

## APPROVED

## CACHE COUNTY COUNCIL

**October 25, 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:** Chair Barbara Tidwell, Vice Chair Paul Borup, Councilmember David Erickson, Councilmember Gordon Zilles, Councilmember Nolan Gunnell, Councilmember Gina Worthen, Councilmember Karl Ward

**MEMEBERS EXCUSED:**

**STAFF PRESENT:** HR Director Amy Adams, Cameron Jensen, Terryl Warner

**OTHER ATTENDENCE:** Tim Keady, Jeff Gilbert, Justin Maughan, Grant Koford

### Workshop

1. **Call to Order** – Chair Barbara Tidwell
2. **Budget Presentations** –  
Fairgrounds [0:22](#)  
Senior Center [5:07](#)  
Human Resources [12:27](#)  
Fire District [15:50](#)
3. **Adjourn**

### Council Meeting

1. **Call to Order 5:00p.m.** – Chair Barbara Tidwell [0:20](#)
2. **Opening Remarks and Pledge of Allegiance** – Vice Chair Paul Borup [0:45](#)
3. **Review and Approval of Agenda APPROVED [3:03](#)**  
**Action:** Motion made by Councilmember Paul Borup to strike item 7a and approve the agenda as amendment; seconded by Councilmember Nolan Gunnell  
**Motion passes.**  
**Aye:** 7 Barbara Tidwell, David Erickson, Gordon Zilles, Nolan Gunnell, Paul Borup, Gina Worthen, Karl Ward  
**Nay:** 0
4. **Review and Approval of Minutes APPROVED [3:40](#)**  
**Action:** Motion made by Councilmember Karl Ward to approve the minutes; seconded by Councilmember Gina Worthen  
**Motion passes.**  
**Aye:** 4 Gordon Zilles, Paul Borup, Gina Worthen, Karl Ward  
**Nay:** 0  
**Abstain:** 3 Barbara Tidwell, David Erickson, Nolan Gunnell
5. **Report of the County Executive [4:36](#)**  
A report from County Executive David Zook
6. **Items of Special Interest [6:58](#)**
  - a. Opioid Settlement Update / Emission Testing Fee Change Recommendation – Jordan Mathis, Bear River Health Dept. [7:17](#)
  - b. Sheriff's Office Recognition Awards – Sheriff Chad Jensen [40:31](#)
  - c. Approval of 2022 Council of Government (COG) Project Recommendations – Mayor Craig Hidalgo, COG Chair [46:13](#)  
**Action:** Motion made by Councilmember Karl Ward to approve the 2022 Council of Governments Project Recommendations; seconded by Councilmember David Erickson [53:24](#)  
**Motion passes.**  
**Aye:** 7 Barbara Tidwell, David Erickson, Gordon Zilles, Nolan Gunnell, Paul Borup, Gina Worthen, Karl Ward  
**Nay:** 0
  - d. Request for 25% Match for a FEMA Flood Mitigation Assistance Grant – Matt Phillips, Public Works [53:48](#)  
**Action:** Motion made by Councilmember Gordon Zilles to approve the request; seconded by Councilmember David Erickson [1:03:53](#)

**Motion passes.**

**Aye:** 7 Barbara Tidwell, David Erickson, Gordon Zilles, Nolan Gunnell, Paul Borup, Gina Worthen, Karl Ward

**Nay:** 0

e. Request for Direction regarding State Agency Questions – Shawn Milne, Economic Development Director [1:05:20](#)

**Action:** Motion made by Councilmember Karl Ward to approve the request; seconded by Councilmember Gina Worthen [1:10:29](#)

**Motion passes.**

**Aye:** 7 Barbara Tidwell, David Erickson, Gordon Zilles, Nolan Gunnell, Paul Borup, Gina Worthen, Karl Ward

**Nay:** 0

**7. Department or Committee Reports [1:12:08](#)**

a. Fire District – Chief Rod Hammer STRICKEN

b. Information Technology – Bartt Nelson, Director [1:12:41](#)

**8. Board of Equalization Matters**

**9. Public Hearings [39:42](#)**

a. Set a Public Hearing for November 8, 2022 – Resolution 2022-30 [39:50](#)

A resolution adopting the 2023 Cache County Budget

**Action:** Motion made by Councilmember Gina Worthen to set the public hearing for Resolution 2022-30 for November 8, 2022 ; seconded by Councilmember Karl Ward

**Motion passes.**

**Aye:** 7 Barbara Tidwell, David Erickson, Gordon Zilles, Nolan Gunnell, Paul Borup, Gina Worthen, Karl Ward

**Nay:** 0

**10. Pending Action [1:39:55](#)**

a. **Ordinance 2022-32 [1:39:59](#) ATTACHMENT 1**

An ordinance making a Cost of Living Adjustment to the Salaries of the Cache County Elected Officers and members of the Cache County Council

**Discussion:** Councilmember Nolan Gunnell spoke to the ordinance [1:41:20](#). Councilmember discussion. Cameron Jenson spoke to the ordinance [1:46:06](#). Councilmember discussion. HR Director Amy Adams spoke [1:50:52](#). Councilmember discussion.

**Action:** Motion made by Councilmember Paul Borup to strike the cost of living adjustment for the 2022 salaries for the County Council from the ordinance; seconded by Councilmember David Erickson [1:46:46](#)

**Motion passes.**

**Aye:** 7 Barbara Tidwell, David Erickson, Gordon Zilles, Nolan Gunnell, Paul Borup, Gina Worthen, Karl Ward

**Nay:** 0

**Action:** Motion made by Councilmember Gordon Zilles to approve the cost of living adjustments to the salaries of the Cache County Elected Officers (excluding the Council members, as stricken above); seconded by Councilmember Nolan Gunnell [1:53:07](#)

**Motion passes.**

**Aye:** 4 Barbara Tidwell, Gordon Zilles, Nolan Gunnell, Karl Ward

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

**Abstain:** 1 Paul Borup

b. **Resolution 2022-27 [1:54:26](#)**

Amending the 2022 Cache County Budget

**Discussion:** Cameron Jenson spoke to the resolution [1:54:57](#). Councilmember discussion.

**Action:** Motion made by Councilmember Paul Borup to strike item 4, \$60,000 for the ARPA Space Needs Analysis, from the 2022 Cache County budget; seconded by Councilmember Gina Worthen [2:08:56](#)

**Motion passes.**

**Aye:** 7 Barbara Tidwell, David Erickson, Gordon Zilles, Nolan Gunnell, Paul Borup, Gina Worthen

**Nay:** 1 Karl Ward

**11. Initial Proposals for Consideration of Action [2:35:01](#)**

a. **Resolution 2022-28 [2:35:07](#)**

A Resolution Establishing County Policy on Supporting Local Non-Profit Organizations

**Discussion:** Councilmember Gina Worthen spoke to the resolution [2:35:27](#). Councilmember discussion.

**b. Resolution 2022-29 [2:40:24](#) ATTACHMENT 2**

A Resolution Clarifying County Policy on the Preparation of the County Council Agenda

**Discussion:** Councilmember Gina Worthen spoke to the resolution [2:40:39](#).

**Action:** Motion made by Councilmember Gina Worthen to waive the rules and approve Resolution 2022-29; seconded by Councilmember David Erickson [2:43:52](#)

**Motion passes.**

**Aye:** 7 Barbara Tidwell, David Erickson, Gordon Zilles, Nolan Gunnell, Paul Borup, Gina Worthen, Karl Ward

**Nay:** 0

**c. Amended Policy regarding Poll Watchers [2:45:59](#)**

**Discussion:** HR Director Amy Adams spoke [2:46:12](#).

**d. Discussion regarding Policy Analyst [2:49:38](#)**

**Discussion:** Councilmember discussion. HR Director Amy Adams spoke [2:51:37](#).

**e. County Attorney Transition – John Luthy [2:56:07](#)**

**Discussion:** Attorney John Luthy spoke [2:56:24](#).

**f. Discussion regarding Public Defender’s Office [3:02:47](#)**

**Discussion:** Councilmember Paul Borup spoke [3:02:55](#).

**g. Appoint an Attorney to represent the County Council [3:06:27](#)**

**Discussion:** Councilmember Paul Borup spoke [3:06:33](#).

**Action:** Motion made by Councilmember Paul Borup to appoint Blake Hamilton as an attorney to represent the County Council; seconded by Councilmember David Erickson [3:07:08](#)

**Motion passes.**

**Aye:** 7 Barbara Tidwell, David Erickson, Nolan Gunnell, Paul Borup, Gina Worthen

**Nay:** 0

**Abstain:** 2 Gordon Zilles, Karl Ward

**i. Discussion Regarding the 2023 Cache County Budget [3:09:49](#)**

**Discussion:** Councilmember discussion. Cameron Jenson spoke [3:13:23](#). Deputy County Executive Dirk Anderson spoke [3:19:30](#).

**12. Other Business [3:25:40](#)**

- |                                   |   |
|-----------------------------------|---|
| a. UAC Annual Conference          | <i>November 15-17, 2022, in St. George</i>                    |
| b. Extension Office Chili Cookoff | <i>Tuesday, November 22, 2022 – Council Chambers</i>          |
| c. Employee Christmas Dinner      | <i>Thursday, December 1, 2022 – Cache County Event Center</i> |

**13. Councilmember Reports [3:27:45](#)**

**David Erickson** – Commented on a committee meeting with Fire Chief Rod Hammer.

**Gordon Zilles** – No report.

**Karl Ward** – No report.

**Barbara Tidwell** – Spoke about the One Utah Summit.

**Paul Borup** – Asked about the grass being planted in the courtyard outside the historic courthouse.

**Nolan Gunnell** – Spoke about a waste management meeting and an issue regarding Little Bear Bottoms.2

**Gina Worthen** – Asked about signs for the open space bond. Spoke to an informal proposition to move the County library. Spoke about the Agricultural Advisory Board.

**14. Adjourn to Meeting of the Cache County Service Area #1 Board of Trustees [3:35:05](#)**

a. Discussion of Memorandum of Understanding with Logan City

**Action:** Motion made by Councilmember Nolan Gunnell to adjourn to the Meeting of the Cache County Service Area #1 Board of Trustees; seconded by Councilmember Karl Ward

**Motion passes.**

**Aye:** 7 Barbara Tidwell, David Erickson, Gordon Zilles, Nolan Gunnell, Paul Borup, Gina Worthen, Karl Ward

**Nay: 0**

**Discussion:** Attorney John Luthy spoke [3:35:29](#).

**Action:** Motion made by Councilmember Paul Borup to appoint Nolan Gunnell and David Erickson as the point people for the Council in the Solid Waste Management discussion; seconded by Councilmember Gina Worthen [3:40:46](#)

**Motion passes.**

**Aye:** 7 Barbara Tidwell, David Erickson, Gordon Zilles, Nolan Gunnell, Paul Borup, Gina Worthen, Karl Ward

**Nay: 0**

**15. Adjourn to County Council Meeting [3:45:06](#)**

**Action:** Motion made by Councilmember Nolan Gunnell to adjourn to County Council Meeting; seconded by Councilmember Paul Borup

**Motion passes.**

**Aye:** 7 Barbara Tidwell, David Erickson, Gordon Zilles, Nolan Gunnell, Paul Borup, Gina Worthen, Karl Ward

**Nay: 0**

**16. Executive Session – Utah Code 52-4-205(1)(c) - Discussion of pending or reasonably imminent litigation [3:45:25](#)**

**Action:** Motion made by Councilmember Karl Ward to adjourn to move into Executive Session; seconded by Councilmember Gordon Zilles

**Motion passes.**

**Aye:** 7 Barbara Tidwell, David Erickson, Gordon Zilles, Nolan Gunnell, Paul Borup, Gina Worthen, Karl Ward

**Nay: 0**

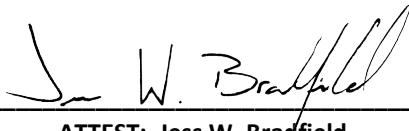
**Action:** Motion made by Gordon Zilles to move out of Executive Session; seconded by Councilmember David Erickson

**Motion passes.**

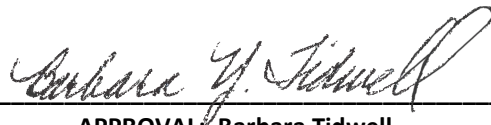
**Aye:** 7 Barbara Tidwell, David Erickson, Gordon Zilles, Nolan Gunnell, Paul Borup, Gina Worthen, Karl Ward

**Nay: 0**

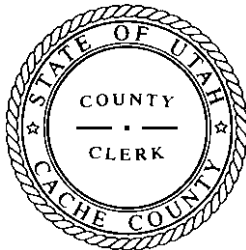
**Adjourn: 7:30 PM**



ATTEST: Jess W. Bradfield  
County Clerk/Auditor



APPROVAL: Barbara Tidwell  
Chair



**CACHE COUNTY COUNCIL MEETING  
OCTOBER 25, 2022**

**ATTACHMENT 1**

**CACHE COUNTY  
ORDINANCE 2022-32**

**AN ORDINANCE MAKING A COST OF LIVING ADJUSTMENT TO THE  
SALARIES OF THE CACHE COUNTY ELECTED OFFICERS**

WHEREAS, the Cache County Council, upon lawful notice and in accordance with Utah Code section 17-16-14, held on September 23, 2022, a public hearing on proposed salary increases for second half of 2022 for Cache County officers and members of the Cache County Council; and

WHEREAS, the Organic Act for the Government of Cache County, Utah, as approved on November 6, 1984, and amended from time to time thereafter, authorizes the modification of salaries for all elected county officers by ordinance;

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

**SECTION 1:**

Section 2.28.030 of the Cache County Code is amended to read in full as follows:

**2.28.030: County Officers**

A. The annual salaries for County officers, which shall be effective as of July 3, 2022, shall be as follows:

County Executive/Surveyor	\$130,225.00
County Assessor	\$116,075.00
County Attorney	\$158,185.00
County Clerk/Auditor	\$105,806.00
County Recorder	\$100,483.00
County Sheriff	\$122,732.00
County Treasurer	\$100,505.00

B. The County Council, consistent with subsection 2.12.120C of this title, may adjust the foregoing County officer salaries from full time salaries to part time salaries, or from part time salaries to full time salaries as the Council in its discretion may deem appropriate. This includes adjustments to existing salaries made at any time during the current or subsequent pay periods within the current term of office, consistent with subsection 2.12.120C2 of this title; and it applies to adjustments to future salaries for pay periods during a term of office after the current term of office, consistent with subsection 2.12.120C3 of this title.

C. A County officer will be paid a part time salary if the County officer gives notice that he or she chooses to work, or the County Council finds that the County Officer in fact works, less than thirty (30) hours per week, in which case the part time salary will be an hourly wage based upon the prorated amount of the full time salary and the County officer may not receive other compensatory benefits unless approved by the County Council.

**SECTION 3: REPEALER**

The salary provisions of all prior ordinances or resolutions, or any parts thereof, in conflict with the above Cache County Code amendments are hereby repealed and superseded to the extent of such conflict. Otherwise such resolutions and ordinances remain in full force and effect.

**SECTION 4: EFFECTIVE DATE**

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

APPROVED BY THE COUNTY COUNCIL OF CACHE COUNTY, UTAH, THIS 25TH DAY OF OCTOBER 2022.

	In Favor	Against	Abstained	Absent
Paul R. Borup			✓	
David Erickson		✓		
Nolan P. Gunnell	✓			
Barbara Tidwell	✓			
Karl Ward	✓			
Gina Worthen		✓		
Gordon Zilles	✓			
<b>TOTAL:</b>	4	2	1	

CACHE COUNTY COUNCIL:

Barbara Y. Tidwell  
Barbara Y. Tidwell, Chair

ATTEST:

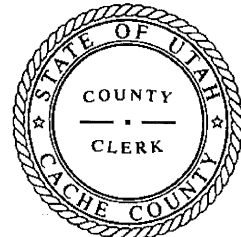
Jess W. Bradfield  
Jess W. Bradfield, Cache County Clerk

ACTION OF COUNTY EXECUTIVE:

- Approved
- Disapproved (Written statement of objection attached)

David N. Zook  
David N. Zook, Cache County Executive

11/8/22  
Date



**CACHE COUNTY COUNCIL MEETING  
OCTOBER 25, 2022**

**ATTACHMENT 2**



**Cache County**  
**Resolution No. 2022-29**

**A Resolution Clarifying County Policy On The Preparation of the County Council Agenda**

WHEREAS, Cache County Code says, "The agenda for all county council meetings shall be established by the county council through its chairperson" (County Code 2.12.250A); and

WHEREAS, County Code says the Council Chair shall prepare the agenda for all meetings (County Code 2.12.170C and 2.12.250 B); and

WHEREAS, County Code says that requests for matters to be placed on the agenda from persons other than councilmembers or the County Executive "shall be placed on the agenda at the discretion of the chair" (County Code 2.12.250C); and

WHEREAS, Title 17, Chapter 20, Section 1.7, Utah Code Annotated, 1953, specifies the duties of the County Clerk, none of which include the preparation of or assisting in the preparation of a county legislative body's meeting agenda; and

WHEREAS, Title 17, Chapter 20, Section 1.7(13), Utah Code Annotated, 1953, says that the County Clerk shall "perform all other duties required by law or by any rule or order of the county legislative body;" and

WHEREAS, the County Council has not assigned the duty of agenda preparation or assisting in agenda preparation to the County Clerk; and

WHEREAS, because Cache County Code specifically provides for the agenda preparation to be done by the chair, Roberts Rules of Order which requires preparation by the secretary (or clerk) of an organization does not apply [County Code 2.12.290; RONR (12th ed.) 47:33 and 1:5]; and

WHEREAS, since the beginning of the Cache County Council more than 30 years ago, the Council Chair has prepared the agenda with assistance from the shared Council Executive Secretary; and

WHEREAS, Cache County Code gives power to the County Council to adopt by ordinance procedural rules to conduct its business (County Code 2.12.120 E), and by ordinance the the County Council has clearly established that the Council controls the preparation of its meeting agendas; and

WHEREAS, the Cache County Council is the governing body of the County and is vested with all legislative and policy determining powers of the County (County Code 2.12.120, 2.12.020); and

WHEREAS, Title 17, Chapter 53, Section 316 (2), Utah Code Annotated, 1953, says that policy set by the Council supersedes Executive orders and policy;

NOW, THEREFORE, BE IT RESOLVED that the Cache County Council establishes the following:

**Council Meeting Agendas**

1. All County Council meeting agendas shall be prepared by the Council Chair with the assistance of the Council Executive Secretary.
2. All requests to place items on the Council agenda, including requests made by County staff, department heads, and elected officials, shall be made directly to the Council Chair or Council Executive Secretary.
3. Agenda items requested by persons other than Councilmembers or the County Executive shall be placed on the agenda at the discretion of the Chair.
4. No coversheet with description shall be required, unless requested by the Council Chair.
5. Any additional requirements for agenda requests shall be set by the County Council.

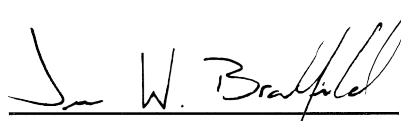
This Resolution shall be effective immediately upon its adoption.

Resolved this 25th day of October, 2022

COUNTY COUNCIL:

ATTEST:

  
Barbara Tidwell, Chair

  
Jess Bradfield, County Clerk

