

APPROVED

CACHE COUNTY COUNCIL

December 22, 2022 at 4:00 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: Attorney Dane Murray, Chief Deputy Clerk Bryson Behm

OTHER ATTENDENCE:

Special Council Meeting

1. **Call to Order / Opening 4:00p.m.** – Chair Barbara Tidwell [0:35](#)

2. **Approval of Agenda APPROVED**

Action: Motion made by Councilmember David Erickson to approve the agenda; seconded by Councilmember Nolan Gunnell [2:44](#)

Motion passes.

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

Nay: 0

3. **Items of Special Interest [3:03](#)**

a. Consideration of Emissions Testing Fee Change

Discussion: Jordan Mathis spoke [3:17](#). Councilmember discussion.

Action: Motion made by Councilmember Karl Ward to approve the Emissions Testing Fee Change; seconded by Councilmember Gina Worthen [5:32](#)

Motion passes.

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

Nay: 0

4. **Proposals for Consideration of Action [7:44](#)**

a. **Resolution 2022-35 ATTACHMENT 1**

A Resolution Amending Resolution 2021-06 to Update the Cache County Economic Opportunity Advisory Board

Discussion: Gina Worthen spoke [7:58](#). Councilmember discussion.

Action: Motion made by Councilmember Gina Worthen to waive the rules and approve Resolution 2022-35; seconded by Councilmember David Erickson [12:55](#)

Motion passes.

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

Nay: 0

5. **Executive Session [13:34](#) ATTACHMENT 2**

Utah Code 52-4-205(1)(a) – Discussion of the character, professional competence, or physical or mental health of an individual

Action: Motion made by Councilmember Paul Borup to move into Executive Session; seconded by Councilmember David Erickson [13:41](#)

Motion passes.

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

Nay: 0

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

Motion passes.

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

Nay: 0

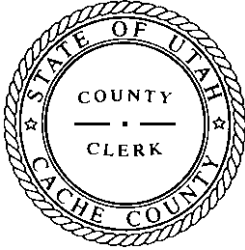
6. **Adjourn**

Jess W. Bradfield

ATTEST: Jess W. Bradfield
County Clerk/Auditor

Barbara Y. Tidwell

APPROVAL: Barbara Tidwell
Chair



**CACHE COUNTY COUNCIL MEETING
DECEMBER 22, 2022**

ATTACHMENT 1



**CACHE COUNTY
RESOLUTION NO. 2022-35**

**A RESOLUTION AMENDING RESOLUTION 2021-06 TO UPDATE THE CACHE
COUNTY ECONOMIC OPPORTUNITY ADVISORY BOARD**

WHEREAS, the Utah Legislature passed Senate Bill 95 during its 2020 General Session, thereby creating a Rural County Grant Program, which was codified as Utah Code Ann. §§ 17-54-101 through -104; and

WHEREAS, the Cache County Council through Resolution 2020-11 on May 26, 2020, created the Cache County Economic Development Advisory Board; and

WHEREAS, the Cache County Council appointed members to the Board on June 9, 2020, and in order to quickly qualify for and apply for the Rural County Grant appointed the same membership as the Executive Committee of the Cache Valley Economic Development Alliance, which is a component of the Cache Chamber of Commerce; and

WHEREAS, the Cache County Council amended Resolution 2020-11 with 2021-06 to make changes to the Advisory Board after hiring a County Economic Development Director, which is a position that will be eliminated as of January 1, 2023; and

WHEREAS, The Utah Legislature repealed the Rural County Grant Program effective July 1, 2022, and replaced it with the Rural Communities Opportunity Grant under the new Rural Opportunity Act codified in Utah Code Ann. §§ 63N-4-801 through -804; and

WHEREAS, the Rural Opportunity Program's purpose is to award grants to address the economic development needs of rural counties, which needs may include business recruitment, development and expansion; workforce training and development; and business infrastructure and capital facilities improvements;

WHEREAS, Cache County qualifies as a rural county and desires to participate in the Rural Opportunity Program to promote opportunities for investors and employers and those seeking to strengthen the economy in Cache County; and

WHEREAS, the Act requires under Utah Code Ann. §§ 63N-4-803 that each rural county that seeks a Rural Opportunity grant create a County Economic Opportunity Advisory Board whose membership is appointed by the county legislative body; and

WHEREAS, the County seeks input from a variety of County residents, business leaders, and elected officials to prioritize economic development projects and opportunities in the County; and

WHEREAS, the County Council sees fit to update the Cache County Economic Development Advisory Board to bring it into compliance with state law and County policy;



NOW, THEREFORE BE IT RESOLVED that the Cache County Council hereby amends Resolution 2020-11 to read as follows:

The Cache County Council hereby creates the Cache County Economic Opportunity Advisory Board as follows:

A. Cache County Economic Opportunity Advisory Board

1. The Cache County Economic Opportunity Advisory Board will be composed of at least the following members, who shall be appointed by the Cache County Council:
 - a. a county representative who is not the Cache County Executive or Executive staff;
 - b. a representative of a municipality in the county;
 - c. a workforce development representative;
 - d. a private-sector representative;
 - e. a member of the public who lives in the County; and
 - f. the Bear River Association of Governments Regional Economic Director, as an advisory and non-voting member.
2. The Cache County Council may also appoint additional members with experience or expertise in economic development matters.
3. In appointing members of the Cache County Economic Opportunity Advisory Board, the Cache County Council may consider gender and socioeconomic diversity.
4. The Cache County Economic Opportunity Advisory Board shall assist and advise the Cache County Council on:
 - a. applying for a grant under Utah Code Ann. §§ 63N-4-802(4)(a);
 - b. what projects should be funded by grant money provided to the County under Utah Code Ann. §§ 63N-4-802(4)(a); and



c. preparing reporting requirements for grant money received by Cache County under Utah Code Ann. §§ 63N-4-802(4)(a).

B. Appointment and Terms of Board Members

1. The Cache County Council shall appoint each member of the Cache County Economic Opportunity Advisory Board.
2. In appointing initial members of the Cache County Economic Opportunity Advisory Board, the Cache County Council shall assign to half, or roughly half, of the initial Board members an initial term that expires on December 31, 2021. The Cache County Council shall assign to the other half, or roughly half, of the initial Board members an initial term that expires on December 31, 2023.
3. After the initial Board members' initial terms, all Board members shall serve four-year terms.
4. A person appointed to the Cache County Economic Opportunity Advisory Board, other than the Bear River Association of Governments Regional Economic Director, may not serve more than two consecutive terms. For as long as a person remains the Bear River Association of Governments Regional Economic Director, he or she shall serve on the Cache County Economic Opportunity Advisory Board without a term limit.
5. When a vacancy occurs in one of the positions on the Board that is required under Section A.1. of this Resolution for any reason other than the expiration of the Board member's term, the Cache County Council shall appoint a replacement to fill the unexpired term. When a vacancy occurs in a position on the Board that is not required under Section A.1. of this Resolution for any reason other than the expiration of the Board member's term, the Cache County Council may, at its discretion, appoint a replacement to fill the unexpired term or leave the position unfilled. When a vacancy occurs in a position on the Board that is not required under Section A.1. of this Resolution due to the expiration of the Board member's



term, the Cache County Council may, at its discretion, appoint a replacement to serve a new full term or leave the position unfilled.

6. Membership may not consist of more than 20 percent of the same membership as any of the officers and/or executive committees of the Cache Chamber of Commerce or its components, and the Northern Utah Chamber Coalition or its components.
7. As the board is a legislative advisory board to the County Council, the County Executive or Executive staff shall not be appointed as a voting member of the Cache County Economic Opportunity Advisory Board.

C. Conducting of Board Business

1. The Cache County Economic Opportunity Advisory Board shall elect annually from its voting members a chair of the Board. A person may not serve as chair of the Board for more than two consecutive years.
2. The Cache County Economic Development Advisory Board shall elect annually from its voting members a vice-chair of the Board.
3. A majority of the Cache County Economic Opportunity Advisory Board shall constitute a quorum for the purpose of conducting Board business, and the action of a majority of a quorum shall constitute the action of the Board.
4. Members of the Cache County Economic Opportunity Advisory Board who have or may have a conflict of interest with respect to fund allocation decisions or recommendations:
 - a. shall identify the conflict or potential conflict prior to voting on the issue and may choose to recuse themselves from voting on the issue; and
 - b. shall sign annually and as needed a disclosure statement in accordance with Utah Code Ann. §§ 17-16a and County Code 2.62.



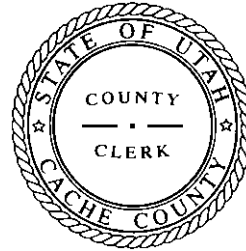
This resolution shall take effect immediately upon passage by the County Council.
Adopted this 22th day of December, 2022, by the Cache County Council.

Cache County Council:

Barbara Tidwell, Chair

ATTEST:

Jess Bradfield, County Clerk





Redline Version:

The Cache County Council hereby creates the Cache County Economic ~~Development~~
Opportunity Advisory Board as follows:

A. Cache County Economic ~~Development~~Opportunity Advisory Board

1. The Cache County Economic ~~Development~~ Opportunity Advisory Board will be composed of at least the following members, who ~~will~~ shall be appointed by the Cache County Council:
 - a. a county representative who is not the Cache County ~~Economic~~
~~Development Director~~ Executive or Executive staff;
 - b. a representative of a municipality in the county;
 - c. a workforce development representative;
 - d. a private-sector representative;
 - e. a member of the public who lives in the County; and
 - ~~f. the Cache County Economic Development Director.~~
f. the Bear River Association of Governments Regional Economic Director,
as an advisory and non-voting member.
2. The Cache County Council may also appoint additional members with experience or expertise in economic development matters.
3. In appointing members of the Cache County Economic ~~Development~~
Opportunity Advisory Board, the Cache County Council may consider gender and socioeconomic diversity.
4. The Cache County Economic ~~Development~~ Opportunity Advisory Board shall assist and advise the Cache County Council on:
a.(a) applying for Rural County Grants a grant under Utah Code Ann. §§
63N-4-802(4)(a);



~~b. (b)~~ what projects should be funded by grant money provided to the County under ~~the Rural County Grant Program~~ Utah Code Ann. §§ 63N-4-802(4)(a); and

~~c. (e)~~ preparing reporting requirements for grant money received by Cache County under ~~the Rural County Grant Program~~ Utah Code Ann. §§ 63N-4-802(4)(a).

B. Appointment and Terms of Board Members

1. The Cache County Council shall appoint each member of the Cache County Economic ~~Development Opportunity~~ Advisory Board.
2. In appointing initial members of the Cache County Economic ~~Development Opportunity~~ Advisory Board, the Cache County Council shall assign to half, or roughly half, of the initial Board members an initial term that expires on December 31, 2021. The Cache County Council shall assign to the other half, or roughly half, of the initial Board members an initial term that expires on December 31, 2023.
3. After the initial Board members' initial terms, all Board members shall serve four-year terms.
4. A person appointed to the Cache County Economic ~~Development Opportunity~~ Advisory Board, other than the ~~Cache County Economic Development Director~~ Bear River Association of Governments Regional Economic Director, may not serve more than two consecutive terms. For as long as a person remains the ~~Cache County Economic Development Director~~ Bear River Association of Governments Regional Economic Director, he or she shall serve on the Cache County Economic ~~Development Opportunity~~ Advisory Board without a term limit.
- ~~5. 4.~~ When a vacancy occurs in one of the positions on the Board that is required under Section A.1. of this Resolution for any reason other than the expiration of the Board member's term, the Cache County Council shall appoint a replacement to



fill the unexpired term. When a vacancy occurs in a position on the Board that is not required under Section A.1. of this Resolution for any reason other than the expiration of the Board member's term, the Cache County Council may, at its discretion, appoint a replacement to fill the unexpired term or leave the position unfilled. When a vacancy occurs in a position on the Board that is not required under Section A.1. of this Resolution due to the expiration of the Board member's term, the Cache County Council may, at its discretion, appoint a replacement to serve a new full term or leave the position unfilled.

6. Membership may not consist of more than 20 percent of the same membership as any of the officers and/or executive committees of the Cache Chamber of Commerce or its components, and the Northern Utah Chamber Coalition or its components.
7. As the board is a legislative advisory board to the County Council, the County Executive or Executive staff shall not be appointed as a voting member of the Cache County Economic Opportunity Advisory Board.

C. Conducting of Board Business

1. The Cache County Economic Development Director shall be the chair of the Cache County Economic Development Advisory Board. The Cache County Economic Opportunity Advisory Board shall elect annually from its voting members a chair of the Board. A person may not serve as chair of the Board for more than two consecutive years.
2. The Cache County Economic Development Advisory Board shall elect annually from its voting members a vice-chair of the Board.
3. A majority of the Cache County Economic Opportunity Advisory Board shall constitute a quorum for the purpose of conducting Board business, and the action of a majority of a quorum shall constitute the action of the Board.
4. Members of the Cache County Economic Opportunity Advisory Board who have or may have a conflict of interest with respect to fund allocation decisions or recommendations:
 - a. shall identify the conflict or potential conflict prior to voting on the issue and may choose to recuse themselves from voting on the issue: and



- b. shall sign annually and as needed a disclosure statement in accordance with Utah Code Ann. §§ 17-16a and County Code 2.62.

**CACHE COUNTY COUNCIL MEETING
DECEMBER 22, 2022**

ATTACHMENT 2

DAVID N. ZOOK
COUNTY EXECUTIVE

199 NORTH MAIN STREET
LOGAN, UT 84321
435-755-1850
WWW.CACHECOUNTY.ORG



COUNTY COUNCIL
BARBARA Y. TIDWELL, *CHAIR*
PAUL R. BORUP, *VICE CHAIR*
DAVID L. ERICKSON
NOLAN P. GUNNELL
KARL B. WARD
GINA H. WORTHEN
GORDON A. ZILLES

I, Barbara Tidwell, Council Chair for the Cache County Council, do solemnly swear under penalty of law that the Cache County Council did close a portion of the December 22, 2022 meeting of the Cache County Council for the sole purpose of discussing the character, professional competence, or physical or mental health of an individual, in accordance with Utah Code § 52-4-205 (1)(a). Furthermore, this portion of the meeting of the Cache County Council was not recorded, consistent with Utah Code § 52-4-206 (6).

I declare under criminal penalty under the law of Utah that the foregoing is true and correct.

SIGNED ON THIS 22nd DAY OF DECEMBER, 2022, AT LOGAN, UTAH.

A handwritten signature in blue ink that reads "Barbara Tidwell". The signature is written in a cursive style and is positioned above a horizontal line.

Barbara Tidwell
Cache County Council Chair