

**M. LYNN LEMON**  
COUNTY EXECUTIVE / SURVEYOR

199 NORTH MAIN  
LOGAN, UTAH 84321  
TEL: 435-755-1850  
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**Cache  
County**  
1857

**COUNTY COUNCIL**  
VAL K. POTTER, *CHAIRMAN*  
KATHY ROBISON, *VICE CHAIR*  
CRAIG "W" BUTTARS  
GREG MERRILL  
JON WHITE  
CORY YEATES  
GORDON A. ZILLES

**February 6, 2014**

**PUBLIC NOTICE** is hereby given that the Cache County Council of Cache County, Utah will hold a Regular Meeting in the **Cache County Historic Courthouse, County Council Chambers**, 199 North Main, Logan, Utah 84321 at **5:00 p.m.** on **TUESDAY, FEBRUARY 11, 2014.**

## **AGENDA**

- 5:00 p.m.**
1. **CALL TO ORDER**
  2. **OPENING / PLEDGE** – Craig Buttars
  3. **REVIEW AND APPROVAL OF AGENDA**
  4. **REVIEW AND APPROVAL OF MINUTES** (January 28, 2014)
  5. **REPORT OF COUNTY EXECUTIVE**
    - a. Appointments
    - b. Warrants
    - c. Other Items
  6. **CONSENT AGENDA**
  7. **ITEMS OF SPECIAL INTEREST**
  8. **UNIT OR COMMITTEE REPORTS**
    - a. Senior Citizens Center – Kristine Johnson
  9. **BUDGETARY MATTERS**
  10. **PUBLIC HEARINGS, APPEALS AND BOARD OF EQUALIZATION MATTERS**
    - a. **Set Public Hearing for February 25th at 5:45 p.m. - Open 2014 Budget**
  11. **PENDING ACTION**
    - a. **Moake Rezone from A10 to RU2** – Scott and Sharon Moake requesting approval for the rezone of 10 acres from the Agricultural (A10) Zone to the Rural 2 (RU2) Zone located approximately 13975 North 400 West, Beaver Dam
  12. **INITIAL PROPOSAL FOR CONSIDERATION OF ACTION**
    - a. **Ordinance 2014-01** – Governing the Reporting of Campaign Finance
    - b. **Resolution 2014-03** – Authorizing the Creation of a Water Conservancy District Plan
    - c. **Resolution 2014-04** – Amending Personnel Policy & Procedure Manual, Section VII  
Personnel Management
    - d. **Resolution 2014-05** – Deferred Compensation through Utah Association of Counties (UAC)
    - e. Property Tax Deferral Request

- f. Approval of Personal Property Tax Delinquency Abatements
- g. Discussion – Construction of Storage Building at Fairgrounds

13. **OTHER BUSINESS**

- a. Meetings with Legislators during Legislative Session – Saturdays at 7:30 a.m.  
Beginning February 1, 2014 and running through March 8, 2014  
Cache County Administration Building Multipurpose Room

14. **COUNCIL MEMBER REPORTS**

15. **ADJOURNMENT**



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Val K. Potter, Chairman

\*Citizens desiring to be heard are encouraged to submit their messages in writing during or prior to the hearing

In compliance with the Americans with Disabilities Act, individuals needing special accommodations (including auxiliary communicative aids and services) during this meeting should notify Janeen Allen at 755-1850 at least three working days prior to the meeting.

February 4, 2014

**RECEIVED**

FEB 05 2014

**EXECUTIVE**

Mr. Lynn Lemon  
Cache County  
199 Main St.  
Logan, Utah 84321-4525

Dear Lynn:

*Mkh 2/5/14*

*J Lemon  
Please copy  
page 1 & 3  
for County  
Council.*

This is a report of activities conducted in the northern Utah cloud seeding program during January 2014.

The weather pattern remained relatively dry during January. In addition to the dry weather pattern, persistent valley temperature inversions also limited seeding opportunity for this program. There were two storm events seeded in January, which brings the total to 4 seeded storms for the season as of the end of January. Table 1 summarizes the two seeded events during January. Figure 1 shows seeding operations so far this year, in comparison to a linear usage of the total budgeted hours during the season.

*Thanks  
Lynn*

**Table 1  
Summary of Operations in Northern Utah Cloud Seeding Program, January 2014**

Storm Number	Date	No. of Generators	No. of Hours
3	January 9	5	14.5
4	January 11-12	9	174
January Total			188.5
Season	---	---	268.5

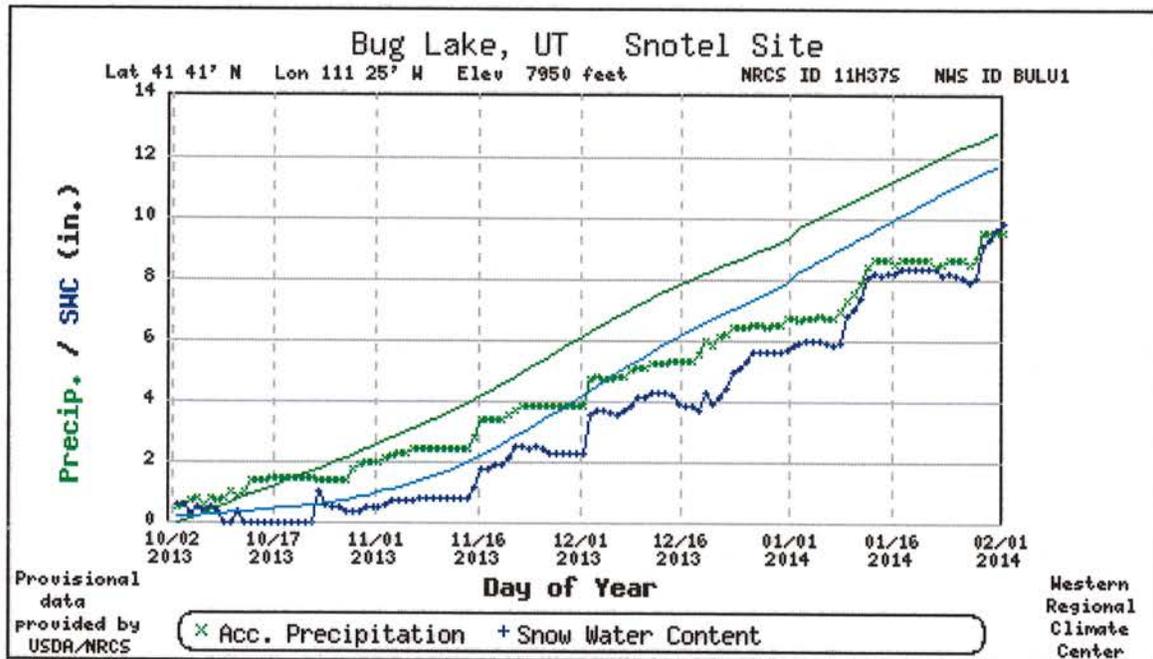


Figure 2. Graph for Bug Lake, Utah SNOTEL site for October 1 through February 1, 2014

Table 2  
Snow Water Content and Water Year Precipitation as of February 1, 2014

Measurement Site	Elev (ft)	Snow Water Equivalent		Water Year Precipitation	
		Amount (in)	% of Median	Amount (in)	% of Average
Trial Lake	9992	10.6	85%	11.7	79%
Hayden Fork	9212	7.3	85%	11.1	85%
Lily Lake	9156	7.6	103%	9.2	86%
Monte Cristo	8960	12.0	75%	11.8	72%
Tony Grove Lake	8474	16.4	80%	14.7	64%
Franklin Basin	8170	10.4	65%	13.1	66%
Bug Lake	7950	9.8	92%	9.5	77%
Temple Fork	7406	9.7	86%	9.1	69%
Little Bear	6544	6.0	76%	9.0	65%
<b>Bear River Basin</b>	---		<b>78%</b>		<b>71%</b>



**To:** Cache County Council  
**From:** Chris Harrild, Planner II, Development Services,  
**Subject:** Development Services agenda items for February 11, 2014

**PENDING**

- 1. Moake Rezone from A10 to RU2** - Scott and Sharon Moake are requesting approval for the rezone of 10 acres of property from the Agricultural (A10) Zone to the Rural 2 (RU2) Zone located at approximately 13975 North 400 West, Beaver Dam.

Findings of Fact: 4

Planning Commission Recommendation: Approval (5, 0)

**STAFF REPORT: MOAKE REZONE**

10 December 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:** Steven C. Taylor

**Parcel ID#:** 12-046-0003

**Staff Recommendation:** None

**Planning Commission Recommendation:** Approval

**Type of Action:** Legislative

**Land Use Authority:** Cache County Council

**LOCATION**

*Reviewed by: Chris Harrild, Planner II*

**Project Address:**

13975 North 400 West  
Beaver Dam, Utah 84306

**Current Zoning:**

Agricultural (A-10)

**Acres:** 10

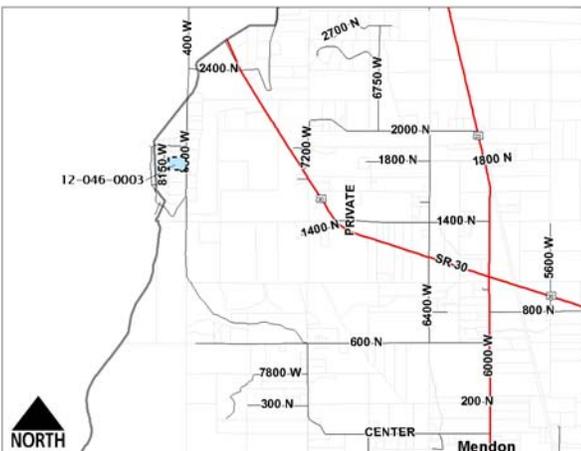
**Surrounding Uses:**

North – Agricultural/Rural 2/Box Elder County

South – Agricultural/Rural 2/FR40

East – Agricultural/Residential

West – Rural 2/Box Elder County/Residential



**PURPOSE, APPLICABLE ORDINANCE, AND SUMMARY**

**Purpose:**

To review and make a recommendation to the County Council regarding the proposed Moake Rezone; a request to rezone the 10 acre parcel number 12-046-0003 currently zoned Agricultural (A10) to the Rural 2 (RU2) Zone.

**Ordinance:**

The current Cache County Ordinance does not specify appropriate locations for the Rural 2 (RU2) Zone. The Cache County Comprehensive Plan does not currently support the Rural 2 (RU2) Zone.

The Cache County Ordinance Title §17.08.030[C][3] requires that development within the Rural 2 (RU2) Zone must be appropriately served by suitable public roads, have access to necessary water and utilities, and have adequate public service provision.

Any impacts related to permitted development and conditional uses allowed within the Rural 2 (RU2) Zone will be addressed as part of each respective approval process required prior to site development activities.

**Summary:**

Staff has identified general information as pertains to the context of the subject property to assist the Planning Commission and County Council in arriving at a decision. This information is reflected in the attached map and in the following text:

**Property Context:** There is an existing home on this property. The requested rezone would allow up to five lots, four additional dwellings, on the 10 acre property. This parcel is adjacent to a 70 acre property that was rezoned to the RU2 zone. However, the incremental expansion of high density areas should not be based upon this association alone.

There are also two parcels, ten acres in size that may also anticipate the option to rezone to the RU2 Zone due to their proximity to the 70 acre parcel and this parcel. If rezoned, there is the potential for an additional 10 developable lots and 8 additional dwellings on those two parcels.

Directly to the east of this property, across 8000 West, is the 349 acres of property that recently requested a rezone to the RU2 Zone. That request was denied by the Planning Commission and tabled by the County Council.

**Density (see map):** Within a one-mile radius of this parcel, the surrounding vicinity is comprised of parcels with an average parcel size of 19.8 acres. Of the parcels that have homes on them the average parcel size is 28.26 acres. This provides an indication of the principally agricultural surroundings.

**Zone Placement:** As identified by the Planning Commission and the County Council at the time the RU2 Zone was adopted, the intended/anticipated placement of said zone was the areas of the unincorporated county adjacent to municipalities. This proposed rezone does not reflect that initial intent as this property is not adjacent to a municipality.

**Maintenance Capability:** The approval of the RU2 Zone in locations that are distant and/or not adjacent to municipalities increases the maintenance burden and cost to the county. The county is not currently capable of maintaining the existing county roadway systems, and therefore this increased burden is likely to impact the maintenance of all county roads. Consideration of the long term cost to maintain and serve high density areas in the unincorporated county is an appropriate tool when determining necessary action regarding such requests.

**Access:** Access to this property is from 8000 W and is adequate. This access is a 22' wide paved road with 2' wide gravel shoulders. The access road and water supply to the property for fire protection 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 Development Services.

## STAFF DETERMINATION

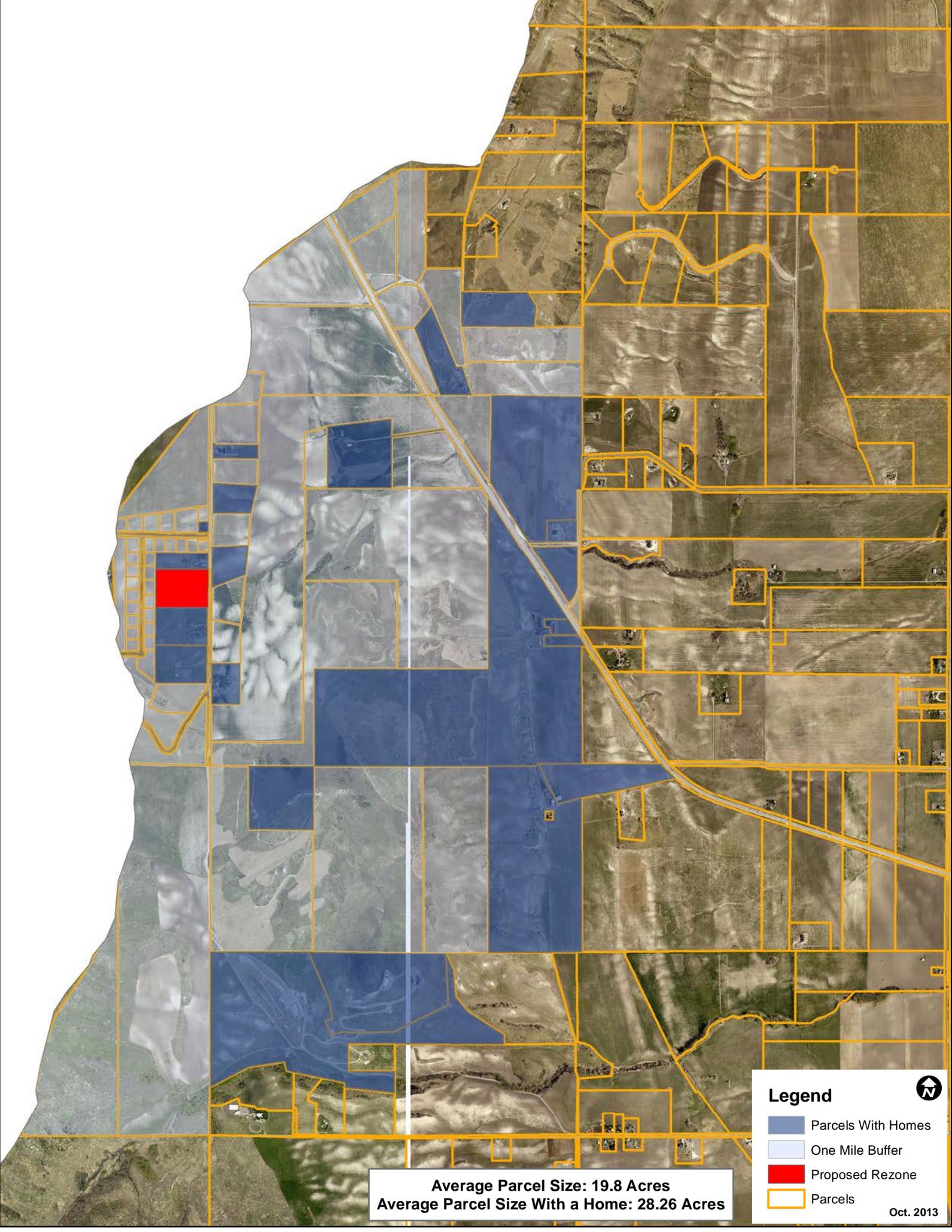
This report has been provided to the Planning Commission and County Council to assist them in their review of this rezone request. No determination or finding(s) of fact has been identified by staff, however all relevant information regarding the rezone request has been provided.

Staff recommends that the Planning Commission and County Council strongly consider the intended location of the RU2 Zone and the long term cost and burden to the county associated with the maintenance of road systems that serve high density areas, and arrive at a determination based on finding(s) of fact prior to any legislative action. Staff will assist in the drafting of a determination and finding(s) of fact once they have been identified by the Planning Commission and/or County Council.

## PLANNING COMMISSION DETERMINATION AND FINDINGS OF FACT (4)

It is the Planning Commission's determination that the Moake Rezone located at approximately 13975 North 400 West with parcel number 12-046-0003 is in conformance with the Cache County Ordinance and should be recommended for approval to the Cache County Council. This determination is based on the following findings of fact:

1. The location of the subject property is compatible with the purpose of the proposed Rural 2 zoning district and is appropriately served by suitable public roads, has access to necessary water and utilities, and has adequate public service provision.
2. The subject property is suitable for development within the proposed Rural 2 zoning district without increasing the need for variances or special exceptions.
3. The subject property is suitable as a location for all of the permitted uses within the proposed Rural 2 zoning district as there is an existing cluster of homes in the immediate area.
4. The subject property, when used for the permitted uses in the Rural 2 zoning district, would be compatible with adjoining land uses.



**Average Parcel Size: 19.8 Acres**  
**Average Parcel Size With a Home: 28.26 Acres**

**Legend**

-  Parcels With Homes
-  One Mile Buffer
-  Proposed Rezone
-  Parcels



**CACHE COUNTY  
RESOLUTION NO. 2014 - 03**

**A RESOLUTION AUTHORIZING THE CREATION OF A  
WATER CONSERVANCY DISTRICT PLAN FOR CACHE COUNTY**

WHEREAS, Cache County sees the need to prepare a **Water Conservancy District Plan** to bring together entities throughout the County to increase water conservation and delivery efficiency,

WHEREAS, The County desires to obtain grant funding from the Bureau of Reclamation through the **Water Conservation Field Services Program**.

NOW THEREFORE, BE IT RESOLVED that the Cache County Council, agrees and authorizes that:

1. The Water Conservation Field Services application prepared by J-U-B Engineers, Inc. has been reviewed by the Council and supports the contents therein;
2. Cache County is capable of providing the amount of funding specified in the funding plan; and
3. If selected for a Water Conservation Field Services Grant, the County will work with the Bureau of Reclamation to meet established deadlines for entering into a cooperative agreement.

APPROVED THIS 11th DAY OF FEBRUARY 2014, AT THE MEETING OF THE CACHE COUNTY COUNCIL.

CACHE COUNTY

By: \_\_\_\_\_  
Val K. Potter, Council Chairman

ATTEST:

By: \_\_\_\_\_  
Jill N. Zollinger, County Clerk

**CACHE COUNTY  
RESOLUTION 2014-04**

**A RESOLUTION AMENDING THE CACHE COUNTY CORPORATION  
PERSONNEL POLICY AND PROCEDURE MANUAL SECTION VII:  
PERSONNEL MANAGEMENT**

WHEREAS, the Cache County Council on February 11, 2014, in a regular meeting of which lawful notice had been given, considered amending Section VII of the Cache County Corporation Personnel Policy and Procedure Manual which describes Personnel Management; and

WHEREAS, on February 11, 2014, the Cache County Council approved the proposed amendments to Section VII of the Cache County Corporation Personnel Policy and Procedure Manual; and

WHEREAS, the Cache County Council finds that it is necessary, appropriate, and in the best interest of the County and its personnel that the Cache County Corporation Personnel Policy and Procedure Manual be amended;

NOW THEREFORE, BE IT RESOLVED that the County Council approves the adoption of the following resolution:

1. **Amendments:** The Cache County Corporation Personnel Policy and Procedure Manual is hereby amended as set forth in the attached Exhibit A.
2. **Application:** The amendment to the Cache County Corporation Personnel Policy and Procedure Manual shall apply to all current and future county employees.
3. **Prior Resolution and Policies:** This Resolution and the amendments specified in Exhibit A to the Cache County Corporation Personnel Policy and Procedure Manual supersede all previously adopted resolutions and policies to the extent that they are in conflict with the specified provisions of this Resolution and the attached Exhibit A.
4. **Effective Date:** This Resolution shall be effective immediately upon its adoption.

Adopted by the County Council of Cache County, Utah, this 11th day of February, 2014.

CACHE COUNTY COUNCIL

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

ATTEST:

By: \_\_\_\_\_  
Jill N. Zollinger, County Clerk

CACHE COUNTY

# EXHIBIT A

## Section VII -- Personnel Management

### A. Compensation Plan

Cache County has a compensation plan that aligns with fair market wages & salaries, and is performance based. Cache County Corporation annually reviews with eight other counties and five cities in the State of Utah regarding wage and salary information, benefit plans, and general personnel policies and practices for the purpose of establishing a fair market value for positions within the participating counties and cities.

1. Cache County Corporation will endeavor to offer fair market wages & salaries to employees at a level of parity equal to the market's mid-point (average rate of pay), based on their level of performance, and their length of service within their job classification. Any exceptions must be based on sound market justification and approved by the Director of Human Resources and the County Executive.

### B. Job Descriptions

Each position shall have a written job description drafted by the Department Head and Human Resources. The job description shall include: job title; department; responsibilities; tasks performed under each of the responsibilities; and the knowledge or education, skills, and abilities required to fulfill the job.

The job description shall state all job related minimum requirements, which all successful candidates should meet to be eligible for appointment or promotion.

### C. Reclassification

When the responsibilities of a position have increased substantially as to the kind and/or level of work, the Department Head may request a reclassification. The reclassification of a position must be justified based on a substantial change in duties and new responsibilities. The request must be submitted in writing to Human Resources accompanied by an updated job description.

1. The reclassification of a position is subject to budgetary limitations and must be approved by the Director of Human Resources and the County Executive.

### D. Wage/Salary Administration

The Director of Human Resources shall be responsible for administering an equitable and adequate compensation plan. Benefits are administered with wage/salary plans as part of the total compensation plan.

1. The Director of Human Resources and the Cache County Compensation Committee shall make a combined recommendation to the County Executive which shall include:
  - a. A recommended wage/salary adjustment for merit and market increases, and
  - b. A recommended benefits program.
2. The County Executive shall consider these recommendations as department budgets are developed for the next calendar year.
3. The County Council shall adopt wage/salary and benefit plans after considering the recommendations of the Cache County Compensation Committee, the Director of Human Resources, and the County Executive, based on the financial and economic conditions of the County.

### E. Merit Increases

A merit increase is an increase in pay for an employee who has given sustained acceptable service through the past year. A merit increase is to be based on an employee's performance

during the past year, along with their wage/salary position in relation to what the job market would pay for comparable duties, required education/training, and years of applicable experience.

1. *All merit increases are subject to the approval of funds for such increases by the County Council and budgetary limitations.*
2. The performance appraisal form is submitted to Human Resources with a recommendation from the Department Head concerning a merit increase. Merit increases will be effective in mid-January, with the performance appraisal process occurring prior to that time. Merit increases become effective at the beginning of the pay period after the approval process is completed. The Department Head, the Director of Human Resources and the County Executive must approve the merit increase before it is forwarded to the payroll specialist.

#### F. Probationary Review And Adjustments

At the completion of an employee's probationary period (refer to Section IV), the Department Head is required to conduct a formal performance appraisal and evaluation of the employee's performance. A merit employee who successfully completes the probationary period is eligible to receive a wage/salary *adjustment subject to budget limitations*. The Department Head may recommend an adjustment between zero (0) and three (3) percent. The employee's status will change from "merit employee on probation" to "full merit status".

#### G. Performance Appraisal and Evaluation

The performance of each employee shall be appraised and evaluated at least annually. Merit employees on probation shall be evaluated at the end of the probationary period as previously outlined. In accordance with the merit principles, the County may appraise and evaluate any employee's performance at any time deemed appropriate by the Department Head or the Director of Human Resources.

1. The objective of the performance appraisal and evaluation is to ensure compliance with merit principles and thereby allow for proper wage/salary adjustments, discipline, classification changes, improved communication, job satisfaction, and clarified job expectations and job goals. Furthermore, the County's performance appraisal process is designed to stimulate an open environment for coaching between the Department Head and/or immediate supervisor and the employee.
2. It is the responsibility of the Department Head to ensure each employee participates in a performance appraisal and evaluation interview. The Cache County Performance Appraisal Form should be completed at least annually during one of the interviews.
3. The performance appraisal and evaluation will be used to determine and justify wage and salary adjustments made through the merit increase process, as well as promotions, demotions, or disciplinary actions.
4. The performance appraisal and evaluation process should emphasize the assessment of overall performance and cover the entire appraisal period but shall not reflect values inconsistent with valid occupational criteria.

#### H. PERFORMANCE IMPROVEMENT POLICY

It is the policy of the County that there be a consistent program of progressive actions to help employees and Department Heads address and resolve performance deficiencies or employee misconduct. The program shall include corrective actions and disciplinary actions as necessary and appropriate.

1. As a minimum, employees are required to abide by the rules and regulations which are

established herein, to protect the employees and the County and to promote a harmonious and efficient work environment. Due to the nature of the work, some departments may define department rules and regulations that are more rigorous and exact than the rules and regulations contained herein.

2. The Department Head along with the Director of Human Resources should help the employee identify problems and improve performance or behavior issues.
3. Disciplinary action may be taken by the Department Head if the improvement steps have not adequately or appropriately resolved the problem, or resulted in an acceptably improved performance or conduct, or if disciplinary action is deemed reasonable and necessary in the circumstances.
4. The Department Head will notify any employee against whom disciplinary action is initiated and give that employee a reasonable opportunity to be informed of the proposed action and to respond.
5. ***The steps for disciplinary action are set forth below and are to be construed as general guidelines. The Department Head may elect to omit or combine any of the steps in appropriate circumstances with the approval of the Director of Human Resources.***

a. Disciplinary Step 1 shall be a VERBAL WARNING:

1. The Department Head issues a verbal warning. The verbal warning should include a review of pertinent job requirements with the employee to ensure his/her understanding of them.
2. The employee should be asked to review what has been discussed to ensure his/her understanding of the seriousness of the problem and the corrective action necessary. A verbal warning should be noted in the employees personnel file.
3. If the unacceptable performance or behavior continues, the next step should be a written warning. Circumstances such as violation of widely known policy or safety requirements may justify a written warning without first using Step 1.

b. Disciplinary Step 2 shall be a WRITTEN WARNING:

1. The Department Head should issue a written warning describing the problem and how it may be corrected. The seriousness of the problem should be emphasized. The written warning shall indicate that probation, suspension from work without pay, or termination may result if improvement is not observed.
2. Two copies of the written warning are issued to the employee by the Department Head. The employee shall acknowledge receipt of such by signing and returning one copy to the Department Head. The written warning shall become part of the employee's personnel file.

c. Disciplinary Step 3 shall be DISCIPLINARY PROBATION:

1. If the problem has not been nor is likely to be resolved through verbal or written warnings and circumstances warrant, the employee should be placed on probation.
  - Probation is a serious action in which the employee is advised that termination will occur if improvement in performance or conduct is not achieved within a probationary period.
2. The Director of Human Resources and the Department Head, after a review of the employee's performance improvement documentation, will determine the length and conditions of probation. The probation period should be at least two (2) weeks and no longer than sixty (60) calendar days, depending on the circumstances.

3. A written probationary notice to the employee will be prepared by the Department Head and Director of Human Resources. The letter should include a statement of the following:
    - The specific unsatisfactory situation;
    - A review of verbal and written warnings;
    - The length of the probationary period;
    - The specific behavior modification or acceptable level of performance;
    - Suggestions for improvements;
    - A scheduled review session(s) during the probationary period; and
    - A statement that further action, including suspension without pay or termination, may result if the required improvement or behavior modification does not result during probation.
  4. The Department Head and the Director of Human Resources shall meet with the employee to discuss the probationary letter and answer any questions. The employee shall acknowledge receipt by signing the letter. If the employee refuses to sign, the Department Head and the Director of Human Resources will sign attesting that it was delivered to the employee and identifying the date of delivery. The probationary letter becomes part of the employee's personnel file.
  5. On the established probation review session date(s), the employee and Department Head will meet to review the employee's progress in correcting the problem which led to the probation. Brief written summaries of these meetings should be prepared by the Department Head with copies provided to the employee and Human Resources.
  6. At the completion of the probationary period, the Department Head and the Director of Human Resources will meet to determine whether the employee has achieved the required level of performance and to consider removing the employee from probation, extending the period of probation, or taking further action. Further action may include, but is not limited to suspension without pay or termination.
  7. The employee is to be advised in writing of the decision. Should probation be completed successfully, the employee should be commended, though cautioned that any future recurrence may result in further disciplinary action. Should termination be required, the employee will be advised of the decision as soon as possible.
  8. There will not be any change in pay or benefits while on probation although responsibilities may change.
- d. Disciplinary Step 3B shall be suspension:
1. A suspension may be justified when circumstances reasonably require an investigation of a serious incident in which the employee was allegedly involved. A suspension may also be warranted when employee safety, welfare, or morale may be adversely affected if a suspension is not imposed.
  2. In addition, and with prior approval of the Director of Human Resources, suspension without-pay may be imposed for such proven misconduct as intentional violation of safety rules, intentional destruction of property, violation of the law, criminal charges, etc. These examples do not limit Cache County's use of suspension with or without-pay in other appropriate circumstances, such as the need to investigate a serious incident.

3. In implementing a suspension, a written report should set forth the circumstances justifying the suspension. The report becomes part of the employee's personnel file.
- e. Disciplinary Step 4 shall be involuntary termination:
1. Involuntary termination is reserved for those cases that cannot be resolved by verbal or written warning, probation, suspension, or in those cases where a major violation has occurred that renders continued employment unacceptable or unsuitable.
  2. The involuntary termination notice shall be signed by the Department Head, concurred with by the Director of Human Resources and approved by the County Executive. The subject employee shall be notified of the termination by the Department Head, and given the notice.
  3. The involuntary termination notice shall contain:
    - Employee name
    - Reason for termination
    - Effective date
    - Additional comments as required
    - Signature of Department Head
    - Signature of the Director of Human Resources

#### I. ANNIVERSARY DATE

An employee's anniversary date is based upon the first day that the employee started working as a merit employee. It is not the date an employment offer is accepted or the date the necessary employment documents are signed. An employee who begins their employment with the county as a non-merit employee does not receive years of service credit until such time they may become a merit employee through the county's merit hiring process (refer to section VI Employee Classification and Status)

1. Employees who are transferred between departments retain their original anniversary date.

#### J. FAIR LABOR STANDARDS ACT

It is the policy of Cache County to comply with the Fair Labor Standards Act (FLSA) and applicable federal and state laws, rules, and regulations. The FLSA is federal law establishing the minimum wage level and overtime provisions. Each Department Head is responsible for ensuring compliance with the FLSA in their department.

##### 2. Employees with Exempt Status

The FLSA regulations on exemptions address the actual job duties of the employee and are not concerned with job titles, civil classifications or other group identifications. Two independent FLSA tests can be applied to determine if an employee qualifies for exempt status. The "long test" or the "short test" sets forth conditions related to the employee's duties and an employee whose duties satisfy either the long or short test will be deemed exempt from FLSA minimum wage and overtime standards.

3. Under the FLSA regulations, an employer may dock an exempt employee's pay only in limited circumstances. These include:
  - Absences from work for a day or more for personal reasons, other than sickness or accident;
  - Absences of a day or more for sickness or disability, if the employer has a plan, policy, or practice of compensating employees for wage loss due to sickness and

- disability, or if the employee is receiving other wage loss benefits (e.g., workers' comp, or disability insurance payments);
- Leave under the Family and Medical Leave Act
  - The employer imposes penalties on the employee in good faith for major safety violations;
4. In accordance with the FLSA, exempt employees who are away from work for a full work day or more are required to use personal leave, unless the nature of the absence is due to county business (refer to Section VI).

#### K. OVERTIME

Employees covered by the overtime provisions of the FLSA shall be entitled to overtime compensation. Any amount of time worked in excess of forty (40) hours in any one work week will be considered overtime except for 207(k) exemption employees (Public Safety) with 28-day work periods as provided in the FLSA. In lieu of compensatory time off, Cache County may elect to pay Public Safety personnel overtime pay at one and one-half times their regular hourly rate for each hour of overtime worked in excess of 80 hours in a 14 day work period.

1. All overtime should be *approved in advance* and specifically assigned by an employee's Department Head or supervisor except in emergency situations when overtime is unavoidable and the Department Head or supervisor cannot be contacted for approval.
2. Only hours actually worked in any one week will be used in determining overtime. In accordance with the law, holidays or paid leave shall not be counted as time worked for purposes of overtime.
3. Complete, accurate records of all overtime worked must be kept by each department and submitted to the payroll specialist with a Cache County Time Sheet.
4. Overtime is compensated either by payment of wages at the rate of one and one-half (1½) times the regular rate of pay or by the accrual of compensatory hours at the rate of one and one-half (1½) times the number of hours worked. The Department Head, subject to budget limitations, has the option to either pay for overtime or allow for compensatory time.

#### L. COMPENSATORY TIME

The FLSA authorizes compensatory time off in lieu of monetary overtime compensation. Compensatory time off must be approved by the Department Head and used within 30 days of being earned and before the calendar year ends. An employee should carry no more than 40 hours of compensatory time, except in an emergency situation as declared by the County Executive. If an employee accumulates more compensatory time than the limits provided for in the FLSA, payment for overtime must be made for those hours over the FLSA limits.

1. Compensatory time earned and used shall be reported by the department head for each pay period on a Cache County Time Sheet.
  - a. Compensatory Time is to be used first before Personal Leave Time (PLT)
2. An employee, covered under the overtime provisions of the FLSA, who leaves the county's employment for any reason will be compensated for any compensatory time accrued as of the date of termination.

#### M. EFFECTIVE DATE

All wage/salary, benefit, and personnel status changes which affect the payroll must be completed and submitted to Human Resources prior to the beginning of the pay period. All changes shall become effective on the first day of the pay period following the change.

#### N. DEDUCTIONS

The following taxes are automatically deducted from an employee's paycheck: Federal withholding taxes; Social security taxes (FICA); and Utah State withholding taxes. Eligible employees will also have any of the following items deducted from their paychecks:

- Health insurance premiums
- Dental insurance premiums
- Life insurance premiums
- Flexible Spending Account (FSA) monies
- Health Savings Account (HSA) monies
- 401k and 457 plan contributions
- Employee association dues

No other payroll deductions will be allowed unless at least seventy-five (75%) percent of all employees affirmatively approve and participate in the deduction.

#### O. PAYDAY and PAY CHECKS

Employees will be paid on the Friday following the end of each pay period. If the pay day falls on an official holiday, pay check print-outs will be issued on the last working day prior to that holiday.

1. All employees and elected officials will be paid by the direct deposit system. Paycheck print-outs may be picked up by the Department Head at the office of the Treasurer after 8:00 a.m. on pay day.
2. The county shall not pay an advance to or on behalf of any employee on any wage or salary earned or to be earned.
3. The employee is responsible to ensure that his/her payroll records are current and accurate. This includes hours worked, holidays/specials, changes in Personal Leave accrual rate, insurance coverage, 401k contributions, Health Savings Account (HSA), or Flexible Spending Account information (FSA).
4. Changes in an employee's wage/salary must be reported to Human Resources on a Payroll Change of Status form; HR will submit changes to the payroll specialist.

#### P. PAYROLL SCHEDULE

The payroll is administered on a bi-weekly schedule. Each payroll period commences on Sunday morning at 12:00 a.m. for a two week period and ends on the second Saturday night thereafter at 12:00 p.m.

#### Q. TIME SHEETS and LEAVE REPORTS

All employees, other than Exempt employees, are required to submit a "Cache County Time Sheet" for each payroll period. Time sheets are due no later than Monday following the end of the pay period. If an employee fails to submit a time sheet on a timely basis the employee will be paid for that "missed" payroll period with the following payroll period. All time sheets must be signed by the employee and the department head.

1. An employee who falsifies their hours worked on their timesheet will be disciplined which may include termination from employment with the County.

#### R. UNIFORM ALLOWANCES

An employee who is required by County policy to wear a special uniform will be paid a uniform allowance for the purpose of purchasing and maintaining the uniform. The amount of the uniform allowance shall be recommended by the Department Head and approved by the County

Executive. The uniform allowance may vary from one department to another depending on the requirements.

S. TERMINATION PAY

Employees who leave County service of their own volition will be paid the wages due them at the next regularly scheduled pay day. The County will also pay terminating employees for accrued Personal Leave Time or compensatory time that may be due. If the County initiates the termination of employment, and the County deems it in the spirit of better business practices, the County may choose to settle the employee's wages due at the time of employment separation.

**Cache County**  
**RESOLUTION NO. 2014 - 05**

**Regarding Deferred Compensation Retirement Plan Options Offered  
Through Utah Retirement Systems, UAC and Other Sources**

**WHEREAS**

1. Cache County currently provides its employees with the ability to choose from certain 401(k) and 457(b) Internal Revenue Code retirement plan options offered through the Utah Retirement Systems (URS); and
2. Cache County has the opportunity to provide its employees the ability to choose from additional 401(k), ROTH 401(k), 457(b), 401(a) Internal Revenue Code retirement plan options and ROTH IRA options offered through the Utah Association of Counties (UAC) in the name of Cache County, not in lieu of, but in addition to, those currently offered through URS; and
3. Cache County intends to give any one employee of Cache County the ability to choose from any one or all of the URS options, and the options offered through UAC in the name of Cache County.

**NOW THEREFORE, CACHE COUNTY, BY AND THROUGH ITS COUNTY  
COUNCIL, RESOLVES AS FOLLOWS:**

1. Cache County will, at a future date, adopt the UAC Deferred Compensation Group Trust created under Revenue Ruling 81-100 for the benefit of its employees;
2. Cache County will not interrupt any current retirement plan benefit offered to employees by the County without further consideration of options and costs and benefits to employees;
3. Cache County will pursue the following steps toward implementing this resolution:
  - A. Convene a meeting of County representatives to design a Plan in coordination with UAC representatives;
  - B. Develop, draft, and execute plan documents according to the County's specific goals and plan design;

- C. Open enrollment for the plan in a manner consistent with design meeting decisions and county needs.
- D. Consider conversion of existing plan offerings through evaluation of costs, potential benefits, and respecting the interests of county employees.

APPROVED THIS 11th DAY OF FEBRUARY 2014, AT THE MEETING OF THE CACHE COUNTY COUNCIL.

CACHE COUNTY

By: \_\_\_\_\_  
Val K. Potter, Council Chairman

ATTEST:

By: \_\_\_\_\_  
Jill N. Zollinger, County Clerk



## CACHE COUNTY

### *Office of the County Assessor*

179 NORTH MAIN • LOGAN, UTAH 84321

(435) 755-1590 • Fax (435) 755-1989

**KATHLEEN C. HOWELL**

February 4, 2014

Dear County Council Members,

Below is a list of personal property business accounts which are delinquent. After every attempt to collect the tax, we have determined these need to be cancelled by the County Council. Please review the list and consider a cancellation of taxes for the following reasons:

Cache Valley Mill and Cabinet	\$281.75	Gone Out of Business
Elated LLC	\$53.74	Moved out of Cache County
Kamin Inc.	\$73.21	Gone out of Business
Kenny Watkins	\$37.85	Home Business/Moved
Kinzan Enterprises	\$154.45	Gone out of Business
Logan Blue Print and Company	\$62.16	Evicted from place of business
Rockys Pawn and Title	\$30.20	Evicted and gone
Symbiotics	\$133.04	Out of Business

Please note that we make every attempt to locate the equipment, even when the business goes out of business or moves. The tax is a lien on the equipment so we try and find the equipment to seize in an attempt to collect the tax owed. We have used the Sheriff's office in an effort to find and secure the equipment.

If you have any questions or information on any of these delinquent accounts please feel free to contact me at my office. Thank you for your efforts.

Respectfully,

Kathleen C. Howell

Cache County Assessor