

CACHE COUNTY COUNCIL

March 12, 2024 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 David Erickson, Vice-Chair Barbara Tidwell, Councilmember Karl Ward, Councilmember Sandi Goodlander, Councilmember Nolan Gunnell, Councilmember Mark Hurd, Councilmember Kathryn Beus.

MEMBERS EXCUSED:

STAFF PRESENT: David Benson, Bartt Nelson, Nathan Argyle, Dianna Schaeffer, Scott Bodily, Amy Adams, Terryl Warner

OTHER ATTENDANCE:

Council Meeting

1. **Call to Order 5:00p.m.** – Council Chair David Erickson [0:36](#)
2. **Opening Remarks and Pledge of Allegiance** – Councilmember Barbara Tidwell [1:01](#)
3. **Review and Approval of Agenda APPROVED 2:56**
Action: Motion made by Councilmember Nolan Gunnell to approve the agenda; seconded by Councilmember Mark Hurd. [3:01](#)
Motion passes.
Aye: 7 David Erickson, Barbara Tidwell, Kathryn Beus, Nolan Gunnell, Sandi Goodlander, Karl Ward, Mark Hurd
Nay: 0
4. **Review and Approval of Minutes APPROVED 3:09**
Discussion: Councilmember Barbara Tidwell mentioned that Amy Adams' title was wrong [3:12](#)
Action: Motion made by Councilmember Barbara Tidwell to approve the minutes with the change; seconded by Councilmember Kathryn Beus. [3:28](#)
Motion passes.
Aye: 7 David Erickson, Barbara Tidwell, Kathryn Beus, Nolan Gunnell, Sandi Goodlander, Karl Ward, Mark Hurd
Nay: 0
5. **Report of the County Executive 3:45**
County Executive David Zook discussed a meeting that he went to for a 9/11 event in North Logan. [3:49](#) County Executive David Zook expressed his thanks to our Legislatures and all the good work they did during the legislative session. [5:09](#) County Executive David Zook suggested the council have a workshop with the trails division to see all the work they have been doing. [5:27](#) County Executive David Zook thanked the council for opening up the remaining ARPA funds for county departments to apply for. [5:52](#) County Executive David Zook discussed how the RAPZ committee was moving forward [6:21](#)
6. **Items of Special Interest**
7. **Department or Committee Reports**
8. **Board of Equalization 7:20**
Action: Motion made by Councilmember Nolan Gunnell to enter into the board of equalization; seconded by Councilmember Barbara Tidwell. [7:29](#)
Motion passes.
Aye: 7 David Erickson, Barbara Tidwell, Kathryn Beus, Nolan Gunnell, Sandi Goodlander, Karl Ward, Mark Hurd
Nay: 0

Councilmember Karl Ward expressed his appreciation for all of Dianna Schaeffer's hard work. [7:51](#) Dianna Schaeffer started to discuss the 25 different property tax exemptions. [8:21](#) Dianna Schaeffer discussed the new part of HB-231 [9:57](#) Councilmember Sandi Goodlander asked who determined eligibility under HB-231. [10:20](#) Councilmember Karl Ward discussed the subsidies happening to accommodate these tax exemptions. [10:41](#) Dianna Schaeffer continued to discuss the 25 property tax exemption cases [13:22](#) Dianna Schaeffer discussed the estimated total amount of abatement properties in the county. [15:18](#)

a. Property Tax Exemptions

- 1. Charitable-9**
- 2. Charitable Low Income Housing-4**
- 3. Educational-3**
- 4. Religious-9**

Action: Motion made by Councilmember Karl Ward to accept all 25 applications for Charitable, Charitable Low Income Housing, Educational and Religious exemptions; seconded by Councilmember Nolan Gunnell. [17:23](#)

Motion passes.

Aye: 7 David Erickson, Barbara Tidwell, Kathryn Beus, Nolan Gunnell, Sandi Goodlander, Karl Ward, Mark Hurd

Nay: 0

Action: Motion made by Councilmember Mark Hurd to close the board of equalization; seconded by Councilmember Nolan Gunnell. [18:36](#)

Motion passes.

Aye: 7 David Erickson, Barbara Tidwell, Kathryn Beus, Nolan Gunnell, Sandi Goodlander, Karl Ward, Mark Hurd

Nay: 0

9. Public Hearings

A. Set Public hearing for March 26, 2024 – Resolution 2024-06 – Appointing New Members to the Paradise Cemetery District [18:55](#)

Discussion: Micah Safsten discussed the need to appoint two new members to the Paradise Cemetery District Board [18:57](#)

Action: Motion made by Councilmember Barbara Tidwell to set a public hearing for March 26, 2024 for Resolution 2024-06 to appoint new members to the Paradise Cemetery District; seconded by Councilmember Karl Ward. [20:13](#)

Motion passes.

Aye: 7 David Erickson, Barbara Tidwell, Kathryn Beus, Nolan Gunnell, Sandi Goodlander, Karl Ward, Mark Hurd

Nay: 0

B. Set Public hearing for March 26, 2024 – Resolution 2024-07 – Opening the 2024 Budget [20:41](#)

Discussion:

Action: Motion made by Councilmember Kathryn Beus to set the public hearing for March 26, 2024 for Resolution 2024-07, opening the 2024 budget; seconded by Councilmember Sandi Goodlander. [20:46](#)

Motion passes.

Aye: 7 David Erickson, Barbara Tidwell, Kathryn Beus, Nolan Gunnell, Sandi Goodlander, Karl Ward, Mark Hurd

Nay: 0

10. Pending Action

11. Initial Proposals for Consideration of Action

A. *Resolution 2024-04* **A Resolution Amending Section X of the County Personnel Policies and Procedures Manual Regarding Grievances and Appeals [21:09](#)**

Discussion: Amy Adams, Director of Personnel Management, discussed the changes to the manual with the resolution [21:28](#) Councilmember Sandi Goodlander asked if these changes applied to the Sheriff's department. [22:56](#) Council chair David Erickson asked if members of the OMP committee had any comment regarding Resolution 2024-04 [24:03](#)

Action: Motion made by Councilmember Karl Ward to suspend the rules and approve Resolution 2024-04; seconded by Councilmember Mark Hurd. [24:47](#)

Motion passes.

Aye: 7 David Erickson, Barbara Tidwell, Kathryn Beus, Nolan Gunnell, Sandi Goodlander, Karl Ward, Mark Hurd

Nay: 0

B. *Resolution 2024-05* **A Resolution Amending Section VIII LAA of the County Personnel Policies and Procedures Manual Regarding Domestic Violence, Sexual Violence and Stalking [25:29](#)**

Discussion: Micah Safsten mentioned some amendments that need to happen due to typos in the Resolution. [25:39](#) Micah Safsten discussed the changes the Resolution would make to the Personnel Policies and Procedures Manual [26:44](#) Micah Safsten discussed the current process for when domestic violence, sexual violence or stalking complaint is made. [27:39](#) Councilmember Nolan Gunnell asked if the policy covered when an employee was out of the county, like at a conference. [30:21](#) Micah Safsten continued discussing the current policy [32:11](#) Micah Safsten discussed the changes the resolution would make to the current policy. [33:21](#) Councilmember Nolan Gunnell asked how this policy would apply to hired out consultants/independent contractors. [39:49](#) Councilmember Nolan Gunnell asked if the resolution had been vetted with county employees, specifically department heads. [41:43](#) County Executive David Zook asked if all personnel policies applied to independent contractors. [42:21](#) County Executive David Zook asked if there was a definition for sexual violence within this policy. [43:34](#) County Executive David Zook also asked if there was a definition of stalking. [44:31](#) County Executive David Zook asked if the Director of Personnel management should be choosing the outside source when there is a personnel conflict of interest. [45:47](#) County Executive David Zook asked for clarification on the County Executive/County Auditor's duties during the process. [46:46](#) County Executive David Zook asked if there was threshold defined for conflict of interest. [50:17](#) County Executive David Zook asked what would happen if the County Executive and County Auditor had conflicting opinions on the matter. [51:37](#) Councilmember Nolan Gunnell asked for clarification on who falls under the contractor category. [53:06](#) County Executive David Zook asked what sections apply to grand funded projects. [54:53](#) Council brought up some edits that needed to be fixed within the resolution. [55:38](#) Council Chair David Erickson asked for some remarks from the OMP committee. [57:08](#) Councilmember Sandi Goodlander asked if the policy still applied when the complaint does not affect grant funded projects. [57:27](#) Council chair David Erickson asked about changing sexual violence to sexual assault or sexual misconduct. [58:54](#) Council discussed the needs for these policy changes. [1:01:58](#) Councilmember Nolan Gunnell requested to postpone the resolution's approval motion to the next council meeting. [1:03:24](#)

Action: Motion made by Councilmember Sandi Goodlander to change the title of the policy to Domestic Violence, Sexual misconduct, and stalking, and to amend previous discussed errors; seconded by Councilmember Barbara Tidwell. [1:00:15](#)

Motion passes.

Aye: 7 David Erickson, Barbara Tidwell, Kathryn Beus, Nolan Gunnell, Sandi Goodlander, Karl Ward, Mark Hurd

Nay: 0

12. Other Business [1:04:19](#)

A. UAC Building Utah Conference

April 10-11, 2024

B. UAC Management Conference

April 30 – May 1, 2024 in St. George
Barbara, Karl, Dave (?), Mark, Kathryn, Sandi

C. February 2024 Building Permits

13. Councilmember Reports [1:04:40](#)

David Erickson – He asked Councilmember Nolan Gunnell to give an update on Roads Committee. Councilmember Nolan Gunnell suggested the council travel some of the canyon roads to see all the hard work the Roads Committee is doing. [1:20:14](#) Council chair David Erickson discussed an upcoming workshop with Emergency Preparedness. [1:22:33](#) Council chair David Erickson asked County Clerk David Benson is the clerk's office is prepared for this election year and how the county council can help. [1:23:19](#) Council Chair David Erickson asked about staffing within the Clerk's office. [1:26:41](#) Councilmember Nolan Gunnell asked how many full time employees have been utilized in the past to cover elections. [1:28:02](#) Councilmember Nolan Gunnell requested that more full-timers be hired specifically for elections. [1:28:37](#) County Council and County Clerk David Benson discussed increasing staff within the Clerk's office and getting them trained before the Primary election in June. [1:30:40](#) Councilmember Mark Hurd said that him and councilmember Karl Ward, as the Clerk's office liaisons, should meet with David Benson this week to do a needs assessment. [1:35:39](#) David Benson mentioned that the Clerk's office staff is constantly preparing and training for the next election. [1:39:04](#) Micah Safsten asked to set a date for the Board of Canvassers meeting. It was scheduled for Monday, March 18 at 3PM [1:39:45](#)

Sandi Goodlander – She has been doing a lot of work with the Local Homeless Council. She suggested the council meet with the Director of CAPSA to possibly help with their funding. She has started meeting with the County Treasurer more often to help provide assistance. State Legislatures got funding for the county to figure out the county's water levels. [1:16:32](#)

Karl Ward – nothing to report [1:20:03](#)

Barbara Tidwell – OMP committee is making lots of progress. [1:12:16](#) On Councilmember Barbara Tidwell's request, Micah Safsten provided some more information on subtitles for ledger accounts. [1:12:50](#)

Kathryn Beus – COSAC received their first preliminary application. She will keep the council updated as the application process moves forward. [1:09:34](#) Councilmember Nolan Gunnell asked if there was a contact point within COSAC to help farmers with the application. [1:10:30](#)

Nolan Gunnell – He requested that all members of the County Council review the Cache Valley Master Plan, especially with all the growth happening in the county. He also suggested that the council review the County Enforcement Officer's findings and figure out how to best support him. [1:07:27](#)

Mark Hurd – He updated the council on the Cache Economic Advisory Board. He is excited for the 9/11 event that is coming to North Logan this year. [1:04:44](#)

14. Executive Session – Utah Code 52-4-205(l)(c) – Strategy session to discuss pending or reasonably imminent litigation

Action: Motion made by Councilmember Barbara Tidwell to enter the executive session; seconded by Councilmember Kathryn Beus. [1:42:39](#)

Motion passes.

Aye: 7 David Erickson, Barbara Tidwell, Kathryn Beus, Nolan Gunnell, Sandi Goodlander, Karl Ward, Mark Hurd

Nay: 0

15. Executive Session – Utah Code 52-4-205(l)(a) – Discussion of the character, professional competence, or physical or mental health of an individual

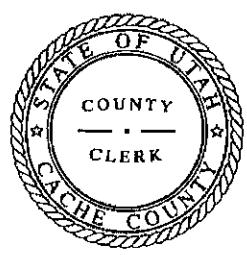
Adjourn: 7:30 PM



APPROVAL: David Erickson, Chair
Cache County Council

Dianna Schaeffer

ATTEST: Dianna Schaeffer, Acting Clerk
Cache County Council





**CACHE COUNTY
RESOLUTION NO. 2024 - 04**

**A RESOLUTION AMENDING SECTION X OF THE COUNTY PERSONNEL
POLICIES AND PROCEDURES MANUAL REGARDING GRIEVANCES AND
APPEALS**

- A) WHEREAS, Utah Code Ann. § 17-53-2, gives the Cache County Council the authority to “pass all ordinances and rules and make all regulations, not repugnant to law;” and
- B) WHEREAS, Utah Code Ann. § 17-33, the County Personnel Management Act, requires that any county that has greater than 200 employees not covered by the Peace Officer Merit System and Firemen’s Civil Service Commission comply with the provisions of Utah Code § 17-33; and
- C) WHEREAS, the number of County employees not covered by the Peace Officer Merit System and Firemen’s Civil Service Commission has surpassed 200; and
- D) WHEREAS, on September 6, 2023, the Cache County Executive signed Executive Order 2023-01 creating an Office of Personnel Management for Cache County; and
- E) WHEREAS, on September 12, 2023, the Cache County Council passed Ordinance 2023-34, which implemented the changes of Executive Order 2023-01 and Utah Code Ann. § 17-33 into county code; and
- D) WHEREAS, the Ordinance and Policy Review Committee approved this policy at its March 8, 2024 meeting with a vote of 3-0;

Now, therefore, the Cache County Council hereby ordains, as follows:

Section 1: Section X of the Cache County Personnel Policy and Procedures Manual shall be amended as follows, with a redline version included as Exhibit 1:

Section X – Grievances and Appeals

A. Definition

A grievance is a dispute or complaint arising between an employee and the County. A grievance includes but is not limited to acts of discrimination as defined in the County’s EEO policy, or the event of a dismissal, demotion, suspension, or transfer.

B. Policy

1. It is Cache County's policy to address employee grievances promptly and fairly. The grievance and appeals procedure is available only to merit employees who have completed



the orientation period. This policy does not apply to Public Safety employees. Public Safety employee grievances are to be addressed through the Merit Commission.

2. There may be circumstances in which an employee believes that he or she has received unfair treatment or when an employee feels dissatisfied with some aspect of his or her employment over which he or she has no control and for which he or she desires action. Employees who have grievances created by work situations have the right to submit such grievances for orderly disposition.
3. Employees will not be discriminated against, coerced, restrained, or retaliated against in any way for using the grievance procedure.
4. The Director of Personnel Management has the authority to grant time extensions under the policy based on a reasonable cause (e.g., staff availability or other extenuating circumstances).

C. Resolving Grievances

1. STEP 1: INITIAL REPORT AND RESPONSE

- a. The employee should communicate the complaint or grievance to his or her Department Head or the Director of Personnel Management. This initial communication need not be in writing. When making his or her initial report, the employee should identify the problem and suggest a possible solution or solutions to the Department Head or Director of Personnel Management. All grievances must be communicated within 5 working days after the incident occurs or a situation arises.
- b. After receipt of an initial communication of a grievance, the Department Head in collaboration with the Director of Personnel Management will respond within 5 working days to the employee with a proposed solution or other response. The response of the Department Head or Director of Personnel Management to the initial report need not be in writing.

2. STEP 2: WRITTEN REPORT AND RESPONSE

- a. If the grievance is not satisfactorily resolved through the response of the Department Head or Director of Personnel Management to the initial report, the employee must submit a written grievance on the Grievance Form (available from the Office of Personnel Management) within 10 working days of receiving the response from the Department Head or Director of Personnel Management to the initial report. The completed Grievance Form will need to be delivered to the Director of Personnel Management either in person or by email followed by a phone call to verify receipt of the email.
- b. The Department Head and the Director of Personnel Management have 10 working days to review and respond to the written grievance. This response to the employee will be in written form and will be delivered personally or by email with a phone call to verify receipt of the email.



3. STEP 3: APPEAL

- a. If not satisfied with the written response of the Department Head and Director of Personnel Management, the employee may submit an appeal to the Career Service Council within 10 working days of the receipt of the decision in Step 2.
- b. The appeal must include:
 - The Grievance Form;
 - A statement of relevant facts and any applicable rules, policies, or laws;
 - Supporting documentation (writings, photographs, video or audio recordings, list of witnesses, witness statements, etc.);
 - And a recommendation and request for a solution.
- c. The Career Service Council, in its discretion, may accept but need not consider documents not provided in the original appeal.
- d. The Career Service Council has up to 10 working days to meet and determine if a hearing should be held.
- e. If the Career Service Council determines that a hearing is not justified, it will explain the decision and recommend a solution in writing to the employee and the Department Head along with a copy of the writing to the Director of Personnel Management. The recommendation of the Grievance Committee is final.
- f. If the Career Service Council determines that a hearing is justified, the hearing will be held within 30 calendar days.

4. STEP 4: HEARING PROCEDURE

- a. The hearing will not exceed 2 hours unless the Career Service Council determines that more time is needed to understand the facts of the grievance. The allotted time will be divided equally between the grieving party and the respondent. The Career Service Council has the authority to request that relevant facts be presented and to keep the grievance in line with the initial appeal.
- b. The employee is responsible to provide his or her representative if desired. The County will not provide a representative for the employee.
- c. At the hearing, the employee or his or her representative shall establish the basis of the employee's grievance.
- d. The respondent will also review his or her findings with the Career Service Council.
- e. Parties to the grievance may call witnesses who shall be sworn in by the Career Service Council chairperson before testifying.
- f. The Career Service Council may ask questions and gather relevant information as it deems appropriate.



- g. Upon completion of the hearing, the Career Service Council shall render a written decision to the employee and the respondent within 10 working days of the conclusion of the hearing. The decision of the Career Service Council is by a majority vote.
- h. An employee adversely affected by a decision of the Career Service Council may appeal the decision to the district court within 30 days after the Career Service Council issues its decision. The district court shall be limited to the record proved by the Career Service Council. The district court shall presume that the decision is valid and may determine only whether the decision is arbitrary or capricious.
- i. Only the Career Service Council shall make a record of the hearing and its decision; however, recording of the deliberations of the Career Service Council is not allowed. Grieving parties may make a written request for an official copy of the record or any recordings.
- j. The hearing, the deliberations, and other proceedings before the Career Service Council are not open or public meetings. All documents and associated support materials, including, but not limited to, the grievance form, evidence, and committee decisions, are classified as private for purposes of the Government Records Access Management Act.

D. The Career Service Council: This is a brief overview, the full description of duties and requirements of the Career Service Council is defined in Utah Code 17-33-4

- 1. The Career Service Council shall consist of three members appointed by the County Executive. The members of the Career Service Council will serve for no more than three years, expiring on June 30, three years after the date of appointment
- 2. The Career Service Council shall elect one of its members as chairperson, and two or more members constitute a quorum necessary for carrying on the business and activity of the Career Service Council.
- 3. Conflict of Interest: Upon receipt of the appeal, the Career Service Council Chair will inform all committee members. If any member of the Career Service Council has a direct conflict of interest with an appeal an alternate member will replace that member for this specific appeal only.
- 4. Unavoidable Circumstances: If a committee member or the chairperson has an unforeseen event on the day of the grievance hearing, the hearing will be rescheduled within 10 working days to allow the alternate member to review the information that has been submitted for the hearing.
- 5. State Law Governs: If this policy conflicts with state law, state law shall govern.

Section 2: This resolution shall go in effect immediately upon passage of the County Council.

RESOLVED BY THE COUNTY COUNCIL OF CACHE COUNTY, UTAH THIS 10th DAY OF MARCH 2024.



	In Favor	Against	Abstained	Absent
Kathryn Beus	X			
David Erickson	X			
Sandi Goodlander	X			
Nolan Gunnell	X			
Mark Hurd	X			
Barbara Tidwell	X			
Karl Ward	X			
Total	7	0	0	0

CACHE COUNTY:

By: 
David L. Erickson, Chair

ATTEST:

By: 
David Benson, County Clerk / Auditor



EXHIBIT 1

Redline Version:

Section X – Grievances and Appeals

A. Definition

A grievance is a dispute or complaint arising between an employee and the County. A grievance includes but is not limited to acts of discrimination as defined in the County’s EEO policy, or the event of a dismissal, demotion, suspension, or transfer.

B. Policy

1. It is Cache County's policy to address employee grievances promptly and fairly. The grievance and appeals procedure is available only to merit employees ~~that~~ who have completed the orientation period. This policy does not apply to Public Safety employees. Public Safety employee grievances are to be addressed through the Merit Commission. ~~Public Safety employees in a supervisory position may, however, serve on the Grievance Committee as defined below.~~

2. There may be circumstances in which an employee believes that he or she has received unfair treatment or when an employee feels dissatisfied with some aspect of his or her employment over which he or she has no control and for which he or she desires action. Employees who have grievances created by work situations have the right to submit such grievances for orderly disposition.

3. Employees will not be discriminated against, coerced, restrained, or retaliated against in any way for using the grievance procedure.

4. The Director of ~~Human Resources~~ Personnel Management has the authority to grant time extensions under the policy based on a reasonable cause (e.g., staff availability or other extenuating circumstances).

C. Resolving Grievances

1. STEP 1: INITIAL REPORT AND RESPONSE

a. The employee should communicate the complaint or grievance to his or her Department Head or the Director of ~~Human Resources~~ Personnel Management. This initial communication need not be in writing. When making his or her initial report, the employee should identify the problem and suggest a possible solution or solutions to the Department Head or Director of ~~Human Resources~~ Personnel Management. All grievances must be communicated within 5 working days after the incident occurs or a situation arises.

b. After receipt of an initial communication of a grievance, the Department Head in collaboration with the Director of ~~Human Resources~~ Personnel Management will respond within 5 working days to the employee with a proposed solution or other



response. The response of the Department Head or Director of ~~Human Resources Personnel Management~~ to the initial report need not be in writing.

2. STEP 2: WRITTEN REPORT AND RESPONSE

- a. If the grievance is not satisfactorily resolved through the response of the Department Head or Director of ~~Human Resources Personnel Management~~ to the initial report, the employee must submit a written grievance on the Grievance Form (available from the ~~Director of Human Resources Office of Personnel Management~~) within 10 working days of receiving the response from the Department Head or Director of ~~Human Resources Personnel Management~~ to the initial report. The completed Grievance Form will need to be delivered to the Director of ~~Human Resources Personnel Management~~ either in person or by email followed by a phone call to verify receipt of the email.
- b. The Department Head and the Director of ~~Human Resources Personnel Management~~ have 10 working days to review and respond to the written grievance. This response to the employee will be in written form and will be delivered personally or by email with a phone call to verify receipt of the email.

3. STEP 3: APPEAL

- a. If not satisfied with the written response of the Department Head and Director of ~~Human Resources Personnel Management~~, the employee may submit an appeal to the ~~Grievance Committee Career Service Council~~ within 10 working days of the receipt of the decision in Step 2.
- b. The appeal must include:
 - The Grievance Form;
 - A statement of relevant facts and any applicable rules, policies, or laws;
 - Supporting documentation (writings, photographs, video or audio recordings, list of witnesses, witness statements, etc.);
 - And a recommendation and request for a solution.
- c. The ~~Grievance Committee, Career Service Council~~, in its discretion, may accept but need not consider documents not provided in the original appeal.
- d. The ~~Grievance Committee-Career Service Council~~ up to 10 working days to meet and determine if a hearing should be held.
- e. If the ~~Grievance Committee-Career Service Council~~ determines that a hearing is not justified, it will explain the decision and recommend a solution in writing to the employee and the Department Head along with a copy of the writing to the Director of ~~Human Resources Personnel Management~~. The recommendation of the Grievance Committee is final.
- f. If the ~~Grievance Committee-Career Service Council~~ determines that a hearing is justified, the hearing will be held within 30 calendar days.



4. STEP 4: HEARING PROCEDURE

- a. The hearing will not exceed 2 hours unless the ~~Grievance Committee Chair Career Service Council~~ determines that more time is needed to understand the facts of the grievance. The allotted time will be divided equally between the grieving party and the respondent. The ~~Grievance Committee Career Service Council~~ has the authority to request that relevant facts be presented and to keep the grievance in line with the initial appeal.
- b. The employee is responsible to provide his or her representative if desired. The County will not provide a representative for the employee.
- c. At the hearing, the employee or his or her representative shall establish the basis of the employee's grievance.
- d. The respondent will also review his or her findings with the ~~Grievance Committee Career Service Council~~.
- e. Parties to the grievance may call witnesses who shall be sworn in by the ~~Grievance Committee Career Service Council~~ chairperson before testifying.
- f. The ~~Grievance Committee Career Service Council~~ may ask questions and gather relevant information as it deems appropriate.
- g. Upon completion of the hearing, the ~~Grievance Committee Career Service Council~~ shall render a written decision to the employee and the respondent within 10 working days of the conclusion of the hearing. The decision of the ~~Grievance Committee Career Service Council~~ is by a majority vote. ~~The decision of the committee is final.~~
- gh. An employee adversely affected by a decision of the Career Service Council may appeal the decision to the district court within 30 days after the Career Service Council issues its decision. The district court shall be limited to the record proved by the Career Service Council. The district court shall presume that the decision is valid and may determine only whether the decision is arbitrary or capricious.
- hi. Only the ~~Grievance Committee Career Service Council~~ shall make a record of the hearing and its decision; however, recording of the deliberations of the ~~committee Career Service Council~~ is not allowed. Grieving parties may make a written request for an official copy of the record or any recordings.
- ij. The hearing, the deliberations, and other proceedings before the ~~Grievance Committee Career Service Council~~ are not open or public meetings. All documents and associated support materials, including, but not limited to, the grievance form, evidence, and committee decisions, are classified as private for purposes of the Government Records Access Management Act.



D. The ~~Grievance Committee~~ Career Service Council: This is a brief overview, the full description of duties and requirements of the Career Service Council is defined in Utah Code 17-33-4

~~1. The Grievance Committee Career Service Council shall consist of five three members and alternates, recommended by the Director of Human Resources, appointed by the County Executive, and confirmed by the County Council. The committee members of the Career Service Council will serve for no more than three 4 years, expiring on June 30, three years after the date of appointment.~~

~~2. The Career Service Council shall elect one of its members as chairperson, and two or more members constitute a quorum necessary for carrying on the business and activity of the Career Service Council. The committee shall consist of:~~

- ~~• One Elected Official or appointed Department Head within Cache County to serve as the Committee Chair.~~
- ~~• Two merit employees in a supervisory capacity (e.g. Lieutenant, Sergeant, Foreman, Manager, Supervisor, etc.)~~
- ~~• Two other merit employees who are not elected or appointed and not in a supervisory capacity.~~
- ~~• All members of the committee must be from different departments.~~
- ~~• The Director of Human Resources or HR Staff may not serve on the Grievance Committee~~

~~2. Legal Counsel: The County Attorney, or designee, will serve as legal counsel to the grievance committee and chairperson. The County Attorney's Office will designate separate legal counsel for a Department Head if the grievance is against a Department Head. Legal Counsel from the County Attorney's office will abide by all rules of professional conduct relating to the separate representation.~~

~~3. Conflict of Interest: Upon receipt of the Appeal, the Committee Career Service Council Chair will inform all committee members. If any member of the Grievance Committee Career Service Council has a direct conflict of interest with an appeal or is from the same department as the appealing employee, an alternate member will be appointed by the County Executive to replace that member for this specific appeal only. If the employee believes that a conflict of interest exists with a member of the Grievance Committee, the employee may request that member of the grievance committee be replaced by an alternate member. In that event, an alternate member shall be appointed for that appeal only as determined by the County Executive in consultation with the Director of Human Resources.~~

~~4. Unavoidable Circumstances: If a committee member or the chairperson has an unforeseen event on the day of the grievance hearing, the hearing will be rescheduled within 10 working days to allow the alternate member to review the information that has been submitted for the hearing.~~

~~4.5. State Law Governs: If this policy conflicts with state law, state law shall govern.~~