

## CACHE COUNTY COUNCIL

July 23, 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:**

**OTHER ATTENDANCE:**

### Council Meeting

1. **Call to Order 5:00p.m.** – [0:02](#) Council Chair David Erickson
2. **Opening Remarks and Pledge of Allegiance** – [0:20](#) Councilmember Karl Ward
3. **Review and Approval of amended Agenda APPROVED** [1:40](#)  
**Action:** Motion made by Councilmember Nolan Gunnell to approve the amended agenda; seconded by Councilmember Kathryn Beus.  
**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** [2:00](#)  
**Action:** Motion made by Councilmember Kathryn Beus to approve the minutes; seconded by Councilmember Nolan Gunnell.  
**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** [2:30](#)
  - A. **Appointment/Discussion**  
Executive Zook spoke to report on airport improvement recommendations and future airport governance. [4:03](#)  
Councilmember Sandi Goodlander asked if this was the study approved through the CEO board. Executive Zook answered yes and then urged the community to attend the 24<sup>th</sup> of July festivities happening.
6. **Items of Special Interest** [5:21](#)
  - A. Cache Valley Transit District Updates – Shaun Bushman, CVTD Board Trustees – Presented data and new updates to routes and processes. [9:23](#) Chair Erickson said it is used heavily by youth to get to school. Shaun agreed and further spoke on the mile limit of the yellow school busses. [10:17](#) Councilmember Kathryn Beus asked if ridership had reached the level it was before COVID. [10:23](#) Shaun answered almost and said there is a counter on the website that shows the number of people who are riding. [11:15](#) Executive Zook inquired why the peak in 2012. [11:23](#) Shaun answered the economic crash and increased gas prices is the main theory. Also a number of construction projects in 2016 caused a significant drop in lifetime riders.
7. **Department or Committee Reports**

## 8. Board Of Equalization

### 9. Public Hearings [36:30](#) Chair Erickson opened discussion.

#### A. Public hearing – 2024 COG Project – 1200 E (3100 North to 3400 North)

**Discussion:** [36:57](#) Matt Phillips gave overview of the project and reason for public hearing. [40:25](#) Chair Erickson opened for hearing. No comments.

**Action:** Motion made by Councilmember Karl Ward to close public hearing; seconded by Councilmember Nolan Gunnell.

**Motion passes.**

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

**Nay:** 0

#### B. Public hearing – 2024 COG Project – 1000 E and 600 S in Smithfield

**Discussion:** [40:42](#) Matt Phillips explained project and reason for public hearing. [41:50](#) Chair Erickson opened for hearing. No comments.

**Action:** Motion made by Councilmember Nolan Gunnell to close public hearing; seconded by Councilmember Karl Ward.

**Motion passes.**

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

**Nay:** 0

## 10. Pending Action

### A. Nautica Subdivision 1<sup>st</sup> Amendment [12:35](#) Chair Erickson opened discussion. [12:53](#) Stephen Nelson recommended waiting until more information is ready.

### B. Ordinance 2024-08 Title 16 Subdivision Regulations

**Discussion:** [13:26](#) Stephen Nelson explained the review standards of development requirements. [20:43](#) Councilmember Sandi Goodlander asked an example scenario question about requirements. [21:05](#) Stephen answered what minimum access requirements are and added it would also be dependent on the project. [23:26](#) Chair Erickson raised concern with developers packing houses in to make profit and changing regulations how the land demographics are measured. [24:23](#) Stephen answered there has not been as much in the county. He said it can go both ways with some wanting to build more and some want less because of the development costs for road improvements. Stephen continued with remaining presentation. [34:04](#) Chair Erickson opened for questions. [34:21](#) Councilmember Nolan Gunnell said he would like to see examples. [34:28](#) Councilmember Sandi Goodlander asked if new state code changed exaction standards. [34:34](#) Stephen answered no. He said the state code required change in process and reverted back to what was done last year. [35:06](#) Chair Erickson asked about the speed of the process. [35:10](#) Stephen answered speed was an issue and changes have been made for improvements to review plans.

## 11. Initial Proposals for Consideration of Action

### A. Resolution 2024-15 A Resolution Approving the Elkhorn Ranch Phase II Round Two Open Space Application

**Discussion:** [42:23](#) Chair Erickson asked Stephen to speak. [43:20](#) Stephen Nelson explained the Elkhorn property project. [46:12](#) Councilmember Nolan Gunnell asked if the amount is 1.1 or 1.48 million. [46:18](#) Stephen answered the applicant can talk more about that and continued explaining the application. [49:05](#) Executive Zook asked where the total came from. [49:16](#) Stephen answered the applicant can answer better and it was from a broker's opinion. [50:13](#) Gabriel Murray Bear River Land Conservancy spoke to council and answered where the total value amount came from. [52:12](#) Executive Zook clarified how the number was figured and said it would be an opportunity cost that is negotiated. [52:55](#) Gabriel said they are establishing what the easement is worth. [53:31](#) Chair Erickson asked if this type of scope is

typical. [53:42](#) Gabriel answered yes an estimated value has to be provided. [54:20](#) Councilmember Kathryn Beus asked if the obligation is 50% of the value after the appraisal. [54:31](#) Gabriel said the value will be looked at which the County will not be held to. He explained the final appraisal value is what will be looked at. [55:05](#) Executive Zook asked why the difference in amounts for what is requested and what is recommended. [55:33](#) Chris Sands Chairman of COSAC spoke to the question and answered how vote was concluded. [58:02](#) Executive Zook asked if the donation subtracts from the value amount. [58:36](#) Chris said yes. [59:18](#) Councilmember Kathryn Beus asked Gabriel to explain the timeline of meetings with NRCS and LeRay McAllister. [59:40](#) Gabriel gave overview of dates if plans are approved. [1:01:20](#) Executive Zook asked if the timeline allowed for reconsideration of contribution by council. [1:01:48](#) Gabriel said it would be challenging to have completed and in NRCS. [1:02:11](#) Executive Zook asked if the amount the County contributes would affect the NRCS decision. [1:02:38](#) Gabriel answered it does not change the contribution made by NRCS but it changes the application and the committed funding that was entered on it. [1:02:59](#) Executive Zook clarified if the amount on the application would be difficult to change but would not indicate if they would or would not give. [1:03:06](#) Gabriel answered no. Executive Zook followed up and asked if funding is guaranteed or competitive. [1:03:18](#) Gabriel answered it is competitive like other grants. [1:03:34](#) Executive Zook asked if the amount the County gives changes the competitiveness. Gabriel answered not for NRCS but yes for LeRay McAllister. [1:03:53](#) Councilmember Sandi Goodlander asked if there is an average for what he sees as typical. [1:04:41](#) Gabriel answered it takes a willing buyer and seller to make the transaction. He added he has seen full purchases and fully donated properties. [1:05:34](#) Councilmember Sandi Goodlander asked if the amount changes the percent. Gabriel answered yes. [1:06:05](#) Councilmember Nolan Gunnell asked if there is conflict with the parties involved. [1:06:33](#) Gabriel answered there will be conflict about the expense with more parties and they are actively negotiating to create a single easement document. [1:07:16](#) Executive Zook asked if all three easement agreements have to be the same. Gabriel said yes. [1:07:42](#) Councilmember Kathryn Bues asked what type of exactions LeRay McAllister have. [1:07:49](#) Matt Coombs spoke to the details he has seen so far and what he is waiting for. [1:08:39](#) Councilmember Sandi Goodlander confirmed this has been done with NRCS and LeRay McAllister together before without too many complications. [1:08:51](#) Chair Erickson said there was one done in Summit County with three different entities. [1:09:08](#) Matt Coombs responded he didn't work on one in Summit County and explained the different areas he works in. [1:10:09](#) Chair Erickson asked who holds the easement [1:10:14](#) Matt Coombs answered under state code and Leray McAllister it has to be set as a co-holding situation. [1:10:47](#) Councilmember Sandi Goodlander asked about administrative costs allocated. [1:11:03](#) Matt Coombs gave the cost breakdown and said those costs were included in the total project costs. [1:11:50](#) Chris Sanders said LeRay McAllister and NRCS won't cover those costs so extra money was put into the recommendation to cover them. [1:13:51](#) Reagan Wheeler who is a member of the committee spoke to the historical value of the location and said as a retired farmer it would be a real sad thing. [1:14:29](#) Chair Erickson opened to Council. [1:14:48](#) Councilmember Kathryn Bues gave an overview of the lands desire by surrounding cities for development. [1:16:01](#) Councilmember Karl Ward asked if it is possible to approve 1.49 with request to proponents to seek LeRay McAlister money and if some of that money is found to then reduce the commitment from the County. [1:16:43](#) Councilmember Kathryn Beus asked if LeRoy would approve anything if it's fully funded already. [1:17:00](#) Gabriel said they will look for a letter of commitment. [1:17:14](#) Executive Zook said council could authorize 1.1 million and authorize staff if they don't get money from LeRay McAllister to write the agreement at higher amount. [1:17:32](#) Councilmember Kathryn Beus suggested a contingency for times sake. [1:17:41](#) Executive Zook mentioned different options. [1:17:50](#) Matt Coombs said the difficulty is the NRCS application will have to show that data and everything has to match. [1:18:24](#) Councilmember Kathryn Beus clarified two applications is not desired with different scenarios. Matt Coombs agreed. [1:18:38](#) Executive Zook asked if the numbers shift but still add up to the same amount will NRCS care. [1:18:55](#) Matt Coombs answered a letter will also be needed from Joe saying what he is willing to donate to create a whole picture to the easement value otherwise no application can be submitted. [1:19:15](#) Councilmember Nolan Gunnell gave his concerns about the costs and would like more time to consider if the amount is 1.498. [1:20:05](#) Chair Erickson read the resolution for application and COSAC recommendations. [1:21:32](#) Matt Coombs answered the intent was to show the committee recommended 1.1 but the applicant requested 1.498. [1:21:52](#) Chair Erickson said the resolution cannot be passed as is. [1:21:58](#) Stephen Nelson said council may make an edit to the resolution if they would like. [1:22:34](#) Councilmember Nolan Gunell asked if the amount can be brokered between the 1.1 and 1.498. [1:22:45](#) Chair Erickson said yes if the seller will agree. [1:22:59](#) Landowner/Applicant spoke to the business benefit of agriculture land and reinvesting other parcels near him since he is being closed in. [1:24:41](#) Vice Chair Barbara Tidwell asked if the 600 is final. [1:25:01](#) Applicant said yes. [1:25:29](#) Councilmembe Kathryn Beus thanked the landowner for his generosity. [1:25:52](#) Applicant said other inquiries to purchase his land happen. [1:26:54](#) Executive Zook also thanked the landowner

and spoke to the piece of land that deserves to be preserved. He asked lightly what the owner was planning to do with the money and said the county might give more if he would buy more land. [1:28:11](#) Councilmember Sandi Goodlander said approving the 1.4 precludes asking LeRay McAllister for any money and it would be better in her opinion to approve 1.1 and if they say no the gap can still be made up. [1:29:04](#) Councilmember Nolan Gunnell asked Sandi if that meant she is voting with COSAC which is what he supports. Sandi answered yes. Both discussed their opinions of amount. [1:29:36](#) Councilmember Sandi Goodlander said the resolution stated the County will give no more than 1.498 which allows room to negotiate. [1:30:16](#) Councilmember Karl Ward said he supported this and his concern would be timing. [1:30:28](#) Councilmember Nolan Gunnell asked if LeRay McAllister is the only option. [1:30:35](#) Gabriel said there are no other sources of funding. [1:30:42](#) Councilmember Nolan Gunnell asked if chance of Bear River and Cache negotiating. Gabriel asked to clarify. Councilmember Nolan Gunnell asked if there are any other possibilities. Gabriel answered LeRay McAllister would be the best option. [1:31:35](#) Councilmember Kathryn Bues said this will require communication and might mean an extra council meeting to get it done quickly. [1:32:15](#) Chair Erickson said he leaned for up to 1.498 to give a stronger ask to LeRay McAllister. [1:33:24](#) Vice Chair Barbara Tidwell agreed with Chair Erickson and to proceed with full amount. [1:34:06](#) Council clarified and discussed what the agreement is. Councilmember Kathryn Beus felt funding would not be strongly supported by LeRay McAllister. [1:35:58](#) Matt Coombs said he felt the most LeRay McAllister would give is \$250,000. Council discussed. [1:37:12](#) Chair Erickson opened for motion. [1:37:20](#) Councilmember Nolan Gunnell explained motion for 1.25 with a drafted resolution requesting participation from LeRay McAllister and if declined will meet again. [1:37:48](#) Chair Erickson summarized the motion. Councilmembers Kathryn Beus, Nolan Gunnell, and Executive Zook left the meeting.

**Action:** Motion made by Councilmember Kathryn Beus to suspend rules and pass Resolution; seconded by Councilmember Nolan Gunnell.

**Motion passes.**

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

**Nay:** 0

**B. 2024 COG Project- 1200 E (3100 North to 3400 North)**

**C. 2024 Project – 1000 E and 600 S in Smithfield**

**D. Ordinance 2024-09 – An ordinance Amending Chapter 5.08.0850 of the County Code Relating to the Consumption of Alcohol on County Owned Property.**

Discussion: [1:39:28](#) Bart Esplin for Fairgrounds explained the amendment to alcohol permit due to a language error that contradicts State Code. [1:44:04](#) Vice Chair Barbara Tidwell said this was presented before the ordinance and policy review council and it had her support. [1:44:22](#) Chair Erickson asked if the attorneys were present. [1:44:27](#) Taylor Sorenson answered for some of it yes but it's still evolving. [1:44:43](#) Chair Erickson raised concern for those who try to obtain a permit seeing blocks from the state. [1:45:04](#) Bart said it has been pretty smooth. [1:45:17](#) Taylor clarified and said details were being dialed in and put in a place to tweak later if needed. [1:45:31](#) Chair Erickson said that is the challenge working with county and state codes. [1:45:59](#) Bart said this will require tweaks of internal policy. [1:46:05](#) Chair Erickson opened for questions.

**Action:** Motion made by Councilmember Sandi Goodlander to suspend rules and pass ordinance; seconded by Vice Chair Barbara Tidwell

**Motion passes.**

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

**Nay:** 0

**E. Resolution 2024-14 – A Resolution Amending Section 3-100 of the Countywide Policy Manual Establishing Defined Uses for Certain 3-Digit Line-Item Codes in the County Budget.**

**Discussion:** [1:49:02](#) Micah presented a code system policy to use for line items in a departmental budget. [1:52:46](#) Chair Erickson asked misc line item. [1:52:57](#) Councilmember Karl Ward said it's essential for unknown expenses. [1:53:09](#) Chair Erickson said it has been abused. [1:53:54](#) Councilmember Mark Hurd said the intent was to keep it very low. [1:54:10](#) Chair Erickson asked how transfers are done. [1:54:26](#) Micah answered that was removed from this policy. [1:55:30](#) Chair Erickson voiced his favor and how to handle misuse. [1:55:53](#) Councilmember Sandi Goodlander asked if every department has a miscellaneous account. [1:56:07](#) Micah answered most departments have them but some

departments are not operational or personnel. [1:56:34](#) Councilmember Sandi Goodlander said in Caselle it appeared miscellaneous is its own dump fund. [1:57:32](#) Councilmember Mark Hurd said the intent he understood was the miscellaneous service did not require budget item, but if needed is there to use. [1:58:18](#) Councilmember Sandi Goodlander said she understood the need but should be contained in the department using it. [1:58:38](#) Councilmember Mark Hurd said each code is centralizing the use of the money. [1:58:55](#) Micah said the policy doesn't change that but there is no control to avoid for example the same credit card used across different departments assigning to the miscellaneous fund other than an internal auditor. [1:59:46](#) Councilmember Sandi Goodlander said if that fund can't be eliminated we can control the amount in it and set resolution that it has to go through finance. [2:00:28](#) Micah and Councilmember Mark Hurd said a purchasing policy committee is coming together to control the use of the credit card and approvals. [2:01:11](#) Wes told council the department heads have to sign off on credit card transactions and the fuel bill for their operations before he will sign them off. [2:02:21](#) Councilmember Sandi Goodlander asked where travel would be put in the line item codes. [2:02:28](#) Micah explained amendments to the line item codes and descriptions. [2:06:10](#) Councilmember Sandi Goodlander asked a circumstantial question if the Sherriff drove to St. George how that would be charged. Micah answered the travel is only for mileage reimbursement but needs to be checked with Janeen and the fleet coordinator. Council mentioned vehicles not being used. [2:07:31](#) Wes responded a budget can be done for the vehicles to put fuel charges to. [2:07:55](#) Micah said as a council employee the way it is done now is a gas card receipt is given to Janeen and is taken out of the Council travel budget. Council said this should come from fuel budget and a line item needed to be created. [2:08:35](#) Councilmember Mark Hurd asked if a budget opening would happen. [2:08:47](#) Micah answered this would go into effect January 2025 and would not need a budget opening. [2:09:17](#) Councilmember Karl Ward asked if they can be incorporated into the document. [2:09:22](#) Chair Erickson agreed gave hie favor to the changes. [2:10:22](#) Micah asked if the amendments should be implemented. [2:10:29](#) Chair Erickson said yes and council will vote in two weeks. [2:10:42](#) Vice Chair Barbara Tidwell thanked Micah and Wes for his work and input on putting this together. [2:10:55](#) Chair Erickson echoed the sentiment. [2:11:35](#) Councilmember Sandi Goodlander asked Wes about a couple of items on the expense report and the process for credit card payments. [2:12:10](#) Wes answered he would need to look at them before he could answer. [2:12:18](#) Councilmember Sandi Goodlander asked in general how often the bill is paid. [2:12:22](#) Wes responded he is unsure if AP entered the dates when the transaction occurred or the statement date. [2:12:59](#) Councilmember Sandi Goodlander clarified things spent in June we haven't gotten the statement for yet. [2:13:08](#) Wes offered to discuss any questions on specific transactions. [2:13:26](#) Both discussed. [2:14:10](#) Councilmember Karl Ward joked about a labeled expense for a costume.

**F. Consideration of a Request for Local Consent for an Alcohol License in the County**

**Discussion:** [1:47:01](#) Micah explained request. [1:47:43](#) Bryson Behm added the Clerk's office received it and sent to the Sherriff's office.

**Action:** Motion made by Councilmember Mark Hurd to suspend rules and approve the application for local consent; seconded by Vice Chair Barbara Tidwell

**Motion passes.**

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

**Nay:** 0

**12. Other Business**

- A. North Logan Pioneer Day Parade July 24, 2024 at 10:00 AM – Mark
- B. Logan Pioneer Day Parade July 24, 2024 at 12:00 PM Barbara, Karl, Sandi, Dave
- C. River Heights Apple Days Parade August 24, 2024 at 4:00 PM
- D. UAC Annual Convention September 11-12 at Utah Valley Convention Center
- E. County Council Summer Party
- F. June 2024 Expense Report
- G. June 2024 Financial Report
- H. June 2024 Treasurer's Report

**13. Council Member Reports**

**David Erickson –**

**Sandi Goodlander –** [2:22:42](#) Spoke about the Audit Committee Meeting nothing substantial was found but had some recommendations will be presented next week. [2:23:19](#) Wes said the auditor will present a few findings August 13 that council will be able to review beforehand.

**Karl Ward –**

**Barbara Tidwell –** [2:21:10](#) Spoke to her meeting with the Sheriff and Public Works and wanted to express her gratitude for being on top of the budget. She said the Policy and Ordinance Review Committee has made headway. The contract policy has not been handled correctly so far and she asked Bryson Behm for help to get that done.

**Kathryn Beus –**

**Nolan Gunnell –**

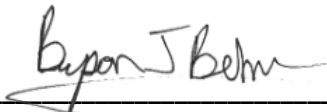
**Mark Hurd –** [2:15:02](#) Suggested something be put next to the microphone or a larger podium to help when those with laptops are speaking. He said action items would come soon from what was discussed at the Cache Economic Opportunity Board meeting with Airport Authority. At the Library board meeting there was discussion for the old elementary school for Cache County library but the Board's response was expansion would make sense further North. [2:18:08](#) Councilmember Karl Ward said that is challenging because the other good libraries in the cities and the smaller communities are lacking. [2:18:30](#) Councilmember Sandi Goodlander asked about Libby access and suggested a public outreach. [2:18:58](#) Councilmember Mark Hurd said that is what he planned to say. He said the number of users for digital media have doubled and added the contract between Cache County, Providence, and River Heights needs to be updated.

**Adjourn: 7:30 PM** [2:23:45](#) Chair Erickson closed.



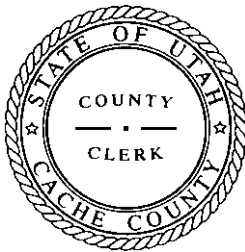
---

**APPROVAL: David Erickson, Chair  
Cache County Council**



---

**ATTEST: Bryson Behm, Clerk  
Cache County Council**





**CACHE COUNTY  
RESOLUTION NO. 2024 - 15**

**A RESOLUTION APPROVING THE ELKHORN RANCH PHASE II ROUND TWO  
OPEN SPACE APPLICATION**

- (A) WHEREAS, the 2022 Cache County voter-approved General Obligation Bond authorizing a principal amount not to exceed twenty million dollars (\$20,000,000) to protect scenic vistas, preserve open lands near valley gateways, add trails and trail connectivity, and maintain agriculture, waterways, and wildlife habitat within Cache County; and
- (B) WHEREAS, Cache County Council adopted Ordinance 2023-06, creating code section 2.76 and establishing the Cache Open Space Advisory Committee; and
- (C) WHEREAS, the Cache Open Space Advisory Committee has reviewed the Elkhorn Ranch Phase II Open Space Application that was submitted by the Landowner and their agent (together the “Applicant”), scored it according to the approved scoring criteria, and recommended the County Council approve the Round One Open Space Funding Application (the “Round One Application”) for the Elkhorn Ranch Phase II conservation easement project to move to the round two application phase.
- (D) WHEREAS, after review, the County Council approved the Round One Application to move forward to the round two application phase; and
- (E) WHEREAS, the Applicant has submitted the attached Round Two Open Space Funding Application (the “Round Two Application”), included herein as Exhibit A, with additional project details and a funding request for \$1,498,053; and
- (F) WHEREAS, the Cache Open Space Advisory Committee has reviewed the Round Two Application and funding request submitted by the Applicant and has made a positive recommendation that the County fund up to 25% of the total project cost of the conservation easement, or \$1,100,000 ; and
- (G) WHEREAS, Cache County Council has found that the Round Two Application meets many of the goals established in the General Obligation Open Space Bond.

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

- The County Council approves the Round Two Open Space Funding Application for the Elkhorn Ranch Phase II conservation easement project, subject to the following criteria:
  - The County shall fund no more than \$1,250,000 of the proposed total project cost.
  - The County shall review and approve the easement documents and enter into a written agreement with the Applicant before disbursing any funds.




**CACHE COUNTY  
RESOLUTION NO. 2024 - 15**

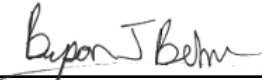
PASSED AND APPROVED BY THE COUNTY COUNCIL OF CACHE COUNTY,  
ON THIS 23 DAY OF July 2024.

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

**CACHE COUNTY:**

By:   
David L. Erickson, Chair

**ATTEST:**

By:   
Bryson Behm, County Clerk





**CACHE COUNTY  
RESOLUTION NO. 2024 - 15**

**EXHIBIT A  
Elkhorn Ranch Phase II Conservation Easement Project  
Round Two Open Space Application**



**CACHE COUNTY  
ORDINANCE NO. 2024 - 09**

**AN ORDINANCE AMENDING CHAPTER 5.08.080 OF THE  
COUNTY CODE RELATING TO THE CONSUMPTION OF ALCOHOL ON COUNTY  
OWNED PROPERTY**

- (A) WHEREAS, the County Council may pass all ordinances and rules and make all regulations, not repugnant to law, necessary for carrying into effect or discharging its powers and duties pursuant to Utah Code § 17-53-223(1);
- (B) WHEREAS, Cache County has an interest in ensuring that alcohol consumption on county owned property is done responsibly and in accordance with existing law; and
- (C) WHEREAS, recent changes in state and local law have created ambiguities as to how alcohol should be regulated on county property, especially the County Fairgrounds and Event Center; and
- (D) WHEREAS, the Cache County Council finds that this ordinance is in the best interest of Cache County and its citizens; and
- (E) WHEREAS, the Cache County Council Ordinance and Policy Review Committee approved this ordinance by a vote of 3-0 at its July 12, 2024 meeting,

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

**SECTION 1:**

Chapter 8 of Title 5 of the Cache County Code is amended to read as follows, with a redline version attached as **Exhibit A:**

**5.08.080: MISCELLANEOUS**

A. Advertising on County-Owned Property Without a Contract: Any advertising of alcoholic beverages in or upon any county-owned property is prohibited, unless it is contractually agreed upon with the Cache County in accordance with County policy.

B. Alcoholic Consumption On County-Owned Property: It is unlawful for any individual to consume alcohol while on property owned by Cache County, unless:

1. The individual has a contract with Cache County for a private party that designates facilities or areas of the Cache County Fairgrounds or Event Center where alcohol will be served and consumed;



2. The individual is designated on a guest list for a private party and is within the Cache County Fairgrounds or Event Center facilities or areas contractually designated as the site for the private party;
3. The individual is (i) attending an event for which a person or entity has obtained a single event permit per Utah Code Title 32B, Chapter 9, Part 3 and has contracted with Cache county to allow alcohol to be served and consumed in designated facilities or areas within the Cache County Fairgrounds or Event Center; (ii) the individual is consuming alcohol within the facilities or areas of the Cache county Fairgrounds or Event Center that are contractually for the single event, and (iii), the individual is consuming alcohol within the publicly advertised hours of the event;
4. The individual is participating in field sobriety and nystagmus training conducted by the Cache County Sheriff's Office; or
5. The individual is: (i) attending an event for which a person or entity has obtained a temporary beer event permit per Utah Code Title 32B, Chapter 9, Part 4 and has contracted with Cache County to allow beer to be served and consumed in designated facilities or areas within the Cache County Fairgrounds or Event Center; (2) the individual is consuming beer within the facilities or areas of the Cache County Fairgrounds or Event Center that are contractually designated for the single event; and (3) the individual is consuming beer within the publicly advertised hours of the event.

C. If an individual or entity violates Subsection (B), then:

1. an individual is guilty of a class B misdemeanor if the individual knowingly violates Subsection (B); and
2. if an individual or entity knowingly allows an individual to consume alcohol in violation of Subsection (B), then each violation shall result in a civil penalty of five hundred dollars (\$500.00).

D. Severability. If a provision of this chapter of the application of a provision of this chapter to a person or circumstance is held invalid, the remainder of this chapter must be given effect without the invalid provision or application. The provisions of this chapter are severable.

### Section 2:

This ordinance amends and supersedes Chapter 8 of Title 5 of the Cache County Code, and supersedes all other prior ordinances, resolutions, policies, and actions of the Cache County Council relating to alcoholic beverages.

### Section 3:

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





PASSED AND APPROVED BY THE COUNTY COUNCIL OF CACHE COUNTY, UTAH  
THIS 23 DAY OF July 2024.

	In Favor	Against	Abstained	Absent
Sandi Goodlander	✓			
David Erickson	✓			
Nolan P. Gunnell				✓
Barbara Tidwell	✓			
Karl Ward	✓			
Mark Hurd	✓			
Kathryn Beus				✓
Total	5	-	-	2

**CACHE COUNTY:**

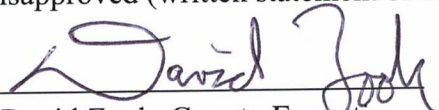
**ATTEST:**

By:   
David L. Erickson, Chairman

By:   
Bryson Behm, County Clerk

**ACTION OF THE COUNTY EXECUTIVE:**

8 Approved  
       Disapproved (written statement of objection attached)

By:   
David Zook, County Executive

7/25/24  
Date

## EXHIBIT A

The redline version of chapter 5.08.080 is provided below to show the proposed change:

### 5.08.080: MISCELLANEOUS

A. Advertising on County-Owned Property Without a Contract: Any advertising of alcoholic beverages in or upon any county-owned property is prohibited, unless it is contractually agreed upon with the Cache County in accordance with County policy.

B. Alcoholic Consumption On County-Owned Property: It is unlawful for any individual to consume alcohol while on property owned by Cache County, unless:

6. The individual has a contract with Cache County for a private party that designates facilities or areas of the Cache County Fairgrounds or Event Center where alcohol will be served and consumed;
7. The individual is a designated on ~~the~~ a guest list for a private party and is within the ~~facilities or areas of the~~ Cache County Fairgrounds or Event Center facilities or areas that are contractually designated as the site for the private party;
8. The individual is (i) attending an event for which a person or entity has obtained a single event permit per Utah Code ~~Title Chapter~~ 32B, ~~Chapter Section~~ 9, Part 3 and has contracted with Cache county to allow alcohol to be served and consumed in designated facilities or areas within the Cache County Fairgrounds or Event Center~~;~~; (ii) the individual is consuming alcohol within the facilities or areas of the Cache county Fairgrounds or Event Center that are contractually for the single event, and (iii), the individual is consuming alcohol within the publicly advertised hours of the event; ~~or~~
9. The individual is participating in field sobriety and nystagmus training conducted by the Cache County Sheriff's Office~~;~~ or
10. The individual is: (i) attending an event for which a person or entity has obtained a temporary beer event permit per Utah Code Title 32B, Chapter 9, Part 4 and has contracted with Cache County to allow beer to be served and consumed in designated facilities or areas within the Cache County Fairgrounds or Event Center; (2) the individual is consuming beer within the facilities or areas of the Cache County Fairgrounds or Event Center that are contractually designated for the single event; and (3) the individual is consuming beer within the publicly advertised hours of the event.

~~C. Penalties. Unless otherwise provided, any person who violated any provision of this chapter is guilty of a class B misdemeanor, and upon conviction thereof, is punishable as provided by state law.~~

C. If an individual or entity violates Subsection (B), then:



1. an individual is guilty of a class B misdemeanor if the individual knowingly violates Subsection (B); and

2. if an individual or entity knowingly allows an individual to consume alcohol in violation of Subsection (B), then each violation shall result in a civil penalty of five hundred dollars (\$500.00).

D. Severability. If a provision of this chapter of the application of a provision of this chapter to a person or circumstance is held invalid, the remainder of this chapter must be given effect without the invalid provision or application. The provisions of this chapter are severable.