meeting, such expenses will be paid by the county. An employee, officer, or representative is eligible for an allowance (per diem or actual expense) when:

- They are performing official travel away from their official work station; and
- They incur per diem expenses while performing official travel; and
- They receive no reimbursement from another organization or agency for transportation, mileage, meals, or lodging.

The amounts paid are determined by the County Executive and in relation to the U.S. General Services Administration (USGA) allowances and the United States Internal Revenue Service at the time that the expense or travel is incurred. Initially, an employee's department head must review and approve all travel allowance requests.

1. Mileage. The County will pay for mileage at a rate approved by the County Executive and consistent with the following procedures and provisions:
 - a. The County has a pool of vehicles available for use whether driving within or outside Cache County limits. The vehicle pool should always be used when possible. The vehicle pool is managed by the Executive Secretary to the County Executive or individual offices where a pool of vehicles is used.
 - b. Check with your department head or their designee or the Executive Secretary for county vehicle availability. If a county vehicle is not available, mileage may be reimbursed for mileage driven in a personal vehicle.
 1. Anyone who drives a private vehicle in the conduct of authorized county business may be reimbursed mileage at the rate allowed by the Internal Revenue Service. Payment shall not cover commuting mileage between the county representative's residence and their work site.
 2. Any employee, official, or county representative before driving either a county owned vehicle or a private vehicle for county business, must show that he or she has a valid Utah Driver License and certify that it will be kept current while driving a vehicle on County business. The employee, official, or county representative is subject to loss of driving privileges or disciplinary action if the drivers' license is not kept current or

should they have any Driving Under the Influence (DUI) or impaired driving infractions infractions within the past five (5) years and more than two (2) moving violations within within the previous 24 months. A Drivers' License Report will be printed at least annually on each individual conducting business for the county to ensure their driving privileges for the county remain current.

- A. Any employee who drives a county registered vehicle (even if only once per year) must attend and complete a defensive driving course as defined by the County Risk Management Program
 - B. Accidents involving a county vehicle, or a personal vehicle used while on county time, will be subject to review by the Accident Review Board as required in County Ordinance 2000-14.
3. The employee must ensure the private vehicle used for county business is currently insured by a recognized insurance provider.
- c. The County does not reimburse if another agency is paying mileage for the same trip.
- d. The above steps (a, b, and c) are to be reviewed and approved by the Department Head when requests for reimbursement are submitted for payment.

2. Meal allowance. The County will pay meal allowances for employees away from home on approved County business according to the following chart:

<u>Base Meal</u>	<u>Leave Before</u>	<u>or</u>	<u>Return After</u>
Breakfast	6:00 a.m.		9:00 a.m.
Lunch	11:00 a.m.		2:00 p.m.
Dinner	4:30 p.m.		7:30 p.m.

- a. Travel per diem for Meals and Incidental Expenses (M&IE) per state/county/city can be found at the following website:
- 1. Go to the website GSA.gov (<http://gsa.gov>)
 - 2. Under Links choose *Per Diem Rates*
 - 3. On the map of the United States, click the state to be visited
 - 4. If the town/city to be visited is available identify the per diem amount for *Meals & Incidental Expenses* OR use the *Standard Rate*
 - 5. Click on the *Meals & Inc. Exp.* at the top of the column
 - 6. Identify the per diem amount for the town/city to be visited OR the *Standard Rate* and the corresponding breakdown of dollar allocation for breakfast/lunch/dinner (see chart below).
 - 7. Print a copy of per diem chart showing the amount for the town/city to be visited and attach the copy to the per diem request.

Example: If you are visiting Park City, Utah for a conference, and the per diem rate is \$71; the the breakfast/lunch/dinner for meal allowance is as follows:

M&IE Total	\$46	\$51	\$56	\$61	\$66	\$71
Continental Breakfast/ Breakfast	\$7	\$8	\$9	\$10	\$11	\$12
Lunch	\$11	\$12	\$13	\$15	\$16	\$18
Dinner	\$23	\$26	\$29	\$31	\$34	\$36
Incidentals	\$5	\$5	\$5	\$5	\$5	\$5
First & Last Day of Travel	\$34.50	\$38.25	\$42	\$45.75	\$49.50	\$53.25

2011 U.S. General Service Administration

- b. Reimbursements for meals shall be only for meals outside of Cache County except for meals in Cache County when accompanying out-of-town business associates who are in the County on business during a meal period. Meal receipts for local dining with out-of-town business associates will be required for meal reimbursements.
3. Lodging Allowance. The County will pay lodging allowances at a rate approved by the County for employees traveling on approved County business. Employees must present a receipt to receive reimbursement. Lodging costs which exceed the approved allowance as per the government rate for lodging reimbursement are the employee's responsibility unless the employee is approved to stay at a specific facility affiliated with a conference or convention. In such instances, the County will pay the actual cost of the room. The County recommends the use of government hotel rates wherever accepted. The following USGA website provides current suggested reimbursement rates for in-state or out of state lodging and meals:

www.gsa.gov/portal/category/21287

4. Out of State Travel. All out of state travel and international travel must receive final approval by the County Executive and lodging and meal expenses shall be based upon current USGA/U.S. State Department/U.S. Department of Defense schedules.
- The most economical form of transportation should be used when traveling, taking all factors, such as time lost from work, into account. Employees are responsible to arrange for their own transportation;
 - On occasion an employee may desire to drive a personal vehicle for out of state travel. To determine the most economical option or to establish costs associated with driving versus flying, the employee will refer to the State of Utah Travel Office for an analysis of of travel expenditures. The State of Utah Travel Office will return documentation associated with their analysis and upon receiving said documentation, the employee and and their department head will review and make a determination as to which option is most economical for the county. Should the employee wish to drive a personal vehicle, vehicle, they may do so but will only be reimbursed the amount equal to the lower of the

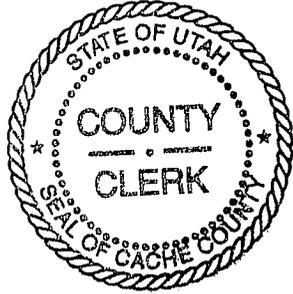
the two options of driving versus flying. The following State of Utah website provides provides current suggested reimbursement analysis:

www.fleet.utah.gov/travel/

Upon opening the above listed webpage, employee should click on the Drive versus Fly Comparison form, enter the requested information, and then submit the information for review. The State of Utah Travel Office will then send an email to the employee with their findings.

- c. If an airline is used, the State of Utah Travel Office will assist the employee in finding the most economical fare. Receipts must be submitted for all air fare.
5. Reimbursement. Employees should submit all requests for reimbursement, together with supporting documentation, within 30 days of the date the expense was incurred.
 - a. County funds shall not be used to pay for expenses incurred by individuals who are not County employees.
 - b. Travel expenses must be included in the annual budget for each department anticipating travel, as part of the budget process.
 - c. A County vehicle provided to an employee is not to be used for commuting between work and the employee's residence unless specifically authorized by the Department Head or required under the job description. Emergency vehicles are exempt from this provision.
 - d. Per Diem will not be paid on any county credit cards unless approved by the Department Head and meal allowance shall not exceed the individual meal rate. Employees will not be reimbursed for any difference between actual meal expense and the per diem rate.
 - e. Per Diem may be paid in advance to a traveling employee with the Department Head's prior approval.
 - f. Reimbursements will be paid on employee's payroll check (direct deposit).
6. Disclaimer. Cache County reserves the right to make changes in benefits, providers, or other benefit issues at any time.

Adopted by the County Council of Cache County, Utah, this 28th day of February, 2012.



CACHE COUNTY COUNCIL

By: Craig W. Buttars
Craig "W" Buttars, Council Chairman

Attested:

By: Jill N. Zollinger
Jill N. Zollinger, County Clerk