

**APPROVED**

**CACHE COUNTY  
COUNCIL MEETING  
MINUTES  
JUNE 25, 2013**

**CACHE COUNTY COUNCIL**  
**JUNE 25, 2013**

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**CACHE COUNTY COUNCIL MEETING**  
**June 25, 2013**

The Cache County Council convened in a regular session on June 25, 2013 at 5:00 p.m. in the Cache County Council Chamber at 199 North Main, Logan, Utah.

**ATTENDANCE:**

**Chairman:** Val Potter  
**Vice Chairman:** H. Craig Petersen  
**Council Members:** Craig "W" Buttars, Kathy Robison, Jon White, Cory Yeates & Gordon Zilles.  
**County Executive:** M. Lynn Lemon  
**County Clerk:** **Jill N. Zollinger absent.**  
**County Attorney:** Denise Ciebien (**James Swink absent.**)

**The following individuals were also in attendance:** Janeen Allen, Devron Anderson, Taylor Anderson, Lieutenant Matt Bilodeau, Mic Bowen, Tayshia Chambers, Kelcee Christensen, Denise Ciebien, Jeanie Davis, Reed Ernstrom, Kevin Falslev, Trish Gibbs, Sharon L. Hoth, Tacy Hymas, Taylor Hymas, Tyler Hymas, Jessica Johnson, Rob Johnson, Sherilyn Johnson, Dave Nielsen, Eric Olsen, LaMont Poulsen, Ada Poulter, Director Josh Runhaar, Layne Smith, Surveyor Preston Ward **Media:** Charles Geraci (Herald Journal), Jennie Christensen (KVNU).

**OPENING REMARKS AND PLEDGE OF ALLEGIANCE**

Council member Buttars gave the opening remarks and led those present in the Pledge of Allegiance.

**REVIEW AND APPROVAL OF AGENDA**

**ACTION:** Motion by Council member Buttars to approve the agenda as written. The vote was unanimous, 6-0. Yeates absent.

**REVIEW AND APPROVAL OF MINUTES**

**ACTION:** Motion by Council member Robison to approve the minutes of the June 11, 2013 Council Meeting as written. Zilles seconded the motion. The vote was unanimous, 6-0. Yeates absent.

**REPORT OF THE COUNTY EXECUTIVE: M. LYNN LEMON**

**APPOINTMENTS:**

Cydne Cavender	Cache County Deputy Sheriff
Danielle Gill	Cache County Deputy Sheriff
Skylar Limb	Cache County Deputy Sheriff
B. Sean Peterson	Cache County Deputy Sheriff
Helen Salanoa	Cache County Deputy Sheriff
Betty L. Weeks	Cache County Deputy Auditor

**ACTION:** Motion by Council member Zilles to approved the recommended appointments. White seconded the motion. The vote was unanimous, 6-0. Yeates absent.

**WARRANTS:** Warrants for the period 05-29-2013 to 06-07-2013 were given to the Clerk for filing.

**OTHER ITEMS:**

- ❑ **Cache County Board of Education** – Executive Lemon received a letter from the Cache County Board of Education asking the Council to extend the time for filling a vacancy on the Board to July 18, 2013. Garrick Hall has moved and resigned his position and the Board must fill the vacancy within thirty days or the County Council must appoint someone to the Board. The Board is in the process of receiving and reviewing applications for the position. The Council directed Executive Lemon to send a letter to the Cache County Board of Education approving the request.
- ❑ **Traffic Services Temporary Road Closure Request** – Executive Lemon received an email from Dave Nelson of Traffic Services requesting permission to temporarily close some county roads during construction. The closures will last about three days and are near Wellsville. Council member Zilles said his only concern would be if a farmer's access to crops and fields is blocked. Executive Lemon will confirm that farmers will have access to their properties.
- ❑ **25-Year Service Award** – Chairman Potter presented Executive Lemon with a certificate recognizing his twenty-five years with the county and commended him on his record of service.

**CONSENT AGENDA**

- ◇ **White Pine Subdivision** – Kelly Newman is requesting approval from the County Council for a 3-lot subdivision and one remainder parcel on 140.55 acres of property in the Forest Recreation (FR40) Zone, Logan Canyon.
- ◇ **Harold Falslev Subdivision** – Kevin Falslev is requesting approval from the County Council for a 2-lot subdivision and agricultural remainder on 22.69 acres of property located in the Agricultural (A10) Zone at approximately 3700 West 3000 North, Benson.

(Attachment 1)

**ACTION: Motion by Council member Buttars to approve the Consent Agenda Items-White Pine Subdivision and Harold Falslev Subdivision. Zilles seconded the motion. The vote was unanimous, 6-0. Yeates absent.**

**ITEMS OF SPECIAL INTEREST**

- **Introduction of 2013 Cache County Rodeo Royalty** – LaMont Poulsen turned the time to Royalty members to introduce themselves.

Taylor Anderson  
Jessica Johnson  
Tayshia Chambers  
Kelcee Christensen  
Taylor Hymas  
Ada Poulter

Cache County Rodeo Queen  
First Attendant  
Second Attendant  
Junior Queen  
Princess  
Junior Princess

**PENDING ACTION**

- **Decision on Surveyor's Office** – Executive Lemon stated his recommendation is to contract for survey work beginning October 1, 2013 after the current surveyor retires. Chairman Potter asked for discussion from the Council. Council member issues concerned budget and the possibility of a trial period. Executive Lemon said it is possible to hold the amount budgeted for a surveyor and review the contracting costs versus services at the end of one year.

County Surveyor Preston Ward does not support the proposal to contract for survey work and proposed continuing the office with the present staff. Ward would return on a volunteer basis to check on the work of the office and to approve the work of a licensed surveyor. Ward noted that there is a push by the Utah Association of County Surveyors to have a county surveyor's office in every county and Logan City has recently hired a city surveyor. Ward also reminded the Council that he reviews and approves subdivision requests, annexation plats and records of survey.

Council member White indicated he doesn't believe the county can afford to have a surveyor's office; the expense outweighs the benefits.

Council member Robison suggested contacting Logan City to find out why they feel the need for a city surveyor and check with UAC's position regarding the Utah Association of County Surveyors desires for every county to have a surveyor.

Devron Anderson, Logan City Surveyor, spoke in support of a county surveyor's office and hoped the records would be available to him and others. Executive Lemon and Director Runhaar assured Anderson most of the surveyor's records are online or will be shortly.

**ACTION: Motion by Council member White to approve Executive Lemon's proposal to contract for county survey work upon the retirement of the current Surveyor Preston Ward and to review the contracted survey work cost versus services within the year. Zilles seconded the motion.**

**Council member Yeates arrived at the meeting.**

Discussion on the motion:

Vice Chairman Petersen asked that funding currently allocated for the Surveyor's office be held and not reallocated until after said review. Chairman Potter agreed. Executive Lemon said that is possible, but he will know more after the figures for health insurance and retirement come in.

**ACTION: Chairman Potter called for the vote on the motion. The motion passed, 6 aye – Buttars, Petersen, Potter, White, Yeates & Zilles and 1 nay – Robison.**

**INITIAL PROPOSAL FOR CONSIDERATION**

- **Resolution No. 2013-10- A resolution of Cache County approving and adopting prescription fees to be charged by the Cache County Sheriff's Office and giving the Sheriff's Office flexibility in administering the Pay-for-Stay Program** – Lieutenant Matt Bilodeau answered Council members' questions

concerning Connex Information Systems, collection procedures, whether Connex has a higher rate of successful collection than when the county did the collection in-house (Bilodeau doesn't know) and qualifications for pay-for-stay discount.

Vice Chairman Petersen asked if the Sheriff's office has considered not using Connex and going to an in-house accounting for Pay-for-Stay; however, that is not part of the proposal and can be discussed later. Petersen also asked that a review and accounting be conducted in a year to see how the proposed change in Pay-for-Stay fees is working.

**(Attachment 2)**

**ACTION: Motion by Council member Zilles to waive the rules and approve Resolution No. 2013-10- A resolution of Cache County approving and adopting prescription fees to be charged by the Cache County Sheriff's Office and giving the Sheriff's Office flexibility in administering the Pay-for-Stay Program. Yeates seconded the motion. The vote was unanimous, 7-0.**

Lieutenant Bilodeau will meet with Executive Lemon and provide figures regarding the cost of Connex or in-house accounting.

Chairman Potter stated the Pay-for-Stay Program change will be reviewed in a year.

**PUBLIC HEARINGS, APPEALS AND BOARD OF EQUALIZATION MATTERS**

**PUBLIC HEARING: JUNE 25, 2013 – 6:00 P.M. – OPEN 2013 BUDGET** – Executive Lemon presented the budget adjustments to the Council. *(See Attachment 3 to Resolution No. 2013-13 for details.)*

Chairman Potter opened the Public Hearing and invited public comment. There was none.

**ACTION: Motion by Vice Chairman Petersen to close the Public Hearing – June 25, 2013 – 6:00 p.m.-Open 2013 Budget. Yeates seconded the motion. The vote was unanimous, 7-0.**

**INITIAL PROPOSAL FOR CONSIDERATION**

- **Resolution No. 2013-13 – Adjustments to 2013 Budget**

**(Attachment 3)**

**ACTION: Motion by Council member Yeates to waive the rules and approve Resolution No. 2013-13 – A resolution increasing the budget appropriations for certain County Departments. Buttars seconded the motion. The vote was unanimous, 7-0.**

- **Ordinance No. 2013-12 – Approving Changes to County Policy & Procedures Manual, Section 6** – Executive Lemon observed this was already approved by resolution, but the County Attorney says it must be adopted by ordinance.

**(Attachment 4)**

**ACTION:** Motion by Council member Buttars to waive the rules and approve Ordinance No. 2013-12-An Ordinance of the County Council of Cache County, Utah, amending Cache County Ordinance 2.16.010: Office of County Attorney, to bring the code into congruity with the recent action of the Council amending the Cache County Personnel Policy Manual. White seconded the motion. The vote was unanimous, 7-0.

**Ordinance No. 2013-12:** The motion passed 7-0.

	<u>BUTTARS</u>	<u>PETERSEN</u>	<u>POTTER</u>	<u>ROBISON</u>	<u>WHITE</u>	<u>YEATES</u>	<u>ZILLES</u>	<u>VOTES CAST</u>
AYE	X	X	X	X	X	X	X	7
NAY								0
ABSTAINED								0
ABSENT								0

- **Bear River Mental Health 2013/2014 Proposed Budget Match** – Reed Ernstrom and Rob Johnson reported on the efficacy of matching funds for the Bear River Mental Health budget needs and urged the Council to approve an increase in Cache County's match portion. If not approved, Bear River Mental Health will lose a total of approximately \$1,000,000.00 because of the loss of other matching funds that are dependent on the County's portion.

The Council is generally supportive, but will have to wait to see the revenue numbers.

**(Attachment 5)**

- **Land Use Agreement – American West Heritage Center** – Executive Lemon said last December the county agreed to buy a portion of American West Heritage Center land. In order to proceed with the lease/purchase agreement the American West Heritage Center Board wants a Land Use Agreement in place. Executive Lemon recommends changing the period of the agreement to one year and inserting the word "recreation" after "farming" in the Use of Premises section.

Another concern of the Council is what constitutes recreational use of the property and Chairman Potter and Council member Robison asked Executive Lemon to check the statute.

**(Attachment 6)**

**ACTION:** Motion by Council member Zilles to enter into a Land Use Agreement with the American West Heritage Center on a two-year basis as recommended by Executive Lemon and to insert the word "recreation" as follows: *USE OF PREMISES. Cache County agrees...for the purpose of farming, recreation and advancing the mission....* Robison seconded the motion. The vote was unanimous, 7-0.

**OTHER BUSINESS**

- ✓ **Lewiston 4<sup>th</sup> of July Parade - 9:15 a.m.** – Yeates, Buttars, Potter and Lemon will attend.

- ✓ **Hyrum 4<sup>th</sup> of July Parade – 12:00 p.m.** – White, Zilles, Robison and Potter will attend. They are to meet at Lot A by the Hyrum Senior Citizen Center.
- ✓ **Rodeo Tickets for Council** – Allen asked Council members to look at the sign-up she is sending around and indicate how many rodeo tickets they want and for what night.

### **COUNCIL MEMBER REPORTS**

**Val Potter** reported on UAC Summer Conference items including employee and elected officials compensation and local option fuel tax. Potter said he volunteered Executive Lemon as a member of a committee being formed to look at the local option fuel tax issue.

The new splash pad in North Logan is well used.

**Kathy Robison** stated she has asked Clerk Zollinger to discuss vote by mail and same day registration. Executive Lemon said Zollinger will be on the July 9, 2013 agenda.

**Jon White** praised the RAPZ tax and said that over two hundred people showed up to help install the Paradise sprinkler system funded by RAPZ monies.

**Gordon Zilles** asked Attorney Ciebien for a report on the Davenport Road issue. Ciebien said Attorney Linton will have a future full report. No trial date has been set yet.

**Chairman Potter** asked Ciebien about the status of the canal lawsuit. On the grounds that there are open motions on the table, Ciebien said she has objected to Attorney Jonathan Thomas' attempt to withdraw his counsel. If he withdraws, the county will have to deal individually with seventy-seven plaintiffs.

Council member Yeates remarked that this is the first time in the last three years that he has seen numerous sprinklers in operation on farmland north into the Smithfield area and noted that farmers are very grateful for the water.

### **ADJOURNMENT**

The Council meeting adjourned at 7:08 p.m.

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**ATTEST:** Jill N. Zollinger  
County Clerk

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**APPROVAL:** Val Potter  
Chairman



**To:** Cache County Council  
**From:** Chris Harrild, Planner II, Development Services,  
**Subject:** Development Services agenda items for June 25, 2013

**CONSENT ITEMS**

- 1. White Pine Subdivision** – Kelly Newman is requesting approval from the County Council for a 3-lot subdivision and one remainder parcel on 140.55 acres of property in the Forest Recreation (FR40) Zone, Logan Canyon.

Findings of Fact: 4

Conditions of Approval: 3

Planning Commission Recommendation: Approval (5, 0)

- 2. Harold Falslev Subdivision** – Kevin Falslev is requesting approval from the County Council for a 2-lot subdivision and agricultural remainder on 22.69 acres of property located in the Agricultural (A10) Zone at approximately 3700 West 3000 North, Benson.

Findings of Fact: 4

Conditions of Approval: 2

Planning Commission Recommendation: Approval (5, 0)

1 **Cache County Planning Commission**

2  
3 Minutes for 06 June 2013

4  
5 **Present:** Chris Harrild, Josh Runhaar, Rob Smith, Jason Watterson, Leslie Larson, Chris Sands, Clair  
6 Ellis, Jon White, Denise Ciebien, Megan Izatt

7  
8 **Start Time: 5:34:00**

9  
10 **Larson** welcomed and **Watterson** gave opening remarks/pledge.

11  
12 **5:37:00**

13  
14 **Agenda**

15  
16 **Passed**

17  
18 **Minutes**

19  
20 **Passed** with noted changes.

21  
22 **05:39:00**

23  
24 **Consent Agenda**

25  
26 **#1 White Pine Subdivision (Kelly Newman)**

27 **Harrild** reviewed Kelly Newman's request for a recommendation of approval from the County  
28 Council for a 3-lot subdivision and one remainder parcel on 140.55 acres of property in the  
29 Forest Recreation (FR40) Zone, Logan Canyon. The applicant has decided to fix the width of  
30 the bridge to meet county requirements.

31  
32 **#2 Harold Falslev Subdivision (Kevin Falslev)**

33 **Harrild** reviewed Mr. Kevin Falslev's request for a recommendation of approval from the  
34 County Council for a 2-lot subdivision and agricultural remainder on 22.69 acres of property  
35 located in the Agricultural (A10) Zone at approximately 3700 West 3000 North Benson.

36  
37 *Ellis* motioned to recommend the consent agenda to the County Council for approval with the  
38 stated conditions and findings of fact of each request; **Watterson** seconded; **Passed 5, 0.**

39  
40 **05:42:00**



### STAFF REPORT: WHITE PINE SUBDIVISION

06 June 2013

This staff report is an analysis of the application based on adopted county documents, standard county development practices, and available information. The report is to be used to review and consider the merits of the application. Additional information may be provided that supplements or amends this staff report.

**Agent:** Kelly Newman  
**Staff Determination:** Approval with conditions  
**Type of Action:** Administrative  
**Land Use Authority:** Cache County Council

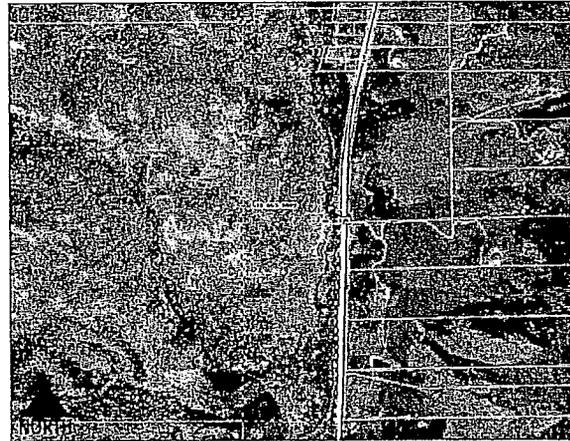
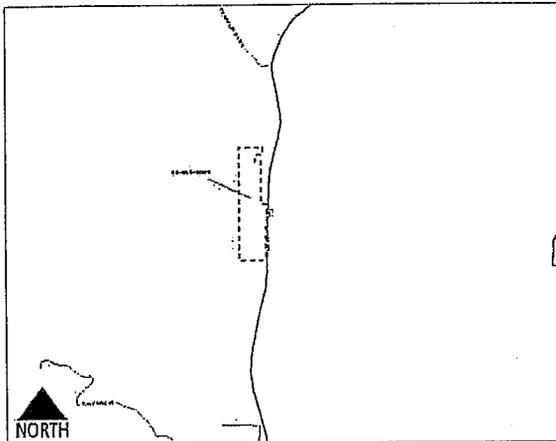
**Parcel ID#:** 18-065-0009

### LOCATION

*Reviewed by: Chris Harrild, Planner II*

**Project Address:**  
SR 91 Logan Canyon  
Just south of Franklin Basin turn-off  
**Current Zoning:** Forest Recreation (FR40)      **Acres:** 140.55

**Surrounding Uses:**  
North – Forest Recreation  
South – Forest Recreation  
East – SR 89/Forest Recreation  
West – Forest Recreation



### PURPOSE, ORDINANCE, SUMMARY, AND PUBLIC COMMENT

**Purpose:**

To review and make a recommendation to the County Council regarding the proposed White Pine subdivision.

**Ordinance:**

As per the Cache County Zoning Ordinance Table §17.10.040 Site Development Standards, this property qualifies for a development density of one (1) unit per forty (40) acres as it is located within the Forest Recreation (FR40) Zone.

As per 17.18.020 Non-Developable Sensitive Areas Defined steep slopes 30% and greater and open water equal do not count toward developable acreage. On this property there are steep slopes and open water equal to ~16 acres. Therefore ~124 acres are considered in accounting for developable acreage. The net developable acreage is sufficient for the proposed 3 lots.

As per §17.10.030 Development Density and Standards Specific to Base Zoning Districts, cabins or structures built in the FR40 zone are limited to a maximum of 180 days of occupancy per year.

**Summary:**

The proposal is to create a 3-lot subdivision and a remainder.

This request was previously heard and then continued from the April 4, 2013 Planning Commission meeting. This request was continued due to a bridge access with an inadequate width, and the provision of the Planning Commission to allow the proponent time to consider improvement of the bridge. The applicant has since identified that they will improve the bridge to meet the minimum county standards.

*Access:*

- Access to this property is from SR 89 in Logan Canyon. This is a UDOT maintained roadway and the applicant is currently working to update a previous traffic impact study. The applicant must submit a copy of any response/approval from UDOT regarding the access to SR 89.
- As per the Cache County Manual of Roadway Design and Construction Standards, the private road providing access to the proposed lots is considered a mountain road and as such must consist of a minimum of 12 foot wide travel lane with a 66 foot wide right-of-way.
- The bridge that crosses the Logan River and provides access to the property is inadequate. The bridge consists of a 9 foot wide travel lane and a 2 foot wide walking path on both edges of the bridge. The 9 foot travel lane width is inadequate.
- The applicant identified that they will improve the bridge to meet the minimum 12 foot width of drivable surface.
- The load bearing capacity of the bridge is 78, 000 lbs.
- A stream alteration permit for the bridge was granted in 2005.

*Septic:*

- The proposed lots are feasible for on-site septic tank systems.

*Service Provision:*

- No garbage collection service is provided in this area. Residents are responsible for the removal of their own refuse.
- Fire department access to this property is via a bridge that is inadequate. The bridge measures 9 feet of drivable space with a 2'x1' raised walking path on either side which makes the bridge a total of 13 feet. The fire district requires a minimum of 12 feet of drivable space for an access road in (FR40) zones. Bridges and elevated surfaces shall be designed for a live load sufficient to carry the imposed loads of fire apparatus. Vehicle load limits shall be posted at both entrances to bridges. [IFC 503.2.6] The water supply for fire protection will be provided by the Logan, City Fire Department.
- Any driveways shall meet all applicable requirements of the current International Fire Code, minimum County standards, and any other applicable codes.

**Public Comment:**

Notices were mailed to the property owners located within 300 feet of the subject property. At this time, no public comment regarding this proposal has been received by the Development Services Office.

**DETERMINATION AND FINDINGS OF FACT (4)**

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It is staff's determination that the White Pine subdivision, a 3-lot subdivision and remainder for property located up Logan Canyon, just south of the Franklin Basin turn-off with parcel number 18-

065-0009, is in conformance with the Cache County Ordinance requirements and should be forwarded to the County Council with a recommendation of approval. This determination is based on the following finding of fact:

1. The White Pine Subdivision has been revised and amended by the conditions of project approval to address the issues and concerns raised within the public and administrative records.
2. The White Pine Subdivision has been revised and amended by the conditions of project approval to conform to the requirements of Titles 16 and 17 of the Cache County Code and the requirements of various departments and agencies.
3. The White Pine Subdivision conforms to the preliminary and final plat requirements of §16.03.030 and §16.03.040 of the Cache County Subdivision Ordinance.
4. The White Pine Subdivision is compatible with surrounding land uses and will not interfere with the use and enjoyment of adjoining or area properties.

### CONDITIONS OF APPROVAL (3)

The following conditions must be met prior to recordation for the development to conform to the County Ordinance and the requirements of county service providers.

1. Meet all applicable standards of the Cache County Ordinance.
2. As identified by the proponent, improve the existing bridge that provides access to the property across the Logan River by widening the bridge to meet the minimum county standard of a 12 foot wide drivable surface
3. MUTCD compliant signage identifying vehicle load limits shall be posted at both ends of the bridge.





# BEAVER CREEK SUBDIVISION

LOGAN CANYON, CACHE COUNTY, UTAH

A PART OF SECTION 36, T. 14 N., R. 3 E., S. 1 B. & M.

18-065

-3-

Tax Unit 17



Color  
0000 100' Wide Private Road Ingress Egress Easement  
0001 100' Apparent Slope Easement  
0002 50' Slope Easement  
0003 64.3 50' ACRES  
0004 greater than 25% 33.5 279 ACRES  
SCALE 1" = 400 FEET

FILED 26 JUNE 2002 FILING NO. 791789  
MAP NO. 2002-4573 SITE PAGE 18-065-1

**STAFF REPORT: HAROLD FALSLEV SUBDIVISION**

06 June 2013

This staff report is an analysis of the application based on adopted county documents, standard county development practices, and available information. The report is to be used to review and consider the merits of the application. Additional information may be provided that supplements or amends this staff report.

**Agent:** Kevin Falslev

**Parcel ID#:** 12-017-0011

**Staff Determination:** Approval with conditions

**Type of Action:** Administrative

**Land Use Authority:** Cache County Council

**LOCATION**

*Reviewed by: Chris Harrild, Planner II*

**Project Address:**

3700 West 3000 North  
Benson

**Current Zoning:**

Agricultural (A10)

**Acres:** 22.69

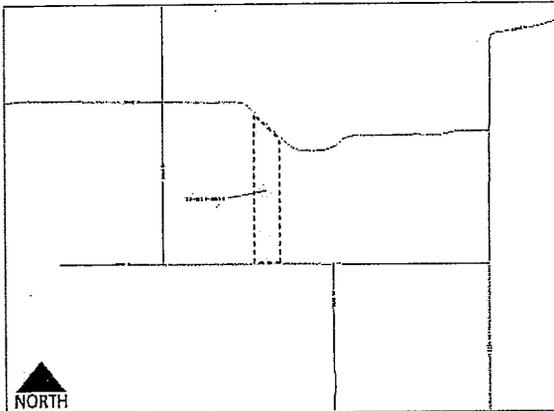
**Surrounding Uses:**

North – 3000 North/Bear River

South – 2600 North/Agricultural/Residential

East – Agricultural/Residential

West – Agricultural/Residential



**PURPOSE, ORDINANCE, SUMMARY, AND PUBLIC COMMENT**

**Purpose:**

To review and make a recommendation to the County Council regarding the proposed Harold Falslev Subdivision.

**Ordinance:**

As per the Cache County Zoning Ordinance Table §17.10.030 Development Density and Standards Specific to Base Zoning Districts, this proposed subdivision qualifies for a development density of one (1) unit per two (2) acres for the first three lots and one (1) unit per ten (10) acres for any additional lots as it is a pre-1970 parcel and is located within the Agricultural (A10) Zone. Once a property is divided it is no longer considered a pre-1970 parcel and is no longer eligible to receive the higher density for the first three lots.

**Summary:**

This is a request to divide a single pre-1970 parcel into two (2) developable lots and an agricultural remainder.

06 June 2013

1 of 2

**Access:**

- Access to this property meets the minimum county standards. Access to the developable lots will be from 3000 North. 3000 North consists of paved travel lanes 10 feet wide and shoulders consisting of a 1 foot width of pavement and 2 feet of gravel.

**Water & Septic:**

- Culinary water will be provided by the Benson Culinary Water Improvement District.
- The proposed lots are feasible for on-site septic tank systems.

**Service Provision:**

- The proponent shall provide sufficient shoulder space for the residential refuse and recycle containers to sit four feet apart and be out of the travel lane on 3000 North.
- A school bus stop is located at 3666 West 3000 North approximately 0.5 blocks from the proposed subdivision.
- Any driveways shall meet all applicable requirements of the current International Fire Code, minimum County standards, and any other applicable codes.
- The proposed subdivision is in an area that has an adequate water supply for fire suppression. A hydrant is located directly to the east of the proposed subdivision on 3000 North. Access for emergency services is adequate.

**Public Comment:**

Notices were mailed to the property owners located within 300 feet of the subject property. At this time no public comment regarding this proposal has been received by the Development Services Office.

**STAFF DETERMINATION AND FINDINGS OF FACT (4)**

It is staff's determination that the Harold Falslev Subdivision, a 2-lot subdivision with an agricultural remainder for property located at approximately 3700 West 3000 North with parcel number 12-017-0011, is in conformance with the Cache County Ordinance requirements and should be forwarded to the County Council with a recommendation of approval. This determination is based on the following findings of fact:

1. The Harold Falslev Subdivision has been revised and amended by the conditions of project approval to address the issues and concerns raised within the public and administrative records.
2. The Harold Falslev Subdivision has been revised and amended by the conditions of project approval to conform to the requirements of Titles 16 and 17 of the Cache County Code and the requirements of various departments and agencies.
3. The Harold Falslev Subdivision conforms to the preliminary and final plat requirements of §16.03.030 and §16.03.040 of the Cache County Subdivision Ordinance.
4. The Harold Falslev Subdivision is compatible with surrounding land uses and will not interfere with the use and enjoyment of adjoining or area properties.

**CONDITIONS OF APPROVAL (2)**

The following conditions must be met for the developments to conform to the County Ordinance and the requirements of county service providers.

1. Prior to final plat recordation the proponent shall meet all applicable standards of the Cache County Ordinance.
2. The applicant shall reaffirm their 33' portion of Cache County's 66' wide right-of-way for all county roads along the proposed subdivision boundary.

# HAROLD FALSLEY SUBDIVISION

## PART OF THE NORTHWEST QUARTER OF SECTION 14, AND THE SOUTHWEST QUARTER OF SECTION 11, TOWNSHIP 12 NORTH, RANGE 1 WEST, SALT LAKE BASE & MERIDIAN CONTAINING 21.85 ACRES +/-

SCALE 1" = 100 FEET

NO.	DESCRIPTION	ACRES
1	Lot 1	1.00
2	Lot 2	1.00
3	Lot 3	1.00
4	Lot 4	1.00
5	Lot 5	1.00
6	Lot 6	1.00
7	Lot 7	1.00
8	Lot 8	1.00
9	Lot 9	1.00
10	Lot 10	1.00
11	Lot 11	1.00
12	Lot 12	1.00
13	Lot 13	1.00
14	Lot 14	1.00
15	Lot 15	1.00
16	Lot 16	1.00
17	Lot 17	1.00
18	Lot 18	1.00
19	Lot 19	1.00
20	Lot 20	1.00
21	Lot 21	1.00
22	Lot 22	1.00
23	Lot 23	1.00
24	Lot 24	1.00
25	Lot 25	1.00
26	Lot 26	1.00
27	Lot 27	1.00
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31	Lot 31	1.00
32	Lot 32	1.00
33	Lot 33	1.00
34	Lot 34	1.00
35	Lot 35	1.00
36	Lot 36	1.00
37	Lot 37	1.00
38	Lot 38	1.00
39	Lot 39	1.00
40	Lot 40	1.00
41	Lot 41	1.00
42	Lot 42	1.00
43	Lot 43	1.00
44	Lot 44	1.00
45	Lot 45	1.00
46	Lot 46	1.00
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62	Lot 62	1.00
63	Lot 63	1.00
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65	Lot 65	1.00
66	Lot 66	1.00
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70	Lot 70	1.00
71	Lot 71	1.00
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75	Lot 75	1.00
76	Lot 76	1.00
77	Lot 77	1.00
78	Lot 78	1.00
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81	Lot 81	1.00
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83	Lot 83	1.00
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85	Lot 85	1.00
86	Lot 86	1.00
87	Lot 87	1.00
88	Lot 88	1.00
89	Lot 89	1.00
90	Lot 90	1.00
91	Lot 91	1.00
92	Lot 92	1.00
93	Lot 93	1.00
94	Lot 94	1.00
95	Lot 95	1.00
96	Lot 96	1.00
97	Lot 97	1.00
98	Lot 98	1.00
99	Lot 99	1.00
100	Lot 100	1.00

**BOUNDARY DESCRIPTION**

The following is a description of the boundaries of the subdivision as shown on the plat. The boundaries are shown as follows: ...

**HAROLD N. FALSLEY PROPERTIES**  
 HAROLD N. FALSLEY  
 SALT LAKE CITY, UTAH 84105  
 1-800-552-5088

**skyline**  
 REAL ESTATE INC.  
 1100 SOUTH 1000 WEST  
 SUITE 100  
 SALT LAKE CITY, UTAH 84115

**HAROLD FALSLEY SUBDIVISION**

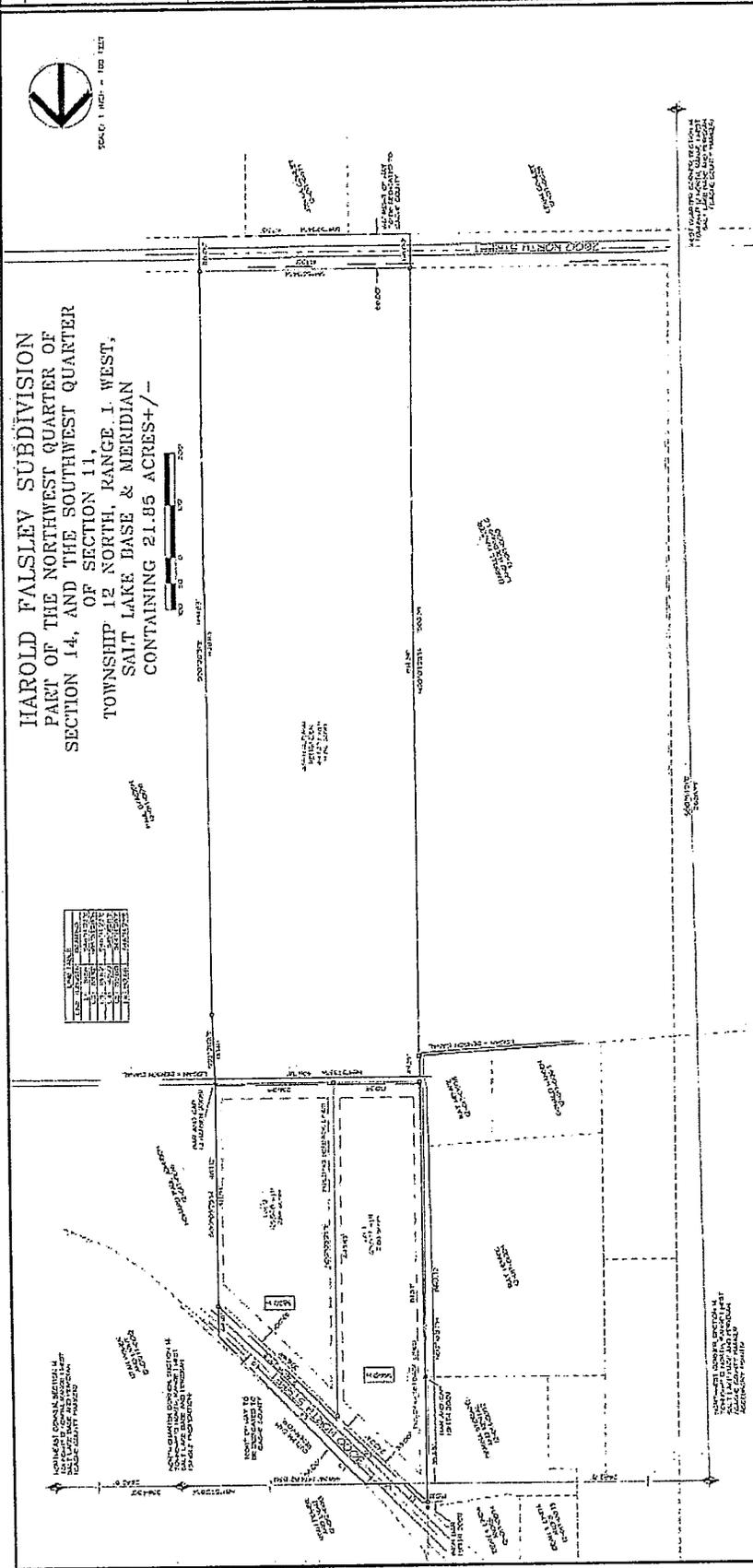
**FINAL PLAT**

Prepared by: \_\_\_\_\_ Date: \_\_\_\_\_

Drawn by: \_\_\_\_\_ Date: \_\_\_\_\_

Checked by: \_\_\_\_\_ Date: \_\_\_\_\_

Reviewed by: \_\_\_\_\_ Date: \_\_\_\_\_



**QUIT CLAIM STATEMENT**

WORLD WIDE PROPERTIES, LLC, owner of 80% of 2800 North Street, Salt Lake City, Utah, hereby releases and agrees to release all of its interest in the above described property to the undersigned, Harold N. Falsley, and his heirs, assigns and assigns forever. This release is made in full satisfaction of all claims and obligations of the undersigned to the undersigned. This release is made in full satisfaction of all claims and obligations of the undersigned to the undersigned. This release is made in full satisfaction of all claims and obligations of the undersigned to the undersigned.

**OWNER'S DECLARATION**

I, the undersigned, hereby certify that the above described property is being subdivided into lots for the purpose of residential development. The subdivision is shown on the attached plat. The subdivision is shown on the attached plat. The subdivision is shown on the attached plat.

**CACHE COUNTY ATTORNEY**

Approved by me: \_\_\_\_\_ Date: \_\_\_\_\_

**COUNCIL APPROVAL AND ACCEPTANCE**

Approved by me: \_\_\_\_\_ Date: \_\_\_\_\_

**COUNTY SURVEYOR'S CERTIFICATE**

I, the undersigned, hereby certify that the above described property is being subdivided into lots for the purpose of residential development. The subdivision is shown on the attached plat. The subdivision is shown on the attached plat. The subdivision is shown on the attached plat.

**COUNTY RECORDER'S OFFICE**

State of Utah, County of \_\_\_\_\_, Book \_\_\_\_\_, Page \_\_\_\_\_

Filed for record on \_\_\_\_\_ at \_\_\_\_\_ o'clock \_\_\_\_\_ M.

Recorded on \_\_\_\_\_ at \_\_\_\_\_ o'clock \_\_\_\_\_ M.

**VICINITY MAP**

**MARKET ANALYSIS**

1. MARKET ANALYSIS: The market for residential development in the area is strong. The area is located in a desirable location and is surrounded by other residential developments. The area is located in a desirable location and is surrounded by other residential developments.

2. MARKET ANALYSIS: The market for residential development in the area is strong. The area is located in a desirable location and is surrounded by other residential developments. The area is located in a desirable location and is surrounded by other residential developments.

3. MARKET ANALYSIS: The market for residential development in the area is strong. The area is located in a desirable location and is surrounded by other residential developments. The area is located in a desirable location and is surrounded by other residential developments.

4. MARKET ANALYSIS: The market for residential development in the area is strong. The area is located in a desirable location and is surrounded by other residential developments. The area is located in a desirable location and is surrounded by other residential developments.

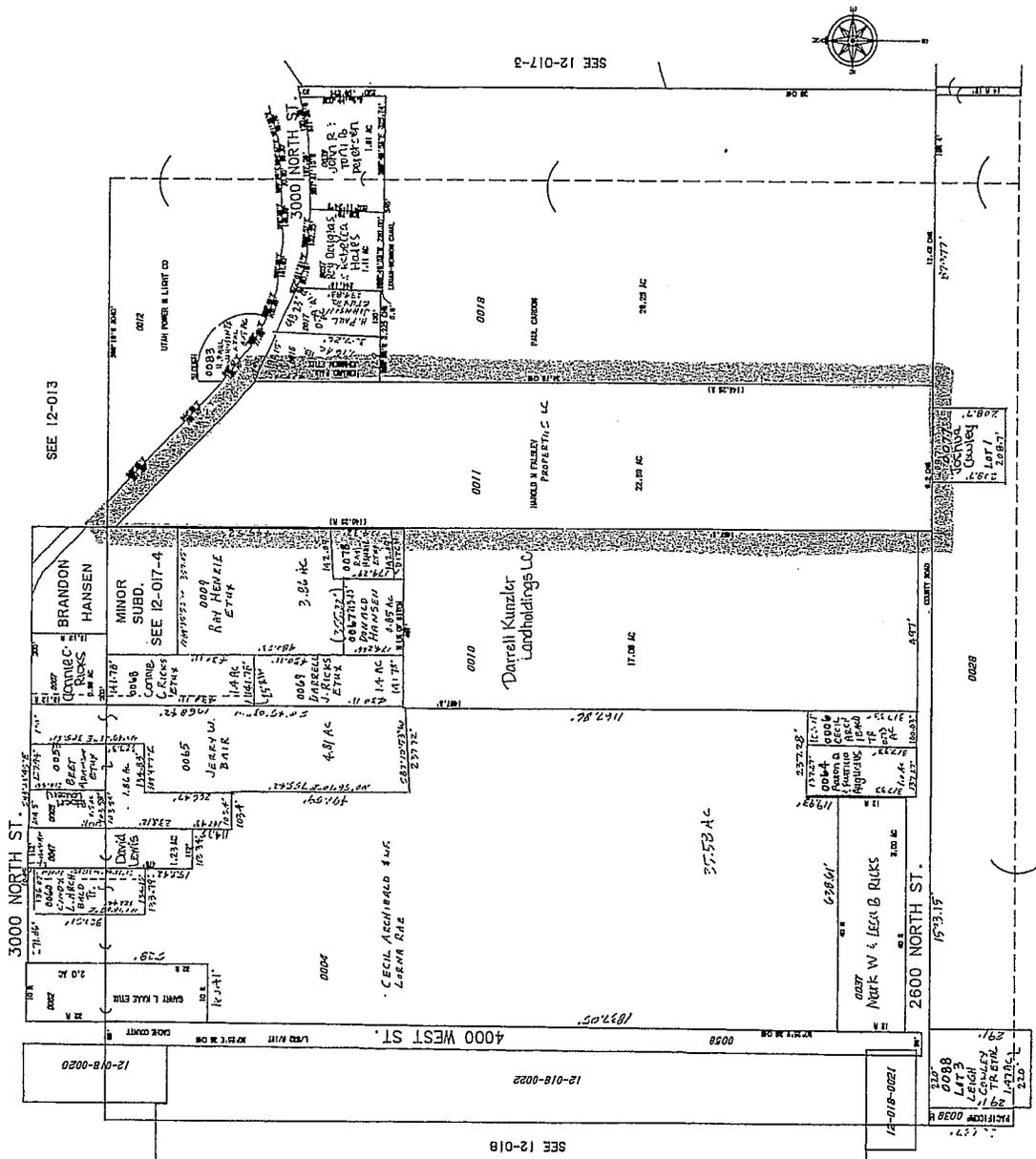
5. MARKET ANALYSIS: The market for residential development in the area is strong. The area is located in a desirable location and is surrounded by other residential developments. The area is located in a desirable location and is surrounded by other residential developments.

12-017

-2-

NW/4 Sec 14 Township 12 North, Range 1 West  
Scale 1" = 200 Feet

TAX UNIT 228



**CACHE COUNTY  
RESOLUTION NO. 2013 - 10**

**A RESOLUTION OF CACHE COUNTY APPROVING AND ADOPTING  
PRESCRIPTION FEES TO BE CHARGED BY THE CACHE COUNTY  
SHERIFF'S OFFICE AND GIVING THE SHERIFF'S OFFICE FLEXIBILITY IN  
ADMINISTERING THE PAY-FOR-STAY PROGRAM**

WHEREAS, the Cache County Sheriff's Office is required by Utah State law to preserve the peace, make all lawful arrests, attend to court security, take charge of and keep the county jail, and to attend to perform other various civil and criminal duties under §17-22-2 et. Seq. of the Utah Code; and

WHEREAS, in the conduct of such law enforcement duties, the Cache County Sheriff's Office seeks to perform such duties in a manner that does not unduly burden the public; and

WHEREAS, the Utah Department of Corrections has encouraged the Cache County Sheriff's Office to charge state inmates a \$5.00 handling fee for each individual prescription per month in conformity with the rest of the jails in the state of Utah; and

WHEREAS, the Cache County Sheriff's Office has determined that more flexibility is needed in administering the Pay-for-Stay Program, and that it is in the best interest of the County Citizens to allow flexibility in this program; and

WHEREAS, the Cache County Sheriff's Office has conducted an economic analysis supporting the need for flexibility in the Pay-for-Stay Program; and

WHEREAS, many of the fees charged by the Cache County Sheriff's Office are authorized by §17-22-2.5 of the Utah State Code; and

WHEREAS, the Cache County Sheriff's Office has determined that both flexibility in the Pay-for-Stay program is needed and prescription expenses of inmates incurred in the performance of its law enforcement duties in housing inmates, and which are not specifically authorized by statute for reimbursement, should more properly be passed on to those individuals necessitating the expenses rather than the residents of Cache County who are not involved in such criminal and/or civil matters; and

WHEREAS, Cache County is authorized by §17-50-302 of the Utah Code to collect fees for benefits conferred by Cache County; and

WHEREAS, the Cache County Council has discussed and reviewed the need to have flexibility regarding the Pay-for-Stay Program and to establish fees for the prescription expenses incurred by the Cache County Sheriff's Office so that appropriate expenses can be passed on to those individuals who have necessitated the expenses rather than having such expenses passed onto the residents of Cache County ; and

WHEREAS, the Cache County Council has determined that the establishment of the flexibility in the Pay-for-Stay Program as set forth below is appropriate and in the best interests of the residents of Cache County and will promote the safety, health, morals and general welfare of the residents of Cache County;

NOW THEREFORE, BE IT RESOLVED by the County Legislative Body of Cache County, State of Utah, with 7 members present and 7 members voting in favor thereof that both a \$5.00 handling fee for each individual prescription per month be charged to state inmates; and that the Cache County Sherriff's Office have flexibility in administering its Pay-for-Stay Program are hereby approved and authorized:

**New billing process under Pay-for-Stay Program**

Upon release from jail the inmates will be required to sign a payment agreement. The signed copies will go in the inmates' file. A non-signed copy will be given to them so that they have the rules and contact information for the Pay-for-Stay Program.

After release, inmates have 45 days to enter into a payment agreement and to make their first payment in compliance with their agreement; if they fail to make either enter into a contract or to make a payment within 45 days, the full amount will go to collections.

The agreement will stipulate a monthly amount that the inmates will pay and an end date when the amount should be paid in full. If they claim financial hardship, they can have the payment adjusted down to as low as \$5.00 per month.

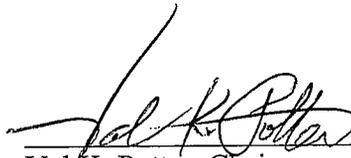
If they enter into a payment agreement and keep it, their balance will be reduced by 80% to 85% depending on their payment method.

Once they enter into the payment agreement, if they fail to make a payment for any 90 day block of time, the agreement is automatically voided and all Pay-for-Stay contract amounts originally agreed to will be reinstated.

If they agree to an automatic monthly bank draft (eCheck) or credit card charge, the contract amount owed will be reduced by up to 85%.

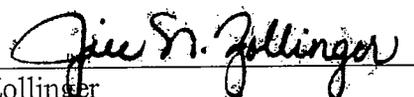
Adopted by the County Council of Cache County, Utah, this 25th day of June, 2013 .

CACHE COUNTY COUNCIL



Val K. Potter, Chair  
Cache County Council

ATTEST:



Jill Zollinger  
Cache County Clerk





# Cache County Jail

## Pay for Stay Program Analysis

### *Current System*

Cache County Jail inmates are charged \$45.00 per day for the duration of their sentence. In 2012 the average number of days billed for Pay for Stay (PFS) was 18, for an average bill of \$795.88 per inmate. If full payment cannot be made, payment schedules can be set up for regular monthly payments, either in cash or credit/debit card. The Cache County Jail (CCJ) contracts with Connex to manage and collect PFS payments. On a regular PFS payment, Connex receives 12% of the payment and the remainder is received by the jail. However, in most cases, Pay for Stay accounts are referred to collections for payment. The table below demonstrates that with the current billing system, over half of all billings are sent to collections. Once the account is referred to collections, the amount CCJ receives is reduced to 35% of the total amount collected.

The fee schedule for Connex is as follows: the collection company receives 30% of the payment, Connex receives 35%, and the jail receives 35% of the total payment. If the PFS account must be settled through the legal system, legal keeps 50%, and Connex and CCJ then split the remaining 50%.

Since 2011, the amount billed is rising steadily as the population at the jail continues to rise. Unfortunately, the rate at which accounts are being sent to collections is also rising. In the first half of 2013, nearly 60% of all PFS billings have been referred to collections.

	Total Amount Billed	Total Amount Received	Collection Rate	Amount Sent to Collections	Rate sent to Collections	Unrecovered
2011	\$2,593,191.24	\$194,853.08	7.5%	\$100,389.17	52.0%	\$2,398,338.16
2012	\$2,678,122.00	\$227,504.59	8.5%	\$130,613.32	57.4%	\$2,450,617.41
2013 (To Jun 9)	\$1,605,933.88	\$74,533.91	4.6%	\$44,344.35	59.4%	\$1,531,399.97

Under the current billing system, Connex provides a projected revenue schedule for 2013 based on a year-to-date daily average revenue of \$244.35. For the first quarter of 2013, jail PFS revenues are down 31.6% when compared to the same time period in 2012, and the second quarter is projected at a decrease of 31.8%. While the numbers for this year are incomplete and subject to change, the projected revenues for 2013 are expected to be down over 27% from 2012. Projections are listed in the table below.

PAY FOR STAY REVENUES - CACHE COUNTY, UT

2013 REVENUE

Month	Revenue	Change From 2012	
		\$ Change	% Change
January	8,531.26	-747.78	-8.1%
February	5,768.45	-8,429.25	-59.4%
March	9,531.21	-1,827.50	-16.1%
<b>Quarter 1</b>	<b>23,830.92</b>	<b>-11,004.53</b>	<b>-31.6%</b>
April	8,544.74	-223.70	-2.6%
May	5,760.32	-6,793.66	-54.1%
* June	6,090.79	-2,479.62	-28.9%
<b>* Quarter 2</b>	<b>20,395.85</b>	<b>-9,496.98</b>	<b>-31.8%</b>
* July	7,574.75	-4,070.89	-35.0%
* August	7,574.75	+219.27	+3.0%
* September	7,330.40	-522.94	-6.7%
<b>* Quarter 3</b>	<b>22,479.90</b>	<b>-4,374.56</b>	<b>-16.3%</b>
* October	7,574.75	-1,149.39	-13.2%
* November	7,330.40	-31.06	-0.4%
* December	7,574.75	-8,181.08	-51.9%
<b>* Quarter 4</b>	<b>22,479.90</b>	<b>-9,361.53</b>	<b>-29.4%</b>
<b>* 2013 Total</b>	<b>89,186.57</b>	<b>-34,237.60</b>	<b>-27.7%</b>

\* This period is incomplete or in the future and the figures have been estimated. These revenue figures WILL change! Estimates are based on a year-to-date daily average revenue of \$244.35

 NOTICE: 2013 revenue figures include incomplete/future periods with projected revenue

*Proposed System Changes*

The proposed billing process changes are as follows:

- After release, and per their signed payment agreement, the inmate will have 45 days from their release date to make their first payment. If they fail to make this initial payment within 45 days, the total billed amount at the rate of \$45 per day will be sent to collections.
- Inmate will stipulate a monthly amount they will pay and a final payment date for when their balance will be paid in full. Inmate may have monthly payments reduced to as low as \$5 per month if financial hardship is claimed.
- Inmates who enter into a payment agreement and make their monthly payments regularly can have their total balance reduced by 80% to 85%, depending on payment method they select.
- If they agree to an automatic monthly bank draft (eCheck) or credit card charge, CCJ will reduced the total amount billed by 85%.
- If the inmate fails to make a payment for 90 days during their agreement period, the agreement is automatically void and the 80% reduction will be reinstated.

Using 2012 numbers, projections for payments indicate that the 80% reduced bill amount will generate more revenue for Cache County than the current system. If Connex can collect 70% of the payments at the reduced rate, CCJ will increase payment collection to 14% of the billed amount, compared to the 2012 rate of 8.5%. Under this projection, collected payments would increase by 64.8% over what was collected in 2012.

Total amount billed	80% Reduced Rate	Collect 70% of 80% reduced rate	85% Reduced Rate	Collect 90% of 85% reduced rate
\$2,678,122.00	\$535,624.40	\$374,937.08	\$401,718.3	\$361,546.47

○ Connex fees will remain the same with the new proposed billing plan. They will receive 12% of all regular payments. CCJ will receive 35% of the total bill if it is referred to collections, and 25% if it is settled through legal. However, if the bill is referred to collections, the amount reverts back to the original bill amount of \$45 per day, and not at the reduced amount.

In a quick survey done with a small sampling of current jail inmates, 78% indicated they would engage in the new program, and feel that they could complete a payment agreement successfully at the reduced rate.

### *Summary*

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Once released from jail, many inmates who either do not have jobs or have low paying jobs do not have the means to pay their Pay for Stay bill. This often results in collections needing to step in, and there is a consensus that inmates are being set up for failure under the current system.

○ The idea behind the proposed Pay for Stay changes is to motivate inmates to make payments consistently and avoid sending them to collections. This proposed program can create a successful course for both the inmate and the jail, and could potentially generate more revenue for Cache County Jail than the current system. In projections using the past years collected totals, collected fees could increase by 5.5% and the total amount paid to the jail could increase by over 60% with fewer accounts being sent to collections, thereby reducing fees paid to third parties.

RESOLUTION NO. 2013- 13

A RESOLUTION INCREASING THE BUDGET APPROPRIATIONS FOR CERTAIN COUNTY DEPARTMENTS.

The Cache County Council, in a duly convened meeting, pursuant to Sections 17-36-22 through 17-36-26, Utah Code Annotated, 1953 as amended, finds that certain adjustments to the Cache County budget for 2013 are reasonable and necessary; that the said budget has been reviewed by the County Auditor with all affected department heads; that a duly called hearing has been held and all interested parties have been given an opportunity to be heard; that all County Council has given due consideration to matters discussed at the public hearing and to any revised estimates of revenues; and that it is in the best interest of the County that these adjustments be made.

NOW THEREFORE, it is hereby resolved that:

Section 1.

The following adjustments are hereby made to the 2013 budget for Cache County:

**see attached**

Section 2.

Other than as specifically set forth above, all other matters set forth in the said budget shall remain in full force and effect.

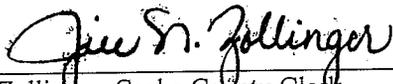
Section 3.

This resolution shall take effect immediately upon adoption and the County Auditor and other county officials are authorized and directed to act accordingly.

This resolution was duly adopted by the Cache County Council on the 25th day of June, 2013.

ATTESTED TO:

CACHE COUNTY COUNCIL



Jill N. Zollinger, Cache County Clerk



Val K. Potter, Chairman



FUND 100 GENERAL FUND REVENUES

ACCOUNT	DESCRIPTION	Current Budget	Recommended		Amended Budget	Reason for Change
			Increase DEBIT	Decrease CREDIT		
100-36-95000	LEASE PURCHASE PROCEEDS	\$ (937,600)		\$ (16,000)	\$ (953,600)	to cover land purchase total
100-33-14110	VAWA-PROS GRANT	\$ (110,474)		\$ (2,360)	\$ (112,834)	VAWA GRANT INCREASE
100-33-10400	FED GRANT - HLS	\$ (40,000)		\$ (6,188)	\$ (46,188)	CARRY OVER UNSPENT GRANT FUNDS
100-33-70104	GRANTS - OTHER LOCAL	\$ (70,000)	\$ 70,000		\$ -	REDUCE FOR PMT TERMS OF LEASE PUR
	Totals		\$ 70,000	\$ (24,548)		
	Net Adjustment				\$ 45,452	

FUND 100 GENERAL FUND EXPENDITURES

ACCOUNT	DESCRIPTION	Current Budget	Recommended		Amended Budget	Reason for Change
			Increase DEBIT	Decrease CREDIT		
100-4220-740	FIRE - CAPITALIZED EQUIP	\$ 472,600		\$ (8,000)	\$ 464,600	REDUCE TO ACTUAL COSTS
100-4960-710	Sundry - Land Purchase	\$ 717,000		\$ (46,000)	\$ 671,000	to meet land purchase price
100-4149-230	VAWA-TRAVEL	\$ 1,500	\$ 2,360		\$ 3,860	VAWA GRANT INCREASE
100-4220-330	FIRE-ED & TRAINING	\$ 6,000		\$ (1,629)	\$ 4,371	Cover F200 training over expenditure
100-4220-115	FIRE-OVERTIME	\$ -	\$ 111		\$ 111	Cover 3/23 overtime
100-4220-120	FIRE-TEMPORARY EMP	\$ 42,254		\$ (111)	\$ 42,143	Cover 3/23 overtime
100-4255-254	EMPG-NON-CAPITALIZED EQUIPMENT	\$ -	\$ 6,188		\$ 6,188	SAR pagers HLS budget
100-4810-250	TRANSFERS OUT TO MSF	\$ -	\$ 1,629		\$ 1,629	
	Totals		\$ 10,288	\$ (55,740)		
	Net Adjustment				\$ (45,452)	

FUND 200 MUNICIPAL SERVICES FUND REVENUES

ACCOUNT	DESCRIPTION	Current Budget	Recommended		Amended Budget	Reason for Change
			Increase DEBIT	Decrease CREDIT		
200-33-44200	STATE GRANT-WEED ERADICATION	\$ (5,000)		\$ (8,000)	\$ (13,000)	State Weed Eradication 2012-13
200-33-70110	GRANTS OTHER-LOCAL UNITS	\$ (6,000)		\$ (760)	\$ (6,760)	Trenton/Clarkston grant increase
200-34-15000	1% Surcharge Building Permits	\$ -		\$ (1,000)	\$ (1,000)	to cover budget amounts
200-38-92000	appropriated surplus	\$ (38,235)		\$ (1,907)	\$ (40,142)	to cover wildland fire suppression costs
200-38-92000	appropriated surplus	\$ (123,828)	\$ 1,129		\$ (122,699)	State Weed Eradication 2012 portion
200-38-92000	appropriated surplus	\$ (122,699)		\$ (5,000)	\$ (127,699)	STATE FFSL WEED MNGT GRANT
200-38-75000	Transfer in from other funds	\$ -		\$ (1,629)	\$ (1,629)	transfer from fire dept gen fd
	Totals		\$ 1,129	\$ (18,296)		
	Net Adjustment				\$ (17,167)	

FUND 200 MUNICIPAL SERVICES FUND EXPENDITURES

ACCOUNT	DESCRIPTION	Current Budget	Recommended		Amended Budget	Reason for Change
			Increase DEBIT	Decrease CREDIT		
200-4220-510	Wildland Fire Suppression Fund	\$ 32,224	\$ 1,907		\$ 34,131	underbudgeted WFSF payment
200-4241-621	1% Surcharge Pass - through	\$ -	\$ 1,000		\$ 1,000	to cover 1% pass thru payments
200-4450-482	SPEC GRANT-STATE WEED ERAD	\$ -	\$ 6,871		\$ 6,871	State Weed Eradication 2012-13
200-4450-485	SPECIAL GRANT PROJECTS	\$ 6,000	\$ 760		\$ 6,760	Trenton/Clarkston grant increase
200-4450-485	SPECIAL GRANT PROJECTS	\$ 6,760	\$ 5,000		\$ 11,760	STATE FFSL WEED MNGT GRANT
200-4220-330	FIRE-ED & TRAINING	\$ 9,000	\$ 1,629		\$ 10,629	BATC / DOI/BLM training
	Totals		\$ 17,167	\$ -		
	Net Adjustment				\$ 17,167	

FUND 265 RAPZ TAX FUND EXPENDITURES

ACCOUNT	DESCRIPTION	Current Budget	Recommended		Amended Budget	Reason for Change
			Increase DEBIT	Decrease CREDIT		
265-4810-207	TRANSFERS OUT - MUNICIPAL SERVICES	\$ -	\$ 9,995		\$ 9,995	UNICORP POPULATION ALLOCATION
265-4780-480	RAPZ ALLOC BY POPULATION	\$ 205,902		\$ (9,594)	\$ 196,308	TRANSFER TO MSF
265-4780-481	RAPZ ALLOC TO ZOO	\$ 112,594	\$ 8,067		\$ 120,661	ADJ TO ACTUAL
265-4780-482	RAPZ ALLOCATIONS - PROJECTS	\$ 1,482,900		\$ (8,468)	\$ 1,474,432	REDUCE TO BALANCE OTHER ACCTS
	Totals		\$ 18,062	\$ (18,062)		
	Net Adjustment				\$ -	

Attachment B  
**FUND 277 AIRPORT FUND EXPENDITURES**

ACCOUNT	DESCRIPTION	Current Budget	Recommended Increase DEBIT	Decrease CREDIT	Amended Budget	Reason for Change
277-4460-739	GRANT PROJECTS	\$ 1,326,812		\$ (674,078)	\$ 652,734	TRANSFER TO CAP EQ FOR AARF
277-4460-740	CAPITALIZED EQUIPMENT	\$ -	\$ 674,078		\$ 674,078	TO PURCHASE FIRE TRUCK
	Totals		<u>\$ 674,078</u>	<u>\$ (674,078)</u>		
	Net Adjustment				<u>\$ -</u>	

**CACHE COUNTY  
ORDINANCE NO. 2013 - 12**

Disclaimer: This is provided for informational purposes only. The formatting of this ordinance may vary from the official hard copy. In the case of any discrepancy between this ordinance and the official hard copy, the official hard copy will prevail.

**AN ORDINANCE OF THE COUNTY COUNCIL OF CACHE COUNTY, UTAH,  
AMENDING CACHE COUNTY ORDINANCE 2.16.010: OFFICE OF COUNTY  
ATTORNEY, TO BRING THE CODE INTO CONGRUITY WITH THE RECENT  
ACTION OF THE COUNCIL AMENDING THE CACHE COUNTY  
PERSONNEL POLICY MANUAL.**

WHEREAS, Cache County **Resolution 2013-11** was passed by the County Council on May 28, 2013 making amendments to the County's Personnel Policy Manual,

WHEREAS, the provisions of Cache County Ordinance 2.16.010 should be amended to be consistent with the direction taken by the County Council in adopting revisions to the County's Personnel Policy Manual, and

WHEREAS, regarding the public welfare, it is in the best interests of Cache County and its citizens to amend this ordinance,

NOW, THEREFORE, pursuant to the statutory authority granted the Cache County Council under Utah Code Ann. § 17-53-201 and § 17-53-223, the Cache County Council amends Cache County Ordinance 2.16.010 of the CACHE COUNTY ORDINANCES as detailed in Attachment "A."

Effective Date:

This ordinance shall become effective fifteen (15) days after its passage and upon proper publication in a newspaper published and having general circulation in Cache County. Following its passage but prior to the effective date, a copy of the Ordinance shall be deposited with the County Clerk and a short summary of the ordinance shall be published in a newspaper of general circulation within the County as required by law.

PASSED BY THE COUNTY COUNCIL OF CACHE COUNTY, UTAH THIS  
JUNE 25, 2013.

	In Favor	Against	Abstained	Absent
Potter	X			
Buttars	X			
White	X			
Petersen	X			
Robison	X			
Yeates	X			
Zilles	X			
Total	7			

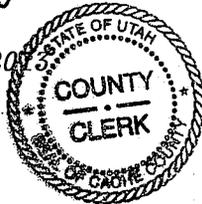
CACHE COUNTY

By: Val K. Potter  
Val K. Potter, Chairman

ATTEST:

Jill N. Zollinger  
Jill N. Zollinger, County Clerk

Publication Date July 10, 2013



CACHE COUNTY  
ORDINANCE NO. 2013 - 12

**ATTACHMENT A**

## Section VI -- Employee Classifications/Status and Volunteers

### A. EXEMPT AND CLASSIFIED POSITIONS:

All positions in the county government shall be either exempt or classified. Exempt positions shall be those positions which are to be filled by election or appointment as provided herein, and such other positions which are responsible for the formulation or execution of policy where the nature of the policy formulated or the latitude for execution of policy clearly required unity of purpose and philosophy with the county executive and the heads of offices, departments, agencies, boards and commissions. All other positions shall be classified. (Organic Act 1984; amd. Ord. 2000-05)

1. Exempt or classified (non-exempt) employees are identified as one of the following:

- Elected Official
- Appointed Department Head
- Merit Employee
- Merit Employee on Probation
- Part-time Merit Employee
- Part-time Non-merit Employee
- Seasonal Employee

### B. PERSONNEL RULES AND REGULATIONS:

The office of county executive shall prepare for adoption by the county council rules and regulations to effectively administer personnel. The rules shall classify all positions for pay setting purposes. The rules shall set forth policies regarding qualifications, selection, disciplinary action, removal, grievance procedures, vacation, sick leave, personnel records, etc. (Organic Act 1984; amd. Ord. 2000-05)

### C. POLITICAL ACTIVITIES:

No classified county employee may hold any elective political office of the county during his or her employment. (Organic Act 1984; amd. Ord. 2000-05)

1. A county employee can hold only one position classification at a time as identified in section A.1 above.

### D. PERSONNEL:

Cache County may adopt the county personnel management act as described in Utah Code Annotated title 17, chapter 33, as and for its county merit system for all county employees. The county executive shall exercise all of the powers and functions therein reserved to the "governing body" by definition. (Organic Act 1984; amd. Ord. 2000-05)

### E. GENERAL ADMINISTRATION:

Except where otherwise provided in this title or by the county council, the county executive shall appoint all officers and heads of departments upon the advice and consent of the county council, the same being approved by the affirmative vote of four (4) council members. (Organic Act 1984; amd. Ord. 2000-05)

1. Elected Official

An Elected Official is defined as one who is selected by popular vote at officially designated elections held within Cache County. Any person appointed to fill an elected position which has been vacated is also deemed to be an Elected Official.

a. All elected officials who work 40 hours or more in a week (Full-time Status) will be eligible for benefits.

2. Merit Employee

An employee who is hired in accordance with the provisions of the recruitment and hiring procedures (see Section V) for Cache County and has a regular work schedule of thirty (30) hours or more per week is considered a Merit Employee. A Merit Employee must satisfactorily complete the Probation Period.

3. Merit Employee on Probation

An employee who meets the criteria of a merit employee and is still within the first six (6) months of their hire date or twelve (12) months of their hire date if in a Public Safety position, are considered working within their Probationary Period as explained in Section V. A Probationary Period is required of all employees hired as merit employees. No employee may be hired as a merit employee and classified as a merit employee without successfully completing probation as a merit employee.

A. Service as a Part-time Non-merit or Seasonal Employee will not be given credit towards the Probationary Period of a merit employee. If a Part-time--Non-merit employee is hired as a merit employee, the Probationary Period for that employee begins when the employee is re-hired as a merit employee.

1. Public Safety Employees (sworn Law Enforcement Officers (LEO) and Basic Correction Officers (BCO)) are required to serve a twelve (12) month Probation Period and they must successfully achieve the required LEO or BCO certification(s).

2. Public Employees (all other merit employees) are required to serve a six (6) month Probation Period and they must successfully achieve any licenses or certification(s) required to function within their job classification.

B. Any Merit Employee transferring within the County to another job position/function is required to serve a six (6) month Probation Period. If the employee is unable to successfully perform the duties of the position they transferred into, the County may allow the employee to move back into a position they qualify for, if such a position is available at the time. If no such position is available the employee will be released from their duties and their employment with the County will be terminated.

C. A Merit Employee on probationary status will accrue Personal Leave hours as a probationary employee (refer to Personal Leave). A new Merit Employee may use their accrued leave during their probationary period with the Department Head's prior approval.

4. Appointed Department Head

An Appointed Department Head is defined as an employee who is not elected to the position but is hired in accordance with the provisions of the recruitment and hiring procedures (see Section V) and has a regular work schedule of forty (40) hours or more per week and is appointed by the County Executive and approved by the County Council to supervise, manage, or direct the business affairs of a department or section within the county's organizational structure.

A. Appointed Department Heads are considered an "At-Will" employee (see sub-section D below).

B. An Appointed Department Head is eligible for benefits when hired under the county guidelines as outlined in Section V -- Recruitment and Hiring.

5. Part-time Merit Employee

An employee whose hiring is required to be in accordance with the provisions of the recruitment and hiring procedures outlined in Section V and who works 30 hours per week or more is considered a Part-time Merit employee.

A. A Part-time Merit employee is eligible for benefits such as medical or dental insurance, holiday pay, personal leave, military leave, 401k, or retirement benefits. Benefits will be administered on a pro-rated basis based on their average hours worked per week.

6. Part-time Non-Merit Employee

An employee who works less than 30 hours per week and whose hiring is not required to be in accordance with the provisions of the recruitment and hiring procedures outlined in Section V is considered a Part-time--Non-merit employee.

A. A Part-time--Non-merit employee cannot become a Merit Employee without going through the recruitment and hiring procedures, and completing the required probation period for the position, as outlined in Section V.

B. A Part-time--Non-merit employee is not eligible for benefits such as medical or dental insurance, holiday pay, personal leave, military leave, 401k, or retirement benefits. Time-off from a regularly scheduled work day may be granted to the non-merit employee by the Department Head, but such leave will be without pay.

7. Seasonal Employee

An employee working on a seasonal basis, not to exceed six (6) months or 1040 hours in a given budget year (Section IV B), whose hiring is not required to be in accordance with the provisions of the recruitment and hiring procedures for Cache County is considered a Seasonal employee.

A. A Seasonal Employee cannot become a Merit Employee without going through the recruitment and hiring procedures, and completing the required probation for the position, as outlined in Section V.

B. A Seasonal Employee is not eligible for county benefits. Time-off from a regularly scheduled work day may be granted to a Seasonal Employee by the Department Head, but such leave will be without pay.

F. Full-Time or Part Time Status

A Merit Employee hired on full-time status is expected to work 40 hours or more per week. All elected officials, with the exception of County Council members, are considered to be full-time status and are expected to work a minimum of 40 hours per week. A merit employee on part-time status is expected to regularly work more than 30 hours but less than 40 hours per week, based on approved departmental budget allocations.

G. Elected Officials and Exempt Employees

The Fair Labor Standards Act (FLSA) sets minimum wage, overtime pay, equal pay, record keeping, and child labor standards for employees who are covered by the Act and are not exempt from specific provisions. Elected Officials are not covered by FLSA rules. Exempt employees are exempt from the minimum wage and overtime provisions of the FLSA. Unlike Elected Officials, exempt employees are still covered by part of the record keeping requirements. Exempt employees do not have to be paid overtime when they work more than forty (40) hours in a workweek. *In accordance with the FLSA, exempt employees who are away from work for a full day period or more are required to use personal leave, unless the nature of the absence is due to county business (refer to the Fair Labor Standards Act - Exempt Employees).*

1. Exempt employees generally fall into one of three major categories: executive, administrative and professional. This includes Department Heads, supervisors or managers who meet the Long or Short Test for exempt employees. Exempt status is established by resolution of the County Council and determined when a job position is established.

2. Office of County Attorney

There shall be an office of county attorney, which shall be headed and directed by the county attorney.

The county attorney shall be elected by the qualified voters as provided by law. His duties shall be prescribed by the legislature of the state and shall include all duties assigned to county attorneys. The office of county attorney shall have all the functions, responsibilities and powers provided by law and such other duties as shall be assigned by the county council and county executive. (Organic Act 1984; amd. Ord. 2000-05)

a. The County attorney may:

1. Assign and reassign deputy attorneys to different positions on his staff. The salary of a deputy attorney reassigned to a different position will not be decreased by reason of reassignment.
2. Hire special deputy county attorneys to represent the county in particular lawsuits or legal matters.
3. Establish the salary or determine salary increases of any deputy attorney within the county attorney's office budget in conjunction with the county executive. (Ord. 89-03)
4. Dismiss or demote a deputy county attorney when it shall advance the good of public service; where funds have expired or funds no longer exist; or for such causes as dishonesty, inefficiency, insubordination, disloyalty to the orders of a superior, misfeasance, malfeasance, or nonfeasance in office, or disbarment or suspension from the state bar. There shall be no dismissal for reasons of race, national origin, religion or political affiliation.

D. At-Will Employee

Appointed employees, temporary employees, non-merit employees, and merit employees on probation, are "At-Will" employees and can be terminated at any time without cause.

1. Appointed Department Heads are considered "At-Will" employees and serve at the discretion of the County Executive. The following is a list of Department Head positions deemed "At-Will":

- Director, Human Resources
- Director, Children's Justice Center
- Director, Information Technology
- Director, Cache Valley Visitors' Bureau
- Director, Finance
- Director, Sr. Citizen Center
- Road Superintendent
- Chief Building Official
- Fire Chief
- Lead Surveyor
- Water Manager
- Director, Development Services
- Airport Manager

E. Independent Contractor

Occasionally, as the need arises, the county may contract with an individual for specialized skills, knowledge, or service. The terms of the contract will outline the services to be rendered by the Independent Contractor, along with the compensation, and the time frame in

which the work will be performed. Before the county enters into a contractual agreement with an individual to perform services for the county, the contractor will provide the county with a workers' compensation certificate of insurance, which includes a hold harmless clause. This, along with all other terms of the contract must be reviewed and approved by the County Attorney, the Human Resource Director, and the County Executive before the contractor begins working.

F. Transfers, Promotions and Demotions

1. Transfers: occasionally an employee may voluntarily pursue a transfer from one department to another or from one job function to another. The employee must meet the qualifications and requirements of the job or position in which they are being considered. Human Resources, in conjunction with the Department Head, will review the background and credentials of the employee to determine if they meet the requirements of the position. When a transfer initiated by an employee occurs, any adjustments to an employee's wage/salary shall become effective at the beginning of the pay period following the transfer. Such employee is subject to being placed on probationary status as outlined in subsection 3.b. of this section.
2. Promotions: a promotion is defined as an advancement or progression upward in rank or job function and responsibility. It is the desire of Cache County to promote employees from within the organization or county when there is a qualified employee who applies, and whenever it is practical and possible. If the Department Head and the Director of Human Resources determine there is not an adequate number of qualified employees within the county to consider for the position, the Department Head may opt to consider outside applicants along with current qualified employees.
  - a. A promotion normally includes a change of job title, duties and responsibilities, and may include a change in rate of pay. Rate of pay will not exceed the average rate of pay for that position as established by Human Resources, nor will it exceed the department's salary budget.
  - b. All adjustments to an employee's wage/salary shall become effective at the beginning of the pay period following the promotion.
  - c. An employee who is promoted is subject to being placed on probationary status as outlined in subsection E.3.b. of this section.
3. Demotions: a demotion is the act or instance of reducing or downgrading an employee's duties, responsibilities, or job title. When an employee's performance warrants such, as determined in the performance appraisal process, the employee will be demoted. A demotion will be determined by the Department Head and the Director of Human Resources with the approval of the County Executive.
  - a. Any adjustments to an employee's wage/salary shall become effective at the beginning of the pay period following the demotion.

G. Termination

Employment with the County may be terminated by one of the following methods:

1. Resignation

When resigning from employment with Cache County, an employee should provide advanced written notification of their intent to resign. A notice of one month is requested from Department Heads and high profile positions. A notice of two weeks is requested from most other employees.

- a. An employee missing three (3) consecutive working days without appropriate notification to their Department Head or supervisor will be considered to have resigned.

## 2. Reduction in Force

A Reduction in Force (RIF) is the termination of an employee because of inadequate funds, a change of work load or a lack of work, or the position occupied by the employee is being discontinued.

- a. When a RIF becomes necessary, Cache County will reduce its work force based upon valid work-related criteria besides length of service, including employee performance as determined by current or past performance appraisals and evaluations, or other extenuating circumstances related to an employee's behavior, skills, or ability to perform the duties of the job.
- b. Whenever possible, the County will try and notify an employee designated for a RIF at least 30 calendar days in advance. In lieu notice, the County may provide up to a 30 day severance package.

## 3. Involuntary Termination

Involuntary termination may be implemented when:

- a. An employee becomes physically, mentally, or emotionally unable to perform their essential functions even with a reasonable accommodation
- b. A major violation of Cache County rules and regulations has occurred
- c. Unsatisfactory performance continues and cannot or will not be resolved through the performance improvement policy
- d. If an employee becomes unable to perform their duties and responsibilities, the Department Head and the Director of Human Resources will determine if the situation is temporary, or if reasonable accommodations can be made
  1. If the situation is deemed long-term or permanent by a County approved medical professional, and/or reasonable accommodations cannot be made, then the employee will be allowed to resign. If the employee does not resign within a reasonable time, not to exceed 30 calendar days, the employee will be terminated
  2. An employee may be terminated immediately or following a series of steps when a violation of Cache County rules and regulations has occurred. The time frame for such an involuntary termination will depend on the severity of the violation and/or the number of violations, current or previous
  3. If an employee's performance continues to be unsatisfactory and is rated as Needs Improvement or less following the performance appraisal process or during the performance improvement process, the employee will be terminated immediately
- e. It is the responsibility of the Department Head to initiate any involuntary termination action. The Department Head shall recommend such action to the Director of Human Resources who will review the facts and reasons for such action. The County Executive must approve any final action on involuntary termination.

## H. Suspension

If an employee is suspended in accordance with the performance improvement policy (reference section VII) and they become compliant with directives outlined in the corrective action plan the employee should be reinstated within the time limit determined. If the time limit passes without reinstatement, the employee will be terminated, immediately.

1. An employee who is on suspension may resign and is not required to provide the desired minimum notice. Written notice of intent to resign must still be provided to the Department Head, who will then coordinate with Human Resources.

## I. Exit Interviews

An employee who terminates employment may have an exit interview with their Department Head or immediate supervisor, or a Human Resources representative. Human Resources

should review the rights, obligations, and options for the employee.

1. During the exit interview Human Resources can inform the employee of conversion rights on medical and dental insurance policies and options on retirement benefits.
2. In the State of Utah, the law allows a political subdivision, such as a County, to provide the final paycheck to an employee who has resigned or been terminated at the next regularly scheduled payday.
3. The exit interview with the Department Head will normally be held on the employee's last day of work. The Department Head should meet with the employee and obtain keys, uniforms, equipment, materials, etc. which need to be returned. Comments from the exit interview are to be documented and sent to Human Resources to be included in the employee's personnel file.

#### J. Volunteer Policy

Cache County and its citizens benefit from the voluntary participation of many people who wish to aid the community as volunteers in County government. Volunteers assist in a variety of areas through several county departments and programs and often render invaluable services.

Because of unavoidable issues such as liability, responsibility, the protection of both the county and volunteers and in light of current law and other risks of litigation, the following county policy regarding volunteers and their functions and status is required. Some county departments have longstanding volunteer programs and traditions. This policy is not intended to specify qualifications, operational rules, or guidelines for any specific department or program but rather to declare a general policy for volunteers in Cache County government that will apply to volunteers in all departments and programs.

##### 1. Summary of Current State Law

Several Utah statutes provide for volunteers:

- a. Section 63-30b-2, *Utah Code Ann.*, provides that any person performing volunteer services on behalf of a public entity is immune from liability unless the acts or any omissions of that volunteer were grossly negligent, not made in good faith, or made maliciously.
- b. The *Volunteer Government Worker's Act*, as set forth in Title 67, Chapter 20, *Utah Code Ann.*, provides in Section 67-20-3 that a volunteer is considered a government employee for purposes of receiving workers' compensation medical benefits, the operation of motor vehicles if the volunteer is licensed, or liability protection and indemnification normally afforded paid government employees.

*In addition, Section 67-20-4 provides that a volunteer and the services performed by the volunteer must be approved by the county in order to come under the provisions of this act. This of necessity requires a policy and procedure for the County to approve volunteers.*

- c. Sections 78-19-1 through 78-19-3, *Utah Code Ann.*, provide liability protection for volunteers performing services for non-profit organizations. Services provided to a public entity are specifically excepted from these sections.

There are a few cases addressing volunteers rendering services to public entities. However, there is a significant 1994 case to be considered. The Utah Supreme Court held in *Gourdin v. SCERA*, 845 P.2d 242, that volunteers are not covered by Workers' Compensation unless such coverage is specifically authorized by statute. *Because of this case, it is important that all volunteers be approved and come within the provisions of the Volunteer Government Workers Act.*

2. Volunteer Policy Background

This policy shall supersede any of the provisions of existing volunteer policies within Cache County government to the extent that this policy specifically contradicts or conflicts with any provision of those policies.

3. Compensation

Volunteers shall not receive compensation for their services to or on behalf of the county. This does not prohibit a volunteer from being reimbursed for expenditures associated with volunteer service when approved by a county department head in advance.

4. Status

A volunteer is not, and shall not be deemed to be, an employee of the county. Volunteers shall not be entitled to any employee privileges granted by the county to its compensated merit or other employees. Volunteers shall not be deemed to be nor are they authorized to act as deputies of the county with the exception of those volunteers qualifying and acting as reserve officers or auxiliary deputies in the Cache County Sheriff's Office in accordance with Sheriff's Office policy.

5. County Approval Process

Any person desiring to be a volunteer for any department or program of Cache County or to attain volunteer status under applicable State law must complete a *Volunteer Registration Agreement* form which will include the volunteer's name, address, telephone number, contact person in the event of an emergency, county department and nature of the anticipated volunteer services and any other information required by the department, program, or the County Human Resource Department that may be necessary for a background check or determination of the qualifications and suitability of the individual.

6. Department Guidelines Required

Each County department or program desiring to recruit and utilize volunteers shall establish written guidelines and procedures for applications, tests, qualifications, evaluations, and selection of volunteers. The guidelines and procedures must be reviewed by Human Resources and approved by the County Executive.

7. Volunteer Job Descriptions

For more routine, on-going volunteer jobs, a brief written volunteer job description may be prepared by each department utilizing volunteers. The volunteer job description shall set out, with particularity, the various duties and qualifications required of any particular volunteer position. The Human Resources Department shall approve and maintain final versions of job descriptions. Volunteers must satisfy the minimum requirements of the job description along with the following as outlined:

a. Criminal Record Checks

As a matter of safety and security, complete criminal records checks may be required of some volunteers and court-ordered community service volunteers before approving and accepting them as county volunteers and assigning them to a department. These volunteers will be required to provide a Bureau of Criminal Investigations (BCI) report to the county before the begin volunteering.

b. Record Keeping Requirements

Each county department and program accepting and approving persons as volunteers will maintain a record of that approval and maintain a confirmation of the approval of that volunteer. That confirmation shall contain information identified on the *Volunteer*

*Registration Agreement* form which includes such information as the volunteer's name, address, telephone number, the department or program, date of approval, volunteer service period, and volunteer position or function and other pertinent as needed.

c. Reporting

Each department utilizing volunteers should maintain records of volunteer activities. Such records should address recruitment, volunteer job descriptions, evaluations, terminations, and reports on activities and expenses. Records shall be maintained for three years after the volunteer serves and then shall be destroyed.

8. Workers' Compensation

Workers' Compensation benefits, which shall be limited to medical benefits, are provided to all county volunteers who become injured on the job and cannot perform their normal duties or who contract occupational diseases as covered under the Workers' Compensation Act. *Persons who are not duly approved as volunteers in the manner set forth in this policy will not qualify for any entitlements or benefits under the Workers' Compensation Act. Each department shall ensure that any claimant for benefits under the Workers' Compensation Act is, in fact, documented as a volunteer for the County.*

a. Volunteers are eligible for worker's compensation insurance when:

1. the accident, injury, or occupational illness was incurred by the volunteer in the course of, or arising from, the performance of the duties of the volunteer's job description;
2. the volunteer was supervised by an approved officer of Cache County or their designee; and
3. the volunteer completed a *Volunteer Registration Agreement* form and was approved and accepted by Cache County as a volunteer.

9. Authority

Volunteers have no authority to officially represent or bind the County with respect to any contractual or enforcement matters. Volunteers represent the County to the public through their conduct and performance of services and must be circumspect and act competently and reasonably as circumstances may require.

10. Badges and Uniforms

Volunteers shall not wear any county badges or uniforms unless specifically authorized by the written policies and guidelines of the department for which they are volunteers.

11. Standards of Conduct

The rules and standards of conduct which apply to county officers and employees shall also apply to all volunteers. If a volunteer conducts himself or herself in a manner which discredits the county or is in violation of those rules and standards of conduct, the administrative officer shall terminate that volunteer's status as a county volunteer.

12. Liability

Because the *Utah Governmental Immunity Act* as set forth in Title 63, Chapter 30, *Utah Code Ann.*, includes volunteers for purposes of liability, all county volunteers must be duly approved and given official status as a county volunteer as set forth in this policy.

a. Defense Against Claims

The county shall, within the requirements of law, defend any action brought against the volunteer arising from any act or omission of the volunteer occurring during the performance of the volunteer's duties and within the scope of the volunteer's officially approved arrangement with the county for volunteer services.

Before the county will defend any volunteer against a claim, the volunteer must make a written request to the county for a legal defense and submit it within ten (10) calendar days after the service of any process upon the volunteer. The request may be filed within a longer period if the delay does not prejudice the county in any manner in maintaining a defense of the volunteer.

b. Defense Declined

The county may decline to defend any action against a volunteer if the county or a court determines that the act or omission in question did not occur during the performance of the volunteer's duties or within the scope of his officially approved volunteer arrangement or status; that the injury or damage resulted from the fraud or malice of the volunteer; that the injury or damage on which the claim was based resulted from the volunteer's driving a vehicle or being in actual physical control of the vehicle in violation of Utah Code 41-6a-502 et al; any other conduct which violates criminal code or serious traffic violations may not be defended by the county.

13. Budgets and Expenditures

If there is a fiscal impact attributable to volunteers within a department, that department's budget should include a fiscal plan within the general budget of that department stating the anticipated expenditures that pertain to that department's volunteer programs.

14. Termination

Any volunteer may terminate his or her volunteer status and relationship to the County at any time. The County also may terminate the volunteer's status as a volunteer and terminate any relationship with the volunteer, with or without cause, at any time.

15. Equal Opportunity

Cache County is an equal employment opportunity resource for volunteers to the same extent that equal employment is provided to employees and applicants for employment. Persons shall be accepted for volunteer services by the County regardless of race, gender, or other protected status.

16. Minimum Age

Federal and state laws and regulations establish restrictions on the types of work-related activities in which young people, from ages 10 to 18, may participate. The same minimum age standards will be used to govern the work activities of minor volunteers. The *Volunteer Registration Agreement* must be signed by a parent or legal guardian of a minor volunteer.

17. Youth Group Volunteers

Youth volunteer activities sponsored by a recognized group may be permitted. Minor volunteers must be supervised by responsible adults with at least one (1) responsible adult for each seven (7) minors. Group-sponsored youth volunteer activities must be approved in advance by the administrative officer. Youth group volunteer leaders shall complete a form indicating who is responsible for the youth, the names of the leaders and youth, and other pertinent information. A copy of the form shall be maintained by the department for which the volunteer is associated with.

18. Court Ordered Community Service

Cache County may provide volunteer opportunities, at its discretion, for court-ordered volunteers in community service. All court-ordered community service volunteers must be screened and interviewed by the administrative officer, or the authorized representative of the administrative officer, and approved before service begins (see section G). Court-ordered

community service volunteers must sign a *Volunteer Registration Agreement* form and disclose the charges for which the Court has ordered community service, the number of hours of court-ordered community service, the Court issuing the order, and the contact person for the Court. No County department or office is required to accept a court-ordered volunteer, especially if the circumstances under which the volunteer's services are inappropriate or undesirable.

19. Volunteer Services by County Employees

County employees may, under appropriate circumstances, volunteer to provide uncompensated services to Cache County. Employees who are subject to the *Fair Labor Standards Act* and volunteer to provide services to the county which are similar to activities within their compensated job descriptions shall have their volunteer service hours considered compensable hours. The provision of such volunteer services is subject to the approval of the Human Resource Director. Volunteer services to Cache County which are *unrelated* to the employee's compensated job description or which are provided by employees who are exempt under the *Fair Labor Standards Act* shall not be considered compensable.

20. Volunteer Rights

Volunteers are entitled to a workplace which is free from discrimination and harassment, including sexual harassment. Administrative Officers should treat any complaints from volunteers of discrimination or harassment seriously and cause appropriate investigations to be conducted and remedies pursued.

21. Drug Testing

Volunteers may be subject to drug testing in accordance with Cache County Personnel Policies and Procedures.

# Volunteer Registration Agreement



Each volunteer must complete this form  
STATE ISSUED PHOTO ID REQUIRED

PLEASE PRINT

Today's Date:     /     /

Name			DOB:	
(Last)	(First)	(Middle)	dd	mm / yyyy

Previously used name(s) (maiden, etc.):		
(Last)	(First)	(Middle)

Mailing address:			
(Street)	(City)	(State)	(Zip)

Driver's license:						
(Number)	(State)	(Height)	(Weight)	(Eye Color)	(Hair Color)	(Gender)

Cell: (    )	Home: (    )	Work: (    )
(phone number)	(phone number)	(phone number)

Emergency contact		Phone: (    )
(last name)	(first name)	(phone number)

**NOTICE:** Your service is appreciated. However, it is essential that you follow some basic ground rules. By signing below you are agreeing to the following:

- I WILL follow any and all instructions given by designated personnel.
- Personal safety is a priority for everyone. I WILL NOT attempt a task for which I am not physically or emotionally prepared.
- I WILL NOT leave the team or area to which I am assigned.
- I WILL check in each time I return from a field assignment and account for any special equipment issued.
- With this type of effort, there is an element of risk. *I agree to be responsible for my own safety and conduct. Should I be injured, no individuals or groups connected with this effort will be held liable.*
- I agree that any information acquired during my service will not be used for any personal gain and will be held confidential.
- I understand that my involvement in this effort in no way allows me to ignore or violate any local, state or federal laws.
- I give my permission for any and all images or voice recordings obtained by any and all media format or audio means to be used as the organization sees fit for promotion, publication or advertisement.
- I hereby make application to review my Utah Computerized Criminal History record and release any record found to the Child Abduction Response Team (CART) Law Enforcement Official. By signing this form, I authorize the Utah Bureau of Criminal Identification (BCI) to access and review state and federal criminal history records and make reasonable efforts to determine whether I have been convicted or are under pending indictment for a crime that bears upon my fitness to be a volunteer in a search effort. I do hereby release Utah BCI, all persons or government agencies from any damages of or resulting from furnishing such information.
- I further understand that my work and assistance associated with the county is voluntary and I am not entitled to any compensation and that I may be released from my volunteer status at any time with or without cause.

Signature of Volunteer:	Date:
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Signature of Parent (if volunteer is a minor):	Date:
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### For Cache County Use:

County Department Volunteer is to be assisting:
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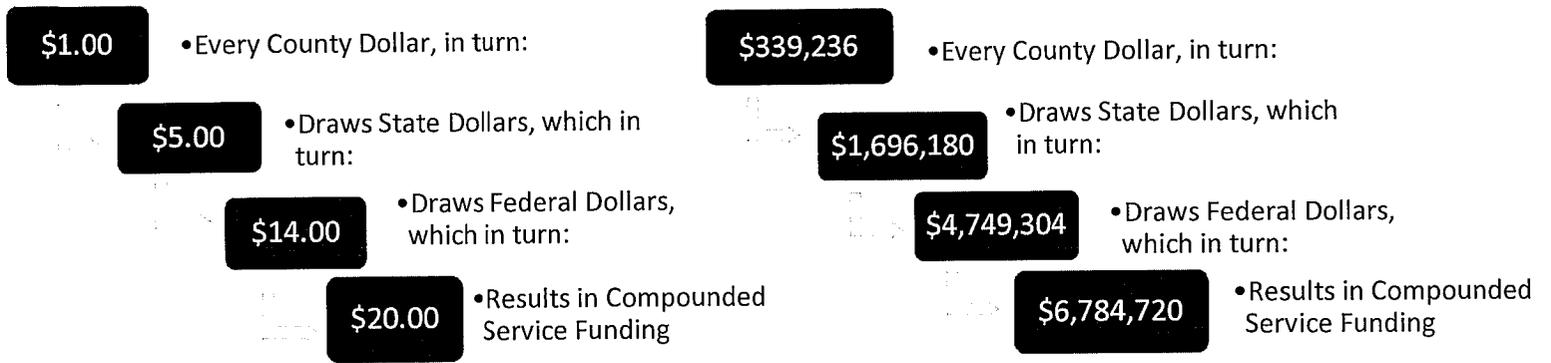
County Program / Project or Court-Ordered:
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County Approval Signature:	(name)	(jobtitle)	(date)
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# MENTAL HEALTH MATCH FUNDING – A STATE and COUNTY PARTNERSHIP

## MATCH FUNDING MODEL

## REAL FUNDING NUMBERS



## MATCH REQUIREMENT FOR COMPOUNDED SERVICE FUNDING OF \$6,784,720

COUNTY	% OF MATCH	CY 2013 MATCH	FY 2014 MATCH	INCREASE
CACHE	68.6%	\$ 185,522	\$ 232,588	\$ 47,066
BOX ELDER	30.0%	\$ 91,312	\$ 101,978	\$ 10,666
H	1.4%	\$ 5,000	\$ 4,670	\$ (330)
<b>TOTAL</b>	<b>100%</b>	<b>\$ 281,834</b>	<b>\$ 339,236</b>	<b>\$ 57,402</b>

Compounded funding allows BRMH to serve ~ 3,000 citizens in community schools, county jails, and outpatient facilities, providing 24-hour crisis services, mental health court services, CIT officer training, wrap around services, residential support services, adult day treatment, etc.

## 2013 ESTIMATED RESERVE COUNTY FUNDS

Time Frame	6/30/2013	12/31/2013
CACHE	\$ 68,430	\$ 44,897
BOX ELDER	\$ 64,935	\$ 59,602
RICH	\$ 10,692	\$ 10,692

**Total BRMH budget = \$8.3 million. Without county matching funds the BRMH budget would diminish to as little as \$350,000 to \$500,000 resulting in a devastating reduction in workforce and service capacity, and likely greater overall cost to the counties.**

**The forfeiture of a \$47,000 increase in county match dollars results in an ultimate negative impact of \$941,320 for BRMH, and the available state funds would go to another county.**

## MANAGEMENT AGREEMENT

This agreement is made and entered into on this the 1 day of July 2013, by and between Cache County (hereinafter referred to as the County) and the American West Heritage Foundation, a Utah non-profit corporation (hereinafter referred to as the Foundation).

NOW THEREFORE, for and in consideration of the mutual promises and covenants contained herein and other good and valuable consideration the parties agree as follows:

**TERM OF AGREEMENT.** The term of agreement shall be for a period of two years and shall continue for additional two-year periods unless notice of termination is sent (2) years prior to the end of the relevant period by either party.

**USE OF PREMISES.** Cache County agrees to allow the Foundation the exclusive use of the real property as defined (*Legal Description of the Property*) for the purpose of farming, recreation and advancing the mission of the America West Heritage Center.

**CONDITION OF PREMISES.** The foundation accepts the real property in the present condition subject to and including all defects.

**MAINTENANCE OF PREMISES.** The Foundation shall use its best efforts to keep and maintain the entirety of the real property in good condition consistent with current agricultural best practices at the Foundation's cost and expense.

**COUNTY'S RIGHT TO INSPECTION.** The foundation agrees that Cache County and their agents or representatives may inspect the premise at any reasonable time for any reasonable purpose.

**ABILITY TO BIND.** The Foundation shall not have the authority to bind the County to any obligation without the County's written consent.

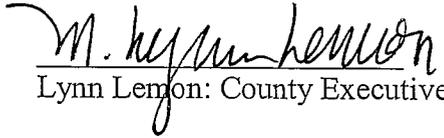
**INSURANCE.** The Foundation will maintain liability insurance and provide proof of insurance to the County on an annual basis.

**ASSIGNMENT.** The Foundation shall not assign or otherwise encumber this Agreement without the written consent of the County, but shall have the right to manage the premises as an agent for the County in a manner consistent with the Foundation's Mission Statement.

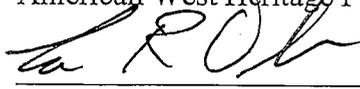
**GOVERNING LAW.** This Agreement has been made in and shall be construed by the laws of the State of Utah.

**ENTIRE AGREEMENT.** The foregoing represents the entire and only agreement or understanding between the parties hereto with respect to the subject matter of the same. This Agreement may not be amended or modified by any act, conduct or statement unless reduced to writing.

Cache County

  
Lynn Lemon: County Executive

American West Heritage Foundation

  
Eric R. Olsen: Board Chairman