

APPROVED MINUTES

CACHE COUNTY COUNCIL

March 29, 2022 at 5:00 p.m. - Cache County Chamber at 199 North Main, Logan, Utah.

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

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

MEMEBERS EXCUSED: None

STAFF PRESENT: Amy Adams, Rod Hammer, Shawn Milne, Dianna Schaeffer, Bart Nelson, Cameron, Terryl Warner, Lane Parker, Bart Esplin, Chris Harrild

OTHER ATTENDENCE: Carol Gilliam, Sarah Fitzgerald, Katherine Pasker, Chris Booth, Jordan Mathis, JoAnn Bennett, Mark Hurd, Vern Fielding, Estee Hunt

Council Workshop

1. **Call to Order 3:30 p.m.** – Vice Chair Paul Borup
2. **Review of Ordinance 2022-11**
An ordinance amending Title 2 of the Cache County Code regarding revenue and finance to bring into harmony with State Code and current county practices.
Discussion: Finance Director Cameron Jenson and County Attorney John Luthy discussed matter pertaining to Ordinance 2022-11; Council voiced concerns and asked clarifying questions.
3. **USU Extension Great Steakout**
USU Extension held a steak cookout.
4. **Adjourn** – Approximately 4:45

Council Meeting

1. **Call to Order 5:00 p.m.** – Chair Barbara Tidwell
2. **Opening Remarks and Pledge of Allegiance** – Councilmember David Erickson [0:28](#)
3. **Review and Approval of Agenda APPROVED [1:52](#)**
Action: Motion made by Councilmember Karl Ward to approve the agenda; seconded by Councilmember Gina Worthen
Motion passes.
Aye: 7 Barbara Tidwell, Paul R. Borup, David Erickson, Nolan Gunnell, Gina H. Worthen, Gordon A. Zilles, Karl B. Ward
Nay: 0
4. **Review and Approval of Minutes APPROVED [2:10](#)**
Action: Motion made by Councilmember Karl Ward to approve the minutes from March 15; seconded by Councilmember Paul Borup
Motion passes.
Aye: 5 Paul R. Borup, David Erickson, Nolan Gunnell, Gordon A. Zilles, Karl B. Ward
Nay: 0
Abstain: Barbara Tidwell, Gina H. Worthen
5. **Report of the County Executive [2:55](#)**
 - a. County Executive David Zook presented two reappointments to the Cache County Board of Adjustments to the County Council for advice and consent: Hal Olsen as vice chair and Lee Atwood as a board member.
Action: Motion made by Councilmember David Erickson to approve the reappointments of Hal Olsen, vice chair and Lee Atwood, board member to the Board of Adjustments; seconded by Councilmember Worthen
Motion passes.
Aye: 7 Barbara Tidwell, Paul R. Borup, David Erickson, Nolan Gunnell, Gina H. Worthen, Gordon A. Zilles, Karl B. Ward
Nay: 0
 - b. County Executive Zook stated that the February 2022 financial statements have been provided to the Council.

c. County Executive Zook informed the Council of a meeting of Cache mayors to resolve the question of solid waste collection in the county, and presented two items from said meeting for the consideration of the council: first, that all the mayors agreed to work together in the collection of solid waste; and second, the need to establish what the governing structure is over this issue.

d. County Executive Zook discussed a lunch meeting he had with Representative Casey Snyder in which they had a productive meeting regard a bill Representative had ran about the landfill. County Executive Zook informed the Council that he will make an informal visit to Box Elder County to explore their landfill capacity and potential cooperation.

6. Items of Special Interest [10:10](#)

a. Development Ready Communities Certificate, presented to Cache County and the County Council by Alan Rindlisbacher, Director of Community Strategy, EDCUtah; a picture was taken afterward

b. Annual Report of the Bear River Health Department by Jordan Mathis, Director and Estee Hunt, PIO. Jordan Mathis and Estee Hunt took questions and comments from the Council.

c. Sexual Assault Awareness Month presentation from Sarah Fitzgerald, CAPSA PIO, and opened to questions from the County Council. [49:19](#)

7. Department or Committee Reports

8. Board of Equalization Matters [54:15](#)

a. Property Tax Exemption Requests

Action: Motion made by Councilmember Gina Worthen to move discussion and approval of all property tax exemption requests that are not religious exemption requests to the next meeting; seconded by Councilmembers David Erickson and Gordon Zilles
Motion passes.

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

Nay: 0

Discussion: Clerk/Auditor Jess Bradfield informed the Council that the requests to be approved this year are essentially the same as those that were approved last year as only two new exemption requests have been made this year as compared to last year.

b. Property Tax Exemption Requests – Religious Requests

Action: Motion made by Councilmember Nolan Gunnell to go into the Board of Equalization; Seconded by Councilmember David Erickson

Motion passes.

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

Nay: 0

Discussion: Tax Administration Supervisor Dianna Schaffer informed the Council that 23 of the 58 requests for exemption are religious and that all 23 are long-standing exemptions that have been approved in the past; recommended that the Council approve all 23 religious exemption requests. Opened to questions.

Action: Motion made by Councilmember Karl Ward that the tax exemption requests for the religious entities be approved; seconded by Councilmember Gina Worthen

Motion passes.

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

Nay: 0

Action: Motion made by Councilmember Gina Worthen to adjourn from the Board of Equalization; seconded by Councilmember Paul Borup.

Motion passes.

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

Nay: 0

9. Public Hearings [35:37](#)

a. **Set Public Hearing for April 12, 2022 – County Impound Facility**

b. **Set Public Hearing for April 26, 2022 – Ordinance 2022-14**

Action: Motion made by Councilmember David Erickson to set the public hearing for the County Impound Facility for April 12, 2022, and to set the public hearing for Ordinance 2022-14 for April 26, 2022; Motion made by Councilmember Gina Worthen to amend the motion made by Councilmember David Erickson to include a hearing for Victims Services and the County Attorney's Office on April 12, 2022; seconded by Gordon Zilles

Motion passes.

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

Nay: 0

c. Public Hearing – Ordinance 2022-13 – Cub River Estates I Rezone

A request to rezone 44.46 acres from the Agricultural (A10) Zone to the Rural (RU5) Zone located at approximately 535 East Cannibal Road, Cove

Discussion: A report informing the Council of the details and concerns of the rezone request and the planning commission's recommendation to table this item until another meeting to make more time to review the request.

Vern Fielding with Parker Real Estate, who represented the applicant of the rezone request, encouraged the Council to approve the request based on the merit of the request.

Katherine Pasker, attorney and representative of Sunspot Properties LLC, referred to a letter she wrote and sent to the Council that spoke in favor of the requested rezone and offered to take questions.

Action: Motion made by Councilmember Gordon Zilles to close the public hearing; seconded by Councilmember Gina Worthen
Motion passes.

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

Nay: 0

d. Public Hearing – Resolution 2022-07

A resolution declaring County interest in real property located on Wolf Pack Way, described as parcel number 04-058-0048 as surplus property

Action: Motion made by Councilmember Gordon Zilles to close the public hearing; seconded by Councilmembers Paul Borup and David Erickson

Motion passes.

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

Nay: 0

e. Public Hearing – Resolution 2022-08

A resolution authorizing conveyance of real property located on Wolf Pack Way, described as parcel number 04-058-0048

Action: Motion made by Councilmember Gina Worthen to close the public hearing; seconded by Councilmember Nolan Gunnell

Motion passes.

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

Nay: 0

f. Public Hearing – Resolution 2022-06 – Opening the 2022 Budget [58:54](#)

Discussion: Terry Warner requested the budget include an assistant director for the CJC and Victims Services. The Council asked clarifying questions.

County Attorney John Luthy commented on the necessity and positive aspects of internally hiring and training an assistant director for the CJC and Victims Services, and he endorsed the requested addition of such into the County budget.

Action: Motion made by Councilmember Gina Worthen to close the public hearing; seconded by Councilmember Nolan Gunnell

Motion passes.

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

Nay: 0

10. Pending Action [1:08:12](#)

a. Ordinance 2022-11

An ordinance amending Title 3 of the Cache County Code regarding revenue and finance to bring into harmony with State Code and current county practices.

Discussion: County Attorney John Luthy clarified the correct title is Title 3 (the original agenda states Title 2). The Council discussed whether or not to set a workshop to look closer at Title 3 or to spend more time considering the details of the Ordinance.

Action: Motion made by Councilmember Gina Worthen to postpone consideration of Ordinance 2022-11 until after a workshop to be held on April 26, 2022; seconded by Councilmember Paul Borup.

Motion passes.

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

Nay: 0

11. Initial Proposals for Consideration of Action [1:12:29](#)

a. Ordinance 2022-13 Cub River Estates I Rezone

An ordinance amending the County Zoning Map by rezoning 44.46 acres from the Agricultural (A10) Zone to the Rural (RU5) Zone.

Discussion: The Council asked clarifying questions regarding the access and use of the property. The Council was again shown maps and photos of the property in question. The Council discussed County regulations regarding development of steep slopes (slopes over 30%) and whether the Cub River Estates can be developed based on certain slopes in the property.

The Planning Commission commented on the Commission's decision, adhering to code, and requirements for hardship relief. Katherine Pasker commented that no concerns have been raised about the proposed zone (RU5) being inappropriate for the property in question, which is the only decision which needs to be addressed at this stage. Katherine Pasker asserted that questions of hardship relief are not applicable at this stage and encouraged the Council to move forward with approval. Council discussed issues to approval and options for action moving forward.

Action: None regarding item 11a Ordinance 2022-13; this item will be brought back to the attention of the Council at the next meeting. Regarding a previous item: Motion made by Councilmember Gina Worthen to reconsider the date for item 10a Ordinance 2022-11 to May 10, 2022; seconded by Councilmember Paul Borup.

Motion passes.

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

Nay: 0

b. Resolution 2022-06

A resolution amending the 2022 Cache County Budget.

Discussion: Councilmembers asked several questions regarding various items in the budget. Information was given to the Council by several members of county staff regarding the budget items that required clarification. Significant time was spent in discussion among the Council and the County Attorney in regards to funds for outside lobbying contracts.

Action: Motion made by Councilmember Paul Borup to take \$36,000 out of the Executive's appropriated funds balance (account 100-38-9000) and move it to the Council's professional and technical funds balance (account 100-4112-310); and to take an additional \$35,000 out of the Attorney's funds balance and move it to the Executive's professional and technical funds balance, so that the Executive may have the funds necessary to pay the rest of the existing contract to Lincoln-Hill Lobbying and a new contract can begin under the Council's budget on May 1, 2022; seconded by Gina Worthen

Motion passes.

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

Nay: 0

Action: Motion made by Councilmember Gina Worthen to amend by addition of \$25,000 from the general fund for Victim Services to fund an assistant director of the CJC and another \$25,000 for an assistant director of Victims Services (total \$50,000); seconded by Councilmember Gordon Zilles

Motion passes.

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

Nay: 0

Action: Motion made by Councilmember Gina Worthen to amend no. 1 on the budget to first prioritize and take the \$50,000 for the public defender out of ARPA (rather than the general fund), and if that is unable to happen, to take that money out of the general fund; seconded by Councilmember David Erickson

Motion passes.

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

Nay: 0

c. Resolution 2022-07

A resolution declaring County interest in real property located on Wolf Pack Way, described as parcel number 04-058-0048 as surplus property

Action: Refer to the action under item d. Resolution 2022-08 (below)

d. Resolution 2022-08 ATTACHMENT 1

A resolution authorizing conveyance of real property located on Wolf Pack Way, described as parcel number 04-058-0048

Action: Motion made by Councilmember David Erickson to waive the rules and approve Resolution 2022-07 and Resolution 2022-08; seconded by Councilmember Gina Worthen

Motion passes.

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

Nay: 0

e. **Resolution 2022-09** [ATTACHMENT 2](#)

A resolution to amend the Personnel Policy and Procedures Manual Section IX Employee Benefits in regards to Firefighter special and PLT accrual rates

Discussion: Fire Chief Rod Hammer presented to the Council the need for amendments to the Firefighter special and PLT accrual rates. Members of the Council voiced support and approval.

Action: Motion made by Councilmember David Erickson to waive the rules and approve Resolution 2022-09; seconded by Councilmember Gina Worthen

Motion passes.

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

Nay: 0

12. Other Business [2:33:20](#)

a. **Joint Workshop with County Planning Commission**

Wednesday, March 30, 2022 at 3:00 p.m.

b. **UAC Management Conference**

Tuesday-Thursday, April 26-28, 2022 – Ogden Eccles Conference Center

David Z, Barbara, Gina, Karl, David E. to be in attendance

c. **Smithfield Health Days Parade**

Saturday, May 14, 2022 at 10:00 a.m.

David Z, Barbara to be in attendance

13. Councilmember Reports [2:35:50](#)

Karl Ward – Question regarding contracts with lobbyists was answered in earlier discussion; no other items for report.

Gina Worthen – Reminded the Council that they are still missing liaisons to the Sheriff's Office, the Building Department, and Victims Services. Various assignments reviewed.

David Erickson – No report.

Gordon Zilles – Expressed enjoyment of County Convention.

Nolan Gunnell – Noted that waste planning should include Council members.

Paul Borup – Brought to the attention of the Council the need for space for County election equipment. County Clerk Jess Bradfield commented.

Barbara Tidwell – Recalled a conversation with a frustrated member of the public regarding why there is not more public input in County convention meetings. A man from Nevada contacted Councilmember Barbara Tidwell wanting to offer an invocation at a future Council meeting, and this was brought to the opinion of the Council. Expressed desire for Roger Yost from BRAG to come and report to the Council on April 26, 2022.

14. Executive Session [2:51:02](#)

Action: Motion made by Councilmember Gina Worthen to move into Executive Session: Utah Code 52-4-205(1)(c) Discussion of pending or reasonably imminent litigation and Utah Code 52-4-205(1)(d) Discussion of the purchase of real property; seconded by Councilmember Gordon Zilles.

Motion passes.

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

Nay: 0

Action: Motion made by Councilmember Zilles to adjourn the executive session; seconded by Councilmember Paul Borup

Motion passes.

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

Nay: 0

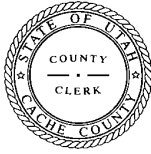
Adjourn: 9:00 PM

Jess W. Bradfield

ATTEST: Jess W. Bradfield
County Clerk/Auditor

Barbara Y. Tidwell

APPROVAL: Barbara Tidwell
Council Chair



CACHE COUNTY COUNCIL MEETING
MARCH 29, 2022

ATTACHMENT 1

**CACHE COUNTY
RESOLUTION 2022-07**

**RESOLUTION DECLARING COUNTY INTEREST IN REAL PROPERTY LOCATED ON WOLF
PACK WAY, DESCRIBED AS PARCEL NUMBER 04-058-0048 AS SURPLUS PROPERTY**

WHEREAS, Cache County intends to sell the County interest in real property described in Exhibit “A”; and

WHEREAS, Utah Code Ann. Section 17-50-312 provides that the county legislative body shall provide by ordinance, resolution, rule or regulation for the manner in which property shall be acquired, managed, and disposed of; and

WHEREAS, prior to the sale of said Property, Cache County Ordinance Section 3.40.010 requires the Cache County Council to declare said property as “Surplus Property”; and

WHEREAS Cache County Ordinances Sections 3.40.020 and 3.40.040 establish the procedures and protocols that must be followed prior to declaring the property as “Surplus Property” before it can be conveyed to a purchaser; and

WHEREAS the Cache County Council must hold a public hearing pursuant to Cache County Ordinance Section 3.40.040(B) before, by motion and vote, the Cache County Council can declare the Property as “Surplus Property” so that it can be conveyed to a purchaser; now

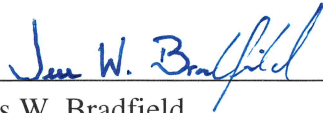
THEREFORE, the Cache County Council finds as follows:

1. That it is in the public interest that the subject real property be disposed of as surplus property. In determining whether the property shall be declared surplus, the County Council has taken into consideration:
 - a. Whether the county has, or anticipates that it will have, no practical, economical, efficient or appropriate use for the property currently or in the reasonably foreseeable future.
 - b. Whether the purpose served by the property can be better accomplished by other alternatives or property.
 - c. Whether the purpose served by the property or its use either no longer exists or has significantly changed because of the needs and demands of the county or as may be determined by a change of policy evidenced by an ordinance or resolution of the county council.
 - d. Whether the property is so damaged, depreciated or worn that it is inoperable or limited in operation without repairs and the cost of such repairs is unreasonable, excessive or impractical.
 - e. Whether the purposes and interests of the county would be better served by the declaration of the property as surplus and the disposition of that property.

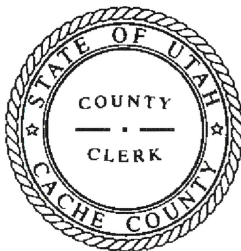
THEREFORE, the Cache County Council, after holding a public hearing, resolves that the property, better described in "Exhibit A" shall be declared surplus, and that such surplus property may be disposed of by the County Executive subject to the provisions of Cache County Code Chapter 3.40. This resolution takes effect immediately upon adoption.

Dated this 29th day of March, 2022.

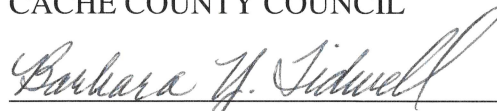
ATTESTED TO:



Jess W. Bradfield
Cache County Clerk/Auditor



CACHE COUNTY COUNCIL



Barbara Y. Tidwell
Council Chair

EXHIBIT A

LOT 8 CACHE RECREATION COMPLEX SUBDIVISION UNIT 1 CONT 3.11 AC, AS SHOWN ON THE OFFICIAL PLAT THEREOF FILED IN THE OFFICE OF THE CACHE COUNTY RECORDERS OFFICE. 04-058-0048



**CACHE COUNTY
RESOLUTION 2022-08**

**RESOLUTION AUTHORIZING CONVEYANCE OF REAL PROPERTY LOCATED ON
WOLF PACK WAY, DESCRIBED AS PARCEL NUMBER 04-058-0048**

WHEREAS, Cache County owns a 3.11 acre parcel of real property identified by tax ID number 04-058-0048 and Cache County does not have a future interest in this real property; and

WHEREAS, Cache County has previously declared by Resolution, the property as “Surplus Property” pursuant to Cache County Ordinances 3.40.010, 3.40.020, and 3.40.040, and

WHEREAS, an interested party has submitted an acceptable bid to purchase the property; and

WHEREAS, the County Executive intends to execute a warranty deed conveying all rights, title, and interest in the real property described in this resolution and attached as Exhibit A to the purchaser; and

WHEREAS, Utah Code Ann. Section 17-50-312 provides that the county legislative body shall provide by ordinance, resolution, rule or regulation for the manner in which property shall be acquired, managed, and disposed of and requires the County to provide reasonable notice of the proposed disposition at least 14 days before the opportunity for public comment and allow an opportunity for public comment on the proposed disposition; and

WHEREAS the Cache County Council must hold a public hearing before the Surplus Property can be disposed of by conveyance to the purchaser, AKA Holdings, LLC, and/or assigns; now

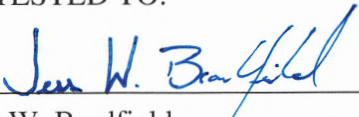
THEREFORE, the Cache County Council finds as follows:

1. That the parcel identified by tax ID number 04-058-0048 was declared “Surplus Property” by the County Council on March 29, 2022 at a public hearing by Resolution 2022-07, and
2. That pursuant to Cache County Ordinance 3.40.020, the property is being sold for not less than fair market value to AKA Holdings, LLC, and/or assigns, for \$632,500.00.

THEREFORE, the Cache County Council, after holding a public hearing, resolves that the Property, better described in “Exhibit A” has been declared surplus, and that such surplus property may be disposed of by the County Executive by executing an appropriate deed to AKA Holdings, LLC, and/or assigns. This resolution takes effect immediately upon adoption.

Dated this 29th day of March, 2022.

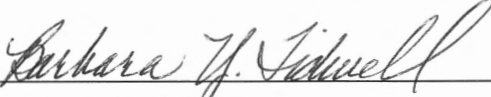
ATTESTED TO:



Jess W. Bradfield
Cache County Clerk/Auditor



CACHE COUNTY COUNCIL



Barbara Y. Tidwell
Council Chair

EXHIBIT A

LOT 8 CACHE RECREATION COMPLEX SUBDIVISION UNIT 1 CONT 3.11 AC, AS SHOWN ON THE OFFICIAL PLAT THEREOF FILED IN THE OFFICE OF THE CACHE COUNTY RECORDERS OFFICE. 04-058-0048



**CACHE COUNTY COUNCIL MEETING
MARCH 29, 2022**

ATTACHMENT 2

RESOLUTION NO. 2022-09
CACHE COUNTY, UTAH

**A RESOLUTION AMENDING THE CACHE COUNTY CORPORATION PERSONNEL
POLICY AND PROCEDURE MANUAL REGARDING EMPLOYEE BENEFITS AND
FIREFIGHTERS' PAY PERIOD SCHEDULES**

WHEREAS, the Cache County Council on 29th day of March 2022, in a regular meeting of which lawful notice had been given, considered amending the Cache County Corporation Personnel Policy and Procedure Manual, Section IX regarding employee benefits in regards to firefighter schedules; and

WHEREAS, the Cache County Council finds that it is necessary, appropriate, and in the best interest of the County and its personnel that the Cache County Corporation Personnel Policy and Procedure Manual be amended;

NOW THEREFORE, BE IT RESOLVED that the County Council adopts the following resolution:

- 1 **Amendments:** The Cache County Corporation Personnel Policy and Procedure Manual is hereby amended to read as set forth in the attached Exhibit A.
- 2 **Application:** The amendment to the Cache County Corporation Personnel Policy and Procedure Manual shall apply to all current and future county employees.
- 3 **Prior Resolution and Policies:** This Resolution and the amendments specified in Exhibit A to the Cache County Corporation Personnel Policy and Procedure Manual supersede all previously adopted resolutions and policies to the extent that they are in conflict with the specified provisions of this Resolution and the attached Exhibit A.
- 4 **Effective Date:** This Resolution shall be effective immediately upon its adoption.

Resolved this 29th day of March 2022.

CACHE COUNTY COUNCIL:



Barbara Tidwell, Chair

ATTEST:



Jess W. Bradfield, Cache County Clerk

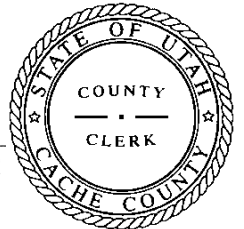


EXHIBIT A
PROPOSED AMENDMENTS

SECTION IX – EMPLOYEE BENEFITS

A. Holidays

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3. Special Leave is paid in lieu of holiday pay to employees who may be required to work on holidays according to their regular work schedule. These employees include Public Safety employees, Animal Control Officers, Booking Clerks, and Public Works employees. Special leave will accrue at a rate of 4 hours per pay period. Firefighters working 106 hours per pay period will accrue special pay at 5.30 hours per pay period.
 - a. Special Leave must be used in the year earned. No balance may be carried forward at the end of the calendar year.
 - b. An employee's balance of Special Leave may be negative; however, the employee must have a Personal Leave balance equal to the negative amount and may not carry a balance lower than a negative 48 hours. Negative balances remaining at the end of the year will be required to be balanced by using Personal Leave Time.
 - c. Special Leave may not be used to exceed the regular hours in a work period.

B. Leaves of Absence

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4. Personal Leave Time
The County provides Personal Leave Time for all merit employees.
 - a. The County's Personal Leave policy empowers the employee with the option to use their time off for such things as a personal vacation, a personal illness or injury or that of a family member, or for times of bereavement. Personal Leave can also be used for medical or dental appointments or for a special occasion that requires you to be in attendance.
 - b. Personal leave accrues on a per pay period basis starting at a rate of .069 hours accrued per hour worked. A new employee may use his or her accrued leave during their orientation period with the approval of their department head.
 - c. A part-time merit employee shall accrue personal leave, on a pro-rated basis per

the average number of hours worked per day, according to the schedule.

- d. Personal leave may be accrued and accumulated up to a maximum of 520 hours. Any accrued personal leave over this limit must be used during the year in which it is earned. Accrued personal leave over the maximum of 520 hours that is not used by the benefit eligible date will be forfeited.
- e. An employee who leaves the County's employment shall be paid out at the employee's current rate of pay, for all personal leave time accrued to the date of separation, subject to the conditions on accumulation. Personal leave time will not be paid out for other reasons or circumstances.
- f. In order to accommodate best business practices for the county, an employee may only take up to 30 consecutive days of personal leave time in any continuous twelve (12) month period, unless the personal leave time is used for personal health or family health issues. Any exception to policy must be approved by the County Executive.
- g. Former employees who are rehired with reinstatement rights following military service or who are reinstated from a reduction in force status shall assume the same eligibility for personal leave time that they held prior to their separation.
- h. Personal leave time shall be scheduled, with the department head's approval, at least two weeks in advance when possible.
- i. The personal leave time accrual rate will increase every other year of employment up to a maximum of .116 hours per hour worked. This, in part, recognizes and rewards years of service with the County.
- j. New accrual rates begin at the start of the pay period that includes the employee's benefit eligible date.
- k. Regularly scheduled days off (i.e. Saturdays, Sundays, and legal holidays) occurring during a period in which personal leave has been granted shall not be charged against accrued personal leave.
- l. Employees must submit personal leave time hours used on their time sheet. Personal leave time accruals and balances are tracked and recorded by the Finance Department.
 - i. Holiday and Special leave time are not considered Personal Leave Time.
 - ii. Personal leave time may not be used to receive compensation above an employee's regular work schedule. For example:

- Public Employees may not use personal leave time to exceed 40 hours in a workweek.
 - Law Enforcement Public Safety employees may not use personal leave time to exceed 80 hours in a 14-day work period.
 - Firefighters may not use personal leave time to exceed 212 hours in a 28-day work period.
 - Part-time merit employees must adjust these limits according to the number of hours normally worked in their schedule.
- iii. An employee may bank up to one-third of their annual personal leave time allocation each year that begins with the benefit eligible hire date. This will be added to their personal leave time balance for future use.
- iv. If an employee comes to work ill or injured, the department head or immediate supervisor may require the employee to return to their home to heal and that employee's personal leave will be used to cover the hours when the employee is absent.
- v. An employee who uses personal leave time due to an illness must notify the department head no later than one (1) hour after normal starting time on each day of absence unless circumstances surrounding the absence make such notification impossible. The department head should also be kept advised on the employee's progress and expected date of return to duty.
- m. Some merit employees and appointed department heads who were employed with the county prior to January 1, 2002, may have accrued hours in their Old Sick Leave account. Sick Leave was an accrued benefit provided to employees prior to the implementation of the Personal Leave Time benefit. The County Council approved for future use, the possession of any time an employee had accrued in their Sick Leave account. As such, if a merit employee or appointed department head is sick, injured or experiencing a health-related issue that keeps them away from their workstation for more than three (3) consecutive work days, and the employee or department head has time in their Old Sick Leave account prior to January 1, 2002, those employees will be required to do the following:
- i. The first three (3) working days of leave will be drawn from one's Personal Leave Time (PLT);

- ii. The next period of time away will be drawn from one's Old Sick Leave account until all hours are expended;
 - iii. If the employee has no hours in an Old Sick Leave account, time away from the office will continue to be drawn from one's Personal Leave Time until all hours are expended;
 - iv. If the employee has expended all PLT and all Old Sick Leave time, they may be placed on Leave Without Pay status if they have complied with the Family Medical Leave Act (FMLA).
 - v. When an employee leaves the county's employment, they will not be compensated for any unused Old Sick Leave hours that may remain in their account.
- n. If an employee is off work for more than three (3) working days due to an illness, injury, or a health-related issue, the county may require an employee to present medical documentation from their doctor stating they are physically healthy and fit to continue or resume work. If a certification is a requirement associated with an employee's job duties, they may be required to provide proof of certification before returning to their job duties. Such notice shall be provided to the department head and Human Resources within five (5) working days from the date the employee notifies the department head of illness or injury.
- o. If the employee is unable to resume work due to an illness, injury, or a health-related issue:
- i. An employee may be placed on Family and Medical Leave (FML) status;
 - ii. Personal Leave Time (PLT) shall not accrue if an employee is on FML status or Leave Without Pay status. Employees who are on FML or Leave Without Pay status and return to work part way through a month will accrue personal leave on a pro-rated basis for that month if the employee normally works more than eighty (80) hours during the month.
- p. Refer to the following table for Personal Leave Time (PLT) accrual rates.

	PLT Accrual rate per hour worked	PLT Hours Accrued per 80 hour Pay Period	PLT Hours Accrued per 106 hour Pay Period (Firefighters)
From Hire Date thru 1st Year you earn	0.069	5.54	7.34
On Your 1st Anniversary date, you still earn	0.069	5.54	7.34
Beginning Your 2nd Anniversary date, you earn	0.073	5.85	7.75
On Your 3rd Anniversary date, you still earn	0.073	5.85	7.75
Beginning Your 4th Anniversary date, you earn	0.077	6.16	8.16
On Your 5th Anniversary date, you still earn	0.077	6.16	8.16
Beginning Your 6th Anniversary date, you earn	0.081	6.47	8.57
On Your 7th Anniversary date, you still earn	0.081	6.47	8.57
Beginning Your 8th Anniversary date, you earn	0.085	6.77	8.97
On Your 9th Anniversary date, you still earn	0.085	6.77	8.97
Beginning Your 10th Anniversary date, you earn	0.089	7.08	9.38
On Your 11th Anniversary date, you still earn	0.089	7.08	9.38
Beginning Your 12th Anniversary date, you earn	0.092	7.39	9.79
On Your 13th Anniversary date, you still earn	0.092	7.39	9.79
Beginning Your 14th Anniversary date, you earn	0.096	7.7	10.2
On Your 15th Anniversary date, you still earn	0.096	7.7	10.2
Beginning Your 16th Anniversary date, you earn	0.10	8	10.6
On Your 17th Anniversary date, you still earn	0.10	8	10.6

Beginning Your 18th Anniversary date, you earn	0.104	8.31	11.01
On Your 19th Anniversary date, you still earn	0.104	8.31	11.01
Beginning Your 20th Anniversary date, you earn	0.108	8.62	11.42
On Your 21st Anniversary date, you still earn	0.108	8.62	11.42
Beginning Your 22nd Anniversary date, you earn	0.112	8.93	11.83
On Your 23rd Anniversary date, you still earn	0.112	8.93	11.83
Beginning Your 24th Anniversary date, you earn	0.116	9.24	12.24
On Future Anniversary dates, you still earn	0.116	9.24	12.24