

**APPROVED**

**CACHE COUNTY  
COUNCIL MEETING  
MINUTES  
FEBRUARY 25, 2014**

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FEBRUARY 25, 2014**

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**CACHE COUNTY COUNCIL MEETING**  
**February 25, 2014**

The Cache County Council convened in a regular session on February 25, 2014 at 5:00 p.m. in the Cache County Council Chamber at 199 North Main, Logan, Utah.

**ATTENDANCE:**

**Chairman:** Val Potter  
**Vice Chairman:** Kathy Robison,  
**Council Members:** Craig "W" Buttars, G. Gregory Merrill, 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, Kevin Roy Brown, Mark Cardall, Brandon Cox, David Grange, Chris Harrild, Sharon L. Hoth, Lee Ivie, Gerald Knight, Lieutenant Brian Locke, Scott Moake, Sharon Moake, Tyler Moake, Dave Nielsen, Katie Pehrson, Jeff Rich, Scott Richins, Director Josh Runhaar, Deputy Brad Slater, DeMoyn Webb, **Media:** Shannon Nielsen (Herald Journal), Jenny Christensen (KVNU).

**OPENING REMARKS AND PLEDGE OF ALLEGIANCE**

Executive Lemon gave the opening remarks and led those present in the Pledge of Allegiance.

**REVIEW AND APPROVAL OF AGENDA**

**ACTION:** Motion by Council member Yeates to approve the agenda as written. Zilles 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 11, 2014 Council meeting as amended. Robison seconded the motion. The vote was unanimous, 7-0.

**REPORT OF THE COUNTY EXECUTIVE: M. LYNN LEMON**

<b><u>APPOINTMENTS:</u></b>	Bruce M. Cook	TRCC/RAPZ Committee
	Reed Baldwin	TRCC/RAPZ Committee
	Val K. Potter	TRCC/RAPZ Committee
	Wendy Tyler	TRCC/RAPZ Committee
	Randy Goodell	Cache County Deputy Sheriff

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

**WARRANTS:** Warrants for the period 02-08-2014 to 02-14-2014 were given to the Clerk for filing.

**OTHER ITEMS:**

- ❑ **Providence City Request** – Executive Lemon received the following request from Providence City: Providence city was awarded \$1,392,000.00 for a project which actually cost only \$239,000.00. Providence is asking if Cache County is willing to award additional funding for a roundabout that was recently built which cost over \$787,000.00. The estimate had been \$600,000.00 and the County had agreed to pay 93% of the \$600,000.00. If the Council agrees to pay 93% of the actual cost, there will still be over \$400,000.00 left over from the original agreement. Lemon asked for the Council's feelings.

The Council asked for more information and Lemon said he will invite Providence City to the next Council meeting to present their request and the details.

- ❑ **Darrell Erickson Retirement** – Executive Lemon observed that Road Department Head Darrell Erickson's retirement date is April 30, 2014 and the process for replacement needs to begin soon.

**ITEMS OF SPECIAL INTEREST**

- **Cache Valley Cowboy Rendezvous** will be Friday and Saturday, February 28 and 29, 2014 in Hyrum. Support of the event was urged by the Council.

**UNIT OR COMMITTEE REPORTS**

- **Logan-Cache Airport – Lee Ivie** reported on the operations of the airport including:
  - Budget – a major portion of funding comes from grants
  - Projects – sign replacement, runway crack seal and fog coat, terminal apron replacement, fire truck purchase, restriping
  - Ongoing projects – Wildlife Hazard Management Assessment
  - Proposed projects – Main runway lights replacement and realignment, illuminated wind sock, taxiway repair, snow removal equipment, maintain 139 Certification
  - New hangars
  - Events – Fly-in and breakfast every other week, Women's Air Race Classic

**PUBLIC HEARINGS, APPEALS AND BOARD OF EQUALIZATION MATTERS**

**PUBLIC HEARING SET: MARCH 11, 2014 – 5:30 P.M.-ORDINANCE NO. 2014-03-Amendments to Titles 16 and 17**

**ACTION: Motion by Council member Buttars to set a Public Hearing for March 11, 2014 – 5:30 p.m. to Ordinance No. 2014-03-Amendments to Titles 16 and 17. Robison seconded the motion. The vote was unanimous, 7-0.**

**PUBLIC HEARING SET: AUGUST 12, 2014 – 6:00 P.M.-2014 TAX INCREASE HEARING**

**ACTION: Motion by Council member Yeates to set a Public Hearing for August 12, 2014 – 6:00 p.m. – 2014 Tax Increase Hearing. White seconded the motion. The vote was unanimous, 7-0.**

**PUBLIC HEARING SET: NOVEMBER 25, 2014 – 6:00 P.M.-2015 BUDGET AND/OR TAX INCREASE HEARING**

**ACTION: Motion by Council member Yeates to set a Public Hearing for November 25, 2014 – 6:00 p.m. – 2015 Budget and/or Tax Increase Hearing. Buttars seconded the motion. The vote was unanimous, 7-0.**

**PUBLIC HEARING: FEBRUARY 25, 2014 – 5:30 P.M.-ORDINANCE NO. 2014-04-VACATING A RIGHT-OF-WAY AT 200 WEST, SOUTH OF 9800 NORTH** – Executive Lemon said one of the property owners, Mark Cardall, has had problems with the Road Department concerning level of service, snow removal, etc. Cardall will not allow the county vehicles to turn around on his property. Lemon said he decided that if Cardall does not want the service, then, perhaps, the county shouldn't provide it which prompted this proposed action. Director Runhaar explained that the ordinance maintains a 66-foot wide easement on the road. This action would create a private road.

Chairman Potter opened the Public Hearing and invited public comment.

Jeff Rich, DeMoyn Webb, Kevin Brown, Janet Johnson (via email) and Scott Richins all oppose the vacating of the road citing access needs, negative impact on property values and future growth needs

Mark Cardall thanked Executive Lemon for listening to his concerns and appreciates the other landowners' concerns and said he will never block others' access to their properties. He did all the snow removal and maintenance on the road for the first sixteen years and built a fence about 30-40 feet away from the road. Cardall said the road has "moved" over the years as the Road Department has graded and resurfaced it. There is no turn around space on the road for heavy equipment. Cardall has again done the snow removal since last year because previously there was no snow removal by the county after a heavy snowstorm. Cardall asks that the road be put back where it was or vacate it. If it is a county road, then he wants receipt for the sixteen years of work he has done and he wants the county to maintain it from now on.

Executive Lemon and Council member Zilles clarified with Cardall that he agreed to build without any services and he was told he had to provide 33 feet on his side of the road for the county right-of-way and when someone builds on the other side, they will provide 33 feet as well. Cardall acknowledged these facts.

There was no other public comment.

**ACTION: Motion by Council member Yeates to close the Public Hearing-February 25, 2014 – Vacating a Right-of-Way at 200 West, south of 9800 North. Robison seconded the motion. The vote was unanimous, 7-0.**

Executive Lemon recommended taking this issue under consideration and act at the next meeting.

Council member Buttars visited the site and suggested other Council members do the same. Buttars asked Cardall if the county makes a reasonable effort to maintain the road will he allow county equipment to turn around on his property? Cardall replied no.

Scott Richins and Council member Zilles remarked that the county owns sufficient right-of-way to create an area adequate for a turn around.

Chairman Potter stated this will be an agenda item for the March 11, 2014 Council Meeting.

**PUBLIC HEARING: FEBRUARY 25, 2014 – 5:45 P.M.-OPEN 2014 BUDGET –**  
Executive Lemon explained that the adjustments include payroll adjustments, new firearms for the Sheriff’s Department and a capital line item for a storage building at the fairgrounds. *(See Attachment 4 to Resolution No. 2014-06 for details.)*

Chairman Potter opened the Public Hearing and invited public comment. There was none.

**ACTION: Motion by Council member Yeates to close the Public Hearing-February 25, 2014-5:45 p.m.-Open 2014 Budget. Zilles seconded the motion. The vote was unanimous, 7-0.**

**PENDING ACTION**

- Ordinance No. 2014-02-Moake Rezone from A10 to RU2** – Director Runhaar indicated the action on the rezone occurred at the February 11, 2014 Council meeting and this ordinance is in keeping with that action.

**(Attachment 1)**

**ACTION: Motion by Council member Zilles to approve Ordinance No. 2014-02 – Moake Rezone from A10 to RU2. Yeates seconded the motion. The motion passed 6 aye – Buttars, Merrill, Potter, Robison, Yeates & Zilles and 1 nay – White.**

**Ordinance No. 2014-02:** The motion passed 6-1.

	<u>BUTTARS</u>	<u>MERRILL</u>	<u>POTTER</u>	<u>ROBISON</u>	<u>WHITE</u>	<u>YEATES</u>	<u>ZILLES</u>	<u>VOTES CAST</u>
AYE	X	X	X	X		X	X	6
NAY					X			1
ABSTAINED								0
ABSENT								0

**INITIAL PROPOSAL FOR CONSIDERATION OF ACTION**

- **DD Auto & Salvage – David Grange Request for Extension of Conditional Use Agreement** - Director Runhaar reported this issue has been ongoing with Grange for several years. There was a one-year extension granted on DD Auto & Salvage’s conditional use permit (CUP) last year and David Grange is now requesting another extension. There has been massive expansion on the site in violation of the CUP. Runhaar recommends that if an extension is approved, the site come into compliance with the existing permit before they finish their CUP.

Presently, they have done all the expansion they wanted to without meeting any of the conditions of the permit. The other option is to let the CUP lapse.

Grange claims he wants to build the required fence, but has been unable to get a building permit. When he applied, he was told he had back taxes owing and the permit could not be issued until the taxes were paid. He paid the taxes and has not heard anything since.

Runhaar replied the building permit can be issued within a week if Grange will come in and re-apply.

Vice Chair Robison suggested giving Mr. Grange one week to obtain his building permit and get his fence built by September 1, 2014 and asked him if he could do that. Grange replied there is about 600 feet of fence along Highway 30 he could complete by the end of summer.

Council member White asked Director Runhaar if there is any other CUP in the county still operating after being in violation for seven years. Runhaar said there is not and worries that this case erodes the county's ability to handle permits.

Director Runhaar said if Grange cannot build the fence as stated, then the Council could remand the issue to the Planning Commission to readjust the process.

Chairman Potter stated the county has been fair in this situation and asked Grange if he is willing to step up and make what Vice Chair Robison suggested happen? He said he is.

Council member Merrill said the county has been very benevolent over the past several years and given Grange a lot of opportunities to accomplish what is needed. As a businessman, Merrill understands the challenges of raising capital, etc.; however, Merrill recently sold the property adjacent to Grange's and there was a lower appraisal than previously because of what has occurred on Grange's property. Merrill appreciates Grange's frustration, but his lack of compliance has an impact on other properties in the area.

**(Attachment 2)**

**ACTION: Motion by Vice Chair Robison to allow David Grange, DD Auto & Salvage, two weeks to obtain a building permit with a report at the March 11, 2014 Council meeting whether he has obtained the permit and until September 1, 2014 to finish the 600 feet of fence along Highway 30 as discussed. Yeates seconded the motion. The vote was unanimous, 7-0.**

- **Ordinance No. 2014-01 – Campaign Financial Disclosure in County Elections (NO ACTION TAKEN)** – Attorney Swink commented that Utah's Lieutenant Governor Code states the county shall adopt an ordinance establishing campaign finance disclosure requirements for candidates for county office. Only Salt Lake County has adopted an ordinance. The county has been operating under the section of the Code stipulating requirements for campaign finance reporting in counties that have not adopted an ordinance.

- Swink presented a proposed ordinance containing
- comprehensive definitions
  - requirements for personal campaign committees and financial reporting requirements that are more extensive than the current code
  - required interim and summary reports
  - similar reporting requirements for Political Action Committees (PAC's) and Political Issue Committees (PIC's)

This will help the public be aware of who is financing these campaigns.

Swink noted the Council can accept the proposals, trim them to suit their desires or stay with the bare minimum in the Lieutenant Governor Code.

Council members want simpler regulations for candidates, but agree with including the requirements on PAC's and PIC's.

Swink will develop an ordinance with less stringent regulations for the Council to review.

Chairman Potter asked Attorney Swink to email his other proposals within the week so Council members have time to review before the March 11, 2014 Council meeting.

- **Ordinance No. 2014-04 – Vacating a Right-of-Way at 200 West, south of 9800 North (NO ACTION TAKEN)**
- **Ordinance No. 2014-05 – County Executive/Surveyor Four-Year Term** – Attorney Swink said HB99, which is rapidly moving through the legislature, allows the county to determine the County Executive's term of office and this fixes it as a four-year term. This ordinance clearly sets the term for any candidates filing for office this year.

Clerk Zollinger pointed out the effective date of the ordinance is not for two weeks and the filing period begins March 14, 2014.

**(Attachment 3)**

**ACTION: Motion by Council member Zilles to waive the rules and approve Ordinance No. 2014-05 – County Executive Surveyor Four-Year Term. Yeates seconded the motion. The vote was unanimous, 7-0.**

**Ordinance No. 2014-05:** The motion passed 7-0.

	<u>BUTTARS</u>	<u>MERRILL</u>	<u>POTTER</u>	<u>ROBISON</u>	<u>WHITE</u>	<u>YEATES</u>	<u>ZILLES</u>	<u>VOTES CAST</u>
AYE	X	X	X	X	X	X	X	7
NAY								0
ABSTAINED								0
ABSENT								0

- **Resolution No. 2014-06 – Amendments to 2014 Budget**

**(Attachment 4)**

**ACTION: Motion by Council member Yeates to approve Resolution No. 2014-06- Amendments to 2014 Budget. Robison seconded the motion. The vote was unanimous, 7-0.**

- **Property Tax Deferral Requests** – Executive Lemon presented two requests and recommended payment of 2009 penalties and interest by March 31, 2014 and the balance owing to be paid by December 31, 2014. *(Details are on file in the office of the Cache County Auditor's Office.)*

**ACTION: Motion by Council member Yeates to approve the Property Tax Deferral Requests as outline by Executive Lemon. Robison seconded the motion. The vote was unanimous.**

- **Discussion – Acquisition of Tablets for Council Members and Transition to County email Addresses** – After discussion the decision is for the county to buy the tablets and Council members are to return them to the county when they leave office. Janeen Allen advised the Council that the IT office has recommended the Apple iPad. Each Council member is to inform Allen which tablet they prefer.

**OTHER BUSINESS**

- ✓ **Meetings with Legislators during Legislative Session** – Saturdays at 7:30 a.m. beginning February 1, 2014 and running through March 8, 2014-Cache County Administration Building Multipurpose Room. Chairman Potter stated there are two meetings left. Attorney Swink and Director Runhaar referred to HB387 allowing property owners to vacate public roads and recommended the county oppose the bill.
- ✓ **2014 UAC Management Conference – April 16-18, 2014 – Salt Lake City** – Allen needs to know who is planning to attend.

**COUNCIL MEMBER REPORTS**

**Craig “W” Buttars** received notification that Secure Rural Schools funding is again available. The Resource Advisory Committee (RAC) has been activated and Buttars asked if any Council member is interested in serving. Council members are satisfied to have Buttars remain on the committee.

**Gordon Zilles** reported he heard the Utah National Guard Armory in Logan may be closed and thought the county would be interested in the property. Executive Lemon will contact the Guard about the property.

**Chairman Val Potter** said with the notice of Erickson's retirement, the Council needs to discuss the possibility of a Public Works Director position.

**Director Josh Runhaar** advised the Council that Weber County has asked for Cache County's approval of a change in the original agreement for the portion of Powder Mountain development that lies within Cache County. Runhaar said the original survey was off and with the new survey Cache County will be agreeing to three subdivision lots and nine cabin sites instead of the original three subdivision lots and two cabin sites. Runhaar does not feel comfortable giving an answer without the Council's agreement.

Council member White asked if there is the option to suspend the whole agreement in light of the requested change. Runhaar and Swink said that is an option.

Attorney Swink feels that people who want to develop in Cache County should come in the "front door" and not the "back door." Powder Mountain should contact Cache County, not Weber County.

This will be an agenda item on March 11, 2014.

Director Runhaar also voiced concerns that the recent motion that the County will not hear any rezone applications is a due process issue and the Council must hear them. The Council can deny or whatever, but they must be heard.

Swink said the proper procedure is for a Council member who voted for the moratorium to move to reconsider at the next Council meeting. Swink believes the rezone applications must be considered on a case-by-case basis.

**Executive Session** – Utah Code 52-4-205(1)(c) – Discussion of pending litigation .

**ACTION: Motion by Council member Zilles to adjourn to an Executive Session to discuss pending litigation. Robison seconded the motion. The vote was unanimous, 7-0.**

**The Council adjourned to an Executive Session at 7:58 p.m.**

**The Council Adjourned from the Executive Session at 9:05 p.m.**

**ADJOURNMENT**

The Council meeting adjourned at 9:05 p.m.

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**ATTEST:** Jill N. Zollinger  
County Clerk

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**APPROVAL:** Val Potter  
Chairman

# ORDINANCE NO. 2014-02

CACHE COUNTY, UTAH

## MOAKE REZONE

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### AN ORDINANCE AMENDING THE COUNTY ZONING MAP

WHEREAS, the “County Land Use Development and Management Act,” Utah Code Ann. §17-27a-101 *et seq.*, as amended (the “Act”), provides that each county may enact a land use ordinance and a zoning map establishing regulations for land use and development, and;

WHEREAS, pursuant to the act, the County’s Planning Commission (the “Planning Commission”) shall prepare and recommend to the county’s legislative body, following a public hearing, a proposed land use ordinance and a zoning map, or amendments thereto, that represent the Planning Commission’s recommendations for zoning the area within the county, and;

WHEREAS, the act also provides certain procedures for the county’s legislative body to adopt or amend the land use ordinance and zoning map for the county, and;

WHEREAS, the Planning Commission caused notice of the hearing to be advertised at least ten (10) days before the date of the public hearing in *The Herald Journal*, a newspaper of general circulation in Cache County, and;

WHEREAS, on November 7, 2013, at 5:40 P.M. the Planning Commission held a public hearing for a rezone from the Agricultural (A10) Zone to the Rural 2 (RU2) Zone, which meeting was preceded by all required legal notice and at which time all interested parties were given the opportunity to provide written or oral comment concerning the proposed rezone, and;

WHEREAS, on November 7, 2013 the Planning Commission recommended the approval of said rezone (5, 0) and forwarded such recommendation to the County Council for final action, and;

WHEREAS, on December 10, 2013, 5:30 P.M., the County Council held a public hearing to consider any comments regarding the proposed rezone. The County Council accepted all comments, and;

WHEREAS, after careful consideration of the recommendation of the Planning Commission, comments at the public hearing and other public meetings where such proposed rezone was discussed, the Council has determined that it is in the best interest of the health, safety and welfare of the citizens of Cache County to approve such rezone;

NOW, THEREFORE, the County Legislative Body of Cache County ordains as follows:

1. Statutory Authority.

The statutory authority for enacting this ordinance is Utah Code Annotated Sections 17-27a Part 1 and Part 3, and 17-53 Part 2 (1953, as amended to date).

2. Approval of Rezone.  
The County Council hereby rezones parcel 12-046-0003 as described within Exhibit A currently zoned as the Agricultural (A10) Zone to the Rural (RU2) Zone.
3. Adoption of Amended Zoning Map.  
The County Council hereby amends the county's zoning map to reflect the rezone of the property affected by this ordinance and hereby adopts the amended zoning map that is attached as Exhibit B, of which a detailed digital or paper copy is available in the Development Services Department.
4. Findings
  - A. The location of the subject property is compatible with the purpose of the proposed Rural 2 zoning district and is appropriately served by suitable public roads, has access to necessary water and utilities, and has adequate public service provision.
  - B. The subject property is suitable for development within the proposed Rural 2 zoning district without increasing the need for variances or special exceptions.
  - C. The subject property is suitable as a location for all of the permitted uses within the proposed Rural 2 zoning district as there is an existing cluster of homes in the immediate area.
  - D. The subject property, when used for the permitted uses in the Rural 2 zoning district, would be compatible with adjoining land uses.
5. Severability.  
All parts of this ordinance are severable, and if any section, paragraph, clause or provision of this ordinance shall, for any reason, be held to be invalid or unenforceable, the invalidity or unenforceability of any such section, paragraph, clause or provision shall not affect the remaining sections, paragraphs, clauses or provisions of this ordinance.
6. Prior Ordinances, Resolutions, Policies and Actions Superseded.  
This ordinance amends and supersedes the Zoning Map of Cache County, and all prior ordinances, resolutions, policies, and actions of the Cache County Council to the extent that the provisions of such prior ordinances, resolutions, policies, or actions are in conflict with this ordinance. In all other respects, such prior ordinances, resolutions, policies, and actions shall remain in full force and effect.
7. Exhibits.  
Exhibit A: Description/map of parcel 12-046-0003.  
Exhibit B: Zoning Map of Cache County
8. Effective Date.  
This ordinance takes effect on March 12, 2014. Following its passage but prior to the effective date, a copy of the ordinance shall be deposited with the County Clerk and a short summary of the ordinance shall be published in a newspaper of general circulation within the county as required by law.

APPROVED AND ADOPTED this 25<sup>th</sup> day of February 2014.

	In Favor	Against	Abstained	Absent
Potter	X			
Buttars	X			
White		X		
Merrill	X			
Robison	X			
Yeates	X			
Zilles	X			
Total	6	1		

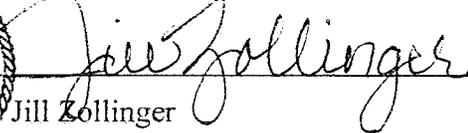
CACHE COUNTY COUNCIL



Val Potter, Chair  
Cache County Council



ATTEST:



Jill Zollinger  
Cache County Clerk

Publication Date:

March 12, 2014

Ordinance 2014-02: Exhibit A

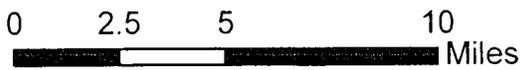
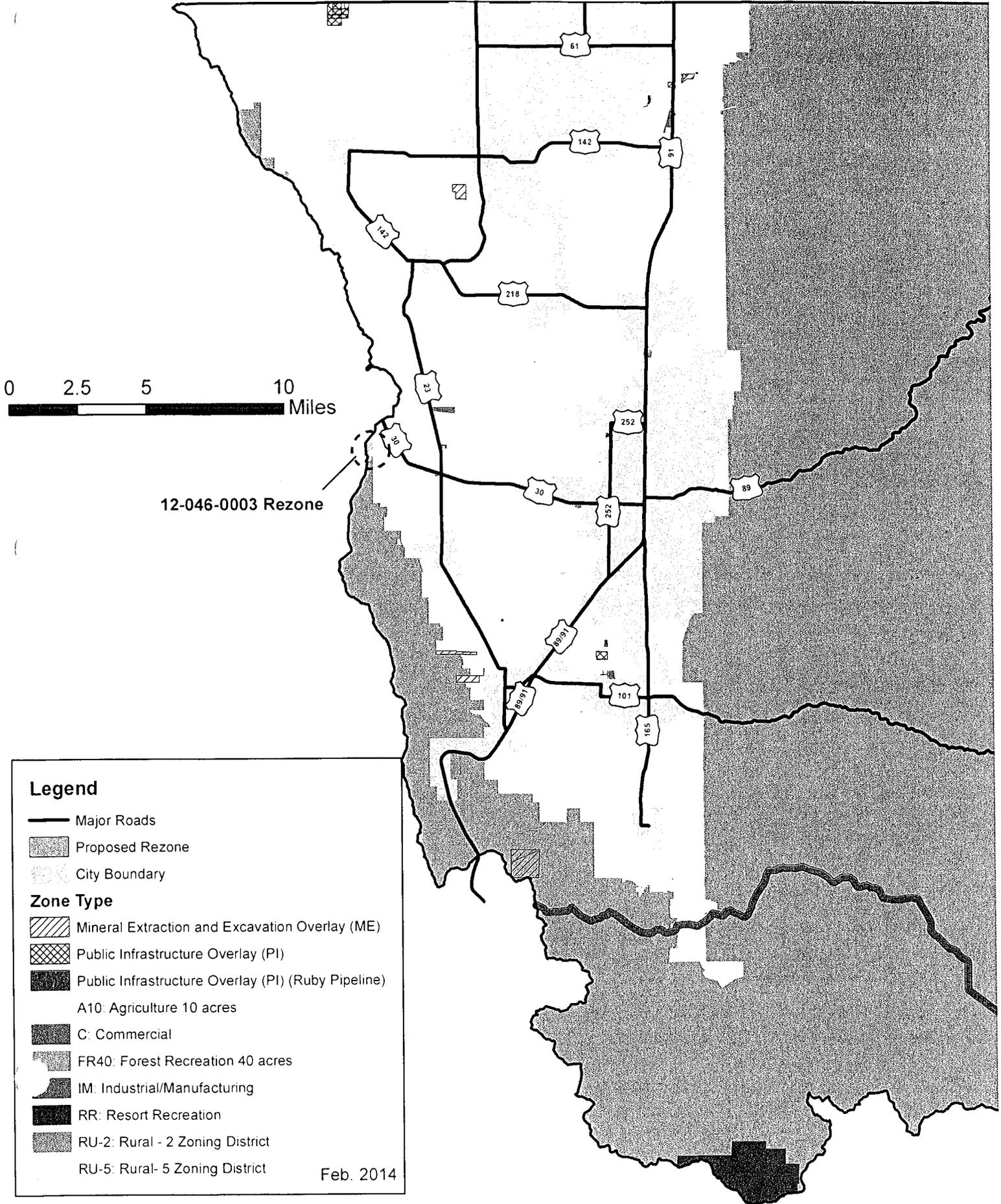


N↑

**Legal Description - 12-046-0003:**

BEG S 0°10'27" E 2518 FT OF NE COR SEC 23 T 12N R 2W & TH S 0°10'27" E ALG SEC LN 544.5 FT TH S 89°49'33" W 800 FT TH N 0°10'27" W 544.5 FT TH N 89°49'33" E 800 FT TO BEG WITH & SUBJ TO 49.5 FT ESMNT ALG E SEC LN CONT 10.0 AC

# Exhibit B: Ordinance 2014-02 Zoning Map of Cache County



## Legend

- Major Roads
- ▨ Proposed Rezone
- - - City Boundary
- Zone Type**
- ▨ Mineral Extraction and Excavation Overlay (ME)
- ▩ Public Infrastructure Overlay (PI)
- Public Infrastructure Overlay (PI) (Ruby Pipeline)
- A10: Agriculture 10 acres
- C: Commercial
- ▨ FR40: Forest Recreation 40 acres
- IM: Industrial/Manufacturing
- RR: Resort Recreation
- ▨ RU-2: Rural - 2 Zoning District
- ▨ RU-5: Rural - 5 Zoning District

Feb. 2014



MEMORANDUM

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**Date:** 20 February 2014  
**To:** Cache County Council  
**From:** Cache County Development Services  
**Subject:** DD Auto deadline extension request

This memorandum has been prepared to assist the County Council in their consideration of the current request of DD Auto and Salvage to extend the expiration of approval for the expansion of the existing conditional use permit.

- Noncompliance Noted: 25 September 2007 Council noted noncompliance in consideration of a rezone request.
- Clean Up Agreement: 23 October 2007 Developer agreed to clean up and screen the proposed salvage yard as part of a rezone process. Developer failed to meet the conditions of the agreement.
- Notice of Violation: 27 October 2008 Illegal expansion of salvage yard, violation of setback, lack of general upkeep.
- Compliance: 05 November 2008 Violations resolved with the exception of the illegal expansion.
- CUP Application: 07 July 2010 Request to expand CUP area to reflect existing illegal expansion and future expansion needs.
- Approval of CUP Expansion: 28 February 2012 Council conditionally approved the CUP expansion. CUP must be recorded by 28 February 2013
- Failure to Comply/Expiration and Extension of Deadline: 26 February 2013 Violation unresolved. Developer had not recorded the CUP as conditions had not been met, and therefore submitted letter to Council requesting extension. Council approved a 1 year extension per the developer's request. New deadline – 28 February 2014.
- Failure to Comply/Expiration and Extension of Deadline: 25 February 2014 Violation unresolved. Developer had not recorded the CUP as conditions had not been met, and therefore submitted letter to Council requesting extension. Council to hear developer's request to extend deadline.

Items that remain to be completed include:

1. 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.
2. 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.

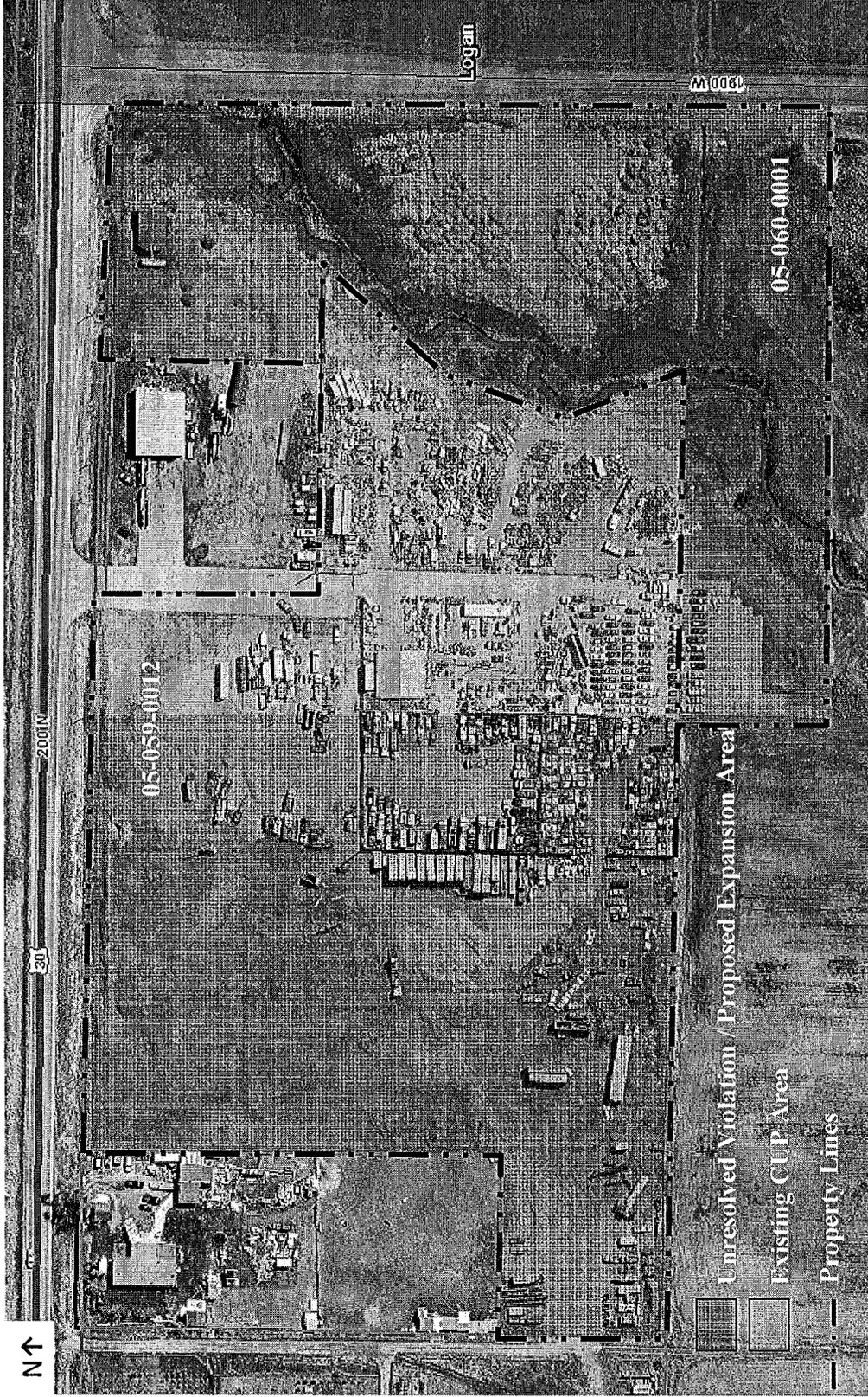
Staff has determined the following:

1. The violations of the Cache County Code have continued at this site unresolved.
2. Legal action to correct the violation has been suspended to allow the developer to come into compliance through the conditional use permit process.
3. The developer has failed to meet the requirements and conditions of that permit approval.
4. The developer has shown a consistent pattern of failure to comply with previous and existing conditional use permit requirements and with County Code.

Staff therefore recommends that in Council's consideration to extend the conditional use permit expansion approval, that either:

- A. The request be rejected, the CUP void, and legal action to correct the existing violations proceed. An application for CUP expansion may be made when the site is in compliance with the existing CUP, County Code, and when the developer is able to comply with the requirements that are likely to be incurred in the expansion of the existing CUP.
- B. The request be approved, and legal actions to correct the existing violations remain suspended with the condition that the developer resolve all violations immediately. This means that any and all material and/or operations must be removed from the site outside the approved, existing conditional use permit area as identified on the attached map, and that said area be in compliance with the requirements of the existing CUP.

# DD Auto & Salvage



Aerial image - 2012

# DD Auto & Salvage

Feb. 14, 2014

About a year ago, the County council met and approved an extension of the conditional use permit for DD Auto and salvage. This agreement is set to expire. I request the opportunity to discuss this matter at the next available council meeting for an extension of this agreement.

Sincerely,



David Grange

**CACHE COUNTY  
ORDINANCE 2014-05**

**COUNTY EXECUTIVE/SURVEYOR TERM OF OFFICE**

WHEREAS, Section 2.008.060 of the Cache County Code consolidated the offices of Cache County Executive and Cache County Surveyor; and

WHEREAS, The County Executive/Surveyor has been fulfilling the statutory requirements of both offices; and

WHEREAS, The County Executive/Surveyor has directed the surveying for the county by utilizing a surveyor employed by Cache County; and

WHEREAS, The County Executive/Surveyor has now contracted out surveying work; and

WHEREAS, Section 2.008.010(A) of the Cache County Code sets forth that the County Executive is the chief executive officer and that he shall be elected by the qualified voters for a term of four (4) years; and

WHEREAS, it is appropriate that the term of office for the County Executive/Surveyor be for years; and

WHEREAS, the Council finds that it is neither necessary nor prudent to create a six year term for the Executive/Surveyor Office; and

WHEREAS, the Council finds it in the best interest of the citizens of Cache County to retain the four year term of office for the County Executive/Surveyor.

NOW THEREFORE IT IS ORDAINED THAT the County Executive/Surveyor will be elected to a four year term of office by the voters of Cache County on the current election cycle.

This Ordinance shall become effective fifteen (15) days after its passage and upon proper publication in a newspaper published and having general circulation in Cache County.

PASSED BY THE COUNTY COUNCIL OF CACHE COUNTY, UTAH THIS  
FEBRUARY 25, 2014.

	In Favor	Against	Abstained	Absent
Potter	X			
Robison	X			
Buttars	X			
Merrill	X			
White	X			
Yeates	X			
Zilles	X			
Total	7			

CACHE COUNTY COUNCIL

By: 

Val K. Potter, Chairman

ATTEST:



By: 

Jill N. Zollinger, Cache County Clerk

Publication Date: March 12, 2014

RESOLUTION NO. 2014 - 06

A RESOLUTION INCREASING THE BUDGET APPROPRIATIONS FOR CERTAIN COUNTY DEPARTMENTS.

The Cache County Council, in a duly convened meeting, pursuant to Sections 17-36-22 through 17-36-26, Utah Code Annotated, 1953 as amended, finds that certain adjustments to the Cache County budget for 2014 are reasonable and necessary; that the said budget has been reviewed by the County Finance Director with all affected department heads; that a duly called hearing has been held and all interested parties have been given an opportunity to be heard; that the County Council has given due consideration to matters discussed at the public hearing and to any revised estimates of revenues; and that it is in the best interest of the County that these adjustments be made.

NOW THEREFORE, it is hereby resolved that:

Section 1.

The following adjustments are hereby made to the 2014 budget for Cache County:

See attached

Section 2.

Other than as specifically set forth above, all other matters set forth in the 2014 budget shall remain in full force and effect.

Section 3.

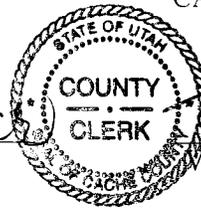
This resolution shall take effect immediately upon adoption and the County Finance Director and other county officials are authorized and directed to act accordingly.

This resolution was duly adopted by the Cache County Council on the 25th day of February, 2014.

ATTESTED TO:

CACHE COUNTY COUNCIL

*Jill N. Zollinger*  
Jill N. Zollinger, Cache County Clerk



*Michael K. Potter*  
Michael K. Potter, Chairman

FUND 100 GENERAL FUND REVENUES

ACCOUNT	DESCRIPTION	Current Budget	Recommended Decrease DEBIT	Increase CREDIT	Amended Budget	Reason for Change
100-33-10400	FED GRANT - HOMELAND SECURITY	\$ -	\$ -	\$ (10,177)	\$ (10,177)	EOC Chairs/Incident Command Trailer Monitors
100-38-90000	APPROPRIATED SUPRLUS	(772,600)	-	(7,556)	(780,156)	SWAT Team Firearms
	Totals			(17,733)		
	Net Adjustment				(17,733)	

FUND 100 GENERAL FUND EXPENDITURES

ACCOUNT	DESCRIPTION	Current Budget	Recommended Increase DEBIT	Decrease CREDIT	Amended Budget	Reason for Change
100-4112-110	COUNCIL - SALARY	81,835	490	-	82,325	Compensation increases
100-4131-110	EXECUTIVE - SALARY	113,475	980	-	114,455	Compensation increases
100-4132-110	FINANCE - SALARY	210,589	1,060	-	211,649	Compensation increases
100-4132-120	FINANCE - TEMPORARY EMPLOYEES	24,222	850	-	25,072	Compensation increases
100-4134-110	HR - SALARY	97,854	4,150	-	102,004	Compensation increases
100-4134-130	HR - EMPLOYEE BENEFITS	45,028	590	-	45,618	Compensation increases
100-4135-110	GIS - SALARY	139,629	3,410	-	143,039	Compensation increases
100-4135-130	GIS - EMPLOYEE BENEFITS	68,933	70	-	69,003	Compensation increases
100-4136-110	ITS - SALARY	306,559	9,850	-	316,409	Compensation increases
100-4136-130	ITS - EMPLOYEE BENEFITS	139,941	880	-	140,821	Compensation increases
100-4142-110	CLERK - SALARY	103,783	2,070	-	105,853	Compensation increases
100-4142-130	CLERK - EMPLOYEE BENEFITS	42,549	1,630	-	44,179	Compensation increases
100-4143-110	TREASURER - SALARY	164,303	2,050	-	166,353	Compensation increases
100-4144-110	RECORDER - SALARY	194,654	2,280	-	196,934	Compensation increases
100-4144-130	RECORDER - EMPLOYEE BENEFITS	80,028	140	-	80,168	Compensation increases
100-4145-110	ATTORNEY - SALARY	835,182	14,260	-	849,442	Compensation increases
100-4148-110	VOCA - SALARY	113,074	3,130	-	116,204	Compensation increases
100-4148-130	VOCA - EMPLOYEE BENEFITS	42,121	190	-	42,311	Compensation increases
100-4149-110	VAWA - SALARY	73,423	2,910	-	76,333	Compensation increases
100-4149-120	VAWA - TEMPORARY EMPLOYEES	19,533	400	-	19,933	Compensation increases
100-4149-130	VAWA - EMPLOYEE BENEFITS	27,245	400	-	27,645	Compensation increases
100-4160-110	BUILDINGS - SALARY	38,846	1,150	-	39,996	Compensation increases
100-4160-120	BUILDINGS - TEMPORARY EMPLOYEES	47,478	550	-	48,028	Compensation increases
100-4160-130	BUILDINGS - EMPLOYEE BENEFITS	14,145	5,450	-	19,595	Compensation increases
100-4170-110	ELECTIONS - SALARY	93,412	1,840	-	95,252	Compensation increases
100-4170-120	ELECTIONS - TEMPORARY EMPLOYEES	18,320	270	-	18,590	Compensation increases
100-4210-110	CRIMINAL - SALARY	1,647,009	44,730	-	1,691,739	Compensation increases
100-4210-120	CRIMINAL - TEMPORARY EMPLOYEES	15,978	160	-	16,138	Compensation increases
100-4210-740	CRIMINAL - CAPITALIZED EQUIPMENT	410,000	7,556	-	417,556	SWAT Team Firearms
100-4211-110	ADMIN/SUPPORT - SALARY	921,919	12,300	-	934,219	Compensation increases
100-4211-120	ADMIN/SUPPORT - TEMP EMPLOYEES	73,184	920	-	74,104	Compensation increases
100-4220-110	FIRE - SALARY	194,550	5,110	-	199,660	Compensation increases
100-4220-120	FIRE - TEMPORARY EMPLOYEES	9,282	160	-	9,442	Compensation increases
100-4220-130	FIRE - EMPLOYEE BENEFITS	101,342	850	-	102,192	Compensation increases
100-4220-130	EMPLOYEE BENEFITS	101,342	1,590	-	102,932	Compensation increases
100-4230-110	JAIL - SALARY	3,229,922	210,570	-	3,440,492	Compensation increases
100-4230-120	JAIL - TEMPORARY EMPLOYEES	136,484	2,870	-	139,354	Compensation increases
100-4230-130	JAIL - EMPLOYEE BENEFITS	2,213,436	37,530	-	2,250,966	Compensation increases
100-4253-110	ANIMAL CONTROL - SALARY	47,511	460	-	47,971	Compensation increases
100-4253-120	ANIMAL CONTROL - TEMP EMPLOYEES	19,650	180	-	19,830	Compensation increases
100-4255-110	EOC - SALARY	102,876	2,070	-	104,946	Compensation increases
100-4255-254	EOC - (HLS) NON-CAPITALIZED EQUIP	7,000	10,177	-	17,177	EOC Chairs/Incident Command Trailer Monitors
100-4511-110	FAIRGROUNDS - SALARY	72,119	2,660	-	74,779	Compensation increases
100-4511-120	FAIRGROUNDS - TEMP EMPLOYEES	44,728	240	-	44,968	Compensation increases
100-4511-130	FAIRGROUNDS - EMPLOYEE BENEFITS	52,946	330	-	53,276	Compensation increases
100-4581-120	LIBRARY - TEMPORARY EMPLOYEES	30,948	710	-	31,658	Compensation increases
100-4960-605	COMPENSATION ADJUSTMENTS	444,128	-	(384,490)	59,638	Compensation increases
	Totals		402,223	(384,490)		
	Net Adjustment				17,733	

FUND 150 ASSESSING & COLLECTING EXPENDITURES

ACCOUNT	DESCRIPTION	Current Budget	Recommended Increase DEBIT	Decrease CREDIT	Amended Budget	Reason for Change
150-4146-110	SALARY	756,622	37,330	-	793,952	Compensation increases
150-4146-130	EMPLOYEE BENEFITS	409,957	7,010	-	416,967	Compensation increases
150-4146-605	COMPENSATION ADJUSTMENTS	64,214	-	(44,340)	19,874	Compensation increases
	Totals		44,340	(44,340)		
	Net Adjustment					

**FUND 200 MUNICIPAL SERVICES FUND REVENUES**

ACCOUNT	DESCRIPTION	Current Budget	Recommended		Amended Budget	Reason for Change
			Decrease DEBIT	Increase CREDIT		
200-38-90000	APPROPRIATED SURPLUS - CLASS B	(13,930)	-	(6,050)	(24,980)	Compensation increases
	Totals			(6,050)		
	Net Adjustment				(6,050)	

**FUND 200 MUNICIPAL SERVICES FUND EXPENDITURES**

ACCOUNT	DESCRIPTION	Current Budget	Recommended		Amended Budget	Reason for Change
			Increase	Decrease		
200-4180-110	ZONING - SALARY	182,912	9,040	-	191,952	Compensation increases
200-4180-130	ZONING - EMPLOYEE BENEFITS	101,473	1,420	-	102,893	Compensation increases
200-4241-110	BLDG INSPECT - SALARY	211,014	3,800	-	214,814	Compensation increases
200-4415-110	ROAD - SALARY	500,878	10,180	-	511,058	Compensation increases
200-4415-120	ROAD - TEMPORARY EMPLOYEES	9,746	60	-	9,806	Compensation increases
200-4415-120	ROAD - EMPLOYEE BENEFITS	291,712	1,860	-	293,572	Compensation increases
200-4450-110	SALARY	67,171	1,030	-	68,201	Compensation increases
200-4960-605	COMPENSATION ADJUSTMENTS	24,751	-	(21,340)	3,411	Compensation increases
	Totals		27,390	(21,340)		
	Net Adjustment				6,050	

**FUND 230 VISITORS BUREAU EXPENDITURES**

ACCOUNT	DESCRIPTION	Current Budget	Recommended		Amended Budget	Reason for Change
			Increase	Decrease		
230-4780-110	SALARY	89,594	2,010	-	91,604	Compensation increases
230-4780-120	TEMPORARY EMPLOYEES	35,351	660	-	36,011	Compensation increases
230-4780-130	EMPLOYEE BENEFITS	33,424	80	-	33,504	Compensation increases
230-4780-605	COMPENSATION ADJUSTMENTS	2,996	-	(2,750)	246	Compensation increases
	Totals		2,750	(2,750)		
	Net Adjustment					

**FUND 240 COUNCIL ON AGING REVENUE**

ACCOUNT	DESCRIPTION	Current Budget	Recommended		Amended Budget	Reason for Change
			Decrease DEBIT	Increase CREDIT		
240-38-90000	APPROPRIATED SURPLUS	(16,134)	-	(14,210)	(30,344)	Compensation increases; insurance
	Totals			(14,210)		
	Net Adjustment				(14,210)	

**FUND 240 COUNCIL ON AGING FUND EXPENDITURES**

ACCOUNT	DESCRIPTION	Current Budget	Recommended		Amended Budget	Reason for Change
			Increase	Decrease		
240-4960-605	MERIT & MARKET ADJ POOL	5,980	-	(5,980)	-	Compensation increases
240-4970-110	NUTRITION - SALARY	110,301	1,530	-	111,831	Compensation increases
240-4970-120	NUTRITION - TEMPORARY EMPLOYEES	34,297	870	-	35,167	Compensation increases
240-4970-130	NUTRITION - EMPLOYEE BENEFITS	53,969	4,770	-	58,739	Compensation increases; insurance
240-4971-110	CENTER - SALARY	59,520	450	-	59,970	Compensation increases
240-4971-120	CENTER - TEMPORARY EMPLOYEES	8,436	770	-	9,206	Compensation increases
240-4971-130	CENTER - EMPLOYEE BENEFITS	28,626	5,280	-	33,906	Compensation increases; insurance
240-4973-110	RSVP - SALARY	23,014	90	-	23,104	Compensation increases
240-4974-110	ACCESS - SALARY	57,726	430	-	58,156	Compensation increases
240-4974-120	ACCESS - TEMPORARY EMPLOYEES	8,436	770	-	9,206	Compensation increases
240-4974-130	ACCESS - EMPLOYEE BENEFITS	27,719	5,230	-	32,949	Compensation increases; insurance
	Totals		20,190	(5,980)		
	Net Adjustment				14,210	

**FUND 277 AIRPORT FUND EXPENDITURES**

ACCOUNT	DESCRIPTION	Current Budget	Recommended		Amended Budget	Reason for Change
			Increase	Decrease		
277-4460-110	SALARY	68,967	1,600	-	70,567	Compensation increases
277-4460-605	MERIT & MARKET ADJ POOL	1,748	-	(1,600)	148	Compensation increases
	Totals		1,600	(1,600)		
	Net Adjustment					

FUND 290 CHILDRENS JUSTICE CENTER REVENUES

ACCOUNT	DESCRIPTION	Current Budget	Recommended Decrease DEBIT	Increase CREDIT	Amended Budget	Reason for Change
290-38-90000	APPROPRIATED FUND BALANCE	-	-	(1,916)	(1,916)	
	Totals		-	(1,916)		
	Net Adjustment				(1,916)	

FUND 290 CHILDRENS JUSTICE CENTER EXPENDITURES

ACCOUNT	DESCRIPTION	Current Budget	Recommended Increase DEBIT	Decrease CREDIT	Amended Budget	Reason for Change
290-4149-110	SALARY	95,264	1,880	-	97,144	Compensation increases
290-4149-120	TEMPORARY EMPLOYEES	9,000	460	-	9,460	Compensation increases
290-4149-130	EMPLOYEE BENEFITS	37,640	1,950	-	39,590	Compensation increases
290-4149-605	MERIT & MARKET ADJ POOL	2,374	-	(2,374)	-	Compensation increases
	Totals		4,290	(2,374)		
	Net Adjustment				1,916	

FUND 295 AMBULANCE FUND EXPENDITURES

ACCOUNT	DESCRIPTION	Current Budget	Recommended Increase DEBIT	Decrease CREDIT	Amended Budget	Reason for Change
295-4262-120	TEMPORARY EMPLOYEES	163,402	2,880	-	166,282	Compensation increases
295-4262-130	EMPLOYEE BENEFITS	15,544	260	-	15,804	Compensation increases
295-4262-605	MERIT & MARKET ADJ POOL	3,161	-	(3,140)	21	Compensation increases
	Totals		3,140	(3,140)		
	Net Adjustment				-	

FUND 390 CAPITAL PROJECTS FUND REVENUES

ACCOUNT	DESCRIPTION	Current Budget	Recommended Decrease DEBIT	Increase CREDIT	Amended Budget	Reason for Change
390-38-90000	APPROPRIATED FUND BALANCE	\$ -	\$ -	\$ (170,000)	\$ (170,000)	Storage Building at Fairgrounds
	Totals			(170,000)		
	Net Adjustment				(170,000)	

FUND 390 CAPITAL PROJECTS FUND EXPENDITURES

ACCOUNT	DESCRIPTION	Current Budget	Recommended Increase DEBIT	Decrease CREDIT	Amended Budget	Reason for Change
390-4710-720	BUILDINGS	\$ -	\$ 170,000	\$ -	\$ 170,000	Storage Building at Fairgrounds
	Totals		170,000	-		
	Net Adjustment				170,000	