

**MINUTES OF THE
WASATCH COUNTY COUNCIL
MARCH 20, 2024**

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

PRESENT: Chair Spencer Park
Erik Rowland
Mark Nelson
Kendall Crittenden
Luke Searle
Karl McMillan

EXCUSED: Councilman Steve Farrell
Dustin Grabau, Wasatch County Manager

STAFF Heber Lefgren, Assistant Wasatch County Manager
Rick Tatton, Court Reporter via Zoom
Scott Sweat, Wasatch County Attorney
Doug Smith, Wasatch County Planner
Austin Corry, Assistant Wasatch County Planner via Zoom.

PRAYER: Councilman Kendall Crittenden

PLEDGE OF ALLEGIANCE: Led by Councilman Luke Searle and repeated by everyone.

Chair Spencer Park called the meeting to order at 4:00 p.m. on Wednesday March 20, 2024 and indicated that all the Wasatch County Council are present with the exception of Councilman Steve Farrell who is excused. The record should also show that the Wasatch County Council is meeting in the Wasatch County Council Chambers located in the Wasatch County Administration Building at 25 North Main, Heber City, Utah 84032. Chair Spencer Park then called the first agenda item.

THE OPEN AND PUBLIC MEETING AFFIDAVIT

The Open and Public meeting Affidavit was made a part of the record.

LEGISLATIVE ISSUES FOR FUTURE MEETINGS

Chair Spencer Park asked if there were any legislative issues for future meetings and there was none.

Councilman Luke Searle indicated that he has been working with the President of Rocky Mountain University of Health Professionals and he wanted to come and talk to us a little bit about their University and the programs that they offer which are potential extension programs to Wasatch County and were hoping to come to the Council's June 19th, meeting which is a normal meeting.

ADMINISTRATIVE ISSUES FOR FUTURE MEETINGS

Chair Spencer Park asked if there were any administrative issues for future meetings and there was none.

PUBLIC COMMENT ON MATTERS NOT ON THE AGENDA

Chair Spencer Park asked if there is any public comment on matters not on the agenda and there was none.

APPROVAL OF THE MINUTES FOR MARCH 6, 2024

Councilman Mark Nelson indicated that there are two corrections. Both corrections are on Page 35. One is Councilman Erik Rowley should be changed to Rowland. There was one NAY vote which was Councilman Luke Searle and on page 35 it says that Councilman Luke Searle voted AYE and that should be changed to NAY.

Councilman Mark Nelson made a motion and indicated that with those two corrections the minutes are correct. Councilman Kendall Crittenden seconded the motion and the motion carries with the following vote:

AYE: Chair Spencer Park

AYE: Mark Nelson

AYE: Erik Rowland

AYE: Kendall Crittenden

AYE: Luke Searle

AYE: Karl McMillan

NAY: None.

COUNCIL

BRIEFING ON A PROPOSED MOU FOR ANIMAL CONTROL SERVICES WITHIN WASATCH COUNTY PROVIDED BY HEBER CITY.

Heber Lefgren, the Assistant Wasatch County Manager, addressed the Wasatch County Council and presented a power point presentation and then indicated that Heber Valley Animal Services (HVAS) provides animal related services throughout all of Wasatch County and is a division housed within the Heber City Police Department. While HVAS is funded and staffed through Heber City all dispatch services utilized by HVAS are funded and staffed by the Wasatch County's Sheriff's Office. HVAS has an Animal Services Board made up of members who represent the participating community and is responsible for providing the organization supportive guidance and direction. Wasatch County currently has two seats on the board which are Councilman Luke Searle and Sheriff Jared Rigby.

Over the last year, the Animal Control Board has met with Heber City to discuss long-term needs of HVAS and the best way to provide essential animal related services to this community. This topic was a point of discussion in 2024 during a Wasatch County Council meeting and during a Interlocal government meeting in July. During these meetings, it was generally agreed that a new MOU between participating agencies would be needed in order to structure future investment and improvement needs since the existing MOU is out of date.

The purpose of this agenda item is to present the attached recommended MOU in draft format in order to seek input from the County Council. Similar meetings are being held among other participating jurisdictions with the intent that a final recommended MOU can be updated and then presented to all agencies for adoption by May 2024.

Heber Lefgren then went through a HVAC five year performance record. Also the budget remains relatively stable with only modest annual increases. Distribution of service fees are based upon the percent of total population within each agency. The animal control facility is located on Airport Road next to Solid Waste Service Station and is 3,040 square feet. The Animal Control Board has been meeting to discuss the future of Animal Control. The facility has been maintained well and has seen positive home grown improvements to meet the current demand for services. The first agreement that we have was established in 1998 and didn't have an expiration date. Also unaware of any signed copy of that agreement. The facility is outdated and unable to provide space for key services. The Heber Valley Animal Shelter is responsible for providing all animal related services requests for all of Wasatch County and dispatch services provided y Wasatch County. The facility is managed as a division within Heber City Police Department. The employees consist of 3 full-time and 1 part-time city employees. The facility has an Animal Control Advisory Board made up of members representing participating community and two representatives from Wasatch County.

The current MOU is being updated and concerned about future financial needs associated with animal services and also what agency is best equipped to manage and oversee HVAS. While there was not a general consensus regarding who should manage HVAS in the future, there was an agreement that the MOU needed to be updated and additional financial commitments would be needed in the future. The Animal Control Board has worked to update the MOU to meet the following needs:

- Clarify the roles, responsibilities and relationships between HVAS participating jurisdictions, and the Animal Management Board.
- Outline the services to be provided to participating jurisdictions and how the expenses of those services will be shared by participating jurisdictions.
- Outline the method of cost sharing for current and future services being provided.
- Explain how future changes will be managed such as increasing financial support; adding additional jurisdictions, or changing the agency that would oversee HVAS operations.

The majority of proposed MOU is based upon current, but undocumented practices. The summary of the MOU provides a high-level summary of the proposed MOU.

- The term of agreement would be 5 years with automatic renewal unless written notice is provided. The Current goal is to start July 1, 2024.
- Heber City will serve as the operating jurisdiction and responsible for the day-to-day operations of HVAS.
- Services provided by HVAS to participating jurisdictions are consistent with the current level of services provided by HVAS.
- This includes but is not limited to Enforcement of animal control ordinances and licensing program.
- Sheltering and holding of stray and owner surrender animals.
- Finding positive outcomes for sheltered animals, removal of dead domesticated animals from public rights-of-way
- Regulation of vicious and/or dangerous animals.

The MOU includes the creation of a management committee.

- The management committee would be made up of five voting members. Two appointed by Heber city, 2 appointed by Wasatch County, and 1 appointed by Midway. Alternative voting member will also be appointed by Interlaken and Hideout. This member will have voting authority only if there are fewer than 5 voting members present. Also additional non-voting members may be appointed by Participating Jurisdiction if needed/desired.
- Also in accordance with the budget schedule, the proposed HVAS budget and annual service fees would be provided to Board Members with sufficient time for them to seek input and direction from the jurisdiction governing body. The proposed budget would be considered approved after receiving a super majority approval from Board members four of five votes. Also service fees in proposed MOU are to be structured similar to the current

practice. The following shows the percent of participating jurisdiction. Heber City, 48.79 percent. Wasatch County unincorporated 30.19 percent, Midway City, 16.98 per cent, Hideout 3.59 per cent and Interlaken 0.45 percent.

The next steps to follow with the MOU:

- Purpose of today is to seek Wasatch County Council's input regarding the substance and direction within the proposed MOU. Provided MOU is in draft form and still requires review from legal teams. Other participating jurisdictions are doing the same thing at this time.
- Draft MOU will be an item of discussion during next Interlocal meeting.
- Feedback received today and from all other meetings will be discussed during the next HVAS Board meeting and integrated into a final recommended MOU.
- Final recommended MOU will be provided to legal team, Wasatch County and Heber City for final substance review.
- Final MOU will be presented for approval to Wasatch County in May/June 2024.
- Goal is to have a full executed and approved MOU before July 1, 2024.

Heber Lefgren indicated that the conversation that we are having today is in regards to the substance and direction to make sure that where we are heading is where we would like us to head. We will then have another meeting and then when we have our next Interlocal meeting and put this on the agenda as well to have a conversation. Similar conversations are being held with some of the other entities. The goal is to be able to get all the feedback ready and brought back to the board meeting to integrate it to a final recommended MOU. At that point we will provide the information to our legal team both Wasatch County and Heber City to be able to make sure that everybody is comfortable with it. Then we hope to be able to bring it back to you for final recommendation and approval in May or June with a goal of going live July 1st of this year.

This MOU does a couple of things. One is formalized a lot of the structure that we have already but it also creates it in such a way that allows us to plan for things that we know are coming. For example we recognize that there are going to need to be some additional financial support as we grow and this structure creates a framework that allows it to happen. In the upcoming years we will need to have some conversations about how do we pay for large capital projects and again this framework creates the ability for us to be able to have that. Also who is the best organization to run animal services whether that be Heber City, Wasatch County, a special service district and there was not complete agreement on that one and we still need to have that conversation to identify where is the best place and the framework is created to allow us to be able to make that transition if and when we need to do that.

Heber Lefgren's recommendations are that as we identify the structure and once we are good with the structure we need to start doing some longer term planning on what are the financial needs for animal care and based on the recommendation of that discussion then at that point once we know what those financial needs are and we have an understanding of what those costs are then when we start looking at strategies on how do we pay for that and that will go in naturally into who is

the best organization to run the shelter. That would be done after we had a discussion about what are the financial long term needs of animal services. Also we still need to give the draft copy of the MOU to the Wasatch County Attorney's office for review and Heber City will provide that to their legal team.

Today we need to know that the substance and the direction is aligned with what you envision is needed. The majority of this MOU is new and the previous MOU was literally like a one page maybe a one and a half page document so this provides a little bit more robust direction on some of the practices that we have had. Also with regard to the committee, the chair of that committee will be one of the representatives of the operating jurisdiction so right now it falls under Heber City and that means that one of the two Heber City representatives would serve as the chair of that committee.

Council Comments

Councilman Mark Nelson indicated that in different parts of Wasatch County the definition of animal services is very different because there is quite a range of expectations. Heber Lefgren replied that the shelter has taken that responsibility on to make sure they understand what is the difference the laws between one entity and another entity and to carry it out. With regard to enforcement there is going to be some variation but the services being provided and this MOU basically says this is the service that is being provided. If you want a higher level of service then you are going to work with the jurisdiction to pay extra for that additional service. If we feel like we want a higher level of service there is a way for us to be able to pay for that higher level of service.

Councilman Luke Searle indicated that as suggested by our budget if we as Wasatch County had a municipal services fund to ensure that the unincorporated parts that we take our money to pay for animal services from that particular portion then we would assure ourselves that is where the money is coming from. It is an internal thing. Also when these meetings take place are this committee meetings being recorded? Heber Lefgren replied that it doesn't have anything in the MOU requires the recording and that would be based upon the recommendation of the operation jurisdiction for how they manage that. The MOU provides the details of the quarterly meeting and a lot of the solutions to our problems is us just meeting and paying attention to the issues that we have and as a result we have had some good work done and working with the Sheriff and Heber, Midway, Interlaken and Hideout. If we continue to do what we have been doing it will make us able to tackle some of those long term planning issues. We need to proactively plan for this. Possibly we could look at the name to be the Animal House. Where we are evolving as the population and we have to decide what new services we are providing and what existing services are being strained by all the new growth and things such as that we need to be moving forward with.

Heber Lefgren indicated that as we look at the creation of this new management board that there are some aspects where it is not just an advisory board that we are giving them decision making

authority particularly when it comes to the budget that they will be reviewing and approving the budget then that as a Council we would be required to kind of participate in. That is one of the steps that we have added. The difference is we have input in those decision making and not just the operating jurisdiction saying here is what next year's budget is and your contribution that we have a voice at the table to be able to have that conversation in what increases are required or will be required. The idea is once the board makes the decision as a participating entity we would commit to that. We need to make sure that we are clear on that.

The Wasatch County Council indicated that this was a good presentation and we should keep moving forward with finalizing the MOU.

COUNCIL/BOARD REPORTS

Councilman Kendall Crittenden just reminded the Wasatch County Council regarding the meals on wheels where you go to the senior citizens at their home and deliver meals.

Councilman Kendall Crittenden indicated that he was approached by Bob Allen from MAG, we share the costs of the County with Heber City and Midway for a trail planner and our grant writer. Summit County has expressed to join into that and have them, utilize their services also. Wasatch County Council expressed there would be a concern with time that they spend that would take away their services to us. Councilman Mark Nelson indicated that there are two things to consider and one is what do they want, the grant writer and the trail planner do they want to have more hours. Also what does Wasatch County want? We don't want to share them. We have plenty to do and do not want to share them. The Council and Doug Smith, the Wasatch County Planner, expressed that concern. Councilman Kendall Crittenden indicated that he will talk to Bob Allen and let him know our feelings regarding spreading our trail planner and grant writer too thin and as a result we would not get the response time that we want out of them. Councilman Luke Searle indicated that he agrees with the time factor that would entail. Councilman Kendall Crittenden indicated that he would take what the Council has indicated to Bob Allen.

Councilman Luke Searle reminded the Wasatch County Council regarding the mine tour on Monday that Max Covey, the General Manager of the Jordanelle Special Service District has planned on taking the Council on that tour. Also the Pie Event that took place at the Senior Citizen Building was a big success and raised \$735.00 from the donations.

MANAGER'S REPORT

LITTLE POLE ROAD AND INCREASED DENSITY

Heber Lefgren, addressed the Wasatch County Council and indicated that the County has received a couple of requests seeing if there is any appetite for us abandoning either that road or portions

of that road. The road is a Class B gravel road. From the County's perspective there is some advantage for the fact of abandoning at least a portion of that because the County is taking care of that property and not going anywhere. Also last week we had somebody come in to talk about changing the County code to allow for more density. We also received this week a couple of more requests for taking county property and making it high density and the question that we have is this a topic that we want to create a committee to have a discussion looking forward and how do we want to handle high density requests. Councilman Karl McMillan indicated that they haven't got enough water to have any density. Chair Spencer Park indicated that they need to run it through the process because there is no water. Heber Lefgren replied that the question that the County has is there desire for us to have that conversation of what our policies regarding the high density development in the County. Councilman Mark Nelson replied that by definition the County is not supposed to be involved. Heber Lefgren replied that it sounds like the County is not intended to be dense and the best strategy it needs to be put on like Heber City's annexation plan.

Doug Smith, the Wasatch County Planner, replied by Zoom that the land owners are asking for more density than what is there now because it is P-160 and there are four thousand acres that they are combining together with Christensen property and goes all the way up Little Pole and is adjacent to Victory Ranch, Wolf Creek Ranch and the Sorensen property and Greener Hills. We have been very cautious with telling them that our General Plan recommends that densities get lower as you transition away from the city center.

Councilman Luke Searle replied that the entire Council to look into the matter rather than a committee. We are not interested in changes until we all can have a discussion about something or if there was a particular need.

Councilman Mark Nelson replied that without specifics and a formal recommendation we have to follow our General Plan.

Heber Lefgren replied that he feels like he got the information which is needed to say is this a topic that we want to consider and it sounds like we are comfortable with what we have.

Austin Corry, the Assistant Wasatch County Planner via Zoom, indicated that one of the things that is really to keep in mind is that the process is very important and when things are being talked about things that actually would affect our General Plan or would be contrary to our General Plan going through the process of how you amend is that is part of how you answer those questions rather than avoiding the perception of a decision is made and now we are going to write a General Plan that follows that decision. Heber Lefgren indicated that if something unique comes along we have a process already in place for us to look at that and direct people to that process.

REMOVAL OF TREES ON COUNTY PROPERTY

Heber Lefgren, the Assistant Wasatch County Manager, addressed the Wasatch County Council

and indicated that with regard to our IT and Planning Building in the front yard we have quite a few partially dead trees and some trees that are considered to be trash trees that have grown up over the course of the last few years and we are looking at going through and cleaning that up to make that presentable. Heber Lefgren showed some pictures showing what he is talking about. The Wasatch County Council indicated that they are in favor of doing that because we need to make it look good around our County Buildings. Heber Lefgren replied that the County reached out to Heber City and said that for this area you can take these trees out so there is no requirements associated with it. Councilman Luke Searle replied that the County needs to look at the sign also.

CLOSED SESSION

The Wasatch County Council and Staff both indicated that there is no need for a Closed Session this evening.

Councilman Kendall Crittenden made a motion that the Wasatch County Council go into a recess and then return at 6:00 p.m. to handle our one public hearing. Councilman Karl McMillan seconded the motion and the motion carries with the following vote:

AYE: Chair Spencer Park

AYE: Mark Nelson

AYE: Erik Rowland

AYE: Kendall Crittenden

AYE: Luke Searle

AYE: Karl McMillan

NAY: None.

WHEREUPON, THE WASATCH COUNTY COUNCIL TOOK A RECESS.

Chair Spencer Park indicated that the record should show that it is now 6:00 p.m. and the Wasatch County is again in session to have the Public Hearing that is scheduled for this evening.

PUBLIC HEARING MARCH 20, 2024

RECOMMENDATION FOR ADOPTION OF WASATCH COUNTY ZONING MAP. AS PER 16.02.04 THE ZONING MAP IS TO BE APPROVED BY THE LEGISLATIVE BODY AND SIGNED BY THE CHAIRPERSON.

Staff:

Doug Smith, the Wasatch County Planner, addressed the Wasatch County Council and indicated that this matter is a County initiated proposal to amend the County zoning map. The zoning map in its current form, has been used for the last approximately 20 years. Changes are made periodically that incorporate any rezones that have been approved as well as annexations and other changes. This zoning map proposal not only updates the map as far as the areas that have been rezoned, but also changes the format so that the entire County is contained on one page. This has been somewhat confusing in the past where the County zoning map was split in half, due to the size of the County and a match line that shows the eastern portion of the County. The code regarding adoption of the zoning map is listed in your staff report.

Doug Smith then went through the major updates to the zoning map.

1. Updates the map to incorporate recent rezones.
2. Changes the format so the entire County is now on one page so that the match line is not confusing.
3. Changes the colors of the various zoning districts so they are more typical of industry standards which is darker colors for higher density/intensity zones.
4. Different legend and cross hatching for various overlay districts.
5. Updates borders of municipalities and MIDA to reflect recent annexations.
6. Updates total acreages of various zones to reflect recent rezoning and annexations.
7. Has a larger scale map of the valley floor and Jordanelle area.
8. Incorporates the new County logo.

Doug then went through some key issues to consider.

1. In the updated format for the zoning map acceptable?
2. Are there any thoughts about other updates listed above that have been made to the zoning map?

Doug then went through the proposed findings:

1. The existing County zoning map has been in a similar format for approximately 20 years.
2. The existing zoning map shows the western portion of the County and has a match line for the eastern portion or the Strawberry area.
3. The existing map with the match line is confusing because you cannot see the entire County on a single map.
4. Colors have been changed so that lighter colors are for lower density/intensity zone then darker colors in conformance with typical color standards uses.
5. The updated map changes areas to correctly portray recent zone changes.

Doug Smith then read the proposed condition:

1. The Given's rezone that occurred in Wallsburg last year needs to be reflected correctly on the map before adoption by the Wasatch County Council.

Public Comment:

Chair Spencer Park then opened the hearing up for public comment and there was none so the public comment period was closed.

Councilman Karl McMillan made a motion that we accept the recommendation of the Planning Commission for adoption of the Wasatch County Zoning Map as per with the findings and the one condition as outlined with regard to the Givens property. Councilman Kendall Crittenden seconded the motion and the motion carries with the following vote:

**AYE: Chair Spencer Park
AYE: Mark Nelson
AYE: Erik Rowland
AYE: Kendall Crittenden
AYE: Luke Searle
AYE: Karl McMillan**

NAY: None.

ADJOURNMENT

Councilman Karl McMillan made a motion to adjourn. Councilman Luke Searle seconded the motion and the motion carries with the following vote:

**AYE: Chair Spencer Park
AYE: Mark Nelson
AYE: Erik Rowland
AYE: Kendall Crittenden
AYE: Luke Searle
AYE: Karl McMillan**

NAY: None.

The meeting adjourned at 7:00 p.m.


SPENCER PARK/CHAIRMAN


JOEY D. GRANGER/CLERK/AUDITOR

