

**MINUTES OF THE
WASATCH COUNTY COUNCIL
MARCH 5, 2025**

The Wasatch County Council met in regular session by live and by zoom at 4:00 p.m. and the following business was transacted.

PRESENT: Chair Karl McMillan
Councilman Mark Nelson
Councilman Erik Rowland
Councilwoman Colleen Bonner
Councilman Kendall Crittenden
Councilman Spencer Park

EXCUSED: Councilman Luke Searle

STAFF: Dustin Grabau, the Wasatch County Manager
Heber Lefgren, the Assistant Wasatch County Manager
Jerry Jones from the Clerk's Office
Wendy McKnight from the Clerk's Office
Tierra Cooper from the County Manager's Office
Rick Tatton, Court Reporter via Zoom
Jon Woodard, the Assistant Wasatch County Attorney

PRAYER/REMARKS: Councilman Kendall Crittenden

PLEDGE OF ALLEGIANCE: Led by Councilman Spencer Park and repeated by everyone.

Chair Karl McMillan called the meeting to order at 4:00 p.m. on Wednesday, March 5, 2025, and indicated that all the Wasatch County Council Members are present with the exception Councilman Luke Searle who is excused. The record should also show that the Wasatch County Council is meeting in the Wasatch County Council Chambers in the Wasatch County Administration Building located at 25 North Main, Heber City, Utah 84 032. Chair Karl McMillan then called the first agenda item.

OPEN AND PUBLIC MEETING AFFIDAVIT

The Open and Public Meeting Affidavit was made a part of the record.
Chair Karl McMillan indicated that we have an SSA#1 matter to take care of first. I will need a

motion to go into SSA#1.

Councilman Spencer Park made a motion to leave the regular Council Meeting and go into SSA#1 For one matter. Councilwoman Colleen Bonner seconded the motion, and the motion carries with the following vote:

**AYE: Chair Board Member Spencer Park
AYE: Board Member Karl McMillan
AYE: Board Member Colleen Bonner
AYE: Board Member Kendall Crittenden
AYE: Board Member Mark Nelson
AYE: Board Member Erik Rowland**

NAY: None.

SSA#1

Ben Probst, the financial man from SSA#1 addressed the Governing Board of the SSA#1 and indicated that he has warrants to be approved in the amount of \$1,217, 699.58.

Board Chair Spencer Park made a motion to approve the warrants in the amount of \$1,217,599.58. Board Member Karl McMillan seconded the motion, and the motion carries with the following vote:

**AYE: Chair Board Member Spencer Park
AYE: Board Member Karl McMillan
AYE: Board Member Mark Nelson
AYE; Board Member Erik Rowland
AYE: Board Member Colleen Bonner
AYE: Board Member Kendall Crittenden**

NAY: None.

Board Member Mark Nelson made a motion to leave SSA#1 and go back into the regular Wasatch County Council agenda. Board Member Erik Rowland seconded the motion, and the motion carries with the following vote:

**AYE: Board Chair Spencer Park
AYE: Board Member Karl McMillan
AYE: Board Member Mark Nelson
AYE: Board Member Erik Rowland
AYE: Board Member Colleen Bonner
AYE: Board Member Kendall Crittenden**

NAY: None.

REGULAR AGENDA

ADMINISTRATION ITEMS FOR FUTURE MEETINGS

Chair Karl McMillan asked if there were any administration items for future meetings and there were none.

LEGISLATIVE ITEMS FOR FUTURE MEETINGS

Chair Karl McMillan asked if there were any legislative items for future meetings and there were none.

PUBLIC COMMENT

Chair Karl McMillan then opened a public comment and asked if there is anybody ready to speak a public comment today.

Dustin Grabau, the Wasatch County Manager, addressed the Wasatch County Council and indicated that for the benefit of the public and for the Wasatch County Council we sent out a notice today notifying that Item No. 2 is going to be removed from the agenda. We adopted a public comment policy earlier this year and normally the public comment policy prohibits open public comment for items that are on the agenda and with regard to this matter being taken off from the agenda I wanted to indicate why the matter was taken off the agenda. Originally the item was placed on the agenda by the Council Chair at the request of two citizens with the intent that the Council could hear complaints related to public safety. The County has been informed since then that this item has been referred to for an investigation. There was an outside law enforcement agency currently investigating some of the subject matters here and because of that we feel that it presents some challenges to the due process for properly investigating claims of wrongdoing given the ongoing investigation. Because of that we are not going to hear item No. 2 today but that would not preclude it from being addressed during this public comment of the meeting.

Dustin Grabau, the Wasatch County Manager, also addressed the second item to outline to the public, the outline of the public comment policy that we adopted. The public comment policy allows members of the public online or in person to address the Council. The standard is two minutes, at least fifteen minutes to be able to address public comments. We would request that members of the public who would like to share it that they keep their subjects to the council for items not on the agenda. People wanting to give public comment should share their name and general location of their residence and typically the Council did not respond to questions or statements raised during a public comment and are prohibited by law from taking action on items

raised during the public comment period.

Chair Karl McMillan then opened a public comment and asked if there is anybody ready to speak a public comment today.

Jeff Winterton, local resident, addressed the Wasatch County Council and indicated that he is not going to discuss anything pertaining to the agenda items that we requested to be heard about. I am concerned with the transparency of the discussions that we have had. I don't believe that our concerns have been heard. Some of the concerns that we did bring forth in an earlier meeting were disseminated in a way that I do not feel is appropriate. I am very concerned about the so-called investigation. I have no idea what that is. The fact that it was not the Council that called for that investigation. That is all that I have to say. Thank you very much.

Todd Bonner, Wasatch County resident in Daniels. I too am very concerned with the way that things have been handled by the Council and County Manager in reference to this. We have brought to you guys several weeks ago a lot of concerns in reference to public safety. I don't think that we have been heard. I don't think that you guys have cared. I don't understand how a Sheriff can call another Sheriff in the State of Utah and request them to investigate when they don't even know what the allegations are yet. I blame you guys for that. I think there is a lot of things that a lot of public needs to find out what is going on and hold everyone accountable for this. That is all that I have at this point.

Sharon Paul, local resident, and I just wanted to say that we are concerned about the investigation and where it is coming from. When will that information be given to the public. I have a huge concern for the safety of Wasatch and the Lieutenants and other people that have been laid for not any longer. That is what I want to say.

Jim Brown, local resident, indicated that he does have some questions about this investigation also. I was told that this letter was sent out today and I came straight from work, and I don't know what letter you are talking about and what we are allowed to talk about. I was told that I have to address my comments to the County Manager and not the Council, is that correct?

Dustin Grabau, the Wasatch County Manager, indicated that we don't respond to comments.

Jim Brown, you have to hand it to you or if I can, hand it to the Board.

Dustin Grabau, if you have something that you would like to provide us with. You can do that through the Board of Council.

Jim Brown indicated that my question is that where is this going to go with the paperwork. Is it going to be looked at gently, where is this going to go?

Chair Karl McMillan indicated that we don't respond to public comments. Anyone else with any

further public comment?

Xela Thomas, local resident, indicated that she was not able to hear what just occurred between the people. There was no audio, and I was not able to hear what just transpired between Assistant Deputy County Attorney Jon Woodard and Jim Brown and concerned why the paper is not passed further.

Jake Frederickson, local resident, indicated that he submitted a complaint and e-mailed to the County Council and County Manager. I also have it in writing. I don't want to say anything but provide basically the reasons for my resignation in writing to you guys if you are okay with that.

Todd Bonner, local resident of Daniels, indicated that he would like to recommend that the County Manager or you, Council Karl McMillan make a phone call to Cache County Sheriff's Office and have that investigation discontinued and allow us to contact who we need, preferably the FBI to look into this, thank you.

Chair Karl McMillan then asked if there was any further comment either online or in person and it was indicated that there was not, So I will close public comment and go onto the approval of the minutes. Also, I forgot to ask if there were any other public comment that is not on the agenda and there was none.

APPROVAL OF THE MINUTES FOR FEBRUARY 19, 2025

Councilman Mark Nelson made a motion that we approve the February 19, 2025, minutes as presented. Councilman Kendall Crittenden seconded the motion, and the motion carries with the following vote:

AYE: Chair Karl McMillan

AYE: Mark Nelson

AYE: Erik Rowland

AYE: Colleen Bonner

AYE: Kendall Crittenden

AYE: Spencer Park

NAY: None.

BOE ADJUSTMENTS AND RECOMMENDATIONS FOR APPROVAL.

Jerry Jones, from the Wasatch County Clerk's Office, addressed the Wasatch County Council and asked on behalf of the Clerk/Auditors Office we are requesting approval of a credit back to a taxpayer named Cara Murphy who missed her window to appeal during the August 1st to September 16th period but was granted a state reconvene at which time. She submitted her

valuation evidence which was her settlement statement, and the Wasatch County Assessor's Office agreed to change the value from their estimate that was made from \$968,000.00 down to \$708,000.00, which is what she paid. We are asking for a credit back of her taxes of \$1,323.33. She paid the higher amount.

Councilwoman Colleen Bonner made a motion that we approve that recommendation. Chair Karl McMillan seconded the motion, and the motion carries with the following vote:

AYE: Chair Karl McMillan

AYE: Mark Nelson

AYE: Erik Rowland

AYE: Colleen Bonner

AYE: Kendall Crittenden

AYE: Spencer Park

NAY: None.

DISCUSSION AND CONSIDERATION OF SETTING THE AGENDA FOR THE 25 COUNCIL RETREAT OF MARCH.

Dustin Grabau, the Wasatch County Manager, addressed the Wasatch County Council and asked if the Council is okay with the items that were passed to the Council concerning the items that will be discussed at the local Council retreat on March 25th? The Council indicated that they are fine with what has been indicated by Dustin Grabau, the Wasatch County Manager. The retreat will be held at the Senior's Center Auditorium at 4:00 p.m. Dustin Grabau indicated that Councilman Luke Searle has e-mailed something that he would like to add and possibly could be an item unto itself at your discretion. We also could assign specific times for discussing these items and maybe you would like to focus on one or the other and that would be helpful to me otherwise we will just kind of bring as much as we can. I also have invited Tom Bonner, the Recreation Director, to talk about the community recreation element of it. Let me know if there might be other invites that you would like to attend, just make me aware of that and we will have them present. Also, if you don't have any other additions outside of Councilman Searle, I will incorporate that, and we will go from there. Technically we can make changes to this up until that meeting is convened. Just let me know about those changes so we can incorporate those into the retreat.

DISCUSS AND CONSIDERATION OF AN MOU WITH HEBER CITY EXPRESSING AN INTENT TO SELL TWO WASATCH COUNTY OWNED PARCELS TO HEBER CITY.

Dustin Grabau, the Wasatch County Manager, addressed the Wasatch County Council and indicated that this was an MOU that Heber City had worked with the Council last week through

a subcommittee meeting discussing this and the next agenda item. It is my understanding that Heber City considered this item and adopted as proposed by Heber City yesterday during their Heber City Council meeting. Councilman Erik Rowland indicated that the sale of the property was adopted as written. Dustin Grabau indicated that we need a motion from the Council on whether or not you would like to adopt this MOU and this is just the intent to sell two Wasatch County owned parcels to Heber City and this is the county administration building the site that we are on now as well as the old Heber City Fire Station off from Midway Lane of 100 West and they are interested in these parcels as related to their plans for downtown. Councilman Mark Nelson indicated that our motion is to approve the MOU not to approve the sale of the properties.

Councilman Erik Rowland made a motion that we approve the MOU as presented. Councilman Mark Nelson seconded the motion, and the motion carries with the following vote:

AYE: Chair Karl McMillan

AYE: Mark Nelson

AYE: Erik Rowland

AYE: Colleen Bonner

AYE: Spencer Park

AYE: Kendall Crittenden

NAY: None.

DISCUSSION AND CONSIDERATION OF AN MOU WITH HEBER CITY EXPRESSING SUPPORT FOR PROPERTY EAST OF HEBER CITY TO REMAIN UNINCORPORATED.

Dustin Grabau, the Wasatch County Manager, addressed the Wasatch County Council and indicated that Councilman Erik Rowland will give a brief synopsis of what happened yesterday concerning this matter. Dustin Grabau indicated that this is an MOU that is intended to address Heber City's intent or lack thereof to annex the parcels that are on the east boundary of the city now. Currently it is not included in their policy or at least two days were not included in their annexation policy plan.

Councilman Erik Rowland indicated that Heber City did unanimously deny the annexation boundary change, so it is completely off the table. Two of the Council Members expressed vocally that they were not aware that Heber City drafted this MOU. After a discussion was held, they ended up where they wanted to continue to meet and collaborate on a mutually agreed MOU. Right now, the County has a positive momentum with Heber City and doesn't see any harm in going through this. Right now, they have already denied the annexation and use this as a continued opportunity to work with Heber City and at least currently make sure that it is understood that whatever is drafted is agreed upon by both parties. Councilman Erik Rowland indicated that he would propose that we continue this point and set up another meeting with their

subcommittee and just make sure that we have the language exactly the way we want it to present it.

Councilman Spencer made a motion to continue this matter to a date uncertain. Councilman Erik Rowland seconded the motion, and the motion carries with the following vote:

AYE: Chair Karl McMillan

AYE: Mark Nelson

AYE: Erik Rowland

AYE: Spencer Park

AYE: Colleen Bonner

AYE: Kendall Crittenden

NAY: None.

Councilwoman Colleen Bonner thought that the word used to a date uncertain should say a date certain but voted AYE to the motion as indicated.

COUNCIL/BOARD REPORTS

Councilwoman Colleen Bonner indicated that the railroad is working with Heber City in building a new plat form and as a result the train won't be running for a few days in April which hasn't been decided yet. I think we will be impressed by the new construction that is being done down on the railroad

Councilman Erik Rowland indicated that the meeting yesterday was one of my reports and other than that I have done my updates and other than that I have no other reports.

Councilman Kendall Crittenden indicated that we are all on board in doing the Meals on Wheels. Also have met with Heber City Power concerning the property and construction down at the railroad. Also, Utah in the nation is ranked number one in social isolation and malnutrition deaths in the Senior Citizens population which is a sad situation. There is a great value in the Meals on Wheels program in meeting with people and having a social with them and seeing how things are going with them. With Meals on Wheels there is a good interaction with people. The Meals on Wheels is a very important program. In Utah County there is a waiting list to get on to the Meals on Wheels program. Also, we have no waiting list in Wasatch County to get on the Meals on Wheels program. Also, there is a sponsor process going on where people can donate to the Meals on Wheels program and become a sponsor.

Councilman Kendall Crittenden then discussed there is a program with the Ruth Hales Theater. There is a new Ruth Hales Theater that is being opened up and has indicated that she would like to present vouchers for one free play at the Ruth Hales Theater for public workers, etc. We need

to find out how many vouchers she has to give away and then we can decide if we can give them out for others than just public workers. We need them to have a presentation brought to the Council so we can make a decision on how many people should get the vouchers.

Councilman Kendall Crittenden then indicated that there is being started an update on the General Plan and a meeting is being held to educate the public on what a general plan is and how the overall process takes place. We are going to have a discussion of the General Plan and an update process on the retreat on the 25th of March and update the Council regarding that. This meeting is for the public to make them aware of what we are doing, why we are doing it and then have questions answered afterwards. The questions then can be brought back to the Council regarding what was asked and how they were replied to.

Councilman Kendall Crittenden then there are some bills that have come out of the legislative session that are very concerning and possibly we should have a discussion regarding those because they affect Wasatch County such as 337, 336, SB226, 540,

MANAGER'S REPORT

CONSIDERATION OF APPOINTING A MEMBER TO THE WASATCH OPEN LANDS BOARD.

Dustin Grabau, the County Manager, addressed the Wasatch County Council and indicated that the term of the Open Lands Board expired in January of 2025. Since then, the County has posted on its website the availability of seats. As of February 27th, one only application has been filed. Therefore, the following is recommended for that position which is Tracy Taylor to be appointed to the Wasatch Open Lands Board who is a previous occupant of that seat for a four-year term on the Wasatch Open Lands Board.

Councilwoman Colleen Bonner made a motion to recommend Tracy Taylor for another four-year term on the Wasatch Open Lands Board. Councilman Kendall Crittenden seconded the motion, and the motion carries with the following vote:

AYE: Chair Karl McMillan

AYE: Mark Nelson

AYE: Erik Rowland

AYE: Colleen Bonner

AYE: Spencer Park

AYE: Kendall Crittenden

NAY: None.

DRAFT LETTER TO THE FOREST SERVICE

Dustin Grabau, the County Manager, indicated that he prepared a draft letter to be sent to the Forest Service and our request for consideration of impacts on public safety and our economy in some potential changes in Forest Service and unless you have any concerns with that. Councilwoman Colleen Bonner indicated that she had read through it and it is good and we should send that out.

PUBLIC HEARINGS

Chair Karl McMillan indicated that there are no public hearings scheduled for this evening.

Chair Karl McMillan indicated that there is a need for a closed session to be held concerning Property Acquisition. I would need a motion to go into Closed Session for Property Acquisition.

Councilman Erik Rowland made a motion to leave our regular agenda and go into Closed Session for Property Acquisition. Councilman Mark Nelson seconded the motion. The motion carries with the following vote:

AYE: Chair Karl McMillan

AYE: Spencer Park

AYE; Kendall Crittenden

AYE: Colleen Bonner

AYE: Erik Rowland

AYE: Mark Nelson

NAY: None.

**MINUTES OF THE
WASATCH COUNTY COUNCIL
CLOSED SESSION
MARCH 5, 2025**

Chair Karl McMillan indicated that we are now in Closed Session to discuss Property Acquisition. The Closed Session is being held in the Wasatch County Administration Building in the Wasatch County Council Chambers located at 25 North Main, Heber City, Utah 84032

PRESENT: Chair Karl McMillan
Councilman Spencer Park
Councilwoman Colleen Bonner
Councilman Erik Rowland
Councilman Mark Nelson
Councilman Kendall Crittenden

ALSO PRESENT: Dustin Grabau, County Manager
Heber Lefgren, Assistant County Manager
Wendy McKnight from the Clerk's Office
Tierra Cooper, from the County Manager's Office
Jon Woodard, the Assistant Wasatch County Attorney

PROPERTY ACQUISITION

Dustin Grabau, the County Manager, addressed property acquisition in closed session and indicated that:

Councilwoman Colleen Bonner made a motion to leave Closed Session and go back into our Regular Agenda. Councilman Spencer Park seconded the motion, and the motion carries with the following vote:

AYE: Chair Karl McMillan
AYE: Spencer Park
AYE: Colleen Bonner
AYE: Erik Rowland
AYE: Mark Nelson
AYE: Kendall Crittenden

NAY: None.

ADJOURNMENT

Councilman Spencer Park made a motion to adjourn. Councilman Mark Nelson seconded the motion, and the motion carries with the following vote:

AYE: Chair Karl McMillan
AYE: Mark Nelson
AYE: Erik Rowland
AYE: Kendall Crittenden
AYE: Colleen Bonner
AYE: Spencer Park

NAY: None.

Meeting adjourned at 8:00 p.m.


KARL MCMILLAN/CHAIRMAN


JOEY D. GRANGER/CLERK/AUDITOR

