

Wasatch Open Lands Board Meeting (WOLB)

April 11, 2022; 6:30 pm MT

DRAFT MINUTES

Held Online and in Wasatch County Building, downstairs Conference Room, 25 N Main, Heber City, UT

Online Login Link: <https://us02web.zoom.us/j/82484154653?pwd=TVBRcW9SRlc1cHJsMTISOER5alpCUT09>

Meeting ID: 824 8415 4653

Passcode: 046345

Phone: 1-669-900-6833; 82484154653#; 046345#

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

Attendees: Heidi Franco, Steve Stevens, Cheryl Fox, Dallin Koecher, Matt Brower, Nancy O'Toole, Laurie Sibulkin, Dustin Grabau, Tracy Taylor, Marilyn Crittenden, Rep Mike Kohler. Justin Keys; Wendy Fisher.

AGENDA:

1- Public Comments – Open to All

Email comment sent by Daniel Cygrymus: against Muirfield Park for using open space bond money.

2- Approval of March 14, 2021, Minutes.

Motion: Steve Farrell

2nd: Marilyn Crittenden

Vote: unanimous by WOLB Board.

3- Public Hearing for the Heber City Muirfield Nature Park Notice of Interest.

Chair Heidi Franco opened the public hearing.

Matt Brower: Presentation for Heber City's Muirfield Park NOI.

9.25 acres total between the Houston and McDonald parcels.

Cheryl Fox: explanation of conservation easement changes.

Board Discussion:

-Verify lots of records on both.

-Cost total of \$991,799 includes land, conservation easement cost of \$41,799.

-Heber City pays all except the \$250,000 which is being asked for in NOI.

Discussion on keeping natural pastureland on parcels.

-Tracy: question on pg C-3, Clause 13 commercial uses clause in conservation easement clause, what is a lawful commercial usage? Asked to define this and specify uses.

-Cheryl: explains individual uses that could be commercial versus the city allowing commercial uses in shade pavilion.

-Justin: concerned on pavilion usage being noncommercial, likes better the latest language. Thinks that the use of 'commercial' is conflicting. Thinks that Clause 1 & Clause 13 conflict.

-Tracy: last time the City should not charge and make money off of that facility. Is there any other commercial type reference. Asked about other commercial languages/term.

-Steve and Tracy: thinks Clause 13 is vague and needs to be specified.

Further discussion on parks and commercial uses.

Tracy: the Open Space Bond money makes these parcels different from a regular city park. Need to protect the wetlands because of bond money. How can easement protect the sensitive land aspects of this property. Preserve the quality of this area.

-Cheryl: focused on enforcing the easement without policing it every day.

-Justin: always concerned about pavilion becoming a money-making commercial use.

Language to say: no residential or commercial uses allowed

-Steve F: who determines whether the 'lawful uses' conflict with the conservation easement?

-Answer: SLC would determine this. SLC will work with the City on determining this.

Purpose is for public access in a natural, open area.

-Heidi F: offer to put in 'Permitted recreational uses shall not detrimentally impact the sensitive lands, and not preclude the public recreational and educational uses and enjoyment of the Property.'

Steve F: proposed language: "no use shall be allowed that would diminish the sensitive land use."

Further discussion on residential, industrial, or commercial. Discussion on keeping the snow storage prohibition. Further language discussed.

Steve F: eliminate the residential and industrial purposes, not used for vehicle, etc.

Justin: if some uses are prohibited, then others by implication are allowed even though not mentioned.

Board Discussion: Keep Clause #6, change Clause #13 & 14 to new language.

Public Comments:

Laurie Silbulkin: commercial versus noncommercial uses, keep as natural as possible, yet no one is bringing up intensity of use. If many people then it will hurt the sensitive lands or around the shade structure, hurt the healthy environment can degrade. Think about that for consideration. Intensity use is the concern.

Tracy: what chemicals are/are not allowed. SLC permits what is permitted by the State.

Dustin: says high standards for water standards.

Steve F: Meet the City's Parks Department to take care of weeds, mosquito abatement consistent with the state procedures, no County abatement plan.

Scott Phillips: Heber City Council thanks WOLB. Asking for bathrooms. Can we add in a clause saying no porta potties. Thank you for consideration.

Discussion of bringing in porta potties by themselves? By City?

Matt B: what about pasturing animals?

Tracy: liability, fencing concerns. Safety issues.

Cheryl: Asking about rearranging Exhibit C to match new language.

Discussion of Board on this issue, grazing, soil conservation, sensitive lands, other best practices.

Closed Public hearing: Heidi Franco, Chair.

Motion by Dallin Koecher: Positive Recommend to County Council to review and approve the Heber City Muirfield Park NOI on May 4, 2022 at a Public Hearing.

2nd: Marilyn Crittenden

Vote: Unanimous by WOLB Board.

Chair Franco thanks WOLB for their time and consideration for wonderful public access for all within our County in this North Fields property.

4- Public Hearing for the Lundin Family Notice of Application.

Wendy Fisher: Not asking for an actual amount. Still working through negotiations and awaiting information on appraisals, etc. Wants to wait to get further information at next meeting. This delay would not change anything from information from the last Board meeting.

Chair Franco asked if any public wanted to participate in public hearing for Lundin Family. No public comments.

Motion by Steve Farrell to Table this public hearing until May 9, 2021.

2nd Marilyn Crittenden

Discussion:

Justin K: asked if any other changes and terms.

Wendy: wants to present a firm number to WOLB, and things are moving forward on terms. Wants the public hearing to follow normal processes and will come back. Not anticipating asking for more funding at this point, yet things are still fluid. Asked about

Vote: unanimous by WOLB Board to table public hearing until next meeting.

5- NOI's – Notice of Interest Applications: Board discussion, updates, & recommendations.

Steve Farrell: A NOI submitted by Alan & Pamela Giles, 37+ acres, in the center of the North Fields, below Potter's Lane.

Dustin will send the hardcopy NOI to all of WOLB and UOL.

Discussion of land across the road from this. Appraisal info per acre discussed, which Mr. Giles should know.

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

Wasatch County: Updates by Steve Farrell.

Midway City: Updates by Dr. Steve Stevens.

Heber City: No other updates from Heidi Franco.

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

Tracy T: asking guest, Representative Mike Kohler about state legislative issues.

Rep. Kohler: Legislature considering more money toward LeRay McAllister funds, thinks it was several million, up to \$5 Million this year.

Discussion on preserving open space.

8- Closed Session per U.C.A. 52-4-205 if needed. None needed.

Motion to adjourn: Steve Farrell

2nd: Dr. Steve Stevens

Vote: unanimous by WOLB Board.

2022 Meeting Schedule:

2nd Monday of the month at 6:30 pm.

May 9, 2022

June 13, 2022

July 11, 2022

August 8, 2022

Sep 12, 2022

October 10, 2022

November 14, 2022

December 12, 2022