

## APPROVED MINUTES

### CACHE COUNTY COUNCIL

**August 10, 2021 at 5:00 p.m. - Cache County Chamber at 199 North Main, Logan, Utah.**

*In accordance with the requirements of Utah Code Annotated Section 52-4-203, the County Clerk records in the minutes the names of all persons who appear and speak at a County Council meeting and the substance "in brief" of their comments. Such statements may include opinion or purported facts. The County does not verify the accuracy or truth of any statement but includes it as part of the record pursuant to State law.*

**MEMBERS PRESENT:** Chair Gina H. Worthen; Vice Chair Barbara Tidwell (via phone); Council Members Karl B. Ward, Paul R. Borup, David L. Erickson, Gordon A. Zilles

**MEMBERS EXCUSED:** Nolan Gunnell

**STAFF PRESENT:** County Executive David Zook, Deputy Attorney John Luthy, Clerk/Auditor Jess Bradfield, Finance Director Cameron Jensen, HR Director Amy Adams, Fire Chief Rod Hammer, Sheriff Chad Jensen, IT Director Bart Nelson, Janeen Allen

#### **OTHER ATTENDANCE:**

#### **Council Workshop (2022 County Budget)**

**1. Call to Order 3:00p.m.** – Council Chair Gina H. Worthen

**2. Cache County Budget** – County Executive David Zook presented an overview of the budget process, as well as the current budget being \$100 Million, compared to last year's \$70 Million with the reasons of ARPA funding and CCCOG money that he mentions council has approved, but the county does not use. He mentioned the guidance from the Government Finance Officers Association and looking into the improvements that can be made from their list of budgeting guidelines. Chair Worthen asked for clarification on why certified property tax rate was not included on the budget. Zook addressed those concerns. Zook stated that \$12.5 Million ARPA funding will be in the budget with no CARES Act money.

Cameron Jensen then presented the tentative budget and the general fund revenue. Council member Ward brought up the concern of the recent increase of the tax valuation notice. Jensen addressed his concerns and mentioned that the county has taxed 40% of what the state has allowed. Jensen then went over the revenue from sales tax and charges for services. After discussing county revenue, Jensen then discussed the general fund expenditures. Chair Worthen asked if the county was separating ambulance and fire between the cities, citing concerns that the northern part of the valley is paying for the southern part of the valley. Executive Zook addressed the question by saying that it will be separated within this budget. Jensen then went over the bonds that the county is currently paying for; they include the Sheriff's Complex, Event Center and the Road Facility Building. Exec Zook would like to make a goal to pay off the road building as soon as possible to put that funding to road projects throughout the county. Worthen asked how projects get into the Capital Improvement Plan. Jensen addressed the question by stating he went to each department that was deemed critical or necessary. Due to lack of waiting for supplies, the animal impound facility and the acquisition of the armory will be appropriated in next year's budget. He then went over the compensation for raises for county employees. Council member Ward asked what market was being surveyed that helped with the decision of the raises. HR Director Amy Adams answered the question by stating the market surveys that the county uses are 5 different counties, 11 different cities (as a minimum) as well as a community and state market survey. Council member Erickson asked what fund would receive the revenue from properties sold by the county. Jensen addressed concerns mentioning that most of the funds will go into the general fund, with the exception of the old road building, which will be in the municipal services fund- if the building were to be sold. Concerning the old road building, Sheriff Jensen proposed an idea that the sheriff's office could use the building for storage and for Search and Rescue. To close the meeting council addressed upcoming budget dates.

**3. Adjourn** – Approximately at 4:30pm

**MEMBERS PRESENT:** Chair Gina H. Worthen; Vice Chair Barbara Tidwell (via phone) Council Members: Karl B. Ward, Paul R. Borup, Nolan Gunnell, Gordon A. Zilles, David L. Erickson

**STAFF PRESENT:** County Executive David Zook, Deputy Attorney John Luthy, Finance Director Cameron Jensen, HR Director Amy Adams Fire Chief Rod Hammer, IT Director Bart Nelson, Janeen Allen, Chris Harrild

#### **OTHER ATTENDANCE:**

#### **Council Meeting**

**1. Call to Order 5:00p.m.** – Gina H. Worthen

**2. Opening Remarks and Pledge of Allegiance** – Council member Nolan Gunnell

**3. Review and Approval of Agenda**

**Action:** Motion made by Council member Erickson to approve the agenda; Seconded by Council member Gunnell

**Motion passes.**

**Aye:** 7 Gina H. Worthen, Barbara Tidwell, Karl B. Ward, Paul R. Borup, Nolan Gunnell, Gordon A. Zilles, David Erickson

**Nay:** 0

**Absent:**

#### 4. Review and Approval of Minutes

**Action:** Motion made by Council member Ward to delay approval of the minutes from the July 27 and August 3 meeting; Seconded by Council member Borup

**Motion passes.**

**Aye:** 7 Gina H. Worthen, Barbara Tidwell, Karl B. Ward, Paul R. Borup, Nolan Gunnell, Gordon A. Zilles, David Erickson

**Nay:** 0

#### 5. Report of the County Executive

- a. Reported on the beginning of the fair and the FEMA open house regarding the flood plain updates within the county. He also mentioned that interviews are underway for the public defender position. Zook met with Chris Wilson and Nathan Daus of possible water infrastructure projects. Mention of an upcoming mosquito abatement report to the council. Report given that the Bear River Health Department will not issue a mask mandate.
- b. July 2021 (Warrant Register)

#### 6. Items of Special Interest

- a. Appointment of Cache County Attorney

**Discussion:** By drawing names out of a cup each candidate will then have a three-minute final thought and then council will vote on the appointment. Jake Gordon was the first drawn. In his final thoughts, he believes he has the right experience for the job and is prepared to meet the needs of the county. Dane Murray during his three minutes expressed his appreciation for the council and for the law enforcement in the county; for their endorsement and the support his family has given him. John Luthy mentioned in his allotted time his choice to work in Cache County and his commitment to the county. Council member Borup in his comments towards candidates that he is confident that whoever is appointed the county is in good hands. Council member Erickson commented his number one priority is safety and number two civility. Council member Zilles was impressed with all three candidates, but his priority is on the civil side. Council member Tidwell commented on her appreciation for the candidates. Council member Gunnell thanked the candidates for running and said all are qualified. Chair Worthen's top priority as well as Council member Erickson's was public safety.

**Action:** Motion made by Council member Borup to appoint John Luthy as the next County Attorney; Seconded by Council member Zilles. **Motion passes.**

**Aye:** 5, Barbara Tidwell, Karl B. Ward, Paul R. Borup, Nolan Gunnell, Gordon A. Zilles

**Nay:** 2 Gina H. Worthen, David Erickson

#### 7. Department or Committee Reports

- a. Imagine Cache Plan Update

**Discussion:** Lauren from the Planning Department reported on the next round of public outreach. The outreach would be through online questionnaires and surveys. Also mentioned was the policy framework guided by the guiding principles.

- b. Update on Winery Ordinance

**Discussion:** Chris Harrild, Director of Development Services, gave a brief update of the Winery Ordinance. Planning Commission has taken council recommendations and came to the same conclusion by creating a new use type of "winery". Next steps for the winery: public hearing in September and confirm code language before it will be brought up to council.

#### 8. Board of Equalization Matters

- a. No Board of Equalization Matters presented for consideration

#### 9. Public Hearings

- a. Cache View Estates Ordinance 2021-19

**Discussion:** Chris Harrild gave a background of the property. Staff made a recommendation for denial for reasons that an accurate description of the property was not provided and the property is not appropriately served by suitable public roads. The Planning Commission recommended the denial as well. Matt Brown who applied for the rezone addressed what his plan will be with the land.

**Action:** Motion made by Council member Ward to close the public hearing; Seconded by Council member Erickson

**Motion passes.**

**Aye:** 7 Gina H. Worthen, Barbara Tidwell, Karl B. Ward, Paul R. Borup, Nolan Gunnell, Gordon A. Zilles, David Erickson

**Nay:** 0

- b. Resolution 2021-16

**Discussion:** County Attorney John Luthy discussed the resolution about selling plots from the county. The family wanting to buy the plots will

buy two plots and swap with the county as the county will surplus those two plots.

**Action:** Motion made by Council member Zilles to close the public hearing; Seconded by Council member Erickson.

**Motion passes.**

**Aye:** 7 Gina H. Worthen, Barbara Tidwell, Karl B. Ward, Paul R. Borup, Nolan Gunnell, Gordon A. Zilles, David Erickson

**Nay:** 0

#### 10. Pending Action

- a. No Pending Action

**11. Initial Proposals for Consideration of Action**

- a. Cache View Estates- Ordinance 2021-19 **DENIED ATTACHMENT 1**

**Discussion:** Council member Zilles stated to follow what they have done in the past and follow the recommendation from the planning Commission and deny.

**Action:** Motion made by Council member Zilles to waive the rules and deny Ordinance 2021- 19 Cache View Estates; Seconded by Council member Borup

**Motion passes.**

**Aye:** 7 Gina H. Worthen, Barbara Tidwell, Karl B. Ward, Paul R. Borup, Nolan Gunnell, Gordon A. Zilles, David L. Erickson

**Nay:** 0

- b. Resolution 2021-16 **APPROVED ATTACHMENT 2**

**Discussion:**

**Action:** Motion made by Council member Borup to waive the rules and approve Resolution 2021-16; Seconded Council member Erickson **Motion passes.**

**Aye:** 6 Barbara Tidwell, Karl B. Ward, Paul R. Borup, Nolan Gunnell, Gordon A. Zilles, David L. Erickson

**Nay:** 0

**Abstain:** 1 Gina H. Worthen

**12. Other Business**

- a. Cache County Attorney Swearing in Ceremony
- b. Cache County Fair and Rodeo
- c. CVTD Bus Rodeo
- d. Wellsville Founders Day
- e. Council Summer Social
- f. USACCC Fall Conference
- g. USU Homecoming Parade
- h. UAC Annual Conference

**13. Council Member Reports**

**David Erickson** – No Report

**Gordon Zilles** – Mentioned his gratitude for all three candidates for County Attorney

**Karl Ward** – Homeless Survey in September

**Barbara Tidwell** – Thankful for the freedom for having no mandates forced upon.

**Paul Borup** – COVID Response committee update shooting for Aug 30 for a meeting.

**Nolan Gunnell** – No Report

**Gina Worthen** – No Report

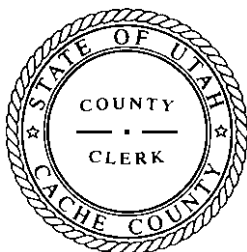
**15. Adjourn – approximately at 6:30 p.m.**



**ATTEST: Jess W. Bradfield**  
**County Clerk/Auditor**



**APPROVAL: Gina. H. Worthen**  
**Chair**



**CACHE COUNTY COUNCIL MEETING**  
**AUGUST 10, 2021**

**ATTACHMENT 1**

## Ordinance No. 2021-19

### Cache County, Utah

#### Cache View Estates Rezone

---

An ordinance request to amend the County Zoning Map by rezoning 8.82 acres from the Agricultural (A10) Zone to the Rural 2 (RU2) Zone

**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 Planning Commission caused notice of a public hearing for the rezone 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 July 8, 2021, the Planning Commission held a public hearing, accepted all comments, and recommended the denial of the proposed amendments to the County Council for final action; and

**Whereas**, the Act also provides certain procedures for the county legislative body to adopt or reject amendments to the land use ordinance and zoning map for the county; and

**Whereas**, following proper notice, the County Council held a public hearing on August 10, 2021, to consider any comments regarding the proposed rezone. The County Council accepted all comments; and

**Now, therefore**, the County Legislative Body of Cache County ordains as follows regarding the Cache View Estates Rezone request:

**1. Statutory Authority**

The statutory authority for acting on 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. Exhibits**

**A.** Exhibit A: Rezone summary and information.

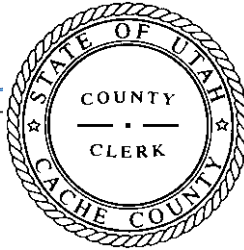
Action taken on 10 August, 2021.

	In Favor	Against	Abstained	Absent
Borup		X		
Erickson		X		
Gunnell		X		
Tidwell		X		
Ward		X		
Worthen		X		
Zilles		X		
Total		7		

Cache County Council:

Gina Worthen

Gina Worthen, Chair  
Cache County Council



Attest:

Jess Bradfield

Jess Bradfield  
Cache County Clerk

Publication Date: \_\_\_\_\_, 2021



## Hold a Public Hearing

### Ordinance 2021-19 Cache View Estates Rezone

**Agenda request submitted by:** Chris Harrild, Director – Forwarded from the County Planning Commission

**Assisting Department:** Development Services

**Requested Council meeting date:** August 10, 2021

**Agenda Item Language:** Hold a hearing for Ordinance 2021-19 Cache View Estates Rezone – A request to rezone 8.82 acres at 510 South 5650 West, near Mendon, from the Agricultural (A10) Zone to the Rural 2 (RU2) Zone.

**Recommendation:** Planning Commission – Denial (5-yea; 0-nay).

**Background:** A request to rezone 8.82 acres at 510 South 5650 West, near Mendon, from the Agricultural (A10) Zone to the Rural 2 (RU2) Zone.

**Fiscal Impact:** N/A

**Public Hearing Required:** Rezone requests require a public hearing before the County Planning Commission (PC). This hearing was held on July 8, 2021.

No additional hearing is required under the requirements of the State Code, however, the Council has previously directed it is beneficial to rehear the public comment and hold an additional hearing before the Council.

See attached for additional information.

**County Staff Presenter:** Chris Harrild

**Presentation Time:** No additional staff presentation time is anticipated.

**County Staff Point of Contact:** Angie Zetterquist, County Planner

**Legal Review:** N/A

**Ord 2021-19**  
**Cache View Estates Rezone**  
**Amending the Cache County Zoning Map by rezoning**  
**8.82 acres of property from the Agricultural (A10) Zone**  
**to the Rural 2 (RU2) Zone.**

## County Council action

Public hearing to be held on August 10, 2021.

If approved, the rezone will take effect 15 days from the date of approval.

## Planning Commission action

Denial (5-yea; 0-nay).

Public hearing held on July 8, 2021.

Conclusion: Based on the findings of fact noted [in the staff report], the Cache View Estates Rezone is hereby recommended for denial to the County Council as follows:

1. An accurate description of the subject property has not been provided.
2. The subject property is not appropriately served by suitable public roads. County Road 400 South does not meet the minimum standards of a Minor Local Road and is therefore substandard and not suitable.

### Staff Report review by Development Services Director

Chris Harrild

## Staff Report by County Planner

Angie Zetterquist

## General Description

This ordinance amends the County Zoning Map by rezoning 8.82 acres of property from the Agricultural (A10) Zone to the Rural 2 (RU2) Zone.

**Additional review materials included as part of Exhibit A**

## Staff Report to Planning Commission

Minutes from 8 July 2021 Planning Commission meeting (draft)



## Staff Report: Cache View Estates Rezone

8 July 2021

This staff report is an analysis of the application based on adopted county documents, standard county development practices, and available information. The report is to be used to review and consider the merits of the application. Additional information may be provided that supplements or amends this staff report.

**Agent:** Matt Brown

**Parcel ID#:** 11-011-0013

**Staff Recommendation:** Denial

**Type of Action:** Legislative

**Land Use Authority:** Cache County Council

### Location

*Reviewed by Angie Zetterquist*

**Project Address:**  
510 South 5650 West  
near Mendon

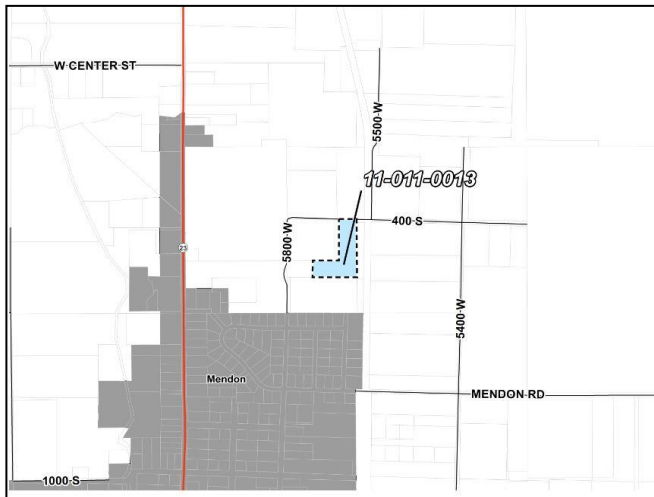
**Acres:** 8.82

### Surrounding Uses:

North – Agricultural  
South – Agricultural/Residential  
East – Agricultural  
West – Agricultural/Residential

**Current Zoning:**  
Agricultural (A10)

**Proposed Zoning:**  
Rural 2 (RU2)



## Findings of Fact

### A. Request description

1. A request to rezone 8.82 acres from the Agricultural (A10) Zone to the Rural 2 (RU2) Zone.
2. This rezone may allow the parcel to be legally divided into a maximum of 4 separate lots as part of a subdivision process.
3. Staff has identified general information as pertains to the subject property to assist the Planning Commission and County Council in arriving at a decision. This information is reflected in the attached map (Attachment A) and in the following text:

**B. Land Use Context:**

4. **Parcel status:** The subject property is legal as it is in the same size and configuration as August 8, 2006. Under the current density requirements of the Agricultural (A10) Zone, the subject property cannot be further divided. An accurate survey of the property is required. A boundary line adjustment was recorded between the subject property and two adjacent properties in February of 2021, however, it appears that it has not yet been reviewed by the County Recorder, and a record of survey has not been submitted to the County. Staff review of an accurate survey is required to verify the location of the property boundary.
5. **Average Lot Size:** There are 10 parcels immediately adjacent to the subject property in unincorporated County; two with a home and an average lot size of 5.6 acres and 8 without a home and an average lot size of 14.8 acres.
6. **Within a ¼ mile buffer of the proposed rezone,** there are no additional parcels in unincorporated County with a home. In the ¼ mile buffer area, there are 37 parcels in Mendon City with a home and an average size of 0.7 acres. Parcels without a home in the ¼ buffer area have an average size of 16.5 acres (19 parcels) in unincorporated County and 1.7 acres in Mendon (2 parcels).
7. **When the buffer is expanded to ½ mile of the proposed rezone:** parcels with a home in the County average 3.4 acres (10 parcels) and 0.9 acres in Mendon (116 parcels). There are 50 parcels without a home in the County within ½ mile of the proposed rezone averaging 17.2 acres and 24 parcels in Mendon without a home with an average size of 2.2 acres. (Attachment A)
8. **The proposed RU2 zone** allows a maximum density of 1 lot for every 2 acres, whereas the current A10 zone allows a maximum density of 1 lot for every 10 acres. With approximately 8.82 acres of property, the subject property cannot be further divided under the current A10 Zone standards. A rezone to RU2 may allow up to 4 buildable lots.
9. **Schedule of Zoning Uses:** Under the current County Land Use Ordinance, the RU2 Zone is more restrictive in the uses allowed when compared to the Agricultural (A10) Zone. There are no uses that are allowed as a permitted or conditional use within the RU2 Zone that are not allowed as a permitted or conditional use within the A10 Zone. The following uses are conditional uses in the A10 Zone but are not allowed in the RU2 Zone:
  - Agricultural Manufacturing
  - Recreational Facility
  - Cemetery
  - Private Airport
  - Concentrated Animal Feed Operation
  - Livestock Auction Facility
  - Topsoil Extraction
10. **Adjacent uses:** The properties adjacent to the subject rezone are primarily used for agriculture and single family dwellings and the boundary of Mendon City is west of the subject property divided by a 13.5-acre parcel. Properties located immediately to the north and south of the property are located in Agricultural Protection Areas.
11. **Annexation Areas:** The subject property is located within the Mendon City future annexation area. Mendon City was notified of the rezone request, but has not commented on the request at this time.
12. **Zone Placement:** As identified by the Planning Commission and the County Council at the time the RU2 Zone was adopted, the intended/anticipated placement of this zone was in areas of the unincorporated county adjacent to municipalities. The Mendon City boundary is immediately north of the subject property and separated by a single parcel to the west.

13. The nearest RU2 zone is approximately 1-mile south of the subject property by the most direct road route. This nearest RU2 zone was approved as the Mountain View Rezone in March 2021 (Ordinance 2021-08). The rezone was for a 6.69-acre parcel located on 5400 West, a maintained County road that required minimal improvements when the 3-lot subdivision was approved in June 2021.

**C. Ordinance—§17.02.060; §17.08.030 [C]**

14. As per §17.02.060, Establishment of Land Use Authority, the County Council is authorized to act as the Land Use Authority for this application.
15. The current County Land Use Ordinance does not specify appropriate locations for the Rural 2 (RU2) Zone but does contain possible guidelines for its implementation. County Land Use Ordinance §17.08.030 [B] [1] identifies the purpose of the RU2 Zone and includes the following:
- a. “To allow for residential development in a moderately dense pattern that can allow for rural subdivisions, and to allow for clustering plans larger than a single parcel. This type of development should be located and designed to not unreasonably impede adjacent agricultural uses, nor to unreasonably conflict with the development standards of adjacent municipalities.
  - b. To implement the policies of the Cache Countywide Comprehensive Plan, including those regarding improved roadways, density based residential standards, clustering, moderate income housing and municipal standards.
  - c. This zone must be appropriately served by suitable public roads, have access to the necessary water and utilities, and have adequate provision of public services.”
16. Consideration of impacts related to uses allowed within the RU2 Zone will be addressed as part of each respective approval process required prior to site development activities.

**D. Access—12.02.010; Road Manual**

17. §12.02.010 Roadway Standards – Requirements for roadway improvement are provided in the current Manual of Roadway Design and Construction Standards (Road Manual).
18. The Road Manual specifies the following:
- a. Local Roads – As relates to this proposal, Local roads are roads whose primary function is to provide access to residences, farms, businesses, or other properties that abut the road, rather than to serve through traffic. Although some through traffic may occasionally use a Local road, through traffic service is not the primary purpose of Local roads. For purposes of design and construction standards, Local roads are subdivided into Major Local (ML) and Minor Local (L) roads.
  - b. §2.1 Roadway Functional Classification – Minor Local Road (L): Minor Local Roads serve almost exclusively to provide access to properties adjacent to the road. Minor Local Roads generally serve residential or other non-commercial land uses. Many Minor Local Roads are cul-de-sacs or loop roads with no through continuity. A Minor Local Road is typically of a short length. Because the sole function of Local roads is to provide local access, such roads are used predominantly by drivers who are familiar with them.
  - c. Table B-6 Typical Cross Section Minimum Standards: Minor Local Roads must meet the minimum standard of a 66-foot right-of-way, two 10-foot wide paved travel lanes with 4-foot wide gravel shoulders: 14-inches depth of granular borrow, a 6-inches depth of untreated base course, and 3 inches of bituminous surface course (asphalt).
19. Primary access to the subject properties is from 400 South, a Minor Local County road. The nearest paved road is approximately a ½ mile away and located within the Mendon City limits.

**20.** A basic review of the use and condition of 400 South identifies that 400 South:

- a.** Is an existing county facility that provides access to agricultural lands, a commercial business, and two homes.
- b.** Is a dead end road with no through access.
- c.** Is a gravel surface with an average width of 18 feet.
- d.** Has summer and winter County maintenance.
- e.** Is substandard as to travel lane width, right-of-way, gravel shoulder width, and material.

**E. Service Provisions:**

**21.** Fire Control – The County Fire District had no comments on the rezone. Future access must be reevaluated and may require improvements based on the location of any proposed structure on lots created through a subdivision process.

**22.** Solid Waste Disposal – Logan City Environmental provides refuse collection in this area, but had no comments on the rezone request.

**F. Public Notice and Comment—§17.02.040 Notice of Meetings**

**23.** Public notice was posted online to the Utah Public Notice Website on 28 June 2021.

**24.** Notice was published in the Herald Journal on 29 June 2021.

**25.** Notices were posted in three public places on 28 June 2021.

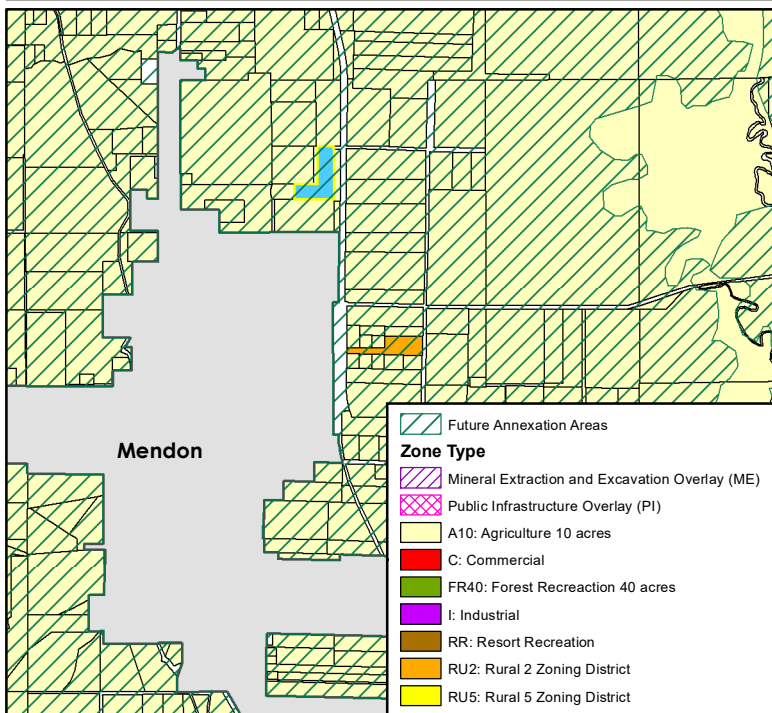
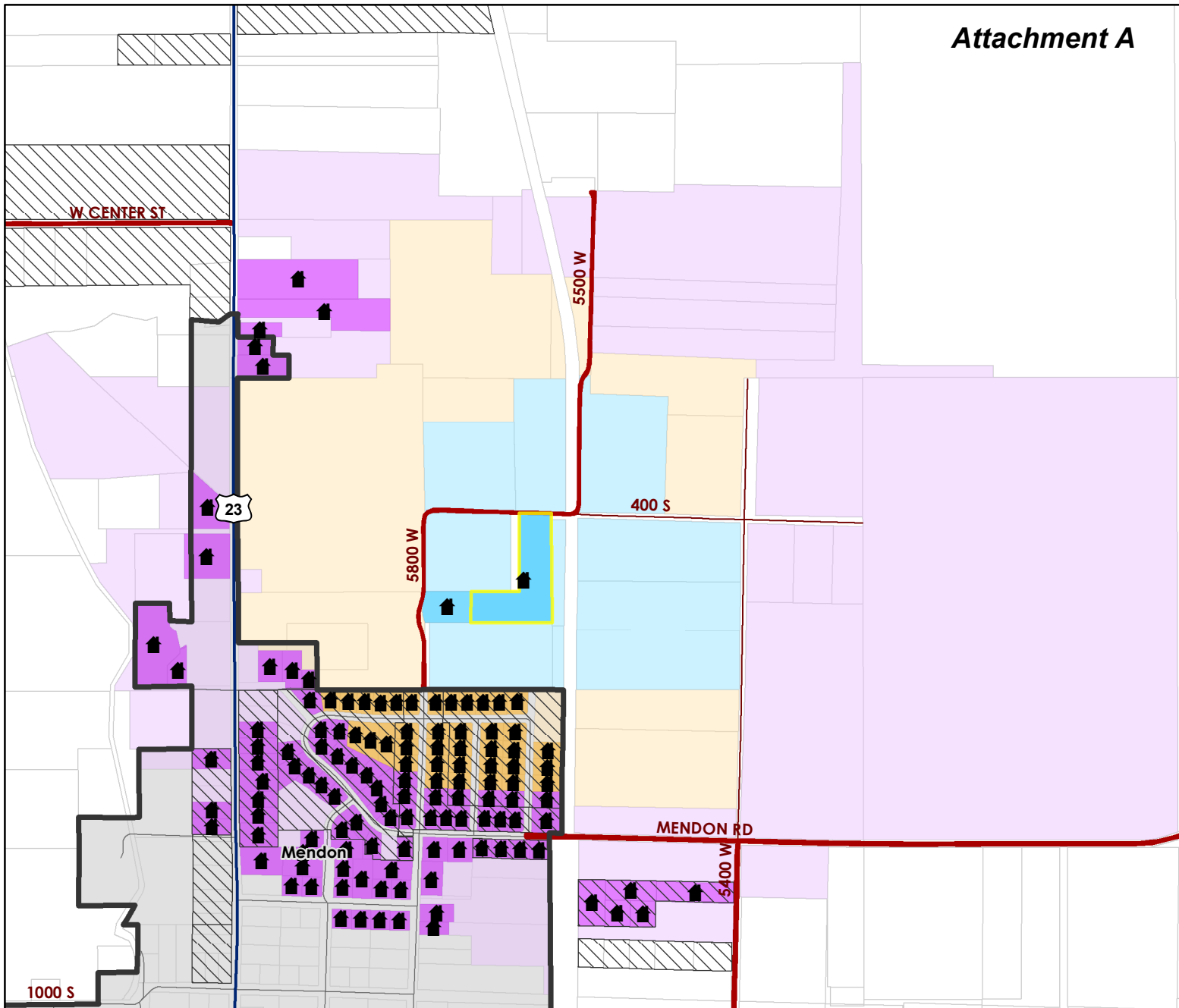
**26.** Notices were mailed to all property owners within 300 feet and Mendon City on 28 June 2021.

**27.** At this time, no written public comment regarding this proposal has been received by the Development Services Office.

## **Recommendation and Conclusions**

Based on the findings of fact noted herein, the Cache View Estates Rezone is hereby recommended for denial to the County Council as follows:

- 1.** An accurate description of the subject property has not been provided.
- 2.** The subject property is not appropriately served by suitable public roads. County Road 400 South does not meet the minimum standards of a Minor Local Road and is therefore substandard and not suitable.



## Legend

- Proposed Rezone
- Municipal Boundaries
- Subdivisions
- Parcels
- Winter Maintenance
- County Roads
- Highways

Average Parcel Size	
Adjacent Parcels	With a Home: 5.6 Acres (2 Parcels)
	Without a Home: 14.8 Acres (8 Parcels)
1/4 Mile Buffer	With a Home: 5.6 Acres (2 Parcels)
	With a Home in Mendon: 0.7 Acres (37 Parcels)
	Without a Home: 16.5 Acres (19 Parcels)
1/2 Mile Buffer	Without a Home in Mendon City: 1.7 Acres (2 Parcels)
	With a Home: 3.4 Acres (10 Parcels)
	With a Home in Mendon City: 0.9 Acres (116 Parcels)
	Without a Home: 17.2 Acres (50 Parcels)
Without a Home in Mendon City: 2.2 Acres (24 Parcels)	



1 **Present:** Angie Zetterquist, Chris Harrild, Brandon Spackman, Lane Parker, Jason Watterson, Brady  
2 Christensen, Chris Sands, Nolan Gunnell, John Luthy, Megan Izatt

3 **Start Time: 05:32:00**

4 **Spackman** called the meeting to order and gave the opening remarks.

5 **05:34:00**

6 **Agenda**

7 Approved with no objection.

8 **05:35:00**

9 **Minutes**

10 *Watterson* motioned to approve the June 3, 2021 minutes; **Parker** seconded; **Passed 5, 0.**

11 **05:35:00**

12 **Regular action Items**

13 **#1 Public Hearing (5:35 PM): Cache View Estates Rezone**

14 **Zetterquist** reviewed the staff report for the Cache View Estates Rezone.

15 **Commissioners** and **Staff** discussed roads and the need for an updated survey.

16 **05:45:00**

17 *Christensen* motioned to open the public hearing for the Cache View Estates Rezone; **Sands** seconded;  
18 **Passed 5, 0.**

19 **05:46:00**

20 *Parker* motioned to close the public hearing for the Cache View Estates Rezone; **Sands** seconded;  
21 **Passed 5, 0.**

22 **Commissioners** and **Staff** discussed roads and access.

23 *Parker* motioned to recommend denial to the County Council for the Cache View Estates Rezone based  
24 on staff's conclusion and recommendation; **Christensen** seconded; **Passed 5, 0.**

25 **05:48:00**

26 **#2 Fritz Tower Conditional Use Permit**

27 **Zetterquist** reviewed the information that staff is waiting for to complete the conditional use permit  
28 (CUP).

**CACHE COUNTY COUNCIL MEETING**  
**AUGUST 10, 2021**

**ATTACHMENT 2**

**RESOLUTION NO. 2021-16**  
**CACHE COUNTY, UTAH**

---

**RESOLUTION DECLARING TWO COUNTY-OWNED PLOTS IN  
THE LOGAN CITY CEMETERY TO BE SURPLUS PROPERTY AND  
APPROVING DISPOSAL OF THOSE PLOTS BY TRADING THEM FOR  
TWO OTHER PLOTS IN THE LOGAN CITY CEMETERY**

WHEREAS, Cache County owns a number of cemetery plots in the Logan City Cemetery, including Spaces 7 & 8 in Lot 30, Block 100, Plat “A” of the Logan City Cemetery, with rights of perpetual care; and

WHEREAS, Utah Code section 17-50-312 provides that the County Council may by ordinance, resolution, rule, or regulation provide for the manner in which County-owned property is to be disposed of; and

WHEREAS, Cache County Code section 3.40.020 provides that “[r]eal property may be declared surplus only by the county council, which must first find that it is in the public interest that the subject real property be disposed of as surplus property”; and

WHEREAS, Cache County Code section 3.40.020 further provides that the County Council, in determining whether any property should be declared surplus, must take the following into consideration:

1. Whether the county has, or anticipates that it will have, no practical, economical, efficient or appropriate use for the property currently or in the reasonably foreseeable future;
2. Whether the purpose served by the property can be better accomplished by other alternatives or property;
3. Whether the purpose served by the property or its use either no longer exists or has significantly changed because of the needs and demands of the county or as may be determined by a change of policy evidenced by an ordinance or resolution of the county council;
4. Whether the property is so damaged, depreciated or worn that it is inoperable or limited in operation without repairs and the cost of such repairs is unreasonable, excessive or impractical;
5. Whether the purposes and interests of the county would be better served by the declaration of the property as surplus and the disposition of that property; and

WHEREAS, Cache County Code section 3.40.040 provides that “[n]o real property may be disposed of unless the county council has: [1] Held a public hearing regarding the proposed declaration of the subject property to be surplus; [2] By motion, subsequent to the public hearing, declared the property to be surplus; and [3] By resolution, approved the disposition of the subject property”;

NOW, THEREFORE, the Cache County Council finds as follows:



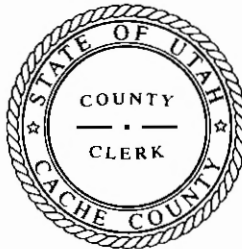
1. It is in the public interest that Spaces 7 & 8 in Lot 30, Block 100, Plat "A" of the Logan City Cemetery, with rights of perpetual care (the "Property") be disposed of as surplus property.
2. In determining whether the Property should be declared surplus, the County Council has taken into consideration:
  - a. Whether the county has, or anticipates that it will have, no practical, economical, efficient or appropriate use for the property currently or in the reasonably foreseeable future;
  - b. Whether the purpose served by the property can be better accomplished by other alternatives or property;
  - c. Whether the purpose served by the property or its use either no longer exists or has significantly changed because of the needs and demands of the county or as may be determined by a change of policy evidenced by an ordinance or resolution of the county council;
  - d. Whether the property is so damaged, depreciated or worn that it is inoperable or limited in operation without repairs and the cost of such repairs is unreasonable, excessive or impractical; and
  - e. Whether the purposes and interests of the county would be better served by the declaration of the property as surplus and the disposition of that property.

AND, THEREFORE, the Cache County Council, after holding a public hearing, resolves that the Property be, and hereby is, declared surplus and that the Property may be disposed of by trading it to Mikey Kim in exchange for two cemetery plots in the Logan City Cemetery owned by Mikey Kim, with Mikey Kim bearing any cost associated with the transaction.

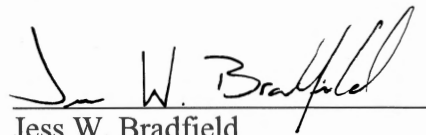
RESOLVED this 10<sup>th</sup> day of August 2021.

CACHE COUNTY COUNCIL

  
Gina Worthen, Chair



ATTEST:

  
Jess W. Bradfield  
Cache County Clerk