

Wasatch Open Lands Board Meeting (WOLB)

May 10, 2021; 6:30 pm MT

DRAFT MINUTES

Send any public comments to: openlands@wasatch.utah.gov .

Attendees:

Board Members: Heidi Franco, Steve Farrell, Marilyn Crittenden, Dallin Koecher, Justin Keys, Tracy Taylor, Steve Stevens.

Others: Matt Brower, Ann Zimmerman, Cheryl Fox, Ashley Farrell.

AGENDA:

1- Public Comments

2- Approval of April 12, 2021 Minutes.

Motion: Tracy T

2nd: Steve S.

Vote: Unanimous to approve.

3- NOI – Notice of Interest Applications: Board discussion, updates, & action.

Update on Heber City NOI

-Review of 4.25 acres/10.13 acres (ranching, no flood irrigation) Use as open space, preserve natural open space.

-**Discussion of wetland impacts:** Thinks there isn't a wetlands impact from NOI proposal. No development impact to current uses. Did not contact Army Corp yet.

-**Frontage/access:** Houston access goes to 600 East, complete length, close to 200'. Survey discrepancy on road frontage. McDonald has 32' of dedicated prescriptive easement lane, purchased in perpetuity. **To get a building permit the exact frontage on Houston property/lot of record need to have enough frontage; yet Houston's think they are grandfathered in for building permit of lot of record. City can check exact frontage. Can affect appraisal value and development rights cost.

-**Septic/sewer:** no power or sewer/septic on either lot.

-**Lots of record/development rights:** McDonald would need to combine his two lots in order to get one building development right, because of wetlands. McDonald is confident that there are TWO development rights on the two separate properties.

-**Water rights on parcels:** McDonald property has old water 'diligence' report, yet already deeded it to the City. No water rights on McDonald property essentially. Houston property 2 shares of North Fields irrigation water/3 acre feet = 6 acre feet total. **Yet ONLY enough water for two acres.

Discussion of costs of Houston's water rights.

Discussion of lots of record, NOI would acquire development rights in order to get conservation easement. Per county code criteria, must keep the existing water rights on

property, can't be sold off of property. Development rights would be held by Summit Lands Conservancy in conservation easement.

Discussion of city contribution versus leverage percentages. If City includes costs of land plus improvements then open space bond money is only 33% of total. If WOLB counts only the land with no improvements, then bond cost is up to 50% of total.

Discussion of public benefits for the up to 50%; public access is much greater than other NOI's.

Discussion on how much WOLB should recommend for funding.

Discussion of RMP easement/potential bypass road impact on this property. Discussion on uniqueness of this area given RMP easement and bypass road impact. Are current appraisals reflecting the impact of RMP and bypass easement?

This NOI will set a precedent for buying actual land.

Motion to table the Heber City Muirfield NOI: made by Tracy T.

2nd: Steve F.

Vote: Unanimous

-Laren Gertsch NOI

200 acres, several parcels in North Fields. Will send us a map.

-Discussion of proposed conservation easement and value given yet property owner is still analyzing tax deduction law criteria that if this land is considered for condemnation, then no tax deduction allowed. Yet there can still be a conservation easement.

-Discussion of previous bypass road route, which was previously proposed to go along east side of property.

-Will NOI applicant do the needed appraisals? Applicant will apply for NRCS grants. Likely 10+ development rights. **Utah Open Lands will verify lots of records/development rights.**

Motion to go into closed session regarding real estate purchases: Tracy T.

2nd: Marilyn C.

Vote: Unanimous.

Discussion on potential real estate transactions per state code.

Motion to Come Out of Closed Session: Marilyn C.

2nd: Justin K.

Vote: Unanimous

4- Updates from Wasatch County Council, Midway City, and Heber City on open space bond funding, and preservation efforts.

John Crook, Heber City Focus Group Info: Concerns of landowners how to leave a legacy for their children for a financial benefit? Landowners don't know what conservation easement is. Children can't make a living but can't afford it.

Dr. Steve Stevens, Midway Focus Group Info: Concerns about representation on the board, wants more landowners representation. Create a subcommittee of landowners? Become a 'fact-finding' group, give advice to WOLB so ethics requirements wouldn't apply? How do we proceed? Call it a "North Fields Ag Group". Can set up other Groups for other areas in the County. **Dr. Steve: Set up an Ag Group and perhaps can this group come next month to discuss their issues?** Landowners want more facts/figures to understand. How far can the bond money stretch with higher land prices? Concerned about changes in capital gains taxes under Biden administration?

Steve Farrell, County Farm Bureau Info: Questions on easement and still maintain land without public access. Are elected officials losing sight of agricultural preservation? Have elected officials go on tours for ag needs/protections/issues. **Set up a day/time for tour.** New State law called Urban Farm Bill. New law now applies to all counties and other marketable crops & grazing; can now get greenbelt status. Minimum 2 acres up to 4.99 acres, can't include the house. Reapply annually, minimal income earned on acres; 1.5 tons per acre. Help larger lots to afford taxes and get greenbelt status.

Dallin K: gave radio spots, have any of us go in to talk about WOLB. **Will send us out dates to go on the radio** for KTMP every two weeks/KPCW monthly. Explaining the 'myths' of open space; Kohler Farm Project, explain conservation easements, WOLB processes, individual outcomes to preserve family legacies.

5- Miscellaneous Items, call for next month's agenda items.

6- Closed Session per U.C.A. 52-4-205 if needed.

MAY ASSIGNMENTS:

Dr. Steve: Set up an Ag Group and perhaps can this group come next month to discuss their issues?

Steve F: Let us know of upcoming farm tour with Farm Bureau.

Dallin K: set up a monthly radio interview to go over the 'myths' of open space/land conservation.

Motion to Adjourn: Marilyn C.

2nd: Steve Stevens

Vote: Unanimous

2021 Meeting Schedule:

2nd Monday of the month at 6:30 pm; held online until further notice.

June 14, 2021

July 13, 2021

August 9, 2021

Sep 13, 2021

Oct 11, 2021 (Columbus Day)

Nov 8, 2021

Dec 13, 2021