

## CACHE COUNTY COUNCIL

SANDI GOODLANDER, CHAIR  
KATHRYN A BEUS, VICE CHAIR  
DAVID L. ERICKSON  
KEEGAN GARRITY  
NOLAN P. GUNNELL  
MARK R. HURD  
BARBARA Y. TIDWELL



Cache  
County  
1857

199 NORTH MAIN STREET  
LOGAN, UT 84321  
435-755-1840  
www.cachecounty.gov

## REVISED

**PUBLIC NOTICE** is hereby given that the County Council of Cache County, Utah will hold a **REGULAR COUNCIL MEETING** at **5:00 p.m.** in the Cache County Historic Courthouse Council Chambers, 199 North Main Street, Logan, Utah 84321, **February 11, 2025.**

Council meetings are live streamed on the Cache County YouTube channel at:

<https://www.youtube.com/channel/UCa4xvEI8bnIEz3B9zw2teaA>

## AGENDA

### COUNCIL MEETING

- 5:00 p.m.**
1. **CALL TO ORDER**
  2. **OPENING** – Kathryn Beus
  3. **REVIEW AND APPROVAL OF AGENDA**
  4. **REVIEW AND APPROVAL OF MINUTES** (January 28, 2025)
  5. **REPORT OF COUNTY EXECUTIVE**
    - a. **Appointments:**
    - b. **Other Items:**
  6. **ITEMS OF SPECIAL INTEREST**
    - a. Interlocal Updates
- 5:30 p.m.**  
(Estimated)
7. **TAX RELIEF**
    - a. Hardships – Dianna Schaeffer, Tax Administration Supervisor
    - b. 2024 Tax Relief Report
  8. **TAX ROLL CORRECTIONS**
    - a. Corrections to the 2024 Assessor Tax Roll (per Utah Code §59-2-1333) – Brett Robinson, Cache County Assessor
  9. **PENDING ACTION**
    - a. **Ordinance 2025-03 – Powder Mountain Rezone 2024 Rezone**  
– Amends the County Zoning Map by rezoning 1,621 acres from the Forest 43 Recreation (FR40) Zone to the Resort Recreation (RR) Zone.
    - b. **Resolution 2025-03 – A Resolution Approving the Re-Drafted Interlocal Agreement for the Bear River Association of Governments (BRAG)**
    - c. **Resolution 2025-04 – A Resolution to Provide Approval of the Multicounty United Local Health Department Interlocal Agreement**

**10. OTHER BUSINESS**

- a. Amending the County Holiday and County Council Meeting Schedule
  - November and December Council Meetings
- b. Council Member Committee and Liaison Assignments
- c. Council Member Goals Discussion
- d. Council Group and Individual Photographs
  - Paige Liza Photography

**11. COUNCIL MEMBER REPORTS**

- 12. EXECUTIVE SESSION** – Utah Code 52-4-205(1)(d) – Discussion of the purchase, exchange, or lease of real property, including any form of a water right or water shares, or to discuss a proposed development agreement, project proposal, or financing proposal related to the development of land owned by the state.

**13. ADJOURN**

  
Sandi Goodlander, Chair

## CACHE COUNTY COUNCIL

**January 28, 2025 at 5:00 p.m. - Cache County Chamber at 199 North Main, Logan, Utah.**

*In accordance with the requirements of Utah Code Annotated Section 52-4-203, the County Clerk records in the minutes the names of all persons who appear and speak at a County Council meeting and the substance "in brief" of their comments. Such statements may include opinions or purported facts. The County does not verify the accuracy or truth of any statement but includes it as part of the record pursuant to State law.*

**MEMBERS PRESENT:** Chair Sandi Goodlander, Vice-Chair Kathryn Beus, Councilmember David Erickson, Councilmember Keegan Garrity, Councilmember Barbara Tidwell, Councilmember Nolan Gunnell, Councilmember Mark Hurd

**MEMBERS EXCUSED:**

**STAFF PRESENT:** Rod Hammer, Jeris Kendall, Matt Funk, Nathan Argyle, Alma Burgess

**OTHER ATTENDANCE:** Corbin Allen, Brooke Hontz, Olga Mariasina, Erik Anderson, Jordan Mathis

### Council Meeting

1. **Call to Order 5:00p.m. – [1:31:01](#)**
2. **Opening Remarks and Pledge of Allegiance – [1:31:24](#) David Erickson**
3. **Review and Approval of Agenda [1:33:29](#)**  
**Action:** Motion made by Councilmember Nolan Gunnell to approve the agenda; seconded by Vice Chair Kathryn Beus.  
**Motion passes.**  
**Aye: 7** David Erickson, Barbara Tidwell, Kathryn Beus, Nolan Gunnell, Sandi Goodlander, Keegan Garrity, Mark Hurd  
**Nay: 0**
4. **Review and Approval of Minutes (January 14, 2025) [1:33:35](#)**  
**Action:** Motion made by Vice Chair Kathryn Beus to approve the minutes; seconded by Councilmember Nolan Gunnell  
**Motion passes.**  
**Aye: 7** David Erickson, Barbara Tidwell, Kathryn Beus, Nolan Gunnell, Sandi Goodlander, Keegan Garrity, Mark Hurd  
**Nay: 0**
5. **Report of the County Executive [1:33:50](#) (inaudible)**
  - A. **Appointment/Discussion**  
**Action:** Motion made by Councilmember \* to approve; seconded by Councilmember \*.  
**Motion passes.**  
**Aye: 7** David Erickson, Barbara Tidwell, Kathryn Beus, Nolan Gunnell, Sandi Goodlander, Keegan Garrity, Mark Hurd  
**Nay: 0**
6. **Items of Special Interest**
  - A. **Bear River Health Department Interlocal Agreement Discussion- Jordan Mathis, Director BRHD**  
[1:40:57](#) Jordan described the details of Agreement to expand and form the Bear River Multi County United Local Health Department. The funds for substance abuse and mental health will now be funneled through the BRHD as an integrated model for behavioral health. [1:52:06](#) Vice Chair Kathryn Beus asked if BRMH will have their own governing board. Jordan answered yes. [1:52:40](#) Chair Sandi Goodlander (inaudible) Jordan answered once the agreement is final the Director will be hired. [1:54:42](#) Executive Zook (inaudible) [1:56:43](#) Attorney Jeris Kendall clarified the boards and commissions, and advisory boards with state code requirements of Council. [1:58:42](#) (partly inaudible) Discussion between Executive Zook and Jeris about the roles of the interlocal agreement. [2:00:02](#) Chair Sandi Goodlander asked (inaudible) Jeris answered there is a little more authority given from the Counties to allow the Advisory board to extend to those within the BRHD. [2:00:51](#) Executive Zook asked (inaudible) Jeris responded the Local Cooperation Act allows for delegation from the County. [2:03:06](#) Executive Zook (inaudible) Jeris

answered he would need to read the agreement. Jordan said once the governing bodies accept the position this individual becomes a department employee. He added the uniqueness to the Advisory Council is the expertise level included. ([2:03:56](#) Video from YouTube Channel matches with Audio from Cache County Website) [2:05:42](#) Executive Zook commented to be sure the aim is still set to unify. He asked Jeris how the code specified the appointment. Jeris answered he would need to look at the Title 26a closer. [2:07:47](#) Jordan added there would be an annual review by the Health Officer and the County Attorney. [2:08:17](#) Councilmember Nolan Gunnell inquired given the extended period of 50 years for the term to see a review every set amount of years. Jordan asked how that would be envisioned. Councilmember Nolan Gunnell added whatever would be useful to ensure the future body is well informed. [2:09:58](#) Jeris answered it should be simple to add annual reviews and updates. [2:10:17](#) Councilmembers Karl Ward and Nolan Gunnell commented a summary with pros and cons would be helpful. Councilmember Keegan Garrity asked if Matthew Funk would be the auditor for this contract. [2:11:29](#) Jordan answered all audits are outsourced. Councilmember Keegan Garrity asked if this changes the budget from the way it is organized now. Jordan answered it creates a position that wasn't there before and funding will need to be sorted. [2:12:55](#) Councilmember David Erickson commented with how frequent legislature changes he didn't expect it to last 50 years. Jordan agreed and said this is his third interlocal agreement he has worked through in ten years. Councilmember David Erickson added this will help the County function the best for now. [2:14:26](#) Jeris said a Resolution is prepared. Jordan commented there is a change to make first and he would give to Council. [2:15:19](#) Councilmember Barbara Tidwell called attention for Andrew to make a statement about the audio of the meeting. [2:15:28](#) Andrew gave explanation to audience and Council of audio issues.

Public Hearings 7A

[2:46:55](#) Chair Sandi Goodlander asked Jeris for clarification of who from the County appoints which boards. [2:47:31](#) Jeris responded he would need to check. [2:48:23](#) Taylor Sorenson answered the appointment is under the County legislative body. Chair Sandi Goodlander asked for comments. Councilmembers Mark Hurd and Nolan Gunnell discussed other individuals. [2:50:05](#) Councilmember Keegan Garrity asked if there were any other nominations. Mark answered just these three terms.

- B.** County Economic Opportunity Advisory Board- Shawn Milne, Cache County Economic Development Director [2:42:20](#) Councilmember Mark Hurd described the Board and suggested appointment for Bryan Carver and Darrell Simmons as members and reappointments for Executive Zook and Jamie Andrus.

**Action:** Motion made by Councilmember Keegan Garrity to approve appointments; seconded by Kathryn Beus.

**Motion passes.**

**Aye:** 7 David Erickson, Barbara Tidwell, Kathryn Beus, Nolan Gunnell, Sandi Goodlander, Keegan Garrity, Mark Hurd  
**Nay:** 0

## **7. Public Hearings**

- A.** Ordinance 2025-01 – Staker Parson North Smithfield Plant Rezone – Amends the County Zoning Map by approving the Mineral Extraction (ME) Overlay Zone on 53.86 acres located at approximately 6600 N. 400 E., near Smithfield in the Agricultural (A10) Zone. [2:16:18](#) Chair Goodlander opened for discussion. [2:16:30](#) Angie Zetterquist described rezone application and said it was approved by planning commission. Chair Sandi Goodlander opened for public. No comments.

**Discussion:** None

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

**Motion passes.**

**Aye:** 7 David Erickson, Barbara Tidwell, Kathryn Beus, Nolan Gunnell, Sandi Goodlander, Keegan Garrity, Mark Hurd  
**Nay:** 0

- B.** Ordinance 2025-02 – Rick Champlin Rezone- Amends the County Zoning Map by rezoning 29.5 acres, located at approximately 1200 W. 6200 N. Smithfield, from the Agricultural (A10) Zone to the Rural (RU2) Zone. [2:18:14](#)

Angie Zetterquist described rezone application and said planning commission recommended denial. Chair Sandi Goodlander opened for comments.

**Discussion:** [2:20:58](#) Rick Champlin spoke in favor and said the Smithfield Temple is pushing the area for change.



**Action:** [2:22:10](#) Motion made by Councilmember David Erickson to close public hearing; seconded by Councilmember Nolan Gunnell.

**Motion passes.**

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

**Nay:** 0

**C. Ordinance 2025-03 Powder Mountain Rezone 2024 Rezone- Amends the County Zoning Map by rezoning 1,621 acres from the Forest 43 Recreation (FR40) Zone to the Resort Receptions (RR) Zone.** [2:22:22](#) Angie Zetterquist described rezone application and said it was approved by planning commission. Chair Sandi Goodlander opened for comments.

**Discussion:** [2:23:44](#) Interim Director Dirk Anderson explained further this is the first of many steps to get the Master Plan complete. [2:27:06](#) Brooke described the rezone reasons and steps to get the Master Plan aligned. [2:40:25](#)

Councilmember Nolan Gunnell asked why a piece of the map shown as RR is surrounded by FR40. [2:41:00](#) Brooke answered it's a control mechanism to have all the land under one plan and one zone.

**Action:** Motion made by Councilmember Nolan Gunnell to close public hearing; seconded by Vice Chair Kathryn Beus.

**Motion passes.**

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

**Nay:** 0

## 8. Pending Action

**A. Ordinance 2025-01 – Staker Parson North Smithfield Plant Rezone- Amends the County Zoning map by approving the Mineral Extraction (ME) Overlay Zone on 53.86 acres located at approximately 6600 N. 400 E., near Smithfield in Agricultural (A10) Zone.** [2:51:44](#) Angie gave explanation of application as a start to get a gravel pit. David Erickson added history comments of the land. Keegan Garrity added Smithfield had approved the rezone.

**Action:** Motion made by Councilmember Nolan Gunnell to approve Rezone; seconded by Councilmember Keegan Garrity

**Motion passes.**

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

**Nay:** 0

**B. Ordinance 2025-02 Rick Champlin Rezone- Amends the County Zoning Map by rezoning 29.5 acres, located at approximately 1200 W. 6200 N., Smithfield, from the Agricultural (A10) Zone to the Rural (RU) Zone.** [2:53:23](#)

**Action:** Motion made by Councilmember Nolan Gunnell to deny Rezone; seconded by Councilmember Keegan Garrity

**Motion passes.**

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

**Nay:** 0

**C. Ordinance 2025-03- Powder Mountain Rezone 2024 Rezone- Amends the County Zoning Map by rezoning 1,621 acres from the Forest 43 Recreation (FR40) Zone to the Resort Recreation (RR) Zone.** [2:54:14](#) Councilmember Nolan Gunnell asked how many Council members have been to the area and looked at it and urged Council to consider long term. Chair Sandi Goodlander said it made sense to her for it to be included as one for the Master Plan. [2:56:12](#) Councilmember Keegan Garrity said he understood the concerns from Nolan but unless there are specific reasons behind why the land should not be rezoned he did not have an issue with it. [2:57:10](#) \_\_\_\_\_ from Planning Commission said it was recommended for approval 4-1. [2:57:55](#) Executive Zook commented it would be easier to have everything under one zone. [2:59:12](#) Chair Goodlander brought attention to the agenda and asked if these were initial proposals. [2:59:59](#) Council discussed to suspend rules on previous votes. [3:00:23](#) Andrew Erickson informed Council they can vote to amend the agenda.

**Action:** Motion made by Councilmember Nolan Gunnell to approve amended agenda and move Ordinance 2025-03 to Initial Proposals; seconded by Vice Chair Kathryn Beus

**Motion passes.**

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

**Nay:** 0

[3:00:55](#) Vice Chair Kathryn Beus said she didn't see reason to wait for the two weeks.

**Action:** No motion made

**Motion will be considered in two weeks**

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

**Nay:** 0

## 9. Initial Proposals for Consideration of Action

- A. **Resolution 2025-03 – A Resolution Approving the Re-drafted Interlocal Agreement of the Bear River Association of Government (BRAG)** – Approves Re-Drafted BRAG Interlocal Agreement that was presented before the Council in its January 28<sup>th</sup> (this) meeting.

**Discussion:** [3:02:14](#) Andrew Erickson asked Jeris to speak concerning a procedural change. [3:02:43](#) Jeris said this Resolution needs to be postponed due to a conflict with state code.

**Action:** Motion made by Councilmember \* to approve Ordinance/Resolution; seconded by Councilmember \*.

**Motion passes.**

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

**Nay:** 0

- B. **Resolution 2025-04 – A Resolution to Provide Approval of the Multicounty United Local Health Department Interlocal Agreement**- Approves the Interlocal Agreement that was presented before the Council in its January 28<sup>th</sup> (this) meeting.

[3:03:38](#) Councilmember David Erickson said this would be revisited in two weeks.

- C. **Resolution 2025-05 – A Resolution Approving the Silva Farm Round One Open Space Application** – Presented by Brandon Bell, Countywide Planner, Cache County Development Services

[3:04:09](#) Brandon Bell spoke about the open space application and said it was recommended for approval by COSAC.

[3:15:24](#) Councilmember Nolan Gunnell asked if there would be a trail since there was a contradiction with the application and staff report. Brandon answered the applicant has agreed to trail access on the East and North sides.

[3:16:02](#) David Erickson pointed out the Resolution is named Silva Wellsville Open space. Brandon said that was an error on his part. [3:16:12](#) Executive Zook said he worked on a similar application 10 years ago that struggled with funding. He asked if COSAC considered proximity and if it's a compelling enough case to secure the funds. Brandon responded he couldn't speak to the development pressure. He added work with the department of agriculture and food to secure funding has been done. [3:18:57](#) Councilmember Nolan Gunnell said he did not see an urban development as fruitful.

Executive Zook said he is certainly not opposed to it but prioritization should be considered with concern the money could go quickly. [3:20:47](#) Chair Goodlander asked for clarification of the 10% evaluation. [3:21:19](#) Chris Sans of COSAC stated the distance and lack of pressure was part of the reason some commissioners felt like limiting the amount of contribution. He added there is interest in preserving it as its some of the best farming grounds. [3:25:14](#) Councilmember Keegan Garrity provided facts from previous council meetings and summarized the considerations with his agreement to prioritization with timeliness. [3:26:48](#) Chair Goodlander opened for motion.

**Action:** Motion made by Councilmember David Erickson to suspend rules and approve Resolution as amended to include city of Trenton and exclude Wellsville; seconded by Councilmember Nolan Gunnell.

**Motion passes.**

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

**Nay:** 0

## 10. Other Business

- A. Individual Council Member Goal

B. Final draft of County Council Member assignments (Department Liaisons, Committees, Boards, etc.)  
[3:27:56](#) Chair Goodlander asked Council to review the list of their assignments and asked if the waste consortium committees are still active. Councilmember David Erickson answered yes. Vice Chair Kathryn Beus asked what the water consortiumist is echoed by Councilmember Nolan Gunnell. Discussion among Council with suggestion from Executive Zook the term is a typo meant to be Waste. Further discussion. [3:30:59](#) Councilmember Barbara Tidwell said she is willing to do COG but the meeting time is conflicting with her schedule.

C. UAC Day on the Hill February 5, 2025

**11. Councilmember Reports - None**

David Erickson –  
Sandi Goodlander –  
Keegan Garrity –  
Barbara Tidwell –  
Kathryn Beus –  
Nolan Gunnell –  
Mark Hurd –

**12. Executive Session – Utah Code 52-4-205(1(d) – Discussion of the purchase, exchange, or lease of real property, including any forms of a water right or water shares, or to discuss a proposed development agreement, project proposal, or financing related to the development of the land owned by the state.**

[3:32:55](#)

**Action:** Motion made by Councilmember Nolan Gunnell to close Council Meeting and move to Executive Session; seconded by Councilmember Mark Hurd.

**Motion passes.**

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

**Nay:** 0

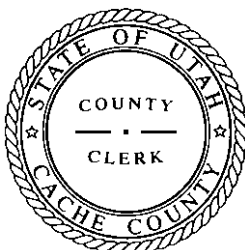
**Adjourn:** 7:30 PM [3:33:22](#)

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**APPROVAL: Sandi Goodlander, Chair  
Cache County Council**

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



## CACHE COUNTY COUNCIL WORKSHOP

January 28, 2025 at 3:30 p.m. - Cache County Chamber at 199 North Main, Logan, Utah.

*In accordance with the requirements of Utah Code Annotated Section 52-4-203, the County Clerk records in the minutes the names of all persons who appear and speak at a County Council meeting and the substance "in brief" of their comments. Such statements may include opinions or purported facts. The County does not verify the accuracy or truth of any statement but includes it as part of the record pursuant to State law.*

**MEMBERS PRESENT:** Chair Sandi Goodlander, Vice-Chair Kathryn Beus, Councilmember David Erickson, Councilmember Barbara Tidwell, Councilmember Keegan Garrity, Councilmember Nolan Gunnell, Councilmember Mark Hurd.

**MEMBERS EXCUSED:**

**STAFF PRESENT:** Executive David Zook, Bryson Behm, Bartt Nelson, Taylor Sorensen, Matt Funk, Tennille Johnson, Giselle Madrid, Bart Esplin, Craig McAllister, Julie Terrill, Matt Phillips, Dennis Gardner, Amy Adams, Michael McGinnis, Bob Low, Rod Hammer, Dirk Anderson

**OTHER ATTENDANCE:**

### Council Meeting

1. **Call to Order 3:30p.m.** – [1:49](#) Chair Goodlander opened (audio technical difficulties) and thanked everyone for all their hard work.

2. **Goal Setting With Elected Officials and Department Heads**

[3:10](#) Chair Goodlander invited Bartt Nelson, IT Director/Dept. Head, to speak. [3:32](#) Bartt shared the IT department mission to lead, unify, and boost productivity with the help of technology, programs, and infrastructure for the county. Their vision was to keep up to date on technology, to be ready as the future compatibility, and interoperability for running programs as well as being up to date on cyber security. [5:56](#) Bartt talked about the values IT decided to uphold in 2025; increase technical aptitude, knowledge, skill sets, and a service mentality. IT decided to strive to be built on accountability, reliability, and fiscal responsibility. [6:42](#) Bartt shared IT department goals; to rebuild and update the nearly county-wide Wi-Fi infrastructure, keep down time at a minimum, meet the requirements of all the county departments and other data needs for the county, and to maintain security for data availability. [8:48](#) Bartt concluded and opened for questions and comments from council. [8:57](#) Chair Goodlander thanked Bartt Nelson.

[9:06](#) Chair Goodlander invited Taylor Sorensen, Attorney Dept. Head, to present. [9:16](#) Taylor discussed the attorney offices goals for managing growth. Due to increased juvenile cases, misdemeanor cases, and number of city justice court closures, a new Justice Court/Juvenile Court Hybrid Judge was recommended in the first district. Taylor mentioned the need for another attorney to help in the courtroom and named Daniel Major, currently Chief Deputy Attorney, as best qualified for the position. Taylor speculated an additional legal assistant may be needed as well as additional work space. [11:51](#) Another goal of the Attorneys Office was to continue to enhance county compliance of state code, grant requirements, and for Cache County to be as transparent and law abiding as any other county in the state of Utah. [12:10](#) Taylor discussed a goal for the victims services division of the department to work closer to and collaborate with community partners such as CAPSA and the Red Cross including community victims of circumstance. [12:53](#) Taylor concluded proposing possible need budget alterations to help with the goals discussed when appropriate. [13:13](#) Chair Goodlander asked about justice court closures. [13:21](#) Taylor said that Hyrum justice court was still functioning, but North Logan and Smithfield justice courts were likely to close in 2025. Logan City justice court was still functioning as well as Wellsville and Nibley justice courts. Taylor mentioned that Hyrum's justice court judge would retire within the next couple years. [14:01](#) Chair Goodlander thanked Taylor Sorensen.

[14:04](#) Chair Goodlander spoke (audio technical difficulties). [14:51](#) Matt Funk Auditor Dept. Head, discussed challenges with institutional memory due to staff turnover and added that the employees did quality work and are great assets. [16:01](#) Matt shared the goals of his department; one being to restart the internal audit function with the help of other counties programs and resources. [16:33](#) Another goal Matt shared was to update the budget process to help department heads and the executives office while increasing visibility of the process to council members and the citizens. The department said they

would aim to have an electronic budget workbook available as a reference after the budget process. [17:14](#) Matt Funk asked if council had any questions before thanking council.

[17:22](#) Chair Goodlander spoke (audio technical difficulties) and invited Bryson Behm, Clerk Dept. Head, to present. [17:46](#) Bryson presented the Clerks Offices goals; the first was an increased community outreach by expanding visibility and transparency of election related processes through social media and to work helping students at the university know what they need to do. [18:13](#) Councilmember Barbara Tidwell entered chambers. [18:40](#) Another goal Bryson shared was to hold quarterly open houses starting in March with a hope to involve younger children in the process by a voter sticker design contest. [19:07](#) Bryson explained the Clerks Office and Elections Crew planned to improve their efficiency by an equipment update and a continuation of record digitization so they can be viewed by the public. [19:37](#) Bryson spoke about the Clerks Office long-term goals of keeping up with register voter growth and planned to get additional equipment when needed. [20:18](#) Bryson asked council if they had any questions. [20:24](#) Chair Goodlander asked Bryson to send paperwork to Andrew (audio technical difficulties).

[21:06](#) Chair Goodlander asked Tennille Johnson, Recorder Dept. Head, to present. [21:16](#) Tennille explained the departments goal to update and digitize ownership maps and gave council 2 example maps. With the digitization process they would be able to update ownership changes, (audio technical difficulties), and dimensions quickly and efficiently to enable the community to view them faster. [22:08](#) Tennille shared the short-term goal to create space for the 6 interns who would work on the map update project. [22:30](#) Tennille discussed the ARPA funds received for 2025 and 2026 would be used, in part, to hire the interns from May to October to complete the remaining 1,400 of the 4,000 city blocks and subdivision maps. [22:58](#) 4 full time employees would work on the PLSS maps with a goal to finish 25 maps a month. Tennille asked council to keep in mind that the PLSS map project would take longer because it was additional work to the daily tasks required of employees and would require a high level of skills, knowledge, and extensive research to complete. Tennille said her department hoped to complete the project by 2029, but the project was contingent on a variety of uncontrollable conditions including interest rates and developments. [24:13](#) Tennille invited anyone who would like to understand the process better to visit her office. [24:31](#) Councilmember Nolan Gunnell entered chambers. [24:39](#) Tennille asked council if they had any questions. [24:41](#) Vice Chair Kathryn Beus asked if the digitization of property deeds had been completed. [24:57](#) Tennille confirmed the property deeds project had been completed and mentioned the use of ARPA funds for those. [25:20](#) Chair Goodlander thanked Tennille Johnson.

[25:28](#) Giselle Madrid, Senior Center Director, presented her department mission was to empower older adults to live a fulfilling and independent life with dignity. Their vision was to be the heart of our community where older adults thrive with vitality, purpose, and joy. [25:43](#) Giselle stated the Senior Centers values were compassion, excellence, and trust and strive to be of service to the community. [25:50](#) To meet this, the department had set goals such as increased knowledge and outreach of meals on wheels into the community, increase education and support of Medicare and Medicaid while assisting patrons to fill out food stamp applications (audio technical difficulties), to provide and secure funding through a CDBG grant and community donations for meals on wheel vehicle replacements, and to work towards another senior center in the community. [27:10](#) Giselle discussed the growth from the 961 registered patrons in 2020 to 3,125 patrons as of December 31, 2024 and 3,160 since January 26, 2025. [27:42](#) As for growth within the meals on wheels program, from 2021 to December 31, 2025 they saw a 55% increase; 28,000 meals in 2021 to about 150,532 (audio technical difficulties) meals in 2024. (Audio technical difficulties). From 2024 to 2025 they saw a 24% increase of meals served. [28:18](#) Programs were being affected because the increase of registered patrons use of the senior center. More classes in the arts had been added such as ukulele, dance, ballet, ceramic, and watercolor. [28:40](#) The senior center needed more kitchen and multipurpose space. [28:53](#) Giselle asked council if they had questions. [28:54](#) Councilmember Nolan Gunnell asked what the \$60,000 gift was used for in 2024 (audio technical difficulties). [29:04](#) Giselle asked council to have the \$60,000 rolled over to 2025 so the Senior Center could use it towards the capital funds. [29:13](#) Chair Goodlander spoke (audio technical difficulties).

[29:23](#) Chair Goodlander invited Bart Esplin, Fairgrounds Manager, to present. [29:45](#) Bart described the fairgrounds department objective to help people make memories by providing a venue for events including the County Fair. To

accomplish this they needed to maintain and improve their facilities. [30:38](#) Bart said the Fairgrounds had an aging infrastructure and a water line that had leaks which would cripple major events in the future if not dealt with. Other critical and not as critical areas that needed work were noted to include roads, trees, bridges, and power. [31:56](#) Bart explained that because of a cut fiber, when the power went out at the fairgrounds, the Sheriff's Office was down too. [32:26](#) Bart expressed the inevitable need for more space for big county events such as the fair and suggested the county look for a larger and centrally located property to move the fair grounds to. There were 80,000 visitors for the county fair over 4-5 days in 2024 and Bart said he saw parking space issues in the surrounding neighborhoods during these large events. [33:51](#) Bart shared that these were the larger and more pressing issues and that he had another extensive list of smaller issues that would need attention as well. Bart asked council if they had any questions. [34:10](#) Chair Goodlander spoke (audio technical difficulties) and Bart Esplin thanked council.

[34:14](#) Chair Goodlander invited Craig McAllister, Treasurer Dept. Head, to present. Craig passed copies to councilmembers. [35:31](#) Councilmember David Erickson asked a question (audio technical difficulties) and Craig responded (audio technical difficulties). [35:37](#) Craig mentioned the state average was 93.92 (audio technical difficulties) and said the department planned to try to beat 2024s average and had until January 31<sup>st</sup>, 2025 to do so. [36:13](#) Craig noted at that point they were at 1.9 million over (audio technical difficulties). Craig discussed that goals and tracking were important (audio technical difficulties) and they would try to take care of customers at the front end. [36:42](#) On one of the properties, the family did not want to move into (audio technical difficulties). [36:53](#) The other one had a death within their family (audio technical difficulties). [37:05](#) Craig explained his department would try to continue to treat community members with dignity and hoped they would be happier in the process. [37:15](#) Craig reminded council there were summary numbers on the copies he handed out. [37:21](#) Craig discussed his planed collaboration with Matt Funk, Auditor Dept. Head, for historical abatements. Craig said he hoped he and Matt could find a way to help with the circuit breakers decline. (audio technical difficulties) [38:03](#) Craig spoke about communicating with the Records office project of updating maps and working close with IT to get delinquency property tax map information using an example. [40:17](#) Councilmember Nolan Gunnell asked if the example showed a property that the tax noticed was missed (audio technical difficulties). Craig responded (audio technical difficulties). [40:52](#) Craig asked council if there were any more questions. [40:55](#) Chair Goodlander thanked Craig McAllister.

[41:06](#) Chair Goodlander invited Julie Terrill, Tourism Dept. Head, to present. [41:19](#) Julie discussed projects she decided to get done this year. The first was redesigning the website to improve the visitor experience and automate updates. [41:47](#) She talked about updating the calendar system to make processes run more efficiently and getting a replacement cash register system which would require them to re-enter inventory, code, taxes, and more. The new system would be a much needed change to increase efficiency. [42:58](#) Julie talked about working with hotels to get tour buses and educating tour agents/companies all over the world about what hotels were available in the county. The process would be difficult and often had a lot of negotiation that had to happen. [44:03](#) In 2023, tourists spent over \$230 million in the county. Julie said her department was working hard to increase that number through many ways including museums, events, hotels, restaurants, and organizations. [44:40](#) Julie mentioned her team also would look for ways to support surrounding businesses when there would be construction and schedule changes. [45:36](#) Julie talked about celebrating her 20 years working for the county and thanked council for support and flexibility in order for her to be able to do her job sucessfully. [46:06](#) Chair Goodlander asked council if they had any questions. [46:07](#) Councilmember Nolan Gunnell asked how they differentiate business trips from tourists. [46:18](#) Julie responded that the Chem Garden Institute at University of Utah had a formula that provided numbers including business tourism and recreational tourism. Bigger cities were able to track conferences and attendance numbers to determine financial impact of specific tourism type, but Cache County didn't have a way to accomplish that. [46:58](#) Julie asked if there were any more questions. [47:00](#) Chair Goodlander thanked Julie Terrill.

[47:02](#) Chair Goodlander invited Matt Phillips, Director of Public Works, to present. [47:20](#) Matt passed out copies to council shared that the allotted time would only allow for a snapshot of what service his department provided and what they hoped to accomplish in 2025. [48:46](#) A long term goal Matt shared was for his department to become accredited through APWA which would help them establish master plans and storm water plans. [49:11](#) Matt noted that they had lost knowledge and information due to employee turnover and that being accredited would help their record keeping with the collaboration of



other departments. Matt acknowledged the department did have other smaller goals that dealt with road and bridge repair. [50:00](#) He explained why accreditation would be a big accomplishment and mentioned that completing the program would help show the leadership, knowledge, and quality of the work that went on in Cache County. [51:15](#) Matt apologized to council if he missed the mark and invited councilmembers to stop by Public Works to understand details of processes and see operations. [51:46](#) Vice Chair Katherine Beus asked how close Public Works was to becoming accredited. [51:49](#) Matt explained it was usually a 2-3 year program that started with a self-evaluation overseen by a staff member. Then the department could apply to the program and would have the support and guidance of other Public Work facilities as the APWA would come in. [52:52](#) He talked about looking at cost, materials, and certifications that would be needed in the process. [53:19](#) Chair Goodlander asked for Matt to keep council updated and to let them know what support his team would need. [53:23](#) Matt Phillip thanked council.

[53:26](#) Chair Goodlander invited Dennis Gardner, Facilities Main. Manager, to present. [53:40](#) Dennis shared his career background and outlined his department priorities; to upkeep the building and its mechanical workings, sell surplus property, and the maintenance of the safety and security of both county buildings and employees. [54:23](#) He explained one of the top goals for his department was to repair the main sewer line starting in February of 2025. Dennis said he looked at funding possibilities said it would be the best time to do it because the City had planned similar work in an area close by. [55:38](#) He discussed price and options for the addition of another work space in the auditor's office. The first bid was 30,000 and said he would work to reduce the cost as much as possible. Dennis prided himself on having very productive and qualified employees to ensure the best possible work to be done. [56:16](#) Councilmember Nolan Gunnell made a comment (audio technical difficulties). [56:25](#) Dennis talked about 2 HB AC unit replacements his team was aware of and noted his teams focus on low impact for the county and tax payers while trying to stagger when replacements would be need to be bought in future. [57:12](#) The LED lighting was gradually replaced, auto locks were planned to be installed using ARPA money as well as updating security cameras with the option of sound. [58:51](#) Dennis discussed a plan for parking lot lighting that would also use ARPA funding. [59:01](#) He suggested future long-term goals such the parking lot being re-asphalted, the under lane foundation redone, and the addition of a generator for the old courthouse. He mentioned the grid is overloaded and said he could see it being a future issue. [1:00:05](#) Katherine Beus commended for how beautifully grounds and buildings were kept. [1:00:34](#) Dennis Gardner thanked council.

[1:00:36](#) Chair Goodlander listed departments who still needed to present and asked (audio technical difficulties) Amy Adams, Personal Management Director, to present. [1:01:03](#) Amy stated their department mission was to be leaders and partners committed to delivering strategic and aggressive human resource and management solutions that would support and inspire excellence in their workforce. [1:01:35](#) The values they set include integrity and culture. A goal was set to revamp the new employee orientation to encourage and strengthen employee culture at Cache County through appreciation events. [1:02:41](#) Another value set was accessibility and they planned a time clock procedure upgrade through the bamboo system that would start with the fire department and work through one department at a time while also increasing education on how to use bamboo better. [1:04:02](#) The department set a goal to increase mutual respect and excellence in the form of supervisor leadership training. [1:04:31](#) Amy had an overarching goal to update policy and procedures. [1:04:42](#) Another way they planned to achieve excellence was to increase councils understanding on the importance of having competitive compensation to retain and attract quality employees. Amy asked if council had any questions. [1:05:05](#) Chair Goodlander spoke (audio technical difficulties).

[1:05:09](#) Chair Goodlander invited Michael McGinnis, Managing Public Defender, to present. [1:05:22](#) Michael passed copies out to council (audio technical difficulties) and said his team had been able to finish about 90% of the plan within the first 3 years. He thanked council for all their help and support they received with it and commended his teams hard work. [1:06:07](#) Michael shared their mission for 2025; provide exceptional, zealous, and ethical advocacy to the citizens while ensuring their constitutional rights are fully protected and that justice is served fairly and accurately for all. [1:06:22](#) Michael described his departments short-term goal to gain additional support in the way of staff. [1:06:36](#) Michael suggested a social worker program would help keep people out of the criminal justice system and possibly lower the rate of crime. The program proposed would also help citizens with getting employment, applying to programs, and find housing. They saw the impact

that employing a social worker for child welfare cases had within the last year and saw the continued need with the areas described. [1:07:16](#) Another long-term goal Michael's team set was to restructure their department to match the County Attorney's Office in additional office space and number of public defender employees. [1:07:34](#) Michael shared his hope to partner with the IDC to fund the goals he spoke about. [1:07:43](#) Michael McGinnis thanked council and asked if they had any questions. [1:07:49](#) Chair Goodlander thanked Michael.

[1:07:51](#) Chair Goodlander invited Bob Low, Airport Director, to speak. [1:08:03](#) Bob said his team's biggest goal was to have a safe and well run airport by passing the FA139 inspection every year and to interface well with the community and tenants (audio technical difficulties). [1:08:31](#) The Airport planned to work towards having a knowledgeable, professional, and proactive team. Bob shared that he had learned a lot about building teams and was recently able to hire a couple more qualified team members. [1:09:06](#) He wanted to increase his team's knowledge of what the 139 standards were (audio technical difficulties) with trainings and reviews to know when and how to fix issues as mandated by protocol. [1:10:10](#) Bob explained that his department was well into the team building phase and asked council if they had any questions. [1:10:22](#) Madam Chair Goodlander thanked Bob Low.

[1:10:24](#) Chair invited Rod Hammer, Fire Chief, to present and he passed copies out to councilmembers. [1:10:52](#) The fire district mission was set to protect lives, property and the environment with a vision to provide a highly effective and efficient fire service in Cache County. [1:11:02](#) The values they set were to strive for included fidelity, integrity, respect, and excellence (audio technical difficulties). [1:11:10](#) Rod explained he wanted to be able to determine the future of the fire service through continued work on the fire district. [1:11:23](#) He shared that he wanted to find new fire chief who would keep things moving forward to set up the fire district successfully(audio technical difficulties). [1:11:45](#) Chair Goodlander thanked Rod Hammer.

[1:11:52](#) Chair Goodlander invited Dirk Anderson, Chief Deputy Executive, to present and thanked for meeting with them a day previous. [1:12:12](#) Dirk complimented Cache County employees for their continued hard work naming Stephen Reeder, Development Services, and the Planning and Zoning departments for their current and future zoning code and great work to navigate conflict and challenges. [1:13:00](#) He expressed his gratitude for the Building, GIS, and Trail divisions inspiring passion and quality shown in their work. [1:13:21](#) Dirk explained challenges Development Services faced with the variety of customer needs and their work to balance the citizens' rights to property while still respecting their neighbors rights, all while following code. [1:14:18](#) Dirk thanked the planning commission and councilmembers for all their dedication. [1:14:42](#) He made a goal to ask County employees to increase their knowledge and understanding of internal processes and code. He hoped this would boost the efficacy of communication and, in turn, speed up the efficiency of Development Services. [1:15:26](#) Chair thanked Dirk (audio technical difficulties) and everyone else involved in the workshop. [1:15:55](#) Chair Goodlander asked for continued communication for council to provide additional support (audio technical difficulties) and closed the workshop.

**3. Adjourn [1:16:07](#)** (audio technical difficulties)

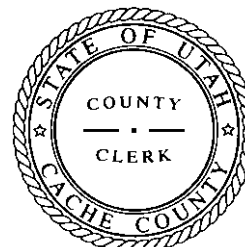
**Adjourn: 7:30 PM**

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

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





Parcel	Code	May Market	Boe Change Mkt	Other Change Mkt	Current Market	May Taxable	BOE Change Txbl	Other Change Txbl	Current Taxable
07-123-0001	11	0	0	111,385	111,385	0	0	111,385	111,385
07-123-0002	11	0	0	140,460	140,460	0	0	140,460	140,460
07-123-0003	11	0	0	114,041	114,041	0	0	114,040	114,040
07-123-0004	11	0	0	177,224	177,224	0	0	177,220	177,220
07-123-0005	11	0	0	58,043	58,043	0	0	58,045	58,045
09-036-0017	19	76,500	0	0	76,500	76,500	0	-75,975	525
09-046-0023	18	0	0	612	612	0	0	610	610
15-041-0002	24	43,735	0	0	43,735	43,735	0	-43,235	500
16-100-0016	31	130,050	-12,700	0	117,350	130,050	-12,700	0	117,350
17-017-0011	1	345,175	0	0	345,175	345,175	0	-74,060	271,115
04-004-0029	14	0	0	322,200	322,200	0	0	322,200	322,200
04-011-0070	14	145,000	0	749,407	894,407	145,000	0	346,925	491,925
14-022-0038	22	247,656	0	0	247,656	247,655	0	-229,265	18,390
19-020-0001	11	129,000	0	-104,500	24,500	129,000	0	-104,500	24,500
01-102-0009	2	106,250	0	0	106,250	106,250	0	-105,730	520
01-102-0027	2	106,250	0	0	106,250	106,250	0	-105,730	520
19-020-0012	3	9,000	0	-8,999	1	9,000	0	-8,999	1
12-016-0002	228	162,900	0	0	162,900	162,900	0	-162,400	500
04-044-0038	14	113,000	0	-111,200	1,800	113,000	0	-111,200	1,800
13-085-0001	26	105,600	0	245,515	351,115	105,600	0	135,035	240,635

# Ordinance No. 2025-03

## Cache County, Utah

### Powder Mountain Rezone 2024 Rezone

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An ordinance amending the County Zoning Map by rezoning 1,621 acres from the Forest Recreation (FR40) Zone to the Resort Recreation (RR) Zone.

**Whereas**, the “County Land Use Development and Management Act,” Utah Code Ann. §17-27a-101 et seq., as amended (the “Act”), provides that each county may enact a land use ordinance and a zoning map establishing regulations for land use and development; and

**Whereas**, pursuant to the Act, the County’s Planning Commission (the “Planning Commission”) shall prepare and recommend to the county’s legislative body, following a public hearing, a proposed land use ordinance and a zoning map, or amendments thereto, that represent the Planning Commission’s recommendations for zoning the area within the county; and

**Whereas**, the Planning Commission caused notice of a public hearing for the rezone to be posted at least ten (10) days before the date of the public hearing; and

**Whereas**, on December 5<sup>th</sup>, 2024, the Planning Commission held a public hearing, accepted all comments, and recommended the approval of the proposed amendments to the County council for final action; and

**Whereas**, the Act also provides certain procedures for the county legislative body to adopt or reject amendments to the land use ordinance and zoning map for the county; and

**Whereas**, on January 28<sup>th</sup>, 2025, the County Council held a public hearing, to consider any comments regarding the proposed rezone. The County Council accepted all comments; and

**Whereas**, the Cache County Council has determined that it is both necessary and appropriate for the County to amend and implement this ordinance.

**Now, therefore**, the County Legislative Body of Cache County ordains as follows:

**1. Statutory Authority**

The statutory authority for enacting this ordinance is Utah Code Annotated Sections 17-27a Part 1 and Part 3, and 17-53 part 2(1953, as amended to date).

**2. Adoption of amended Zoning Map**

The County Council hereby amends the County’s Zoning Map to reflect the rezone of the property affected by this ordinance and hereby adopts the amended Zoning Map with the amendment identified as Exhibit B, of which a detailed digital or paper copy is available in the Development Services Department.

### **3. Conclusions**

- A.** The location of the subject properties to be rezoned are compatible with the purpose of the Resort Recreation (RR) Zone:
  - i.** To allow mountain resort and recreation development within Cache County on privately held land. This zone allows for multiple mountain resort and recreation uses within a master planned area. The regulations of the zone are designed to:
    - i.** Provide new recreation opportunities in northern Utah and create destination resort options for the county; and
    - ii.** Promote interesting, creative, and indigenous mountain landscaping, design and architecture that blends in with natural surroundings and follows project specific design guidelines; and
    - iii.** Stimulate the local economy and increase the tax base of the county; and
    - iv.** Protect the county's environment; and
    - v.** Regulate and control development
- B.** The rezone is partially consistent with the Cache County General Plan:
  - i.** The Cache County General Plan has identified this area as "Mountain Rural and Conservation". The preferred land uses of this area includes outdoor recreation and tourism while secondary land uses includes resorts.
- C.** The nearest parcel in the Resort Recreation (RR) Zone is directly adjacent to the south and south-west.

### **4. Prior ordinances, resolutions, policies, and actions superseded**

This ordinance amends and supersedes the Zoning Map of Cache County, and all prior ordinances, resolutions, policies, and actions of the Cache County Council to the extent that the provisions of such prior ordinances, resolutions, policies, or actions are in conflict with this ordinance. In all other respects, such prior ordinances, resolutions, policies, and actions shall remain in full force and effect.

### **5. Exhibits**

- A.** Exhibit A: Rezone summary and information
- B.** Exhibit B: Zoning Map of Cache County showing affected portion.

### **6. Effective date**

This ordinance takes effect on \_\_\_\_\_, 2025. 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.

**7. Council Vote and Final Action**

Date: ____ / ____ / ____	<u>Council Votes</u>			
<u>Council members</u>	In Favor	Against	Abstain	Absent
Kathryn Beus				
Dave Erickson				
Sandi Goodlander				
Nolan Gunnell				
Mark Hurd				
Barbara Tidwell				
Keegan Garrity				
<b>Total:</b>				
<b>Final action:</b>	_____ <b>Adopt</b> _____ <b>Reject</b>			

Cache County Council:

Attest:

\_\_\_\_\_  
Sandi Goodlander, Chair\_\_\_\_\_  
Bryson Behm, County Clerk

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## Action of the County Executive

Regarding Ordinance 2025-03, Powder Mountain Rezone 2024 Rezone

\_\_\_\_\_ Approve

\_\_\_\_\_ Disapprove (A Statement of Objection is attached)

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David Zook, Executive  
Cache County

Date

**Ord 2025-03**

**Powder Mountain Rezone 2024 Rezone**

**Amending the Cache County Zoning Map by rezoning 1,621 acres  
from the Forest Recreation (FR40) Zone to the Resort Recreation (RR) Zone**

**County Council action**

Hold a public hearing on January 28<sup>th</sup>, 2025.

If approved, the rezone will take effect 15 days from the date of approval.

**Planning Commission action**

Approval (4-yea; 0-nay).

Public hearing held on December 5<sup>th</sup>, 2024

Conclusion: Based on the findings of fact noted [in the staff report], the Powder Mountain Rezone 2024 rezone is hereby recommended for approval to the County Council as follows:

1. The location of the subject properties to be rezoned are compatible with the purpose of the Resort Recreation (RR) Zone:
  - a. To allow mountain resort and recreation development within Cache County on privately held land. This zone allows for multiple mountain resort and recreation uses within a master planned area. The regulations of the zone are designed to:
    - i. Provide new recreation opportunities in northern Utah and create destination resort options for the county; and
    - ii. Promote interesting, creative, and indigenous mountain landscaping, design and architecture that blends in with natural surroundings and follows project specified design guidelines; and
    - iii. Stimulate the local economy and increase the tax base of the county; and
    - iv. Protect the county's environment; and
    - v. Regulate and control development
2. The rezone is partially consistent with the Cache County General Plan:
  - a. The Cache County General Plan has identified this area as "Mountain Rural and Conservation". The preferred land uses of this area includes outdoor recreation and tourism while secondary land uses includes resorts.
3. The nearest parcel in the Resort Recreation (RR) Zone is directly adjacent to the south and south-west.

**Staff Report review by Planning Manager**

Angie Zetterquist

**Staff Report by County Planner**

Conner Smith

41    **General Description**

42    This ordinance amends the County Zoning Map by rezoning 1,621 acres from the Forest  
43    Recreation (FR40) Zone to the Resort Recreation (RR) Zone.

44

45    **Additional review materials included as part of Exhibit A**

46    Staff Report to Planning Commission – revised



**Staff Report:** Powder Mountain Rezone 2024 Rezone

5 December 2024

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:** Brooke Hontz

**Parcel ID#:** Multiple, See A-1-a-i

**Staff Recommendation:** None

**Type of Action:** Legislative

**Land Use Authority:** Cache County Council

**Location**

*Reviewed by Conner Smith*

**Project Address:**

**Acres:** 1,621

North of Powder  
Mountain Resort

**Current Zoning:**

Forest Recreation (FR40)

**Proposed Zoning:**

Resort Recreation  
(RR)

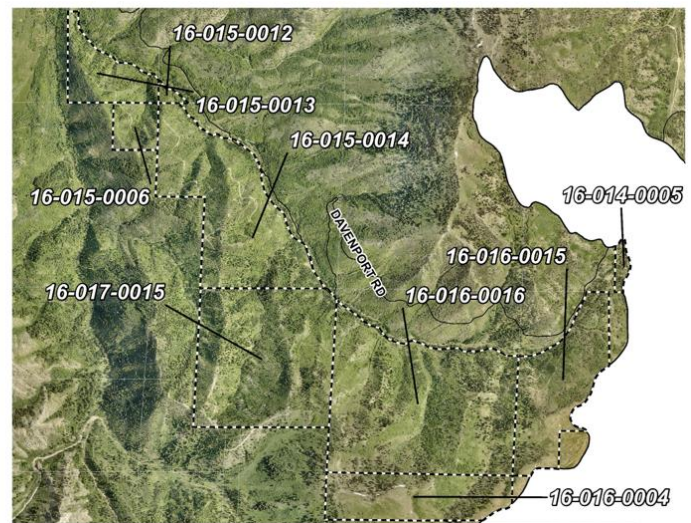
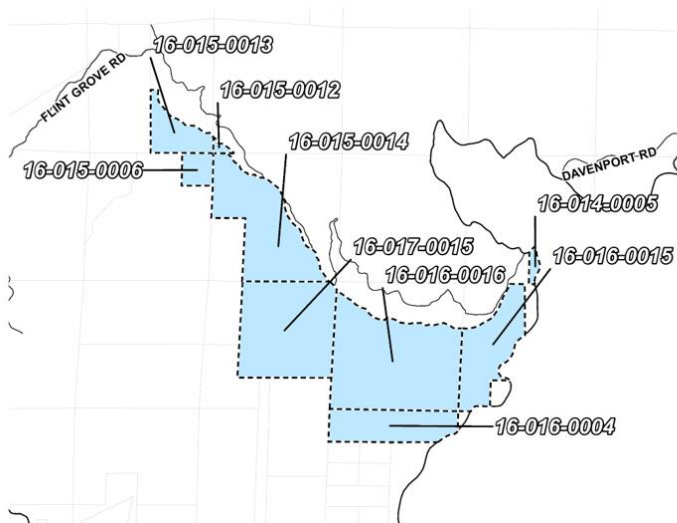
**Surrounding Uses:**

North – Recreation/Forest

South – Recreation/Forest

East – Recreation/Forest

West – Recreation/Forest



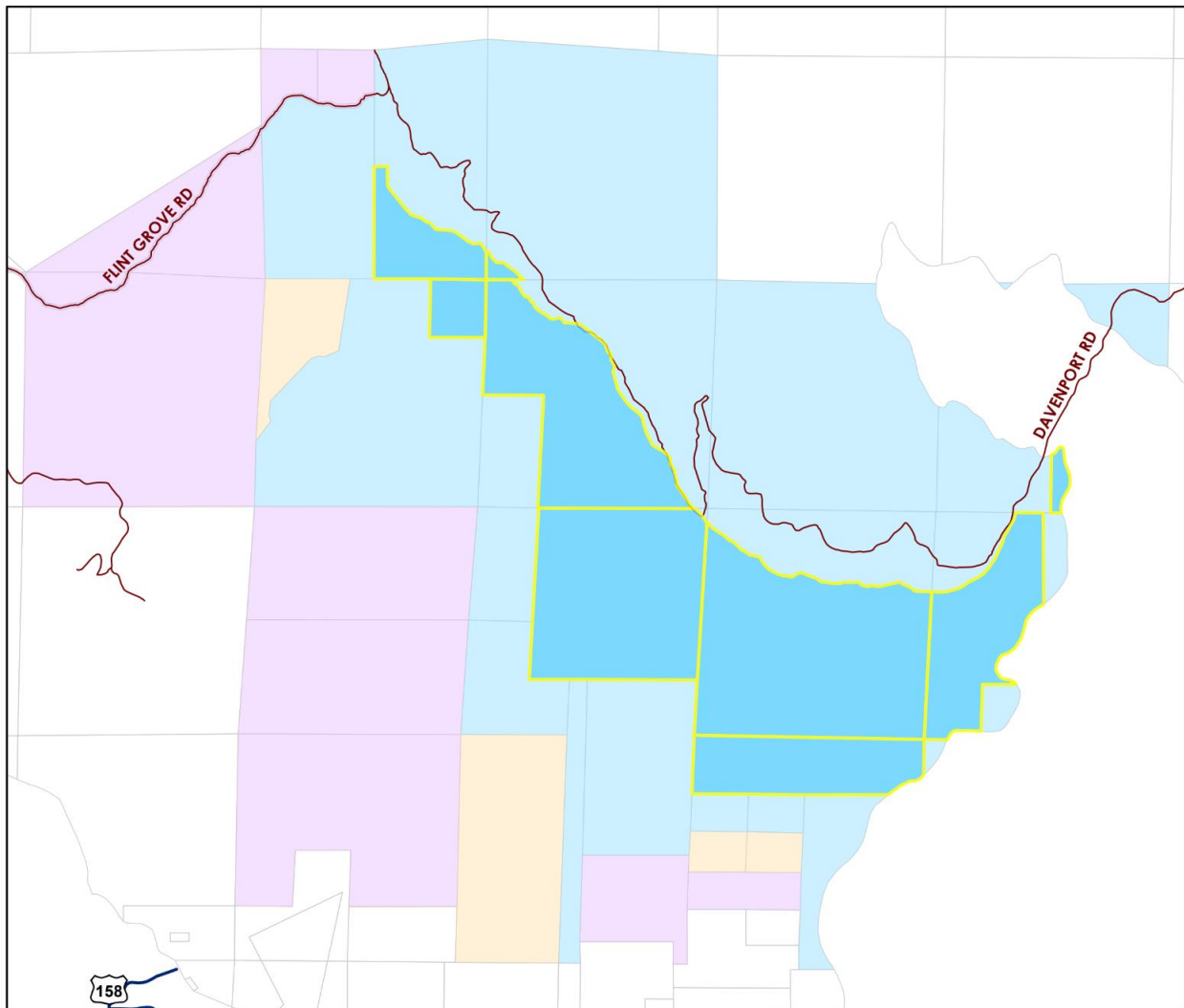
**Findings of Fact**

**A. Request description**

1. A request to rezone 1,621 acres from the Forest Recreation (FR40) Zone to the Resort Recreation (RR) Zone.
  - a. Included parcels:
    - i. 16-014-0005, 16-015-0006, -0012, -0013, -0014, 16-016-0004, -0015, -0016, 16-017-0015
2. This rezone may allow the parcels to establish uses permitted in the Resort Recreation (RR) Zone. A rezone request is general in nature and is not tied to any proposed use.

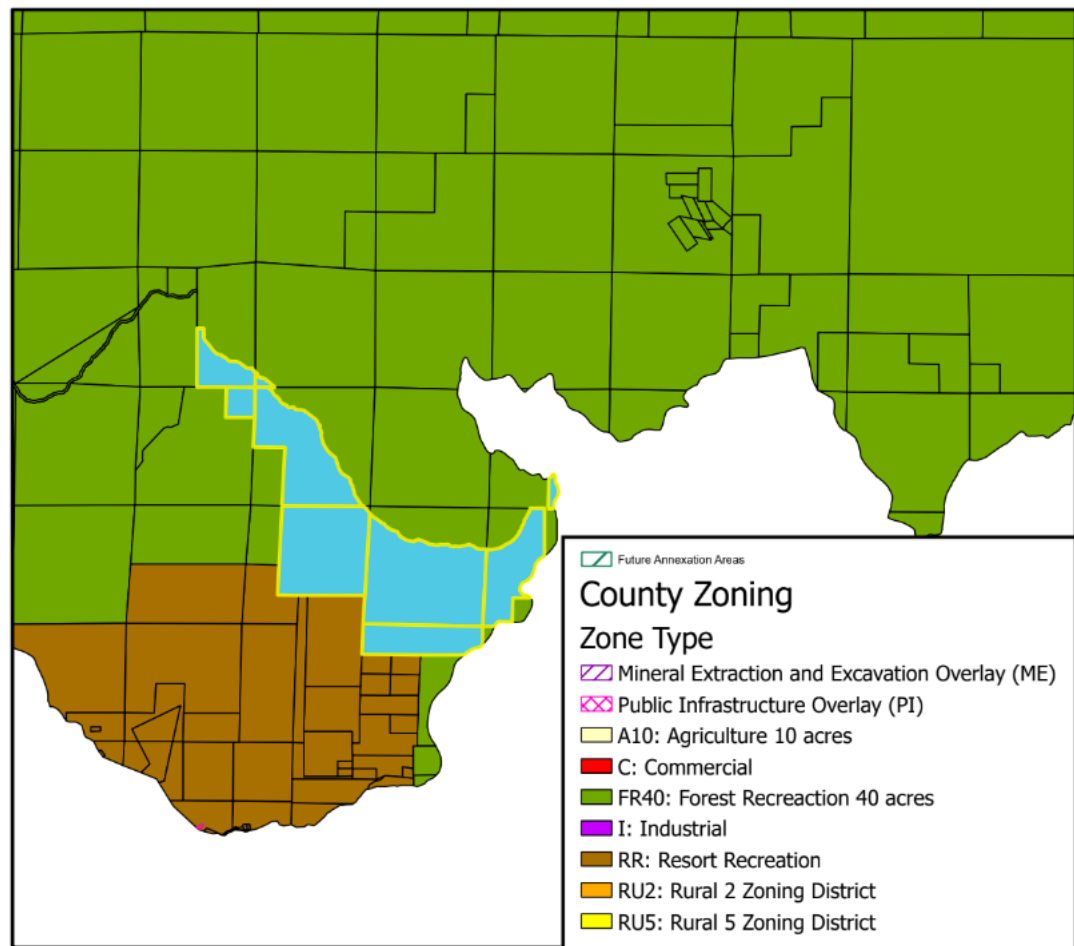


3. Staff has identified general information as pertains to the subject property to assist the Planning Commission and County Council in arriving at a decision. This information is reflected in the attached map (Attachment A) and in the following text.
- a. Land Use Context:
    - i. Parcel status:
      - 1. Parcels 16-014-0005, 16-015-0012, -0013, -0014, 16-016-0015, -0016, 16-017-0015 were split using a special warranty deed that was recorded on September 30<sup>th</sup>, 2024. As they were split without the necessary Land Use Authority approval, they are restricted.
      - 2. Parcels 16-015-0006 and 16-016-0004 match the configuration they had on August 8<sup>th</sup>, 2006 and are legal.
    - ii. Average Lot Size: (See Attachment A)



<b>Average Parcel Size</b>	
<b>Adjacent Parcels</b>	Without a Home: 173.3 Acres (31 Parcels)
<b>1/4 Mile Buffer</b>	Without a Home: 167.1 Acres (35 Parcels)
<b>1/2 Mile Buffer</b>	Without a Home: 178.6 (45 Parcels)

- i. Schedule of Zoning Uses: The Resort Recreation (RR) Zone allows for a variety of uses with the approval of a zoning clearance and/or Master Plan, including the following uses, that are not permitted in the current Forest Recreation (FR40) Zone.
  - Single Family Dwelling
  - Foster Home
  - Accessory Apartment
  - Home Based Business
  - Multi-Family Dwelling
  - Residential Living Facilities
  - Commercial Business
  - Home Based Kennel
  - General Vehicle Repair
  - Medical Services/Facilities
  - Human Care Services
  - Resort
  - Transient Lodging
  - Restaurant
  - Mobile Food Truck
  - Religious Meeting House
  - Farm Stand
  - Boarding Facility
- ii. Adjacent Uses: The parcels to the north, east, south, and west are primarily used for recreation and/or are forests.
- iii. Annexation Areas: The subject property is not located within any future annexation area.



**B. Ordinance—§12.02.010, §17.02.060; §17.08.030 [E]**

4. As per §17.02.060, Establishment of Land Use Authority, the County Council is authorized to act as the Land Use Authority for this application.
5. The current County Land Use Ordinance does not specify appropriate locations for the Resort Recreation (RR) Zone but does contain general guidelines for its implementation. County Land Use Ordinance §17.08.030 [E] identifies the purpose of the Resort Recreation (RR) Zone and includes the following:
  - a. “To allow mountain resort and recreation development within Cache County on privately held land. This zone allows for multiple mountain resort and recreation uses within a master planned area. The regulations of the zone are designed to:
    - i. Provide new recreation opportunities in northern Utah and create destination resort options for the county; and
    - ii. Promote interesting, creative, and indigenous mountain landscaping, design, and architecture that blends in with natural surroundings and follows project specified design guidelines; and
    - iii. Stimulate the local economy and increase the tax base of the county; and
    - iv. Protect the county’s environment; and
    - v. Regulate and control development”
6. Chapter 4: Future Land Use Plan of the Cache County General Plan states:
  - a. The use of land is one of the most important and fundamental values for landowners, residents, civic leaders, and elected officials. This determines, in large measure, the future

of Cache County. The Future Land Use Map represents the County's collective vision of our desired future. It conveys the patterns and priorities of economic development and community character, the locations of neighborhoods and industries, and the preservation of natural, agricultural, and rural landscapes.

- b. The Future Land Use Plan is advisory and does not change the existing zoning of any property or the ability of landowners to continue existing legal uses consistent with the existing zoning or nonconforming uses. It serves as a starting point for conversations about regional initiatives and development proposals by illustrating how sometimes separate and uncoordinated activities can help or harm our desired future. The timing of future development will depend on a number of factors including choices made by individual landowners, aspirations of the community, and future availability of facilities and services.

- 7. The future land use map (Attachment B) adopted as part of the Cache County General Plan identifies the area where the subject property is located as "Mountain Rural and Conservation" *Cache County General Plan, Chapter 4, Page 25*. This section states:

- a. Location: The majority of privately-owned mountain and foothill areas.
- b. Example Areas: FR-40 zone that is not public land
- c. Purpose and Character: Forestry, recreation, and multiple resource uses on private lands. Forestry and recreation land uses are expected to continue. Maintaining the environmental quality of steep slopes, canyons, and forests with minimal residential development conserves watershed resources and improves resiliency from wildfire, geological, and flood hazards.
- d. Preferred Land Uses: Forestry, agriculture, conservation easements (CEs) and conserved public lands, watershed protection, hazard mitigation (i.e. floodplain management, steep slopes, and high wildfire hazard), outdoor recreation and tourism
- e. Secondary Land Uses: Seasonal residential housing at one unit per 40 acres, clustered subdivision developments, resorts, recreation business, and public institutions.
- f. Discouraged Uses: Residential development at a density greater than one unit per 40 acres, industrial, commercial office, commercial retail, heavy industrial.

- 8. No parcel is located in the Urban Expansion Overlay.

**C. Access—16.04.040 [A], 16.04.080 [E], Road Manual**

- 9. §12.02.010 adopts the Manual of Roadway Design and Construction Standards (Road Manual) for roadway improvement requirements.
- 10. §16.02.010 Standards and Lot Size – All subdivisions must meet the minimum lot and development standards as outlined in each base zone of the Cache County Zoning Ordinance and within this title.
- 11. Table §17.10.040 Site Development Standards – Minimum lot frontage required in the Industrial (I) Zone is 150 feet.
- 12. §17.07.040 General Definitions – Lot/Parcel Frontage: that portion of a development site that abuts a public or private roadway. For the purposes of determining setback requirements on corner lots, all sides of a lot adjacent to a roadway shall be considered frontage
- 13. §16.04.040 [A] Roads – All roads must be designed and constructed in accordance with Title 12 of the County Code.
- 14. §12.02.010 Roadway Standards – Requirements for roadway improvement are provided in the current Manual of Roadway Design and Construction Standards (Road Manual).
- 15. The Road Manual specifies the following:
  - a. §12.1 Roadway Function Classification – Seasonal/Recreation: Seasonal/Recreation roads are found primarily in rural areas and serve lands that are subject to specialized uses,

including parks, tourist attractions, cabins, forest access, and recreation facilities, such as campsites, boat-launch ramps, and trailheads. These routes are typically open to the general public and are more likely that other functional classes of roads to be used by drivers who are unfamiliar them. In many cases these roads are used only seasonally, they accommodate a wide range of speeds, and they may be relatively long.

16. A full road review was not done for this request but will be evaluated as part of any future developments.

**D. Service Provisions:**

17. §16.04.080 [C] Fire Control – The County Fire District had no comments in regards to this application as services will be provided by Weber County.
18. §16.04.080 [F] Solid Waste Disposal – Applicant must work with Waste Management for solid waste disposal.

**E. Public Notice and Comment—§17.02.040 Notice of Meetings**

19. Public notice was posted online to the Utah Public Notice Website on 22 November 2024.
20. Notices were posted in three public places on 22 November 2024.
21. Notices were mailed to all property owners within 300 feet on 22 November 2024.
22. At this time, no written public comment regarding this proposal has been received by the Development Services Office.

## **Conclusion**

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The Powder Mountain Rezone 2024 rezone, a request to rezone 1,621 acres from the Forest Recreation (FR40) zone to the Resort Recreation (RR) Zone has been reviewed in conformance with Title 17 of the Cache County Land Use Ordinance and the County Manual of Roadway Design and Construction Standards. Staff has not made a recommendation based on the findings of fact identified above and any others identified at the public hearing. Although Staff has not made a recommendation for approval or denial, they can help Planning Commission draft a recommendation to County Council.

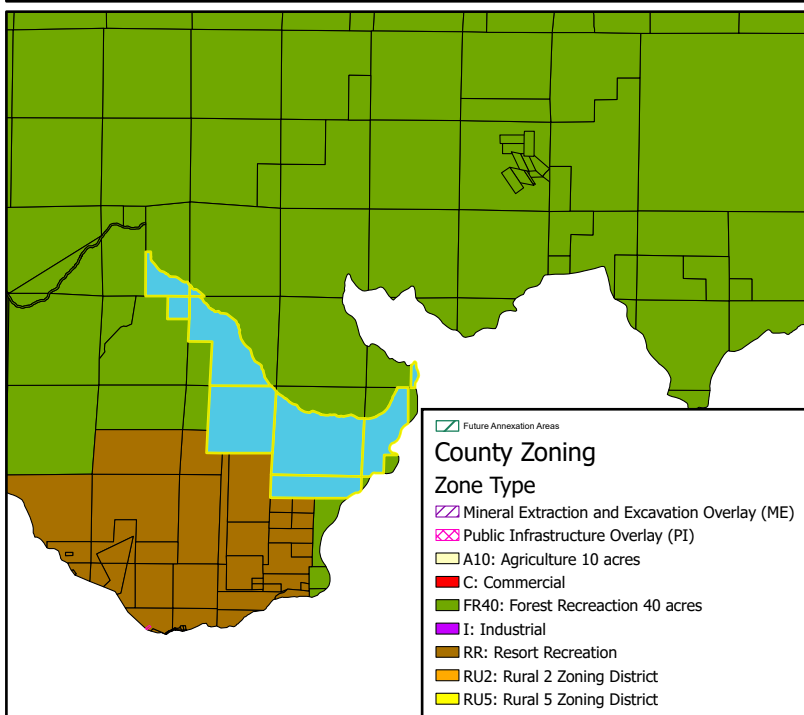
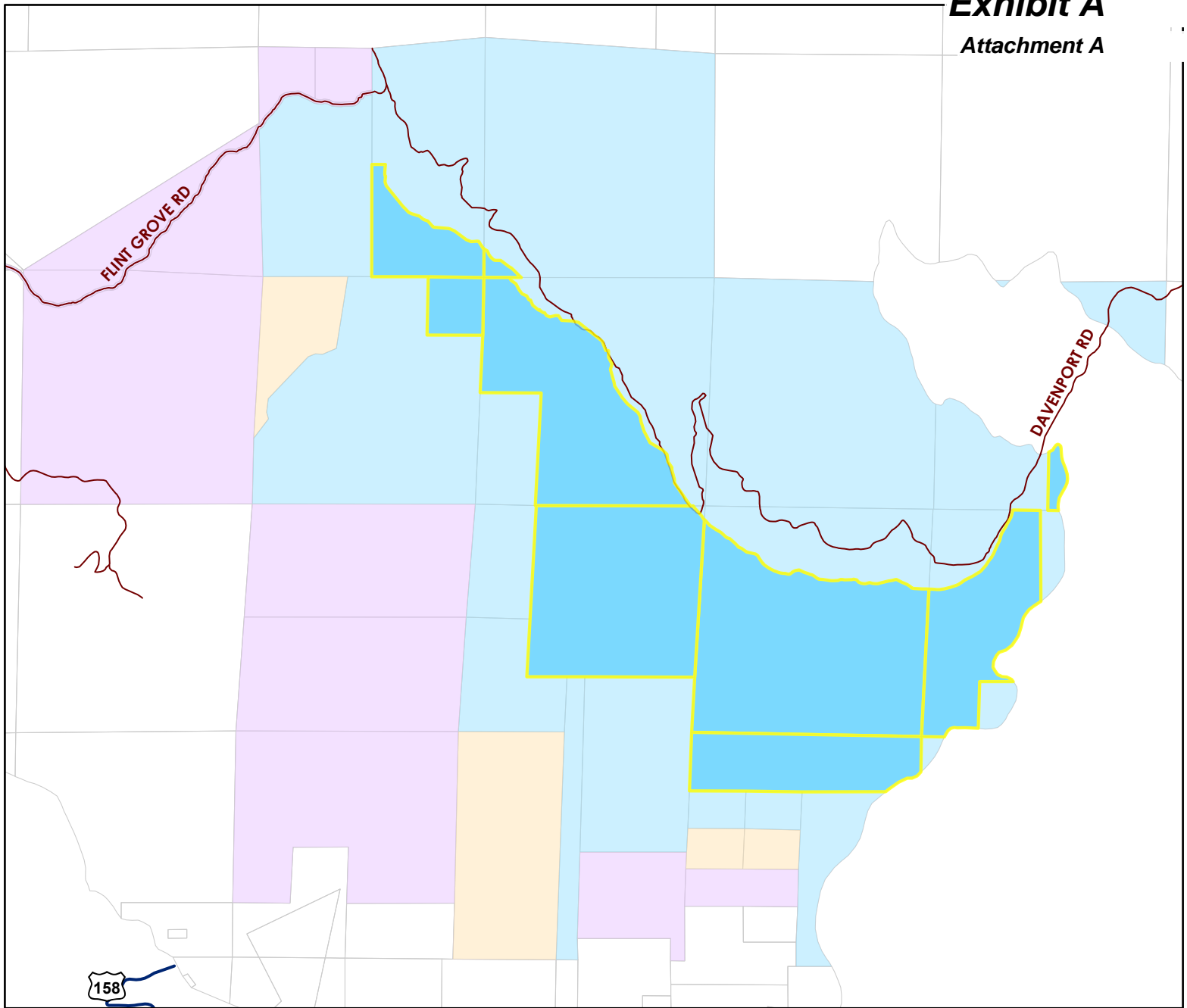
## **Planning Commission Conclusion**

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Based on the findings of fact noted herein, the Powder Mountain Rezone 2024 rezone is hereby recommended for approval to the County Council as follows:

1. The location of the subject properties to be rezoned are compatible with the purpose of the Resort Recreation (RR) Zone:
  - a. To allow mountain resort and recreation development within Cache County on privately held land. This zone allows for multiple mountain resort and recreation uses within a master planned area. The regulations of the zone are designed to:
    - i. Provide new recreation opportunities in northern Utah and create destination resort options for the county; and
    - ii. Promote interesting, creative, and indigenous mountain landscaping, design and architecture that blends in with natural surroundings and follows project specified design guidelines; and
    - iii. Stimulate the local economy and increase the tax base of the county; and
    - iv. Protect the county's environment; and
    - v. Regulate and control development
2. The rezone is partially consistent with the Cache County General Plan:
  - a. The Cache County General Plan has identified this area as "Mountain Rural and Conservation". The preferred land uses of this area includes outdoor recreation and tourism while secondary land uses includes resorts.

3. The nearest parcel in the Resort Recreation (RR) Zone is directly adjacent to the south and south-west.



### Legend

- Proposed Rezone
- Municipal Boundaries
- Subdivisions
- Parcels
- Winter Maintenance
- County Roads
- Highways

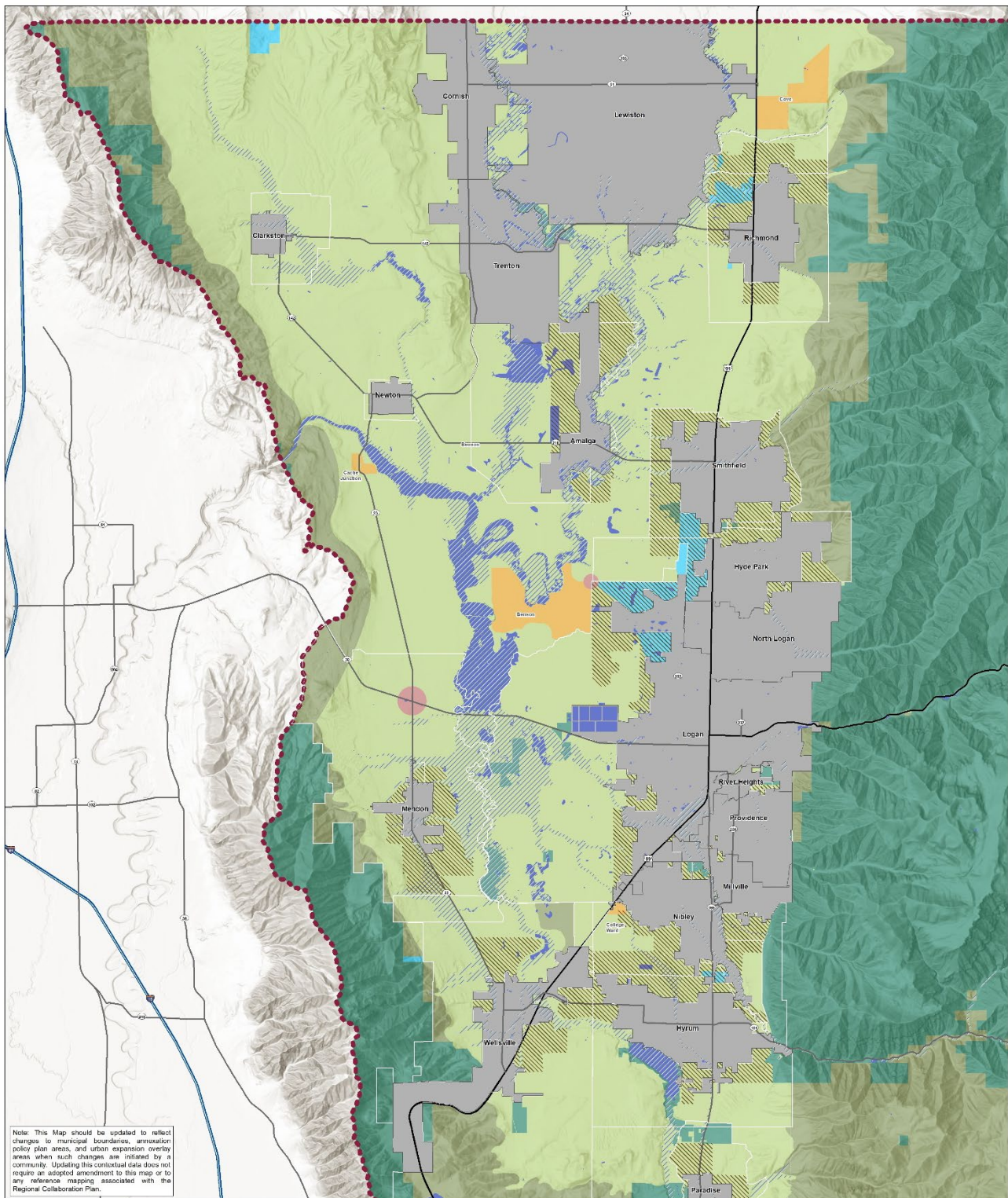
### Average Parcel Size

<b>Adjacent Parcels</b>	Without a Home: 173.3 Acres (31 Parcels)
<b>1/4 Mile Buffer</b>	Without a Home: 167.1 Acres (35 Parcels)
<b>1/2 Mile Buffer</b>	Without a Home: 178.6 (45 Parcels)

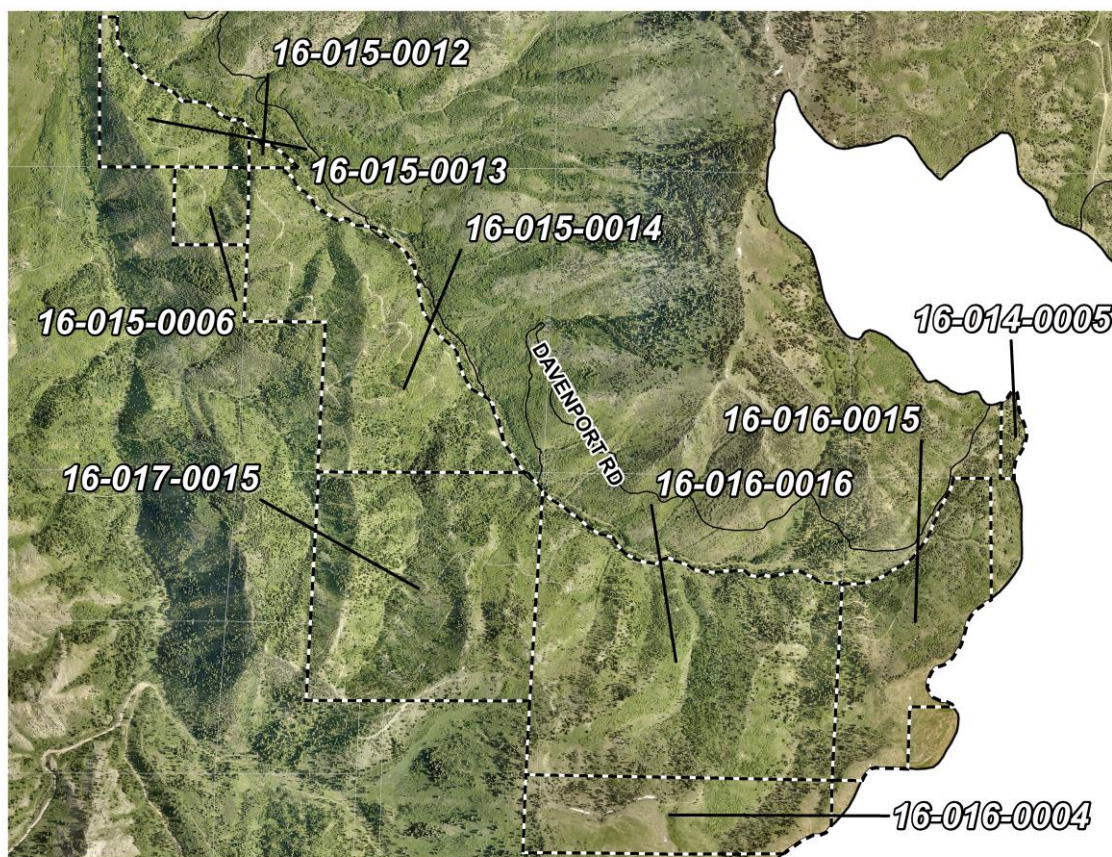


11/25/2024









**The following legal description reflects the noted property above to be rezoned to the Resort Recreation (RR) Zone:**

**16-014-0005**

THAT PART OF [SW 1/4 OF THE SE 1/4] SECTION 22 , TOWNSHIP 8 NORTH, RANGE 2 EAST, SALT LAKE BASE AND MERIDIAN, LYING IN CACHE COUNTY, AND LYING EASTERLY OF A LINE RUNNING 60 FEET TO THE EAST OF THE CENTERLINE OF DAVENPORT ROAD. (For reference, approximately 27 acres.) SUBJECT TO THE BOUNDARY LINE AGREEMENTS RECORDED IN BOOK 1575, PAGE 1972, BOOK 1579, PAGE 1784, AND IN BOOK 1580, PAGE 2545 (IN WEBER COUNTY).

CONT 27.00 AC

THE DESCRIPTION USED IN ENTRY #1364605 APPEARS TO BE IN CONFLICT WITH THE BRACKETED INFORMATION SHOWN ABOVE

**16-015-0006**

NE/4 OF NE/4 SEC 19 T 8N R 2E 40 ACA50-1

**16-015-0012**

THAT PART OF THE SOUTHWEST QUARTER OF SECTION 17, TOWNSHIP 8 NORTH, RANGE 2 EAST, SALT LAKE BASE AND MERIDIAN, CACHE COUNTY LYING SOUTHERLY OF A LINE RUNNING 60 FEET TO THE SOUTH OF THE CENTERLINE OF DAVENPORT CREEK. CONT 5.00 AC

**16-015-0013**

THAT PORTION OF THE SOUTHEAST QUARTER OF SECTION 18, TOWNSHIP 8 NORTH, RANGE 2 EAST, SALT LAKE BASE AND MERIDIAN, CACHE COUNTY, LYING SOUTHERLY OF A LINE RUNNING 60 FEET TO THE SOUTH OF THE CENTERLINE OF DAVENPORT CREEK, CONT 85.00 AC

**16-015-0014**

PORTIONS OF THE NORTH HALF; THE SOUTHEAST QUARTER; AND THE EAST HALF OF THE SOUTHWEST QUARTER OF SECTION 20, TOWNSHIP 8 NORTH, RANGE 2 EAST, SALT LAKE BASE AND MERIDIAN, CACHE COUNTY AND BEING MORE PARTICULARLY DESCRIBED AS: BEGINNING AT THE NORTHWEST CORNER OF SECTION 20, TOWNSHIP 8 NORTH, RANGE 2 EAST, SALT LAKE BASE AND MERIDIAN, AND RUNNING THENCE S89°54'55"E 604.89 FEET ALONG THE SECTION LINE; THENCE S19°23'27"E 71.32 FEET; THENCE S55°45'59"E 138.46 FEET; THENCE S27°55'55"E 159.48 FEET; THENCE S37°41'34"E 118.63 FEET; THENCE S65°08'25"E 114.89 FEET; THENCE S28°27'53"E 98.13 FEET; THENCE S73°37'13"E 47.96 FEET; THENCE S20°54'15"E 124.92 FEET; THENCE S50°05'29"E 176.35 FEET; THENCE N60°16'20"E 27.48 FEET; THENCE S27°37'48"E 26.02 FEET; THENCE S56°37'45"E 85.77 FEET; THENCE EAST 35.90 FEET; THENCE S31°23'27"E 80.73 FEET; THENCE S66°49'02"E 84.94 FEET; THENCE N75°33'09"E 140.83 FEET; THENCE S84°08'04"E 67.39 FEET; THENCE S33°11'24"E 125.73 FEET; THENCE S86°03'43"E 237.55 FEET; THENCE S78°41'51"E 160.29 FEET; THENCE S51°33'06"E 701.83 FEET; THENCE S20°53'13"E 229.20 FEET; THENCE S85°45'40"E 60.59 FEET; THENCE S2°55'15"E 162.69 FEET; THENCE S28°12'43"E 166.44 FEET; THENCE S16°43'48"W 135.81 FEET; THENCE S15°54'53"E 309.77 FEET; THENCE S8°28'37"E 86.54 FEET; THENCE S33°54'50"E 325.21 FEET; THENCE S39°05'16"E 182.55 FEET; THENCE S50°22'02"E 313.42 FEET; THENCE S31°40'23"E 105.01 FEET; THENCE S8°55'39"E 134.03 FEET; THENCE S17°47'48"E 233.61 FEET; THENCE S27°13'58"E 293.64 FEET; THENCE S59°56'25"E 338.39 FEET; THENCE S46°16'27"E 138.77 FEET; THENCE S7°46'56"E 181.35 FEET; THENCE S36°11'40"E 156.58 FEET; THENCE SOUTH 60.18 FEET; THENCE S15°05'44"E 228.89 FEET; THENCE SOUTH 78.36 FEET; THENCE S32°42'43"E 417.07 FEET; THENCE S39°49'53"E 156.09 FEET; THENCE S89°07'58"W 3,555.31 FEET ALONG THE SECTION LINE TO THE WEST 1/16TH CORNER BETWEEN SECTIONS 20 AND 23; THENCE N2°58'36"E 2,612.09 FEET ALONG THE 40 ACRE LINE TO THE CENTER-WEST 1/16TH CORNER OF SECTION 20; THENCE N89°32'49"W 1,416.52 FEET ALONG THE 40 ACRE LINE TO THE WEST QUARTER CORNER OF SECTION 20; THENCE N2°35'12"E 1,332.97 FEET ALONG THE SECTION LINE TO THE NORTH 1/ 16TH CORNER BETWEEN SECTIONS 19 & 20; THENCE N1°07'20"E 1,341.40 FEET ALONG THE SECTION LINE TO THE POINT OF BEGINNING. CONT 298.00 AC

**16-016-0004**

THAT PT OF FOLLOWING IN CACHE COUNTY: ALL THE N/2 OF THE N/2 SEC 33 T 8N R 2E NET 155.18 AC

**16-016-0015**

NORTHWEST QUARTER AND THE WEST HALF OF THE SOUTHWEST QUARTER AND THE NORTHEAST QUARTER OF THE SOUTHWEST QUARTER OF SECTION 27, TOWNSHIP 8 NORTH, RANGE 2 EAST, SALT LAKE BASE AND MERIDIAN, LYING IN CACHE COUNTY AND LYING SOUTHERLY AND EASTERLY OF A LINE RUNNING 60 FEET TO THE SOUTH AND EAST OF THE CENTERLINE OF DAVENPORT CREEK. CONT 192.00 AC

**16-016-0016**

THAT PORTION OF SECTION 28, TOWNSHIP 8 NORTH, RANGE 2 EAST, SALT LAKE BASE AND MERIDIAN, CACHE COUNTY, LYING SOUTHERLY OF A LINE RUNNING 60 FEET TO THE SOUTH OF THE CENTERLINE OF DAVENPORT CREEK. CONT 463 AC

**16-017-0015**

THAT PART OF SECTION 29, TOWNSHIP 8 NORTH, RANGE 2 EAST, SALT LAKE BASE AND MERIDIAN, CACHE COUNTY, DESCRIBED AS FOLLOWS: THAT PORTION OF THE NORTHEAST QUARTER LYING SOUTHERLY OF A LINE RUNNING 60 FEET TO THE SOUTH OF THE CENTERLINE OF DAVENPORT CREEK; TOGETHER WITH THE NORTH HALF OF THE SOUTHEAST QUARTER, THE EAST HALF OF THE NORTHWEST QUARTER, AND THE NORTHEAST QUARTER OF THE SOUTHWEST QUARTER. CONT 354.00 AC



**CACHE COUNTY**  
**RESOLUTION NO. 2025 - 03**

**A RESOLUTION APPROVING THE RE-DRAFTED INTERLOCAL AGREEMENT  
FOR THE BEAR RIVER ASSOCIATION OF GOVERNMENTS (BRAG)**

- (A) WHEREAS, Utah Code §11-13-203(2) permits counties in the State of Utah to enter into an agreement to approve the creation of a Utah interlocal entity regarding a cooperative action; and
- (B) WHEREAS, the Bear River Association of Governments (Region I), hereinafter referred to as “BRAG” or “Association,” is “a voluntary organization of governments to facilitate inter-governmental cooperation and to ensure the orderly and harmonious coordination of federal, state, and local programs for the solution of mutual concerns of the region”;
- (C) WHEREAS, Cache County has been a participating member of BRAG for several decades and believes in, and is committed to continuing its participation towards, its mission;
- (D) WHEREAS, officials from the counties constituting BRAG, including Box Elder County, Cache County, and Rich County recognize a new agreement is needed because the prior agreement may not exceed a term of 50 years under Utah Code and that time has lapsed; and
- (E) WHEREAS, Cache County Code 3.16.060(B) states, “No interlocal cooperation agreement requiring approval of the county council pursuant to state law may be entered or executed without the adoption of a resolution of approval by the county council.”

NOW, THEREFORE, BE IT RESOLVED that the Cache County Council approves the re-drafted Interlocal Agreement for the Bear River Association of Governments, attached as Exhibit A, subject to the provisions therein and applicable state law.

NOW, BE IT FURTHER RESOLVED that upon signing the aforementioned agreement, this resolution approving the agreement shall be forwarded to the Rich County Commission, the Box Elder County Commission, and the keeper of records of the Association pursuant to Utah Code 11-13-209.



**CACHE COUNTY**  
**RESOLUTION NO. 2025 - 03**

PASSED AND APPROVED BY THE COUNTY COUNCIL OF CACHE COUNTY, UTAH  
THIS \_\_\_\_ DAY OF \_\_\_\_\_, 2025.

	In Favor	Against	Abstained	Absent
Kathryn Beus				
David Erickson				
Keegan Garrity				
Sandi Goodlander				
Nolan Gunnell				
Mark Hurd				
Barbara Tidwell				
Total				

**CACHE COUNTY:**

**ATTEST:**

By: \_\_\_\_\_  
Sandi Goodlander, Chair

By: \_\_\_\_\_  
Bryson Behm, County Clerk



**CACHE COUNTY**  
**RESOLUTION NO. 2025 - 03**

**EXHIBIT A**

**“Bear River Association of Governments Interlocal Agreement”**

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INTERLOCAL AGREEMENT  
BEAR RIVER  
ASSOCIATION OF GOVERNMENTS

---

Re-drafted from the Articles of Association dated  
November 28, 1973 which was re-drafted and re-  
executed from the original version dated June 23,  
1971 that included amendments from May 24, 1972,  
October 25, 1972, and October 24, 1973.

We, the representatives of the counties of Box Elder, Cache, and Rich, find the following. First, concerns of growth and development transcend the boundary lines of our local government units and that no single unit can plan for their solution without affecting other units in the region. Second, various multi-county planning activities available under various laws of the United States should be conducted and administered in a coordinated manner. Third, intergovernmental cooperation on a regional basis is an effective means of combining the resources of local governments to approach common concerns.

Therefore, we hereby continue this voluntary collaborative effort by establishing this interlocal agreement and continuing the organization known as Bear River Association of Governments (Region I). We will continue to meet regularly to discuss and study area-wide concerns of common interest and to develop policies and recommendations for ratification and implementation by the counties who are members of the Association.

We also continue to encourage cooperation. We declare that this Association is not a new layer of government, nor is it a government that holds power over the governments that created it. As a voluntary organization, we continue the effective execution and coordination of programs to meet the common needs of the citizens. Our goal is to utilize our combined resources to provide a more effective means of planning for and developing the physical, economic, and government resources of the region to address the mutual concerns we face.

We declare that the Bear River Association of Governments (Region I) was previously established by the joint powers agreement among its previous members pursuant to Utah Code Title 11, Chapter 13 (1953, as amended). The Association shall now continue as a public agency pursuant to Utah Code Title 11, Chapter 13, Interlocal Cooperation Act (2002, as amended), and is separate from the agencies creating it, is a body politic and corporate, and is a political subdivision of the State of Utah.

## **Terms & Conditions**

### **I. Definitions**

Region. A geographic area composed of groupings of counties designated and established for carrying out the purposes of these articles.

Regional Concerns. A regional issue that meets the following criteria:

- a. A concern that is common to two or more local governments within the region, the solution of which will not or cannot be achieved by government agencies acting independently of each other, or which cannot be achieved separately as economically as when acting cooperatively, and
- b. A concern regarding the public health, safety, or welfare that is not the specific duty of the local public health department, law enforcement, or any other government agency charged with these concerns.
- c. The following list is an incomplete list of recognized regional concerns and does not limit BRAG to these efforts only:
  - i. Aging services;
  - ii. Community and economic development;
  - iii. Housing; and
  - iv. Human services.

### **II. Purpose**

The Bear River Association of Governments (Region I), hereinafter referred to as “BRAG” or “Association,” is a voluntary organization of governments to facilitate inter-governmental cooperation and to ensure the orderly and harmonious coordination of federal, state, and local programs for the solution of mutual concerns of the region.

Additionally the purpose of the Association should be to create efficiencies and cost savings to the taxpayers by having shared regional staff to carry out designated functions of government. It should help eliminate the duplication of efforts and provide local governments with planning, coordination, and administration of state and federal programs. It should also bring resources to the area that might not otherwise be available while ensuring those resources meet local needs.



### III. Powers & Duties

The Association shall hold all the powers and duties that are permitted under Utah Code §11-13-204(1). Some of these powers and duties of the Association are listed below along with other powers and duties delegated to the Association.

a. The power to:

- i. Act in its own name, to sue and where appropriate, to be sued;
- ii. Make, enter into, and enforce all manner of contracts and obligations consistent with the law for the purposes, duties, and functions stated in this interlocal agreement;
- iii. Adopt and amend bylaws, policies, and procedures for the regulation of the Association's affairs and to conduct its business;
- iv. Amend or repeal bylaws, policy, or procedure;
- v. Create, construct, or otherwise acquire facilities or improvements to render services or provide benefits to meet the purposes set forth in this agreement;
- vi. Issue bonds or notes as permitted under Utah Code §11-13-218 and all other applicable laws; and
- vii. Perform any other act or function permitted under the Interlocal Cooperation Act (2002, as amended).

b. The duty to:

- i. Identify, discuss, study, and bring into focus regional challenges and opportunities;
- ii. Make the most effective use of local government leadership and staff resources;
- iii. Engage and carry out planning and development programs to achieve regional benefit and advantage;
- iv. Review and create policy with respect to proposals from public and private agencies;
- v. Provide effective communication and coordination among public officials pertaining to regional interests;
- vi. Serve as a liaison between the local governments and interested groups and organizations;
- vii. Register and maintain its registration as a limited purpose entity in accordance with state law;
- viii. Serve as a regional representative for the counties served by BRAG;
- ix. Perform those functions delegated to the Association that are identified in this interlocal agreement;

- x. Establish a system of personnel administration as provided in Utah Code §11-13-225 and in conformity with all other applicable laws; and
- xi. Perform other duties as deemed appropriate by the counties.

#### IV. Functions Delegated to the Association

- a. Administer & Coordinate Programs. The Association shall coordinate, administer, and operate common programs of mutual interest and impact to the region. The Association is the authorized agent to receive federal grants for all planning and development programs that have multi-county or regional level designation. Regarding these functions, BRAG may establish boards, committees, or similar subunits to meet state and federal program requirements or to meet its own requirements. The Governing Board of the Association shall determine the composition of these subunits, but in no case may the subunit have less than thirty-three (33) percent elected local government officials. Subunits shall, as far as practical, serve as advisory groups to the Governing Board.
- b. Planning. The Association shall prepare and amend area-wide plans for the physical, economic, and social resources of the region, and conduct studies and research on matters of regional concern. These plans shall serve to foster, develop, and review policies and priorities for regional growth and development.
- c. Review of Federal & State Aid Programs. The Association has the authority to apply for and receive state and federal grants for regional purposes. The Association may review and coordinate federal, state, and local applications for loans or grants from the United States of America for all units of government operating within the region. The Association shall be eligible to serve as the official clearinghouse agency for the purpose of Section 204 of the Demonstration Cities and Metropolitan Development Act of 1966 and Title IV of the Intergovernmental Cooperation Act of 1968, acting on behalf of, and under the recommendations of the counties of the Association. The Association shall develop review procedures in accordance with federal requirements.
- d. Services to Local Governments. The Association may furnish general and technical aid to local units of government within the region to provide them with services and technical assistance with planning and development activities.

- e. Joint-Powers Authorization. The counties may authorize the Association to exercise those powers held by the counties that are necessary or desirable for dealing with concerns of mutual interest. Such authorization may include joint financing, scheduling, and development of public facility projects with interjurisdictional significance or involve direct public services functions.

## V. Governing Structure

- a. Governing Board. The Association shall have one policy making body known as the Governing Board. The Governing Board shall consist of the county commissioners of Box Elder and Rich Counties, the County Executive and two appointed county council members from Cache County, and two appointed mayors from each county. One mayor from each county should represent the largest municipality in the county and another mayor should represent the remaining municipalities within the county. The county commission or county council of the respective county shall appoint each appointed position.
  - i. Fiduciary Duty. Each member of the Governing Board has and owes a fiduciary duty to the Association at large.
  - ii. Terms of Office. Appointed members on the Governing Board shall serve until the respective jurisdictions elect their successors. All other positions are permanent positions.
  - iii. Officers. The Governing Board shall elect the officers of the Governing Board by a majority vote. There shall be a chairperson and a vice chair.
  - iv. Voting. Each member of the Governing Board shall have one vote. A simple majority of the entire Governing Board is necessary to make a determination on an issue.
  - v. Quorum. A quorum shall consist of either the Chair or the Vice Chair and a majority of the other members of the Governing Board.
  - vi. Meetings. The Governing Board shall approve a yearly meeting schedule and shall meet at least quarterly. The Governing Board may meet upon the call of the Chair if the need arises. Every six months, the Governing Board shall hold a meeting where the Executive Director presents a full report of current activities and where the Executive Director or a designee presents the budget and financial transactions that transpired since the previous semi-annual meeting. This semi-annual meeting may be held during a regularly held board meeting or as a separate meeting.
    - 1. Each meeting of the Governing Board shall comply with Utah Code Title 52, Chapter 4, Open and Public Meetings Act

- (2006, as amended) regardless of whether the Association is supported in whole or part by tax revenue;
2. The Governing Board shall adopt rules of order and procedure to govern public meetings;
  3. Conduct meetings in accordance with adopted rules of order and procedure; and
  4. Make the rules of order and procedure available to the public at each meeting and on the Association's website if available.
- vii. Responsibilities. The powers and responsibilities of the Governing Board are to:
1. Manage and direct the business and affairs of the Association;
  2. Adopt bylaws for the orderly functioning of the Governing Board;
  3. Adopt and enforce rules and regulations for the orderly operation of the Association or for carrying out the Association's purposes;
  4. Establish and impose fees for the services provided by the Association;
  5. Establish advisory councils and subcommittees as needed;
  6. Appoint, fix the salary of, and remove the Executive Director;
  7. Review the actions of the Executive Director and the staff;
  8. Control or direct litigation to which the Association is a party or in which it is otherwise involved;
  9. Delegate to employees or officers the authority to exercise a power or to perform a function of the Association, as needed;
  10. Adopt rules or policies for the competitive public procurement of goods and services required for the operation of the Association as required under Utah Code §11-13-226; and
  11. Perform all functions provided in the interlocal agreement and the Interlocal Cooperation Act that are necessary to accomplish the Association's purpose unless otherwise specified in the agreement or the Interlocal Cooperation Act.
- viii. Compensation. The members of the Governing Board may receive compensation for their services in accordance with Utah Code §11-13-403.

b. Staff and Staff Services

- i. Executive Director. The position of Executive Director is an at-will position. The Governing Board shall appoint the Executive Director and may terminate the Executive Director for any reason that is not contrary to the law. The Governing Board shall vote on whether to terminate the Executive Director when the issue is brought before them. The Chair or Vice Chair shall ensure that the issue of termination is addressed by the board if any one or more board members request that the board consider terminating the Executive Director.
  1. Responsibilities. The responsibilities of the Executive Director are:
    - a. Coordinate and direct all staff;
    - b. Recommend staff appointments, advancements, employment policies, and policy amendments to the Governing Board;
    - c. Prepare and administer an annual work program and budget; and
    - d. Perform all other duties delegated from the Governing Board.
- ii. Central Staff. The Association may provide basic administrative, research, and planning services for all regional activities of the Association. The central staff shall perform their activities for and be responsible to the Governing Board.
- iii. Other Staff. The Governing Board may appoint the staff of the Association when recommended by the Executive Director or when recommended and contributed by any public agencies or any of the counties that are a member of the Association.

VI. Finances

- a. Fiscal Procedures. The Association shall comply with all relevant requirements of the law as found in Utah Code Title 11, Chapter 13, Part 5 Fiscal Procedures for Interlocal Entities.
- b. State & Federal Funding. The Association shall exert maximum effort to obtain and use state and federal funds whenever possible.
- c. County Funding. Each county must contribute to the Association. At a minimum, the three counties shall contribute funds annually to meet the requirements of federal match funds and to help cover administrative and

operational costs of the Association through an assessment that is in addition to match funds.

- i. The Association must submit the total requested county match amount and the recommended assessed amount to the three counties well in advance of the time the counties adopt their budgets. The counties must each contribute a portion of the total match and assessed amounts approved by the counties. The counties may approve, disapprove, or request an adjustment to any match or assessed amount. Each county contribution from the total match and assessed amounts shall be proportional to the total population of the counties as determined by the most recent federal census.
  - ii. The Association may levy a separate special assessment on any of the three counties that agree with the Association to provide special services to that government alone, if approved by the legislative body of that county.
- d. Budget. The Executive Director or designee shall prepare a proposed annual budget describing the estimated revenues and expenditures for the consideration and approval of the Governing Board in accordance with Utah Code §11-13-508 through 11-13-511. With regard to the budget, the Association shall comply with Utah Code §§11-13-506 and 11-13-507. The Association shall comply with all other relevant budget requirements of the law as found in Utah Code Title 11, Chapter 13, Part 5 Fiscal Procedures for Interlocal Entities.
- e. Fiscal Year. The Governing Board shall determine whether the fiscal year is the calendar year or a period from July 1 to the following June 30.
- f. Uniform Accounting System. The Association shall establish and maintain accounting records and financial statements as required by generally accepted accounting principles. The Association shall also adopt and implement internal accounting controls in light of the needs and resources of the Association.

## VII. Duration, Withdrawal, & Termination

- a. Duration of this Agreement. Pursuant to Utah Code §11-13-204(3)(a), the duration of this agreement will be fifty (50) years from the effective date.
- b. Withdrawal of Membership. Any county may withdraw from this agreement by submitting a written notice to the Governing Board 30 days prior to the effective date of withdrawal.

- c. Termination of the Agreement. All parties to the agreement may agree to terminate the Association. Upon termination, none of the assets or property shall be distributed to any individual, staff, or officers of the Association, but shall be distributed to the counties and cities on the same pro rata basis that they contributed to the Association.

#### VIII. Amendments

The Governing Board may amend this interlocal agreement at regular or special meetings of the Governing Board if the county government proposing an amendment provides written notice that states the proposed amendments to each county who is a member of the Association. Two thirds of the Governing Board must affirm the amendment by vote for the amendment to pass.

#### IX. Review

The Association shall review this interlocal agreement regularly and often to ensure the Association is abiding by the terms and conditions of this agreement. The Association shall also review this agreement annually to ensure that the agreement is compliant with applicable law.

#### X. Effective Date

This interlocal agreement shall go into effect once all parties to the agreement sign and date this agreement, and all counties that are members of the Association file the completed agreement with their respective keeper of records pursuant to Utah Code 11-13-209.

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IN WITNESS WHEREOF, we attach our signatures on this \_\_\_\_ day of \_\_\_\_\_  
20\_\_.

**BOX ELDER COUNTY**

**APPROVED AS TO FORM**

BY: \_\_\_\_\_  
County Commission Chair

BY: \_\_\_\_\_  
Box Elder County Attorney

DATE: \_\_\_\_\_

DATE: \_\_\_\_\_

ATTEST:

BY: \_\_\_\_\_  
County Clerk

DATE: \_\_\_\_\_

*Remainder of Page is Blank*



**CACHE COUNTY**

**APPROVED AS TO FORM**

BY: \_\_\_\_\_  
County Council Chair

BY: \_\_\_\_\_  
Cache County Attorney

DATE: \_\_\_\_\_

DATE: \_\_\_\_\_

BY: \_\_\_\_\_  
County Executive

DATE: \_\_\_\_\_

ATTEST:

BY: \_\_\_\_\_  
County Clerk

DATE: \_\_\_\_\_

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**RICH COUNTY**

**APPROVED AS TO FORM**

BY: \_\_\_\_\_  
County Commission Chair

BY: \_\_\_\_\_  
Rich County Attorney

DATE: \_\_\_\_\_

DATE: \_\_\_\_\_

ATTEST:

BY: \_\_\_\_\_  
County Clerk

DATE: \_\_\_\_\_

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**CACHE COUNTY**  
**RESOLUTION NO. 2025-04**

**A RESOLUTION TO APPROVE AN INTERLOCAL AGREEMENT TO  
RESTRUCTURE THE BEAR RIVER HEALTH DEPARTMENT AS A MULTICOUNTY  
UNITED LOCAL HEALTH DEPARTMENT**

- (A) WHEREAS, Utah Code §26A-1-105.5 permits two or more contiguous counties to execute an interlocal agreement pursuant to the provisions of Utah Code Title 11, Chapter 13, Interlocal Cooperation Act, to create and maintain a multicounty united local health department;
- (B) WHEREAS, Utah Code §11-13-203(2) permits counties in the State of Utah to enter into an agreement to approve the creation of a Utah interlocal entity regarding a cooperative action;
- (C) WHEREAS, the County agrees that combining the substance abuse and mental health programs of the three counties under the Bear River Health Department to create a multicounty united local health department will help to integrate substance abuse and mental health services;
- (D) WHEREAS, the County finds that signing a new interlocal agreement that restructures the Bear River Health Department as the multicounty united local health department is in the best interest of the residents of Cache County;
- (E) WHEREAS, the three counties, Box Elder, Cache, and Rich, have not previously authorized, under an interlocal agreement, that their substance abuse or mental health programs fall under the supervision of the Bear River Health Department and there is a need to do so; and
- (F) WHEREAS, Cache County Code 3.16.060(B) states, "No interlocal cooperation agreement requiring approval of the county council pursuant to state law may be entered or executed without the adoption of a resolution of approval by the county council[:]"

NOW, THEREFORE, BE IT RESOLVED that the Cache County Council approves the Interlocal Agreement to restructure the Bear River Health Department as a multicounty united local health department under Utah Code §26A-1-105.5, attached as Exhibit A, and subject to all other applicable state laws.

NOW, BE IT FURTHER RESOLVED that upon signing the aforementioned agreement, this resolution approving the agreement shall be forwarded to the Rich County Commission, the Box Elder County Commission, and the keeper of records of the Association pursuant to Utah Code 11-13-209.

PASSED AND APPROVED BY THE COUNTY COUNCIL OF CACHE COUNTY, UTAH  
THIS \_\_\_\_ DAY OF \_\_\_\_\_, 2025.

	In Favor	Against	Abstained	Absent
Kathryn Beus				
David Erickson				
Keegan Garrity				
Sandi Goodlander				
Nolan Gunnell				
Mark Hurd				
Barbara Tidwell				
Total				

**CACHE COUNTY:**

**ATTEST:**

By: \_\_\_\_\_  
Sandi Goodlander, Chair

By: \_\_\_\_\_  
Bryson Behm, County Clerk

# **EXHIBIT A**

## **“Multicounty United Local Health Department Interlocal Agreement”**

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# Multicounty United Local Health Department Interlocal Agreement

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2025

On the \_\_\_\_ day of \_\_\_\_\_ 2025, Box Elder County, Cache County, and Rich County (referred to individually as the "County" and collectively as the "Counties"), each being a political subdivision of the State of Utah, have entered into this Interlocal Agreement to formally establish the Bear River Health Department (referred to as "Department"). The purpose of this agreement is to provide public health, mental health, and substance abuse services more efficiently and to ensure quality and effective services for the citizens of these counties.

## RECITALS

**WHEREAS**, each party is a county of the State of Utah, and through their respective governing bodies and as their local mental health authorities and local substance abuse authorities, are authorized by Utah Code [26A](#) and [17-43](#) to provide public health, mental health, and substance abuse programs to their respective counties;

**WHEREAS**, [Utah Code 11-13](#), Interlocal Cooperation Act (the "Interlocal Act") permits the Counties to cooperate with each other to create interlocal entities to more efficiently provide governmental facilities, services, and improvements to the general public;

**WHEREAS**, each county within the State of Utah is required to create and maintain a local health department under the provisions of the [Utah Code 26A](#) Local Health Authorities Act (the "Health Authorities Act"), and the Health Authorities Act expressly authorizes two or more contiguous counties to unite to create and maintain a multicounty united local health department;

**WHEREAS**, Bear River Health was created by the Counties as a local health department created, organized, and validly existing pursuant to state law;

**WHEREAS**, the Health Authorities Act requires a multicounty united local health department to administer the programs and services of a local health department, mental health authority, and substance abuse authority;

**WHEREAS**, the Counties desire to confirm, reaffirm, and ratify the creation of Bear River Health Department as the multicounty local health department and expand it to be a multicounty united local health department under the Health Authorities Act and the Interlocal Cooperation Act and to hereby memorialize such creation;

**WHEREAS**, the Counties are each committed to maintaining Bear River Health Department as the multicounty united local health department within and for the benefit of the Counties;

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**WHEREAS**, the legislative body of each of the Counties determined that restructuring Bear River Health Department as a multicounty local health department will enhance the public health, sanitation, public welfare, and economic base of each of the Counties; and

**WHEREAS**, the Counties desire to jointly qualify for and obtain funding from the Utah Department of Health and Human Services for mental health and substance abuse services through Bear River Health;

**WHEREAS**, the Counties desire to monitor, review, and evaluate the performance of and compliance with all contracts for funding of mental health and substance abuse services through Bear River Health;

**WHEREAS**, the Counties desire Bear River Health Department to qualify for, obtain, allocate, and administer such funding, and to perform such other tasks for the Counties; and

**WHEREAS**, this interlocal cooperative agreement shall not become effective until it is first approved by resolution of the legislative body of each of the Counties as evidenced by the execution hereof by the appropriate officers of said Counties;

**NOW, THEREFORE**, the Counties declare and agree to continue the existence of the Bear River Health Department as an interlocal entity and restructure it to be a multicounty united local health department with the following terms and conditions:

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## 1. DEFINITIONS AND INTERPRETATIONS.

- 1.1. **Meanings and Construction.** The following terms, for all purposes of this agreement and any amendments hereto, shall have the meaning herein set forth:
- 1.1.1. "Interlocal Agreement" shall mean this interlocal cooperative agreement and any amendments and supplements thereto.
  - 1.1.2. "Appropriation Committee" shall mean a committee consisting of one representative from the Legislative Body of each participating county, the Board of Health Chairperson, the Local Health Officer, and the Department Senior Support Officer.
  - 1.1.3. "Behavioral Health or Behavioral Health Programs" shall mean the comprehensive integration of Substance Abuse and Mental Health programs and services as defined in [Utah Code 17-34](#) Local Human Services Act.
  - 1.1.4. "Board of Health" shall mean the Department's governing body or the Bear River Board of Health.
  - 1.1.5. "Counties" shall mean collectively Box Elder County, Cache County, and Rich County, and their successors.
  - 1.1.6. "Legislative Body or Legislative Bodies" shall mean one or all participating county governing bodies as defined by [Utah Code 26A-1-102\(2\)](#).
  - 1.1.7. "Public Health Programs" shall mean public health programs and services per [Utah Code 26A](#), excluding any programs and services that include Substance Abuse and Mental Health programs.
- 1.2. **Interpretations.** This Interlocal Agreement, except where the context by clear implication herein otherwise requires, shall be construed as follows:
- 1.2.1. definitions include both singular and plural; and
  - 1.2.2. pronouns include both singular and plural and cover both genders.

## 2. FORMATION, POWERS, AND DUTIES OF BEAR RIVER HEALTH.

- 2.1. **Formation.** This Interlocal Agreement reaffirms the creation of the Department, an interlocal entity formed by the Counties in May of 1971, and restructures the Department as a multicounty united local health department. Pursuant to [Utah Code 11-13-203\(l\)](#), the Department is separate from the Counties, a body politic and corporate, and a political subdivision of the state. It shall have the powers to perform all functions consistent with a multicounty united local health department as described in [Utah Code 26A](#) Local Health Authorities Act.
- 2.2. **Powers.** The powers of the Department shall be as follows:
- 2.2.1. Have all powers and duties permitted and outlined in [Utah Code 26A](#) Local Health Department Act necessary to provide Public Health Programs;
  - 2.2.2. Have all applicable powers and duties permitted and outlined in [Utah Code 11-13](#) Interlocal Cooperation Act;
  - 2.2.3. Have all powers and duties permitted and outlined in [Utah Code 17-43](#) Local Human Services Act; and
    - 2.2.3.1. Develop, oversee, and administer all contracts for Behavioral Health Programs per [subsection 4.14](#) of this agreement.
- 2.3. **Duties.**



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2.3.1. The Department shall unify the local substance abuse and mental health plans from the three Counties, emphasizing funding and service delivery as mandated by the [Utah Code 17-43](#) Local Human Services Act. This unified plan will be called the Behavioral Health Programs Area Plan (“BHP Area Plan”).

2.3.1.1. The BHP Area Plan will be created as specified in this Interlocal Agreement and compliance with state law. The Department will hold a public hearing each year for input on the BHP Area Plan. After receiving public input on the BHP Area Plan, the Department shall present the BHP Area Plan to each County for approval by the Local Mental Health and Substance Abuse Authorities of those Counties.

### 3. DURATION.

3.1. This Interlocal Agreement shall be in full force and effect and be legally binding upon the Counties only after its execution and approval by resolution by the Legislative Bodies of each County. Thereafter, both this Interlocal Agreement and the existence of the Department shall continue for a period of fifty (50) years. At this time, it may be terminated or a new agreement executed.

### 4. ORGANIZATION.

4.1. **Board of Health.** The Bear River Board of Health shall govern the Department, subject to the limitations outlined in Utah Code [26A](#), which include being subject to the authority of the mental health and substance abuse authorities of the Counties regarding Behavioral Health Programs.

4.2. **Membership.** Membership of the Bear River Board of Health shall consist of nine (9) members, as follows:

4.2.1. One (1) elected official from each county, as determined by the Legislative Body; and

4.2.2. Six (6) members of the public at large shall be appointed on a non-partisan basis in numbers proportional to the population of the Counties by the respective Legislative Bodies of the Counties, with the advice and recommendation of the Board of Health.

4.2.3. An employee of the Department may not be a board member. All board members shall reside within the area served by Bear River Health; and

4.2.4. A majority of board members may not:

- a. be primarily engaged in providing health care or in the administration of facilities or institutions in which health care is provided;
- b. hold a fiduciary position or have a fiduciary interest in any entity involved in the provision of health care;
- c. receive either directly or through a spouse more than one-tenth (1/10) of the board member's gross income from any entity or activity relating to health care; and
- d. be members of one particular type of business or profession.

4.3. **Appointment.** All members are to be appointed by the Legislative Bodies of the Counties.

4.4. **Term.** Appointments shall be for a term of three (3) years and shall be made as possible, so one-third of the terms of office of those serving on the Board of Health expire each year. Board members appointed to fill vacancies shall hold office until the expiration of the terms

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of their predecessors. Board members may be appointed to successive terms pursuant to the policies of the respective Counties.

- 4.5. **Fiduciary Duty.** Each member of the Board of Health has and owes a fiduciary duty to the Department.
- 4.6. **Officers.** The Board of Health shall elect a chair, a vice-chair, and a secretary. The Local Health Officer of the Department appointed pursuant to [Utah Code 26A-1-110](#) may serve as secretary to the Board of Health.
- 4.7. **Local Health Officer.** Following [Utah Code 26A-1-105.5\(4\)](#), the Local Health Officer shall be appointed, hold office, and have the powers as set forth in [Utah Code 26A-1-110](#), and may be removed as outlined in [Utah Code 26A-1-111](#).
- 4.8. **Meetings.** The Board of Health meetings shall be held at least six times per year. The chair may call special meetings or a majority of the board members at any time by providing three (3) days notice to each board member or, in the case of an emergency, as soon as possible after all board members have been notified.
- 4.9. **Quorum.** A majority of the Board of Health members shall constitute a quorum.
- 4.10. **Bylaws.** The Board of Health may adopt and amend bylaws that are not inconsistent with this agreement and state law for the transaction of business. The bylaws and any subsequent amendments must be approved by the county attorney and by a majority vote of a Quorum in a public meeting.
- 4.11. **Compensation.** Under [Utah Code 26A-1-109](#), board members serve without compensation but shall be reimbursed for actual and necessary traveling and subsistence expenses when absent from their place of residence in attendance at authorized meetings.
- 4.12. **Personnel.** The Legislative Bodies of the Counties must ratify the Board of Health's approval of all changes to Bear River Health's merit system, personnel policies, and compensation plans. In addition, the provisions of [Utah Code 26A-1-112](#) shall generally apply to the appointment of personnel, including removal for cause.
- 4.13. **Reports.** The Board of Health shall, annually, report the operations of Bear River and the board to the local governing bodies of the municipalities and the Counties served by Bear River Health. In addition, the Board of Health shall send a copy of Bear River's approved budget to all local governing bodies of the municipalities and Counties served by the Department no later than thirty (30) days after the beginning of Bear River Health's fiscal year.
- 4.14. **Behavioral Health Programs.** Through this Interlocal agreement, the Counties, as the Substance Abuse and Mental Health Authorities as outlined in [Utah Code 17-43](#), delegate the oversight for all Behavioral Health Programs to the Department with the following stipulations.
  - 4.14.1. The Counties grant the responsibility for continuing, maintaining, and overseeing contracting for Behavioral Health Programs to the Department. The contracting shall be governed by [Utah Code 63G-6a](#) and Bear River Health's approved procurement policies with the following stipulations:
    - 4.14.1.1. The Counties authorize the Department to contract directly with the Utah Department of Health and Human Services for any funds (state or federal) available to the Counties to deliver Behavioral Health Programs.

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- 4.14.1.2. The Counties authorize the Department to develop, oversee, administer, and monitor contracts for Behavioral Health Programs on behalf of the Counties.
- 4.14.1.2.1. To avoid a lapse in critical government services and mitigate circumstances likely to negatively impact public health, safety, and welfare of vulnerable populations, the Department shall prioritize the Counties' established contract(s) for Behavioral Health Programs that exist at the creation of this Interlocal Agreement.
- 4.14.1.2.2. Changes may be made to the contract(s) as long as they are intended to enhance the integrity of the contract(s) or the delivery of Behavioral Health Programs. However, the duration established in the contracts referenced in subsection [4.14.1.2.1](#) must remain unchanged unless the contracted service provider and the Department agree otherwise.
- 4.14.1.2.3. Any established contract(s) for Behavioral Health Programs must be re-executed to spell out the expectation for delivering integrated mental health and substance abuse programs.
- 4.14.2. As allowed under [Utah Code 17-43-309](#), the Legislative Bodies of the Counties, under this agreement, officially establish a local behavioral health advisory council to advise on planning, organizing, and operating all Behavioral Health Programs. The council shall be called the Bear River Behavioral Health Advisory Council (BHAC). The BHAC shall meet at least once per quarter and be governed by bylaws. The bylaws must not conflict with any federal, state, or local law or this Interlocal Agreement and must be approved by the Counties.
- 4.14.3. The BHAC shall comprise nine members appointed by the Counties as directed in [Utah Code 17-43-309](#) with the following makeup based on county population.
- 4.14.3.1. Five members from Cache County;
- 4.14.3.2. Three members from Box Elder County; and
- 4.14.3.3. One member from Rich County.
- 4.14.4. BHAC members shall be selected from persons representative of interested groups in the community, but they cannot be individuals employed or otherwise associated with contracted service providers.
- 4.14.4.1. All BHAC members will be appointed by the Legislative Bodies of the Counties, with the BHAC's advice and recommendation.
- 4.14.4.1.1. Initially, one-fourth of the members shall be appointed for one year, one-fourth for two years, one-fourth for three years, and one-fourth for four years.
- Cache County (5 members)
- One member initially appointed for a four-year term;

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One member initially appointed for a three-year term;

One member initially appointed for a two-year term; and

Two members initially appointed for a one-year term.

Box Elder County (3 members)

One member initially appointed for a four-year term;

One member initially appointed for a three-year term; and

One member initially appointed for a two-year term

Rich County (1 member)

One member initially appointed for a four-year term.

4.14.4.1.2. After the initial appointment, each member's term shall be four years.

4.14.4.1.3. Vacancies shall be filled in the same manner as for unexpired terms.

4.14.4.1.4. Council members may be removed for cause.

4.14.4.2. The BHAC shall advise the Counties and the Director of Behavioral Health Programs in planning (including the required BHP Area Plan), organizing, and operating community Behavioral Health Programs.

4.14.4.3. Under this Interlocal Agreement, the BHAC shall be an agent of the Counties and is subject to laws and requirements relating to the Local Mental Health and Substance Abuse Authorities. All BHAC meetings must comply with [Utah Code 52-4](#) Open and Public Meetings Act.

4.14.5. Under this Interlocal Agreement, the Department is authorized to fulfill the requirements laid out in [Utah Code 17-43-201\(5\)](#) and [17-43-301\(6\)](#) in recruiting, interviewing, and recommending for appointment to the Legislative Bodies of the Counties a Director of Behavioral Health Programs. Once appointed by each of the county governing bodies, the Director of Behavioral Health will be an employee of the Department and shall be responsible for the following:

4.14.5.1. Serve as the director of substance use programs and services per [Utah Code 17-43-201\(5\)](#).

4.14.5.2. Serve as the director of mental health programs and services per [Utah Code 17-43-301\(6\)](#).

4.14.5.3. Shall not be the Local Health Officer.

4.14.5.4. Shall serve as the secretary to the BHAC.

4.14.5.5. Work with the BHAC in planning (including the required BHP Area Plan), organizing, and operating community behavioral health programs.

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- 4.14.5.6. Develop, oversee, and administer all contracts with qualified behavioral health providers and the Department, per subsection [4.14.1](#) of this Section.
  - 4.14.5.7. Contract providers must establish administrative, clinical, personnel, financial, procurement, and management policies regarding behavioral health programs and facilities following the rules of the state division and state and federal law.
  - 4.14.5.8. Have general oversight of Medicaid Capitation for Behavioral Health Programs.
  - 4.14.5.9. Establish mechanisms allowing for direct citizen input into Behavioral Health Programs.
  - 4.14.5.10. Annually contract with the state division to provide Behavioral Health Programs.
  - 4.14.5.11. Ensure compliance with all applicable state and federal statutes, policies, audit requirements, contract requirements, and any directives resulting from those audits and contract requirements.

## **5. BUDGET, FUNDING, CONTRACTS & PROCUREMENT.**

### **5.1. Operating Budget.**

- 5.1.1. The Department's fiscal year shall begin on January 1 of each year and end on December 31.
- 5.1.2. The Local Health Officer of the Department shall submit a proposed fiscal year budget to the Board of Health for the upcoming fiscal year.
- 5.1.3. The Board of Health shall adopt an annual budget for each fiscal year in compliance with the Uniform Fiscal Procedures Act for Counties, [Utah Code 17-36](#). The proposed annual budget, approved by the Board of Health, shall be presented to the Legislative Bodies of the Counties.

### **5.2. County Funding.**

- 5.2.1. Following [Utah Code 26A-1-117](#), the Counties involved in the establishment and operation of the Department shall be responsible for funding the ongoing operations as follows.
  - 5.2.1.1. Following [Utah Code 26A-1-115](#), the cost of establishing and maintaining the Department shall be apportioned among the participating Counties based on the most recent federal census population estimates in proportion to the total population of all Counties within the boundaries of the Department.
    - 5.2.1.1.1. The population appropriation may be paid from the County General Fund, from the levy of a tax, or in part by an appropriation and in part by a levy under [Utah Code 17-53-221](#).
    - 5.2.1.1.2. The County's population appropriation shall be jointly evaluated by an Appropriation Committee every five years, and a recommendation shall be made regarding the

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per-capita appropriation for the subsequent five (5) year period.

- 5.2.1.1.3. The County Legislative Bodies will review and consider this appropriation recommendation for adoption.
- 5.2.1.1.4. Appropriated funds shall only be used to support the Department's operations.
- 5.2.1.1.5. Once the Counties adopt this agreement, the minimum population appropriation can only be reduced through consultation and approval from each County involved.
- 5.2.1.1.6. The agreed-upon population appropriation will be in a written addendum to this agreement.
- 5.2.1.1.7. Nothing in this Interlocal Agreement shall prohibit a County from contributing more than the agreed-upon population appropriation.

5.2.2. County Match.

- 5.2.2.1. Following [Utah Code 26A-1-115\(6\)\(a\)\(i\)](#), all state funds distributed by contract from the Utah Department of Health and Human Services to local health departments for public health services shall be matched by those local health departments at a percentage determined by the department in consultation with local health departments.
- 5.2.2.2. Following Utah Code [17-43-201\(5\)\(k\)](#) and [17-43-301\(6\)\(a\)\(x\)](#), the Counties shall provide funding equal to at least 20% of the state funds received to fund services described in the required BHP Area Plan.

5.3. **Contract Funding.** The Department is authorized to contract with the Utah Department of Health and Human Services and other state and federal agencies for eligible public health, mental health, and substance abuse funding to come to the Counties.

- 5.3.1. The Local Health Officer is authorized to approve all new and renewed contracts, grants, or other sources of revenue for Public Health Programs, but only after ensuring that the contracts are aligned with local needs.
  - 5.3.1.1. The Local Health Officer shall authorize making agreements not in conflict with state law that are conditional to receiving funds through a donation, grant, or contract.
    - 5.3.1.1.1. The Director of Behavioral Health is responsible for reviewing all contracts related to the delivery of Behavioral Health Programs on behalf of the counties and their Local Mental Health and Substance Abuse Authorities. This review ensures that the contracts align with the local needs outlined in the BHP Area Plan. After a thorough review, the contracts will be submitted to the Local Health Officer for authorization.
  - 5.3.1.2. The Board of Health may direct the Local Health Officer to cancel or not renew any contract, grant, or other source of revenue.

5.4. **Fees.**

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- 5.4.1. The Board of Health shall, annually, establish and adopt a fee schedule for all the Department programs and services for which there is a charge based on recommendations provided by the Local Health Officer.
- 5.4.1.1. The provisions of Section [Utah Code 26A-1-114](#) shall generally apply to the establishment and collection of fees by Bear River Health.
- 5.4.1.2. For budgeting purposes, the establishment of all fees will be finalized by October 31 of each year and shall be effective at the beginning of the next calendar year.
- 5.4.1.3. The Board of Health does not establish fees for those programs and services where a fee has been directed and established by state statute or rule.
- 5.5. **Additional Revenue.** Money from surpluses, grants, and donations may also be used to establish and maintain Bear River Health.
- 5.6. **Security for Financing Physical Facilities.** Following [Utah Code 26A-1-115](#), the cost of providing, equipping, and maintaining suitable offices and facilities for a local health department is the responsibility of participating Legislative Bodies of the Counties. Under this agreement, this is best accomplished in consultation with the Board of Health to ensure that the facilities adequately address the community's needs. To facilitate the financing of physical facilities, each county may enter into separate arrangements with the Department with respect to the operation and utilization of all facilities used for Public Health Programs in their respective county.
- 5.7. **Treasurer.** The provisions of Utah Code [17-43-201\(2\)\(c\)\(i\)\(a\)](#), [17-43-301\(3\)\(c\)\(i\)\(a\)](#), and [26A-1-118](#) shall apply, and the Cache County Treasurer shall serve as treasurer for the Department over Public Health and Behavioral Health Programs. The treasurer or other disbursing officer authorized by the treasurer may make payments from monies for the joint programs and services of the Counties upon audit of the appropriate auditing officer or officers representing the Counties.
- 5.8. **Auditor.**
- 5.8.1. The Counties grant the Department the authority to appoint an independent auditor to audit the operation of the Department as outlined in Utah Code [17-43-201\(2\)\(c\)\(ii\)](#), [17-43-301\(3\)\(c\)\(ii\)](#), and [26A-1-115\(7\)\(a\)](#).
- 5.8.2. The Counties reserve the right to assign an auditor to audit any Department operations.
- 5.9. **Procurement Procedures.** The Department will develop written procurement policies to guide all procurement procedures, except as dictated otherwise in subsection [4.14.1](#) of this Interlocal Agreement. The procurement policies must not conflict with [Utah Code 11-13-226](#), be reviewed by legal counsel, and be approved by the Board of Health.



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## 6. LEGAL REPRESENTATION.

- 6.1. The Cache County Attorney shall provide legal representation for Public Health and Behavioral Health Programs as required by Utah Code [26A-1-120](#), [17-43-201\(2\)\(c\)\(iii\)](#), and [17-43-301\(3\)\(c\)\(iii\)](#).
  - 6.1.1. The Cache County Attorney is authorized to request and receive the assistance of the county attorneys of the other Counties in defending or prosecuting actions within their county related to behavioral health programs.
  - 6.1.2. The Department and the Cache County Attorney can rely on the provisions of Utah Code [26A-1-120](#) to utilize the other county attorneys' legal services as defined in that code section for public health programs.
  - 6.1.3. The Health Officer shall notify the Cache County Attorney of any pending or imminent legal actions against Bear River Health.
  - 6.1.4. If there is a conflict of interest involving the county attorney acting as legal advisor to the Department or defending an action against Bear River Health, the Board of Health, or officers and employees. In that case, the Cache County Attorney shall assign a county attorney of a county participating herein to act as legal advisor.

## 7. REPRESENTATION.

- 7.1. **County Representation.** Each County represents that it is a political subdivision of the State of Utah and is authorized to enter into the transactions contemplated by this Interlocal Agreement and to carry out its obligations hereunder, including funding the Department per the Local Health Authorities Act.
- 7.2. **No Litigation.** Each County represents that there is no litigation or legal or governmental action, proceeding, inquiry or investigation pending or threatened to which said County, as applicable, is a party or to which any of its property is subject, which, if determined adversely to said County, would individually or in the aggregate (i) affect the validity or enforceability of this Interlocal Agreement, or (ii) otherwise materially adversely affect the ability of the said County to comply with its obligations under this Interlocal Agreement or the transactions contemplated by this Interlocal Agreement.

## 8. TERMINATION AND DISSOLUTION.

- 8.1. **Termination & Dissolution.**
  - 8.1.1. Any party to this agreement may terminate its participation in this entity only after complying with [Utah Code 26A-1-122](#).
  - 8.1.2. At least ninety (90) days prior written notice of the withdrawal shall be given to the Board of Health.
  - 8.1.3. The effective date of any withdrawal shall be December 31.
  - 8.1.4. The participating Counties shall establish local health departments under Section [26A-1-103](#), [26A-1-105](#), or [26A-1-106](#) at least 30 days before dissolution.
  - 8.1.5. Upon termination, the Board of Health is authorized to take such actions as necessary to effectuate the dissolution of the Department and dispose of the property of the Department as spelled out in subsection [8.2](#) of this Section.



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- 8.1.6. Unless explicitly stated otherwise in this Interlocal Agreement, no party shall have the right to unilaterally cancel, rescind, or terminate this Interlocal Agreement due to a breach. However, this limitation does not affect any other rights or remedies that either party may have as a result of such a breach.
- 8.2. **Division of Assets.** Upon termination and dissolution of this Interlocal Agreement, title to the assets of the Department shall revert to the respective Counties for which those assets have been secured and utilized for the delivery of Public Health Programs.
- 8.3. **Division of Workforce.** Upon termination and dissolution of this Interlocal Agreement, the Counties agree to jointly negotiate in good faith regarding the division of the current workforce. The Counties agree that the primary focus of the negotiations will be to minimize the disruption of public health service delivery in each county.

## 9. MISCELLANEOUS

- 9.1. **Filing.** Each County covenants to file this Interlocal Agreement with its records keeper.
- 9.2. **Assignment.** None of the Counties may assign any interest herein without the consent of all other parties to this Interlocal Agreement.
- 9.3. **Counterparts.** This Interlocal Agreement may be executed in multiple counterparts, each of which will be considered an original for all purposes. Each County agrees to execute any necessary deeds, instruments, legal documents, and resolutions or ordinances to implement the terms of this Interlocal Agreement.
- 9.4. **Entire Contract.** This Interlocal Agreement consolidates and replaces all previous negotiations, representations, and agreements between the Counties regarding the subject matter addressed herein. It serves as the complete contract between the Counties concerning the establishment and powers of the Department. Additionally, the intent of this Interlocal Agreement is to document and reaffirm the formation and powers that the Department has exercised up to this point.
- 9.5. **Amendment.** This Interlocal Agreement may only be modified or amended in writing. Such modifications or amendments must be signed by a duly authorized representative of the Counties, following the adoption of a resolution by the Counties' Legislative Bodies that approves the changes.
- 9.6. **Attorney Fees.** The prevailing party in any litigation to interpret and/or enforce the provisions of this Agreement shall be entitled to an award of reasonable attorney fees and costs, in addition to any other relief that the court grants.
- 9.7. **Severability.** Whenever possible, each provision of this Interlocal Agreement shall be interpreted in such a manner as to be valid; but if any provision of this Interlocal Agreement is held, in a final judicial determination, to be invalid or prohibited under applicable law, that provision shall be ineffective to the extent of such invalidity or prohibition without invalidating the remainder of such provision or the remaining provisions of this Interlocal Agreement. Notwithstanding the foregoing, however, should such judicially determined invalidity of any provision of this Interlocal Agreement frustrate the intended purpose of the member entities, as expressed herein, that invalidity shall cause this Interlocal Agreement to be terminated, with the parties, to the extent possible, to be restored to the status quo.

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- 9.8. **Conflict with State Law.** To the extent that any provision contained in this Interlocal Agreement is, or subsequently comes, in conflict with Utah State Code, Utah State Code shall be controlling with respect to the Department's organization and operation.
- 9.9. **Governing Law.** The laws of the State of Utah shall govern this Agreement.
- 9.10. **Annual Review.** The Local Health Officer will work with the Cache County Attorney's Office to conduct an annual review of this Interlocal Agreement to ensure all references to Utah State Code are current and that this Interlocal Agreement complies with current Utah State Code to assess potential conflicts and suggest solutions to clarify or resolve them. The findings of this review, along with any recommended changes and an overview of the overall context and structure of this Interlocal Agreement, will be presented to the Counties as part of the annual report required under Utah Code 26A-1-109(6).

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**AGREED TO AND APPROVED BY:**

Name	Date
Box Elder County Board Chair	

Name	Date
Cache County Council Chair	

Name	Date
Rich County Board Chair	

**APPROVED TO FORM**

Name	Date
Box Elder County Attorney	

Name	Date
Cache County Attorney	

Name	Date
Rich County Attorney	

**CACHE COUNTY COUNCIL**

SANDI GOODLANDER, CHAIR  
KATHRYN A BEUS, VICE CHAIR  
DAVID L. ERICKSON  
KEEGAN GARRITY  
NOLAN P. GUNNELL  
MARK R. HURD  
BARBARA Y. TIDWELL



Cache  
County  
1857

199 NORTH MAIN STREET  
LOGAN, UT 84321  
435-755-1840  
www.cachecounty.gov

## NOTICE OF THE ANNUAL CACHE COUNTY COUNCIL MEETING AND COUNTY OFFICES HOLIDAY SCHEDULE

**REVISED**

**PUBLIC NOTICE** is hereby given, in accordance with Utah Code § 52-4-202(2), that the 2025 meeting schedule of the Cache County Council is as follows:

<b>JANUARY</b>	<b>14 and 28</b>	<b>JULY</b>	<b>8 and 22</b>
<b>FEBRUARY</b>	<b>11 and 25</b>	<b>AUGUST</b>	<b>12 and 26</b>
<b>MARCH</b>	<b>11 and 25</b>	<b>SEPTEMBER</b>	<b>9 and 23</b>
<b>APRIL</b>	<b>8 and 22</b>	<b>OCTOBER</b>	<b>14 and 28</b>
<b>MAY</b>	<b>13 and 27</b>	<b>NOVEMBER</b>	<b>11 and 25</b>
<b>JUNE</b>	<b>10 and 24</b>	<b>DECEMBER</b>	<b>2 and 9</b>

Regular meetings of the Council will be held in the Cache County Historic Courthouse, 199 North Main, Logan, Utah 84321 beginning at 5:00 p.m. unless notice is given otherwise. Special and emergency meetings may be called as necessary pursuant to Utah State law.

The following legal holidays will be observed in 2025 by Cache County Government. County offices, except emergency services, shall be closed on these days:

<b>JANUARY</b>	<b>1</b>	Wednesday	<b>New Year's Day</b>
<b>JANUARY</b>	<b>20</b>	Monday	<b>Martin Luther King Jr. Day</b>
<b>FEBRUARY</b>	<b>17</b>	Monday	<b>Presidents' Day</b>
<b>MAY</b>	<b>26</b>	Monday	<b>Memorial Day</b>
<b>JUNE</b>	<b>16</b>	Thursday	<b>Juneteenth</b>
<b>JULY</b>	<b>4</b>	Friday	<b>Independence Day</b>
<b>JULY</b>	<b>24</b>	Thursday	<b>Pioneer Day</b>
<b>SEPTEMBER</b>	<b>1</b>	Monday	<b>Labor Day</b>
<b>OCTOBER</b>	<b>13</b>	Monday	<b>Columbus Day</b>
<b>NOVEMBER</b>	<b>11</b>	Tuesday	<b>Veterans Day</b>
<b>NOVEMBER</b>	<b>27</b>	Thursday	<b>Thanksgiving Day</b>
<b>NOVEMBER</b>	<b>28</b>	Friday	<b>Personal Preference Day</b>
<b>DECEMBER</b>	<b>24</b>	Wednesday	<b>Christmas Eve</b>
<b>DECEMBER</b>	<b>25</b>	Thursday	<b>Christmas Day</b>

And all days which may be set apart by the President of the United States or the Governor of the State of Utah by proclamation shall also be observed as legal holidays.

Witness my hand this \_\_\_\_ day of \_\_\_\_\_, 2025.

Attest:

\_\_\_\_\_  
Bryson J. Behm  
Cache County Clerk

\_\_\_\_\_  
Sandi Goodlander, Chair  
Cache County Council

Original Publication Date: December 26, 2024  
Revised: February 11, 2025

**COUNCIL MEMBER COMMITTEE ASSIGNMENTS****Department Liaison**

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**Mark Hurd**

Audit Committee

Economic Development

Fairground Advisory Board

Library

IT Advisory

Public Relations

North Park Interlocal

Ordinance and Policy

Clerk

IT

Public Defender

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**David Erickson**

BRAG Governing Board

County Boundary Commission

Fair &amp; Rodeo Exexutive Board

Fairgrounds Advisory Board

Fire District Board

Ordinance &amp; Policy

Water Consortium

Vegetation Management

Roads

RAPZ Tax

Attorney

Solid Waste

Treasurer

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**Sandi Goodlander**

BRAG Governing Board

Appropriations

Audit Committee

Fairgrounds Advisory Board

Public Relations

UAC Governing Board

CJCC

Executive

Auditor

Senior Center

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**Barbara Tidwell**

BRAG Human Services Board

CCCOG

CMPO

Compensation Committee

Ordinance &amp; Policy

\*USACC Secretary

Sheriff

Personnel Mgmt

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**Keegan Garrity**

Audit Committee

Cache Community Foundation

Economic Development

COSAC

Visitors Bureau

Airport Authority

Public Relations

Trails Committee

Assessor

Visitors Bureau

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**Nolan Gunnell**

Appropriations

Waste Consortium

Waste Consortium Exec Committee

Planning &amp; Zoning

Hardware Ranch

Roads

Water Consortium

Development Service

Planning &amp; Zoning

Public Works

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Kathryn Beus		
Appropriations	RAPZ	Recorder
Compensation Committee		Finance
Fire District Board		Childrens Justice
Hardware Ranch		Victims Advocate
Roads		

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