

COUNCIL APPROVED

CACHE COUNTY COUNCIL

April 26, 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 Borup, David Erickson, Nolan Gunnell, Gina H. Worthen, Gordon A. Zilles, Karl B. Ward
- MEMEBERS EXCUSED:**
- STAFF PRESENT:** John Luthy, Chris Harrild, Bart Nelson, Matt Phillips, Shawn Milne, Chad Jensen, Dirk Anderson, Rod Hammer, Cameron Jensen, Teryl Warner, Julie Hollist Terrill, Mike McGinnis,
- OTHER ATTENDENCE:** Lyndsay Peterson, Pastor Ron Flessner, Mark Hurd, Corey Twedt, Alan Ince, Sonia Larsen, Curtis Larsen, Rachael Willis, Jennifer Brough, David Maughan, Charlotte Maughan, Dalores Maughan, Roger Pulsipher, Mark Stevenson, Annie Stevenson, Janna Stock, Mary Jean Corry, Chad Kendrick, Dale Buxton, Cody Johnson, Justin Cooley, Alma Brown, , Jolene Kirby, Maureen HERNs, Mark Lind, Cody Johnson, Randy Feezer, Doug Pearson, Chad Davis, Dan Ames, Thayne Mickelson, David Curtis, Robert Lee, Larry Jacobsen, Scott Bennett, Sheryl Hair, David Hair, Carla Rodriguez, Estaban Rodriguez, Fred Rigby, Fayone Rigby, Brook Bowes, Owen Kampert, Maureen HERNs,

Council Meeting

1. **Call to Order 5:00p.m.** – Chair Barbara Tidwell
2. **Opening Remarks and Pledge of Allegiance** – Councilmember Paul Borup [1:33](#)
3. **Review and Approval of Agenda APPROVED [4:55](#)**

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, Karl B. Ward, Gina H. Worthen, Gordon A. Zilles
Nay: 0
4. **Review and Approval of Minutes APPROVAL POSTPONED [5:16](#)**

Action: Motion made by Councilmember Gina Worthen to postpone approval of minutes for the meeting held April 12, 2022 until the next County Council meeting; seconded by Councilmember David Erickson
Motion passes.
Aye: 7 Barbara Tidwell, Paul R. Borup, David Erickson, Nolan Gunnell, Karl B. Ward, Gina H. Worthen, Gordon A. Zilles
Nay: 0
Chair Barbara Tidwell took a moment to recognize Julie Hollis Terrell for being chosen as Cache Chamber’s Woman of the Year. [5:57](#)
5. **Report of the County Executive**
6. **Items of Special Interest [6:41](#)**
 - a. **Proclamation: National Day of Prayer** – Thursday, May 5, 2022 - Pastor Ron Flessner read the Proclamation for a National Day of Prayer
Action: Motion made by Councilmember David Erickson to accept May 5, 2022 as a National Day of Prayer; seconded by Councilmember Gina Worthen
Motion passes.
Aye: 7 Barbara Tidwell, Paul R. Borup, David Erickson, Nolan Gunnell, Karl B. Ward, Gina H. Worthen, Gordon A. Zilles
Nay: 0
7. **Department or Committee Reports [11:25](#)**
 - a. Cache County Senior Center – Giselle Madrid, Director, gave the Council a report on the activities and growth of the Cache County Senior Center

b. Public Works Vegetation – Jake Forsgren, Vegetation Foreman, gave a report to the Council regarding noxious weeds in the county and yearly projects. The Council commented and asked questions.

8. Board of Equalization Matters

9. Public Hearings [32:07](#)

a. Set Public Hearing for May 10, 2022 – Ordinance 2022-15 – Christy Farm Rezone

Request to rezone 7.41 acres from the Agricultural (A10) Zone to the Rural 2 (RU2) Zone located at 5560 West 2000 South, near Mendon

Action: Motion made by Councilmember Gina Worthen to set a public hearing for Ordinance 2022-15 for May 10, 2022; seconded by Councilmember David Erickson [33:01](#)

Motion passes.

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

Nay: 0

b. Public Hearing – Resolution 2022-10 [33:21](#)

A resolution approving the appointments of representatives to the Avon, Cornish, Hyde Park, Millville/Nibley, Newton, Paradise, and Richmond Cemetery Districts Boards of Trustees

Discussion: Members of the public seeking appointment to Cemetery Districts Boards of Trustees were invited to stand and briefly present to the County Council (previously serving members on the Boards seeking unopposed reappointment did not speak); from Hyde Park/North Logan District: Rachael Willis, Alma Brown, Jolene Kirby, Maureen Hearn, Mark Lind, Cody Johnson; from Millville/Nibley District: Randy Feezer, Doug Pearson, Chad Davis, Dan Ames, Thayne Mickelson; from Cornish District: Dale Buxton ; from Newton District, Justin Cooley; from Paradise District: David Curtis, Robert Lee.

County Attorney John Luthy read the appointment procedures and applicant qualifications from county code.

Members of the public were invited to stand and comment on the appointments to Cemetery Districts Boards of Trustees and other related issues.

Action: Motion made by Councilmember Karl Ward to close the public hearing; seconded by Councilmember Gordon Zilles [1:02:16](#)

Motion passes.

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

Nay: 0

c. Public Hearing – Ordinance 2022-14 [1:03:44](#)

An ordinance to vacate any public right-of-way along 10940 South, lying north and within the boundary lines of the One Sixty Five subdivision in Avon

Discussion: Matt Phillips gave the Council information regarding the vacation of public right-of-way along 10940 South. The Council asked clarifying questions.

Members of the public spoke on the matter and commented on the history and use of the roadway and surrounding properties, including: Garrie Maughan, Dirk Lewis, Roger Pulsipher, David Best, Owen and Brooke Canter, and County Attorney John Luthy.

Action: Motion made by Councilmember Gina Worthen to close the public hearing; seconded by Councilmember Paul Borup [1:44:44](#)

Motion passes.

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

Nay: 0

d. Public Hearing – Resolution 2022-14 –Open 2022 Cache County Budget [1:44:59](#)

Discussion: Cameron Jenson presented Resolution 2022-14, a resolution increasing the budget appropriations for certain County departments. Council members asked questions about specific items on the proposed budget and ARPA funds, including funding for new software for the Development Services Department. Cameron Jenson summarized some items for the Council and the Council asked clarifying questions.

Terryl Warner spoke concerning funding for Victims Services. Council members asked questions and made comments.

County Attorney John Luthy commented on budget amendment procedure according to County code. The Council discussed the procedure for amending the budget and adjusting Victim Services funds.

Action: Motion made by Councilmember Gordon Zilles to close the public hearing; seconded by Councilmember David Erickson [2:23:30](#)

Motion passes.

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

Nay: 0

10. Pending Action

11. Initial Proposals for Consideration of Action [2:26:19](#)

a. Ordinance 2022-14

An Ordinance to vacate any public right-of-way along 10940 South, lying north and within the boundary lines of the One Sixty-Five subdivision in Avon

Discussion: The Council reviewed the proposed vacation with representatives from Public Works.

Action: Motion made by Councilmember Gina Worthen to approve Ordinance 2022-14; seconded by Councilmember David Erickson [2:34:47](#)

Motion passes.

Aye: 6 Barbara Tidwell, Paul R. Borup, David Erickson, Nolan Gunnell, Karl B. Ward, Gina H. Worthen

Nay: 1 Gordon Zilles

b. Resolution 2022-12 [2:36:32](#)

A Resolution updating the rules for public electronic meetings by the Cache County Council in compliance with the Americans with Disabilities Act, individuals needing special accommodations (including auxiliary communicative aids and services) during this meeting should notify Janeen Allen at 435- 755-1850 at least three working days prior to the meeting.

Discussion: The Council and County Attorney John Luthy reviewed the resolution and discussed possible adjustments to the language.

Action: Resolution 2022-12 was postponed for further action until the next Council meeting.

c. Resolution 2022-13 [2:44:00](#)

A Resolution amending the Personnel Policy and Procedures Manual Section IX Employee Benefits

Discussion: Amy Adams gave information to the Council regarding the resolution. This resolution would recognize Juneteenth as a paid holiday for county government employees and addresses special leave.

Action: Motion made by Councilmember Paul Borup to approve Resolution 2022-13; seconded by Councilmember David Erickson [2:48:35](#)

Motion passes.

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

Nay: 0

d. Resolution 2022-14 [2:49:00](#)

A Resolution amending 2022 Cache County Budget

Action: Motion made by Councilmember Karl Ward to approve Resolution 2022-14. Motion dies for lack of second [2:49:13](#)

Action: Motion made by Councilmember Gina Worthen to amend item no. 1 of the County budget; seconded by Councilmember David Erickson [2:49:40](#)

Motion passes.

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

Nay: 0

Action: Motion made by Councilmember Gina Worthen to increase the budget for Victims Services from ARPA funds; seconded by Councilmember David Erickson [2:51:00](#)

Motion passes.

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

Nay: 0

12. Other Business [2:53:33](#)

a. **Greater Cache Valley Economic AND Business Summit** Wednesday, May 4, 2022, 7:00 a.m. - 4:30 p.m.

b. **Greater Cache Valley Economic AND Business Summit** Thursday, May 5, 2022 at 10:00 a.m. Local Business Tours

c. **Smithfield Health Days Parade** Saturday, May 14, 2022 at 10:00 a.m.

David Z, Barbara, Dave E. (?)

d. **Richmond Black & White Days Parade** Saturday, May 21, 2022 at 5:00 p.m.

Dave E., Karl Ward

13. Councilmember Reports [2:56:28](#)

David Erickson – Commented on a meeting for plans for solid waste collection with outside experts.

Gordon Zilles – No report.

Karl Ward – No report.

Barbara Tidwell – Briefly mentioned that she is meeting with constituents regarding the widening of a road.

Paul Borup – No report.

Nolan Gunnell – No report.

Gina Worthen – Commented on issues with trespassing on private property in Hyde Park and reinstating a road committee.

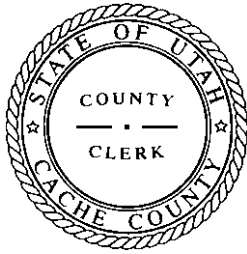
Adjourn: 8:00 PM

Jess W. Bradfield

ATTEST: Jess W. Bradfield
County Clerk/Auditor

Barbara Y. Tidwell

APPROVAL: Barbara Tidwell
Chair



CACHE COUNTY COUNCIL MEETING
APRIL 26, 2022

ATTACHMENT 1



CACHE COUNTY ORDINANCE No. 2022-14

AN ORDINANCE TO VACATE ANY PUBLIC RIGHT-OF-WAY OR PORTION OF RIGHT-OF-WAY ALONG 10940 SOUTH LYING NORTH AND WITHIN THE BOUNDARY LINES OF THE ONE SIXTY FIVE SUBDIVISION

A. WHEREAS, under Utah Code section 72-3-108(1), a county may, by ordinance, vacate a county road without petition; and

B. WHEREAS, the Cache County Council finds that good cause exists for vacation of the right-of-way described below and that neither the public interest nor any person will be materially injured by the vacation; and

C. WHEREAS, the Cache County Council has held a public hearing and given notice as required by law;

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

SECTION 1: VACATION OF RIGHT-OF-WAY

Any public right-of-way or portion of public right-of-way along 10940 South lying north and within the boundary lines of the One Sixty Five Subdivision, as attached and made part hereof in Exhibit "A", is hereby vacated.

SECTION 2:

This ordinance takes effect 15 days following its passage and approval by the County Council.

PASSED AND APPROVED BY THE COUNTY COUNCIL OF CACHE COUNTY, UTAH THIS 26th DAY OF April 2022.

	In Favor	Against	Abstained	Absent
Paul R. Borup	✓			
David Erickson	✓			
Nolan Gunnell	✓			
Barbara Tidwell	✓			
Karl Ward	✓			
Gina Worthen	✓			
Gordon Zilles		✓		
Total				



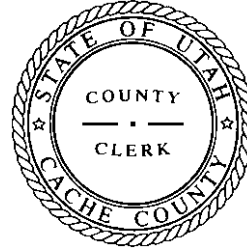
CACHE COUNTY:

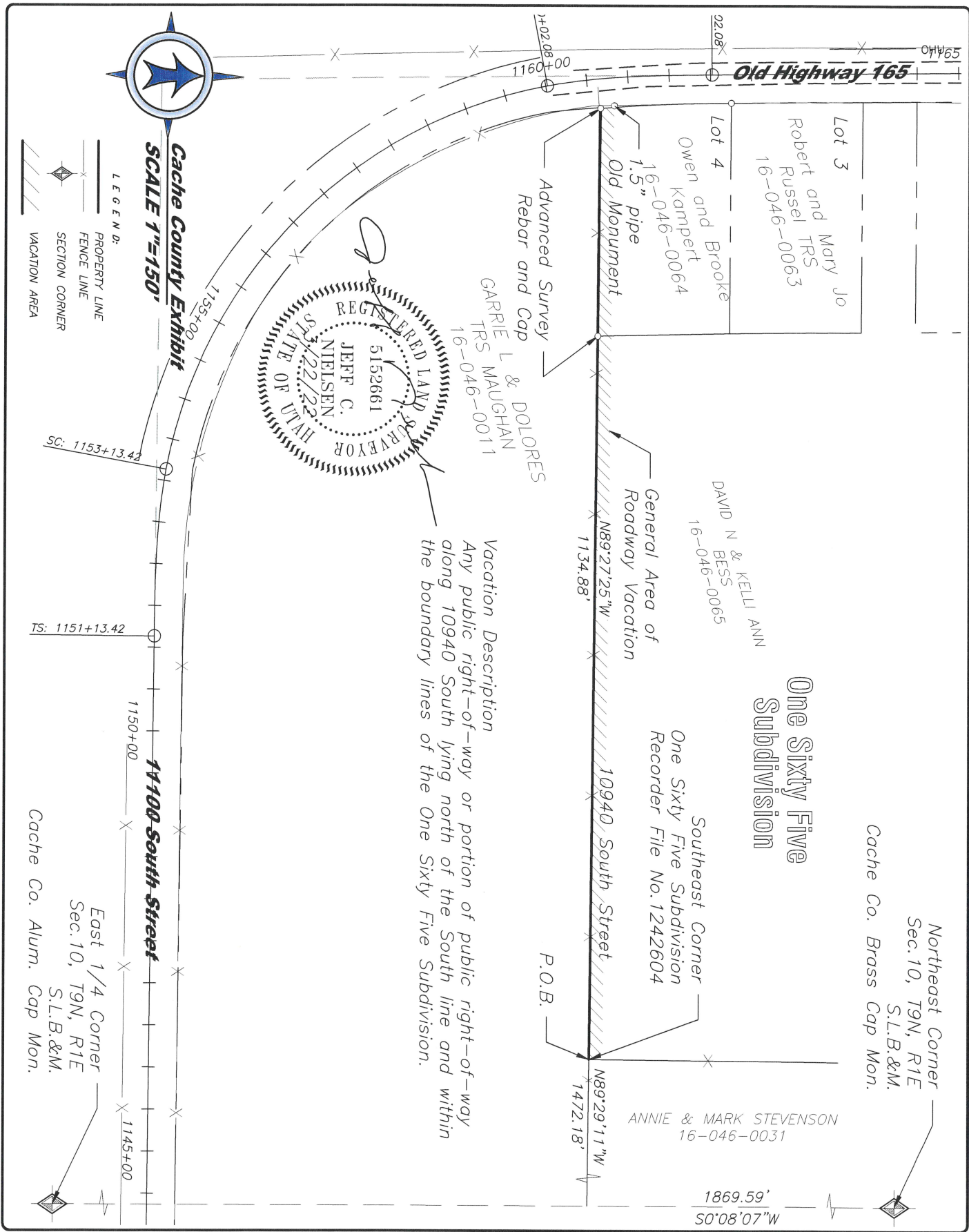
By: Barbara Tidwell
Barbara Tidwell, Chair

By: David Zook
David Zook, County Executive

ATTEST:

By: Jess W. Bradfield
Jess Bradfield, County Clerk /
Auditor





Job Number:	2022-0035
Drawn By:	JN
Date:	3/22/22
Scale:	1"=150'
File:	22-0035.dwg

AN EXHIBIT DRAWING FOR:

Cache County Exhibit "A"

A PART OF THE NORTHEAST QUARTER OF SECTION 10,
TOWNSHIP 9 NORTH, RANGE 1 EAST, S.L.B. & M.

Ordinance 2022-14
Exhibit "A"

CACHE COUNTY COUNCIL MEETING
APRIL 26, 2022

ATTACHMENT 2

RESOLUTION NO. 2022-13
CACHE COUNTY, UTAH

**A RESOLUTION ADOPTING JUNETEENTH AS A LEGAL, COUNTY HOLIDAY AND
AMENDING THE CACHE COUNTY CORPORATION PERSONNEL POLICY AND
PROCEDURE MANUAL TO REFLECT THE HOLIDAY**

WHEREAS, the Cache County Council on 26th day of April 2022, in a regular meeting of which lawful notice had been given, considered adopting Juneteenth as a legal holiday and amending the Cache County Corporation Personnel Policy and Procedure Manual, Section IX regarding employee benefits to incorporate the holiday; and

WHEREAS, Juneteenth honors the end of slavery in the United States, and is considered the longest-running African American holiday; and

WHEREAS, on June 17, 2021, Juneteenth National Freedom Day officially became a federal holiday; and

WHEREAS, on March 24, 2022, H.B. 0238 adopted the Juneteenth National Freedom Day Holiday as a holiday within the State of Utah pursuant to Utah Code Ann. § 63G-1-301; and

WHEREAS, the Cache County Council finds it is appropriate and in the best interest of the County to adopt Juneteenth as a legal County holiday; and

WHEREAS, the Cache County Council finds 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. Juneteenth National Freedom Day is a legal, County holiday, and on the day that has been adopted by the State of Utah.
2. **Amendments:** The Cache County Corporation Personnel Policy and Procedure Manual is hereby amended to read as set forth in the attached Exhibit A.
3. **Application:** The amendment to the Cache County Corporation Personnel Policy and Procedure Manual shall apply to all current and future County employees.
4. **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.
5. **Effective Date:** This Resolution shall be effective immediately upon its adoption.

Resolved this 26th day of April 2022.

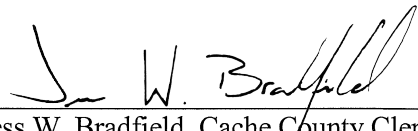
	In Favor	Against	Abstained	Absent
Paul R. Borup	✓			
David Erickson	✓			
Nolan Gunnell	✓			
Barbara Tidwell	✓			
Karl Ward	✓			
Gina Worthen	✓			
Gordon Zilles	✓			
Total:				

CACHE COUNTY COUNCIL:



Barbara Tidwell, Chair

ATTEST:



Jess W. Bradfield, Cache County Clerk

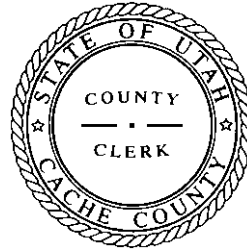


EXHIBIT A

SECTION IX – EMPLOYEE BENEFITS

A. Holidays

The following days have been designated as legal holidays for Cache County and offices will be closed to the public:

- The 1st day of January
 - New Year's Day
- The 3rd Monday of January
 - Martin Luther King Day
- The 3rd Monday of February
 - Presidents Day
- The last Monday of May
 - Memorial Day
- The Juneteenth
 - National Freedom Day
- The 4th day of July
 - Independence Day
- The 24th day of July
 - State Holiday - Pioneer Day
- The 1st Monday of September
 - Labor Day
- The 2nd Monday of October
 - Columbus Day
- The 11th day of November
 - Veterans Day
- The 4th Thursday of November
 - Thanksgiving Day
- The Friday after Thanksgiving Day
 - Personal Preference Day
- The 24th day of December,
 - Christmas Eve
- The 25th day of December
 - Christmas Day

1. If a holiday falls on a Sunday, the following Monday will be observed as a holiday. If a holiday falls on a Saturday, the preceding Friday will be observed as a holiday, if so designated by the Governor of the State of Utah. If Christmas Day falls on a Monday, then the 25th and 26th day of December will be observed as holidays. Juneteenth will be observed on the day that has been adopted by the State of Utah.
2. Full-time merit employees will receive 8 hours of pay for each holiday and will not be required to work, except in exigent circumstances as determined by the department head. Part-time merit employees will receive pay for each holiday proportionate to their normal work schedule and will not be required to work on holidays, except in exigent circumstances as determined by the department head. Part-time merit employees will not receive pay for any holiday if the holiday occurs outside of their normal work schedule. Non-merit employees, whether part-time or seasonal, are not eligible to receive pay for any holiday.
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, and Public Works employees. Special leave will accrue at a rate of 4.30 hours per pay period. Firefighters working 106 hours per pay period will accrue special pay at 5.70 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.