

MINUTES OF THE BOX ELDER COUNTY PLANNING COMMISSION
November 28, 1973

Minutes of the Box Elder County Planning Commission Meeting held Nov. 28, 1973,
commencing at 7:00 P. M.

Those present were Jerry Wilde, John P. Holmgren II, and Richard Petersen, with
the following Ex-officio members, Denton Beecher, Robert Wilson and K B. Olsen. Also
present was County Planner Kenneth Millard.

Commr. John P. Holmgren presented the following letter from Mr. R. W. Coleman:

R. W. COLEMAN CO. November 13, 1973 PLUMBING - HEATING-EXCAVATING

Box Elder County Commissioners
Brigham City, Utah

Gentlemen:

I wish to construct a mobil court as per plan, on my property at South Willard,
Box Elder County, tax notice number C163WCD, Beginning at N. W. Corner of South West
1/4 of South East 1/4 of Section 11 TP7N, R2 W, SLM South 10 Rods East 100 Rods North
10 Rods West 100 Rods to the Beginning.

All Utah State health and fire ordinance, nine units to the Acre as has been
suggested will be the rule. I wish this to be a neat and attractive mobile court.

All storm water, and sewage will be disposed of in accordance with the state
Health Department until a storm sewer and sewer system is installed in the area.

Mr. W. R. White the owner of White Orchard Co. has given me permission to use his
road abutting my property for emergency use. Letter to this effect is enclosed.

Yours truly,

/s/ R. W. Coleman

R. W. Coleman

November 13, 1973

Mr. R. W. Coleman
649 No. Main
Brigham City, Utah 84302

Dear Mr. Coleman:

The purpose of this letter is to confirm our prior conversations in regards to the
trailer court you plan to build on the property you acquired from the Stewart Hansen estate.

We do agree to give you emergency exit privileges at a point to be selected on our
common boundary. As understood, this gate will be kept closed at all times, and you
will keep a sign on the gate specifying that it be kept closed and that it be used
in case of emergency only. It is also understood that you will pay the sum of \$1.00
per year for this consideration.

This agreement will be valid only as long as this trailer park will be owned by you
personally.

Yours very truly,

WHITE ORCHARD COMPANY

/s/ W. Robert White

W. Robert White, President

Commr. Holmgren also presented the following letter from Willard Hill, District Sanitarian:

BEAR RIVER DISTRICT HEALTH DEPARTMENT

160 North Main St.

Logan, Utah 84321

November 21, 1973

Box Elder County Commission

Mr. Don Chase, Chairman

County Court House

Brigham City, Utah 84302

Dear Commissioner Chase:

On Tuesday, November 20, 1973, Mr. Robert Wilson and myself made an inspection of the proposed trailer court to be constructed by Mr. Ray Coleman. Two conditions which exist in this area make feasibility of the court very questionable.

(1) The neighbor on the south (Mr. Tom Mower) is a hog and mink rancher. The odors from this operation would be unbearable to persons living in this court during certain times of the year. Some of the trailers in the court could be located within 30 feet of the existing mink pens. Our experience as a health department has shown that persons constructing trailer courts - subdivisions, recreational areas, etc., expect us to move the offending neighbors if any odors flies, or noise develop after the trailer court is constructed. This we cannot do.

(2) There is a shallow well (which is Mr. Mower's only source of water) located within 50 feet of the proposed septic tank and drain field to service this court. This situation would result in gross contamination of culinary water for the Mower's home.

Because of these two major reasons we cannot approve the site or plans which has been submitted by Mr. Coleman to the health department. Mr. Coleman's plans show 750 linear feet of drain field to be constructed. Our state code would require 1400 linear feet for this project.

We would be happy to talk with you at any time if you have any questions concerning our findings on this plan.

Sincerely,
/s/ Willard K. Hill
Willard K. Hill, RS
District Sanitarian

Commr. Holmgren reported these letters had been considered at the County Comms. Meeting of Nov. 20, 1973, and the Commission thought these letters should come before the Planning Commission. The Planning Commission expressed the hope that the Chairman of the County Commission would set up a meeting with Mr. Lynn Thatcher of the State Department of Health to try to get the state to enforce the State Health

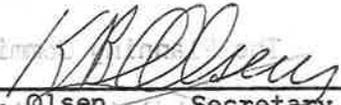
Code. After considering Mr. Coleman's request the Planning Commission recommended Mr. Coleman's request be denied for the following reasons"

1. The emergency exit isn't sufficient.
2. There isn't sufficient buffer between the mink, hogs and the residents of the proposed court.
3. He hasn't written clearance from the State Board of Health on water and sewer.
4. He hasn't shown how he plans to adequately handle the storm sewer.
5. There isn't adequate fire protection.

In summary the Commission said there wasn't sufficient information presented for them to grant approval to Mr. Coleman's proposal. There wasn't sufficient information submitted for staff review, consequently the staff's recommendation is negative.

The Commission decided they would meet in December by appointment only if needed.

Meeting adjourned 9:35 P. M..


K. B. Olsen Secretary

MINUTES OF THE BOX ELDER COUNTY PLANNING COMMISSION
January 23, 1974

Minutes of the Box Elder County Planning Commission meeting of Jan. 23, 1974.

The following Commission members were Paul Holmgren, Jerry Wilde, Boyd Nelson, John P. Holmgren, II and Richard Petersen. Also present were exofficio members Denton Beecher, Robert Wilson, K B. Olsen and County Planner, Kenneth Millard.

Minutes of the County Planning Commission meeting held November 28, 1973 were read and approved.

Owen Knudson, representing Miller Real Estate, met with the Commission. Mr. Knudson said Troy Miller would like to exclude two lots off the Sunset Pasture subdivision, which is located near the Brigham City Sewage Disposal Plant. He said the two lots to be excluded are on the southeast corner of the subdivision. He said the reason they want to exclude these two lots is when they took the plat in to be recorded, they found these two lots are already in the 5 acre plat and you can't plat a plat on a plat. He said deleting these two lots wouldn't change the numbering of the remaining lots. Boyd Nelson made the motion that they approve the request. This was seconded

by Jerry Wilde. All voted in favor of the motion.

Alton Veibell met with the Commission and said, he would like to put in a small subdivision along the Cache County line, south of the highway by Beaver Dam. He said he was thinking of putting in 9 lots of one acre each. He also said he understands, he would have to give enough property to bring the road up to an acceptable width. Mr. Veibell asked, on a road that has become a public road from useage, what is the width of the road? Mr. Beecher said, where fenced it is usually from fence line to fence line.. Mr. Veibell said there is a Utah Power and Light power line that runs by his property and the Power Company will furnish power to the lots. He also said there is a well that last year tested 5 gallons a minute and is high enough to give sufficient pressure. He said the people who buy lots would have to furnish their own septic tanks, but there would only be one septic tank on an acre. He said the lots would be longer than they are deep, so they can have longer lines for the septic tanks.

The Planning Commission said they do not know if they have the authority to authorize a subdivision in that area, as it was brought out the proposed subdivision is in Cache County, but is in Box Elder County under the line that was agreed upon, for tax assessment purposes, so actually assessed in Box Elder County. Mr. Millard said in other counties he has dealt with, they have gone where they pay their taxes. However, it was pointed out, Cache County is trying to change the assessment line back to the actual county line, between Cache and Weber counties. The Commission said they didn't feel they could do a thing until they check with the County Attorney, to find out if our county actually has the authority to approve a subdivision at this location.

Paul Holmgren, Chairman of the Commission, reported he had received the letter and copy of the preliminary application from Willard City.

24 December 1973

Box Elder Planning Commission
Attention: Chairman Paul Holmgren
Bear River City, Utah 84301

Dear Chairman Holmgren:

Transmitted herewith is a copy of the preliminary application submitted

by the Town of Willard, Utah, for the construction of a sewage collection and treatment facility.

Would you please review the attached document and submit your comments and/or requests for further data to our engineer, Mr. Keith A. Hansen, c/o Hansen and Associates, Inc., 538 North Main, Brigham City, Utah 84302.

Your assistance and consideration is greatly appreciated.

Respectfully,

/s/ Robert W. Morgan - Mayor
Robert W. Morgan
Willard, Utah

It was pointed out, a city does not have to get the approval of the county to construct a sewage treatment facility inside their city and the only reason Willard is asking county approval is, the money has to come through the County Association of Governments. Mr. Beecher read to the Commission, different portions of the preliminary application. After a brief discussion, Paul Holmgren said he felt if the Commission doesn't have any objections, they should give the project their full support. He said all they can do is recommend to the County Commissioners. Mr. Nelson made the motion that inasmuch as the Planning Commission could find no reason to object to the proposed project, they give the project their whole hearted support. They asked the secretary to notify the County Commissioners of this action. This was seconded by Mr. Wilde, with all voting in favor of the motion.

Commr. John Holmgren asked the Commission if they had any objections to the County adopting the Uniform Building Code, Uniform Mechanical Code, Uniform Fire Code, National Electrical Code, Utah State Plumbing Code and a County Excavation Ordinance. He suggested they review these codes and come to the next Planning Commission meeting with any questions they have.

Meeting adjourned


K.B. Olsen, Secretary

/s/ Aifon D. Cook
Aifon D. Cook

MINUTES OF THE BOX ELDER COUNTY PLANNING

COMMISSION FEBRUARY 27, 1974

Minutes of the Box Elder County Planning Commission meeting held February 27, 1974.

The following Commission members were present, Chairman Paul Holmgren, Jerry Wilde, Harold Sandall, Boyd Nelson and Delber Firth. Also the following ex-officio members, Denton Beecher, Robert Wilson and K B. Olsen, including Planner Kenneth Millard. Chairman Paul Holmgren conducting.

Mr. Beecher reported he has met with Cache County and the County Attorney regarding Alton Veibell's request for a minor subdivision along the Box Elder, Cache County line, south of Beaver Dam. Mr. Beecher reported the County Attorney reported, there is no way Box Elder County can administer the subdivision, even though the property is inside Box Elder County, on the line agreed upon, for assessment purposes, as the proposed subdivision is actually in Cache County.

The Clerk presented the following letter from Alton D. Cook of Chadwick Realty.

Chairman, Box Elder County Comm.
% K. B. Olsen
County Court House
Brigham City, Utah 84302

Subject: Status Report, John's Mini-Ranch #1
Corinne/Cement Plant Road, Box Elder
County-Subdivision requested and Plan
Submitted 9 February 1973-Owner, John
A. Allred.

Dear Sir:

As a continuing effort to obtain County approval of this sub-division plan, Mr. Allred has recently authorized Sumner G. Margetts Co. Inc. of Salt Lake City to install in excess of 2600 feet of underground drain line along with a sump-pump system to meet the requirements of the State Division of Health for the use of septic tank sewage systems in the sub-division. This system is presently scheduled for installation in thirty days.

It is anticipated that this effort will complete the remaining item (septic tank approval) required for your approval. We will keep you informed as to the progress of the system.

Sincerely,

DON J. CHADWICK REALTY

/s/ Alton D. Cook
Alton D. Cook

cc: Bear River District Health Dept.
Box Elder County Planning Commission
Utah State Division of Real Estate
Division of Health, Utah Dept. of Social Services.

After discussing the letter, the Commission directed the Secretary to write to Mr. Cook and tell him they couldn't see that the above letter changed a thing. Nothing has been shown regarding their proposed water system and members of the County Planning Commission understand, West Corinne water is not available as the Water Company is already over sold. The thing the Planning Commission needs to have is, a written verification from the State Health Department, is that after the drain line has been installed, it meets the state requirements. Also the Planning Commission needs to have something in writing from the West Corinne Water Co., that they will provide culinary water for the proposed subdivision.

Mr. Bob Autry, representing Pilot Peak Ranches Inc., met with the Planning Commission and presented the following letter of introduction.

February 27, 1974

Mr. John Holmgren
Chairman, Planning Commission
Box Elder County

Dear Mr. Holmgren:

From the beginning of my involvement with Pilot Peak Ranches Inc. (here after known as P.P.R.), I have endeavored to research all areas of possible land use capabilities. I have moved very slowly, contacting everyone I felt could really aid our project in its development.

P.P.R. has been very concerned with all the adverse publicity P.P.R. has received in virtue of just being in the same vicinity or just Northwest Utah, where subdividers have been selling, especially when P.P.R. has not yet marketed any land. It is difficult to develop a project that has already been classified as a Bleak Desert, No-Man's Land by a newspaper.

P.P.R. feels that this land does have many variable use possibilities, and many sources contacted feel strongly about its future also.

P.P.R. is endeavoring to develop this subdivision to the best of their capabilities.

Many facets of our project are now in their preliminary stages, but there is excitement among the project's task force about some of the concepts being considered. P.P.R. plans to work closely with all related departments concerned.

I wish to thank Mr. Holmgren for the opportunity to speak to the planning commission and make it known that P.P.R. is now in its developmental stages.

Sincerely

/s/ Bob Autry

Bob Autry

Vice President,

Pilot Peak Ranches, Inc.

cc-Wallace Dill

Mr. Autry then presented to the Planning Commission a film presentation

regarding the proposed Pilot Peak Ranches. Mr. Autry then explained he presented this, just to give the Commission an exposure of what they intend to do. Mr. Millard suggested if the Planning Commission has any strong feeling for or against the proposed development, they should so express themselves for the record.

Troy Miller, representing Miller Real Estate Agency, met with the Commission in regards to Sunset Pastures, located next to the Northwest boundary line of Brigham City. Mr. Miller said it has been about a year since they presented the tentative plat to provide horse pastures. Mr. Miller pointed out the demands have changed in the past six months and he wondered about plat No. 1, which is the highest ground and is in the Northwest corner of the proposed tract, being left out of the plat. He expressed his belief that this lot may become commercial or residential because it is higher and is close to the highway. He also wondered if this lot wouldn't be more assessable and could be put to better use if it was consolidated with the Reeder property, which is located next to this lot. Mr. Miller discussed the possibilities and problems of what to do with this lot. Mr. Beecher suggested he record the plat as is and put some restrictions on Lot No. 1, which he felt would be the best to avoid legal entanglements. It was also pointed out once the plat is approved and he wants to change it, this board wouldn't have anything to do with the change. It would become a civil matter and if all of the property owners in the plat agree, he could make the change. Mr. Boyd Nelson made the motion they approve recording the plat with the covenants listed here. That the plat run for 10 years with a 5 year automatic renewal, unless objected to by 2/3 of the property owners. The attorney is to approve the covenants on the plat. This was seconded by Delbert Firth with all voting in favor of the motion.

The Planning Commission asked the Secretary to inform the County Commissioners that they think the Commissioners have had long enough to consider passage of the Zoning Ordinance in the South and Southwest districts. In view of the fact that the State has now passed the Land Use Ordinance, the Planning Commission reaffirms their recommendation that the Commrs. proceed to zone these two districts.

Mr. Millard informed the Planning Commission that according to his contract, he is to take directions from the Planning Commission. He said he is not pushing to go into any of the other areas but when the Planning Commission gives the direction, he will move. The Commission said they thought Harper Ward District should be the next district and they recommended they start holding public meetings in that district. They also asked Paul Holmgren to start doing a little ground work in the Bear River Area.

The Planning Commission asked Mr. Millard to make a study and come back to the next meeting with some suggestions for fees. Mr. Millard said there are generally two schools of thought on this matter. He said an inspection dept. costs money and the service usually is done at no charge. The cost all comes out of taxes or the builder, the ones using the services pay the cost. There was a discussion that followed and the Commission members expressed themselves as hoping the fees can be held to a minimum and there was some expression that the ones using the service, pay most of the bill but maybe not pay for every little detail.

Denton Beecher was asked if he could get each of the Planning Commission members a map showing the 13 districts in the county.

Meeting adjourned.


K B. Olsen, Secretary

MINUTES OF THE BOX ELDER COUNTY PLANNING COMMISSION
March 27, 1974

Minutes of the Box Elder County Planning Commission meeting held Wednesday, March 27, 1974. Chairman Paul Holmgren presiding and conducting. The following Commission members were present; Paul Holmgren, Boyd Nelson, Doug Roche, Jerry Wilde, with County Commissioner Don Chase representing Commr. John P. Holmgren, II. The following ex-officio members were also present; Denton Beecher, Robert Wilson and K B. Olsen. Also present, County Planner Kenneth Millard.

As requested at the last meeting Mr. Millard made some recommendations regarding building permit fees, and read to the Commission what Summit County requires. The Commission then asked Mr. Millard to make up a letter of instructions to be given out to those who apply for a building permit.

Mr. Millard reported on an inspection tour that he, Mr. Beecher and Commr. John Holmgren, had taken to look over the land owned by Pilot Peak Ranches. He reported some of the land is very very rocky. However, there are some pretty little canyons that would be a nice site for a summer home, also the soil is very fragile and cannot tolerate any extensive use.

The Secretary reported he received the following letter in reply to the letter he he had been asked to write to Mr. Cook at the last Planning Commission meeting.

K. B. Olsen, Sec.
County Planning Commission
Box Elder County Court House
Brigham City, Utah 84302

March 8, 1974

Dear Mr. Olsen:

In reply to your 6 March 1974 letter, our 15 February 1974 letter to you was intended to be a status report on John's Mini-Ranch #1 showing that work was still in progress on the subdivision.

The letter you mentioned from the State Dept. of Health on approval of the use of septic tanks in the subdivision is anticipated upon completion and demonstration of the underground drainage system, and will be forwarded to you upon receipt.

In reference to the culinary water, you will note in the letter Attachment "B" sent to you 10 May 1973 that it included a copy of a letter Attachment "A" from Corinne Water Corinne Water Company committing culinary water to the subdivision.

Sincerely,

/s/ Alton D. Cook
Alton D. Cook
ADC/rc

Attachment "A"

West Corinne Water System
% Bear River Co-op
Corinne, Utah

March 19, 1973

Re: Request for Culinary Water Service
to John's Mini-Ranch #1

Dear Sirs:

Ref. A Letter from John A. Allred to
Chairman County Planning Comm. Request for
approval and submittal of a Preliminary Plan
for "John's Mini Ranch #1" dated Feb. 9, 1973
Ref. B Letter from Sec., Box Elder Co.
Planning Comm. to John A. Allred dated March
15, 1973 requesting additional information.

Dear Mr. Chairman:

As a continuance of the Ref. "A" request for your approval and in accordance
with your Ref. "B" request for information, Attachment 1 constitutes certification
that the West Corinne Water System will serve the subdivision culinary water.
Attachment #2 shows that the run off water in question is available for use on
the subdivision and water users applications thereon are being filed with the
State Engineers office. The seepage and ground water level determination
tests are scheduled to be run on Tuesday, May 15, 1973. Copies of the data
will be submitted to your upon completion.

If I can be of further service please contact me.

Yours very truly,

DON J. CHADWICK REALTY

/s/ Alton D. Cook
Alton D. Cook

ADC/rc

27 Sept. 1973

J. W. Ferry, Pres.
West Corinne Water Co.
% Bear River Co-op
Corinne, Utah 84307

Subject: Extension of the Commitment to Furnish Culinary Water to John's
Mini-Ranch #1.

Dear Mr. Ferry:

Mr. John Allred, Owner of the property involved in John's Mini-Ranch #1, has
asked me to request an extension to your offer to furnish culinary water to
the subject Subdivision as stated in your 29 Mar. 1973 letter.

It has taken considerably longer to obtain the County Subdivision approval to
go ahead with the construction of these Mini-Ranch homes than was initially
anticipated. It now appears to be complete except for the installation of a
drain line to assure septic tank operation. Mr. Allred's plans to complete
the Mini-Ranch homes have not changed in any fashion; however, since the 6
mo. period committed in your 29 Mar. 1973 letter is due to expire we respectfully
request an extension thereof.

Sincerely,

/s/ Alton D. Cook
Alton D. Cook

Attached for your information is a Plan of five plots of ground on the "Old Concrete Plant/Corinne Road". It has been reviewed by the Box Elder County Commission/Planning Committee as the site for five homes to be built thereon this spring. They are ready to approve the Plan at their March 28th meeting except for additional information on water availability and have asked us to obtain from you a letter that you would provide the culinary water thereto, subject to the payment of your normal hook on fee from each of the five taps.

Would you please review the situation and give me a letter that I can give to the County Commissioners showing the culinary water can be made available to the five properties. Please send it to Don J. Chadwick Realty Co, Attention Alton D. Cook at 55 North Main, Brigham City, Utah. They are handling the local effort for me. I would appreciate your support on this matter.

I understand that the normal hook on fee is \$700.00 per tap and I will be willing to pay the same as we build the houses.

Thank you.

Sincerely,

/s/ John A. Allred
John A. Allred

Don J. Chadwick Realty Co.
55 North Main St.
Brigham City, Utah 84302

Gentlemen:

In reply to your request for five (5) water connection for John's Mini-Ranch, we wish to inform you that these connections were approved at a meeting of the board of directors held March 28, 1973. These mini-farms are located on a four inch line and it was decided that there would be sufficient water without interfering with the connections further down the line.

There was a time limit set on these connections. It was decided by the board of directors that if no action is in progress to put these taps into active use within six months from this date the approval of the request would be voided.

We thank you for your patronage.

Sincerely,
West Corinne Water Company

/s/ J. Y. Ferry, Pres.
J. Y. Ferry

JYF/njb

ATTACHMENT "B"

Chairman, County Planning Commission
Box Elder County
County Court House
Brigham City, Utah 84302

May 10, 1973

Subject: Request for Approval of a Preliminary Plan and approval of "John's Mini-Ranch #1" Land division in Box Elder County

The Planning Commission asked the Secretary to write to Mr. Cook and tell him due to the inference in his letters, the Planning Commission has agreed to approve the proposed subdivision, upon submission of one or two certificates, does not agree with the Planning Commission records or minutes.

The Commission changed the starting time of their meetings from 7:30 to 8: P. M..

Meeting adjourned.


K B. Olsen, Secretary

PLANNING COMMISSION MEETING MINUTES

April 24, 1974

Minutes of the Box Elder County Planning Commission meeting held Wednesday,

April 24, 1974. Chairman Paul Holmgren presiding and conducting. The following Commission members were present. Paul Holmgren, Jerry Wilde, John P. Holmgren, II, Boyd Nelson and Ed Mott. Also present were the following exofficio members, Denton Beecher and K B. Olsen. Also present was County Planner Kenneth Millard.

Mr. & Mrs. Richard Tripp from South Willard, met with the Commission and reported they own the Hot Springs and reported when they bought the court, it was with the idea of expanding the court, which now has 25 spaces. They said when the plans for the court were first drawn up, the complete plans was for 35 spaces. They showed the Commission a plat of the existing court and what they propose to develop by adding 10 additional spaces. They reported the court has a septic tank sewage system, which has been presented to the State for approval for adding the additional 10 spaces, but haven't heard back from the State. They said they have a huge drainfield to the south, which includes the land now being used as a horse pasture. Mr. & Mrs. Tripp reported they would also like to add a compound area. They said they wouldn't expect the county to get involved in building a road for the compound area. They said they could use the old U.I.C. Railroad right-of-way. The Planning Commission members said they think this lends to the proper utilization of the land, and it doesn't harm any other land around it. Mr. & Mrs. Tripp also reported they have the cullinary water for the expansion. The Commission reported they would give their blessings to the expansion if, they get the approval of the State Board of Health and comply with the regulations.

Mr. Millard read a Supreme Court decision from Morgan County, in which the court upheld Morgan County, that 10 acres isn't considered bonifide agricultural land. He pointed out this should assure us that our contention that 10 acre parcels being sold in the western part of our county can't be construed as being agricultural land.

Mr. Mott reported he is unable to meet on the 4th Wednesdays of the month. After some discussion they decided to change from the 4th Wednesdays of each month to the 4th Thursday. This date was further changed for the month of May only, from the 4th Thurs. to the 5th Thurs. so the Planning Commission meeting wouldn't conflict with High School graduation. Meeting time during the summer months was set at 8:00 P. M. Meeting adjourned at 10:10 P.M..


K. B. Olsen, Secretary

MINUTES OF THE PLANNING COMMISSION
May 30, 1974

Planning Commission minutes of Thursday, May 30, 1974. The following Commission members being present; Paul Holmgren, Jerry Wilde, Boyd Nelson, Delbert Firth, Ed Mott and John P. Holmgren, II. Also the following ex-officio members were present; Denton Beecher, Robert Wilson and K. B. Olsen.

Minutes of the County Planning Commission meeting of April 24, 1974 were read and approved.

The following letters from people of the Deweyville, Collinston-Beaver Dam areas were read.

Veda Kidman

Collinston, Utah 84306
26 April 1974

Box Elder Planning Commission

% Mr. Jerry Wilde
County Court House
Brigham City, Utah

Dear Mr. Wilde:

At your suggestion a meeting to discuss local zoning was held in Beaver Dam on 17th of April 1974 at the church. Notice of this meeting was printed in the Ward Bulletin and it was also announced in several Church meetings.

In attendance there were thirteen residents of the Beaver Dam, Collinston area.

Zoning was discussed and it was the feeling of the group that we would like to continue in our area with no zoning at this time. In three years we would like an opportunity to review the situation and see if we think things have developed to the point that we want something other than the way it is now.

Yours Truly,

/s/ Veda Kidman
/s/ James S. Parkinson

Mr. Jerry D. Wilde Deweyville, Utah
c/o Box Elder County Planning Commission May 3, 1974

Gentlemen:

We the people of the unincorporated area of Deweyville, Utah, herein described: The land joining incorporated Deweyville on the North and Northwest, also a parcel of land lying East of incorporated Deweyville, which, according to your map includes Deweyville, Collinston, and Beaver Dam, do hereby request that we are not zoned.

Enclosed are the minutes of the meeting we held.

Respectfully,

/s/ Jack Germer
/s/ Warren Haycock
/s/ Louise B. Nielsen

April 22, 1974

A meeting to discuss zoning of unincorporated land of Deweyville was held at the Warren Haycock Residence.

Louise Nielsen said they had been to a county meeting in which they were informed that each area could either be zoned or not, according to the wishes of the people. She further said that she, Mr. Haycock and Mr. Germer were present at the meeting and that they were asked to be the committee from this area.

Eldon Johnson was asked, and accepted, to take the minutes of this meeting. It was asked if all the land owners had been informed of this meeting, to which they said that they had, and well in advance, within a couple of days.

The issue of zoning was discussed and everyone gave their opinion. A motion was then made by Mrs. Nielsen and seconded by Mr. Haycock that we not zone at the present time. A vote was made and 100% voted for the motion not to zone.

The committee stated that they would carry the results of this meeting to the proper authorities. The meeting was then adjourned.

Those present were:

Roger Mason
Melvin Coburn
Jack Germer
Warren Haycock
Norma Haycock
Louise Nielsen
Winford Barrus
Betty Francom
Mrs. Barrus
Ruth Cannon
Eldon Johnson

/s/ Eldon K. Johnson

The Secretary reported the County Commissioners asked him to present the following Resolution from the Governor's Advisory Council On Community Affairs.

R E S O L U T I O N

WHEREAS, the land resources in many areas of the State remain susceptible to exploitative practices and unplanned development in the absence of the implementation of the State Land Use Planning legislation which has been deferred indefinitely; and

WHEREAS, the need for coordination among all levels of government is of immense importance to assure orderly development, and in order to increase the capacity of local governments to exercise maximum discretion in making land use planning and management decisions before irreversible commitments are made;

NOW THEREFORE, BE IT RESOLVED, that the Governor's Advisory Council on Community Affairs, in the interest of strengthening state and local government planning efforts, hereby give notice to units of local government of specific State Services available to aid in the decision-making process concerning the uses of said lands:

- (1) Local units of government may, prior to granting final approval on any platted subdivisions or mobile home development proposed within their jurisdiction, submit all proposals to the State Division of Environmental Health for a determination as to the adequacy of the methods and provisions for providing water and sewage services, and identify any potential health problems resulting from said development.
- (2) The County Recorder, upon recording any new platted subdivision within their jurisdiction should notify the Real Estate Division of the State Department of Business Regulation, in order to establish more effective reporting procedures in accordance with regulations of said agency.

DATE THIS _____ DAY OF MAY, 1974

This was given for information purposes.

The Secretary read the following letter from William D. Marsh, that had been sent to the County Commissioners.

Board of County Commissioners May 7, 1974

Box Elder County
Brigham City, Utah

Gentlemen:

I have reviewed the Box Elder County Zoning Ordinance in conjunction with the South County Planning Area Map, and I have several observations and requests for modification. You should be apprised that I am attempting to speak for my father, M. C. Marsh, and the remaining members of his family who have interests in the property formerly known as the Marsh Farm.

Accompanying this letter is a current plat map of Section 35, T. 8N., R. 2W., S. L. B. & M., showing the location of all of the lands under consideration in this letter. I have outlined with colored ink the boundaries of the various parcels of land involved, and I have numbered each parcel for easy reference.

The proposed zoning ordinance for South County Planning Area presently provides that all of the Marsh properties are to be zoned RR-10. It is felt that this is improper and your consideration of the following alternatives is requested. Included with each request is a description of the property, its needs, and zoning problems to be avoided.

Parcel N. 1: This 3.5-acre tract is the site of BayCliff Mobile Home Park. Construction of this park began in 1969. Eighteen stalls have been completed and occupied and six more stalls are under construction and to be completed by late summer.

The proposed RR-10 zoning for this area is unacceptable in that such a zone does not permit a mobile home park and thus, this park will become a non-conforming use. Creation of a non-conforming use should be avoided wherever possible in order to avoid the inherent and traditional legal problems arising from repairs, alterations, enlargement, vacation and resumption of use, etc. In this instance, the burden to be imposed by such a zoning is magnified by the county's existing mobile home ordinance which purports to require that mobile homes can only be "located" and "occupied" in "approved" mobile home parks. Prospective tenants are already confronted with uncertainty as to what constitutes an "approved" park. If the park becomes a non-conforming use, prospective tenants justifiably will be concerned as to their right to locate in and occupy a stall in the park.

My review of the proposed ordinance leads me to the conclusion that mobile home parks are entitled to no more than "conditional use" status in only three of the twenty-eight proposed zoning districts. In the remaining districts, mobile home parks in the three districts referenced is on its face permissive and subject to arbitrary and unequal application. Our courts have uniformly held that zoning ordinances may not exclude mobile homes and mobile home parks from communities. A blanket RR-10 zoning of the area as proposed attempts to do just that.

Therefore, it is requested that this tract of land be zoned one of the three districts authorizing mobile home parks as a "conditional use"--RN-7, RN-15, or RN-30.

Parcel No. 2: This is a 30-acre tract of land presently under development as "Fishing Village Recreational Community." This development includes both mobile home and overnight camping sites. Construction was commenced in early 1973 and completion is expected by the end of this year. In 1970, a fish hatchery was established and commercial production of fish commenced. In 1973, four large catch-out ponds were constructed and two additional ponds are under construction. A number of recreational and commercial activities are contemplated as accessory to this community. These include a restaurant, grocery store, car wash, swimming pool, fishing, gift and hobby shop, and a mobile home and recreational vehicle sales outlet.

A review of the optional zoning districts available discloses no district to be completely suitable to the needs of this area. However, to minimize potential conflict, it is felt that a C-H zoning is most appropriate. Since there is no provision for mobile home parks within this zoning or any other appropriate zone, I submit that it would be proper for you to modify the zoning ordinance to allow mobile home parks in a number of residential and commercial zones.

Parcel No. 3: This 107-acre tract of land lying east of the existing Highways 89-91-30S is part of a larger tract divided by the South corporate limits of Willard City. The land is currently in use as a gravel pit from which more than 2,000,000 yards of fill have been removed. The land borders on the commercial developments of Blazer Plastic, Vicky's Cafe & Motel, the Maverick Service Station, the Ed Heil Chevron Station, and two vacant lots proposed as commercial lots under the South County Planning Area zoning map.

This tract of land, including the portion within the Willard City corporate limits, is to be divided for residential dwellings. The land is a steep hillside, excepting those portions which have been leveled by gravel removal. For obvious reasons, the lands have limited agricultural value. An RR-10 zoning of this area is tantamount to a confiscation of the land. The land is suitable primarily for "low density single-family residential neighborhoods of spacious and uncrowded character." And, it is therefore requested that this tract of land be zoned R1-12, except for the frontage bordering on Highways 89-91-30S, which we request be zoned C-H.

We realize that these land areas present unique problems to effective and meaningful zoning in light of their proximity to Willard City and various commercial developments in place. It should be apparent that this land is now and will continue to be the nucleus around which a growing community will develop. Much planning is needed and perhaps it would be in the best interests of this community and the County Commission if the above tracts of land were to be included in a separate planning district as authorized in Chapter 19 of the County Zoning Ordinance. If, after reviewing the materials here included you desire to explore the question of a special "P District", I will be happy to meet with you and prepare the necessary application.

Thank you for the opportunity to present this information to you. I will be happy to provide additional information as requested.

Sincerely,

/s/ William D. Marsh

William D. Marsh

WDM/pp

The Secretary said the County Commissioners requested this letter be given to the Planning Commission. The Planning Commission said they did not think there is suitable roads, water or sewage for what Mr. Marsh is proposing. They accepted his letter for information purposes but they were not making any recommendations for changing their recommendation previously given to the County Commissioners, recommending they enact the zoning ordinance in the South and Southwest. The Secretary also reported the County Commissioners asked him to report that Graham Shaw from Garland has a common interest in the Marsh Property.

Division of Health
44 Medical Drive
Salt Lake City, Utah 84113

Robert Wilson
Box Elder County Court House
Brigham City, Utah 84302

Box Elder County Commission
Box Elder County Court House
Brigham City, Utah 84302

Re: Proposed Coleman Trailer Park, South Willard,
Box Elder County, Utah

Gentlemen:

In your letter of April 30, 1974, you outlined various items which were required before you would approve, for sanitation purposes, the South Willard Trailer Park of Mr. Coleman. Enclosed we have the information you request.

1. The first request was for a report from the well driller and this is enclosed and marked as Exhibit "A".
2. A chemical analysis of the water from the well is enclosed and marked Exhibit "B".
3. A copy of the pump test completed on the well indicating its minimum firm yield is also contained on Exhibit "A".
4. Evidence of a legal right to use the water from the proposed well for culinary purposes is enclosed and marked as Exhibit "C".
5. Specifications covering disinfection of the storage reservoir and distribution system will be done in accordance with the requirements of the State Division of Health and all requirements will be complied with as outlined in the State Division of Health publication "Disinfection of Water Supply Systems."
6. Evidence that the proposed well will be protected from all present or potential sources of pollution for at least a distance of 100 feet is enclosed as "Exhibit D". The well is surrounded on three sides by land owned by Mr Coleman and he therefore will have it isolated from the

west, south and east. To the north the land is owned by White Orchard Company. Enclosed and marked as Exhibit "D" is a letter from White Orchard Company saying that they will not permit any facilities that may pollute within 100 feet of the well of Mr. Coleman. It is our opinion that this is sufficient to meet state requirements. However, if a recorded document is shown to be necessary this will be obtained.

7. Specifications for the deep well pump which will be installed in the proposed well contained in the well-Driller's report marked as Exhibit "A".
8. Design plans are herein submitted and marked as Exhibit "E" and are sufficient to meet the requirements for septic tanks.
9. The grade or profile is included on Exhibit "E".
10. Inlet of septic tank, minimum of one inch above the outlet invert is provided for in the design plans marked Exhibit "E".
11. The drainfield design using lines to distribution boxes is provided for in the drawings marked as Exhibit "E".
12. The drainfield for the 6,580 gallon septic tank has been increased and this is provided for in Exhibit "E".
13. The depth of gravel material over perforated drain pipe is provided for in the plans and meets this qualification as shown in Exhibit "E".
14. The size and type of pipe for overflow lines is specified and is in Exhibit "E".
15. All pipe is labeled as to size and type and is contained in Exhibit "E".
16. In addition we have a letter from Allen Kelley and Associates indicating the percolation test rate as well as the soil test and the type of soil in the area, and the opinion of the engineers as to the desirability of this land for septic tank use. This has been marked as Exhibit "F".
17. Enclosed is a certification from the contractor that all plumbing will be done per the Utah Plumbing Code marked as Exhibit "G".
18. Enclosed and marked as Exhibit "H" is an administrator's deed showing title to the real property where the trailer court will be constructed is in the name of Ray Coleman.

If there are any additional items which need our attention before this request can be approved, I would appreciate it if you would call them to our attention immediately.

Verly truly yours,

MANN and HADFIELD

/s/ Jeff R. Thorne

Attorney for applicant R. W. Coleman

JRT/pj
Enc.

R. W. Coleman
649 North Main
Brigham City, Utah

Exhibit "A"

April 21, 1974

Well information on well drilled for R. W. Coleman in North Ogden, in Box Elder County, App #41983

N 1220 ft W 1200 Ft from S E Cor Sect 11 T 7 N R 2 W SLB & M

1 Eight inch well drilled and cased to the depth of 114 feet perforated from 100 ft to 114 ft.

All water bearing stratus in Rose Quartz

Well grouted from 0 ft to 20 feet

(PUMPS)

1.5 Horse Pump, 4 inch sub turbine 220 volts single phase.

80 G P M at 60 P. S. I.

Hale Drilling
/s/ Edwin W. Hale

EXHIBIT "B"

WEBER COUNTY HEALTH DEPARTMENT
Division of Environmental Sanitation
2570 Grant Avenue, Ogden, Utah 84401

WATER SAMPLE FOR BACTERIAL ANALYSIS

Source Well #2 South Willard

Name R. W. Coleman

Address 649 North Main, Brigham City 84302

Chlorine Residual _____ parts per Million

Sample Collected from _____

Collected By Above

Date Collected 4-29-74 Time 7:30 P. M.

Send Results To Above

Address _____
Remarks \$5.00 Paid

SPACE BELOW IS FOR LABORATORY USE

Date Received 4-30-74 Date Reported 5-2-74
Turbidity _____ Odor _____

Bacteria Per ML.

| | | | |
|--------------------|---------|---------|---------|
| Coliform organisms | 10 ML | 1.0 ML | 0.1 ML |
| | 24 Hrs | 48 hrs. | 24 Hrs. |
| | 48 hrs. | 24 Hrs. | 48 Hrs. |
| Presumptive | 0/5 | 0/5 | |

Confirmed

Analyst AWR Director RPJ
EH/05

Exhibit "C"
BEFORE THE STATE ENGINEER OF THE STATE OF UTAH

IN THE MATTER OF APPLICATION)
NUMBER 41983 (29-1766))

MEMORANDUM DECISION

Application No. 41983 (29-1766) was filed by Ray Coleman 649 North Main, Brigham City, Utah to appropriate 0.1 sec. ft. of water from a 8-inch well, 100 to 300 feet deep, at a point North 1220 feet and West 1200 feet from the SE Cor. Sec. 11, T7N, R2W, SLB&M, Box Elder County, Utah to be used from January 1 to December 31 for the domestic purposes of 50 families. This application was advertised in the Box Elder News Journal on January 18, 25 and February 1, 1973 and was protested by several people with interest in the area. A hearing was held in the Box Elder County Courthouse in Brigham City, Utah on Thursday, August 9, 1973. The protestants stated that there may be interference with, and pollution of, Cold Springs which is nearby.

The application was held until the end of the irrigation season to study the area without the effects of surrounding irrigation. On November 6, 1973, representatives from the Northern Area Office field checked the area and found springs in the borrow pits of the East-West County Road in the SE $\frac{1}{4}$ SW $\frac{1}{4}$ Sec. 11. This water along with waters arising along the railroad right-of-way was wasting to the west. It was also noted that Cold Springs is approximately 2300 feet in a more or less southerly direction from the proposed well and that the topography would not suggest any interference. The topography would suggest a potentiometric surface and ground water movement in a north-westerly direction from the proposed well.

The applicant supplied a list of 37 artesian wells within the State Highway right-of way which were capped during the construction of I-80 from Hot Springs Lane to Mason Lane, a length of about two miles immediately west of the proposed well. Most of these wells did not have control devices and wasted water during the non-irrigating months.

It is the feeling of this office that there is unappropriated ground water in this area and this water could be beneficially used by the applicant.

It is, therefore, ordered and Application No. 41983 (29-1766) is hereby APPROVED subject to prior rights, specifically those of the protestants and a copy of the application bearing this notation is hereby returned to the applicant.

This decision is subject to the provisions of Section 73-3-14, Utah Code Annotated, 1953, which provides for plenary review by the filing of a civil action in the appropriate district court within sixty days from the date hereof.

Dated this 19th day of November, 1973.

/s/ Dee C. Hansen
Dee C. Hansen, State Engineer

RMT:jh

cc: O. H.H. S. Co.
Box 105, Route 7
Ogden, Utah 84404

cc: William C. McLean
Rt. #2,
Brigham City, Utah

cc: Frank Woodland
Rt. #2
Brigham City, Utah

cc: Peter Cuco
Rt. #2
Brigham City, Utah

cc: Eli Jensen
Rt. #2
Brigham City, Utah

cc: Thomas M. Mower
Rt. #2
Brigham City, Utah

cc: Dale L. Zito
Rt. #2
Brigham City, Utah

cc: Robert S. Graves
3688 West 4000 North
Ogden, Utah

cc: Dewain V. Loveland
Rt. #2
Brigham City, Utah

cc: Vest Jensen McIlvied
Rt. #2, Box 194
Brigham City, Utah 84302

EXHIBIT "D"

WHITE ORCHARD COMPANY

Growers and Shippers of Peaches, Cherries and Purple Plums
P. O. Box 1150 Ogden, Utah PHONE Ex 4-5569

April 26, 1974

Mr. R. W. Coleman
649 North Main
Brigham City, Utah

Dear Mr. Coleman:

The purpose of this letter is to confirm our conversation of this date in regards to our future development of our property adjoining your proposed trailer court and well.

We do promise and guarantee that we will not put a septic tank, cesspool, or any other sanitation facility within 100 feet of the spot where you have driven your well.

Yours very truly,

WHITE ORCHARD COMPANY

/s/ W. Robert White

W. Robert White, President

WRW/dw

EXHIBIT "F"

ALLEN-KELLEY & ASSOCIATES, INC.
ENGINEERS & SURVEYORS

2661 Washington Blvd.
Suite C
Ogden, Utah 84401

May 1, 1974

Re: Coleman Mobile Home Park
South Willard, Utah

I hereby certify that I have personally inspected the Mobile Home Park site and the test hole excavated in the vicinity of the proposed septic tank drain field. The soil structure exposed by the test hole is a medium-graded sand and it is my best judgement that the soils throughout the area of the drain field would be adequate. The test hole was approximately ten (10) feet deep.

A percolation test was performed at the site in accordance with standard requirements. The percolation rate was a one (1) inch drop in the water level in eleven (11) minutes, which is satisfactory for septic tank use. The ground slopes gently to the west, which will provide excellent distribution of the liquid waste from the septic tank.

It is therefore my opinion that the soils, ground slope, and percolation test indicate the area is satisfactory for septic tank use.

Respectfully submitted,
/s/ Charles R. Kelley
Charles R. Kelley

EXHIBIT "G"

TO WHOM IT MAY CONCERN:

This is to certify that I am a licensed contractor in the State of Utah and am licensed to do general construction and public work.

This is to certify that all plans and specifications for plumbing work will be installed per the Utah Plumbing Code.

Dated this 15th day of May, 1974.

EXHIBIT "H"

Recorder's No. 33119H Recorded Nov. 27, 1972 Book 245 Page 386

Fee \$2.00 Time 2:30 P. M. Book 245 Page 386
Margaret R. Evans, BOX ELDER COUNTY RECORDER /s/ Sadie D. Jensen, Deputy

ADMINISTRATORS DEED

MARTIN L. HANSEN and EVA H. VANDERSTEEN, as administrators of the

Estate of James Stewart Hansen a/k/a J. Stewart Hansen, deceased, in consideration of the sum of Ten Dollars (10.00) and other valuable consideration,

receipt of which is hereby acknowledged, does hereby grant and convey to:

FAY COLEMAN all of the right, title and interest of the decedent at the time of his death and all of the right, title and interest that the estate may

have subsequently acquired by operation of law or otherwise in and to that

certain real estate located in Box Elder County, State of Utah and more part-

icularly described as follows:

Chairman, Paul Holmgren reported he had received a letter asking the county to participate in a meeting June 19th, 1974, on the Great Lake Policy Advisory Committee. He said, he would like the Commission's opinion as to whether or not they should participate.

It was requested the following Box Elder County Statement On The Great Salt Lake be put in the minutes.

BOX ELDER COUNTY STATEMENT ON THE GREAT SALT LAKE

G.S.L. Ponds Divided Between B.E. and W. Co's
Draw Resources from B.E. Co.
Office Plant and Employment Center W. Co.
Brine Shrimp Industry
No Pressing Problems Between Co. and Industry.

Intermountain Chemical Co.

Appears to be not functioning and therefore don't require extensive services.
Experimental only - Have contemplated development in past, present status unknown.

Lake Crystal Salt - Status unknown. Appears to be inundated

Railroad Causeway. Little expected complication to B.C. Co. whether causeway is kept closed or is opened to equalize lake levels. No position is taken at this time due to lack of information. It is admitted that there has been tremendous effect on the lake resulting from the causeway and that any modification of the causeway would have a significant effect. What the degrees of, or implications of the effect are, or would be, under various modifications appears to be unknown and much study is necessary to determine magnitude and lasting effect.

Box Elder County is particularly interested in the long range policy of the Southern Pacific Railroad regarding its route from Ogden West. The Railroad presence in Box Elder Co. is of prime importance to the County.

Great Salt Lake Islands

Gunnison, Cub and Dolphin Islands appear to have natural resource potential for wild life and should be maintained off-limits for humans outside of scientific research and management.

Promontary Point. There may be some recreational potential in the area depending on access and general activity in the area. Some research is necessary in this area; County maintenance of access roads if a concern to B. E. Co.

- Bear River Bay

Bear River Migratory Bird Refuge
Bear River Bay
Willard Bay

Water management in the Bear River Bay general area is a critical situation for all interests and is a great concern to Box Elder County. Some of the outer dikes in the bird refuges have been flooded recently due to the high

water level of the lake. The Federal Government is actively managing its largest bird refuge located in the area and most probably is very concerned about water levels and flows.

The Bear River is the life blood of Box Elder County. Management of its waters is of most critical concern to Box Elder County. Any regulation of Bear River flow would be of great importance to Box Elder County's use of the water and effect in general on the area.

Locomotive Springs area contains a bird refuge private agricultural land, and the only significant fresh water springs in the West arm of the G. S. L. An annual flow of 24 thousand to 25 thousand acre feet of fresh water enters the lake in this area, presumably from the Snovville drainage basin.

Box Elder County concerns.

1. Future development pressures, potentials and possibilities in Box Elder County.
2. Population impact on Box Elder County.
3. Requirements on Box Elder County for facilities and services, to accommodate future development and population.
4. Rate of any potential growth or development in County.
5. Who would share costs of extensive circulation routes, development and maintenance?

Pase Great Salt Lake decisions and actions appear to have been somewhat haphazard and unrelated to consistent good management practices. The present knowledge gained from past decisions, mistakes and successes, and numerous related and unrelated studies, consists largely of questions which must be answered before future regarding Great Salt Lake and its environs.

DRAFT FOR DISCUSSION PURPOSES ONLY 21 May 1974

It was decided that the county should participate and they decided to have Mr. Beecher and the County Planner Mr. Millard make the presentation. It was suggested any member of the Planning Commission that could make the meeting, be present for the presentation to show the presentation has the backing of the County Planning Commission.

Mr. Mott reported the grazing Association can't go for the proposed trade of B.L.M. land made by Pilot Peak Ranches in trading land on the Pilot Peak Range for land in the area south of Rozette. He also reported he has learned there is a sub-division going in South and West of Immigrantion Pass.

Meeting adjourned at 10:40 P. M.


K. B. Olsen, Secretary

MINUTES OF THE PLANNING COMMISSION
June 26, 1974

Minutes of the regular meeting of the Box Elder County Planning Commission meeting held Wednesday, June 26, 1974 commencing at 8:45 P.M. Present: Paul Holmgren, Jerry Wilde, Doug Roche, Boyd Nelson and Commr. John P. Holmgren. Also present, ex-officio members Denton Beecher, K B. Olsen and County Planner Kenneth Millard. Chairman Paul Holmgren presiding and conducting.

Minutes of May 30, 1974 were presented and approved. Mr. Beecher reported on the county's presentation that was made at the meeting of the Great Salt Lake Policy Advisory Committee that was held on June 19, 1974. He said they reported Box Elder County's stand on the lake as there hasn't been enough study made to make a determination of the effects it would have by trying to equalize the level of the lake. John P. Holmgren asked the Commission if they had any suggestions as to what decision they think the Lake Committee, he is serving on, should make. The Planning Commission members said why not have the Land Board administer the lake. Saying why should they appoint another board. Mr. Holmgren reported that the south end of the lake is two feet higher than the north end and said there are two things they are quarrelling over, (1) the level of the lake, (2) the mineral content of the two ends of the lake. The Planning Commission said they recognized there is a problem and said there should be additional openings to equalize the lake, but how much of an opening and who should pay the costs, they are not prepared to make any recommendation.

The Commission directed the secretary to send a letter to Richard Merrill of the State Planning Coordinator's Office extending Kenneth Millard's implementation contract with Box Elder County.

It was decided to have the Planning Commission meetings on the third Thursday of each month rather than the fourth Thursday.

Meeting adjourned.


Secretary

MINUTES OF THE PLANNING COMMISSION
July 18, 1974

Minutes of the regular meeting of the Box Elder County Planning Commission held Thursday, July 18, 1974 commencing at 8:00 P.M. Present: Paul Holmgren, Jerry Wilde, Ed Mott, Boyd Nelson, Delbert Firth, Commissioner John P. Holmgren and Commissioner Malcolm C. Young. Also, present ex-officio members K B. Olsen and County Planner Kenneth Millard. Excused, ex-officio member Denton Beecher.

The minutes of June 26, 1974 were read. Mr. Nelson moved they approve the minutes. This was seconded by Mr. Wilde with all voting in favor.

Mr. Millard said there are two areas that need clarification: (1) What constitutes a feed lot. He asked if it should be based on so many animal units or should it be based on what a man does. He asked if there are only a few animals should they be exempt. He asked if the Planning Commission would prefer to leave it as it is and said he doesn't think it is a problem at this time. He said it is now in our ordinance as a conditional use. Mr. Mott said he would suggest they table the matter for right now if it is not a matter of urgency and he said he could bring the matter up at the Ogden Area Feeders to get their thinking. Mr. Millard said he thinks maybe the magic number is 1,000 head as anything over a thousand comes under EPA. The Commission members said 1,000 cattle are not as bad as a few thousand turkeys. It was decided to table the matter for the time being to give the Commission a chance to find out what others are doing in this regard. Mr. Millard said he recommends we think in terms of cattle, horses, sheep, turkeys, goats and chickens.

Commissioner John Holmgren said the Great Salt Lake Mineral Co. would like to show the Planning Commission through their plant, which is in operation west of Ogden, saying it would take all afternoon. The Commission set up a tentative date for this for Thurs., July 25th at 12:00 noon.

Mr. Millard asked the Commission if there is a magic number when a milking operation becomes a problem. The Commission agreed the state pretty well takes care of that problem. The Commission also said when an operation also becomes a problem depends pretty well upon the operator and not just on a number of animals.

Beginning at the Northwest Corner of the Southwest Quarter of the Southeast Quarter of Section 11, Township 7 North, Range 2 West of the Salt Lake Base and Meridian, running thence East 100 rods, thence South 10 rods, thence West 100 rods, thence North 10 rods to the place of beginning. Together with all water rights thereunto belonging.

Reference is hereby made to the other rendered by the First Judicial District Court in and for Box Elder County, State of Utah and the notices given and the proceedings had in the matter of the estate of James Stewart Hansen a/k/a J. Stewart Hansen, deceased, Probate No. 4537, and particularly to that certain order confirming sale and directing conveyance of real estate., dated the 14 day of November, 1972 a certified copy of which order is filed concurrently herewith in the office of the County Recorder of Box Elder County, and this Deed is given pursuant to said proceedings and order.

IN WITNESS WHEREOF, this instrument is executed this 14 day of November, 1972.

/s/ Jack H. Molgard
Witness

/s/ Jack H. Molgard
Witness

/s/ Martin L. Hansen
Martin L. Hansen
Administrator of the Estate
of James Stewart Hansen a/k/a
J. Stewart Hansen

/s/ Eva H. VanderSteen
Eva H. VanderSteen
Administrator of the Estate of
James Stewart Hansen a/k/a
J. Stewart Hansen

STATE OF UTAH)
County of Box Elder) ss.

On the 14 day of November, 1972, personally appeared before me, Martin L. Hansen and Eva H. VanderSteen, the signers of the foregoing instrument who duly acknowledged to me that they executed the same.

/S/ Jack Molgard
Notary Public

My Commission Expires: December 29, 1973.
Residing at Brigham City, Utah

Mr. Beecher reported Mr. Coleman does not have a permit to tie into the State road storm sewer at South Willard. The Planning Commission asked Mr. Beecher to have Bert Taylor from the State Department of Highways to send us a letter on that. John Holmgren reported Mr. Coleman doesn't have a permit for a mobile home park. Mr. Wilson

reported he has advised the State Division of Health, Mr. Coleman has layed his water pipe without a permit and it is not^a approved water pipe.

The Secretary presented the following petition from some of the residents of the South Willard area.

April 4, 1974

We being employed, a resident, tax payer or owner of property in South Willard are interested in the clean air act of Utah, and the future growth of the community. We have never read the new proposed zoning ordinance nor have we appointed any one to speak for us.

If there are any meetings concerning our area we feel we should be invited.

| | | |
|------------------------------|-------------------|-------------------------|
| Ray W. Coleman | 649 No. Main | Brigham City |
| Dolly R. Coleman | " " | " " |
| Eldon H. Bennett | South Willard | |
| Gary L. Wilson | 1507 Childs Ave. | Ogden, Utah |
| William C. McLean | Route 2 Box 212 | Brigham |
| Jimmy Wells | Box 205 | Willard, Utah |
| J. R. Barber | RFD #2 | Brigham |
| Mark's Inn H. Leo Crane | | South Willard |
| Ray S. Hansen | RFD #2 | Brigham |
| F. Grant Cook | Box 183 | So. Willard |
| Carol Cook | Box 183 | So. Willard |
| Delbert Lee | Box 242 | Willard |
| Virginia Wilson | Route #2 | Brigham City |
| Blen Wilson | | South Willard |
| Lee R. Zinck | Box 244 | So. Willard |
| LaVinna R. Zinck | Route 2 Box 244 | Brigham So. Willard |
| Glenn A. Ward | Route 2 Box 192 | Brigham (South Willard) |
| Christine Y. Ward | Route 2 Box 192 | South Willard |
| Eli P. Jensen | Route 2 Box 201 | Brigham City |
| Jeffery L. Jensen | Route 2 Box 200 A | Brigham 84302 |
| Connie L. Jensen | Rte 2 Box 200 A | Brigham |
| Ray F. Croshaw | 1910 So. Willard | |
| Jerry C. Cook | Box 183 | So. Willard |
| LaRee H. Croshaw | 1910 So. Willard | |
| Phyllis A. Walker | Rt 2 Box 183 | So. Willard |
| Mr. & Mrs. Dennis Hunter | 965 Grant | |
| MR. & Mrs. Richard H. Warner | | South Willard |

Mr. Beecher asked the Planning Commission if they want him to issue building permits for additions to a home. The Commission decided they thought he should if it involves a major addition and expands the outside dimenations of the home. However, they said the building permit should not just be a harassment. They said they would leave it to Mr. Beecher to decide when the remodeling was of sufficient magnitude to justify requiring a building permit.

Mr. Beecher reported the county has adopted a county address system, and said if building a new building, he can give it an address number.

Mr. Millard presented a rough draft of Chapter 20, Section 2 which is pertaining to airport regulations and is to be included in the zoning ordinance. He said this rough draft is designed so they can't put obstructions at either end of the runways. Mr. Millard asked the Commission members to study the draft and be ready to make any comments at the next meeting.

Meeting adjourned at 9:45 P.M.

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Minutes of the regular meeting of the Box Elder County Planning Commission to have been held Thursday, August 5, 1974. Present Jerry Wilde and Doug Roche. Also, ex-officio members Denton H. Beecher, K.B. Olsen and County Planner Kenneth Millard. Inasmuch as there wasn't a quorum present no official meeting was held; however, Mr. Beecher reported to those present that the County Commissioners received a letter from Attorney Walter G. Mann asking for approval of Mr. Coleman's request for a mobile home park at South Willard. Planning Commission members said Mr. Coleman has never made a bonafide application to the Planning Commission; never met the requirements and never submitted a proper set of plans.

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Minutes of the regular meeting of the Box Elder County Planning Commission held Thursday, Sept. 19, 1974. Present: Jerry Wilde, Ed Mott, Delbert Firth, John Holmgren and Boyd Nelson. Also present were the following ex-officio member Denton Beecher, K B. Olsen and County Planner Kenneth Millard. Vice-chairman Jerry Wilde presiding and conducting. Dr. James T. Simper, representing the Brigham City Planning Commission, met with the Commission to talk about the Brigham City Airport. Dr. Simper said he thought the city and the county planning commissioners should get together to express their feelings about the Brigham City Airport and see if they can't correlate their thinking. He pointed out how an airport is an integral part of an area and said that the airport affects more than just the city. He went on to say that the city has four plans for possible industrial development of the area and said the Planning Commission has a copy of the proposed plan. There was some discussion on the things that need to be done in and around the airport for the proper development of the airport and the industrial

growth of the area. Dr. Simper and Commissioner John Holmgren gave a brief report on the fly in visit the group had taken to see what has been and is being done in other airports of the state. Commissioner Holmgren suggested that we get together with the city to see what they want. He said the county has shown that we want to cooperate with the city by the work that has been done by the county on the airport road. Dr. Simper asked if they would like to appoint a committee to meet with the city at the city's next Planning Commission meeting which will be held on October 1.

Mr. Mott said he thought it would be appropriate, when appointing the committee, to also involve the land owner of the area that might be effected. Dr. Simper said he thought they should have a meeting with the city and the county first and then involve the land owners. The following were appointed to serve as a committee to represent the County Planning Commission meeting at this meeting: Boyd Nelson, Delbert Firth and Jerry Wilde. Dr. Simper asked that this committee meet with the City Planning Commission at 8:30 P.M. on Tuesday, October 1, 1974.

There was a brief discussion on whether or not there is a need at this time to develop the landing strip at Park Valley. It was decided nothing should be done at this time.

Commissioner Holmgren reported he had received the following letter from Paul D. Davis:

4 September 1974

Box Elder County Commission
County Court House
Brigham City, Utah

ATTENTION: John P. Holmgren

Per our discussion on 2 and 3 September concerning the permit issued to place a trailer home on property adjoining my home, I would like to express my objections.

The family intends to buy the property with the intent to build on the property. As you well know, once the trailer is allowed on the property they will be content to live in it. This situation tends to lower the value of my property.

I am currently pulling my water from a shallow well and am concerned about further pollution of the surface water.

Although I have a septic system of my own it is 12 feet down and in a layer of blow sand which dissipates the run-off to the east and Malad River. The system put in for the trailer is close to the surface and in a layer of hardpan. The effluence from his system will no doubt go in all directions and eventually find its way to my water system. Should we continue to allow such installations our surface water will be unfit for consumption.

I would suggest you look into this situation and consider what action you deem necessary.

Paul D. Davis

Commissioner Holmgren reported Mr. Christensen does have a building permit and the home complies with our regulations, but he said the complaint is that the farmhouse is 900 feet from Mr. Christensen's home and is right next to Mr. Davis' home. He went on to say he thought a letter should be sent to Mr. Christensen informing him that the permit for the home was granted based on single ownership and that the house should be used in connection with bonafide farm land. Mr. Nelson said he would so move. This was seconded by Mr. Firth with all voting in favor of the motion.

Commissioner Holmgren reported that Mr. Ray Coleman is still pressing for a permit to construct a mobile home park in South Willard under the old mobile home park ordinance; however, he said he doesn't think he complies and said inasmuch as it looks like we will be going to court on this matter he has asked Mr. Beecher to write a brief on what has gone on regarding Mr. Coleman's request for a mobile home park. The following brief was read:

RAY COLEMAN MOBILE HOME PARK - South Willard

September 17, 1974

SEQUENCE OF EVENTS

1. Mr. Coleman came into my office in January of 1973 and asked about mobile home parks. We discussed this subject for a while and I instructed him to obtain a copy of the existing ordinance.
2. He came back some weeks later with a sketch of what he called a mobile home park. It was on 2 sheets of a cardboard material taped together to permit boundary and unusual length of his property to be laid out to scale.

The sketch was rough and did not have much detail to it. At this time he wanted to present it to the Planning Commission. I instructed him to get on the agenda through K B. Olsen.

3. Mr. Coleman got on the agenda and his plan was presented

February 13, 1973. As I remember it he, personally, was not present at this meeting. He left his information with K B. Olsen to bring to the meeting.

4. The Planning Commission discussed the issues for some time and denied Mr. Coleman the right to build his park as per letter dated February 13, 1973, marked Exhibit No. 1. On February 14 the County Commission sent a letter to Mr. Coleman, marked Exhibit No. 2.

5. After this correspondence we did not hear from Mr. Coleman for several months. Mr. Coleman made some changes on his cardboard drawings, but nothing was ever officially submitted to the County Planning Commission for review.

6. We heard again from Mr. Coleman on September 24, 1974 wherein he stated, along with other items, his financial statement, marked Exhibit No. 3. The County did not respond to this letter.

7. Our next correspondence from Mr. Coleman was on November 13, 1973 wherein he sent a letter stating he was going to construct a mobile home court, as per plan, along with a letter from W. R. White on emergency access. (See Exhibits marked No. 4 and 5.) However, once again, there was not a plan filed with the County to review or comment on. We have in the file an unsigned copy of an application dated November 13, 1973.

8. Bear River District Health Department sent us a letter wherein they disapproved Mr. Coleman's plans which he had submitted to

Minutes of the regular meeting of the Box Elder Planning Commission held at Park Valley, October 17, 1974 commencing at 8:00 P.M. The following Planning Commission members were present: Paul Holmgren, Jerry Wilde, Ed Mott, John P. Holmgren II along with the following ex-officio members: Denton H. Beecher, Clifton Kerr, K B. Olsen and County Planner Kenneth Millard. County Commissioner Don E. Chase was also present. The following citizens were present: Edgar Ellistad, Gerald A. Rose, Dorothy E. Rose, Mrs. Ray Carter, Marlin Struhs, Mary Harding, Al Morgan, E. Dean Kynston, Max W. Kunzler, LeGrand E. Morris, Royal H. Morris and Lincoln Hanks.

Minutes of the meeting of September 19, 1974 were read and approved. Commissioner Holmgren stated, as a matter of explanation of the minutes that were read, he reported the Water Resource Board is a committee set up by the Governor and said it is not an ongoing committee. He said this committee is set up to review the water needs for the state for such things as development of oil shale. Mr. Mott explained his concern is that it is a twenty man board and there is only one man representing the northern end of the state which doesn't give us fair representation. He also said there are only three or four on the board that are concerned with agriculture and the others are concerned with environment. He said we are one of the leading agricultural counties of the state and are not even represented on the board. Mr. Millard explained that this can have an effect of the county saying if they should decide to, say for an example, shunt waters from the Bear River to Salt Lake or any other areas of the state it would have a great effect upon us. It was explained that Commissioner Don Chase is on the Governor's Advisory Council and Commissioner Chase said he can find out why the government set the board up this way.

Mr. Beecher reported on the airport zoning meeting with Brigham City. He said the city wants to know if we have any objections to what they are doing, and he said what they want to know from the county is what we are planning for the area surrounding the airport. It was reported that the Planning Commission has previously told the city we will work with the city in any way we can on this matter. It was reported that one problem is that

industry wants to build on the west side of the airport. The secretary then read the letter he had prepared to go to the County Commissioners as requested by the Planning Commission at their last meeting and asked if the letter is what they wanted said. Jerry Wilde made the motion that the letter be presented to the Commissioners. This was seconded by Ed Mott with all voting in favor.

Mr. Mott said by way of explanation the initial action and reporting that came out of the B.L.M. where they criticized themselves on range management, he reported that the B.L.M. doesn't think there will be any adverse effects in Utah and Mr. Mott said this may not have the effect he reported at the last meeting. Commissioner Chase asked if the people in the area are interested in having the county file a form to declare the area a drought area. He said his understanding is a low interest loan is the only thing that is available if we are declared a drought area. He said we want, as Commissioners, to know what you want us to do. Mr. Mott said his understanding is there are loans available without declaring the area a drought area; however, he said he thinks we can get the area designated a drought area if the people want it. No request was made for the action.

Chairman Holmgren asked if the group had any questions they wanted to present to the Planning Commission. Inasmuch as there was no response Mr. Millard said he thinks they should explain the goals of the master plan as set up by state statutes. Mr. Holmgren then read some background information on what the Planning Commission does. He told the group the Planning Commission hasn't done anything that would effect the operation of their individual farms. Mr. Beecher showed the group the zoning map and explained what has been done and is being done.

Gary Rose asked if there would be any advantage to getting the support of the Planning Commission for the proposed Park Valley Grazing Improvement District and asked what would have to be done to zone. Mr. Millard explained briefly what would have to be done. Mr. Rose was told that Ken Millard could answer the questions if what the Grazing Association is trying to do is legal. Lincoln Hanks asked how do you determine if the majority wants zoning? Mr. Millard said the Commissioners had to make a determination of that and he explained that sometimes a policy that is in the best interest of the county may be an action in benefit of the minority and said the Commission must sit down and determine what they are trying to accomplish. Mr. Mott asked if there was any interest in examining zoning for the Park Valley area

and said if there is, do you want members of the Planning Commission to meet with you and do you want Mr. Millard to assist or not. Mr. Royal Morris said he thought they had better bring that up in another meeting as he said we can't bring up everything at once. E. Dean Kynston said that Mr. Mott represents their area on the Planning Commission and asked Mr. Mott his recommendations for their area. Mr. Mott explained that he is new on the Planning Board and said he hasn't had a chance to read the entire ordinance. He said he is not sure whether Park Valley should pass an ordinance as he said if it divided the community down the middle he would be against it. He went on to say if the area is zoned he thinks the greater weight should be given to those who live here; work here and have their lives invested here. He also said he would like to see the community come together to examine zoning. He said we would have to define what we have, what we want to keep and what we have to do to keep it and said you have to look at what is favorable for our people, what we like to keep or become and then see if zoning will help, but said if zoning is going to divide us I will be the first one to be against it. Mr. Rose said why can't there be a committee formed to study the zoning. The Planning Commission said that would be fine and suggested they form a committee and said the Planning Commission will be glad to come out and work with you and said all they have to do is let Mr. Mott know when and where they want us and we will be glad to give you all the help you need. It was suggested that Mr. Mott go ahead and form the committee and move ahead on this matter.

Meeting adjourned at 10:30

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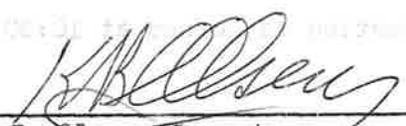
Minutes of the regular meeting of the Box Elder County Planning Commission to have been held Thursday, November 21, 1974 commencing at 8:00 P.M. Present Jerry Wilde, John P. Holmgren II and ex-officio members Denton H. Beecher, K B. Olsen and County Planner Kenneth Millard.

Inasmuch as there wasn't a quorum present no official meeting was held, however, those present heard Mr. Jim Graves who came to the meeting to meet with the Commission. The Commission members explained they couldn't take any official action but they could hear him and possibly take any essential information to the Planning Commission when they meet again. Mr. Graves said he would like to put in about six or seven more mobile home sites

at the KOA Willard Bay Campgrounds. He said the campground is only open about seven months out of the year and he needs the additional units to give him enough income to pay his expenses during the winter months. Commissioner Holmgren said if there are no conflicts he would like to see this addition. Mr. Graves said he would go with septic tanks and drain fields saying this has been approved by the Sanitarian. Mr. Beecher said he couldn't see any conflict with our existing regulations. Mr. Beecher also said he has issued a temporary use permit for the Highway Patrol who has rented space at the campground for a year. Mr. Beecher suggested that Mr. Graves work up a plan so the Planning Commission can see what he is going to do, including his septic tank and drain fields.

Mr. Beecher reported that he has received a request from Richard Ferrera and Ruben Escobedo for a junk yard just south of Riverside on the Wallace Sato property. He said inasmuch as there are no regulations in that area there is nothing they can do as long as it isn't a health hazard, but he said he wanted the Planning Commission to know what is going on. Mr. Lincoln Hanks met with the Planning Commission and said he would like to file an application for a sub-division. He also said he would like to request the help of Mr. Kenneth Millard. Commissioner John Holmgren said he personally thought it would be a conflict of interest to have Mr. Millard help him on the sub-division when Mr. Millard is the County Planner. Mr. Beecher gave Mr. Millard an application form for filing for the sub-division. Those present requested that the meeting time be changed from 8:00 P.M. to 7:30 P.M. for the winter months.

Meeting adjourned.


K. B. Olsen, Secretary

Minutes of the Box Elder County Planning Commission meeting held Thursday,

December 19, 1974 commencing at 8:45 P.M. Present: Jerry Wilde, Boyd Nelson, Ed Mott, and John P. Holmgren II. Excused, Chairman Paul Holmgren. Vice-chairman Jerry Wilde presiding and conducting. The unofficial minutes of the meeting of November 21, 1974 were read and Commissioner Holmgren made the motion that they approve these as unofficial minutes. This was seconded by Boyd Nelson with all voting in favor of the motion. The secretary presented the following letter from Brigham City requesting zoning around the City Airport:

BRIGHAM CITY CORPORATION
P.O. Box A • Brigham City, Utah 84302 • PH 801-723-8521

November 22, 1974

Board of County Commissioners
Court House
Brigham City, Utah 84302

Gentlemen:

Subject: Airport Zoning

The Brigham City Planning Commission has recommended that your Commission give favorable consideration to the M.U. - 40 zone classification to area adjacent to Brigham City Airport as per description:

"Beginning at the south $\frac{1}{4}$ corner of Section 9, T 9 N R 2 W, SLB&M, thence north 3 miles to the north $\frac{1}{4}$ corner of section 33, T 10 N, R 2 W, thence east 1 mile to the north $\frac{1}{4}$ corner of section 34, T 10 N, R 2W, thence south 3 miles to the south $\frac{1}{4}$ corner of section 10, R 9 N, R 2 W, thence west 1 mile to the point of beginning".

We, the Mayor and City Council, respectfully petition the County Commissioners to act favorably upon this request.

Very truly yours,

/s/ Harold B. Felt

Harold B. Felt
Mayor

HBF/bgg

CC: Dr. James T. Simper
Chairman, Planning Commission
Councilman J. Douglas Wight

The secretary reported this letter has gone to the County Commissioners and they said they wanted a recommendation from the County Planning Commission before they act on the letter. After a brief discussion in which it was pointed out the M U 40 zone is basically a holding zone, Commissioner Holmgren made the motion that they approve Brigham's request and draft a letter to the County Commissioners recommending that the Commissioners set a date and hold a public hearing for zoning this area as requested. This was seconded by Mr. Nelson with all voting in favor of the motion. The Planning Commission pointed out that they feel this proposed zone is in keeping with the county's master plan.

Mr. Nelson made the motion that they direct the secretary to inform the County Commissioners they recommend they appoint a replacement for Delbert Firth as soon as possible. This was seconded by Mr. Mott with all voting in favor of the motion.

Mr. Lincoln Hanks met with the Commission and presented the following letter from TransWestern Land Corporation which he said is a prelude to an application for a subdivision.

TransWestern Land Corporation
445 East 2nd South
Salt Lake City, Utah 84111
December 19, 1974

Box Elder County Planning Commission
and County Board of Commissioners
Brigham City, Utah

Gentlemen:

I am writing this letter on behalf of TransWestern Land Corporation, who owns approximately 250 ten acre parcels in Park Valley which are being sold as agricultural parcels.

Financial Development Co. originally purchased four sections of ground in Park Valley, subsequently having the ground engineered, surveyed, soil samples analyzed, section corners established along with quarter corners, together with the installation of roads giving each parcel easy and ready access.

While the availability of water is not promised to prospective purchasers, the Company has proceeded with water applications which have been branted. The Company has completed the drilling of a medium sized well to ascertain that available water does exist for lot owners. Some have expressed a desire to drill their own well and others plan to join together with adjoining lot owners and put in a larger and jointly owned well.

Financial Development Co. applied to the State of Utah, Real Estate Division, for an agricultural subdivision permit, which was granted August 17, 1973 (Sub division Public Report and Permit Report No. 600 enclosed). During the early part of November, 1973 these 250 ton acre parcels were sold to TransWestern

Land Corporation and deeds and documents of interest were issued to Trans-Western. Part of these 250 ten acre parcels had previously been sold to individuals but TransWestern Land Corporation has acquired all unpaid contract balances.

In view of the circumstances and history of these agricultural parcels of ground, our legal counsel feels we do not come under the jurisdiction of Box Elder County and the present subdivision ordinances. On December 2, the Utah Attorney General's office rendered an opinion to this effect. Subsequently the Utah Department of Business Regulations, Real Estate Division, renewed the permit.

Our legal counsel feels that there are facets of the present ordinances that are unconstitutional and too harsh to be enforceable. However, only long and expensive court hearings can determine those portions of the ordinance that may be constitutional.

The Board of Directors of TransWestern Land Corporation, as well as myself, believe in reasonable intelligent guidelines and laws when and where they are needed.

In talking with Mr. K n Millard, Box Elder County Planner, concerning these ordinances, Mr. Millard expressed the thought that perhaps we were interpreting these ordinances with a different meaning than was the intent of the County Commissioners and Planning Commissioners at the time these ordinances were adopted. Mr. Millard and Mr. Beecher have both suggested we file an application with Box Elder County for an agriculture (or rural) subdivision. They both have informed me that the engineering work we have been doing completes most of the work and information required in an application for a rural agriculture subdivision permit.

Because Mr. Millard is so familiar with the ordinances and applications, we have asked him if he would guide us in preparing such an application. Mr. Millard has expressed a willingness to help. However, he stated that he didn't know what the attitude would be of the Planning Commission and County Commissioners. He thought it would be appropriate to seek your advice and counsel.

We would like to request at this time from the Board of County Commissioners and the Planning Board of Commissioners that Mr. Millard be allowed to help and guide us in preparing the above application. Compensation for Mr. Millard's professional services will be paid by us, either to the County or to Mr. Millard directly, whichever you gentlemen prefer, if it is appropriate to do so.

Thank you for your consideration in this matter.

Very truly yours,

TRANSWESTERN LAND CORPORATION

/s/ Lincoln Hanks

Lincoln Hanks

LH/mwh

P.S. It would be appreciated if you would please interpret the provisions for establishing minimum development standards as contained in Chapter 9 of your Subdivision Ordinance.

The question is regarding rural or agricultural subdivisions. Does your ordinance permit platting of an agricultural area without putting in urban standard roads and right-of-way improvements? Does it permit the Planning Commission to permit such arrangements as a land owners association which would be responsible to install and maintain any improvements needed by the members? The present situation would suggest a no-fault to the County for any future services until such adequate improvements are made to permit a County service. It would also be desirable to defer some potentially needed improvements in the future until the users actually need them and would be willing to install them at their own expense. Protective covenants would be the device to create the land owners association which would be the responsible entity to satisfy the improvement needs and hold the county harmless.

L.H.

Encls.

Property Report No. 600 issued August 17, 1973
Copy of Utah Uniform Land Sales Practices Act.
Copy of Proposed Rules and Regulations regarding Uniform Sales Practices Act
Copy of Permit and Property Report No. 600 issued December 13, 1974
Copy of Utah Attorney General's opinion letter
Copy of TransWestern Land Corporation sales agreement
Copy of Utah State University Soils Analysis

Commissioner Holmgren reported the Attorney General has written to the County Attorney basically saying it is up to the county to determine if parcels of land are agriculture or not. The Planning Commission said they question this is a question this group can answer. Mr. Beecher said if TransWestern prepares and submits an application we will review it; therefore, he said TransWestern does get the benefit of services of himself and Mr. Millard. However, the Planning Commission said they thought for Mr. Millard to be employed by the county and also follow clear through for TransWestern would be a conflict of interest. They also said if Mr. Millard made up a plan for the county it shouldn't be up to him to review it. Mr. Millard and Mr. Beecher said if Mr. Hanks wants to submit a sub-division application, and they can see nothing wrong with that, they will review it and take as many bugs out of it as they can before it comes before the County Planning Commission for their recommendation. The Planning Commission said if they have an official application it is up to Mr. Millard to review it. Mr. Millard said the Planning Commission and the County Commissioners have authority to wave some of the requirements for improvements; however, the Planning Commission said they will

have to see what TransWestern wants to do before they can answer that. Commissioner Holmgren suggested that they have a recommendation from the staff to the next Planning Commission meeting. This was agreed upon by the Planning Commission. They also said any question the staff has can be submitted to the County Commissioners.

Mr. Beecher reported that we have homes going up in the county that do not have building permits, and he asked if the Planning Commission wants him to follow through on this. The Planning Commission said yes, if we have a regulation we should follow through or throw them out. Mr. Beecher said Utah Power, so far, haven't followed the requirements of having to have a building permit before they hook a new home up to power.

Mr. Beecher said Mountain Bell won't give a telephone without an address. The Planning Commission said they think the County Commissioners should take this up with the County Council of Governments to see if the towns are interested in going ahead on a county address system.

Meeting adjourned.


K B. Olsen, Secretary

January meeting cancelled

Minutes of the County Planning Commission meeting of Thursday, February 6, 1975

Commencing at 7:30 P.M. Chairman Paul Holmgren presiding. Present: Paul Holmgren, Jerry Wilde, Boyd Nelson, Ed Mott and Commissioner Ted Burt. Also the following ex-officio members were present, Denton H. Beecher, K B. Olsen and County Planner Kenneth Millard and County Commissioner Don E. Chase.

Minutes of the regular Planning Commission meeting of December 19, 1974 were read.

Mr. Nelson made the motion that they accept the minutes. This was seconded by Mr. Mott with all in favor of the motion.

Tom Sturgis, Engineer for TransWestern and representing Mr. Lincoln Hanks met with the Commissioners. Mr. Sturgis, Engineer for TransWestern and representing Mr. Lincoln Hanks met with the Commissioners. Mr. Sturgis reported that Mr. Hanks has been in the hospital and therefore hasn't been able to get the information to the Planning Commission

staff as had been agreed upon at the previous Planning Commission meeting. Mr. Millard reported since Mr. Millard is in the hospital most of the information he has been receiving has been received over the telephone so the staff is not able to make any recommendations at this time. Mr. Sturgis presented an application for preliminary sub-division approval showing the name of the sub-division as Dove Creek Farms and Ranches; the owner as Trans Western-Financial Development Corp. Mr. Sturgis said their application is based on section 9 of our sub-division ordinance. The Planning Commission said the ordinance is specific about procedures and said the application is incomplete at this time. Mr. Sturgis said we have a report on the soil analysis which indicates what the land would be good for; however, the Planning Commission said we need a written explanation of how they intend to develop the land. They also said Mr. Hanks should submit a draft of the protective covenants to go on the land. Mr. Millard said the county needs to have a written statement of who does what and when, such as who blades the roads so we know it won't fall the responsibility of the county. The Planning Commission also said the application for a preliminary plat approval lacks evidence of soil percolation tests which are very important in order to justify the size of the parcels of land in order to show they can properly handle the waste disposal. They also said they need something in writing regarding the type of water system proposed. Mr. Sturgis said the well that has been drilled on this land has not been test pumped. It was pointed out that another one of the concerns of the county is that the roads are coming directly down the slope of the land and the county wants to know what Mr. Hanks is going to do to control the run off water. The Planning Commission said they were generally satisfied with Mr. Hanks approach but said the above were some of the things that need to be taken care of.

Mr. Beecher reported one area of concern at South Willard is down by Ed Heils Service. He went on to say Mr. Heil is leasing out his service station with an option to buy. He said he already has two homes just in back of the station and has given his son a piece of land without deeding it so he can put a double trailer on this land. Mr. Beecher said Mr. Heil now wants to move another home on his property so he is creating a little sub-division on two acres of land in a five acre zone. He said Mr. Heil has bought the home and wants to move it on this property the first of April, but Mr. Beecher said he cannot issue him a building permit. He said actually a double mobile home is already in violation.

Mr. Beecher said he doesn't know how these homes can get culinary water as South Willard won't give them a water permit and he said they have run individual lines to the homes off from on 3/4" hookup. Mr. Beecher asked if the Planning Commission wants a planned sub-division there. The Planning Commission pointed out that when that area was zoned the people requested a moratorium that there be no changes in the area for a period of two years. County Commission Don Chase and Ted Burt said they would take Boyd Nelson, who is the Planning Commission member from that area, and would go down and look the situation over.

Mr. Wilde suggested that the County Commission take the necessary steps to get the Planning Commission up to full force so if someone can't get to a meeting there will be enough members they can still have a quorum.

Because of this meeting being so close to the regular February meeting date it was decided that the next meeting will be held on Thursday, March 20, the regular meeting day for the month of March.

Meeting adjourned.


K. B. Olsen, Secretary

Minutes of the Box Elder Planning Commission meeting held Thursday, March 20, 1975

commencing at 8:00 P.M. Vice-Chairman Jerry Wilde presiding. Those in attendance, Jerry Wilde, Reed Nielsen, Boyd Nelson and Ex-officio member Denton Beecher and County Planner Kenneth Millard. Excuse, K. B. Olsen. Denton Beecher acting as secretary.

Mr. Lincoln Hanks met with the Commissioners. Mr. Millard explained what Mr. Hanks has presented to date and what approach he is taking with regards to Chapter 9 of the County Sub-Division Ordinance. Mr. Millard explained that Mr. Hanks is asking for an exception of the improvements for his sub-division on Mr. Hanks' proposal. Motion was made by Commissioner Nielsen to hold a special meeting on April 10, 1975 at 8:00 P.M. to have all members present and suggested that a call be made to get a firm commitment from them. This motion was seconded by Commissioner Nielsen and unanimously passed.

Mr. Beecher was asked to contact Attorney Lund on Mr. Hanks' articles.

Meeting adjourned.

Minutes of the Box Elder County Planning Commission meeting held Thursday, April 10, 1975. The following Planning Commission members being present: Paul Holmgren, Jerry Wilde, Boyd Nelson, Ed Mott, Jay MacFarlane and County Commissioner Reed Nielsen with ex-officio members Denton Beecher, K B. Olsen and County Planner Kenneth Millard also present. Chairman Paul Holmgren presiding. Minutes of the Planning Commission meeting of March 20 1975 were read. Mr. Nielsen made the motion that they approve the minutes. This was seconded by Mr. Wilde with all voting in favor of the motion. Mr. Lincoln Hanks met with the Commissioners and presented the following letter: (Page 2 - April 10, 1975)

7. It is not our desire to get embroiled in politics but to live and let live in harmony. This voluntary application is made to the Box Elder County Planning Commission and the Box Elder County Board of Commissioners in the hope and spirit that Government officials (appointed and elected) and property owners and taxpayers of Box Elder County can work together harmoniously without undue pressures and mandates which destroy the value and use of property.

8. In December of 1974 at a Planning Commission meeting (quorum not present) Commissioner John Holmgren suggested that Kenneth Millard and Denton Beecher give us a hand and guidance in preparing the subdivision application. We appreciate this help very much. We ask and hope that the present Planning Commission will allow them to continue.

In your letter of February 7, 1975, you asked us to supply the following regarding the development of Dove Creek Farms and Ranches:

1. Proposed Improvements

Answer: (a) Dirt graded access roads
(b) Surveys and corner stakes each lot
(c) Implementation of Restrictive Covenants; Easements and establishment of a Property Owners Association for the improvement and maintenance of roads and common areas.

2. Soil percolation tests:

Answer: Holes 10x15 inches x 3 feet deep have been dug in the following areas:

- 1. NE1/4 of NE1/4 of the NE1/4 of Sec. 36
- 1. NE1/4 of the SE1/4 of the NW1/4 of Sec. 36
- 1. SE1/4 of the SW1/4 of the SE1/4 of Sec. 1
- 1. NE1/4 of the NW1/4 of the SW1/4 of Sec. 1
- 1. NE1/4 of the NE1/4 of the NW1/4 of Sec. 11
- 1. SE1/4 of the NE1/4 of the SW1/4 of Sec. 11
- 1. NE1/4 of the SE1/4 of the NW1/4 of Sec. 2

These holes were filled with water between 1 and 6 p.m., Wednesday April 9, 1975. Neighbor was to check the drop in water as of noon today, Thursday, April 10, 1974. He has not reported back.

3. Water availability.

Answer: (a) As per our permit and informational property report no water or water development is promised with the property.

b. Trans-Western Land has drilled a well on the NE1/4 of the NE1/4 of the NE1/4, 400 feet deep. Water stands in the well 200 feet deep. The well has not been tested for quantity flow.

Without promises of any kind at this time Trans-Western is considering the setting up of a water company and turning it over to the Property Owners Association.

4. Water Runoff Drainage.

Answer: (a) private road run-off trenches will be used where necessary to keep water from running down roads.

(b) Culverts will be placed where necessary under private roads where County road and Private roads meet.

(c) When accumulation of water is caused solely by Trans-Western Trans-Western will install culverts under County Road to keep County road from washing out.

(d) Where Trans-Western's water runoff is an added contributor to County road flooding Trans-Western will participate 50-50 with County in installation of culverts.

(e) Where natural runoff over the years have occurred Box Elder County will take care of needed culverts.

Very truly yours,

TRANS-WESTERN LAND CORP.

/s/ Lincoln Hanks

Lincoln Hanks

Mr. Hanks said he withheld the first page of this letter because it is not applicable. Mr. Hanks reviewed the background of what has been done regarding the Dove Creek farms and ranches. There was considerable discussion regarding the proposed development. The Planning Commission told Mr. Hanks they have already called to this attention how fragile the environment is pointing out the shallowness of the soil and the climate problems. They also reminded him they haven't had a percolation test that could be submitted to the State Board of Health. Mr. Hanks said he has drawn up some restrictive covenants which he had given to Mr. Beecher. Mr. Beecher reported these covenants had been turned to the County Attorney, O. Dee Lund, who said he couldn't see anything wrong with them. It was pointed out runoff water can be a problem and it was pointed out how the runoff on the development has rutted the county road in the area. Mr. Hanks said County Surveyor

Denton Beecher suggested he may cut a trough every so often on the subdivision roads and put culverts under the county roads. Mr. Hanks said where his development contributes to runoff more than normal he is willing to participate on a 50/50 basis for those culverts. Commissioner Nielsen said the county isn't creating a problem and asked why the county should participate in the cost of the culverts. It was pointed out there are some areas that the county has had problems even before Mr. Hanks development. Mr. Hanks said he is willing to do anything that is reasonable. Mr. Millard told Mr. Hanks he thought it would be a good idea to make the county a party to the protective covenants. Mr. Mott said he understands that the Raft River Rural Electric Cooperative is concerned as they say eight feet on the lots doesn't leave them enough room to get in and out where there will be fences and polls and said he thinks there needs to be some clarification on that. Mr. Hanks said there is now seven feet off from the back of each lot giving 14 foot right-of-way instead of the 8 foot. It was pointed out Mr. Hanks has applied for sketch plan approval and the Planning Commission can take action on the sketch plan. They said this doesn't commit the county for anything. It merely says the development is moving in the right direction. Mr. Beecher said he thinks Mr. Hanks has done what he has been asked to do so he thinks Mr. Hanks is trying to comply with the county's ordinance. He said the Planning Commission could deny his request because he doesn't have water. Mr. Millard said the Planning Commission could approve as far as recommending to the Commissioners, subject to the Commissioners approval of the variances. Member Nelson made the motion that they approve the sketch plan. This was seconded by Mott. Those voting in favor of the motion were members Holmgren, Nelson, Mott and Nielsen with Member Wilde voting No. Member McFarlane abstained stating he is new on the Commission and doesn't fully understand it. Member Nelson then made the motion that they approve the preliminary plans subject to percolation tests and subject to the County Commissioners approving the variances as stated in Mr. Hanks letter. This was seconded by Mr. Mott. Those voting in favor of the motion were Mr. Nelson, Mr. Mott, Mr. Holmgren and Mr. Nielsen with Mr. Wilde voting No and McFarlane abstaining. The secretary presented the following letter from Mantua Town regarding Mantua's sewer.

T O W N O F M A N T U A

11 February 1975

Box Elder County Planning Commission
c/o K B. Olsen - County Clerk
Court House
Brigham City, Utah 84302

Re: Mantua Sewer Application

Dear Mr. Olsen:

Transmitted herewith are three copies of our application for a Step 1 Sewage Construction Grant which will be used to prepare a preliminary plan of a sewage collection and disposal facility for our town. The grant is to be financed by the Environmental Protection Agency.

Please consider this application as our "Notice of Intent" and request the Planning Commission to review the proposal and submit their comments on the form entitled "Comments and Recommendations of State, Regional, or Metropolitan Clearinghouses." Return one copy of the application with comments to our engineer, Hansen and Associates, Inc., 538 North Main Street, Brigham City, Utah 84302.

We have sent copies to the Bear River Association of Governments and the Utah State Planning Coordinator.

Thanking you in advance.

Respectfully,

TOWN OF MANTUA

/s/ Darwin R. Halling - Town President

Enclosures

Mr. Wilde made the motion that they approve such a study be conducted and see if such a project is feasible and a letter to this effect is to be written by the secretary to the town. This was seconded by Member Nelson with all voting in favor of the motion.

The Secretary presented the following letter from Hansen Associates:

3 February 1975

Box Elder County Planning Commission
c/o Mr. K B. Olsen
County Court House
Brigham City, Utah 84302

Dear K B.:

Corinne is planning on constructing a 150,000 gallon reservoir and installing some connecting piping from the west Corinne reservoir to their new reservoir. The connecting piping will collect the overflow waters from west Corinne and conduct the waters over to the Corinne

reservoirs. The new reservoir is to be built in the vicinity of their existing reservoir.

We were under the impression that all interested parties had been furnished a copy of the notice of intent. We have recently been informed by FmHA that the County Planning Commission has not had the opportunity to review the application and submit their comments. Therefore, would you please request the County Planning Commission to review the enclosed document and submit their comments to:

1. Bear River Association of Governments
2. Farmers Home Administration in Tremonton
3. Mayor Don Miller, Corinne
4. Hansen & Associates, Inc.

Thanking you in advance for your assistance.

Respectfully,

HANSEN & ASSOCIATES, INC.

/s/ Keith

Keith A. Hansen - P. E.

KAH:pr

Enclosure

Mr. Beecher reported that the water and sewer line from West Corinne water line to the Corinne Reservoir has been deleted from the proposed project. The Planning Commission directed the secretary to write a letter to the Farmers Home Administration with a copy going to each of the following: Bear River Ass'n. of Governments, Mayor of Corinne, Hansen Associates, stating the Planning Commission unanimously gave their approval to the proposed project after being told the city had dropped the plan to run a connecting pipe from the West Corinne Reservoir.

The following copy of the letter from Glen E. Fuller to Brigham City Councilman Dale Baron was read to the Planning Commission:

Law Offices of

FULLER, BEESLEY & HARRISON

15 East Fourth South

Salt Lake City, Utah

March 6, 1975

Mr. Dale G. Baron, Councilman
Brigham City Corporation
P.O. Box A
Brigham City, Utah 84302

Dear Mr. Baron:

In response to your letter of March 3, 1975, I assume that you have had occasion to talk to Neil Smith. Some time ago Neil and I discussed the City's plans

relative to the Brigham City Airport, and for many years past we have both entertained the possibility of the ultimate development of that area.

Until such time as we can get together, it might be well if I brief you on some of the considerations relative to the Airport and its effect upon Brigham City. Historically, quite a bit of work was done on the general lands surrounding the airport when Ruel Eskelson was mayor of Brigham City and while Frank Reeder was a county commissioner.

It was roughly six or eight years ago that the group of us conducted studies having in mind the drainage of the area to the east and north of the airport, and a corresponding rejuvenation of those lands so that they could be put to various kinds of industrial use. We went so far as to entertain the possibility of a dam on the Malad River upstream from the Garland, Utah, and a canal system to bring irrigation water into the area. Possibilities of securing loans were also studied. The project never got off the ground because, when the matter was finally placed before all of the land owners affected, there was not enough backing for the project, notwithstanding that several of us larger landowners were in favor of the project.

Three years ago I finally purchased the interests of my associates in roughly 1,800 acres of land which I own to the east, north and northwest of the airport, and I took another look at my holdings. I reasoned that some type of drainage program was essential to the total growth of the area and that, if possible, the acquisition of additional water rights for the area would be helpful. The thought struck me that I could enlarge the old ponds created by the cement plant operations in years past, that a drain system could be placed in the area at a uniform flat water-level, and that a pumping system could be arranged so as to impound in reservoirs the excess water which lies in the area during much of the year without impairing the stream flow of the Black Slough. Then, I reasoned, this water could be released, both by gravity and by pumps, during the summer months so as to utilize the water to grow grass for livestock, or create a wild fowl area, or (ultimately) for industrial use. The return flow to the Black Slough during the summer months would, I felt, equalize the total stream flow during the year. This program, as I see it, would eliminate some of the difficult problems which our group saw several years ago concerning the poor gravity flow system which we faced in moving the water across the land through which the Black Slough flows south of the Brigham City-Corinne highway, and the obstruction created by the Interstate Freeway where the Black Slough flows through it farther to the southwest.

I made a water filing for the storage of 2,000 acre feet of water in May of 1972. There were no real objections to this filing, but the State Engineer has sat on the filing for nearly three years, at this point. It seems that there is some reservation in his mind concerning the downstream users of the Bear River system, particularly the Utah State Fish and Game people. However, late last summer I met with the State Engineer, and he assured me that the project could commence with an initial approval of 800 acre feet of water to be pumped into storage reservoirs. Unfortunately, to this point I have not as yet received an official confirmation so that I can proceed with the project. It may be that the only additional thing which is required at this point would be some additional help from Brigham City in the form of a contact by letter or otherwise to push the matter off dead center.

I feel that the total development of the area must be tied to an adequate drainage system. To simply drain the area has physical problems (which I think can be greatly assisted if much of the drain water is pumped into impounding reservoirs in the area), but there is the further matter of a cash expenditure to drain the area without any corresponding offsetting financial benefits that one might envision within a few years hence. For this reason I think my project is sound and that the State Engineer should let me move ahead.

Coming next to the interest which Brigham City might have in my project, I have envisioned that the ultimate use to which my lands might be put are centered heavily around the Brigham City airport. This land is located between the Freeway and the Union Pacific Railroad line running north, it is located to a good population center, and it has the advantage of a good airport facility. As such, I feel that it will ultimately develop for industrial purposes, particularly such as are adapted to an airport facility. If additional industrial water can be tied into the package, I think that in the near future there might well be several businesses which would seriously entertain a location in this area.

Brigham City is very fortunate in having an airport which does not have any vested development on three sides--west, north, and east. This situation is very unique among airports in any part of the nation, and this advantage should not be lost. In this day and age where the burdens upon most municipal airports for commercial passenger traffic is becoming great, I feel that a city having a good airport which can be developed from scratch for industrial uses would have a tremendous advantage in inducing new industry into an area--particularly light industry which would not ultimately provide a municipality with burdens such as some industries brigh with them.

I have been a flier for about 15 years, and I think I am keenly aware of the situation. With this background, coupled with my analysis of the total area, I would certainly work very closely with Brigham City in developing my lands in conformity with a total project program. I am not so naive as to believe that a different type of development would be to my best interests, and I think that a proper program would be beneficial both to me and to Brigham City. For this reason, I would certainly welcome any kind of positive program which the City might entertain, and my circumstances at the present time are such that I can move ahead without any delay in implementing such a project. Consequently, when you, or other members of the council can meet with me, I will give it my immediate attention. In the next 30 days I would have conflicts on March 17, 18 and 19, and on March 24th and 25th, and on April 7th and 8th; otherwise, I could meet most any time between now and the end of April.

Very truly yours,

Glen E. Fuller

GEF:mm

cc: Mr. O. Neil Smith

It was reported that Brigham City would like someone from the county to work with the city on an Ad Hoc basis on this matter. Member Nelson made the motion that they appcint both Jerry Wilde and Paul Holmgren to this committee inasmuch as they are both familiar with it. This was seconded by Member Nelson with all in favor of the motion.

The following copy of a letter from the State Division of Health to Mr. William D. Morris was presented to the Commission:

DIVISION OF HEALTH
44 Medical Drive
Salt Lake City, Utah 84113

February 27, 1975

Mr. William D. Marsh
1018 First Security Bank Bldg.
Ogden, Utah 84401

Re: Baycliff Mobile Home Park
Willard, Utah

Dear Mr. Marsh:

This letter is to summarize the discussions and conclusions of our meeting with you on January 20, 1975 concerning water supply and wastewater disposal problems at the Baycliff Mobile Home Park which you own.

It is our belief that high ground water is very probably contributing to the problem at the drainfield in the southwest corner of the Park property. If such is the case, it will be necessary to find a new area in which to construct a drainfield. It apparently is not feasible to pump the septic tank effluent east of the highway, but you own land north of the Park which may be suitable for a drainfield.

It was concluded that soil exploration, water table observations, and percolation tests will be conducted at the north property site. We understand you will notify Mr. Willard Hill of the Bear River District Health Department and someone from the State Division of Health when you are ready to conduct the soil exploration. Mr. Hill or his representative and a representative of our office will be present to observe the soil profile. An excavation will also be made and left open to allow observation of groundwater level during the spring. At the existing southwest drainfield, existing observation holes will be used, or new one dug, to monitor groundwater elevation.

Until the question of groundwater level is resolved, it is not possible to determine accurately what steps need to be taken to solve the problem at the failing disposal field. However, if ground water is not the main problem, it still may be that the soil is clogged and unsuitable for continued use as a wastewater disposal medium. It is our evaluation that the drainfield probably is undersized, and the two existing septic tanks are used in parallel which is an unapproved arrangement. It is doubtful whether additional drainfield area can be provided on the west side of the park property because of the proximity to an irrigation ditch, although steps could perhaps be taken to line the ditch.

Concerning the water supply, you have agreed to submit to this office a plan of the existing water supply system, including line sizes.

You have stated that you will make no further additions to the present facilities until the present problems are satisfactorily resolved, and we appreciate your cooperation in this regard.

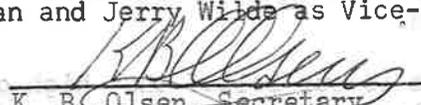
Very truly yours,

Calvin K. Sudweeks, Director
Bureau of Water Quality

JBP:cbs

cc: Willard Hill, Bear River District Health Department
Denton Beecher, Box Elder County Comm.

Mr. Nielsen reported that according to the by-laws they need to appoint a Chairman and a Vice-Chairman. The group unanimously agreed to retain the same Chairman and Vice-Chairman with Paul Holmgren continuing as Chairman and Jerry Wilde as Vice-Chairman and the meeting was adjourned.


K. B. Olsen, Secretary

THE MEETINGS OF MAY AND JUNE WERE
CANCELLED

Minutes of the regular meeting of the Box Elder County Planning Commission held Thursday, July 17, 1975 commencing at 8:10 P.M. Present Jerry Wilde, Boyd Nelson, Reed Nielsen and Ed Mott. Also present was ex-officio member Denton Beecher and K B. Olsen and County Planner Kenneth Millard. Excused Paul Holmgren. Vice-Chairman Jerry Wilde presiding and conducting.

Mr. & Mrs. Verl Kirby met with the Commissioners and inquired about the possibility of putting in a mobile home park about one half mile west of Tremonton. They said the location of the proposed park would be by the Texaco service station just west of Tremonton. It was pointed out the area they propose for the mobile home park is designated on the master plan as an industrial area and right now it is just a week patch. Mr. & Mrs. Kirby said there is 4.5 acres where the park would be and they said they have made a plan of the area. They said they plan to have a very nice park and said they are going to live there. They further explained they are planning on having 23 or

24 trailers. They also said they would like to have some direction from the Planning Commission before they spend a lot of money on it. They further explained the water will come from a six inch well and said the Sanitarian tells them they will have to have a holding tank. Mr. & Mrs. Kirby showed the Commission a plat of what they are proposing. They said they would like to know how the Planning Commission feels about it. The Planning Commission said they don't think there is anyway they can deny the request except for size if they comply with requirements of a mobile home park. Mr. & Mrs. Kirby said they haven't gone through the ordinance item by item but said they think they can live with anything they have read in the ordinance. The Commission said they have the policy of showing a community the courtesy of notifying them of any proposed development within a mile of the city to see how they feel about the proposed development; therefore, they want to let Tremonton know what is being proposed and give them an opportunity to respond. They also said they have relaxed some of the standards for our local people and feel if they will maintain the other standards we think we can approve the size of the proposed park. They also said they don't feel there is anyone in the area of the proposed mobile home park that the park would bother so they feel okay about that. They also said they would notify Tremonton and said give us until the third Thursday of August, when our next meeting will be held, to see if they have any comments. Mr. & Mrs. Kirby said before the power company or the gas company will put in their lines they need something in writing from the county. Mr. Nelson made the motion that if Mr. & Mrs. Kirby gets everything ready and Mr. Millard and Mr. Beecher give their approval of what is done the Planning Commission gives their approval to go ahead and start construction. Mr. Millard said he would be in touch with Tremonton and thought he could feel them out to see how they feel about the proposal. The motion was seconded by Commissioner Nielsen with all voting in favor of the motion.

The Secretary presented a notice of intent from Fielding Town for the the construction of a combination town hall and fire station. He said Fielding has applied for funds through the Farmers Home Administration there for in order to get the loan they need a letter from the Planning Commission that the proposed building does not conflict with the county's overall plan. The Commission directed the Secretary to notify Fielding that the proposed building does not conflict with the county's overall plan and directed him to send a copy

of the letter to Mr. Ron Robbins of the F.H.A. at Tremonton.

Mr. Beecher reported Mr. Paul Krambule from Parson's Asphalt Co. made an appointment to meet with the Commission and said he did not know why he didn't keep the appointment. However, Mr. Beecher said he thinks he knows what Mr. Krambule wanted. He said they would like to get a conditional use permit to allow Parson's to remove the gravel from some property west of the highway between Perry and Willard. He said the property is where the county has in years past taken some gravel from a knoll. He said Parsons wants to mine down and take the gravel and then turn it to the county for a landfill. He said Parsons would leave enough soil to use for cover material for the landfill. The Commission said before they make any decision on that they thought someone should go down to the sight and look the situation over. It was pointed out there is a big wash in the area which could have quite an effect on their decision. It was decided to have Commissioner Reed Nielsen, Jerry Wilde, Boyd Nelson & Denton Beecher go down next Tuesday, July 22nd at 2:00 o'clock and look the situation over so they will be familiar with just what the situation actually is.

Mr. Beecher reported a highway patrolman has been transferred to this area and he has been given a geographical area where he must live and he has asked if he can get a temporary permit for a mobile home where he can live until he builds a conventional home. After a brief discussion the Commission said they would rather see him go live in a mobile home park.

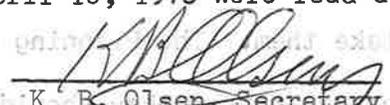
Mr. Millard said things have been quiet now for six months or more; therefore, he asked if there is anything going in any of the Commissioners assigned geographical areas. Mr. Wilde said there is some activity for getting the Harper Ward area zoned.

Mr. Mott reported on what has been done in the Park Valley area and reported he feels zoning in that area is realitively dead. Mr. Millard then said he thinks the Planning Commission should consider what is the long range feeling of agriculture. He said do they want to preserve agriculture or just what. Mr. Mott said he thinks the timing is wrong. After a brief discussion Mr. Millard pointed out if the land gets fragmented is agriculture going to be hurt with taxes and said it gets to a point where agriculture can't afford to pay the taxes. Mr. Mott said he wants an answer to Mr. Millard's question but said he'd like a little time to think about it. The Commission members

agreed with Mr. Mott.

Minutes of the Planning Commission meeting of April 10, 1975 were read and approved.

Meeting adjourned 10:30 P.M.


K. B. Olsen, Secretary

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Minutes of the Box Elder County Planning Commission held Wednesday, September 3, 1975 commencing at 8:10 P.M. Chairman Paul Holmgren presiding and conducting with the following present: Paul Holmgren, Jerry Wilde, Boyd Nelson, Reed Nielsen and Jay MacFarlane. Also present were Denton Beecher and K B. Olsen ex-officio members and County Planner Kenneth Millard.

Minutes of the meeting of July 17, 1975 were read. Mr. Nelson moved that they approve the minutes. This was seconded by Mr. Wilde with all voting in favor.

As a follow-up on the meeting of July 17th, Mr. Nelson reported that those who had been assigned to go down and look at property between Perry & Willard where Parson's Asphalt Co. is removing gravel had opposed granting a conditional use permit. However, he said they are still taking gravel from this property. He said they opposed granting the conditional use permit because of the water problem due to the big wash that goes through that area and because they haven't given any explanation as to how they propose to restore the area, nor have they told us what they intend to do. After a brief discussion it was decided that County Commissioner Reed Nielsen along with Denton Beecher and Boyd Nelson would go down there next Tuesday, September 9 at 100 P.M. to notify Parsons they will have to desist as they have not complied with the county ordinance.

The Secretary reported he had written a letter to the City of Tremonton to see if they had any objections to the proposed mobile home part requested by Mr. & Mrs. Verl Kirby at the last Planning Commission meeting. He reported he had not received a reply offering any objections. Mr. Millard said maybe Tremonton expected him to make a report to the Planning Commission as he had met with the city and they approved the mobile home park.

Mr. Millard reported the State Division of Real Estate will be holding a hearing in about three weeks as suggested by Assistant Attorney General Jim Barker to determine whether or not Basic Americans permit or license should be revoked because of their violation of the law in selling land in the western part of the county. He also asked how the Planning Commission thinks they should proceed. Should they take them one at a time or take all

that are in violation on at one time. If one at a time is there any preference in order they should take them. The Planning Commission said they thought it should be up to the County Attorney as to how they should proceed as he is the one that would have to handle it for the county.

Just as a suggestion and a matter of information he said as the Commission members know we have had considerable controversy on our definition of what is bonified agriculture land. He said he would recommend that we make them come in and prove it is bonified agriculture. He said the court has upheld Morgan County on their defining bonified agriculture so we have precedence on our side.

Mr. Beecher reported Ed Heil at South Willard built a home without a building permit. He said two of the County Commissioners went down and met with Mr. Heil and told him he would have to have the area rezoned and he maintains he thought the Commissioners would take care of the zone change for him. Mr. Beecher said Mr. Heil couldn't get power to the building because he didn't have a building permit so he came in and met with the County Commissioners and the Commissioners authorized him to issue a building permit on condition Mr. Heil would request a zone change and have his neighbors sign a petition that they are not opposed to the zone change. Mr. Beecher said Mr. Heil had obtained three signatures on the following petition:

PETITION TO REZONE

We do hereby petition to the Box Elder County Planning Commission to consider and recommend to the Box Elder County Commission to rezone the following described property from RR-5 to R-1-20 as shown on the attached drawing.

Beginning at a point located North 1033 feet and West 1911 feet from the SE Corner of Section 35, T8N, R2W said point of beginning being on the East line of State Road 89-91 & North line of Bryon A. Chadwick property, thence S87°44'E 485.5 feet more or less to the East line of the SW $\frac{1}{4}$ of SE $\frac{1}{4}$ of said Section, thence South 1940 feet more or less along said line to the SE Corner of Lee R. Zinck property thence West 660 feet more or less to the East line of State Road 89-91, thence Northeasterly 1950 feet along said East line to the point of

beginning containing 25 Acres more or less.

/s/ Byron A. Chadwick

/s/ Edmund F. Heil

/s/ Frances Heil

He said the County Commissioners would like a yea or a nay from the Planning Commission in order for them to hold a hearing for a zone change. There was considerable discussion as to what could be done to make legal what Mr. Heil has already done. The Commission said they thought they should do something to stop further violation of our ordinance and said if they allow people to go ahead and do things in violation of the ordinance and then they rectify what has been done they will be establishing a precedence they just wouldn't be able to live with. Mr. Wilde made the motion that they recommend to the County Commissioners that they deny Mr. Heil's request to change the area described in Mr. Heil's petition from an RR-5 to a R-1-20 zone. This was seconded by Mr. Nelson with all voting in favor of the motion. Mr. Nelson then made the motion that they recommend to the County Commissioners that the area described in the above petition be considered for being rezoned an RR-1 zone. This was seconded by Mr. Wilde with all voting in favor of the motion. The Commission asked County Commissioner Reed Nielsen to take this information and their thinking in making this decision back to the County Commission.

Mr. Gay Petingill from South Willard met with the Commission and said he would like to build a cold storage and packing house on his property just north of the cold storage shed he has which is just north of his home south of Willard. It was explained that Mr. Petingill had a packing shed in the Perry area that burned down and he said he wanted to rebuild a new one near where he lives so he can watch it. Mr. Beecher said he understands it will require a Conditional Use Permit to do what Mr. Petingill wants to do. After some discussion Mr. Nelson made the motion that they authorize Mr. Beecher to issue Mr. Petingill a Conditional Use Permit on condition he furnish proof of location showing that the building will be far enough back from the highway to ensure safety. This was seconded by Mr. MacFarlane with all voting in favor of the motion.

Mr. Beecher reported there was another matter that has come to him. He said Frank Woodland that has come to him. He said Frank Woodland was in the dairy business down by Cold Spring south of Willard until the Interstate Highway went through the area and cut his dairy farm in half and he sold his dairy herd. Mr. Beecher said Mr. Woodland would like to do something with the triangular piece of land he has left. He said Mr. Woodland is thinking of putting in a mobile home park or some storage bays. It was pointed out to do this it would require a zone change. After some discussion the Planning Commission said they would need to have some more concrete plan of what Mr. Woodland wants to do.

Mr. Beecher then said there is another person who has contacted him who wants to put in a pig farm just to the south of Frank Woodlands. After a brief discussion it was determined this is permitted in that area with a Conditional Use Permit. The Commission asked Mr. Beecher to take this information back to the person who inquired about it and tell him he will have to apply for the permit.

Mr. Beecher said he thought the Commission members should know David Scott and Donald Scott are selling building lots north of Riverside just before the highway goes down to cross the river. He said they sold a lot to a Mr. Johnson and he gave him a building permit, but he denied a building permit to a Mr. Hess for the second lot and he thought the Planning Commission should know what he's done in case they receive a complaint.

Mr. Beecher presented the following letter from John Laws:

28 August 1975
Tremonton, Utah

Box Elder Co. Planning Board
Box Elder County Commission
County Court House
Brigham City, Utah

Dear Sirs;

I am submitting for your approval, a copy of a plot for a piece of ground which I wish to sell as a Mini Subdivision with NO improvements. The ground has been plotted in lots of approximately two (2) acres each.

Please advise at your earliest convenience.

Sincerely,

/s/ John Laws

John Laws

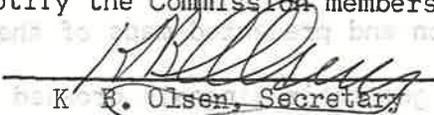
R.F.D. #2

Tremonton, Utah 84337

Mr. Beecher said the property referred to in the letter is on the hill west of Tremonton near the state road sheds. Mr. Beecher reported he didn't know if Mr. Law intends to furnish water for the subdivision and said he asked if Mr. Law had approval from the Board of Health and he said he didn't have a statement from the Board of Health. Mr. Beecher also said Jay Holmgren is objecting to the proposed subdivision as he thinks it may pollute his well. Mr. Beecher reported he has denied a building permit on the second lot. After some discussion the Commission said Mr. Law hasn't supplied them with the information required in our ordinance; therefore, they can not act on his request.

It was determined to go ahead and hold the next meeting on the regularly scheduled meeting day, on the 3rd Thursday of September, even though the August meeting was postponed until this date, Sept. 3rd. It was decided if the Secretary or Denton Beecher hasn't had anything come in to be on the agenda by a week before a regular meeting date these men have authority to cancel the meeting and so notify the Commission members.

Meeting was adjourned at 10:25 P.M.


K. B. Olsen, Secretary

Minutes of the Box Elder County Planning Commission meeting of Thursday, Sept. 18, 1975. Vice-Chairman Jerry Wilde conducting. Present Jerry Wilde, Jay MacFarlane, Boyd Nelson & Reed Nielsen. Also present was ex-officio members Denton Beecher and K B. Olsen. Excused, Paul Holmgren & County Planner Kenneth Millard.

Al Lundren representing Reagan Outdoor Advertising, Inc. met with the Commissioners and requested permission to put up a sign just off from the Interstate across from the Brigham City Airport. Mr. Lundren reported he has approval from the State Department of Highways. He said Mr. Bosworth owns the property where he intends to put the sign, but said he hasn't the final approval from the property owner. He said it will be an all

metal sign 27 ft. high & 25 ft. long. Mr. Lundgren reported the sign would be lower than existing signs in the area. The request was approved.

Mr. Beecher asked if the Commission had any suggestions as to what they want in the Brigham Airport design. No suggestions were made.

Mr. Beecher said he would continue to deny building permits where they do not comply with the County's Subdivision Ordinance unless he received instructions to the contrary from the Planning Commission.

It was decided to change the meeting time from 8:00 P.M. to 7:00 P.M. for the winter months.

Meeting adjourned.


K B. Olsen, Secretary

Minutes of the Box Elder County Planning Commission meeting of October 16, 1975.

Chairman Paul Holmgren presiding with the following members present: Paul Holmgren, Jerry Wilde, Boyd Nelson & Reed Nielsen and ex-officio members Denton Beecher, K B. Olsen and Kenneth Millard.

Lincoln Hanks representing Dove Creek Farms & Ranches met with the Planning Commission. Mr. Hanks said while he was ill his engineer met with the Planning Commission and presented maps of the proposed Dove Creek Farms & Ranches, however, he said they got their signals crossed and the engineer made the lines one way and Mr. Hanks said he wanted them another way. He said Mr. Millard thought he should submit the maps again. Mr. Hanks then showed the Commission three different plats of subdivision and discussed what they are planning to do. The Commission, after hearing Mr. Hanks, said there are still things Mr. Hanks has got to do. For example, the County Commissioners have got to approve the variances. They also said it is not easy to approve the roads unless they see the entire tract on one map so they can see how it will all tie together. The Commission told Mr. Hanks they would be willing to let Mr. Beecher & Mr. Millard work with him to assure the final plat is in final presentation form. Then the County Commissioners may authorize the variances, come back to the Planning Commission with the final plat. Mr. Nelson asked about the drainage problem created by cutting the road

down the slope of the land. Mr. Hanks assured the Commission where they have created a drainage problem they will take care of it.

Mr. Beecher recommended, for a matter of uniformity, the Planning Commission authorize him to prepare a minor for final subdivision plat in blank so all the subdivider has to do is fill in the blanks. He suggested that there be a charge of \$5.00 to \$10.00 a sheet to pay the cost of the forms. He said if a subdivider had to have a draftsman do this work it would cost from \$50.00 to \$80.00. Member Nielsen made the motion that they require all subdivision plats be acquired from the county. This was seconded by Member Nelson with all voting in favor of the motion.

The minutes of September 18, 1975 were read and approved.

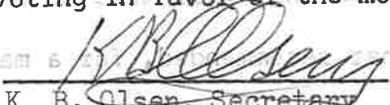
Mr. Beecher read a copy of a letter from the State Department of Health to William D. Marsh in regards to Mr. Marsh's development at South Willard in which the state ordered Mr. Marsh to finalize the construction plans & specifications within 30 days and come up with a time schedule for having the construction completed and waste water treatment facilities operational and said if the conditions are not complied with the state will take legal action. Mr. Beecher said he thought the Commission should be aware of what is going on.

Mr. Beecher reported that Kirby's submitted a plan for their proposed Mobile Home Park west of Tremonton but he said they don't have approval from the state on water and sewer yet the Kirby's have already started construction. He said basically the Kirby's, at this time, are only building their own home which is legal. The Planning Commission members said when Mr. & Mrs. Kirby were in to their meeting they did give their approval to what they were planning to do and authorized them to have the plan made up. It was pointed out; however, the plan submitted is not a satisfactory plan for review and the Planning Commission would just be speculating as to what the Kirby's are thinking. Therefore, the Commission directed Mr. Beecher to send the plan back for clarification.

Member Nelson said inasmuch as it has been brought to the Planning Commission's attention that Parson Construction Co. is proceeding with the excavation of gravel in the area between Perry and Willard which is in an RR-10 zone and has never been given a conditional use permit. Member Nelson made the motion that they direct Mr. Beecher to write a letter to Parson's calling this matter to their attention and ask that a representative of

their company come in and meet with the Planning Commission at their next meeting. This was seconded by Commissioner Nielsen with all voting in favor of the motion.

Meeting adjourned.


K B. Olsen, Secretary

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Minutes of the Box Elder County Planning Commission Meeting held Wed., Dec. 3, 1975.

Present Paul Holmgren, Jerry Wilde, Boyd Nelson, Reed Nielsen and County Planner Kenneth Millard and Secretary K B. Olsen. Excused; Denton Beecher. Chairman Paul Holmgren conducting.

Minutes of the meeting held Thursday, October 16, 1975 were read and approved.

As requested at the last meeting, Paul Krambule representing Parson Asphalt Products & Ready Mix & Paving Co. met with the Commission regarding the excavation of a gravel pit in the area between Perry & Willard cities with Lyle Meldran from the State Dept. of Highways sitting in. The said gravel pit being located in an RR-10 zone and thus should have a conditional use permit but an application for such a permit has not been made. Mr. Krambule explained their operation at the gravel pit to the Commission and said when they get through there is not going to be a hole but said it will drain to the west and said the banks would be on a two to one' slope. He said when they are through they will put material on the banks so the vegetation will grow back. After hearing Mr. Krambule's explanation the Commission asked Mr. Krambule to give them this in writing so they will have in writing what he has told them. The Commissioners said he should apply for a conditional use permit to make legal what they are doing. Mr. Krambule said he would make an application so there would be one on file. Denton Beecher and Commissioner Nielsen arranged for he and member Nelson to go down and look at the operation to make sure what Parson's is doing is satisfactory. Mr. Krambule said when they finish with the pit it would make a good landfill. Commissioner Nielsen said they would think about that possibility. The Commission said they would get back together after Commissioner Nielsen and Mr. Nelson had been down to look at the operation.

DeVon Breitenbeker and LaRue Yates met with the Commission and asked about what can be done in the Harper area so they can have local control. These men expressed

concern for some of the things that could come into the area and they said there is no way we can stop certain things unless there are some controls set up. The Planning Commission along with Mr. Millard told these men some of the things that could be done but pointed out it depends on what the people of the area want. After some discussion these men said they would get their people together and decide what they actually want and prepare a petition to present the Planning Commission. The Commission said when this is done we can proceed from there. They set Thursday, Jan. 15, 1976 at 8:00 PM for representatives of the Harper area to again meet with the Commission.

The Secretary reported Mr. Beecher has had a request from Kenneth Funk that the county relax the requirements of the county's Mobile Home Park Ordinance to allow mobile homes to be placed anywhere in the county on a person's own property and said he would like to know how the Planning Commission felt about it. He said Mr. Millard was familiar with this request. The Commission members said they were not favorable to relaxing the standards.

Mr. Millard showed the Commission members a map of the Dove Creek Farms & Ranches subdivision showing the roads and right-of-ways.

Meeting adjourned.


K. B. Olsen, Secretary

Minutes of the Box Elder County Planning Commission meeting held Thursday, Jan. 15, 1976 commencing at 7:00 P.M. Present Jerry Wilde, Ed Mott, Reed Nielsen and ex-officio members Denton Beecher, Kenneth Millard and Secretary K B. Olsen. Excused Boyd Nelson and Paul Holmgren. Vice Chairman Jerry Wilde presiding.

Minutes of the meeting of Wednesday, December 3, 1975 were read and approved with two minor changes. The Secretary asked as a follow-up on the minutes of December 3rd if Mr. Krambule had filed an application for a Conditional Use Permit and if he had given the Commission in writing what Parson's is going to do regarding the gravel pit they are working out of which is located between Perry & Willard. The answer was a negative answer to both questions. Mr. Beecher reported on the inspection tour that he, County Commissioners Nielsen and Burt and member Boyd Nelson took to see the gravel pit. He then suggested that the Planning Commission require Parsons to file a topography map showing

how they are going to leave the pit when they are through with it. The Commission directed the Clerk to send Mr. Krambule a letter with a copy being sent to County Attorney O. Dee Lund and a copy to the State Department of Highways requesting that Mr. Krambule file with the Planning Commission a topography map as suggested and reminding him he has not filed a request for a Conditional Use Permit and call to his attention the section in the county ordinance dealing with Conditional Use Permits.

Mr. Beecher reported Mrs. Kirby has contacted him on their proposed Mobile Home Park west of Tremonton. He said she reported they have run into a problem in that the culinary water doesn't meet state standards. He said the Kirbys have built a home and are living there but are having to haul their culinary water. He said they are pumping their well in hopes they can leach it out to meet state standards. He further said they have three pedestals and they were wondering if they can't fill up the three pedestals. He said the state regulations will allow this if they have under nine units to be said it would be against the county ordinance.

Mr. Millard told the Planning Commission, just so they would know what is going on, that the state has cited Basic American in an Order to Show Cause why their license shouldn't be revoked. He said the hearing was set for day before yesterday but an extension has been granted until February 2nd. He then asked if there is anything the Commission wants him to take back with him for the hearing. There was some discussion and the Planning Commission said their main concern is that Basic American comply with our subdivision ordinance. Mr. Mott questioned that the people who have purchased land from Basic American can get to their property without trespassing on private property, state property or B.L.M. land. Mr. Beecher said he thinks they have acquired trespass from the B.L.M.

At 8:00 P.M. the following people from the Harper Area met with the Planning Commission: Robert Jensen, Audrey Jensen, Morris Allen, Charles L. Jeppesen, Mary Jo Jeppesen, Barbra Earl, Jeri Bath, Allen Jensen, Patti Jensen, Mr. & Mrs. Joseph Yates, Glade Evans, Paul Hunsaker, Nina Beecher, Elbert R. Beecher, Leah Baugh, J. Max Baugh, Kay Wilde, Rohland Munns, Arlene W. Munns, Arland E. DuVall, LaRue Yates, Merrill Stone, Gary Ann Stone, Marlene Hinck, Harry Hirsh, Harvey Morgan, DeVon Breitenbeker, Jack Webster, Sharon Webster, Loren J. Petersen, Marie H. Peterson.

BEAR RIVER DISTRICT HEALTH DEPARTMENT
County Courthouse
Brigham City, Utah 84302
723-5648

February 11, 1976

Warren Christensen
2855 North 600 West
Ogden, Utah 84404

Dear Mr. Christensen:

This letter is to remind you that before any construction takes place in your proposed sub-division plans must be submitted to the Bear River District Health Department for approval.

Plans must show lot location, type of waste disposal to be used, number of bedrooms in the house and water supply for each house.

If these plans have been drawn up we would appreciate it if a copy could be sent to us.

Plans must also be submitted to the State Division of Health for review and approval.

If you have any questions please feel free to contact our office.

Sincerely,

Stacey Madson/S7

Stacey Madson
Sanitarian
Bear River District Health Department
Box Elder County Court House
Brigham, Utah 84302

SM:sf

cc: Willard Hill, Supervisor of Sanitarians
Don Chase, Box Elder County Commissioner
Box Elder Planning Commission

Jerry Wilde welcomed the group and introduced the Planning Commission members. DeVon Breitenbeker acting as spokesman for the group and explained some of the people in the area felt that something should be done to get some restrictions in their area; therefore, a committee was appointed to check into it as they felt if something isn't done now it is going to be too late. He said they realized they have to get some kind of organization to find what is best for the majority. He said the city has gone over some areas of the county's master plan and have come up with what they thought would be the best zoning for the area. He said what the committee has come up with is strictly recommendations and said he thinks they should know the opinions or concession of the group. He said the area they have considered for zoning is the area from Brigham City to Honeyville and from the railroad tracks on the west to the county line on the west. He said this area should be divided into two main sections. One they think should possibly be an RR-5 zone which would be from the railroad tract up to the forest boundary line. The second could be a MU-160 which would be above the RR-5 zone. He said they had a question on the east line and said they picked that just because it was something they find on the map. Mr. Beecher said the dividing line between the two districts can be any line that is definable. Mr. Breitenbeker said the question is do we want to keep our area rural or do we want it to become an urban area. Member Wilde called on each one present to express their opinion. The opinions were pretty well unanimous that something needs to be done, However, there was some difference of opinion on the boundary line to divide the two different zones and the size of the lots. Most said they support the committee.

Mr. Millard told the group the next thing that should be done is these people should put on a map what they finally come up with as to what they want. This should then be presented to the Planning Commission. The Planning Commission then makes a recommendation to the County Commissioners and the County Commissioners advertise and hold a public hearing. He pointed out there has to be 30 days between the time the notice is published and the public hearing. The Planning Commission told the group they would give them what help they need and said Mr. Millard would be happy to meet with them to give them the benefit of his knowledge and experience and Mr. Beecher said he would help them with a map showing the boundary line between the two zones they decide on.

LaRue Yates made a motion to the effect they retain the committee as now constituted and the committee move ahead as fast as they can to establish a boundary line between the two proposed zones and decide on the size of lot they recommend for their area so the map can be prepared to file with the County Planning Commission so they can move forward as fast as possible. This was seconded by Harry Hinck with all voting in favor of the motion.

Arland DuVall made the motion the committee work with the thought of an RR-5 zone for the lower zone. This was seconded by Elbert Beecher. No vote taken.

Meeting adjourned 9:20 P.M.


K B. Olsen, Secretary

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Minutes of the Box Elder County Planning Commission meeting held Thursday, February 19, 1976. Chairman Paul Holmgren presiding with the following members present: Jerry Wilde, Reed Nielsen, Boyd Nelson, Jay Macfarlane and Ed Mott. Also, ex-officio members attending: Denton Beecher, K B. Olsen and County Planner Kenneth Millard.

DeVon Breitenbeker, LaRue Yates, and Max Baugh, representing the Harper Ward Area met with the Commission. They reported the committee has met with the people of the Harper Ward area and they are here to recommend the boundary lines of their proposed district. They said they have had Mr. Beecher meet with them to help them put the boundary lines on a map. They said those at the meeting unan- imously agreed the line for the MU 160 zone should extend all the way to the North Deweyville Town line. They said they understand Honeyville is agreeable to that. They said basically the boundry line dividing the RR-5 and MU-160 zone is the double power line. They also said they would like the Planning Commission to act on their request for their area to be zoned as soon as possible. They said there was only four out of 31 at their meeting who didn't favor the 5 acre zone and they really weren't opposed. Member Wilde made the motion that they accept the report from the Committee and they recommend to the County Commissioners that a public hearing be set as soon as the required notice can be given. This was seconded by member Nelson with all voting in favor of the motion.

Minutes of the Planning Commission meeting of Thursday, January 15, 1976 were read and approved. The secretary, as a follow-up from the last meeting, reported he wrote a letter to Mr. Paul Krambule, manager of Parson Asphalt Products as directed and he said he had received a telephone call from Mr. Krambule, then later he said he received an application for a Conditional Use Permit which he presented to the Planning Commission. After reviewing the application, the Commission members directed the Secretary to write and notify Mr. Krambule that he still hasn't given the Commission a site plan and grading plan. Therefore, they cannot act on his Conditional Use Permit application as they do not know what the company intends to do with the gravel pit ~~with~~ when they are finished using it and remind him that they are still in violation of our County Zoning Ordinance until such time as a Conditional Use Permit is granted.

Also, as a follow-up on the minutes of the last Planning Commission meeting, Mr. Millard and Mr. Beecher reported on the hearing that was held wherein the state cited Basic American in an Order to Show Cause why their license shouldn't be revoked. They reported that Basic American agreed to stay with the 160 acres as required by our County Ordinance.

Mr. Kenneth Funk met with the Commission and requested he be given permission to relocate his mobile home from where it is presently located, just north of Garland, to a location west of the Peck Store at West Fielding. There was some discussion as to what might be done. Mr. Funk pointed out he plans to buy the land at West Fielding as soon as he has the money and build a home, however, he said this would probably be in about five years. The Commission expressed sympathy with Mr. Funk's request but didn't know how they could approve the request without changing our Ordinance. It was pointed out if this came within a zoned area, they could issue a conditional use permit; but it doesn't come within an area that is zoned. The Commission said they would take the matter under advisement and let him know within a few weeks. Later the Commission approved Member Nielsen and Member Macfarlane going out to talk to Mr. Funk and report back at the next meeting. It was pointed out if Mr. Funk's mobile home can pass the building code and it is set on a foundation, it would comply with the County's regulation.

Dr. James Simper and Jerry Rasmussen met with the Commission in regards to zoning the air around the Brigham City airport. They presented a miniature scale model showing the heights regulations the committee recommends. They reported they have held monthly

meetings and have prepared a proposed ordinance for zoning height regulations.

They explained the purpose of meeting with the County Planning Commission was so they could go through this group to get them to recommend to the County Commissioners that they hold a public hearing to consider the adoption of the proposed height regulations. These men said at the present time there is nothing in the area that penetrates the height restrictions they are proposing. They said it is important that the planning commission move on this so they can meet the time table that has been set up. Dr. Simper said this ordinance has been presented to and approved by Brigham City. The Commission unanimously agreed to recommend to the County Commissioners that they give notice and hold a public hearing to consider adoption of the said Ordinance. The Commission recommended that the County Commissioners contact Brigham City to see if they can't hold a joint public hearing rather than have two separate hearings to each consider the same thing. There was some discussion regarding the location of the road into the Brigham City airport.

Dr. Simper said it was their thinking that in the future the road in to the airport should run parallel to the freeway and adjacent to the freeway.

Reed Summers met with the Commission and said he is considering a minor subdivision in the Penrose area. Mr. Summers showed the Commission on a map where he is planning on putting the minor subdivision. He said there is a fire hydrant on each end of the proposed subdivision that were put in by the new Thatcher-Penrose water system. After the Commission asked some questions about Mr. Summer's plans, Member Macfarlane made the motion that they give Mr. Summers sketch plan approval contingent on his getting all the information that is necessary. The Commission told Mr. Summers he could work with Mr. Beecher in getting in the necessary information. This was seconded by member Wilde with all voting in favor of the motion.

Corinne City's request for drilling a well near their spring and storage tank on the mountain north of Brigham City was considered. It was pointed out Corinne needs a letter from the County Planning Commission either approving or disapproving the well, which they need in connection with their application for a loan from FHA.

It was brought out some of the people using West Corinne have expressed concern the well might effect their spring. The Commission members said they didn't know how it could as the proposed well would be below West Corinne's spring. It was

then brought out there is concern that the well might effect the wells of some of the people in the Harper area. After some discussion, Member Nelson made the motion they direct the secretary to write a letter to Mr. Ron Robins of the SCS with a copy of the letter going to Corinne City stating the Commission has considered the matter and the majority of the Commission are in favor of Corinne's proposed well. However, he should be told the Commission has a great deal of concern for the residents in the Harper area presently using surrounding springs and say we feel care should be taken to preserve these people's water rights. This was seconded by Member Nielsen. Member Wilde said in the interest of the people from the area he represents, he would have to vote against the motion. The other members of the Commission voted in favor of the motion. The motion therefore passed.

The Town of Portage's application to redevelop it's spring and upgrade its culinary water system was considered. After some discussion, Member Nielsen made the motion that they direct the Secretary to write a letter to Mr. Ron Robins of the SCS and tell him the Planning Commission can't see how this proposed project will have any adverse impact on anyone else, therefore, they give the proposed project their approval and blessing, with a copy of the letter to be sent to the Howell Town President. This was 2nd by Member Macfarlane with all voting in faovr of the motion.

The secretary presented the following copy of a letter from Sanitarian Stacey Madson:

Warren Christensen
2855 North 600 West
Ogden, Utah 84404

Dear Mr. Christensen!

This letter is to remind you that before any construction takes place in your proposed sub-division plans must be submitted to the Bear River District Health Department for approval.

Plans must show lot location, type of waste disposal to be used, number of bedrooms in the house and water supply for each house.

If these plans have been drawn up we would appreciate it if a copy could be sent to us.

Plans must also be submitted to the State Division of Health for review and approval.

If you have any questions please feel free to contact our office.

Sincerely,
/s/ Stacey Madson/sf
Stacey Madson
Bear River District Health Department
Box Elder County Court House
Brigham, Utah 84302

It was pointed out the proposed subdivision is inside of Willard City and Mr. Madson sent a copy of the letter to the County Planning Commission just for information purposes.

Meeting adjourned.


K B. Olsen, Secretary

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Inasmuch as there weren't enough members able to attend to constitute a quorum and because there wasn't anything pressing on the agenda, the regularly scheduled meeting of March 18th was postponed to March 30th to immediately follow the Public Hearing.

Minutes of the Box Elder County Planning Commission meeting held Tuesday, March 30, 1976, commencing at 9:20 P.M. following the public hearing on the proposed zoning of the Harper Ward District. Present were Paul Holmgren, Jerry Wilde, Reed Nielsen, Jay Macfarlane and Dale Rhodes. Also present were exofficio members Denton Beecher and K B. Olsen. Chairman Paul Holmgren presiding.

Member Nielsen made the motion that they approve the minutes of Thursday, February 19, 1976. This was seconded by Member Macfarlane with all voting in favor of the motion. As a follow-up on minutes of February 19th, the secretary reported he had written to Parson's as requested, telling them they are in violation of the County Ordinance as they have not obtained a conditional use permit. Mr. Beecher said Mr. Krambule has contacted him in regards to the letter the secretary sent out and the thing that is holding them up on the conditional use permit is they are checking out the matter of an easement along the one side of the gravel pit.

Member Nielsen reported he and member Macfarlane had looked into Mr. Kenneth Funk's request, which was made at the last meeting, to put a trailer on some property at West Fielding. He said he didn't think they could approve Mr. Funk's request as it would be in violation of the ordinance.

Mr. Beecher said a while back there was a request made for a subdivision on some property along the Iowa String road. He said they will recall the Planning Commission wouldn't allow it because of the lack of culinary water and because of the high water table. He said one lot was sold leaving some land on each side of the lot that was sold. Now he said he has received a letter from an attorney

wanting to know if the owner can sell the two remaining parts as one parcel or would he be allowed to sell what is left as two parcels. The Commission said this land could be sold as bonified agriculture land.

Mr. Beecher reported he has received some information from Weber County that Wasatch Crest Trails is making some trails in the basin area that extend into our county. He said they just want to make us aware of what is going on and see if we have any comments. The Planning Commission said if the trails are primarily non vehicular, they probably would not have any objections. Mr. Beecher said he would study the material he has, which has just been received, to see if it gives any information as to how the trails would be used and they could discuss the matter at their next regular meeting on April 15th.

The Commission decided to change the time of their meetings when we change to daylight savings time, therefore the meeting for April would start at 7:00 and starting with the May meeting they will start at 8:00 P.M..

Mr. Beecher and County Commissioner Don Chase, who came into the meeting briefly, gave a brief report, for information purposes only, on the court case Box Elder County vs. Ray Coleman. They said they think the ruling of the court hinges on whether or not the 1969 Ordinance is a valid ordinance.

Meeting adjourned.


K B. Olsen, Secretary

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Minutes of the Box Elder County Planning Commission meeting held Thursday, April 15, 1976. Vice Chairman Jerry Wilde presiding. Present were Jerry Wilde, Reed Nielsen, Boyd Nelson and Dale Rhodes and exofficio members Denton Beecher, K B. Olsen and County Planner Kenneth Millard.

Member Beecher gave a brief report on what the County Commissioners have done towards zoning the Harper Ward District. He reported the Commissioners have amended the county zoning map to include the following property in the RR-5 zone (see copy included) and the following property in the MU-160 zone (see copy included). He reported this is basically as had been recommended to the County Commissioners by the County Planning Commission except for some minor changes on the line dividing the two zones and those changes were made to follow the property line so they didn't cut through the middle of some of the smaller pieces of property

The secretary presented a Preliminary Engineering Report on Water Facilities for Plymouth Town and said the Farmer's Home Administration needs notification from the Planning Commission as to whether or not the proposed project complies with the County's overall plan before FHA can process Plymouth's application for a loan. Mr. Beecher told the Commission members what he knew about the proposed project. After reviewing the information, member Nelson made the motion that they authorize the secretary to send a letter to the FHA stating the proposed project is in harmony with the County's Overall Plan and is compatible with the County's Zoning Ordinance, with a copy of the letter going to Plymouth Town President. This was seconded by member Nielsen with all voting in favor of the motion.

Mr. Hampton made application for a zone change at south Willard in the area between the highways south of the overpass south of the weigh station. Mr. Hampton said he is buying an acre of land from Mr. Weaver which is location between two homes and said Pleasant View culinary water lines run right past this property and all he has to do is pay a hookup fee to get water for the proposed home. He said this property has access to a hardsurfaced frontage road. After some discussion, Member Nelson said if he's got water and sewer, he would make the motion they recommend to the County Commissioners that they advertise and hold a public hearing to consider changing the zone of all the land between the north bound and south bound highways 89 & 91 south of the weigh station from an RR-5 zone to an RR-1 zone. This was seconded by Member Rhodes with all voting in favor of the motion. It was explained to Mr. Hampton that in order to make a zone change, the Commissioners would have to advertise for 30 days and hold a public hearing on the proposed change and said the Commissioners will have to take a little while to deliberate after the hearing so it will take a little time to know whether or not the change will be made.

Reed Summers again met with the Planning Commission regarding his proposed minor subdivision. Mr. Summers presented a plan of the proposed subdivision and asked if he could get it approved. The Commission explained to Mr. Summers he can't sell by lot numbers unless he records the property as a full subdivision but said he can sell the lots by meets and bounds descriptions. After a brief dis-

Harper Ward District Zone RR-5

Beginning at the intersection of the South corporate limits of Honeyville and the centerline of the Union Pacific Railroad right-of-way, thence Northeasterly to the centerline of the Hammond East Branch canal, thence Southeasterly along said centerline to the North line of Section 23, T10N, R2W, thence East along said line to the NE Corner of the NW $\frac{1}{4}$ of the NW $\frac{1}{4}$ of said Section 23, thence South 2192 feet along the East line of said NW $\frac{1}{4}$ of NW $\frac{1}{4}$, thence N84 $^{\circ}$ 52'E 210 feet, thence S1 $^{\circ}$ 03'E 429 feet, to the North line of the SW $\frac{1}{4}$ of said Section 23, thence East 1080 feet more or less to the NE Corner of the said SW $\frac{1}{4}$, thence South 800 feet more or less to the centerline of Utah Power & Light double pole powerline, thence Southeasterly along said line to the East line of Section 26, T10N, R2W, thence South along said line to the SE Corner of said Section 26, thence East 1320 feet to the NE Corner of the NW $\frac{1}{4}$ of the NW $\frac{1}{4}$ of Section 36, T10N, R2W, thence South 2400 feet more or less along the East line of said NW $\frac{1}{4}$ of NW $\frac{1}{4}$, to the centerline of the Utah Power & Light double pole powerline, thence Southeasterly along said centerline to the North line of Section 1, T9N, R2W, thence East along said North line to the N $\frac{1}{4}$ Corner of said Section 1, thence South along the East line of the NW $\frac{1}{4}$ of said Section 1 to the centerline of Utah Power & Light double pole powerline, thence Southeasterly along said centerline to the North corporate limit of Brigham City, thence Northerly and Westerly along said North line to the centerline of the Union Pacific Railroad right-of-way, thence Northwesterly along said right-of-way to the Point of beginning.

Harper Ward District MU 160 Zone

Beginning at the intersection of the centerline of the Hammond East Branch canal and the South corporate limits of Honeyville, thence Southeasterly along said centerline to the North line of Section 23, T10N, R2W, thence East along said line to the NE Corner of the NW $\frac{1}{4}$ of the NW $\frac{1}{4}$ of said Section 23, thence South 2192 feet along the East line of said NW $\frac{1}{4}$ of NW $\frac{1}{4}$, thence N84 $^{\circ}$ 52'E 210 feet, thence S1 $^{\circ}$ 03'E 429 feet, to the North line of the SW $\frac{1}{4}$ of said Section 23, thence East 1080 feet more or less to the NE Corner of the said SW $\frac{1}{4}$, thence South 800 feet more or less to the centerline of Utah Power & Light double pole powerline, thence Southeasterly along said line to the East line of Section 26, T10N, R2W, thence South along said line to the SE Corner of said Section 26, thence East 1320 feet to the NE Corner of the NW $\frac{1}{4}$ of the NW $\frac{1}{4}$ of Section 36, T10N, R2W, thence South 2400 feet more or less along the East line of said NW $\frac{1}{4}$ of NW $\frac{1}{4}$, to the centerline of the Utah Power & Light double pole powerline, thence Southeasterly along said centerline to the North line of Section 1, T9N, R2W, thence East along said North line to the N $\frac{1}{4}$ Corner of said Section 1, thence South along the East line of the NW $\frac{1}{4}$ of said Section 1 to the centerline of Utah Power & Light double pole powerline, thence Southeasterly along said centerline to the North corporate limit line of Brigham City, thence Easterly and Southerly along said North corporate line to the SE Corner of Section 7, T9N, R1W, [thence North along the East lines of Section 7 and 6, T9N, R1W, to the East County line, thence Northerly and Westerly along said County line to the North line of Section 13, T10N, R2W, thence West along the North lines of Sections 13 and 14, to the corporate limits of Honeyville, thence Westerly and Southerly along said limits to the point of beginning.

cussion, Member Rhodes made the motion they authorize the Acting Chairman to sign the plan on behalf of the Planning Commission and they recommend the plan to the County Commission for their approval. This was seconded by Commissioner Nielsen with all voting in favor of the motion.

County Planner Kenneth Millard explained the county's subdivision ordinance has been rewritten. He said procedures is the main difference which has been brought about through administrative law. He also said he would leave three copies with the secretary so the County Commissioners can advertise and hold a public hearing on adoption of the new ordinance. The Planning Commission unanimously agreed they recommend to the County Commissioners they take the steps necessary to adopt the new ordinance.

Meeting adjourned at 9:45 P.M.



K B. Olsen, Secretary

Minutes of the Box Elder County Planning Commission meeting of May 20, 1976, commencing at 8:00 P.M.. The following members were present: Jerry Wilde and Ed Mott. Also present were exofficio members, Denton Beecher and K B. Olsen and County Planner Kenneth Millard. Presiding was Vice Chairman Jerry Wilde.

Spencer Redmond met with the Commission and asked about getting a permit for a mobile home for six months while he builds a regular home. Member Wilde explained that inasmuch as there were only two members present, they couldn't take any official action at this time. However, the two present said they were favorable to the request and asked Denton Beecher to take a poll of those members not present and said if he gets a majority in favor of the request, to go ahead and give Mr. Redmond a temporary mobile home use permit.

They decided if the other members do not object, they will change the starting time for Planning Commission meetings to 7:30 P.M.

Meeting adjourned.



K B. Olsen, Secretary

Inasmuch as there wasn't anything on the agenda, the June meeting of the Box

Elder County Planning Commission was cancelled.


K B. Olsen, Secretary

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Minutes of the regular meeting of the Box Elder County Planning Commission held Thursday, July 15, 1976. The following members were present: Jerry Wilde and exofficio member K B. Olsen and County Planner Kenneth Millard.

Harry Hinck and his wife Marleen met with the Commission. Member Wilde explained there could be no official action taken because of a lack of a quorum but he said they could listen and perhaps could be of help if they only wanted information. Mr. Hinck said he was there to ask about putting a mobile home next to his home north of Brigham. He said his father is in bad shape and needs to be where he can take care of him. They told Mr. Hinck this can be done with a temporary use permit for six months and said this permit can be renewed. Mr. Hinck said he has plenty of water and knows he has to meet with the Board of Health and meet their requirements. Mr. Millard said he should also show on a drawing what he intends to do and get a letter of approval from the sanitarian.

David Thompson from Deweyville came into the meeting and said he is proposing a subdivision, a rural type of an acre or acre and one half lots. He said the proposed subdivision is north of Deweyville on the terraces east of the highway. Member Wilde asked what he is going to do for water. Mr. Thompson said he is proposing on drilling wells. He said he knows he is premature but he wants to know how the Planning Commission feels about it. Mr. Wilde and Mr. Millard told Mr. Thompson he would have to work with the sanitarian on percolation tests. They also told him the County doesn't have any zoning requirements in that area, however, they said the subdivision laws must be followed. Mr. Thompson told them a little of what he is planning on doing after which Mr. Millard said where he will have access on a state highway, he will probably have more problem with the design than with the Planning Commission. Mr. Wilde and Mr. Millard suggested he check the county's zoning ordinance and in looking at what he would need, base it on what is in the RR-1 zone. They also said he would need to submit a letter to the

Planning Commission and one to the County Commission asking for the variances from the improvements.

They asked the secretary to see if he can get a list of the Planning Commission members and when their terms expire.

Meeting adjourned.


K B. Olsen, Secretary

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The County Planning Commission meeting for August, 1976 was cancelled due to not enough Planning Commission members were able to be in attendance and because there was not anything of importance on the agenda.


K B. Olsen, Secretary

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Minutes of the regular meeting of the Box Elder County Planning Commission held Thursday, September 16, 1976. The following Commission members were present: Jerry Wilde, Dale Rhodes, and Paul Holmgren. Also present were exofficio members Denton Beecher and K B. Olsen. Chairman Paul Holmgren presiding.

Lincoln Hanks, representing Dove Creek Farms and Ranches, met with the Planning Commission and presented a plat of Dove Creek Farms and Ranches made up of 4 sheets plus the dedication plats. Mr. Beecher read to the Planning Commission members the notes applicable to all four sheets of the plats and the note applicable to sheet one only. He also read from the protective covenants that the county assumes no responsibility on roads. Mr. Hanks said Dove Creek Farms & Ranches takes no responsibility for water. He also said the existing county roads will be dedicated to the public. The Commission in looking at the plats pointed out the roads are shown by a double broken line and asked they be shown by a double solid line to correspond with the symbol for existing roads. Mr. Hanks said along the west side of Section 12 there will only be a half street as he said he doesn't own the adjacent section, Section 11. He said they will have a full 66 feet on the other roads where he owns the land on each side. He also said this plat is little different than the preliminary plat the Planning Commission approved a number of months ago. He said the basic change is where the county roads

bisect the other roads. Mr. Hanks said we haven't talked about the drainage problem. He said this was a problem but he said he has changed the roads so he doesn't think this will be a problem. The Commission members said that he should file an affidavit with the Planning Commission so they will have something in writing so they have something to show how he is going to handle it. Mr. Hanks said he is going to change the road in block 4 to put it up on the ridge.

Mr. Hanks said he has sold this land to the people unzoned and said if they want the area zoned that would be just fine with him.

The Commission members said it looks like he has done what they have asked him to do. Member Wilde made the motion that if they get the concurrence of the other board members, they recommend to the County Commissioners the approval of the plat. Mr. Hanks reported he is going to change the protective covenants just a little. The Commission members said he should have an affidavit on the drainage and protective covenants when he meets with the County Commissioners. Member Wilde said he would include in his motion if the County Commissioners approve the plat we will get the Chairman of the Planning Commission to sign it. The motion was seconded by member Rhodes.

Mr. Beecher, who is also a member of the County Airport Zoning Commission, said they now have the proposed Brigham City Airport height regulations worked the way they want. The members of the Planning Commission gave their blessing to take it to the County Commissioners.

Meeting adjourned.


K B. Olsen, Secretary

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Minutes of the regular meeting of the Box Elder County Planning Commission held October 21, 1976. The following members were present: Paul Holmgren, Jerry Wilde, Dale Rhodes, Boyd Nelson, Reed Nielsen, and exofficio member Denton Beecher. Chairman Holmgren presiding. Meeting called to order at 7:45 P.M.

An application for Mantua's sewage collection system was presented to the members. Member Nelson made the motion to accept this plan and that there isn't any adverse effect to Box Elder County's planning. Member Wilde offered a second

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4 October 1976

BOX ELDER COUNTY COMMISSION
c/o Chairman Paul Holmgren
Bear River City, Utah 84301

Dear Paul:

Transmitted herewith is a copy of a letter we received from K. B. Olsen relative to your next Planning Commission Meeting. If at all possible Mantua would appreciate the County Planning Commission's review and comments as soon as practical.

Also included herewith are ten copies of our proposed sewer plan for Mantua for distribution to your Commission members hoping that this will assist in expediting your review.

Respectfully,

HANSEN & ASSOCIATES, INC.

Keith A. Hansen

Feasibility ins. of Cons.

Keith A. Hansen - P. E.

KAH:pr

Enclosures

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Consulting Engineers & Land Surveyors

Box Elder County

COUNTY COMMISSIONERS

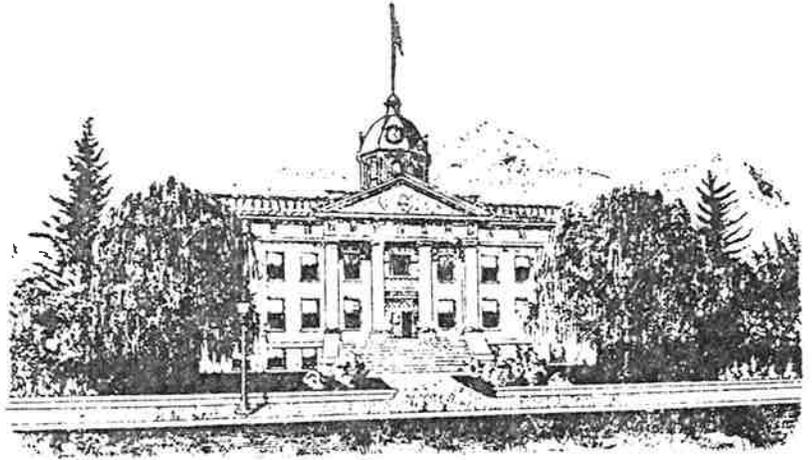
DON E. CHASE

J. REED NIELSEN

TED W. BURT

OFFICERS

GLEN S. FIFE, County Treasurer
K. B. OLSEN, Clerk-Auditor
ARTHUR F. REDDING, County Sheriff
MARGARET R. EVANS, County Recorder
O. DEE LUND, County Attorney
CLIFTON G. M. KERR, County Assessor
DENTON BEECHER, County Surveyor



BRIGHAM CITY, UTAH

September 27, 1976

Hansen & Associates, Inc.
538 No. Main Street
Brigham City, Utah 84302

Dear Keith:

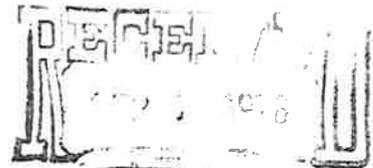
Your letter dated Sept. 17th regarding a proposed sewage collection system for the Town of Mantua has been received. However, I feel I should inform you that the County Planning Commission met Sept. 16th and will not meet again until Oct. 21st unless the chairman feels there is sufficient reason to call a special meeting. Their regular meeting date is the 3rd Thursday of each month. Is the 21st of October soon enough for the comments you asked for from the Planning Commission? If not, I would suggest you contact the Planning Commission Chairman, Paul Holmgren or the County Commission representative, Reed Nielsen, and explain your time schedule and the need to have the Planning Commission's comments before their next regular meeting. If the 21st isn't too late for the Planning Commission to see your letter, I will see that it is presented to them at that time.

Sincerely,



K B. Olsen, Clerk-Auditor

KBC:gc





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17 September 1976

Gentlemen:

Mantua is currently preparing a "Facilities Plan" on a proposed sewage collection system and alternate modes of sewage treatment. The sewage collection system will be installed within their city streets.

Three alternate methods of treating their sewage are being considered as "cost effective" alternates. They are:

1. Sewage lagoon with land application. The location of the proposed lagoons is shown on the attached map. The area required for the lagoons is approximately ten acres. The land required for the center pivot irrigation is approximately sixty-five acres. The winter sewage flow would be stored for 180 days and then used for spray irrigation on hay or a comparable crop. Construction will be confined essentially to the lagoon area except for the installation of the pipeline from Mantua to the lagoon complex. Disturbance of the existing flora and fauna will be minimal.
2. Non-overflow lagoon. The location of the lagoon complex is the same as in Number one above. The lagoons will require approximately forty-two acres of land. Evaporation and a limited amount of seepage will be the method of effluent disposal. No discharge will be permitted. Construction will be confined essentially to the lagoon area except for the installation of the pipeline from Mantua to the lagoon complex. Disturbance of the existing flora and fauna will be minimal.
3. Treatment by Brigham City. This method would utilize an existing water line that was used by Brigham City prior to their constructing the Mantua Reservoir and new pipe lines in 1961. The line originates in Mantua and terminates just east of Brigham City. It consists of cast iron, concrete and steel pipe varying in diameter from twelve to eighteen inches. The pipe line was a pressure line used for delivering the spring waters collected in the Mantua Valley to Brigham City for domestic uses. The cast iron and

Haal^{double}

Consulting Engineers & Land Surveyors

17 September 1976

concrete are relatively new (1950 ±) pipe and are assumed to be satisfactory for transporting the sewage. They will be hydrostatically tested and sealed if necessary prior to use. The steel line will be lined with an eight inch plastic pipe liner. Disturbance to the existing terrain will be minimal since the pipe already exists. Manholes will be installed at approximately 400 foot intervals. A new pipe will have to be installed from the terminus of the existing Brigham City pipeline to the Brigham City sewer system. This will necessitate installing a pipe immediately adjacent to and parallel to the highway entering Brigham from the east, then through a subdivision and along Sixth East to the city sewer system. No modification of the Brigham City sewer system will be necessary to treat Mantua's sewage.

Would you please comment on the above three proposals as they relate to their effect on your agency's function, i.e.:

Division of State History - Unique archeologic, historic, scientific or cultural areas.

HUD Regional Office - Flood risk area.

Division of Wildlife Resources - Endangered species and impact on wildlife.

Bear River Council of Governments - Compliance with regional planning.

Box Elder Planning Commission - Compliance with local planning.

Brigham City Corporation - Opinion on proposed modes of treatment and their acceptability.

Your comments are to be included in the Facility Plan. Your prompt response will be greatly appreciated.

Respectfully,

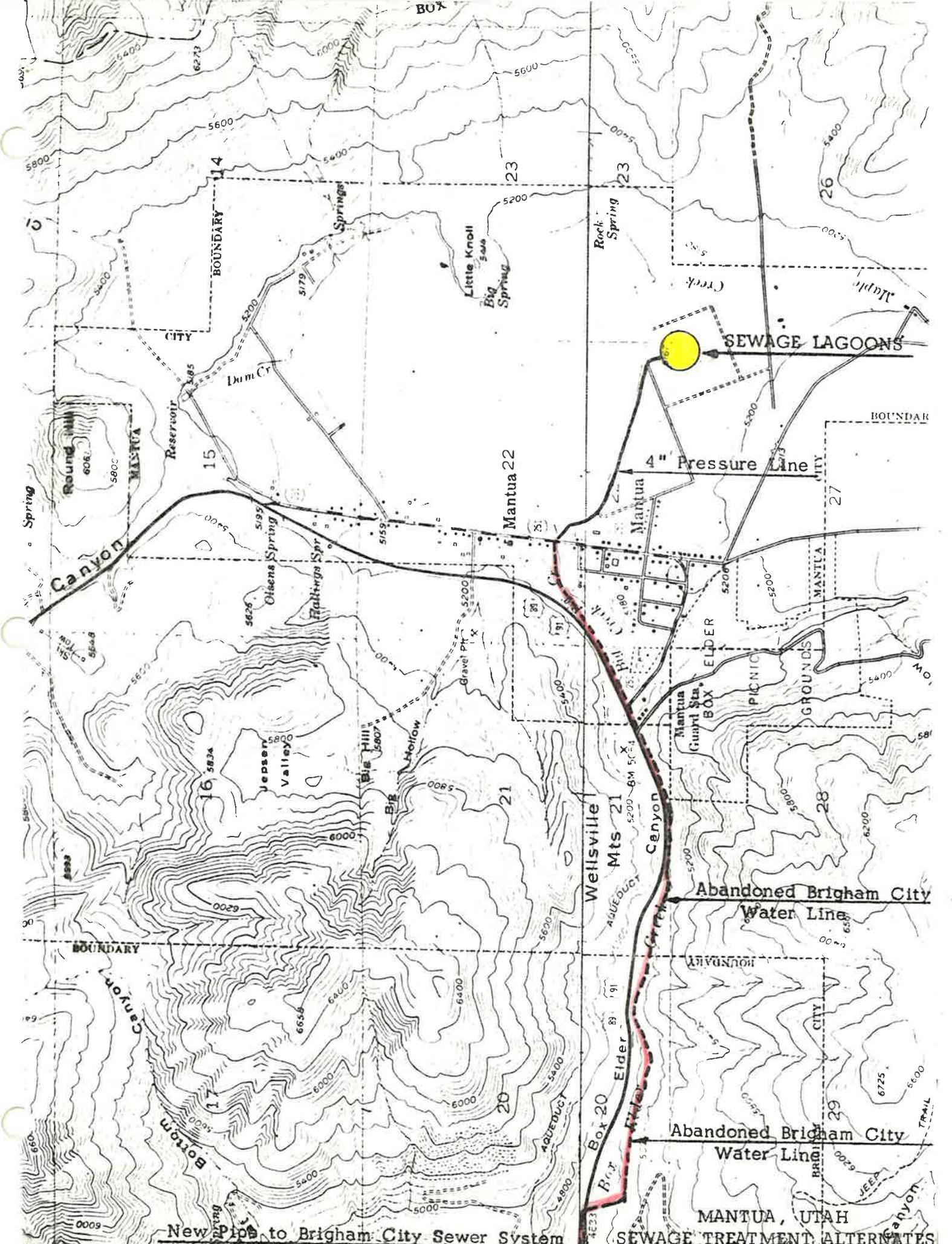
HANSEN & ASSOCIATES, INC.



Keith A. Hansen - P. E.

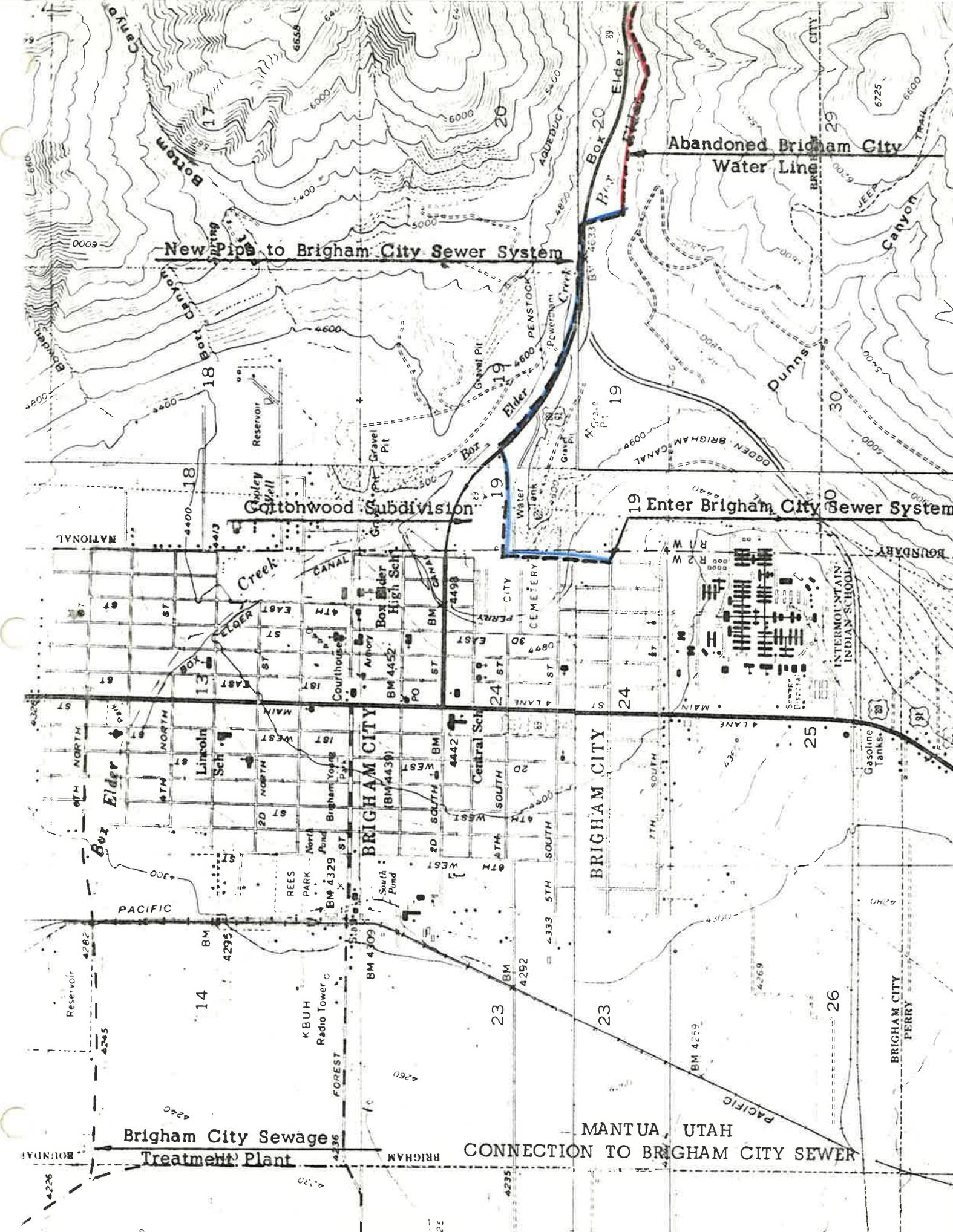
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Enclosure



New Pipe to Brigham City Sewer System

MANTUA, UTAH
SEWAGE TREATMENT ALTERNATIVES



New Pipe to Brigham City Sewer System

Abandoned Brigham City Water Line

Cottonwood Subdivision

Enter Brigham City Sewer System

Brigham City Sewage Treatment Plant

MANTUA, UTAH
CONNECTION TO BRIGHAM CITY SEWER

and the motion therefore passed. The secretary was asked to send a letter to this effect to Hansen and Associates.

Mr. & Mrs. Renee met before the Commission and presented an application for a Conditional Use Permit #5 to construct a restaurant and service station in Sec. 33, T8N, R19W. After some discussion the motion was made by Member Wilde that this permit be granted and after all Health and County requirements are met, a building permit may be issued. A second was offered by Member Nelson and the motion carried.

An application from Bob Limb for a conditional use permit #4 to construct a greenhouse in Harper Ward was presented to the Commission. The motion to accept this application and authorize a permit was made by Member Nelson and seconded by Member Wilde. The motion carried.

The motion was made by Member Rhodes and seconded by Member Nelson to accept the dedication plat of 6000 west and authorize the chairman to sign the plat. The motion carried.

Meeting adjourned.


Denton H. Beecher, Secretary (acting)

Minutes of the regular meeting of the Box Elder County Planning Commission held November 18, 1976. The following members were present: Paul Holmgren, Reed Nielsen, Dale Rhodes, Jay Macfarlane, Ed Mott and Jerry Wilde. Also exofficio members Denton Beecher and County Planner Kenneth Millard. Boyd Nelson excused.

Art Hagen from SCS met with the Commission and presented a slide film on soil surveys and planning. He explained the report and film as to how it applies to planning. He said that the Commission could make a written request to have the SCS prepare a report on flooding with respect to basements, roads, etc., indicating it would show how high to build homes or roads to meet 10-50-100 year floods. He said it could be asked for in conjunction with other planning commissions in other municipalities.

Mr. Charles Anderson met with the Commission to present an application for a Conditional Use Permit #6 for a greenhouse located in Harper Ward area, an RR-5 zone. Discussion centered around this project. Member Ed Mott made the motion to approve

the conditional use permit #6 with the following conditions: That in 3 years he will remove the greenhouse and that adequate care around the site will be taken to keep up the beautification. Member Macfarlane offered a second and the motion passed.

Mr. Hishlop met with the Commission in regards to a 40 acre subdivision in the Grouse Creek area. Sec. 16, T11N, R18W, and Sec. 21-22, 27-28, T12N, R18W. After a discussion about the problem, it was determined to table the matter due to a lack of information. That sufficient written information shall be submitted as per ordinance.

Meeting adjourned.

Denton H. Beecher, Secretary (acting)

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Meeting of Box Elder County Planning Commission for the month of December, 1976 was cancelled.

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Minutes of the regular meeting of the Box Elder County Planning Commission held Thursday, January 20, 1977 with Vice Chairman Jerry Wilde presiding. Present were members Jerry Wilde, Dale Rhodes and Reed Nielsen. Also exofficio members Denton Beecher and K B. Olsen and County Planner Kenneth Millard.

John White, Sharon White, Louis Miller and Jay R. Anderson met with the Commission in regards to applying for a zone change at South Willard. They said the area they are interested in is zoned RR-5 and they propose to have it changed to an RR-1 zone. They said they were not there on a subdivision application, just on a zone change. They feel things are changing and this area should be changed so they can have acre lots. The area they were talking about includes parts of Sections 10, 11 & 8, T7N, R2W. These people went on to say they think they will eventually need a sewer system. The Planning Commission members asked how many acres is in the tract they are considering. These people showed the Commission a plat of the area which showed how they intend to divide it up and said there are 40 acres in the tract. Mr. Anderson said percolation tests on this land are ideal and went on to say they plan to develop a water company. The Planning

Commission said when the area between Brigham and the Weber County line was zoned, the people asked that a 5 year moratorium be put on the area to see what effect the freeway would have and they couldn't make any changes without having a public hearing because of the commitment they made to the people. They also said if a change is considered, maybe some should be zoned 1/2 acre. These people asked the Planning Commission how their board feels about this type of proposal. Members of the Planning Commission said they hate to see our best agriculture land used for subdivisions. They said experience has shown all residential areas have to be subsidized. They said when the Planning Commission was asked to prepare a zoning ordinance, their approach was to protect agriculture. After some discussion on what area should be included in a public hearing, Mr. Beecher suggested the hearing include the land between Nerva Lane on the north and the road that goes down to the south end of Willard Bay on the south, from highway 89-91 on the east to the railroad tracks on the west. The Planning Commission expressed approval to Mr. Beecher's proposal. The Planning Commission said the public hearing would be an informal hearing before the Planning Commission because of what was promised those people when the zoning ordinance in that area was adopted. The Planning Commission suggested these people study chapter 4 of the county's subdivision ordinance as they said there are very definite steps to follow for creating a subdivision.

The Commission set an informal hearing for Thursday, February 17th at 7:30 P.M. and asked Mr. Beecher to send out letters to all of the property owners in that area giving them notice of the hearing and asked the secretary to have a notice published in the local newspaper.

The secretary said in the court case Box Elder County vs Richard J. Harris, Mr. Harris' attorney has proposed a compromise and said the County Commissioners would like to have a recommendation from the Planning Commission as to how the Planning Commission feels. He and Commissioner Nielsen explained the proposed compromise. The Planning Commission said they did not want to put the County Commissioners on the spot but said they couldn't recommend a compromise saying we are either doing all this work for nothing or our Ordinance is good and said let's find out. They said we should look at the standard we are trying to achieve and he should meet the requirements of the code.

It was reported a letter of resignation has been received from Ed Mott. It was reported he is trying to sell his place and is planning on moving. They also told the Planning Commission the County Commissioners had considered Richard Kimber or Charles Kimber as possible replacement for Mr. Mott saying these are men who came from the western part of the county and know the problems of that area yet they wouldn't have much distance to travel to attend the Planning Commission meetings. They said Richard Kimber goes out to Grouse Creek almost every week. There was a short discussion regarding a recommendation to replace Mr. Mott after which the Commission asked Member Wilde to talk to Charles Kimber and see if he would be willing to consider an appointment to the County Planning Commission to see how he feels about it. The Commission members asked the secretary to write a letter of appreciation to Mr. Mott for the service he has given and express their personal thanks and tell him they have enjoyed working with him.

Meeting adjourned.


K B. Olsen, Secretary

Minutes of the informal public hearing held Thursday February 17, 1977 regarding request for a zone change at South Willard, followed by the regular Planning Commission Meeting. Present, Jerry Wilde, Boyd Nelson, Dale Rhodes, Jay MacFarlane, Reed Nielsen, Charles J. Kimber and Ex-officio members, Denton Beecher, K B. Olsen, and Planner Kenneth Millard. Vice-Chairman Jerry Wilde presiding.

The following people were present at the hearing: Norris Hubbard- Willard, Mary Flint- North Willard, Mr. & Mrs. Francis Witt- North Willard, Mr. & Mrs. Don L. Christensen- South Willard, Jack Gordon- South Willard, Byron Chadwick- South Willard, Jay R. Anderson- Ogden, Sharon White- South Willard, John White- Ogden, Bruce B. Black- South Willard, Beverly Nelson- South Willard, Helen Pettingill- South Willard, Gay W. Pettingill- South Willard, Mr. & Mrs. Blen Wilson- South Willard, Wade Larkin- South Willard, John Larkin- South Willard, Lowell Lemon- South Willard, Ned Fairbanks- South Willard, Tom Miller- Ogden,

Glen Woodyatt- Willard, Doyle Koford, Dr. Glen F. Harding- Ogden, Helen A. Harding- Ogden, Vian Spangler- South Willard, Benjamin W. Karlinsey- South Willard and Tom Mower- South Willard.

Vice-Chairman Wilde explained to the group that the Planning Commission has had a request for a zone change at South Willard and said at the time the Zoning Ordinance was adopted in that area the people wanted a moratorium until the free-way through the area was complete so they could see how it effects the area. He said we do not want to do anything without the people knowing about it and that is why this informal hearing is being held. The Planning Commission then showed the group the zoning map showing how the area is presently zoned and what is being asked. Jay Anderson, Attorney for Mr. & Mrs. John White explained what they are proposing in asking for the zone change. Mr. Wilde then asked each one present to express their views regarding the requested zone change, if they so desired.

Blen Wilson stated he'd like to cut up his own property on the east side of the highway and said he would like to join the Whites. He said he thinks there is plenty of water in that area.

Jack Gordon expressed interest in protecting what they have in the area and said he was concerned with waste water.

Don Christensen said he wants to farm and said when a well in this area was pumped for 24 hours a few years ago, it dried up every well in the area.

Nadel Witt said a subdivision is putting the cart before the horse, saying a water & sewer system should come first and a lot of thought should go into a sewer.

Mary Flint expressed concern of over loaded schools.

Norris Hubbard was against changing the zoning saying Mr. Marsh will be next to ask for a change if this is approved.

Jim Graves expressed himself saying a good water system should come first.

Glen Harding asked what will it do to the tax base for those who want to stay in farming.

John Larkin said he was against changing the zoning, saying he thinks we need a thorough study and storm drain. He said he has a well and he doesn't

want anyone to take his water away.

Lowell Lemon said he feels it would create a problem for him saying people can't take care of one acre of trees and it would create a breeding area for insects. He also said there is no more good farming ground being created but there are plenty of places we can build homes.

Tom Mower expressed a need for some long term thinking and planning. He also expressed concern of things being thrown on his place if the area is built up with homes and said we need water and sewer first.

Benjamin W. Karlinsey said he was opposed to a zone change as he felt there had been very little planning regarding the effects of a zone change so we don't know what problems it will bring.

Gay Pettingill suggested we study other areas where this type of a development has taken place. He said it gets almost prohibitive to the farmers and said this type of thing needs to be well planned for such things as tax structure. He said he has a lot invested.

County Planner, Kenneth Millard reminded the group what they went over about four years ago when this area was zoned. He also read regarding the power of the planning commission and the County Commissioners. He said one thing to be considered is when is it mature to make a change and what changes should be made. He said we are here to get a better idea of what is needed then determine what is in the general benefit of the County. What would be orderly progress for sewer, water, fire protection etc. He also explained the Planning Commission may make a recommendation for or against the zone change. He said if they recommend a change the County Commissioners have to hold a public hearing. He said if the Planning Commission doesn't recommend a change the County Commissioners may either concur or not concur and may still decide to hold a public hearing. He said there are so many sides to be considered it isn't easy to reach a decision.

Mr. Mower said there is a great need for the commodities that are produced in this area and asked what are we going to do in the future. He pointed out places in the State that used to produce agriculture products are now covered with homes.

The Planning Commission members said when we moved before on the zoning in this area we moved rather fast but said they didn't feel this decision was going to be as quick.

Mr. Anderson said he thinks we should go to one half acre lots & said those people who expressed concern with acre lots are right.

It was pointed out the time the Planning Commission has for making a recommendation to the County Commissioners is about up, however it was also brought out if it is mutually agreed the time may be extended for reaching a decision. The Planning Commission made a plea to the Whites' to agree to an extension of time for a decision, pointing out it is rather time consuming to make the study needed to make an informal decision. After a brief discussion they agreed to allow the Planning Commission a period of six months for making a decision. The Public hearing was adjourned.

Harry Gephart representing Tremonton City Corp. met with the Planning Commission in regards to the City's intent to make improvements to their water system according to the notice of intent sent to the Planning Commission the first part of February. Mr. Gephart said the R.C. & D. has come up with a very comprehensive study and said they are looking to a long range study. He further said they are applying for federal funds through F.H.A. and F.H.A. needs a letter from the County Planning Commission that the proposed project won't adversely effect the County's Overall Plan. After discussing and considering the proposed project member MacFarlane made the motion they give the project their blessings and they direct the Secretary to send a letter to Mr. Robins of the F.H.A. informing him that the project is not in conflict with the County's Overall Plan. This was seconded by member Nelson with all voting in favor of the motion.

Mr. Beecher talked to the Commission about some property purchased by Eric Ericsson at Harper and he said he had refused to give a building permit as he said he felt Mr. Ericsson was trying to circumvent the Subdivision Ordinance. After discussing the matter the Commission said Mr. Beecher, under the Ordinance couldn't issue him a building permit as Mr. Ericsson hasn't complied with the Ordinance saying there is no frontage road. It was also pointed out there

is evidently an error in the description of the property.

Meeting adjourned.


K. B. Olsen, Secretary

Minutes of the regular meeting of the Box Elder County Planning Commission held Thursday March 17, 1977. Presiding Vicechairman Jerry Wilde. Present, Jerry Wilde, Boyd Nelson, Jay MacFarlane, Charles Kimber, Reed Nielsen, and Ex-officio members Denton Beecher, Kenneth Millard and K. B. Olsen.

A Mr. Kingston met with the Commission in regards to getting a conditional use permit for a gravel pit down near the Weber County Line. He said he is trying to work out a lease or acquire land from the State which is on the east side of highway 91-89 just south of the Parcell property. He said the engineer did not have time to get a plat prepared for this meeting, however he estimated there is about 5,000,000 cubic feet of gravel if he just levels the land, which he said is his plan. He said he plans to set up to crush, screen and do the whole bit and said he's have to put in a washer to keep the dust down and said he wants to have an operation that will be acceptable to the people in that area and himself. The Planning Commission members said there isn't much they can do until he brings in a site plan. Mr. Beecher and Mr. Millard explained some of the things that need to be shown on a topog map. Mr. Kingston said he would like to know if the Planning Commission will tolerate a gravel pit in that area or not as he said he needs to order the equipment and it takes 90 days to get it here. The Planning Commission members suggested that Mr. Kingston send a drawing up of what he wants to do in the area and they said the commission would go down and view the site and study the situation so they are ready to make a decision. After Mr. Kingston had left the meeting in checking the County Ordinance the Commission found gravel pits are not a conditional use in an RR - 5 zone which is what that area is zoned. A gravel pit is a conditional use in an RR-10 zone therefor the Planning Commission asked Mr. Beecher to let Mr. Kingston know he may request a zone change as they can not issue a conditional use permit as it is now zoned.

Mr. & Mrs. Lee Allen met with the Commission and presented the following letter along with a copy of a letter from the Utah Power & Light Co. and a copy of a letter from Thatcher-Penrose Service District.

Lee Allen Realty
Farm & Ranch Specialists
Box 42 - 94 No. Tremont
Tremonton, Utah 84337

March 14, 1977

Box Elder County Planning Board
County Court House
Brigham City, Utah 84302

Dear Sirs:

We respectfully request that the Planning Commission approve the Anderson Minor Subdivision, which is located immediately west of Salt Creek on Rocket Road, being part of the SE $\frac{1}{4}$ of SW $\frac{1}{4}$ of SE $\frac{1}{4}$ of Sec. 7, T. 11 N., R 3 W., S.L.B. AND M.

This subdivision will consist of five lots of approximately $\frac{1}{2}$ acre each, all fronting on an oiled County road. Culinary water is supplied by a 6" line on the Thatcher Water System. A fire hydrant is located in the approximate center of the frontage.

Electricity and phone service will be supplied from lines which are in place across the front of the property. It is not expected that any further improvements will be needed.

Enclosed is the surveyors drawing of the proposed plat, together with letters from the Utah Power & Light, Water Company, and Board of Health.

Sincerely,

/s/ Lee Allen Pres.

Lee Allen Realty, Inc.

UTAH POWER & LIGHT COMPANY

March 15, 1977

Allen Realty
94 N, Tremont
Tremonton, Utah

Mr. Allen,

In answer to your request for electric service to five homes on Rocket Road, west of Salt Creek, the following is submitted:

The homes being proposed can be serviced from a distribution power line on the north side of Rocket Road. Some revision in location of power poles will be necessary to accommodate the new

plotted lines. The lines are shown on the map with the lot numbers and the names of the owners.

Thank you, for your letter and the information you have provided.

/s/ E. Don Peterson
E. Don Peterson

District Representative
Utah Power & Light Company

FROM Thatcher-Penrose Service District

March 14, 1977

To Lee Allen
ADDRESS Tremont St.
CITY Tremonton STATE Utah

Dear Mr. Allen,
This to inform you that water is available from the Thatcher-Penrose water system, along rocket road and terminating at Salt Creek on the East. This water meets all Health standards and requirements. There is ample amount for culinary use-

Sincerely yours,
Yale S. King

S.K. secretary Thatcher-Penrose Water District

Mr. Allen said he hasn't the letter from the State Board of Health as stated in his letter. It was pointed out there is a deep borrow pit in front of the proposed minor subdivision and Mr. Allen said they have made provisions for a culvert entrance for each of the lots. The Planning Commission pointed out how much better it would be to tile and cover the borrow pit for the entire length of the proposed subdivision. Mr. Allen said he would like to get tentative approval of his sketch plan subject to approval by the State Board of Health. Member Mac Farlane made the motion they grant the tentative approval subject to the approval of the State Board of Health. This was seconded by member Nelson with all voting in favor of the motion.

Mr. Beecher said as you probably recall a year or so ago the County Commissioners went down to Salt Lake City and met with the State Department of Business Regulations in a Hearing on an Order to Show Cause as to why Earl J. Knudson's Golden Spike Ranches shouldn't be restrained from selling lots

CITY OF TREMONTON
102 S. Tremont St., Tremonton, Utah 84337

February 1, 1977

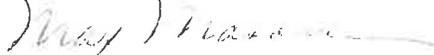
Box Elder County Planning Commission
County Courthouse
Brigham City, Utah 84302

Dear Sirs:

Attached is a Notification of Intent to Apply for Federal Aid and a preliminary feasibility report on improvements we are planning to make to our water system.

After you have reviewed the report, we would appreciate it if you would forward your comments to the Farmers Home Administration office in Tremonton so that they can be included with our application as required by that agency.

Sincerely,



Max Mason, Mayor

Utah Federal Assistance Management Program

Notification of Intent

to Apply for Federal Aid

STATE PLANNING COORDINATOR, OFFICE OF THE GOVERNOR, ROOM 118, STATE CAPITOL, S.L.C., UTAH 84114, TEL: (801) 533 5245

| FEDERAL ASSISTANCE | | 2. APPLICANT'S APPLICATION | 3. STATE APPLICATION IDENTIFIER | 4. NUMBER | 5. NUMBER |
|--|--|--|--|---|--|
| 1. TYPE OF ACTION <input type="checkbox"/> PREAPPLICATION <input type="checkbox"/> APPLICATION (Mar. appropriate box) <input checked="" type="checkbox"/> NOTIFICATION OF INTENT (Opt.) <input type="checkbox"/> REPORT OF FEDERAL ACTION | | a. NUMBER b. DATE 19 _____ | a. NUMBER b. DATE Year month day 19 _____ | a. NUMBER b. DATE Year month day 19 _____ | a. NUMBER b. DATE Year month day 19 _____ |
| 4. LEGAL APPLICANT/RECIPIENT a. Applicant Name : City of Tremonton b. Organization Unit : Same c. Street/P.O. Box : 102 S. Tremont St. d. City : Tremonton e. County : Box Elder f. State : Utah g. ZIP Code: 84337 h. Contact Person (Name & telephone No.) : Jay R. Hirschi 257-3324 | | 5. FEDERAL EMPLOYER IDENTIFICATION NO. | | 6. PROGRAM (From Federal Catalog) a. NUMBER 10-418 b. TITLE Water & Waste Disposal Systems for Rural Communities & Four Corners Reg. Comm. Supp. Grant Program 38,003 | |
| 7. TITLE AND DESCRIPTION OF APPLICANT'S PROJECT Tremonton Water System Improvement A new 1,500,000 gallon storage reservoir, about 5 miles of transmission line, about 3 miles of distribution line, spring renovation and other miscellaneous structures. | | 8. TYPE OF APPLICANT/RECIPIENT A-State B-Interstate C-Substate D-District E-City F-School District G-Special Purpose District H-Community Action Agency I-Higher Educational Institution J-Indian Tribe K-Other (Specify): Enter appropriate letter <input type="checkbox"/> | | 9. TYPE OF ASSISTANCE A-Basic Grant B-Supplemental Grant C-Loan D-Insurance E-Other Enter appropriate letter(s) <input type="checkbox"/> A <input type="checkbox"/> C | |
| 10. AREA OF PROJECT IMPACT (Names of cities, counties, States, etc.) Tremonton City | | 11. ESTIMATED NUMBER OF PERSONS BENEFITING 3,200 | | 12. TYPE OF APPLICATION A-New B-Renewal C-Revision D-Continuation E-Augmentation Enter appropriate letter <input type="checkbox"/> A | |
| 13. PROPOSED FUNDING a. FEDERAL \$ 1,078,650 .00 b. APPLICANT 50,000 .00 c. STATE 308,100 .00 d. LOCAL .00 e. OTHER .00 f. TOTAL \$ 1,436,750 .00 | | 14. CONGRESSIONAL DISTRICTS OF: a. APPLICANT First b. PROJECT First 16. PROJECT START DATE Year month day 19 78 3 1 17. PROJECT DURATION Months | | 15. TYPE OF CHANGE (For 12c or 12e) A-Increase Dollars B-Decrease Dollars C-Increase Duration D-Decrease Duration E-Cancellation F-Other (Specify): Enter appropriate letter(s) <input type="checkbox"/> | |
| 18. ESTIMATED DATE TO BE SUBMITTED TO FEDERAL AGENCY Year month day 19 77 02 04 | | 19. EXISTING FEDERAL IDENTIFICATION NUMBER NA | | 20. FEDERAL AGENCY TO RECEIVE REQUEST (Name, City, State, ZIP code) Four Corners Regional Commission, Salt Lake City, Utah 84114 Farmers Home Administration, Salt Lake City, Utah 84318 | |
| 21. REMARKS ADDED <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No | | 22. THE APPLICANT CERTIFIES THAT a. To the best of my knowledge and belief, data in this preapplication/application are true and correct, the document has been duly authorized by the governing body of the applicant and the applicant will comply with the attached assurances if the assistance is approved. b. If required by OMB Circular A-95 this application was submitted, pursuant to instructions therein, to appropriate clearinghouses and all responses are attached: (1) Bear River Association of Governments <input type="checkbox"/> <input type="checkbox"/> (2) Utah State Clearinghouse <input type="checkbox"/> <input type="checkbox"/> (3) Box Elder Planning Commission <input type="checkbox"/> <input type="checkbox"/> | | 23. CERTIFYING REPRESENTATIVE a. TYPED NAME AND TITLE Max Mason, Mayor b. SIGNATURE [Signature] c. DATE SIGNED Year month day 1977 02 01 | |
| 24. AGENCY NAME | | 25. APPLICATION RECEIVED Year month day 19 _____ | | 26. ORGANIZATIONAL UNIT | |
| 27. ADMINISTRATIVE OFFICE | | 28. FEDERAL APPLICATION IDENTIFICATION | | 29. ADDRESS | |
| 30. FEDERAL GRANT IDENTIFICATION | | 31. ACTION TAKEN <input type="checkbox"/> a. AWARDED <input type="checkbox"/> b. REJECTED <input type="checkbox"/> c. RETURNED FOR AMENDMENT <input type="checkbox"/> d. DEFERRED <input type="checkbox"/> e. WITHDRAWN | | 32. FUNDING a. FEDERAL \$.00 b. APPLICANT .00 c. STATE .00 d. LOCAL .00 e. OTHER .00 f. TOTAL \$.00 | |
| 33. ACTION DATE Year month day 19 _____ | | 34. STARTING DATE Year month day 19 _____ | | 35. ENDING DATE Year month day 19 _____ | |
| 36. CONTACT FOR ADDITIONAL INFORMATION (Name and telephone number) | | 37. REMARKS ADDED <input type="checkbox"/> Yes <input type="checkbox"/> No | | 38. FEDERAL AGENCY ACTION | |

Proposed funding breakdown:

| | | |
|--------------|---|----------------|
| a. Federal | Farmers Home Administration Grant 10.418 | \$ 370,580 |
| | Farmers Home Administration Loan 10.418 | 308,070 |
| | Four Corners Regional Commission Grant 38.003 | <u>400,000</u> |
| | Federal Total | 1,078,650 |
| b. Applicant | | 50,000 |
| c. State | Division of Water Resources Loan | <u>308,100</u> |
| | TOTAL | \$1,436,750 |

February 22, 1977

Mr. Ron Robins
Farmers Home Administration
85 South 1st East
Tremonton, Utah 84337

Dear Ron:

Please be advised that Mr. Harry Gephart, representing Tremonton City, met with the Box Elder County Planning Commission during their regular meeting on Thursday, February 17, 1977 in regards to Tremonton City's proposed culinary waterworks improvements. The Planning Commission reviewed the Culinary Water System Analysis as prepared by Valley Engineering and discussed the proposed project with Mr. Gephart. The County Planning Commission then gave their blessings to the proposed project saying this project is not in conflict with the county's overall plan.

If this letter does not give the information you need from the County Planning Commission kindly let me know and I will try to get the information needed.

Sincerely,

K B. Olsen, Secretary
Box Elder County Planning Commission

KBO:gc

NOTICE OF PUBLIC HEARING

Notice is hereby given that it is the intent of the Box Elder County Planning Commission to hold an informal hearing in regards to considering a recommendation for a zone change at South Willard.

The area to be considered for the zone change is bounded on the north by 7800 South Street, on the south by 8700 South Street, on the east by Highway 89-91, and on the west by the railroad track. The said hearing will be held Thursday, February 17, 1977 at 7:30 P.M. in the County Commissioners Room at the County Court House. All interested persons are urged to attend.

Box Elder County
Planning Commission

by


K B. Olsen, Secretary

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Box Elder County
Planning Commission

by

K B. Olsen, Secretary

and at that time he was ordered to cease and desist, Mr. Beecher showed the Commission copies of deeds showing Mr. Knudson is again selling 10 acre lots contrary to what he said he would do and said his question is what, if anything, do you want me to do?

Meeting adjourned


K. B. Olsen, Secretary

Minutes of the regular meeting of the Box Elder County Planning Commission Meeting held Thursday April 21, 1977 commencing at 7:35 P. M. Chairman Paul Holmgren presiding. Present: Reed Nielsen, Dale Rhodes, Jerry Wilde, Charles Kimber, Boyd Nelson and Ex-officio members, Denton Beecher, Kenneth Millard and K. B. Olsen.

Mr. Beecher reported he had an application for a building permit for a proposed minor subdivision at Harper and said he denied the building permit because they haven't complied with the subdivision requirements. He then presented the following letter.

April 19, 1977

Board of County Commissioners
Courthouse
Brigham City, Utah 84302

Gentlemen,

The attached plat is of a tract of land in Harper Ward which we would like to subdivide into the stated 5 acre parcels. The legal description is as follows:

A part of the north west quarter of section 23, T 10 N, R2W, SLB & M, U.S. Survey. Beginning at a point located south 89° 50' 13" East along an existing section line fence 660.00 feet from the northwest corner of said section 23. Running thence south 0° 12' 47" East 660.00 feet; thence north 89° 50' 13" west 41.62 feet; thence south 1° 49' 49" east 827.22 feet; thence south 86° 50' 50" west 324.74 feet; thence south 8° 31' 30" east 134.18 feet to an existing boundary line fence; said course being described of record as south 8° 31' 30" east 133.83 feet; thence north 86° 11' 12" east along said existing fence 956.69 feet to an existing fence corner; said fence being described of record as bearing north 86° 00' 50" east. Running thence north 0° 05' 07" west along said existing boundary line fence 1571.80 feet to the section line; thence north 89° 50' 13" west along said section line 635.14 feet to the point of beginning. Said parcel containing 24.75 acres.

We are requesting a variance from design and improvement standards

~~requesting a variance from design~~

in the subdivision ordinance.

The said property is on a hillside and is back away from and above the state road. We are proposing to build and maintain a private access road to the five (5) plots of land. This road would be strictly maintained by the property owners and would not require any services from the County whatsoever.

If the variance is not granted it would require the property owners to put curb and gutter and paved streets into the area. This would not conform to the characteristics of the surrounding area which is all agricultural.

All buildings to go on the property will conform to the buildings in the general area.

All property owners will be required to provide their own culinary water and sewage disposal systems.

Sincerely,

/s/ Valden L. Rosenberg

/s/ Gary R. Case

It was pointed out the Planning Commission should recommend to the County Commissioners to hold or not hold a public hearing. After considerable Consideration the Planning Commission asked the secretary to notify the County Commissioners they do not recommend holding a public hearing, at this time for the following reasons: First, their request for variances appears to be faulty or incomplete and the planning commission is not clear on just what they are asking for. Second, they feel there should be a 66 ft. road right-of-way for adequate ingress and egress whether it is a public street or a private right-of-way. Also the road should continue on through or end in a 100 ft. cul-de-sac rather than just in a dead end. Also there should be no abrupt jogs in the road. The planning commission asked the Secretary to also advise the Commissioners that the Planning Commission recommends in order to obtain the goal the subdivider apparently wants the subdivider should use a Planned Unit development as outlined in Chapter 7 of the Uniform Zoning Ordinance. Planned Unit Development will allow them private roads and other exceptions we think they are asking for.

It was reported that the State Board of Health has not yet approved the Anderson Minor Subdivision because the percolation tests were not adequate.

Member Nelson reported Richard Harris has asked him if he can sell his house south of Perry to one party and his business to another party and be legal. The Planning Commission said, no, because that would be creating two parcels and the property where his home is and the business together is only 80 ft by 200 ft. to start with and it is in an RF-5 zone. The Commission asked the Secretary to so advise Mr. Harris.

Meeting adjourned


K B. Olsen, Secretary

Minutes of the regular meeting of the Box Elder County Planning Commission held Thursday May 19, 1977. Chairman Paul Holmgren presiding. Present: Paul Holmgren, Dale Rhodes, Boyd Nelson, Charles Kimber, Reed Nielsen and Ex-officio member K B. Olsen.

Anderson Minor Subdivision- Lee Allen & Keith Anderson met in regards to getting the plat map for the proposed Anderson Minor Subdivision signed by the chairman of the County Planning Commission. The Commission asked about putting in a culvert and filling in the borrow pit along the roadway in front of the subdivision. These men said the cost would be prohibitive to do this for the entire distance of the subdivision. They said there will be a nice approach for each home. They also said Mr. Willard Hill has signed and stamped the plat map for the State Board of Health. Member Nielsen made the motion they authorize the chairman, Paul Holmgren to sign the plat map on behalf of the County Planning Commission, this was seconded by member Rhodes with all voting in favor of the motion.

Gravel Pit between Perry & Willard- Member Nelson reported it appears that Parson's is preparing another gravel pit just on the other side of the railroad tracks from where they had the other gravel pit between Perry & Willard. He asked if they had obtained a Conditional Use Permit. None of the members knew of Parson's' ever having made application for a Conditional Use Permit the Commission asked the Secretary to call this matter to the County Commissioners & Denton Beecher's attention.

Winfor Barrus minor subdivision- Member Rhodes said he had been asked by

Winford Barrus to present the following letter to the Planning Commission as he said Mr. Barrus would not be able to make it to this meeting.

Winford M. Barrus
Consulting Civil Engineer & land Surveyor
547 N. 3rd East
Tremonton, Utah 84337
Phone 257-5151

May 19, 1977

TO BOX ELDER COUNTY PLANNING COMMISSION:

Please consider the attached minor subdivision plat for approval. I was unable to attend your meeting so offer the following information:

All lots have access from county or state roads, but Denton Beecher said there may be a question on the State Road Access so I called Kent Lee of the Dept. of Transportation. He said there are no restrictions except that a permit will have to be obtained for each lot providing that the driveway elevation will be built up to the road level for lots below the road and necessary culvert for drainage in front of the lot above the road. Lot owners would be able to meet these conditions.

Culinary water will have to be from a well or wells. Willard Hill of the Health Dept. and State Area Engineer Mike Turnipseed both thought we should try to get one well which would supply lots below the state road and one for the lot above. A drilling permit has been secured for a location on Lot 5. We hope this will be a good well, when developed, to provide for the lots below the state road except Lot 1 which has its own well. However, this well produces only enough water for the home now built there.

The land in this proposed subdivision is cut up and not much good except for building lots. We hope that this minor subdivision can be approved by your commission. We understand, of course, that it will have to be approved by the State Health Dept. and we are working now on the test pits and seepage tests.

My wife and I have a clear title to the land being subdivided except Lot 1 which we deeded to our son, Timothy H. Barrus.

Respectfully yours,
/s/ Winford M. Barrus

After considering the request the Commission asked the Secretary to write and tell Mr. Barrus the Planning Commission approved the sketch plan in tentative form. Also tell him the Commission approves this type of subdivision and say when he gets the necessary approval from the State Dept. of Health and after meeting the minor subdivision requirements the Planning Commission will be happy to give this proposal further consideration.

The Commission asked the Secretary to ask Mr. Beecher if a building permit has been issued to Mike Christensen for a shop at South Willard.

Meeting adjourned.


K. B. Olsen, Secretary

April 2, 1978

To Whom It May Concern

I P Lon Neal President of the Snowville
Water Company here by guarantee a water
hook up facility for John F Pratt. The water
company is owned by the stock holder and
is strictly non profit company

P Lon Neal

CONDITIONS AND RESTRICTIONS covering CEDAR SPRINGS, A Planned Unit Development in Box Elder County, State of Utah dated April 20, 1978 and recorded 1978 as Entry No. in Book at page of Official Records of Box Elder County Recorder's Office as follows:

1. Said lots shall be known and described by the legal description and lot number associated with Cedar Springs, A Planned Unit Development.
2. No structure shall be erected, altered, placed or admitted to remain on any of said lots except said structure be in conformance with the then existing zoning restrictions of Box Elder County, State of Utah, or any other governmental entity having jurisdiction of said real property.
3. No structure of a temporary character, trailer, basement, tent, shack, garage, barn or other outbuilding shall be used on any lot at any time as a residence, either temporarily or permanently, by any owners, renters, lessees or possessors in interest thereof.
4. Each lot owner shall be entitled to keep such animal or animals as they desire consistent with the then in effect zoning regulations applicable to the said area, provided, however, that no animal or animals shall be kept upon any such lot which may become an annoyance or nuisance to the neighbors or neighborhood.
5. Each lot owner in this planned unit development shall be responsible to provide his or her own water system and each owner shall be responsible to provide his or her own water for culinary and domestic purposes.
6. If any lot owner or owners desire to obtain, construct or use a joint culinary water system, it shall be done by separate agreement and upon such terms and conditions as are mutually agreed to by all parties desirous of being part of such water system.
7. Each lot owner understands and agrees that the maintenance of the roadways and constructions costs shall be borne equally by each lot owner and each lot owner shall be responsible for the reasonable maintenance costs and expenses of the roadways until the roadways are accepted by the government entity having jurisdiction of the area.
8. Each lot owner understands and agrees that at the present time the only method to dispose of sewage is through septic tanks and that each lot owner shall be responsible for the construction of his own septic tank system which shall be done at his sole cost and expense, and in conformance with the currently applicable health regulations.
9. Each lot owner further understands and agrees that in order to obtain permission from the Box Elder County Commission and Box Elder County Planning Commission for this development that each owner individually and jointly promises and agrees that should their septic tank systems or their use of the ground cause pollution to any now existing culinary or domestic water sources that it will become the responsibility of the lot owners collectively

Utah State Department of Health

to furnish culinary and domestic water to any water user which they pollute or affect and that each lot owner shall be proportionately liable for his share of the cost to provide the water service to those users of water which can substantiate that their sources have been polluted by the development. Provided, however, that this provision does not make the owners of the lots absolute guarantors of the water sources of all users in the area, but that the owners shall only be liable if it is shown by evidence of a standard sufficient at law to show they have polluted the surrounding water users' culinary or domestic water sources. If upon a determination by the Health Department that this development has caused pollution, it shall be a rebuttable presumption that the owners have caused the pollution and they shall then be responsible to furnish water to those owners whose sources are polluted. Nothing herein contained shall prohibit any lot owner or surrounding water user from resorting to any other remedy available at law or in equity.

10. These covenants and restrictions are made for the benefit of the lots herein described and are to run with the land and shall endure to the benefit of and be binding upon all parties or persons claiming under them until January 1, 1988, at which time such covenants and restrictions shall be automatically extended for a successive period of ten years unless by a majority vote of the then individual owners it is agreed to change the said covenants and restrictions in whole or in part, provided, however, that the restrictions contained in paragraph 9 shall be perpetually appurtenant to said lots unless and until a sanitary sewer system is constructed in the area relieving the lot owners of any possible or potential pollution sources to adjoining culinary water owners now in existence.

11. If any person shall violate or attempt to violate any of the covenants or restrictions herein contained prior to January 1, 1988 or at such time as may be set out by the provisions in the next proceeding paragraph, it shall be lawful for any person or persons owning any other lots in said development or subdivision to prosecute by proceedings at law or in equity against the person or persons violating or attempting to violate any such covenant or restriction and either to prevent him or them from so doing or in order to recover damages for such violation. It is further understood and agreed that any persons having presently existing culinary water supplies who are affected by the sanitary septic tanks installed by the owners shall also have the right to prosecute by proceedings at law or in equity against the person or persons violating or attempting to violate such covenant or restriction contained in paragraph 9 above.

12. Should any of the covenants or restrictions herein be held invalid or void such invalidity or voidance of such covenants or restrictions shall not affect the remaining provisions of this instrument or any valid covenant or restriction herein contained.

13. Any violation of the foregoing provisions, conditions, restrictions or covenants shall not defeat or render invalid the lien of any mortgage or deed of trust made in good faith for value or as to any portion on said property.

Conditions and Restrictions on "CEDAR SPRINGS" - Continued
Page 3

Such provisions, conditions, restrictions and covenants shall be enforceable against any portion of said property acquired by any person through foreclosure or by deed in lieu of the foreclosure or by any violation of the provisions, conditions, restrictions and covenants herein contained occurring after the acquisition of said property through foreclosure or any deed in lieu of foreclosure.